

grades will be deprived of what they have been working for and will suffer in the long run.

Mr. Perry said the School Board was accused of ignoring the human element with regards to the split shift proposal too. He mentioned that the program offerings would be restricted.

Councillor Cosman said that residents in the Bedford area are suspicious because they feel this proposal has been offered only to make split shifts look good. She asked if Mr. Perry had done his homework on the other four proposals as thoroughly. She cannot support a proposal that will keep grade 7 students back in the Bedford Central School because it is totally inadequate. There is no play area, not enough bathroom facilities, etc.

Councillor Streach suggested that this item had been discussed long enough and suggested that the concerned Councillors be present at the School Board meeting tomorrow.

Mr. Hamilton thought it a pity that the people were not faced with the other alternatives. He would appreciate having all the proposals spelled out.

Councillor Deveaux asked how much of a detriment there was to holding back grade 10 students as is presently being done in Eastern Passage schools. Mr. Perry explained that these students do not get the wider variety of subjects to choose from and there is limited lab facilities.

Councillor Margeson asked whether a meeting had taken place between the School Board, the trustees and the ad hoc committee as proposed some time ago. Mr. Perry said no directive had been given to actually hold this meeting.

It was moved by Councillor Benjamin, seconded by Deputy Warden Williams:

"THAT Council request the Municipal School Board not to proceed with the "hold-back" program as proposed by the Municipal School Board staff with respect to the Sackville High School overcrowding. THAT a copy of the brief as received by Council be forwarded along with this request." Motion Carried.

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

"THAT Council agree to a curfew of 12:00 p.m." Motion Carried.

Councillor Topple then continued with his proposed resolution concerning the residents of the Lake Major watershed. Councillor Topple added that Councillor Lachance supports his resolution.

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

"THAT Council recommend to the consultants, Project Planning Consultants Ltd., that the area outside the serviced boundary in municipal districts 7A and 8, in the Lake Major watershed, more commonly known as the communities of Lake Major, North Preston, Montague, Lake Loon, Cherrybrook and East Preston be declared a special development area in the Municipal Development Plan of the County of Halifax.

BE IT FURTHER RESOLVED THAT Project Planning Consultants Ltd. be requested to confer with the Joint Action Committee representing the said communities and make recommendations to the Planning Advisory Committee on development in this area." Motion Carried.

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

"THAT Council apologize to Mr. Cragg for the omission of not being invited to the Council party." Motion Carried.

There was concern from some members of Council that items from the last agenda have not been dealt with without adding additional item tonight.

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

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

Councillor Fader - Postal Services

Councillor Sutherland - School Rentals

Councillor Deveaux - Sewer Charges, Mobile Home Park
- Auto-Port Assessment
- Flight Path at Shearwater

Councillor Benjamin - Fire Committee

Councillor Cosman - Internal Housekeeping

Councillor Topple - Watershed
- Transit

Councillor Lawrence - Minimum Housing Standards

Councillor Margeson - Council Session Hours

(There was discussion and a motion on this item at the January 17th, 1978 Session. Councillor Margeson has asked that Council consider the following suggestions as to hours of Council Sessions)

- (1) Council meet at 2:00 P.M. on the third Tuesday of each month.
- (2) Council meet at 2:00 P.M. on the second and fourth Tuesday of each month.
- (3) Council meet at 6:00 P.M. on the third Tuesday of each month and adjourn at 10:00 P.M.
- (4) Council meet at 6:00 P.M. on the second and fourth Tuesday of each month and adjourn at 10:00 P.M.

Therefore, in addition to the items from the January 17, 1978 session of Council are the following:

Councillor Deveaux - Highway lights along Shearwater
- Lot not approved unless adjoining road taken over by Highways
- School Board policies
- Water supply at Graham Creighton
- By-law re installation of fuel tanks
- McNab Island
- Salvage yards
- Sewer hookups past serviceable area

Councillors Margeson and MacKay - Animal and dog control in the County

Deputy Warden Williams - Moritorium on building

Councillor Lawrence - Sound system
- Monthly financial statements

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

"THAT the minutes of January 17, 1978 be approved." Motion Carried.

It was noted by Councillor Benjamin that a motion of deferral as noted in the minutes of January 17 on page 9 was not on the agenda for this evening. (RE assistance to the people of Waverley)

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

"THAT the minutes of January 24, 1978 be approved." Motion Carried.

A resolution concerning writing to the Minister of Health again suggesting a meeting with the County Board of Health and interested members of Council and the Minister personally was discussed.

Deputy Warden Williams feels the Minister should be present at such a meeting and not one of his staff. This is a long overdue meeting and must be held. Councillor McCabe recalled such a meeting with the Minister of Health, who was Mr. Sullivan at that time, some years ago and the results were not very encouraging at that time.

Councillor Deveaux suggested that a copy of the letter go to the Premier.

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

"THAT Council concur with the Board of Health and instruct the Municipal Clerk to again write the Minister of Health requesting a meeting with the County Board of Health and concerned members of Council with a copy of the letter to go to the Premier." Motion Carried.

Concerning Mr. Carter's reply to the County about the Study on Siltation in the Bedford Basin, Councillor Cosman feels there should be a follow-up re what the status is on the assessment done by Mr. Rowe re siltation.

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

"THAT the Provincial Department of Environment be asked for a report as to the assessment of siltation of Bedford Basin from the Sackville River as being prepared by Mr. Rowe of the Department of Environment."
Motion Carried.

Councillor MacKay asked if the item dealing with the proposed sports project adjacent to the Leslie Thomas Junior High School could be dealt with now as contained in the Report of the Finance and Executive Committee.

Councillor Lawrence was concerned about the wording in the fourth paragraph of this item re leasing or deeding the land. In her opinion, Council should make up their minds about this before accepting the proposal by the Lake District Recreation Association.

Mr. Bensted noted that a resolution would be to approve this proposal in principle only and then the matter of leasing or deeding could be dealt with.

Councillor Lawrence was also interested as to whether schools would get top priority and thought this should be written into the agreement.

Some discussion took place about the financing of this project and the paly pad adjacent to the school.

Councillor Poirier clarified that this project was for the schools in the area and their use only. This was what she had voted on at the original meeting of the Finance and Executive Committee.

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

"THAT Council approve in principle the proposal by the Lake District Recreation Association and instruct the Finance and Executive Committee to proceed with negotiations with the Association on a lease basis and bring back to Council a detailed agreement for approval."
Motion Carried.

Concerning the Warden's Report, Councillor Deveaux asked whether the flood waters would be diverted to his area. The Warden explained his report saying an initial study would have to be undertaken to get this flooding situation corrected and it could be incorporated in a master plan.

Councillor Topple agreed that many of the developers have created this flooding problem by not providing for proper drainage of storm waters. This should be looked at further.

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

"THAT the Warden's Report be received." Motion Carried.

It was further moved by Councillor Topple, seconded by Councillor Margeson:

"THAT the Warden's Report be referred to the Public Works Committee."
Motion Carried.

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

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

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

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

Concerning the Report of the Planning Advisory Committee, it was moved by Councillor Streach, seconded by Councillor MacKenzie:

"THAT Item #11 of the said report be deleted and dealt with separately." Motion Carried.

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

"THAT Item # 8 be deleted from the said report and dealt with separately."
Motion Carried.

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

"THAT Item # 12 be deleted from the said report and dealt with separately."
Motion Carried.

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

"THAT the zoning by-law be and the same is hereby amended as per application # 21-77 - Lands of Dunmore Homes Ltd. and Mable Louise Miller Lots # 60 and 64 Cobequid Road, Lower Sackville from R1 (Residential Single Family Dwelling) Zone to C1 (Commercial Local Business) Zone." Motion Carried.

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

"THAT Council set March 21, 1978 as the date for public hearings to deal with applications # F 905-77 - Kathleen Galbraith, Herring Cove, Lot 6A and #F934-77, Mitchell Subdivision, Bedford, Lots 4A and 4B under the 1966 Legislation re Undersized Lots." Motion Carried.

Discussion concerning item # 11 rezoning application of Clayton Developments Ltd. then took place. Councillor Streach said the public hearing had been a long and interesting one, however, there was no opportunity for a rebuttal and he feels the application should not have been rejected. Councillor Topple who was also present at the hearing was very sympathetic with the developers but feels that prospective residents had been told the shopping centre was going in a certain area and this is where it should go. After a public hearing, further information usually comes in from the defeated side. The decision of the Planning Advisory Committee was a good one as they considered all the facts and it will not create any great hardship on Clayton Developments.

Councillor Lawrence feels this is a typical Sackville problem where the Housing Commission said one thing but made changes after the people were settled in.

The Warden asked the Deputy Warden to take the chair.

Warden Settle, Councillor for the area, said the developer wants to change the location of the shopping centre to attract more merchants. Councillor Gaetz could see nothing wrong with relocating it as it would be handier other commercial outlets.

Councillor Eisenhauer noted that Council is only seeing one side. The public hearing has taken place already and now more information has been placed before Council.

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

"THAT the Zoning by-law be and the same is hereby amended by rezoning application #22-77 Clayton Developments Ltd. - lands being Block D2 Colby Village, Caldwell Road from R1 (Single Family Residential Dwelling) Zone to C2 (Commercial General Business) Zone." Motion Carried.

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

"THAT Council approve a loan to the Black Point Fire Department in the amount of \$30,000.00 for capital improvements. This loan - principle and interest to be repaid over a ten year period by regular instalments. The Municipality reserves the right to set an area rate at any time if necessary in order to recover any outstanding principle and interest." Motion Carried.

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

"THAT Council adjourn until 2:00 p.m. on March 7, 1978." Motion Carried.

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

TUESDAY, MARCH 7th., 1978

Warden Ira Settle called the meeting to order. The Municipal Clerk, Mr. Bensted, called the roll.

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

"THAT Miss Gail Marks be appointed as recording secretary." Motion Carried.

Councillor Lawrence gave a notice of reconsideration re Application No. 22-77 Clayton Developments Limited, Colby Village. Councillor Lawrence advised that due to confusion at the end of the Feb. 21st., 1978 Council meeting she did not have a chance to put her motion of reconsideration at that time.

Councillor Walker and Councillor Fader voiced their opinion that this notice of reconsideration should have been made directly following the original motion at the last session.

The Solicitor clarified the motion of reconsideration and agreed with Councillor Lawrence that due to the confusion at the end of the last session Councillor Lawrence did not have the chance to give notice of reconsideration.

The Municipal Solicitor advised that this was just a notice and the matter would be dealt with at the end of the February Council Session. The Municipal Solicitor advised that the motion of reconsideration would require unanimous consent.

The Clerk advised that the next item of business was items from the Planning Advisory Committee Report.

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

"THAT the recommendation of the Planning Advisory Committee to reject the zoning application #20-77, Ben Hache, Lot B of the Charlemay Subdivision, Colequid Road, Sackville, be confirmed." (See Motion to refer).

Councillor Deveaux commented on a letter he had received from Mr. & Mrs. Ben Hache and it was his impression that the Haches were unjustly treated and Councillor Deveaux feels he should have an explanation of the situation.

There was discussion about Mr. Hache agreeing to contract zoning if the property was changed to commercial zoning. It was stated that Mr. Hache wanted to have a dispatch office to subsidize his day care centre. However, the Planning Advisory Committee were not in favour of rezoning because of the day care school.

It was stated that the people of the area do not want this commercial venture, however, Mr. Hache stated that there were other small commercial ventures going on in the area.

The Planning Advisory Committee is not opposed to a day care business. They are concerned with the dispatch office having taxi cars around while the children were present. Mr. Hache apparently was willing to control this item in the contract zoning.

Councillor MacKay explained that Mr. Hache would carry on business of the day care centre and also wants a taxi dispatch office and would be willing to sign an Agreement that the dispatch office was not to be a taxi stand. However, Councillor Lawrence stated that the people would not be confident that taxis would not be around the dispatch office.

Councillor Sutherland stated that Mr. Hache had purchased the property when it was general zoning and would support the proposed commercial zoning.

Councillor Fader voiced his opinion of supporting the day care centre and would support the contract zoning.

Councillor Streach stated that the property was general zoning at the time of purchase. The day care centre was licensed for 60 children but only 17 were attending. Mr. Hache apparently has space for more, however, Councillor Streach pondered why the day care centre was not operating more successfully.

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

"THAT item #8 (Application #20-77, Ben Hache) be referred back to the Planning Advisory Committee for further consideration." Motion Carried.

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

"THAT item 12 of the Planning Advisory Committee be approved with respect to policies re review and acquisition of parkland and/or money dedications." Motion Defeated.

Councillor Cosman stated that she would not support two policies. She said that people were forced to pay a large

bill for sewer charges and would have to sub-divide their land and consequently, end up also paying 5 percent dedication requirement on top of the large bills.

Councillor Deveaux agreed with Councillor Cosman. He had stated that the recommendation should read "every sub-divider in the County" rather than "rural area".

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

"THAT recommendation No. 1 be amended to apply to the Municipality as a whole."
Motion Withdrawn.

Councillor Cosman stated that this motion will change the intent of the original motion and therefore, would not be a proper amendment to the motion.

Councillor Streach also did not agree with the amendment. He agreed with Councillor Sutherland that there is a split between rural lands and urban lands.

Councillor Deveaux agrees with Councillor Streach that this would be discriminatory for rural areas.

Councillor Poirier does not agree with this policy as her area is classified as urban but really it should be a rural area.

Councillor MacKay asked who defines what is rural and urban areas. Mr. Bensted advised that on the regional development boundary and any land that is outside the boundary is classified as rural and land within the boundary is considered as urban.

Councillor Gaetz was concerned about the land which is being given to the County should be good land and not swamp land. He wanted to know who inspects the land to be given to the County.

Councillor Smith was concerned about who pays the lawyer, surveyor, etc. for the part of the land that is given to the County.

Councillor Lawrence advised that we have people on staff who check these lands out.

Mr. Gough was asked to explain the policies of parkland to the Council Members. Mr. Gough explained about the 5 percent dedication of land. He explained that if the land being offered to the County is not good for development then the developer or subdivider will be required to pay 5 percent in money.

Councillor Streach agrees with the original motion. Fifty percent of the money obtained in lieu of land would become property of the Municipality and dispensed with accordingly.

The Warden called for a vote on the motion which was defeated.

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

"THAT recommendation (1) be changed to allow an accumulation of 3 lots approved in all areas of the County before being subject to the 5 percent dedication for parkland purpose."
Motion Carried.

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

"THAT Council adopt the policy recommendations in the Planning Advisory Committee Report and in particular, item # 12 as amended." Motion Carried.

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

"THAT in the future all Public Hearings re zoning applications be held by Council except for those presently advertised by the Planning Advisory Committee." Motion Carried.

There was considerable discussion as to public hearings. Councillor Gaetz established that the hearings would be held in the Council Chambers and Councillor Lawrence voiced her opinion for the meetings to be held in the evening so that the public could be present.

Councillor Topple suggested that the whole council (21 members) be present for public hearings and that the Planning Advisory Committee should sit for these meetings. Councillor Lawrence suggested that if everyone was present and a decision was made by Council, then this decision would be final.

Councillor Streach said that the Members are invited to come to all meetings now but few do come to the public hearings. He believed that full Council at public hearing will make Council aware of the intent of the people.

Councillor Topple has suggested also that this would shorten up the process because a decision could be made and that there would be no long delay which would cost the developer money while waiting for a decision.

It was also moved by Councillor Lawrence, seconded by Councillor Baker:

"THAT these Public Hearings be held in the evening and this policy be renewed in one year's time." Motion Defeated.

Councillor Benjamin suggested that there should be no time frame imposed on this motion. Councillor MacKay feels that Council should accept the decisions of the Planning Advisory Committee or all Members be present at hearings.

Councillor Eisenhower gave notice of reconsideration on the motion re Public Hearing being held by Council.

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

"THAT the report of the Emergency Measures Committee be approved." Motion Carried.

Mr. Gough explained that Mr. Coell will come to a Council Session in the near future to outline different responsibilities of the Emergency Measures Committee and that he will bring in slides to explain.

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

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

Councillor Gaetz expressed his views on the location of the new proposed school bus garage. He was concerned about the economy of sending the majority of the buses a long way rather than sending a few buses a long way to the garage. He stated that the garage should be built where it will be to the best economy.

Councillor Lawrence stated that there was no mention of a location of the garage in the report and that the Province approved one garage to replace the two existing facilities.

Councillor MacKenzie voiced his opinion that in an earlier meeting a location of Pope's Harbour-Tangier area was proposed for the site of the garage. He made a motion that the garage be built at Musquodoboit Harbour on the one condition that the Sheet Harbour garage would remain. He stated that the proposed area for the garage should be built about a center point.

Councillor MacKay stated that where the garage should be is not mentioned in the last paragraph of the report.

Councillor MacKenzie suggested that this motion refers to the original one in which the location was suggested as being Pope's Harbour-Tangier area.

Councillors Gaetz, Smith, MacKenzie, and MacKay discussed at length where the garage should be built. Councillor Gaetz mentioned the waste of money to send the majority of the buses the longest distance.

Councillor MacKenzie read from the February 15th report that Council accepted the decision of a school bus garage in the Pope's Harbour-Tangier area. It was stated that the Province will not build a new garage plus keep maintaining the two existing garages.

Councillor Lawrence voiced her opinion that the location is not the priority issue. The priority issue is having the garage built to replace the two existing garages.

Councillor Deveaux agreed with Councillor Lawrence.

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

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

Councillor Topple made comments on the overload of classrooms in high schools. He believes that the teaching is penalized in overcrowded classrooms. He said that a Cole Harbour High School is very badly needed.

Councillor Lawrence explained to Councillor Topple that the plans have gone to the Province for approval and the plans are awaiting approval from the Department of Education.

Councillor Gaetz commented on the playing field of the Leslie Thomas Jr. High School and was concerned that the students of that school have not had a playing area available to them. Councillor MacKay explained to Councillor Gaetz that the money suggested for a play pad would be used for the sports playfield next door and the students will have a recreational field in due course.

Councillor Benjamin asked how many added classrooms are proposed for Ash Lee School. Councillor MacKay answered "eight".

Council agreed to deal with the Report of the Public Works Committee as an added item.

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

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

Mr. Gallagher showed Council on a map and diagrams the land which the Municipality would construct the proposed ditch. He explained the construction of the ditch to handle the overflow and run off to the Sackville River and the construction of a berm to prevent flooding.

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

"THAT Council approve the construction of a berm as recommended on lands of the Municipality and the expenditure of a maximum of \$5,000.00 with regard to the required ditching on the lands of the Municipality." Motion Carried.

Councillor Streach voiced his opinion in favour of this motion.

Councillor Margeson commented on the possibility of the dam upstream being repaired to help control the water run off.

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

"THAT the capital items contained in the Municipal School Board Report be referred to the Finance and Executive Committee for recommendation to Council." Motion Carried.

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

"THAT the elementary school on Smokey Drive be named the "Smokey Drive Elementary School." Motion Carried.

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

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

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

"THAT the item dealing with Bedford incorporation be deleted from the report and dealt with as a separate item." Motion Carried.

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

"THAT the item re Pollution Control Study - Bedford Basin be deleted from the Report and dealt with as a separate item." Motion Carried.

Councillor Lawrence suggested that we should obtain funds from MAPC to choose consultants of Council's choice to carry out this study so as to not lose control re the study on Bedford Basin Pollution Control.

Councillor Streach suggested that the items dealing with Bedford Incorporation should not be dealt with by any one committee but should be discussed at a special session of the Municipal Council.

Councillor Sutherland suggested a Special Session for Council to put forth their view of the pros and cons of this.

Councillor Cosman suggested that with only 8 days left it is virtually impossible to make application to the P.U.B. to put forth a total position.

Council agreed to deal with the notice of reconsideration by Councillor Lawrence at this time.

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

"THAT Council reconsider the motion of February 21, 1978 to approve the rezoning of lands of Clayton Developments Ltd., Cole Harbour, re Application #22-77." Motion Defeated.

Councillor Lawrence in moving the motion outlined to Council the reasons for making such a motion and indicated that Council had not made the decision on good planning principles.

The Solicitor advised that in order for the motion to be approved it would require a unanimous vote of approval.

The vote not being unanimous, the motion was defeated.

It was moved by Councillor MacKenzie that Council be adjourned until 6:30 p.m.

Council reconvened at 6:45. Warden Ira Settle opened the meeting. The Municipal Clerk, Mr. Bensted, called the role.

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

"THAT Council go on record with the Board of Public Utilities with respect to the application for Incorporation of Bedford that the Municipality would wish to make representation before the Board." Motion Carried.

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

"THAT Council request MAPC to make funds available to the Municipality to carry out the proposed study of Bedford Basin as per terms of reference as recommended by MAPC staff." Motion Carried.

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

"THAT Council sit in Special Session on Tuesday, March 21, 1978 re proposed Bedford incorporation." Motion Carried.

Councillor Margeson queried as to whether there is any literature available on tides or any previous studies done with respect to the Bedford Basin. Mr. Bensted informed him that no prior studies have been made. Councillor Margeson asked what is the question about the Bedford Basin. Mr. Bensted told him that it is whether the material in Bedford Basin, outer harbour, is returning into the basin and if the discharge from Mill Cove Plant is having an adverse effect in the water of Bedford Basin.

Councillor Lawrence inquired whether pamphlets were prepared and distributed with respect to the Derelict Vehicle Clean-up Program. Mr. Bensted will check with Mr. Hefler on this.

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

"THAT the 1978 operating budget of the Halifax County Housing Authority, Sheet Harbour - 20 Senior Citizen Units be approved." Motion Carried.

Councillor MacKenzie suggested that the Municipality start a study with regard to the provision of another 20 units for the Sheet Harbour Senior Citizen area due to the fact that the present facilities are full. Councillor Deveaux agreed with this.

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

"THAT the N.S. Housing Commission and CMHC carry out a need and demand study re Senior Citizen Units at Sheet Harbour." Motion Carried.

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

"THAT the Federation of Canadian Municipalities be requested to make representation to the Federal Government requesting a program to provide capital financial assistance to the Municipalities with respect to the installation of water and sewer services as was previously made available through DREE." Motion Carried.

Councillor Poirier gave comments on how some small communities such as Waverley and Cherrybrook cannot exist without water services. She feels the Federal Government should be asked for assistance for water services.

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

"THAT the Minister in charge of Housing be requested to make provision for members of the Housing Authorities to receive remuneration and especially with respect to out-of-pocket expenses re meetings, etc." Motion Carried.

Councillor Streach expressed his views of the expenses as Councillors in travel should be a legitimate deduction for income tax. Councillor Gaetz agreed. Councillor Topple said that he was told that Municipal Councillors are allowed an expense allowance.

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

"THAT Council again forward to the Federation the resolution re non-taxable income to elected officials." Motion Carried.

It was moved by Councillor Sutherland, seconded by Deputy Warden Williams:

"THAT Council approve the setting up of a Resolution Committee." Motion Carried.

Councillor Streach suggested that there should be three people to serve on the resolution committee. Councillor MacKenzie agreed.

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

"THAT the Nominating Committee set up the Resolution Committee of three members."
Motion Carried.

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

"THAT Council approve a loan to the Hatchet Lake Fire Department in the amount of \$30,000.00 for capital purposes. This loan is to be repaid - principal and interest over a ten-year period and THAT the Municipality reserve the right to levy an area rate at any time if necessary in order to recover any outstanding payments." Motion Carried.

Mr. Bensted brought to the attention of Council the Permissive Legislation re noise control.

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

"THAT the solicitor be instructed to introduce the proposed legislation re Noise Control to the Provincial Legislature." Motion Carried.

Councillor Streach noted that John Markesino, the Co-ordinator of Recreation, was in the gallery and asked him to come forward and explain the recreation proposal. Council agreed.

John Markesino explained that the proposed program would benefit the county by getting more people involved in recreational programs; not just sport programs but programs for the disabled as well as adult and children programs. He said that there are people in the Community to help set up these programs and that these people could be trained or that these programs can compliment the existing programs in the Community and upgrading the existing programs and craft courses. He said that to finalize and train people for this will take from now to the end of August to get the organization rolling and ready for operation by October. He suggested that there will be a fee charged for some programs and that the money will stay within the Community.

Councillor Baker said that he appreciated the Recreation Department helping out his community in establishing recreational programs.

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

"THAT the Municipal School Board be requested to review their policy with respect to the use of schools by church groups and organizations and the rental fees involved." Motion Deferred.

Councillor MacKay commented on the classifications of these organizations who have school use:

- 1) free use of schools
- 2) rental fee of \$3.00 - token payment
- 3) the money making organizations for \$25.00 per hour which would recover actual cost and janitor services.

Councillor Cosman voiced her opinion that Churches should be class 1 and should not be required to pay any fee. Councillor Margeson felt the same way.

Councillor MacKay suggested that any group should pay for over-time of a Janitor.

Councillor Lawrence said that school use in the Sackville area was more popular for church facilities than in other areas.

Councillor Margeson felt that where no churches are available that it would be proper to use a portion of a school for worship purposes. He feels that the public should make better use of the schools.

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

"THAT Councillors receive further information from the Municipal School Board re classifications and fees." Motion Carried.

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

"THAT the Municipal School Board be requested to make copies of the School Board policies available to all members of Council." Motion Carried.

Councillor Deveaux commented on the regulations for mobile home owners for frontage. He said that owners have to pay for sewer lines in the park and that the mobile home owners also are assessed or subject to sewer maintenance charges.

Councillor Eisenhower was concerned and made comments about this being double billing for the same thing if the owner and the trailer owner are assessed.

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

"THAT Council refer to the Industrial Committee the matter of a loss of revenue to a district in Area Rates in case of CNR and like assessments." Motion Carried.

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

"THAT the Finance and Executive Committee review the matter of Federal Grants and some distribution toward area rates normally applicable if the lands were not federally owned properties." Motion Carried.

Councillor Cosman commented on the fact that drapes were ordered for the back of the Chambers but were not here yet. Mr. Bensted informed her that the drapes were on order. Councillor Cosman mentioned that the County Building should have a washroom available for disabled people. She would like to have a lock on her desk and that a full time minute person be appointed to take the minutes of Council and Committees.

There was also discussion as to the sound system approved by Council and still not in operation. If this has been approved, then Council felt that it should not have to go back to the Finance and Executive Committee.

Councillor Topple mentioned that he would like to be kept informed on anything which may happen about the Watershed item so that he could answer to his people if questions arise.

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

"THAT the Planning Advisory Committee and the Finance Committee be requested to look at the possibility of a By-law or regulations in line with Minimum Housing Standards." Motion Carried.

Councillor Lawrence said that the Municipality should look at some document like the Ordinance 151 of the City of Halifax with regard to Minimum Housing Standards. She said that this guide would give an idea of minimum standards which should be enforced. She said now that the only way to deal with run down places is the unsightly and dangerous premises by-law and this is in extreme cases. She said that the Planning Advisory Committee, Finance and Public Works Committees should consider this ordinance in the County. Councillor Deveaux agreed with these views.

Councillor Poirier brought up the fact that there are people who are willing to live in minimum standard places to save money for a home and this is her reason why the standards should not be enforced.

Councillor Smith agrees with Poirier to the extent that if people want to live in bad conditions it would be their decision, however, there are people who are forced to live in sub-standard conditions. Councillor Smith does not agree if the premises are rented to people with social assistance. This is no excuse for social assistance people having to live in slums.

Councillor Cosman spoke about some places in her area in which there is a sewer backup into the homes, improper heating, etc. and the people who live in these slum houses can not seem to do anything about it.

Councillor Topple made a statement that the slum landlords are wealthy people and that there should be a minimum standard of housing enforced to protect people who are forced to live in places like this or do not have enough revenue to live in more modern housing accommodations. He said that the slum landlord are wealthy as they collect the rent and do not spend it on repairs or upgrading of any rental premises.

Deputy Warden Williams felt that any social assistance people paying rent should report such bad conditions to the Social Assistance staff.

Councillor Lawrence gave a Notice of Motion to rescind the resolution passed at the February 21st., 1978 session of Council with respect to Zoning Application #22-77 - Clayton Park Developments.

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

"THAT Council by-laws be amended so that the hours of Council be at 2 p.m. on the third Tuesday of each month." (See motion to defer)

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

"THAT this matter be deferred to the March 21st. session of Council." Motion Carried.

Councillor Cosman wanted the issue of hours of Council sessions to be deferred to the March 21st. session as five members were missing from Council.

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

"THAT the Federal Government be requested to make a special grant with respect to the dollar cost of street lighting along the Shearwater Property at Eastern Passage." Motion Carried.

Councillor Deveaux voiced his opinion about the lights along the frontage at the forces base at Shearwater is a benefit to these people, however, the people of the area have to pay for those lights. He suggested two alternatives: - 1) Federal Government pay for these lights
2) Money be taken from grant in lieu of taxes to pay for these lights.

Councillor Topple said that it is not fair for residents of the area to pay for benefits of a Federal Government agency.

Councillor Baker said that this applies to his district also.

There was discussion as to the number of lights and an approximate cost so the area can be reimbursed from the federal government.

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

"THAT the Planning Advisory Committee be requested to look at the problem of non-approval of lots fronting roads not owned by the Department of Highways." Motion Carried.

Councillor Deveaux made comments that it is not fair for lots to be rejected because the lot fronts on a private lane or road. He feels that if sewer services are provided then the lot should be approved.

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

"THAT the Chief Building Inspector and Solicitor look at the matter of control of Fuel Holding Tanks." Motion Carried.

Councillor Deveaux and Deputy Warden Williams expressed concern of the location of the holding tanks and that it might be a danger if something happened.

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

"THAT a letter be sent to Premier Regan, stating the above facts, and requesting that the Provincial Government proceed immediately with the McNab Island Project as planned several years ago." Motion Carried.

It was suggested that a letter be sent to Premier Regan concerning McNab's Island. Councillor Deveaux read the brief to Council.

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

"THAT the Board of Health be requested to look at the water supply at the Graham Creighton High School, the Eastern Shore High School and the Sheet Harbour High School." Motion Carried.

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

"THAT the Finance and Executive Committee consider overall dog control in the Municipality and report back to Council at an early session of Council." Motion Carried.

Councillor MacKay commented on his meeting with Mr. Marsten of the SPCA and the possibility of setting up a 7 day week dog control in the Sackville area. He said that the SPCA have the power to enforce by-laws which the County does not have. He said that the dog control for his area is paid out of the area rate rather than monies in general. The money for dog control is not put back into the area.

Councillor Margeson had discussed this with Dr. Hilliar at a meeting and he recommended a meeting with Mr. Marsten. Mr. Marsten suggested a course to train people for dog control programs. He suggested that the Finance and Executive Committee should review the possibilities to have a metro control for dogs, cats, etc.

Deputy Warden Williams talked about control in his area. He stated that the Councillors from his area got together and have worked out a system for dog control for that area.

Councillor Baker feels that if the whole of the County is included then he will not agree. He feels that the smaller set up is a good one.

Councillor Lawrence had said that the "24 hour service, seven days a week" is misleading because a lot of this time there is only an answering service and not people ready to jump into a truck at the time.

Tuesday, March 7th., 1978

Councillor MacKenzie said that there would be a danger of dogs on the highway. Motorists may hit children to avoid hitting a stray animal on the highway.

Councillor Eisenhauer asked when the dog tags are available. Mr. Bensted informed him that the dog tags are available now.

Councillor MacKay said that the dog situation in Sackville is that a man is hired and paid for by the area rate. He also stated that in other areas a dog catcher is paid out of general funds.

Councillor Lawrence would like to have a report on the suggested sound system for the Council Chambers. She again brought to the attention of Council that this system has been approved but has yet to be installed.

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

"THAT the Finance and Executive Committee check on monthly financial statements being available for Council." Motion Carried.

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

"THAT Council go on record as wishing to make representation to the Board of Public Utilities with respect to the application by the Municipality of Guysborough for Sable Island to be included in its boundaries." Motion Carried.

Councillor MacKenzie reports that since Halifax County has given service to Sable Island that we should have some say in who is going to claim it.

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

"THAT a notice of reconsideration with respect to Public Hearings by Council re Zoning Applications." Motion Defeated.

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

"THAT the Finance and Executive Committee check on the proposed Provincial Garden Program." Motion Carried.

It was moved by Deputy Warden Williams:

"THAT there being no further business to conduct the meeting adjourn." Motion Carried.

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A N N U A L C O U N C I L S E S S I O N

Tuesday, March 21., 1978
Monday, April 3., 1978
Tuesday, April 4., 1978
Tuesday, April 18., 1978
Tuesday, May 16., 1978
Tuesday, June 20., 1978
Tuesday, July 18., 1978
Wednesday, July 26., 1978

S P E C I A L M A R C H C O U N C I L S E S S I O N

Tuesday, March 21., 1978

MINUTES OF A SPECIAL SESSION OF THE MUNICIPAL COUNCIL

Tuesday, March 21, 1978

RE: APPLICATION TO THE BOARD OF COMMISSIONERS OF PUBLIC UTILITIES RE INCORPORATION OF BEDFORD

Deputy Warden Williams opened this special session of Council at 2:00 p.m. with the Lord's Prayer followed by the Municipal Clerk calling the roll.

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

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

It was noted by the Municipal Clerk that there was an error in his memorandum to the Warden and Members of Council dated March 21, 1978 in the fourth paragraph. It should read 30 square miles instead of 30 acres.

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

"THAT there be a recess of ten minutes in order to study the material placed on the Councillor's desks." Motion Carried.

Deputy Warden Williams informed Council that Warden Settle has the flu and that Councillor Deveaux could not make it this afternoon but would be in attendance at the regular meeting this evening.

Councillor Cosman then asked the Municipal Clerk about a resolution passed at the March 7, 1978 meeting of Council which instructed the Clerk and Solicitor to appear at a hearing and act in the best interests of the Municipality. Also, the Clerk was directed at that time to write a letter to the Board of Commissioners of Public Utilities. Councillor Cosman questioned why this letter was dated March 2, 1978 when, in fact, the Clerk had not been directed to write this letter until March 7. Mr. Bensted replied that the Board of Public Utilities had to be advised of the County's stand by March 5, 1978 and that the concerns he had expressed in the letter were those concerns given to him by the Finance and Executive Committee. Councillor Cosman feels this letter was out of order regardless as it was sent five days prior to the Council meeting.

Councillor Cosman then spoke on the application re the incorporation of Bedford into a town. The area outlined on the map by staff is incorrect and conflicts with the borders as defined by the Bedford Service Commission. The area in question is smaller than that shown on the illustrated map. Councillor Cosman showed Council a smaller map giving borders which covers an area of 15.85 square miles and not the 30 square miles indicated on the map and in the memo. Her map is an accepted map printed by The Queen's Printer and the designated area includes those areas owned by the Department of National Defence, the proposed regional park; therefore, for purposes of the application the useable land is only 10.3 square miles.

Going into the history leading up to this application, Councillor Cosman stated that in 1967 the Bedford Service Commission was requested to extend its services to the west only to the Bi-Centennial Highway. Halifax County staff advised the Bedford Service Commission through several meetings that they should take this area for purposes of fire protection.

With reference to the petition, Councillor Cosman informed Council that it is a legal requirement that only signatures from the restricted area within the borders can be obtained for petition purposes.

H. R. Doane and Company did an impact study 16 years ago. It was unfavourable at that time for incorporating Bedford into a town, however, Bedford has grown considerably since then. It is now a serviced area and is growing all the time. The people want to gain control over planning issues and political concerns. H. R. Doane and Company did another study recently and they now feel that Bedford can afford to become a town. Another study was done on the schools.

This has been coming for 16 years and the assessment is enough now. The Cities of Halifax and Dartmouth are not taking a position but they will be sitting in on the hearings. Councillor Cosman noted that the Finance and Executive Committee feels it would not be a good thing to oppose this application. She agrees that barriers should not be put up against these people. The P.U.B. will not allow Bedford to become a town unless they feel it can be done.

Councillor Streach was concerned about any adverse effects on the Municipality as a whole should this application be approved. He asked how the County had reacted a few years ago when the Cities of Halifax and Dartmouth had taken over some land, what the state of affairs was with regard to Sackville and what position Project Planning Consultants has taken re the development plan of the Municipality.

At this time, it was moved by Councillor Walker, seconded by Councillor Poirier:

"THAT Council go in camera." Motion Carried.

Just before Council went into camera, Councillor Cosman stated that she did not agree with the just passed motion as there is nothing to be hidden.

Tuesday, March 21, 1978

Council went into camera for over an hour, then it was moved by Councillor Lawrence, seconded by Councillor MacKay:

"THAT Council go back in to session." Motion Carried.

Councillor Streach came forward with three suggestions concerning the issue. One of these was to urge the P.U.B. to hold a plebiscite which Mr. Bensted said they have the authority to do. Councillor Streach made a motion incorporating the three however, upon the advice of several other Councillors, Councillor Streach broke them down into individual motions.

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

"THAT the Board of Public Utilities be strongly urged to hold a plebiscite before a decision is made and after all ratepayers had been informed of the financial implications." Motion Carried.

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

"THAT the Finance and Executive Committee be empowered to have the Clerk and Comptroller have a study carried out if necessary as to the financial impact on the balance of the Municipality if such an incorporation is approved and such a study be presented to Council before submission to the Board." Motion Carried.

Councillor Streach added that it may as well be that the County could stand to benefit by getting a higher rate of cost sharing from the government.

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

"THAT the Warden, Clerk and Solicitor appear before the Board of Public Utilities and act in the best interests of the Municipality." Motion Carried.

Councillor Cosman did not agree with this motion as the best interests were not defined yet. Council is giving three individuals the final say.

Mr. Bensted said that the County must be represented by someone and these representatives should be instructed.

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

"THAT the Municipality in appearing before the Board of Public Utilities re the Bedford Application not make any effort to delay such application because of the Mason Commission re Sackville." Motion Carried.

Councillor Eisenhower did not really feel that the County should get involved with the provincial government by saying they would not wait for Dr. Mason's report.

In ending, Councillor Fader said that different levels of government will have something to say at the hearing. He wished them all well and said that the County could learn something from all of this.

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

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

Tuesday, March 21st, 1978

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MINUTES OF THE ANNUAL SESSION OF COUNCIL - 1978

MUNICIPALITY OF THE COUNTY OF HALIFAX

Tuesday, March 21, 1978

Deputy Warden Williams opened the meeting at 7:00 p.m. with the Lord's Prayer followed by Mr. Bensted reading the roll call.

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

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

Councillor Gaetz advised Council that the Building Inspector's mother had passed away and a card should be sent to Mr. Hefler.

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

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

At this time Councillors were called upon to add items to the present agenda.

Councillor Baker - pollution, Long Pond

Councillor Topple - interest, tax bills

Councillor Deveaux - library books in Junior and Senior highschools
- zoning for mobile home lots

Councillor MacKenzie - treatment plant, Cole Harbour

Councillor Lawrence - monthly financial statements
- Departmental Staff Charts
- transit by-law
- secretarial staff for committee and Council minutes
- County position on provincial white paper

Councillor Cosman - motion - Council rescind its motion of February Session by which Council decided it would be the body to hold public hearings in the matter of rezonings.
- motion - that all budget sessions be conducted by Committee-of-the-Whole
- motion - that Council instruct its negotiating agent and the A.I.B. to retract its request for retro-active pay raise clause.
- resolution - Federal D.P.W. to undertake a commitment that Federal Funds be budgeted to clean up the harbour.

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

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

The Public Hearing re application of approval of undersized lot 6A, Herring Cove, Application # F-905-77, Kathleen Galbraith was next on the agenda and it was noted that it had been advertised and no written objections had been received.

Mr. Matthews appeared on behalf of Mrs. Galbraith and stated that he would answer any questions concerning the application.

At this time, a Mr. Harnish took the floor and declared that he had had to spend \$6,000.00 to put a road through to his lot in order to build a house on it. He has been trying since 1971 to build a home and his lot was not approved until he put a road in according to highway specifications. Mr. Harnish would like to know why he had to pay this amount of money while others do not.

Deputy Warden Williams pointed out that Mr. Harnish was not actually speaking against Mrs. Galbraith's application but rather what had happened to him.

Councillor Topple suggested this be referred to the Planning Department. Mr. Gough replied that this lot had not met the requirements of a subdivision lot.

Deputy Warden Williams then asked Mr. Harnish to leave as it was ruled that his case has nothing to do with the public hearing on Mrs. Galbraith's property. It was suggested that he take this up further with the Planning Department.

Councillor Cosman asked that the Planning Department speak on Mrs. Galbraith's application.

Councillor Lawrence suggested that quite different rules apply to Mr. Harnish's property as he wanted to build a house whereas Mrs. Galbraith already has an existing house on her lot.

Mr. Gough took the floor and detailed the application and answered questions from the floor.

Councillor Topple asked if Lot 6 would be landlocked and Mr. Gough said no.

Councillor Benjamin asked if this was the best approach to planning. Mr. Gough explained that planning did not enter here as this happened some 20 years ago.

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

"THAT the application under the 1966 Legislation re Undersized lots - # 905-77, Lot 6A, Kathleen Galbraith, Herring Cove, be approved." Motion Carried.

A public hearing concerning the Mitchell Subdivision, Bedford, Application # F-934-77, Lots 4A and 4B was next on the agenda.

Mr. Randy Stevens representing Dennis Zwicker, president of Oakland Enterprises, took the floor to speak in favour of the application. There are two buildings on one lot now. If made into two lots, it will offer housing where it is needed, therefore, it is in the best interest of the public to make it into two lots. In the past there was no control over planning and building permits were issued to erect two houses on one lot.

It was noted that County Solicitor, Mr. Cragg, is of the opinion that this was not a hardship case.

Councillor Streach asked the approximate square footage and Mr. Stevens said each was slightly less than the required 6000 square feet.

Councillor Cosman feels that if the two houses were on separate lots, someone would be apt to take more interest in the properties and upgrade them. Mr. Stevens added that when Mr. Zwicker had purchased them, he understood that he could apply under the undersized lot legislation and have them divided with no problem. At present, the houses are slightly below the market value of other homes in the area but this could change with ownership of individual lots. Mr. Gough agreed that individual home ownership may improve the properties. The assessment and taxes will still be there regardless of Council's decision.

Councillor Sutherland stated that the legislation was designed for hardship cases and he personally feels that this application was purely speculative.

It was noted that the houses are serviced and that only one is being lived in at present. Mr. Gough explained that the Department of Highways are not opposed to the subdivision but that they are concerned that another house could be built on another vacant lot.

Mr. Dennis Zwicker then came forward and said that when the houses were originally built in the '50's they were on central water and had their own septic tanks. They are now on municipal water and sewer.

Councillor MacKay asked Mr. Zwicker's future intentions. Mr. Zwicker had nothing specific in mind but will probably rent or sell the homes.

Councillor Lachance asked if he were aware of the restriction imposed on undersized lots at the time of purchase. Mr. Zwicker said the lawyer and the previous owner informed him there would be no problem getting it passed through the 1966 legislation. Councillor Lachance also asked if Mr. Zwicker had done any land speculation before. Mr. Zwicker has not and he feels that he should have looked into this more carefully before purchasing.

When Deputy Warden Williams asked if there were any speakers opposing the application, no one came forward.

Councillor Lawrence asked if a building permit could be issued should one of the houses burn down. Mr. Gough said a building permit would have to be approved by Council.

When Councillor Benjamin asked why this was not recommended, Councillor Lawrence answered that the legislation was to relieve hardship cases only and there should be no encouragement of real estate speculation.

Councillor Fader asked to hear from the representative for the district, Councillor Cosman.

Before Councillor Cosman spoke, Councillor Topple agreed that it seemed that this property was purchased for the purpose of real estate speculation. He added that the County may find themselves in difficulty with the Minister of Municipal Affairs if we start approving this type of application.

Councillor Cosman realizes that the legislation is for hardship cases, however, these houses will only be fixed up and taken pride in when there are two separate lots.

Councillor Streach sees no reason why the Municipality will suffer as the lot is just barely under the required 6000 square feet.

Councillor Poirier wondered why one of the houses was vacant when housing is very much in demand. Perhaps they will be torn down and something else go up such as multiple housing as this is R4 zoning.

Councillor Lachance feels there have been many inconsistencies in the past. The rules keep getting broken. Councillor Topple agreed that using another type of Legislation to get around a problem is not right.

Councillor Deveaux said the County had nothing to lose and that Mr. Zwicker should not be penalized as many people do not know the rules and regulations of the County.

Mr. Cragg was asked to give his interpretation on this matter and he said the Council can interpret the law as they so please but it does not seem to be a hardship case.

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

"THAT the application under the 1966 Legislation re undersized lots, #934-77, Lots 4A and 4B, Mitchell Subdivision, Bedford, be approved." Motion Carried.

Councillor Streach informed Council that a representative from the Housing Commission was present this evening to answer any questions re senior citizens developments.

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

"THAT Council deal with item # 18 at this time." Motion Carried.

Cyril O'Brien, regional manager for the Housing Commission and located in Bedford, came forward to answer Council's questions on senior citizens developments.

Several of the councillors asked the progress on proposed senior citizens in their districts. Councillor Gaetz was particularly upset about what was going on in Porter's Lake. He has personally sent a letter to the Honourable Walter Fitzgerald (copy to Mr. O'Brien) asking what is the problem. It seems that tenders were to be called two years ago for the senior citizens project in this district. It has now been rumoured that it may not even be going ahead and then he reads that Eastern Passage, Sackville and Hubbards are getting senior citizens homes. Mr. O'Brien explained that a parcel of land was being purchased but they still do not have title. They are still working on it and hope to get it in the future. Councillor Gaetz asked why the Housing Commission could not get another piece of land as there are many available spots. Mr. O'Brien said that 18 pieces of land had been looked at but the majority of these had been turned down; others were not negotiable. This particular piece of land was the only available. Councillor Gaetz also complained about the availability of applications and Mr. O'Brien told him there was a representative in Porter's Lake who would take the names.

Councillor McCabe asked about the project in Middle Musquodoboit. Negotiations are being conducted with the Department of Health for final approval and tenders are expected to be called shortly. The School Board has given approval for the use of their treatment plant Mr. O'Brien explained.

Councillor Benjamin asked if money has been set aside for the Waverley, Fall River area. Mr. O'Brien explained that the budgetary funds have been removed from the Waverley area until it is established whether or not there is a need and whether there is a parcel of land suitable. Councillor Benjamin said he personally knows of several sites in the area.

Councillor Poirier said people in her area were asking about a senior citizens project in their district. Once services go to this area and if there is a need and demand, it will be looked at said Mr. O'Brien. He also told her to start taking names in order to establish that there is a need.

Concerning the project in Musquodoboit Harbour, Councillor Smith asked about its progress. A site has been selected and the Housing Commission has an option on the parcel of land. Approval is being sought from the Department of Health and tests will be done to see if the land is acceptable.

Once again expressing his concern, Councillor Gaetz asked what he could tell the people about the project. Mr. O'Brien could only say that everything is being done that is possible to settle the title problem. After asking whether land could be expropriated, Mr. O'Brien said this was not recommended.

In closing, Mr. O'Brien extended thanks to the County of Halifax for all of their assistance. He appreciates the comments made tonight and will make every effort to see that projects are carried out as quickly as possible. If any of the Councillors have sites in mind for such projects, they should inform the Housing Commission of these as soon as possible.

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

"THAT the designated agreement as submitted by the Nova Scotia Housing Commission re 10 unit Senior Citizen's Project at Hubbards be approved and the Warden and Clerk be and they are so authorized to sign on behalf of the Municipality." Motion Carried.

Councillor Margeson then suggested that Council adjourn for a five minute recess.

Upon returning, Councillor Topple noted a mistake on page four of the minutes of February 21, 1978 re a resolution concerning Lake Major watershed. This motion was made by himself and not Councillor Streach.

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

"THAT the Minutes of February 21, 1978 be approved as amended." Motion Carried.

Councillor MacKay asked that the rezoning application of the lands of Ben Hache as contained in the Supplementary Report of the Planning Advisory Committee be dealt with at this time. There was unanimous agreement by Council to deal with this item first.

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

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

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

"THAT application 20-77 be deleted from the report and be dealt with as a separate report." Motion Carried.

Councillor MacKay stated that Ben Hache has decided to agree to contract zoning. Apparently there were some misunderstandings between himself and the Planning Advisory Committee and he feels he was made a mockery of.

Councillor Topple stated that Councillor Sutherland had made a motion at the last public hearing asking Mr. Hache to agree to a contract and he had publicly said he wanted nothing to do with a contract and wanted commercial zoning only.

Councillor Cosman agreed that he had had his chance at the public hearings. Indeed, this Council has been made a mockery of and not Mr. Hache. The Committee bent over backwards for this man and he changed his mind on several occasions. When asked, if Mr. Hache were represented by Council by Councillor Lachance, it was noted that he was not.

Councillor Lawrence feels that Councillor MacKay is out of line in bringing this matter up. Concerning any remarks he has made that the Planning Advisory Committee was irresponsible, she asked that he retract such statements. Councillor MacKay apologized and added that he does not feel the Committee is irresponsible but that they have always done a very good job. He is just asking some questions on behalf of Mr. Hache. His interpretation of the first public hearing was not a good one.

Mr. Gough then described the property in question and gave some background history on it.

Councillor Topple is upset that this application is now into its third public hearing. This is an example of how lengthy procedures can be when such applications are heard by the Planning Advisory Committee. The final decision was made based on the information submitted. He himself was very sympathetic towards the applicant and he was given due consideration but it has progressed to a point where the County is now being made a fool of.

Councillor MacKay is interested in a fair and even treatment of the applicant. From what he saw at the first public hearing, there was a lot of disagreement among those present. Mr. Hache was not represented and was confused as he has never been involved in anything like this before.

The Solicitor interjected here and said that he was present at all the public hearings and Mr. Hache was given every opportunity and the Planning Advisory Committee conducted themselves properly at all times.

Referring to the meeting on this item held yesterday, Councillor Topple said it was not a public hearing and the chairman denied Mr. Hache a chance to speak because of this.

Councillor Streach had seconded Councillor Sutherland's motion re the contract. He agreed that in all fairness, the Committee had attempted to consider a different decision. If Mr. Hache had opted for a contract, there would have to be another public hearing to work out the contents of the contract.

It was noted by Councillor Eisenhower that there had been quite a bit of opposition to this application at the first hearing.

Councillor MacKay still feels that the application would have passed had Mr. Hache not said what he did about the contract.

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

"THAT the Zoning By-Law be and the same is hereby amended by Rezoning Application #20-77, Lot B, Charlemay Subdivision, Lands of Ben Hache, Cobequid Road, Sackville, from R1(Residential Single Family Dwelling) Zone to C1 (Commercial Local Business) Zone subject to a contract being extended following a public hearing on the proposed contract." Motion Defeated.

Item No. 2 of the Supplementary Report of the Planning Advisory Committee was then dealt with.

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

"THAT Council rescind the motion of March 7, 1978 for Council to hold Public Hearings re zoning applications instead of the Planning Advisory Committee." (See Motion of Deferral to Follow.)

In backing up his motion, Councillor McCabe feels the Planning Advisory Committee are very competent and should keep on as they were doing.

Councillor Topple cited the Ben Hache as just dealt with this evening as a typical example of what happens when the Planning Advisory Committee deals with these applications. Their decisions are not being accepted by Council and they go back and forth until there are three and four public hearings being held.

Councillor Cosman asked how many applications have been rejected by Council as compared with the number submitted. Mr. Gough replied that forty applications had gone through with only three being rejected. Having heard this, Councillor Cosman added that the P.A.C. are educated on planning problems. Having the whole of Council do this will cost a great deal more and the ramifications of changing this system has not even been studied. She could not understand why a simple thing like rezoning was being taken away from the P.A.C. while the Finance and Executive Committee handles a budget of over 20 million dollars.

Councillor Lachance agreed that the Committee has developed a certain amount of expertise in handling the applications. The P.A.C. has a good track record and they are consistent.

Council was being held up in the past complained Councillor Baker and that is why the P.A.C. took it over in the first place.

Councillor MacKay feels the spirit of the motion is being missed. Many problems could be avoided if this new idea were tried out.

It was noted by Councillor Topple that the rejections are happening lately with the new Council and this means something. He is concerned about what impressions the County is giving to the public by changing their minds on applications. The only way to change this would be to keep the decisions of the P.A.C. secret until after Council has approved it as a whole. The public are being misled otherwise.

Councillor Eisenhauer has read the Planning Act and the intention was to have the whole of Council hold public hearings.

Councillor Deveaux did not agree with a point made by Councillor Cosman about the differences of opinions between rural and urban Councillors when serving on the P.A.C. In his opinion, it does not matter whether those on the Committee are rural or urban as the final decision rests with Council.

Councillor Walker is on the fence on this matter. He feels that Council should hold a few public hearings and then make a decision later on.

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

"THAT the motion to rescind the motion of March 7, 1978 approving Council holding the Public Hearings instead of the Planning Advisory Committee be deferred to June 20, 1978 session of Council." Motion Carried.

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

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

Again speaking on the above matter, Councillor Lawrence noted that eleven councillors have to be present in order to hold public hearings. Councillor Gaetz added that this is a regressive step and will cost a lot more money.

Councillor McCabe gave notice of reconsideration re the above motion to defer.

Councillor Streach brought forward some interesting facts concerning cost sharing of the School Board Budget at this time. It seems that if the current rate is applied, the percentage shared by the province will be 49 percent. Going back to 1973, the government picked up 72 percent of the shareable items. Regarding electrical, heating and oil expenses, it is irresponsible of the provincial government to pick up only 49 percent of these items. They must keep pace with rising costs.

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

"THAT Council authorize the Finance and Executive Committee to request a meeting with the Minister of Education with respect to cost sharing by the Department of Education with respect to the Public Services portion of the Municipal School Board budget." Motion Carried.

Councillor Streach suggested the members of the School Board as well as school board staff be present at this meeting.

Councillor Lachance in seconding this motion feels it is an excellent one. The Clerk should be instructed to prepare a press release on this.

With reference to letters and correspondence received, only a reply from the Minister of Health, M. MacAskill, was received.

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

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

Then Councillor Margeson took the floor to present his motion deferred from the March 7, 1978 session.

Councillor Margeson spoke briefly saying the time has come for unity. Council is here to do a job in the best interests of the people and the regular Council session is the most important meeting. The last session of Council began at 2:00 and it was a good example of what can be accomplished. In closing, he asked the Councillors to tell the truth when asked who they would hire to work for them - someone who was fresh and alert during the day or someone who was tired, after a long day's work, at night. They should consider this when they vote.

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

"THAT the Council by-laws be amended so that the hour of Council will be 2:00 p.m. instead of 7:00 p.m." Motion Carried.

Councillor Topple gave notice of reconsideration re the above motion to change the hours of Council.

Councillor Lachance added that he thought there was an agreement made by Council to continue meeting at 7:00 p.m. for at least a year.

Councillor Lawrence then spoke on her notice of motion to rescind. The memo to the Warden and Members of Council dated March 21 from Mr. Bensted has an error. On page two, the fourth paragraph from the bottom, it should read February 21, 1978 instead of March 7, 1978. Councillor Lawrence questioned the last paragraph on page two and the last paragraph on page three.

Councillor Lawrence feels this memo is intimidating. Mr. Bensted replied that it was not intended to be intimidating but to advise Council of possible effects.

Councillor Lawrence stated that this is an opportunity for Council to rescind their previous decision. This can always be appealed and the developer can afford to appeal more so than the residents of Colby Village.

It was requested by Councillor Lawrence and by Councillor Deveaux:

"THAT there be recorded votes on this motion to rescind."

Councillor Topple agrees that this is very bad planning and he too is concerned about some of the comments contained in Mr. Bensted's memo. County Council should be concerned about the feelings of the people. A petition of 600 people was signed as being against this decision and this represents the Community. The wishes of the people are not being considered. Again, this is one of the reasons why the whole of Council should be hearing these applications.

Councillor Streach gave his interpretation of the situation. Here tonight is a poor display of educated representatives of the Community. Everyone makes mistakes. Council is again being made a mockery of and he resents exposing Council to this type of thing. The points made by Councillor Lawrence are not sufficient enough to warrant rescinding the previous motion. This will leave us open to severe criticism and possibly some legal problems from individuals who have suffered because of this.

Councillor Deveaux feels that the developer in question no doubt deserves a break and he thought the vote taken previously was a sentimental one for the Warden. The developer has the money to appeal this. If the Appeal Board has any common sense then they will move to change the decision.

Councillor Lachance feels that County Council has a responsibility until everything has been properly done. Council should not be made to feel guilty about this and they should not worry about public opinion.

Councillor MacKay said that when a Councillor does not get their own way, there is a habit of reconsidering that motion or rescinding it. He, too, is guilty of this but is going to try and change this in the future.

Councillor Eisenhower said that more mail and phone calls have been received on this and more information is coming out. The public hearing has never been completed.

Councillor Cosman suggested that the Cole Harbour Development Plan was approved by this Municipality. Someone made a decision after the last Council meeting to put an ad in the paper. Therefore, it is not Council who is on the spot now but whoever put the ad in the paper.

Councillor Sutherland feels that the Clerk did the right thing and Council should have conviction to stand by their decisions.

Councillor Benjamin feels that two wrongs do not make a right. If there is some real evidence not considered before, then it should be looked at.

Councillor Streach ended by saying that the provincial government made sure that Municipalities would not have final say re rezoning. An appeal can be made to an appeal board.

Councillor Eisenhower asked the Solicitor what could happen to the County should the motion be rescinded. The Solicitor said not to worry about this but to make a decision and think of this as secondary.

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

NOTICE OF MOTION - To rescind the following motion passed by Council on February 21, 1978.

"THAT the zoning by-law be and the same is hereby amended by Rezoning (Application #22-77) Clayton Developments Ltd. lands being Block D2, Colby Village, Caldwell Road from R1 (Single Family Residential Dwelling) Zone." Motion Defeated.

District # 1		no
2		no
3	yes	
4		no
5		no
6	yes	
7		
7A	yes	
8	yes	
9		no
10		no
11		no
12		no
13		no
14		no
15	yes	
16		no
17	yes	
18	yes	
19		no
20	yes	
	<u>8</u>	<u>12</u>

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

"THAT Council adjourn until April 4 at 7:00 p.m." Motion Carried.

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

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

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

"THAT Miss Gail Marks be appointed as recording secretary." Motion Carried.

Warden Ira Settle excused himself from the Council Session to attend a meeting at the Airport. Deputy Warden Williams took over as Chairman.

It was agreed by Council that Solicitor Harold Crosby act for Solicitor Cragg for discussion on the proposed legislation.

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

"THAT Council approve the transit portion of the Draft Legislation re Metropolitan Authority of Halifax-Dartmouth and the Municipality of the County of Halifax." Motion Withdrawn.

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

"THAT Council approve the Draft Legislation re Metropolitan Authority of Halifax-Dartmouth and the Municipality of the County of Halifax subject to any representation that Council may wish to make before the appropriate committee of the legislation." Motion Carried.

Councillor Eisenhauer opened the discussion by asking the representatives of the Regional Authority to explain the difference between the legislation and the proposed legislation.

Councillor Topple asked what the document meant.

Solicitor Howard Crosby explained the provisions of the proposed bill as against the existing legislation.

Councillor Streach clarified that the intent is to give approval in principal.

Mr. Bensted clarified that Regional Authority would like approval of the three municipal councils when it is presented to committee by the Provincial Legislature.

Mr. Jackson, Director of the Regional Authority and the Solicitor for the Regional Authority came forward to answer Council's questions.

Mr. Jackson said that the 1st Act passed was in 1962 and now there is need for change. He said that the Regional Authority operates the correction centre and solid waste through by-laws passed by the three councils. He suggested that the Regional Authority should operate the proposed regional transit which MAPC had suggested.

Mr. Jackson gave a lengthy background outlining the position of the Halifax Dartmouth Regional Authority. The Halifax Dartmouth Regional Authority had asked their Solicitor to draft legislation so that they can operate a transit system, etc. He said that it needed consent of the councils to proceed with this draft legislation as introduced into the Provincial Legislature.

Councillor Streach asked how the Regional Authority is financed.

Mr. Jackson said that it is funded by the three municipalities in equalized assessments for the correction centre. However, only the districts receiving the service will be paying any costs towards the services provided such as solid waste and transit.

Council asked at that point for "User Pays" re regional transit to be explained and Mr. Jackson explained that the cost can be broken down to a district or part of a district which received the service and a charge will be levied on that particular district or partial district.

Councillor Eisenhauer agreed with the proposed transit system and the draft legislation. He feels that it is a step in the right direction to try to get this regional transit going. However, Councillor Eisenhauer was quite concerned about the future aspects also.

Councillor MacKay supports the legislation and agrees with the user pay system. He agrees with a pilot project for the Bedford Sackville area and feels that if he is providing the service and paying for it, then the other districts should not complain or try to govern the pilot project.

Mr. Jackson pointed out that all the Municipalities would be paying.

Councillor Topple was concerned about the District Planning Commission portion for the legislation.

Mr. Jackson said that the Planning Act defines what the District Planning Commission can or cannot do.

There was a great amount of discussion with respect to the responsibilities of the Municipality, different commissions, etc.

Solicitor told Council why Section 14 is in there. It gives the Halifax Dartmouth Regional Authority the power to act as the Planning Commission instead of forming a new commission.

Councillor Topple clarified that if a service was provided to two municipalities, then the third does not have to pay because the service is not provided there.

Councillor Cosman pointed out that the district Planning Commission is done by MAPC which has federal and provincial funding and questioned if the Halifax Dartmouth Regional Authority would also get funding if they act as a Planning Commission.

Mr. Jackson pointed out that funds are available to the district planning commission whether it be MAPC or whatever body is doing the planning. MAPC does not do statutory planning.

Councillor Lawrence expanded a bit on different formulas for paying and the user pay solution or capital expense mileage shared re transit.

Councillor Lawrence suggested that some routes for the transit system will be somewhat like express routes into the city.

Councillor Topple and Mr. Jackson conversed about guarantee costs. Councillor Deveaux suggested that this not be approved unless operating costs were subsidized for one year to all districts by the Provincial and Federal government. Mr. Bensted suggested that this matter of transit costs would be dealt with when proposed By-laws were introduced.

Councillor Cosman made comments on the proposed legislation and to the system of transit under a Commission model which was outlined in a blue book and a report of Halifax Dartmouth Regional Authority to Council would like these proposals to go through. Councillor Sutherland agreed with Councillor Cosman.

The Solicitor for the Regional Authority, Mr. Cox, pointed out that it would be difficult to approve only the transit portion of the draft legislation.

Councillor Margeson voiced his opinion on who would pay salaries and operating costs. Mr. Jackson pointed out that one body would be appointed and paid through the Province, Federal and Municipal funding.

Solicitor Cox pointed out that this is only a draft legislation and that it needed Council's approval before it could go to the Provincial Legislature. However, by-laws would have to come back through the Municipal Council before action could take place re transit.

There was discussion as to the possible expropriation of lands and serviced areas.

Councillor McCabe asked if the Regional Authority was going to take delivery of these buses right away. Mr. Jackson said that 21 buses have been ordered on MAPC stationery. Right now the Minister is responsible for paying for them.

It was agreed that Council would approve of the legislation subject to any representation that Council may wish to make before the appropriate committees of Legislation.

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

"THAT Council Session be adjourned until 1:30 p.m. for lunch break." Motion Carried.

The Meeting was called back to order by Deputy Warden Williams at 1:34 p.m.

The Municipal Clerk, Mr. Bensted, called the roll.

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

"THAT copies of Departmental charts be distributed to members of Council." Motion Carried.

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

"THAT Council, at the April 18th session, consider the matter of the Halifax Dartmouth Regional Authority's proposed legislation for the Halifax Dartmouth Regional Authority to have the powers of a district planning commission." Motion Carried.

Councillor Lawrence spoke about having a permanent person appointed for taking the Council Minutes. Mr. Bensted stated that Council Minutes and Public Hearings, etc. should be prepared by one permanent person and that this is being considered and not necessarily having someone on regular staff to do this.

Councillor Lawrence discussed the white paper on finance prepared by the Department of Municipal Affairs. There was some considerable discussion on this. Mr. Bensted pointed out that there were meetings with the Deputy Minister of Municipal Affairs to discuss the white paper so that Council can get better reading of the proposed white paper. The Department of Municipal Affairs says it will take 12 months or so before definite action is taken on the white paper.

The Clerk advised that as soon as possible a report would be submitted to the Finance and Executive Committee for discussion.

Councillor Lawrence urged that the Finance Committee bring this to Council for discussion after the Department of Municipal Affairs goes to the Finance Committee.