

Minutes - Approval of October 1971 Session of Council -----	6
Motion re Appointment of Mrs. Kraseman - Recording Secretary -----	1
Motion re Funding re Sewerage Treatment Plant - Cole Harbour - Eastern Passage -----	2
Motion re Removal of Garbage - Shearwater -----	3
Motion re Preliminary Report MAPC Task Force -----	4
Motion re Lot 9 - Della Pettipas - Terence Bay -----	4
Motion re Purchase of Lockers -----	4
Motion re Finance and Executive Committee re Supplementary Report re Lockers -----	5
Motion re Contractor re Fill - County Hospital -----	6
Motions re Deputy Warden -----	7
Motion re Nominating Committee -----	8
Motion re DREE Agreement -----	9
Motion re Price on Land re Caudle Park School -----	15
Motion re Lyall J. Guest - County Constable -----	23
Motion re G.K. Abbott - County Constable -----	23
Motion re Bylaws -----	23
Motion re Report re Redistribution -----	25
Names re Joint Committee re DREE -----	2
Nominating Committee Names -----	14
Ocean View Manor Report -----	15
October 19, 1971 - Approval of Minutes -----	6
Parking Ban - Bedford Service Commission - Letter -----	2
Pettipas - Della - Lot #9 - Lands - Public Hearing -----	4
Planning Advisory Committee Report -----	9
Planning Advisory Committee Supplementary Report -----	14
Public Works Committee Report -----	9
Purchase of Lockers - Motion re -----	4
Report of the Warden -----	8
Report of the Director of Planning -----	9
Report of the Planning Advisory Committee -----	9
Report of the Public Works Committee -----	9
Report of the Planning Advisory Committee Supplementary -----	13
Report of the Municipal School Board -----	14
Report of the Warden re Nominating Committee -----	14
Report of the School Capital Program Committee -----	15
Report of the Welfare Committee -----	15
Report of Ocean View manor -----	15
Report of the Finance and Executive Committee -----	15
Report of the Supplementary Finance and Committee -----	23
Report of the Warden re Report Books -----	25
Report of the Nominating Committee -----	25

Sackville Chamber of Commerce re Bus Service -----	2
School Capital Program Committee Report -----	15
Solid Waste Disposal - Task Force Report -----	4
Submission re Lockers - Councillor Hudson -----	1
Temporary Borrowing Resolution re Cole Harbour to Hines Road -----	17,18
Temporary Borrowing Resolution re Gravity Sewer Hines Road to Eastern Passage Treatment Plant -----	19,20
Temporary Borrowing Resolution re Sewage Treatment Plant and outfall - Eastern Passage -----	21,22
Temporary Borrowing Resolution re Lockers -----	23,24
Warden's Report -----	8
Welfare Committee Report -----	15
William's Road - Ostrea Lake = Expropriation of Land -----	12
Young Canada Book Week -----	8

NOVEMBER COUNCIL SESSION - 1971

TUESDAY, NOVEMBER 16, 1971

A G E N D A

1. Opening of Council - The Lord's Prayer.
2. Roll Call.
3. Appointment of Recording Secretary.
4. Letters and Communications.
5. Approval of Minutes of October 19, 1971, Session.
6. Business arising from the Minutes.
7. Appointment of Nominating Committee.
- 7A. Election of Deputy Warden,
8. Report of the Warden.
9. Report of the Director of Planning and Development.
10. Report of the Planning Advisory Committee.
11. Public Hearing - proposed approval of Lot 9, lands of Mrs. Della Pettipas, Terence Bay, under the 1966 legislation.
12. Resolution with respect to previous item.
13. Report of the Public Works Committee.
14. Resolution re Expropriation (Exp. 71-5) for Road Purposes re Jewers Road, Ecum Secum.
15. Resolution re Expropriation (Exp. 71-6) for Road Purposes, Williams Road, Ostrea Lake.
16. Report of the Municipal School Board.
17. Report of the School Capital Program Committee.
18. Report of the Welfare Committee.
19. Report of the Finance and Executive Committee.
20. Motion authorizing the Warden and Clerk to sign an agreement with the Province of Nova Scotia re the extension to the DREE agreement.

November Council Session - 1971

Agenda Continued

21. Temporary Borrowing - Pumping Station, Force Main and Gravity Sewer, Cole Harbour to Hines Road - \$1,488,000.
22. Temporary Borrowing - Gravity Sewer top of Hines Road to Eastern Passage Treatment Plant - \$125,000.
23. Temporary Borrowing - Sewage Treatment Plant and Outfall, Eastern Passage - \$1,350,000.
24. Resolution to authorize Clerk to apply for a loan from CMHC of \$992,000 for Pumping Station, Force Mains and Gravity Sewer, Cole Harbour to Hines Road.
25. Resolution to authorize Clerk to apply for a loan from CMHC of \$83,333 for Gravity Sewer, top of Hines Road, Eastern Passage to Sewage Treatment Plant.
26. Resolution to authorize the Clerk to apply for a loan from CMHC of \$886,666 for Sewage Treatment Plant and Outfall at Eastern Passage.
27. Appointment of Commissionaire G. K. Abbott as County Constable whilst employed on Security Duty at Canex Exchange at Shearwater.
28. Appointment of Lyall J. Guest, Box 6, Lewis Lake, R.R. 2, Lower Sackville as a County Constable for District No. 21.
29. Report of the Nominating Committee.

Deputy Warden Nicholson moved; seconded by Councillor Gaetz:-

"THAT a letter read by Mr. Hattie from the Eastern Shore Pollution Committee be received."  
Motion carried.

Mr. Hattie read a copy of a letter from the Sackville District Chamber of Commerce on the provision of bus service.

Moved by Deputy Warden Nicholson; seconded by Councillor Gaetz:-

"THAT this letter be received."  
Motion carried.

Mr. Hattie read a letter from the Bedford Service Commission on the subject of parking restrictions during the winter months.  
Deputy Warden Nicholson moved; seconded by Councillor Dunbar:-

"THAT this Council request the department of Highways to declare a parking ban on all streets in Bedford from 1st December 1971 to April 15th., 1972 during night time hours."  
Motion carried.

Councillor Tonks referred Council to a letter in the agenda book with regard to the dump operated by Carl Milligan to dispose of garbage from Shearwater, and asked what action had been taken. Solicitor to the Council, Mr. Cox advised that Mr. Milligan had been prosecuted and that he could be prosecuted again or Council could apply for an injunction to the Supreme Court. Councillor Cleveland felt that this was not getting at the root of the problem and that Council will have to provide facilities to dispose of garbage. Deputy Warden Nicholson said that Mr. Gough, Director of Planning and Development and Mr. Gallagher, Director of Public Works had been requested to find a place where a disposal dump could be located which would serve the needs of the County of Halifax. It was felt that possibly two locations would be found necessary.

Moved by Councillor Tonks; seconded by Councillor Hudson:-

"THAT a letter go to the Minister of National Defence and the Commander at Shearwater asking them to rescind the Contract for removal of garbage from Shearwater as the contractor has no licensed dump on which to dispose of the garbage so removed." Motion carried.

Councillor Hudson asked that members be given a copy of MAPC report on the disposal of solid wastes for the metropolitan area. Mr. Hattie stated that a copy of their preliminary report only had been received. The final report was not yet available.

Moved by Councillor Hudson; seconded by Councillor Tonks:-

"THAT the preliminary report of MAPC Task Force on Solid Waste Disposal be circulated to Council."  
Motion carried.

The Clerk read notice of the Public Hearing contained in the Report of the Planning Advisory Committee re Lot #9 - Mrs. Della Pettipas, Terence Bay. Warden Settle asked if anyone in the gallery wished to speak either for or against this application. There being no reply Councillor Baker moved, seconded by Councillor Williams:-

"THAT Lot 9 of the Lands of Della Pettipas Terence Bay be and the same is hereby approved under the terms of the 1966 Legislation."  
motion carried.

Warden Settle then asked that in deference to members of the public who were in Council to present the petition on the provision of school lockers, that the report of the Municipal School Board dealing with school lockers be dealt with along with the Report of the School Capital Committee. The section of these reports dealing with this subject was read by the Clerk to the Council.

Councillor Slauenwhite moved, seconded by Councillor Snair:-

"THAT the Municipal School Board be authorized to purchase lockers for Junior and Senior High Schools, 36 x 12 x 18 as recommended in the Report of the Municipal School Board."  
Motion carried.

Councillor Hudson told Council that the price of the locker 12 x 12 x 15 would be \$7.00 each. The lockers 12 x 36 x 18 are purchased in units of six at \$45.00 which is \$7.50 each - an additional 50 cents per locker, and that in some schools, students shared locker space. Councillor Tonks felt that sharing lockers would negate the primary reason for their provision, that of providing security for students' possessions. Councillor Hudson felt that female students required full length lockers whereas half size would be adequate for male students, and requested that in view of the present confusion as to size this be deleted from the resolution.

An amendment was moved by Councillor Hudson; seconded by Councillor McCabe:-

"THAT the size of lockers be deleted from the resolutions."  
Amendment defeated.

The Warden called for a vote on the motion. Motion carried.

To enable lockers to be purchased:-

Moved by Councillor Hudson; seconded by Councillor Gaetz:-

"THAT the Finance and Executive Committee be requested to bring in a Supplementary Report requesting the approval of a Temporary Borrowing for the Lockers for Schools."

Motion carried.

Moved by Deputy Warden Nicholson; seconded by Councillor Baker:-

"THAT Council adjourn until 2 P.M."

Motion carried.

AFTERNOON SESSION

Council resumed session at 2:00 P.M. with the Warden in the Chair.

The Assistant Municipal Clerk called the roll.

Councillor Moser moved, seconded by Councillor Gaetz:-

" Approval of Minutes of October 19th.,  
1971 as amended."  
Motion carried.

Councillor Hudson asked that there be an amendment on Page 12 with the word "named" be substituted for "moved" in relation to the Sackville High School.

Councillor Tonks asked what action had been taken against the contractor who had used fill from the County Hospital without permission being given to so do. The Solicitor advised that he had met with a representative from the consulting engineers, together with Mr. Gallagher and Mr. Hattie. The fill had been removed in connection with the installation of sewer lines and Mr. Cox felt that in view of the circumstances, Council's best interests would be served if the contractor paid for the fill used and restore the areas ready for seeding or sodding, whichever was preferable. Councillor Tonks felt that this would be insufficient deterrent to similar cases arising and moved

"THAT the Solicitor be instructed to initiate charges against the contractor involved in removing material from the County Hospital property."  
Motion lost for want of a seconder.

Moved by Councillor Hudson; seconded by Deputy Warden Nicholson:-

"THAT the contractor involved be billed for the fill removed and that the grounds involved be reinstated to an acceptable condition to the Director of Public Works."  
Motion carried.

Councillor Tonks expressed dissatisfaction at the procedure outlined and wished the matter to be presented to the Attorney General's Department for a ruling. Councillor Tonks moved:-

"THAT we approach the Attorney General's Department and ask what can be done in a case like the Contractor who took fill from the County Hospital Property; and how this can be prevented in the future."  
Motion lost for want of a seconder.



Councillor Dunbar re-opened the subject of the appointing of a Deputy Warden for the period of one year as approved by Council a year ago. He felt that the term of office should be three years and inquired of Mr. Cox what steps would be necessary to rescind this motion. Mr. Cox advised Council that the revision of By-law had not been submitted as yet, therefore, Council had to deal with the original motion of one year ago. Councillor Tonks asked why amendments agreed to a year ago had not been approved and presented to Council. Mr. Cox advised that he had been instructed to assemble all revisions and submit them simultaneously to the Minister of Municipal Affairs so they would all bear the same date stamp.

Moved by Councillor Dunbar; seconded by Councillor Baker:-

"THAT the motion to limit the term of office of the deputy warden to one year be rescinded and the usual practice be carried out and that the deputy warden be elected for a two year term; and following this term Council return to the old system of electing a deputy warden for a three year period."  
Motion defeated.

Councillor Hudson stated the reason for the change in the term of office was to enable Councillors to obtain experience in the office of Deputy Warden. This was still a valid reason and that no action should be taken to alter the term of office again.

Councillor Tonks; seconded by Councillor Hudson:-

"THAT the motion be deferred until October 1973."  
Motion defeated.

Moved by Councillor Tonks; seconded by Councillor Jennex:-

"THAT a recorded vote be taken on the amendment." Motion carried.

For: - 21, 20, 19, 18, 17, 13, 7, 6	8	Tie
Against- 16, 15, 11, 10, 9, 8, 2, 14.	8	

Amendment Defeated.

Moved by Councillor Hudson; seconded by Councillor Tonks:-

"THAT a recorded vote be taken on the motion - ( Motion carried.)

For - 2,8,9, 10,11,14, 19	7
Against - 6,7,13,15,16,17,18,20,21	9

Motion defeated.

Moved by Deputy Warden Nicholson; seconded by Councillor Jennex:-

"THAT the Warden appoint the Nominating  
Committee."  
Motion carried.

Warden Ira Settle then called for nominations from the floor re  
Deputy Warden. Councillor McCabe nominated Councillor Sylvia Hudson,  
seconded by Councillor Johnson.

Councillor Gaetz moved; seconded by Councillor Moser:

"THAT Councillor H. Cleveland be  
nominated."

Moved by Councillor Tonks; seconded by Deputy Warden Nicholson:-

"THAT Nominations cease. "  
Motion carried.

Councillors McCabe and Gaetz were appointed as scrutineers by the Warden .  
Two votes by Ballot were taken and eight votes - each time -for each  
candidate were recorded.

Moved by Councillor Nicholson ; seconded by Councillor Moser:-

"THAT the vote for Deputy Warden be deferred  
until the December 1971 Session."  
Motion carried.

An Amendment moved by Councillor Tonks; seconded by Councillor Snair:-

"THAT the election of the deputy warden  
be held at the end of the session of Council."  
Amendment defeated.

The Warden called for a vote on the original motion. Motion carried.

Deputy Warden Nicholson took the chair at this point

The Clerk then read the Report of the Warden.

Moved by Councillor Gaetz; seconded by Councillor Tonks:-

"THAT the Report of the Warden  
be received."  
Motion carried.

Councillor Tonks addressed Council with regards to Young Canada Book  
Week. He invited all members of Council to inspect the library  
facilities during the coming week at Bedford, Shatford Memorial at  
Hubbards and the bookmobiles. Criticism would be welcomed of a nature  
that would contribute to the more efficient utilization of library  
services. The choses topic this year is "Indians" and the patron  
Chief Dan George.

Councillor Tonks then asked Council to refer back to the item deferred during the morning dealing with the letter from the ratepayers of Eastern Passage about the deletion from the DREE agreement. Mr. Hattie advised Council no representative from DREE was available at this time. Deputy Warden Nicholson requested this item be deferred until the Warden returned so that the Deputy Warden could resume his seat on the floor of the Chamber and take part in the discussion.

Moved by Councillor Gaetz, seconded by Councillor Moser:-

"THAT the matter of the DREE agreement be deferred until the Warden resumes his chair and there is a full Council."  
Motion carried.

Mr. Hattie read the Report of the Director of Planning.

Moved by Councillor Hudson; seconded by Councillor Gaetz:-

"THAT the Report of the Director of Planning and Development be approved." Motion carried.

Mr. Hattie read the Report of the Planning Advisory Committee:

Moved by Councillor Gaetz; seconded by Councillor Baker:-

"THAT the Planning and Advisory Committee Report be adopted."  
Motion carried.

Mr. Hattie read the Report of the Public Works Committee.

Moved by Councillor Gaetz; seconded by Councillor McCabe:-

"THAT the Report of the Public Works Committee be adopted."  
Motion carried.

Mr. Hattie advised that two expropriations arose out of this report.

NOVEMBER COUNCIL SESSION  
TUESDAY, NOVEMBER 16, 1971

Moved by Councillor Jennex; seconded by Councillor Cleveland:-

"WHEREAS the Council of the Municipality of the County of Halifax ("the Council") is of the opinion that the land hereinafter described is required for the purpose of laying out, opening, constructing, repairing, improving, and maintaining of streets, curbs, gutters, or sidewalks at Jewers Road, Ecum Secum, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the land hereinafter described for the purpose of laying out, opening, constructing, repairing, improving and maintaining of streets, curbs, gutters or sidewalks and that the compensation for the said land be

BE IT RESOLVED FURTHER that the land to be expropriated is:"

JEWERS ROAD, ECUM SECUM (EXP. 71 - 5)  
HALIFAX COUNTY, NOVA SCOTIA

ALL that certain lot, piece or parcel of land situate, lying and being at Ecum Secum in the County of Halifax, Province of Nova Scotia, said lot being shown outlined in red on a "Plan Showing Jewers Road" drawn by T. S. Foster, N.S.L.S., dated August 30th, 1971, revised on November 10th, 1971, and being more particularly described as follows:

BEGINNING at the intersection of the eastern boundary of the road leading from the No. 7 Highway to Mitchell Bay and the northern boundary of the road now under description;

THENCE South eighty-one degrees thirty minutes East (S81°30'E) a distance of two hundred eleven and one tenth feet more or less (211.1') to the beginning of a curve;

THENCE along a circular curve to the right, said curve having a radius of one hundred and zero tenths feet (100.0') an arc distance of one hundred twenty-eight and zero tenths feet (128.0') to the end of the curve;

THENCE South eight degrees six minutes East (S08°06'E) a distance of one hundred ninety-five and five tenths feet (195.5') to the beginning of a curve;

JEWERS ROAD, ECUM SECUM  
HALIFAX COUNTY, NOVA SCOTIA

(EXP. 71 - 5)

THENCE along a circular curve to the left, said curve having a radius of one hundred twenty and zero tenths feet (120.0') an arc distance of fifty-eight and five tenths feet (58.5') to the end of the curve;

THENCE South thirty-six degrees one minute East (S36°01'E) a distance of seventy-four and zero tenths feet (74.0') to a point;

THENCE South fifty-three degrees fifty-nine minutes West (S53°59'W) a distance of fifty and zero tenths feet (50.0') to a point;

THENCE North thirty-six degrees one minute West (N36°01'W) a distance of sixty and zero tenths feet (60.0') to a point;

THENCE South fifty-three degrees fifty-nine minutes West (S53°59'W) a distance of eighty-five and zero tenths feet (85.0') to a point;

THENCE North thirty-six degrees one minute West (N36°01'W) a distance of fifty and zero tenths feet (50.0') to a point;

THENCE North fifty-three degrees fifty-nine minutes East (N53°59'E) a distance of eighty-eight and eight tenths feet (88.8') to a curve;

THENCE Northerly along a circular curve to the right, said curve having a radius of one hundred seventy and zero tenths feet (170.0') an arc distance of forty-six and six tenths feet (46.6') to the end of the curve;

THENCE North eight degrees six minutes West (N08°06'W) a distance of one hundred ninety-five and five tenths feet (195.5') to the beginning of a curve;

THENCE along a circular curve to the left, said curve having a radius of fifty and zero tenths feet (50.0') an arc distance of sixty-four and zero tenths feet (64.0') to the end of the curve;

THENCE North eighty-one degrees twenty-eight minutes West (N81°28'W) a distance of two hundred seven and five tenths feet more or less (207.5'±) to the eastern boundary of the road leading from the No. 7 Highway to Mitchell Bay;

THENCE Northerly along the said eastern boundary of the road leading from the No. 7 Highway to Mitchell Bay, a distance of fifty and five tenths feet more or less (50.5'±) to the PLACE OF BEGINNING.

Motion carried.

Moved by Councillor Cleveland; seconded by Councillor Moser:-

"WHEREAS the Council of the Municipality of the County of Halifax ("the Council") is of the opinion that the land hereinafter described is required for the purpose of laying out, opening, constructing, repairing, improving, and maintaining of streets, curbs, gutters, or sidewalks at Ostrea Lake, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the land hereinafter described for the purpose of laying out, opening, constructing, repairing, improving and maintaining of streets, curbs, gutters or sidewalks and that the compensation for the said land be

BE IT RESOLVED FURTHER that the land to be expropriated is:"

WILLIAM'S ROAD, OSTREA LAKE

HALIFAX COUNTY, NOVA SCOTIA

(EXP. 71 -6 )

ALL that certain lot, piece or parcel of land lying, being and situate at Ostrea Lake, in the County of Halifax and Province of Nova Scotia shown outlined in red on a "Plan Showing William's Road" dated August 26th, 1971, revised on October 22, 1971, drawn by T. S. Foster, N.S.L.S., and being more particularly described as follows:

BEGINNING at the intersection of the western boundary of the road to the Government Wharf and the southern boundary of the road now under description;

Thence North sixty-three degrees nineteen minutes West (N63°19'W) a distance of one hundred seventy-seven and five tenths feet (177.5') to a point;

THENCE North sixty-nine degrees two minutes West (N69°02'W) a distance of one hundred nineteen and zero tenths feet (119.0') to the beginning of a curve;

...2

WILLIAM'S ROAD, OSTREA LAKE

(EXP. 71 - 6)

HALIFAX COUNTY, NOVA SCOTIA

THENCE along a circular curve to the right, said curve having a radius of one hundred forty-one and zero tenths feet (141.0') an arc distance of eighty-four and two tenths feet (84.2') to the beginning of another curve;

THENCE along a circular curve to the left, said curve having a radius of fifty and zero tenths feet (50.0') an arc distance of twenty-eight and four tenths feet (28.4') to the beginning of another curve;

THENCE along a circular curve to the right, said curve having a radius of fifty and zero tenths feet (50.0') an arc distance of two hundred fifty-two and seven tenths feet (252.7') to the beginning of another curve;

THENCE along a circular curve to the left, said curve having a radius of fifty and zero tenths feet (50.0') an arc distance of twenty-eight and four tenths feet (28.4') to the beginning of another curve;

THENCE along a circular curve to the left, said curve having a radius of seventy-five and zero tenths feet (75.0') an arc distance of forty-four and eight tenths feet (44.8') to the end of the curve;

THENCE south sixty-nine degrees two minutes east (S69° 02'E) a distance of one hundred twenty-two and three tenths feet (122.3') to a point;

THENCE south sixty-three degrees nineteen minutes east (S63° 19'E) a distance of one hundred eighty-two and eight tenths feet (182.8') to the said western boundary of the Road to the Government Wharf;

THENCE southerly along the said western boundary of the Road to the Government Wharf a distance of sixty-six feet more or less (66'+) to the point of beginning.

Motion carried.

Mr. Hattie then read the supplementary report of the Planning Advisory Committee.

Moved by Councillor Baker; seconded by Councillor Gaetz:-

"THAT the Supplementary Report of the Planning Advisory Committee be adopted." Motion carried.

Councillor Tonks asked for clarification of a memo from the Emergency Measures Organization advising they would test various sirens throughout the County and asked to what extent the County is involved in emergency measures and whether an inventory of County owned items could be obtained. The Clerk advised the inventories were on record.

The Clerk read the Report of the Municipal School Board.

Moved by Councillor Gaetz; seconded by Councillor Hudson:-

"THAT the Report of the Municipal School Board be received." Motion carried.

Warden Settle resumed his seat and presented his report re the Nominating Committee.

Moved by Councillor Gaetz; seconded by Councillor McCabe:-

"THAT the Report of the Warden re Nominating Committee be adopted." Motion carried.

The following Councillors being appointed to the Nominating Committee:-

Councillor Baker  
Councillor Dunbar  
Councillor Moser  
Councillor Isenor  
Councillor Jennex

Moved by Councillor Moser; seconded by Councillor Gaetz:-

"THAT the Nominating Committee be excused so that it can work on the new Committees." Motion carried.

The Nominating Committee then left the Chamber.



The Municipal Clerk read the School Capital Program Committee report.

Moved by Deputy Warden Nicholson; seconded by Councillor Gaetz:-

"THAT the Report of the School Capital Program Committee be adopted."  
Motion carried.

Councillor Williams commented on the delays to the Brookside High School and said he had received a letter which had been sent to all department heads from the Trustees of this school saying that full time classes would start on November 29th., 1971. He felt that this was a matter which should be dealt with by the Municipal School Board. The Solicitor said he had received a request from Mr. Perry, Superintendent of the Municipal School Board to prepare an opinion on the legality of the contents of this letter to be presented to the meeting of the School Board which was to take place on November 17th., 1971. Councillor McCabe gave assurances that this would be investigated.

The Clerk then read the Report of the Welfare Committee .

Moved by Councillor Tonks; seconded by Councillor Cleveland:-

"THAT the Report of the Welfare Committee be adopted."  
Motion carried.

The Clerk read the Report of the Ocean View Manor and the letter addressed to the architects. It was the opinion of Council that little action could be taken as the contractor had gone into Receivership.

Moved by Councillor Gaetz; seconded by Councillor Hudson:-

"THAT the Report of the Board of Management Ocean View Manor be received."  
Motion carried.

Moved by Deputy Warden Nicholson; seconded by Councillor Baker:-

"THAT the Premier and the Honorable Scott McNutt be written and asked to give the Municipality a definite price on land required for the Caudle Park School."  
Motion carried.

The Clerk read the Report of the Finance and Executive Committee.

The Clerk then read the resolution #2 as tabled in the morning session.

"THAT no funding be done for the sewerage treatment plant at Eastern Passage and the Sewer Mains from Cole Harbour to Eastern Passage until the Province of Nova Scotia agrees to put the water and sewer services at Eastern Passage back in the DREE Program." Motion defeated.

Moved by Deputy Warden Nicholson; seconded by Councillor Dunbar:-

"THAT the Report of the Finance and Executive Committee be adopted."  
Motion carried.

Councillor Tonks moved an amendment:-

"THAT items a,b.c, on page 1 of the Report of the Finance and Executive Committee be deleted."  
Motion lost for want of a seconder.

Councillor Tonks moved amendment:-

"THAT the DREE Agreement be amended to delete the land assembly project from the agreement and Eastern Passage Water and Sewer be substituted."  
Motion lost for want of a seconder.

Councillor Tonks moved amendment:-

"THAT \$500,000. be included as items 1 (d) on page one of the Finance and Executive Committee report."  
Motion lost for want of a seconder.

Councillor Tonks moved :-

"THAT the temporary borrowing listed in the Finance and Executive Committee Report be deferred, until the December Session of Council." Motion lost for want of a seconder.

Councillor Tonks moved that Council adjourn. Motion defeated.

The Solicitor read the motion authorizing the Warden and Clerk to sign an agreement with the Province of Nova Scotia for the extension to the DREE agreement.

Moved by Councillor Slauenwhite; seconded by Councillor Gaetz:-

"THAT the Warden and the Clerk be and they are hereby authorized to execute on behalf of the Municipality an agreement with the Province of Nova Scotia with respect to items pertaining to the Municipality as shown on Schedule "B" of the agreement between Canada and Nova Scotia, a copy of which is attached to this resolution."  
Motion carried.

A brief discussion was held on items 21,22,23, on the Agenda called for temporary borrowing approval.

Moved by Councillor Gaetz: seconded by Councillor Slauenwhite:-

Municipality of the County of Halifax  
Temporary Borrowing Resolution  
\$1,488,000 - Pumping Station  
Force Main and Gravity Sewer  
Cole Harbour to Hines Road

WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every municipality of a county or district shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the municipality such sum or sums as the Council thereof deems necessary for the purpose of a pumping station force main and gravity sewer from Cole Harbour to Hines Road and acquiring or purchasing materials, machinery, implements, or plant deemed requisite or advisable therefor;

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding \$1,488,000. for the purpose of a pumping station force main and gravity sewer from Cole Harbour to Hines Road and acquiring or purchasing materials, machinery, implements, or plant deemed requisite or advisable therefor;

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the Municipal Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS it is deemed expedient to postpone the issue of debentures and to borrow such sum for the purpose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding \$1,488,000.00 for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary to raise such sum;

THAT the issue of such debentures be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums not exceeding \$1,488,000. from the Royal Bank of Canada at Halifax.

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the day on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold."

Motion carried.

Moved by Councillor Slauenwhite; seconded by Councillor Snair:-

Municipality of the County of Halifax  
Temporary Borrowing Resolution  
\$125,000. Gravity Sewer top of  
Hines Road to Eastern Passage  
Treatment Plant

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WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every municipality of a county or district shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the municipality such sum or sums as the Council thereof deems necessary for the purpose of a gravity sewer top of Hines Road to Eastern Passage Treatment Plant and acquiring or purchasing materials, machinery, implements, or plant deemed requisite or advisable therefor;

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding \$125,000. for the purpose of a gravity sewer top of Hines Road to Eastern Passage Treatment Plant and acquiring or purchasing materials, machinery, implements, or plant deemed requisite or advisable therefore;

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the Municipal Council of the Municipality of the County of Halifax be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS it is deemed expedient to postpone the issue of debentures and to borrow such sum for the purpose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding \$125,000. for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary to raise such sum;

THAT the issue of such debentures be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums not exceeding \$125,000.00 from the Royal Bank of Canada at Halifax.

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the day on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold."

Motion carried.

Moved by Councillor Baker; seconded by Councillor Dunbar:-

Municipality of the County of Halifax  
Temporary Borrowing Resolution  
\$1,350,000. - Sewage Treatment Plant  
and Outfall - Eastern Passage

---

WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every municipality of a county or district shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the municipality such sum or sums as the Council thereof deems necessary for the purpose of a sewage treatment plant and outfall at Eastern Passage and acquiring or purchasing materials, machinery, implements, or plant deemed requisite or advisable therefor;

AND WHEREAS by Section 8 of said the Municipal Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding \$1,350,000 for the purpose of a sewage treatment plant and outfall - Eastern Passage and acquiring or purchasing materials, machinery, implements, or plant deemed requisite or advisable therefore;

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the Municipal Council of the Municipality be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS it is deemed expedient to postpone the issue of debentures and to borrow such sum for the purpose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding \$1,350,000. for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary to raise such sum;

THAT the issue of such debentures be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums not exceeding \$1,350,000. from the Royal Bank of Canada at Halifax.

THAT such sums or sum be borrowed from said Bank for a period not exceeding twelve months from the day on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold."

Motion carried.



Moved by Councillor Slauenwhite; seconded by Councillor McCabe:-

"THAT Lyall J. Guest be  
appointed County Constable"  
Motion carried.

Moved by Councillor Gaetz; seconded by Councillor Baker:-

"THAT G.K. Abbott be appointed  
as County Constable."  
Motion carried.

Mr. Cox then put forward the recommendation that the revision to bylaws already agreed to in principal by Council should be submitted to the Minister to enable the necessary steps to be taken for these bylaws to be passed, rather than wait until all revisions are complete, as had been previously agreed to.

Moved by Councillor Gaetz; seconded by Councillor Williams:-

"THAT the Solicitor be requested to  
prepare the bylaws that have been  
approved in principal to the December  
Session of Council for approval."  
Motion carried.

Moved by Deputy Warden Nicholson; seconded by Councillor Hudson:-

"THAT the Supplementary Report of the  
Finance and Executive Committee be  
adopted." Motion carried.

Moved by Councillor Hudson; seconded by Councillor Gaetz:-

MUNICIPALITY OF THE COUNTY OF HALIFAX  
Temporary Borrowing Resolution  
\$69,000.00 - Lockers

WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every municipality of a county or district shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the municipality such sum or sums as the Council thereof deems necessary for the purpose of acquiring or purchasing lockers for various junior and senior high schools in the Municipality of the County of Halifax;

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding \$69,000.00 for the purpose of supplying lockers to various junior and senior high schools in the Municipality of the County of Halifax;

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the Municipal Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the Municipality of the County of Halifax to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS it is deemed expedient to postpone the issue of debentures and to borrow such sum for the propose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding \$69,000.00 for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary to raise such sum;

THAT the issue of such debentures be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums of money not exceeding \$69,000.00 from the Royal Bank of Canada at Halifax.

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold."

Motion carried

Mr. Hattie read the Warden's report in connection with the preparation of the Minutes and Reports Book. There were various recommendations made to Council. It was felt that if extra staff was employed to prepare these notes, they would reach the hands of Council more quickly.

Moved by Deputy Warden Nicholson; seconded by Councillor Gaetz:-

"THAT the Report of the Warden be referred to the Finance and Executive Committee."  
Motion carried.

Councillor Hudson questioned if the redistribution Committee had met as December 31st., 1971 was the deadline for the report to be submitted to the Public Utilities Board.

Moved by Councillor Hudson; seconded by Deputy Warden Nicholson:-

"THAT the Report of the Redistribution Committee be brought in at the December Session of Council."  
Motion carried.

The Clerk read the Report of the Nominating Committee.

Moved by Councillor Gaetz; seconded by Deputy Warden Nicholson-

"THAT the Report of the Nominating Committee be adopted."  
Motion carried.

Moved by Councillor Gaetz;

"THAT Council adjourn."  
Motion carried.

Council closed with the signing of "God Save the Queen."

MINUTES

of the

FIRST YEAR MEETINGS

of the

THIRTY - SEVENTH COUNCIL

of the

MUNICIPALITY OF THE COUNTY  
OF HALIFAX

DECEMBER COUNCIL SESSION  
TUESDAY, DECEMBER 21st., 1971.

INDEX OF MINUTES

Adjournment of Council -----	18
Amendment re Minutes - November Session -----	6
Appointment re Mrs. Kraseman - Recording Secretary for Dec. Session --	2
Appointment re Arthur C. MacKenzie - Board of Management -----	16,17
Appointment of Deputy Warden - H.M. Cleveland -----	18
Approval of Minutes - November Session -----	6
Approval of \$25,000 Water Hookup re Halifax County Hospital -----	9
Approval in Principal of MAPC Report 1971 -----	13
Arterial Road - District #14 - Cole Harbour to #7 Highway-----	1
Assessment of Trailers -----	4
Balloting re Deputy Warden -----	1
Board of Management - Appointment - Arthur C. MacKenzie -----	16,17
Brief re Mobile Homes -----	3
Bylaws -----	17
Cleveland - H.M. - re Appointment as Deputy Warden -----	18
Communication re Cole Harbour Environmental Committee re Land -----	2
Communication re K.W. Robb & Associates re Brief re Mobile Homes -----	3
Deferement re Voting for Deputy Warden -----	1
Deputy Warden re Balloting -----	1
Deputy Warden Appointment - H.M. Cleveland -----	18
Director of Planning and Development Report -----	6
Easement re Nova Scotia Power Commission and Tantallon Junior High School -----	12
Easement re Nova Scotia Light & Power and Centennial School - Lower Sackville -----	12
Eastern Passage - Petition re Water and Sewer Services -----	3
Eisenhauer,Martin - Rezoning of Lands - Riverdale Park -----	7
Finance and Executive Committee Report -----	12
Finance and Executive Committee Supplementary Report -----	14
Garbage Collection re Tenders -----	11
Graham Creighton High School -----	11
Hattie - Municipal Clerk - Resumed Seat at Council Session -----	11
Harrietsfield School -----	11
Henneberry - Clifford - Quick Claim Deed -----	13
Index re Index listing of County Councillors and Committees -----	1
Installation re Water and Sewer - Eastern Passage -----	3,4
Kraseman - Appointment re Recording Secretary - December Session -----	2

Letter - from Assessment Department re Mobile Homes -----	4
Little - Wayne G. - Approval of Undersized Lot -----	7
MacKenzie - Arthur C. - Board of Management County Hospital -----	16,17
Mobile Homes - re Letter from Assessment Office -----	4
Municipal School Board Report -----	11
Motion re 13th Tribe -----	18
Motion re Safety Deposit Boxes -----	17
Motion re Nova Scotia Power Commission and Tantallon Junior High School Easement -----	12
Motion re Nova Scotia Light & Power and Centennial School Lands -----	12
Motion re Land in Harrietsfield -----	13
Motion re Quick Claim Deed - Clifford Henneberry -----	13
Motion re Deferement of Voting - Deputy Warden -----	1
Motion re Index Listing of County Councillors and Committees -----	1
Motion re Petition District #14 Ratepayers -----	2
Motion re Appointment of Recording Secretary - Mrs. Kraseman -----	2
Motion re Act of Province of Nova Scotia re Expropriation Act -----	2
Motion re Water and Sewer - Eastern Passage -----	3
Motion re Trailers and Mobile Homes -----	4
Motion re Letters to be Sent re Building and Sewage Treatment Facilities at Waverley -----	8
Motion re Deed - Park and Public Land Purposes -----	9
Motion re Garbage Tenders -----	11
Motion re Holidays -----	12
Motion re Agreement with CNR -----	14
November Session of Minutes - Approval of -----	6
Ocean View Manor - Board of Management -----	15
O'Connell - Gerald re Rezoning of Lands -----	8
Park and Public Land Purposes - Deed -----	9
Peerless Subdivision Rezoning of Lands -----	7
Petition re Arterial Road Between Cole Harbour and #7 Highway -----	1,2
Petition re DREE Program re Water and Sewer Program for Eastern Passage-----	3,4
Planning Advisory Committee Report -----	6
Planning Advisory - Supplementary Report -----	7
Pollution Control Report Volunteer 1 and 2 -----	9
Public Works Committee Report -----	9
Quick Claim Deed - Clifford Henneberry -----	13
Report of the Redistribution Committee -----	15,16
Report of the Warden-----	6
Report of the Director of Planning and Development -----	6
Report of the Planning Advisory Committee -----	6
Report of the Planning Advisory Committee Supplementary Report -----	7
Report of the Public Works Committee -----	9
Report of the Municipal School Board -----	11
Report of the School Capital Program Committee -----	11
Report of the Finance and Executive Committee -----	12
Report of the Board of Management - Ocean View Manor -----	15
Rezoning of Lands - Martin Eisenhower Peerless Subdivision Gerald O'Connell - Caldwell Rd. - Cole Harbour K.Woolf - Lt. Sackville -----	7

Resolutions re Proposed Zone Change	
Gerald O'Connell - Cole Harbour	
R. Woolf - Lr. Sackville -----	8
School Capital Program Committee Report -----	11
School - Harrietsfield -----	11
School Bus Garage -----	11
School - Graham Creighton High School -----	11
School - Tangier Water Supply -----	12
Shankel - S.W. Hubbards -----	7
Supplementary Report of Planning Advisory -----	7
Supplementary Report of the Finance and Executive Committee -----	14
Temporary Borrowing re Installation of Pollution Control Plant at	
Lively Subdivision - \$60,000. -----	9,10
Tenders re Garbage Collection -----	11
Trailers - Assessment of -----	4
Undersized Lots -----	7
Lot A - S.W. Shankel - Hubbards	
Lot Wayne G. Little - Terence Bay	
Warden's Report -----	6
Water Supply re Tangier School -----	12
Woolf - R. re Rezoning of Lands -----	8
Zone Changes - Resolutions re proposed changes -----	7

MINUTES OF THE DECEMBER SESSION OF COUNCIL  
OF THE SECOND YEAR COUNCIL OF THE THIRTY-SEVENTH  
COUNCIL OF THE MUNICIPALITY OF THE COUNTY  
OF HALIFAX

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The regular monthly session of the Council, Municipality of the County of Halifax convened at 10:00 A.M. Tuesday, December 21st., 1971, with Warden Settle presiding.

Council opened with the Lord's Prayer after which the Clerk called the Roll.

The Warden Advised the Council that the first item of business would be the continuation of balloting on the nominations for Deputy Warden.

A ballot was taken and the scrutineers advised that the result of the ballot was a tie - eight votes each.

Moved by Councillor Williams, seconded by Councillor Baker:-

"THAT the voting for Deputy Warden be deferred until the opening of the afternoon session."

Moved by Councillor Hudson; seconded by Councillor Snair an amendment:-

"THAT the voting for Deputy Warden be deferred until the last item of business, at today's session."  
Amendment carried.

The Warden called for a vote on the amendment which was carried.

Councillor Tonks questioned Mr. Cox, the Solicitor as to whether this procedure was correct, and Mr. Cox advised that in his opinion it was.

The Clerk read a letter from the Secretary of the Regional Library Board with regards to an index re Councillors and Committees and Boards being prepared for distribution.

Moved by Councillor Tonks; seconded by Councillor Cleveland:-

"THAT Council request the Library Board to have a booklet prepared listing all County councillors and indicating which Committees and Boards they serve on."  
Motion carried.

Mr. Hattie, Municipal Clerk, read a petition to Council addressed to the Hon. Mr. Brown, and the Warden, from Mr. T.M. Cochrane, President of District 14 Ratepayers Association, asking that the Minister of the Department of Highways would give the matter of the arterial road between Cole Harbour and the #7 Highway their immediate attention.



The Warden described to the Council members where the proposed road was situated and said it was shown on the Master Plan, and it was located in the 800 acre land assembly project. In reply to a question from Councillor Tonks, Mr. Hattie advised that roads generally were taken over by the Department of Highways in 1919. Councillor Tonks expressed his support for accepting the petition, but said the route should be clearly defined.

Councillor Tonks moved; seconded by Councillor Moser:-

"THAT Council support the petition of the District 14 Ratepayers with respect to an arterial road between the Cole Harbour Road and No. 7 Highway." Motion carried.

Moved by Councillor Tonks; seconded by Councillor Nicholson:-

"THAT Mrs. Kraseman be appointed as recording secretary for today's Session of Council." Motion carried.

Mr. Hattie read a communication from the Chairman of the Cole Harbour Environmental Committee asking that the land specified on the plan attached to the petition, presently zoned for agriculture, should be used as a recreational area. The letter expressed concern about the environmental impact of the sewage disposal from the development project.

Councillor Tonks enquired if this matter came within the terms of reference of the Planning Advisory Committee. On Mr. Hattie confirming that this was so, Councillor Tonks asked that this letter be referred to that Committee for action. Council agreed that this should be done.

Some discussion of the Expropriation Act followed. Many Councillors expressed concern that people were being deprived of their livelihood, without proper recompense. Also it was felt that this Act enabled the Government of Nova Scotia to deal arbitrarily with the Municipalities. When Municipalities were not kept fully in the picture this often resulted in programs already agreed to being delayed. Councillor Tonks moved; seconded by Councillor Dunbar:-

"THAT the Premier and the Government of the Province of Nova Scotia be advised Halifax County Council is concerned about the Act of the Province of Nova Scotia under the Expropriation Act without prior consultation with the Municipal Government concerned." Motion carried.

Councillor Nicholson said he would support this motion, and stated he was against expropriation in most cases. He felt that often the land could be developed privately giving a much fairer deal to the owners of the land.

Mr. Hattie read a communication from K.W. Robb and Associates which enclosed a brief to be read at this session of Council. Mr. Robb stated that due to him having to attend Court he was unable to be present at the Public Hearing on the new bylaws on mobile homes. In his brief, Mr. Robb presented various suggestions he wished to have Council consider. Councillor Nicholson felt that the question of the zoning of mobile homes has already been discussed and settled at previous meetings.

Mr. Cox advised Council that the Minister of Municipal Affairs was prepared to approve the amendment to the Mobile Home By-Law as soon as Council approved the amendment to the zoning bylaw. This would mean that both changes could come into effect on the same date.

Councillor Tonks stated he was not in agreement with the approval given to Mr. Jakeman of Cow Bay for the erection of a mobile home as Mr. Jakeman had disregarded the necessity for obtaining permission prior to erection. He felt it was wrong to give permission after prosecution for this offense. He also informed Council he had not been advised of this.

Councillor Nicholson expressed regret that Councillor Tonks had not been informed and said he was under the impression that the Planning Officer had informed Councillor Tonks. Mr. Gough said he had not been asked to do this and advised that the lot was approved for planning only and not for a Mobile Home.

Councillor Hudson moved; seconded by Councillor Tonks:-

"THAT Mr. K.W. Robb be advised of the present standing of the Mobile Home Bylaw and the proposed amendment of the Zoning By-Laws."  
Motion carried.

Councillor Tonks advised Council he had a petition containing some 300 signatures to present to the Premier with regards to the water and sewer program for Eastern Passage which had been taken out of the DREE program. The residents of that area had expressed extreme concern with the present inadequate water and sewer facilities in that area, and were petitioning that the Government of Nova Scotia be approached requesting that the sum of \$300,000. be allocated to cover the first phase of this project and that the work start immediately. Councillor Nicholson asked that the Timberlea-Lakeside sewer line also be included.

Moved by Councillor Tonks; seconded by Councillor Nicholson:-

"THAT Council advise the Government of the Province of Nova Scotia that they are concerned about the deletions of certain items in the extension of the DREE Agreement - namely the first phase of the installation of water and sewer services in Eastern Passage and Lakeside Timberlea Areas of Halifax County.