

retained with existing vegetation. He said there is also provision to maintain the trees and existing vegetation from Highway No. 2 and on the shoreline. He said there are three access points to the property. He said there will be sixty three parking spaces provided which will give a ratio of 1.4 parking spaces per unit. He said staff are confident that this will provide sufficient parking for the facility.

He said the provisions of Policy P-155 requires some consideration to the environmental issue and staff feels that all elements are appropriately addressed. Staff feels that all criteria are met by the development agreement and recommends that the proposed development agreement be approved.

QUESTIONS FROM COUNCIL

No questions from council.

SPEAKERS IN FAVOUR

Mr. Brent McPherson addressed council. He said he is the adjacent property owner. He said Mr. Tsimiklis has gone to a great deal of trouble to please and is very community minded. He said he was speaking in favour of the application.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

Councillor Peters said the applicant met with her and put a proposal together. She said she is impressed with the improvements made by the applicant and, as a result, was asking for council's support in approving the application.

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

'THAT THE DEVELOPMENT AGREEMENT TO ALLOW FOR THE DEVELOPMENT OF A FIFTEEN UNIT APARTMENT BUILDING ON THE LAND OF GEORGE TSIMIKLIS AT FLETCHERS LAKE BE APPROVED'

MOTION CARRIED

ADJOURNMENT

Council agreed to adjourn to the Committee of the Whole.

COMMITTEE OF THE WHOLE

May 29, 1995

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

ALSO PRESENT: Nancy Dempsey Crossman, Municipal Clerk
Karen Fitzner, Municipal Solicitor
Julia Horncastle, Recording Secretary
Jim Donovan

=====
Mayor Ball said this meeting was with regards to the composting program held over the weekend. He said it had been an unexpected success and, as a result, there is demand for additional composters. He said the purpose of this meeting was to have a recommendation to council authorizing staff to begin the process for an additional 10,000 with the idea of maximizing it with a potential for an additional 20,000 with the understanding that the manufacturer will take back any units that are not sold. He said this would also include the maintaining of the \$10.00 subsidy per unit.

After discussion of the issue:

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

"THAT COUNCIL APPROVE THE PURCHASE OF 20,000 ADDITIONAL COMPOSTING UNITS TO BE SUBSIDIZED BY HALIFAX COUNTY AT A COST OF \$10.00 PER UNIT. HALIFAX COUNTY WOULD PURCHASE 10,000 UNITS WITH AN ADDITIONAL 10,000 UNITS BEING PURCHASED ON THE CONDITION THAT THE DISTRIBUTOR RETAINS THE OWNERSHIP OF ANY UNSOLD UNITS PURCHASED IN

THE SECOND 10,000 BLOCK. FURTHERMORE, IT BE
RECOMMENDED THAT STAFF INVESTIGATE AND IDENTIFY
ADDITIONAL SALE SITES"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Hendsbee:

'THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

MINUTES & REPORTS
OF THE
FIRST YEAR MEETINGS
OF THE
FORTY-FIFTH COUNCIL
OF
HALIFAX COUNTY MUNICIPALITY
JUNE COUNCIL SESSION
TUESDAY, JUNE 6 & 20, 1995
&
PUBLIC HEARINGS
JUNE 19 & 26, 1995

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COUNCIL SESSION

June 6, 1995

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

ALSO PRESENT: George McLellan, Acting CAO
Nancy Dempsey Crossman, Municipal Clerk
Fred Crooks, 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 Fralick, seconded by Councillor Hache:

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE APRIL 4, 1995 COUNCIL MINUTES BE APPROVED"

MOTION CARRIED

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

"THAT THE MARCH 27, 1995 PUBLIC HEARING MINUTES BE APPROVED"

MOTION CARRIED

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

"THAT THE MAY 1, 1995 PUBLIC HEARING MINUTES BE APPROVED"

MOTION CARRIED

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

"THAT THE MAY 8, 1995 PUBLIC HEARING MINUTES BE APPROVED"

MOTION CARRIED

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

"THAT THE APRIL 5, 1995 COMMITTEE OF THE WHOLE MINUTES BE APPROVED"

MOTION CARRIED

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

'THAT THE APRIL 6, 1995 COMMITTEE OF THE WHOLE MINUTES BE APPROVED"

MOTION CARRIED

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

"THAT THE APRIL 18, 1995 COMMITTEE OF THE WHOLE MINUTES BE APPROVED"

MOTION CARRIED

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

"THAT THE APRIL 19, 1995 COMMITTEE OF THE WHOLE MINUTES BE APPROVED"

MOTION CARRIED

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

"THAT THE MAY 2, 1995 COMMITTEE OF THE WHOLE MINUTES BE APPROVED"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from Mr. Richard Dupuis acknowledging council's correspondence regarding Bill C-68.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from the Minister of Natural Resources acknowledging receipt of council's correspondence with regards to lands on Hammonds Plains Road and Five Island Lake, Halifax County.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Ms. Dempsey Crossman outlined a letter from the Minister of Municipal Affairs with regards to the transfer of roads to the municipality and the contract for the rate of \$3,500.00 per km.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

'THAT MUNICIPAL COUNCIL AUTHORIZE THE SIGNING OF THE CONTRACT"

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a letter from Harold T. Barrett Junior High School Travel Club thanking Councillor Merrigan.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Ms. Dempsey Crossman outlined a letter from Jerry Blumenthal with regards to the Mayor's Committee on Race Relations seeking representatives from Halifax County to prepare a Race and Community Policy for presentation to the SuperCity Councils.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillors would bring forward names of interested individuals at the next council session.

6. Ms. Dempsey Crossman outlined a letter requesting Halifax County proclaim June 18th to 24th as Senior Citizens Week.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT HALIFAX COUNTY PROCLAIM THE WEEK OF JUNE 18-24 AS SENIOR CITIZENS' WEEK"

MOTION CARRIED

7. Ms. Dempsey Crossman outlined a letter from Coastal BioAgresearch Ltd. with regards to a demonstration/experimentation program to compost racetrack manure, sewer sludge and yard waste.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

8. Ms. Dempsey Crossman outlined a letter from ARB Recycling with regards to the contract awarded for the operation of the MRF.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

9. Ms. Dempsey Crossman outlined a request to declare August 23 to September 10, 1995 as Child Care Awareness Days.

It was moved by Hendsbee, seconded by Councillor Fralick:

'THAT HALIFAX COUNTY DECLARE AUGUST 23 TO SEPTEMBER 10, 1995 AS CHILD CARE AWARENESS DAYS"

MOTION CARRIED

10. Ms. Dempsey Crossman outlined a letter requesting Halifax County declare June 8 as Oceans Day.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT HALIFAX COUNTY DECLARE JUNE 8 AS OCEANS DAY"

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter requesting Halifax County proclaim Provincial Environment Week from June 3-11.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

'THAT HALIFAX COUNTY PROCLAIM JUNE 3-11 AS PROVINCIAL ENVIRONMENT WEEK"

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from Kidsport Fund requesting that council declare June 22 as Kidsport Day and requesting the purchase of yellow ribbons.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

'THAT THE LETTER BE REFERRED TO THE EXECUTIVE COMMITTEE"

MOTION CARRIED

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

'THAT HALIFAX COUNTY PROCLAIM JUNE 22 AS KIDSPORT DAY"

MOTION CARRIED

3. Ms. Dempsey Crossman outlined a letter from the Halifax - Dartmouth and District Labour Council with regards to the Canada Health and Social Transfer Proposal which is currently before the House of Commons as part of Bill C-76.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT A LETTER BE WRITTEN TO THE PRIME MINISTER IN SUPPORT"

MOTION WITHDRAWN

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

'THAT THE LETTER BE REFERRED TO THE EXECUTIVE COMMITTEE'

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a letter from Jim Donovan, Coordinator, Solid Waste Management Project, with regards to the Community Stakeholders Committee's participation on the Technical and Oral Evaluation Teams for the Public/Private Alliance Selection Process.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT COUNCIL RATIFY THE SELECTION OF PETER KIDD AS THE REPRESENTATIVE ON THE ORAL COMMITTEE AND BYRNE WILLIAMS AND JOE MANN AS REPRESENTATIVES ON THE TECHNICAL COMMITTEE"

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a letter from the Community Stakeholder Committee advising of a resolution that was passed at their most recent meeting held on May 30th.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

File No. DA-F&S-06-95-17-A1 - Amendments to a Development Agreement - William and Moira Cherrett

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

'THAT THE AMENDING AGREEMENT BE APPROVED AND THAT IT BE CONSIDERED BY COUNCIL ON JUNE 19, 1995'

MOTION CARRIED

SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

Memorandum - Joint Public Hearing Procedure for Land Use By-laws

Mayor Ball said it is being suggested by the solicitor that this item be deferred.

Mr. Crooks said both paragraphs deal with the concept of joint Planning Advisory Committee meetings. He said there may be some legal difficulties with regards to this and he would like to have an opportunity to look at procedure so as to avoid any difficulties.

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

'THAT THIS ITEM BE DEFERRED SUBJECT TO A REPORT FROM LEGAL STAFF'

MOTION CARRIED

Amendments to the Land Use By-laws re: Provisions for Accessory Buildings

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

'THAT A JOINT PUBLIC HEARING OF MUNICIPAL COUNCIL AND THE THREE COMMUNITY COUNCILS BE HELD ON JUNE 26, 1995 AT 6:00 P.M. IN THE COUNCIL CHAMBERS'

MOTION CARRIED

COMMITTEE OF THE WHOLE RECOMMENDATIONS

Integrated Waste/Resource Management Strategy

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

'THAT MUNICIPAL COUNCIL APPROVE THE DRAFT RESOLUTION WITH RESPECT TO SOLID WASTE MANAGEMENT'

MOTION CARRIED

Purchase of Additional Composting Units

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

"THAT COUNCIL APPROVE THE PURCHASE OF 20,000 ADDITIONAL COMPOSTING UNITS TO BE SUBSIDIZED BY HALIFAX COUNTY AT A COST OF \$10.00 PER UNIT. HALIFAX COUNTY WOULD PURCHASE 10,000 UNITS WITH AN ADDITIONAL 10,000 UNITS BEING PURCHASED ON THE CONDITION THAT THE DISTRIBUTOR RETAINS OWNERSHIP OF ANY UNSOLD UNITS PURCHASED IN THE SECOND 10,000 BLOCK. FURTHER IT IS RECOMMENDED THAT STAFF INVESTIGATE AND IDENTIFY ADDITIONAL SALE SITES"

MOTION CARRIED

FIRST READING - A BY-LAW TO AMEND BY-LAW NO. 60, ATLANTIC WINTER FAIR TAX EXEMPTION BY-LAW

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

'THAT FIRST READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW NO. 60, ATLANTIC WINTER FAIR TAX EXEMPTION BY-LAW"

Mayor Ball said it is his understanding that the Municipality forgave all taxes except for a grant or area rate with regards to the fire service. He said the by-law as written eliminates all area rates inclusive of the fire service. He said the agreement that had been arranged was that all area rates to be exempt except for the fire service. He said that was on the insistence of the community. He suggested council pass first reading and obtain a report before second and third reading.

MOTION CARRIED

STAFF REPORT - MUNICIPAL SUB-OFFICE - MUSQUODOBOIT HARBOUR

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

"THAT FUNDING IN THE AMOUNT OF \$35,000.00 BE ALLOCATED TO LEASE BUILDING SPACE IN MUSQUODOBOIT HARBOUR FOR A MUNICIPAL SUB-OFFICE AND TO EXPAND THE EXISTING PART-TIME SECRETARIAL POSITION IN THE DEPARTMENT OF PARKS AND RECREATION TO A FULL-TIME POSITION IN ORDER TO ENHANCE SERVICE ACCESS"

MOTION CARRIED

BEAVER BANK - COUNCILLOR MERRIGAN

Mr. Wdowiak informed council that the report had been completed and would be ready for the next council session.

REDISTRIBUTION COMMITTEE REPORT

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

'THAT COUNCIL SUPPORT THE PRINCIPLE OF 24 DISTRICTS WITH 9.5 TO 10.5 BEING ALLOCATED TO HALIFAX COUNTY MUNICIPALITY AND THAT IT BE POINTED OUT TO THE REVIEW BOARD, WITHOUT COMMENT, THE DIFFERENCES BETWEEN WHAT WAS ORIGINALLY PROPOSED BY HALIFAX COUNTY MUNICIPALITY AND WHAT HAS BEEN TABLED BY MR. HAYWARD. FURTHER, THAT WITH REGARD TO THE ISSUE OF THE LARGE GEOGRAPHIC AREA, THIS SHOULD BE ADDRESSED IN THE PRESENTATION TO THE REVIEW BOARD WITH A RECOMMENDATION THAT ADEQUATE STAFF SUPPORT SHOULD BE PROVIDED IN MUSQUODOBOIT HARBOUR, SHEET HARBOUR AND MIDDLE MUSQUODOBOIT"

MOTION CARRIED

DATE - LESSER SETBACK - JUNE 20, 1995, 7:00 P.M.

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

"THAT THE HEARING FOR THE LESSER SETBACK APPLICATION BY BRUCE GRAVES BE HELD ON JUNE 20, 1995 AT 7:00 P.M."

MOTION CARRIED

TRAFFIC AUTHORITY FOR THE MUNICIPALITY

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

"THAT THIS ITEM BE REFERRED BACK TO STAFF FOR CLARIFICATION"

Councillor Sutherland said it is his understanding that there is provision under the Motor Vehicle Act for "a traffic authority", someone being designated as the traffic authority for the municipality.

Mayor Ball said in the referral back to staff the solicitor can check how it is set out in the Motor Vehicles Act.

Councillor Meade asked what authority the Traffic Authority would have.

Mr. Wdowiak said according to legislation the Traffic Authority has final authority but there are certain criteria he has to evaluate and, based on his assessment and evaluation, he has the actual final say.

MOTION CARRIED

INFRASTRUCTURE PROGRAM DISTRICT 5 WEST FIRE DEPARTMENT

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

"THAT COUNCIL APPROVE AND ENDORSE AN APPLICATION TO THE CANADA NOVA SCOTIA INFRASTRUCTURE PROGRAM FOR FUNDING ASSISTANCE IN A \$13,000 DRY HYDRANT INSTALLATION PROJECT IN DISTRICT 5"

MOTION CARRIED

BEAVER BANK SERVICING - WOODBINE TO MAJESTIC AVENUE

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

'THAT THE FIRM AMBER CONTRACTING LIMITED BE AWARDED THIS PROJECT IN THE AMOUNT OF \$738,758.00 AND FURTHER THAT APPROVAL OF CAPITAL EXPENDITURES OF \$212,000.00 BE GIVEN BY HALIFAX COUNTY"

MOTION CARRIED

PROVINCIAL GRANTS TO MUNICIPALITIES (CLARIFICATION REQUESTED FROM MAY 16, 1995 COUNCIL SESSION

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

"THAT THE INFORMATION BE RECEIVED"

MOTION CARRIED

1995/96 AREA RATES

Councillor Hendsbee referenced district 8 and asked if council was recommending the proposed rates. He said he would like to have the amount under "Recreation - North Preston" withheld at the present time or reduced to five cents.

Mayor Ball confirmed, with Mr. Gary Smith, that these area rates were circulated to council for their perusal prior to this meeting.

Councillor Hendsbee said he is trying in conjunction with the North Preston Recreation Association to have this matter resolved.

Mayor Ball confirmed, with Councillor Hendsbee, that a loan had been given to the area approximately one and one half years ago.

Mayor Ball asked Councillor Hendsbee what the conditions of that loan was. Councillor Hendsbee said whatever was not repaid would be recovered by an area rate.

Mayor Ball asked Councillor Hendsbee what has been recovered to date. Councillor Hendsbee said there has been no recovery to date. He said there had been a request submitted for the forgiveness of the loan which was not granted.

Councillor Peters asked if there was any way that that one line item could be deferred to the next council session and, at that time, if Councillor Hendsbee does not have a public meeting to find out how the money is to be repaid then it not be forgiven.

Mr. McLellan confirmed with Mr. Smith that the area rate summary sheets were provided to all councillor approximately six weeks ago and there had been no indication in that time that there was a problem with that item.

Mr. McLellan said that if this item is left off the matter of how it is going to be repaid will have to be addressed.

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

"THAT THIS LINE ITEM BE DEFERRED UNTIL THE JUNE 20, 1995 COUNCIL SESSION"

MOTION DEFEATED

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

"THAT BY RECORDED RESOLUTION OF COUNCIL THE AREA RATE PER \$100 OF ASSESSMENT FOR THE FISCAL YEAR 1995/96 AS SET OUT IN THE DOCUMENT ENTITLED "AREA RATES SUMMARY 1995-96", COLUMN ENTITLED "PROPOSED RATE PER \$100 OF ASSESSMENT" BE APPROVED AND LEVIED FOR THOSE DISTRICTS AND OTHER AREAS AS SPECIFIED IN THE DOCUMENT"

MOTION CARRIED

Councillor Hendsbee gave notice of reconsideration of his motion to the end of the meeting.

SUMMER MEETINGS

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

"THAT COUNCIL HOLD ONE MEETING PER MONTH DURING THE MONTHS OF JULY AND AUGUST THAT BEING THE FIRST REGULARLY SCHEDULED SESSION OF EACH MONTH"

MOTION CARRIED

URGENT AGENDA ITEMS

Councillor Turner - Cole Harbour Boys and Girls Club

Councillor Turner said the Cole Harbour/Westphal Community Council is seeking council's support to lease three acres of parkland land on 17.4 acre parkland parcel to the Cole Harbour Boys and Girls Club for the purpose of locating a building to be shared jointly with the Cole Harbour Lions Club.

She said the purpose in asking council's approval, in principle, is so that approval can be obtained from Mr. Hayward. She said Mr. Hayward's approval is necessary in order for Mr. Markesino to proceed with a recommendation to the Executive Committee regarding the terms of the lease and request for funding under the grants for cultural and recreational facilities.

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

"THAT THE REQUEST OF THE COLE HARBOUR/WESTPHAL COMMUNITY COUNCIL, AS OUTLINED, BE APPROVED, IN PRINCIPLE, BY MUNICIPAL COUNCIL"

MOTION CARRIED

School Board

Mayor Ball and Mr. McLellan informed council that the 3% approved by council, as supplementary funding, at the Committee of the Whole on May 2, was not supplementary funding.

Councillor Peters confirmed that the amount approved at the Committee of the Whole is a part of the mandatory funding and there is still opportunity for the School Board to request an amount, as supplementary funding, from the Municipality.

Mayor Ball confirmed this. He said when the Municipality gave the 3% clawback the Municipality called it supplementary funding so the School Board had it in their budget as supplementary funding only to realize that the Municipality did not provide them with any supplementary funding.

Councillor Harvey said he would agree, in principle, to an education grant on a quarterly basis with a quarterly review.

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

'THAT COUNCIL, IN PRINCIPLE, AGREE TO AN EDUCATION GRANT ON A QUARTERLY BASIS WITH A QUARTERLY REVIEW AND WHERE

POSSIBLE, IF POSSIBLE, TRY TO ACHIEVE THE TARGET"

MOTION CARRIED

ADDITION OF ITEMS TO JUNE 20, 1995 COUNCIL SESSION

Councillor Dooks - Canada Post

Councillor Hendsbee - North Preston Rec Centre
- North Preston Rec Centre Acquisition and Renovations
- Little Salmon River Water Extension

Councillor Mitchell - Recreation - District 4

MOTION OF RECONSIDERATION

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

'THAT RECONSIDERATION BE GIVEN OF THE MOTION WITH REGARDS TO THE DEFERRAL OF SETTING OF AN AREA TAX RATE FOR DISTRICT 8 IN REFERENCE TO THE NORTH PRESTON RECREATION \$5,000.00 LOAN REPAYMENT"

MOTION CARRIED

5 AGAINST

13 IN FAVOUR

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

"THAT COUNCIL DEFER DECISION ON THIS ITEM FOR TWO WEEKS"

MOTION CARRIED

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

'THAT THE MOTION ON AREA RATES BE AMENDED TO REFLECT THE DEFERRAL MOTION:

Motion as amended:

"THAT COUNCIL APPROVE, BY RECORDED RESOLUTION, THE AREA RATES PER \$100 OF ASSESSMENT FOR THE FISCAL YEAR 1995/96 AS SET OUT IN THE DOCUMENT ENTITLED "AREA RATES SUMMARY 1995-96", COLUMN ENTITLED "PROPOSED RATE PER \$100 OF ASSESSMENT", WITH THE EXCEPTION OF THE LINE ITEM ENTITLED "RECREATION - NORTH PRESTON", BE APPROVED AND LEVIED FOR THOSE DISTRICTS AND OTHER AREAS AS

SPECIFIED IN THAT DOCUMENT"

MOTION CARRIED

IN-CAMERA ITEM

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

'THAT COUNCIL MOVE IN-CAMERA"

MOTION CARRIED

Council agreed to move out of camera and adjourn.

COUNCIL SESSION

June 20, 1995

PRESENT WERE: Mayor Ball
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Deveaux
Councillor Bates
Councillor Hendsbee
Councillor Levy
Councillor Smiley
Councillor Naugle
Councillor Peters
Councillor Merrigan
Councillor Snow
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
Fred Crooks, 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 Fralick, seconded by Councillor
Mitchell:

'THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF THE MAY 2, 1995 COUNCIL SESSION BE
APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE MAY 16, 1995 COUNCIL SESSION BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE JUNE 6, 1995 COUNCIL SESSION BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE MAY 29, 1995 PUBLIC HEARING BE APPROVED"

MOTION CARRIED

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

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

MOTION CARRIED

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

"THAT THE MINUTES OF THE MAY 29, 1995 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

AREA RATE RE: NORTH PRESTON RECREATION CENTRE LOAN

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

'THAT THE NORTH PRESTON RECREATION ASSOCIATION ADDRESS COUNCIL"

MOTION CARRIED

Mr. Neville Provo, President, North Preston Recreation Association, made a presentation to Council. A copy of the

presentation was provided to each councillor.

Councillor Hendsbee outlined the sequence of events leading up to the request for the loan. He said if the funding had not been provided the building would probably have had to be demolished. He referenced an expense summary sheet which he had provided to all councillors. He said any monies that have been raised have gone to the maintenance costs of running the facility such as utility bills and insurance. He said he has asked if this loan can be forgiven because it was in the nature of an operational loan. He said if it cannot be forgiven as an operational loan then perhaps it can be considered as a operational grant. He said he was requesting that council either forgive the funding or class it as an operational grant.

Mayor Ball confirmed with Councillor Hendsbee that approximately a year and a half ago Council provided a \$5,000.00 loan. He asked if there was any condition attached to that loan.

Councillor Hendsbee said the discussion at that time was that the Recreation Association would do as much fundraising as possible to pay towards that loan and whatever was not recovered would be recovered by an area rate. He said that was the understanding at the Executive Committee.

Mayor Ball said on June 6, 1995 Councillor Hendsbee had asked Council to defer decision to tonight on the condition that he, Councillor Hendsbee, would be holding a community meeting to discuss this. He asked if that meeting will not be held until June 27, 1995.

Councillor Hendsbee said he had held a community meeting on June 19, 1995. He said he had met with the president of the Ratepayers with regards to requesting a meeting who advised him that it would be appropriate to deal with it at the Recreation meeting and have it brought forward as their issue. He said at the Recreation meeting held on June 19, 1995 it was felt it should be a matter of tax implications and should be brought forward at a Ratepayers meeting. He said the Ratepayers meeting is normally scheduled for the last Tuesday of the month.

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

"THAT AN AREA RATE BE ESTABLISHED TO RECOVER THE LOAN,
PRINCIPAL AND INTEREST, OVER A FIVE (5) YEAR PERIOD"

Councillor Rankin said that Councillor Hendsbee had, during budget considerations, opportunity to ask for consideration of this amount as a grant to the organization.

Deputy Mayor Cooper said there have been instances where there

have been difficulties with regards to paybacks for other organizations and time has been extended in which to explore other avenues of payback.

Councillor Hendsbee asked Mayor Ball to explain Council's authority when it comes to setting area rates.

Mayor Ball said if a recreation rate or loan is established Council always reserves the right, if it is not paid back, to establish an area rate. He said the terms of the area rate can vary. He said the rate does not have to be recoverable in a year but can be over a period of time.

Councillor Merrigan said in his opinion it would not be right to force an area rate on that community without first giving that community an opportunity to deal with it.

MOTION DEFEATED

11 IN FAVOUR

11 AGAINST

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

"THAT THE \$5,000.00 BE CLASSIFIED AS A GRANT TO AN ORGANIZATION AND FORGIVEN"

MOTION DEFEATED

8 IN FAVOUR

14 AGAINST

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

"THAT AN AREA RATE BE ESTABLISHED TO RECOVER THE LOAN, IN THE AMOUNT OF \$4,999.00, PRINCIPAL AND INTEREST, OVER A FIVE (5) YEAR PERIOD"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Lake Echo Community Centre - Tendering Procedure for Architectural Procedures

Mayor Ball said a consensus has been reached between the two proponents involved and that, according to the documentation, it will be a joint effort between Harvey and MacKenzie and Barrie and Langille Architects Ltd.

Mr. Barrie addressed Council. He said it is his understanding that the award is to go ahead on the basis presented and that

they would sit down and work out arrangements for a joint undertaking on the project with the intent that it work for all parties involved and to the satisfaction of the local Lions Club. He said they are talking about a collaborative arrangement but not necessarily a joint award at this point in time.

Mayor Ball confirmed that the tender is to be awarded to Barrie and Langille Architects Ltd. and then Barrie and Langille Architects Ltd. would work out details with the Lions Club etc. on any implications to their architects.

Mr. Barrie said that is their understanding and intent.

Councillor Hendsbee asked if the intent was that the award be given to Barrie and Langille Architects Ltd. with the understanding of a joint participation.

Mayor Ball said it is his understanding that Barrie and Langille Architects Ltd. would be awarded the contract with the recognition that they would work with the Lions Club in working something out.

Mr. Crooks said his advice to Council would be to make the award to one firm unconditional with the understanding that Mr. Barrie has communicated to Council. He said it is his opinion that it would present difficulties to make a conditional award and to try and define the scope.

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

"THAT THE CONTRACT FOR THE ARCHITECTURAL DESIGN BE AWARDED TO BARRIE AND LANGILLE ARCHITECTS LTD."

MOTION CARRIED

Councillor Hendsbee said he would like to go on record as saying he feels that Halifax County's tendering policies ought to be scrutinized, re-evaluated and tightened up.

PUBLIC HEARING RE: DESIGNATION OF HERITAGE PROPERTIES

Mayor Ball outlined the procedure followed for public hearing.

St. Peter's Anglican Church, Hackett's Cove

Mayor Ball asked if there was anyone present who wished to speak in favour of or opposition to the designation of this property as a Heritage property.

No speakers came forward.

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

'THAT ST. PETER'S ANGLICAN CHURCH, HACKETT'S COVE BE DESIGNATED AS A MUNICIPAL HERITAGE PROPERTY"

MOTION CARRIED

St. James United Church, Spry Bay

Mayor Ball asked if there was anyone present who wished to speak in favour of or opposition to the designation of this property as a Heritage property.

No speakers came forward.

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

"THAT ST. JAMES UNITED CHURCH, SPRY BAY BE DESIGNATED AS A MUNICIPAL HERITAGE PROPERTY"

MOTION CARRIED

LESSER SETBACK APPLICATION - LS-01-95-10 - BRUCE GRAVES, LAKE CHARLOTTE

Rosalyn Smith made the staff presentation. She said a request had been received for a lesser setback to relocate an existing dwelling and construct an addition on the western wall 15 feet from the Upper Lakeville Road. The existing dwelling unit is 13 feet by 30 feet and the proposed addition is 17 feet by 33 feet. She said that under Zoning By-law No. 24 the property is zoned General which requires any main building to maintain a minimum setback of 30 feet from any public road right of way. Positioning the building to comply with the required front yard setback would result in a limited building envelope and there would be no room for expansion or improvement. The lot is approximately 100 feet deep and given the location of the disposal field an addition can only be accommodated on the western wall of the building. The proposed lesser setback is 15 feet which is within community standards as similar conditions relative to smaller properties in the area exist. The area building inspector and the Nova Scotia Department of Transportation have reviewed their proposal and have no objections. It is recommended that Council exercises discretionary power to approve this application.

QUESTIONS FROM COUNCIL

No questions from council.

SPEAKERS IN FAVOUR

Mr. Bruce Graves spoke in favour of the application. He said he has had discussions with the Department of Transportation and because the buildings are already too close to the road, it is very unlikely that the road will ever be expanded in width. He said the expansion will leave no portion of his building any closer than 33 feet from the centre of the existing road edge.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

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

'THAT COUNCIL APPROVE THE APPLICATION BY BRUCE GRAVES FOR A LESSER SETBACK OF FIFTEEN (15) FEET FROM THE ROAD BOUNDARY OF LOT BC-A, SUBDIVISION OF LANDS OF BRUCE GRAVES, 440 UPPER LAKEVILLE ROAD, LAKE CHARLOTTE"

MOTION CARRIED

HALIFAX COUNTY WASTE MANAGEMENT SYSTEM - SELECTION OF A PRIVATE SECTOR PARTNER - STATUS REPORT

Mr. Doehler made a presentation to Council to give an update with respect to the short list of proposals with regards to the Selection of Private Sector Partner for the Waste Management System.

RECORDED RESOLUTION RE: AREA RATES

Councillor Snow said he would like to have the area rates for District #17 amended to reflect a transit rate of 1.5 cents per \$100 of assessment.

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

"THAT COUNCIL APPROVE, BY RECORDED RESOLUTION, THE PROPOSED AREAS RATES PER \$100 OF ASSESSMENT FOR THE FISCAL YEAR 1995-96 AS SET OUT IN THE DOCUMENT ENTITLED "AREA RATES SUMMARY 1995-96" IN THE COLUMN ENTITLED "PROPOSED RATE PER \$100 OF ASSESSMENT" BE APPROVED AND LEVIED FOR THOSE DISTRICTS AND OTHER AREAS AS SPECIFIED IN THAT DOCUMENT, WITH FOLLOWING EXCEPTIONS:

- 1) THE RATE APPEARING OPPOSITE THE WORDS "RECREATION - NORTH PRESTON" BE FIXED AND LEVIED AT THE RATE OF 1.51 CENTS PER \$100 OF ASSESSMENT;
- 2) THE LINE "TRANSIT - DISTRICT 17" BE DELETED AND REPLACED BY THE WORDS "TRANSIT - LAKEVIEW, WINDSOR

JUNCTION, FALL RIVER WITH A RATE TO BE FIXED AND LEVIED
IN THAT AREA IN THE AMOUNT OF 1.5 CENTS PER \$100 OF
ASSESSMENT"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from the Nova Scotia Economic Renewal Agency in response to council's letter with regards to the Nova Scotia employment program for students.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from the Nova Scotia Utility and Review Board with regards to an application by Halifax County Water Utility to amend rates, charges, rules and regulations to establish a regulation for capital cost contributions.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Ms. Dempsey Crossman outlined a letter from the Department of Transportation in response to council's correspondence requesting road name changes in District 10.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a letter from the Department of Fisheries in response to council's letter regarding the increased fishing license fees.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Ms. Dempsey Crossman outlined a letter from the Nova Scotia Utility and Review Board with regards to an application by the Dartmouth Water Utility to amend rates, charges, rules and regulations.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

6. Ms. Dempsey Crossman outlined a letter from the Nova Scotia Rural Beautification Committee advising of their mandate and requesting that the County adopt the Begonia as the County Flower.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT HALIFAX COUNTY ADOPT THE BEGONIA AS THE OFFICIAL COUNTY FLOWER"

MOTION CARRIED

7. Ms. Dempsey Crossman outlined a letter from the Halifax County-Bedford District School Board in response to council's correspondence requesting information on their student transportation system and storm day policy.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

8. Ms. Dempsey Crossman outlined a letter from the Minister, Department of Education advising of the results of Report of the Regional Public Libraries Funding Review Committee.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

9. Ms. Dempsey Crossman outlined a letter from the Minister, Department of Education in response to council's letter with regards to area rates.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

10. Ms. Dempsey Crossman outlined a letter from Nova Scotia Power advising of the 1995 grant in lieu of taxes.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

11. Ms. Dempsey Crossman outlined a letter from the Department of Transportation and Communications in response to council's letter requesting parking restrictions on Trunk 3.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

12. Ms. Dempsey Crossman outlined a letter from the Department of Transportation and Communications with regards to the paving of Lylewood Drive from Ashley Drive to the boundary of Lot 60/61, Middle Sackville. The letter is advising that the contract has been awarded to Dexter Construction at a cost to the Municipality of \$24,300.00 plus 10% excluding GST.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

'THAT THE COST BE APPROVED"

MOTION CARRIED

13. Ms. Dempsey Crossman outlined a letter from the Minister, Department of the Environment in response to council's correspondence with regards to appeal panels.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

14. Ms. Dempsey Crossman outlined a letter from the Nova Scotia Resource Recovery Fund advising that they will cost share 50 percent to a maximum of \$43,941.00 towards Halifax County's residential curbside recycling program.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from Ken Donnelly with regards to the Regional Solid Waste Management Project.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

Mayor Ball outlined a draft letter from Halifax County in response to the letter from Mr. Donnelly and the Stakeholders Committee.

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

'THAT THE DRAFT LETTER BE APPROVED'

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a memorandum with respect to the Amendment to By-law 60, Atlantic Winter Fair.

Council agreed to receive the memorandum for information.

PLANNING ADVISORY COMMITTEE REPORT

1. File No. DA-LAW-09-94-09 - Development Agreement Application by Good Shepherd Church, West Lawrencetown

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

'THAT A PUBLIC HEARING BE SET FOR JULY 10, 1995, AT 6:00 P.M.'

MOTION CARRIED

SERVICE STANDARDS COMMITTEE REPORT

Servicing of Private Roads

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

'THAT THE DRAFT LETTER BE APPROVED AND DELIVERED TO RESIDENTS ON PRIVATE ROADS CURRENTLY RECEIVING SOME MAINTENANCE SERVICE FROM THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS'

Councillor Peters asked if the letters were to inform property owners that at the end of the existing contract they would have to renegotiate with the Municipality and the Department of Transportation. Mayor Ball confirmed this.

Councillor Merrigan asked why the Municipality was taking the responsibility of notifying the residents.

Mayor Ball said because the Department of Transportation has indicated that private roads, not under contract, is something between themselves and the property owner. He said all the County is trying to indicate to the property owner is that the County is not responsible for the private road and the service that they received from DOT will be determined by DOT and not the County.

Mr. Max Miller said the roads the Province is presently maintaining and will continue to do until April 1st of 1996 are all the public roads in the Municipality. He said that service will continue as it has in the past until that time. He said the roads that the letters are being sent to are the private roads that the Department of Transportation has indicated they may not service this coming winter. He said it is not within the jurisdiction of the Municipality to be able to service those roads; therefore, he felt the Municipality should send some notification to the residents that the Municipality would not be able to accept that responsibility and they would have to deal with the Department of Transportation to provide the future service.

Mayor Ball said this letter is to alert people, in advance, that the Department of Transportation will not provide a service that they were providing in the past and that they, the residents, should deal with the Department of Transportation as opposed to calling the Municipality.

Councillor Peters asked if the list provided was complete.

Mr. Miller said this is the official list that was provided by the Department of Transportation.

Councillor Peters asked if there was any way, prior to the letters going out, that Mr. Miller could verify this.

Mayor Ball said Mr. Miller could be requested to double check the list of roads with the Department of Transportation.

MOTION CARRIED

Review - Listing of Private Roads other than Subdivision Roads

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

'THAT COUNCIL APPROVE THE RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT DATED APRIL 21, 1995 WITH SECTION "B" BEING AMENDED BY DELETING THE WORDS "AND AN ADMINISTRATION CHARGE OF \$200.00 PER PROPERTY ACCOMPANY THE APPLICATION. FURTHER, IT IS RECOMMENDED THAT UNDER POLICY ITEM #4 ANY FURTHER ACTION DEEMED NECESSARY FOR LOCAL EXCEPTIONS WOULD BE PURSUED BY INDIVIDUAL COUNCILLORS THROUGH THE ENACTMENT OF A PRIVATE MEMBERS BILL"

MOTION CARRIED

TRAFFIC AUTHORITY FOR THE MUNICIPALITY

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

'THAT COUNCIL APPROVE, BY RECORDED RESOLUTION, THAT MAX MILLER BE APPOINTED AS THE TRAFFIC AUTHORITY FOR THE MUNICIPALITY"

MOTION CARRIED

Councillor Peters said she would like to have clarification by way of a staff report with regards to some kind of a 10% hold back or guarantee on roads, for a twelve month period, so that any problems such as performance, alignment, etc. will not cause problems to the Municipality and cost to the taxpayers.

Mr. Meech said there is an initiative presently underway which is going to involve the transportation sections of the other units to look at planning for transportation issues as it relates to the new Municipality. He said this would possibly be one of the issues that will get addressed by this Task Force.

Councillor Peters said she would like to go on record that she feels something must be done and that the County is aware of it.

Mr. Meech said the Municipality does not have to accept the roads unless they meet standards and requirements.

Councillor Peters said she would like to have some official notification going to whomever, from this Council, that this is a very real and serious concern and should be addressed prior to the formation of the new Municipality.

It was moved by Councillor Peters, seconded by Councillor Snow:

'THAT MR. HAYWARD BE INFORMED OF THE CONCERN EXPRESSED'

Mayor Ball said that this would address concerns and ensure that if a road is accepted there is a methodology for a one year time period to ensure if something happens there is an opportunity to revisit the contractor.

Councillor Merrigan said there is a committee in place which is looking at issues relative the Subdivision By-law as it applies to street paving etc. and perhaps this is an issue which they can address.

The motion was withdrawn and Councillor Peters requested that the issue be referred to the Committee.

NOMINATIONS RE: MAYOR'S ADVISORY COMMITTEE ON RACE RELATIONS

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

'THAT THE MAYOR BE GIVEN THE AUTHORITY TO MAKE APPOINTMENTS TO THE COMMITTEE'

MOTION CARRIED

SECOND AND THIRD READING - A BY-LAW TO AMEND BY-LAW NO. 60, ATLANTIC WINTER FAIR TAX EXEMPTION BY-LAW

Mayor Ball asked if there was anyone present wishing to speak either in favour of or opposition to the By-law.

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

"THAT A BY-LAW TO AMEND BY-LAW NO. 60, ATLANTIC WINTER FAIR TAX EXEMPTION BY-LAW BE GIVEN SECOND READING"

MOTION CARRIED

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

"THAT A BY-LAW TO AMEND BY-LAW NO. 60, ATLANTIC WINTER FAIR TAX EXEMPTION BY-LAW BE GIVEN THIRD READING"

MOTION CARRIED

RECORDED RESOLUTION RE: FEES FOR KENNELS

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

"THAT THE COUNCIL APPROVE THE RECORDED RESOLUTION RE: FEES FOR KENNELS"

MOTION CARRIED

REPORT RE: BEAVER BANK SERVICING

Councillor Merrigan stated the report is suggesting that a consultant be retained in 1996 to carry out a study with regards to the extensions to Beaver Bank. He asked if the consultants could be hired at the present time.

Mr. Wdowiak said proposals would have to be called. Approval would have to be obtained from Mr. Hayward. He said it is up to council whether or not they want the study to be done at the present time or at the time suggested.

Councillor Merrigan said he had asked if the system could be developed through to Tucker Lake Road. He said he would ask staff to call for proposals to see what it would cost to have the report prepared. He said what he has asked for in previous council meetings is that he wanted to take the funds and continue up the Beaver Bank Road.

Mr. Wdowiak said the first phase has been undertaken and at the last council session council approved the extension to Mayflower which is the second phase. He said this report indicates that before work can go any further in Beaver Bank, the interconnection has to be done down the Beaver Bank Road to Millwood Drive for a large trunk sewer. He said if council wishes to proceed with that component it can noting that it can't be used until Mill Cove is done. He said before the County can go further than that the investigation on the capability of the trunk sewer be carried out before proceeding further into Beaver

Bank.

Mr. Meech asked what was the estimated cost to get the noted investigation done.

Mr. Wdowiak said it would be approximately twenty to thirty thousand dollars.

Councillor Merrigan said he is suggesting that the County do the study so it can look at what has to be done to help the community and even if it takes a number of years the community will know what has to be done.

Mr. Meech said there has been no approval given to go ahead with the overall project. He said it was put in the future capital program.

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

"THAT STAFF BE AUTHORIZED TO CALL FOR PROPOSALS TO DO THE STUDY"

Councillor Peters asked if there was a way that this item could be deferred to the next session, have staff come back with a map of the area and illustrate to council what Councillor Merrigan is saying.

Councillor Merrigan said staff has, in the report, followed his request. He said he understands that they are saying prior to going back to either phase c or d a study is required to see if these phases can be bypassed.

Deputy Mayor Cooper said this report gives no indication as to how this would effect other areas of Sackville.

Mr. Meech said that would be a part of the study.

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

'THAT DECISION ON THIS ITEM BE DEFERRED UNTIL THE JULY 4, 1995 COUNCIL SESSION ON THE PROVISO THAT THE CAPITAL PROJECT LISTING WILL BE COMING FORWARD AT THAT TIME"

MOTION CARRIED

DEPARTMENT OF INDIAN AFFAIRS - COUNCILLOR GIFFIN

Councillor Giffin said there is a building in his district selling fire works and tax free cigarettes. He said there are other little stores in his district who cannot compete. He said