

MINUTES OF THE ADJOURNED SEPTEMBER COUNCIL SESSION
OF THE MUNICIPALITY OF THE COUNTY OF HALIFAX
FROM SEPTEMBER 20, 1977 TO OCTOBER 4, 1977

Warden Ira Settle called Council to order and the Municipal Clerk, Mr. Bensted, called the roll.

The Clerk advised the items on the agenda were those items unfinished at the September 20th session.

Councillor Lachance then took the floor and went into detail about the need for an advisory board re Halifax County volunteer fire departments. He explained that there were problems with the structure, hierarchy, organization and finance of these fire departments. He, himself, had asked a question about the fire department and was very surprised at the way in which it was handled. The question was actually referred to the solicitor who gave him a written reply. There does not seem to be any information centre to rely upon for questions about fires and other fire department matters. The County is divided into numerous small fire departments which reduces their potential as regards to obtaining insurance, etc. If all the fire departments acted as one unit, prices would be much less for insurance and equipment. Councillor Lachance suggested that a body be formed called the Halifax County Volunteer Fire Fighters Advisory Board which would act as a bargaining agent with the County re matters of spending for those departments who wish those services. This board should consist of three members of Council as well as one staff member.

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

"THAT three members of Council be appointed as well as one staff member to act as secretary to a Board, known as the Halifax County Fire Department Advisory Committee." Motion Withdrawn (withdrawn following Councillor Benjamin's discussion next in the minutes.)

Councillor Benjamin agreed with many of Councillor Lachance's comments. Looking back over the history of catastrophes in Halifax County, he feels that the fire departments should know exactly what to do should any major disaster occur in the future such as a toxic gas explosion. The fire department is usually the first to respond and the public depends on them for the answers. They should be a source of information. Councillor Benjamin thinks a central dispatch telephone service would greatly aid in the supplying of such knowledge. Many fire departments are involved in other things besides fire fighting such as search and rescue operations and they should be properly trained in all these fields. There could be coordination of all equipment in the County should such a board be established. As well, things could be investigated such as the use of the emergency channel by people in the Valley, Yarmouth, etc. for everyday use instead of what it was set up for - emergencies. Which fire department is responsible for surveillance of the airport, the new motel near the airport, etc? A study should be made to answer these questions and more and to see that proper procedures are followed, the right equipment is available for each particular district and so on. Councillor Benjamin suggested that the members of the present Police Committee could handle this responsibility.

At this time, Councillor Lachance interjected and said that he wanted an advisory committee only which would not have direct control over the fire departments. The resolution made previously by Councillor Lachance was withdrawn at this time and changed to read as follows:

"THAT the Police Committee be expanded to be the Police and Fire Committee, that the matter be referred to this committee and that the committee report back to Council within three months with a report outlining the feasibility, the mandate, the structure, the accountability and a recommendation concerning the permanent establishment of said committee." (See Motion of Deferral).

Councillor Cosman wanted to know how many volunteer fire departments and fire chiefs there were in the County and whether this advisory committee would have a liaison with the fire chiefs. They may become suspicious of such a board if they were not included.

Councillor Poirier asked if this board would have anything to do with the bargaining of salaries because this is something they should not get into. It is a separate topic to be dealt with on its own and the board would not deal with this aspect of bargaining.

Councillor Benjamin added that area rates paid for firemen's salaries.

Councillor Baker was afraid that such a board would give volunteer firemen the idea that they would be paid for services rendered.

Councillor MacKay asked whether present staff would be used on this board or an additional staff person was to be hired.

Councillor Lachance informed him that there was a present staff member very much involved in this already and stressed that this was going to be a study only.

Councillor Williams had no doubts that money could be saved by the establishment of a central board, however, most fire departments are masters of their own homes and will not take direction too easy.

Councillor Lachance explained that this would be for their information only and that a fire department need not accept the board's advice. The board would only give advice when a fire department asked for it.

Councillor Deveaux felt the fire department should be approached first and be asked their opinions on the matter. A letter should be sent to the Association of Fire Fighters and ask one of the fire chiefs to be on the board.

Councillor Fader hoped this board would work closely with the fire chiefs but was generally of the opinion that this would be a step in the wrong direction. Most fire departments like to do their own bargaining.

Councillor Topple replied that in his association with the fire department in Cole Harbour, the firemen were always trying to get things cheaper and their problem was that they were not buying in large enough quantities, making prices higher.

Councillor Gaetz also felt the Fire Fighters Association should be contacted.

Councillor Margeson thought the setting up of such a committee would be costly and that there should be a meeting with the fire departments to see what they think about the idea. The Fire Fighting School could also be in on this. Poll the fire chiefs, get their thoughts and perhaps expand the idea to include provincial buying as well.

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

"THAT the preceding motion be deferred to November Council Session." Motion Carried.

Councillor Topple was concerned that water and sewer services not be held up because of a right-of-way to the concerned property. The solicitor explained that the County acquired right-of-ways to land for purposes beneficial to the people. Usually, agreements were obtained from the owners of the property but in difficult cases, an easement is obtained.

Councillor Topple also has a problem in his area concerning burglar alarms going off at odd times when no burglars are involved. Three businesses in his area have these new alarms which have an ambulance type siren. Cars hearing this swerve off the road and neighbours are expected to call the police. The alarms are set off by such things as temperature changes, heavy traffic, etc. The people are fed up with being disturbed at all hours. Councillor Topple asked the R.C.M.P. if this could be considered disturbing the peace, but the R.C.M.P. gave a negative response as the burglar alarm owners were not doing it deliberately. Councillor Topple wondered if the solicitor could draft a by-law to outlaw this type of burglar alarm which uses the community as a policing force. As well, Councillor Topple believes these alarms do not meet Canadian manufacturing standards. These alarms can be tied into a telephone, the police or a telephone answering service instead of publicly sounding off and this is what should be done. The R.C.M.P. agree with this idea.

Councillor Topple made a motion at this time which he later withdrew and appears as next motion page 4.

The solicitor stated that a committee is in the midst of drawing up recommendations to the Mischief and Nuisance By-law and this may be able to be incorporated into this. However, he did not think a separate By-law could be drafted because it would be too hard to prove in court.

Councillor Lawrence suggested that the problem be referred to the provincial department involved in such matters.

Mr. Bensted mentioned that there might be a clause requiring people to have a permit before installing burglar alarms and that they meet certain requirements.

Councillor Eisenhauer noted that sirens were being used in some gasoline filling stations to notify that a customer was waiting for gas. There should be some sort of legislation that specifies when a siren is permissible.

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

"THAT the solicitor be instructed to look at the possibility of proposing a by-law to control and eliminate certain burglar alarms." Motion Withdrawn.

The Municipal Clerk repeated that the Finance and Executive Committee was looking over recommendations to the Mischief and Nuisance By-law and this could probably be added. The Finance and Executive Committee will look at this with the solicitor and will discuss the progress at the next meeting.

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

"THAT the problem of burglar alarms be referred to the Finance and Executive Committee." Motion Carried.

Councillor Lawrence then brought up a problem with the Water Quality Sampling Program by the Provincial Department of Public Health. Councillors were given lists of beaches which were to be tested for swimming during the summer. There is a spring in her area which she just found out was contaminated all summer. She called the Health Inspector and he confirmed that indeed this spring which graded Level C - to be boiled. This spring is heavily used and was especially so this summer by City of Halifax residents trying to get good drinking water. Little did they know it was contaminated and this is the problem. No one knows the results of the tests so what is the point of them being done. Councillors should be notified when water is contaminated either for swimming or drinking purposes.

Mr. Bensted suggested this matter be referred to the Board of Public Health.

Councillor Lawrence feels that all springs should be tested regularly and the results should go speedily to the County Board of Health.

Councillor MacKay suggested that this type of announcement go on a community message broadcast as do most other water quality results.

Councillor Topple noted that there were 400 to 500 such springs in the province and the officials tried putting up signs when one was unfit for drinking but the public promptly tore them down or disregarded them.

Councillor Cosman added that there was a lake in her district this summer that was contaminated because children were getting eye infections. This lake did not make the list of beaches to be monitored.

Councillor Topple said there was a lake in his district that was contaminated as well but that informed people swam regardless.

Councillor Margeson suggested that various volunteer organizations, such as Girl Guides, 4-H Clubs or Boy Scouts could look after the springs and advise when they were contaminated.

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

"THAT the matter of water testing and results re springs and other sources of water for the Public be considered by the County Board of Health as to how the public might best be informed such as advising the councillors concerned and the media." Motion Carried.

Councillor MacKay informed Council that he will be running five miles in the near future for cystic fibrosis and wondered if any councillors may be interested in paying for the miles he runs.

Councillor Cosman noted that Mayor Morris had made a statement in a recent newspaper about possible expropriation of watershed lands belonging to the Municipality of the County of Halifax. There are several thousand acres involved. Perhaps this land could be rezoned to parks and institutional. Regardless, Council should take a firm stand on this issue now.

Mr. Bensted noted that the land concerned would not be the Pockwock system.

Councillor Poirier questioned whether they could do this or not because if they can, it will put her village off the map. They need services now and should any expropriation take place it will put them ten years behind in their struggles.

It was noted by Councillor Williams that the City of Halifax were trying to protect the title but not give rights to the land.

Councillor Lawrence thought MAPC did a study on the use of this land but there were a lot of unanswered questions yet.

It was questioned by Councillor Cosman as to whether the City of Halifax want to annex or expropriate and whether this will go before the Public Utilities Board. Mr. Bensted felt the City would consider annexation rather than expropriation to expand their boundaries.

The history of this land acquisition from the County was questioned by Councillor Lachance and Mr. Bensted informed him that the final decision always rests with the Public Utilities Board who are sympathetic with the City because of urbanization. Warden Settle added that the Public Utilities Board say they may hold a plebesite but never do. They rely on a petition of 50 people as to whether to annex or not. Appeals are made to the same body who makes the decision - Public Utilities Board.

Councillor Margeson suggested that the County work with the City of Halifax to make this park land and that the Planning Advisory Committee consider rezoning.

The solicitor commented that the legislation is heavily weighted towards urban development and therefore the precedents are against the County and there is not too much they can do.

Councillor Eisenhower wondered how the County could ever be urbanized when all their land is being taken away, slowly weakening them.

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

"THAT the Clerk prepare a press release re the last motion." Motion Carried.

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

"THAT the Planning Advisory Committee be requested to look at the possibility of rezoning the watershed lands of the Public Service Commission to recreation and institutional." Motion Carried.

The matter of proper facilities for City Market people was then discussed by Councillor Gaetz. He is of the opinion that these people are the backbone of the community and they need help. They work on their own and receive no government aid and they do not have a proper place to sell their goods. They are shuffled from place to place all the time. The City plans to house them at Smith's Wharf on the waterfront development but this is possibly three years away and what will they do in the interim. Councillor Gaetz was open to suggestions from fellow councillors as to a solution.

Warden Settle attended a meeting recently whereby the problem was recognized and the City were concerned.

Councillor Gaetz also attended a meeting two years ago where the City said they would find suitable arrangements and they have done nothing about it.

Councillor Walker thought competition should be developed against the City Market.

An ex-councillor has offered land for the Atlantic Winter Fair because the City has no facilities for such things as a circus or market. A village such as Sackville could entice such things into their area because they have the land available.

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

"THAT the matter of the City Market be referred to the Finance and Executive Committee." Motion Carried.

Councillor Baker expressed deep appreciation to Search and Rescue who responded so quickly to the drowning accident in Herring Cove over the week-end. The fishermen of the area were very grateful the help was available.

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

"THAT a letter be sent to Search and Rescue with respect to the prompt response recently when a 14 year old drowned off Herring Cove." Motion Carried.

Councillor Benjamin was appalled that that he had heard no response about a proposed meeting of Council and the Provincial Government re the water arsenic problem in Waverley. This was 35 days ago and he feels something very strong should go out from Council about their ignorance of the problem and the proposed meeting.

Councillor Lachance felt this was the type of thing that makes Council look silly and this was too strong a measure to take, however, Councillor MacKay thought Council should stand up and voice their opinions now.

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

"THAT a letter of non-confidence be sent to the Premier, Minister of Municipal Affairs, Minister of Health, Minister of Environment due to a lack of response to the request for meeting with respect to financial assistance to overcome the problem of arsenic contamination in groundwater in Waverley." Motion Carried.

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

"THAT Council adjourn." Motion Carried.

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T U E S D A Y, O C T O B E R 18th., & N O V E M B E R 1st., 1977

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MINUTES OF THE MEETING OF THE MUNICIPALITY OF THE COUNTY OF HALIFAX

TUESDAY, OCTOBER 18, 1977

Warden Ira Settle called the meeting to order with the Lord's Prayer. The Municipal Clerk, Mr. Bensted, called the roll.

Warden Ira Settle noted the presence of the Honourable Garnet A. Brown in Council and welcomed the honour of his visit.

The Honourable Garnet A. Brown spoke briefly to crowded council chambers about the problem in the Preston-Cherrybrook area and his interest in their plight. The attendance shows the people's interest and he hoped that Council would help these people out.

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

"THAT Mrs. Terri Durling be appointed as recording secretary." Motion Carried.

It was agreed that because of the great interest in item # 4 (c) and the number of people present concerned, that items 4 (a) and (b) be dealt with later.

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

"THAT the Building By-law be amended by deleting Section # 21 of the Building By-law." Motion Carried.

Councillor Lachance then took the floor and spoke at great length about his notice of motion concerning Section # 21 of the Building By-law and the deletion of the words "Lake Major" where they appear in this section.

Councillor Lachance took a few moments to welcome ex-councillor Arnold Johnson from his district, # 8, to council this evening.

The boundaries for the Lake Major watershed area were laid out some 25 years ago Councillor Lachance explained and section # 21 was introduced to protect this area, however, the fate of these communities is sealed and these people are being deprived of hope. The solicitor for the County, Mr. Cragg, wrote a letter to J. Hefler dated August 11, 1977 explaining that garages and other building projects should be rejected in the watershed area. This causes hardship but there is no other choice according to the law. Lake Major services the City of Dartmouth and the City has drawn some lines on a map and made them the watershed area. Councillor Lachance stated that many building permits have been refused. What can these people do when there is no hope for tomorrow?

Councillor Lachance went on to explain that this by-law was originally used to improve and protect the watershed but it is no longer acceptable. Councillor Lachance quoted the section in question and also read excerpts from a local newspaper whereby two candidates running in the upcoming City of Halifax election are in favour of annexation of other watershed for the City of Halifax. Halifax County has been the scapegoat for other municipalities for too long. The consequences of this law should have been known 25 years ago. The people in this area have had an upward struggle all their lives and have achieved many things - schools, day-care centre, churches, medical facilities, millions of dollars in houses, etc. Should this all stop now?

The City of Dartmouth have hired a consultant to do a study on the matter but Council should not be fooled by this or wait for their report which should have been ready by now anyway. Many organizations in the area are supporting these people in their struggle to grow. These people should be allowed to upgrade their properties and should be given the freedom of growth. Two months ago Council gave unanimous support to a motion made by Councillor Lachance to support the people in this area. Now Councillor Lachance would like that same support for his proposed resolution to delete this section from the by-law.

Councillor Topple then came forward and backed up Councillor Lachance all the way. He referred back to the minutes to see when this section of the by-law was actually passed and came into effect. He noted that in 1956 a consulting firm, Canadian British Consultants, recommended Lake Major as a watershed area. The area concerned is approximately 30 square miles. He also noted that in 1960 Sandy Lake was proposed as a watershed area to be included in the by-law but that arguments were made that the area would stand still were it excluded. Councillor Topple was not

sure if this type of by-law is even legal in the municipality. There is a law permitting the City of Dartmouth to take water from any lake in the County except Maynard Lake but the residents must be notified of this. If a person loses their home through a fire they cannot rebuild and this is a definite problem.

The meetings Councillors Lachance and Topple had with the City of Dartmouth were not what they wanted. They keep putting the problem off and hope that it disappears. They will only recommend further studies in their proposed report from a consultant. If this happens the community will die and it is too expensive to tie up this land. The decision must be made tonight and should not be deferred or Council will be shirking their responsibilities.

Councillor Williams then spoke and was in full support of the people concerned. He added that the County was still the master of the land and that Council should try to get the facts. Deletion of this section of the by-law must go before the Minister of Municipal Affairs for his approval. He personally felt the meeting with the City of Dartmouth went quite well. The Municipality will at no time be dictated to by another council but they must cooperate with other councils. The mayor of Dartmouth was very sympathetic with the problem.

Councillor MacKay feels this land belongs to the County and that the by-law is definitely outdated.

Councillor Streach also supports the people but not Councillor Lachance's proposed motion because the facts must be presented and acted on. Council should be aware of all the implications of deleting this by-law. The residents will not achieve what they are looking for if Council does not get the facts first.

Councillor Baker felt the motion should be dealt with tonight and also made note of the fact that the City of Halifax did not concern themselves about a sewer being emptied into the Herring Cove.

Councillor Eisenhauer also felt this section should be deleted but noted that Pockwock Lake was not included.

Councillor Deveaux had also attended the meeting with the City of Dartmouth. He feels that if the problem were in his area he would support the people. It is also safe to say the report will recommend further studies.

Councillor Poirier noted that a similar situation occurred in her area whereby lands in Hatchet Lake and Beechville were taken away from residents. No one will buy your land because they don't know what its future is.

Councillor McCabe will support the motion and added that it was a pleasure to have full galleries at the night sessions of Council for a change.

Councillor Margeson was not so sure it was a good idea to repeal the whole section but that possibly "Lake Major" only could be deleted.

Councillor Benjamin thought the black culture should be looked after but that the people of the City of Dartmouth should also be looked after. This water must be protected. He thought the water management was the issue here because deletion of this section will not be implemented right away.

Councillor Cosman asked Mr. Hefler about 20 building permits being issued in spite of the present by-law and he replied that these permits were issued but that they were for renovations and not new building. She also asked whether the recommendation by Canadian British Consultants that sewerage be dumped into adjacent lakes was followed and Councillor Topple informed her the recommendation was not. She wondered whether the Municipal Act was being contravened by the issuance of these building permits.

Councillor Williams wanted to know the solicitor's opinion on the matter and the implications involved.

The solicitor's interpretation was that if a proper study was to be drawn up that a motion to defer would be in order so that Councillors could receive and study the report.

Councillor Williams was then of the opinion that the motion be deferred for two weeks and hold a special session of council to discuss it further.

Councillor Streach noted that he felt that the majority are in support of the people but he feels that the solution to the problem would be to defer for another month.

Councillor MacKay noted that this was the third month that Council has discussed this problem and that it should therefore be decided upon tonight.

Councillor Topple added that there is other legislation to protect the watershed.

Councillor Williams again pointed out that this is a serious issue and a sensible solution should be reached. The matter should be deferred to the next annual council session.

Councillor Cosman wondered if a ballot box could be used for this vote and was advised no.

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

"THAT this motion be deferred to the November Council session pending the receipt of the report from the consultant with respect to a study of the Lake Major watershed." Motion Defeated.

Councillor Fader would like to have a meeting of full council to discuss and deal with the study that is going to be handed down by the City of Dartmouth.

Councillor Stretch could not understand what benefit this meeting would be when the motion was just passed to delete the by-law and all further discussion would be useless.

Councillor Lawrence wondered if the report would be ready before Councillor Fader's proposed meeting and whether Councillors would have enough time to read it thoroughly.

Council then adjourned for ten minutes to allow those in the gallery to leave.

Councillor Stretch felt the 1976 financial statements should be dealt with at this proposed meeting as well.

Councillor Deveaux suggested that the motion be changed to read that the meeting be called to review the by-laws.

Councillor Topple feels the report from the City of Dartmouth should be dealt with by the proper authorities or committee and that the meeting should deal with the by-laws.

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

"THAT a special session of Council be held on November 9, 1977 at 7:00 P.M. to discuss the study report prepared by the consultant for the City of Dartmouth with Lake Major Watershed Study and or the 1976 financial statements with the auditors." Motion Withdrawn.

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

"THAT a special session of Council be held on November 9, 1977 at 7:00 p.m. to discuss the by-laws." Motion Carried.

Councillor Gaetz felt that a curfew of 11:00 p.m. should be established and another session of council be held at a later date to cover unfinished business.

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

"THAT Council establish a curfew of 11:00 p.m." Motion Carried.

The next item of business was the application for an undersized lot (4a).

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

"THAT the application for approval re Undersized Lots under the 1966 Legislation - Application # 348-77 - Lands of Basil MacDougall - Middle Sackville be approved." (Requires a 2/3 majority vote of Council to pass. Deferred from the September 20th meeting.) Motion Carried.

Councillor MacKay felt that the application for approval of an undersized lot belonging to Basil MacDougall should never have come as far as it has. He personally has looked at the land and is against the approval.

Councillor Sutherland also feels that it has not been proven to date that this is a hardship case which this law was made for.

Councillor Fader thought it very unfair that Mr. MacDougall have to pay taxes on a piece of land that cannot be developed. There are other lots smaller than Mr. MacDougall's which have been approved. The County will benefit from this because they will get the taxes. His proposed home

for his parents-in-law will have to meet the building laws and approval as well. He has also visited the lot and took pictures which show a garage on the Baker property which was not there previously. He questioned whether it had been approved for side yard clearance and whether there was a permit for this. If Council does not approve this lot, then they should buy it from Mr. MacDougall as it is of no use to him unless he can build on it.

Councillor Lawrence noted that the second map showing more details on the land and surrounding area was submitted by Mr. MacDougall himself and was not a properly surveyed map.

Councillor Fader wondered why it was received by the planning office if it was not considered satisfactory. He specifically asked the Planning Committee at the last session of Council to bring in more information to help in the decision.

Councillor Streach feels that the lot should be approved as other lots have been approved under the required 9,000 square feet. The solicitor had pointed out at the last session of Council that this was a judgement case so Council must exercise their judgement.

Councillor MacKay feels Council has an obligation to the people in this area. He was of the opinion that Councillor Fader's suggestion that the County purchase the land was out of the question. Mr. MacDougall was aware of the problems before he purchased the property and he has other approved lots indicated in the map where he could build a home for his parents-in-law.

Councillor Cosman asked the solicitor to explain the situation with regard to Mr. MacDougall's parents-in-law.

Mr. Cragg explained that the Goodalls had approached the City of Halifax themselves and offered their land voluntarily for sale. They were aware that their land would probably be desired by the City in order to widen the Herring Cove Road, however, actual vacating of their property would probably not take place for at least ten more years.

Councillor Fader added that this was a hardship case as the Goodalls have no toilet or water facilities.

Councillor Benjamin thought the building of this home would be detrimental to the neighbours as it was not good planning. The land was not originally planned to build on so it would be a mistake to allow any building.

Councillor Topple thought it would be a challenge for Mr. MacDougall to build a home on this particular lot that would meet building by-laws and regulations. Mr. MacDougall has stated that he will deed the land over to the County if he does not get approval as there is nothing else he can do with it.

Councillor Margeson could see no reason why this lot is not approved as Mr. MacDougall is doing a fine thing in helping his parents-in-law.

Approval for a lesser set back will have to be given by this Council to Mr. MacDougall should he apply stated Councillor Topple. He also questioned why the Planning Advisory Board accepts unsurveyed plans.

Sketch A is a properly surveyed map and Sketch B is a more detailed one submitted by Mr. MacDougall explained Councillor Lawrence.

Councillor Sutherland objected to the pictures of the garage on the Baker property being passed around as the public hearing closed last week.

Councillor Lawrence then brought up a proposed motion prohibiting a change with respect to the hours of Council within a 12 month period as this issue has come up several times. This would limit the number of times it could be considered and it would not hinder the new council as Councillor Lawrence added a clause to the motion except in Council's third term.

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

"THAT amendments to the Municipal Council By-law to change the hour at which council sessions are convened be reconsidered only once in any 12 month period - except in the third year of any council's term, when an additional motion of reconsideration may be made with the unanimous consent of Council at the last session of that Council." Motion Withdrawn.

Councillor Williams feels that future councils should not have to abide by this Council's decisions. Councillors McCabe and Lachance thought such a motion would tie Council down and restrict them so there would be no flexibility.

It was mentioned by the solicitor, Mr. Cragg, that he had spoken to the Minister of Municipal Affairs who replied "not again" about a possible change of hours. Mr. Cragg also feels Council should not legislate themselves into a corner.

Councillor Lawrence agreed to withdraw the motion on the basis that she felt the Council would not introduce a change in hours without due consideration.

An idea of Councillor Margeson's was that Council begin their monthly meetings at 2:00p.m., have supper brought in and then continue until 11:00 that evening.

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

"THAT the minutes of September 20th be approved as amended." Motion Carried.

Councillor Cosman feels the minutes of the adjourned session of Council held on October 4th should be gone over by the Councillors before approval is given.

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

"THAT the approval of the minutes of October 4th be deferred to next session of Council." Motion Carried.

Additions to the agenda were as follows:

Councillor Deveaux - Nominating Committee
- Mobile Home By-law

Councillor Lawrence - Increased membership on the Board of Health (now 4 Councillors and 1 non-councillor - proposed 6 Councillors and 1 non-councillor)
- New garbage contracts
- Co-ordinator for Derelict Vehicle Clean-up project and Unsightly Premises Inspections

Councillor Benjamin - Nominating Committee
- Lockview Speed Zone
- Bi-High Cobequid Road Turn-off

Councillor Gaetz - Atlantic Winter Fair

Councillor Lachance - County Plumbing Inspector

Councillor Sutherland - Building Permits and access controls

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

"THAT the above items be added to the agenda and the agenda be closed." Motion Carried.

It was further moved by Councillor Cosman, seconded by Councillor Streach:

"THAT the letters and correspondence be received." Motion Carried.

Councillor Baker expressed thanks for the support of Council for the chilled receiving room for the fishermen of Herring and Portuguese Coves.

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

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

There was some discussion about the application to the Public Utilities Board of the proposed change in tolls on the two bridges as presented in the Warden's Report.

Councillor Topple thought it unfair that passenger vehicles were getting a 25% increase whereas the commercial vehicles were not getting any increase but rather a reduction instead.

Deputy Warden MacKenzie thought the provincial government should take over the bridges and make them a part of the provincial road system and do away with tokens.

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

"THAT a letter go forward to the Premier of Nova Scotia urging that the Angus L. MacDonald and A. Murray MacKay Bridges be taken over by the Province of Nova Scotia as part of the highway system and that all tolls be eliminated." Motion Carried.

The Report of the Director of Planning and Development was then dealt with.

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

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

It was felt by Councillor Gaetz that there were a lot of plans rejected by the Development Officer for his district. One in particular was for a house to be built on 5 acres of land. These people can reapply but it is costly.

Councillor Williams also questioned what was going on re a lot owned by Gerald Mills. He has been given the impression that there is going to be a trailer court put here.

Mr. Gough explained that a commercial operation was going to be located on this lot and that there were presently two trailers on two separate lots for watchmen for heavy equipment stored here.

Councillor Williams was not satisfied with this and would like the matter investigated.

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

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

Councillor Cosman brought attention to item # 2 of the Planning Advisory Committee about the land of the former Bedford Fish Hatchery being up for sale. She explained the process whereby the Federal Government sells land and it was noted that the Municipality was almost overlooked this time. This land is currently zoned as C2 and should be maintained as a park as presented in a brief by the Bedford Service Commission. This area could be widely used for community activity and a proposed walking and hiking trail could go along here.

Mr. Gough presented a map showing the area in question and went on to explain that this would be an anchor for a proposed walkway. The Planning Advisory Committee wish to go on record as endorsing that this land be used as park land.

Councillor Cosman proposed that the County negotiate an acceptable purchase price for this land (as it is grossly overpriced at present) should the Bedford Service Commission wish to purchase it. The County could act as a bargaining agent and get a better price.

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

"THAT the Municipality of the County enter into negotiations with the Department of Public Works with respect to a possible purchase price of the Fish Hatchery property." Motion Carried.

Councillor Walker wanted it clarified as to whether the County of Halifax or the Bedford Service Commission wanted to purchase this land.

Councillor MacKay thought the County should take exception to the fact that they were bypassed on this land sale.

Councillor Eisenhauer feels that the Cities of Halifax and Dartmouth should be involved in this as it would be a regional park.

Councillor Poirier was flabbergasted that the County would negotiate a price as it implies that they are interested in buying and this is out of the question. Bedford already has a lot of recreational facilities and her area practically none. The Bedford Service Commission should negotiate prices on their own.

Councillor Benjamin explained that the County could be the agent for whoever would like to buy the land.

As there was a time limit set out for the County to reply to the Federal Government about their interest in this land, Councillor Cosman was anxious that a reply be sent immediately.

Councillor Cosman does not want to imply that the County will buy the land only that they will attempt to negotiate an acceptable purchase price.

Councillor Fader recommended that a letter go to the Federal Government asking for more time and in the meantime, Council find out if the Bedford Service Commission are interested in buying the land. A public meeting could be called in Councillor Cosman's area to see if the people are interested.

Councillor Williams also wondered if it were legal to negotiate in this way and feels there should be a definite group interested in the land in order for the County to negotiate for them.

The solicitor replied there would be no legal commitment involved should the County negotiate a price.

Councillor Eisenhower then dealt with the application to rezone lands at Hammonds Plains. He feels that diagram # 2 should definitely be used for the rezoning application.

It was moved by Councillor Deveaux, seconded by Councilbr Eisenhower:

"THAT the Zoning By-Law be and is hereby so amended by rezoning lands at Hammonds Plains (Pockwock Village Ltd.) from G (General Building) Zone and T (Mobile Home Park) Zone to R1 (Residential Single Family Dwelling) Zone as per Application # 9-77 - Diagram # 2." Motion Carried.

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

"THAT the Zoning By-law be and is hereby so amended by rezoning land at Timberlea and lands at Lake of the Woods Subdivision from G (General Building) Zone to R1 (Residential Single Family Dwelling) Zone as per Application # 13-77." Motion Carried.

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

"THAT the Report of the Chief Building Inspector re Lesser Sideyard Clearances be approved." Motion Carried.

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

"THAT Council adjourn until November 1, 1977 at 7:00 p.m." Motion Carried.

The meeting adjourned at 11:10 p.m.

MINUTES OF THE ADJOURNED OCTOBER COUNCIL SESSION OF

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

TUESDAY, NOVEMBER 1, 1977

Warden Ira Settle opened the meeting at 7:00 p.m., followed by the Municipal Clerk, Mr. Bensted, calling the roll.

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

"THAT Council set a curfew of 11:00 p.m." Motion Carried.

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

"THAT Mrs. Terri Durling be appointed as recording Secretary." Motion Carried.

Councillor Lachance questioned the instructions given to the recording secretary by the Municipal Clerk. Mr. Bensted explained that the recording secretary had the responsibility of getting the motions down correctly for the minutes and the gist of the discussion but not a verbatim recording.

With regards to the minutes of the adjourned September council session from September 20, 1977 to October 4, 1977, Councillor Cosman noted one change. On page three with reference to a lake which did not make the list of contaminated beaches, this should read did not make the list of beaches that were monitored.

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

"THAT the minutes of October 4, 1977 be approved as amended." Motion Carried.

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

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

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

"THAT the Report of the Municipal School Board be received." (See motion of deferral following discussion of the report.)

Councillor Cosman questioned why a \$75.00 stenographer's chair was being purchased for the Bedford Junior High School when a chair for \$116.80 was the price of the originally requested chair. The employee in question has a disability and needs the better chair. Councillor MacKay explained that individual schools make up lists of their requirements and these are then given approval by the Municipal School Board. Mr. Bensted suggested that a request might go back to the School Board to get approval for the more expensive chair.

Councillor Walker questioned the need for a portable television in the sub system office of Head Jeddore and wanted to know why this was approved. Councillor MacKay could not remember exactly why but there was a good reason for the approval of this portable television. He suggested that this be further checked out with Mr. Perry, the Superintendent. It was noted by Warden Settle that the Municipal School Board Report was only being received tonight and not adopted so as to assure Councillor Walker on the matter of the portable television.

Councillor Baker wanted to know what the up-right scaffolds were to be used for in the Herring Cove School. These are needed for cleaning, general maintenance and work in the gym.

Councillor Lachance felt the report of the Municipal School Board should be deferred so that members of the School Board could answer the many questions councillors seemed to have.

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

"THAT the Report of the Municipal School Board be deferred to November Session of Council." Motion Carried.

The Report of the School Capital Program Committee was then discussed.

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

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

Councillor Gaetz informed Council that the contracts for the Bell Park and Gaetz Brook Schools have been awarded.

Councillor Cosman is opposed to the site selected for the proposed Bedford-Waverley School as it is unsatisfactory. The trustees of the school and project planners are also opposed to the same site.

Councillor Margeson requested an updated report on the Beaverbank School. He also requested that the word "Kinsac" be added to Beaverbank.

Councillor Lachance informed Councillor Margeson that the surveyor's plan has been received for this school. Plans are being worked on for the well and in general, everything is progressing very well. Approval must be given by the Department of Health for sewage.

Councillor Lawrence noted in the report that the elementary school for Four Villages-St. Margaret's Bay should read Five Islands Lake instead.

Councillor Lachance would also like the name of the Suburban Dartmouth School changed. Mr. Bensted suggested the School Board be approached about a possible change in name. Councillor Gaetz said this school name had been discussed at a meeting of the School Capital Program Committee.

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

"THAT the Elementary School at Bell Park - East Preston - Lake Echo be named "Bell Park Academic Centre." Motion Carried.

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

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

With reference to the Job Creation Program instigated by the Province of Nova Scotia, Councillor Walker wanted to know why it was not in the Report of the Finance and Executive Committee.

The program was explained by Mr. Bensted. The program authorizes the employment of 15 persons to work on some green areas. Reapplication has been made for the enlargement of this program to hire an additional 35 persons. Councillor Streach added that a drawback to the program was the wage factor in paying minimum wage. There was a problem in getting people to work for the wages offered.

Deputy Warden MacKenzie went on to say that Mr. Markesino was handling this program. The deadline for making application to get any work done has passed.

Councillor Eisenhower then spoke about his proposed tax exemption re senior citizens over 65. Many senior citizens live on incomes of \$4,500.00 or less and try to maintain a small home on this. These people want to remain in their homes rather than go to senior citizen's homes such as Ocean View but it is very difficult. Councillor Eisenhower referred to the 5th amendment and read it to Council. He feels people will not mind a general increase in taxes if it helps to ease the burden on senior citizens.

Councillor McCabe brought up the fact that if a recipient of the old age pension has a younger spouse, they receive a supplement to the pension. Upon the death, however, of the older pensioner, the spouse does not receive either the pension or the supplement. He feels this is very unfair as this is the time when the person really needs it. He has seen many hardship cases where this has happened.

Concerning the watershed lands of Lake Major, Councillor MacKay wanted to know if the Consultant, Mr. Verge, had submitted his report to County Council yet. Mr. Bensted explained that the City of Dartmouth were to receive it at the end of October but there was no set date for which the County was to receive it.

It was then moved by Councillor Eisenhower, seconded by Councillor MacKay:

"THAT a tax exemption be granted to a person who is

- (a) a widow or widower
- (b) the head of a single parent family supporting a dependent within the meaning of the Income Tax Act
- (c) Persons 65 years of age or over where that person's income for the preceding year is below \$4,500.00

This exemption shall apply to persons who are residents of the Municipality and if the property is owned by more than one person, one or more of whom is entitled to an exemption, the person so entitled shall be entitled only to that portion

of the amount of exemption that the amount of his assessment with respect to the property bears to the total assessment for the whole property and where the owners are not separately assessed then to that portion determined by the assessor whose determination shall be fixed.

Furthermore that exemption shall apply only to property of a rate payer occupied by him as his house.

Furthermore the amount of income specified in that resolution includes the income of all other members of the same family residing in the same household.

Such application must be made before December 1st of the year in which the exemption is sought.

This shall apply to the year 1978 and all applicants must complete an affidavit as required by the Clerk." Motion Carried.

Councillor Eisenhower's proposed motion re senior citizens was discussed.

Councillor Lawrence wanted to know when this motion would go into effect and Mr. Bensted replied it would in 1978.

There was some discussion about the method of getting the information required and it was noted that affidavits would be used.

There are several people in the County who are eligible for these tax exemptions who are not aware of it. The information is not getting to them. He wanted to know what affect this would have on the staff in making sure the information goes to those over 65 years of age.

Mr. Bensted explained that a letter would go to all ratepayers.

Councillor MacKay then wondered if he could amend the original motion by changing it to \$200.00 tax exemption instead of \$100.00.

Councillor Gaetz stated that the other taxpayers have to make up for this and the \$100.00 exemption was enough.

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

"THAT the amount of exemption be increased to \$200.00"
Amendment Defeated.

Councillor Eisenhower agrees with Councillor Gaetz that someone else has to pay for this. He feels his original motion of \$100.00 should be tried for a year to assess how it works out and then decide if it should be changed to \$200.00.

Concern for the budget projections was expressed by Councillor Sutherland. This type of thing is very difficult to budget. The onus should be on the councillors for each district to give an idea of the number of people involved before budget time.

Councillor Streach also agreed that \$200.00 is difficult to budget for. It is very difficult to project how much this will amount to. He also feels the province should be responsible for the senior citizens.

In defense of his motion, Councillor Deveaux feels that the people would not mind paying .02¢ or .03¢ more to help senior citizens.

It was Councillor Lawrence's suggestion that the matter of the \$200.00 be referred to the finance and executive committee to be looked at and meanwhile the original motion of \$100.00 tax exemption be adopted.

Councillor Williams commented that there were a lot of people who did not know about the original tax exemption for widows, etc. Many young couples have financial problems as well as senior citizens and therefore council will be placing the burden on these people.

Councillor Topple wanted to know what the present exemptions had amounted to. There may be a possibility that dollars were picked up instead of lost.

Councillor Fader realized that there will be a lot more people applying this year with the proposed additional tax exemption on top of the old one and Council has no way of guessing how many people are out there.

It was mentioned that the Honourable Walter Fitzgerald hopes to have some kind of an incentive for senior citizens to keep their homes and he may be introducing ideas at the next sitting of the House.

Deputy Warden Mackenzie commented that the system in effect last year was well worthwhile. However, there were many people who did not get the notice with their assessments and paid the taxes charged. Some of these people have since received rebates.

Again, Councillor Lawrence suggested that this item of \$200.00 be referred to the Finance and Executive Committee for a report. Councillor Streach replied that the Finance and Executive Committee had already studied the matter and could not make a decision because of the uncertainty of the dollars involved.

Councillors Deveaux and Lachance urged Council to take a stand tonight and not defer it as so often happens with other problems.

It was at this time that the motion moved by Councillor Deveaux, seconded by Councillor Cosman re the exemption being increased to \$200.00 was defeated.

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

"THAT the solicitor be instructed to prepare permissive legislation enabling the Municipality to approve a by-law to set up noise control." Motion Defeated. (See motion to reconsider)

Councillor Cosman moved a motion of reconsideration.

Councillors Eisenhauer and Margeson felt the \$1,500.00 requested by the Royal Bank of Canada to clip coupons on bonds was too much. Other alternatives were discussed but were not suitable.

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

"THAT the Warden and Clerk be and they are hereby so authorized to sign the required agreement with the Royal Bank of Canada re safekeeping of investments and clipping of coupons. Motion Carried.

The subject of councillor's remuneration and committee pay was then discussed. Councillor Gaetz wondered what became of the special committee that was supposed to investigate this.

Councillor Streach replied that the committee could not do the job and it was being taken out of their hands and staff were being asked to prepare something which would be within the A.I.B. guidelines.

Solicitor Cragg added that this committee had been set up at his recommendation and the committee had found it too difficult a task to complete. The committee were not looking for any remuneration as they had done nothing.

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

"THAT the Special Committee re Review of Councillor's remuneration, committee pay, etc. be disbanded effective this date and the committee requested to submit to the Municipal Clerk any data or information put together by the committee at the earliest possible date." Motion Carried.

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

"THAT Council approve an addition loan to the Bay Road Fire Department, District # 3 for the purpose of construction of a Fire and Recreation Hall to be repaid on a yearly repayment schedule of principle and interest. Council to set an area rate if necessary to recover any outstanding payments of principle and interest." Motion Carried.

Deputy Warden MacKenzie then noted that there were a number of special meetings of Council. There are other meetings going on in individual districts which should be attended and are not because of Council meetings. County taxpayers should be made aware of this.

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

"THAT Council meet in special session on Wednesday, November 9, 1977 at 2:00 p.m. for the purpose of reviewing the financial statements for year ending

1976 with the auditors, Thorne Riddle." Motion Carried.

Councillor Gaetz then brought up the matter of a permanent location for City Market. This should be hurried up so as to get these people in out of cold weather. Councillor Topple said one farmer had told him there were no loading facilities at the proposed site in the waterfront development, however, Mr. Bensted informed him arrangements were being made for this provision. It was noted that the Mayor of Halifax was very sympathetic with the problem.

Councillor Margeson suggested the Halifax Armouries as a possible alternative and Deputy Warden MacKenzie recommended the proposed Trade Fair.

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

"THAT Council encourage the location of the City Market in a suitable manner in the waterfront development."
Motion Carried.

Councillor Deveaux then brought up a problem dealing with the nominating committee. Every year at this time, there is a problem and he feels the by-law should be changed to read October instead of November and this would give the nominating committee more time to decide who goes on what committee.

There was some disagreement with this suggestion as this would give fellow councillors opportunity to hound the nominating committee for their choice of committee. This would also be difficult in a year of an election when new councillors are coming in.

Councillor MacKay wanted to make a motion of intent whereby the Warden appoint his nominating committee tonight.

Councillor Cosman thought the committee should be enlarged from 5 to 7 members. Councillor Streach did not agree with this as he felt the 7 councillors on the nominating committee would get the top 7 jobs.

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

"THAT the solicitor be instructed to prepare an amendment to the By-law which would allow the appointment of the nominating committee in October instead of November with the exception of election year." Motion Defeated.

Councillor Cosman again pursued her suggestion of 7 instead of 5 on the nominating committee.

Councillor Benjamin noted that the Police Committee and the Industry Committee were next to inactive.

Councillor MacKay feels the present system of nominating is not fair treatment.

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

"THAT Council instruct the solicitor to prepare an amendment to the By-law to have the nominating committee consist of seven members instead of five." Motion Defeated.

Councillor Deveaux then spoke about another problem he has in his area with regards to a mobile home. A person has applied to rezone his lot for a mobile home. The person does not live on the lot in question but has a mobile home here which he leaves on the premises. It turns into an unsightly premise because of neglect. Councillor Deveaux would like the solicitor and Mr. Hefler to come up with a by-law that would back up notices given to these people or to make them liable for prosecution.

Councillor Topple noted that some people put trailers on site and use them as a construction site.

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

"THAT the solicitor and Chief Building Inspector consider the matter of a vacant mobile home being located on a lot but not occupied." Motion Carried.

Councillor Lawrence then proposed that the Board of Health be increased to 6 councillors from 4. The Board is going to consider having more responsibility. This Board has had many problems in the past and with the addition

of two more councillors it will add strength.

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

"THAT the membership of the County Board of Health be increased from 5 to 7 of which one shall be a non-council member." Motion Carried.

Councillor Streach agreed with this proposal saying the Board of Health will be a committee of primary importance in the future.

Councillor Gaetz could not understand what good this would do when the Health Inspector has the final say.

Councillor Streach added that the Board should take situations in their own hands and suffer the consequences.

Many Councillors were discouraged with the way things were now. The Provincial Health Act overrules the Municipal Act and what was the point in having a County Board of Health.

Councillor Fader asked the present 4 committee members to give their opinions on the proposal.

Councillor Baker is frustrated with the rules and regulations, and Councillor McCabe and Walker would not support having two more councillors on the Board.

Councillor Deveaux feels that unless the Health Board gets more say in decisions, this Board is a waste of the taxpayers time and money.

Mr. Bensted stated that the County Board of Health had brought in many regulations which were approved by the Minister of Health and subsequently were brought in as Provincial Regulations.

Councillor Topple suggested there be some meetings with the Minister of Health on this very subject.

It was noted by Councillor MacKay that there is an error in the minutes of the Board of Public Health. There is a reference to a Mr. David Hooley being the Municipal Solicitor.

Councillor Lachance felt the proposal was a good one as anything at this point would help.

Councillor Margeson noted that at the last meeting of the Board of Public Health, councillors were in the minority. Although only councillors can vote, others present are an influence in their decisions. Two more councillors on the Board would have more say and probably make better decisions.

Councillor Lawrence then asked about new garbage contracts and Mr. Bensted informed her that tenders were being prepared for advertising.

Councillor Sutherland wanted to know if garbage trucks were picking up garbage in his area and taking it into the compacting station in Halifax before taking it to the landfill site. This seemed to be a waste of time. Mr. Bensted informed him this was not being done but that garbage would be taken directly to the landfill site from that area.

Councillor Deveaux wanted to know what order was being given to areas for garbage being switched from the dump to the land fill site. He was informed that Regional Authority are giving January 1, 1978 as the date when all garbage will be going to the landfill site.

Concerning garbage, Councillor Margeson asked what had happened to his request from the Public Works Department about a report on conservation. It was not known what was happening with this report at this time. Councillor Margeson then suggested a five minute break.

Upon returning from the break, Councillor Gaetz spoke about the Atlantic Winter Fair being moved to Windsor.

Councillor Streach explained that all the members of the Board want the fair to remain in Halifax but they also feel it is unfair to the displayers and people to be put in such cramped quarters at the Halifax Forum. If the Trade Square becomes a reality, the Atlantic Winter Fair will probably become a tenant.

Warden Settle added that the executive of the Fair were faced with a petition from the cattle owners at this year's fair saying they would not come back next year in such deplorable quarters. The cattle dropped from 700 to 200 this year.

Councillor Streach also noted that all entries were down considerably this year and the committee could not run the risk of this getting worse.

Councillor Lawrence informed Council that a Mr. Kevin Tobin is the co-ordinator for derelict vehicle clean-up project and unsightly premises inspections and all related problems should be funneled through him now. Mr. Bensted added that a letter was going out to all councillors informing them of Mr. Tobin's appointment.

Councillor Benjamin has a petition with 97 names on it from Fletcher's Lake area asking that the speed zone on the Lockview Road be reduced to 25 m.p.h. because of the hazard to children on this narrow road. Also, a sign should be added to read "No Exit or Through Road". Also, a new subdivision is going in on Lakeview Road which is bounded by the bi-highway. There will be approximately 85 homes going in here and there will be a lot of congestion funnelling through one road. Changes should be made to the roads in the area to alleviate this congestion.

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

"THAT a letter be forwarded to the Minister of Highways supporting the petition from residents of Lockview Road and requesting action as outlined." Motion Carried.

It was further moved by Councillor Benjamin, seconded by Councillor Eisenhauer:

"THAT Council request the Department of Highways to consider road improvements with request to the proposed subdivision development at Lakeview." Motion Carried.

Councillor Lachance asked about an item he had brought up about a school principal requesting financial assistance with school uniforms and what was being done on this. It has been referred to the finance and executive committee. Also, his item about a County Plumbing Inspector should be dealt with by the same committee.

Councillor Sutherland is concerned about some of the permits being approved re access to highways. There should be a better working relationship with the building inspectors and they should thoroughly investigate the access to highways.

Councillor Walker had brought up problems with building by-laws in August and at that time there was supposed to be a committee set up to revise them. This should be checked into.

Councillor McCabe would like his district removed from the Regional Development Plan and would like a letter to go to the Minister of Municipal Affairs about this. Councillor Streach would like his district removed as well.

All councillors felt each of their districts should be removed. Council should wait until the Master Development Plan comes forward for the Municipality.

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

"THAT a letter be forwarded to the Minister of Municipal Affairs requesting that Districts # 12 and 13 be removed from the contents of the Regional Development Plan." Motion Carried.

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

"THAT the motion be reconsidered." Motion Carried.

The motion of reconsideration re legislation enabling the Municipality to approve a by-law to set up noise control was then dealt with. It is hard for urban areas to understand the problems of rural areas and vice versa stated Councillor Cosman. In urban areas, however, dogs are close to homes and there is always a lot of noisy construction going on which disturbs the peace.

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

"THAT the solicitor be instructed to prepare permissive legislation enabling the Municipality to approve a by-law to set up noise control." Motion Carried.

Council then revoted on the original motion which was carried. Councillor Streach brought up the fact that Honourable Garnet Brown will be holding Public Meetings re changing the electoral boundaries in five counties. He feels this Council should take the leadership and set up a committee which Council will be prepared to support their findings before going to public hearings. The present way districts are set up is unfair.

Deputy Warden MacKenzie thought it also unfair when a district was large in area and a Councillor had to travel a great deal.

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

"THAT Council authorize the Warden to appoint a special committee to consider the matter of provincial representation in Halifax County and to prepare a report to Council for submission to the Public Hearing re Provincial Electoral Boundaries." Motion Carried.

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

"THAT Council adjourn." Motion Carried.

Council adjourned at 11:05 p.m.

MINUTES & REPORTS

of the

SECOND YEAR MEETINGS

of the

THIRTY - NINTH COUNCIL

of the

MUNICIPALITY OF THE COUNTY OF HALIFAX

NOVEMBER COUNCIL SESSION

TUESDAY, NOVEMBER 15th. & 22nd., 1977

MINUTES OF A SPECIAL SESSION OF COUNCIL - NOVEMBER 9, 1977 at 2:00 P.M.

The Municipal Council convened in the Council Chamber of the Municipal Administration Building at 2:00 P.M., November 9th., 1977 and Warden Settle called the meeting to order, and the Municipal Clerk called the Roll.

Present at this session were Mr. Stewart Giles, C.A. of Thorne Riddell & Company along with two Associates and also present was Mr. Kenneth Wilson, Comptroller, Municipality of the County of Halifax.

Warden Settle invited Mr. Giles to proceed with his presentation of the Financial Statements of the Municipality of the County of Halifax for the year ending December 31st., 1976.

Mr. Giles proceeded to outline the Financial Statements as presented to the Members of Council and during the discussion, answered numerous questions by various councillors and giving explanations and detailed breakdowns on a number of items in the various statements.

Following the presentation, and questions and answers, Warden Settle thanked Mr. Giles and his Associates for being present and it was duly moved by Councillor Streach, seconded by Councillor Benjamin:

"THAT Council adjourn." Motion Carried.

Council adjourned at approximately 4:00 p.m.

SPECIAL MEETING OF THE MUNICIPAL COUNCIL

WEDNESDAY, NOVEMBER 9, 1977

The Warden called the meeting to order and Mr. H. G. Bensted, the Municipal Clerk and Treasurer, called the roll.

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

"THAT Mr. P. J. Fawson be appointed as recording secretary." Motion Carried.

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

"THAT the Council Session terminate at 10:00 p.m." Motion Carried.

Councillor Topple requested permission from the Warden to discuss the Lake Major Watershed areas.

Mr. Bensted advised the Councillor that the Municipality of the County of Halifax had not received the report as prepared by the Consultants for the City of Dartmouth. However, the report had been prepared and was being reviewed by the Staff of the City of Dartmouth. Copies would be made available to the various Councillors as soon as possible.

The Warden suggested that the Council go through the Municipal By-laws, one at a time.

By-law # 1 - Mr. Robert Cragg suggested that this by-law in most cases was self-explanatory. His only comment at the present time was that penalties as indicated by the by-law were out-dated. He suggested a discussion by the Council members as to the possible changes to the by-laws.

Councillor Sutherland requested that the Council adjourn for a period to review each by-law and then to ask each question as they deemed necessary.

By-law # 2 - Mr. Cragg suggested again that this by-law was self-explanatory. However, he pointed out, pages 9 and 10 may be of help to the Council as it dealt with procedures.

Councillor Topple questioned Sections 5 and 9, page 10, and asked Mr. Cragg to explain the passages.

Mr. Cragg advised that these Sections dealt with non-debatable items. However, he also suggested that Council was self-governing and it should not restrict itself to the strict interpretation of each by-law.

Councillor MacKay referred to page 11 and asked Mr. Cragg to explain the motion to reconsider.

Mr. Cragg advised that the placements of commas within the passages would give a direct interpretation of what the intent of the wording was.

Councillor Lachance suggested that Council was proceeding in a haphazard manner in dealing with the by-law session and suggested that Council take each by-law, one by one, and study it and then ask questions.

Mr. Bensted suggested that a review, page by page, may help.

Councillor Walker stated that five minutes per by-law should be sufficient for review by each Councillor and then if any Councillor had a question it could be directed to the Chair.

Councillor Lawrence asked for an explanation of page 11, subsection 17.

Mr. Cragg advised that this referred to parliamentary procedure as accepted by most governing bodies such as Councils and legislatures.

Councillor Topple stated that parliamentary procedure indicated rules of order and there had been many booklets prepared indicating which procedure should be followed.

Mr. Cragg stated that he was not sure that Parliament actually had any procedures but operated on a system of custom and procedures in relation to common law.

Councillor Cosman suggested that Parliament used such additions as Roberts and Strurges.

Councillor Williams stated that it was his opinion that laws of Parliament dealt with democratic system and this appeared to be sufficient if used properly.

Councillor MacKay then suggested that Council deal with the specific problems that each Councillor is having in dealing with the by-laws.

Councillor Lawrence asked for a ruling by the Chairman, on page 11, subsection 17.

The Warden referred the Council back to By-law # 2.

Councillor Lachance referred to Section 3 and asked if a petition was a motion.

Mr. Bensted advised that no, a written petition was defined on page 8, Section 9.

Councillor Lachance suggested that the Chair follow the procedure of Council writing out a motion before the Council Sessions so that the intent of the motion as prepared by a Councillor was not misinterpreted.

Councillor Benjamin asked if petitions from residents were supposed to be prepared before hand and given to the Clerk to ensure that they are written up into the agenda or were they to be presented at the Council sessions. To receive a petition at a Council might restrict the agenda.

Mr. Bensted advised the Council that if a petition were included in the agenda it is distributed to the Councillors then the petition had previously been presented to him. However, if it was not included in the agenda then it could be presented at the Council session.

Councillor Lachance asked if Councillors were paid even though they were absent from a Council session.

The Warden indicated that yes, this was so and it was included in page 13, Subsection 2.

Councillor Smith asked the Clerk if it was possible to have the opening of polls changed from 6 o'clock to 7 o'clock as it was her experience that people were not able to go from the City to their place of polling prior to the polls closing at 6 o'clock.

Mr. Bensted indicated that in past this had always been a problem as there was confusion between the Standard and Daylight Times. However, the Provincial Government had recently straightened this out by requiring the polls to be open until such and such a time on the day of the poll.

Councillor Baker asked if it was possible to have an advance poll in the Municipal Administration Building and that this advance poll run from two to three days.

Mr. Bensted indicated that this would be possible and that this would certainly be an advantage to the people who would reside in the metropolitan area. However, the people in the more rural districts such as Sheet Harbour, Musquodoboit Valley, etc. may find it hard if it was necessary for them to come to an advance poll to the Municipal Administration Building.

Several of the Councillors pointed out that there were discrepancies in the Municipal By-law Books which they had which referred to the times of polls closing.

Mr. Bensted advised that he would check this and ensure that the proper times would be shown in all By-law Books.

Councillor Fader questioned the possibility of having election day on Saturday as it has been his experience in the past that it is difficult to obtain workers on a week day and many people were not able to vote and he suggested that more people would be involved in the elections if the election were held on a Saturday.

Mr. Bensted advised the Council that the Department of Affairs was presently attempting to straighten out the difficulties which many municipalities were experiencing in procedures and dates of Municipal Elections and in fact it was his understanding that there was in-house study being undertaken by that Department. He also suggested that Council could apply for legislation which could straighten out the problems within our own Municipality. However, he suggested that Council obtain a draft of the revisions being carried out by the Department of Municipal Affairs.

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

"THAT a letter be forwarded to the Minister of Municipal Affairs requesting a copy of the study as carried out by that Department re Municipal Elections." Motion Carried.

Councillor Fader also suggested that the deposit by each candidate be raised from the \$50.00 now in effect to a minimum of \$100.00. It was his opinion that this would eliminate persons who may wish to enter the election ring just for the fun of it or in fact show poor intent.

Councillor Deveaux suggested that upping the fees would not be deterrent to such individuals.

Mr. Bensted advised that there is a difference throughout the Province and many Municipalities requiring nothing at all in the way of a deposit.

Councillor Topple suggested that upping the fees would be of no value as many candidates have backers who would contribute irregardless of the fee imposed.

Councillor Lawrence asked if this was a strict requirement according to the By-laws.

Mr. Bensted advised no, this was not a part of a by-law as such but was a resolution of Council approximately 29 years ago.

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

"THAT the deposit re election fees be raised from \$50.00 to \$100.00." Motion Defeated.

Councillor McCabe stated that he did not like the idea that the increase in election deposits may be a deterrent.

Councillor Lachance asked whether the incentives of council were to work for the community and most Councillors just make enough money to cover expenses and many people are eliminated if the fees were increased who may wish to apply and who may ultimately be a very good candidate.

Councillor Topple stated that it was his opinion that this may be an infringement of several rights and therefore was definitely against the motion. He also stated that there was no glory in the job of Municipal Councillor.

Councillor Lachance stated that after his last election he sat back and considered his position and the implications of being a Municipal Councillor and he was very happy to sit down with Councillor Deveaux and others following the election and discuss Municipal Council business in general with them. He suggested that following the next election that an informal gathering be held by the old and the new Councillors.

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

"THAT the hour for closing polls in Municipal Elections be 7:00 p.m. of the time in force on that particular day." Motion Carried.

Deputy Warden MacKenzie suggested that the people in his district who travel quite a bit would need time in the morning to vote.

Councillor Eisenhauer asked if it was possible for the Council to give time off.

Mr. Bensted advised that Municipal Elections procedures do not require employers to give time off to vote, that this was a Provincial and Federal requirement.

Councillor Fader suggested that the incumbent had much more responsibility towards the running and the operation of an election than did the candidates, as the incumbents were responsible for the setting up of polling booths and arranging for presiding officers, etc.

Councillor Cosman asked if this was the responsibility of the Municipal Clerk-Treasurer.

Mr. Bensted stated that the presiding or deputy clerks or polling clerks were responsible for the setting up of the polls, however the practice had been that the Councillors were expected to bail them out and he also referred back to earlier statements where there were possible revisions in the set-up of the Municipal Elections and a study being carried out by the Department of Municipal Affairs.

Councillor Baker asked if it would be possible for the Municipal Administration Building to be used for an advance poll for his district only.

Mr. Bensted advised that there were many things to consider and suggested that no decisions be made in changing any of the polling procedures at this time.

Councillor Margeson suggested that Council consider use of the advance polls in the districts and that the Municipal Administration Building be used for a period of one week for those people who would find it more convenient to do so.

Councillor Lachance referred to the recent recount in the City of Halifax and stated the judge who presided over the recount had indicated that there were inadequacies in the electoral procedures. He also pointed out that it was the result of the City being unable to get qualified help with the elections. He suggested that Council consider one day seminars and the raise in pay for the presiding and deputy-presiding poll clerks.

Mr. Bensted stated that what Councillor Lachance suggested was a good idea and he went further to suggest that perhaps such seminars be held in the County of Halifax and it would be a good idea if staff were to go to the districts and have seminars on different days in different ones.

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

"THAT the following matters be referred to the Finance and

- (a) Seminars for electoral officials
- (b) Raises in pay of the electoral officials and the awarding of costs for the recounts if they were required." Motion Carried.

The Warden then proceeded to call Council's attention to By-law # 3.

Councillor Cosman stated that there was a section in the by-law which indicated that the Minutes of Council Sessions were to be circulated within 7 days and she indicated that to the best of her knowledge the minutes as presently distributed by the Executive Office were not distributed within the time period.

Councillor Benjamin expressed his thanks to members of the Municipal School Board as he had recently received, for his first time on Council, the minutes of the School Board Meetings. He also stated that in his opinion many Committees as listed in the By-law # 3 were redundant such as the Arbitration Committee, the Industry Committee and the Police Committee. He stated that in most cases these Committees meet once or twice a year and he could not justify the appointments of other Councillors to those Committees. He suggested that these Committees be incorporated with other Committees and it might be possible to form the Committees as a unit.

Mr. Bensted suggested that this was not possible as Provincial Legislation provides for many of these Committees to be standing Committees of the various Councils.

Councillor Lawrence indicated that last year she had attempted to eliminate the Industry Committee, however this was not possible. It was suggested now that the Committee be changed from the Planning Advisory Committee.

Councillor Streach indicated that although the Industry Committee would be considered a planning process, the Planning Advisory Committee has all it can handle now and the members of the P.A.C. should be replaced on the Industry Committee.

Councillor Eisenhower requested information from the Warden with respect to the terms of reference of the Industrial Committee.

The Warden explained the original purposes of the Industrial Committee was with respect to the development of Lakeside Industrial Park, etc., and he suggested possible revisions for the future.

Councillor Cosman stated that she could not support the idea of disbanding the Industrial Committee. She stated that it was her opinion that if Councillors considered themselves too busy to serve on the Committee then they should not serve as Councillor. She stated that the Committee had met once in the past year and was awaiting a report from Project Planners with respect to industrial zones and industrial areas.

Mr. Bensted advised that the purpose of the Industrial Committee now is to provide information with respect to industrial areas and in particular services and markets. He also suggested that the purpose of the Committee was not to induce industry into the area, it was his experience that industry would set up where markets were available and not where any Municipal unit was enticing the industry.

Councillor Benjamin stated that perhaps the Committee should involve itself more with the industrial base of the Municipal unit as even now the urban areas were expanding and jobs were required. However, he stated that he did not want the Industrial Parks cropping up all over the place.

Councillor Deveaux stated that it was his opinion that the Planning Advisory Committee should remain involved with the Industrial Committee. He referred to page 2 of the By-law and questioned whether the Nominating Committee would have to be appointed at the first of the meeting in the November Session.

Mr. Bensted advised Councillor Deveaux that the wording as indicated in the By-law referred to years ago where Councils met for longer periods than they do now.

Councillor Margeson stated that it was his opinion that the wording as indicated in the By-law was clear and he suggested rather than waste the time of Council while the Nominating Committee was meeting that Council review a film or of other pertinent information in the interim.

Warden Settle stated that in the past the Municipal Council proceeded to carry on the business of that day while the Nominating Committee was meeting, however, he stated that if Council so desired it would be possible to adjourn for a certain period.

Councillor Margeson referred back to the Industrial Commission and stated that the County needs industry and suggested that the Nominating Committee should select a new Industrial Commission and look for new businesses within the growing districts, particularly his own.

Councillor Lawrence asked Mr. Bensted to explain the original purpose of the Industrial Commission and questioned whether it would be advisable to push the Industrial Commission into using its initiative in creating or influencing new industry to settle into the County of Halifax.

Mr. Bensted stated that the purpose of the Industrial Commission originally was to set up the park at Lakeside and to sell land and to provide the services for the definite projects which would be settled in the park. He also advised that the members of the Industrial Committee used their influence to contact people in the business world and attempt to influence them to settle within the park. He advised that apparently this system worked because the park is now 99 percent occupied.

He stated that the purpose of the Industrial Committee now was to supply information to any industry which shows an interest in the Municipality of the County of Halifax. However, the Committee would not be able to actually influence the industry to settle. It was his opinion that the only determining factor would be whether or not a market was available.

He advised that under the Bonus Act and Industrial Estates Ltd. Act, tax incentives or tax grants could be granted for periods of ten years, however, this could be determined by the Industrial Committee but with costs as they are today it was his opinion that this might not be advisable.

Councillor Topple suggested that the thought at the present session in discussing the Industrial Committee was an attempt to influence hard core industry to settle within the Municipality of the County of Halifax. However, he stated that we are ignoring important industry which other Provinces and Municipalities are being able to influence greatly and that is the Tourist Industry. He suggested that space was being made available to the Municipality in the new Tourist Center out by the Airport for two employees.

Councillor Topple stated that it was his understanding that the Federal Government was now putting more dollars into the Tourist Industry than in the other industry in the country and the Municipality of the County of Halifax should now lean towards these lines. He suggested that the Industrial Committee should be more active in the creation of a Tourist Industry within the Municipality of the County of Halifax.

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

"THAT the Recreation Committee be established as a Standing Committee of Council." Motion Carried.

Councillor Lachance referred to the School Capital Program Committee and stated that he served as a member of that Committee for one year and it took a considerable number of months to get the basic answers with respect to school construction procedures and he suggested that to replace a member of that Committee at this stage where there were so many projects pending would not be fair to the Councillor involved on that Committee and not fair in the best interests of the Municipality of the County of Halifax. He suggested that the function of the Committee was to do its job as best it could and that this would not be possible if the Committee were to be changed at this stage and the staff were required to review the projects and procedures for several months to new Councillors on the Committee.

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

"THAT the Nominating Committee replace on Committees only those Councillors who wished to be replaced."

Mr. Bensted suggested that this not be an instruction but rather be a recommendation to the Nominating Committee.

Councillor Lachance stated that he must wait for the decision of the Nominating Committee and he wanted to advise now that he wished to remain on the Committee because of the workload involved.

Councillor MacKay asked for an interpretation of the requirements of the Nominating Committee and what right the Committee had in keeping the Committees and Boards as they are. He stated that all Councillors should have a chance to serve on the major Committees such as the Finance and Executive Committee and the Planning Advisory Committee.

Councillor Topple stated that it was his opinion that Councillor MacKay did not understand and that if a Councillor were active and interested he could request to remain on the Committees he was now serving on. It was his opinion that he could not justify the placing of Councillors on various Committees just for the sake of being on that particular Committee.

Councillor Sutherland said that both Councillors who had previously spoken had good points that the prime duty of any Councillor was to act in the best interest of the Municipalities and certainly if a Councillor gained experience with a particular Committee then it would be a benefit for him to serve on that Committee for two to three years.

Councillor Eisenhauer indicated that he wished to support the motion as he has a school in his district which he wants to be built as soon as possible and he thinks it would be good if the Committee continued with the present membership and would continue the good work that they are doing at the present time.

Councillor Benjamin advised that the effect of the motion was to change the structure of the Committees which were inactive and he agreed that the experience gained by Councillors on several Committees warrants the continuation of

the status of those Committees. He suggested that the intent of the motion should be directed to the Nominating Committee.

Councillor Cosman stated that she was not prepared to support the motion as it was not fair to other Councillors who had not served on a major Committee and that in effect the motion would lock the Committees for a three-year period. She suggested that if Council were to be of benefit to the whole Municipality then all Councillors should gain experience and function with all the Committees.

Councillor MacKay suggested that the present procedure in his opinion was democratic. He stated that in dealing with any particular Committee he tried to act non-biasly and conscientiously as a Councillor. It should not be the opinion of any one Councillor as to who is or is not eligible to serve on a particular Committee. The performance of the past year should be considered by the Nominating Committee.

Councillor Streach stated that he had mixed feeling concerning the motion and if the intent of the motion is for recommendation to the Nominating Committee only, he would be in full support of the motion, as he relies on the honesty of the Nominating Committee to be fair to all Councillors. However, if the intent of the motion was to tie the various Committees into a permanent structure for a three-year period, this was not good.

It was his opinion that the past procedures of the Nominating Committee worked well and any particular Councillor can advise a member of Nominating Committee as to his wishes and capabilities of serving on any particular Committee. If, in fact, there was a three-year tie-in of the Committees then the Nominating Committee would only have to set once in three years.

Councillor Williams stated that he had the same opinions as Councillor Streach. According to the Committee set-ups the Councillors should have information concerning all the Committees, however, in some cases the only input by the various Councillors is from a floor of a Council Session. However, he stated that it was his opinion that chances are 9 to 10 of the various Councillors remaining on any particular Committee if he has already indicated to other Councillors that he will ask to be removed from one Committee and to remain on two and this is his choice.

He also stated that the Nominating Committee has a difficult job and he suggested that a lot of changes are possible.

Councillor Lachance stated that it was his opinion that the role of Councillors consists of the following two points: 1) to represent the district that he serves on a day-to-day basis and 2) to act as a Councillor for the County of Halifax as a whole.

If a Councillor is on a particular Committee for one year the County of Halifax as a whole suffers because of the loss of his experience if he is removed from a Committee. He suggested that in all fairness to the other Councillors he will step down and possibly rephrase his motion.

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

"THAT it be recommended to the Nominating Committee that wherever possible the Committees remain as they are." Motion Carried.

Councillor Deveaux stated that he would want to serve on all of the Committees as the opportunity arose as he would gain much knowledge which would remain with him and he could use such information in future years. He stated that the intent of the motion is there and it should be followed through.

Councillor Cosman stated that she still would not support the motion as the intent is there to lock in the Committees. If the Councillors are seeking an education from the various Committees then the Minutes from those Committees are available and the information is contained in those Minutes and the education can be obtained from them.

Councillor Lawrence questioned the status of the Planning Advisory Committee and its reports to Council.

Mr. Bensted advised that the Provincial Planning Act provides that each Municipality may provide a Planning Advisory Committee and that this is to be a Standing Committee of Council.

Mr. Cragg stated that according to the wording of the By-law, the Council may appoint by resolution a Planning Advisory Committee. He stated that at the present time if Council so desired they could add the Planning Advisory Committee to the standing list of Committees.

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

"THAT the Planning Advisory Committee be added as a Standing Committee of Council." Motion Carried.

Due to the vote count, Councillor Deveaux questioned if he could pass a motion of reconsideration.

Mr. Bensted suggested that a motion of reconsideration was out of order as it was not immediately after the vote count.

Warden Ira Settle stated that he would accept a motion of reconsideration.

Robert Cragg advised that the motion would be in order.

Councillor Lawrence stated that she wished to dispute the time and method of reconsideration.

The Warden asked for a standing count for a unanimous vote of Council to accept the notice of reconsideration.

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

"THAT a notice of reconsideration re the motion."
Motion Defeated.

By-law # 4 - Councillor MacKay questioned the terms district officers as included in Section 2, Subsection 5.

Mr. Bensted advised that this could be done through the Municipal Council and is normally done at the Annual Council Session. The general practice has been in the past number of years that the Councillor for the district nominate at the Annual Session those persons that they wish to have serve in any particular capacity.

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

"THAT Section 2, Subsection 5 of By-law # 4 be referred to the Solicitor for possible revision."
Motion Carried.

Councillor MacKay then questioned page 4 of By-law # 4 in regards to the security of the Clerk and the Deputy-Clerk.

Mr. Bensted advised that all employers appointed Officials of the Municipality of the County of Halifax were Bonded Senior Officials in the amount of \$50,000.00.

Councillor Sutherland referred to pages 6 and 7 of the By-law and questioned the fees which were indicated and asked if it were possible to up-date it.

Mr. Bensted agreed with Councillor Sutherland's remark and stated that it was his opinion that these were not consistent with the Fees and Costs Act.

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

"THAT this matter be referred to the Municipal Solicitor for a report." Motion Carried.

Councillor Walker questioned the authority of the various districts to appoint Constables.

Mr. Bensted advised that under the Police Act, the County of Halifax or any Municipality did not have the authority to appoint Constables.

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

"THAT this matter be referred to the Municipal Solicitor."
Motion Carried.

It was moved by Councillor McCabe :

"THAT the Council Session adjourn." Motion Carried.