

It was moved by Councillor Cosman, seconded by Councillor MacKay:

"WHEREAS the Halifax County Council went on record March 16, 1976, in resolution as opposed to the location of a regional dump at Bedford or in any other residential area in the County of Halifax;

and

Whereas the Council (on March 16, 1976) vigorously urged all appropriate authorities including the Provincial Government to give top priority to finding a long-term solution to the regional problem of waste-disposal;

and

Whereas the Federal Department of the Regional Economic Expansion has decided not to fund any portion of the Jack's Lake site because it is a short term project,

and

Whereas the Province and the 3 Municipalities will be forced to cost share the total amount which will make less Provincial monies available for other Municipal services;

and

Whereas the Bedford Service Commission has applied for leave to appeal to the Supreme Court of Canada and that its position is strong and there is every likelihood that the procedures and setup of the Jack's Lake site will be found to be unlawful and without effect,

and

Whereas the Regional Authority acted in a way to circumvent the zoning by-law of the County of Halifax and whereas the Regional Authority does not have the legal right to act as a Manager for the Province of Nova Scotia in handling solid waste,

and

Whereas the County of Halifax conferred its responsibility for the design, construction and operation of a regional solid waste management system to and upon the Halifax-Dartmouth Regional Authority and instructed the said authority to discharge the responsibilities of the said Municipality in this regard,

I, therefore, move that the Halifax County Council pass a by-law revoking responsibility conferred upon the Halifax-Dartmouth Regional Authority by the by-law passed June 18, 1974, respecting the design, construction and operation of a regional solid waste management system and instruct the County Solicitor to proceed immediately to draft such rescinding by-law.

I would also resolve the Council go on record as confirming its opposition to the location of a regional dump at Bedford or in any other residential area in the County of Halifax as expressed in the resolution dated March 16, 1976, and be it further resolved that Council go on record as being in full support of the planned garbage fired thermo plant as the long term solution to the regional problem of solid waste disposal."

Councillor Williams asked if owing to the fact that the Province of Nova Scotia does not come under our Zoning By-laws would this not make the motion null and void.

The Municipal Solicitor advised that in view of the agreements which are proposed between the various parties, he felt that the Minister of Municipal Affairs will be the operator of the project and that it will be conducted on lands owned by the Federal or Provincial Governments, therefore, he did not feel that the Municipality would restrict its use for this purpose.

Referring to the last paragraph of the motion, the Municipal Solicitor stated that if the motion is passed he would proceed to draw up a By-law withdrawing the Municipality's participation but if such a By-law is passed by the Municipality, only it probably would be of no effect. The Regional Authority Act, he continued, provides that any two of the three bodies can confer responsibility on the Regional Authority. Any responsibility so conferred may not be revoked by By-laws passed by such of the participating bodies that passed the original by-law. He said he had grave doubts that unless the other two bodies passed similar revoking by-laws that the County By-law would be effective.

Councillor Topple commented that if one looked at the Municipal Act and the County By-laws that Councillors did not have any authority anyway. He commented that the Province did as it wished, that when it comes to having authority the Municipality has very little. He stated that it bothered him that the Councillors seemed to be looked upon as "nobody" - that they seemed to have no power to do anything. He felt that the responsibility for this upset lay

with the Provincial Government - that it was the Provincial Government who is responsible and there was no way we could get at them to defend themselves. He remarked that people tend to forget these things when election time comes around but the problem that we are faced with is now, and he felt it was getting nowhere, to sit in Council today and argue.

Councillor Margeson felt that the Province might be labouring under a misapprehension.

Councillor Deveaux commented that Council could bat this topic around all day but unless we got to the right people we would not get anywhere. He further commented that Premier Regan is responsible and he should be here to answer the questions. He also felt that the three Councils should get together and try to accomplish something.

Councillor Deveaux moved an amendment to the motion:

"THAT a meeting of the three Councils be called at the earliest possible date and request Premier Gerald Regan and the Honourable Glen Bagnell to attend with the hope of coming up with some solution of an alternate site other than Jack Lake."

There was no seconder to this amendment.

The Municipal Solicitor advised that such a motion would not be in order, except with a motion to table Councillor Cosman's motion. The amendment, as proposed, he advised defeats the present motion. He added that there was one aspect of the original motion that he felt compelled to speak on, and that was that it was not appropriate for Council to express an opinion as to the possible outcome when a matter is before the Courts.

Councillor Gaetz asked that if we go along with this motion and then as of the thirty-first of December, no more garbage can come in are we to be left holding the bag? He said he could visualize a situation with garbage piled up everywhere until a place was found. He said he could not see that there was any alternative but to have a landfill operation no matter where it should be.

Councillor Eisenhauer pondered the question of what to do with garbage after December 31st. He commented that he had to think about District 18. He remarked that he did not agree with the landfill site, that in this day and age there were better ways of disposal, and we just have eleven working days left. He said that he had great faith in the private entrepreneur. He commented that two wrongs do not make a right - we have to abide by our laws. He commented that if we pull out he felt that the Provincial Government would be impartial and issue a permit for one of their sites.

Councillor Cosman asked for clarification of which Districts would be effected.

The Municipal Clerk advised that at the present time, municipal pick-up and disposal re household material include Districts 1, 2, 3, 4, 5, 6, 7, and 7A along with private operators that are being allowed the use of the Halifax Incinerator. Total amount of material that is going into the Halifax Incinerator is over and above the amount that the City of Halifax have indicated that they are prepared to accept on a month to month basis. The other Municipal Districts - 14, 15, 16, 17, 18, 19, and 20 are being disposed of in an area that does not involve the City incinerator. The position of the Municipality, he continued, is that if the Municipality of the County of Halifax does pass this resolution, that has been placed before Council and if the Municipality of the County of Halifax does have the legal right to withdraw from the solid waste system and if the Minister of Municipal Affairs does approve the By-law withdrawing from the Halifax-Dartmouth Regional Authority, that the Municipality of the County of Halifax could find itself in a position of disposing of its entire waste.

The Municipal Clerk continued - the means of disposal that we have at the present time is very sensitive and one that we have managed to maintain with great difficulty. He added, with all due respect to those Councillors who have spoken today of other means of disposal available within a short period of time, he advised that he did not know what these are. He commented that Mr. Gallagher, Director of Public Works was present and that he had been involved with disposal for a long time - that he was a member of SWAG and other Committees who have been attempting to deal with this problem for a long time. It is very easy, he continued, for someone who is not involved to say that there are alternate proposals. He continued, that if this motion was passed today which leads to withdrawal from the Halifax-Dartmouth Regional Authority he presumed that the Council would look to the Administrative Staff which would include Mr. Gallagher and himself. He added, that he had endeavoured to work to the best interests of the Municipality and deal with the problems facing it but he did not know of and could not offer any solution to the problem that the Municipality would be facing with disposing of its own waste. He said that if this was based on a private entrepreneur as the means of disposal, he had to obtain all the permits required and approvals and rezoning which were not possible in a short period of time.

The Municipal Clerk continued - Mr. Jackson has indicated that some proposals were put before the Premier and Consultants - some of them disappeared and some withdrawn on their own. He added that baling had been looked at - one means of disposal which would compact material to a

limited extent and in some way diminish some of the waste problems. The problems however, are still there and have to be taken care of. The private entrepreneur, he continued, would have to apply for zoning, environment and health approvals; he would have to order equipment and the Municipal Clerk commented that in his estimation this would require a minimum period of six months. Then, he added, if there were appeals it could take up to a year or more.

Councillor Baker said that he did not have a problem on his own property, he stated he used the waste from four buildings to build a road, then he covered it with fill.

Councillor Lawrence commented that there should be a regional approach to the problem. She commented that this particular problem we are faced with is a very important one, and we should think very carefully before we decide to opt out. We are caught between the natural opposition between landfill and people, and we should think very carefully about the limb we are creeping out on before opting out.

Councillor Streach stated that it was a very difficult thing to be asked to vote on something when you had nothing to offer in its place. He said he could not see how the Municipal Council could take something from one hand and put it into an empty hand and he said he had to agree with Councillor Lawrence that we are treading on very dangerous ground. Regional Government, he continued, is very important, and after listening to all the comments he did not feel that the decision made here today would stop the Jack Lake project. He said he could not make a decision on the figure costs because they were estimates. He suggested that should we at this time go against the regional approach we would only be enhancing our chance to not having a place at all for our garbage. He said that he did know that if we went along with the motion there would be no one to pick up the garbage. He also said he realized the position that our Municipal Clerk has been put in today - he has been put on the "hot seat". He has worked with the County for twenty-seven years and he said he had to take his assurance that we could have great difficulty in finding a place for garbage if we approve this motion, and he cautioned Council Members that maybe there is another road we should take, that Councillor Deveaux had mentioned Premier Regan and the Honourable Mr. Bagnell.

Councillor Benjamin commented that we had had a very lengthy discussion but are still worried about the final result. He questioned whether we would get any other result and that Jack Lake would go through. He added, looking at the problem it was realized that there was going to be a scar on the landscape, but the thing that they were asking at this time was that they get some authority away from the Regional Authority by putting this motion through and if we cannot obtain that motion we will not reach the ultimate goal desired. He reiterated the people of the area are opposed to this situation.

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

"THAT the motion of Councillor Cosman be tabled until a meeting had been held with the Premier of the Province of Nova Scotia, with the Minister of Municipal Affairs, and the three Councils and requesting that the meeting be held in the Province House by December 31st., 1976" Motion Carried.

Councillor Benjamin commented that he felt it would be very embarrassing to the Premier and the Minister of Municipal Affairs if they refused to come to such a meeting.

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

"THAT this Council go on record as requesting that the Halifax Dartmouth Regional Authority delay any construction work re Jack Lake Site until the proposed meeting be held."

A standing vote was taken on this motion with the result twenty (12) for, seven (7) against. Warden Settle declared the motion carried.

It was moved by Councillor Cosman, seconded by Councillor Margeson:

"THAT copies of the Minutes of this Session be circulated to the Premier, the Minister, of Municipal Affairs, and the Members of the Councils of the City of Halifax and the City of Dartmouth." Motion Carried.

Councillor Gaetz remarked that we were now back to square one.

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

"THAT this Special Session of the Municipal Council adjourn." Motion Carried.

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MINUTES OF THE DECEMBER SESSION OF THE MUNICIPAL COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

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

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

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

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

The Municipal Clerk announced that neither Councillor Gaetz nor Councillor Smith would be present at today's Session as Councillor Gaetz was in the Halifax Infirmary and Councillor Smith was in the Victoria General Hospital.

Warden Settle announced that there was a Public Hearing with regard to Application No. 491-76 - Hector O. Morash, of West Dover - Lot "B", an undersized lot - Legislation 1966. It was agreed that Council would deal with this item at this time.

Warden Settle asked three times if there was anyone present to speak in favour of this application. He then asked three times if there was anyone present to speak against this application.

There being no reply to either call, it was moved by Councillor Williams, seconded by Councillor Baker:

"BE IT RESOLVED THAT Lot "B" of Hector O. Morash, West Dover, be and the same is hereby approved as an undersized lot under the 1966 legislation. Application No. 491-76." Motion Carried.

The next item was the approval of the Minutes.

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

"THAT the Minutes of the Special Session of the Municipal Council held November 16th., 1976 be approved." Motion Carried.

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

"THAT the Minutes of the regular November Session of the Municipal Council held November 16th., 1976 be approved as amended." Motion Carried.

RE letters and communications, the Municipal Clerk announced that a letter had been received from Mrs. Silvia Hudson submitting her resignation from the Board of Directors of the North Preston Housing Demonstration Fund.

The Municipal Clerk also read a letter from Mr. Robert Parker resigning from the Planning Advisory Committee due to an extended absence from the Province.

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

"THAT the letter from Mr. Parker be received." Motion Carried.

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

"THAT Council appoint a second non-Council Member to the Planning Advisory Committee and that Mr. Parker's resignation not be accepted and he be granted a leave of absence while out of the Province." Motion Carried.

Councillor Streach asked if this meant that we would have to change the By-law in order to have two non-council members and he was advised by the Municipal Solicitor that Council can appoint non-council members as long as the majority is Councillors.

After some discussion, it was moved by Councillor MacKenzie, seconded by Councillor Fader:

"THAT the appointment of a second non-council member to the Planning Advisory Committee be deferred until later in the Session." Motion Carried.

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

"WHEREAS Mrs. Silvia Hudson has tendered her resignation as a municipal appointee to the North Preston Housing Demonstration Fund.

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

Councillor Deveaux asked what the appointment to the Board of the North Preston Housing Demonstration Fund entailed, and was advised by the Municipal Clerk that this was a fund set up to deal with housing in the North Preston area - that Halifax County could appoint one member to the Board of Directors of that fund. He commented that there was no active construction at the present time but that there is the matter of dealing with occupancy and the rental of existing units. He added that this was a special Provincial project for this area.

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

"THAT Councillor Lachance be nominated as an appointee to the North Preston Housing Demonstration Fund."

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

"THAT nominations cease." Motion Carried

Warden Settle declared Councillor Lachance duly elected as a Member of the Board of Directors of the North Preston Housing Demonstration Fund.

The Municipal Clerk read a letter from Miss Doris Leonard expressing thanks for the recognition of her years of service. It was moved by Councillor Eisenhauer, seconded by Councillor McCabe:

"THAT the letter from Miss Leonard be received." Motion Carried.

Councillor Cosman asked how it was decided what letters go into the agenda - did they have to be addressed to the Warden and Councillors. Councillor Cosman was advised by Warden Settle that anything addressed to the Warden and Council has to go into the agenda.

Councillor Topple asked if there was a time limit, and stated that he has a copy of a letter from Mr. Blair MacKinnon with regard to the operation of the Trynor Construction Company at Cole Harbour.

The Municipal Clerk advised that this letter would be placed on the agenda for the January Session of Council but if the Councillor wished to bring the matter before Council at this Session that was his privilege.

Councillor Topple explained that this was quite a sizeable operation - that there had been a petition circulated with regard to this operation - and he said the people in the area were concerned that this was fringing on an R-1 zone and the property surrounding this operation is all R-1, and this is why the people would like something done.

It was moved by Councillor Topple, seconded by Councillor Lachance:

"THAT Mr. Blair MacKinnon be granted a hearing at the January Session of Council re Trynor Construction Company operation at Cole Harbour." Motion Carried.

After further discussion, an amendment was moved by Councillor Eisenhauer, seconded by Councillor Deveaux:

"THAT Council be provided with a Staff Report on this operation for the January Session of Council." Motion Carried.

The next item on the Agenda was the Report of the Warden.

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

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

The Report of the Director of Planning and Development was then considered.

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

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

Next was the Report of the Planning Advisory Committee. The Municipal Clerk gave a brief resume of this report.

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

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

It was moved by Councillor Lachance:

"THAT Item No. 3 - Application No. 31-76 - Better Water Industries Limited of Bedford - to rezone from R-4 (Residential General Zone) to C-1 (Commercial Local Business Zone) be referred back to the Planning Advisory Committee for reconsideration."

There was no seconder for this motion. and it was withdrawn.

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

"THAT Item No. 3 - re Better Water Industries Limited be dealt with following the Planning Advisory Committee Report." Motion Carried.

After much discussion, by Councillor Deveaux, with regard to Item No. 6 - Application for undersize lot 1966 Legislation - Francis D. Horne - Caldwell Road, Eastern Passage, Portion "A", it was moved by Councillor Streach, seconded by Councillor Deveaux:

"THAT Item No. 6 - Francis D. Horne - be dealt with separately." Motion Carried.

Considerable discussion took place on the floor of Council with regard to Application No. 27-76 - Garfield Drake - re rezoning of Lot "A" on Highway No. 333 at Glen Margaret from G (General Building Zone) to T. (Mobile Home Park Zone).

It was moved by Councillor Margeson, seconded by Councillor Streach:

"THAT Item No. 13 (Garfield Drake) be dealt with separately." Motion Carried.

Councillor Benjamin spoke with regard to Item No. 10 - Regional Transit, and asked if the Councillors could be provided with up-dated information before the next Session of Council. He said he had attended one of the local transit meetings and a resolution was made that a letter go to the Canadian National Railways to increase the passenger line from the extremities to our metro centre. He added that he was strongly in favour of this along the Truro route, and any information that Councillors could have for the Planning Committee with relation to the Canadian National Railways would be most helpful.

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

"THAT Item No. 10 (Regional Transit) be dealt with separately." Motion Carried.

After some discussion it was moved by Councillor MacKay, seconded by Councillor Sutherland:

"THAT Item No. 11 (Rezoning Application No. 23-76 - H.W. Arnold Subdivision) be deleted from this Report." Motion Carried.

With regard to Item No.8, (Harold G. Pike and David H. Pike - Waverley-Councillor Benjamin

asked if this was the proper time to recommend that a date be set for a Public Hearing. He was advised by the Municipal Clerk that this could be dealt with after the report had been adopted.

It was moved by Councillor Streach, seconded by Councillor Lachance:

"BE IT RESOLVED THAT Council give notice of its intention in the usual manner to amend the Zoning By-law by rezoning lands of the Nova Scotia Housing Commission, Phase 1A, Forest Hills Development, Cole Harbour, from G (General Building Zone) to R1 (Residential Single Family Dwelling Zone). Application No. 29-76." Motion Carried.

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

"BE IT RESOLVED THAT Council give notice in the usual manner to amend the Zoning By-law by rezoning lands of Tantallon Woods Subdivision, Upper Tantallon, from G (General Building Zone) to R1 (Residential Single Family Dwelling Zone). Application No. 33-76." Motion Carried.

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

"BE IT RESOLVED THAT Council give notice in the usual manner to amend the Zoning By-law by rezoning lands of Chestnut Realty Limited, Astral Drive, Cole Harbour, from G (General Building Zone) to TH (Townhouse Zone). Application No. 34-76." Motion Carried.

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

"BE IT RESOLVED THAT Council give notice in the usual manner of its intention to approve an undersized lot under the 1966 legislation lands of Nora Slauenwhite, Terence Bay, Halifax County. Application No. 317-76." Motion Carried.

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

"BE IT RESOLVED THAT Council give notice in the usual manner of its intention to approve as an undersized lot under the 1966 legislation lands of Harold G. Pike and David H. Pike, at Waverley, Halifax County." Motion Carried.

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

"WHEREAS the Planning Advisory Committee discussed the Municipal Plan at length with the consultants on December 6th., 1976.

AND WHEREAS the Planning Advisory Committee has recommended to Council the adoption of Concept III.

BE IT RESOLVED THAT Council accept the recommendation of the Planning Advisory Committee and adopt Concept III as the avenue to be followed in the preparation of the Municipal Development Plan for the County." Motion Carried.

With regard to Item No. 3 - Better Water Industries Limited, Bedford - Councillor Benjamin commented that a Public Hearing had been held by the Planning Advisory Committee and Council has, by resolution, given this authority to the Planning Advisory Committee to hold Public Hearings and they had heard the arguments for and against and have made a resolution. He felt there was nothing to stop Council from discussing it.- that Council had not heard such representations unless there were people in the gallery today to speak both for and against it.

The Municipal Solicitor advised that the policy followed by Council is when Planning Advisory Committee holds Public Hearings it does not hear one side only - an opportunity is given to all persons who have made representations to be heard. He added, from a legal point of view, Council should give an opportunity to both sides if Council is to hear one side before making a decision.

Councillor Streach said that the reason he asked that this be dealt with separately was because he felt it could be a controversial item, and he felt some Councillors might wish to discuss it. He added that he felt that any Committee of this Council have a job to do but he did not personally feel that Council, as a whole, is automatically obliged to accept the recommendation of that Committee.

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

"THAT the request for rezoning Application No. 31-76 - Better Water Industries Limited - be granted and Council give notice in the usual manner to amend the Zoning By-law.

BE IT RESOLVED THAT lands of Better Water Industries Limited, Bedford, be rezoned from R-4 (Residential General Zone) to C1 (Commercial Local Business Zone)." Motion Carried

A standing vote was taken on this motion with the result ten (10) for, nine (9) against. Warden Settle declared the motion carried.

Councillor Cosman commented that, as a new member of the County Planning Advisory Committee, she was somewhat confused - that her understanding was that after Planning Advisory Committee held the hearing that if their decision was disagreed upon that the next step was to go to the Planning Appeal Board, and she said she would appreciate comments from the Municipal Solicitor as to whether or not this was fair. She added that she did not know if Mrs. Pryde, Clerk-Treasurer for the Bedford Service Commission, was given any notification that this was to be brought up at Council by Mr. Havill. She added that she did not realize that this would come back to Council as a semi-Public Hearing, and said if it was going to be brought up again she would appreciate if Mr. Gough would bring up the charts that had been shown to the Committee. She said she was against spot rezoning, and that the people in the area she represented were concerned.

The Municipal Solicitor stated that Council has, by resolution, delegated to the Planning Advisory Committee the responsibility of holding Public Hearings. This was done, he said to give greater convenience to the people so they could be heard at meetings. All Planning Advisory Committee does, he commented, is report back to Council and it is Council that passes the resolution. An appeal may be entered to the Provincial Planning Appeal Board, but Council does not hold a second Public Hearing.

It was moved by Councillor Eisenhauer, seconded by Councillor MacKay:

"THAT this item be deferred to the January Session of Council along with a plan re Highways and non-conforming use." Motion Defeated.

A standing vote was taken on this motion with the result nine (9) for, ten (10) against. Warden Settle declared the motion defeated.

Councillor Streach commented that Council was merely discussing a topic on the agenda - that there was no indication that we are having a Public Hearing - just discussion on a recommendation. He did not feel that seven members of this Council could make a recommendation and the rest of Council necessarily swallow it.

Councillor Williams stated that, in his opinion, there was no reason why this zone change could not be made for this piece of property. He felt that the brief presented was a very good one, very explanatory and to the point and he felt that if it was re-zoned it would be very much better than it was today and he said he would have to go against the Planning Advisory Committee and concur with Councillor Streach that no one Committee can dictate to Council, they can only recommend.

Councillor Lawrence said she disagreed with Councillor Williams in the matter of dictating - that the Planning Advisory Committee was in no way dictating a decision - that it was Council that made the final decision. She added that what was being discussed was spot rezoning in a heavily travelled road, and spot rezoning was not considered to be good for the area.

Councillor Topple commented that one had to take care with rezoning something commercial as we have to think about what might go in there. He did not think the decision to spot rezone was a good one, that spot rezoning was creating problems in his own area.

At this point, Mr. Gough, Director of Planning and Development, discussed in detail, the features of the chart, after which Councillor Eisenhauer spoke at length.

There was some discussion with regard to traffic problems and Mr. Gough commented that staff were opposed to spot rezoning and did not think that the By-law should be amended for economic reasons.

Councillor Cosman stated that she was against spot rezoning in such a congested area, that there was plenty of commercial land to be used in Bedford.

Councillor Benjamin said he was against the policy of spot rezoning. He said that even though this is abutting the railway he understood that it was not compatible to making any sidings, and transit through this area would be looked upon with distaste by the Community. He felt there should be a recommendation that future improvements would be made to the highway.

Mr. Gough commented that this was what he meant when he said it could be disastrous, and he did not know if the Highways have made any studies, and added that planning consultants have recommended that no rezoning take place in Bedford at all, at this time.

Councillor MacKay said he did not support the motion, he felt it was up to the people making the application to make sure the Planning Advisory Committee had sufficient information which he felt was lacking. He felt that if we permitted this spot rezoning it would clear the way for other spot rezoning and suggested that the situation be carefully looked at.

Councillor Poirier spoke of the apartment building that was already there. She commented that in her opinion this type of business would not have as much traffic as an apartment building and might just turn out to be an asset to the community. She said she could not see where there was such a big issue.

Councillor MacKay commented that Councillor Poirier's point was well taken but that this was not the point in question - spot rezoning is the problem and if we agree to this there would be no reason why we would not agree to others.

Councillor Lawrence spoke in support of Mr. Gough and said that in the year she had been on the Planning Advisory Committee she had never met a Planner who was in favour of spot rezoning.

Councillor Streach commented that there is a difference between Planners and Politicians. He said that we have to take each point on its own value, that it was his opinion that small business has got to be able to survive and the reasons for small businesses wanting certain locations is economically feasible. He said he supported the motion on the floor. He agreed that the residents of Bedford had a legitimate reason to complain - that the number of non-conforming business on the Bedford highway outnumber the number of residences.

Councillor Margeson said he would be very happy to invite Better Water Industries to the Kinsac area at any time.

After further discussion it was moved by Councillor Fader, seconded by Councillor Streach:

"THAT Council adjourn until one o'clock." Motion Carried.

AFTERNOON SESSION

Council re-convened at one o'clock. The Municipal Clerk called the Roll.

The Municipal Clerk announced that Councillor McCabe had left to attend a funeral.

Councillor Lachance spoke about a man in his area who had been burned out in his area and said that he would appreciate any donations that Councillors like to make which he would add to what the District was donating.

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

"THAT the Minutes of the Special Session of the Municipal Council held on Tuesday, December 14th., 1976 be deferred for approval to the January Session of the Municipal Council." Motion Carried.

Warden Settle and the Municipal Clerk explained the statistics re shareable portions with regard to Municipal School Board budgets which had been placed on the Councillors' desks.

Councillor Deveaux went back over the history in connection with the application of Francis D. Horne - Caldwell Road, Eastern Passage, Portion "A", and after some discussion, it was moved by Councillor Deveaux, seconded by Councillor Walker:

"BE IT RESOLVED THAT Council give notice in the usual manner of its intention to approve as an undersized lot under the

1966 legislation lands of Francis D. Horne, Caldwell Road, Eastern Passage." 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.

Councillor Lachance asked if Council had the right to pass the lot as an undersized lot. He asked if we did not have the right would it be a contradiction to invite the man to a Public Hearing when he might not get approval.

The Municipal Solicitor expressed the opinion that this application does not come within the terms of the 1966 legislation.

Councillor Streach asked if there had been a precedent set in such a case before and was advised by the Warden that decisions have been made on lots but that this was a different case.

Councillor Lachance commented if we chose not to follow advice given that the man might be worse off than he was before if the Department of Municipal Affairs should rescind what we have done. He was advised by the Municipal Solicitor that the Province cannot rescind our decision but someone might decide to take legal action at a later date.

There was a great deal of discussion on regional transit led off by Councillor Eisenhauer.

The Municipal Clerk advised Council Members that until we do have legislation approved by the Minister of Municipal Affairs we do not have the authority to become involved in transit. He added that a study would have to be carried out by someone and at this point he did not know what the starting point would be - did not know what areas would be looked at. It would mean getting down to determine the actual cost - how much service would be provided. He added that the proposal put forth by Halifax is a proposal only, that there were a lot of angles and questions that would have to be looked into.

Warden Settle advised that the report Councillor Eisenhauer referred to was prepared by the Manager of the Halifax City Transit.

Councillor Lawrence commented that after considerable discussion there had been a motion from the Planning Advisory Committee that our consultants be asked for what information they had gleaned for the preparation of the Municipal Development Plan in monitoring transit. They were not commissioning them to make a study, just asking for the information that they now had. She said that she was quite sympathetic that we should not stand on the outside while various preliminary investigations are being made, and added that Planning, have been delegated to look into transit to some extent, they are asking our Planning Consultants for any data that they might have.

Councillor Deveaux expressed the opinion that we should have something to bring to the meeting which takes place in April.

The Municipal Clerk said that one problem is that the Committee do not have the dollars to deal with this, that until our 1977 budget is made up we just do not have the dollars to spend right now. He added that there had been some surveys in the Bedford-Sackville area through MAPC.

Warden Settle advised that the Regional Government has shown an interest in Regional Transit.

It was moved by Councillor Eisenhauer, seconded by Councillor Streach:

"THAT the Finance and Executive Committee and the Planning Advisory Committee be asked to look at the area transit in a planning aspect and report back to Council at the January Session of Council ." Motion Carried.

The Municipal Solicitor advised that the County has no authority to spend money on transit. He added, we can spend money on schools, but we have to have special legislation for spending money and we do not have the authority to spend money on transit and, he added, this is not peculiar to municipalities but also applies to towns.

Councillor Cosman commented that Council is not asking the County to spend money on transit - but rather to spend money on planning, that we have to have some input into it. She felt that we should plan for this so that when the problem does come up we will have some input to offer.

With regard to the spending of money, Councillor Topple advised that the two cities can levy a rate but the County cannot. He felt that this study did not serve the people - the study was whether or not it would be profitable to the transit system. He felt it was obvious that people were interested in transit and that legislation might be a move down the right road - that it was time we started asking questions even though we do not have the power to

spend money. He added that it was frustrating to be told what we cannot do - we should be advised what we can do.

The Municipal Solicitor advised that Councillors refrain from talking about transit - that perhaps they could consider whether it would be appropriate to extend the terms of reference in the planning field. He added that the Municipality has authority with regard to planning.

Councillor Baker said he supported the suggestion that a study be made. He said he had a petition with regard to Harrietsfield - and advised that he had a private operator in mind who would give service.

Councillor Fader commented that this comes down to a situation of urban and rural. Perhaps the Councillors in the urban area could cost-share such a study, or perhaps set an area rate. He felt that Councillors should face up to this responsibility. He said he did not expect the Municipality to carry out this study - that we could be burdened with an area rate and it could be quite high.

Council then dealt with Item No. 13 of the Planning Advisory Committee Report - Garfield Drake - Application No. 27-76 .

Councillor Lawrence commented that the Municipal Solicitor had advised that contract zoning was not legally possible under the Zoning By-law but was possible under the Provincial Planning Act. She felt that, strictly speaking, he was advising that he was not in favour of contract zoning. She added that technically speaking we may be edging out on a limb.

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

"THAT Council not approve the proposed rezoning for Application No. 27-76 (Garfield Drake)" (See Motion to refer)

After a great deal of discussion, it was moved by Councillor Lawrence, seconded by Councillor Eisenhauer:

"THAT the application for rezoning - Garfield Drake No. 27-76, be referred back to the Planning Advisory Committee for a further report to Council." Motion Carried.

A standing vote was taken with the result fifteen (15) for, three (3) against. Warden Settle declared the motion carried.

Councillor Lawrence announced that Public Hearings are going to take place in the evening commencing on January 17th., 1977.

Deputy Warden MacKenzie asked if members of Council are invited to the Public Hearings and he was advised by the Municipal Clerk that this has been done for the last two or three months that whether they attend or not - they attend as spectators.

Councillor Fader felt that Public Hearings should be held by Council as a whole.

The Municipal Clerk advised that Hearings used to be held by Council and they took up a great deal of time.

Councillor Lachance commented that the situation is that we are all looking at the problem from a different point of view. He added that we have to have a policy statement made so we can come to the same decision. It does not matter if all the Councillors attend, we are not following a certain format, that if we all attend the meetings and are not together in an approach to planning we are still in a mess.

Councillor Margeson agreed that this was a good point - terms of reference is what he is looking for and that is what we are all looking for - this would be very valuable.

It was moved by Councillor Eisenhauer, seconded by Councillor Cosman:

"THAT we continue with the business of the day." Motion Carried.

Appointment of a non-council member to the Planning Advisory Committee then took place.

Councillor Williams nominated GORDON W. NICHOLSON of Lakeside. This nomination was seconded by Councillor Baker.

Councillor Fader nominated MRS. SILVIA HUDSON of Waverley. This nomination was seconded by Councillor Lachance.

Councillor Cosman nominated MR. ALLAN RUFFMAN of Ferguson's Cove. This nomination was seconded by Councillor Sutherland.

It was moved by Councillor Streach, seconded by Councillor Eisenhauer:

"THAT nominations cease." Motion Carried.

For the benefit of the new Councillors, each Councillor gave a resume of their nominee.

On the first ballot the following were the results: Gordon W. Nicholson six (6), Mrs. Silvia Hudson three (3): Allan Ruffman nine (9).

There being no clear majority, a second ballot was taken with the following result: Gordon Nicholson - seven (7): Allan Ruffman - eleven (11). Warden Settle declared Mr. Ruffman duly elected.

Councillor MacKay commented that it seemed to him that this Council Session was being rushed - that Councillors were not doing justice to the people who elected them by leaving and he did not approve of this.

It was agreed to deal with the Supplementary Report of the Chief Building Inspector at this time.

It was noted that Item No. 8 Lot A-2, Maynard Knowles Subdivision - the name was not given. This was found to be in the name of Marion Sparks.

It was moved by Councillor Toppie seconded by Councillor Deveaux:

"THAT the Report of the Chief Building Inspector be deferred to the January Session of Council." Motion Defeated.

A standing vote was taken with the result seven (7) for and seven (7) against. This being a tie vote, Warden Settle declared the motion defeated.

Councillor MacKay said he had never understood the term of lesser setbacks and side yard clearances. These were explained by Warden Settle and the Municipal Clerk, also how they were dealt with by the Building Inspector.

After further discussion, it was moved by Councillor Fader, seconded by Councillor Eisenhauer:

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

A standing vote was taken with the result thirteen (13) for, two (2) against. Warden Settle declared the motion carried.

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

It was moved by Deputy Warden MacKenzie, seconded by Councillor Eisenhauer:

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

Councillor Lawrence asked if the Athletic Field for Lower Sackville was still on the books for 1977 and was advised by the Municipal Clerk that it was to be considered when the Provincial Budget for the year 1977 was made up.

Councillor Eisenhauer advised that there was a Committee in Upper Sackville who were concerned with future expansion and wondered if there were anything the School Capital Committee could do to help these people. He was advised by the Municipal Clerk to have them write to the Municipal School Board who in turn would make a recommendation to Council.

Councillor Lachance asked why there was no report from the Municipal School Board and was advised by the Municipal Clerk that no report was received.

Councillor Lachance spoke of the erosion of government. He said it bothered him that we tend to give away our authority, he felt that the Municipality was passing the buck - that the Trustees are an agent of the Municipal School Board and he wanted to go on record as being very upset of the support by one of our Committees.

Councillor MacKay spoke of Councillors on the Municipal School Board, (past Councillors who have no say in Council Sessions) and he felt that this was over lapping - they could not get together, and he wondered how it could be changed so that there would be no over-lapping.

The Municipal Solicitor advised that under the provisions of the Education Act, appointments for the Municipal School Board run from March for three years. He advised that the Education Act would have to be changed by the Legislature.

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

"THAT a letter be sent to the Minister of Education respecting concern in that non-sitting Councillors may still hold their appointment to the Municipal School Board." Motion Carried.

Councillor Fader commented that Councillor MacKay's idea was a good one and should relate not only to the Municipal School Board but to the County Board of Health, County Hospital, Ocean View, etc. He felt that Committee appointments should die on the day of election and the new ones become available. He felt that the whole structure would be changed whereby when the person is defeated, their appointment is defeated also.

Councillor Lachance spoke on the community use of schools and was advised by the Municipal Solicitor that this matter was within the jurisdiction of the Municipal School Board - it was their decision. Councillor Lachance said he wanted the Municipal School Board to know there is at least one Councillor who is not happy with their treatment of this item.

Councillor Cosman said she had spoken with some of the School Bus Drivers and questioned the safety of the busses. The Municipal Clerk advised that he felt sure if she were to approach Mr. Perry, the information she requested would be available.

It was moved by Councillor Cosman, seconded by Councillor Eisenhauer:

"THAT the following information be received from the Municipal School Board:

- How many busses?
- How often the busses are inspected?
- What is the age of the busses?
- Standard of Inspection in comparison to public transit
- Braking
- Seating
- Driver Training
- Power Steering " Motion Carried.

The Municipal Solicitor advised that the safety standards come under the Public Utilities Board.

Councillor MacKay said it was obvious there was not enough feedback from the Municipal School Board to this Council. It was apparent that none of the Councillors receive their minutes.

It was moved by Councillor MacKay, seconded by Councillor Cosman:

"THAT a letter go to the Municipal School Board requesting Minutes be circulated to Members of Council and a monthly report to Council from the Municipal School Board through the Superintendent of the Municipal School Board subject to the deleting of matters of a personal nature." Motion Carried.

The Municipal Solicitor advised that the Municipal School Board is a separate entity - not under the control of this Council. We can request their Minutes but we cannot order the Municipal School Board to do anything. They operate under the Education Act - not under this Council.

Councillor MacKay suggested that if they would not give Councillors the Minutes perhaps the Municipal Clerk would circulate them. The Municipal Clerk advised that he did not have them. Councillor MacKay said as a member of the School Board he received them and he could give them to the Municipal Clerk and he could circulate them. The Municipal Clerk advised Councillor MacKay to consider his position as a Commissioner of the Municipal School Board.

The Municipal Solicitor advised that the Reports that the Municipal School Board send to Council cannot be changed - they can only be received, the only other course would be to request that the Education Act be changed.

Councillor Topple asked if the answer to this might be to request the Minister of Education to instruct the School Board to issue copies of the Minutes. He was advised by the Municipal Clerk that he did not think the Minister could direct them to do it. He added - the Minister might suggest it but he could not direct it. He added that the Minister would have the power to recommend a change in the Act but he could not change the Act himself.

The Municipal Solicitor advised that one problem is that the Municipal School Board in a great many instances deals with matters of a very personal nature re students, teachers. The Municipal School Board does not think this should be public information. He added that subject to that one reservation, he could see no reason why they should not be available.

Councillor MacKay commented that in a few months the new members would be on the Board and perhaps something could be done about it at that time.

Next on the Agenda was the Report of the Finance and Executive Committee. The Municipal Clerk gave a brief resume of this Report.

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

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

Councillor Topple spoke of the causeway at Porter's Lake and asked if this would be a cost to the Municipality. He was informed by the Municipal Clerk that this study would be carried out by the Provincial Government.

Councillor Topple also spoke of the recommendation by the Committee with regard to the Rural Heritage Society. He commented that he was in favour of this exemption but he questioned the fact that a by-law had been prepared by the Committee and he felt that the Council is the only source with authority to draft by-laws.

The Municipal Clerk advised that this is just a matter of expediency - if exemption is to be granted in 1977 it has to be approved at the December Session and sent to the Minister of Municipal Affairs.

Councillor Topple asked if the Committee had the power to ask the Solicitor to draft By-laws.

The Municipal Solicitor explained that by-laws are simply explanatory resolutions put to Council. They are just prepared to deal with Councils decisions. He added that if Council would like him to defer this he would, but it would slow matters up. He said he was not taking any decisions away from Council, simply being prepared.

Councillor Cosman spoke at some length with regard to the item on computers and the Municipal Clerk explained how we had come by the system we now have and the problems that have incurred for some time now. He stated that he along with the Comptroller, the Municipal Collector, the Business Manager of the Municipal School Board and the Chairman of the Finance and Executive Committee were having a very serious look at equipment. The Committee is requesting a least-rental basis on equipment - he added, that they want to make very sure that the equipment is something they want "to live with".

Councillor Poirier spoke about Glengarry Subdivision and commented that if such a change is made in equipment that perhaps the water and sewer services will be taken over by the County if the owners go bankrupt.

The Municipal Clerk advised that if that situation should happen this is correct. He added that in negotiations with the subdivider this is not a request, the only reason for it being considered is that Central Mortgage and Housing Corporation will not consider financing unless that type of clause is included, but he did not anticipate the clause would ever be used.

Councillor Poirier advised that the road going into the subdivision was disgraceful, that the people had beautiful homes but the road in was a disgrace. She spoke of a discussion she had had with the developers Kelly & Fitzgerald. She said they had two wells and were in the process of drilling another well and added that if he goes bankrupt he loses all his equipment as he has put this up as a guarantee. He had been advised by the Public Works Department that they had had all kinds of problems and felt that the only answer was for the County to take over the services.

The Municipal Clerk advised that the Municipality had not, at any point, taken over services that have been served by drilled wells. He added if the Municipality were to take over such a system there would be no way the Municipality could guarantee that supply of water.

Councillor Poirier commented that the Municipality had put the man in this position and she felt it was not fair of the Municipal Development Plan to put these people in this position.

The Municipal Clerk said it was not the fault of the Municipality, it was the fault of the developer deciding to go ahead and he felt it was not fair to suggest that the Municipality bail them out of their problems.

Considerable discussion ensued with regard to this item and the Clerk agreed to look at the situation with the developers.

A great deal of discussion ensued with regard to the control of dogs and the dog license fees and fine. The question of dog control was considered to be one of the greatest problems in the County.

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

"WHEREAS at the November 1976 Session of Council the Municipal School Board Report contained recommendations with respect to certain capital expenditures,

AND WHEREAS the Finance and Executive Committee has considered such report and had recommended to Council that the capital items contained therein be approved in principle.

BE IT RESOLVED THAT Council approve the said capital items in principle and instruct the Municipal Clerk to include these items in the five year capital program for approval by Council and submit the same to the Provincial Department of Education for its consideration and approval under its capital program." Motion Carried.

It was moved by Deputy Warden MacKenzie, seconded by Councillor Fader:

"WHEREAS the Provincial Government has initiated and carried out a changeover in the function and control of the Halifax County Hospital so that the institution cease to be a mental hospital under the Mental Hospital Act and has become a rehabilitation centre under the Social Services Act.

AND WHEREAS the Council is concerned over the mechanics of such changeover and the existence of a number of unanswered questions concerning it.

BE IT RESOLVED THAT Council request a meeting be convened by the Minister of Social Services with the Finance and Executive Committee of Council in order to have a full discussion with the Minister on these outstanding and unanswered questions.

AND BE IT FURTHER RESOLVED THAT Council indicate its desire that the meeting be with the Minister of Social Services and not only with members of his Department." Motion Carried.

It was moved by Councillor Cosman, seconded by Councillor Eisenhower:

"WHEREAS Council has received correspondence indicating that certain concerned citizens have requested a formal and Environmental Control study and a hearing by the Nova Scotia Environmental Control Council on the construction by the Provincial Department of Highways of a causeway across Porter's Lake.

BE IT RESOLVED THAT Council support this request for an environmental study and public hearing in order to determine whether or not the concerns expressed by the citizens are justified or not.

AND BE IT FURTHER RESOLVED THAT copies of this resolution be sent to the Premier, the Minister of Highways, and the Minister of Environment." Motion Carried.

It was moved by Councillor Fader, seconded by Deputy Warden MacKenzie:

"WHEREAS the Cole Harbour Rural Heritage Society is registered as a charitable organization under the Income Tax Act (Canada) and regulations made thereunder as evidenced by Registration No. 0443408-52-03.

BE IT RESOLVED that the following be and the same is hereby adopted and enacted as a by-law of the Municipality of the County of Halifax when and if the same has received the approval of the Minister of Municipal Affairs and that the Municipal Clerk be and he is hereby instructed to forward the same to the Minister and request his approval hereof.

1976

DECEMBER SESSION

A BY-LAW TO EXEMPT FROM TAXATION PROPERTY OF THE
COLE HARBOUR RURAL HERITAGE SOCIETY

1. BE IT RESOLVED THAT the property of the Cole Harbour Rural

Heritage Society located at Cole Harbour in the County of Halifax and on which is situate the so-called "Little Church Building" at the top of Long Hill be and the same is hereby exempt from taxation under the Assessment Act commencing with the year 1977 provided that such property is used directly and solely for a charitable purpose." Motion Carried.

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

"WHEREAS the Municipality has entered into a Subdividers Agreement with Glengarry Developments Limited relative to certain lands of that Company situate at Timberlea.

AND WHEREAS it is desirable to amend the said Agreement and a copy of such amendment has been submitted to Council.

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

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

"BE IT RESOLVED THAT the following be and the same is hereby adopted and enacted as a by-law of the Municipality of the County of Halifax when and if the same has received the approval of the Minister of Municipal Affairs, and that the Municipal Clerk be and he is hereby instructed to forward the same to the Minister and request his approval hereof.

1976

DECEMBER SESSION

A BY-LAW TO AMEND THE MUNICIPAL COUNCIL
BY-LAW

1. The Municipal Council By-law is amended by repealing subsections (1) and (2) of Section 4 and substituting therefor the following:

(1) The Council shall convene at seven o'clock in the afternoon on the first day of each meeting or so soon thereafter as circumstances permit, and at each succeeding session at the like hour or at such other hour as is specified on the preceding motion of adjournment.

2. The said Section 4 is further amended by renumbering subsections (3) and (4) as subsections (2) and (3).

3. This By-law shall take effect on and not before the first day of January, 1977." Motion Carried.

Some discussion ensued by Councillor Cosman and Councillor Benjamin relative to holding two Council Sessions per month instead of one.

The Municipal Solicitor gave a summary of the legislation regarding transit.

It was moved by Councillor Eisenhauer, seconded by Councillor Cosman:

"BE IT RESOLVED THAT the Municipal Solicitor be and he is hereby instructed to take all necessary steps to have the legislation empowering Municipal Council to deal with transit and transportation problems placed before the forthcoming session of the Legislature for consideration." Motion Carried.

The Municipal Solicitor advised that it was his understanding that there may be general legislation forthcoming and then we would not need our own legislation.

Councillor Toppie asked if the Municipal Affairs Act was the same as the Municipal Act and was advised by the Municipal Solicitor that this was not so that the Municipal Affairs Act deals mainly with borrowing etc., by the Municipal Units - it is complimentary to the Municipal Act. The Municipal Affairs Act sets forth the control but both Acts have to be looked at in order to get a clear picture.

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

"BE IT RESOLVED THAT the following be and the same is hereby adopted and enacted as a by-law of the Municipality of the County of Halifax when and if the same has received the approval of the Minister of Municipal Affairs and that the Municipal Clerk be and he is hereby instructed to forward the same to the Minsiter and request his approval hereof:

1976

DECEMBER SESSION

A BY-LAW TO AMEND A BY-LAW RESPECTING DOGS

1. The Dog By-law is amended by repealing Section 5 thereof and substituting therefor the following:

5. The tax shall be annually as follows:

-One male or spayed dog.....	\$ 8.00
-Each additional male or spayed dog, where more than one such dog is owned by any one person.....	12.00
-One female dog not spayed.....	15.00
-Each additional female dog not spayed, where more than one such dog is owned by any one person.....	25.00

2. Section 17 of the Dog By-law is amended by deleting the word "two" in the fifth line thereof and substituting therefor the word "three".

3. Section 18 of the Dog By-law is amended by deleting the word "thirty-one" in the fourth line thereof and substituting therefor the word "thirty-four". " Motion Carried.

A standing vote was taken on this resolution with the result fourteen (14) for, two (2) against. Warden Settle declared the motion duly carried.

Councillor Cosman asked if there was any provision made for dog breeders and was advised by the Municipal Clerk that there was provision for registered kennels. The license for a kennel was \$10.00 provided they house breeds that they are registered for - this is fixed by legislation and cannot be changed. He added that the County did ask for a change at one time but were denied.

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

"WHEREAS the Finance and Executive Committee and the Municipal Clerk and Municipal Comptroller have for some considerable time been investigating necessary changes and improvements to existing accounting and billing equipment of the Municipality in order to provide the Municipality with the means of providing financial information and financial data in a proper manner and to provide proper accounting and billing equipment.

AND WHEREAS the Finance and Executive Committee recently reviewed information presented to it concerning this by the Municipal Clerk and Comptroller.

BE IT RESOLVED THAT approval be given for the Municipal Clerk to proceed with negotiations with prospective suppliers with respect to a mini-computer system on a lease rental basis to provide the necessary means to have complete municipal accounting, billing, financial information and financial data in a manner which will provide the Municipality with a complete up-to-date system and procedures." Motion Carried

Some of the Councillors said they would like more information as to the cost and need for this equipment.

The Municipal Clerk replied that the need is urgent. He added that the principle concern is to get tax billing on the road for 1978 whereby we can pre-bill the same as the two cities do. He commented that the total net savings would be considerable because with pre-billing we could eliminate the amount carried in the bank. He added that the urgency in dealing with this now is that the supply of the equipment is one thing but the amount of work that has to go into the detail of coding, etc., would require six or seven months before

the equipment would be ready. He added that the gross cost savings will run in the area of \$130,000.00 per year. He added that at times we do not get tax bills out until early in June and we are carrying these months of operation through the bank and paying bank interest. We have never been able to do pre-billing, he commented, because we did not have the equipment and with new equipment we would be able to do billing in six days instead of six weeks - the ultimate savings is that we would have money in the bank instead of paying bank interest.

Councillor MacKay commented that we should be getting the use of money collected by Mortgage Companies.

The Municipal Clerk advised that this would be accomplished by pre-billing. The Mortgage Companies would be required to pay the pre-billing. If not, they would be charged interest.

Councillor Toppie asked if the system of rebate used by other Municipalities had been considered, and was advised by the Municipal Clerk that this has been done away with by most municipalities.

Councillor Margeson asked if there was a form of standardization with other municipalities so that in any municipality you could get this information. He was advised by the Municipal Clerk that the Province is encouraging other areas to improve their financial operation.

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

"BE IT RESOLVED THAT pay adjustments to non-union personnel of the Municipality be made effective January 1st., 1977, such adjustments to be based on the strict interpretation of the Anti-Inflation Board regulations with the provision that any further adjustment or adjustments authorized by the Anti-Inflation Board be carried out and made retroactive if and when such adjustment or adjustments are authorized." Motion Carried.

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

"BE IT RESOLVED THAT Council meet as a Committee-of-the Whole to discuss jurisdiction and authority of various committees and boards at ten o'clock in the forenoon on the 27th day of January, 1977.

AND BE IT FURTHER RESOLVED THAT at the said meeting there also be a general discussion of the by-laws of the Municipality." Motion Carried.

The Municipal Clerk advised that the term of Mr. Wilbur Moses on the Board of Management of the Halifax County Hospital expired on December 31st., 1976.

It was moved by Deputy Warden MacKenzie, seconded by Councillor Fader:

"THAT Mr. Wilbur Moses be nominated to the Board of Management of the Halifax County Hospital for another term."

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

"THAT Nominations cease." Motion Carried.

Warden Settle declared Mr. Wilbur Moses duly elected to the Board of Management of the Halifax County Hospital for another term.

Councillor MacKay asked if it would be much of an imposition to have the pages of the Agenda book numbered.

The Municipal Clerk advised that this would be an almost impossible task as the reports come in from the various Departments with the pages numbered, and the sheets are run as individual reports, then the book is put together.

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

"THAT each Councillor number his own Agenda Book." Motion Carried.

Councillor Baker spoke of the breakage of street lights stating that about thirty-five lights had been broken. He added that the Nova Scotia Power Corporation had replaced five and had refused to replace the others, then the next day they were broken again. He wondered if other Councillors had this same problem.

Councillor Lachance advised that there were four lights in the Porter's Lake area and it had been pointed out to him that these lights had been replaced twelve times in the last year. If they are repaired two or three times they have to advise people they have to exercise more control over their children. He said it was a real problem and suggested that a reward should be posted for anyone seeing people breaking lights. He felt that the whole thing went back to parental control of children, that there should be a drive made on the children and the parents fined.

The Municipal Clerk questioned who was going to offer the reward as it was the District rate that pays for the lights not the Municipal rate.

After much discussion as to enforcement by the R.C.M.P., or whether it was a matter for the Police Committee, it was moved by Councillor Fader, seconded by Councillor Baker:

"THAT a letter go to the Nova Scotia Power Corporation re advertisement regarding damage or vandalism to Street Lights and possible court action." Motion Carried

Councillor MacKay said that his representation on this Council was very important to him. He said it had been suggested to him by some people that the new Councillors were given a back seat by the Nominating Committee and the people of Sackville were not going to accept him taking a back seat. He felt that we have to operate on a fair basis and stated that of the five members on the Nominating Committee that one member served on five committees which meets eleven times a month, the other four serve on three committees which meets eight times a month. If that is being equal he said - he would eat his bow tie. He felt that the Nominating Committee should take another look at the situation and equal it up a little. He said he was in Council to learn and to "do" for his District and he could not do this unless he is treated on a fair basis and Committee work, he felt, was one of the most important items.

The Municipal Solicitor advised that the By-laws call for a Nominating Committee to be appointed at the first Session of Council after the election - and they are appointed annually for the November Session of Council. He added that Committees have been established and Committees have acted and he did not believe that Council could now change this unless there are vacancies. Committees, he stated, were duly appointed and operate for a one year period.

Councillor Cosman felt that this concern was quite valid, and wondered when the Council met as Committee-of-the-Whole on January 27th, if perhaps we could take some time to discuss this. She added, that we now have an increased Council and felt that perhaps there could be an increase in the members of the Committees. She commented that at the time the Nominating Committee was appointed that Councillors could express their wishes as to which Committees they would like to serve on.

Councillor Deveaux commented that the Nominating Committee were in meeting for five hours and it was physically impossible to divide up the Committees - that they had missed the major portion of the Council Session.

The Municipal Solicitor advised that one way such a situation could be handled would be to meet, elect a Warden, Deputy Warden and form a Nominating Committee, then adjourn until the next day.

After discussion re Mutual Aid between Fire Departments in Halifax County, it was moved by Councillor Margeson, seconded by Councillor MacKay:

"THAT this Council approve Mutual Aid between Fire Departments in Halifax County." Motion Carried.

Councillor Cosman asked what had happened to the resolution passed at the Special Session with regard to the meeting of the three Councils with the Premier and the Minister of Municipal Affairs. The Municipal Clerk advised that letters had gone forward but that no replies had been received as yet, and he could not indicate just when the proposed meeting would take place.

Councillor Cosman asked the Municipal Clerk if he would request a reply and he advised that he had indicated to them that this meeting be held before December 31st., 1976.

Councillor Cosman brought up the matter of Minutes of the Regional Authority being circulated to members of Council and was advised by the Municipal Clerk that the same situation held as with regard to the Municipal School Board which had been discussed earlier - that this has to be the decision of the Regional Authority.

Councillor Cosman stated that she would photocopy her minutes and send them to anyone who wanted them.

Councillor Cosman brought up the matter of birds in the Council Chamber and was advised by the Municipal Clerk that this had been looked into and work done around the ventilators, still the birds managed to squeeze in but could not find their way out. He advised that it

was much better controlled now than previously.

Councillor MacKay brought up the matter of non-Council persons occupying the chairs next to Councillors and felt they should be in the gallery. He also wondered if microphones should be provided as it was very difficult to hear some of the Councillors in the first row. He was advised by the Municipal Clerk that the Finance and Executive Committee could look into this if Council agreed.

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

"THAT Council go on record as opposing the budworm spraying."
Motion Carried.

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

"THAT Council endorse the principle of equal pay for equal work." Motion Carried.

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

"THAT the Department of Highways be requested to have the paving program for 1977 include, Point Road, Camperdown Road and Harrietsfield to Sambro." Motion Defeated.

A standing vote was taken on this motion with the result four (4) for; twelve (12) against. Warden Settle declared the motion defeated.

The Municipal Clerk advised Councillor Baker that there are lots of roads in Halifax County that every Councillor could bring up but the Highways Department would not be able to pave them all. He suggested that he might be able to negotiate through his M.L.A.

Councillor Margeson spoke at some length regarding planning control and the green areas, and it was moved by Councillor Margeson, seconded by Councillor MacKay:

"THAT a letter go to the Department of Highways and the Nova Scotia Power Corporation asking them to consider a cutting program which would be labour producing instead of spraying ." Motion Carried.

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

"THAT the Finance and Executive Committee consider contingency plans with respect to disposal of Solid Waste Disposal." Motion Carried.

Councillor Topple suggested that Councillors have a Session with Warden Settle some afternoon with regard to questions we may have on how we can get information from the Municipal Building. He commented that there are different things that they might run across in their individual Districts. He said that one question that came to mind was funding that they had for community uses, also tax sale funds that are available.

It was moved by Councillor Topple, seconded by Councillor Walker:

"THAT Councillors have a meeting with the Warden to deal with certain financing methods."

This motion was withdrawn.

Councillor Fader expressed the opinion that this was a duplicate of the meeting that would be held on January 27th. He stated that all Department Heads would be at that meeting and information could be obtained at that time.

Councillor MacKay spoke on the controversial Town Centre at Sackville. He was advised by the Municipal Solicitor that this was decided by the Building Inspector himself and that an appeal had been filed. He advised that the Municipality over the past years has attempted to get the Housing Commission to apply for zoning of their lands but they have not done so.

Councillor MacKay submitted that Mr. Hefler may have issued the permit in haste and he felt that the whole By-law was a joke.

Councillor Deveaux stated that up until last November, Councillors in his area had been members of the Board of Management of Ocean View Manor. He said he expressed a desire to be on the Finance and Executive Committee but that it was more or less tradition that the Councillor in that area would be on the Board of Ocean View Manor and he would like to get approval from Council to arrange to change from the School Capital Program to the Board of Management of Ocean View Manor.

He was advised by the Municipal Solicitor that the only way to handle it would be to get resignations and then get the Nominating Committee to meet again.

Councillor Lawrence suggested that perhaps this could be done at the regular January Session.

Councillor Topple asked if it was necessary to have the Nominating Committee meet again and was advised by the Municipal Solicitor that this was so.

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

"THAT the matter of Committee changes be deferred to the January Session of Council if letters of resignation are received." Motion Carried.

Councillor Fader spoke at some length with regard to the County Band which is going to Italy. He stated that they were looking for some indication of the amount that would be forthcoming from the Municipality so that they could borrow funds on our indication. He said he had not ascertained yet, whether it was a competition and asked if we could bring the matter to light.

The Municipal Clerk advised that it could not be handled today as it dealt with money matters.

The Municipal Solicitor advised that there has to be one day's notice in writing or the unanimous consent of Council to deal with such matters.

Several of the Councillors asked if this concerned other bands and Councillor Fader explained that the situation with regard to the band going to Italy in detail. He advised that the Band was made up from Bedford-Sackville-Waverley and that they were expecting a commitment today. He said he respected the fact that some Councillors feel that this would be starting a precedent, but felt that we should be responsible in making decisions. He also said that the trip is an expensive one but that they would be representing the County of Halifax. He said that they were successful in winning in their division and we could very well be proud of them.

Councillor Lachance asked if he would be allowed to send a delegation from District No. 8 and was advised by Councillor Fader that the members were from different groups - that they were looking for about \$2,400.00 or about \$50.00 per student. He stated that he felt we had a commitment - that as Councillors they should be able to stand on their own feet and let conscience be their guide.

Councillor Lachance said it was a wonderful idea but at the risk of being unfair we have to hold the lid on and once we make a commitment he could guarantee others that would line up at the Municipal door looking for help.

Councillor Deveaux felt, as a member of the Finance and Executive Committee, that there was a lot of information missing and agreed with Councillor Lachance that we would be setting a precedent.

This matter was deferred.

Councillor Lachance asked as to approval in principle of having a Session of Council held in his area early in the New Year so that his people could have more knowledge of what happens at a Council Session.

Some discussion ensued on the sewage drainage system at Twin City Dairies Limited. Councillor Fader advised that because of weather conditions the Committee did not make the inspection. He advised that they were in the process of putting in a new pump, and if this pump went on stream they hoped the problem would be solved in about four weeks. He said the Provincial Department of Environment seem to be quite happy with the operation, and if this did not work out Twin City Dairies have another angle they can try.

With regard to holding a Council Session in District No. 8, the Municipal Solicitor advised that by Resolution, Council can hold meetings in some other place.

It was moved by Councillor Margeson, seconded by Councillor Eisenhauer:

"THAT the December Session of Council adjourn." Motion Carried.

A standing vote was taken on this motion with the result nine (9) for; six (6) against. Warden Settle declared the motion carried.

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