

Mr. Lewis Kelly, Walker's Service Road, Lower Sackville: Mr. Kelly advised that he had been running a trucking business on his property since 1968. He advised that only a small portion of that land was zoned commercial in the proposed plan and this had satisfied him earlier and was upon his own request, as it would keep his taxes down to an affordable level. However, since he requested this zoning from the PPC, he has discovered that he cannot operate on so small a piece of property. He submitted to Council new drawings of the land indicating where he would like an extension of the commercial zone on his property.

In response to questioning from Council, Mr. Kelly advised that he did not wish to expand the business itself, and he certainly had no room to do so; only to zone the entire property, which is presently used as commercial, to a commercial zone so that his lot would not become an unconforming use.

Deputy Warden MacKay indicated that the members of the PPC and other residents who had attended the meeting at which Mr. Kelly presented his original request, were in favour of Mr. Kelly's request to zone his property commercial and he saw no problems with extending the commercial zone to the entire property.

Mr. Alan G. Hayman, Solicitor: Mr. Hayman advised that he was present this evening to represent Mr. Carl B. Potter and Mr. Phillip Craig, both of Lower Sackville. He advised that they were not opposed to the MDP and the draft Zoning By-Law in their entirety. However, he made the following submissions on behalf of Mr. Potter and Mr. Craig, suggesting some amendments to the plan:

1. "Submission for Alteration of the Proposed Zoning of Property on Highway No. 1 Opposite the Gates of Heaven Cemetery, Lower Sackville, Nova Scotia - Mr. Carl B. Potter."

Mr. Hayman advised that under the proposed Zoning By-Law, the land in question is to be zoned R1 while it is the contention of his client that the zoning should be C2 to conform with the proposed zoning of the abutting properties in the area. The lands in question were acquired by Mr. Potter during the 1960s and are made up of a number of individual parcels of land. During the last number of years, the lands have been used for commercial purposes in conformity with other properties in the area. Some of the commercial uses of the adjoining lands to his clients include an optometrist office, doctor's offices, printing plant, restaurant and a trailer court. The area in question is used as a commercial site and there are no residential properties opposite the lands. Mr. Hayman further advised that to alter the zoning of his clients lands to R1 would have the following effect:

1. It would reduce the value of the land by restricting its use;
2. It would alter the present use of the land;
3. It would fail to create a uniformity of zoning in the area.

He further advised his client's position that the lands which have been used commercially for the past number of years should be zoned C2 so that its existing use can be continued and at the same time create uniformity of zoning in the area. He, therefore, requested on behalf of his client, that the lands in question be altered from the proposed R1 zoning to a C2 zone.

2. "Submission for Alteration of the Proposed Zoning of Property on Skyridge Avenue, Lower Sackville, N.S. - Carl B. Potter."

Mr. Hayman advised that the lands in question abut properties zoned C2 on either side of Skyridge Avenue. Under the proposed Zoning By-Law, these lots are to be zoned R1 and it is the contention of Mr. Potter that the land should be zoned C2 to conform with the proposed zoning of the abutting properties facing on Skyridge Avenue.

Mr. Hayman further advised that the property in question was acquired by Mr. Potter from Scott Elevator Limited in the mid 1960's and at that time, the premises were used as a commercial site containing a repair facility and equipment storage. The site continues to be used as a garage and the second lot which abuts the garage lot continues to be used for storage of equipment. These two lots have been considered as one parcel of land for a number of years and he felt that if one lot is to be zoned C2, the second lot should have the same zoning.

Mr. Hayman further advised that there were two residential dwellings opposite the land in question; these dwellings were constructed many years after his client's land had been used as a commercial site. The property north to this land and located on the corner of Skyridge Avenue and Hillside Avenue is proposed to be zoned C2 and is presently used by Dr. Backman as a dental office.

Mr. Hayman advised that to alter his client's land to R1, as proposed, would have the following effect:

1. It would alter the existing use of the land from commercial to residential;
2. It would create an R1 zone for two parcels of land on the east side of Skyridge Avenue when all of the remaining lots on the east side of Skyridge Avenue from the No. 1 Highway to Hillside Avenue would be zoned C2;
3. It would reduce the value of the applicant's land by changing its existing use.

Mr. Hayman requested that the two lots in question be zoned C2 to conform with the abutting properties and to allow the applicant to continue its present use.

3. "Submission for Alteration of the Proposed Zoning of Property on No. 1 Highway Opposite the Gates of Heaven Cemetery, on the No. 1 Highway Opposite the Gates of Heaven Cemetery, Lower Sackville, Nova Scotia - Mr. Phillip Craig."

Mr. Hayman advised Council that the land in question abuts properties zoned C2 on the No. 1 Highway and is located opposite the Gates of Heaven Cemetery. Under the proposed Zoning By-Law, the land is to be zoned R1 while it is the contention of Mr. Craig that the zoning should be C2 to conform with the proposed zoning of the abutting properties in the area.

Mr. Hayman advised that these lands have been owned for many years by Mr. Phillip Craig and he is also the owner of a parcel of land immediately to the south of the lands in question which is zoned C2 and on which his restaurant, known as "Phil's Restaurant" is presently located. The land is presently zoned T and is an ideal commercial site abutting C2 zoning. To alter the land to R1 would have the following effect:

1. It would reduce the value of the land by restricting its use;
2. It would alter the present use of the land;
3. It would fail to create a uniformity of zoning in the area.

Mr. Hayman further advised that Mr. Craig and Mr. Potter, as well, feel that the lands in question should be zoned C2 rather than R1.

On behalf of his client, Mr. Hayman requested that the lands in question be altered from the proposed R1 zoning to a C2 zoning.

Councillor Wiseman drew Mr. Hayman's attention to Policy P-49 in support of neighbourhood commercial uses and to Policy P-20 and Policy P-32 which indicated that Council may consider permitting local commercial uses with urban and rural areas. She pointed out that in most cases the front part of lots have been zoned commercial with the provision that the back portion of a lot that abuts a residential development be developed, on contract, which should provide a solution for Mr. Hayman's clients.

As well, Deputy Warden MacKay advised that it was the intention of the Plan between the Cobequid Road and Lawrence Street, that commercial zoning is supposed to extend on all the property abutting on Highway No. 1 (Sackville Drive) to an extension of 200 feet and beyond that to the rear of the property line except for 100 feet where it abuts on to a residential street, by contract. It was, therefore, his interpretation that Mr. Hayman's clients would be protected by this zoning.

Mr. Hayman advised, in regard to the Highway No. 1 properties, that it is possible to enter into a contract; however, it appeared to him that the land around these particular parcels is zoned C2 and he would like to see a continuation of that zoning on the properties.

Mr. Hayman was, however, prepared to withdraw his submission pertaining to the Skyridge Avenue lots, providing he could be assured that his client could continue using the land as it is presently utilized, should the land either be destroyed by more than 50% or not be used for more than six months.

Subsequent to the above, there were no further speakers in opposition and the Public Portion of the Public Hearing was declared closed.

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

"THAT Council adjourn its decision on the Sackville MDP and Draft Zoning By-Law until the April 6, Council Session and further that Staff prepare written recommendations addressing the submissions heard tonight, in the interval."
(See Motions to Amend.)

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

"THAT a Recorded Vote be taken on the motion."
Motion Carried.

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

"THAT Council adjourn its decision on the Sackville MDP and Draft Zoning By-Law until April 7 at 7:00 P.M."
(See Motion to Amend.)

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

"THAT Council adjourn its decision on the Sackville MDP and Draft Zoning By-Law until April 1 at 7:00 P.M."
Amendment Defeated.

The amendment was defeated subsequent to the following Recorded Vote:

April 1 at 7:00 P.M.

Favour

Councillor Walker
Councillor Deveaux
Councillor Gaetz
Councillor Lichter
Councillor Benjamin
Councillor Baker

Opposed

Councillor Poirier
Councillor McInroy
Councillor Topple
Councillor Adams
Councillor Smith
Warden Lawrence
Councillor Wiseman
Councillor MacDonald
Councillor Eisenhauer
Deputy Warden MacKay
Councillor Margeson
Councillor McCabe
Councillor MacKenzie

Subsequently, the question was called on the amendment, moved by Councillor Deveaux and seconded by Councillor Baker, as follows:

April 7 at 7:00 P.M.

Favour

Councillor Walker
Councillor Baker
Councillor Deveaux
Councillor Gaetz
Councillor MacKenzie
Councillor McCabe
Councillor Benjamin

Opposed

Councillor Poirier
Councillor McInroy
Councillor Topple
Councillor Adams
Councillor Smith
Warden Lawrence
Councillor Lichter
Councillor Margeson
Deputy Warden MacKay
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman

Subsequently, a Recorded Vote was taken on the original motion;

Moved by Councillor Walker, seconded by Councillor Gaetz:

"THAT Council adjourn its decision on the Sackville MDP and Draft Zoning By-Law until the April 6, Council Session and further that Staff prepare written recommendations addressing the submissions heard tonight, in the interval."
Motion Defeated.

Favour

Councillor Walker
Councillor Gaetz
Councillor MacKenzie
Councillor McCabe
Councillor Benjamin

Opposed

Councillor Poirier
Warden Lawrence
Councillor Baker
Councillor Deveaux
Councillor McInroy
Councillor Topple
Councillor Adams
Councillor Smith
Councillor Lichter
Councillor Margeson
Deputy Warden MacKay
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman

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

"THAT Council adjourn its decision on the Sackville MDP and Draft Zoning By-Law until 10:30 P.M. (this evening), to enable Staff to prepare written recommendations addressing the submissions heard tonight."
Motion Carried.

Therefore, Staff retired for approximately one-half hour.

RECOMMENDATIONS AND MOTIONS FROM COUNCIL

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

"THAT the Sackville Municipal Development Plan and Draft Zoning By-Law as presented by Staff inclusive of the Amendments to the Subdivision Regulations, the Building By-Law and the Mobile Home By-Law be approved and adopted by Municipal Council inclusive of all pertinent amendments to the documents."
(See Motions to Amend.)

Warden Lawrence indicated that the amendments to the Subdivision Regulations, the Building By-Law, and the Mobile Home By-Law were outlined in a three page memo to the Warden and Council from Keith Birch, Chief of Planning & Development, dated March 31, 1982. She advised that in order to carry out the intent of the MDP and Draft Zoning By-Law these regulations must be amended in a minor way in order to correspond.

Mr. Bill Campbell then came forward to outline to Council the recommendations of Planning Staff in reaction to the submissions heard this evening, as follows:

1. Bedford Place Limited, Atlantic Shopping Centres Limited, Canada Life Assurance Company

Mr. Campbell advised that Mr. Grant had provided an in-depth discussion on the matter of requesting that commercial developments larger than twenty-five thousand square feet be considered only by contract. He advised:

"Staff recommend the rejection of any change in the Plan in this regard. It has been the Municipality's policy throughout the planning process, not to require market feasibility studies for commercial developments and to concentrate on accomodating any impacts of commercial uses on residential areas."

It was AGREED by Council not to change the MDP and Zoning By-Law in this regard; it was unnecessary to make a motion or amendment to the main motion in this regard as it did not change the intent of the documents

2. Culverwell Holdings

Mr. Campbell advised that Culverwell Holdings request the following changes:

- (a) To have two roads which have recently been deeded to them by the Department of Transportation changed to reflect that circumstance.

"Staff recommend this be done."

- (b) Has requested that a 20 acre parcel of land which is presently used as a cemetery be zoned P-1 (Park and Open Space).

"Staff recommend this be done."

- (c) Culverwell Holdings is concerned that the R6 zone allows unlimited development of retail lumber, agricultural and fishing sales. In fact, the Zoning By-Law is specific in that such uses are limited to only retail lumber sales not building supply outlets, agricultural produce sale of perishable items, and fishing related sales, i.e. (retail wholesale) and not manufacturing.

"Staff recommend no change."

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

"THAT amendments be made to the MDP and Zoning By-Law to reflect the change of ownership of the two roads recently deeded to the Culverwell Holdings and that a 20 acre parcel of land which is presently used as a cemetery be zoned P-1."
Amendment Carried.

3. Submission of the Kelly Property on Walker Service Road

Mr. Campbell advised that this property had been dealt with specifically by the Public Participation Committee and it was agreed to provide C2 zoning for the existing business. Mr. Kelly proposes an expansion which would abut directly on the adjacent residential properties.

"Staff recommends an expansion to DND property lines in the rear and that the width of the expansion be the width of his existing commercial frontage plus 185 feet."

It was amended by Deputy Warden MacKay, seconded by Councillor MacDonald:

"THAT Council approve an expansion of C2 Zoning to Mr. Kelly's property lines in the rear and that the width of the expansion be the width of his existing commercial frontage plus 185 feet."
(Se Motion To Amend)

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

"THAT the buffer strip on Mr. Kelly's property be reduced to 50 feet."
Amendment Carried.

The question was then called on the amended amendment.

It was amended by Deputy Warden MacKay, seconded by Councillor MacDonald:

"THAT Council approve an alteration to the zoning of lands of Mr. Kelly, Walker Service Road, Lower Sackville, to provide for C2 zoning up to a fifty foot buffer strip adjacent to the next residential property."
Amendment Carried.

4. Submission of Mr. Hayman, Property of Mr. Phillip Craig

Mr. Campbell advised that a portion of Mr. Craig's land abuts Sackville Drive and is zoned C2. The back portion of this property was left R1 specifically to require that it develop by contract similar to other properties on Sackville Drive in the same situation.

"Staff recommend no change."

It was AGREED by Council to leave this issue as it presently stands.

5. Submission by Mr. Hayman, property on Sackville Drive across from Gates of Heaven, proposed for R1 zoning

Mr. Campbell advised that this property is the only R1 zone abutting Sackville Drive between Cobequid Road and Beaverbank Road. Staff's recommendation:

"Staff have no objection to a commercial zone extending to the depth of adjacent commercial zones. However, remainder of property should develop by contract as permitted in the plan."

It was amended by Deputy Warden MacKay, seconded by Councillor MacDonald:

"THAT a commercial zone on the properties of Mr. Phillip Craig and Mr. Carl Potter, adjacent to the Gates of Heaven Cemetery, be extended to the depth of adjacent commercial zones and that the remainder of the properties be developed by contract as permitted in the Plan."
Amendment Carried.

6. Submission of Catholic Cemeteries Commission

Mr. Campbell advised that the Commission indicated that a portion of their cemetery which the By-Law zones P1, is unsuitable for cemetery purposes, due to soil conditions. Staff recommend:

"Staff have no objection to zoning the lands indicated in their submission, to C2."

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

"THAT the lands of the Catholic Cemeteries Commission, as outlined in their submission, be zoned to C2."
Amendment Carried.

7. Submission of Mr. Armoyan

Mr. Campbell reviewed Mr. Armoyan's submission, advising that Mr. Armoyan's previous plans to construct a multi-unit building was upheld in his rezoning request of 1980. Other properties in the vicinity of the applicant's have received dual zoning to permit apartment and commercial uses to be developed. Mr. Armoyan requested that his property be zoned C2 and R4 in order that he may go ahead with his original building plans for the property.

"Staff recommend that this request be granted by Council, as it does not conflict with the Plan's policies."

It was amended by Councillor Lichter, seconded by Deputy Warden MacKay:

"THAT the land of Mr. Armoyan be zoned C2 and R4."
Amendment Carried.

The question was then called on the original motion as amended.

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

"THAT the Sackville Municipal Development Plan and Draft Zoning By-Law as presented by Staff, inclusive of the amendments to the Subdivision Regulations, Building By-Law and the Mobile Home By-Law, be approved and adopted by Municipal Council, as amended."
Motion Carried.

Deputy Warden MacKay then extended his sincere debt of gratitude and appreciation to Mr. Birch, the entire Planning Staff, Mr. Glen Robertson and Mr. Bill Campbell. He recognized and extended his appreciation to all community members who gave of their time for over a year and one half as well as to Mr. Paul Hyland for his fine accomplishment.

Mr. Campbell indicated that Mr. Glen Robertson had forwarded a telegram to Council which advised: "The Deputy Director for the Corporation of the District of Maisqui, Clearbrook, British Columbia, has reviewed the Sackville Municipal Development Plan and Zoning By-Law and finding both documents in good order, recommends approval for the plan and By-Law - G. C. Robertson."

Councillor Margeson, while appreciating the works of Mr. Paul Hyland, also initiated a round of applause for Mrs. Hyland who supported him throughout the planning process.

ADJOURNMENT

It was moved by Councillor Margeson:

"THAT the Public Hearing for the adoption of the Sackville Municipal Development Plan and Zoning By-Law be adjourned."
Motion Carried.

Therefore, the Public Hearing adjourned at 11:20 P.M.

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REGULAR COUNCIL SESSION

MARCH 2, 1982

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

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. Robert Cragg, Municipal Solicitor
Mr. G. J. Kelly, Municipal Clerk
Mr. Keith Birch, Chief of Planning & Development
Mr. John MacDonald, Maritime Tel. & Tel. - 911
Mr. David Darrow, Metropolitan Authority - 911
Chief Harold Parker, Sackville Fire Dept. - 911
Mr. John MacKay, Regional Director of Assessment

SECRETARY: Christine E. Simmons

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden Lawrence opened the Council Session at 2:15 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

APPROVAL OF MINUTES

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

"THAT the minutes of the January 19, 1982 Regular Council Session and the minutes of the February 16, 1982 Regular Council Session be approved as amended."
Motion Carried.

Councillor Margeson requested that the first seven pages of the February 16, 1982 Regular Council Session Minutes be forwarded to Inspector Bungay for his perusal, as this section of the minutes was in regard to the RCMP Presentation made to Council.

ADDITION TO THE AGENDA

At this time, Warden Lawrence advised Council that Councillor Williams was in the Infirmary Hospital, Room 339. She advised that she had forwarded flowers on behalf of Council but indicated that Councillors could also extend their individual wishes for a speedy recovery to Councillor Williams.

She also advised that Councillor Wiseman and Councillor Lichter were unable to attend today due to the bad snow storm the Province was experiencing.

911 FEASIBILITY STUDY

Warden Lawrence introduced to Council Mr. David Darrow, the head of Operations Planning with the Metropolitan Authority, who was present in Council to give a presentation on the 911 Feasibility Study, a concept to make emergency calls speedier, more accurate, and more effective.

As well, she advised that Mr. John MacDonald of Maritime Tel. & Tel. and Chief Harold Parker of the Sackville Fire Department were also present to answer any questions Council might have on the 911 Study.

Using an overhead projector Mr. Darrow began his presentation. He outlined to Council the 911 Feasibility Study Report prepared in January which had previously been distributed to all Council Members.

This Report indicated the names of those on the 911 Co-ordinating Committee, which was comprised of representatives of each Municipality, Metropolitan Authority, RCMP, and MT&T, as well as the events which lead to the establishment of the Committee and the approval of the Feasibility Study.

Mr. Darrow outlined the objective of the Study, as follows:

1. To identify and examine the different types of 911 emergency telephone system options currently available in other areas;
2. To review existing and planned emergency communications systems in the area and assess their compatibility with 911;
3. To delineate the geographical area of coverage;
4. To determine the number of emergency services to be included; (Police, Fire, Ambulance, Poison Control, etc.)
5. To identify the costs and benefits of 911 to the Municipalities.

The 911 Report went into detail on the background of the 911 Emergency number, advising the primary reason for its implementation is improved response time in emergency situations. The Report also indicated that there are more than 300 "911" systems in the U.S. and the system is utilized by 22 Canadian Cities in all Provinces except Nova Scotia and Prince Edward Island.

The main point of the Report was to indicate the two basic 911 Operational Methods available; these were:

1. Direct Dispatch - centralized answering with centralized dispatch;
2. Indirect Dispatch - centralized answering with decentralized dispatch.

The Steps for Direct Dispatch are:

1. Person wishing to Report an emergency dials 911;
2. 911 answering personnel determine nature of emergency and action required;
3. Information is passed along to dispatcher in 911 centre;
4. Emergency personnel and equipment are dispatched directly by 911 personnel by means of radio communications or direct telephone lines.

Some of the features of this system are: Hold for Trace; Forced Disconnect; Less than one call per hundred may be blocked in busy hour; 95% of calls will be answered within 5 seconds; Ringback; Backup system for all features and standby power source. As well Automatic number identification and automatic location identification are desirable but not imperative features of the Direct Dispatch. (These features are explained in detail on pages 25 and 26 of the Report).

The Steps for Indirect Dispatch are:

1. Person wishing to report an emergency dials 911;
2. 911 Operator determines which agency (if any) should become involved;
3. Call (or information) is transferred to the appropriate agency. The 911 operator would act as a third party on the line until the agency dispatcher was in control of the situation;
4. The appropriate equipment and personnel would then be dispatched to the scene of the emergency.

Some of the features of this system are: Speed call; Two-digit transfer and three party line. (these features detailed on pages 26 and 27).

A full description of these two alternatives as well as cost and staffing considerations were included in the Report (pages 22 to 42 - refer to Report for additional clarification) and were outlined by Mr. Darrow.

The Community Benefits of a 911 System are:

1. Firemen reach scene of a fire in less time, thereby resulting in savings in fire damage;
2. Policemen to reach the scene of a crime faster, thereby increasing their chances of apprehending criminals;
3. Ambulance Personnel reach the scene of an accident or other emergency, thereby increasing their chances of saving lives.

A cost summary of Direct Dispatch indicated that the Direct Dispatch System without ANI will have an estimated initial start-up cost of approximately 760,000 dollars and annual operating costs of nearly 1.67 million dollars. With ANI the initial cost would increase to approximately 810,000 dollars and the total annual operating cost to 2.07 million dollars. The cost for equipment relocation and standardization are not included in these estimates.

A cost summary of Indirect Dispatch indicated an initial start-up cost of approximately 715,000 dollars and an annual operating cost of just under 800,000 dollars per year. Inclusion of the ANI Option would increase estimated start-up costs to 765,000 dollars and annual operating cost to 1.19 million dollars.

ANI = Automatic Number Identification.

Observations, Re: Costs:

1. Start-up costs associated with Direct Dispatch will be at least \$45,000 higher than for Indirect Dispatch. The cost for relocating equipment and manpower and of standardizing equipment could increase this value substantially;
2. It has been estimated that total annual operating costs associated with Direct Dispatch will be nearly \$900,000 higher than those for Indirect Dispatch;
3. The estimated net increase in annual costs to participating municipalities for emergency communications will be \$444,000 for the Direct Dispatch 911 system option and approximately \$524,200 for Indirect Dispatch, a difference of almost \$80,000 per year.

The Report also detailed non-cost implications (See Report - page 43 and 44 for clarification).

Evaluation Summary:

1. Implementation of Direct Dispatch will result in marginally shorter emergency response times compared to Indirect Dispatch.
2. Start-Up costs associated with Direct Dispatch will be marginally higher than Indirect Dispatch start-up costs;
3. The estimated net increase in annual emergency communications costs of participating municipalities resulting from the implementation of Indirect Dispatch will be approximately \$80,000 or 16 percent higher than for Direct Dispatch.
4. The implementation of Indirect Dispatch will be considerably less destructive in terms of impact on the operations of existing emergency agencies.

Conclusion and Recommendation

The Report concluded as follows: "It is extremely difficult to quantify all the benefits and costs associated with 911 emergency telephone service. However, there is good reason to believe that the benefits in terms of lives and dollars saved can far outweigh the costs of implementing and operating such a service. Indirect Dispatch is considered the most feasible 911 system option at the present time, given the existing multi-jurisdictional and multi-agency environment. In order for a future 911 emergency number service to achieve maximum effectiveness it is essential that it be made available to all residents of Halifax County and at a minimum all fire, police and ambulance agencies be included in the system. In the event that a decision is made to implement 911 service in the area, the Metropolitan Authority should immediately address the questions of where the 911 centre will be located and who will manage the operation in order that the Martime Tel & Tel. Company can proceed at the earliest possible date with their work program."

The Recommendation of the 911 Co-Ordinating Committee was:

"It is recommended that the Metropolitan Authority approve in principal the implementation of Indirect Dispatch 911 emergency telephone service throughout the entire geographic county of Halifax and the Authority Staff be instructed to proceed with detailed planning and design."

During the discussion which followed, several Councillors expressed concern at the cost of implementing the 911 System, especially in view of the fact that homeowners should already know their emergency numbers and also have the opportunity to affix these numbers right to their telephone. However, Mr. Darrow advised that in a Mall Survey it had been indicated that only 33% of Halifax County Residents know their emergency numbers. He also advised that all the Canadian Provinces with the exception of Nova Scotia and Prince Edward Island have already adopted some form of 911 Emergency telephone Service.

As well, many Councillors were concerned with how the Service would interact with the present Agencies and with the location of the 911 Centre. Mr. Darrow had indicated that the 911 Centre would likely be in an Urban or City area.

Several Councillors were not convinced that the County had a problem with regard to its emergency services at the present time. These Councillors included Councillors Gaetz and Topple who advised they were quite satisfied with response time and emergency services in their areas.

Deputy Warden MacKay could see little benefits to the Indirect Dispatch System but felt that, depending on cost-efficiency, the Direct System would be helpful.

Subsequent to further lengthy discussion by Council:

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

"THAT a Committee of three Councillors be established to study and discuss the implications the implementation of a 911 Emergency Telephone Service would have on the Municipality and that this Committee Report back to Council at a later date."
Motion Defeated.

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

"THAT the issue of implementation of a 911 Emergency Telephone Service in Halifax County be referred to the Policy Committee for investigation of the implications of such a service on the County and that the Policy Committee Report back to Council at a later date."
Motion Carried.

On behalf of Council, Warden Lawrence thanked Mr. Darrow, Mr. MacDonald, and Chief Harold Parker for their attendance and presentation to Council. Subsequently these three gentlemen retired from the Council Session.

ADDITION TO AGENDA

At this time a Birthday Cake was brought in the Council Chambers and congratulations were extended to Councillor Gaetz and Councillor McCabe who were celebrating their 75th birthdays, March 1st and March 6th respectively. Congratulations were also extended to Councillor MacDonald whose birthday was today, March 2nd. These Councillors expressed their appreciation for the thoughtfulness of Council.

MEETING WITH JOHN MACKAY - REGIONAL DIRECTOR OF ASSESSMENT

Mr. John MacKay, Regional Director of Assessment joined the meeting at this time to distribute and discuss a Report prepared by his Office regarding the Halifax County Assessment Region which outlined the following subject areas in detail:

1. Staff and General Outline of the Regional Assessment Function;
2. Highlight of the major amendments to the Nova Scotia Assessment Act;
3. Comparable Assessment Summaries, 1981 final summary and 1982 initial summary;
4. 1982 Assessment Appeal process;
5. Proposed audit of the assessment function;
6. 1984 Re-assessment ;
(Please refer to Report for this information)

The final portion of the Report referred to the Regional Assessment Office and the Municipal Council, as follows:

"Assessment is a highly sensitive subject for both Municipal and Provincial Governments. I view part of my responsibility to inform the ratepayers located within this region about assessment principals and practices, and more directly about the importance of good assessment standards to both municipal offices and the impact this has upon each individual ratepayer.

I would, therefore, like to encourage a strong spirit of co-operation between the Municipal Council and the Regional Assessment function. I would make myself available through yourselves to meet with ratepayers in your respective districts to explain the entire assessment process or to meet with Ratepayers Associations established in your districts. I wish to impress upon you, as Municipal Councillors and very often advisors to your constituents, to feel welcome at any time in the Regional Assessment Office, to identify your concerns or inequities in the assessment process as you may perceive them to be. I look forward to any suggestions which you may have, which will enable me to explain the assessment process to the ratepayers and dispel many of the misconceptions associated with assessment practices."

Attached to the above Report were summary sheets comparing the 1981 final assessment summary to the 1982 initial assessment summary. This Summary went through all Districts in the County individually and indicated the amount of taxable residential and commercial, taxable resource, exempt total, No. of Accounts, Land class codes and number of dwelling units in each district. (Please refer to Summary Sheets for specific information).

Subsequent to the above information provided by Mr. MacKay many Councillors had questions with respect to assessment problems and inequities in their own districts.

Councillor Baker indicated that he had been assessed and taxed for buildings located on property he was leasing to another party. He questioned the reason for this. Mr. MacKay was unable to answer his question at this time but advised that he would get back to him as soon as possible.

Warden Lawrence had earlier indicated Mr. MacKay would be transferring from his present Office to a location downtown; Councillor Deveaux questioned him as to the reason for this relocation. Mr. MacKay indicated that the Province is divided up into fifteen assessment districts and three positions were being created whereby each person appointed to one of these positions would be responsible for five districts. Mr. MacKay, himself, would be taking one of these three positions; his jurisdiction would still take in Halifax County.

Councillor Deveaux also indicated the large exempt total in his district and questioned if this would have anything to do with the location of Shearwater in his District. He was advised that this was the case.

Several other Councillors had concerns with respect to their individual Districts, which were clarified by Mr. MacKay.

Deputy Warden MacKay had concerns with the Nova Scotia Assessment Act relative to land owned by the Municipality of the County of Halifax and leased to community and-or recreational organizations. He questioned whether there had been a change in the Act in 1981.

Mr. MacKay advised that the only way he had to identify the properties in question was to put the ones not clearly exempt by the Assessment Act on the 1982 role as assessable. Mr. Bond, the collector had provided him with a list of affected properties and each one was notified in a letter of January 15 which outlined the reasons why they were going on the taxable role, and included the Assessment Department's interpretation of Special Acts of the Legislature. Each Municipal Council has the right to either levy the lower of the two rates (commercial or residential) or to exempt them from taxation.

Deputy Warden MacKay then questioned whether the practice of assessing non-profit organizations on Municipally-owned land at a commercial rate was a new practice in 1981.

Mr. MacKay advised that this had been in the Act all along and was the manner in which those organizations should have been treated in the past.

Deputy Warden MacKay then referred to Organizations under the private members bill, which would include the Lions Club and the Kinsman Club. He also questioned what Mr. MacKay's interpretation was of School Buildings which have become surplus over the years and subsequently leased to organizations.

Mr. MacKay advised that the Assessment Act does deal with School Property and when these properties are leased to Organizations they become taxable when used in an Official capacity.

Deputy Warden MacKay then questioned whether this procedure was applied throughout the entire Province. However, Mr. MacKay was unable to answer this question at this time. He felt that when the three positions began managing the fifteen assessment districts there may be different interpretations.

Deputy Warden MacKay then advised that there was an almost identical situation in another Municipality in which a Kinsman Club was located on City Property and it is interpreted to be exempt. He did not see how such a different policy could apply in two bordering Municipalities.

Deputy Warden MacKay advised that if these non-profit organizations were not exempted in the same manner as Rinks, etc. the communities in which these organizations were located would lose a very valuable community-tool throughout the Municipality. He advised that this included surplus school properties which were now occupied for non-profit organization community use. He felt that valuable volunteers would also be lost.

Councillor MacDonald questioned Mr. MacKay in regard to the successful Assessment Appeal at Sackville Downs in 1981; he wondered what the reason for this was.

He was advised by Mr. MacKay that in the case of Sackville Downs the property had been valued at its highest and best use in terms of the market value for its location. There had also been a decision regarding Bowater Mersey in the Spring of 1981 whereby the Chief Justice had indicated that in Assessment there is no consideration for highest and best use of the property. Therefore, when the Appeal Court Chairman was dealing with the Sackville Downs property, the owners appealed it based on the income and what the property was presently being used for. The Chairman of the Appeal Court was restricted in his decision because of the Supreme Court decision regarding Bowater Mersey and the appeal was lost.

In response to questioning from Councillor Margeson, Mr. MacKay advised that the cost of the Appeal Court was born by the Province as well as the expenses incurred by the Chairman. However, last year the County had born some of the cost in regard to the Municipal employees who had worked on the Assessment Appeals. This year the responsibility for this work had become the responsibility of the Provincial Assessment Recorder and not the Municipal Clerk as it had been last year.

Councillor Margeson questioned whether it would be feasible to allow an Assessment discount to people who kept their properties in good shape while possibly penalizing those who allowed their properties to become run-down. He felt this would encourage people to keep their properties looking good which would be a benefit to the entire County.

However, Mr. MacKay indicated that he did not look at Assessment as being a detriment to keeping one's property in good shape and up to a marketable value. He was not in agreement with the Councillor's suggestion. He also indicated his feeling that the Assessment system was a fair one.

Councillor McInroy did not agree that the present system of Assessment was a fair system. For instance, it was assumed that someone living in a larger home was more able to pay higher taxes than one living in a smaller home. He indicated that the person in the larger home may need a large home because he may have several children, in which case he would not be better able to pay higher taxes. As well, a person in a \$100,000 home could be earning only \$20,000 per year while the person in a \$50,000 home could be earning upwards of \$30,000 - \$40,000 per year. It was not fair to base taxes on assumptions of what someone could afford.

Councillor Topple also disagreed with assessment based on assumptions.

Subsequent to further discussion by Council, Warden Lawrence thanked Mr. MacKay on Council's behalf for his presentation and wished him well in his new position.

Mr. MacKay retired from the meeting.

ADDITION TO AGENDA

At this point in the Council Session, Councillor Margeson presented Warden Lawrence with a Tray, on behalf of Boy Scouts, Cubs, Bears and Ventures, which commemorated 75 years of Boy Scout Activity in Nova Scotia.

Warden Lawrence gratefully accepted the Tray.

Councillor Margeson also advised there would be a Television Program airing this evening at 7:00 on CBC also on behalf of the 75 Years of Boy Scouts Activity in Nova Scotia.

LETTERS AND CORRESPONDENCE

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

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

Letter From Minister of Tourism

A letter from the Minister of Tourism was included in the Agenda. This letter outlined the progress being made in regard to the 1982 Old Home Summer Project in Nova Scotia. Also attached to the Agenda was a list of the Old Home Summer Directors throughout Nova Scotia. (Please see the letter and attachment for additional information and clarification).

This letter was for Council's information only.

Letter From Attorney General for Nova Scotia

A letter was received from the Attorney General in response to the Municipality's letter of February 11, regarding the status of relocating the RCMP Dartmouth Detachment.

The letter advised: "... it had been decided to divide the present Detachment jurisdiction into two separate Detachment areas. Permanent Detachments will not be constructed at this time but leased accommodation will be used pending acquisition of suitable sites and inclusion of plans in the force's construction program. Initially it is planned to locate a new Detachment in the Musquodoboit Harbour area with the relocation of a present Dartmouth Detachment to the Cole Harbour area when accommodations are available."

The letter further indicated: "The Minesville location will be retained for future considerations. The present Dartmouth area will be divided by a line extending from Lawrencetown to Lake Echo with the area west of that being serviced by the new Dartmouth Detachment and the area east of it being serviced by the Musquodoboit Harbour Detachment."

Councillor Adams advised that subsequent to that letter, there was a Public Meeting February 25, 1982 with the Hon. Harry Howe, Attorney General, Mr. Reid the Superintendent of the RCMP, Mr. McInnis and

approximately 200 Residents. The Attorney General did not commit himself to whether the Minesville location would be put on hold or not. The Councillor had the feeling from the meeting that the Attorney general would think about the Minesville location again, mainly based on the Citizen Input at the meeting.

Councillor Adams's proposal was to locate the RCMP Detachment on the Minesville Road as originally intended.

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

"THAT the Municipality write to the Attorney General in support of an RCMP Detachment at Minesville with a Satellite RCMP Office in Cole Harbour."
(See Motion to Refer.)

Subsequent to discussion by Council:

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

"THAT the issue of location of RCMP Detachments in Minesville or Cole Harbour be referred to the Policy Committee for discussion and re-submission to Council."
Motion Carried.

SUPPER ADJOURNMENT

It was moved by Councillor Smith:

"THAT Council adjourn for one-half hour for Supper."
Motion Carried.

COMPLETION OF LETTERS AND CORRESPONDENCE

Letter From United Way of Halifax, Dartmouth, Metro Area

A letter from the United Way, which had been in the last Council Agenda, re-appeared in this Council Agenda requesting that the Municipality of the County of Halifax give consideration to the re-appointment of Mr. Bernard Murphy for an additional one-year term on the Board of the United Way. The letter had been deferred to today's Council Session in order that Councillors might determine if there were any other interested parties to nominate to the Board.

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

"THAT Bernard Murphy be re-appointed to the Board of the United Way for an additional one-year term."
Motion Carried.

SUPPLEMENTARY REPORT FROM KEITH BIRCH

It was agreed by Council that the Supplementary Report from Keith Birch would be accepted at this time.

Mr. Birch came forward to outline the Report which advised that a mistake had been noticed with regard to the advertising for the March 22, 1982 Public Hearing for the Sackville MDP and Zoning By-Law.

Therefore, subsequent to consultation with the Municipal Solicitor it had been decided that the Hearing should be rescheduled and that the advertising be corrected. The suggested date, in Mr. Birch's Report for the Public Hearing was March 29, 1982. However, it had since been discovered that the Environmental Control Council would be using the Council Chambers on that day for the Hearing into the Environmental Impact of the Cobequid Industrial Park; this hearing could go on into the evening hours. Mr. Birch recommended that the Public Hearing for the MDP Plan and Zoning By-Law be Wednesday, March 31, 1982 at 7:00 P.M.

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

"THAT the Public Hearing for the Sackville Municipal Development Plan and Zoning By-Law be rescheduled to March 31, 1982 and that the erroneous advertising be corrected."
Motion Carried.

SUPPLEMENTARY REPORT OF THE MDP COMMITTEE

It was also agreed by Council that a Supplementary Report of the MDP Committee would be received and dealt with at this time.

In accordance with the recommendation of the MDP Committee:

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

"THAT pursuant to Section 15 of the Planning Act, Council give its notice of intention to adopt the Municipal Development Plan and Zoning By-Law for the communities of Timberlea-Lakeside-Beechville with the addendums, dated March 2, 1982 and that pursuant to Section 15(4) of the Planning Act, request that the Municipal Clerk fix a time and date for a Public Hearing and that Council agree to hear presentations of the Cole-Harbour-Westphal and Cow Bay-Eastern Passage Public Participation Committee Chairman on March 16, 1982."
Motion Carried.

BUILDING INSPECTORS REPORT

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

"THAT the Building Inspector's Report be received and the application for lesser setback of 8', Lot S-139 Silverside Subdivision, Waverley, Applicant Mike Wheatly and application for lesser side yard clearance of 6', Lot C-2, Indian Harbour, Applicant Jean Cochrane, be approved."
Motion Carried.

ITEMS DEFERRED FROM FEBRUARY 16, 1982 COUNCIL SESSIONReport, Re: Garbage Collection and Disposal Rates

Warden Lawrence advised that she had received a telephone call today from Councillor Lichter, at which time he had advised that due to the bad weather conditions he was unable to attend Council. As well, he requested that, if possible, this item be deferred until the next Council Session.

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

"THAT the issue of Garbage Collection and Disposal Rates be deferred until the next Regular Council Session."
Motion Carried.

School Area Rate Requests

The School Area Rate Requests for the Sir John A. MacDonald High School, in the amount of \$30,025.85 (including a 1981 overexpenditure of \$10,025.85), the Tantallon Junior High, in the amount of \$12,000 and the Eastern Suburban High School, in the amount of \$30,000, had been deferred from the previous Council Session pending receipt of information requested via a motion of Councillor Walker. The information requested by Councillor Walker with respect to these School Area Rates was as follows:

1. A detailed breakdown of the items included in the school area rate requests;
2. Information with respect to the motion passed in 1981 regarding the request for School area rate for the Sir John A. MacDonald High School;
3. A written legal interpretation from the Municipal Solicitor, regarding the legality of the carry-over of the deficit of \$10,025.85 for the Sir John A. MacDonald High School from 1981.

The School Board had supplied Council with a breakdown of the items to be purchased with the funds gained through the area rate requests for the Sir John A. MacDonald High School and the Eastern Suburban High School. It was noted by several Councillors who had been in attendance at the Eastern Suburban High School Annual Meeting, that the requests included on the itemized sheet did not appear to be the same items requested at the meeting; these items presented to Council today were all of a Recreational nature.

The items submitted on the Sir John A. MacDonald High School sheet appeared to be in line with the requirements of the Education Act, although during discussion several Councillors noted that they were somewhat extravagant.

Solicitor Cragg advised, in regard to the question of legality of the payment of last year's deficit for Sir John A. MacDonald High School, that: "On the assumption that the requests made for the Sir John A. MacDonald High School are in agreement with those items allowable under provision of Section 57(1) of the Education Act, the amount requested

together with the \$10,025.85 over expenditure (referred to as a deficit under the Education Act), can be dealt with today by Council. Section 59(2) of the Education Act directs the School Board mandatorily to include in the estimates referred to in Clause "A" (which are the estimates forward to Council annually) any deficit from the preceding year. Therefore, deficits incurred in 1981 are properly included in the estimates which are before Council."

It was also noted by several Councillors that the sheet of items for the Sir John A. MacDonald High School totalled \$41,329.00, although the amount requested by the School Board was only \$30,025.85 which included the \$10,025.85 deficit. Mr. Meech advised that only \$20,000.00 of the \$41,329.00 would have been approved by the School Board as being applicable under the provisions of the Education Act.

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

"THAT the School Area Rate requests for the \$30,025.85 for the Sir John A. MacDonald High School be approved by Municipal Council."
(See Motion to Defer).

Both Councillors Poirier and MacKenzie were opposed to School Area Rates; however, they felt as the request was perfectly legal under the present system, they had no choice but to approve it.

However, subsequent to further lengthy discussion by Council, it was noted that this School Area Rate Request had been deferred from the last Council Session pending the receipt of the above information and also because Councillor Williams, whose District would be affected by the levy of an area rate, was not present. As he was still not present, it was felt it should again be deferred.

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

"THAT the issue of the school area rate request for the Sir John A. MacDonald High School be deferred to the next Council Session."
Motion Carried.

Councillor Williams' District would also be affected by the levy of a school area rate for the Tantallon Junior High School.

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

"THAT the request for a school area rate for the Tantallon Junior High School, be deferred until the next Council Session."
Motion Carried.

The next School to be dealt with was the Eastern Suburban High School.

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

"THAT the request from the Trustees of the Eastern Suburban High School for \$30,000.00 be approved by Municipal Council."
(See Motion to Amend).

It was amended by Councillor Toppie, seconded by Councillor Gaetz:

"THAT the area rate for the Eastern Suburban High School be excluded from District 7A and the relevant portions of Districts 8 and 9."
(See Motion to Defer)

In response to questioning from Council, Solicitor Cragg advised that should the amendment pass, the rate would apply only to the remaining districts which would have to pick up the total \$30,000. He, therefore, felt, that as the request is improper in accordance with Section 57 of the Education Act, the motion to approve the rate would not be proper.

On that basis, Councillor McInroy agreed to withdraw his second of the original motion. Councillor Deveaux did not wish to withdraw his motion, however, and Councillor Baker agreed to second it.

Therefore, both the motion and the amendment remained.

Councillors Eisenhauer and Deveaux spoke in opposition to the amendment. Deputy Warden MacKay also spoke in opposition to it; he also challenged the ruling of the Solicitor feeling the Solicitor's opinion was in error.

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

"THAT the amendment be deferred pending a legal interpretation of it, being brought forward."
Motion Defeated.

At this time, the question was called on the amendment:

Moved by Councillor Toppie, seconded by Councillor Adams:

"As written previously."
Amendment Carried.

Subsequent to a legal opinion from Solicitor Cragg, Councillor Deveaux and Councillor Baker withdrew their motion to approve the \$30,000 school area rate for Eastern Suburban High School in order to avoid the levy of the entire amount on the remaining Districts.

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

"THAT a letter be written to the Minister of Education advising that Municipal Council upholds its decision of last year; that the provision for the levy of School Area Rates be deleted from the Education Act."
Motion Carried.

At this time, for clarification purposes, Solicitor Cragg quoted from Manning, an Authority for Assessments, Levies, and Ratings, accepted by at least three Provincial Supreme Courts and the Supreme Court of Canada, as follows: "The School Board estimates should not merely state a certain sum as required, where the Municipal Council has both the right and the duty to take care that it is not made the instrument by which any excess of the powers of School Trustees is given by a levy of any sums they are not entitled to enact. The Council may rightly prevent a levy for ultravires purposes and any ratepayer may properly bring an action against a Municipality if the Council fails in its duty. Moreover the duty is to examine the estimate in detail so as to make certain that no improper demands are made on the ratepayers."

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

"THAT Municipal Council communicate to the District School Board advising that it does not accept the request of the Eastern Suburban High School Trustees, for the levy of a School Area Rate, as it does not comply with the provisions of the Education Act and that a copy of the letter be forwarded to the Eastern Suburban High School Trustees."

Motion Carried.

Councillor Topple requested that the Solicitor also communicate with the School Board Solicitor in this regard; this request was agreed to by the Municipal Solicitor.

Subsequent to the passing of the motion, several Councillors indicated that the request presented to Council today did not appear to be identical to that presented at the annual Eastern Suburban High Ratepayer's Meeting. However, it was felt that a response from the School Board would indicate whether or not the correct itemized list had been presented today.

MANAGEMENT COMMITTEE REPORT

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

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

Additions to the 1982 Suburban Paving Program

Mr. Meech outlined this item, which requested that two additional streets be added to the 1982 Suburban Street Paving Program. These were Janet Drive and Sinclair Street in Beaverbank. It was recommended by the Management Committee that the two streets be included in the Program subject to receiving the required majority of signatures and the approval of the Minister of Transportation.

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

"THAT Janet Drive and Sinclaire Street in Beaverbank be added to the 1982 Suburban Street Paving Program, subject to receiving the requisite majority of signatures and the approval of the Minister of Transportation."

Motion Carried.

POLICY COMMITTEE REPORT

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

"THAT the Policy Committee Report be received."

Motion Carried.

Arsenic Contamination - Lake Echo

Warden Lawrence outlined this Report, advising that the Policy Committee had received a request from a homeowner in Lake Echo, for assistance in providing potable water due to arsenic contamination.

The Department of Municipal Affairs had already advised of a Policy whereby they would pay 50% of the cost of providing potable water to homes with mineral contamination and the Atlantic Health Unit has been asked to identify the extent of mineral contaminated water in the County.

The Committee agreed that the following should be included in the proposed Policy:

1. Evidence of contamination must be supplied.
2. It must be understood that there is a time limit; that the supply of water would be reviewed every twelve months.
3. A maximum amount of water would be five gallons per week or its metric equivalent.
4. The Householder would pay the bill initially and would be reimbursed 50% by the Municipality subsequent to the evidence of receipts being supplied by the Householder.

The Committee proposed that the Municipality would administer this program and the cost of supplying potable water would be shared between the Province and the homeowners.

Warden Lawrence also referred to two supplementary items of correspondence in regard to this issue. (Please refer to letters for clarification).

One, a letter from the Atlantic Health Unit outlined the extent of mineral contamination in Halifax County, while the other, a memo from Mr. Meech, advised that following the Policy Committee Meeting, there had been a meeting with representatives of the Department of Municipal Affairs, which resulted in the following additions to the proposed policy:

1. The maximum period that water will be supplied to a household is for a 12 month period. Only under special circumstances will this program be approved for an additional one-year period, maximum.
2. The responsibility for obtaining the water lies with the homeowner. He can then forward the receipt to the County of Halifax for the 50% reimbursement.
3. It should also be noted in the approval that it is the responsibility of the homeowner to find a long-term solution to the water problem. The property owner can utilize the Department of Public Health or the Department of Environment for assistance in finding a solution to the problem.

Warden Lawrence requested that Council consider the Supply of Potable Water Policy as outlined above, including all 7 recommendations.

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

"THAT the Policy for the Supply of the Potable Water to be cost-shared 50-50 by the Province of Nova Scotia and afflicted Homeowners, with administration by the County of Halifax as recommended, be approved by Municipal Council."
(See Motion to Refer).

This motion was discussed at length by Council who raised several objections to it, as follows:

1. Council was not pleased that the Province had taken a position on this and expected the Municipality to administer the Program;
2. People would get used to the service and expect it to continue past the one-year time limit when the Province would withdraw its financial assistance, thereby leaving the Municipality with the financial burden;
3. People with other water problems, some more serious though not mineral-contaminated, would also expect the service.

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

"THAT the Policy for the Supply of Potable Water be referred to the Policy Committee to review and prepare a completed Policy recommendation and application form for re-submission to Municipal Council."

Motion Carried.

NEW BUSINESS

Land Expropriation - Warden Lawrence

Warden Lawrence outlined to Council a Staff Report which was circulated regarding required land expropriation for Municipal Servicing in Lakeside-Timberlea.

The Report indicated that: "Appraisals have been carried out on lands required for the proposed treatment plant, and the proposed construction of water and sewer mains. Negotiations have been carried out unsuccessfully for land of Melvin Longard and Eldred Longard. Substantial difference between appraised value and the requested compensation by the owners have indicated that resolution by negotiation could not be achieved. In view of the fact that plans and specifications will soon be ready for tender call, and that prices obtained if tendered at this time are anticipated to be favorable, the alternative is to proceed with the expropriation of these lands. In order to enable the Municipality to proceed in an orderly way with Municipal Servicing of water and sanitary sewerage facilities for the Beechville-Lakeside-Timberlea areas, it is recommended that resolutions for expropriation be approved by County Council."

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

"THAT the Municipality of the County of Halifax approves the expropriation of a certain lot of land and the expropriation of certain easements of land of Eldred L. Longard and the expropriation of a certain lot of land and the expropriation of a certain easement of land of Melvin H. Longard, both of Timberlea, more particularly described in Schedules "A" attached (See attachments), for the purposes of water and sewer installations and the construction of a water pollution control plant in Timberlea in the County of Halifax."
Motion Carried.

Transit Area Rate, District No. 5 - Councillor Baker

Councillor Baker advised that at the last Council Session he had requested that the Policy Committee discuss the transit area rate in his District and that the Committee recommend some measure to Council which would decrease the Rate. He indicated the rate was so high this year because a deficit was incurred when Portugese Cove Residents refused to pay the Transit Rate last year, as they did not receive Transit Service.

Mr. Meech advised him that the Policy Committee had discussed this issue but could find no means of reducing the rate without substantially raising it in other districts of the County.

Councillor Baker requested that it be re-discussed at Policy Committee.

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

"THAT the Policy Committee re-discuss the cost for Transit Services in District No. 5 with the intent to reduce the Transit Rate from the projected 1982 area rate of 27 cents per \$100 of assessment and make recommendation to Council."
Motion Carried.