

Mayor Lichter said there has been discussions with the Minister of Municipal Affairs and prior to that there were discussions with the Solicitor General and the message is that there will be no additional dollars for this purpose and for many other purposes. He said if Halifax County wants to reach the suggested ratio then it needs the five year build up at the rate that was indicated.

Councillor Merrigan said he feels Halifax County should establish a 1:950 ratio to be reached over a five year period and in the following five years, to reach the 1:750. He said he also feels the officers should be assigned throughout the county based on this.

Mr. Meech said Halifax County was able to work out an arrangement with the Province whereby it is now on the record that an agreement that the request went in basically as approval in principle for the ten additional officers and the two public servants with the clear understanding that if, prior to February 28, 1994, the council chooses not to follow through or reduce the number or go back to zero then if notification is given by February 28th that request will be terminated. He said he pursued this, after council had made its decision, as a result of some discussions he had with the Department of Justice and were able to achieve this. He said around the same time the Service Standards Committee decided to revisit the issue and as a result of discussion there that the issue has come back to council. He said it is now on the record that if Halifax County so chooses those additional personnel can be accessed.

Deputy Mayor Bates if the issue would need a motion of reconsideration to bring it back.

Mr. Meech said it could be incorporated in the development of the 94/95 budget estimates. He said council would have to give its final decision before February, 1994 as to whether or not it wanted to proceed.

Deputy Mayor Bates said it is his opinion that the RCMP should make the decision as to where the manpower is located.

Councillor Ball said he feels the ratio, whatever it may be, has to be consistent. He said he would like to have the target in the West were the target now exists in the rest of the municipality currently. He said it would hope a motion would read that the Western Region of Halifax County, in this proposal, will be brought into a level playing field with the rest of the municipality and in that way everything else will be addressed.

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

"THAT IT BE RECOMMENDED TO COUNCIL THAT COUNCIL ADOPT THE

PHILOSOPHY OF INCREASING THE RCMP PROTECTION IN HALIFAX COUNTY AT THE RATE OF TEN OFFICERS PER YEAR FOR THE NEXT FIVE YEARS WITH THE REQUEST THAT THE HALIFAX SUBSYSTEM BE PROPORTIONATE EACH YEAR TO REACH THE 1:900 RATIO BY THE YEAR 1998"

MOTION CARRIED

14 IN FAVOUR

3 AGAINST

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

"THAT MR. MEECH AND RCMP DISCUSS THE POSSIBILITY OF HAVING MUNICIPAL STAFF ASSIGNED TO RCMP OFFICES AS CLERICAL STAFF"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Merrigan:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Waiving of Advertising and Processing Fee for a Rezoning Application by Nabil Toulany

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

"THAT COUNCIL WAIVE THE ADVERTISING AND PROCESSING FEE FOR THIS REZONING APPLICATION"

MOTION CARRIED

File No. CDD-EP/CB-01-88-06 - Application submitted on behalf of Anahid Investments Limited - Heritage Hills Comprehensive Development District

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

"THAT THE INFORMATION BE RECEIVED"

Councillor Ball said he would like to bring it to the attention of council that a public information session had been held in the community and the community had been informed that if they had anything they wished to bring to the attention of the municipality they could do so by 4:00 p.m. Friday at which time it would be decided whether or not PAC would hold a special meeting. He said he would like the record to state that PAC did not hold a special meeting because only one letter was received from the Eastern Passage/Cow Bay area concerning this development. He said they did not feel that a meeting was required to address that issue.

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Request for Approval of Adjustments to 1993/94 Administration Budget to Address Staffing and Operating Expense Implications of General Assistance Caseload Increases

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

"THAT COUNCIL APPROVE THE RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT DATED OCTOBER 20, 1993"

Review Board with regards to Municipal Polling Districts Review.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT THIS LETTER AND THE ITEM IT ADDRESSES BE REFERRED  
TO THE REDISTRIBUTION COMMITTEE"

MOTION CARRIED

2. Mr. Reinhardt outlined a letter from the Heart and Stroke Foundation of Nova Scotia with regards to council declaring November as "CPR Month".

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

"THAT THE LETTER BE RECEIVED AND NOVEMBER BE DECLARED AS  
"CPR MONTH" IN HALIFAX COUNTY"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from the Premier of Nova Scotia and the Grand Chief of the Micmacs with regards to proclaiming the month of October as Mi'kmaq History Month.

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

"THAT THE LETTER BE RECEIVED AND THE MONTH OF OCTOBER BE  
DECLARED AS MI'KMAQ HISTORY MONTH"

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from the Department of the Environment informing council that the Minister of the Environment has approved funding for the Halifax County Municipality residential curbside recycling collection program.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Mr. Reinhardt outlined a letter from the Department of Municipal Affairs with respect to transit service to the Preston-Porter's Lake area.

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from the Department of Transportation and Communications regarding the request by municipal council for an audit of services on a kilometre and sector basis in terms of new construction, repaving, brush clearing and amount of snow removal equipment available in the western region of Halifax County.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Mr. Reinhardt outlined a letter from the Department of Transportation and Communications with regards the lowering of the speed zone and sign improvements to the Old Guysborough Road.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from the Department of Transportation and Communications regarding the installation of a pedestrian crosswalk across Trunk 3 at Governors Lake Drive.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from the Department of Transportation and Communications with regards to a speed limit reduction on Route 349, from Hebrideen Drive to Village Road.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from the Nova Scotia Utility

COUNCIL SESSION

November 2, 1993

PRESENT WERE: Mayor Lichter  
Councillor Meade  
Councillor Rankin  
Councillor Fralick  
Councillor Mitchell  
Councillor Ball  
Councillor Deveaux  
Deputy Mayor Bates  
Councillor Hendsbee  
Councillor Randall  
Councillor Bayers  
Councillor Smiley  
Councillor Peters  
Councillor Merrigan  
Councillor Brill  
Councillor Snow  
Councillor Giffin  
Councillor Barnet  
Councillor Boutilier  
Councillor Sutherland  
Councillor Turner  
Councillor McInroy  
Councillor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer  
Dale Reinhardt, Acting Municipal Clerk  
Fred Crooks, Municipal Solicitor

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

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF THE OCTOBER 5, 1993 COUNCIL SESSION BE APPROVED"

MOTION CARRIED1994 Dog Licenses

Mayor Lichter said a motion with regards to this would be by recorded resolution.

It was moved by Deputy Mayor Bates, seconded by Councillor Bayers:

"THAT COUNCIL APPROVE OPTIONS 1, 2 AND 3 FOR 1994 AS OUTLINED IN THE STAFF REPORT WITH OPTION 4 BEING INVESTIGATED FOR 1995"

Councillor Sutherland said in district 22 and other areas in Sackville it takes a lot of visits to collect dog tag licenses. In some cases the dog constable makes three or four trips to a home in order to get a license. He asked if any discussion had been held on increasing the amount of the commission.

Mayor Lichter said it had been discussed at a previous Executive Committee meeting but at the meeting when this recommendation was made there was no discussion on that part.

Councillor Ball said he can't support the recommendation. He said the difficulty he is having with this is that the good dog owner is being charged twenty dollars for the policing of the bad dog owners. He said he would like to see statistics indicating how many dogs that are impounded are licensed. He said collection and enforcement varies from district to district.

Deputy Mayor Bates said a number of items had to be addressed. He said the solicitors are looking at the possibility of raising the fine and the method of appointing collectors in various districts. He said there is a proposed notice to be sent in the interim tax bills. He said the fee is reasonable and in line with what dog owners in other municipalities pay.

Councillor Boutilier said there have been in some instances there have been refusal to purchase and to take this to court it costs the municipality more than the imposed fine.

Councillor Randall said he believes the emphasis should be placed on amendments to the existing Dog By-law rather than increasing the fees at this time. He said he has some suggestions that were put forth by the animal control people. He said some of these were that the existing fine of twenty five dollars is not a deterrent to many people. He said repeat offenders should be facing a minimum of a one hundred dollar fine for each consecutive occurrence. Animal control should be allowed to enforce Section 20(b) of the By-law which states that any dog impounded for running at large for second offence in any twelve month period shall be destroyed. He said

this is in the By-law but to his knowledge is not being enforced. He said these are the kinds of things that are being looked at and coming to Executive Committee. Minimum of one hundred dollar fine upon conviction of any dog disturbing the peace and quiet of a neighbourhood. He said ticketing should not be something that would just apply to a dog or to animal control but will go beyond that. Provisions where a dog could be removed from a property or owner for repeat occurrences for disturbing the peace. He said he would hope these are the kinds of things being looked at by the clerks department and the solicitor in that these are the kinds of things being addressed before the By-law comes before council. He said he would also like to know what the number of prosecutions have been in relation to the numbers of people who have refused to pay. He said he has reason to believe that they are not in line in that the people who are refusing to pay in many cases are getting off and telling others about it and as a result he feels the Dog By-law should be tightened up.

Councillor Snow said he feels it should go back to the days when the constable has the authority to impound immediately any owner who fails to pay the fee. He said he feels that the one hundred dollar fine would only mean more deaths of more dogs.

Mayor Lichter asked the mover and seconder if they would be willing to separate the motion into three separate motions.

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

"THAT THIS BE DEFERRED PENDING DISCUSSIONS ON THE PROPOSED DOG BY-LAW AND TICKETING PROCEDURE"

MOTION CARRIED

Councillor Ball asked if a report could be obtained, before next council session, as to animals that are impounded that are unlicensed.

Sheet Harbour Lions Club

It was moved by Deputy Mayor Bates, seconded by Councillor Randall:

"THAT COUNCIL APPROVE THE REQUEST FOR FUNDING AND PURCHASE OPTION AS OUTLINED IN THE STAFF REPORT"

MOTION CARRIED

Capital Grant Requests

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

"THAT THE FOLLOWING CAPITAL GRANT REQUESTS BE APPROVED:

(a) District Capital Grant, District #1, in the amount of \$500.00 and

(b) District Capital Grant, District #17, in the amount of \$6,750.00 and General Parkland Grant in the amount of \$6,750.00"

MOTION CARRIED

DATE - MINOR VARIANCE

It was moved by Councillor Ball, seconded by Councillor Randall:

"THAT NOVEMBER 16, 1993 AT 7:00 P.M. BE THE DATE AND TIME SET FOR THE MINOR VARIANCE"

MOTION CARRIED

APPOINTMENTS - SHUBENACADIE CANAL COMMISSION

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

"THAT BRUCE MILLS BE NOMINATED TO THE SHUBENACADIE CANAL COMMISSION"

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

"THAT KEITH MANCHESTER BE NOMINATED TO THE SHUBENACADIE CANAL COMMISSION"

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

"THAT NOMINATIONS CEASE"

MOTION CARRIED

APPOINTMENTS - WATERSHED ASSOCIATION DEVELOPMENT ENTERPRISES

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

"THAT COUNCILLOR HENDSBEE AND DEPUTY MAYOR BATES BE APPOINTED TO W.A.D.E."

MOTION CARRIED

MEMORANDUM RE: DEVELOPMENT OFFICER - COLE HARBOUR BRANCH OFFICE

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

"THAT THE REPORT BE RECEIVED"

MOTION CARRIED

SECOND AND THIRD READING - A BY-LAW RESPECTING THE AMALGAMATION OF THE DARTMOUTH FERRY SYSTEM WITH METRO TRANSIT

Mayor Lichter said he had been advised by the solicitor that this item should be deferred. He said as Halifax City council did not pass the necessary By-law in the same form and in the same substance as was required by all four municipalities there is concern about the possibility of the three other councils conferring that authority on Metro Authority and then carrying the burden themselves. He said the solicitor will do some further checking before it is dealt with at the next council session.

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

"THAT THIS BE DEFERRED TO THE NOVEMBER 16, 1993 SESSION OF COUNCIL"

Councillor Boutilier asked if the information provided for council was the same information that was given to the other municipal units.

Mayor Lichter said the text of the by-law was exactly the same.

Councillor Boutilier asked what was Halifax's concern.

Mr. Crooks said it is his understanding that the concern of the City of Halifax council was that the proposed form of the by-law would not confine the delegation to the operation of the ferry system as it exists today. He said their intention and desire was to confine the delegation authority to the Metropolitan Authority to the ferry system as it is presently operated, specifying the existing terminals and the like. He said, in part, for that reason, the city passed a by-law which is different in form than the by-law which was circulated to all the units by the Metropolitan Authority.

MOTION CARRIED

REPORT - SET ASIDE PROGRAM POLICY REVIEW COMMITTEE

Mr. Reinhardt outlined the report.

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

"THAT THE RECOMMENDATION BE ACCEPTED"

MOTION CARRIED

SERVICE STANDARDS COMMITTEE REPORT

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

"THAT THE RECOMMENDATION OF THE SERVICE STANDARDS COMMITTEE BE APPROVED"

Mr. Meech said the concern at staff level at this point is that while the intent of the recommendation is, in effect, to recover a certain percentage of the costs required to accomplish the work the fact is that there is no way that Halifax County can guarantee that it can recover that money from those property owners. He said if it is council's intent to undertake this work and are prepared to accept the cost of it then it would need to be identified to where this is going to be charged. He said, in the past, this type of expenditure would have been allocated to the Environmental Services budget for this type of work. He said another concern is that this may be more of a civil matter. He said from his point of view he would caution council that at least it should be clearly understood that if this expenditure is approved, on this basis, there is no guarantee that funding will be received from the other parties. He said he is suggesting that a more serious look should be taken before council proceeds with the expenditure.

Councillor Brill said this matter came to his attention by the immediate abutter to the problem. He said this problem has originated since the development of a plaza adjacent to the barber shop property. He read a letter from the church dated September 11, 1992 to Mr. John Sheppard. He said his major concern is not so much the drainage problem the church has but the problem on Sackville Drive. He said it has constant drainage over it and in the winter it is icy and he is concerned with safety. He said the Department of Transportation is prepared to send a letter to the developer requesting that they correct the problem. He said, in the meantime, before an accident happens, he would like the county to get it fixed and levy the charges to the appropriate bodies at the appropriate time. He said the barber shop owner is prepared to assist. He said he cannot see any responsibility being put on the church because they just happen to be downstream.

Councillor Peters said she has similar problems in her district and would not be able to support the request. She said she would suggest that staff look into this in a more civil manner. She said if people are willing to cost share and have indicated verbally then perhaps staff can work with them on a contract basis or have something on paper before proceeding.

Councillor Rankin said he feels there has not been enough information provided as to where the funding would come from. He said there are presently a number of areas on a priority list. He

said he would urge councils' consideration of referral.

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

"THAT THIS BE REFERRED TO THE EXECUTIVE COMMITTEE"

Councillor Ball said the Urban Services committee had come up with a fair and equitable way of dealing with storm drainage problems on private property in the serviced area of Halifax County. He said the formula that was worked out was a 70/30 cost share between the municipality and the abutting property owners. He said it is his understanding that before this can proceed the approval of the property owners of the willingness to cost share in that amount of money is needed. He said he feels there is not enough information.

Councillor Cooper said he would suggest that this go to Service Standards for confirmation of present policy and determination that this follows any policies.

The mover and seconder agreed.

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

"THAT THIS BE REFERRED TO THE SERVICE STANDARDS COMMITTEE"

Councillor Sutherland said this problem has been in existence for a number of years and Halifax County may not be required to put any money into it. He said all that is being asked is that the County of Halifax act as coordinators between the various parties.

Councillor Brill said this is not circumventing the priorities that have been laid out. He said it is on the list and is still there.

MOTION CARRIED  
20 IN FAVOUR  
2 AGAINST

RECORDED RESOLUTION - POLICING REQUIREMENTS

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

"THAT HALIFAX COUNTY ADOPT A POLICY OF A POLICE TO POPULATION RATIO OF 1:900 AND PROCEED TO MEET THIS OBJECTIVE BY THE YEAR 1998 AND FURTHER THAT COUNCIL APPROVE TEN (10) ADDITIONAL OFFICERS PER ANNUM FOR THE NEXT FIVE (5) YEARS TO BE ALLOCATED TO THE RESPECTIVE DETACHMENTS ON AN EQUITABLE PROPORTIONATE BASIS. THE ADDITIONAL POLICE OFFICERS TO BE ACCOMPLISHED BY AN EXPANSION TO THE R.C.M.P. AGREEMENT IN EFFECT WITH THE PROVINCIAL DEPARTMENT OF JUSTICE"

Mayor Lichter said that the original proposal from the R.C.M.P. asking for 10 and then 11 in the remaining four years. He said this would have achieved the 1:1200 in the rural and 1:750 in the urban. He said this motion is dealing with 50 officers in the next five years. He said the only thing nobody foresees is what will be the exact population base in any one of the areas. He said these are only projections. He said if the population does not grow as fast as projections indicate then it will be very close to 750. If it grows at a faster rate than anticipated, then the whole thing will have to be revisited.

Mr. Meech said it should be kept in mind that although council would adopt this decision it needs to be revisited on an annual basis because the statistics need to be updated with regards to population. He said, on an annual basis, before actually approving the additional police officers council would want to know what ratios would be achieved and where the R.C.M.P. are suggesting that those additional officers would be located.

MOTION CARRIED  
20 IN FAVOUR  
2 AGAINST

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

"THAT COUNCIL ADOPT THE RCMP'S RECOMMENDATIONS RELATIVE TO POPULATION POLICE RATIOS WHICH CURRENTLY ARE AND THAT WE MOVE IN THAT TIME FRAME THAT HAS ALREADY BEEN APPROVED TOWARD A 1:750 RATION IN URBAN AREAS AND 1:1200 WITHIN THE RURAL COUNTY AREAS"

He said he feels that this is not inconsistent with the motion because the motion talks about Halifax County being 1:900. He said he would suggest that Halifax County has, on average, a 1:900 with some areas 1:750 and in other areas 1:1200. He said he does not feel it is inconsistent with this approval of a 1:900 ratio but you can have highs and lows depending on where you need the police.

Mayor Lichter said while Councillor McInroy may not mean anything different than what was moved at the Committee of the Whole then there was a motion that achieves the same purpose. On the other hand, if he allows the motion then it makes sense to allow that motion if it means something different, otherwise it is redundant.

Councillor McInroy said he would say that it adds to and isn't inconsistent with. It gives the R.C.M.P. the numbers of personnel that are planned for over the next five years and gives some clarification on that they put them where they feel they need them which is what they recommended to Halifax County. He said this wasn't specifically addressed previously.

Mayor Lichter ruled the motion out of order

Councillor Merrigan said one important issue that was not dealt with was how the costs would be borne.

Mayor Lichter said, although it wasn't mentioned at the Committee of the Whole, previously when that was debated it was stated that it would be borne by the general rate and he said it was his understanding that this was understood.

Deputy Mayor Bates said Halifax County does not want to get in the position where the R.C.M.P. are forced to place officers somewhere they don't think that it is giving the maximum to the municipality. He said he would like to add that notwithstanding the efforts to have it at 1:900 Halifax County would leave it at the discretion of the R.C.M.P. He said Halifax County is not suggesting that they direct officers to an area if they are not required there. He said let the R.C.M.P. make that decision.

Mayor Lichter said that this topic should be referred to the Service Standards committee and the R.C.M.P. and let them work out what motion should come to council. He said with regards to the R.C.M.P. contingent up until now Halifax County has been paying twenty and each year will be paying more. He said if you look at it as the people that Halifax County pays, if it was completely a county police force, the county would be directing them exactly through a police commission as to what the county wants them to do and where to do it. He said the Service Standards committee could begin to act in the unofficial capacity of a somewhat restricted police commission.

It was moved by Deputy Mayor Bates, seconded by Councillor Brill:

"THAT THIS BE REFERRED TO THE SERVICE STANDARDS COMMITTEE"

MOTION CARRIEDPUBLIC SECTOR UNPAID LEAVE

Mayor Lichter said based on the previous council motion he has written to the Minister of Municipal Affairs expressing council's feeling on that Bill. He said he will be speaking to the Law Amendments Committee tomorrow.

Mr. Meech made reference to the staff report which provides information on the legislation and how it would apply. He said what is key at this point is to come to an agreement with respect to whether or not, in some instances, the county is going to close certain offices. He said what is being recommended is that offices be closed on November 12, December 24 and on Monday, February 14.

He said each employee who is required to pay the 2% is entitled to five unpaid days. He said in the case of the other two days it is being suggested that the offices not be closed but encourage that people would take the additional two days between Christmas and New Year's. He said it would also be the discretion to each of the department managers to deal with any specific situations that may not be convenient. He said if the offices are to be kept open there are going to have to be a certain minimum number of people available. He said if Halifax County decides to close down the three days between Christmas and New Year's in effect the offices would be closed for approximately ten days straight. He said they are suggesting that the offices be kept open on the 29, 30 and 31 however, employees entitled would be encouraged to take those two additional days.

He said the legislation talks about each employer being able to identify operational requirements. He said such places as Cole Harbour Place and Sackville Sports Stadium would take advantage of that clause which would mean you have until April, 1996 in which people would be able to take advantage of the unpaid leave. He said the important point is that you don't necessarily in all cases have to close the offices or facilities down. He said in those cases where operations need to be run on a continuous basis people would be offered other days. He said this would also apply to Ocean View Manor and the Rehab Centre.

Councillors held discussion on the ramifications and benefits of the legislation on municipal employees and the offices being closed over the Christmas period. Some concern was expressed as to what effect this legislation would have on fire departments and collective agreements.

Mr. Crooks said the Act specifically says that it applies notwithstanding collective agreements, terms and conditions of individual employment contracts. He said in effect what the Act does is to amend collective agreements and employment contracts.

Mayor Lichter said the proposed legislation has created quite a problem. He said he had drafted a letter to all employees to speak to them about this particular issue and to assure them that council has taken a position on it and council has asked him to make a presentation to the Law Amendments Committee. He said Halifax County does not agree with it however, Halifax County's influence over the issue is minimal. He said the letters had gone out and since the letters have gone out, employees have brought their concerns to his attention. He said he was bringing it to council's attention to make sure council can demonstrate that, where it does have power, it will do the right thing. He said many individuals have indicated that, if they had a choice, would be not to have five days off but to be able to work and earn money during those five days. He said the position of employees is "if you must do

what the province tells you you must do, then at least we should have had some information, we should have had some input through the staff committee". He said until after the Bill is complete and has passed Law Amendments and the Legislature and is proclaimed, Halifax County does not have the full final clear understanding as to what is going on. He said it comes down to what can be done now. He said the employees are saying "if it has to be, then would it not be fair not to dictate to me when I am going to stay home, without any input from me, but to add on five days vacation between now and April 1, 1994, keep the offices open and allow my department head or direct my department head to make arrangements with his/her workers to schedule those vacation days in a way it suits the employee in the best possible manner". He said he agrees with Friday, November 12th should be a day on which everybody should be off. He said after talking with these people and reading their letters he has come to the conclusion that he would recommend to council that if Mr. Meech finds it feasible to allow those employees at least the little bit that can be done for them which is that they would have some flexibility in when those days could be scheduled. He said he feels it would be not different than scheduling vacation days. He said if Halifax County mandates three days in December there are part time employees who don't earn twenty two thousand dollars per year but their computed salary would be over the amount had they been employed throughout the year. He said those people fall in the category of the 2% deduction.

Mr. Crooks said his understanding of the legislation would be that they are outside the Act if they are below the \$22,000 per year. He said there are a lot of matters that are left to be dealt with by the regulations which would be adopted once the Act comes into effect. He said the thrust of the act would be that someone who does not earn \$22,000 or earns \$22,000 or less by reason of the number of hours worked or by reason of their salary being at that level or less it is outside the ambit of the Act or not affected by it. He said that is his understanding and interpretation of the legislation.

Mayor Lichter asked Mr. Meech if employees take November 12 and the other four days, in case of the non essential service employees, were to be taken as vacation days between now and April 1 if he feels that would be a manageable approach and then the offices would not be closed at any other time than on November 12.

Mr. Meech said it would be manageable but he would want to be clear on is if in fact everybody is to be left with the expectation that they can decide when they want to take the time and they want to take it on the same date. He said in this instance everybody will not be able to go on the same particular date. He said he would caution that while it may seem, on the surface, that this can work in the end management would still have the final say as to whether

in fact everybody go on those particular days they so desire to go. He said it can be managed but not everybody would necessarily end up getting the specific days they chose.

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

"THAT COUNCIL APPROVE NOVEMBER 12, 1993 AS ONE OF THE MANDATORY LEAVE DAYS"

MOTION CARRIED

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

"MR. MEECH, IN CONSULTATION WITH STAFF MANAGEMENT AND EMPLOYEE COMMITTEE, BE GIVEN THE MANDATE TO DECIDE THE OTHER FOUR DAYS WHICH WOULD BE MOST APPROPRIATE TO BE DEALT WITH IN THE BEST INTERESTS OF THE MUNICIPALITY AND THE EMPLOYEES"

MOTION CARRIED

DUNCAN'S COVE ROAD PAVING - COUNCILLOR BALL

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

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS REQUESTING THE PAVING OF THE DUNCAN'S COVE ROAD"

MOTION CARRIED

AREA SCHOOL RATES - COUNCILLOR BALL

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF EDUCATION INQUIRING WHETHER OR NOT THE PROVINCE INTENDS TO MOVE IN THE DIRECTION OF ABOLISHING SCHOOL AREA RATES"

MOTION CARRIED

DOT - COUNCILLOR PETERS

She said she has repeatedly asked the road foreman and a number of others with regards to a cul-de-sac at the end of the Sunnylea Road, Wellington because there are transportation vehicles turning around in there, there is snow removal trucks. She said a lady that lives there has had her children scared on a number of occasions. She said there have been no satisfactory results.

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

"THAT A LETTER BE WRITTEN TO THE MINISTER, DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS, REQUESTING THAT HE EXAMINE THE DESPERATE NEED FOR A CUL-DE-SAC TURN CIRCLE AT THE END OF SUNNYLEA ROAD"

MOTION CARRIED

BEAVERBANK SERVICING - COUNCILLOR MERRIGAN

Councillor Merrigan said he would like to have an update on Woodbine.

Mayor Lichter said it is his understanding that the agreement has been signed by Mr. Havill and construction will proceed early in the spring.

Mr. Meech said the agreement was signed and the analysis would be taken to the next Executive Committee meeting because it still needs to be ratified by the Executive Committee and Council.

Councillor Merrigan said he felt he should have been notified when the agreement was signed.

LAKESIDE INDUSTRIAL PARK REHABILITATION TENDERS

Councillor Rankin said this funding was previously approved for this. He said the implementation was delayed due to negotiations with the province on additional funding. He said this funding does not impact on the overall funding that was approved by the county.

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

"THAT THE LAKESIDE INDUSTRIAL PARK REHABILITATION TENDERS BE AWARDED TO THE LOW TENDERS - CONTRACT A TO OCEAN CONTRACTORS LTD IN THE AMOUNT OF \$885,927.50 AND CONTRACT B TO SIMMON PAVING COMPANY LTD. IN THE AMOUNT OF \$138,636.25"

MOTION CARRIED

LANDFILL - COUNCILLOR BARNET

Councillor Barnet said this is regarding the Highway 101 landfill. He read a letter from Porter Dillon to Metropolitan Authority dated May 19, 1993.

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

"THAT COUNCIL REQUEST METROPOLITAN AUTHORITY TO CLEARLY AND CONCISELY INFORM THIS COUNCIL AND THE COMMUNITY OF SACKVILLE, IN WRITING, AS TO THE COMPLETE INTENTIONS OF

THE 101 LANDFILL REGARDING THE EXTENSION OF TIME, SIZE,  
HEIGHT OR VOLUME"

Mayor Lichter said the Engineers have looked at this and Metro Authority voting members did not look at the situation as to whether it could be extended upwards or sideways, etc. He said there is no commitment on the part of Metro Authority to extend it nevertheless the question being asked will bring to the fore some kind of an action on the part of Metro Authority as to what the future holds. He said, right now, there is nothing other than discussions at Metro Authority that have taken place over the years. He said that when Mr. Teriault was before Metro Authority he had asked that research be undertaken to see if there was ever a motion on which a vote was taken concerning the close out. He said it was found that there was no motion, just an agreement that it will close June, 1994. He said that is the capacity period.

Deputy Mayor Bates said that Site H to his knowledge has not been cancelled as a potential site and to his knowledge it is still under Environmental Assessment.

Mayor Lichter confirmed that Site H has not been deregistered.

MOTION CARRIED

URGENT AGENDA ITEMS

Harbour Clean Up - Councillor Deveaux

Councillor Deveaux said that regardless how funding is acquired for the proposed treatment plant he could not support municipal tax dollars being used for that purpose. He said the Prime Minister elect indicated that perhaps funding could be made available from the Federal government towards that project.

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

"THAT COUNCIL REQUEST PREMIER SAVAGE, WITH A COPY TO THE MP'S HALIFAX COUNTY, TO URGE THE PRIME MINISTER TO HONOUR HIS COMMITMENT OF COMMITTING DOLLARS TO THE INFRASTRUCTURE PROJECT WHICH WAS EARMARKED TO BE SIX BILLION DOLLARS IN THE NEXT THREE YEARS AND AS PART OF THAT INFRASTRUCTURE PROJECT THEY LOOK FAVOURABLY ON ADDING DOLLARS TO THE PRESENT FEDERAL COMMITMENT TO THE HARBOUR CLEAN UP"

MOTION CARRIED

ADDITION OF ITEMS TO NOVEMBER 16, 1993 COUNCIL SESSION

Water, Lucasville Road - Councillor Giffin

Davis Drive Beaverbank Road Intersection - Councillor Merrigan

Crosswalks, Beaverbank Road - Councillor Merrigan

DOT - Councillor Fralick

DOT - Councillor Peters

Western Regional Committee Resolutions - Councillor Rankin

101 Landfill - Councillor Barnet

ADJOURNMENT

It was moved by Councillor Meade:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

COUNCIL SESSION

November 16, 1993

PRESENT WERE: Mayor Lichter  
Councillor Meade  
Councillor Rankin  
Councillor Fralick  
Councillor Mitchell  
Councillor Ball  
Councillor Deveaux  
Deputy Mayor Bates  
Councillor Hendsbee  
Councillor Randall  
Councillor Smiley  
Councillor Taylor  
Councillor Peters  
Councillor Merrigan  
Councillor Brill  
Councillor Giffin  
Councillor Barnet  
Councillor Boutilier  
Councillor Harvey  
Councillor Turner  
Councillor McInroy  
Councillor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer  
Dale Reinhardt, Acting Municipal Clerk  
Fred Crooks, Municipal Solicitor

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

Mayor Lichter requested the permission of council to give an opportunity to Councillor Taylor to submit his resignation. He thanked Councillor Taylor for his service as a member of council.

Councillor Taylor tendered his resignation to council.

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

"THAT COUNCIL ACCEPT COUNCILLOR TAYLOR'S RESIGNATION"

MOTION CARRIED

Mr. Reinhardt called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING SECRETARY"

MOTION CARRIED

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

"THAT COUNCILLOR TAYLOR'S SEAT BE DECLARED VACANT"

MOTION CARRIED

Mayor Lichter said a by election date will be recommended at the December date. He said the recommended date would be January 15, 1994.

LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from Metropolitan Authority with regards to the Highway 101 Landfill.

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

"THAT THE LETTER BE RECEIVED"

Mayor Lichter said he would like to point out that the letter did not go far enough but a letter that went to the Sackville Community Council indicated that the appointments to the tribunal would be non elected persons.

MOTION CARRIED

Councillor Barnet said that he is concerned that the letter did not address the information he supplied to council at the last session. He said his motion was more to find out what their intentions were. He said it is encouraging to see the tribunal set up but it does not tell council what their intentions are other than that they are negotiating with SEPA. He said this letter is not an answer. He said he would like to send a stronger letter and ask what their intention is regarding the two choices they had in the document from an in-camera meeting. He said they made reference to sites and plans and the people of that area want to know what their intentions are.

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

"THAT A LETTER GO TO METROPOLITAN AUTHORITY REQUESTING SPECIFIC INFORMATION ON WHETHER OR NOT THEY ARE INTERESTED IN EXTENDING, FOR WHAT PERIOD OF TIME, ETC. THE HIGHWAY 101 LANDFILL"

Councillor Barnet said he would like to know what their full intentions are. He said they have obviously spent money with

Porter Dillon doing the studies to determine that one site may be better than another site and they have also determined that going off the area isn't feasible. He said someone must have an idea and that is the intent of the motion.

Councillor Ball said his understanding from discussions was that even before the Authority would entertain the thought of discussing any kind of an extension with the community of Sackville that an Environmental Audit would be done.

Mayor Lichter said when Mr. Theriault was before Metro Authority he asked that there are some pre conditions before any discussion would take place to any possibility of considering extension. He said Metro Authority has indicated that they want to go ahead with the audit and the compensation package and only following that would there be any serious discussions as to whether or not it is possible or not. He said the look taken of the landfill by the engineers was to determine what capacity there was. He said this was what was in the document being referred to. He said this was done from time to time even prior to that particular document because Metro Authority had to know as to what capacity is remaining in the landfill. He said the fact that Metro Authority cannot tell council exactly what their intentions are is because they themselves do not know what the intentions are other than that the landfill is not going to stay there against the wishes of the people of Sackville.

Councillor Merrigan asked for clarification on what Councillor Barnet was trying to do.

Councillor Barnet said the intention is to determine what the thinking is today. He said it is a fact that the people of district 19 would not be happy with an extended 32 feet of landfill. He said if it would be the intention for this to happen it provides the people of Upper Sackville with some knowledge that they deserve to have.

Councillor Ball said the Authority has not expressed any intention, other than the fact that they are pursuing this management audit. He said he does not think there officially a position taken that Sackville is going to be asked for an extension. He said he feels that any letter coming back cannot give an official position because he does not feel there is a position on that particular issue. He said it is his understanding that the environmental audit would be looked at and seeing what the net results will be before any discussion takes place.

Councillor Merrigan the letter does not say whether the county will have any say, it will be determined by the audit. He said he would be concerned with who is going to do this audit and how they will go about doing it.

Mayor Lichter said when Mr. Theriault from SEPA came to Metro Authority he indicated that unless these conditions are met, one of them was the audit, the possibility of extending it would not be looked. He said it was indicated at that time that there is real difficulty as to what will be done in period from July, 1994 to April, 1996. He said it is extremely difficult to clarify to anybody as to exactly what the intentions are other than that Metro Authority has never, by motion, taken a formal stand as to what they are going to do. He said he had two meetings with firms that are in the business of running landfills in Canada and the US and both of those companies indicated that it would take five hundred thousand dollars per week not including the equipment that would have to be purchased. He said Metro Authority is looking at ways of avoiding that necessity and in the meantime moving ahead with the audit. If the audit shows that it would be impossible to even ask people then something else will be in place. He said if it appears that the cost is so great that the taxpayers cannot afford to ship the garbage out of this area and the audit says that under certain circumstances it could be extended, then the intention would be to ask the people of Sackville what they thought. He said he has spoken to Councillor Barnet and has indicated that probably a certain area would have to be defined that would have a say in it because not all of Sackville is affected by it. It would have to be the area that is affected by the existence of the landfill.

Councillor Hendsbee asked if the audit would be for the existing site only.

Mayor Lichter confirmed this. He said it would require a full environmental assessment to go beyond the boundaries of the present landfill.

Councillor Barnet said he is aware that the Metro Authority has not taken an official line one way or another. He said he is also concerned with the fact that there is a significant amount of discussion at the Metropolitan Authority being done in-camera. He said he and the people of district 19 are concerned with what they are not hearing and what don't they know.

Mayor Lichter said he can assure Councillor Barnet that there is not anything that he does not know with regards to the Sackville landfill.

Councillor Barnet withdrew his motion, seconder agreed.

Mayor Lichter said the other options are being looked at. They may be extremely expensive but they are being looked at. He said any Environmental Assessment process could take up to a year or more so it is not going to help Halifax County to start an Assessment now on Sackville when there hasn't been real dialogue with the people of Sackville located in the area referred to. He said his stand is that if the people say no then he is not even going to look at

Sackville being extended. He said no area, in the four municipalities, other than Carroll's Corner indicated they want the garbage.

Deputy Mayor Bates said there is nowhere else to put the garbage. He said it is becoming clear that there has to be an extension to the Sackville landfill.

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

"THAT THIS BE REFERRED TO EITHER A SPECIAL COUNCIL SESSION OR A COMMITTEE OF THE WHOLE WITH REPRESENTATION OF METRO AUTHORITY PRESENT"

Councillor Deveaux said he does not see what would be gained by meeting with Metro Authority. He said the reality is that there is going to be a need to have a place to put the garbage come June, 1994.

Mayor Lichter said a meeting can be held with Metro Authority and ask questions but if they cannot give any other answers than what has already been given, the appearance is that it hasn't done the job. He said minutes of former council sessions reflect that council has unanimously passed a motion that indicated the Sackville landfill will close June, 1994. He said that motion is still a motion of this council regardless of how the members of council change.

Councillor Merrigan said he does not have any concerns with regards to the members on Metro Authority. He said the situation is that council supported the community of Sackville by going on record and saying Halifax County would not extend that landfill. He said the decision is not that of the Metro Authority any longer because the Metro Authority is not supposed to go beyond June, 1994 on that landfill. He said if they are going to extend it then it should be done to try and minimize the effect on the people in Upper Sackville.

Councillor Rankin said Halifax County is on record that it will not approve any extension of the landfill without the express authority of the residents of Sackville.

Councillor Ball said what he is hearing this council say is let's extend Sackville. He said he would like the record to show that Mayor Lichter took the initiative to explore options of those two private contractors, not Metro Authority.

Mayor Lichter confirmed this.

Councillor Boutilier said along with no extension of the landfill in June, 1994 there was another part of the motion which said no

Sackville site adjacent to the landfill would be considered. He said the worst scenario is that what is being speculated now becomes a reality in June, 1994 and the Sackville landfill will either have to be extended by piling it up higher or considering some adjacent lands to do it. He said no one wants it extended but the bottom line is that there may be no other choice.

Mayor Lichter said even when the Dutch Settlement/Carroll's Corner proposal was alive everybody knew that it would take two to two and a half years from June, 1994 and an interim solution would have to be found because that landfill would not have taken any garbage until the incinerator started to operate. He said nobody tried to fool anyone into believing that there was an instant July 1, 1994 solution.

Deputy Mayor Bates said he does not feel that it was ever the intention to betray the people of Sackville but members are concerned as to what is being done to the people if nothing is done until next June. He said reality suggests that there is going to have to be some extension.

Councillor Hendsbee and Councillor Merrigan requested that the vote be recorded.

Councillor Meade	Opposed
Councillor Rankin	Opposed
Councillor Fralick	In Favour
Councillor Mitchell	Opposed
Councillor Ball	Opposed
Councillor Deveaux	Opposed
Deputy Mayor Bates	In Favour
Councillor Hendsbee	In Favour
Councillor Randall	Opposed
Councillor Smiley	In Favour
Councillor Merrigan	In Favour
Councillor Brill	In Favour
Councillor Giffin	Opposed
Councillor Barnett	In Favour
Councillor Boutilier	In Favour
Councillor Harvey	In Favour
Councillor Turner	Opposed
Councillor McInroy	Opposed
Councillor Cooper	Opposed
Mayor Lichter	Opposed

MOTION DEFEATED11 AGAINST9 IN FAVOUR

2. Mr. Reinhardt outlined a letter from Mr. Meech to the Deputy Minister, Department of Justice with regards to the extension of the police contract with an attached copy of a letter from Mr.

Gillis to Mr. Meech.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Reinhardt outlined a memorandum re: White Ribbon Campaign and requesting council to declare November 27 to December White Ribbon Week.

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

"THAT THE LETTER BE RECEIVED AND THE WEEK OF NOVEMBER 27 TO DECEMBER 3 BE DECLARED AS WHITE RIBBON WEEK IN HALIFAX COUNTY"

MOTION CARRIED

Mayor Lichter said he has asked the special events coordinator to purchase ribbons to distribute to councillor and employees for the proper occasion.

MINOR VARIANCE APPEAL - MVC-16-93-09

Councillor Randall declared a "Conflict of Interest" and left chambers.

Ms. Kelly Denty presented the application. She said this application proposes the placement of a private garage a distance of one foot from the left side property line. The property is located in West Chezzetcook and owned by Gordon and Alice Robicheau. The required setback is four feet. The application originally arrived in their office in May, 1993 to construct a garage. At that time the property owner indicated that the garage was to replace the previous garage built in 1991 which was destroyed by fire and also indicated that the new garage was to be placed in the same spot as the previous garage. According to information in the file from the original permit that garage was placed inside the required setback limitations. She said based on this information and because the garage was to be the same size as the previous garage, development permit was issued. Shortly thereafter a building permit was issued. At the end of September, 1993 a complaint was received indicating that the garage was being built too close to the property line. A site visit by her department confirmed the charges and an order to stop work was immediately issued. She said Mr. Robicheau was told the only way he could proceed with the project was if he had a minor variance approved. He made his application the following day. She said no further construction has taken place.

She said a survey of the adjacent property in 1992 confirmed that the previous garage, which the building was to replace, was located approximately one foot from the left sideyard property line. She outlined criteria for evaluation of minor variance proposals whereby a variance should not be granted. She said the one item that causes the most concern in this situation is that the garage is to be located in the same spot as the previous garage however, while the original garage was built with valid building and development permits, it was not placed in accordance with the required setbacks. Had the original garage been placed inside those setbacks or a minor variance for reduced setback been issued, a permit for its replacement would have been issued by right. She said in the case of the original permit and the present application, Mr. Robicheau applied for and received the necessary permits. However, in both cases inaccurate information, provided by him, relative to the setbacks he intended allowed the permits to be issued. She said it is the property owners responsibility to ensure that setbacks are maintained and because Mr. Robicheau did not do so this results in a case of intentional disregard leaving her with little choice but to refuse the application. She said further review of the circumstances showed that there were no site specific features that limited the garage from being located with the required setbacks. She said accordingly the application was rejected. She said the rejection was appealed and the decision now rests with council. She showed slides of the property to council.

QUESTIONS FROM COUNCIL

Councillor Harvey asked if there would have been room on the lot to have moved the garage ahead the three feet.

Ms. Denty said the room is there and that was one of the reasons for it being rejected.

Councillor Harvey asked how had the original permit been issued.

Ms. Denty said the permit was issued on the basis that the garage would be four feet from the line. She said they do not do follow up inspections after they are built.

Councillor Harvey asked if there had been a plot plan showing this.

Ms. Denty said there was a rough sketch in the file indicating setbacks. She said on the second one they were assuming a four foot setback. She said the building inspector did not see any problem. She said this came to light when they received a complaint at the end of September. She said the complainant brought in a survey that he had conducted in 1992 which showed the actual setbacks.

Councillor Harvey asked if they had complained about the first garage.

Ms. Denty said they had not.

Councillor Hendsbee suggested that Mr. Robicheau look at purchasing a three foot strip of land from the adjacent property owner in order for the garage to have a four foot setback.

Ms. Denty said she has been told that the property owner of the garage would like to do this but the adjacent property owner is not willing to sell.

Councillor McInroy asked from what point is the one foot measurement taken.

Ms. Denty said it would be at a right angle from the property line to the wall of the building.

Councillor McInroy asked if it was from the wood frame wall of the garage, judging by the slides, would not some of the concrete and a lot of the gravel be over on the other property.

Ms. Denty said they would only consider the portion of the wall and the actual foundation wall of the building setback. She said they would not consider any of the concrete slab. She said the measurement would go to the wall. She said it is thirteen inches according to the survey.

Councillor McInroy asked is it reasonable to assume that the concrete and gravel could be over the line.

Ms. Denty said yes this could possibly be so.

Mayor Lichter asked what year the original garage was built.

Ms. Denty said it had been built in 1991.

SPEAKERS IN FAVOUR OF THE APPEAL

Mr. Robicheau spoke to council. He said he built the home on the property six years ago. He said the property that Mr. Manette says he is too close to is directly abutting his land. He said when they first moved to the property they contacted Mr. Manette on various occasions offering to purchase the property. He said he measured twenty feet from his house and did not apply for a building permit until after the slab was in place. He said at that time Mr. Eisen drove by the house and upon seeing the slab in place asked him if he had a permit. He replied he did not have a permit because he did not intend to put a building up until the following year. He said it was at that time he found out that he needed a permit to pour concrete. He said he went in the following day to apply for a permit. He said when he made the application he was not asked for a surveying certificate but just to verify the location of his property. He said upon the issuance of the permit

he borrowed money. He said he still had not realized that he was too close to the line. He said that garage was up for thirteen months before it burnt down. He said he started rebuilding in October of this year and had four walls up when he was approached by Mr. Manette who informed him he was too close to his line. He said prior to this Mr. Manette had not approached him with this information. He said had he known before he started the second building he could have dealt with it but now it will probably cost him approximately three thousand dollars to move it.

Councillor Hendsbee confirmed with Mr. Robicheau that the Mr. Manette referred to was Mr. Reginald Manette.

Councillor Hendsbee asked Mr. Robicheau if he has approached Mr. Manette with regards to buying a three foot strip of the lot.

Mr. Robicheau said he has not approached him with regards to this but he has asked him how much money for the entire property and it is his impression that Mr. Manette does not want to sell the property.

Councillor Mitchell asked if the first garage was the same size as the second garage.

Mr. Robicheau said it was identical and the former garage was up for thirteen months without anyone complaining.

Councillor Mitchell asked if the same slab as was used for the original garage being used this time.

Mr. Robicheau said the slab itself is in the same place. He said he had to replace the surface on the inside of it.

Councillor Harvey asked if Mr. Robicheau if he had corner stakes that he was working from.

Mr. Robicheau said they were there but he wanted to be twenty feet from his house in case of another fire. He said he had not realized how close he was to the property line and if he had realized this he would have stayed the required distance away.

Councillor McInroy asked when Mr. Robicheau had realized that the slab and original garage was within a foot or so of the property next door.

Mr. Robicheau said he had not thought about it until Mr. Manette informed him he was too close to the line.

Councillor McInroy asked Mr. Robicheau if he had indicated to the building inspector that he could not move the slab.

Mr. Robicheau said the inspector asked him if he had a permit and

when he replied that he hadn't he was informed that he needed a permit. He said he did not receive the permit for another two weeks.

Councillor McInroy asked if it had been indicated to Mr. Robicheau that the building should be four feet from the property line.

Mr. Robicheau said that when Mr. Manette had the property surveyed he had not said anything about the garage being too close to the property line.

SPEAKERS IN OPPOSITION TO THE APPEAL

No speakers in opposition.

DECISION OF COUNCIL

It was moved by Deputy Mayor Bates, seconded by Councillor Barnet:

"THAT THE MINOR VARIANCE BE GRANTED"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

4. Mr. Reinhardt outlined a letter from the Municipality of the District of Lunenburg asking councils support in not using public funds to either repair Bluenose II or construct Bluenose III.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT HALIFAX COUNTY COUNCIL SUPPORT THE RESOLUTION FROM THE MUNICIPALITY OF THE DISTRICT OF LUNENBURG"

Councillor Cooper said he feels there are some things which the province should be prepared to maintain both to maintain the province's image and to continue the promotion and development of tourism. He said he cannot support the motion.

Councillor Giffin said he could not support this motion. He said that Nova Scotia is associated with the Bluenose and he feels the Bluenose has to be repaired.

Councillor Smiley said she cannot support the motion. She said tourism is a very important industry in Nova Scotia and she feels

that the symbols of which the Bluenose is one should be maintained.

Councillor Rankin said he could not support the motion.

Mayor Lichter said there are two options either to call a vote or to remain silent since the issue is far more complex than the resolution itself deals with.

Councillor McInroy withdrew his motion, the seconder agreed.

5. Mr. Reinhardt outlined a letter from the Minister, Department of Fisheries in response to councils resolution regarding Stora Forest Industries.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

6. Mr. Reinhardt outlined a letter from the Department of Transportation with respect to the twinning of Highway 103 from Beechville to Exit 5 at the Hammonds Plains Road.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

It was moved by Councillor Rankin, seconded by Meade:

"THAT A LETTER BE SENT TO JEFF REGAN, MP FOR HALIFAX WEST, REQUESTING THAT HE CONSIDER MEETING WITH THE MINISTER OF TRANSPORTATION AT THE EARLIEST OPPORTUNITY IN ORDER TO BE BRIEFED IN ALL BENEFICIAL ASPECTS OF THIS IMPORTANT PROPOSAL WITH THE VIEW OF OBTAINING HIS ACTIVE SUPPORT ON BEHALF OF THE AFFECTED COMMUNITIES TO OBTAIN FEDERAL FUNDING FOR THIS PROJECT"

MOTION CARRIED

7. Mr. Reinhardt outlined a letter from the Minister, Department of Transportation and Communications in response to council's request concerning the safety of Highway 103 between Exit 5 and 6.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

8. Mr. Reinhardt outlined a letter from the Minister, Department of Transportation and Communications with regards to crosswalks at Prospect Bay Road at Pinedale Park Subdivision and Route 333 at Faders Road.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

9. Mr. Reinhardt outlined a letter from the Minister, Department of Transportation and Communications with regards to a request for the installation of a crosswalk across Trunk 3 in the vicinity of Boutilier's Point Road.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

10. Mr. Reinhardt outlined a letter from the Minister, Department of Municipal Affairs with regards to the Greater Halifax Economic Development Association (GHEDA) and the appointment of Mr. George Buckrell to Chair a Working Group on Unified Agency for Metro Economic Development.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Brill asked if there was a possibility of having representation from Sackville as a member.

Mayor Lichter said according to his information the only representation will be the head of each units representative plus the financial officers. He said if the Sackville Community Council wishes to do that they can write to the Minister to make a request.

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

"THAT HALIFAX COUNTY ENDORSE THE INITIATIVE AND PROVIDE SUPPORT"

Mayor Lichter said this body would be replacing Industrial Commissions, Industrial Development groups and the Alliance that was created under the previous government.

Councillor Cooper asked if this would now become a provincially

directed body rather than municipally directed. He asked if this proposal is endorsed is this taking a step in that direction.

Mayor Lichter said no, the initiative is a provincial initiative but it does not mean that the province is taking control or that the province should be permitted to take control.

Mr. Meech said this process is intended to try to examine what the merits would be and what the feasibility and desirability would be to establish one regional agency for economic development in the region. He said nothing is determined at this point.

MOTION CARRIED

11. Mr. Reinhardt outlined a letter from the Enterprisers, Middle Musquodoboit thanking Halifax County for its donation of \$1,000.00.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from the Armoyan Group regarding their request to pay staff to work on the compulsory leave days to deal with Armoyan applications.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT A LETTER BE WRITTEN TO THE ARMOYAN GROUP INFORMING THEM THAT THE LEGISLATION DOES NOT ALLOW THIS CONSIDERATION"

MOTION CARRIED

2. Mr. Reinhardt outlined a letter from the Armoyan Group requesting a change in public hearing date.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED