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COUNCIL SESSION

JANUARY 2, 1996

THOSE PRESENT:

Mayor Ball, Chairman
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Deveaux
Councillor Bates
Councillor Hendsbee
Councillor Levy
Councillor Dooks
Councillor Smiley
Councillor Naugle
Councillor Peters
Councillor Merrigan
Councillor Brill
Councillor Snow
Deputy Mayor Giffin
Councillor Scratch
Councillor Harvey
Councillor Sutherland
Councillor Turner
Councillor McInroy
Councillor Cooper

ALSO PRESENT:

Fred Crooks, Municipal Solicitor
Dale Reinhardt, Deputy Municipal Clerk
Sandra Shute, Recording Secretary

=====

CALL TO ORDER

The meeting was called to order at 6:00 p.m. with the Lord's Prayer. Mr. Reinhardt called the roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT SANDRA SHUTE BE APPOINTED AS RECORDING SECRETARY".

MOTION CARRIED.

LETTERS AND CORRESPONDENCE

1. Letter dated December 21, 1995 from the Minister of Education in response to correspondence sent with regard to school bus privatization within the jurisdiction of Halifax County-Bedford District School Board.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

2. Letter dated December 18, 1995 from Provincial Director of Assessment Services advising of managerial appointments within the Department of Municipal Affairs Assessment Services.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

3. Letter from the Minister of Municipal Affairs dated December 8, 1995 regarding the position of Volunteer Fire Departments in the Regional Municipality.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

4. Letter dated December 12, 1995 from Martin Delaney, Department of Transportation advising that a survey and review will be carried out for the bridge at the Junction of Highway #2 and Oldham Road in Enfield.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

5. Letter dated December 1, 1995 from the Minister of Environment with regard to the release of the Solid Waste Strategy.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

6. Letter undated from Bob Taylor, member of the Coalition for Fairness regarding tolls for Highway 104.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

7. Letter dated November 23, 1995 from the Minister of Natural Resources advising that monitoring will take place during the 1996 growing season with regard to oak leaf browning and premature shedding.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

8. Letter dated December 6, 1995 from Martin Delaney, Department of Transportation regarding the installation of rumble strips on Conrads Road adjacent to Queensland Beach to cut down on excessive speeds.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

Councillor Meade requested that a copy of the letter be sent to Heather Hirtle, Beach Road, Queensland. Council members agreed.

9. Memorandum dated November 24, 1995 from Union of Nova Scotia Municipalities regarding appointments to Policing Services Advisory Committee.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

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

"THAT THIS MATTER BE REFERRED TO HALIFAX REGIONAL MUNICIPALITY".

MOTION CARRIED.

10. Letter dated December 4, 1995 from Paul O'Brien, Department of Transportation regarding a review of Trunk 2 from the Town of Bedford to Enfield. Some upgrading of route markers is required.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

11. Letter dated November 28, 1995 from the Sambro-Ketch Harbour School Trustees concerning the funding formula for education.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

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

"THAT THIS MATTER BE REFERRED TO HALIFAX REGIONAL MUNICIPALITY".

MOTION CARRIED.

12. Letter dated December 13, 1995 from Paul O'Brien, Department of Transportation advising that a reduced speed on Beaverbank Windsor Junction Cross Road is not warranted.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

13. Letter dated November 27, 1995 from the City of Halifax regarding the United Way Campaign.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

14. Memorandum dated November 7, 1995 from the Nova Scotia Firefighters School requesting permission to address Council regarding financial assistance.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

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

"THAT THE NOVA SCOTIA FIREFIGHTERS SCHOOL BE INVITED TO ADDRESS COUNCIL AT THE MEETING ON JANUARY 16, 1995".

Councillor Harvey asked what purpose would the presentation serve and suggested it should be referred to Halifax Regional Municipality.

Councillor Peters replied that Council could endorse the presentation and encourage the support of the Regional Municipality.

MOTION CARRIED.

15. Letter dated December 12, 1995 from Derek Wells, M.P. South Shore regarding Gun Control Legislation and requesting further details with regard to a Resolution passed by Council.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

Mayor Ball pointed out that Council had previously appointed a committee consisting of Councillors Dooks, Reid, Smiley and people from other organizations and subsequently made a presentation to Council.

Councillor Sutherland said he felt the letter from Mr. Wells required a response and, if the committee is still intact, they could meet and formulate a response.

Council members agreed that Councillors Dooks, Reid and Smiley would be requested to contact the other members of the committee.

16. Letter dated December 18, 1995 from Ronald Pink concerning the possible demolition of the Ultramar Refinery in Eastern Passage.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

Councillor Deveaux asked if the County could legally ensure that no demolition permit was issued.

Mayor Ball advised he had received a verbal request for Council to endorse a submission to the Minister of Environment requesting an environmental assessment before demolition takes place.

Councillor Deveaux asked if any request had been received in writing.

Mayor Ball replied this was the only actual letter received.

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

"THAT A LETTER BE SENT TO THE MINISTER OF ENVIRONMENT REQUESTING THAT AN ENVIRONMENTAL ASSESSMENT BE CARRIED OUT BEFORE ANY DEMOLITION OR DISMANTLING PERMIT IS GRANTED".

MOTION CARRIED.

17. Memorandum dated November 28, 1995 from Union of Nova Scotia Municipalities providing information on the UNSM Presentation on Bill #39 and calling for nominations for IPAC's Lieutenant Governor's Medal for Excellence in Public Administration.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

Council agreed that Mayor Ball and Councillor Peters would form a committee with regard to submitting a nomination for the award.

18. Letter dated January 2, 1996 from Greg Brown, Halifax County Regional Development Agency requesting an opportunity to address Council to provide an update on the Agency's progress during the third quarter.

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

"THAT THE CORRESPONDENCE BE RECEIVED".

MOTION CARRIED.

Council members agreed that the presentation could be held on January 16, 1996. As there was also another presentation, it was agreed that each would be limited to 15 minutes.

MOTION OF RECONSIDERATION - PURCHASE OF PARKLAND - FALL RIVER VILLAGE - LOT 1B-4.

Councillor Peters stated she had been told she should put forward a Motion of Reconsideration but now understood she needed a motion to rescind. She said she was unsure how to proceed and explained that she did not necessarily want to stop the purchase of the parkland but just wanted questions answered before the purchase proceeded. She went on to say that Mayor Ball had sent out letters to the Minister of Environment and the Minister of Transportation dated December 22, 1995. She said her concern was the acidic slate runoff and the financial implications to the County in the event there is remedial action required. She said she had had a meeting with staff and one of the municipal solicitors and subsequently she received a Memorandum from Ted Tam of Engineering Department containing a 10-page report from Jacques Whitford. She said, however, that the questions she had raised have still not been answered. She said she was not trying to stand in the way of parkland acquisition and something that sounded like a good deal but she was wearing two hats as a Councillor and as a member of the area Watershed Environmental Protection Committee. She said she wanted to know the costs of possible acidic slate runoff and she did not want the taxpayer to be faced with the costs.

Mayor Ball said there were two possible options. One was a motion to rescind or staff could be asked not to carry out the purchase and have the questions answered at the next Council Session. This would be up to Council to decide.

Mr. Crooks said it was clear what the intention is with regard to the notice. The matter could be deferred until the next Council Session to make a decision on the motion to rescind on the understanding that staff would be directed not to take any action on the December motion until after the meeting on January 16.

Councillor Peters said that an attempt would have to be made, therefore, to get a speedy response from the Ministers of Environment and Transportation.

Councillor Snow said there was no intention at this time to ask the County for any money to put in a ballfield in that area. The environmental concerns have all been addressed and there would be no excavation taking place at all - it would be filled in. He said the area was never used as a slate pit and he did not see what the big fuss was all about. He said this was an \$86,000 piece of property for \$10,000. He said that if the County did not buy the land, someone else would and put in four houses. He said there was no intention to disturb the bank or the waterways and it was almost

a natural ballfield now. He said this was a deal for \$10,000 which has been passed by Executive Committee and Council and he wanted to know why it was coming back.

Councillor Peters referred to the Staff Report dated October 19, 1995 from Ted Tam which stated that purchase of the property would also inherit the liability that goes with it, especially since there was no letter from Department of Environment confirming that no further action would be requested of the future owner. She said she did not want to stand in the way of a good deal; she simply wanted the environmental concerns addressed.

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

"THAT STAFF PROCEED NO FURTHER WITH THE PURCHASE UNTIL JANUARY 16, 1996 UNTIL ENVIRONMENTAL QUESTIONS ARE ANSWERED".

Councillor Snow said he did not know what the environmental concern was. He asked if there should be a stop on all development in the County because of pyritic slate, which can be corrected.

MOTION DEFEATED.

Councillor Peters said, therefore, she wanted to make sure that the Mayor's letters to the Ministers of Environment and Transportation and subsequently a letter from Jacques Whitford to Mr. Tam be tabled as outlining their concerns that the water on the site and coming on to the site does not meet Canadian standards and is in violation. She said she also wanted her objections to the project moving forward known because of the possible future financial implications to the taxpayers.

Mayor Ball said that those attachments would be made to the project for everybody's information.

FIRST READING - A BY-LAW TO AMEND BY-LAW NO. 51, THE TAX EXEMPTION BY-LAW - ST. MARGARETS ARENA ASSOCIATION

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

"FIRST READING OF A BY-LAW TO AMEND BY-LAW NO. 51, THE TAX EXEMPTION BY-LAW - ST. MARGARETS ARENA ASSOCIATION".

MOTION CARRIED.

REPORT FROM MUNICIPAL PLANNING ADVISORY COMMITTEE

1. File No. RA-F&S-27-95-14 - Application by the Municipality to Rezone Two Properties in Wellington

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

"THAT A PUBLIC HEARING BE HELD ON JANUARY 22, 1996 AT 6:00 P.M. WITH REGARD TO FILE NO. RA-F&S-27-95-14 - APPLICATION BY THE MUNICIPALITY TO REZONE TWO PROPERTIES IN WELLINGTON".

MOTION CARRIED.

2. Application by Mounera Halo to Amend the Municipal Servicing Boundary for Cole Harbour/Westphal and the Subdivision By-law

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

"THAT A PUBLIC HEARING BE HELD ON FEBRUARY 12, 1996 AT 6:00 P.M. WITH REGARD TO THE APPLICATION BY MOUNERA HALO TO AMEND THE MUNICIPAL SERVICING BOUNDARY FOR COLE HARBOUR/WESTPHAL AND THE SUBDIVISION BY-LAW".

MOTION CARRIED.

3. SB-09-95 - Application by the Municipality to Amend the Subdivision By-law Pursuant to the Recommendations of the Subdivision By-law Review Steering Committee

Mr. Mitch Dickey, Planner provided background information leading up to the proposed amendment to the Subdivision By-law as a result of meetings held by the Subdivision By-law Review Steering Committee since the spring of 1995. The mandate of the committee was to draft a set of amendments which would update the roads-related portions of the municipal Subdivision By-law which were necessitated as a result of service exchange.

Mr. Dickey answered questions posed by Councillors and took note of items that Councillors felt should be considered. Mayor Ball pointed out that there would be an opportunity at the Public Hearing to also do this.

Councillor Merrigan said he had been a member of the committee and advised of his support of the amendments.

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

"THAT A PUBLIC HEARING BE HELD ON JANUARY 29, 1996 AT 6:00 P.M. WITH REGARD TO FILE NO. SB-09-95 - APPLICATION BY THE MUNICIPALITY TO AMEND THE SUBDIVISION BY-LAW PURSUANT TO THE RECOMMENDATIONS OF THE SUBDIVISION BY-LAW REVIEW STEERING COMMITTEE".

MOTION CARRIED.

It was agreed that staff would provide some clarification on the points raised by Councillors tonight.

At this point, Mayor Ball left the Chair and Deputy Mayor Giffin took the Chair.

MINOR VARIANCE REQUEST - MV-08-02-95 - GARY PETTIPAS

Paul Sampson, Development Technician, Planning Department said that the Minor Variance, as outlined in the Staff Report dated November 28, 1995, was an appeal of the Development Officer's refusal to grant the variance to permit the location of an existing detached garage on Lot 54A, Civic No. 100 Greenwood Avenue, Timberlea - at the intersection of Greenwood Avenue and Eisener Street. He said that the garage was located 11.5' from the right of way; however, the required setback under the Land Use By-law for Timberlea/Lakeside/Beechville was 20'.

Mr. Sampson stated that a Minor Variance was approved on September 28, 1995 to permit an addition to the dwelling to be located 15' from Eisener Street right of way. This addition was to be located in the area of the existing detached garage. The garage was to be moved to another location on the property pending the outcome of the Minor Variance application for an addition. He said, however, that the garage was moved without the required permits to its present location on a concrete slab. An application for Minor Variance was received on October 17, 1995 for the 11.5' setback for the garage. On October 30, 1995, the Development Officer notified the applicant, Gary Pettipas, that the request for Minor Variance was denied. Subsequently, on November 15, 1995 an appeal of the decision was filed with the Municipal Clerk.

Mr. Sampson showed slides to illustrate.

Mr. Sampson said there appeared to be no reason why the garage could not have been located to meet the required setback; therefore, the Development Officer had no choice but to deny the request. He said the Development Officer felt, however, that this was not an intentional act by the applicant. He said it was also important to note that Department of Transportation approved the garage's present location at 11.5'. Since the decision of the Development Officer was appealed, final decision now rests with Council.

Questions From Council

Councillor McInroy asked where the garage was going to be moved, other than the location it was presently in.

Mr. Sampson said that was undetermined at the time. The situation that occurred was that the applicant's contractor was the first one to come into the office to inquire about permits and he was told

about the requirement for permits for the relocation of the garage. He said it was possible there was miscommunication between the contractor and the applicant.

Councillor Sutherland asked the dimensions of the garage.

Mr. Sampson replied it was 12' x 20' and approximately 10-12' high.

Councillor Cooper asked if there were any sketches provided when the application was received.

Mr. Sampson replied that the initial sketch only indicated the location for the addition to the dwelling. At that time, the understanding was that they would apply for permits to move the garage once there was an indication that the minor variance was approved.

Councillor Bates asked if anyone had complained about the new location of the garage.

Mr. Sampson said no, unless there was someone here tonight.

Councillor Hendsbee asked if it was the responsibility of the contractor or the owner to make the application for the permit.

Mr. Sampson said it could be either.

Councillor Hendsbee asked if the garage was attached to a foundation.

Mr. Sampson said it was on a concrete slab. He went on to say that there had been no complaints with regard to the minor variance for the addition to the dwelling.

Councillor Hendsbee asked how Department of Transportation had approved a 11.5' setback.

Mr. Sampson responded that he did not think 11.5' was their standard but they were willing to let it stand.

Speaker in Favour

Mr. Gary Pettipas said that at the time he moved the garage he was not aware that he needed a permit as it was an existing structure. He said the contractor who put on the addition was not the person who moved the garage for him.

Questions from Council

Councillor Hendsbee asked if the garage was moved onto a pre-poured foundation.

Mr. Pettipas replied yes, the concrete was poured and the garage was put on top.

Councillor McInroy asked why the owner had chosen that particular location for the garage.

Mr. Pettipas replied that he did not want the garage too far back because it would block off the entire back yard and cut it in half.

Councillor Rankin asked if Mr. Pettipas had been advised that moving the detached garage to another location would require a permit.

Mr. Pettipas replied no.

Councillor Rankin asked if Mr. Pettipas understood that permitting with regard to auxiliary buildings only required approval by Department of Transportation.

Mr. Pettipas replied that staff had gone to Department of Transportation.

Speaker in Opposition

None

Decision by Council

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

"THAT THE MINOR VARIANCE MV-08-02-95 BE GRANTED, BASED ON THE TESTIMONY BROUGHT FORWARD AND BASED ON THE FACT THAT THERE HAS BEEN NO CASE MADE THAT THERE IS AN ADVERSE EFFECT ON THE COMMUNITY AND THAT THERE IS NO TESTIMONY BROUGHT FORWARD THAT THERE IS INTENTIONAL DISREGARD".

MOTION CARRIED.

At this point, Mayor Ball reassumed the Chair.

REPORT FROM COMMITTEE OF THE WHOLE

Mirror Contract - Solid Waste Management Strategy

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

"THAT COUNCIL ACCEPT THE RECOMMENDATION OF COMMITTEE OF THE WHOLE THAT THE MIRROR CONTRACT BE TABLED TO JANUARY 23, 1996 FOR RECEIPT OF WRITTEN PUBLIC SUBMISSIONS TO THE MUNICIPAL CLERK AND THAT ENDORSEMENT BE REQUESTED FROM THE REGIONAL MUNICIPALITY BY FEBRUARY 1, 1996 AND THAT A

SPECIAL COUNCIL SESSION BE HELD ON FEBRUARY 2, 1996 AT 3:00 P.M. TO DISCUSS COUNCIL'S FUTURE ACTIONS WITH REGARD TO THIS ISSUE".

MOTION CARRIED.

Pay Equity

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

"THAT COUNCIL ACCEPT THE RECOMMENDATION OF COMMITTEE OF THE WHOLE THAT COUNCIL ENDORSE OPTIONS 1, 3 AND 4 OF THE STAFF REPORT DATED DECEMBER 7, 1995 REGARDING PAY EQUITY SALARY ADJUSTMENTS FOR STAFF AT COLE HARBOUR PLACE AND SACKVILLE SPORTS STADIUM".

MOTION CARRIED.

William Ross School, Westphal, District 7

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

"THAT COUNCIL ACCEPT THE RECOMMENDATION OF COMMITTEE OF THE WHOLE THAT THE WILLIAM ROSS SCHOOL BE LEASED TO THE CITY HEIGHTS CHURCH FOR A FIVE-YEAR TERM WITH A FIVE-YEAR OPTION FOR RENEWAL AT A NOMINAL FEE OF \$1.00. THE AGREEMENT WOULD BE CONTINGENT UPON THE SUCCESSFUL ORGANIZATION BEING RESPONSIBLE FOR ALL THE OPERATING, MAINTENANCE AND UPKEEP OF THE BUILDING FACILITY AND THE CHURCH WOULD MAKE ACCOMMODATION FOR SPACE IN THE BUILDING FOR HALIFAX COUNTY PARKS AND RECREATION DEPARTMENT".

MOTION CARRIED.

WINTER MAINTENANCE SERVICE FOR MUNICIPAL STREETS

Mayor Ball advised it had been necessary for him to sign a Contract with Department of Transportation for winter maintenance and he was now requesting Council to approve the adoption of the Contract.

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

"THAT COUNCIL APPROVE THE CONTRACT FOR WINTER MAINTENANCE SERVICE FOR MUNICIPAL STREETS".

MOTION CARRIED.

DEPARTMENT OF INDIAN AFFAIRS - DEPUTY MAYOR GIFFIN

Deferred to the next Council Session.

DEPARTMENT OF FISHERIES - COUNCILLOR FRALICK

Councillor Fralick said that the Inshore fishing industry is so heavily regulated that fishermen often did not know if they were operating legally or illegally. He said every time an incident occurs, another regulation is slapped on without any consultation or thought as to what the results will bring. Regulations were preventing Inshore fishermen from competing effectively with the Offshore and Inshore fishermen should have more power, must be able to recommend management principles and review performance of the existing policies. He said that good fisheries management should involve consultation with those who will be affected; however, instead the Federal government tends to employ policies and then tries to sell them to the fishermen. He said the Inshore fishermen should be able to recommend safeguards to be included had they been consulted earlier in the process. He said the long term health of the fish stocks depends effectively on cull management which has to include input from the inshore fishermen. He said the effects are the buying power of the fishermen and short and long term strategies.

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

"THAT A LETTER BE SENT TO THE FEDERAL AND PROVINCIAL DEPARTMENTS OF FISHERIES, MLAS AND GEOFF REGAN, M.P. IN THIS REGARD".

MOTION CARRIED.

DEPARTMENT OF TRANSPORTATION - COUNCILLOR PETERS

Councillor Peters requested that a letter be sent to the Minister of Transportation regarding the level of service on Highway No. 2 from Fall River to Enfield. She said it seemed that Department of Transportation had one set of machinery to Fall River and, as soon as you pass Coach Avenue on Highway No. 2, the level of service drops dramatically and she was requesting an improved level of service for that area.

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

"THAT A LETTER BE WRITTEN IN THIS REGARD".

MOTION CARRIED.

It was agreed that a copy of the letter would be sent to MLA Cosman and to the Wellington Fire Department.

SOLID WASTE MANAGEMENT

Mr. Ken Donnelly stated there were two items for Council to consider.

1. Memorandum dated January 2, 1996 regarding Mirror Group Work

Mr. Donnelly explained that the 90-day workplan approved by Council expired on December 31, 1995; however, there was still a lot of work to do nor was there a contract. He explained that the reason for the 90-day workplan was to cover the interim time from when negotiations for the contract were started and when the contract could be either executed or not.

Mr. Donnelly stated that primarily because of the public review period, there was still no contract but it was necessary to continue to move ahead. He said the original budget for the workplan was approximately \$1.44 million. As of the end of December, billings to date were \$523,000 which left a surplus of \$923,000. December billings were expected in the order of \$200,000-250,000. He said that it was the intent to continue the work on the Front End Processing Facility, the Source Separated Composting Facility, the landfill and the other issues in the 90-day workplan. He said the budget itself was in very good shape.

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

"THAT COUNCIL ENDORSE THAT THE MIRROR GROUP CONTINUE ON WITH THE WORK OUTLINED IN THE 90-DAY WORKPLAN".

MOTION CARRIED.

2. Memorandum dated January 2, 1996 re Regional Solid Waste Management Project

Mr. Donnelly said this Memorandum dealt with the Front End Processing Facility and attached to it was a letter from the Mirror Group dated January 2, 1996 which was an Addendum to the main report which had been circulated at the Committee of the Whole meeting last month. He said that the Front End Processing Facility was a sorting and stabilization facility which would ensure that the landfill receives only non-compostable materials. It would be designed, built, owned and operated by the private sector partner and, in the draft contract, the Mirror Group commits to having the facility operational on or before January 1, 1997.

Mr. Donnelly said that with regard to the siting, Mirror Group incorporated the same siting criteria used for the landfill with exception of the distance to residential buildings. Instead of going 3 km. for those on wells, they went to 1 km. He pointed out that the regulatory requirement was only 500 meters. He said that 20 different criteria were used and seven areas were examined on six different sites - Burnside Industrial Park, two in Ragged Lake Industrial Park, Bedford Industrial Park, Site A, Aerotech Park and

Lakeside Industrial Park. He said the Ragged North site was eliminated because it was too close to residential and commercial buildings, the Bedford Industrial Park was too close to a school and commercial buildings and Aerotech Park was too far from the centre of generation and the residual disposal facility. He said of the remaining candidates, Site A was significantly cheaper - to the tune of \$6 million - for site preparation, purchase, road access, sewer/water, telephone and cleaning and grubbing of the site. He said the primary reason why there was a big difference between Site A and the other three still being considered was that the road was already being built, there would be an interchange. He said for Burnside, Ragged Lake and Lakeside there would have to be significant infrastructure put in.

Mr. Donnelly referred to the letter from the Mirror Group in which it was stated that there were significant cost efficiencies, good traffic access based on the use of Highway 103 and the new interchange and the benefit of the proximity to the new residuals disposal facility. There was also in the order of 175 new jobs that the facilities would bring and the capability of being able to establish a campus concept for these two facilities. He said that staff concurred with Mirror Group's recommendation that the facility be sited on the lands identified as Site A. The recommendation also said that the adoption of the site would be subject to the approval of Halifax Regional Municipality as is the whole project.

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

"THAT COUNCIL ADOPT THE RECOMMENDATION THAT LANDS IDENTIFIED AS SITE A IN THE DRAFT FINAL REPORT ON INTERMEDIATE LEVEL INVESTIGATION OF SITES DATED OCTOBER 1995 BE CHOSEN AS THE SITE OF THE FRONT END PROCESSING FACILITY FOR THE REGIONAL SOLID WASTE MANAGEMENT PROJECT AND THAT THE ADOPTION OF THE SITE IS SUBJECT TO THE APPROVAL OF THE REGIONAL MUNICIPALITY'S SUPPORT OF THE REGIONAL SOLID WASTE MANAGEMENT STRATEGY".

Councillor Cooper asked what protections would be in place from runoff from each of these facilities.

Mr. Donnelly said it was essential that all runoff from the front end processing facility be handled just as the runoff from the landfill facility. There would be collection of all the runoff and leachate created would be captured and treated. Department of Environment was insisting that in the drawings show all of the catch basins for surface runoff and leachate.

Councillor Cooper asked for information regarding anticipated land costs.

Mr. Donnelly estimated that about 15% of the southern tip was Water Commission land. Land costs had been taken into consideration. He said that land costs were \$24,700 per hectare for Burnside, \$49,400 for Bedford, \$148,200 for Ragged Lake, \$7,500 for Aerotech, \$148,000 for Ragged Lake and \$24,000 for Lakeside Industrial Park. Site A was actually zero as the land would be purchased anyway.

Councillor Rankin said that he was pleased this would be subject to the Regional Municipality's endorsement. He said he did not see any purpose to debate the merit of a specific site because it would be debated at the Regional Municipality level.

Councillor Cooper asked if there was a timeframe for a reply from the Regional Municipality.

Mayor Ball responded that endorsement was to allow the contract to move forward to design purposes only. February 1 was when Council expected to hear a response. He said, from a personal point of view, if Council did not get an endorsement for the February 2 meeting of Council, then he would come to Council and say it was finished as there was no solution. The Regional unit would then have from April 1 to December 31 to have a viable solution in place. He pointed out that the Sackville landfill site had a 14.8 month lifespan and, theoretically, there was 8/10 of one month available in 1997 in Sackville. To go beyond the footprint currently in Sackville, he understood there was an environmental assessment required. He said that could not be completed within an eight month time period.

Councillor Cooper said it should be made abundantly clear that the February 1 date included the provision for approval of the stabilization facility and front end processing on the site as well.

Mayor Ball said it was all inclusive.

Councillor Mitchell asked if the City of Halifax was going to turn the land in question over.

Mayor Ball said he understood that the Thursday Council made the decision to turn it over to the Regional Municipality, authorization was given the following morning to access the site from the City.

Councillor Mitchell said it would be interesting to see what the public input would be by January 23.

Mayor Ball said the public input would be circulated to all Council members as well as Councillors of the new Regional Municipality.

Councillor Hendsbee asked if there would be an opportunity, once the public input has been received, for a joint meeting of Halifax

County Council, the Regional Municipality and Mirror Group to address any of the public questions. He said he was assuming that any questions received from the public should receive answers from the Mirror Group.

Mayor Ball said he assumed that Mirror Group would respond to the public concerns in writing to each member of Halifax County Council.

Councillor Peters pointed out that all the newly elected representatives on the Regional Municipality Council were fully cognizant of the process.

MOTION CARRIED.

URGENT AGENDA ITEM

Solid Waste Management

Councillor Cooper stated that he had heard there were a number of reports being generated with proposals on methods to delay or alternates regarding the waste management process. He said he was concerned that a lot of these reports - if such existed - were not out to the public and, therefore, not subject to the scrutiny of the public process run by this Municipality. He said he felt there could be misinformation, wrong figures and/or costs which would be disseminated throughout the whole region. He said the Municipality had required everyone involved to have disclosure sheets and, if that process was there on behalf of the County, then it should also be extended to all those who now feel it is necessary to instigate reports, etc. to try to call the process into disrepute and cause it to be revisited. He said unless these reports were open to the public, then there would not be an open and honest process. He said he felt that many of these staff reports were being generated within the present municipal unit of the City of Halifax. He said he felt it should be the opinion of Council that all reports and recommendations should be publicly tabled so that they could be given honest assessment to ensure the fairness and accuracy of the information and completeness of the information. He said he would like Council to take action to make the call to all those in the area as he did not feel Council should be subject to reports they did not have and did not have the ability to analyse to ensure they are accurate.

Mayor Ball said that Council has had an open, public process and reports done to destroy what Council has done have been done in a shroud of secrecy. He said there was, therefore, no opportunity to respond. He said he felt there was a report now presently being prepared and within another municipal unit and instructions were given for that report to tear apart everything that Halifax County has done. He said he did not mind someone tearing something apart but at least give the opportunity, in an open and public process,

to respond to the innuendos and accusations of irresponsibility. He said the irony was that one of the participants in the report was also asked to participate in the contractual negotiations but had refused to do so. He suggested that the only thing that could be done was to ask the various municipal units for any staff reports on solid waste management presently being done up or circulated for public information to the various bodies involved.

Councillor Cooper asked if the Chamber of Commerce was also analyzing the contract and bringing forward a report.

Mayor Ball said the last he heard was that the Chamber was doing a review.

Councillor Cooper said that the Chamber of Commerce should also be notified that there was an expectation that they should also have their report ready at the same time that everyone else had to have theirs ready. He said he did not think there should be a delay in the process awaiting their report.

Mayor Ball said that all three municipal units could be requested to make available any reports being prepared regarding the future of solid waste to Council and the public.

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

"THAT WITH REGARD TO THE THREE OTHER MUNICIPAL UNITS, THEY BE REQUESTED TO MAKE AVAILABLE TO THE PUBLIC AND TO HALIFAX COUNTY MUNICIPALITY ANY REPORTS BEING PREPARED".

MOTION CARRIED.

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

"THAT WITH REGARD TO OUTSIDE ORGANIZATIONS - PARTICULARLY THE CHAMBER OF COMMERCE - THEY BE REQUESTED TO ADHERE TO THE TIME FRAME SET DOWN FOR THE SUBMISSION OF REPORTS AND THAT THE REPORT BE MADE AVAILABLE TO THE PUBLIC AND HALIFAX COUNTY MUNICIPALITY".

MOTION CARRIED.

Councillor McInroy referred to the joint meeting that had been suggested earlier in the meeting and suggested that Council should reconsider holding same.

Mayor Ball replied that if the Regional Municipality felt very strongly that Council could provide information to them, then they could request the meeting. He said he did not want to impose Council on them but he would be glad to be invited to the table to discuss with them.

COUNCIL SESSION

20

January 2, 1996

ADDITION OF ITEMS TO THE NEXT COUNCIL AGENDA

None

IN CAMERA ITEM

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

"THAT COUNCIL MOVE IN CAMERA".

MOTION CARRIED.

ADJOURNMENT

Following the In Camera Session, the meeting adjourned.

COUNCIL SESSION

January 16, 1996

PRESENT WERE: Deputy Mayor Giffin
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Deveaux
Councillor Hendsbee
Councillor Levy
Councillor Dooks
Councillor Smiley
Councillor Naugle
Councillor Peters
Councillor Snow
Councillor Harvey
Councillor Sutherland
Councillor Turner
Councillor McInroy
Councillor Cooper

ALSO PRESENT: Vince Smith, CAO
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. Mrs. Horncastle called roll.

APPOINTMENT OF RECORDING SECRETARY

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

‘THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY’

MOTION CARRIED

PRESENTATION BY THE NOVA SCOTIA FIRE FIGHTERS SCHOOL

Mr. Sid Hale made a presentation giving a general overview of the school and it's function.

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

'THAT THIS BE REFERRED TO THE EXECUTIVE COMMITTEE FOR FUNDING CONSIDERATION'

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mrs. Horncastle outlined a letter from the Department of Municipal Affairs informing council that it's motion regarding "Rethinking the Planning Act" has been forwarded to the working group.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

2. Mrs. Horncastle outlined a letter from the Department of Transportation and Communications informing council that the cost to the municipality regarding Construction Agreement 1-T will be less than the original estimated cost. Further they are requesting ratification of the awarding of the contract to Dexter Construction.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

'THAT THE CONTRACT BE AWARDED TO DEXTER CONSTRUCTION COMPANY LIMITED'

MOTION CARRIED

3. Mrs. Horncastle outlined a letter from the Co-ordinator Halifax Regional Municipality regarding the disposition of Ocean View Manor.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

4. Mrs. Horncastle outlined a communique from FCM calling upon each municipal member to join immediately in a national campaign to secure a commitment from federal, provincial and territorial governments that reform or replacement of the GST will result in no greater tax burden for municipal governments.

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

‘THAT THE LETTER BE RECEIVED’

MOTION CARRIED

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

“THAT A REQUEST BE MADE TO THE FEDERAL GOVERNMENT THAT THERE BE NO BURDEN ON MUNICIPAL GOVERNMENTS AS A RESULT OF REFORM OR REPLACEMENT OF THE GST”

MOTION CARRIED

5. Mrs. Horncastle outlined a communique from FCM regarding the establishment of a new program to succeed the infrastructure works program upon it’s completion.

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

‘THAT THE LETTER BE RECEIVED’

MOTION CARRIED

6. Mrs. Horncastle outlined a letter from FCM requesting resolutions for consideration at FCM’s national board of directors meeting in March 1996 or at FCM’s annual conference in June 1996.

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

‘THAT THE LETTER BE RECEIVED’

MOTION CARRIED

7. Mrs. Horncastle outlined a letter from the Department of Municipal Affairs wherein they provided a report highlighting assessment activity throughout 1995 for Halifax County.

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

'THAT THE LETTER BE RECEIVED''

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Establishment of Composting Facilities

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

'THAT A PUBLIC HEARING BE SCHEDULED FOR MONDAY, FEBRUARY 26, 1996, AT 6:00 P.M.'

MOTION CARRIED

Adoption Schedule for the two remaining Municipal Planning Strategies

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

'THAT A PUBLIC HEARING BE SCHEDULED FOR FEBRUARY 19, 1996 AT 6:00 P.M. TO CONSIDER THE PROPOSED DOCUMENTS FOR THE MUSQUODOBOIT VALLEY/DUTCH SETTLEMENT PLAN AREA''

MOTION CARRIED

It was moved by Councillor Dooks, seconded by Councillor

'THAT THE MEETING BE HELD IN THE COMMUNITY OF MIDDLE MUSQUODOBOIT''

MOTION CARRIED

DA-LAW-09-95-09 APPLICATION BY CAMERON CONRAD TO ENTER INTO A DEVELOPMENT AGREEMENT TO PERMIT THE CONTINUED OPERATION OF AN AUTOBODY/AUTOMOTIVE REPAIR BUSINESS ON LOTS I AND K AT 22 AND 24 ROBINSON ROAD IN LAWRENCETOWN

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

'THAT A PUBLIC HEARING BE SCHEDULED FOR FEBRUARY 12, 1996 AT 6:00 P.M.'

MOTION CARRIED

ZA-CHW-30-95 - APPLICATION BY SHIRLEY MARTIN TO ALLOW FOR A KENNEL ON THE PROPERTY AT 46 CHRIS EVAN DRIVE IN WESTPHAL

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

‘THAT THIS APPLICATION BE REFERRED TO THE COLE HARBOUR COMMUNITY PLANNING ADVISORY COMMITTEE FOR CONSIDERATION OF OPTION 3”

MOTION CARRIED

PRESENTATION BY KEN DONNELLY

Mr. Donnelly and Mr. Wayne Hamilton overviewed the report for the information of council.

Council received the report for information and agreed to table to the February 6, 1996 council session.

EXECUTIVE COMMITTEE REPORT

Submission Re: Transitional Municipal Funding in 1996 for Community Serving Agencies

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

‘THAT COUNCIL ENDORSE THE RECOMMENDATIONS AS OUTLINED IN THE SUBMISSION DATED DECEMBER 5, 1995 FROM VERONICA MCNEIL, METRO COMMUNITY SERVICES NETWORK”

MOTION CARRIED

Report Re: \$100,000.00 Loan Advance - Harrietsfield Community Centre

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

‘THAT COUNCIL APPROVE A \$100,000.00, TEN (10) YEAR LOAN ADVANCE FOR RENOVATIONS TO THE HARRIETSFIELD COMMUNITY CENTRE WITH COUNCIL RESERVING THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF PRINCIPAL AND/OR INTEREST REPAYMENT. THE LOAN WILL REQUIRE THE APPROVAL OF THE AMALGAMATION CO-ORDINATOR”

MOTION CARRIED

Report Re: Sidewalk Construction Agreement No. 1-Q dated June 5, 1995 - Twelve Mile House Lane, Lower Sackville

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

'THAT COUNCIL APPROVE THE ACQUISITION OF APPROXIMATELY 3445 SQ. FT. OF PRIVATE LANDS, OWNED BY THE ROMAN CATHOLIC EPISCOPAL CORP., FOR AN AMOUNT OF \$4,000.00 FOR THE PURPOSE OF SIDEWALK CONSTRUCTION'

MOTION CARRIED

Report Re: Lucasville Water

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

'THAT THE CONTRACT FOR THE LUCASVILLE WATER PROJECT BE AWARDED TO AMBER CONTRACTING LIMITED IN AN AMOUNT OF \$2,925,000.00 PLUS GST FO \$204,750.00 FOR A LUMP SUM AMOUNT OF \$3,129,750.00. FURTHER IT IS RECOMMENDED THAT THE WATER UTILITY INCREASE THE FUNDING BY \$23,000.00'

MOTION CARRIED

W-Five Holding Inc. - Lease

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

'THAT THIS ITEM BE REFERRED BACK TO THE EXECUTIVE COMMITTEE FOR FURTHER EVALUATION'

MOTION CARRIED

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

'THAT THE ARREARS OWNING ON THE LEASE BE PAID BY HALIFAX COUNTY MUNICIPALITY AND THE AMOUNT BE CHARGED AGAINST THE LEASE'

MOTION CARRIED

Capital Grant Requests

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

“THAT COUNCIL APPROVE THE FOLLOWING CAPITAL GRANT REQUESTS:

District Capital Grant	District 8	\$ 500.00
District Capital Grant	District 9	\$1,900.00
District Capital Grant	District 14	\$1,000.00
District Capital Grant	District 14	\$1,000.00
District Parkland Grant	District 25	\$2,550.00

MOTION CARRIED

Borrowing Resolutions

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

“THAT BORROWING RESOLUTION TBR93/94-11, OCEAN VIEW MANOR, \$170,000.00 BE APPROVED”

MOTION CARRIED

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

‘THAT BORROWING RESOLUTION TBR94/95-01, WATER (BEAVER BANK), \$400,000.00 BE APPROVED”

MOTION CARRIED

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

‘THAT BORROWING RESOLUTION TBR94/95-02, WATER (RITCEY CRESCENT), \$125,000.00 BE APPROVED”

MOTION CARRIED

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

‘THAT BORROWING RESOLUTION TBR94/95-03, WATER (CHERRY BROOK II - BROOM ROAD), \$250,000.00 BE APPROVED”

MOTION CARRIED

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

'THAT BORROWING RESOLUTION TBR94/95-04, WATER (COLE HARBOUR TO ROSS ROAD), \$575,000.00 BE APPROVED'

MOTION CARRIED

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

'THAT BORROWING RESOLUTION TBR94/95-05, WATER (HARTLEN POINT), \$250,000.00 BE APPROVED'

MOTION CARRIED

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

'THAT BORROWING RESOLUTION TBR94/95-06, SANITARY SEWER (HARTLEN POINT), \$640,000.00 BE APPROVED'

MOTION CARRIED

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

'THAT BORROWING RESOLUTION TBR94/95-07, STORM SEWER (HARTLEN POINT), \$385,000.00 BE APPROVED'

MOTION CARRIED

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

'THAT BORROWING RESOLUTION TBR94/95-08, WATER (EASTERN PASSAGE-COW BAY ROAD), \$250,000.00 BE APPROVED'

MOTION CARRIED

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

'THAT BORROWING RESOLUTION TBR94/95-09, SANITARY SEWER (EASTERN PASSAGE-COW BAY ROAD) \$400,000.00 BE APPROVED'

MOTION CARRIED

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

'THAT BORROWING RESOLUTION TBR94/95-10, STORM SEWER

(EASTERN PASSAGE - COW BAY), \$250,000.00 BE APPROVED”

MOTION CARRIED

SECOND AND THIRD READING - A BY-LAW TO AMEND BY-LAW NO. 51, A BY-LAW RESPECTING TAX EXEMPTION - EASTERN PASSAGE/COW BAY LIONS CLUB PROPERTY

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

“THAT COUNCIL GIVE SECOND READING TO A BY-LAW TO AMEND BY-LAW NO. 51, A BY-LAW RESPECTING TAX EXEMPTION - EASTERN PASSAGE/ COW BAY LIONS CLUB PROPERTY”

Deputy Mayor Giffin asked if there was anyone present who wished to make a presentation either in favour of or opposition to the by-law.

No speakers came forward.

MOTION CARRIED

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

‘THAT COUNCIL GIVE THIRD READING TO A BY-LAW TO AMEND BY-LAW NO. 51, A BY-LAW RESPECTING TAX EXEMPTION - EASTERN PASSAGE/COW BAY LIONS CLUB PROPERTY”

MOTION CARRIED

SECOND AND THIRD READING - A BY-LAW TO AMEND BY-LAW NO. 51, A BY-LAW RESPECTING TAX EXEMPTION - LANDS ST. MARGARET’S ARENA

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

‘THAT COUNCIL GIVE SECOND READING TO A BY-LAW TO AMEND BY-LAW NO. 51, A BY-LAW RESPECTING TAX EXEMPTION - LANDS ST. MARGARET’S ARENA”

Deputy Mayor Giffin asked if there was anyone present who wished to make a presentation either in favour of or opposition to the by-law.

No speakers came forward.

MOTION CARRIED

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

‘THAT COUNCIL GIVE THIRD READING TO A BY-LAW TO AMEND BY-LAW NO. 51, A BY-LAW RESPECTING TAX EXEMPTION - LANDS, ST. MARGARET’S ARENA”

MOTION CARRIED

CONSTRUCTION AGREEMENT NO. 1-V

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

‘THAT COUNCIL APPROVE CONSTRUCTION AGREEMENT 1-V FOR SECOND ENTRANCE TO GREENWOOD HEIGHTS/MAPLEWOOD SUBDIVISION (MAPLEWOOD DRIVE EXTENSION) FROM NORWAY MAPLE DRIVE TO TRUNK NO. 3 IN TIMBERLEA”

MOTION CARRIED

BEECHILL ROAD - COUNCILLOR DOOKS

Councillor Dooks said he would like to request that the Clam Bay/ West Ship Harbour be changed to Beechill Road. He said he would like to have confirmation, by way of council, that this has been done.

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

“THAT A REQUEST BE MADE TO 911 HAVE THE STREET NAME CHANGED”

MOTION CARRIED

COMMITTEE OF THE WHOLE RECOMMENDATION

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

‘THAT VINCE SMITH BE APPOINTED, BY RECORDED RESOLUTION, AS CAO TO MARCH 31, 1996”

MOTION CARRIED

SERVICE STANDARDS COMMITTEE REPORT

Memorandum Re: Lot Grading By-law

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

‘THAT THE LOT GRADING BY-LAW BE GIVEN FIRST READING AT THE FEBRUARY 6, 1996 COUNCIL SESSION’

MOTION CARRIED

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

“THAT A PUBLIC HEARING BE SCHEDULED FOR FEBRUARY 26, 1996”

MOTION CARRIED

Para Transit Service - District 14

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

“THAT COUNCIL APPROVE THE RECOMMENDATION THAT HALIFAX COUNTY PROVIDE FUNDING FOR A TWO MONTH TRIAL PARA TRANSIT SERVICE ON HIGHWAY #2 TO THE BIG STOP IN DISTRICT 14 WITH FUNDING TO BE PROVIDED BY A \$1,250.00 GRANT FROM DISTRICT 14 FUNDS AND A \$1,250.00 CONTRIBUTION FROM THE PARA TRANSIT FUNDS”

MOTION CARRIED

DATE - LESSER SETBACK - FEBRUARY 6, 1996, 7:00 P.M.

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

“THAT FEBRUARY 6, 1996, 7:00 P.M. BE SET AS THE DATE AND TIME FOR LESSER SETBACK REQUEST BY KIMBERLEA GARDNER, MEAGHERS GRANT”

MOTION CARRIED

REPORT RE: SERVICES, ATLANTIC WINTER FAIR

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

'THAT COUNCIL APPROVE THE REQUEST OF FUNDING FROM CITY OF HALIFAX IN AN AMOUNT OF \$205,000.00 SUBJECT TO THE APPROVAL OF MR. WILLIAM HAYWARD, FCA, CO-ORDINATOR OF HALIFAX REGIONAL MUNICIPALITY'

MOTION CARRIED

CANADA POST - CANADA RANKIN

Councillor Rankin said there is a super mailbox located on Rockcliffe Drive in Timberlea that has not been maintained by Canada Post in terms of salting and plowing. He said he would request that this be rectified. He said that community would like to request that Canada Post find an alternative site on the main road while still maintaining the existing postal code to avoid disruption.

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

'THAT A LETTER BE WRITTEN TO CANADA POST REQUESTING THEY ADDRESS THE CONCERNS AS OUTLINED'

MOTION CARRIED

UTILITY AND REVIEW BOARD - COUNCILLOR RANKIN

Councillor Rankin said the Utility Board is no longer connected to any Crown corporation. He said the N.S. Power shareholders would like a twelve percent return on investment. He said that is an unreasonable return on investment.

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

'THAT A LETTER BE WRITTEN TO MR. ROBERTSON, CHAIRMAN, UTILITY AND REVIEW BOARD, INFORMING HIM THAT IT IS INCUMBENT UPON POLITICAL REPRESENTATIVES TO STATE THAT THE RATE OF RETURN IS AN UNACCEPTABLE RATE.'

MOTION CARRIED

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

'THAT THIS ITEM BE REFERRED TO THE EXECUTIVE COMMITTEE'

MOTION DEFEATED

6 IN FAVOUR

7 AGAINST

BETTERMENT CHARGES, CALDWELL ROAD SEWER - COUNCILLOR MCINROY

Councillor McInroy said water and sewer, sanitary and storm sewer and water lines were installed on Caldwell Road. Front foot charges were levied against those who had frontage on Caldwell Road. Subsequent buyers of the buildings, on fully serviced lots, received those bills under their names. He said developers knew the services were in the ground and sold a serviced lot knowing the bill for the charges had not been paid and now the property owner is being charged the front foot charges. He said a small claims court decision favoured residents saying that the builder knew and should be liable to pay those charges. He asked if there was any way the Municipality could use the small claims court decision to transfer liability for that betterment charge to the company that the court concluded was liable.

Mr. Dickson said the municipality has the ability to levy charges against an assessed owner. He said in his opinion there would not be an ability to pursue the former land owner for the charge.

DEVCO MINES - COUNCILLOR DEVEAUX

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

‘THAT A LETTER BE WRITTEN TO THE PREMIER OF NOVA SCOTIA, WITH A COPY TO THE MAYOR AND MEMBERS OF COUNCIL, CAPE BRETON MUNICIPALITY, ASKING THAT THE PREMIER AND THE LEADERS OF THE OPPOSITION DO ALL THEY CAN TO PROVIDE EMPLOYMENT EITHER IN THE MINES OR FIND AN ALTERNATIVE FORM OF EMPLOYMENT TO PREVENT THE MINERS FROM BEING REQUIRED TO MOVE FROM NOVA SCOTIA’

MOTION CARRIED

SHEARWATER AIR SHOW - COUNCILLOR DEVEAUX

Deputy Mayor Giffin outlined a letter from Karl A. Robinson, Chairman, Nova Scotia International Air Show Association to Mayor Gloria McCluskey requesting financial assistance for marketing and other startup expenses.

Councillor Deveaux said the municipality derives many benefits as a result of the air show. He said the military had to give up producing the air show.

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

‘THAT HALIFAX COUNTY COUNCIL PROVIDE \$10,000.00 TO THE

SHEARWATER AIR SHOW CONDITIONAL ON THE FUNDING BEING MADE AVAILABLE FROM THE OTHER SOURCES"

MOTION CARRIED

DEPARTMENT OF NATURAL RESOURCES - COUNCILLOR HENDSBEE

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

'THAT A LETTER BE WRITTEN TO THE HONOURABLE DON DOWNE, MINISTER OF NATURAL RESOURCES, REQUESTING THAT THE GATE AT THE PORTER'S LAKE PROVINCIAL PARK AS WELL AS OTHER PROVINCIAL PARKS BE MODIFIED TO OBSTRUCT ANY ALL TERRAIN VEHICLES OR SNOWMOBILES TO PASS UNDERNEATH THESE GATES. HE SAID HE WOULD ALSO LIKE TO REQUEST THAT A POLICY BE DEVELOPED THAT ALL WOODLOT GATES OR ANY CABLES ACROSS ROADS BE CLEARLY MARKED SO THAT THEY ARE CLEARLY VISIBLE TO RECREATIONAL VEHICLES. FURTHER A COPY OF THE LETTER BE SENT TO THE MLA AND MR. ROBERT MACFARLANE, CROWELL ROAD, PORTER'S LAKE"

MOTION CARRIED

ADDITION OF ITEMS TO THE NEXT COUNCIL SESSION

W Five Mall - Councillor Hendsbee
Town Crier - Councillor Snow
Para Transit - Councillor Hendsbee

IN CAMERA

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

'THAT COUNCIL MOVE IN CAMERA"

MOTION CARRIED

Council agreed to move out of camera

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

"THAT COUNCIL APPROVE THE REPORT RE: RELIEF FROM PAYMENT