

November the 17th. They would pick up the Councillors at the Municipal Building by bus, at approximately 9:30 - 10:00 A.M. for the Tour. He also advised that refreshments would be provided by that Committee and the Councillors would be returned to the County Building in time for the commencement of the Council Session that afternoon. He further advised that the actual details would be finalized if it is determined that the majority of Council is interested in participating in this Tour. The PPC Committee has also invited other Chairmen of the Public Participation Committees covering the remaining three Districts.

It was determined by a show of hands of the interested Councillors, that there were sufficient numbers to warrant that the details of the Tour be finalized.

Mr. Birch then advised that he would set up the Tour and notify the Councillors officially of the time and place for the pick-up.

This signified the end of the Reports of the Department Heads; Mr. Birch remained to provide detailed clarification of the items contained in the PAC Report and the PAC Supplementary Report.

#### PLANNING ADVISORY REPORT

This report had already been received in order to deal with the Approval of the Subdivision of the undersized lot, Public Hearing.

#### Development on Private Rights-Of-Way

The Report in the agenda on this item, was as follows:

At it's meeting on October 26, 1981 the Planning Advisory Committee discussed the attached Staff Report (See Report in Agenda for detail and clarification) and adopted the following resolution:

"THAT Council:

1. Amend the Subdivision Regulation by adding the following:

Notwithstanding Section 15 and 16, in areas where Municipal Development Plans and Zoning By-Laws are not in affect, nor serviced by Municipal Sewer and Water, any lot which does not abutt a public road may be approved, provided that the lot is served by a private right-of-way, which is a minimum of 66 feet wide. The private right-of-way must be shown on the final plan of subdivision and further meet with the approval of the Department of Transportation.

2. That Council request the Department of Transportation to amend the 1954 agreement (amended 1971) between the Municipality and that Department to permit development on private right-of-ways. (The amendment among other things, should establish (a) a classification for private rights-of-way, (b) provisions for limiting public services to the rights of way, and (c) details on a procedure for eventual upgrading and take over by a public body).

3. That Council request the Minister of Municipal Affairs to prepare an amendment to the Halifax-Dartmouth Regional Development Plan which would permit the issuance of regional development permits for new development on private rights-of-way.
4. That Council direct staff to review the Road Improvements By-Law and advise on any necessary amendments per the proposed changes.
5. When such development is permitted that the plans approved for subdivision on private rights-of-way be affixed with the following notice:

"Lot \_\_\_\_\_ has been approved in accordance to Section \_\_\_\_\_ of the Municipality's subdivision regulations, therefore, the rights-of-way on which the lot has frontage is not publically owned. Please be aware that regular public services such as, but not limited to, snow removal, grading, ditching, garbage collection, and school bussing will not be provided on the rights-of-way. Any upgrading of the rights-of-way, will be the responsibility of abutting landowners. Further any cost related to change in status from a private to a public roadway will be born by abutting landowners."

Subsequent to brief explanation of the above, by Mr. Birch:

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

"THAT the appropriate steps be taken to implement the above requests and amendments to the Subdivision Regulations, in regard to Development on Private Rights-of-way, items 1 through to 5, as recommended by the Planning Advisory Committee."

This motion was discussed at great length by Council, with many Councillors expressing some anxieties with regard to it, but who were supportive of it nonetheless.

One of the greatest concerns was that these proposals would assist only new development and developers but not the persons who have already resided on private rights-of-way for many years.

This concern resulted in the following motion:

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

"THAT this item be referred back to the Planning Advisory Committee to further investigate similar proposals to assist those people who have resided on private rights-of-way for a great number of years."

Motion Defeated.

The above motion was defeated subsequent to lengthy debate by Council.

The original motion:

As moved by Councillor Lichter, seconded by Councillor Smith:

"As written previously."  
Motion Carried.

Councillor Williams advised that he was going to make a presentation to the Minister of Municipal Affairs to contest this motion.

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

"THAT the issue of Development on Private Lanes again be investigated by the Planning Advisory Committee with a view to implementing some regulations which will assist people residing on existing private lanes."  
Motion Carried.

Mr. Meech indicated that no Councillor should leave with the assumption that within two weeks time, persons will be able to apply for development on private lanes, as these recommendations will require additional negotiations with the appropriate Provincial Departments.

It was agreed by Council that the final item in the Planning Advisory Report would be deferred until certain residents from the Leacock Court area of Cole Harbour arrived.

Therefore, at this time, the Supplementary Planning Advisory Report was received by Council.

#### SUPPLEMENTARY PLANNING ADVISORY REPORT

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

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

#### Millwood Planned Unit Development Agreement

Mr. Meech outlined the recommendation of the Planning Advisory Committee in regard to the Millwood Planned Unit Development Agreement. (See Report attached to the agenda which provides complete detail and clarification). Upon having received the advice of the Municipal Solicitor, and being aware that the changes are acceptable to the staff of the Nova Scotia Housing Commission, the Planning Advisory Committee recommended the following to Council:

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

"THAT (as recommended by the PAC):

1. The following definition be inserted as subsection 1(m) in the Definitions Section of the Agreement: "Storm Water Management means the procedure to be followed to control the storm water runoff which shall occur from the Millwood Development and attached hereto as Appendix "F"; 2. That the existing subsection 1 (m) be renumbered "1(n)", and all other subsequent subsections be renumbered consecutively. 3. That Section 11 be amended by adding the following sentence thereto: "Further all development shall conform to the conditions contained in Appendix "F". 4. That the standards for storm water management required by the Department of the Environment be incorporated into the Planned Unit Development Agreement, as Appendix "F"."

Motion Carried.

The above motion was carried subsequent to extensive clarification provided to Council by Mr. Birch.

SUPPLEMENTARY REPORT TO COUNCIL, RE: REPORT OF THE COMMITTEE OF THE WHOLE

Mr. Meech advised that On October 28, 1981 the Committee of the Whole met at the request of the Municipal Development Plan Committee, at which a Report was distributed and discussed (See Report included in Supplementary Agenda for detail and clarification).

The Committee of the Whole recommended to Council that:

It approve the setting up of special sessions of Council at which detailed presentations of the plan documents would be made by the Public Participation Committees. NOTE: If Council accepts this procedure, the MDP Committee would provide recommended dates for these Special Sessions of Council.

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

"THAT Council approve the setting up of Special Sessions of Council at which time detailed presentations of the Plan Documents would be made by the Public Participation Committees."

Motion Carried.

PLANNING ADVISORY COMMITTEE

Apartment Building Site, 1109 Cole Harbour Road, Forest Hills

Mr. Meech outlined this report advising: that the Planning Advisory Committee, upon the direction of Council, had reviewed the above matter with Staff, the Developer and local residents. The Developer, Mr. Gellespie of Astik Enterprises, accompanied by his Lawyer, Mr. Brice and Mr. Ron Cooper on behalf of the residents addressed the Committee. The attached staff report was also available for the Committee's consideration. (Please refer to this report, contained in the agenda for additional details, if necessary).

The Committee recommended; as moved by:

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

"THAT Council request the Nova Scotia Housing Commission and the Department of Transportation to deny vehicle access to Leacock Court from the Apartment Building at 1109 Cole Harbour Road."  
Motion Carried.

Mr. Birch advised of an additional item, which was not included in his report; one of the Townhouses, across whose property this access is presently being achieved is privately owned and it has been indicated that this landowner would not permit the right-of-way to vehicles to and from the Apartment Building.

Subsequent to the conclusion of this item, Mr. Birch retired from the Council Session.

#### MANAGEMENT COMMITTEE REPORT

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

"THAT the Management Committee Report be received."  
Motion Carried.

#### Interest Charged on Outstanding Taxes

Mr. Meech advised that the Management Committee had received a report from Mr. Wilson, Director of Finance, respecting interest charges on outstanding taxes. (A copy of this report was attached to the agenda, please refer to it for verification) The report by Mr. Wilson indicated the current interest charged on outstanding taxes of 13%, is considerably lower than prevailing interest rates and consequently there may be persons with a tendency to defer tax payments.

The Committee recommended to Council that it approve an increase in the interest rate charged on overdue taxes, from 13% to 18% per annum, effective December 1st, 1981.

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

"THAT effective December 1st, 1981 the Municipality's interest rate charged on overdue tax accounts be increased from the present 13% to 18% per annum."  
Motion Carried.

Deputy Warden Deveaux spoke against this motion on the basis that Council had recently sent a communication to the Minister of Finance protesting the high interest rates prevailing today. He felt this was a contradiction on the part of the Municipality. As well, he was concerned for people who were not paying their taxes because they were unable to do so. He advised that many people pay their tax accounts monthly; thus, showing an earnest effort to pay the bill and these people are not trying to take advantage of the system.

There were several other Councillors of the same opinion as the Deputy Warden; including the mover and seconder of the motion, however, due to the great amount of money which is lost by the Municipality, who also has a rigid budget to stick to, these Councillors and the majority of Council felt it necessary to support the motion.

Lease of Lands - Allen Heights Subdivision

Mr. Meech advised that the Management Committee had received a request from the St. Margarets Bay Recreation Association to lease a parcel of land from the Municipality for a Community Recreation Facility. The property was acquired by the Municipality under the open space provisions. The recommendation of the Management Committee was that the Municipality lease this land to the Association for recreation purposes.

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

"THAT the Municipality lease a parcel of land, parcel P-7, as identified in the attached sketch, to the St. Margaret's Bay Recreation Association for recreation purposes."  
Motion Carried.

During the discussion of this motion, prior to its being passed, it was determined that the charge levied would be \$1.00 per year.

Councillor MacKay expressed some concern in the event that a structure is built on the property and subsequently the Organization will be assessed and taxed. However, Mr. Meech assured him that this would not be the case, as this land was to be used as a Ball Field and no structure would be constructed on it.

SUPPLEMENTARY MANAGEMENT COMMITTEE REPORT

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

"THAT the Supplementary Report of the Management Committee be received."  
Motion Carried.

Additional Loan - Upper Hammonds Plains Fire Department

Mr. Meech outlined this report advising that the Committee had received a request from the Upper Hammonds Plains Fire Department for an additional loan of \$6,000 to complete the construction of a Fire Hall in the community; this loan would be in addition to a loan approved by Council for this Fire Department, earlier in the year, in the amount of \$17,000.

The Committee recommended to Council approval of this additional loan.

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

"THAT Council approve a loan in the amount of \$6,000 to the Upper Hammonds Plains Fire Department for the purpose of completing construction, and that this loan be subject to the usual interest charges and that Council may reserve the right to levy an area rate to recover the amount."  
Motion Carried.

#### POLICY COMMITTEE REPORT

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

"THAT the Policy Committee Report be received."  
Motion Carried.

#### A By-Law Respecting Special Sewer Taxes

The Committee had reviewed a Draft By-Law respecting Special Sewer Taxes for the Lakeside-Beechville-Timberlea areas as prepared by Mr. Cragg, Municipal Solicitor. (Copy attached)

The By-Law would serve to provide that Sewer Frontage Charges in the Lakeside-Beechville-Timberlea areas will not exceed twenty dollars per lineal foot.

Subsequent to its review of the Draft By-Law, the Committee recommended its approval.

This item was discussed at great length by Council with many of the Councillors voicing their concern in regard to where the additional money came from, if at the time of the project's completion, the cost should exceed the \$20.00 maximum frontage charge per foot, as specified in the Draft By-Law.

Councillor Poirier spoke on the matter, advising that since she had waived her right to a share of the Capital Grant due to the excellent Provincial cost-sharing she had been able to receive through her own exhaustive efforts; she would expect any overruns to be covered by the Capital Grant in the future. However, she explained that an overrun was unlikely.

This was substantiated by Mr. Wilson and Mr. Meech who advised that the cost had been estimated at approximately \$15.70 per foot of frontage, based on the completed cost of the facilities. This allowed for a 30% overrun of that estimated cost before reaching the \$20.00 maximum. However, both Mr. Wilson and Mr. Meech advised Council that this could not be guaranteed.

Mr. Meech also advised that this By-Law was different from that in the other Districts, as in Sackville and Cole Harbour, the residents who were receiving both Sanitary Sewer and Clearwater were charged for both, under two separate rates, while those receiving only one service paid for only one service. In the case of the Timberlea-Lakeside-Beechville area, all residents would pay one rate for services provided. This procedure was expected to keep the cost down in Councillor Poirier's District.

This item was still debated at length by Council and Councillor Poirier was obliged to reiterate several times, that she was only requesting for her District what the other Urban Districts had already received and which they had received with considerably less effort on the part of their elected representatives.

Several Councillors and Councillor MacKay in particular, was concerned with the "rate of interest to be chargeable on the entire amount from time to time outstanding of any special taxes levied under this By-Law from the date of which the entire amount first become due has been paid is fixed at eleven (11) percent per annum." He felt, that in view of the prevailing interest rates, that was not a very realistic rate to be charged.

However, it was pointed out that this was the rate charged to other Districts who have Sewer and Water facilities.

Clarification regarding the fact that the By-Law for Water and Sewer Tax Rates were put in place prior to the completion of the capital projects in the Sackville and Cole Harbour area was also provided to Council by Mr. Wilson. As well, Mr. Meech advised that there were two By-Laws, one drafted by the Province and one by the Municipality for these areas.

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

"THAT the By-Law as prepared and drafted by the Municipal Solicitor, in regard to the Special Sewer Taxes for the Lakeside-Timberlea-Beechville area, be approved as recommended by the Policy Committee, inclusive of the maximum per lineal foot Frontage Charge of \$20.00."  
Motion Carried.

#### Appointments to the Board, Dartmouth General Hospital

Mr. Meech advised that the Committee had received correspondence from the Dartmouth General Hospital advising that the terms of both Councillors Wiseman and Benjamin, on the Board are now up for review and replacement or reappointment.

The Committee approved a motion to forward this correspondence to Council for its consideration.

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

"THAT Councillor Wiseman and Councillor Benjamin be reappointed to the Board of the Dartmouth General Hospital."  
Motion Carried.

#### SUPPLEMENTARY POLICY COMMITTEE REPORT

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



"THAT the Supplementary Report of the Policy Committee be received."  
Motion Carried.

#### District School Board Status

Mr. Meech had prepared and read to Council the following report from the Policy Committee:

"Significant points, in a letter from the Minister of Education respecting District School Board Composition and additionally, positions taken relative to provincial funding of education costs, are:

1. Message that District School Board Status should be implemented before the end of 1981 so that we may be in a position to take full advantage of the new grant program for the fiscal year 1982.
2. A decision by government that the District School Board composition is required to have a minimum provision of one third provincial government appointments.
3. Effective January 1, 1982, the province will assume 100 percent of the cost of existing school debt and additionally for any subsequent capital expenditures for school construction.
4. The general formula rate has been increased from the present level of \$1,350. per student unit to \$1,575. effective January 1, 1982. At the same time, the province has also amended the municipal contribution by revising the education tax rate from 35 cents per \$100 of assessment to 38 cents per \$100 of assessment.

Concerns of the Policy Committee, in reaction to this information:

1. Change in the criteria for the establishment of District School Board requiring one third provincial appointees as compared to the original proposal in the Walker Report suggesting that the composition be 50 percent elected and 50 percent appointed by the participating councils. This change and the knowledge that the District School Board concept gives the School Board the ability with an 80 percent majority vote to dictate the contribution from the municipality for unrecognized costs created apprehension for the members. Concern was expressed over: 1) accountability; and, 2) the inability of the Council to control the School Board expenditures while still being technically held accountable to the taxpayer for education costs.
2. In view of the concerns expressed in Item # 1, a suggestion was put forward that Council consider requesting the province to enact a policy providing for fully elected School Boards thereby clearly establishing accountability to the taxpayer. This policy would provide for the School Board to establish the municipal tax rate for education purposes which could then be collected by the municipality on behalf of the School Board with this rate clearly identified on the municipal tax bill as separate and apart from the general tax rate.

Additionally, there was the view expressed by certain members that the Council should consider requesting the province to assume 100 percent of the cost of education.

3. The concern apart from the aforementioned is the present status of the Municipality's application to the Minister of Education for recognition as a District School Board.

The Municipality appears to be placed in the position of having its application placed in abeyance until Bedford has reached a decision respecting District School Board Status. As a result, the Policy Committee was of the belief that sufficient time has been granted to Bedford and consequently the Policy Committee suggested that Council direct the Warden to communicate with the Minister of Education seeking a positive decision with regard to the Municipality's application whether it includes or excludes Bedford.

The Policy Committee was concerned that the Municipality would be penalized financially should a decision on the application be delayed further."

In summary, the Policy Committee requested that Council consider the above points and provided direction on the issue of District School Board Status.

In addition to the presentation of the above report, Mr. Meech also advised that it had been suggested during the Policy Committee Meeting at which this issue had been discussed, that if District School Board Status is achieved then Council may also wish to consider that even though it may not be a fully elected board, that the actual amount being billed to the Municipal Tax Payer for Education costs be separated on the tax bill and clearly identified for further education purposes.

In regard to the inclusion in the Minister's letter of the following: "In the interim, school boards and-or Councils should refrain from entering into any new contractual arrangements for major capital projects until after the new funding procedures have been finalized. Projects which have been previously approved and are in process can continue without interruption.", Councillor Wiseman indicated that concern should be expressed to the Minister that the Municipality has a large number of projects which are currently in the Department and that the Municipality should obtain some information from the Minister as to what exactly would become of those projects.

Mr. Meech advised the Councillor that unofficially in discussion with the Superintendent of Schools, Mr. Gillis, and with Mr. Wilson, who have both had an opportunity to speak with Department of Education Officials recently, it had been indicated to him that this would not have an implication, at least on the short term, relative to those schools which have been approved and released from the moratorium. He also advised that he did intend to have this officially confirmed.

Councillor Wiseman was also concerned that under the new funding agreement, one problem which would come up and have a substantial impact on the Municipality is that the property service costs are now going to be allocated just to those areas that are used for educating students. Therefore, the school space which the Municipality uses for storage and for administration purposes will not be covered under that cost arrangement. She felt this may be of disadvantage to the Municipality.

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

"THAT the Municipality make a request to the Minister of Education that he provide us with an early decision on the Municipality's status as a District School Board."  
See Motion to Amend.

Councillor MacKay spoke in favour of this motion and as well advised that he was in agreement with the opinions of the Policy Committee in regard to the Minister's new proposals which deviate from the originally proposed composition of the Board as recommended in the Walker Commission Report. Councillor MacKay also endorsed the concerns of Councillor Wiseman, elaborating somewhat on the issue of property services and adding to those concerns the cost of student conveyance.

Deputy Warden Deveaux was also in agreement with the motion on the floor.

However, Councillor Benjamin was opposed to the motion as he felt acceptance of the motion would be construed by the Minister as acceptance of his new proposal for the composition of the District School Boards.

It was amended by Councillor Benjamin, seconded by Councillor MacDonald:

"THAT the Minister be requested to review his new proposals in regard to the composition of the District School Board, either upholding the original proposal as recommended in the Walker Commission Report (50% elected School Board members and 50% composed of Councillors) or that the District School Board be entirely composed of elected members."  
Amendment Carried.

Subsequent to extremely lengthy debate, the amendment to the motion was carried by Municipal Council.

The motion as amended:

Moved by Deputy Warden Deveaux, seconded by Councillor Adams:

"THAT the Municipality request the Minister of Education to provide the Municipality with an early decision in regard to its application for District School Board Status and that the Minister also be requested to review his new proposals in regard

to the composition of the District School Board, either upholding the original proposal of the Walker Commission (50% Elected Representatives and 50% Councillors) or that the District School Board be entirely composed of Elected Members."  
Motion Carried.

Councillor Wiseman had raised the following concern prior to the passing of the motion: (from the concerns raised at the Policy Committee in reaction to the Minister's letter) "...that the District School Board concept gives the School Board the ability with an 80 percent majority vote to dictate the contribution from the Municipality for unrecognized costs created apprehension for the members." She wondered whether this meant 80% of those members of the District School Board in attendance at a meeting or 80% of the total membership.

Subsequent to the passing of the motion she requested that this clarification also be obtained from the Minister. It was agreed by Council that the Warden in her communication to the Minister would also include this concern, for his clarification.

REPORT, RE: FEASIBILITY OF MERGING SCHOOL BUS CONVEYANCE WITH TRANSIT OPERATIONS

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

"THAT the Report regarding the feasibility of merging School Bus Conveyance with Transit Operations be received."  
Motion Carried.

Mr. Meech briefly reviewed this item, which had initiated with a request from Councillor Adams, some time ago, that the Municipality study the feasibility of merging the School Bus conveyance with the Metro Transit Operations. Mr. Meech advised that as a result of that, he has received a communication from the School Board which indicates that, at this point in time, there does not appear to be any interest from the various bodies who would be involved, to suggest that they believe there is any potential benefit in examining this question.

Subsequent to discussion:

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

"THAT the memo from C. E. Stewart, contained in the agenda, be referred to the Operations Planning Group of Metro Transit Commission to consider further, the feasibility of studying the merging of School Bus Conveyance with Transit Operations and that they report their views to Council."  
Motion Carried.

Councillor Margeson suggested that the feasibility of transporting students by rail should also be studied.

NEW BUSINESSAnnexation - Councillor MacKenzie

Councillor MacKenzie voiced his concern in regard to reading in the newspaper an item in which Alderman Crawford of Dartmouth has suggested that the City of Dartmouth annex Eastern Passage. He advised that the Alderman had opposed any suggestion of taking over the residential area, but indicated that it would be far more beneficial to the City to annex the more lucrative areas of the County. This was of great concern to Councillor MacKenzie.

Deputy Warden Deveaux advised that he had prepared and released to the Press a rebuttable of Alderman Crawford's statements and proceeded to read the same to Council.

Councillor MacKay indicated that the only way this problem of annexation would ever be eliminated, would be if a Regional Government, encompassing all four Metropolitan Municipalities, was implemented, including Regional Services and Regional Equalized Assessments.

Realignment of Parking Area - Councillor Margeson

Councillor Margeson expressed his appreciation to those persons who had realigned the parking spaces in the rear of the Municipal Building and questioned exactly how many new spaces were created.

The Councillor was advised by Mr. Meech that at least fifteen (15) new spaces had been created.

Taxi By-Law - Councillor Benjamin

Councillor Benjamin was also disturbed about a particular item in the Bedford-Sackville Daily News in regard to the bad condition of Taxi Cabs serving the Airport.

The article advised that a Commissionaire at the Airport had lost his job (Councillor Benjamin felt the man had been transferred) because he was enforcing a County By-Law in regard to good, clean Taxi Service. Allegedly these Taxis had bald tires, dirty interiors and so forth. The Airport Manager and Staff have investigated this matter and it was the Councillor's understanding that a new license will be required in order to drive to the Airport. He requested whether the Municipality had any control over Taxi Service to the Airport. He felt that the Municipality should have some control over the cars that are picking up business within the County and in particular who are providing service to the Airport. He was particularly concerned that the service was not up to scratch and advised that he would like to see this service to the Airport controlled by the Halifax County Taxi By-Law.

Councillor Benjamin requested that Staff investigate this matter to first determine whether the accusations made in the Newspaper are accurate and if possible to improve the conditions of those Taxis.

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

"THAT Halifax County Staff investigate the allegations of the Bedford-Sackville Daily News, in regard to the bad conditions of the Taxi Service to the Halifax International Airport, and to improve, if possible, these conditions."  
Motion Carried.

Councillor MacKay advised that any Taxi Company can serve the Airport due to the fact that the Airport is Federal Property and therefore, the Municipality would have no legal authority to dictate By-Laws applicable to Federal Facilities.

Minimum Age Restriction in Games Arcades - Councillor Wiseman

Councillor Wiseman advised of a situation in Sackville in which two nine year old boys have developed an addiction of attending the Games Arcade in the Downsview Mall. The parents, subsequent to consulting with the R.C.M.P. for a means to restrict the children from going to the Arcade, have discovered that there are no age restrictions. According to the R.C.M.P. an addiction to these games does often develop and since nine year olds have little or no money they have devised illicit means to obtain the money to operate these machines.

Councillor Wiseman advised that since discussing this matter with the R.C.M.P. and with the Municipal Solicitor, she would like to implement something within the Municipality's By-Laws to restrict the age of the persons going to these Arcades. She requested this to be referred to the Policy Committee for its consideration and as well that Mr. Cragg come up with some suggestions as to how to handle this problem.

It was moved by Councillor Wiseman, seconded by Councillor Adams:

"THAT the issue of age restrictions for attending Games Arcades be referred to the Policy Committee for consideration and to Mr. Cragg for some suggestions as to how to implement such age restriction into a Municipal By-Law."  
Motion Carried.

Councillor MacKay was aware of this problem, but advised that even more serious than the addiction to the games which is developed by these youngsters, is the addiction to and the selling and consumption of alcohol and drugs that is also prevalent in these Games Arcades. Councillor MacKay was more concerned about this problem than concerned for youngsters who get into these Arcades; he felt the parents should be taking the initiative there. Whereas the things the youngster is exposed to, once he does get to the Arcade, was a far more serious matter.

Cut Backs on Federal Grants to Provinces, Re: Post-Secondary-Education - Deputy Warden Deveaux

Deputy Warden Deveaux voiced his concern over the intent, as expressed over the past several months, of the Federal Grant cutbacks to the Provinces of one and one half billion dollars for Post Secondary Education. He felt this would effect the different Provinces in varying degrees; however, Nova Scotia would be affected more seriously than any other Province in Canada.

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

"THAT the Municipality write a letter to the Hon. Gerald Reagan with copies to the MP's of Halifax County expressing the Municipality's concerns with regard to the intended reduction in Grants to the Provinces for Post-Secondary Education and request that the Minister and the Federal Government reconsider this proposed move, allowing grants to continue on the present basis and as well that this issue be referred to the FCM meeting at the end of the month, which will be attended by the Warden."  
Motion Carried.

ADJOURNMENT

It was moved by Councillor MacKenzie:

"THAT the Regular Council Session adjourn."  
Motion Carried.

Therefore, Council adjourned at 9:00 P.M.

REGULAR COUNCIL SESSION

NOVEMBER 17, 1981

PRESENT WERE: Warden Lawrence, Chairman  
Councillor Walker  
Councillor Poirier  
Councillor Williams  
Councillor Baker  
Deputy Warden Deveaux  
Councillor McInroy  
Councillor Topple  
Councillor Adams  
Councillor Gaetz  
Councillor Smith  
Councillor MacKenzie  
Councillor McCabe  
Councillor Lichter  
Councillor Benjamin  
Councillor Margeson  
Councillor MacKay  
Councillor Eisenhauer  
Councillor MacDonald  
Councillor Wiseman

ALSO PRESENT: Mr. K. R. Meech, Chief Executive Officer  
Mr. G. J. Kelly, Municipal Clerk  
Mr. Robert Cragg, Municipal Solicitor  
Mr. Keith Birch, Chief of Planning & Development  
Mr. Ben Fullerton, Shubenacadie Lakes Advisory Board  
Ms. Valerie Fraser, Teacher, Herring Cove Jnr. Hgh.  
Ms. Ann Purcell, Former Student, Herring Cove Jnr. Hgh.  
Ms. Susan Jollimore, Former Student " " " "  
Ms. Patricia Brown, Former Student " " " "  
Ms. Dawn Lyons, Herring Cove Jr. High.  
Mr. Paul MacDonald, Herring Cove Jnr. High  
Mr. Carry Veinotte, Herring Cove Jnr. High  
Mr. Lloyd Gillis, Muncipal School Board

SECRETARY: Christine E. Harvey

-----

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden Lawrence brought the Council Session to order at 2:05 with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.



APPOINTMENT OF RECORDING SECRETARY

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

"THAT Christine E. Harvey be appointed Recording Secretary."  
Motion Carried.

PRESENTATION BY STUDENTS OF HERRING COVE JUNIOR HIGH SCHOOL

Ms. Valerie Fraser a History Teacher at Herring Cove Junior High School came forward with six of her students to describe to Council a project which had been undertaken at that school, in regard to the local History of Herring Cove and surrounding area.

Ms. Fraser introduced to Council the six students; the first three, who were with her in the first year of the Local History Program and who are now attending J. L. Ilsley Senior High School: Ann Purcell, Susan Jollimore and Patricia Brown; the final three, who worked on the program this past year: Dawn Lyons, Carry Veinotte and Paul MacDonald. These students represented the communities of Sambro, Herring Cove, Ketch Harbour and others in the area.

Ms. Fraser advised that in the Spring of 1979, the Principal, Ken Kilvert, approached her with the idea of working on the Local History Program, as he felt that the area had been settled for a long time and there should be a wealth of material, which could be incorporated with the school's regular history program. She pointed out that all of the students who participated in the program did it as a supplementary program; taking part in the regular program at the same time.

Subsequent to a brief explanation of the project itself, in which 13 to 14 year olds, took part, each student accompanying Ms. Fraser outlined to Council what their respective projects consisted off.

Patricia Brown had researched older methods of cooking, going so far as to bake ginger snaps with stone ground flour. After baking these cookies, they had been passed out at the school. The concensus of the students who had tasted these cookies was that they were not favourably impressed with them in comparison to the modern, softer version of the ginger snap.

Ann Purcell had researched the York Redoubt Military base, which had resulted in the composition of a lengthy and informative Report.

Susan Jollimore had researched the topic of Shipwrecks, in particular, the Pilot Boat. She found the Archives to be very helpful in her research of this subject, but as well, there were people in her community involved with the shipwreck. Among these were the Captain of the Ship itself, Captain Darach, who was able to supply first-hand information of the accident; in addition, her next-door neighbour's father was killed on the shipwreck; this neighbour was also able to supply her with important details.

Ms. Fraser interjected at this point to advise of the marking system which was used for the completed projects; based mainly on the student's effort in formulating the project, regardless of the outcome. Subsequent to completion of the projects a one-page summary was prepared by the student, read in class and discussed. This further resulted in a booklet, called "From the Shoreline Coves to the Harrietsfield Lakes". The students named the book and designed the cover, while Ms. Fraser, herself did the editing of the book in preparation for the Printers. This Book, she advised was available for a small fee. As well, it is in the Municipal Library.

She further outlined a Display Night at the school, connected with Education Week, an Open House in which antiques were collected from the local area and displayed. Also this evening Patricia and Anne, dressed in period costume and passed out Patricia's cookies, sold some of the pamphlets and answered questions. A great deal of positive response was received from the community.

She also advised that the students utilized the Archives, and the local Libraries in their research. In addition, there was a trip to the Nova Scotia Museum and finally, a trip to Lunenburg, where they visited the Fishermen's Museum, went out on some of the boats and through the Fish Plants, as the Fisheries Industry is very important to the Sambro area, and was the subject of many of the student's projects. This, she advised was the end of the 1979-1980 Local History Project. However, the project was continued in the 1980-1981 school-year, which was easier as it had been done before, yet harder as they did not wish to repeat any projects but to find new ones. At this point the remaining three students outlined their projects.

Paul MacDonald did his project on Sports in the area; he gathered some information from a Dalhousie Professor in regard to George Brown and Henry Pelham. He also obtained information on Harold Johnson from the Nova Scotia Archives and Harold Johnson's wife. He also compiled some information regarding the sports of Softball and Hockey. He advised that George Brown and Henry Pelham were Olympic Oarsmen many years ago and occupied an important position in the history of the community.

Dawn Lyons advised that her project was in regard to the Indians in Sambro. Most of her information was gathered from Kay Hill and a Professor from Dalhousie University who had completed some prior research and were able to assist her in her project. As well, the people in the Community proved to be of help in the composition of her report.

Carry Veinotte explained that he also did a project on Shipwrecks; on the Costarican Trader, which went on the rocks in 1967. He had a great deal of trouble gathering his information as there was little in the Archives; he subsequently went to Foundation Maritime, whom he discovered had been bought out by another Company. He went down to Chebucto Head to discover the name of this Company and was advised that Foundation had been bought out by Eastern Canada Towing Company. Unfortunately when he arrived at the door of Eastern Canada Towing, he was advised that the records had been sent back to Montreal at the time

Foundation had been bought out. He was advised that Lloyds of London Shipping Register would have the information he required. He then went back to Chebucto Head who allowed him to view the Lloyds of London Shipping Register from which he gathered the majority of his information.

Ms. Fraser advised Council, that the difficulty Carry had experienced in his search for information was an indication of the dedication many of the students had in going after their topic. She also advised that another book had been published as a result of the 1980-1981 Local History Projects.

The students then distributed several of these booklets to the Councillors for their perusal.

One thing each of the students who spoke to Council agreed on, and which was also agreed upon by Ms. Fraser, was that the project had been a valuable learning experience, since it was based on their own communities, as opposed to book-learning which is generally based on other areas. As well, it was a good experience for the community who were involved in the Display Nights and Education Week presentations. It also impacted them because they discovered that History, rather than just being something which is recorded in a book, was something which happened to people known to them, in their own community.

Ms. Fraser also advised that the Mail Star did a story on the projects which resulted in further sales of the books the students had prepared on the project; and as well that two of her students were interviewed on CBC Television on a Saturday morning program called "Anybody Home?".

Councillors Baker, Margeson, MacKay, Smith Benjamin, and Warden Lawrence expressed their interest and appreciation for the presentation and thanked the students and Ms. Fraser on behalf of Council.

Ms. Fraser and her six students, subsequently retired from Council.

#### ELECTION OF DEPUTY WARDEN

Warden Lawrence advised that the time had come again to appoint a new Deputy Warden and indicated her appreciation for the excellent job Deputy Warden Deveaux had done in fulfilling this role during the past year.

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

"THAT Councillor Kenneth Margeson be nominated for the position of Deputy Warden of Halifax County Council."

Councillor Walker spoke at length in regard to Councillor Margeson's length of time on Council, his participation on all major Committee's of Council and his past experience, which he felt would enable Councillor Margeson to excell as Deputy Warden. As well he pointed out that the two previous Deputy Wardens had been from Urban Districts.

Deputy Warden Deveaux also spoke on behalf of Councillor Margeson.

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

"THAT Councillor Murdock MacKay be nominated for the position of Deputy Warden of Halifax County Council."

Councillor Poirier also spoke lengthily on behalf of Councillor MacKay's abilities as a Councillor and his past experience which indicated his natural ability as a leader. Councillor Poirier also advised Council that Councillor MacKay related well to people with his freindliness and good humour.

Councillor Adams also spoke briefly on Councillor MacKay's behalf.

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

"THAT nominations cease."  
Motion Carried.

Ballots were subsequently handed out, filled in and put in the Ballot Box.

Warden Lawrence requested that Councillors Walker and Poirier assist in the counting of the Ballots.

Councillor MacKay, subsequent to the ballots being put in the box, thanked both Councillors Poirier and Adams for nominating him and wished Councillor Margeson well. In addition, he recognized the excellent job done this past year by Deputy Warden Deveaux.

The Deputy Warden then thanked all members of Council for their support during his year as Deputy Warden, advising that he had been proud of the honour that had been bestowed upon him in this regard.

Subsequent to a counting of the ballots, it was determined that the new Deputy Warden of the County of Halifax was Murdock MacKay who won by a vote of 11 to 9.

Councillor Margeson congratulated Deputy Warden MacKay indicating his opinion that he would make a fine Deputy Warden for the County and urging that Council give him it's whole-hearted support in his position as Deputy Warden.

Warden Lawrence advised that due to the closeness of the vote, it was evident that both men were thought of very highly by their fellow Councillors; she also expressed her congratulations to Deputy Warden MacKay

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

"THAT the ballots be destroyed."  
Motion Carried.

APPOINTMENT OF NOMINATING COMMITTEE

Warden Lawrence advised that this was the anniversary date of the installation, two years ago, of this Council and the practice is that on that date, the Nominating Committee is appointed and any rearrangement or reallocation of Committees are formalized by the Nominating Committee at this time.

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

"THAT the Warden be given the authority to appoint the members of the Nominating Committee."  
Motion Carried.

Mr. Meech outlined the procedure for the Nominating Committee's proceedings advising that it is the policy that the Nominating Committee be appointed today and convene today, but that if they are not prepared to file their Report today they can make a motion to reconvene at another time and file their Report at the first Session in December. Solicitor Cragg verified this as being the legal procedure.

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

"THAT the Nominating Committee meet today and bring their Report back to Council before the end of this Session."  
Motion Carried.

A memo was circulated to all Council, advising of the Warden's choice of members of the Nominating Committee for 1981. As well, the names of the members for the previous two years were listed on this memo.

The new Nominating Committee members were as follows:

Councillors: Wayne Adams, Eugene Deveaux, Nelson E. Gaetz, Bill MacDonald and Albert R. Williams.

Warden Lawrence advised that the Nominating Committee shall choose a Chairman from among themselves; subsequently, Councillor Williams was selected as Chairman of this Committee.

It was agreed that this Committee would convene during the supper break of Council and bring back their Report subsequent to that.

At this point in time, it was agreed by Council to receive the Supplementary Policy Committee Report in order to deal with one item in that Report.

SUPPLEMENTARY POLICY COMMITTEE REPORT

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

"THAT the Supplementary Policy Committee Report be received."  
Motion Carried.

Rocky Lake Quarry - Environmental Problems

Firstly, Councillor Benjamin pointed out that there was an error in the name of the Operation, in the agenda. He then pointed out the proper name as mentioned above.

Mr. Meech outlined the Supplementary Report, advising that, it had been brought to the attention of the Policy Committee, by Councillor Benjamin, that the Rocky Lake Quarry, since being taken over by new Management was not taking the necessary precautions to protect the Environment, resulting in an increase in air pollution and pollution of the lake system, due to inadequate settling ponds.

The Committee recommended to Council that the Municipality request the Department of the Environment to conduct a thorough investigation of the Rocky Lake Quarry Operations with respect to pollution of the area environment.

Mr. Ben Fullerton, of the Shubenacadie Lakes Advisory Board, then came forward to run slides, showing Council the environmental problems which were occurring in relation to this site and which were caused by the operation of this Quarry.

Subsequent to further discussion and clarification of this problem by Councillor Benjamin:

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

"THAT the Municipality recommend to the Department of the Environment that they conduct an immediate investigation into the polluting operations of the Rocky Lake Quarry, which is operated by Municipal Spraying and Contracting, in order that some preventative measures in regard to environmental protection can be taken at this Quarry."

Motion Carried.

Councillor Benjamin then thanked Mr. Fullerton for his slide show and expressed appreciation for the work and study done by the Shubenacadie Lakes and Advisory Board in the past; advising, that the preservation of the Lake System should be a major concern in Halifax County.

Council also expressed its thanks to Mr. Ben Fullerton, subsequent to which he retired from the meeting.

At this point in time, Council agreed to deal with the Report of the Special School Committee.

REPORT OF THE SPECIAL SCHOOL COMMITTEE

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

"THAT Council receive the Report of the Special School Committee."

Motion Carried.

Councillor Lichter then proceeded to read to Council, the Report of the Special School Committee which outlined to Council the point system which was used to rate the following items of major concern in the decision-making process: 1. Student Population to Attend the New Junior High School, 2. The Cost of Bussing Students, 3. Fairness to All Residents of the County, 4. Availability of Land for the Junior High School, 5. The Staff Technical Committee Recommendation, 6. Growth and Development in the Respective Communities, and 7. The History of the New Junior High School From its Conception to Present.

He then advised that each committee member was given 10 points which he-she could allocate to either location of the School; Sackville or District 15, for each of the above-mentioned subjects. This was a total of 210 points. Subsequent to examination of the rating system, and verification of it's accuracy, 121 points had been given to the Beaverbank Location and 89 points to the Sackville location.

Therefore, it was the recommendation of the Special School Committee; "That the New Junior High School be constructed in District 15, Beaverbank."

Attached to the recommendation was a list of the 22 meetings which had been held by the Committee, indicating the dates of the meetings and the names and positions of the people who had been interviewed.

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

"THAT, as per the recommendation of the Special School Committee, Council approve of the construction of the New Junior High School in Beaverbank, District 15."  
Motion Carried.

Prior to the motion being passed there was a lengthy debate in regard to the motion and also in regard to the length of time the Special School Committee had taken in making its recommendation.

Councillor Wiseman spoke in opposition to the recommendation and the point system which was used to evaluate what she felt were some very weak points; while the real problem, the overcrowding of Sackville Schools, had been ignored.

Councillor MacDonald also voiced his opposition to the recommendation indicating that it defeated the very purpose and concept of the Community School System.

Deputy Warden MacKay expressed concern on behalf of the TMH students and also on the possibility that the School Board may now be forced to rearrange its Feeder Schools which are to go to the New Junior High. He requested clarification from Mr. Gillis in this regard.

Mr. Gillis advised that the situation would have to be reviewed by the School Board but he could not offer any positive opinion as to what the result of this review would be.

The following Councillors spoke in favour of the recommendation; Councillors: Williams, Gaetz, Poirier and MacKenzie. However, each of these Councillors expressed concern with the amount of time taken for the Special School Committee to come to a decision.

Councillor Poirier also expressed the hope that this would not set a precedent in that Council would begin appointing Committees to resolve matters, upon which Council itself cannot come to a consensus.

Councillor Deveaux spoke in regard to the amount of time taken; advising that the Committee had been ready to wind up it's interviews and come to a decision late in August. However, due to the request of Councillor Wiseman, they elected to wait for some Sackville speakers to come to the Committee, who were not available until the middle of September; this had caused further delays.

Councillor Margeson indicated to the Sackville Councillors, in regard to the overcrowding of Sackville Schools; the New Junior High School in Beaverbank would eliminate that problem to a great extent. He also took this opportunity to thank the Committee members for their work and subsequent recommendation, as well as all persons who worked with the Committee and were available for interviews.

Councillor Lichter, advised that it was the intention of the Committee to hear all persons who wanted to speak on the issue; otherwise, there would have been no point in having the Committee in the first place. In regard to the brevity of the Report he displayed to Council a huge file composed of numerous reports and documents which the Committee had investigated, advising that it would be ludicrous to compose such a lengthy report and expect Council to understand it, in full, in one Council Session. Therefore, the Committee's report was deliberately brief in order to bring Council to an early and full understanding of the recommendation.

This concluded the debate on the recommendation.

#### APPROVAL OF MINUTES

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

"THAT the minutes of the October 28, 1981 Committee of the Whole Session and the November 3, 1981 Regular Council Session be approved."  
Motion Carried.

Councillor Smith also pointed out that the minutes of the October 5, 1981 Public Hearing, which were on the agenda for approval, had already been approved at the last Council Session.

#### LETTERS AND CORRESPONDENCE

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

"THAT the Letters and Correspondence be received."  
Motion Carried.



Letter From the Department of Municipal Affairs

Mr. Meech advised that this letter was also incorporated into the Report of the Planning Advisory Committee. This letter was from the Director of Community Planning of the Department of Municipal Affairs relative to Council's request to have a clarification of the twenty to thirty mile radius that has been referred to as part of their criteria for the issuance of permits under the Regional Development Plan. Since this letter was incorporated in the Planning Advisory Committee Report, it was discussed only briefly.

Please see letter for Detail and Clarification.

Letter From Minister of Municipal Affairs

This letter was a confirmation of the 85% funding for the additional costs of \$1,400,000, for the servicing proposal for the Waverley Water System. This extra cost brings the total cost of the project to \$4,900,000. The 85% cost-sharing will apply to this grand total.

This letter was included in the agenda for information only.

NOMINATING COMMITTEE - COUNCILLOR GAETZ

As a member of the Nominating Committee, Councillor Gaetz requested that members of Council who were interested in changing their status or position on Committees, please inform the Committee before they convene.

Councillor Deveaux, another member of this Committee, also advised that any input would be welcomed. He did, however, point out that since this was the last year this Council would be making nominations to the Committee's, it was his hope that most Councillors would be happy to remain where they were on their present Committees, where possible, thus, avoiding any major changes to the Committee structures.

At this point in time, Council agreed to deal with the first item in the Planning Advisory Committee Report, upon the request of Councillor Deveaux, who would not be available after the supper break.

PLANNING ADVISORY COMMITTEE REPORT

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

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

Subdivision of Private Roads

There were three letters attached to this item; one from the Department of Transportation, one from the Department of Municipal Affairs, and finally, one from Cathy MacKay, Secretary of the Planning Advisory Committee requesting input from each Councillor who has had problems or

enquiries with respect to development on private roads in their districts, in order to help the PAC to get a better appreciation of the size of this topic.

Please see agenda for information included in the letters from DOT and Municipal Affairs.

In light of these letters, the Planning Advisory Committee recommended that Council take the following action:

1. That a letter be forwarded to the Department of Transportation requesting that if security was provided as outlined in the Minister's letter, regarding eventual public takeover of private roads, would the Department of Transportation be willing to accept proposed development; and
2. A letter be forwarded to the Department of Municipal Affairs asking if they are now prepared to indicate that cottage development on private roads is exempt, from the Regional Development Plan.

Councillor Lichter requested that he be exempted from discussion or voting on this issue, due to a conflict of interest. Permission was granted.

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

"THAT Council approve the recommendations of the Planning Advisory Committee, numbers 1 and 2."  
(See Motion to Refer)

Deputy Warden Deveaux advised that he was expecting some information to come forward today, respecting development on existing private lanes. He expressed his opinion that this was a more important issue than cottage development which should be one of the least concerns, while people living in their year round homes, on existing private lanes should be a priority.

Warden Lawrence advised that the Deputy Warden's motion in regard to development on existing private lanes was a separate item forwarded to the Planning Advisory Committee. She also advised that the requested information has not come forward today, as it is still being researched by the Committee.

Councillor Poirier advised that since passing the motion in regard to development on private lanes, at the last Council Session, she has discovered information which was not brought forward at that time. She advised that there was a recommendation that went to the Planning Advisory Committee on September 28th from Mr. Bill Campbell, who advised that Staff recommends, in areas where MDP Plans are not in effect, subdivisions for the purpose of permanent residents on private roads and rights-of-way, not be permitted. Further to this, there was a Sub-division of Private Roads and Rights-of-Way Report describing the situation over the years in Halifax County; which became so serious over the years, between the County and the Department of Transportation

and the people that were living on private rights-of-way that an Agreement had to be drawn up to try to assist the people in these situations. She produced a list of the roads which had to be dealt with, which took up several pages of the Report.

Based on this information she could not support the previous motion which had been passed or the motion on the floor at the present time. She was prepared to move that the motion passed at the November 3rd Council Session be rescinded. However, she could not put her motion on the floor at the present time as there was already a motion on the floor.

Councillors Topple and MacDonald spoke in favour of the motion on the floor; however, Councillor Eisenhauer indicated that not everyone in Council seemed clear on the objective of the motion.

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

"THAT the motion on the floor be referred back to PAC for clarification of the objectives of recommendations, # 1 and 2 in the PAC Report."

Motion Carried.

This motion was carried subsequent to lengthy discussion by Council.

Subsequently:

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

"THAT the five-part motion passed at the November 3rd, Council Session, in regard to amendments to the Subdivision Regulations to allow development on private roads be rescinded, in order that the issue of Development on Private Roads can be reviewed in more detail."

Councillor Topple then questioned whether Councillor Poirier would also include that the PUD Agreement be rescinded with the Scott Paper Company. He put this suggestion forward in order to make the point that if the Municipality is not going to allow development on private roads to assist the citizens of the County then it should not be permitted to do so for a large corporation.

It was not agreed that this would be included in the motion as the Agreement with Scott Paper had been approved by full Council.

This motion proved to be an extremely controversial issue, and was debated at length by all members of Council. (It would take a great deal of space to outline all comment made, therefore, please refer to the recorded vote to determine each Councillor's opinion in regard to this motion).

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

"THAT a recorded vote be taken on this motion."  
Motion Carried.

Favour of Rescinding Motion

Councillor Poirier  
 Councillor Williams  
 Councillor Baker  
 Councillor Deveaux  
 Councillor McInroy  
 Councillor Adams  
 Councillor Gaetz  
 Councillor Eisenhauer  
 Deputy Warden MacKay

Opposed to Rescinding Motion

Councillor Walker  
 Warden Lawrence  
 Councillor Topple  
 Councillor Smith  
 Councillor MacKenzie  
 Councillor Lichter  
 Councillor Benjamin  
 Councillor MacDonald  
 Councillor Margeson  
 Councillor Wiseman

Therefore, the motion:

Moved by Councillor Poirier, seconded by Councillor Eisenhauer:

"As previously written."  
 Motion Defeated.

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

"THAT prior to making any further recommendations in regard to Subdivisions on Private Roads that the PAC in reviewing Development on Private Roads receive written or verbal presentations from each member of Council who wishes to make such presentation, not only in regard to future Development on Private Rights-of-Way, but also in regard to existing Rights-of-Way."  
 Motion Carried.

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

"THAT Council adjourn for supper for one hour, in order that the Nominating Committee can meet and come back with a recommendation subsequent to supper."  
 Motion Carried.

Therefore, Council adjourned for supper at 5:45 and reconvened at 6:45 P.M.

NOTES AND REMINDERS

Warden Lawrence advised members of the Management Committee that the Take-Over Tour of the A. J. Smeltzer Junior High School, Thursday morning at 10:00 A.M. has been cancelled and therefore, the Management Committee Meeting would go on as usual at 9:30 A.M.

The Warden also advised Council members that Mr. DeBoer, the Caretaker of the Municipal Building is in the Infirmary and had just undergone an operation. She advised that flowers have been sent to him on behalf of Council and the Staff.

Mr. Kelly advised that Mrs. DeBoer has already advised of her appreciation for the flowers.

Councillor MacDonald then indicated that the Sackville Fire Chief's wife is in the Hospital recovering from a Stroke and it would be a nice idea to send her a card and-or some flowers as well. He advised that she was in the V. G. Hospital.

Councillor Gaetz then advised that his garbage collection contract is up for renewal and the firm who now handles this is asking for an increase upwards of 17%. He requested whether he might attend the Management Committee Meeting this Thursday to discuss this item. This was agreed by the members of the Management Committee. Councillor Gaetz advised that he would not make it before 10:00 a.m.

#### REPORT OF THE NOMINATING COMMITTEE

Councillor Williams, who had been elected as the Chairman of the Nominating Committee advised that since this was the last year of this County Council, the Nominating Committee took into account few changes; these were the Deputy Warden being put on the Management Committee as Chairman with Councillor Deveaux still being on the Committee; Councillor Deveaux was taken off the Policy Committee and replaced with Deputy Warden MacKay; Councillor Gaetz was put on the County Board of Health, replacing Deputy Warden MacKay. These were the only changes made.

Councillor Adams pointed out that the Urban Services Committee was left off the Report of the Nominating Committee.

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

"THAT the Report of the Nominating Committee be approved as amended to include the Urban Services Committee, with no change in the membership of that Committee."

Motion Carried.

Councillor Williams requested clarification of whether or not, once appointed to the School Board, one could resign from that appointment within the three-year period for which one is nominated. It was determined, subsequent to clarification from the Solicitor, that a member of that Committee could resign but it should be at the time of nominations, at which time the member could refuse nomination.

Councillor Benjamin advised that the Board of Health Committee terms are completed at the end of the Calendar year. Also he pointed out that there is a Non-Council member on that Board and he wondered when a designated time could be allotted when that replacement could be made.

Warden Lawrence advised that all Non-Council Members of Committees are to be nominated at the December Session in time for the New Year. She also advised that she has had a letter of resignation from Mrs. Ettinger, one of the Non-Council Members on the Planning Advisory Committee. She gave notice that this member would have to be replaced at the next Session. As well she indicated that Mr. Joe Maund's term was up next month, therefore, there would be two nominations to be made at the next Session.

Councillor Poirier pointed out that there will be some Non-Council appointments to be made at the next Session with regard to the Rehab Centre.

#### MEETING WITH DEPARTMENT HEADS

Warden Lawrence noted that the three Department Heads listed in the agenda were no longer in the Gallery. She advised that Mr. Mason was not available today; Mr. Wilson was basically going to table the Financial Information to the end of October; he had been excused as had Mr. Denny who left lengthy Reports to be handed out to each Councillor at the end of the Council Session. He had asked the Warden to ensure that the contents of his Report be kept confidential until the next Council Session.

Councillor Margeson suggested that Mr. Denny, the Industrial Promotions Officer, be requested to summarize all reports to Council and submit smaller Reports to Council than he has been doing in the past.

#### REPORT OF THE DIRECTOR OF DEVELOPMENT

Warden Lawrence indicated that this Report was for Information only.

#### SUPPLEMENTARY REPORT OF THE PLANNING ADVISORY COMMITTEE

This Report had already been received in order to deal with Subdivision on Private Roads

#### East Chezzetcook Proposed Industrial Site

The Planning Advisory Committee recommended in regard to the East Chezzetcook Proposed Industrial Site, that Council forward a letter to the Department of Development, (with a copy to the Eastern Shore Development Corporation), inquiring as to what steps have been taken with respect to meeting the condition of the CTC order regarding the Musquodoboit Railway Line.

It Was moved by Councillor Gaetz, seconded by Deputy Warden MacKay:

"THAT Council forward a letter to the Department of Development (with a copy to the Eastern Shore Development Corporation) inquiring as to what steps have been taken with respect to meeting the condition of the CTC order regarding the Musquodoboit Railway Line."  
Motion Carried.

Prior to the motion being carried, there was brief discussion in regard to it with the Warden advising that the decision to close the Railway Line had been reversed based on the proposed new Industrial Park. Council's letter was therefore, intended to be a follow-up to ensure that a Spur-Line was put in the Chezzetcook Industrial Park.

SUPPLEMENTARY REPORT TO COUNCIL - PAC

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

"THAT the Supplementary Report to Council from the PAC dated November 17, 1981 be received by Council."  
Motion Carried.

Special Session of Council, Re: MDP

Councillor Topple outlined this Report to Council (Please see Report for Detail) which indicated a suggested date of November 24th, 1981 beginning at 4:00 P.M. to advise Council of the contents of the documents for the MDP plans for Sackville and Timberlea-Lakeside-Beechville.

However, Councillor Topple, advised that based on the poor turn-out at the last Committee of the Whole, he would like some indication of how many Councillors would be able to attend. Otherwise, he pointed out that there would be little reason to hold a Special Session of Council, if only those members of the MDP Committee were going to attend.

Of the Councillors who were not on the MDP Committee, only one could make a firm commitment to attend on the 24th. Various other dates were discussed with no firm conclusion reached as to one date which was convenient for all members of Council.

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

"THAT a special Session of Council be held and that this matter be referred back to the Planning Advisory Committee to find a date, which they will advise Council of."  
Motion Carried.

Councillor Smith then had an alternate suggestion and so made the following motion.

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

"THAT the previous motion to refer the issue back to the Planning Advisory Committee to find a date, be rescinded."  
Motion Defeated.

Therefore, Councillor Smith did not have an opportunity to put forth her alternate suggestion; she did however, advise that this matter had already gone to the PAC Committee who had attempted to come up with a date satisfactory to all Council.

Mr. Birch retired from the meeting.

POLICY COMMITTEE REPORT

This Report had already been received in order that the issue of the Environmental hazards produced by the Rocky Lake Quarry could be dealt with.

Solid Waste Management Study

Warden Lawrence outlined the Report of the Policy Committee, advising: "The Policy Committee received a proposal from the consulting firm of H. J. Porter and Associates Ltd. to undertake a study relating to solid waste management for Districts 10, 11, 12 and 13. The estimated cost of the study is \$58,000. Attached is Terms of Reference of the Study (please see the Terms of Reference for details) The Policy Committee recommend to Council that the Municipality make application to the Department of the Environment for funding of the Solid Waste Management Study and further that H. J. Porter and Associates Ltd. be appointed as the Consulting Engineers for the project."

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

"THAT Council approve the recommendation of the Policy Committee in regard to the Solid Waste Management Study and that H. J. Porter and Associates be retained to conduct this study."  
(See Motion to Amend.)

This item was discussed at length, with Council raising objections to the following points:

1. There was no confirmation of the cost-sharing of this proposal;
2. H. J. Porters and Associates had been allocated this job without going through the Municipality's usual tendering procedure;
3. It was considered by some members of Council, that the garbage collection and disposal for these Districts should be included under the services provided by the Metropolitan Authority, as in the other Districts of Halifax County.

It was amended by Councillor Lichter, seconded by Councillor Smith:

"THAT application be made to the Department of the Environment for a committment of 100% funding for the Solid Waste Management Study, subsequent to this committment, the Municipality retain H. J. Porter and Associates to conduct the study."  
(See Motion To Refer)

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

"THAT this issue be referred back to the Policy Committee for further clarification."  
Motion Carried.

Councillor MacKenzie, pointed out, in regard to the Terms of Reference that there was no incinerator in Tangier. As well, he indicated his concern should the garbage collection in these Districts go under the jurisdiction of the Metropolitan Authority, as this would take the work out of the hands of the people who are now doing it and who are, in his opinion, doing a good job.