

sections 46(2), 46(3), 46A(2), 46A(3), 47(2), 47(4), 47A(2), 47A(4), 48(2) and 51(2) thereof and replace same in each instance with a provision that the amount of the special tax is to be determined by Council by By-Law."

Mr. Meech clarified the intent of the Resolution by advising that the effect of the Resolution would be that Council can deal with the establishment of charges for sewers by By-Law rather than by amendment to the Special Legislation from time to time. Amendments to Special Legislation have to go through the Legislature for approval while By-Law approval is much simpler, as it must only be approved by Council and then the Minister of Municipal Affairs.

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

"THAT the Proposed Amendments to Chapter 87 of the Acts of 1962 be approved by Municipal Council and further that these amendments to the Special Act be forwarded for Legislative approval."
Motion Carried.

Councillor MacKay questioned whether these amendments applied only to monetary considerations. He advised that under the present legislation it is stated that: "any land that can be serviced must be charged." The Councillor advised that this issue was supposed to have been deliberated at the same time the monetary considerations were discussed. It had been the intent that this legislation would be changed to accommodate special circumstances, where there was some reason why a parcel of land could not actually be serviced even though, technically it was serviceable.

Subsequent to brief discussion, it was determined that this issue had been on the agenda of an Urban Services Committee Meeting several times, but each time something urgent had come up and it had been deferred. Mr. Meech indicated that he would put this issue on the agenda of the next Urban Services Committee Meeting.

Request For Loan, General Capital Grant and District Capital Grant,
Sackville Fire Department

The Policy Committee had received a request for a loan in the amount of \$42,500.00, a General Capital Grant of \$30,000.00 and District Capital Grants from Districts 15 and 18 in the amount of \$1,000 each and from Districts 16, 19, and 20 in the amount of \$3,500.00 each, totalling \$12,500.00. The purpose of these funds would be to purchase a fire pumper truck.

It was the recommendation of the Policy Committee that these amounts be approved by Municipal Council and further that the loan in the amount of \$42,500.00 be established on a ten year payment term of principal and interest and also that the Municipality retain the right to levy an area rate to recover any outstanding Principal or Interest.

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

"THAT Council approve a loan of \$42,500 to the Sackville Fire Department to provide equipment for the area served by that Department, to be repaid over a ten year period, principal and interest and further that the Municipality retain the right to levy an area rate to recover any outstanding principal and interest and further that a General Capital Grant in the amount of \$30,000 and District Capital Grants in the total amount of \$12,500 from District 15, 16, 18, 19 and 20 also be allocated for this purpose."
Motion Carried.

Councillor Deveaux questioned the criteria which enabled the General Capital Grant Fund to be utilized for Fire Department purposes. Mr. Meech advised that Fire Departments do meet the criteria set out for the allocation of these funds; however, it had been his understanding when the criteria had been established that the intent was to use District Capital Funds for this purpose. However, since that time Council has authorized the use of the General Fund for this purpose on several occasions. He advised that he intends to review the policy for the allocation of capital grants. He felt it might be necessary to decide how much of the General Capital Grant Fund should be utilized for Fire Department purposes.

RESOLUTION FOR WITHDRAWAL FROM THE SPECIAL RESERVE FUND

A Resolution was contained in the Council Agenda relative to the removal of a sum of \$1,000,000 from the Special Reserve Fund for use on the capital improvements to the Municipal Building.

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

"WHEREAS Section 137 of the Municipal Act provides that no money shall be withdrawn from Special Reserve Fund except for a capital expenditure and with the prior consent in writing of the Minister of Municipal Affairs; AND WHEREAS the Council of the Municipality of the County of Halifax deems it necessary to withdraw a sum not exceeding One Million Dollars (\$1,000,000) for the purpose of acquisition, erection, alteration, addition to, improvement, furnishing and equipping of buildings and structures for any municipal purpose; BE IT THEREFORE RESOLVED, THAT the Council of the Municipality of the County of Halifax withdraw from Special Reserve Fund a sum not exceeding One Million Dollars \$1,000,000 for the purpose set out above."
Motion Carried.

WATER SUPPLY POLICY

Mr. Kelly referred Council to a memo in the Council Agenda, from Mr. Meech, March 4, 1982 to the Policy Committee. This memo read:

"The policy decision, by the Executive Council, for supplying water to households who have mineral contaminated water is as follows:

"The Department of Municipal Affairs would, on the request of the Municipality, pay half of the cost of providing a dispenser (without cooling capacity) and one bottle of water a week where an on-site water supply (individual well) is contaminated by minerals. The remaining cost would be absorbed by the Municipality or by the owner through the Municipality or be shared by them, at the option of the Municipality. The program would apply in each instance only for a specified period of time, which would be enough to allow for rectification of the problem. The program would be administered by the participating municipality and would only apply when the area affected is not serviced by a central water supply."

If the Municipality should decide to enter into such a program, the following criteria should be included in the policy for the supply of potable water:

1. An application for assistance should be completed.
2. Evidence of contamination must be supplied.
3. 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.
4. A maximum amount of water would be 5 gallons per week or its metric equivalent with an approximate cost of \$5.00 which amount would be 50% cost shared.
5. There will be a 50% cost sharing on a dispenser (without cooling capacity) if necessary.
6. 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 once a month.
7. 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 the Environment for assistance in finding a solution to the problem.

With the adoption of this policy the Municipality would administer the program and the cost of supplying potable water would be shared between the Province and the Homeowners.

At the present time, there are approximately 330 known contaminated wells in the County with approximately 50 in the Waverley area and 75 in the Harrietsfield area which are now receiving 100% cost-sharing. This leaves approximately 205 known cases that would be eligible for this assistance program."

Mr. Meech advised that the above was submitted to Council in March of 1982 along with a recommendation to accept the policy as Council's Water Supply Policy. At that time, the matter had been deferred pending the receipt of clarification regarding the 50% cost-sharing. At that time, Councillor Adams had questioned the requirement for the homeowners to pay a share of the water supply; especially in light of the fact that some County Residents were already receiving water free of charge.

However, Mr. Meech indicated that nothing has changed to date and the memo quoted above is still the position of the Provincial Government and the policy which is proposed for the Municipality's adoption.

He also advised that the matter had first come to the Policy Committee from County Residents who had already been in contact with the Provincial Government. The Province had suggested the above policy to them; this would indicate, in Mr. Meech's opinion, that the Province was not willing to expand its 100% cost-sharing but wished to proceed on the basis of 50% cost sharing, the other 50% to be picked up either by the homeowner or the participating Municipality.

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

"THAT the Provincial Government be requested to reconsider declaring the 40 to 50 water coolers, previously used in Waverly surplus, and instead consider their usage in areas where they may be needed and also that the Provincial Government be requested to clarify whether their policy for water supply of potable water is based on the area serviced or whether it is applicable throughout the entire Municipality."

Motion Carried.

The above motion was carried subsequent to lengthy discussion in which Councillor Wiseman and other Councillors indicated their concern that residents of certain areas, i.e. Harrietsfield and Waverley had been receiving water with 100% cost-sharing while future recipients of the service would be expected to pay 50%.

Councillor MacKay was opposed to the above motion as he felt that the policy should be approved now to expedite relief to those persons requiring the supply of potable water. He felt that after the policy is in effect and water deliveries are being implemented, then the Municipality can look to the Province for more financial assistance for the program.

Councillor MacKay also requested that a study be conducted into the arsenic filter unit. However, Mr. Meech indicated that H. J. Porter & Associates are investigating the unit in full as part of their study into the Collins Park Water situation. He advised that they were requested to look into the unit as an alternative to the water supply in that Subdivision. Mr. Meech indicated that this Report should be completed now and a Report coming to Council in the very near future.

Deputy Warden Margeson questioned why the Municipality was bothering to establish a water supply policy with 50% cost sharing when the Province is already paying 100% in some areas. He was advised by Mr. Meech that since the Province had referred Halifax County Residents to the 50-50 cost sharing policy, it is assumed that the Province is unwilling to expand its 100% cost sharing beyond those residents which have already received it.

Councillor DeRoche indicated his dissatisfaction with the Policy as it was stated in the Council agenda, especially in regard to the time limit

imposed on property owners in which to correct their water contamination problem. He felt this was not sufficient time in which to correct a serious problem.

It was moved by Councillor DeRoche, seconded by Councillor Snow:

"THAT the Water Supply Policy be tabled and brought back to Council two months hence, pending receipt of the requested information from the Province."
(See Motion to Amend).- Motion Carried.

As Councillor Mont was unsatisfied, as well, with the wording of the proposed policy, he put the following amendment to the motion on the floor:

It was amended by Councillor Mont, seconded by Deputy Warden Margeson:

"THAT the Water Supply Policy be referred to the Policy Committee pending receipt of the information requested from the Province and further that the Policy then be reworded prior to being forwarded back to Council."
(Declared Out of Order).

Councillor DeRoche advised that the intent of his motion was to table the Proposed Policy and have it brought back to Council. He felt that an amendment to send the Policy to any other body would contravene the intent of his motion.

Based on the above, the Municipal Solicitor ruled the Amendment Out of Order.

Councillor Mont and Councillor Wiseman requested that the memo outlining the Policy be brought back to Council in an understandable form. Based on this request, Mr. Meech agreed that he would compile all the background information on the Water Supply Policy and would distribute this information to all Councillors.

ADDITION OF ITEMS, NUISANCE BY-LAW - COUNCILLOR BAKER

Councillor Baker advised that he had attended a meeting in Sambro two to three weeks ago regarding a nuisance relative to a problem with deisel motors running all night at a Fish Plant. Residents in the area complained and the RCMP attended that meeting. They were questioned as to why they were not enforcing the County By-Law and they said they could not enforce it because they had to receive authority from the Attorney General's Department. Councillor Baker questioned who was responsible to enforce the Municipality's Nuisance By-Law.

Mr. Cragg advised that the County By-Laws are enacted not just for the sole use of the Municipality but for the use of any member of the public. If any private citizen wishes to prosecute someone else or a corporate body under the Municipal By-Laws they can do so without coming to the Municipality for permission.

The Solicitor also advised that if a Federal, Provincial or Municipal Police Force wishes to prosecute under County By-Laws they may also do so. The Solicitor advised that the RCMP and City Police as well often prosecute under or enforce the Loitering By-Law and the Nuisance By-Law or any other by-law can be treated in the same manner. He advised that the RCMP are well aware of this fact.

Councillor Eisenhauer advised that when the RCMP and the Attorney General had been in attendance at Council to make a presentation, they had advised that they were under contract with the Province to enforce only the Criminal Code and the Motor Vehicle Acts.

Solicitor Cragg advised that the RCMP may be reluctant to enforce the By-Law in this particular situation described by Councillor Baker, as the noise in this instance is necessary for the operation of the Fish Plant which had been in existence for a long time, longer even than some of the complaining residents have lived in the area. He advised that the Fish Plant stores its product in refrigeration trucks and to keep the fish cold it must run the motor.

Mr. Meech agreed that the RCMP may find it difficult to use their judgement with regard to this situation; he indicated that the Nuisance By-Law is generally used to control noisy crowds, etc. He also advised that the Department of the Environment has a section which has the responsibility to monitor noise levels. He felt it might be worthwhile for the Councillor to give that section of the Department a call and request such monitoring.

Councillor Baker took this information under advisement.

NEW BUSINESS

Information, Re: Conflict of Interest - Councillor Deveaux

Councillor Deveaux advised that there is some new information relative to Councillors and Conflict of Interest. He requested that this information be distributed to all Councillors.

Councillors DeRoche and Walker indicated that they had already received this information.

Ocean View Manor - Councillor Deveaux

Councillor Deveaux advised that a misprint had found its way into the newspaper regarding the per diem rate per bed at Oceanview Manor. The actual rate was \$50.85 per day; the rate which appeared in newsprint was \$58.00 per day. He requested that this be corrected as no facilities in the Province have a rate of \$58.00 per day and this could damage the Municipality's position with regard to increasing the empty beds.

Notice of Motion - Councillor Deveaux

Councillor Deveaux gave his Notice of Motion for an upcoming Council Session relative to the Ocean View Placement Policy.

This Notice of Motion was Accepted by Council.

Property Leased to Organizations - Councillor MacKay

Councillor MacKay requested whether the subject of Property Leased to Organizations had come to the Management Committee for discussion yet. He was advised by Mr. Meech that he has drafted the background information for this issue and it will be coming to the Management Committee in the near future.

Cable Television - Councillor Larsen

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

"Whereas the Communication Minister of the Provincial Government of Nova Scotia, Mr. Ron Giffin, has intervened November 23, 1982, on behalf of CANCOM's (Canadian Satellite Communications Inc.) request to the CRTC (Canadian Radion-Television Telecommunications Commission) to add U.S. signals to the company's basic package; Be it Therefore Resolved That the Municipality of the County of Halifax go on record as supporting this position, and further that a letter be forwarded to the Minister to state our position."
Motion Carried.

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

"THAT the appropriate CRTC Representative be invited to attend the next Council Session to explain to Municipal Council what cable services are available and what avenues to take to have the cable service extended to areas which do not presently receive cable television service."
Motion Carried.

Fuseable Safety Device, N.S.P.C. - Councillor Adams

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

"Whereas an automobile struck a power utility pole on the Number 7 Highway at East Preston at 3:05 A.M., December 27, 1982, causing the insulation of the high voltage lines to rupture and arch, thus driving excessive voltage, by the multi-thousands of volts into two houses immediately adjacent to the pole; and Whereas this excessive surge of voltage caused one furnace to burn in one house, and destroy the interior of the other house by fire; Be it Therefore Resolved That the Municipality of the County of Halifax request the Nova Scotia Power Corporation in writing, if there is, or if there can be, some kind of a fuseable safety device made available, to safeguard homes from such extreme surges of electrical pressure."
Motion Carried.

Report of the Board of Commissioners of Public Utilities - Deputy Warden Margeson

The Deputy Warden drew Council's attention to the fact that the Board of Public Utilities had made a decision relative to the annexation application made by the City of Halifax for land in the County of Halifax on Thursday, December 30th, 1982 and further that a document containing this decision had been distributed to all Councillors. He requested that Council authorize the Policy Committee to make a Report to Council relative to this issue by the next Council Session.

Mr. Meech advised that the Municipality had 28 days in which to launch an appeal against the decision which would leave plenty of time for the Municipality's Solicitor to prepare an appeal subsequent to the next Council Session.

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

"THAT the document, relative to the decision of the Board of Commissioners of Public Utilities, be referred to the Policy Committee to discuss and report back to Council with a recommendation by the next Council Session."
Motion Carried.

Mr. Meech advised that the Municipality's Solicitor, is already reviewing the Board's decision as is Municipal Staff.

ADJOURNMENT

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

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

Therefore, there being no further business, the Regular Council Session adjourned at 9:45 P.M.

REGULAR COUNCIL SESSION

JANUARY 18, 1983

PRESENT WERE: Deputy Warden Margeson, Chairman
Warden MacKenzie
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Snow
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. Robert Cragg, Municipal Solicitor
Mr. Oxner, C.R.T.C.

SECRETARY: Christine E. Simmons

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden MacKenzie opened the Regular Council Session at 7:00 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Meech then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Deputy Warden Margeson, seconded by Councillor Gaetz:

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

The Deputy Warden assumed the role of Chairman for the duration of the meeting, as Warden MacKenzie had an extremely bad case of laryngitis and was also retiring early to attend a function on behalf of the Municipality.

APPROVAL OF MINUTES

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

"THAT the Minutes of the November 8, 1982 Special Council Session be approved."
Motion Carried.

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

"THAT the Minutes of the November 16, 1982 Regular Council Session be approved."
Motion Carried.

It was moved by Councillor Snow, seconded by Councillor Gaudet:

"THAT the Minutes of the December 7, 1982 Regular Council Session be approved as amended."
Motion Carried.

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

"THAT the Minutes of the December 21, 1982 Regular Council Session be approved."
Motion Carried.

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

"THAT the Minutes of the January 4, 1983 Regular Council Session be approved."
Motion Carried.

POLICY COMMITTEE REPORT

The Policy Committee Report was received at this time in order to deal with an Item respecting the Annexation Issue, prior to the Departure of Warden MacKenzie.

It was moved by Councillor Mont, seconded by Councillor Snow:

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

Appeal, Re: Annexation Decision of PUB

Mr. Meech outlined this item from the Policy Committee Report which advised that the The Policy Committee met with Ronald Pugsley, Solicitor respecting the annexation decision by the Board of Public Utilities and in particular to consider appealing this decision.

Subsequent to a lengthy discussion with Mr. Pugsley it was the recommendation of the Policy Committee that the following action be taken by the Municipality:

"File a notice of objection authorized by a resolution of Council to the Clerk of the Executive Council pursuant to Section 19(3) of the Municipal Boundaries and Representation Act, and: 2) Authorize the Solicitor to bring an application for leave to appeal to the Appeal Division of the Supreme Court from the Order of the Board on the basis of its errors of law and jurisdiction. Such an application for leave to appeal would be pursuant to Section 97 of the Public Utilities Act and would have to be commenced forthwith."

At this time, Mr. Meech read into the record a lengthy letter from Warden MacKenzie which fully supported the above recommendation and encouraged Council to support it unanimously.

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

"THAT: 1) the Solicitor file a notice of objection authorized by a resolution of Municipal Council to the Clerk of the Executive Council pursuant to Section 19(3) of the Municipal Boundaries and Representations Act and; 2) THAT the Solicitor be authorized to bring an application for leave to appeal to the Appeal Division of the Supreme Court from the Order of the Board on the basis of its errors of law and jurisdiction. Such an application for leave to appeal would be pursuant to Section 97 of the Public Utilities Act and would have to be commenced forthwith."
Motion Carried - Unanimously.

Subsequent to the above, Warden MacKenzie retired from the Council Session.

Request For Loan and Capital Grants

Mr. Kelly advised that a request had been received from the Terence Bay Volunteer Fire Department for a loan in the amount of \$43,000; a County General Capital Grant in the amount of \$15,000 and a District Capital Grant in the amount of \$17,000 for the purpose of major renovations and additions to the existing fire hall to provide a more efficient operational structure and add facilities to the building for volunteer fund raising.

The Policy Committee, subsequent to discussion, recommended approval of this request.

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

"THAT a loan in the amount of \$43,000 be approved for the Terence Bay Volunteer Fire Department, to be advanced on a ten-year repayment term of principal and interest, with Council reserving the right to levy an area rate to recover any outstanding principal and interest and further that a County General Capital Grant in the amount of \$15,000 and a District 4 Capital Grant in the amount of \$17,000 be allocated to the Terence Bay Volunteer Fire Department for the purpose of major renovations and additions to the existing fire hall."
Motion Carried.

Request For District Capital Grant - District 14

Mr. Kelly advised that the Policy Committee had received a request for a District Capital Grant for the purpose of extending the existing water system off Oakes Drive, Waverley, to serve three homes located on a private right-of-way. This project would include the extension of the existing water system of 190' of 1 & 1-2" copper pipe along the proposed easement at a cost of \$2,500.

The Policy Committee had recommended approval of this District Capital Grant.

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

"THAT Mr. Charles MacDonald be reimbursed \$1,250 for a portion of the construction costs for the extension of the present water system off Oakes Drive, Waverley, conditional on the transfer of the water line to the Municipality and granting of the required easement and also recommend for approval a District Grant of \$1,250 for this project."
Motion Carried.

LETTERS AND CORRESPONDENCE

It was agreed to deal with the Letters and Correspondence at this time.

Letter From Federation of Canadian Municipalities

A letter from the FCM was included in the Council agenda. This letter invited submission of appropriate resolutions on subjects of national municipal interest for debate at the 1983 Annual Conference which is to be held in Moncton, New Brunswick from June 5 to 9.

The letter also advised that resolutions must be accompanied by some proof of Council's approval and must be received by the FCM's Secretariat no later than Friday, March 4, 1983.

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

"THAT the Letter from the FCM be referred to the Policy Committee."
Motion Carried.

Supplementary Letter, Re: Atlantic Symphony Orchestra

A Supplementary Letter had been received from Mr. W. L. Ford in regard to the former Atlantic Symphony Orchestra. Copies of this letter had also been sent to the Mayors of the City of Halifax and the City of Dartmouth.

This letter advised that the Orchestra might not have been forced to disband if more financial support had been forthcoming from the three Municipal Governments in the Metro area where the Orchestra was based. The letter advised: "It is my understanding that the total of annual grants from the three governments has rarely, if ever, been more than 1% of the Orchestra's total annual budget, and that most of that came from the City of Halifax."

In his letter, Mr. Ford suggested that it may not be too late to re-establish the Orchestra if funding were forthcoming from the Municipalities of the City of Halifax, the City of Dartmouth and the Municipality of the County of Halifax.

Mr. Kelly read the letter into the record and suggested that perhaps the Warden of the Municipality of the County of Halifax and the Mayors of the Cities of Halifax and Dartmouth could meet to discuss this correspondence.

It was agreed by Council that Warden MacKenzie meet with the Mayors of the Cities of Halifax and Dartmouth to discuss the above-noted letter from Mr. W. L. Ford regarding possible funding to re-establish the Atlantic Symphony Orchestra.

PLANNING ADVISORY COMMITTEE REPORT

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

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

Rezoning Application No. RA-TLB-20-82-02

Mr. Kelly outlined this item from the agenda advising that at the January 10, 1983 meeting of the Planning Advisory Committee, Mr. R. Gough, outlined rezoning application RA-TLB-20-82-02, a request by Mr. & Mrs. Gordon Fudge to rezone Lot G7 of the Robert Fournier Subdivision located on Highway No. 3, at Timberlea, District 2. The application was for the purpose of locating a mobile home, for permanent use on Lot G7 in Timberlea.

At that time, Mr. Gough indicated that the Planning and Development Department had no objection to this application on the basis that it conforms with the MDP for Timberlea-Lakeside-Beechville.

It was the recommendation of the Planning Advisory Committee that a Public Hearing be held to deal with this application, February 14, 1983 at 7:00 P.M.

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

"THAT a Public Hearing be held, February 14, 1983 at 7:00 P.M. to deal with rezoning application No. RA-TLB-20-82-02, a request by Mr. & Mrs. Gordon Fudge to rezone Lot G7 of the Robert Fournier Subdivision located on Highway No. 3, at Timberlea, District 2."
Motion Carried.

Rezoning Application No. RA-SA-21-82-20

Mr. Kelly advised that at the January 10, 1983 meeting of the PAC, Mr. R. Gough outlined rezoning Application No. RA-SA-21-82-20, a request by the N.S.H.C. to rezone Lots MT-1-B, MT-1-C, MT-1-D and MT-1-E, Phase 9,

Sackville Development located on Smokey Drive, Lower Sackville, District 20 for the purpose of allowing these lots to be developed. Mr. Gough advised that the Department of Planning and Development had no objections to this application on the basis that it conforms with the MDP for Sackville.

It was the Committee's recommendation that a Public Hearing be held to deal with this application, February 14, 1983 at 7:00 P.M.

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

"THAT a Public Hearing be held, February 14, 1983 at 7:00 P.M. to deal with Rezoning Application No. RA-SA-21-82-20, a request by the Nova Scotia Housing Commission to rezone Lots MT-1-B, MT-1-C, MT-1-D and MT-1-E, Phase 9, Sackville Development located on Smokey Drive, Lower Sackville."
Motion Carried.

SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

It was agreed by Council that the Supplementary Planning Advisory Committee Report be dealt with at this time.

Proposed Development Agreement - DA-LM-5-82-08

Mr. Kelly advised that at the January 17, 1983 Planning Advisory Committee Meeting, Mr. Cragg, the Municipal Solicitor gave a brief update relative to the status of the proposed Development Agreement between the Municipality of the County of Halifax and Halifax County Industrial Commission to permit the establishment of a fibreglass products plant at East Partridge River Drive, East Preston, District 08.

Mr. Cragg explained to the Committee, the difficulty the Municipality was having in establishing ownership of the property. Subsequent to this discussion, it was the recommendation of the Committee that Council request Mr. Cragg to take action to clarify the ownership of the Partridge River School Property located at East Preston.

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

"THAT Mr. Cragg be requested to take action to clarify ownership of the Partridge River School Property located at East Preston."
Motion Carried.

Prior to the passing of the above motion, Councillor Mont requested more information regarding the ownership problem. He was advised by Mr. Cragg that it was a very delicate matter, whereby the people involved are taking a personal, hardline position regarding boundaries, etc. The Solicitor advised that the original surveyor has been contacted and the Municipality is commencing an application to obtain title to the property.

REPORT OF THE DIRECTOR OF DEVELOPMENT

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

"THAT the Report of the Director of Development be received."
Motion Carried.

MOTION, RE: MUSQUODOBOIT HARBOUR INDUSTRIAL PARK

Mr. Kelly advised Council that at the August 3, 1982 Council Session, Council approved a motion presented by Mr. Denny relative to the Musquodoboit Harbour Industrial Park. This motion concerned Council's acceptance of seven (7) acres of land and a contribution of \$75,000.00 from the Department of Development for the developing of the Industrial Park.

However, Mr. Kelly further indicated that the Department of Development has advised they require a motion including Council's approval of the project and the project funding in order for the Department to complete their commitment.

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

"Whereas a co-operative plan was negotiated between the Province of Nova Scotia and Halifax County Industrial Commission, whereby the Province would supply seven (7) acres of land adjacent to the Musquodoboit Mall for \$1 and \$75,000. for clearing of property and the road extension subject to approval of the project and the project funding by the Municipality of the County of Halifax; and Whereas there is one tenant which has supplied a letter of intent for the County to construct approximately 8,000 square feet of manufacturing space; and Whereas the Halifax County Industrial Commission has approved the project subject to Council's consideration; Therefore be it Resolved that the Municipality of the County of Halifax approve this project and funding for this project and also authorize the Halifax County Industrial Commission to proceed with development of the seven acres of land to be provided by the Province of Nova Scotia and also to proceed with the necessary access road; such road to conform to the specifications of the Department of Transportation and be subject to their approval; and further to provide funding to a maximum of \$220,000.00 that may be required by the clients of the Halifax County Industrial Commission for the construction of manufacturing space."

Motion Carried.

NOTICE OF MOTION, RE: OCEANVIEW PLACEMENT POLICY

This item had been placed on the agenda as a result of Councillor Deveaux's previous notice of motion, January 4, 1983.

Councillor Deveaux indicated his opinion that the Placement Policy recently approved by Council was only a ratification of the previous practice and was inadequate for today's economic climate; he advised

that subsequent to much thought, he felt he had a much more satisfactory policy which he would like to place on the floor for Council's consideration, after rescinding the motion of December 21, 1982 which approved the present policy.

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

"THAT the motion of December 21, 1982 Council, regarding the Policy for Placement in Homes for Special Care be rescinded by Municipal Council."

Councillor Deveaux then advised that the present per diem rate per day for each bed at Oceanview Manor is \$50.85 and subject to go up to approximately \$53.00 in the near future. He advised that the present policy for Placement in Homes for Special Care does not ensure that Halifax County Residents are placed in Oceanview Manor; this creates an increased deficit for each day a bed at the Manor is empty. The Municipality is expecting that all taxpayers pick up this deficit, in order to accomodate relatives and friends who visit the patients. He did not feel that the present placement policy was accomodating the patients of the facility, as Ocean View is the best facility of its kind in the Province and possibly east of Ontario. He advised that the Policy he proposes for Ocean View will address the economic conditions, will ensure that all patients receive the best possible care available and will also ensure that Ocean View manor does not incur a deficit.

At this time, Mr. Meech read into the record the Policy which was ratified by motion at the Decmber 21, 1982 Regular Council Session, as follows:

"THAT it become the Official Policy of the Social Services Department to encourage applicants for admission into Homes for Special Care into our Municipal Home at Ocean View when that level of care is deemed appropriate. Placement in other Special Care Facilities may be approved by the Director of Social Services when (Ocean View) Manor placement would create severe hardship and strain on prospective residents and their families."

Also, upon the request of the Deputy Warden, Mr. Meech read into the record a recent communication received by the Warden from Mr. Miller, Secretary of the Halifax Presbytery, as follows:

"The enclosed resolution was adopted by the Halifax Presbytery at a recent meeting following an incident whereby a terminally ill patient narrowly escaped being placed in a chronic care facility at one of the extreme ends of the Province far from home and loved ones. Copies of the resolution have been sent to members of the Government and we are asking the other Presbyteries in Nova Scotia, through their secretaries, to consider making a similar approach to the Provincial Government. The motion reads as follows:

"Be it Resolved that this Presbytery requests the Government of the Province of Nova Scotia to pass Legislation to provide the Nova Scotians who are permantly placed in Nursing Care Facilities ,

especially those terminally ill, be guaranteed placement in appropriate facilities within easy commuting distance of their families and friends. If no opening exists at a nearby facility at the moment of need, then this legislation should provide for accomodation in a hospital in the nearest community in which hospitals exist, until such a long-term vacancy is found. Moreover when possible, support should be available to make homecare of the chronically or terminally ill patients a viable option."

As Chairman of the Board of Management of Ocean View Manor, Councillor Walker spoke at length in regard to the motion. He advised that he was confident in speaking on behalf of the Board of Mangement, whom he advised was comfortable with the present policy. He advised that it is a simple policy which directs staff to encourage people to go to Ocean View wherever possible. He advised that he could not support rescinding this policy and implementing a new policy which would force people to go to Ocean View. He felt this would be an injustice and in bad taste. He also advised that the moral of the patients is as important as their health care. He advised that the present policy is a good one and that the Board of Management is doing its best to maintain the facility in a strong financial position.

The following Councillors also spoke in support of the present placement policy for Homes for Special Care: Councillors Baker, and Gaetz who reinforced the above comments and Councillor Mont who agreed that the present policy puts the priority where it should be; as well, he indicated that the Board of Management might investigate other alternatives to fill the empty beds, such as opening a unit for children who require special care.

Councillor MacKay also spoke in support of the present policy. He agreed that it was difficult to justify operating on a deficit asking the Halifax County taxpayers to pick up this deficit through their taxes. However, he indicated his opinion that the deficit is a temporary problem due to several new facilities opening up. He advised that in the past, it has always been the case that the applications for Homes for Special Care have always outnumbered the availability of beds, which has usually resulted in long waiting lists. He advised that the present policy encourages persons to locate at Ocean View except in extenuating circumstances which are determined by Mr. Ed Mason, Director of Social Services. He advised that Mr. Mason, is capable of considering both his own Social Services budget and the budget of the Facility.

Subsequent to the above, the question was called on the motion.

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

"As written previously."
Motion Defeated.

Subsequent to the defeat of the above motion, Councillor Deveaux indicated that the Ocean View Manor was the best facility of its kind in the whole Atlantic Provinces and that, if he were considering placing

anyone in a Home for Special Care, even his own parents, he would place them at Ocean View Manor regardless of how far he had to drive to visit them, as he would want them to have the best care possible.

MEETING WITH MR. OXNER, C.R.T.C.

Mr. Oxner of C.R.T.C. was present in the Council Chambers to answer questions from Councillors relative to the service in their areas, or when service could be expected to extend to their areas.

Councillor MacDonald who had requested Mr. Oxner's attendance at this Council Session, welcomed him to the Council Chambers. He then advised that with the conception of the New Star Channell, First Choice, stations, etc., people who do not have cable in Middle Sackville are now more anxious than ever to obtain the service. He advised that the Metro-Vision Station in Sackville are expanding their service to Enfield and other areas, and the citizens in Sackville who do not yet have the service are wondering when they can expect to receive Cable-Vision. He questioned whether Middle Sackville was included in Metro-Vision's licensing area. He indicated his understanding that the prerequisite for cable service was to have Municipal Services; however, the service in Sackville has gone past the serviced areas up as far as the Paton Road. He questioned the mandate of Metro-Vision to expand their services and what the people of the area could do to speed up the process.

He was advised by Mr. Oxner that Metro-Vision is licensed to service the Bedford-Sackville area which includes Middle Sackville, Lower Sackville, Beaverbank Road, etc. He advised that he had brought with him a map which outlines the serviced areas of Halifax, Dartmouth and the Bedford-Sackville area, which he would be pleased to show the Councillor after the Session is over. He also felt that Metro-Vision was also licensed to service the area in question. However he advised that Metro-Vision at the present time serves 95% of its licensed area. Under its license from the C.R.T.C. it is required to serve the entire area which is within its licensed area, providing that the area has municipal water and sewer service and also providing the homes are not further back from the cable than 150 feet.

He advised that these rules were written into cable regulations in order to protect the licensee and this is a problem in the Bedford Sackville area because the cable is spread out thinly, unlike the cities of Halifax and Dartmouth. He advised that in some instances there are only one or two homes per mile. He also advised that Cable services are only viable to the licensee when there are 45 subscribers per mile.

Mr. Oxner advised that there are many areas within the Bedford-Sackville area which do not have Municipal Water and Sewer Services and do not have 45 subscribers per mile, which are being serviced with the Cable anyway. The cable licensee can sometimes afford to service these people with the Cable as they make enough money from the more densely populated areas to make up for the loss.

Mr. Oxner advised that Mr. Don Beebe of Metro-Vision has given him construction dates when service can be expanded into the following areas:

1. Burroughs Drive;
2. Lakeland Drive;
3. Maplewood Village;
4. Milo Terrace;
5. Walden Place;
6. Lakeleigh Heights;
7. Carol Heathe Drive;

He advised that these areas should be serviced by the end of March.

Councillor MacDonald advised that a Mr. Wambolt from Upper Sackville was in attendance tonight and was interested in getting the service in Upper Sackville. He advised that Mr. Wambolt felt that he could get 45 homes to the mile.

Mr. Oxner advised that they needed 45 subscribers per mile which would mean at least 60 homes per mile. He advised that the route to follow would be to petition the area to determine how many people would be interested in obtaining the service. Mr. Oxner promised Mr. Wambolt that if he did receive a petition then he will talk to Metro-Vision and find out exactly what the situation is.

Councillor Baker questioned Mr. Oxner as to what happened to the extension he was promised in his area, from Herring Cove around to Harrietsfield. He advised that he was promised in September by Mr. Walker of Halifax Cable that within three months cable services would be installed in this area. He advised that he has since been talking to Halifax Cable who inform him that they are negotiating with the MT&T to use their poles. He questioned whether Mr. Oxner had any further information in this regard.

Mr. Oxner advised that he had a meeting with Halifax Cablevision yesterday and the Commission is quite concerned about this. They had been granted a license to extend down to Portugese Cove through to Sambro almost two years ago. Halifax Cable was even granted the money to carry out this extension through a rate increase.

He advised that the Commission has been pressing them ever since to complete this extension and have granted them two amendments to their license conditional upon extending the service to Sambro-Ketch Harbour. He advised that he has been in touch with them and they have been running into problems over the past year with Maritime Tel and Tel in negotiating the use of the poles, and the establishment of the cable on those poles. Some of the Poles had to be replaced because they were old and too short. He advised that Halifax Cablevision has promised him now that they will begin to extend this service no later than April 1st and hope to have it completed by June for the whole area, including Harrietsfield.

Councillor Eisenhauer commended the C.R.T.C. for the increase in the serviced area; he advised that when he had first come to Council, six

years ago, no County area at all had Cable and now 80% of those Households now have Cable. He indicated his understanding that the rates are approved by the C.R.T.C. He questioned whether there were any regulatory items as far as bottom line profits. He advised that Companies like Halifax Cable-Vision get a high return on their dollar due to the density of the population; he requested whether there was any cost-sharing to Companies like Metro-Vision who have very little return in some cases.

Mr. Oxner advised that the outstanding debt on Metro-Vision was still quite large in that the system has been in operation for quite some time. He advised that they have done a fantastic job in serving what he considered to be a sparsely populated area in so far as cable servicing goes. He advised they are striving as fast as they can to extend the service although he is still pushing to see 100% of the serviceable area covered. He advised that it is a private business and they are in it to make money; he advised that they are not making money right now, unlike Halifax and Dartmouth. He advised that Metro-Vision has around 8000 subscribers whereas Halifax and Dartmouth have 34,000 and 22,000 respectively. Halifax and Dartmouth have a smaller area but a much more heavily concentrated population.

Councillor Eisenhauer questioned whether Metro-Vision has a lesser-quality of local programming. However, Mr. Oxner advised that Metro-Vision, as far as community programming, are doing quite a bit more than the larger systems. As far as a subsidy, from the larger to the smaller systems; this is done through provision of the U.S. Channels into some of the smaller systems in the Atlantic Provinces. He advised that the larger systems subsidize the smaller systems. For instance for the two Bangor signals, the smaller systems such as Yarmouth would never be able to pay for their share. Therefore, the bigger systems such as Halifax, Dartmouth, Saint John and Moncton subsidize the smaller ones. This, he advised, was the only cost-sharing available for cable.

Councillor Gaetz questioned Mr. Oxner as to when he can expect to receive Cable T.V. on the Eastern Shore.

He advised that the C.R.T.C. has had two applications to provide service from Porter's Lake to the Head of Chezzetcook, to the Lawrencetown area, etc. He advised that Dartmouth Cable received the license to do that area about ten months ago to provide the same service which they are providing to Dartmouth via a very expensive trunk cable which would have run from Victoria Road in Dartmouth right down to the Head of Chezzetcook. This Cable would have cost \$350,000 and would only have been capable of about 10 to 11 channels. Therefore, since there are going to be more than 11 channels out very soon, including pay T.V., they have decided to look at another method of extending the service and also providing more channels. They have ordered equipment for what they call "short, hot microwave". This microwave will run from a transmitter in Burnside down to the Head of Chezzetcook to a receiver and they will wire the whole area from the Head of Chezzetcook to Porter's Lake, down to Chezzetcook and West Chezzetcook and so on. They are going to start this the first of April and expect to have it

completed by the first of September. He advised that it is better that they did wait a little longer because the people will get better service in the long run.

Councillor Gaudet advised that the late Councillor Williams had attempted to get Cable T.V. down the Prospect Road area; he questioned what the present position was in regard to this service.

Mr. Oxner advised that the decision on Terence Bay and Prospect is going to be out very soon, and may in fact already have been released. He indicated that the Prospect area is going to be licensed for CanCom System to serve the area by Cable. The license will be granted to Mr. Don Keddy of Keddy's Motor Inn.

Councillor Reid advised that he did not anticipate having Cable Service in his Rural area for quite some time and he questioned what the legal ramifications would be in putting up one's own Dish.

Mr. Oxner advised that all Earth Stations must be licensed by the Department of Communications. That would be for one's own backyard, for a bar, a hotel or any other facility. He advised that to obtain approval one must apply to the C.R.T.C. and the D.O.C. He advised that Earth Stations would not be permitted to receive United States Programs. He also indicated that at the present time there are a number of Earth Stations around and that at the present time, the Federal Government and the C.R.T.C. are concentrating on penalizing hotels and motels for Dishes which are receiving U.S. signals for re-broadcasting which would affect a licensed cable operation or an over-the-air broadcaster. He could not say when the C.R.T.C. or D.O.C. would begin to concentrate on privately-owned Dishes; however, he did say that they were all illegal.

Councillor Reid referred to a statement by Francis Fox which suggested that he would not prosecute private individuals who had one of these Earth Stations set up. Further to this he questioned if one was set up by a private individual who did receive licensing from the C.R.T.C., would he then be able to sell it to his next door neighbours.

Mr. Oxner advised that if an individual were to put a Dish in his backyard and receive signals, this would be illegal in theory and he would not obtain a license from the C.R.T.C. He advised that Francis Fox advised that they would not be proceeding against individuals "at this time"; they are still illegal but there are many more-important cases to pursue at this time.

Mr. Oxner advised that these prosecutions were in order to protect their licensees. They have sent out warnings to 15 or more hotels and motels across the Country; two of these were Maritime Operations, The Linkletter Hotel in P.E.I. and the Howard Johnson in Saint John. He advised that both of these Hotel's had been told by the Equipment Supplier that the equipment was perfectly legal.

Councillor Snow questioned Mr. Oxner with regard to the regulations for extending cable service. Mr. Oxner advised that the applicant must have Municipal Sewer and Water and must be within 150 feet of the Cable passing the house. He further advised that the Cable Company cannot refuse to give them service because they are more than 150 feet back from the property line but they should be sharing the costs.

Councillor Snow advised that it appears some homes in his district which are only 150 feet from the road have been missed by the Cable while others a greater distance from the main line have received the service. An example would be the service in Grand Lake; apparently at least 50 homes on the way to Grand Lake do not have Cable while Grand Lake does.

Councillor Larsen questioned whether the area from the Peggy's Cove turn-off back toward Halifax on the Number 3 Highway would be serviced by Mr. Don Keddy who has the license for CanCom. Mr. Oxner advised he had a meeting with Don Keddy just last week and advised that Don Keddy would be building the St. Margaret's Bay System within two months. He advised that Mr. Keddy is aware of this small stretch. However, they are going to serve the more densely populated area first, then they will look at the more sparsely populated area and serve part or all of it depending on how much is financially feasible.

Councillor Larsen questioned whether the regulations governing CanCom Service would be different than those for other services, since CanCom is a Rural Service.

Mr. Oxner advised that CanCom is for remote and underserved communities; however, in this instance, he advised that Mr. Keddy has been licensed to provide that service by Cable Television. Since this is the case, he is stuck with the same criteria, at least 45 subscribers per mile to make it financially feasible.

Mr. Oxner discussed with Council at length the illegal use of privately owned Earth Stations. He advised that the license should be obtained through the Department of Communications and not the C.R.T.C. However, there are strict regulations which govern the licensing of these dishes. He advised that the suppliers of the Dishes are selling them to people knowing they are illegal and he felt that something should be done at the supplier level rather than waiting until someone pays a great deal for one and then is told by the C.R.T.C. or the D.O.C. that they are operating illegally.

Councillor Mont questioned what the consequences would be if one were to purchase a Dish for his backyard and then split the cost with his neighbours rather than selling them the service. Mr. Oxner could not answer this question but reiterated that the Dishes are illegal if they are installed without authority of the Department of Communications and further that the Department of Communications can not grant the authority to receive U.S. Signals at the present time.

Mr. Oxner advised with regard to the applications to extend from Enfield through to Stewiacke, that a license was granted two years ago to a Mr. Terrance Power to extend Cable Television Service to that area. He advised that the C.R.T.C. did run into many problems, the service did not get implemented and the license was taken away from Mr. Power. However, other applications were invited and five were received. One withdrew and now there are four applications, one from Metrovision to extend their present service right through to Lantz. The other three are proposing to service from Wellington through to Stewiacke. Two of the applications are for CanCom Service and two are for conventional service; these applications will be considered at the Public Hearing in Fredericton starting on the 15th of February. He advised that the intervention date is January 26th, if anyone would like to express their comments.

Councillor Adams questioned the status of ATV II and what areas would receive this signal. He was advised by Mr. Oxner that ATV II is a service being provided by ATV and will be significantly different from the present service at ATV I and will be available to all Cable Subscribers only, throughout Atlantic Canada via Satellite and should be in operation sometime in April or early May.

Councillor MacDonald questioned Mr. Oxner as to the possibility of extending cable to Upper Sackville; he asked what information would be required for the C.R.T.C. to do a survey in that area.

Mr. Oxner advised that a sketch or small map should be made of the area, showing where the service of Metro-Vision ends, the streets involved in the area not serviced and the number of miles where cable would be extended down those streets or lanes. As well, the number of homes that are in the area should be included. Also a petition which showed the number of people willing to subscribe would be helpful.

Subsequent to the above, Councillor MacDonald thanked Mr. Oxner for his attendance at this evening's Council Session.

Mr. Oxner was invited to remain in attendance while Council completes the remainder of its agenda; then he could display his maps to all Councillors subsequent to the Session.

SUPPLEMENTARY AGENDA

Council agreed to deal with the Supplementary Agenda at this time.

Proposed Lease Agreement

Mr. Meech outlined a memo in the Supplementary Agenda in regard to proposed premises for the Water, Sewer and Maintenance Department. The memo read:

"As the need had been established for a permanent facility for the Municipal water and sewer maintenance operations, suitable premises in the former MacCulloch Building has been identified and favourable

leasing arrangements were negotiated. Approval of this lease was deferred by Council until another available property in the area was investigated by staff to determine the suitability of the other property. The alternative property located at the intersection of the Cobequid Road and Glendale Drive was visited by Engineering Staff and as a result the MacCulloch Building was determined to be much more suitable for the intended use than the Cobequid Road property.

If the space in the MacCulloch Building is not leased, the alternatives would be to lease unsatisfactory space at a greater cost or to construct a facility to meet the requirements at an estimated capital cost in the order of \$90,000.00 with the maintenance functions having to continue to operate under restricting conditions until the alternative arrangements are completed.

Whereas the MacCulloch Building offers space which is more suitable for intended use, more accessible for vehicular access, more flexible for accommodating the future needs of other departments or agencies, and somewhat less expensive than the space at the Cobequid Road site, it is recommended that the space in the MacCulloch Building be leased."

Please note that the difference in price between the MacCulloch Building and the other site investigated was \$16,200. per year versus \$16,800 per year.

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

"THAT staff be authorized to lease the space in the MacCulloch Building, Sackville for a two-year term at a cost of \$16,200.00 per year, for the water and sewer maintenance Department."
(See Motion To Amend).

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

"THAT the MacCulloch Property in Sackville be leased for the water and sewer maintenance Department for a one-year period."
Amendment Carried.

The above amendment was put on the floor on the basis that there may be Municipally-Owned property available within a year's time, and being tied to a two-year lease could prohibit the Department from moving into this space.

Subsequent to the passing of the above amendment, the question was called on the motion as amended.

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

"THAT staff be authorized to lease the former MacCulloch Building in Sackville for a one-year term at a cost of \$16,200. for the Engineering water and Sewer Maintenance Department."
Motion Carried.

Mr. Meech advised that Staff would have to go back to the owner of the MacCulloch property and re-negotiate under these new terms; he would report back to Council, although he did not anticipate any problems with these new terms.

Councillor MacKay also offered the criticism that the Municipality did not advertise when it was looking for a building for the Depot to relocate to. He felt that a better price and possibly location could be found for the Municipality's future requirements if public advertising is done.

This was taken under advisement by Staff.

BUILDING INSPECTORS REPORT

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

"THAT the Building Inspector's Report be received and the Application for lesser side yard clearance contained therein be approved: Application for lesser side yard clearance of 7.13', Lot 3, J. Moir Subdivision, Waverley, Applicant Ron Pickrem."
Motion Carried.

SUPPLEMENTARY MANAGEMENT COMMITTEE REPORT

It was agreed by Council that the Supplementary Management Committee Report be received.

Property Tax Exemption - 1983

Mr. Kelly outlined this item as follows:

Under the Municipal Act, Section 136(A) tax exemption may be granted to the following persons:

- a) a widow or widower;
- b) 65 years of age or over;
- c) who is the head of a single parent family supporting a dependent within the meaning of the Income Tax Act (Canada).

Our regulations for property tax exemption requires that the property be owner occupied and that the total annual income of all family members residing in the same household shall not exceed \$6,500.

For the year 1982, 500 applications were processed with a total property tax exemption of approximately \$75,000.

The Management Committee having considered the property tax exemption for 1983 recommend to Council, an exemption of 1983 property taxes to a maximum of \$200. for owner occupied properties where the income for the year 1982 of all family members residing in the same household has not exceeded \$6,500."

It was moved by Councillor DeRoche, seconded by Councillor Snow:

"THAT property tax exemption in the maximum amount of \$200 be granted to persons who meet the eligibility requirements, for owner occupied properties where the income for the year 1982 of all family members residing in the same household has not exceeded \$6,500." (See Motion to Amend).

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

"THAT the property tax exemption be provided to owner occupied properties where the income for the year 1982 of all family members residing in the same household has not exceeded \$7,000."
Amendment Carried.

The above amendment was carried subsequent to lengthy debate in Council.

The question was then called on the motion as amended.

It was moved by Councillor DeRoche, seconded by Councillor Snow:

"THAT the property tax exemption in the maximum amount of \$200 be granted to persons who meet the eligibility requirements, for owner-occupied properties where the income for the year 1982 of all family members residing in the same household has not exceeded \$7,000."
Motion Carried.

ADDITION OF ITEMS

Items to be Added to Agenda of Next Council Session - Councillor MacKay

1. Report that had been circulated to all Councillors regarding recreation and community facilities property;

Mr. Kelly advised that this particular item would be coming back to the Management Committee at the January 27, 1983 Meeting and it would be up to the Committee at that time to make a recommendation to Council at the next February Session. It would then have to be in the form of a Supplementary Item.

Councillor MacKay agreed with this procedure.

2. Report From the Metropolitan Authority, Re: the status of the Correctional Centre.

Letter to N.S.H.C. - Councillor MacDonald

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

"THAT a letter be written to the Nova Scotia Housing Commission requesting the earliest date when the Mobile Home Subdivision, Phase 12, Sackville, will be available for occupancy."
Motion Carried.

ADJOURNMENT

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

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

Therefore, there being no further business, the Regular Council Session adjourned at 8:35 P.M.

MINUTES & REPORTS

OF THE

FIRST YEAR MEETINGS

OF THE

FORTY - FIRST COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

FEBRUARY COUNCIL SESSION

TUESDAY, FEBRUARY 1 and 15, 1983

&

PUBLIC HEARING

FEBRUARY 14, 1983

&

SPECIAL SESSION OF COUNCIL

FEBRUARY 3, 1983

SPECIAL SESSION OF COUNCIL

FEBRUARY 3, 1983

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Margeson
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor MacKay
Councillor McInroy
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. Robert Cragg, Municipal Solicitor
Mr. Ed Mason, Director of Social Services
Mr. John Morrison, Administrator of Oceanview Manor
Mr. Percy Baker, Administrator of Halifax County
Rehabilitation Centre
Mr. George Richards, Halifax County Rehabilitation
Centre
Mr. McNeil, Social Services
Mr. Ken Wilson, Director of Finance

SECRETARY: Christine E. Simmons

OPENING OF SPECIAL SESSION - THE LORD'S PRAYER

Warden MacKenzie brought the Special Session of Council to order at 7:05 with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

BUDGETS OF SOCIAL ASSISTANCE AND HOMES FOR SPECIAL CARE

Warden MacKenzie advised that this Special Session of Council had been scheduled to deal with the Social Assistance Budget and the Budgets of The Halifax County Rehabilitation Centre and Oceanview Manor.

The Warden then introduced representatives of the above named Department and Facilities who were in attendance for the budget presentations, as follows: Mr. Ed Mason, Director of Social Services; Mr. John Morrison, Administrator of Oceanview Manor; Mr. Percy Baker, Administrator of the Halifax County Rehabilitation Centre; Mr. George Richards, Halifax County Rehabilitation Centre; Mr. McNeil, Social Services and Mr. Ken Wilson, Director of Finance.

Halifax County Rehabilitation Centre

Mr. Percy Baker and Mr. Richards came forward to advise Council of the Budget situation with regard to the Halifax County Rehabilitation Centre.

Mr. Baker referred to a comprehensive information sheet which had been distributed to all Councillors. (Please refer to this sheet for detailed information).

In addition to reviewing this information with Council, Mr. Baker reviewed the background of the Rehabilitation Centre advising that today, through Government and County Support, it was a fine facility with much better care for its residents (patients), than it had been when it had first been turned over to the Department of Social Services from the Department of Health. He indicated that people from larger Metropolitan areas have implemented the policies of the Rehabilitation Centre in their own facilities and he advised that it is recognized as the best facility of its kind in North America due to the efforts of devoted staff.

Mr. Baker advised that due to a decrease in funding from the Provincial Department of Social Services, and increased costs in running the facility, it is expected that there will be a deficit in the 1983-84 fiscal year of at least \$565,052.

He indicated that three proposals had been formulated by the Board of the Rehabilitation Centre to reduce the expected deficit by approximately \$559,000, as follows:

1. Lay-Off thirty-one staff members, 28.5 Direct Care Staff and 2.5 Service Staff.
2. Impose a surcharge on Other Municipalities which have patients in the Facility.
3. Combination of Staff Layoff (fifteen) and surcharge.