

Councillor MacKenzie invited all Councillors, their wives and/or husbands to the official opening of the new hospital at Sheet Harbour.

It was moved by Councillor Hudson, seconded by Councillor Gaetz:

"THAT Council adjourn." Motion carried.

M I N U T E S & R E P O R T S

of the

T H I R D Y E A R M E E T I N G S

of the

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MINUTES OF THE SEPTEMBER SESSION OF THE MUNICIPAL COUNCIL
OF THE THIRD YEAR COUNCIL OF THE THIRTY-EIGHTH COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX

The September Session of the Council of the Municipality of the County of Halifax convened at the Municipal Administration Building at 10:00 a.m., Tuesday, September 21st., 1976 with Warden Ira S. Settle presiding.

Following the Lord's Prayer, the Municipal Clerk called the Roll.

It was moved by Councillor Gaetz, seconded by Councillor Anderson:

"THAT Miss Doris Leonard be appointed as Recording Secretary for this Session of the Municipal Council." Motion carried.

It was moved by Councillor Nicholson, seconded by Councillor Smith:

"THAT the Minutes of the August 17th., 1976 Session of the Municipal Council be approved." Motion carried.

Letters and communications were noted as contained in the Agenda and it was moved by Councillor Nicholson, seconded by Councillor Killam:

"THAT the letters and communications be received." Motion carried.

Councillor Gaetz commented on the discussion re Senior Citizens Homes and was advised by the Municipal Clerk that a meeting had been held by the Minister with the Councillors of the Bedford-Sackville-Waverley areas with regard to the Bedford projects.

Councillor Hudson asked about applications with regard to the Senior Citizens Projects inquiring to whom they should be made and if the applications were available.

Mr. Bensted, Municipal Clerk, advised that applications were processed by the Housing Authority and he presumed that they would have the application forms. He also advised that a Housing Authority would be required for the Sackville area, and that it had been agreed that there would be two authorities - one for the eastern area and one for the western area. He also advised that the Social Assistance Department could be requested to process the application forms and they would be completed and forwarded to the Housing Authority.

It was moved by Councillor Hudson, seconded by Councillor Slauenwhite:

"THAT arrangements be made for the Social Assistance Department to process applications with regard to Senior Citizens Projects in particular, for the Sackville area." Motion carried.

The Report of the Warden was then considered. It was moved by Councillor Nicholson, seconded by Councillor Gaetz:

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

Next on the Agenda was the Report of the Director of Planning and Development.

It was moved by Councillor Gaetz, seconded by Councillor Nicholson:

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

Next on the Agenda was the Report of the Planning Advisory Committee. The Municipal Clerk gave a brief outline of this report, and it was moved by Councillor Nicholson, seconded by Deputy Warden Streach:

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

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

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of Edward G. Murdock, Cow Bay Public Road at Eastern Passage, from R-2, (Residential Two Family Dwelling Zone) and R-4 (Residential General Zone) to TH (Townhouse Zone). Application No. 20-76." Motion carried.

It was moved by Councillor Nicholson, seconded by Councillor Gaetz:

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby

amended by rezoning lands known as Cole Harbour Acres, Cole Harbour Road, Cole Harbour, from G (General Building Zone) to TH (Townhouse Zone). Application No. 21-76." Motion carried.

It was moved by Councillor MacKenzie, seconded by Councillor Smith;

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of Donald Hudson, Pleasant Harbour, from G (General Building Zone) to SD (Salvage Yard and Dump Zone). Application No. 17-76." Motion carried.

The Municipal Clerk announced that there was a Supplementary Report with regard to lesser setbacks from the Chief Building Inspector and it was agreed to deal with this report at this time.

It was moved by Councillor Nicholson, seconded by Councillor Lawrence:

"THAT the Supplementary Report of the Chief Building Inspector be approved." Motion carried.

Mr. Bensted also announced that there was a Report of the Public Works Committee placed on the Councillors' desks. This report was received late due to the fact that the Committee had only met the day before Council. The Municipal Clerk gave an outline of the contents of this report and spoke of the study to be carried out with regard to the arsenic condition of the water.

It was moved by Councillor Gaetz, seconded by Councillor McCabe:

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

It was moved by Councillor Killam, seconded by Councillor Hudson:

"BE IT RESOLVED THAT the Clerk be and is hereby authorized and instructed to instruct Canadian-British Engineering Consultants Limited to proceed with the water supply, Waverley Area Study as outlined in its proposal of 10th August, 1976, and terms of reference contained therein as approved by the Provincial Department of the Environment, provided that such study be funded by the Provincial Department of the Environment." Motion Carried.

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

ABANDONMENT OF EXPROPRIATION OF EASEMENT FORMERLY REQUIRED OVER LANDS
OF ROBERT K. AND HILDA E. TURNER, COLE HARBOUR, HALIFAX COUNTY
LOT "Z"

All that certain lot, piece or parcel of land situate, lying and being at Cole Harbour in the County of Halifax, Province of Nova Scotia. Said lot being shown on a plan as Lot Z, Lands of Robert K. and Hilda E. Turner, Cole Harbour, Halifax County, Nova Scotia, prepared by J. Forbes Thompson, N.S.L.S. dated the 15th day of August A.D., 1969. Said lot being more particularly described as follows:

BEGINNING at a point marking the intersection of the northern boundary of the Cole Harbour Road and the eastern boundary of Hughallen Drive. Said point also marking the south western angle of lot Z herein described.

THENCE by the magnet of the year 1960 north zero seven degrees twelve minutes east (No 7° 12'E) along the eastern boundary of Hughallen Drive a distance of two hundred and forty-seven and nine tenths feet more or less (247.9'+) to a point;

THENCE south eighty-two degrees forty-eight minutes east (S82°48'E) a distance of eighty and zero tenths feet more or less (80.0'+) to a point;

THENCE south zero seven degrees twelve minutes west (S07°12'W) a distance of two hundred sixty-two and zero tenths feet more or less (262.0'+) or to the northern boundary of the Cole Harbour Road.

THENCE north seventy-three degrees zero three minutes west (N73°03'W) along the northern boundary of Cole Harbour Road a distance of eighty-two and nine tenths feet more or less (82.9'+) to the PLACE OF BEGINNING. Motion Carried.

Councillor Deveaux asked if this property would return to the original owner and he was assured by the Solicitor that this was so.

It was moved by Councillor Hudson, seconded by Councillor McCabe:

Municipality of the County of Halifax
Temporary Borrowing Resolution \$110,000.00
Provision and Installation of an Additional
Comminutor, Pumps and Appurtances, Bissett
Lake Pumping Station, Cole Harbour

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 the provision and installation of an additional comminutor, pumps and appurtances, for the Bissett Lake Pumping Station, Cole Harbour.

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 One Hundred and Ten Thousand Dollars (\$110,000.00) for the purpose of the provision and installation of an additional comminutor, pumps and appurtances, for the Bissett Lake Pumping Station, Cole Harbour;

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 One Hundred and Ten Thousand Dollars (\$110,000.00) 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 One Hundred and Ten Thousand Dollars (\$110,000.00) 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.

It was moved by Councillor Fader, seconded by Councillor Slauenwhite:

Municipality of the County of Halifax
Temporary Borrowing Resolution - \$210,000.00
To construct a Water Booster Pumping Station
and Associated System, Cobequid Road, Sackville

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 constructing a water booster pumping station and associated system on the Cobequid Road, Sackville;

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 Two Hundred and Ten Thousand Dollars (\$210,000.00) for the purpose of constructing a water booster pumping station and associated system on the Cobequid Road, Sackville;

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 debenture 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 Two Hundred and Ten Thousand Dollars (\$210,000.00) 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 Two Hundred and Ten Thousand Dollars (\$210,000.00) 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.

It was moved by Councillor Lawrence, seconded by Councillor McCabe:

Municipality of the County of Halifax
Temporary Borrowing Resolution-\$124,000.00
Installation of Water Mains and Sewer Services
on part of the Hammonds Plains Road, West of
Bicentennial Drive, Bedford

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 installing water mains and sewer services on part of the Hammonds Plains Road, West of Bicentennial Drive, Bedford;

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 One Hundred and Twenty-four Thousand Dollars (\$124,000.00) for the purpose of installing water mains and sewer services on part of the Hammonds Plains Road, West of Bicentennial Drive, Bedford;

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 One Hundred and Twenty-four Thousand Dollars (\$124,000.00) 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 One Hundred and Twenty-four Thousand Dollars (\$124,000.00) 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

It was moved by Councillor Fader, seconded by Councillor Slauenwhite:

"BE IT RESOLVED THAT the Warden and Clerk be and they are hereby authorized and instructed to make application to Central Mortgage and Housing Corporation for a loan covering the following project:

No. 147-W-76 (A) Water - Cobequid Road, Sackville in the amount of \$146,000.00 and that they be and are hereby authorized and instructed to sign the required agreements as prepared by Central Mortgage and Housing Corporation." Motion carried.

It was moved by Councillor Johnson, seconded by Councillor Lawrence:

BE IT RESOLVED THAT the Warden and Clerk be and they are hereby authorized and instructed to make application to Central Mortgage and Housing Corporation for a loan covering the following project:

No. 156-E-76 - Sewer - Bissett Road, Cole Harbour, in the amount of \$74,000.00 and that they be and are hereby authorized and instructed to sign the required agreements as prepared by Central Mortgage and Housing Corporation." Motion carried.

The next item on the Agenda was the Report of the Municipal School Board. The Municipal Clerk pointed out that this report dealt with two items - (1) High School Students attending Halifax Schools and (2) Capital Requests re furniture, equipment, improvements to school grounds and library books.

It was moved by Councillor McCabe, seconded by Councillor Anderson:

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

Councillor Lawrence asked about the lapse between November, 1975 and August 1976 with regard to negotiations with the Government.

The Municipal Clerk advised that the situation was that while Council had approved capital projects in principal, they were approved subject to Provincial Government cost sharing. He stated that they had received no indication from the Government until the Minister released some items from the moratorium. This approval did not include improvements to school grounds. At the August Session of Council, the Council, approved the five-year projects that were released under the moratorium as well as these improvements.

Councillor Hudson stated that she found it all very confusing.

Councillor Deveaux asked if there was any problem in submitting the forms.

The Municipal Clerk advised that it was not a simple procedure to go through and when going through these procedures for five years one is working "in the dark". Each project had to be broken down and projected.

Councillor Anderson commented that it appeared that the Province says that "we will not do this until you do that" and it all seemed very childish. He stated that he was pleased to learn that the holdup is not the fault of our own staff.

Councillor Lawrence reiterated that the fact remained that it has taken a year from the time Council approved the expenditure, and asked why Council had not heard in that time that it was bogged down.

The Municipal Clerk advised that this did not come up officially until the Minister released five or six projects from the moratorium.

Councillor Slauenwhite commented that there was plenty of reference made in this Council to the effect that the Provincial Government was not releasing these projects. Council was hearing the reports month after month that projects were not released from the moratorium. The Department

of Education through the Provincial Government released the capital projects from the moratorium and we have to await their pleasure.

Mr. Bensted advised that application had been submitted in November subject to completion of cost sharing by the Provincial Department of Education. They were fully aware of all the items Council had received from the Municipal School Board. He stated that at the time there was quite a discussion in Council about the school ground improvements.

Councillor Gaetz asked how five-year projects could be estimated the way prices are escalating.

Mr. Bensted said that one just has to sit down with a crystal ball and estimate. Each project has to be gone through for each year. When you get into the current year, you can get definite amounts. He advised that we do not know ahead what cost sharing the Province will be giving. He stated in this day and age when you go beyond one year it is very grey.

Councillor Hudson spoke on the children attending the City schools and commented that in order to move the children out of the City of Halifax Schools it would be necessary to build additional classrooms - and we would then be leaving empty classrooms. She felt it was illogical for us to move the children where we know they are receiving a good education and for us to build additional classrooms.

Councillor Nicholson commented that schools become un-administratable when they get too large.

Councillor Killam asked if the Provincial Government could not be made aware of the need for new busses, new teachers, new classrooms, by the Municipal School Board and request a Provincial Grant and ask that these be cost sharing.

Councillor McCabe stated that it is the intention of the Municipal School Board to approach the Government on this.

After much discussion it was moved by Councillor Hudson, seconded by Councillor Lawrence:

"THAT a meeting be arranged between representatives of the Municipal Council and the City of Halifax Council and the Minister of Education with respect to High School Students attending City Schools and the fees being charged by the City of Halifax for tuition and the possibility of Halifax County having to construct additional High School facilities." Motion carried.

The next item on the Agenda was the Report of the School Capital Program Committee.

It was moved by Councillor Nicholson, seconded by Councillor Gaetz:

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

Councillor Hudson commented on the High School being built in the Sub-Dartmouth-System and the fact that the Minister of Education had made it clear that he is in favour of combining schools and public libraries. She commented that it might be a very useful time for him to "put his money where his convictions are" and consider cost sharing and enlarge schools that could serve as a school and a library. She felt this matter should be discussed with the Minister.

Councillor Gaetz asked if there was any word back from the Department of Health with regard to the well on the Junior High location.

Mr. Bensted advised that a report had been received from the Provincial Department of Mines as to their assessment of the safe yield of this well and it has now gone to the Department of Health as to whether they would approve this well with a reservoir. He stated that the results of the seventy-two hour pump test was considerably lower than what the well driller stated he was receiving. He stated that he hoped the Department of Health would approve the well with a suitable reservoir at the school. He also stated that they had not yet received the results of the chemical contents.

Councillor Gaetz advised that people in the area are getting uneasy that it would be ready for the 1977 term, and he would like to see that every effort is put forth on this project.

It was moved by Councillor Hudson, seconded by Councillor Gaetz:

"THAT a letter be written to the Minister of Education with respect to cost sharing of Public Libraries in conjunction with new school construction." Motion carried.

The next item on the Agenda was the Report of the Finance and Executive Committee.

It was moved by Councillor Nicholson, seconded by Councillor Smith:

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

Mr. Bensted gave an outline on the various matters contained in this report.

Councillor MacKenzie spoke with regard to the Tourist Information Centre at the Halifax International Airport and felt that if the Municipality did not have a representative there the County would be "missing the boat". He felt that some valuable information with regard to industrial promotion and other lines could be provided. He felt we should be interested in having someone there, and asked if this centre would be a year-round operation.

The Municipal Clerk advised that this information was not contained in the letter - only the fact that it would be opening in May of 1977, however, we can obtain this information.

Warden Settle commented that we have two Tourist Associations in the County and it was his feelings that they could make this information available.

Councillor McCabe spoke on the proposed amendment to the Building By-law and said he was concerned about this as repairs and renovations were two different things. He said he failed to see why a person should spend \$2,000.00 to do ordinary maintenance every year.

Mr. Cox, Municipal Solicitor, stated that there is a difference between renovations and repairs. Repairs are those things which restore a building to its original state. Renovations often include lot clearances, additions to the present structure - and that is one of the reasons a building permit is required. You do not need a permit to paint, but if there is a structural alteration a building permit is required.

It was moved by Councillor Gaetz, seconded by Councillor Nicholson:

"BE IT RESOLVED THAT the Clerk be and he is hereby directed to establish an Advance Poll for the 1976 elections in each Polling District of the Municipality to be held on Friday, the 15th day of October, 1976, between the hours of ten o'clock, and twelve o'clock in the forenoon, two o'clock and five o'clock in the afternoon and seven o'clock and nine o'clock in the afternoon - Atlantic Daylight Saving Time." Motion carried.

Councillor Smith asked if there was any particular reason for Friday instead of Saturday.

The Municipal Clerk advised that the day had been set by Council, that it was the opinion of Council that it would take care of people who would be away on Election Day or away for the week-end.

It was moved by Councillor Lawrence, seconded by Councillor Nicholson;

"BE IT RESOLVED THAT the Schedule of recommended fees attached hereto for the 1976 municipal elections be and the same is hereby adopted." Motion carried.

It was moved by Councillor Hudson, seconded by Councillor McCabe:

"WHEREAS the Secretary of the Bedford Service Commission has advised the Municipality concerning negotiations between the Commission and the Provincial Department of Highways with respect to the purchase by the Department for road improvement purposes, part of the Commission's lands being part of the former Bedford Rifle Range property.

AND WHEREAS the lands in question were originally obtained on behalf of the Bedford Service Commission by the Municipality.

AND WHEREAS it is necessary for the proposed sale to be approved by Council and by the Minister of Municipal Affairs.

BE IT RESOLVED THAT a sale based on the above referred to negotiations be approved subject to the Commission providing the required information concerning resolutions by the Commission, plans and descriptions." Motion carried.

It was moved by Councillor Hudson, seconded by Councillor Lawrence:

"BE IT RESOLVED THAT the Municipal Solicitor be and he is hereby instructed to present to the Legislature, as soon as possible legislation amending the Municipality's authority for temporary borrowing for street paving purposes, a copy of this is attached to this resolution." Motion carried.

Councillor Hudson commented that she thought it would be a nice gesture to start the new Council off with clean desks and asked if we had received an estimate on repairs.

The Municipal Clerk advised that the Finance and Executive Committee had approved the expenditure and that we are attempting to get a contractor to get at the work. He said the desks had originally been made by the Shipyards and that it was hoped that the work would be done by November.

It was moved by Councillor McCabe, seconded by Deputy Warden Streach:

"THAT the Secretary of the Board of Health be requested to furnish a statement of the number of applications for Building Permits and Percolation Tests in the various Districts over the last twelve months showing those that were recommended and those that were rejected." Motion carried.

Deputy Warden Streach spoke of a man in his area who had purchased a mobile home and which he had placed on an approved lot. He gave a lengthy report on this gentleman and his attempts to get a power hook-up and his failure to do so and he wondered if something could not be done.

It was moved by Deputy Warden Streach, seconded by Councillor Gaetz:

"THAT Council authorize the Nova Scotia Power Corporation to provide a temporary electric hook-up to a mobile home owned and occupied by Mr. Dale Ashley of Dutch Settlement."

The Municipal Solicitor advised that we do not have the authority to change the legislation. He stated that this is legislation that we had difficulty in obtaining and the legislation cannot be amended by this Council. The legislation stated that Public Utilities, in this case the Power Corporation, is not permitted to make a connection unless the permits are obtained. He reiterated that Council has no authority to change the legislation - no authority to violate the legislation.

Deputy Warden Streach agreed that this would not be the proper thing to do. He added that he just wondered if something could not be done for this man. He commented that he sat on the Social Assistance Committee and every day we see cases that are dealt with, and he wondered if something could not be done for this man to give him time to get the permits. He added that if this man and his four children are put out and he asks for Social Assistance, we will have to provide that.

Mr. Cox, commented that there was considerable enthusiasm for the passing of this legislation that would give us very effective check-up on mobile homes in the County.

The Municipal Solicitor ruled that the motion was illegal. Warden Settle ruled that he could not accept the motion.

It was then moved by Deputy Warden Streach, seconded by Councillor Deveaux:

"THAT the Chairman of the County Board of Health be requested to get the necessary approvals for Mr. Dale Ashley speeded up." Motion carried.

Councillor Gaetz stated that the residents along the Eastern Shore would like more police protection as he stated that there had been a considerable amount of vandalism.

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

"THAT a letter be forwarded to the Honourable Garnet Brown and the Attorney General of the Province of Nova Scotia requesting additional police patrol throughout the Municipality of the County of Halifax in order to control the amount of vandalism taking place." Motion carried.

Councillor Gaetz also spoke on the subject of the City Market. He commented that it was of great concern to those attending the market. Vendors are moved from pillar to post with one of the worst problems being that they do not know from time to time where they are going to be. He stated that they are advised around five o'clock where they will be the next week and by that time all their customers have left. He stated that they would like to know in advance - say even in the morning - so that they could advise their customers where they will be the next week. Councillor Gaetz was wondering if Deputy Warden Streach could put in a word on the Committee on which he serves to speed this up.

Deputy Warden Streach said that this had been discussed at various meetings.

Warden Settle advised that he had attended a meeting with the vendors. It was brought out that there were different shows coming to the Forum and it would be necessary for them to be moved around. However, he agreed that some effort should be made to prepare some kind of schedule.

It was moved by Councillor Gaetz, seconded by Deputy Warden Streach:

"THAT a letter be forwarded to the City of Halifax requesting that the occupants of the City Market be given advance notice of any change of location on any certain date." Motion carried.

Councillor Fader asked when the next Session of Council would be and was advised by the Municipal Clerk that it would be Tuesday, October 12th., 1976 at 10:00 a.m. This is in accordance with our By-laws when, in Election year, the Council is held one week in advance.

Councillor Gaetz advised that there were two gentlemen in his area who had taken on the pumping out of septic tanks and they were advised that they could not haul into Dartmouth. He asked if there was anything that could be done about this situation.

The Municipal Clerk suggested that Councillor Gaetz get in touch with Mr. Gallagher, Director of Public Works and give him the names of these gentlemen to see if he could make some arrangements with the City of Dartmouth.

Councillor Deveaux commented on the letter from the Secretary of the Municipal School Board expressing the opinion that he did not look, to him, as though they had given much consideration to the policy re more use of the schools.

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

"THAT the Municipal Clerk take steps to publicly advertise the Loitering By-law." Motion carried.

Councillor Deveaux commented that once in a while, a few words are heard from the City of Dartmouth on the subject of amalgamation.

Warden Settle advised that there had been no official correspondence - that one hears "rumbles" on the street. He said that there had been some presentation made by groups that there should be a study on the matter by an independent source, but that there had been nothing official on the matter.

The Municipal Clerk advised that the City of Dartmouth, officially, have done nothing about it.

Councillor Hudson commented that the Board of Commissioners of Public Utilities had made a recommendation that a study be carried out and very probably, it would be carried out through the Metropolitan Area Planning Commission.

Councillor MacKenzie asked a question about non-resident voters and was advised by Mr. Cox that people with properties in two districts had just one vote - the area in which they lived - UNLESS it was a case of no election in the area where they lived and an election being held in the other area where he owns property, THEN he can vote in that area.

Councillor Hudson asked if we were getting any closer to information regarding restricted hunting.

Mr. Bensted, Municipal Clerk, advised that we are getting replies from the Department of Lands and Forests but they are not very encouraging.

It was moved by Councillor Hudson, seconded by Councillor Williams:

"THAT Council adjourn." Motion carried.

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MINUTES OF THE OCTOBER SESSION OF THE MUNICIPAL COUNCIL
OF THE THIRD YEAR COUNCIL OF THE THIRTY-EIGHTH COUNCIL
OF
THE MUNICIPALITY OF THE COUNTY OF HALIFAX

The October Session of the Council of the Municipality of the County of Halifax convened at the Municipal Administration Building at 10:00 a.m. Tuesday, October 12th., 1976 with Warden Ira S. Settle presiding.

Following the Lord's Prayer, the Municipal Clerk called the Roll.

Warden Settle welcomed Councillor Dunbar back to Council and expressed the hope that his health would continue to improve.

It was moved by Councillor Fader, seconded by Councillor Slauenwhite:

"THAT Miss Doris Leonard be appointed as Recording Secretary for this Session of Council." Motion Carried.

It was moved by Councillor Nicholson, seconded by Councillor Smith:

"THAT the Minutes of the September 21st., 1976 Session of Council be approved." Motion Carried.

It was moved by Councillor Anderson, seconded by Councillor Hudson:

"THAT the Minutes of the Special Session of Council held on September 28th., 1976 be approved." Motion Carried.

Mr. Bensted, Municipal Clerk, brought the attention of Council to the letter from Mrs. Shirley Freer tendering her resignation as a Member of the Halifax County Board of Health. It was moved by Councillor Hudson, seconded by Councillor McCabe:

"THAT WHEREAS Mrs. Shirley Freer has tendered her resignation as a Member of the Board of Health of the Municipality of the County of Halifax,

BE IT THEREFORE RESOLVED THAT the said resignation be and the same is hereby accepted with regret." Motion Carried.

Councillor Deveaux spoke on the honour received by Warden Settle on being appointed as President of the Union of Nova Scotia Municipalities, and it was moved by Councillor Deveaux, seconded by Councillor Nicholson:

"THAT congratulations and best wishes be extended to Warden Settle on his appointment as President of the Union of Nova Scotia Municipalities." Motion carried.

With regard to that part of the Report of the Warden dealing with one of the resolutions adopted by the Conference of the Union of Nova Scotia Municipalities where it was unanimously adopted by the Conference that they support the Provincial Government to obtain a Federal subsidy to help alleviate rising power costs it was moved by Councillor Killam, seconded by Councillor Nicholson:

"THAT the Municipal Council of the Municipality of the County of Halifax go on record as supporting the Provincial Action re Power rates." Motion Carried.

It was moved by Councillor Nicholson, seconded by Councillor Lawrence:

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

The next item on the Agenda was the Report of the Director of Planning and Development.

It was moved by Councillor Gaetz, seconded by Councillor Nicholson:

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

The Report of the Planning Advisory Committee was then dealt with. The Municipal Clerk gave a brief outline of the various items contained in this report.

Deputy Warden Streach spoke with regard to Item No. 4 - Application No. 27-76. It was moved by Deputy Warden Streach, seconded by Councillor Gaetz:

"THAT Item No. 4 be deleted from this Report and dealt with as a separate item." Motion Carried.

It was moved by Councillor Nicholson, seconded by Councillor Gaetz:

"THAT the Report of the Planning Advisory Committee be approved as amended." Motion Carried.

It was moved by Councillor Gaetz, seconded by Councillor Slauenwhite:

"BE IT RESOLVED THAT the Zoning by-law be and the same is hereby amended by rezoning lands in the Shunamon Grove Subdivision at Beaverbank from G. (General Building Zone) to R-2 (Residential Two Family Dwelling Zone). Application No. 22-76 as amended." Motion Carried.

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

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands on Arnold Drive of the H.W. Arnold Subdivision, Fall River from G (General Building Zone) to R-2 (Residential Two Family Dwelling Zone). Application No. 23-76 as amended." Motion Carried.

Councillor Hudson commented that she was extremely disappointed that the Planning Advisory Committee was making this recommendation. She further commented that there was one lot with a mobile home and by this rezoning it would mean that if the owner of this mobile home loses her home by fire she cannot replace it and Councillor Hudson felt this was most unfair.

Councillor Killam said he understood the lady in question to say that if she lost her mobile home she would not plan to replace it with another mobile home.

Councillor Hudson commented that at the Public Hearing, the lady had stated that in many cases the insurance is paid only if the person buys another mobile home.

Councillor Lawrence stated that both Councillor Killam and Councillor Hudson were correct, that on two different occasions the lady had stated both these things.

Councillor Fader asked if there was any reason why the Committee could not have rezoned the mobile home lot.

Councillor Nicholson felt that Councillor Fader was right. He said he had been concerned about the corner lot and thought Mr. Pick's lot should have been deleted.

Councillor Fader felt that Mr. Pick had every right to protect his land.

Councillor Slauenwhite reminded the members of Council that this was only a recommendation to Council that it could be changed.

It was then moved by Councillor Anderson, seconded by Councillor Fader:

"THAT Lot No. 4 and Lot No. 90 be eliminated from the R-2 Zoning and remain as "G" (General Building Zone)". Amendment Carried.

Councillor Dunbar asked for clarification about the remarks of the owner of the mobile home and asked if he was correct in his feeling that this would place the individual in a position that the owner would not be in a position to build a normal house.

Councillor Nicholson advised that what the lady had said was that the type of insurance could only be used to replace a mobile home with a mobile home.

Councillor Dunbar said he could not agree with this type of insurance and Deputy Warden Streach remarked that he had recently been through the experience of collecting insurance and advised that many people are finding it difficult to insure mobile homes.

Deputy Warden Streach asked if we were stating that if they stay as they are they will be non-conforming and Councillor Nicholson advised that it was staying General Building Zone.

Councillor Lawrence commented that the reason for this rezoning was for the people who lived on Arnold Drive. She stated that there was a lot of discussion as to whether Mr. Pick's Building Permit would be able to be issued. She commented that the whole point was to protect the area. She stated that she could see leaving out the mobile home to protect the lady in question, but she felt to leave Mr. Pick in General Building Zone defeated the purpose.

Councillor Nicholson stated that the Hearing was for rezoning, that he had cautioned the people to speak on rezoning - not on Mr. Pick. He commented that Mr. Pick had not broken any laws and he did not see why we should zone him out of business.

Councillor Killam asked if one was led to believe that if this was put back into General Building that the business could do nothing in the area of General Building.

Councillor Nicholson said he could operate on his own home lot.

Councillor Killam said it was his belief that the citizens in the whole community were concerned about the "dump yard look". He said his feeling was that the gentleman would be able to stay where he was but with no expansion, but if this is made General - he can immediately start expanding.

Councillor Dunbar stated that early in the Spring, concern was expressed by the residents of Arnold Drive and he had received a number of calls objecting to the encroachment of commercial business in their particular area. He advised that Councillor Hudson had also appeared before the Committee and spoke of the concern of the people. He stated that this was the whole purpose of the rezoning - that this area was almost one hundred percent residential. He further stated that it was not discrimination against Mr. Pick, but he was the one involved in the commercial phase.

Councillor Hudson said it was her understanding that Mr. Pick would get his Building Permit.

The Municipal Clerk advised that he had to meet all the requirements of the By-law - that the Building Inspector will take into consideration the merits of the application.

Deputy Warden Streach said he agreed with Councillor Killam and Councillor Lawrence - that we were asked to rezone this because of the objection of the commercial business. This man would be able to stay in business and that we could include the mobile home. He said he was led to believe at the Public Hearing that in the case of insurance the lady could replace her mobile home with another mobile home. He said he did not think that the County should put a man out of business and felt the whole thing was rather confused. He said he agreed with the rezoning.

Councillor Fader said the reason for Mr. Pick buying this piece of property was so that he could put his business there. He felt that the man had every right to expand his business and felt that he deserved protection as well as the R-2.

Councillor Killam commented that if this went back to General Building in an area that was over ninety percent residential, then if this man sold out at a good price, absolutely anything could go in there. He said he would vote against that, but felt that the man should be protected, have his own business, as it is now, but the people of that community would get the short end of the stick if the zoning goes back to General Building Zone. He felt if it went back to a General Building Zone it would be a negative action.

Councillor Anderson asked if we had lost sight of the fact that any individual can apply for zoning.

Councillor Nicholson commented that we cannot compel Mr. Hefler to give a Building Permit, but it is still a non-conforming use and if his building is burned down he cannot re-build. He stated that he agreed with Councillor Hudson that the lady was there before any of them and should be protected, the man did everything he should and he should be protected - he is only going to spread on that piece of land.

A standing vote was taken on this amendment with the result thirteen (13) for; three (3) against. Warden Settle declared the amendment carried.

It was moved by Councillor Lawrence, seconded by Councillor Nicholson:

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of R. Covill in the Mary C. Corkum Subdivision at Hacketts Cove from G (General Building Zone) to I-1 (General Industrial Zone). Application No. 24-76." Motion Carried.

Deputy Warden Streach then spoke on Item No. 4 - Application No. 27-76, Garfield Drake - Mobile Home Park Zone - District No. 3. He stated that he was not fully aware of the fact that for this rezoning application to be heard that there has to be a Public Hearing. He commented that two Public Hearings had already been held. He felt that we were being unfair with regard to this Trailer Park. He spoke on the application of Mr. Drake which is before this Council in which he had stated the four items required - a petition with the required signatures - a fence to be constructed - reduction of the number of trailer sites and disposal of garbage daily. He stated that we have letters from the Department of Public Health and the Department of the Environment which stated that the inspectors have no reservations as to the location of the camp site. He said he could not vote against this man having the rezoning and if it means that there has to be a Public Hearing, he would have to recommend a Public Hearing.

It was moved by Deputy Warden Streach, seconded by Councillor Anderson:

"THAT Council direct the Planning Advisory Committee to hold a Public Hearing with respect to Application No. 27-76 - Garfield Drake." Motion Carried.

Mr. Gough, Director of Planning and Development advised that it was his personal thoughts that Mr. Drake had decided to cut down the number of sites. He also stated that the land was exceptionally small to be considered for a seasonal camping site.

Councillor Deveaux asked if the Public Hearing could not be held by Council and was advised by the Municipal Solicitor that this authority has been delegated to the Planning Advisory Committee to hold these Public Hearings.

Councillor Dunbar asked for clarification by the Solicitor as to why there must be a Public Hearing. He said it was his belief that one of the options of the Planning Advisory Committee was that a Public Hearing not be held if there was a majority vote.

The Municipal Solicitor advised that there has to be a Public Hearing in order for a rezoning to take place. He said it was his opinion that Council could give direction to the Planning Advisory Committee to hold a Public Hearing. If there is to be a change in rezoning there has to be a Public Hearing. If rejected, the applicant can apply to the Provincial Planning Appeal Board. He advised that Planning Advisory Committee can refuse to hold a Public Hearing unless Council directs them to hold one - but if you want to rezone, there must be a Public Hearing.

Councillor Nicholson stated that Council is still supreme - the Committees can make recommendations to Council, but it is Council that makes the decision.

Councillor Deveaux asked if a Public Hearing is held on the Drake case can it be worded in the agreement that approval be made provided he reduces the number of sites. He was advised by the Solicitors that we could not do this.

Councillor Killam commented that this item had come up previously and the Planning Advisory Committee had made recommendations that were approved by this Council and he commented that he found it strange that this matter was coming up again with no new evidence. He said he found it difficult when he hears the Planner state that this property is not big enough for two homes and this man is going to put so many units there - there is bound to be pollution. In fairness to Planning, he continued, what is the purpose of a new Public Hearing when there is no new evidence. Council approved a Public Hearing before and this was held - there are other steps that this man can take.

Deputy Warden Streach said he begged to differ with Councillor Killam. He commented that this man had two steps he could take - he could come back to this Council or he could go to the Appeal Board. He chose the first. He then read a letter from Mr. Drake. Deputy Warden Streach said he felt that the length of the lot made this property favourable for a trailer park. He stated that a large portion was surrounded by St. Margaret's Bay and that Mr. Drake had a two-decker boat which he used for sight-seeing tours and deep sea fishing and this was advertised on his brochure. He stated that there was very strong indication by Planning that the people of the area did not want this trailer park, yet he was able to present a petition with signatures of people who bore no objection. He said he could not agree with Councillor Killam that there was no new evidence.

Councillor Anderson moved:

"THAT discussion cease." (No Secunder)

Councillor Hudson advised that her reason for voting for the Public Hearing was that this man was told he could come back and apply for a Public Hearing within six months.

A standing vote was taken on the motion with the result fourteen (14) for, three (3) against. Warden Settle declared the motion carried.

The Municipal Clerk advised that both Mr. Drake and his Solicitor were advised only that there was nothing to prevent them from making another application.

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

"THAT the Planning Advisory Committee take a serious look at the minimum requirements re lot areas and side-line requirements re Seasonal Camp Sites." Motion Carried.

Councillor Slauenwhite stated that it is not the size of the Trailer Park that counts, it is the size per trailer that is our concern.

The Supplementary Report of the Chief Building Inspector was then dealt with. It was moved by Councillor Gaetz, seconded by Councillor Slauenwhite:

"THAT the Supplementary Report of the Chief Building Inspector be approved." Motion Carried.

The next item on the Agenda was the Report of the Municipal School Board.

It was moved by Councillor Hudson, seconded by Councillor Slauenwhite:

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

Councillor MacKenzie commented on the item re markers of school properties and asked if all properties were so marked.

The Municipal Clerk advised that there are some lots on which permanent markers have been placed but not many. He stated that this could be a fairly expensive business, that it requires surveys to be done after the school is completed. He stated that surveys are made but then during construction some of this may be changed.

Councillor Gaetz commented that he had heard a radio report where the Deputy Minister was going to ask for special consideration for the Municipality of the County of Halifax and he was wondering if the Council should back him up in this special consideration. He felt that the Council should support the Municipal School Board.

Councillor McCabe advised that the School Board had met with Education Authorities on several occasions and it was agreed that as our enrolment is increased they will give consideration to the number of teachers we will have.

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

"THAT Council go on record requesting that the Provincial Department of Education give special consideration with respect to approval of additional teaching positions in view of the increased enrolment in schools in the County of Halifax." Motion Carried.

Councillor Gaetz also requested that a copy of this motion be sent to the Members of the Legislative Assembly for Halifax County.

Councillor McCabe spoke on the vandalism at the Musquodoboit Rural High School and said that the offenders had been caught. He also said he was glad to report that they were not "long time" residents of the area.

Councillor Williams asked if the culprits were going to be made to pay. He felt if they were going to be let off with a "slap on the wrist", this was not good.

The next report was the Report of the School Capital Program Committee.

It was moved by Councillor Gaetz, seconded by Councillor Nicholson:

"THAT the Report of the School Capital Program Committee be approved." Motion Carried.

The next item was the Report of the Finance and Executive Committee.

It was moved by Councillor Slauenwhite, seconded by Councillor Fader:

"THAT the Report of the Finance and Executive Committee be approved." Motion Carried.

Councillor Gaetz asked how the Anti-Inflation Board would go along with the extra \$50.00 for the delegates to the Conference.

Councillor Gaetz asked if the Honourable Walter Fitzgerald could not meet with Council instead of with the Finance and Executive Committee.

Councillor Williams spoke with regard to the assessment of widows and asked if this meant that all people getting the Widow's exemption would have to re-apply.

The Municipal Clerk, Mr. Bensted, advised that forms will be going out with the Assessment Notices, and that this will be a yearly procedure.

Councillor Lawrence commented that she felt it was high time expenses re conventions were

looked at on a business-like basis. She felt there was no reason why the Municipality should pay any more or any less for conferences, and recommended that this should be put on a business-like basis with expense sheets, receipts required, and if the County had issued more than was needed the balance should be returned, or if more had been paid out, then the County should reimburse. This would apply to all conferences attended.

Speaking on the exemptions, Councillor Anderson commented that the Act provides that 65 years or over, may be exempted. He asked the Solicitor if this recommendation meant that any other Municipality could handle it differently than us.

The Solicitor advised that each Municipality would handle the situation in their own way.

Councillor Anderson commented that the County, by not recognizing the age 65 would be in error that this is the first time exemption has ever been given to persons over 65.

Mr. Cox advised that they could apply under the Assessment Act or Special Legislation. The question of exemption is left entirely up to each individual Municipality.

Councillor Anderson noted that they have removed un-married women from exemption and was advised by the Municipal Clerk that this comes under single parent family.

Councillor Deveaux said he agreed with Councillor Lawrence on the allotments re conferences. This should be referred back to the Finance and Executive Committee. He was advised by the Municipal Clerk that Finance and Executive Committee had recommended that this be dealt with on a yearly basis.

It was moved by Councillor Gaetz, seconded by Councillor Smith:

"THAT the Honourable Walter Fitzgerald be invited to meet with the Council, as a whole, instead of the Finance and Executive Committee." Motion Carried.

A standing vote was taken on this motion with the result thirteen (13) for; three (3) against. Warden Settle declared the Motion Carried.

It was moved by Councillor Hudson, seconded by Councillor Nicholson:

"BE IT RESOLVED by the Municipal Council of the Municipality of the County of Halifax:

THAT an exemption from taxes for the year 1977 be granted pursuant to Section 136A of the Municipal Act in the amount of One Hundred Dollars (\$100.00);

THAT the exemption be granted to every person assessed with respect to taxable property in the Municipality of the County of Halifax who is:

- (a) A widow or widower; or
- (b) The head of a single parent family supporting a dependent within the meaning of the Income Tax Act (Canada);

THAT the exemption be granted only to persons whose total income from all sources for the year preceding the year for which the exemption is sought is less than forty-five hundred dollars (\$4,500.00) and who files with the Clerk of the Municipality an affidavit setting forth a breakdown of his total income from all sources in the year preceding the year for which the exemption is sought;

AND THAT the Clerk send a copy of this Resolution to the Department of Municipal Affairs." Motion Carried.

It was moved by Deputy Warden Streach, seconded by Councillor McCabe:

"WHEREAS the Municipal Council has approved in principle the granting of a lease agreement with the Board of Management of the Halifax County Hospital with respect to the use of two buildings at Cole Harbour located on County owned land opposite the Halifax County Hospital;

AND WHEREAS the lease has been duly prepared by the Municipal Solicitor and has been executed by the Board of Management of the Halifax County Hospital.

BE IT RESOLVED THAT the Warden and the Clerk be and they are hereby authorized and instructed to execute the said lease agreement, a copy of which is attached to this resolution, on behalf of the Municipality." Motion Carried.

It was moved by Councillor Anderson, seconded by Councillor Lawrence:

"WHEREAS the Bay Road, District No. 3 Fire Department has requested a loan for capital purposes in the amount of \$30,000.00 for the purpose of constructing a fire station at Lewis Lake, this loan to be repaid over a period of fifteen years including principal and interest.

BE IT RESOLVED THAT the Council authorize such loan for capital purposes to the Bay Road District No. 3 Fire Department subject to the title of the land being vested in the Municipality of the County of Halifax and subject to the Fire Department applying for and receiving a building permit and highway approval covering the project.

AND BE IT FURTHER RESOLVED THAT the loan be subject to the express provision that if the required principal and interest payments are not made in accordance with the terms of the loan that the Municipal Council reserves the right to levy an area rate in order to recover any outstanding payments." Motion Carried.

It was moved by Councillor Slauenwhite, seconded by Councillor Fader:

"WHEREAS the ratepayers of Middle Sackville wish to provide a cross walk guard in the Middle Sackville area with the cost involved to be covered by an area rate on the property owners in the Middle Sackville School Section.

AND WHEREAS in order to provide this service now it will be necessary to advance funds by the Municipality to cover the balance of the 1976 cost and the early portion of the 1977 cost prior to the setting of the appropriate annual area rate at the Annual Session of Council in March 1977.

BE IT RESOLVED THAT the Council approve of the advance of these funds in the amount of approximately \$825.00 subject to an area rate being submitted for approval at the Annual Session of Council in March 1977." Motion Carried.

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

"WHEREAS following the usual policy established by Council an advance of \$100.00 was made to delegates attending the Union of Nova Scotia Municipalities Conference at Sydney in September 1976.

AND WHEREAS the Finance Committee has reviewed the situation with respect to the actual costs involved and has recommended to the Municipal Council that the amount of expenses paid to delegates for the year 1976 be set at the sum of \$150.00 instead of \$100.00.

BE IT RESOLVED THAT the expense allowance payable to delegates attending such Conference be \$150.00." Motion Carried.

It was moved by Councillor Gaetz, seconded by Councillor Smith:

"WHEREAS Central Mortgage and Housing Corporation has approved a Municipal Incentive Grant Program with respect to encouraging medium density development;

AND WHEREAS the Incentive Program is subject to approval by each Province and requires a brief statement of the intended application of the grant funds to be received.

BE IT RESOLVED THAT Council confirm that the grant funds so received will be applied in a manner which meets Provincial Government requirements and that the actual decision as to how these capital funds are to be spent will be arrived at when the Municipal Council has better indication of the actual amount of dollars involved." Motion Carried.

Councillor McCabe asked if this was to discourage building in the rural areas.

Mr. Bensted, Municipal Clerk, assured the Councillor this was not the case. He stated that the intent of the program was to encourage medium density development. It would have to be in serviced areas for the grant to be available. He stated there was no assistance to the individual, the assistance was to the Municipality, and that the money is to be spent for capital purposes.

Mr. Bensted advised that with regard to the recent bond issue he had received a request for larger single debentures. It was moved by Councillor Hudson, seconded by Councillor Slauenwhite:

\$4,000.000. - Issuing Resolution - Amended - General Purposes

WHEREAS by resolution of the Municipal Council of the Municipality of the County of Halifax on the 20th day of July, 1976, and approved by the Minister of Municipal Affairs on the 28th day of July, 1976, the Council issued debentures, dated the 1st day of September, 1976, in the amount of Four Million Dollars (\$4,000.000) and numbered 76-B-001 to 76-B1442 inclusive in the sums authorized by the Warden and Municipal Clerk in accordance with Section 11 (4) of the Municipal Services Act;

AND WHEREAS the Municipal Council deems it necessary to cancel debentures numbered 76-B-105 to 76-B-254, 76-B-308 to 76-B-457, 76-B-501 to 76-B-550, 76-B-864 to 76-B-873, 76-B-876 to 76-B-877, 76-B-932 to 76-B-941, 76-B-839 to 76-B-863, 76-B-882 to 76-B-931, 76-B1117 to 76-B1121; 76-B1205 to 76-B1238, 76-B1300 to 76-B1333, 76-B1398 to 76-B1439, 76-B-551 to 76-B-571, 76-B-774 to 76-B-838, 76-B-942 to 76-B-955, 76-B-574 to 76-B-623, 76-B-634 to 76-B-663, 76-B-724 to 76-B-773 and 76-B-956 to 76-B1105, in the sum of One Thousand Dollars (\$1,000) each & 76-B-028 to 76-B-029 in the sum of Twenty-five Thousand Dollars (\$25,000) each and to issue debentures in other sums and not change the total principal amount payable in any one year;

THEREFORE BE IT RESOLVED THAT debentures numbered and payable as follows:

| | | |
|----------------------|------------|-------------------|
| 76-B-028 to 76-B-029 | payable on | September 1, 1982 |
| 76-B-105 to 76-B-254 | payable on | September 1, 1983 |
| 76-B-308 to 76-B-457 | payable on | September 1, 1984 |
| 76-B-551 to 76-B-571 | payable on | September 1, 1984 |
| 76-B-501 to 76-B-550 | payable on | September 1, 1985 |
| 76-B-774 to 76-B-838 | payable on | September 1, 1985 |
| 76-B-574 to 76-B-623 | payable on | September 1, 1985 |
| 76-B-634 to 76-B-663 | payable on | September 1, 1985 |
| 76-B-724 to 76-B-773 | payable on | September 1, 1985 |
| 76-B-864 to 76-B-873 | payable on | September 1, 1986 |
| 76-B-876 to 76-B-877 | payable on | September 1, 1986 |
| 76-B-932 to 76-B-941 | payable on | September 1, 1986 |
| 76-B-839 to 76-B-863 | payable on | September 1, 1986 |
| 76-B-882 to 76-B-931 | payable on | September 1, 1986 |
| 76-B-942 to 76-B-955 | payable on | September 1, 1986 |
| 76-B-956 to 76-B1105 | payable on | September 1, 1986 |
| 76-B1117 to 76-B1121 | payable on | September 1, 1987 |
| 76-B1205 to 76-B1238 | payable on | September 1, 1989 |
| 76-B1300 to 76-B1333 | payable on | September 1, 1990 |
| 76-B1398 to 76-B1439 | payable on | September 1, 1991 |

Be indelibly cancelled;

THAT debentures numbered and payable as follows:

| | | |
|----------------------|------------|-------------------|
| 76-B1443 to 76-B1492 | payable on | September 1, 1982 |
| 76-B1493 to 76-B1494 | payable on | September 1, 1983 |
| 76-B1495 to 76-B1500 | payable on | September 1, 1984 |
| 76-B1510 | payable on | September 1, 1984 |
| 76-B1501 | payable on | September 1, 1985 |
| 76-B1511 | payable on | September 1, 1985 |
| 76-B1513 | payable on | September 1, 1985 |
| 76-B1502 | payable on | September 1, 1986 |
| 76-B1503 | payable on | September 1, 1986 |
| 76-B1504 | payable on | September 1, 1986 |
| 76-B1505 | payable on | September 1, 1986 |
| 76-B1512 | payable on | September 1, 1986 |
| 76-B1514 | payable on | September 1, 1986 |
| 76-B1506 | payable on | September 1, 1987 |
| 76-B1507 | payable on | September 1, 1989 |
| 76-B1508 | payable on | September 1, 1990 |
| 76-B1509 | payable on | September 1, 1991 |

Be issued.

THAT debentures numbered 76-B1443 to 76-B1492 be issued in the sum of One Thousand Dollars

(\$1,000) each, that debenture numbered 76-B1506 be issued in the sum of Five Thousand Dollars (\$5,000), that debenture numbered 76-B1502 be issued in the sum of Ten Thousand Dollars (\$10,000), that debenture numbered 76-B1503 be issued in the sum of Twelve Thousand Dollars (\$12,000), that debenture numbered 76-B1512 be issued in the sum of Fourteen Thousand Dollars (\$14,000), that debenture numbered 76-B1510 be issued in the sum of Twenty-one Thousand Dollars (\$21,000), that debentures numbered 76-B1495 to 76-B1500 and 76-B1504 be issued in the sums of Twenty-five Thousand Dollars (\$25,000) each, that debentures numbered 76-B1507 and 76-B1508 be issued in the sum of Thirty-four Thousand Dollars (\$34,000) each, that debenture numbered 76-B1509 be issued in the sum of Forty-two Thousand Dollars (\$42,000), that debentures numbered 76-B1493, 76-B1501 and 76-B1505 be issued in the sum of Fifty Thousand Dollars (\$50,000) each, that debenture numbered 76-B1511 be issued in the sum of Sixty-five Thousand Dollars (\$65,000), that debenture numbered 76-B1494 be issued in the sum of One Hundred Thousand Dollars (\$100,000), that debenture numbered 76-B1514 be issued in the sum of One Hundred Fifty Thousand Dollars (\$150,000), and debenture numbered 76-B1513 be issued in the sum of One Hundred Thirty Thousand Dollars (\$130,000);

THAT debentures numbered 76-B1443 to 76-B1505 and debentures numbered 76-B1510 to 76-B1514 shall bear interest at the rate of ten and one-half (10½) per centum per annum, that debentures numbered 76-B1506 to 76-B1509 shall bear interest at the rate of ten and three-quarters (10 3/4) per centum per annum;

THAT the Warden and Clerk of the Municipality sign the debentures or have them impressed with a printed facsimile of his signature and the Clerk countersign the debentures, that they seal them with the seal of the Municipality, and that the Clerk sign the interest coupons or have them impressed with a facsimile of his signature." Motion Carried.

Councillor Hudson said she wished to express her thanks to the Councillors and Staff of the Municipality for nine years of municipal experience. She said she was sorry that some of the things she had hoped for had not come to pass, but stated that it had been a fascinating experience and she would not have missed it for anything.

Councillor Killam said that Councillor Hudson had expressed some of his sentiments, and he would like to thank the Press for their consideration and assistance in the last three years. He felt that the Staff Members had been most helpful. He felt that Mr. Cox and members of his Department had also been very helpful. He said that friendships had been formed in the last three years and he sincerely hoped that they would continue - that it had been great to have been here. He said he intended to keep his interest up in County Affairs and said that "dear knows what may happen in three years' time". He said, however, that he simply was not available at this time - this was the main reason for his not returning. He said he hoped apathy was not too great that there would be no contests in the Districts - he said there would be twenty-one Councillors - nine went in by acclamation and he hoped this was not a case of apathy. He stated, that in particular, he wanted to express how very helpful Mr. Bensted had been - he had been of a great deal of assistance and he was happy to have been involved with him and he trusted that the friendship formed would continue.

Councillor Dunbar stated that he was in the same position as "Silvia and Bucky", however, his decision not to re-offer had been a medical one. He said he felt the people of Bedford deserved a representative in here who was not blind. He stated that the last six months had been very trying - his wife acted as his chauffeur, read his minutes and all his correspondence. He also said he hoped the new representative would carry on two or three things that had been "pet project" to him, for instance, the three By-laws involving Gravel Pits and Excavations, Blasting and Dangerous Materials, and Removal and Movement of Topsoil. He said that the new representative agrees with him that those three By-laws are very important to Bedford. He said he was certainly going to miss everyone, but, like Bucky, I am going to be very interested in everything, and he hoped when he came in to the building, he would get the same co-operation and answers to questions that he has over the last six years. He also thanked all the Departments for their assistance and said that it surely made the work of a Councillor that much easier.

Councillor Johnson wanted to express his thanks to the Member of Council and the Staff Members of the Municipality for the co-operation he had received over the past twelve years. He said he was never very talkative in Council but he had achieved some of the things that had been lacking in his District and was grateful to Staff Members. He said he intended to remain active in his District and would retain his interest in Council.

Councillor Nicholson, said as one of the Senior Citizens he would like to thank the Councillors for their co-operation in Council and the work they have done. He congratulated those who had been returned by acclamation and wished the others who were having contests - Good Luck!

Councillor Williams expressed the opinion that with the absence of Silvia, Bucky, Dunbar and Arnold that the Municipality is going to be a lot poorer. He felt that we had all spent many happy days together and these four people would be greatly missed in Council.

Councillor Lawrence stated that she had gone to the Canadian Radio Television Committee because she felt very strongly about the fact that people in the St. Margaret's Bay area are not able

to pick up CBC. It was moved by Councillor Lawrence, seconded by Councillor Killam:

"THAT a letter go to the Head of Canadian Radio and Television Committee, to the Canadian Broadcasting Corporation and Federal Members of Parliament with regard to the Canadian Radio Broadcasting night time broadcasting in the St. Margaret's Bay area and the South Shore." Motion Carried.

Councillor Williams stated that we all know the energy crises is on us again. We all know that Premier Regan went to Ottawa and came back empty handed. He said he would like this Council to go on record asking the Public Utilities Board before they grant any increase in rates that they look into all aspects of Provincial Financing, and other ways of financing this before hitting the people in their pocketbooks. This will be felt all over Nova Scotia but we should be concerned about our own Municipality.

It was moved by Councillor Williams, seconded by Councillor Anderson:

"THAT the Board of Public Utilities be requested to look into all aspects of financing of the Nova Scotia Power Corporation before granting any increase in rates that will create additional hardship to persons on limited and lower incomes." Motion Carried.

Councillor Deveaux expressed the opinion that the Government was spending a great deal of money on the Bi-lingualism and the Celsius program and if they were to put a freeze on those items, there would be lots of money available.

Mr. Cox, advised that it must be realized that the application was made to the Board of Public Utilities under the Public Utilities Act and the Board can only make decisions under that Act. He said that some of the decisions made here were political. He said the Public Utilities are limited by their own terms of reference.

Councillor Williams stated that before the Public Utilities can make any decision on financing they have to look into the financial aspects to see if an increase is needed. He felt that they should look into all aspects with regard to the power rates.

Councillor Killam asked if the Public Utilities came under the Anti-Inflation Board for the eight to ten percent. The Solicitor said that he could not answer that.

Councillor Lawrence asked if it was within the discretion of the Public Utilities how this increase should be applied. The Solicitor advised that the entire rate structure comes under the Public Utilities Board.

It was moved by Councillor Lawrence, seconded by Councillor Killam:

"THAT the Public Utilities Board be urged to structure the electric power rates so as to encourage energy conservation, while at the same time, lessening the burden placed on those who restrict their power consumption to that needed for their basic domestic needs."

Standing vote four (4) for; thirteen (13) against. Motion Defeated.

Deputy Warden Streach remarked that basically we are being contrary to the first Resolution. A great number of people have said publicly that the Federal Government has a responsibility to the people. We as Canadians must be more equalized, that we certainly do not need a power increase. It may be that the Power Corporation needs the money but we do not need the increase.

Councillor Anderson spoke about the Sambro Basin Bridge. He stated that there is quite a large Fish Plant down there using heavy trucks - there has been the re-routing of school busses and parents are concerned about the bridge in a repaired condition. He asked the support of Council on the following motion.

It was moved by Councillor Anderson, seconded by Councillor Fader:

"THAT the Minister of Highways be requested to take immediate action to replace the bridge at Sambro Basin with a new structure at the earliest possible date." Motion Carried.

Councillor Gaetz spoke about the City Market. He said he understood that the new site at the Wolfe Building downtown was satisfactory to the people but that they had great difficulty in getting a place to park.

It was moved by Councillor Gaetz, seconded by Councillor Johnson:

"THAT a letter go to the City Manager with regard to parking provisions for vendors of the City Market."
Motion Carried.

Councillor Killam spoke about the notice that the Atlantic Winter Fair might possibly go to Windsor, Nova Scotia.

Deputy Warden Streach stated that, at this time, unless he is shown some very concrete evidence about such a move that he is not in favour of the Fair moving out of the City of Halifax. He felt it would be a drastic mistake. He said he did not know what the future facilities would be but the Atlantic Winter Fair had been assured by the City that they would do everything possible to keep it here.

It was moved by Councillor Nicholson, seconded by Councillor Hudson:

"THAT Council adjourn." Motion Carried.

M I N U T E S & R E P O R T S

of the

F I R S T Y E A R M E E T I N G S

of the

T H I R T Y - N I N T H C O U N C I L

of the

M U N I C I P A L I T Y O F T H E C O U N T Y O F H A L I F A X

SPECIAL NOVEMBER COUNCIL SESSION

Tuesday, November 16th., 1976

NOVEMBER COUNCIL SESSION

Tuesday, November 16th., 1976

MINUTES OF A SPECIAL SESSION OF THE THIRTY-NINTH COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

A Special Session of the Thirty-ninth Council of the Municipality of the County of Halifax convened at the Municipal Administration Building at 10:00 a.m. on Tuesday, November 16th., 1976 with Mr. H.G. Bensted, Municipal Clerk and Treasurer, chairing the Session.

Miss Doris Leonard was appointed Recording Secretary for this Special Session by the Municipal Clerk.

For the first order of business, Mr. Bensted read out the results of the Municipal Elections held on Tuesday, October 19th., 1976.

Mr. Bensted then proceeded with the swearing-in ceremony for the twenty-one new Councillors.

Mr. Bensted requested Mr. Cox, Municipal Solicitor, to explain the procedure with regard to the election of a Warden and Deputy Warden after which the Municipal Clerk called for nominations for the position of Warden.

Councillor Williams advised that he had a nominee to place before the Session - a man who has served this Municipality with distinction since 1952. Councillor Williams stated that he had had the honor of serving with this gentlemen in the old Court House. He stated that Councillor Ira S. Settle had served as both Deputy Warden and Warden and that this was a recommendation that spoke for itself. Councillor Williams commented that we needed a strong leader to take us through the next three years which he felt would be trying ones for this Municipality. He further stated that we are all aware of the honor lately bestowed on Mr. Settle by his election as President of the Union of Nova Scotia Municipalities - an honor not too many wardens have achieved. He felt this was an honor to this Municipality. He felt that our next Warden should be an experienced Councillor, experienced not only with Committee work but also in dealings with the Provincial and Federal Governments - and he felt that Councillor Settle would be able to give us the leadership we needed. He is respected in the Cities of Halifax and Dartmouth and as an ex-officio member of all committees he would be able to give guidance for after all - we now have a fifty percent new membership.

Councillor Williams said it was with pleasure that he nominated Councillor Ira S. Settle as Warden. This nomination was seconded by Councillor Gaetz.

Councillor Lawrence advised that she would like to nominate Councillor Eugene Deveaux, representative from Eastern Passage. She stated that Councillor Deveaux had been in Council for four and one-half years and was deeply involved in affairs in his own District, that he had been actively involved in some of the affairs in his District for over ten years, with a particular interest in the school. She stated that he was one of the major movers that has put Eastern Passage on the map with regard to tourism. As a member of the Armed Forces, now retired for two years, he would have the time to make this a full-time job and he feels it is time for a change in the County. He feels strongly that there is a lot that has to be remedied.

Councillor Lawrence stated that she had known Councillor Deveaux as a Member of the Board of Management of Ocean View Manor and respected him for the views he had taken on many things. She stated that he is a very tenacious fighter for those things he feels are right, and she was happy to nominate Councillor Eugene Deveaux for the position of Warden. This nomination was seconded by Councillor MacKay.

Councillor Benjamin stated that he was a new-comer and that he had a nomination he would like to make, but first would like to make a personal remark and say how pleased he was to be in these Council Chambers and it was his hope and wish that he would be able to make some contribution to this Council and to all former Councillors and Warden wanted to express his appreciation for their long hours of patience. He felt that we must not let personal feeling prejudice our selection - that the voters have sent back new faces and we must all work together.

Councillor Benjamin stated that his nominee was a very intelligent person. She was one who would co-operate with all levels of Government and he knew she would be a worthwhile person to fill the Warden's Chair. He stated that he would like to nominate Councillor Lawrence representative for District No. 3. He stated that she was a graduate of Queen's University and had been a resident in this Province for the past eleven years, has served in these Chambers - and even though she has three children she will be able to re-organize her life so that she will be able to devote her full time to the position, and it was with great pleasure that he nominated Councillor Elizabeth Lawrence for the position of Warden. This nomination was seconded by Councillor LaChance.

The Municipal Clerk called three times for any further nominations.

It was moved by Councillor Gaetz, seconded by Councillor Baker:

"THAT Nominations cease." Motion Carried.

The Municipal Clerk then advised that they would proceed with the balloting and asked that the three movers of the nominations come forward as scrutineers.

The results of the balloting were: Councillor Eugene Deveaux - four (4) votes, Councillor Elizabeth Lawrence six (6) votes and Councillor Ira S. Settle eleven(11) votes. Councillor Ira Settle was duly declared elected as Warden by the Clerk.

Warden Ira Settle then took the Chair. He stated before going into the procedure of electing a Deputy Warden, he wanted to thank the Councillors for having elected him and trusted that there would be no division within us and that we would all work together for the good of the Municipality. He stated that a Task Force Commission Report comes out loud and clear, that if there is not more co-operation between the Federal and Provincial Governments that the municipalities will disappear - but stated, that is their prediction, not his. He advised that two weeks previously he had appeared before the Board of Public Utilities with regard to paying grants in lieu of taxes by the Power Corporation - he said it would cost this Government \$250,000.00. Then on Monday, he had appeared as President of the Union of Nova Scotia Municipalities, before the Minister of Municipal Affairs with regard to the Province taking over the remaining 25% of the shareable cost of Education and this money being directed to relieving Municipalities. He gave his promise to look after this Municipality in this critical time.

Councillor Deveaux stood to thank the Councillors for their support and said it was much appreciated.

Councillor Lawrence wished Warden Settle well and was sure that we would benefit from his experience. She stated he would have her full co-operation.

The Municipal Clerk advised that the Deputy Warden is elected for a one-year term only and cannot succeed himself or herself. He stated that the previous Deputy Warden cannot be re-elected this year.

Councillor Poirier stated that she would like to introduce Councillor Arthur MacKenzie for the position of Deputy Warden, representative for District No. 11. She commented that there is a great list of Committees and Board of which he is or has been a member - and although she is a new member of Council, she had worked with Councillor MacKenzie on the Regional Library Board and found him very co-operative. She stated it was with pleasure that she nominated Councillor Arthur MacKenzie for the position of Deputy Warden. This nomination was seconded by Councillor Streach.

Councillor Deveaux stated that he would like to nominate Councillor George Smith. He stated that Councillor Smith was very active in sports, served on the local school board and has been very active in Human Rights. He stated that his nominee had good experience in business management and was a member of the Civil Service Association. He stated that Councillor Smith had the time to devote to this position and it was his pleasure to nominate Councillor George Smith for the position of Deputy Warden. This nomination was seconded by Councillor Walker.

Councillor Lachance stated that he would like to take this opportunity to nominate Councillor Francene Cosman. He stated that this Councillor was so active in Community and County affairs that her name had almost become a household word in Halifax County, that she was also very active in the Bedford Service Commission and the list of her interests could go on and on in Halifax County. She is also a graduate nurse. He said it was with a great deal of pleasure that he nominated Councillor Francene Cosman for the position of Deputy Warden. This nomination was seconded by Councillor Eisenhauer.

Councillor Margeson commented that he was a new face in this Council but that he had attended various Council Sessions as a Spectator. He commented that as a newcomer, it takes time to get one's feet wet. He stated that Councillor Archie Fader had a real interest in the Sackville community - that he took a real interest in all aspects of Sackville, and he would like to nominate Councillor Archie Fader for the position of Deputy Warden. This nomination was seconded by Councillor Sutherland.

It was moved by Councillor Gaetz, seconded by Councillor Benjamin:

"THAT Nominations cease." Motion Carried.