

MOTION CARRIED

It was moved by Councillor Giffin, seconded by Councillor Hache:

"THAT HALIFAX COUNTY DECLARE MARCH AS RED CROSS MONTH"

MOTION CARRIED

6. Ms. Dempsey Crossman outlined a letter from Marilyn Smith, President of the East Preston Recreation Association with regards to the building committee that council struck at the last session and asking that the church and seniors groups be reinstated.

It was moved by Councillor Mitchell, seconded by Councillor Giffin:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

7. It was moved by Councillor Hendsbee, seconded by Councillor Smiley:

'THAT THE LETTER FROM THE HONOURABLE WAYNE ADAMS BE RECEIVED"

MOTION CARRIED

It was moved by Councillor Smiley, seconded by Councillor Turner:

'THAT THE MOTION OF FEBRUARY 21, 1995 WITH REGARDS TO COMPOSITION OF THE BOARD FOR THIS PROJECT BE RESCINDED"

Councillor Smiley said if this motion passes she would be making a motion to go with the original staff report. She said staff had been sent out and had come back with a recommendation. She said these type of restrictions were not imposed on other projects and she feels that council should let the Recreation Association do the job and take responsibility for appointing people on the Board who they feel represent the concerns of the community.

Councillor Hendsbee said it was his understanding that the procedure would be that a Notice of Motion be given at this meeting for the following council session.

Mayor Ball said there can be a notice of rescindment on any previous decision of council at any time. He said the question is whether the motion on the floor requires a notice.

Mr. Crooks said council is always in a position to rescind or amend any resolution which has previously passed. The procedural requirement is that advance notice be given, either by agenda notice or a notice of motion given at a previous meeting to

council, of any intention to move a motion of rescindment or to amend a motion already passed.

Mayor Ball asked if council can agree to deal with it by doing it at this meeting if it chooses to do so.

Mr. Crooks said it is always open to council but parliamentary principle, which governs here, is that notice be required.

Councillor Hendsbee said he feels that this issue should not have been brought back as it had been dealt with at the previous council session.

It was moved by Councillor Merrigan, seconded by Councillor Mitchell:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

The meeting was called back to order.

Councillor Hendsbee said in addition to the two letters that had been received he indicated that a letter had been faxed to the Mayor on February 25th from the Ratepayers Association acknowledging the error of the newsletter which was corrected. He said the two letters refer to a newsletter that was published but only fifteen copies had been circulated.

Councillor Smiley withdrew her motion but served Notice of Motion of Rescindment for the next council session scheduled for March 21, 1995.

Councillor McInroy said he has concerns with regards to such letter as the one received from the Honourable Wayne Adams arriving by way of the supplementary agenda. He said the letter references council's approval of 1/6 funding being set aside for operating costs. He said he recalls that that was not the case. He said the Minister makes reference to the county's contribution as a capital contribution. He said he would like to see this clarified. He said he would like to see some formal procedure put in place in order to deal with this issue or any aspect of it again so that council can have some advance notice of what it is exactly dealing with. He said he feels council should be doing something in order to be dealing with this in a little more civilized manner.

8. Ms. Dempsey Crossman outlined a letter from the Chairman of the Halifax County-Bedford District School Board requesting an opportunity to address council in order to seek financial support for the 1995/96 period.

It was moved by Councillor Dooks, seconded by Councillor Harvey:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Ball said he would suggest that a Committee of the Whole be scheduled for sometime in the first week of April.

Council agreed to this.

9. Ms. Dempsey Crossman outlined a letter from Francene Cossman, MLA, Bedford/Fall River, acknowledging receipt of a copy of council's correspondence with regards to education funding.

It was moved by Councillor Mitchell, seconded by Councillor Sutherland:

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

10. Ms. Dempsey Crossman outlined a letter from the office of the Premier acknowledging receipt of council's correspondence with regards to the Halifax G7 Summit.

It was moved by Councillor Hendsbee, seconded by Councillor Dooks:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

11. Ms. Dempsey Crossman outlined a letter from the Nova Scotia Economic Renewal Agency in response to council's correspondence with regards to the RDA funding.

It was moved by Councillor Giffin, seconded by Councillor Mitchell:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

12. Ms. Dempsey Crossman outlined a letter from Dr. Jim Smith, Minister of Community Services in response to council's correspondence regarding the allocation of subsidized daycare spaces.

It was moved by Councillor Deveaux, seconded by Councillor Giffin:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

13. Ms. Dempsey Crossman outlined a letter from Laurie Lewis,



Administrator, N. S. Resource Recovery Fund with regards to funding assistance available for the recycling of derelict vehicles.

It was moved by Councillor Meade, seconded by Councillor Fralick:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

14. Ms. Dempsey Crossman outlined a copy of a letter from the Kings Road Petition Committee to the Honourable Richard Mann.

It was moved by Councillor Mitchell, seconded by Councillor Fralick:

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

15. Ms. Dempsey Crossman outlined a letter from the Metropolitan Halifax Chamber of Commerce with regards to the Greater Halifax Economic Development Partnership - Memorandum of Understanding.

It was moved by Councillor Giffin, seconded by Councillor Hache:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

MEMORANDUM OF UNDERSTANDING FOR THE ESTABLISHMENT OF THE GREATER HALIFAX ECONOMIC DEVELOPMENT PARTNERSHIP (GHEDP)

Mr. George McLellan, Director of Corporate Services, made the staff presentation and outlined his report for council.

Councillor Reid said he can't support the recommendations because of clause 11 in the Memorandum of Understanding. He said approximately six months ago the province announced there would be two RDA's for what is known as Halifax County as including the two cities and the town. Clause 11 of the Memorandum states in effect that the area that is to be encompassed by amalgamation shall be the area that this supposed metro RDA encompasses. He said that flies in the face of what council knows has actually happened. He said unless that clause is altered or changed to reflect the fact that there is another RDA in existence within the boundaries of Halifax County then he cannot support this and would hope that council would not.

Mayor Ball suggested that maybe the recommendations presented could be put forward with the proviso that this particular GHEDP recognizes the RDA as currently in place in Halifax County and the funding arrangements that are to be made in conjunction with that.



Councillor Reid said that he realizes that the recommendation in number 2 states that the boundaries have to be determined. He said he feels that council should point out that Halifax County has established an RDA that encompasses the area known as Halifax County now. During the discussions that were held with the representatives from all of Halifax County it was understood that the area of Sackville and Cole Harbour could at any point in time move to a metro RDA. He said there was an RDA established for the rest of Halifax County but this document does not reflect that and he feels it should.

Mayor Ball said if that clause needs clarity in recognition of the Halifax County RDA to indicate that the county wants that kept in place regardless of the makeup of GHEDP then that is the message that should be sent back.

Mr. McLellan said maybe council could emphasize that the county RDA remains. He said it could be indicated that there is no incongruity with having Sackville and Cole Harbour to participate in the process as well.

Councillor Reid said he would like to see something in writing in the form of a recommendation. He suggested it would come to the next Executive and from there to council.

It was moved by Councillor Reid, seconded by Councillor Brill:

"THAT IT BE REFERRED TO MR. MCLELLAN FOR FURTHER INVESTIGATION AND THEN TO BE FORWARDED TO THE EXECUTIVE COMMITTEE"

Deputy Mayor Cooper said they have tried to have representation from the Cole Harbour area. He said he feels before these decisions are made by groups he would like to be able to meet with the Chamber or the Committee that represents Cole Harbour to find out what the business people from the area think. He said he would be looking for an opportunity to meet with the Cole Harbour Committee of the Dartmouth Chamber of Commerce.

Mayor Ball said that as indicated in item No. 4 of the report it will be coming back to council for review and acceptance.

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

File No. ZA-LM-16-94 - Application to amend the provisions of the C-2 (General Business) zone under the Land Use By-law for North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston

It was moved by Councillor Rankin, seconded by Councillor Hache:

"THAT THE AMENDMENTS BE APPROVED AND THAT A PUBLIC HEARING BE SCHEDULED FOR APRIL 10, 1995 AT 6:00 P.M."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Issuance of Summary Offence Tickets Pursuant to the Summary Proceedings Act

It was moved by Councillor Giffin, seconded by Councillor Scratch:

'THAT THE LIST OF OFFENSES BE FORWARDED TO THE DEPARTMENT OF MUNICIPAL AFFAIRS FOR THEIR APPROVAL"

Councillor Scratch referenced By-law No. 6 and By-law 47 and stated that she does not see a great deal of difference in the offence. but the fine under By-law 47 is \$250.00 but a fine under By-law 6 is \$50.00.

Mr. Crooks said what council is being requested to do is designate offenses for which summary offence tickets can be issued. He said would be happy to review the two offenses and look at the suggested out of court settlement.

Councillor Scratch said perhaps staff would want to look at some policy to support some of these tickets. She asked if the offence with relation to by-law 6 also involves encroachment on public land.

Mayor Ball said that council is almost into a review of by-laws and if the staff or the designate have the opportunity to ticket someone for an offence that is what should be done. He said currently the only way of remedial action is that the county has to go through a legal process of taking people to court. He said this affords the opportunity to ticket offenders before having to go to court.

Councillor Scratch asked if the policy was there to allow them to give the ticket.

Mayor Ball said that if this recommendation is passed by council and forwarded to Municipal Affairs and, if they endorse it, that automatically gives staff the right to issue tickets on the offenses that are outlined.

Mr. Crooks said the staff of Planning and Development are well aware of this initiative and went through a detailed review of each and every offence that is proposed for designation. He said it is his understanding that the planning staff were fully apprised.

Councillor Scratch asked if that by-law would include encroachment.

Mayor Ball said what council is trying to facilitate is staff having the ability to issue a ticket on the tickets outlined which may include encroachment.

Deputy Mayor Cooper said it was indicated at the Executive Committee meeting that this would be the first step and that the amounts of fines would be reconsidered.

Mr. Crooks said his understanding is that this would represent council's request to authorize the designation of these offenses for the issuance of summary offence tickets with the minimum fines or out of court settlements as indicated in memorandum.

It was moved by Deputy Mayor Cooper, seconded by Councillor Giffin:

'THAT THE REPORT BE REFERRED BACK TO THE EXECUTIVE COMMITTEE FOR CONSIDERATION OF THE AMOUNTS OF THE FINES'

MOTION CARRIED

Municipal Cost Sharing - Solid Waste Management

It was moved by Councillor Rankin, seconded by Councillor Fralick:

"THAT HALIFAX COUNTY NOT CHANGE IT'S BY-LAW; THEREFORE, THE STATUS QUO OF THE BY-LAW, ASSESSMENT BASIS, WILL CONTINUE UNTIL JANUARY 1, 1997"

MOTION CARRIED

Lucasville Water Infrastructure Program

It was moved by Councillor Giffin, seconded by Councillor Rankin:

'THAT COUNCIL GIVE APPROVAL FOR THE DESIGN AND CONSTRUCTION OF A WATERMAIN ON LUCASVILLE ROAD AT AN ESTIMATED COST OF 3.043 MILLION, AND FOR THE EXPENDITURE OF 1.170 MILLION FROM THE CAPITAL GRANT FUND AS THE COUNTY'S CONTRIBUTION. IT IS FURTHER RECOMMENDED THAT A CONNECTION CHARGE OF \$1,500 PER UNIT BE REQUIRED AS A CAPITAL CONTRIBUTION FOR ANY SERVICE CONNECTED TO THE SYSTEM AND WHICH HAS NOT CONTRIBUTED A FRONTAGE CHARGE'

MOTION CARRIED

Mayor Ball suggested that a letter be written to the Federal and Provincial Minister and the MLA, Bill MacDonald notifying them of council's decision

It was moved by Councillor Giffin, seconded by Councillor Hache:

"THAT THE LETTERS BE WRITTEN"



MOTION CARRIED

Contract #92505C Bedford By-Pass Watermain Phase I

It was moved by Councillor Fralick, seconded by Councillor Mitchell:

"THAT THE PROJECT BE AWARDED TO THE FIRM OF W. ERIC WHEBBY LTD. IN THE AMOUNT OF \$3,873,400.00"

MOTION CARRIED

Capital Grants re Cultural and Recreation Facilities

It was moved by Councillor Mitchell, seconded by Councillor Brill:

'THAT COUNCIL APPROVE THE 1/6 FUNDING REQUEST FOR AN AMOUNT OF \$33,333 FOR THE DEVELOPMENT OF A COMMUNITY PARK ADJOINING THE FULTZ HOUSE MUSEUM CONDITIONAL UPON OTHER FUNDING SOURCES BEING CONFIRMED"

Councillor Harvey said that to his knowledge Sackville Community Council had not passed a motion with regards to having financial responsibility for the operation of the facility as indicated in the report. He said he is not sure what is being referenced there.

Mayor Ball said it is his understanding that it is a parkland that has been dealt with in terms of the county leasing it and it would probably be released to the Legion for a Cenotaph Park.

Mr. Markesino said he was under the assumption that it would come under the Sackville Community Council. He said this is what he was told.

Councillor Brill said there had been various meetings held and Mr. Dennis Huck, Recreation Department, had said that his department would maintain it. He said the land is leased to the county and the Sackville Recreation have agreed to maintain it.

Councillor Harvey said if it is to be maintained as a park he knows of no commitment by Sackville Recreation to maintain it. He said if there are commitments from Sackville Recreation and Halifax County Parks and Grounds then perhaps it should be a combination of Halifax County and Sackville Community Council.

Mayor Ball asked if this had been dealt with by the Sackville Community Council and endorsed by them.

Councillor Harvey to his knowledge this particular detail was not. He said the report also indicates that the facility is owned by the Municipality. He asked if that lease has been executed.

Mayor Ball said it has not been executed.

Councillor Harvey asked if technically it would be leased by the Municipality.

Mayor Ball said there is an application that appears to be endorsed but there is a question. He said perhaps it should be referred back to the Sackville Community Council for their ratification.

Councillor Harvey said he would like to clarify if the property has been leased by the County.

Mayor Ball said the lease has not been finalized.

Councillor Harvey said it will never be owned by the Municipality and he feels the application should say that.

Councillor Brill said the Sackville Legion had made a presentation to their council. It was understood that a committee was being struck to deal with this of which the County Recreation staff, Engineering staff and Planning staff have been involved.

Mayor Ball asked Mr. Markesino if it was his understanding that Halifax County was not assuming financial responsibility of that facility.

Mr. Markesino said he had said that Halifax County would help in the maintenance.

Mayor Ball said that is covered of in the report.

It was moved by Councillor Deveaux, seconded by Councillor Merrigan:

'THAT THIS ISSUE BE REFERRED BACK TO THE SACKVILLE COMMUNITY COUNCIL FOR CLARIFICATION'

MOTION CARRIED

Canada/Nova Scotia Infrastructure Applications - District 11

It was moved by Councillor Dooks, seconded by Councillor Mitchell:

"THAT COUNCIL APPROVE THE APPLICATIONS FROM DISTRICT 11 FOR INCLUSION UNDER THE INFRASTRUCTURE PROGRAM"

MOTION CARRIED

Capital Grant Requests

It was moved by Councillor Fralick, seconded by Councillor Mitchell:

"THAT THE FOLLOWING CAPITAL GRANT REQUESTS BE APPROVED:

- General Parkland Grant	District 1	\$5,000.00
District Parkland Grant	District 1	\$1,075.00
- General Parkland Grant	District 4	\$2,704.21
District Parkland Grant	District 4	\$2,704.21
- District Capital Grant	District 14	\$ 900.00"

MOTION CARRIED

Borrowing Resolutions

It was moved by Councillor Rankin, seconded by Councillor Giffin:

'THAT BORROWING RESOLUTION TBR94/95-11 - WATER (GREENHEAD ROAD FIRE PROTECTION) IN THE AMOUNT OF \$110,000 BE APPROVED"

MOTION CARRIED

It was moved by Councillor Rankin, seconded by Councillor Mitchell:

'THAT BORROWING RESOLUTION TBR94/95-12 - WATER (PARKDALE WATER BOOSTER STATION) IN THE AMOUNT OF \$250,000 BE APPROVED"

MOTION CARRIED

AMENDMENTS TO THE HERITAGE HILLS DEVELOPMENT AGREEMENT

Mr. Skora, Planning and Development, made the staff report. He said an application has been received by Anahid Investments Ltd. to amend the concept plan for Heritage Hills CDD. He said the amendment was to amend the location of fourteen lots. He said the Heritage Hills is designated for 525 single and two unit dwellings. He said this is subdivided into six neighbourhood units. He said staff specified the number of dwellings in each of the neighbourhood units. The requested change, in the opinion of staff, is not a significant change and does not represent any significant impact on the existing community as well as the proposed subdivision. He said, in staff's opinion, this amendment can be considered a minor amendment to the concept plan and can be considered through a minor amendment resolution of council.

He said staff notified the abutting property owners within 250 feet from the subdivision.

QUESTIONS FROM COUNCIL

No questions from council.



PRESENTATION BY APPLICANT

Mr. Stephen Wallace made a presentation to staff. He said the initial concept plan was developed consistent with tentative subdivision approval requirements. He said subsequent to council's approval of the concept plan they have moved into design work that is consistent with that. The final approval approach involves a greater level of detail than was the case for tentative. When that was undertaken they reworked and refined the plan as presented here tonight. He said the total number of units within each category is the same. The gross density is the same. Open space is the same. There are no changes between this plan and what was approved by council it is simply a refinement of the project consistent with what takes place between tentative subdivision approval and final subdivision approval. He said a clause had been included in the development agreement that gave discretionary powers to the development officer. He said it was their understanding that the types of changes that are proposed could be handled by the development officer within the powers bestowed upon him through that clause.

Councillor Deveaux asked Mr. Wallace what would be taking place.

Mr. Wallace indicated, on the map, the proposed changes. He said the overall number of units within the projects remains the same and the total number of semi detached and small lot single family remains the same.

PRESENTATION BY ABUTTERS

Ms. Yvonne MacGregor, Cow Bay Road, addressed council. He said the development group may be looking at what they think is their best interest but they are concerned with what is taking place. She said she wonders how many times council will be approached to make amendments.

REBUTTAL BY APPLICANT

Mr. Wallace said they entered into the development agreement in good faith and they included a clause which provided some discretionary powers to the development officer. He said it is their understanding that the types of changes they are asking for tonight were within the bounds of that discretionary power. He said they are in attendance as a result of a decision of the development officer.

It was moved by Councillor Naugle, seconded by Councillor Rankin:

'THAT COUNCIL APPROVE APPENDIX A'

Deputy Mayor Cooper said he feels it is appropriate that these amendments come to council. He said council has a responsibility

to the residents to try to ensure maintenance of what was originally intended which can only be done by these items coming to council.

Councillor Deveaux said he was in support of the motion. He said there were concerns when the issue came forward was with regards to the smaller lots and the density. He said he would be opposed to the developer looking, at any time, for a higher density.

MOTION CARRIED

REQUEST FOR LOAN - NORTH PRESTON COMMUNITY CENTRE

Councillor Hendsbee requested that this be deferred to the next council session.

COMMITTEE OF THE WHOLE RECOMMENDATION

It was moved by Councillor Hendsbee, seconded by Councillor Mitchell:

'THAT THE MEMORANDUM OF AGREEMENT BETWEEN HALIFAX COUNTY MUNICIPALITY AND SERCO AVIATION BE APPROVED, WITH THE CONDITIONS RELATIVE TO FUNDING FROM THE PUBLIC/PRIVATE PARTNERING FUND"

MOTION CARRIED

Councillor McInroy said he was objecting to the sole sourcing.

APPOINTMENTS TO THE HALIFAX MUSQUODOBOIT LIVESTOCK HEALTH SERVICES BOARD (ONE APPOINTMENT) AND HALIFAX SOUTH EAST LIVESTOCK HEALTH SERVICES BOARD (ONE APPOINTMENT)

It was moved by Councillor Reid, seconded by Councillor Mitchell:

"THAT WILLARD ERSKINE AND ROSCOE TOFFLEMIRE BE REAPPOINTED TO THE BOARDS"

MOTION CARRIED

FIRST READING - BY-LAW TO AMEND BY-LAW 51, THE TAX EXEMPTION BY-LAW

It was moved by Councillor Hendsbee, seconded by Councillor Giffin:

"THAT FIRST READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW 51, THE TAX EXEMPTION BY-LAW"

MOTION CARRIED

FIRST READING - A BY-LAW TO REPEAL BY-LAWS ESTABLISHING COMMUNITY COMMITTEES IN THE MUNICIPALITY

It was moved by Councillor Sutherland, seconded by Councillor Giffin:

'THAT FIRST READING BE GIVEN TO A BY-LAW TO REPEAL BY-LAWS ESTABLISHING COMMUNITY COMMITTEES IN THE MUNICIPALITY"

MOTION CARRIED

FIRST READING - A BY-LAW TO AMEND VARIOUS BY-LAWS RELATIVE TO POLLING DISTRICT CHANGES

It was moved by Councillor Reid, seconded by Councillor Hendsbee:

"THAT FIRST READING BE GIVEN TO A BY-LAW TO AMEND VARIOUS BY-LAWS RELATIVE TO POLLING DISTRICT CHANGES"

MOTION CARRIED

MEMORANDUM RE: BACKYARD COMPOSTING PROGRAM

It was moved by Councillor Mitchell, seconded by Councillor Hache:

"THAT THE MEMORANDUM BE REFERRED TO THE STAKEHOLDERS COMMITTEE AND THE PROJECT STEERING COMMITTEE"

Councillor Harvey said this type of thing appeared to be under one of the categories with regards to the Resource Recovery Fund.

MOTION CARRIED

APPOINTMENT OF DEVELOPMENT OFFICER - SACKVILLE BRANCH OFFICE

It was moved by Councillor Giffin, seconded by Councillor Hache:

"THAT COUNCIL APPOINT GAIL BOWEN AS THE DEVELOPMENT OFFICER FOR THE PERIOD FROM MARCH 13, 1995 TO JULY 7, 1995"

MOTION CARRIED

DEPARTMENT OF TRANSPORTATION - COUNCILLOR GIFFIN

Councillor Giffin said his item deals with English Corner on the Hammonds Plains Road. He said with the development of subdivisions in the area there is a tremendous amount of traffic coming there. He said it is no longer just an accident that could happen but a fatality. He said he feels the council should inform the Minister of Transportation, the MLA and Martin Delaney of this.

It was moved by Councillor Giffin, seconded by Councillor Hache:



'THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION, THE MLA AND MR. MARTIN DELANEY ASKING THEM TO TAKE A VERY SERIOUS LOOK AT DOING SOMETHING WITH THAT CORNER"

MOTION CARRIED

FREE VOTES IN COMMONS AND LEGISLATURE - COUNCILLOR DEVEAUX

Councillor Deveaux said he has always been concerned with the system of voting in the commons and the legislature. He said one of the problems is the party system and having to follow party lines. He said he feels it is time to bring about a change where free votes are allowed both Federally and Provincially.

It was moved by Councillor Deveaux, seconded by Councillor Dooks:

'THAT A LETTER BE WRITTEN TO THE PRIME MINISTER AND ALL LEADERS OF THE OPPOSITION IN THE FEDERAL GOVERNMENT REQUESTING THE PRIME MINISTER TAKE WHATEVER ACTION IS NECESSARY TO ALLOW FOR FREE VOTES ON ALL ISSUES THAT COME BEFORE THE HOUSE OF COMMONS AND THE SENATE"

Councillor Giffin said it would have to be stipulated that the free vote could only be in matters that would not bring down the government. He said they could not allow it in matters of finance.

MOTION CARRIED

It was moved by Councillor Deveaux, seconded by Councillor Hendsbee:

"THAT A LETTER BE WRITTEN TO THE PREMIER OF NOVA SCOTIA AND THE LEADERS OF THE OPPOSITION PARTIES IN THE PROVINCIAL LEGISLATURE REQUESTING THAT THE PREMIER TAKE WHATEVER ACTION IS NECESSARY TO ALLOW FOR FREE VOTES ON ALL ISSUES THAT COME BEFORE THE PROVINCIAL LEGISLATURE"

MOTION CARRIED

Councillor Harvey gave notice of reconsideration, to the end of the council session, with respect to the motion on the Cenotaph Park in Sackville.

BEAVERBANK SERVICING - COUNCILLOR MERRIGAN

Councillor Merrigan said in 1988 the Department of Health did a sanitary survey and determined that there was a water and a sewage problem with on site sewage systems malfunctioning. He said in 1990 UMA was hired to do a report. He said in June, 1991 that report came out and it indicated that in the Community of Beaverbank that forty nine to fifty percent of sewage systems were

malfunctioned and forty three percent of the wells were contaminated. He said a report came forward with recommendations on how to service the community of Beaverbank. He said the project to put services in and to hook up Woodbine Mobile Home Park was started and to bring both services to the bottom of Deans Hill. He said last year in the infrastructure requests, #2 and #6 were both for Beaverbank Servicing. He said last year he had requested that staff look at different phasing in.

It was moved by Councillor Merrigan, seconded by Councillor Hache:

"THAT COUNCIL ASK STAFF TO LOOK AT IF THERE IS ANY WAY POSSIBLE OF TAKING THAT SECOND PHASE AND SUBSTITUTING IT BY BRINGING THE PIPE UP THE BEAVERBANK ROAD TO TUCKER LAKE ROAD RATHER THAN TWINNING"

Mayor Ball confirmed that he was asking staff for a report on the feasibility of doing that.

MOTION CARRIED

PROCLAMATION - THE INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION, MARCH 21, 1995

It was moved by Councillor Hendsbee, seconded by Councillor Deveaux:

'THAT HALIFAX COUNTY PROCLAIM MARCH 21, 1995 AS THE INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION"

MOTION CARRIED

INFORMATION REPORTS

It was moved by Councillor Reid, seconded by Councillor Mitchell:

"THAT COUNCIL RECEIVED THE FOLLOWING REPORTS:  
- Sackville and Timberlea Transportation Studies  
- To Date Summary of Expenditures - Regional Solid Waste Project  
- Redistribution Committee  
- Update - Halifax County Summit Committee"

MOTION CARRIED

It was moved by Deputy Mayor Cooper, seconded by Councillor Hendsbee:

'THAT THE MUNICIPALITY BE ASKED TO UNDERTAKE SUCH A STUDY FOR THE WESTPHAL/COLE HARBOUR/EASTERN PASSAGE AREAS UNDER THE NEXT BUDGET TO DETERMINE IT'S NEEDS AND RESPONSE TO

IT"

MOTION CARRIED

Councillor Scratch said that she believes that Sackville requires a transportation study. She said as a result of time restraints, the Terms of Reference for this study, put to tender, were not reviewed by the Sackville Community Council. She said she would like to request that the study not be limited to the committed and proposed transportation improvements. She said the Department of Transportation used the QRS2 study in October, 1992, in the Sackville area, to analyze the existing highway network and future highway network scenarios to determine the existing and projected level of service based on the same committed and proposed transportation improvements. She said the study was based on a twenty year time frame from 1995 to 2015. She said although this study differs in that it requires the inclusion of public transit, the same data supplied by municipal and provincial departments would result in a similar study and results.

She said although requests have been made by the Sackville Community Council and residents, in the past, to include and explore alternative upgrades to the existing infrastructure, these scenarios have never been included in a transportation study. Due to the obvious lack of capital to construct highways around Sackville or elsewhere, it seems prudent that the transportation study identify alternatives to meet the communities transportation needs which might not include highway construction. She said she can support the transportation study for Sackville if it does not limit itself but allows for the inclusion of study resulting from public opinion at the required public meetings, Steering Committee input and all applicable studies, plans, questionnaires and recorded public hearings.

Councillor Meade informed council that March 17th is the deadline for input with regards to the brochure for the G7 Summit.

WHITE PAPER ON EDUCATION - COUNCILLOR RANKIN

It was moved by Councillor Rankin, seconded by Councillor Deveaux:

"A LETTER BE WRITTEN TO THE MINISTER OF EDUCATION WITH COPIES TO THE OPPOSITION PARTIES EXPRESSING COUNCIL'S CONCERNS WITH REGARDS TO THE LACK OF RECOGNITION OF PARTNERSHIP IN THE WHITE PAPER RELATIVE TO FINANCIAL ARRANGEMENTS"

MOTION CARRIED

Councillor Rankin said he would like to have his letter copied to the MLA's and the Premier.



URGENT AGENDA ITEMS

Councillor Deveaux confirmed that the deadline was past for submissions to the FCM.

ADDITION OF ITEMS TO MARCH 21, 1995 COUNCIL SESSION

Councillor Hendsbee - Canada Post

Councillor Giffin - Court House Committee  
- Hammonds Plains Road

Councillor Rankin - Metro Transit

MOTION OF RECONSIDERATION

It was moved by Councillor Harvey, seconded by Councillor Mitchell:

'THAT COUNCIL RECONSIDER THE MOTION TO REFER THE MATTER OF THE APPLICATION FOR THE CENOTAPH PARK IN SACKVILLE TO THE SACKVILLE COMMUNITY COUNCIL'

MOTION CARRIED

It was moved by Councillor Harvey, seconded by Councillor Brill:

"THAT COUNCIL ENDORSE THE RECOMMENDATION OF THE EXECUTIVE COMMITTEE"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Deveaux:

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

COUNCIL SESSION

March 21, 1995

PRESENT WERE: Mayor Ball  
Councillor Meade  
Councillor Rankin  
Councillor Fralick  
Councillor Mitchell  
Councillor Deveaux  
Councillor Bates  
Councillor Hendsbee  
Councillor Levy  
Councillor Dooks  
Councillor Smiley  
Councillor Reid  
Councillor Naugle  
Councillor Merrigan  
Councillor Brill  
Councillor Giffin  
Councillor Hache  
Councillor Scratch  
Councillor Harvey  
Councillor Sutherland  
Councillor Turner  
Councillor McInroy  
Deputy Mayor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer  
Nancy Dempsey Crossman, Municipal Clerk  
Alan Dickson, Municipal Solicitor

=====  
The meeting was called to order at 6:00 p.m. with the Lord's Prayer. Ms. Dempsey Crossman called roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Giffin, seconded by Councillor Naugle:

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

It was moved by Councillor Brill, seconded by Councillor Deveaux:

"THAT THE MINUTES OF THE FEBRUARY 21, 1995 COUNCIL SESSION BE APPROVED"

MOTION CARRIED

It was moved by Councillor Sutherland, seconded by Councillor Dooks:

"THAT THE MINUTES OF THE MARCH 7, 1995 COUNCIL SESSION BE APPROVED"

MOTION CARRIED

It was moved by Councillor Mitchell, seconded by Councillor Meade:

'THAT THE MINUTES OF THE JANUARY 23, 1995 PUBLIC HEARING BE APPROVED"

MOTION CARRIED

It was moved by Councillor Giffin, seconded by Councillor Hache:

'THAT THE MINUTES OF THE JANUARY 3, 1995 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

It was moved by Councillor Harvey, seconded by Councillor Hache:

"THAT THE MINUTES OF THE JANUARY 23, 1995 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

It was moved by Councillor Levy, seconded by Councillor Scratch:

"THAT THE MINUTES OF THE JANUARY 31, 1995 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

It was moved by Deputy Mayor Cooper, seconded by Councillor Sutherland:

"THAT THE MINUTES OF THE FEBRUARY 27, 1995 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from the Honourable Ron MacDonald acknowledging receipt of council's correspondence of February 23, 1995.



It was moved by Councillor Mitchell, seconded by Councillor Giffin:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from the Honourable John MacEachern in response to council's correspondence of February 24, 1995 with regards to the effect of school board amalgamation on small businesses.

It was moved by Councillor Fralick, seconded by Councillor Dooks:

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Ms. Dempsey Crossman outlined a letter from the Department of Fisheries acknowledging receipt of a copy of council's correspondence of February 23, 1995.

It was moved by Councillor Mitchell, seconded by Councillor Fralick:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a letter from Derek Wells, MP for the South Shore acknowledging receipt of the council's correspondence.

It was moved by Councillor Deveaux, seconded by Councillor Meade:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Ms. Dempsey Crossman outlined a letter from the Department of Transportation and Communications acknowledging receipt of council's correspondence with regards to the request for a hidden driveway sign in Timberlea.

It was moved by Councillor Rankin, seconded by Councillor Giffin:

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

6. Ms. Dempsey Crossman outlined a letter from the Minister of Transport acknowledging receipt of council's correspondence

concerning an application by Air Atlantic for an exemption from the Canadian ownership requirements for domestic air carriers.

It was moved by Councillor Bates, seconded by Councillor Harvey:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

7. Ms. Dempsey Crossman outlined a letter from the Department of Municipal Affairs with regards to the final calculation of the Provincial-Municipal Service Exchange.

It was moved by Councillor Giffin, seconded by Councillor Naugle:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

8. Ms. Dempsey Crossman outlined a letter from Dianne Swinemer, Executive Director, Metro Food Bank Society requesting that council declare the week of March 27, 1995 as Hunger Awareness Week.

It was moved by Councillor Deveaux, seconded by Councillor Giffin:

"THAT THE LETTER BE RECEIVED AND HALIFAX COUNTY DECLARE THE WEEK OF MARCH 27, 1995 AS HUNGER AWARENESS WEEK"

MOTION CARRIED

9. Ms. Dempsey Crossman outlined a letter from Brooke Taylor, MLA, acknowledging receipt of a copy of council's correspondence.

It was moved by Councillor Dooks, seconded by Councillor Turner:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

10. Ms. Dempsey Crossman outlined a letter from the Department of Transportation and Communications in response to council's request for a crosswalk across Caldwell Road at Thorncrest Drive in Cow Bay.

It was moved by Councillor Naugle, seconded by Councillor Deveaux:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

11. Ms. Dempsey Crossman outlined a letter from the Honourable Sandy Jolly, Minister of Municipal Affairs, with regards to the infrastructure works program.

It was moved by Councillor Mitchell, seconded by Councillor Hendsbee:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

12. Ms. Dempsey Crossman outlined a letter from Wendell Thomas, President of the East Preston Ratepayers Association, requesting an opportunity to address council.

It was moved by Councillor Hendsbee, seconded by Councillor Giffin:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Hendsbee requested that this item be deferred to later in the meeting. Council agreed.

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from FCM concerning termination of support for the National Packaging Protocol in which they urge council to urge the Minister of the Environment to maintain federal leadership on this issue.

It was moved by Councillor Sutherland, seconded by Councillor Harvey:

'THAT THE LETTER BE RECEIVED AND THE RESOLUTION BE FORWARDED TO THE MINISTER'

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from Mayor Peter Kelly, Town of Bedford, with regards to a plebescite on amalgamation and televoting. She said they are trying to ascertain whether council would be interested in participating in a metro wide plebescite.

It was moved by Councillor Hendsbee, seconded by Councillor Levy:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED



It was moved by Councillor Harvey, seconded by Councillor Giffin:

"THAT THE LETTER BE REFERRED TO THE EXECUTIVE COMMITTEE"

MOTION CARRIED

3. Ms. Dempsey Crossman outlined a letter from the Department of Supply and Services concerning the application of Halifax County's \$186,000 contribution to the East Preston Recreation Project.

It was moved by Councillor Hendsbee, seconded by Councillor Mitchell:

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a challenge to Halifax County from the Mayor of Dartmouth requesting Halifax County to declare itself a community of the Open Mind.

It was moved by Councillor Giffin, seconded by Councillor Hache:

'THAT THE LETTER BE RECEIVED AND COUNCIL ACCEPT THE CHALLENGE"

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

File No. ZA-EP/CB-05-95 - Application to amend the R-2 (Two Unit Dwelling) zone of the Land Use By-law for Eastern Passage/Cow Bay

It was moved by Councillor Naugle, seconded by Councillor Deveaux:

"THAT THE AMENDMENTS BE APPROVED AND A PUBLIC HEARING BE SCHEDULED FOR APRIL 24, 1995 AT 6:00 P.M."

MOTION CARRIED

File No. RA-F&S-02-95-17 - Application by the St. John's United Church to rezone their property at 15 Faucheu Lane in Waverley

It was moved by Councillor Mitchell, seconded by Councillor Rankin:

"THAT THE AMENDMENTS BE APPROVED AND THAT A PUBLIC HEARING BE SCHEDULED FOR APRIL 24, 1995 AT 6:00 P.M."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Report Re: Issuance of Summary Offence Tickets Pursuant to the Summary Proceedings Act

It was moved by Deputy Mayor Cooper, seconded by Councillor Scratch:

"THAT COUNCIL APPROVE THE STAFF REPORT WITH PRESENT FINES AND FURTHER THAT STAFF REVIEW AND EVALUATE THE LEVELS OF FINES AS TO THE SEVERITY OF OFFENCE AND AMOUNTS OF FINES"

MOTION CARRIED

Staff Report - Refuse Collection, Recyclable Collection and Haulage Contracts

It was moved by Councillor Smiley, seconded by Councillor Mitchell:

'THAT THE CONTRACTS BE APPROVED BY AREA"

MOTION CARRIED

Councillor Meade asked if D. Porter had the equipment to enable him to perform the refuse collection and whether a performance bond had been issued with this contract.

Mr. Meech said that staff is satisfied that Mr. Porter has the ability to perform the contract. He said there is a bid deposit that stays in place for approximately sixty days.

It was moved by Councillor Meade, seconded by Councillor Giffin:

"THAT D. PORTER BE AWARDED THE REFUSE CONTRACT FOR AREA 1 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Rankin, seconded by Councillor Meade:

"THAT J. MARRIOTT BE AWARDED THE REFUSE CONTRACT FOR AREA 2 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Fralick, seconded by Councillor Mitchell:

'THAT D. PORTER BE AWARDED THE REFUSE CONTRACT FOR AREA 3 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Mitchell, seconded by Councillor Giffin:

"THAT GREEN WASTE BE AWARDED THE REFUSE CONTRACT FOR AREA 4 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Reid, seconded by Councillor Reid:

'THAT J. MARRIOT BE AWARDED THE REFUSE CONTRACT FOR AREA 5 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Deveaux, seconded by Councillor Naugle:

"THAT L.J. BEAZLEY BE AWARDED THE REFUSE CONTRACT FOR AREA 6 OF HALIFAX COUNTY"

Councillor Naugle said if the contract for this area is not awarded to Mr. Beazley there would be repercussions. He said Mr. Beazley may have to cease operations. He said the company pays business occupancy taxes to the county in excess of three thousand dollars. He said the community feels it is in their best interest to have Mr. Beazley as the contractor.

Councillor Deveaux said that Mr. Beazley provides more than the contracted service to the community. He said that if Mr. Beazley is not awarded the contract it may result in five or six people losing their jobs. He said it is his understanding that the contract does not necessarily have to be awarded to the lowest bidder.

Councillor Bates said the tendering system is such that everyone knows exactly what they are bidding on and the criteria that has been used is that the lowest tender is the one awarded. He said he does not feel that the county can invite tenders and not honour the system that the lowest tender is accepted. He said he would not be supporting taking the tender away from any contractor who bid fairly and has the ability to do the tender.

Councillor Turner said sometimes performance speaks for itself. She said she would support the awarding of the tender to Mr. Beazley.



Mayor Ball said there is a tendering policy. He said it is his understanding that unless there is a substantive reason as to why the county can't award the tender to the lowest bidder there might be grounds for legal action.

Council agreed to defer this issue awaiting a legal opinion.

It was moved by Councillor Bates, seconded by Councillor Sutherland:

'THAT B.F.I. BE AWARDED THE REFUSE CONTRACT FOR AREA 7 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Hendsbee, seconded by Councillor Giffin:

'THAT F. CRAWLEY BE AWARDED THE REFUSE CONTRACT FOR AREA 8 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Smiley, seconded by Councillor Dooks:

"THAT E. SHORE CARTAGE BE AWARDED THE REFUSE CONTRACT FOR AREA 9 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Giffin, seconded by Councillor Mitchell:

"THAT LANTZ LEASING BE AWARDED THE REFUSE CONTRACT FOR AREA 10 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Rankin, seconded by Councillor Reid:

"THAT B.F.I. BE AWARDED THE REFUSE CONTRACT FOR AREA 11 OF HALIFAX COUNTY"

MOTION CARRIED

Council resumed discussion on Area 6

Mr. Dickson, Municipal Solicitor, said he wanted to review the wording. He said the key wording in the final paragraph states "the right is reserved to reject any or all tenders or to accept any tender or part thereof that may be considered to be in the best interest of the Municipality". He said on that basis if the

low bid was considered to not be in the best interest of the municipality or if one of the other bids was considered to be in the best interest of the municipality, council would be free to depart from any policy which suggests low bid is the way to go. He said that would be assuming the policy allows for that language.

Mayor Ball asked what the term "best interest" means.

Mr. Dickson said that would be whether the two proponents are equally capable of fulfilling the contract and in the absence of evidence that the existing contract holder is capable of some unique qualification that the others do not have then the county might have difficulty proving that the best interest was served.

Councillor Deveaux said that Mr. Beazley has proven that he can handle the job.

Councillor Bates said it is his understanding that the best interest of the municipality would be served by the lowest tender providing that that party could do the work satisfactorily.

Councillor McInroy said he does not feel that council should arbitrarily decide on who it wants to be awarded the contracts.

Mayor Ball said if council starts to single out local businessmen then the objectivity becomes lost. He said a tendering policy has been established and should be adhered to.

Councillor Naugle confirmed with the solicitor that the wording was that "it was in the best interest of the municipality". He said in his opinion that this is in the best interest of the municipality.

MOTION TO AWARD CONTRACT FOR AREA 6 TO L.J. BEAZLEY CARRIED  
15 IN FAVOUR  
7 AGAINST

It was moved by Councillor Giffin, seconded by Councillor Hache:

'THAT D. PORTER BE AWARDED THE REFUSE CONTRACT FOR AREA  
12 OF HALIFAX COUNTY'

MOTION CARRIED

It was moved by Councillor Reid, seconded by Councillor Rankin:

'THAT B.F.I. BE AWARDED THE REFUSE CONTRACT FOR AREA 13  
OF HALIFAX COUNTY'

MOTION CARRIED

It was moved by Councillor Smiley, seconded by Councillor Reid:

"THAT EASTERN SHORE CARTAGE BE AWARDED COLLECTION AND DEPOT FOR AREA 14 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Smiley, seconded by Councillor Reid:

"THAT E. SHORE CARTAGE BE AWARDED THE COLLECTION AND DEPOT FOR AREA 15 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Mitchell, seconded by Councillor Smiley:

'THAT E. SHORE CARTAGE BE AWARDED THE REFUSE CONTRACT FOR AREA 16 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Rankin, seconded by Councillor Smiley:

'THAT E. SHORE CARTAGE BE AWARDED THE REFUSE CONTRACT FOR AREA 17 OF HALIFAX COUNTY"

MOTION CARRIED

It was moved by Councillor Smiley, seconded by Councillor Naugle:

"THAT THE REFUSE COLLECTION CONTRACT FOR AREA 18 OF HALIFAX COUNTY BE AWARDED TO D. MACDONALD"

Councillor Smiley said the people in area 18 are very happy with the service being received from Mr. MacDonald and his family. She said if this tender is not considered Mr. MacDonald may be put out of business. She said Mr. MacDonalds record speaks for itself. She said the people of District 11 clearly indicate that they wish to retain the services of Mr. MacDonald. She entered into the record a petition containing 784 names.

Councillor Bates said people bid on an open and fair tender process. He said companies are given the ground rules. He said whether or not a company may go bankrupt has nothing to do with the process. He said taxpayers are entitled to the lowest bid.

MOTION CARRIED

15 IN FAVOUR

7 AGAINST

RECYCLABLES COLLECTION TENDERS



It was moved by Councillor Rankin, seconded by Councillor Scratch:

'THAT THE TENDER FOR RECYCLABLES COLLECTION BE AWARDED TO H.R.D.A. WITH A WEEKLY TENDER IN THE COLE HARBOUR/WESTPHAL, SACKVILLE AND THE SERVICED AREA OF LAKESIDE"

Mr. Meech said the original spec had a tender call on the basis of once a month. He said he had asked the Engineering and Works Department to send out an addendum requesting prices on once a week collection for the identified areas. He said the addendum would have only gone to those who had requested tender calls for recycling.

Councillor Harvey said he is in support of the enhanced service for the urbanized areas. He said it seems that if one did not tender on the once a month pickup no one else was aware of the enhanced tender being called. He said the appearance is that the enhanced tender was not quite fair as it was never advertised.

Councillor Hendsbee asked if members of council had received the letter from ARB recycling with regards to H.R.D.A.

Mr. Dickson said the letter had been circulated and there were no restriction in their articles of memorandum.

Mayor Ball said that in reading the letter that came from Revenue Canada that was a situation between Revenue Canada and H.R.D.A. and not the situation between Halifax County and H.R.D.A.

Councillor Merrigan asked which areas would be receiving the weekly recycling pick up.

Mr. Wdowiak said the areas are Cole Harbour, Westphal and the Sackville areas with the addendum, Lakeside, Beechville, Timberlea area.

Councillor Merrigan said if the county is going to start a weekly service it should be in all areas.

Councillor Reid asked what the additional cost would be.

Mr. Wdowiak said it was \$21,336.00, fifty percent of which is recoverable from the Resource Recovery Fund.

Mayor Ball asked if it was unusual when you call for a tender if an addendum is issued when there are changes. He said asked if that was a standard practice.

Mr. Wdowiak said there are reconsiderations when there are errors or additions to contracts. He said the addendum goes out to the

people who have taken out the tender papers.

Mr. Meech clarified with Mr. Wdowiak that when the addendum went out it was still on the basis that the total contract had to be bid on. The contractor could not just bid on the weekly service.

Mr. Wdowiak confirmed this. He said it was not possible to put a bid in for just the weekly collection only. The contract was for an all encompassing bid, not just by area.

It was moved by Councillor Brill, seconded by Councillor Merrigan:

"THAT THIS ITEM BE REFERRED TO THE EXECUTIVE COMMITTEE"

MOTION OF REFERRAL DEFEATED  
MAIN MOTION CARRIED

It was moved by Councillor Smiley, seconded by Deputy Mayor Cooper:

'THAT E. SHORE CARTAGE BE AWARDED THE CONTRACT FOR TRACTOR TRUCK HAULAGE TENDERS FOR MIDDLE MUSQUODOBOIT AND SHEET HARBOUR REFUSE DEPOTS"

MOTION CARRIED

Acadia School Development Project

It was moved by Councillor Harvey, seconded by Councillor Mitchell:

"THAT COUNCIL APPROVE THE PROJECT WITH FUNDING AS OUTLINED UNDER SCENARIO I OF THE AMENDED FUNDING REPORT DATED MARCH 20, 1995"

MOTION CARRIED

Offer to Purchase - Unit #1, Building #3, Hubbards Square

It was moved by Councillor Meade, seconded by Councillor Fralick:

"THAT COUNCIL APPROVE THE SALE OF THE PROPERTY"

Deputy Mayor Cooper said the Executive Committee asked if the industrial use and the dwelling unit permitted all together.

Mr. Meech said staff were aware of the situation.

Deputy Mayor Cooper said he would like to know is if you can have an industrial use with an apartment and what separations would be required for the living and amenity areas etc.

Mayor Ball said the I-3 use is allowing you a residential property living space.

Councillor Merrigan asked what kind of controls are in place with regards to what can be done to the property. He asked if there were any safeguards within the lease agreement.

Mr. Meech said he will have this concern addressed at the time the lease agreement is drawn up.

MOTION CARRIED

Land Acquisition - Lot 27ABX Bruce Drive, Lower Sackville

It was moved Councillor Harvey, seconded by Councillor Sutherland:

"THAT COUNCIL APPROVE THE LAND ACQUISITION, SUBJECT TO RECEIVING CLEAR TITLE, AT A COST OF \$10,000. WITH FUNDING BEING DERIVED FROM THE DISTRICT CAPITAL FUND"

MOTION CARRIED

Land Acquisition - Beaverbank Water and Sewer Servicing Phase I

It was moved by Councillor Merrigan, seconded by Councillor Giffin:

"THAT COUNCIL APPROVE THE LAND ACQUISITION SUBJECT TO RECEIVING CLEAR TITLE, AT A COST OF \$21,750.00"

MOTION CARRIED

Borrowing Resolutions

It was moved by Councillor Giffin, seconded by Councillor Deveaux:

"THAT COUNCIL APPROVE THE BORROWING RESOLUTION FOR THE MUNICIPAL OPERATING FUND IN THE AMOUNT OF \$10,000,000.00 FOR THE 1995/96 FISCAL YEAR"

MOTION CARRIED

Capital Grants Re Cultural and Recreation Facilities

It was moved by Councillor Reid, seconded by Councillor Meade:

"THAT ALL FUTURE 1/6 FUNDING CAPITAL GRANT REQUESTS BE PLACED ON HOLD UNTIL BUDGET DISCUSSIONS"

Councillor Hendsbee said he has some concerns about this



recommendation and it may have impact on some development in the district 8 area mainly with regards to the North Preston Recreation Centre application.

Mr. Meech said there is a two million dollar revolving fund and the policy provided that it would be paid down at a rate of \$200,000.00 per year and the report indicates that the funds allocated for this year have been committed.

Councillor Harvey referenced the Charles L. MacDonald sportsplex and asked if there was a time limit on the commitment.

Mr. Meech said the fund is up to it's maximum without the commitment to the Charles L. MacDonald. He said they have received two \$100,000.00 instalments.

Deputy Mayor Cooper said the Executive Committee felt that council might wish, at budget time, to extend that funding and the projects in the package might be considered first priority. He said he feels council should set a time limit for accessing funds.

MOTION CARRIED

Councillor Reid said he would like to place a motion of reconsideration on the floor with regards to areas 6 and 18 of the refuse collection contracts

NOTICE OF MOTION TO RESCIND FEBRUARY 21, 1995 MOTION RE: COMMITTEE COMPOSITION - EAST PRESTON RECREATION CENTRE

Councillor Smiley outlined the original motion passed by council on February 21, 1995.

It was moved by Councillor Smiley, seconded by Councillor Rankin:

"THAT COUNCIL RESCIND THE FOLLOWING MOTION:

'THAT THE COMMITTEE BE MADE UP OF THE FOLLOWING REPRESENTATIVES:

- 2 MEMBERS OF THE RECREATION ASSOCIATION
- 2 MEMBERS OF THE RATEPAYERS ASSOCIATION
- 1 MEMBER REPRESENTING THE LION'S CLUB
- 1 RESIDENT AT LARGE CHOSEN AT A PUBLIC MEETING
- 2 NON VOTING - ONE COUNTY RECREATION DEPARTMENT STAFF PERSON  
- COUNCILLOR HENDSBEE

Councillor Hendsbee said that after the referenced motion was made it was stated that if the committee wished to expand it's membership to include other people within the community it could.

He said he feels the community should control it's own destiny with regards to the membership on the committee and the county should allow them to expand the membership if they wish to. He said the county has given them an opportunity to move forward with this project which is starting off with a level even keel of having equal representation within the community. He said the community should decide the further involvement. He said he would request that this motion of reconsideration be defeated and if not, he would request a further opportunity to debate the issue and explain the rationale why this recommendation was brought forward. He said he would also like, at that time, to have an opportunity to address the letter from the president of the Ratepayers Association to have an opportunity to speak to council. He said if the motion is defeated he would hope that the committee would move forward under the leadership of the Recreation Association. He said he would hope that the other levels of government would accept their responsibilities and maintain their commitment to the community. He said they will be kept informed.

Councillor Brill said he does not feel that council should be readdressing this issue. He said he feels it should be left up to the community.

Councillor Bates said he would be agreeable to leaving this with the Councillor of the area. He said the Councillor from the area seems to have a mechanism to add representatives to that group if that is their wish.

Councillor Hendsbee said he feels that under these circumstances the Council is questioning the judgement of the Councillor. He said he feels that he has been fair throughout this whole procedure over the last year. He said he would appreciate Council's support in defeating this motion.

Mayor Ball said he does not believe that Halifax County has ever dictated the composition of a committee structure to deal with a project. He said what council did in February was to define who was in the best interest of each of the community. He said it was not done on any other project in Halifax County and he; therefore, does not feel that it was treated evenly.

Councillor Hendsbee said the County is devoid of any policy or regulations regarding recreation facilities. He said there is a problem with the East Preston situation because this whole process did not go through the proper channels. He said he is trying to negotiate a truce between two groups and move forward.

Councillor Harvey said he does not think that there ever has been a case of a community coming to the council in such a divided state where this council felt it was in the best interest of everybody to provide some kind of structure.

Councillor Turner said at the meeting in February council moved the staff report and Councillor Hendsbee had asked that the composition be changed to what he considered to be in the community interest. She said it is her feeling that staff did a study on this and brought back a recommendation which she felt was adequate for that community. She said council cut out two very viable things within that community that are greatly respected namely the seniors and the church. She said she feels that council should leave this alone and the composition of the committee can be added to by the committee.

Councillor McInroy it is his recollection that council did have a say in the composition of the Cole Harbour Place Board.

Councillor Naugle said he hopes that the people of the community are not receiving a message that the council is going to dictate something that he feels should be solved by the people involved.

Councillor Merrigan said he feels that the county has the right to help this community through their Councillor. He said he feels it should be up to the community who they want to add to the committee.

Councillor Smiley said the community came to the county in shambles looking for help. She staff was sent out to do an analysis of the problem and the concerns to help resolve the problem. She said recommendations came back to council which council shredded. She said she feels that what was done on February 21st was to insult the community and the recreation committee. She said she feels it is up to council to put the responsibility back in the hands of the committee who applied for the project. She said they have the support of their MLA. She said she feels it is up to the community to look at the committee representation and composition.

Councillor Hendsbee said the original staff recommendation came as a result of a meeting between himself, the Mayor, Mr. Meech, Mr. Blakney and Mr. Adams on February 1st. He said from that meeting it was decided that it would be given to recreation staff to try to come up with a recommendation. He said he and Mr. Blakney discussed various options and opportunities of what might be a good composition. He said he discussed it with the Ratepayers group but Mr. Blakney did not have an opportunity to discuss it with the Recreation group. He said it was his suggestion that the church be involved in this committee. He said after consideration he felt that it might not have been appropriate because they were trying to keep it non-denominational. He said the member of the Lion's Club and the member at large could also be representative of the church and seniors all in one. He said let the community committee decide if they wish to expand it's mandate. He said in Lake Echo there are five members on the committee, one of whom is a senior and is