

Mr. Kelly read a letter from the Department of Agriculture and Marketing, Truro and indicates the spraying program had been carried out in other parts of Nova Scotia but not in Districts 12 and 13.

It was moved by Councillor Reid and seconded by Councillor Gaetz:

"THAT this item of correspondence be received and further that the suggestion made in the letter to contact the Policy Board to the attention of the Hon. M Pickings with regard to the recommended mode of roadside spraying."
Motion Carried.

Mr. Kelly stated three letters had been received, one from the Dartmouth General Hospital, one from the Sheet Harbour Bicentennial Committee and one from the Antigonish-Eastern Shore Tourist Association acknowledging the grants from the Municipality.

It was moved by Councillor Bayers and seconded by Councillor Gaetz:

"THAT these three pieces of correspondence be received."
Motion Carried.

Mr. Kelly indicated he had a letter from the Nova Scotia Union of Municipalities with regard to the annual meeting which will be held at the Nova Scotian Hotel September 19-22 advising the voting delegates are entitled to five (5) which must be submitted to the Union office no later than August 24.

It was moved by Councillor MONT and seconded by Councillor DeRoche:

"THAT Warden MacKenzie appoint the delegates and the alternates to attend the annual conference."
Motion Carried.

It was agreed to bring forward the names of delegates and alternates for the Annual Conference of the Union of Nova Scotia Municipalities at the next regular session of Council.

Mr. Kelly advised he had a memo addressed to the Warden and Council members re: the United Way Board of Directors appointment and Councillor Snow had indicated his necessity to resign from the Board.

Warden MacKenzie indicated this had been discussed at a prior session of Council and a former representative, Mr. Bernie Murphy who had been the representative for the Municipality for a number of years had been suggested as a Board member. Mr. Kelly indicated that Mr. Murphy had resigned as a result of other commitments he had and would be unable to participate for the present year.

It was moved by Councillor Margeson and seconded by Councillor Poirier:

"THAT Councillor Snow's resignation from the United Way's Board of Directors be accepted."
Motion Carried.

Warden MacKenzie inquired if a new appointment would be necessary this evening. Mr. Kelly indicated it would not be necessary to make the appointment this evening and this could be done shortly. Warden MacKenzie asked if the United Way campaign would be starting shortly. Mr. Kelly indicated he felt it would and was requested to add this to the next agenda. Warden MacKenzie requested Council members to give this item some consideration.

Mr. Kelly indicated he had circulated a letter from Cox, Downie, and Goodfellow regarding the proposed amendments to the zoning by-law affecting Moser's Island in Glen Margaret and copies of this letter had been circulated prior to the council session.

Councillor Larsen indicated he felt it was with regard to item 10 on the agenda, and the appeal period was not expired until August 9, and this item would be deferred until August 21 and further requested Council to have this letter available at that session.

PLANNING ADVISORY COMMITTEE REPORT

Plan Amendment--Eastern Passage/Cow Bay/Ocean View Estates Mobile Home Park

Mr. Kelly indicated it was recommended by Committee that Council adopt the three points of clarification outlined on the attached sheet (staff report) and indicate its intention to the Minister, by way of written correspondence.

It was moved by Councillor Deveaux and seconded by Councillor Mont:

"THAT Council adopt the three points of clarification as outlined in the staff report and forward its intention to the Minister by way of written correspondence."
Motion Carried.

BUILDING INSPECTOR'S REPORT--SUPPLEMENTARY AGENDA

Lessor Setbacks

Mr. Kelly indicated it was recommended to Council to approve applications for lessor setbacks for Dennis Dube of West Lawrencetown. It was indicated in the report the application was for a lessor setback of 22.9 feet located at lot 4, the lands of Lyla Pearl Slauenwhite, West Lawrencetown as a result of beach erosion.

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

"THAT the request for a lesser setback of 22.9 feet located at Lot 4, lands of Lyla Pearl Slauenwhite, West Lawrencetown, be approved by Council."
Motion Carried.

Mr. Kelly indicated there was an application for a lesser setback of 28.1 feet from Mr. John Walker due to a misjudgement of the survey plan. The lot is located at lot 27, Frame Subdivision, Waverley.

It was moved by Councillor DeRoche and seconded by Councillor Gaudet:

"THAT the application of Mr. John Walker for a lesser setback of Lot 27, Frame Subdivision, Waverley be approved by Council."
Motion Carried.

MUNICIPAL PLAN COMMITTEE REPORT

Mr. Kelly indicated at the Municipal Plan Committee meeting July 19, 1984, the following motion was recommended to Council for approval concerning the water contamination problems in District 5. The motion states: That a study by a professional consulting firm be commissioned to recommend alternative solutions to the uranium contamination and sewage disposal problems in the communities of Harrietsfield and Williamswood dependent upon the cost-sharing with Environment, Health, and other Provincial Agencies.

It was moved by Councillor Mont and seconded by Councillor Larsen:

"THAT Council adopt the motion recommended by the Municipal Plan Committee stating: That a study by a professional consulting firm be commissioned to recommend alternative solutions to the uranium contamination and sewage disposal problems in the communities of Harrietsfield and Williamswood and dependent upon the cost-sharing with Environment, Health and other Provincial Agencies."

Councillor Margeson indicated he had no problem with the motion, but wondered if there was a standing committee in place to test water at various levels in each well. It was further indicated when uranium and other heavy metals were being found in water supplies the standing committees at the Department of Health and other Departments were put in place to make an assessment and the best to his knowledge there was no report and requested a preliminary report to learn if there are differences in mineral levels and bacteria at various levels of dug and drilled wells. Councillor Margeson indicated he would like an answer to this question.

Warden MacKenzie indicated this study was being recommended providing there was cost-sharing with Environment, Health and other Provincial Agencies. Councillor Margeson indicated the County would be a portion of those other agencies.

Mr. Meech stated there had been some data collected at least in one case throughout the Province and there was also some data indicating in dug wells you don't get the presence of Uranium or arsenic to the extent it is present in drilled wells. However, the subject which was raised whether or not the concentration was different at different levels, to my knowledge, there has never been any data collected on that topic. Mr. Meech did state he felt this topic had been raised prior to this and there was a response from the County's own professional engineering staff but did not recall the response.

Mr. Meech indicated that County staff had put together some figures on the cost of installing centralized services for this whole area for both water and sewer and in fact the estimate was in the range of \$35 or \$40 million, a figure well beyond the capacity of the Municipality or the Province to accommodate. He further stated what was intended by this resolution is to develop more detailed data as to where the problem areas are and whether or not there are other less expensive solutions such as Councillor Margeson has pointed out, or whether in fact we should be looking at putting in small centralized systems for densely populated subdivisions. Mr. Meech further advised Council members it was not just a water problem, but that some people are indicating they are beginning to have some difficulty with their on-site septic tanks and disposal beds.

Mr. Meech stated it would seem if Council is prepared to endorse this recommendation from the Municipal Planning Committee the next thing to be done at the staff level is to develop some terms of reference and get some idea regarding what steps must be taken, what costs are involved and make application to the various Provincial Agencies to see what kinds of monies are available to undertake such a study.

Warden MacKenzie inquired how much time was put on this previous study by our own staff coming forward with the report which was referred to. Mr. Meech indicated it basically looked at one solution, the centralized sewer and water system with appropriate waste water treatment for the entire area. He indicated a fair amount of time had been spent on the project in order to clarify the cost was well beyond the capability of the County to implement. Mr. Meech further indicated it had been suggested for a great length of time the next step would be to try to break down the problem and identify whether or not there are other types of less expensive solutions which may be examined and try to address the more pressing problems in the total area.

Councillor MacKay indicated his understanding of the present report and the resolution was that alternate solutions would be looked at and reviewed and one of these may be a waste water treatment system rather than centralized water and sewer. Councillor MacKay stated he was aware promises had been made in the past that 85 per cent of the centralized water and sewer systems would be financed by the Province and he was not aware if this was still in effect. Councillor MacKay stated he felt this project was beyond the financial capability of all parties that would be involved and what is being looked at here is alternate sources. Councillor MacKay stated there were two devices on the market presently which would remove arsenic from water and a motion had been put forth by himself stating homeowners would be subsidized up to a maximum amount per unit for the extraction of arsenic from the waters and there is arsenic also in this geographic area, and rather than be faced with putting in costly central services. Councillor MacKay indicated this resolution was overwhelmingly defeated and the rationale behind this was the statement: "water was not a Municipal responsibility".

Councillor MacKay reiterated he would not be able to support the motion prior to seeing a report come back to Council as soon as possible with a proposal and the potential cost sharing there is if any available from the Environment or Health or other Provincial agencies.

Councillor MacKay stated it was his feeling this item should be referred to committee to be studied and to come back to Council with a report.

Councillor DeRoche stated there were two different problems identified, one being contamination of water supply by uranium and that is principally in areas there is a fair amount of overburden over the granite. This is and has been for some time a matter of determination and study by the Provincial Department of Health on a wide basis throughout the County and the Province. Councillor DeRoche further indicated there was a standing request in with the Department of Health for a copy of the report when it is available, however, it has not been forthcoming. Councillor DeRoche stated Mr. Peter Casey, who is the Engineer in charge of the study is still proceeding in that respect. Councillor DeRoche indicated there was a sewage disposal problem which has to do with a matter that originated some time before joining the Council and has to do with the trailer court in that area and subsequent to that the fact the individual sewage disposal systems in the Williamswood area have reached their saturation point. Councillor DeRoche further advised Council these disposal systems are flowing into the ditches alongside the road. The residents and members of the Public Participation Committee for the area concerned are well aware of the report that has been prepared by the County's Engineering staff and the cost factor, which in 1982 projected the costs at \$38 million for which presumably the MLA for the area who also happens to be the Premier, had indicated it was his intent to obtain 85 per cent funding assistance with respect to the costs, however, this was prior to the cost figure being provided. However, this is a very serious problem which appears in that area and the Public Health Inspectors for the Atlantic Health Unit have tested those systems and found 60 to 65 per cent of them as being a prpo-problem.

The residents and the members of the PPC for District 5 have, for one reason or another, apparently chosen to discount the County Engineering Staff report with respect to provision of Municipal services in that area on the basis of a number of items one of them being that they do not believe as much cost will be incurred for ditching as has been indicated in the report, and they reached that conclusion by virtue of the ditching the Province is completing in that area. They also feel there is more overburden there than our engineers estimate and therefore less need for blasting. As a result, they are not willing to wait for the provision of the report from the Department of Health, nor were they willing to accept the promises for action in the future-they want something done now or yesterday.

Councillor Deroche indicated when this item was discussed at the MPC level it did not reach unanimous agreement, and one of the suggestions which was put forth at that time was that the matter should be referred to and discussed by the urban area services committee because this is

an item of particular concern to that committee and especially as District 5 has been included within the realm of or jurisdiction of that committee. That again was not acceptable to the PPC for Williamswood and Harrietsfield and subsequently the resolution is before us this evening.

Mr. Meech stated his opinion would be to have this matter referred to staff or himself to have the terms of reference developed to clarify what will be studied. Mr. Meech stated regardless of the price if it was anywhere within the \$30 to \$40 million range it would not be feasible, however if the intent was to recognize that it is or is not feasible at this point in time and looking at other types of solutions, such as smaller centralized systems, then yes there is a need to move in that direction and examine those things.

Councillor Deroche stated it was the intent behind this motion that alternate solutions to the problem in addition to our engineering staff's study with one possibility being incorporating holding tanks with sewage being treated elsewhere.

Councillor Larsen confirmed the intent of the resolution was to assess other available options. One suggestion was to have two smaller water supply systems as opposed to one large system. The other comment is the reason the PPC are getting involved is because the outcome of such a study hinges very heavily upon what their plan will say because as it turns out they do not have a viable solution to the problem and they may be recommending no development in the area. Therefore, it is necessary for them to have some idea of, what is a viable development plan for the area, and until they know what the problems are and the solutions to those problems, they really cannot even scratch the surface or give recommendations that would carry much weight.

It was moved by Councillor Poirier and seconded by Councillor Gaudet:

"THAT this item be referred to Mr. Meech and to our Engineering Department for a report to come back to Council with their comments and any other information which is available."
Motion Carried.

EXECUTIVE COMMITTEE REPORT

Hilchie Property--Waverley

Mr. Kelly read the report indicating the Executive Committee recommend to the Council the Municipality accept ownership of this property, .28 acres in size, subject to the property being clear of all encumbrances with the exception of street paving.

It was moved by Councillor McInroy and seconded by Deputy Warden Adams:

"THAT Council approve acceptance of the Hilchie Property, located in Waverley, subject to the property being clear of all encumbrances with the exception of street paving."
Motion Carried.

Councillor Margeson inquired what the capital charges were for the street paving program. Mr. Kelly indicated they would be in the area of \$1,000.

Request for General Parkland Fund

Mr. Kelly read the report requesting General Parkland funds in the amount of \$10,000 for the Sackville Kinsmen Club for the purposes of developing and upgrading the Kinsmen Park. This request was recommended to Council for approval by the Executive Committee.

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

"THAT Council approve a request for \$10,000 from the General Parkland Fund for the purpose of developing and upgrading the Kinsmen Park." Motion Carried.

Request for Funds, General Parkland Fund--Marjorie Drive Park Playground Association

Mr. Kelly read the report requesting a grant from the General Parkland Fund in the amount of \$1,000 for the Marjorie Drive Park and Playground Association to provide for capital improvements to the Playground Park. This request was recommended to Council for approval by the Executive Committee.

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

"THAT Council approve the request for a grant of \$1,000 from the General Parkland Fund for the Marjorie Park and Playground association for capital improvements to the Marjorie Park and Playground."

REQUEST FOR DISTRICT CAPITAL GRANT--DISTRICT 3 & GENERAL PARKLAND FUND GRANT

Mr. Kelly read the report requesting a District Capital Grant in the amount of \$1,500 and a General Parkland Fund Grant in the amount of \$1,500 for the purpose of improvements to a multipurpose playing field located at Tantallon Woods Subdivision.

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

"THAT Council approve the request for a District Capital Grant and a General Parkland Fund Grant, both in the amount of \$1,500 for the purpose of improvements to a multi-purpose playing field located on County-owned property located at Tantallon Woods Subdivision."
Motion Carried.

Councillor DeRoche inquired if this was one of a number of grants which will be requested to upgrade this park as would seem to be indicated from the grant request. Councillor Larsen indicated it was the last of two requests.

REQUEST FOR DISTRICT CAPITAL GRANT--DISTRICT 9

Mr. Kelly read the report requesting a District Capital Grant for District 9 in the amount of \$6,000 for the purpose of assisting the Chezzetcook Volunteer Fire Department expand their fire hall. This request was recommended for approval by the Executive Committee.

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

"THAT Council approve a District Capital Grant in the amount of \$6,000 for the purpose of assisting the Chezzetcook Volunteer Fire Department to expand their Fire Hall."
Motion Carried.

Disposal of Portable Classrooms--District School Board

Mr. Kelly presented the report indicating the Executive Committee had received correspondence from the School Board advising eight (8) portable classrooms have been declared surplus and it was recommended by Committee the School Board be authorized to dispose of these classrooms.

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

"THAT Council authorize the School Board to dispose of the portable classrooms."

Councillor Mont amended the motion and was seconded by Councillor McInroy:

"THAT the School Board be required to dispose of the portable classrooms by way of a public tender and that one of these classrooms be made available to the Cole Harbour Boys and Girls Club provided they can come up with the additional funding required."

Councillor Walker indicated the school board had placed the tender notices already.

It was moved by Councillor Walker and seconded by Councillor DeRoche:

"THAT this matter be deferred and examined by the Executive Committee."

Councillor MacKay indicated he would have no difficulty in selling these units by public tender, but he indicated he did have two concerns.

He stated he agreed there may be potential for other uses and also inquired how well the school board had researched the fact they would not need these units in the future. Councillor MacKay asked if somebody from the School Board could address that inquiry.

Councillor Reid indicated he was concerned regarding the fact one of his constituents was interested in putting a bid in on the Portables and the tender closed August 10. He indicated there were no accommodations made for people to obtain application to tender on one of the buildings and was very concerned with the manner in which the whole matter had been handled.

Councillor Reid went on to say he did not realize how the tenders could be sold before the sale of the portable classrooms had been authorized. Mr. Kelly indicated this item was discussed by the Executive Committee in July and consequently the item did not come to Council. The School Board did have the impression the item was presented to Council at the July session. Mr. Kelly further indicated there was some urgency on the part of the school board to deal with this item and it was his intention they would proceed to call tenders and have a closing date after the present Council Session.

Councillor Reid was also concerned regarding the method of bidding on the Portable Classrooms which stated an application form from the County was required and it was difficult to provide these forms to his residents.

Councillor Wiseman indicated there was a report supplied to the School Board with regard to the portable classrooms and Council must be very clearly aware of the fact the eight portable classrooms that are becoming surplus to the School Board are certainly the eight worst portable classrooms owned in the County. Councillor Wiseman indicated she was very concerned the County may become too closely involved with these portable classrooms because there would be considerable maintenance costs involved and the cost of transporting those portables from the area they are now located in to the purchasers location. Councillor Wiseman further indicated she assumed the only urgency would be to get these classrooms out of the way.

Councillor DeRoche stated he had many of the same concerns expressed by the other Councillors with respect to the lack of information on this matter. He indicated the Community Organizations were definitely interested in procuring one of these classrooms, however, have had little opportunity to offer a bid on the property prior to August 10.

Councillor Gaetz stated he felt there was some urgency to have the classrooms moved as he did not want this decision of Council to interfere with the operation of schools and felt it would be difficult to move them during the school term.

Councillor Reid stated if this was referred to the Committee what would happen to the tenders which should have been accepted up to the date of August 10. Warden MacKenzie indicated the Executive Office would inform the bidders the opening date of the tenders would be delayed.

Councillor Mont indicated he agreed with the motion and would like to know why this was allowed to go to tender and most councillors were not aware of the fact these properties had gone to tender until late last

week and this should not be the way this type of item should be handled. He further indicated the School Board should not have proceeded without the permission of Council.

Councillor Deveaux indicated the deliberations of the decision to dispose of the portable classrooms may have been somewhat hasty, however, Council should not expect to receive high revenues from the sale of these properties and further that to move these classrooms is very costly and may cost from \$1,500 to \$2,000.

Councillor Deveaux further stated if the Councillors have any organizations interested they should make this known as soon as possible to the Executive Committee so the issue can be dealt with in the hope the matter can be dealt with prior to the end of the summer.

Warden MacKenzie stated he was concerned if the Municipality would get any return from the portable classrooms, however, his feeling was different at this point and he would not be so concerned if there were any revenues forthcoming from this tender.

Motion Carried.

Report: Recovery of Sidewalk Construction and Maintenance Costs

Mr. Kelly presented the report indicating the Executive Committee received a report respecting recovery of sidewalk construction and maintenance costs. It was indicated the report was recommended to Council with approval with the following changes: the six recommendations include: recovery should be on an area rate with a study to review general rate options; the Committee stated its recommendation the recovery be on an area rate. Recommendation 2 and 3 were recommended without any changes. Recommendation 4 stating interest should be charged on the capital cost of the loans outstanding at the rate the County could earn if the funds were invested in short term deposits. The Executive Committee recommend Recommendation 4 be altered to read: no interest should be charged on the loans outstanding. Recommendation 5 would delete the words "and the interest" and should therefore read: the area rate should be sufficient to recover a portion of the principal and the yearly maintenance of the sidewalks. Recommendation 6 stated the rates should apply to the community and the Committee recommend no change to this guideline.

It was moved by Councillor Walker and seconded by Deputy Warden Adams:

"THAT Council approve the staff report with the changes as noted below:

1. Recommendation 1. states Recovery of costs be on an area rate.
2. Recommendation 4. states No interest be charged on the loans outstanding.
3. Recommendation 5 deletes the words "and the interest".

Councillor MacKay indicated he had a couple of concerns and he indicated he was concerned regarding the interest charges and wanted to know what the potential was for these costs. Councillor MacKay stated he was particularly concerned if the loans had to be funded externally. Councillor MacKay stated he was also concerned with the motion which stated the area rate should be applied to the community. He indicated this would not necessarily be an equitable arrangement for all of the Councillors. He further indicated in one example on First Lake Drive where sidewalks had been requested, it was going to be a very difficult proposition as landscaping had been completed down to the curbs and telephone poles would have to be removed and therefore, the developer should be requested to provide these walkways when the subdivision is first being built. He further stated he would like to have a full report made on this matter.

Councillor McInroy indicated he agreed with Councillor MacKay and further that Council should look into something beyond what this particular report covers however, for the time being this report be adopted in an amended fashion.

Councillor McInroy amended the motion and was seconded by Councillor Mackay:

"TO AMEND the motion to read that interest be included in Recommendations 4 and 5."

Councillor Poirier stated the intent of the motion carried by the Executive Committee was that the report be submitted by Mr. Wilson this evening.

Mr. Meech stated it was his understanding of the proceedings that Councillor McInroy is suggesting that in the actual motion which has been recommended from the Executive Committee that it be amended to provide for what was in the staff report regarding this item.

Councillor Wiseman indicated one of her concerns at the committee level was the fact that more information was necessary as to the implications of the recommendations being carried with the County paying the interest for these loans. Councillor Wiseman also stated if the County in general starts to pay the interest from the loans a precedent will be established and the Municipality may will have to pay the interest on other loans as well and there would be no reason to refuse to pay this interest.

Councillor MacKay asked for a point of clarification regarding Councillor McInroy's amendment. Councillor MacKay inquired if Councillor McInroy's amendment was to include the recommendations of Mr. Ken Wilson with respect to items 4 and 5. Warden MacKenzie indicated that was correct.

Councillor Reid stated the recommendations of Mr. Wilson were discussed individually and it was not the motion that the interest not be charged on loans for sidewalks in the various communities. It was also noted at the time the reference to interest in recommendation 5 would also be

excluded. Councillor Reid indicated he had requested at that time if this could be looked at in respect to fire department loans, recreation loans, which was done and in his report dated August 1, he indicated the County would be paying interest on 2.5 million dollars and this would be excessive. Councillor Reid indicated upon having this information, he would have to vote in favour of the amendment.

Councillor Reid further stated he would like to see a recommendation included which would state as long as there is a surplus and parts of it are being used for the individual community problems and loans, that a small amount of interest be charged, in the vicinity of five per cent. Councillor Reid further stated he felt once the surplus funds were exhausted the old method of paying for interest should be utilized once again.

Councillor Margeson inquired if there were general capital funds which were not being used, then, where is the interest for those funds being spent. Mr. Wilson stated that interest was added back to the general capital funds as it was laid down by a policy from Council two (2) years ago. Councillor Margeson suggested a period of forgiveness be instituted. He further indicated he felt the area rates for sidewalks should be spread over twenty (20) years. He further stated if the sidewalks were financed over twenty years then a ten year forgiveness period could be set up and interest at the regular rate could be paid for the remaining ten years.

Mr. Wilson indicated to Council that if payment is set up over a twenty year period, it must be funded through the MFC which is the finance corporation of the province which in turn means it is necessary to float a current bond issue. The current bond issue rates are 14.3 per cent so that means if you build sidewalks and have repayment of the funds set up over twenty years the funds are procured through means of a bond issue.

Councillor Margeson indicated it was his preference that the sidewalks were funded over ten years with no interest based on this information.

Warden MacKenzie inquired if considering the large number of sidewalks now being installed and the fact that loans may be given out with no interest for a period of years it could be very conceivable that the Municipality could use all its surplus funds.

Councillor DeRoche stated speaking on the amendment, the practice over the past number of years for sidewalks was that when sidewalks were installed they were paid for by the Districts individually and this payment included the interest as well over a period of five years. Councillor DeRoche further advised Council if the Districts were interested in having sidewalks installed, they should be willing to pay both the principal and the interest whether it is internal funds or if they can pay for them independently. Councillor DeRoche voiced concern regarding the fact that asphalt sidewalks do not typically have a life span of more than five years and if the funding is secured over ten years the maintenance of these sidewalks may in fact be three times the cost of the original walkway.

There was further general discussion regarding this matter.

It was agreed by the mover and the seconder of the amendment that the words "as determined" be added to the end of recommendation #6.

Amendment Carried.
Amended Motion Carried.

Request for District Capital Grant--District 11

Mr. Kelly presented the report requesting \$300 for the Sheet Harbour Fire Department Property for the purpose of landscaping. This request was recommended to Council by the Executive Committee.

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

"THAT Council approve a District Capital Grant for District 11 in the amount of \$300 for the purpose of landscaping the Sheet Harbour fire Department property."
Motion Carried.

Amendment--Tax Exemption By-Law

Mr. Kelly presented the report on the Tax Exemption By-Law indicating two requests, one from MacDonal House Associates and the second from the Board of Directors, Jack and Jill Daycare and Pre-School Associates requesting tax exemption. This request was recommended by the Executive Committee to Council for approval.

It was moved by Councillor Bayers and seconded by Councillor Gaetz:

"THAT the tax exemption by-law be amended to include these two organizations."
Motion Carried.

It was agreed to amend the motion to specify the exemption for the Jack and Jill Day care would be for Business Occupancy Taxes only.

Councillor MacKay indicated he had received a copy of a letter which had been forwarded to Mr. Kelly from the SacaWaugh organization in Sackville with regards to a clubhouse and wanted to know if that matter was also dealt with. Mr. Kelly indicated when he had received the letter he had followed it through he found the organization was not assessed for the property this year.

NOTICE OF MOTION BY COUNCILLOR LARSEN

Councillor Larsen indicated he would not be making a motion as it would be premature as the Municipal Board has not yet made a decision and;

It was moved by Councillor Larsen and seconded by Councillor DeRoche:

"THAT this matter be deferred until the August 21, Regular Council Session."
Motion Carried.

GRANT OF EASEMENT FOR CHEZZETCOOK FIRE DEPARTMENT

Warden MacKenzie inquired if Mr. Cragg had an easement for the Chezzetcook Fire Department to be brought before Council. Mr. Cragg stated it was an easement which has been requested by the Chezzetcook Volunteer Fire Department through Councillor Gaetz and deals with a sewage disposal system which is situated on property directly next to lands owned by the Municipality. He further indicated the system flows from the Fire Hall over the property of the Municipality to the School and therefore a previously revised easement agreement has been revised. Mr. Cragg further advised it would be proper for Council to approve execution of this agreement by the Warden and the Municipal Clerk.

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

"THAT an easement be granted to allow the disposal system for the Chezzetcook Volunteer Fire Department to cross over the lands of the Municipality."

Motion Carried.

EMERGENCY ITEMS ADDED TO THE AGENDAIRDP--Councillor MacKay

Councillor MacKay stated as Council was aware at the Industrial Commission meeting on Wednesday of last week there was some information that would suggest that Halifax County was taken out of Tier "1" and placed in Tier "2" as far as the IRDP Tier Groups are concerned by DREI. (IRDP--Industrial & Regional Development Program) It was also stated that possibly the information received was not accurate at that time, however since then there have been articles in the media to the contrary from reliable sources. Councillor MacKay stated this would put the Industrial Commission of Halifax County in the unenviable position as being lumped in the same regional geographic area as the City of Halifax and the City of Dartmouth who have a very low unemployment rate and a healthy financial tax base. Councillor MacKay stated he did not feel Halifax County was in the same position and there are areas of our county where unemployment could be ranged in the area of 40+ per cent. He further stated he did not feel the County was reasonably treated.

Councillor MacKay further stated that at the Industrial Commission level a short time ago, in conjunction with the Eastern Shore Development Commission, was trying to provide statistics to justify placing Halifax County, or at least portions of it, should be assessed as a Tier 3 group which would allow industries to qualify for higher levels of funding and instead of leaving the County at the Tier 2 level or adjusting it to Tier 3 the County had been moved to the Tier 1 group which cuts off all funding for any eligible companies who may be willing to locate in the County.

It was moved by Councillor MacKay and seconded by Councillor Bayers:

"THAT Halifax County Council write to the Hon. Mr. Lumley, imploring him to give the County an audience and consideration to put Halifax County, excluding the City of Halifax and the City of Dartmouth, back into Tier 2 on an immediate basis and consideration be given to placing the County of Halifax in Tier 3."

Warden MacKenzie stated he had a letter which was written to Mr. Lumley on July 4, from his office with regard to that subject and had stated in that correspondence "word has reached this office that your ministry is currently considering changing the Tier Group 2 status of Halifax County which includes the Cities of Halifax and Dartmouth to Tier Group 1. If this information is correct we ask that officials of your Ministry carefully consider the ramifications of such a change in status to Halifax County, and particularly to industry seeking to locate in the County. Halifax County should in fact be considered separately from the large central metropolitan cities of Halifax and Dartmouth since it is largely rural in structure with similar problems in unemployment as other rural Counties of Nova Scotia, Hants, Cochester, Annapolis, all in Tier Group 3. Although we are not asking that Halifax County be placed in a Tier Group 3 position, we are asking that it remain in Tier Group 2.

Councillor Margeson inquired if an answer had been received as yet. Warden MacKenzie indicated he had received an answer acknowledging the letter and it stated the correspondence will be brought promptly to the attention of the Minister.

Warden MacKenzie further stated he was very disappointed that there have been communications coming back to the Provincial people and to other persons and at the County level we have not received any response to our request. Warden MacKenzie further advised Council the communication to the Department of Development was copied to approximately fifteen or twenty people in the Department and there was no response to the County. Warden MacKenzie further indicated that he was in possession of a map showing all the counties and their tier Group rating and the majority of them are shown in Tier 3 or 4. He indicated that the only County shown in Tier 2 was Halifax County.

Warden MacKenzie indicated he took strong objection to this but was awaiting a response from the Minister, although he could appreciate Councillor MacKay's position.

Councillor MacKay stated in conversation with Mr. Denny, it was indicated to him another minister would be imploring Mr. Lumley to change the categorization of Halifax County. Councillor MacKay indicated that some of the information which was coming down was not completely accurate and the information Councillor MacKay had access to would indicate that Halifax County is now in Category 1.

Councillor MacKay indicated he felt that copies of those letters should be forwarded to the Hon. Mr. Regan and also all existing Ministers and candidates for the federal offices in Halifax County. Warden MacKenzie requested clarification on the letters to be sent to the ministers and candidates. Councillor MacKay indicated it would be his intention to forward copies of our letter being sent to Mr. Lumley. Councillor MacKay stated we were in the midst of a federal election and some person will be elected and feel that whoever it is who is elected should be notified of our position and of our desires.

Councillor Mont indicated his agreement with forwarding these letters to all ministers, elected officials, and candidates in the area and further he felt that the County should use this opportunity to try to put some pressure on those who are seeking election office at this time and get their support for this matter. He indicated he felt most definitely copies should be forwarded to all the people mentioned and as well to Mr. Mulroney as he may well be Prime Minister after this next election and maybe in a position to influence this decision.

Councillor Mont also advised Council it would appear obvious they have lumped all of the County in with Halifax and Dartmouth as an administrative matter. It is very clear to anybody who knows this Province that the Eastern Shore for many years has been a "have not" area of the Province and of the Country and it is only in the last year or two that efforts seem to be coming to fruition to bring some industry into the Eastern Shore. Councillor Mont further advised Council, rating the County as Tier Group 1 would definitely a step backwards and should be deplored and every effort should be made to rectify this situation. Councillor Mont further indicated he was in full support of Councillor MacKay's motion.

Councillor Bayers indicated he fully supported Councillor MacKay's motion and advised he had made a statement to that effect to the Eastern Shore Weekly and to stress upon the Minister's, candidates, and other involved officials the ramifications of this Tier Level Grouping and further that a rating in Tier Level 3 should be strongly considered if not at least maintain the Tier Level 2 rating which had already been given to the County.

Councillor Margeson asked if the Town of Bedford was deliberately left in the intent of the motion. Councillor MacKay indicated he was not in a position to speak for the Town of Bedford and therefore Bedford was not included in the motion. Councillor Margeson further suggested the words Tier Group 3 should be substituted for the words Tier Group 2. Councillor Margeson stated as we were writing to the Minister of the Crown, I don't feel any copies should be forwarded to anyone, however a paragraph should be inserted in the letter stating that if there is no response within ten (10) days the contents of that letter will be available to every candidate in this area. Councillor Margeson indicated he felt this may help the situation and ensure a speedy reply.

Councillor McInroy stated there was something important that Councillor Mont touched upon and that is rather than just ranting and raving, say we want something other than what you have given us, we should point out that the Department is dealing with Halifax County as an administrative area completely disregarding reality.

Councillor McInroy indicated he felt the person who stipulated the guidelines for Halifax County could not have any comprehension of the area and its economic situation. He further stated it would be impossible to compare the areas of the Metropolitan area with the Eastern Shore as they were no where near one another economically.

Councillor McInroy further stated it may be in the best interest of the Municipality to telegram the Minister to emphasize the urgency of the concern.

Deputy Warden Adams stated he felt there should be one part of Councillor MacKay's resolution which should be more specific, that being, the boundary area be established around the Metropolitan Cities and Town designating Halifax County separately to eliminate the blending problem of blending the economic statistics of the Cities and the County.

It was agreed to include this point in the motion.

Motion Carried.

CORE SHOW--COUNCILLOR MACKAY

Councillor MacKay indicated at the Industrial Commission Executive Committee meeting of Wednesday, August 1, there was some correspondence from the Eastern Shore Development Corporation requesting the County participate with them as an exhibitor in the upcoming CORE Show.

Councillor MacKay stated when the budget deliberations took place, there was \$15,000 in the Industrial Commission budget for participation in this show and this money was excluded during the budget deliberations. Councillor MacKay indicated the Industrial Commission did not intend to participate until this correspondence was received and now permission to participate was being requested.

It was moved by Councillor MacKay and seconded by Councillor Bayers:

"THAT the Halifax County Industrial Commission participate in conjunction with the Eastern Shore Development Commission in the forthcoming CORE Show to a maximum amount of \$11,000."

Councillor MacKay stated it was a very expensive venture to participate and have a booth and the proper facade at the CORE Show which was why this item was not included when the budget was under deliberation. Councillor MacKay indicated he was lead to understand it was the only one this year and may be number of years before there is another show. Councillor MacKay stated the Industrial Commission had received a quotation from an advertising company on preparing the booth which would promote the Aerotech Park, other parts of the County, and could be used on a number of occasions.

Councillor MacKay stated the question of funding had been addressed and Mr. Wilson had indicated funds could be drawn from the Restricted Surplus for Capital Purposes for the Industrial Commission which has approximately \$20,000 in the account at the present time and it would be deemed to be capital because it would be of a capital nature for capital purposes to attract industry.

Councillor Larsen inquired if the people from Burnside would be involved in the show. Councillor MacKay indicated many of the Municipal units throughout the Province do participate and last year just after the CORE show it was indicated Halifax County was conspicuous by our absence.

Motion Carried.

DISTRICT CAPITAL GRANT--COUNCILLOR MACKAY

Councillor MacKay indicated a request for a District Capital Grant for the Riverview Community Center and the Sackville Minor Baseball System to provide six sets of stands at a cost of \$147 each for a total cost of \$882 for District 16.

Councillor MacKay indicated there was some urgency with this request as the PeeWee Girls Softball Team will be hosting the Eastern Canadian Championships on the Weekend of August 25, 26 and they were not able to borrow stands as they had intended from the City of Halifax.

It was moved by Councillor MacKay and seconded by Councillor DeRoche:

"THAT Council approve a District Capital Grant in the amount of \$882 for the purpose of constructing six sets of spectators stands for the Riverview Community Center and the Sackville Minor Baseball System."

Motion Carried.

BUILDING PERMIT--TANTALLON--MR. MEECH

Mr. Meech indicated this item had arisen from a situation where some time ago an applicant had applied for a building permit to renovate an existing building and this building is situated on approximately 4,000 square feet of land and there were some concerns expressed by the surrounding residents. However, because it was renovations to an existing building it was covered under a grandfather clause and did not require a permit from the Department of Health. However, from surrounding residents it has become evident, and confirmed by the building inspectors, the old building appears to have been completely demolished and an entirely new structure is being completed and the original permit has been revoked by the Building Inspector. Mr. Meech indicated the construction is being completed fairly quickly and if some action is not taken the building will be almost completed by the time the court process is completed.

It has been suggested the Municipality could be in a position to apply to the Supreme Court for an injunction, however, that is not something provided for under the building by-law and staff do not have that mechanism available to them.

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

"THAT Council approve a resolution granting permission to the Solicitor for the Municipality to apply for an Injunction from the Supreme Court concerning the building Permit violation in the Tantallon area."

Councillor MacKay inquired if this type of action had been carried out on previous occasions. Mr. Meech indicated not since he had joined the county had an injunction been applied for and deferred to Mr. Cragg for further information. Mr. Cragg stated the County had applied for injunctions but not in these circumstances.

Mr. Cragg stated the initial application would be for an interim injunction which would only require two (2) clear days notice and it may possibly be heard at the end of this week.

Mr. Cragg indicated what the County would be seeking at this time was an extraordinary remedy which would provide for an interim injunction whereby the person carrying out the "renovations" would be ordered to stop all work on the premises until a further hearing of that matter can be undertaken which may be at some longer interval in the future.

Mr. Cragg further advised Council if the Court found in favour of the Municipality the interim injunction would become permanent and a further remedy would be requested to demolish the premises which have been constructed to date.

Mr. Meech stated the applicant was eligible to apply for a permit to renovate the existing structure and in fact be utilizing the existing on site services due to the fact this would not require Department of Health approval on the basis this is an existing structure, however, due to the fact what the applicant has proceeded to do is not renovate, but build a completely new structure, they are technically under the laws required to get all the necessary permits including the Health Permit and as a result of the activities now taking place there the Building Inspection Department found it necessary to revoke the original permit.

Councillor Walker inquired if the applicant was building on the same foundation. Mr. Meech indicated from conversation with Mr. Hefler it would appear that everything was new.

Mr. Cragg indicated the new structure was at least several feet larger on one side and possibly on more than one side.

Councillor Bayers asked if a permit for renovations had been issued. Mr. Meech confirmed this is what had taken place, however, when this new information had been brought forward the permit was revoked.

Councillor Bayers inquired to what extent can renovations be carried out on a particular building without being in violation of the by-law.

Councillor Larsen indicated this matter had been an ongoing concern for approximately one year and there is an appeal which would be heard August 14, under Section 38 of the Board of Health which was the appeal of a building permit which was revoked for a new structure on this property.

Councillor Larsen indicated the structure was at one time a boat house and it was converted to a cottage and now it is the intention to convert this dwelling to a full time residence. Councillor Larsen indicated the first application from the applicants was for renovations, the second for a building permit, and finally for the renovation permit which has recently revoked and everything on the site was torn down and the building has commenced from scratch.

Councillor Larsen indicated the person involved knows the consequences of this action and has refused to abide by the building inspector's order and are proceeding ahead with the idea of "I'll see you in court".

Mr. Meech stated the options open to Council include authorization of an interim injunction or to in fact leave it as it is and allow the solicitor to proceed with the normal prosecution which means it will be some time before any action is taken with the normal fine being in the vicinity of \$100. Mr. Cragg confirmed this and further stated there was provision for prosecution procedures whereby the Municipality can petition the Court to determine each day since the initial day the offense started could be determined as a fresh offense and the person would be fined accordingly, in other words a minimum of \$100 for each and every day.

Councillor Margeson inquired what would happen if the person purchased an additional piece of property. Mr. Meech stated if that took place and the applicant could get all the necessary permits then all actions would be withdrawn. Councillor Margeson inquired if the County knows if the applicant has purchased additional property. Mr. Meech stated he felt it was very clear from the information available the applicant does not have any additional property.

Councillor Deveaux indicated he did not see the urgency of this particular situation and indicated with the present information available to him he would have to vote against the motion.

Councillor Larsen indicated this property has been owned by the applicants for some time and it had been their summer home and were now interested in making this dwelling their permanent home.

Motion Carried.

Councillor DeRoche stated that a member of Council was celebrating a land makmark on August 8, and Councillor Deroche indicated he thought Council should extend congratulations on Councillor Wiseman's twenty-fifth wedding anniversary.

MUSQUODOBOIT EXHIBITION--COUNCILLOR REID

Councillor Reid indicated the dates of the Halifax County Exhibition were from August 15 to August 18. He further indicated the Parade was Wednesday afternoon in the vicinity of 1:30-2:00 p.m. Councillor Reid further stated the official opening of the exhibition grounds would take place at 8:00 p.m. that evening.

AMUSEMENT CENTER--COUNCILLOR LARSEN

Councillor Larsen indicated this item was with regard to a request to the Department of Consumer Affairs for a license to operate a theater or amusement place or outlet. Councillor Larsen indicated he had some concerns regarding this matter and some recommendations for this particular application and some views on how these applications should be handled in the future.

Councillor Larsen indicated the application had been received from Lutfallah Zakhour in Five Island Lake for a place of amusement. Councillor Larsen indicated the problem was the establishment has been operating for some time and a number of complaints had been received from parents. Councillor Larsen indicated he had contacted the Principal of Sir John A. MacDonald High School and was informed there was a problem however, it was not a large problem at this time although there was potential for it to increase.

Councillor Larsen indicated there was not a standard method to deal with the application, the Department is not concerned with the level of Municipal approval, RCMP are not contacted unless there are specific concerns, and Fire and Health Regulations are not considered as a matter of course, hours of operation are not of a concern, and the license is granted with stipulations the Municipality may desire. Councillor Larsen further indicated once the license is granted it is automatically granted annually.

Councillor Larsen further advised Council he had contacted the RCMP and found this area was a "hang-out" for underage drinkers and teenagers from the area. Councillor Larsen indicated the RCMP was not willing to release a report due to a recent incident at the premises. Councillor Larsen stated he had found out this incident did not occur on the premises, but was a party to celebrate the opening of the addition to the establishment.

There was further general discussion and Councillor Larsen indicated he had discussed this matter with the owner who was willing to work with Sir John A. MacDonald to rectify the absenteeism problem, he had a full time manager, and gave his hours of operation.

It was moved by Councillor Larsen and seconded by Councillor DeRoche:

"THAT the Municipality approve the application with the following conditions:

Hours of Operation: 12:00 p.m. to 11:00 p.m. Mon.-Thurs.
12:00 p.m. to 1:00 a.m. Fri./Sat.
3:00 p.m. to 11:00 p.m. Sundays

License application be annually reviewed and referred to the Municipality for approval prior to being granted.

Councillor Poirier inquired if it was possible to set times of operation as a condition of the license. Councillor Larsen indicated there were no hours on the permit application or the license application, however, on the license itself these hours will be written on the license as indicated by Mr. Smith of the Department of Consumer Affairs.

Motion Carried.

There being no further business the meeting was adjourned.

REGULAR MEETING OF COUNCIL

AUGUST 21, 1984

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Deveauz
Councillor DeRoche
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor Wiseman

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. Dale Reinhardt, Administrative Clerk
Mr. R. Cragg, Solicitor

SECRETARY: Ms. C. Lynn Weeks

CALL TO ORDER

Warden MacKenzie called the meeting to order at 6:20 p.m. with the Lord's Prayer

ROLL CALL

Mr. Dale Reinhardt called the roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT C. Lynn Weeks be appointed as recording secretary."
Motion Carried.

EMERGENCY ITEMS ADDED TO THE AGENDA

Councillor Gaetz requested that the topic of pollution in Chezzetcook Bay be included in the agenda.

Councillor MacKay requested the topic of Blasting be added to the agenda.

LETTERS AND CORRESPONDENCE

Mr. Dale Reinhardt read a piece of correspondence from the Hon. Mr. Ken Streach stating a report had been completed on providing lifeguard services at Stoney Beach and it was not deemed feasible to have that beach supervised and further that by having some type of supervision there would only attract swimmers and may result in additional accidents. It was also indicated in the correspondence that larger signs had been posted as a warning of the danger of swimming in that area.

Councillor Gaetz indicated he did not disagree with the rationale behind the decision, however, did not feel that the signs and the fact the beach was not supervised would not be an adequate deterrent and still felt strongly the beach should be supervised as there were other areas which could be considered to be dangerous and they were supervised.

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

"THAT Council receive this piece of correspondence."
Motion Carried.

REPORT OF THE PLANNING ADVISORY COMMITTEEParkland--Vantage Estates, Lawrencetown

Mr. Reinhardt read the report indicating the Planning Advisory Committee recommend to Council that Block "A" of the Vantage Estates Subdivision be returned to the developer and the Municipality accept a cash donation equal to five percent of the estimated assessed value of the lots formed be accepted.

It was moved by Councillor Gaetz and seconded by Councillor Lichter:

"THAT Council approve a resolution returning Block "A" of the Vantage Estates Subdivision to the developer and the Municipality accept a cash donation equal to five percent of the estimated assessed value of the lots formed."
Motion Carried.

Proposed Amendment to The Municipal Planning Strategy and Land Use By-law for Cole Harbour/Westphal

Mr. Reinhardt read the report indicating a request had been received proposing an amendment to the Cole Harbour/Westphal Municipal Planning Strategy to accommodate existing mobile homes in the services area. It was indicated by PAC their recommendation was to reject the application and that no public hearing be held.

It was moved by Councillor DeRoche and seconded by Councillor McInroy:

"THAT Council reject the application and further that no public hearing be held."
Motion Carried.

Rezoning Application No. RA-24-29-84-14

Mr. Reinhardt read the report stating a request by Mr. and Mrs. H. Elliot to rezone the lands of Harold and Vicky Elliot, located at 2077 Porto Bello Road from R-1 to R-2 to permit a portion of the existing dwelling to be converted to a separate apartment. It was stated PAC recommends to Council approval of this application and further recommends a Public Hearing date to be set for September 24, 1984, at 7:00 p.m.

Development Agreements Numbers DA-SA-08-84-19, DA-SA-07-84-17, DA-SA-06-84-19, and DA-SA-05-84-19

Mr. Reinhardt read the report stating the Sackville Municipal Planning Strategy requires development agreements for residential construction along the Little Sackville River. PAC recommend approval and further recommend to Council that a Public Hearing be held on September 24, 1984 for all four development agreements.

It was moved by Councillor Snow and seconded by Councillor Eisenhauer:

"THAT Council approve a Public Hearing date of September 24, 1984 for development agreements No. DA-SA-08-84-19, DA-SA-06-84-19, DA-05-84-19, and DA-SA-07-84-17."
Motion Carried.

DIRECTOR OF DEVELOPMENT REPORT

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

"THAT the report from the Director of Development be received."
Motion Carried.

EXECUTIVE COMMITTEE REPORTFunding Re: Proposed Lakeside Industrial Condominium

Mr. Reinhardt read the report from the Halifax County Industrial Commission requesting the approval of increasing the funding for the Lakeside Condominium Project to 1.2 million dollars. This increase in funding was recommended for approval by the Executive Committee.

Councillor MacKay stated tenders had been requested for this project and since receiving these tenders it has become evident the project cannot be completed for the \$1,152,000 estimated by the Commission and therefore the Commission was requesting Council to increase their funding by \$48,000 to \$1.2 million.

It was moved by Councillor MacKay and seconded by Councillor Snow:

"THAT Council approve an additional \$48,000 for completion of the Lakeside Condominium project and that the total funding be increased to \$1.2 million."
Motion Carried.

By-Law Amendments

Mr. Reinhardt read the report indicating there were some amendments to be considered as a result of a bill passed by the last session of the Legislature dissolving the Municipal Board. The by-laws to be amended include: By-Law #3, the Committees and Boards By-law; By-Law #23, the Building By-Law; By-Law #25, the Occupancy Permit By-Law; and By-Law #29, the Mobile Home By-Law.

It was moved by Councillor Gaudet and seconded by Councillor Poirier:

"THAT the by-laws to amend By-Law #3, By-Law #23, By-Law #25, and By-Law #29 be approved by Council."
Motion Carried.

Proposed Dangerous Animals By-Law

Mr. Reinhardt read the report indicating the Executive Committee recommend adoption of the by-law by Council.

It was moved by Councillor Gaetz and seconded by Councillor Reid:

"THAT County Council adopt the Dangerous Animal By-Law."
Motion Carried.

Loan Request--Eastern Passage/Cow Bay Volunteer Fire Department

Mr. Reinhardt read the report requesting a loan in the amount of \$40,000 for the purpose of purchasing a new fire vehicle. It was indicated the Executive Committee recommend approval of the request with a repayment term of ten (10) years of principal and interest and Council reserving the right to levy an area rate in default of principal and/or interest payments.

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

"THAT Council approve a loan for the Eastern Passage/Cow Bay Volunteer Fire Department in the amount of \$40,000 for the purpose of acquiring a new fire vehicle with Council reserving the right to levy an area rate in default of interest and/or principal."
Motion Carried.

Request for District Capital Grant--District 17

Mr. Reinhardt read the report requesting a District Capital Grant in the amount of \$3,884.59 to expand the beach area at Settle Lake Park. It was recommended by the Executive Committee this grant be approved.

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

"THAT Council approve a District Capital Grant in the amount of \$3,884.59 for improvements to the beach area at Settle Lake Park."
Motion Carried.

Request for District Capital Grant--District 2

Mr. Reinhardt read the report requesting a District Capital Grant in the amount of \$9,000 for the purpose of carrying out improvements to the park and playground at Greenwood Heights. This request was recommended to Council for approval by the Executive Committee.

It was moved by Councillor Poirier and seconded by Councillor Larsen:

"THAT Council approve a District Capital Grant in the amount of \$9,000 for District 2 for the purpose of carrying out improvements to the park and playground at Greenwood Heights."
Motion Carried.

Disposal of Portable Classrooms--District School Board

Mr. Reinhardt read the report indicating the disposal of the portable classrooms had been dealt with at the Committee level and the tender date had been extended to August 24, 1984, and further that community based organizations had been requested to submit tenders if they were interested in acquiring the properties.

It was moved by Councillor Reid and seconded by Councillor Gaetz:

"THAT the recommendations as submitted by the Executive Committee regarding the School Board tenders be approved."
Motion Carried.

Councillor Deveaux indicated the Eastern Passage Volunteer Fire Department had expressed interest in acquiring one of the properties.

Councillor DeRoche inquired if community based organizations would be receiving priority consideration for these properties. Warden MacKenzie indicated to the best of his understanding they would be.

Mr. Meech stated the School Board would like to see the properties removed from the school premises as soon as possible and suggested a special meeting of the Executive Committee be called to deal with the tenders.

Councillor DeRoche indicated special arrangements had to be made prior to moving any of the properties as special permits would be required.

Increase in Comforts Allowances

Mr. Reinhardt read the report indicating the Provincial Department of Social Services had amended through the Legislature the Bill governing the Comforts Allowance in Homes for Special Care and it became effective July 25, 1984. It was indicated the comforts allowance had been increased from \$60 to \$68 per month and the cost to the Municipality is approximately \$7,000. Executive Committee recommends acceptance of the policy respecting increase in Comforts Allowance.

It was moved by Councillor Margeson and seconded by Councillor Poirier:

"THAT Council accept the policy respecting the increase in Comfort's Allowances."
Motion Carried.

Property Conveyance

Mr. Reinhardt read the report indicating Executive Committee recommend approval of the property conveyances between the Municipality and Alan Baker at East Jeddore.

It was moved by Councillor Bayers and seconded by Councillor Reid:

"THAT Council approve the property conveyances between the Municipality and Alan Baker, East Jeddore."
Motion Carried.

Issuing Resolution

Mr. Reinhardt indicated there was a request to Council to have an issuing resolution approved.

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

"THAT Council approve the issuing resolution in an amount not to exceed \$1.5 million."
Motion Carried.

Councillor MacKay inquired if this funding was being requested to fund a number of Projects.

Mr. Meech indicated a similar resolution had been before council prior to this with a time period of one year being placed on the borrowing and it was the advice of the Provincial Borrowing Corporation this debenture be taken out for a period of fifteen (15) years.

BUILDING INSPECTION REPORT

Mr. Reinhardt indicated there were two applications for lessor setbacks for which approval had been recommended by the Building inspector. The first application was for a lessor setback of 15.9' for Lot B5A, Lahey Subdivision, West Lawrencetown. It was indicated the applicant for this application was David Marshall.

It was moved by Councillor Gaetz and seconded by Councillor Gaudet:

"THAT Council approve the application for a lessor setback of 15.9' for Mr. David Marshall, Lot B5A, Lahey Subdivision, West Lawrencetown."
Motion Carried.

The second application was for a lesser setback of 21 feet at Lot A, Fraser Subdivision, Porto Bello, for Mr. John Marsh. It was indicated the reason this was being requested was due to a 20' drop off at the rear of the lot.

It was moved by Councillor Snow and seconded by Councillor Larsen:

"THAT Council approve a lesser setback of 21 feet at Lot "a", Fraser Subdivision, Porto Bello for Mr. John Marsh due to a drop off at the rear of the lot."
Motion Carried.

APPOINTMENT OF REPRESENTATIVE TO THE PORT AUTHORITY

Mr. Meech read the report and indicated Council had appointed Mr. George Richards prior to the legislation being established. He further stated it would be necessary to re-appoint Mr. Richards and have that appointment re-affirmed by the the cabinet and approved by the minister.

Mr. Meech further advised Council members that a presentation had been made to the law amendments committee and some of the revisions requested had been approved. Mr. Meech stated the Board would be comprised of 12 members: seven from the Provincial Government, two representatives from the City of Halifax, one from the Municipality of the County of Halifax, one from the City of Dartmouth, and one representative from the Town of Bedford. Mr. Meech further advised Council there was a \$65,000 p.a. mandatory contribution and further that this contribution was to have a ceiling on the increases per year up to a limit of six per cent. Mr. Meech further advised Council the Legislation had been drafted in such a manner as to make participation in the Port Authority mandatory.

It was moved by Councillor DeRoche and seconded by Councillor Poirier:

"THAT Mr. George Richards be appointed as the Municipal Representative on the Halifax/Dartmouth Port Authority."
Motion Carried.

Mr. Meech indicated 60 per cent of the funding came from the Province for this Board and the other 40 per cent was funded through the various municipalities.

NOTICE OF MOTION--COUNCILLOR LARSEN

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

"THAT the staff recommendation that the area be zoned R-5 excluding the lot in question be approved."

Councillor Larsen stated the request from the residents was for the whole area to be zoned R-1 however, recommendation from staff was to zone the area R-5 with the exclusion of the property owned by Ocean Farmers. He further stated staff prepared a list of commercial operations in the area and a vegetable stand was inadvertently excluded.

It was moved by Councillor Larsen and seconded by Councillor MacKay:

"THAT THE MOTION BE AMENDED to include the property of Ocean Farmers Ltd. in the R-5 zone and further that the vegetable stand be included in the list of commercial operations in the area."

Councillor Poirier inquired if the person who owned the Ocean Farmers property was aware what type of zoning was being put on her land this evening. Councillor Larsen indicated he had called Ms. Westhaver and informed her, although she did not want the property zoned. He further indicated that the staff recommendation was not in compliance with the residents request and this was the reason he had amended the main motion.

There was some general discussion regarding this matter and Councillor Lichter indicated he agreed with the original motion to have the entire area zoned R-5 with the exception of the Ocean Farmers property.

Councillor MacKay stated he disagreed with that approach because it would leave the path clear for other potential problems with other types of commercial operations being set up on this property and the residents have made it quite clear they want this entire area to be zoned residential.

Councillor DeRoche stated he agreed with the intent of the first motion and felt the amendment to the motion was altering too drastically the intent of the motion as an amendment was designed to clarify a motion not to change the meaning of the motion. Councillor DeRoche further stated he did not think the amendment was appropriate and should be withdrawn.

Councillor McInroy stated if the motion was not to be allowed that would have to be a decision of the chairperson.

Warden MacKenzie indicated the amendment would not be allowed.

Councillor Larsen indicated he did not want a situation where it may result in numerous court fees for both sides if a new commercial enterprise is embarked upon and felt the amendment would have prevented this type of situation as it would be costly for both sides.

It was indicated by Mr. Cragg that there should be two separate motions to deal with this situation.

Councillor Eisenhower indicated he agreed with Mr. Cragg and also he agreed with Councillor Larsen. He felt the residents of the area should be granted their request.

Councillor Poirier indicated she did not feel the County had the right to over-ride the request of the owner of the land and infringe upon the owner's right to do whatever she pleased with the property.

Councillor Poirier further indicated there was no plan in effect in the area, and by zoning the property the County may be preventing the owner from doing something else she would like to do with the property.