

of the MPS. He said P-51 of the MPS address the safety concerns. He said the concerns with regards to litter control, traffic patterns and watercourses have to be respected. He said all concerns with regards to the type of store have to be addressed.

Councillor Peters asked how long a development agreement would take if this is rejected.

Mayor Lichter said it depends on how fast the details can be agreed on.

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

"THAT THE APPLICATION BY NABIL TOULANY TO REZONE LOTS 1,2 AND 3 AS SHOWN ON A PLAN OF SUBDIVISION OF THE LAND OF RAYMOND SELLARS FROM RA (RESIDENTIAL) ZONE TO RS (RURAL SETTLEMENT) ZONE, BE APPROVED BY MUNICIPAL COUNCIL"

Councillor Deveaux said he feels that in this case a development agreement might be more applicable.

Deputy Mayor Bates said he is in support of the motion. He said he does not agree that there should be a development agreement on this property. He said he would not agree to any kind of a CDD on this particular property. He said Mr. Toulany paid good money for the property should not have it taken away because of some revision of the MPS. He said he is in full support of the motion the way it was recommended by staff.

Councillor Hendsbee said he would ask for a development agreement if Sobey's made an application. He said it is also a concern why Mr. Toulany is acquiring such a consolidation of lots on a corner for just 2,000 square feet. He said he would not be voting in favour of the application.

Mayor Lichter said Sobey's have a zoning and they would get a building permit by right and nobody would ask about putting a development agreement in place.

Councillor Hendsbee with the support of Councillor Cooper requested a recorded vote.

RECORDED VOTE

<u>Councillor</u>	<u>Vote</u>
Councillor Meade	For
Councillor Rankin	For
Councillor Fralick	For
Councillor Mitchell	For

PUBLIC HEARING

46

MARCH 28, 1994

Councillor Ball	-----
Councillor Deveaux	Against
Deputy Mayor Bates	For
Councillor Hendsbee	Against
Councillor Randall	For
Councillor Bayers	For
Councillor Smiley	For
Councillor Reid	-----
Councillor Peters	For
Mayor Lichter	For
Councillor Merrigan	-----
Councillor Brill	-----
Councillor Snow	-----
Councillor Giffin	-----
Councillor Barnet	-----
Councillor Boutilier	-----
Councillor Harvey	For
Councillor Sutherland	For
Councillor Turner	For
Councillor McInroy	-----
Councillor Cooper	For

MOTION CARRIED

14 IN FAVOUR

2 AGAINST

ADJOURNMENT

It was moved by Councillor Rankin:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

MINUTES & REPORTS
OF THE
THIRD YEAR MEETINGS
OF THE
FORTY-FOURTH COUNCIL
OF
HALIFAX COUNTY MUNICIPALITY
APRIL COUNCIL SESSION
TUESDAY, APRIL 5 & 19, 1994
&
PUBLIC HEARING
APRIL 25, 1994

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COUNCIL SESSION

April 5, 1994

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

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
Dale Reinhardt, Acting Municipal Clerk
Alan Dickson, Municipal Solicitor
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 Fralick, seconded by Councillor
Sutherland:

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF THE FEBRUARY 28, 1994 PUBLIC HEARING BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE MARCH 14, 1994 PUBLIC HEARING BE APPROVED"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from Mr. George Armoyan requesting to address council with respect to the Glengarry Development Agreement. He referenced a memo from Bill Butler, Acting Director of Planning and Development.

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

"THAT THE LETTER AND MEMORANDUM BE RECEIVED"

MOTION CARRIED

Councillor Ball said the memo from staff regarding the request clarifies the matter and he does not see the need to have a presentation on the matter. He said the item will be ready for tabling with PAC in April.

Mayor Lichter asked council to agree that if the item is not resolved in April they would be prepared to hear from the applicant at the first council session in May. Council agreed to this.

Councillor Ball said he would agree to this with the proviso that the applicant has made no alterations to his application.

2. Mr. Reinhardt outlined a letter from the Department of Transportation with regards to the Provincial Municipal service exchange as it relates to the Class J local roads.

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

"THAT THE LETTER BE RECEIVED"

Mayor Lichter suggested councillors look at the list and could assist engineering staff with some written indication as to what roads are in need of repair.

Councillor Cooper said the notice that was received had indicated that it would be the Class J roads but at the end of the list

there was another list called Other Rural Roads. He asked if they were also intending to pass those over to the municipality.

Mayor Lichter confirmed this.

Councillor Sutherland asked if there will be an attempt made, through the engineering department, to determine the condition of these roads.

Mayor Lichter said there is the possibility that a consultant will be used for that particular task. He said Mr. Wdowiak, in the meantime, has been appointed to work through the UNSM and the Province on a special committee concerning the roads. Mayor Lichter said that he was looking for some way, in writing, in which councillor could assist county engineering staff in identifying which roads are in really deplorable condition so when Mr. Wdowiak sits on this committee he will have something to back it up with in case he does not have time to take a look at each road.

Councillor Brill said none of the roads in his district have been repaved since they were built.

Councillor Fralick asked if the province will be upgrading these roads before they take them over.

Mayor Lichter said it is his understanding that there isn't much money to do improvements on those roads that the county will inherit on April 1, 1995.

Councillor Meade said it is his understanding that these J roads are subdivision roads and there are other local roads. He said he would suggest that a letter be sent to the Minister of Transportation asking for clarification. He said the letter only mentions only Class J roads but there are 144 other local roads including 151.44 km. that is along with those J roads.

Mayor Lichter said the committees working on municipal reform will have the task of sorting out all these complications and part of it will be on the roads.

Councillor Ball said he would rather see someone else, other than councillors, evaluate the condition of the roads. He said it might be more feasible to do an evaluation criteria and let someone from outside evaluate the condition of the roads.

Councillor Harvey what is the status of sidewalk construction on the roads that are not J class roads and the payment thereof.

Mayor Lichter said all sidewalks are 100% municipal.

Councillor Harvey said he feels the county should be making the

case that if it is a non J class road there should be some formula since the roads are not municipal responsibility.

Mayor Lichter said that can be communicated to Mr. Wdowiak.

Councillor Merrigan said he is concerned that when these change overs take place it will be close to budget time and there will be new costs to deal with. He asked if costs to the municipality are being worked on so that the municipality will know what are the allowable maintenance costs and paving costs.

Mayor Lichter said it is his understanding that depending on what approach the province adopts the cost is going to be different to different municipalities. Right now the provincial position was that the take over for Halifax County is going to mean an extra 4.5 million dollar additional financial burden due to the additional responsibility that the county has. He said Halifax County has made a counter proposal and if they use the counter proposal the picture will be different. If they use some kind of formula in between the picture will be different. This is what will be worked out, according to the minister, some time in the summer at the latest so that by fall legislation will be passed. He said the county would know sometime before next calendar year. He said he also has concerns that the closer it gets to April 1, 1995 things may not be all that clear or all that accurate.

Councillor Merrigan asked how staff are negotiating because he has some concerns whether or not Halifax County is going to go in there and say to the Department of Transportation that they keep plowing and the county will pay them. He asked when this is going to be dealt with.

Mayor Lichter said it will have to come back as a recommendation from staff as to who is going to provide a service.

Mr. Meech said it is his intention to establish a resource, either internally or externally, where somebody will start to develop a plan as to how the county is going to respond to these new responsibilities to the extent of exploring what options are available to the county in terms of how it would respond to the service. He said this would be whether it would be through a contract with DOT or with county resources or with private contractors. He said the necessary information base will have to be developed on the condition of the existing streets and roads and also get some estimates as to what the annual cost will be of operation. He said also a figure that will be needed on an annual basis will have to be identified either for capital expenditures or capital repair expenditures.

Councillor Merrigan said he feels a letter should be written to the province indicating that Halifax County is not prepared to take over any substandard roads. He said the county cannot

afford to take over the roads as they are and cannot afford to take over substandard roads. He said all these things need to be clarified such as how they are to be paid and who is going to have a say.

MOTION CARRIED

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION REQUESTING HE CLARIFY HIS LETTER OF FEBRUARY 23 IN RELATION TO THE LOCAL ROADS ADDED TO THE J TYPE ROADS OF 144 ROADS TOTTALLING 151.44 KILOMETRES. WHY WERE THEY ADDED AT THE END OF THE J ROADS LIST"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from Bruce Holland, MLA, with respect to councils proactive approach to the service exchange.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from the UNSM with respect to the May regional meetings.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Lichter asked council how they would like to have the voting delegates selected.

Council agreed that the mayor would make the selection of the delegates.

Mayor Lichter said the two executive members from this area are working on setting up a date before the end of May and he will notify council.

Mayor Lichter said the chairman or secretary of regional meeting will be sending a notice to the municipal units.

Mayor Lichter said if any councillor has any resolutions to pass

them to him in writing before April 19, 1994 so that he can bring it to council on the supplementary agenda on April 19th for discussion. He said one of the items council will be discussing at that time will be the information he circulated to councillors concerning a two cent levy concerning the FCM directorship.

5. Mr. Reinhardt outlined a letter from Sackville Rivers Association with respect to stricter enforcement and updating of the topsoil removal and erosion control by-law.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Harvey said he would like to have the letter referred to PAC in hopes of having comment from the engineering department on this. He said there is frequently silt in the Little Sackville River which is in his district and there has been a desire in Sackville to have the by-law updated and also to have someone with a special responsibility within the engineering department for the topsoil removal by-law.

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

'THAT THE LETTER BE REFERRED TO PAC WITH A RECOMMENDATION TO HAVE COMMENT FROM ENGINEERING ON THIS LETTER"

MOTION CARRIED

6. Mr. Reinhardt outlined a letter from Smoke Free Nova Scotia concerning smoking in public places and worksites and requests councils support of the provincial governments initiative in this matter.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

7. Mr. Reinhardt outlined a letter from Nova Scotia Head Injury Association asking council to proclaim September 16 to September 30 Head Injury Awareness Week.

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

"THAT THE LETTER BE RECEIVED AND SEPTEMBER 16 TO SEPTEMBER 30 BE PROCLAIMED AS HEAD INJURY AWARENESS WEEK"

MOTION CARRIED

Councillor Peters said approximately a year ago she requested that a letter be sent to the legislature questioning as to whether or not helmets should be made mandatory on all cyclists. She said she has not seen a response, from the province, to date, on this.

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

"THAT A LETTER BE WRITTEN REMINDING THEM OF THE CORRESPONDENCE AND ASKING TO PROCEED WITH THIS"

MOTION CARRIED

8. Mr. Reinhardt outlined a letter from the Department of Natural Resources regarding notification of land exchange within the municipality.

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

"THAT THE LETTER BE RECEIVED"

Councillor Hendsbee asked how the county was going to find out about land swaps before reaching cabinet and the swap being finalized.

Mayor Lichter said there was one land swap a couple of years ago that the county found out about after the fact which created the rezoning desire. He said council then wrote to the then minister of natural resources and asked to be notified. They say they cannot do this because of the paperwork involved.

Councillor Ball said this all stemmed out of two particular land swaps.

Councillor Hendsbee said the county does not find out until the deed transfer tax comes in and it has been finalized by that time.

MOTION CARRIED

Councillor Harvey said when provincial departments dispose of land by tender through the paper he feels that notification should be given, prior to the ad being placed, to the municipality where the land is located in case it has an interest in the land.

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF NATURAL RESOURCES FOR FURTHER EXPLANATION AS TO WHAT PAPER WORK IS INVOLVED AND WHY CAN'T THE MUNICIPALITY BE NOTIFIED ON THE PROCESS"

Mayor Lichter said perhaps it could also include an explanation as to what prompted it to begin with and what difficulties it cause the county in terms of rezoning application.

Mover agreed to have this included in the letter.

MOTION CARRIED

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF MUNICIPAL AFFAIRS THAT WHEN PROVINCIAL LANDS ARE BEING DISPOSED OF, PARTICULARLY DOT LANDS, THAT THE MUNICIPALITY CONCERNED BE CONSULTED FIRST AS TO WHETHER THEY MIGHT HAVE AN INTEREST IN THE LAND"

MOTION CARRIED

9. Mr. Reinhardt outlined a letter with respect to the Five Star Community Awards Program.

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

'THAT THE LETTER BE RECEIVED AND COUNCIL RATIFY'

MOTION CARRIED

10. Mr. Reinhardt outlined a letter from the Department of Transportation with respect to proposed reduction in provincial speed limit to maximum 40 km/h in subdivisions.

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

"THAT THE LETTER BE RECEIVED"

Councillor Hendsbee said if Halifax County is going to pay for the enforcement of the RCMP officers and take over road maintenance he would hope that the county would have some jurisdiction and authority when it comes to speed limits.

MOTION CARRIED

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION, WITH A COPY TO BRUCE HOLLAND, MLA, REQUESTING RECONSIDERATION TO CONSIDER APPLICATIONS FROM THOSE SUBDIVISIONS REQUESTING REDUCTION FROM POSTED SPEED LIMIT FROM 50 KM TO 40 KM. FURTHER HALIFAX COUNTY WISHES TO EMPHASIZE THAT THERE ARE A NUMBER OF SUBDIVISION, PARTICULARLY THOSE WITHOUT SIDEWALKS, INCLUDING GREENWOOD HEIGHTS AND GOVERNOR GLEN, WHICH ARE JUST AS SENSITIVE TO YOUNG PEOPLE PEDESTRIAN TRAFFIC AS A SO CALLED SCHOOL ZONE. FURTHER THEREFORE ASK FOR A RECONSIDERATION."

Councillor Brill said until the Prima Facia provision is removed from the motor vehicle act speed limits can be posted but they will not be enforced.

Councillor Rankin said the minister of transportation has the authority to differentiate the speed in the subdivisions. He said the minister is not sufficiently apprised of the county problem when he talks about provincial roads. He said the council is talking about subdivisions in the county which have a lot more density than other subdivisions in the province. He said he is asking for reconsideration by the minister.

He said he would like to have a copy of the letter sent to Betty Conrad, Brentwood Avenue, Greenwood Heights and Ed Arab on behalf of Governor Glen Residents Association.

MOTION CARRIED

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION REQUESTING THAT THE PRIMA FACIA PROVISION BE DELETED FROM THE MOTOR VEHICLE ACT OF NOVA SCOTIA"

He said this is an ongoing problem and Nova Scotia is the only province in Canada that have a prima facia provision in the motor vehicle act.

Councillor Harvey said it is centred more on residential areas rather than the highways. He said he is supportive if it means residential areas.

MOTION CARRIED

11. Mr. Reinhardt outlined a letter from the Youth Alternative Society requesting assistance from the municipality for the

1994/95 in the form of a grant.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

Mayor Lichter said they are asking that representatives of their agency meet with council to describe the program and benefits to the community. He said the grant will be dealt with at budget time but he is looking for direction as to whether the group would meet with council or the executive committee.

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

'THAT THE GROUP MEET WITH THE EXECUTIVE COMMITTEE'

MOTION CARRIED

12. Mr. Reinhardt outlined a letter and petition with respect to upgrading and take over of private lanes in the community of Eastern Passage.

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

"THAT THE LETTER AND PETITION BE RECEIVED"

MOTION CARRIED

Councillor Deveaux asked if a Committee of the Whole was being held to discuss the takeover of the J roads.

Mayor Lichter said Mr. Meech has indicated that he has started to work on delegating the job to someone to pull together all the approaches concerning municipal reform. He said a part of that will be in connection with the takeover of roads and when the comes to council a decision will have to be made.

Councillor Deveaux asked if the type of road in the petition could be brought forward at that time.

Mayor Lichter said once the municipality has jurisdiction then it will be up to council to decide what is to be done with the roads that nobody is dealing with.

13. Mr. Reinhardt outlined a letter from Mary Clancy, MP, with regards to Halifax County's correspondence regarding Mill Cove Sewage Treatment Plant.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

14. Mr. Reinhardt outlined a letter from the Deputy Prime Minister and Minister of the Environment in response to councils motion concerning the environmental regulation in relation to Stora Forest Industries Ltd.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

15. Mr. Reinhardt outlined a petition with regards to PCB site at the Halifax Airport.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from the School Board with regards to a meeting with the minister of education and also requesting council send a representative to this meeting on April 19th at 7:30 p.m. in the school board office.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Reid agreed to act as representative for council.

MUNICIPAL PLANNING ADVISORY COMMITTEE REPORT

Memo - Proposed CJCH AM Radio Transmitter Towers, Goodwood

Mayor Lichter said his understanding is that if council has any objection it has to be made in writing to the Department of Communications otherwise no action is necessary.

Councillor Rankin said PAC had no objection to this but did not make any recommendation.

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

"THAT THE INFORMATION BE RECEIVED"

MOTION CARRIED

File No. RA-FEN-23-93-15 - Application by Ata and Mino Erfani to rezone the property at 1610 Beaver Bank Road, Middle Beaver Bank

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

"THAT THE REZONING APPLICATION BE REJECTED"

MOTION CARRIED

Amendments to the Municipality's Mobile Home Park By-law No. 29

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

"THAT THE AMENDMENTS BE APPROVED AND COUNCIL GIVE NOTICE OF MOTION TO INTRODUCE SO THAT FIRST READING BE GIVEN AT THE APRIL 19, 1994 COUNCIL SESSION"

MOTION CARRIED

File No. RA-LM-21-93-08 - Application to rezone the lands of Florence Rebecca Williams, East Preston

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

"THAT A PUBLIC HEARING BE SCHEDULED FOR APRIL 25, 1994 AT 6:00 P.M."

MOTION CARRIED

Reports - Affordable Housing

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

"THAT THE MOTION OF THE MUNICIPAL PLANNING ADVISORY COMMITTEE BE ENDORSED BY COUNCIL AND FORWARDED TO THE PROVINCE WITH THE WORD "PRINCIPAL" BEING CHANGED TO "PRINCIPLE"

Councillor McInroy said given that it has only come to a number of members of council at this meeting it might be agreeable to

table this recommendation to the next council session.

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

"THAT THIS ITEM BE DEFERRED TO THE NEXT COUNCIL SESSION"

MOTION CARRIED

NOTICE OF INTENT TO CONSIDER A BY-LAW RESPECTING SEWER TAXES

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

"THAT NOTICE BE GIVEN FOR FIRST READING OF A BY-LAW RESPECTING SEWER TAXES FOR THE APRIL 19, 1994 COUNCIL SESSION"

NOTICE OF INTENT TO CONSIDER BY-LAW #58, A BY-LAW RESPECTING THE CHARGE FOR WATER SERVICE

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

"THAT NOTICE BE GIVEN FOR FIRST READING OF BY-LAW #58, A BY-LAW RESPECTING THE CHARGE FOR WATER SERVICES FOR THE APRIL 19, 1994 COUNCIL SESSION"

FIRST READING A BY-LAW RESPECTING THE CHARGE FOR POLLUTION CONTROL

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

"THAT FIRST READING BE GIVEN TO A BY-LAW RESPECTING THE CHARGE FOR POLLUTION CONTROL"

MOTION CARRIED

FIRST READING - BY-LAW #40, 41, 42

Mr. Reinhardt brought councils attention to a map, identified as Schedule A, which would be included as part of the by-laws.

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

"THAT FIRST READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW #40 - THE TOPSOIL BY-LAW"

MOTION CARRIED

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

"THAT FIRST READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW #41 - THE EXCAVATION BY-LAW"

MOTION CARRIED

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

'THAT FIRST READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW #42 - THE BLASTING AND DANGEROUS MATERIALS BY-LAW"

MOTION CARRIED

FIRST READING - A BY-LAW RESPECTING THE OPERATION OF A FERRY SERVICE

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

"THAT FIRST READING BE GIVEN TO A BY-LAW RESPECTING THE OPERATION OF A FERRY SERVICE"

MOTION CARRIED

SACKVILLE LAND USE BY-LAW PUBLIC HEARING

Mayor Lichter read the names of the councillors eligible to vote on the MPS and Land Use By-law and informed them that all 13 votes were required.

Mr. Butler said as contained in the March 5th memorandum there were a number of submissions made at the public hearing which have been categorized into major and minor.

Major amendments would be those that could not be considered by council without holding another public hearing. He said the option with respect to those would be to defer decision on the larger document and to hold a public hearing to consider the major amendments. At that public hearing council could choose to approve those and incorporate them within the entire document.

The minor amendments could be made tonight and be incorporated as part of the final revised document.

Councillor Harvey said the Sackville Council has had an opportunity to review the document dated March 1st. The Sackville councillors looked at Section B and unanimously choose to have all of the items in Appendix A incorporated into the MPS.

He said any motion that would come forward from them would incorporate Appendix A. He said with respect to the major amendment, the first amendment regarding the Barrett Lumber Company they feel best can be handled when planning district 15, 18 and 19 planning strategy is reviewed. He said the operation could decide which plan they want to be under and the appropriate measures taken at that time.

He said they had not reached a unanimous conclusion on Annapolis Basin property nor on number 3 which is the Little Sackville River Flood Plain. The others, 4, 5, and 6, the council does not intend to entertain those and to hold up the planning review process for those three items. He said they would stay with the document as it is without those three being considered. He said there won't be any support from the Sackville councillors regarding A-1,4,5 or 6. He said there is unanimous support for everything in B as contained in Appendix A.

Councillor Merrigan said his understanding is that Sackville will not object to that area of Beaverbank that is under their plan to come under their plan if that is the wish of the landowners.

Councillor Harvey said they had said it could be handled at that time but whether or not all five councillors would support it in that process he can't say. He said they knew they were not going to handle it under this process.

Councillor Merrigan said if it is going to stay in the Sackville plan then he feels that that area of Beaverbank should be recognized and the area councillor be requested to go to the meetings that pertain to any changes or anything that is going on in that area.

Councillor Harvey said there are a number of service matters and municipal matters where the interest of Sackville and Beaverbank overlap and it is the custom of the community council to invite the councillor for Beaverbank to attend such meetings. He said it has never been their intention to exclude the councillor from Beaverbank.

Mr. Butler said the minor amendments are outlined in Appendix A. He said there were no changes to the Land Use By-law, all the changes would have been to the MPS.

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

"THAT THE MUNICIPAL PLANNING STRATEGY FOR SACKVILLE AS AMENDED BY APPENDIX A AND SCHEDULE B BE APPROVED"

Councillor Harvey said this has been a long process. He said there are two issues on which there is not a consensus but a majority on one of the issues regarding the Little Sackville

River Flood Plain. He said personally he does not want to see it go through in this form. He said he feels something better could have been worked out. He said perhaps there will be an opportunity in the future to find a compromise. He said he feels that the plan, at this point, represents a lot of work by staff and a lot of commitment by the community over the last seven years. He said because there is majority support for the status quo, on that particular item, he feels the plan should not be held up on that one issue at this time.

With regard to Annapolis Basin, with the rezoning on their land, he believes they are seeking will be handled when the council deals with what is anticipated to be excess capacity from Mill Cove. He said they will have to wait until that excess capacity question is dealt with.

MOTION CARRIED UNANIMOUSLY

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

"THAT THE LAND USE BY-LAW FOR SACKVILLE AS AMENDED BY APPENDIX B BE APPROVED"

MOTION CARRIED UNANIMOUSLY

STATUS REPORT BUDGET PRESENTATION

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

"THAT A COMMITTEE OF THE WHOLE BE HELD ON MONDAY, APRIL 11, 1994 AND THURSDAY, APRIL 14, 1994 FOR TABLING AND REVIEW OF THE 1993/94 BUDGET"

MOTION CARRIED

SUPPLEMENTARY COUNCIL AGENDA

Executive Committee Report

Former Acadia School

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

"THAT COUNCIL APPROVE THE ACCEPTANCE OF THE FACILITY BY HALIFAX COUNTY AND ADVERTISE IN THE LOCAL NEWSPAPERS REQUESTING ORGANIZATIONS WITHIN THE COMMUNITY TO SUBMIT PROPOSALS FOR LEASE"

MOTION CARRIED

Tender - 1994 Vehicles

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

"THAT COUNCIL APPROVE THE VEHICLE TENDERS AS PER THE RECOMMENDATION OUTLINED IN THE STAFF REPORT DATED MARCH 21, 1994"

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

"THAT THIS BE DEFERRED UNTIL BUDGET DELIBERATIONS"

MOTION OF DEFERRAL DEFEATED

8 IN FAVOUR

10 AGAINST

ORIGINAL MOTION CARRIED

10 IN FAVOUR

8 AGAINST

Engineering Department Subdivision Approval Process

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

"THAT COUNCIL CONSIDER THE FINANCIAL IMPLICATIONS OF THE REPORT AT BUDGET DELIBERATIONS"

Mr. Meech said these are recommendations that are being put forward as a result of a study. He said the recommendations have been incorporated into the budget process.

MOTION CARRIED

Exemption from Taxation

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

"THAT COUNCIL APPROVE THE RECORDED RESOLUTION RE: EXEMPTION FROM TAXATION"

MOTION CARRIED

Capital Grant Request

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

"THAT GENERAL PARKLAND GRANT, IN THE AMOUNT OF \$4,582.27, AND DISTRICT PARKLAND GRANT, DISTRICT #10, IN THE AMOUNT OF \$4,582.28, BE APPROVED"

MOTION CARRIED

Borrowing Resolutions

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

'THAT BORROWING RESOLUTION TBR93/94-09 - WATER (BEAVERBANK ROAD) IN THE AMOUNT OF \$48,000 BE APPROVED"

MOTION CARRIED

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

"THAT BORROWING RESOLUTION TBR93/94-10 - SEWER (BEAVERBANK ROAD) IN THE AMOUNT OF \$50,000 BE APPROVED"

MOTION CARRIED

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

"THAT BORROWING RESOLUTION TBR93/94-11 - BUILDING RENOVATIONS (OCEAN VIEW MANOR) IN THE AMOUNT OF \$1,160,000 BE APPROVED"

Mr. Meech said there probably should be a presentation of what this is to accomplish and how it is to be financed in terms of the capital expenditure on the part of Ocean View. He said maybe Mr. Menzies should come forward and give the details as to what this capital expenditure is about and as to how it is going to be financed and recovered before it is fully undertaken.

Mayor Lichter asked if Mr. Meech was recommending that action be deferred on this.

Mr. Meech said council can deal with the resolution but it would be subject to receiving that report.

Mover and seconder agreed that this would be a part of the motion.

The motion as amended:

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

"THAT BORROWING RESOLUTION TBR93/94-11 - BUILDING RENOVATIONS (OCEAN VIEW MANOR) IN THE AMOUNT OF \$1,160,000 BE APPROVED SUBJECT TO INFORMATION BEING RECEIVED WITH REGARDS TO FINANCING AND RECOVERY OF FUNDS WITH RESPECT TO THE CAPITAL EXPENDITURE"

MOTION CARRIED

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

"THAT BORROWING RESOLUTION TRB93/94-12 - SEWER (MACPHERSON LOCKVIEW) IN THE AMOUNT OF \$2,375,000 BE APPROVED"

MOTION CARRIED

Recorded Resolution - Amendments to the Halifax County Charter

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

"THAT THE RECORDED RESOLUTION WITH RESPECT TO AMENDMENTS TO THE HALIFAX COUNTY CHARTER BE APPROVED"

MOTION CARRIED

REDISTRIBUTION COMMITTEE REPORT

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

"THAT A COMMITTEE OF THE WHOLE MEETING BE SET UP TO DISCUSS THE NOVA SCOTIA UTILITY AND REVIEW BOARD REPORT RE BOUNDARY REDISTRIBUTION"

Councillor Sutherland asked the solicitor is there enough substance for a Committee of the Whole recommendation.

Mr. Crooks said there are some legal aspects to the decision and issues to be considered which have legal implications arising out of the decision. There are enough issues to merit discussion. He said there are four or five different issues that council would want to be aware of and then to consider.

Councillor Rankin asked if the motion could be withdrawn and have a motion to move in camera to deal with the legal aspects of the report.

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

'THAT THIS ISSUE BE DEFERRED TO THE END OF THE MEETING"

MOTION CARRIED

DOT - COUNCILLOR RANKIN

It was moved by Councillor Rankin, seconded by Councillor

Fralick:

"THAT THE MINISTER OF TRANSPORTATION, WITH A COPY TO BRUCE HOLLAND AND LEO FORGERON, LAKESIDE, GIVE FAVOURABLE CONSIDERATION TO UPGRADING AND PAVING OF THE GREENHEAD ROAD. FURTHER THE PAVING OF THAT PORTION OF THE NO. 3 FROM GLENGARRY GARDENS TO THE NO. 103"

MOTION CARRIED

NATURAL RESOURCES - COUNCILLOR RANKIN

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF NATURAL RESOURCES THAT IN ANTICIPATION OF THE CNR ABANDONING THAT SECTION OF THE RIGHT OF WAY FROM LAKESIDE INDUSTRIAL PARK TO THE VICINITY OF HIGHWAY NO. 3, AND CNR REFERRING TO THE POSSIBLE ACQUISITION TO THE PROVINCE; THAT HIS OFFICE GIVE FAVOURABLE CONSIDERATION TO ACQUIRING SUCH RESOURCE FOR THE PURPOSE OF DEEDING IT OVER THE DISTRICT 2 RECREATION ADVISORY COUNCIL FOR ITS APPLICATION TO A WIDE VARIETY OF RECREATIONAL USE WHICH IS BADLY NEEDED IN THIS AREA. A COPY OF THE LETTER TO BRUCE HOLLAND, MLA, PEGGY ALLEN, RECREATION"

MOTION CARRIED

SALE OF FIRE VEHICLE - HERRING COVE

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

"THAT THE REPORT BE RECEIVED"

Mayor Lichter said the report indicates that it is required to notify council of the sale of a capital asset in excess of \$5,000. however the department was remiss in advising that the vehicle was sold but with the approval of that department it was sold. He asked how do you do both.

Mr. Meech said what is needed for the record is council approval.

MOTION CARRIED

RATIFICATION OF APPROVED DISTRICT CAPITAL GRANTS

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

"THAT THE APPROVED DISTRICT CAPITAL GRANTS BE RATIFIED BY COUNCIL"

MOTION CARRIED

DEPARTMENT OF TRANSPORTATION - COUNCILLOR RANDALL

Councillor Randall said he would like to have correspondence to the minister with respect to the MacDonald House in Lawrencetown as to what their plans are for the house. He said the house is in need of considerable amount of repairs. It is located within the coastal park area and is owned by the Department of Natural Resources. It is a tourist attraction and operates during the summer months and operates such things as a tea room and craft shop, etc. He said this helps maintain the house but cannot handle the repairs. He said it is in need of a fair amount of major repairs and can't be handled by the operators. He said he would like to know how the department sees the MacDonald House fitting into the park concept and as to what plans they have to maintain the facility.

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

'THAT THE LETTER OF INQUIRY BE SENT TO THE MINISTER WITH A COPY TO THE MLA'

MOTION CARRIED

ARCTIC TRADER - COUNCILLOR SMILEY

Councillor Smiley said it is her understanding that a suggestion of action has come out of the coast guard regarding the Arctic Trader and that they hope to have it removed by August 31, 1994. She said she appreciated the support from council in helping keep up the pressure on them for action. She said she will keep council up to date.

BEAVERBANK SERVICING - COUNCILLOR MERRIGAN

Councillor Merrigan said he would ask that staff come back at the next council meeting with a report indicating exactly what is being done, when it is going to be done and how long it is going to take. He said it is his understanding that there are going to have to be PPC meetings, public hearing, etc. He said he is concerned that the summer will have passed and there will not be anything. He said he would ask that staff bring back, at the next, a report outlining what actions they are taking with regards to the servicing of Beaverbank, the time frame etc.

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

"THAT STAFF BRING BACK A REPORT TO THE NEXT COUNCIL SESSION OUTLINING WHAT ACTIONS ARE BEING TAKEN WITH

REGARDS TO THE SERVICING OF BEAVERBANK"

MOTION CARRIED

URGENT AGENDA ITEMS

DOT - Councillor Hendsbee

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

"THAT A LETTER BE SENT TO THE MINISTER OF TRANSPORTATION REQUESTING THAT A FOUR WAY STOP SIGN BE POSTED AT THE INTERSECTION OF THE NO. 7 HIGHWAY, BELL STREET AND MINESVILLE ROAD"

MOTION CARRIED

ADDITION OF ITEMS TO THE APRIL 19, 1994 COUNCIL SESSION

DOT - Councillor Ball

It was moved by Councillor Brill,

"THAT THE SERVICEABLE BOUNDARY BE EXTENDED TO PROVIDE CENTRAL AND WATER SERVICES TO THE LANDS THE ANNAPOLIS PULP AND POWER COMPANY ADJACENT TO THE SACKVILLE BUSINESS PARK AND THE DEVELOPER WOULD BE REQUIRED TO SHARE IN THE COST OF UPGRADING THE SEWER MAIN ALONG THE COBEQUID ROAD"

Councillor Brill said they had asked for the amendment to have their lands included in the serviceable boundary. He said they asked for the change in the MPS at the public hearing however their request was considered to be a major change and therefore could not be considered that evening. He said the company was prepared to accept an amendment once the MPS was approved. He said it is his understanding that this amendment would correct a previous oversight.

Mayor Lichter said if the motion was to have his request referred to PAC, he could accept it but if the motion is to approve it, he cannot accept it because it is circumventing the whole process of public hearings.

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

"THAT COUNCIL RECOMMEND THAT MUNICIPAL PAC EXAMINE THE REQUEST"

Councillor Ball in the past issues dealing with the Sackville Plan have been recommended to the Sackville PAC for a

recommendation. He said his suggestion is that the Sackville Community Council along with its own PAC examine the issue and come forward with a recommendation to Municipal PAC.

Councillor Harvey said he has difficulty with this because it is starting an amendment process to a plan that hasn't been approved by the minister. He said he had mentioned that there were two items that did not have a consensus and this was one of them. He said he does not think there was consensus in the Sackville council to fast track this and that was why it was dealt with the way it was tonight. He said it could be recommended to one of those committees and have them move on it once the plan was approved.

Mayor Lichter said if the motion recommends it to Sackville until after the Minister has signed it into law.

Councillor Brill said this was the intent.

The motion as amended:

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

"THAT THE REQUEST BE FORWARDED TO SACKVILLE COMMUNITY COUNCIL TO BE DEALT WITH AFTER THE PLAN IS SIGNED INTO LAW"

Councillor Boutilier said he did not want to be involved in bringing forth the amendment but that it should be brought forth by the applicant. He said if and when the plan gets adopted Annapolis Pulp and Paper would be like any other applicant and bring forth for a plan amendment to be looked at at that time.

Councillor Brill said he is trying to accommodate the wishes of the developer.

MOTION CARRIED

IN-CAMERA ITEMS

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

"THAT COUNCIL MOVE IN-CAMERA"

MOTION CARRIED

Council moved in-camera to deal with a number of issues specifically:

- 1) Chief Administrative Officer recommendation, re: appointment of:

- (a) Director of Planning and Development
- (b) Municipal Clerk

- 2) Information Infrastructure Program - Mayor Lichter.

- 3) Discussion re: Legal Opinions - Nova Scotia Utility and Review Board Decision on Redistribution.

- 4) Report re: Application for Tax Relief.

Council agreed to move out of camera.

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

"THAT THE APPLICATION FOR TAX RELIEF BE APPROVED"

MOTION CARRIED

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

"THAT THE COUNCIL APPROVE THE RECOMMENDATION OF THE CHIEF ADMINISTRATIVE OFFICER TO APPOINT MR. PETER DICKSON, EDMONTON, TO THE POSITION OF DIRECTOR OF PLANNING AND DEVELOPMENT, FOR A PROBATIONARY PERIOD OF ONE YEAR, EFFECTIVE JULY 4, 1994"

MOTION CARRIED

It was understood that Mr. Dickson would be placed at the top to the existing salary scale and that relocation expenses would be involved.

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

"THAT THE RECOMMENDATION OF THE CHIEF ADMINISTRATIVE OFFICER TO APPOINT MS. NANCY DEMPSEY CROSSMAN TO THE POSITION OF MUNICIPAL CLERK, FOR A PROBATIONARY PERIOD OF SIX MONTHS, COMMENCING JULY 4, 1994, AT THE STARTING SALARY OF \$40,709, BE APPROVED"

MOTION CARRIED

REDISTRIBUTION

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

"THAT COUNCIL APPROVE THE RECORDED RESOLUTION OF THE COUNCIL TO AMEND THE HALIFAX COUNTY CHARTER TO EXEMPT THE MUNICIPALITY FROM SECTION 17 OF THE MUNICIPAL BOUNDARIES AND REPRESENTATION ACT PLUS SUPPORTING

DOCUMENTATION WITH RESPECT TO THE COMMITMENT OF COUNCIL
TO HAVE BOUNDARIES IN PLACE BY SEPTEMBER OF 1994
EFFECTIVE FOR 1997"

Councillor Harvey said Halifax County seems to be saying "leave us alone in 1994, we will do anything you want in 1997". He said he does not like this impression. He said the timing is wrong and he does not see any commitment by council, if it had the ability to make the changes, that it would be done.

Councillor Barnet said the population base of the cities are not going to change from ward to ward but the municipality is substantially undeveloped and rural and the population base will change.

Councillor Ball said he would allow municipal affairs to make the decision and take the heat from the residents for the decision. He said he feels the county can make a case based on the Charter. He said he has no difficulty in passing this resolution and moving forward with it.

Councillor Cooper said previous discussions had given rise to questions of criteria that the municipality was going to look at when it was going to approach the province. He said council also talked about letters that would go to the province expressing the intention of the municipality. He said the motion on the floor does not say. He asked if it was the intention of the charter to give the municipality jurisdiction and decision power on what is going to be equal and honest voting power for their residents.

Councillor Peters said her motion was the recorded resolution plus the supporting documentation with respect to the commitment of council to September. She said she feels her motion takes care of concerns.

Councillor Cooper said criteria has been spoken this evening and that is what the discussion is about. He said even if there is supporting documentation he said there has been no indication of what principals the council is going to support in the redrawing of the boundaries. He said he feels Halifax County should be indicating to the province that Halifax County is going to follow the dictates of the trends of what is being accepted by the courts as the way the things should go for voters in this country. He said the county should be indicating to the province that it is going to follow those dictates/trends in some way. He said Halifax County should be supporting the fact that it can take a stand and say it is going for equal effective representation. He said he was not in support of the motion.

Councillor Rankin said it had been indicated in a letter to the Utility Board, in response to their letter of October 27, that Halifax County would comply with their new guidelines but to give

the county the time to do that; therefore, on or before the end of August. He said Halifax County indicated compliance with the letter.

Councillor Fralick asked what power would the Board have in comparison to what the county might want to put forward.

Mr. Crooks said that if the municipality were to go back to the board and to make an application proposing comprehensive changes along the lines suggested by Mr. O'Carroll and being considered by the committee, and if the Board were to say it refused outright to entertain any thought of this zoned approach because they thought the first and dominant and primary principle is population and population density, then there may be a better chance of succeeding on an appeal before the court of appeal from that kind of a decision. He said what they would be saying then is regardless of the fact that the Municipal Boundaries and Representation Act directs them to take into account three factors equally they would be giving preeminence to one.

MOTION CARRIED
12 IN FAVOUR
9 AGAINST

ADJOURNMENT

It was moved by Councillor Peters:

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

COUNCIL SESSION

April 19, 1994

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

ALSO PRESENT: K. R. Meech, CAO
Dale Reinhardt, Acting Municipal Clerk
Alan Dickson, 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 Giffin, seconded by Councillor
Hendsbee:

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from the Nova Scotia
Firefighters School appraising council of cutbacks in service and
requesting municipal grants to support the service and also
requesting a meeting with Halifax County council.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT THE GROUP BE INVITED TO ADDRESS COUNCIL"

MOTION CARRIED

2. Mr. Reinhardt outlined a letter from Human Resources Canada in response to councils letter with respect to the establishment of a Community Futures area in the Western section of Halifax County.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT THE LETTER BE REFERRED TO THE ECONOMIC DEVELOPMENT POLICY COMMITTEE"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter and proclamation from the Halifax Dartmouth and District Labour Council C.L.C. requesting council to recognize April 28th as an annual day of mourning.

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

"THAT THE LETTER BE RECEIVED AND APRIL 28TH BE DECLARED AS AN ANNUAL DAY OF MOURNING"

MOTION CARRIED

Councillor Harvey suggested that flags be flown at half mast to indicate that this has been adopted by Halifax County as a day of mourning. Mr. Reinhardt to ask the property manager to inform all satellite buildings and fire departments. Council agreed to this.

4. Mr. Reinhardt outlined a letter with respect to the use of county lands for the Eastern Passage/Cow Bay Summer Festival.

It was moved by Councillor Deveaux, seconded by Councillor

Turner:

"THAT COUNCIL RATIFY THE USE OF THE A-23 PROPERTY IN EASTERN PASSAGE FOR THE EASTERN PASSAGE/COW BAY SUMMER FESTIVAL"

MOTION CARRIED

1. Mr. Reinhardt outlined a letter from the Department of Municipal Affairs with respect to the consolidation of the Assessment Division's three metro regional offices.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Mr. Reinhardt outlined a letter from the Department of Fisheries supporting the proposed amendment to by-laws 40, 41 and 42.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from the Eastern Passage-Cow Bay Ratepayers and Residents Association in support of having two councillor at large representing district 6.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from Kidsport Fund requesting council to declare April 28 as KidSport Day.

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

"THAT THE LETTER BE RECEIVED AND APRIL 28TH BE DECLARED AS KIDSPORT DAY"

MOTION CARRIED

Mayor Lichter brought councils attention to suggestions made with

respecting to promoting Kidsport Day.

REDISTRIBUTION

Councillor Rankin said there was a copy of a letter from Fred Crooks to the Utility and Review Board, dated April 12, circulated to all councillors. He said that letter is in response to a resolution that went through the Redistribution Committee. He said a decision has been received from the Utility Board and the Order will follow at the end of this month. He said the county solicitor has advised the Utility Board, in this letter, that the county has taken note that in the Charter there is provision that there shall be one councillor elected for each polling district in the municipality. He said the committee did not put forward a resolution for consideration of council with regards to the matter of division.

Councillor Deveaux said a decision has been handed down by the Board and he is in agreement with the decision regarding his district. He said no matter what the decision not everyone would be happy. He said the Board could decide that their Act supersedes or overrides the Charter with regards to section seven.

It was moved by Councillor Deveaux, seconded by Sutherland:

"THAT HALIFAX COUNTY ASK THE PROVINCIAL GOVERNMENT TO AMEND THE CHARTER TO ALLOW FOR TWO COUNCILLORS TO BE ELECTED, AT LARGE, WITHIN HALIFAX COUNTY, WHERE IT IS DEEMED FEASIBLE"

Councillor Reid asked the solicitor if Halifax County is going to draw lines or leave it the way the Board recommendation states does Halifax County have to make a presentation to them before April 29.

Mr. Dickson said his understanding of the decision is that the choice had to be made by that date.

Councillor Reid said therefore if an amendment to section seven of the Charter was requested could it be passed by that date.

Mr. Dickson said he does not feel this would be reasonable by that date.

Councillor Rankin said Halifax County has already submitted a request to the province for amendments to the Charter with regards to removing section seventeen of the Municipal Boundaries Act as it applies to charters. He said this would enable the county to come forward to the Utility Board. He said this motion would be sending mixed signals to the province.