

After further discussion, Councillor Bates and Councillor Poirier agreed that the motion would read:

"THAT the Committee of the Whole meet after staff have indicated they have reviewed the 1989 operating budget in an attempt to reduce the increase to 12 percent over the 1988 rate."

Councillor Poirier asked how many times this budget has been referred back to staff. Warden Lichter informed that staff has dealt with the budget twice, and he was also involved in budget deliberations with staff, and opinions vary.

Councillor Morgan stated there is not an incompetent staff, but there is an incompetent Council. He stated staff have prepared the budget, and they cannot be expected to make the cuts and argue both sides; they have made this request because they want these things. Councillor Morgan stated the people do not have bottomless pockets, and if a 15.1 percent increase is approved, residents will have to bite the bullet! He stated staff should not be asked to do anything further, but a tax rate should be set and staff directed to deal with it as they see fit. Councillor Morgan stated he will support an overall, effective tax increase of 10 percent, which is too much, and he dared that a plebiscite concerning the civic status of Sackville be held if a budget is approved with an increase of more than 10 percent.

Councillor Sutherland expressed concern about recorded votes. He stated the budget must be dealt with, and Council must be realistic; options were narrowed considerably with the approval of funding to the School Board. He stated the budget must be considered objectively in order to be responsible.

Councillor Eisenhower informed that he is supportive of a 12 percent increase, but he must know where cuts will be made before he can approve the budget. He stated money is not the only consideration, but service must also be contemplated. He stated those who do not support the motion should submit a report indicating where they think cuts should be made.

Councillor MacKay stated he would like to see the budget cut down to a 10 percent increase, but it is not realistic, and referring the budget to staff is only delaying the process. He stated a decision must be made, although he will not support the present motion. He stated staff have to ask what they feel they need to provide a level of service, and it is up to Council to make the final decision. When there is nothing left, Council must learn to say now, which is what the people are now saying.

There was further discussion regarding the referral of budget cuts to staff.

Councillor Morgan stated a decision must be made now; it should not be deferred. He stated if Council is prepared to limit the School Board funding to the 1988 budget, more should not be approved for Halifax County. He suggested that staff be asked to consider the 1988 budget and advise how they can accomplish the same level of service at 1988 funding. Mr. Meech informed that the School Board was not limited to 1988 funds; although supplementary funding did not increase, the overall contribution to the School Board increase by 6.4 or 6.5 percent.

Councillor Merrigan felt the budget should be reviewed by Council again with Department Heads, and if no further cuts can be made at least the residents can be told that Council did its best to lower the increase in taxes. Warden Lichter questioned how cuts will be agreed upon, if Council cannot even agree on who will make the cuts. He stated staff and Council have already tried to make cuts. He informed that he found \$670,000 that he felt should have been cut from the budget, but Mr. Meech and the rest of Council did not agree. He stated a meeting of the Committee of the Whole can be arranged, but he felt the budget will only be referred back to staff in the long term, and the process will be delayed further.

Councillor Bayers stated much of the discussion at this meeting consists of political speeches with no substance. He stated a decision must be made now, and the political tactics should be saved for election year.

Councillor Richards referred to Mr. Meech's memo dated April 10, 1989 with regard to cuts to the budget in order to keep the tax rate at a 10 to 15 percent increase. He noted that in order to achieve a 10 percent increase, \$500,000 would have to be cut from the social services budget and \$1 million from School Board funding. He noted that the \$1 million cut to the School Board budget was not supported, and he asked if this mean the excess will have to be taken from the social services budget in order to achieve a 10 to 12 percent increase. Mr. Meech replied that Council is not willing to see the social services budget cut, although a \$200,000 cut to this budget would only be a \$100,000 savings because 50 percent is recoverable from the Province. He noted that it is too optimistic to assume the Province will change the funding formula for social services in 1989. The budget with a 15.1 percent increase includes an increase to the Deed Transfer Tax to meet revenue needs.

Councillor Richards stated if the social services budget cannot be cut by \$250,000 to \$500,000, why does Council talk about it. He stated it is a major item to cut because social services and education are the two major areas of the budget, and education funding has already been approved; he stated nobody is willing to cut social services because of the value to the taxpayers. He questioned the value of referring the document back to staff or Committee of the Whole, stating the tax rate should be set; delay only costs more.

Councillor Bates stated he is glad everybody is willing to set the tax rate tonight, but he suggested that those not willing to support a 15.1 percent tax increase should be willing to cut the social services budget.

Councillor Bates and Councillor Poirier agreed to withdraw the motion.

Councillor Fralick asked if there are any areas with reductions could be considered, apart from the social services budget. Mr. Meech responded that it is a matter of preference by Council. He stated cuts can be made, but Council also wants the services. He stated money committed to fiscal services cannot be cut because those debts must be paid, and School Board funding and enhanced police protection is already committed. Other than those areas, many cuts can be made, but it is a question of whether or not cuts should be made to services already provided. He concluded that if Council is prepared to accept a lesser level of service, the rate can be cut.

Councillor Fralick asked if the Province has reduced cost-sharing for social services. Mr. Meech informed they have not reduced cost-sharing, but they have not increased it for a number of years. He stated if the Province were keeping up with increasing social assistance costs, Council would have another \$700,000 to \$1 million in revenue, which would overcome large part of the problem.

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

"THAT the 1989 residential tax rate in Halifax County be established at \$0.711 per \$100 of assessment, and that the commercial rate be established at \$1.90 per \$100 of assessment."

Councillor MacKay stated cutting the budget by 2 cents amounts to \$560,000, and he suggested that increasing the Deed Transfer Tax will decrease this to \$340,000; the social services budget could be reduced by \$300,000 - a savings of \$150,000 to the County, bringing the difference down to \$190,000. Councillor MacKay felt in such a large budget \$190,000 could easily be cut. He suggested that the commercial rate be left at \$1.90 per \$100 of assessment because area rates in Halifax County are not weighted between residential and commercial uses. He stated he wants to encourage development in Halifax County, and when the area rates are considered in conjunction with the general rate, the increase is the same as other areas. He concluded that \$190,000 can be found to be cut from the budget; although many cuts have already been made, he felt others can be found.

Councillor Meade suggested budget cuts in the area of conferences for Council, new furniture, and additional employees. Warden Lichter noted that some of the conference money has been spent on conferences that Councillor MacDonald and Councillor Cooper attended, as well as reservations for the FCM Conference in Vancouver. He stated it would be costly to cancel those reservations now unless illness can be proven.

Councillor Ball stated the decreasing the tax rate will only cause a catch up game; if cuts are made this year, the inevitable is deferred in terms of a tax increase. He stated if the County is to grow, it will cost more next year. Mr. Meech added that some expenditures this year will not have to occur next year, such as the replacement of the surplus. Councillor Ball stated the budget as presently proposed will create a deficit, which will have to be dealt with next year. He stated Council must face reality.

Councillor Morgan suggested that Mr. Mason, Director of Social Services, be asked if he can accommodate change to the social services budget in accordance with Mr. Meech's memo of April 10, 1989. He stated some people do not want to receive social assistance, but unemployment insurance has its downfalls because if people try to work, they are completely cut off, which is counter-productive. He suggested there should be changes to allow people to make an effort to work, yet still receive some support.

Councillor MacDonald asked if the existing motion will provide for the payment of last year's deficit. Mr. Meech informed that it will, but some other reductions will have to be made. He stated Halifax County will be in a good position next year, if it can break even in 1989.

Councillor Morgan and Councillor Bayers requested a recorded vote.

Councillor Deveaux clarified that the social services budget will have to be cut, give the present motion. Warden Lichter stated cuts will have to be made somewhere, although there are many suggestions.

COUNCILLOR MEADE - FOR	COUNCILLOR POIRIER - AGAINST
COUNCILLOR FRALICK - FOR	COUNCILLOR BAKER - AGAINST
COUNCILLOR BALL - AGAINST	COUNCILLOR DEVEAUX - AGAINST
COUNCILLOR BATES - AGAINST	COUNCILLOR ADAMS - AGAINST
COUNCILLOR RANDALL - AGAINST	COUNCILLOR BAYERS - AGAINST
COUNCILLOR SMILEY - AGAINST	COUNCILLOR REID - AGAINST
WARDEN LICHTER - AGAINST	COUNCILLOR HORNE - FOR
COUNCILLOR MERRIGAN - FOR	COUNCILLOR MORGAN - AGAINST
COUNCILLOR SNOW - AGAINST	COUNCILLOR EISENHAEUER - AGAINST
COUNCILLOR MacDONALD - FOR	COUNCILLOR BOUTILIER - AGAINST
COUNCILLOR MacKAY - FOR	COUNCILLOR SUTHERLAND - FOR
COUNCILLOR RICHARDS - FOR	DEPUTY WARDEN McINROY - FOR
COUNCILLOR COOPER - FOR	

MOTION DEFEATED

It was moved by Councillor Ball, seconded by Councillor Bates:

"THAT the 1989 residential tax rate for Halifax County be established at 15 percent over the 1988 rate, in the amount of \$0.73 per \$100 of assessment and that the commercial rate for 1989 be established at \$1.90 per \$100 of assessment."

Councillor Morgan and Councillor Merrigan requested a recorded vote.

COUNCILLOR MEADE - AGAINST	COUNCILLOR POIRIER - FOR
COUNCILLOR FRALICK - AGAINST	COUNCILLOR BAKER - AGAINST
COUNCILLOR BALL - FOR	COUNCILLOR DEVEAUX - FOR
COUNCILLOR BATES - FOR	COUNCILLOR ADAMS - FOR
COUNCILLOR RANDALL - FOR	COUNCILLOR BAYERS - AGAINST
COUNCILLOR SMILEY - FOR	COUNCILLOR REID - FOR
WARDEN LICHTER - FOR	COUNCILLOR HORNE - FOR
COUNCILLOR MERRIGAN - FOR	COUNCILLOR MORGAN - AGAINST
COUNCILLOR SNOW - AGAINST	COUNCILLOR EISENHAEUER - FOR
COUNCILLOR MacDONALD - AGAINST	COUNCILLOR BOUTILIER - FOR
COUNCILLOR MacKAY - AGAINST	COUNCILLOR SUTHERLAND - FOR
COUNCILLOR RICHARDS - FOR	DEPUTY WARDEN McINROY - AGAINST
COUNCILLOR COOPER - AGAINST	

MOTION CARRIED

DEED TRANSFER TAX

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

"THAT Halifax County Council request, through the Legislative Counsel's office, an amendment to the Deed Transfer Tax Act providing for an increase to the Deed Transfer Tax from 1 percent on the value of the real property which is conveyed or transferred within the Municipality of the County of Halifax to 1 1/4 percent of the value of said property."

Councillor Richards indicated support for the motion, stating it is a means of adjusting revenue to the Municipality, and it is in line with the Cities of Halifax and Dartmouth.

Councillor Morgan felt Halifax County is rushing into trying to meet taxation in the Cities of Halifax and Dartmouth with regard to Deed Transfer Tax, but Council did not attempt to meet the 7 to 8 percent tax increase of the Cities with regard to the operating budget. He stated Halifax and Dartmouth attempted to pass along a fair tax increase to their residents, which Halifax County has not done at all.

Councillor Merrigan stated he is not satisfied with the motion, although he will support it. He expressed concern about the high cost for a first homebuyer, who may not be aware of this tax. He suggested this tax increase be implemented after a certain date, in order that people will have an opportunity to learn of this increase. He suggested a 60 day period before this increase is effective. Warden Lichter suggested it may be at least 60 days before this is approved by the Provincial government.

Mr. Cragg informed that this proposed increase requires an amendment to Special Legislation granted to the County in 1960. He informed that this has been discussed with the Legislative Counsel's office and the Department of Municipal Affairs, and he is not entirely convinced that they will support this request. He suggested the time frame for such an amendment will be nothing quicker than 30 days depending on the sitting of the House.

Councillor Ball and Councillor Deveaux agreed to amend the motion to read:

"THAT Halifax County Council request, through the Legislative Counsel's office, an amendment to the Deed Transfer Tax Act providing for an increase to the Deed Transfer Tax from 1 percent on the value of the real property which is conveyed or transferred within the Municipality of the County of Halifax to 1 1/4 percent of the value of said property, effective July 1, 1989."

Councillor MacKay inquired about the revenue generated by this amendment. Mr. Meech informed that approximately \$500,000 will be generated by increasing the Deed Transfer Tax, and \$125,000 of that revenue will be put into the capital grant fund.

Councillor MacKay expressed concern that this increased tax may lessen the potential for sales and development in Halifax County.

Councillor Bates indicated support for the motion, stating it brings the Deed Transfer Tax in line with the Cities of Halifax and Dartmouth, and it will help to keep the tax rate down.

MOTION CARRIED

SUPPLEMENTARY AGENDA

Resolution, re 1990 Operating Budget

Mr. Meech suggested that the resolution proposed by Warden Lichter be amended to read "In order to set direction for all departments and agencies of Halifax County Municipality, Council wishes to indicate NOW that it will not be prepared to consider property tax increases greater than the Cost of Living for 1990. He informed there may be a time when the area rates may have to be increased to accommodate an increased level of service.

Councillor Merrigan expressed opposition, stating Council cannot provide for the 1990 budget at this time.

Warden Lichter argued that if something is not done, staff will present another Wish Book without any concern for cuts or limitations. He noted that the wording recommended by Mr. Meech will protect service paid for by area rates.

Councillor MacKay expressed objection to the proposed motion. He inquired about the budget committee referred to earlier. Warden Lichter informed that the Executive Committee decided to take a long term look at the budget procedure, and a committee was formed to begin with the Social Services Department in 1990; other departments will be considered at a later date.

Councillor MacKay stated he cannot support the proposed motion because financing and budgeting is very difficult given three different levels of funding and three different fiscal years. He expressed support for looking at a clear direction for 1990 now, but not all is predictable between now and then. He suggested the budget should be set in October rather than later, and expenditures should be closely scrutinized throughout the year.

Councillor Morgan agreed with Councillor MacKay. He stated many things could change over the following year based on assessment, interest rates, housing, etc. He stated there must be a clear definition of property tax and how that is affected by assessment.

There was further discussion about the proposed motion, several expressing support, and others indicating they support the intent, but they could not support the action.

It was moved by Councillor Fralick, seconded by Councillor Horne:

"IN order to set direction for all departments and agencies of Halifax County Municipality, Council wishes to indicate NOW that it will not be prepared to consider property tax increases greater than the Cost of Living Index for 1990."

Councillor Horne stated this resolution will provide direction for staff, and Council should be aware of what the tax rate will be over a period of time. He stated the motion will alleviate budgeting difficulties in 1990.

Councillor Deveaux stated if the motion is supported, the rate for 1990 will be pre-set, and that is not what Council is elected to do. He stated it is Council's job to consider the budget and costs each and every year. He concluded that it cannot be presumed that the situation will be the same next year as it is now.

Councillor Boutilier informed that he is understanding of the intent behind the motion, but he could not support it because decisions must be based on needs and service provided. He suggested a ceiling of 10 percent with some guidelines. Councillor Horne informed that he cannot consider a 10 percent tax increase at this time because Council has just approved a 15 percent increase. He questioned what will happen in the following year, and where the increases will stop.

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

"THAT the aforementioned resolution be amended to read:

IN order to set direction for all departments and agencies of Halifax County Municipality, Council wishes to indicate NOW that it is the objective of Council to maintain the 1990 budget at the cost of living index for 1990."

Councillor Morgan stated he will support the motion because it is proposed with the greatest integrity. He questioned the affect of a very high cost of living index in 1990.

It was moved by Councillor Fralick, seconded by Councillor Richards:

"THAT this matter be deferred."
MOTION CARRIED

Members of Council agreed to a five minute recess. The meeting was recalled to order at 10:05 p.m.

Members of Council unanimously agreed to move to Councillor Horne's item regarding private roads.

PRIVATE ROADS - COUNCILLOR HORNE

Warden Lichter declared a conflict of interest, and Deputy Warden McInroy took the Chair.

Councillor Horne advised that the private roads, and particularly Kings Road, has been an issue throughout the preparation of the District 14 and 17 Plan and Zoning By-law, and he suggested there should be some resolve to this before the public hearing on April 24, 1989.

Councillor Horne stated Kings Road is unique because it is a private road of great length (6.25 kms). He stated safety is important, and the County should be somewhat accountable in this regard. Councillor Horne informed that there is an existing subdivision application outstanding to have Kings Road given private road status and also to have lands of Bruce Spencer developed under the "paper road" status. He stated if "paper road" status is approved, unlimited development will be permitted, where there are already 17 permanent homes and a large number of cottages on an unsafe road; there will be much potential for development where it was not permitted in the past. Councillor Horne explained that once "paper road" status is approved, the road does not have to be upgraded; in fact, it does not even have to exist, but the County will allow unlimited development.

Councillor Horne stated the residents are not against development, but they are against unjustified and irresponsible development. He stated the roads require improvement, as there are bad turns, they are narrow, there are many potholes, and during the spring and winter months the roads are sometimes impassable. There is concern about the quality of three bridges on the road. However, the County does not want to get involved; the County does not know the road conditions, but they are willing to approve lots for development.

Councillor Horne informed that the residents of Kings Road want the road brought up to standard knowing they will have to contribute to the costs, as well as the developer. However, the road owners feel they have spent enough money because they have increased the assessment of the property, which they feel is sufficient; they are not willing to provide for any further improvements, but they want to sell lots.

Councillor Horne further informed that the residents of Kings Road have been maintaining the road themselves with funds paid voluntarily by themselves; however, they recently discontinued this maintenance program because they felt it would continue forever with no real improvement to the road over the years. He stated the residents have spent many hours at meetings about the condition of Kings Road, but they are finding it impossible to talk to the land owners for their input. There is no support from anyone, including the Department of Municipal Affairs, the Department of Transportation, or Halifax County. The County does not want to get involved because of costs, the feasibility, and the potential. The Department of Transportation has never been interested in private roads, and they are now saying "We told you so" to the County. Another major problem is the fact that the Warden is a property owner on Kings Road and is in a position of conflict, although past minutes show that he supports private roads. Also, the MLA, Ken Streach owns a cottage in Kings Road and has chosen not to become involved in this discussion. He noted that the record does show that the Hon. Ken Streach helped to deed a parcel of property in Kings Road for a 66 foot right-of-way in his capacity of Minister of Lands and Forests and in accordance with the wishes to the landowners.

Councillor Horne advised that the question of liability in the case of an accident on this road has been raised on several occasions, but there has never been any response in writing; he suggested on the courts can decide in this regard. He suggested the landowners should be responsible, as they are selling the lots and developing the road to get to the lots. He also suggested the County should be partially responsible for approving lots on a private right-of-way. He stated Council must show some compassion in this regard; if such a harsh stand was taken in all cases, there would be no need for a Social Services Department. He concluded that the Planning Advisory Committee has been very diligent with regard to the Kings Road situation.

Councillor Horne proposed a motion that a special meeting of the Planning Advisory Committee be arranged to discuss the matter of Kings Road in-camera. He stated there must be some answers; Kings Road and the lands of Bruce Spencer, directly abutting Kings Road, are now under consideration for status as a private road. Mr. Cragg informed that Council cannot direct a committee to arrange a special meeting in-camera, although a suggestion can be made, and the final decision is to the discretion of the committee.

Councillor Merrigan commented that if the residents want the road to be taken over and upgraded, Council must work with the residents to expropriate and have the road upgraded to the Department of Transportation standards, and he suggested this alternative be given consideration.

Councillor MacKay responded that he personally feels the first approval on a private road was the first error, and there have been more since then. He stated once lots are approved on private roads, the residents look for the services, and public funds pay for these services, which is not fair. He suggested the Planning Advisory Committee can do nothing farther, and the public hearing scheduled for April 24 is the next step.

Councillor Cooper agreed with Councillor MacKay. He stated it must be decided if this Council will permit subdivision and development on private roads without certain safety conditions being met. He stated everything is concerning safety today, and private roads should not be ignored in this regard.

Councillor Eisenhower stated the road can be upgraded and taken over by the Department of Transportation by the residents, and if there is any opposition, the road can be expropriated. He asked why this procedure cannot be used in the situation of Kings Road. Councillor Horne replied that the developers own the entire area, and they are not willing to spend any money on the upgrading of the road to public standards. He informed that most residents have a right-of-way deeded to them, but some do not. Some are willing to pay up to \$1,000 to upgrade the road, but that amount will not be enough to upgrade Kings Road to public standard.

Mr. Cragg informed that he would not recommend expropriation under these circumstances. He explained that the developers own the lands and are doing with it as they please. He informed that Council can deal with this road at the public hearing when it will be determined if Kings Road should be listed as a private road. If it is agreed that Kings Road should not be listed as a private road, developed will be stifled. He stated nobody can be forced to

upgrade their own road, unless it is taken over by the Municipality, and he advised against that action, stating it is not the business of the County. He added that the Province will not take the road over in its present condition either.

Councillor Deveaux stated it is not fair to put all private roads in the same category; every situation should be considered individually.

Mr. Cragg informed that a decision cannot be made about the status of Kings Road until after the public hearing.

It was moved by Councillor Horne, seconded by Councillor Merrigan:

"THAT staff be directed to consider means of taking over Kings Road for approval by the Department of Transportation at the cost of the residents and land owners."

Councillor Poirier expressed objection to the County taking over this road. She stated the Municipality will be responsible, if Kings Road is taken over by the County, and history has shown that the County will be responsible for any costs incurred after the road is taken over. She stated she will not support the motion.

Councillor Ball asked when the information requested in the resolution would be required. Councillor Horne informed he would like to have it before the public hearing.

There was some discussion about the resolution. It was clarified that no dollars are requested; only an investigation by staff. Several Council Members objected to the motion, stating it is redundant because it is already known that the Department of Transportation will not take over the road until it is built to their standards. Mr. Meech agreed that the cost of upgrading is a concern.

Councillor Horne stated he is only asking the County be act as an avenue for take over of the road by the Department of Transportation at the cost of the residents and landowners. He informed that if Kings Road is given paper road status, the landowners can develop as many lots as they want.

MOTION CARRIED

Councillor Horne proposed another motion whereby development on Kings Road would be restricted until the issue of private roads is resolved. Councillor MacKay suggested the proposed motion is out of order because it is the right of a property owner to develop his lands according to the law of the land. He asked if consideration could be given to such a moratorium unless it is through the Municipal Planning Strategy. Mr. Cragg agreed.

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

"THAT this meeting adjourn."

MOTION DEFEATED

It was moved by Councillor Cooper, seconded by Councillor Horne:

"THAT Halifax County Council notify the Department of Transportation of its opposition to development on private right-of-ways and roads given "paper road" status until such time as a policy can be established to safely allow development."

Councillor Eisenhauer indicated support for the intention of the motion, but he expressed concern that the motion is four years too late, because the Department of Transportation has already clearly indicated that if Halifax County wants private road, they will have to pay for them.

Councillor Merrigan agreed with Councillor Eisenhauer. He stated there is no sense in having a planning process if it is not adhered to. He stated more information about rights of developers on private roads should be considered because it is a problem when people build on private roads and then have no rights to require certain safety requirements. He stated he cannot support the motion, but staff should consider the problems with private roads.

Councillor Deveaux stated he cannot support the motion because staff is already investigating the issue of private right-of-ways. Also, there is an existing policy for the take-over of private roads and lanes by the Department of Transportation. He stated safety is always an issue, no matter if it is on a private or a public road.

Councillor Cooper clarified that the motion is to indicate that this Council is opposed to development that cannot be done safely on private roads and right-of-ways; the intention is not to stop development, except when it cannot proceed safely.

Councillor Horne stated Kings Road is 6.25 kms with many sharp turns, hidden turns, hills, three bridges, three rivers, and approximately 72 different lots; the road is totally unique with seven people owning and controlling the private right-of-way. He stated Kings Road is one lane, completely different from those in Eastern Passage.

Councillor MacKay stated every private road is unique, but each has its own problems. He stated a list of criteria is required to be included in the Municipal Planning Strategy for that area. He stated the results of the public hearing cannot be pre-judged at this time.

Councillor Deveaux concluded that he will not support the motion because it will have a detrimental affect on his area.

MOTION DEFEATED

LOCATION FOR NEW HIGH SCHOOL, EASTERN SUBSECTION - COUNCILLOR BATES

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

"THAT Halifax County Council recommend to the School Board that they continue to maintain their integration policy and that the policy of the Municipal Development Plan for Cole Harbour/Westphal, which encourages the location of new schools near recreation facilities, be respected;

ALSO THAT the School Board and the Department of Education be recommended to locate the proposed new high school for the Cole Harbour area in either Phase 10 or 11 of Forest Hills, to support a campus concept."

Councillor Cooper asked that another Member of Council take the chair in order that Deputy Warden McInroy could speak on this matter. Councillor MacKay took the chair.

Councillor MacKay asked about the location of the proposed school, as indicated in the resolution. Councillor Bates informed that it is directly adjacent to the existing high school.

Deputy Warden McInroy informed that he is opposed to the motion. He stated there have been a number of School Board meetings in the area, as well as community meetings to deal with this issue. He advised that he is not so much opposed to the parameter of the motion, as he is the inference to the communities involved to have Council adopt such a position because it is up to the Department of Education and the School Board to make such a decision. Given the sensitivity of this area, he felt Halifax County should not take a stand at this time.

Councillor Richards stated the people want all of the facts before a decision is made. He stated until the community has given an opinion based on fact rather than minor presentation, Halifax County is in no position to say where the school should be or whether or not the integration policy is the right thing. He stated he will not support the motion.

Councillor Eisenhauer informed that MAPC is considering a regional plan for education, as well as highways, which will include looking at empty schools in adjacent municipalities. He suggested this plan should also be given consideration.

Councillor Deveaux expressed no difficulty with the motion, stating the Board of Trustees and the community will also have a recommendation for the location of a new school. He stated three choices will have to be made, so there is no harm in Halifax County making its recommendation now.

Councillor Adams advised that feedback he has received has been that Municipal Council has a responsibility to help make a decision that will affect the residents. He stated all understand that the Municipality does not build

schools, and it is a decision of the Department of Education and the School Board, but there is nothing wrong with well thought out advice based on input from the residents. He advised that this resolution is based on a number of meetings with trustees and parents of the area who have made it clear that they see a strong indication of fair in the issue of the location of a new school. He stated the residents are not taking presentation as insignificant. He advised that five residents called him to interpret the comments of the Honourable David Nantes, although he did not hear the comments. Councillor Adams advised that he told the residents that Mr. Nantes decision to locate the school on Caldwell Road is only one of two possible location. Given, this stand by the MLA, it is wise for Halifax County Council to take a responsible stand in reaction to this decision in an attempt to get the province to listen to Halifax County's position with regard to the location of a new school. He asked for Council's support for this motion.

Councillor Ball asked if there has been an official announcement of a new school in Cole Harbour. It has indicated that there has been no such announcement. Councillor Ball commented that if Council supports this motion, it is endorsing a site for a potential school, which may or may not come about. Councillor Adams advised that the Province has indicated that funds are available to build a new school in this area. Councillor MacKay clarified that there has been no official announcement, but there has been an indicated from the MLA that the construction of a new school is forthcoming.

Councillor Adams advised there are now deliberate meetings being held throughout the school area now to get input from residents, ratepayers, trustees, etc. as to the most suitable location for a new high school in the area. He advised that these meetings have been mostly initiated by the School Board.

Councillor Cooper stated the newsletter which was compiled and distributed in the school districts is a fair representation of the subjects which have been discussed at community meetings. He stated the facts and opinions have been expressed by teachers, Councillors, school trustees, and community groups, indicating some of the principles upon which the School Board has been making decisions in the eastern suburban system over the last few years. He stated the thrust of the newsletter is that the School Board should be prepared to continue their policies and to stand up and be counted on their integration policy and the desire to have schools with the campus concept towards the centre of the community area. He concluded that the communities are supportive of the integration policy, and it should be continued. They feel the location of schools in centre areas provide opportunities for recreation and advancement other than academically, and they would like to see this endorsed. He stated this is the thrust of the resolution.

Councillor Baker advised that as a member of the School Board he has heard nothing about a new school in Cole Harbour. He advised that at a school meeting in his district last night, it was determined that Atlantic Memorial School is now overcrowded although an addition was constructed two years ago at a cost of \$2 million. He advised that is also a need for additional space at Brookside Junior High School, but there is no hope for an addition until the

mid-1990's. He stated if a new school is constructed in Cole Harbour now, but District 4 is left out, there will be trouble.

Councillor Bates stated he and Councillor Adams felt they were in a position where they felt they had to act. He stated they do not feel this is premature, because the main discussion at public meetings has been the location of a new school, and the majority of the people prefer the location of the new school to be in Forest Hills to preserve the integration policy. He concluded that the motion will not do any harm at this time, whether or not a new school is approved in the near future.

It was moved by Councillor Fralick, seconded by Deputy Warden McInroy:

"THAT this matter be deferred to the next Session of Council."
MOTION CARRIED

ADJOURNMENT

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

"THAT this Session of Council adjourn."
MOTION CARRIED

The meeting adjourned at 11:35 p.m.

JOINT COUNCIL SESSION

RE, SCHOOL BOARD BUDGET (SUPPLEMENTARY FUNDING)

WEDNESDAY, APRIL 5, 1989

PRESENT WERE: Warden Lichter
Mayor Christie
Councillor Meade
Councillor Fralick
Councillor Baker
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Morgan
Councillor Snow
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor MacKay
Councillor Sutherland
Councillor Richards
Deputy Warden McInroy
Councillor Cooper
Deputy Mayor Kelly, Town of Bedford
Councillor Cosgrove, Town of Bedford
Councillor Draper, Town of Bedford
Councillor Goucher, Town of Bedford
Councillor Walker, Town of Bedford

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer, County of Halifax
Mr. Dan English, Chief Administrative Officer, Town of Bedford
Mr. Lloyd Gillis, Chief Executive Officer, School Board
Mr. Curtis Langley, Superintendent of Business & Finance
Mr. Ken Wilson, Director of Finance, County of Halifax
Mr. Ron Singer, Director of Finance, Town of Bedford
Ms. Betty Rix, Chairman, School Board

SECRETARY: Glenda Hill

Warden Lichter called the meeting to order at 4 p.m. Councillor Boutilier declared a conflict of interest.

Mr. Gillis began the meeting by advising that most citizens of the district using the services of the School Board are satisfied with the effort. He stated this meeting is very critical to the continued operation of the School Board in this regard. Mr. Gillis advised that he would highlight the more important areas of the budget that require special attention because they contribute most significantly to rising costs.

Mr. Gillis began by reviewing the statement of expenditures. He reviewed the general formula, property services, pupil transportation, special and continuing education, and additional dollars required for the operation of the system in 1989.

He reviewed the teachers salaries budget, analyzing the proposed increases for 1989. He informed that a 4 percent cost of living increase is budgeted according to the direction of the Province, and it has been past practice that if this increase is more than 4 percent, the Province will pick up the difference. There are also 20 new teaching positions proposed for 1989, including 16 additional due to increased enrolment, 13 because of expansion of existing programs, and one new acquisition librarian.

Mr. Gillis reviewed the student/teacher ratios, noting that in Halifax County they are slightly higher than the Provincial average, and they vary greatly between different schools in the district. He stated program assistance is also increasing because of mainstreaming.

Mr. Gillis next reviewed the business administration budget, noting that salaries and benefits account for an 14.42 percent increase because there are three new positions proposed. Supplies and operations for the board are projected to increase by 16.98 percent because of increasing costs in paper and printing; and fees and contracts are expected to increase by 34.66 percent, mainly due to the need for new accommodations.

The biggest increase in the property services budget is with regard to utilities. Mr. Gillis informed that the approved power increase by the Public Utilities Board may affect this figure further. He also informed that an accounting error in 1987 was found in 1988 and will affect 1989, although the error has been corrected. He concluded that there are a number of large buildings under the School Board, and they are all heated by electricity with the exception of one.

Under the pupil transportation budget, additional buses is budgeted to increase by 9.98 percent, as well as salaries and benefits. He informed that other buses may be required, which will have to be dealt by the School Board at a later date. Mr. Gillis noted that fees and contracts under this budget are decreasing by 20 percent because of a change in accounting procedures with regard to the purchase of buses. He informed that this change does have a beneficial impact on revenue because the Province does recognize the new procedure. Travel and in-service is expected to increase by 41.56 percent in 1989, and the purchase of new buses is anticipated to raise by 15.73 percent.

Mr. Gillis informed that the accounting procedure also changed for continuing education in 1988, which accounts for the large difference between budgeted and actual figures for 1988. The major figures are now shown where the action is.

Mr. Gillis next reviewed School Board revenue anticipated for 1989. General Provincial funds have increased by 8.5 percent. Over the years, Halifax County's contribution has decreased, and the Town of Bedford's has increased

based on population changes and the ability to pay. Mr. Gillis also reviewed assessment of the various areas over the years, which is also considered during contribution determination.

Councillor Walker asked how many times the budget has been reviewed by the School Board. Mr. Gillis informed that the budget has been reduced by \$1.3 million since it was first presented to the Board.

Councillor Bates commented that it is difficult to understand where the percentages for cost-sharing are derived from. He stated it appears that the Province treats education much like they do social services; they are not increasing their responsibility with increasing costs.

Mr. Gillis informed that in 1986 a decision was made regarding excess costs. A mandatory payment was determined based on a rate set by the Province, and any costs over and above that rate is referred to as supplementary funding, and must be determined how it will be shared between the municipal units. He stated the ability to pay is also considered during this determination.

Mr. Gillis concluded the presentation of the budget with a comparison of the Halifax County-Bedford District School Board with that of the City of Halifax and the City of Dartmouth.

Questions from Council

Councillor Eisenhower inquired about increased mileage and in-service costs, as well as the increase proposed for the miscellaneous fund. Mr. Gillis informed that there is increased concern in the area of professional development reflecting a desire of the School Board and staff to keep employees up-to-date with others. He stated in the past School Board and perhaps the municipal government has not vested a great deal of money in the growth and development of staff, and this budget increase reflects a desire to do so.

With regard to the miscellaneous fund, Mr. Gillis informed that the Board plans to do an external evaluation of the system, which is to be discussed further at the School Board meeting later. He noted it is proposed to be a two or three year project.

Mr. Gillis explained that increased mileage figures reflects the increased number of staff involved in travel. He informed that those under contract are paid 26.2 cents per kilometre and others are paid 27.2 cents per kilometre. These figures reflect those of the municipal unit.

Councillor Eisenhower next inquired about the increasing number of secretaries. Mr. Gillis informed that this change is mainly in the area of secretaries for elementary schools. He informed that the School Board requested a study in this regard last year, and they have accepted the recommendation that the amount of secretarial time allocated to elementary schools be increased. The remainder of the increase reflects salary increases.

Deputy Mayor Kelly inquired about the number of reserve funds, and the amounts in each of those funds. He referred to a transfer of surplus funds to a reserve account. Mr. Gillis informed that the transfer of funds was the result of concern that there would not be sufficient dollars to achieve the projects slated for 1988. Therefore, \$150,000 was transferred from the french immigration money to defray additional expenditures should they occur. He advised there were potential overruns in the area of property services, as well as others. In the end, this additional money was not necessary, so it was put back into the general revenue account. He informed that the only reserve account is related to the french immersion and minority language programs which are eligible for grants. Mr. Gillis informed that when this program began five years ago, the money was put into the reserve fund to help maintain the program longer than the federal grants. He concluded that this is the only reserve fund the School Board has, and it contains \$170,000.

With regard to a figure of \$128,000 which Deputy Mayor Kelly inquired about, Mr. Gillis informed that those funds were set aside for two projects which were approved and funded in 1988, but were not done. The Cole Harbour entrance improvement in co-operation with Cole Harbour Place was estimated at \$100,000, and improvements were also proposed for the playing field at Eastern Passage, estimated at \$28,000. However, the Cole Harbour work could not be completed in 1988, and the plans for Eastern Passage changed because of availability of land. The Cole Harbour project is now scheduled for completion in 1989, although it was funded in 1988, and the Eastern Passage project has been deferred to another project. This money went back into revenue, as opposed to a reserve account.

Deputy Mayor Kelly next inquired about a \$897,000 expenditure under contracted services. Mr. Gillis informed that this includes funds for special education students to travel to special education classes in various areas. He stated staff continues to analyze this expenditure, and whenever possible they combine such travel expenditures to sufficiently operate a bus. However, the length of time that special education students can spend on a bus and how they are spread throughout the district are important contributing factors.

Councillor Draper referred to the student/teacher ratios reviewed earlier, and she asked why 16 new teachers are proposed when new student population is only estimated at 219. Mr. Gillis informed that new student figures are assigned to specific schools based on school-by-school breakdowns. He stated the teachers could be re-located according to a student evaluation in the spring and fall of each year.

Councillor Draper next inquired about a breakdown of in-service expenses. Mr. Gillis advised that this money is provided in accordance with an agreement with the Nova Scotia Teachers Union; it is an allowance for professional development which is negotiated between the teacher and the Board. He noted that these funds have been allocated for a number of years, and it is used for conference grants both locally and provincially, school in-service expenditures, and full and part time leaves of absence. Mr. Gillis informed that this fund is administered by five people, including himself, two Board members, and two teachers. He concluded that the annual account for this expenditure is based

on the agreement with the Nova Scotia Teachers Union and a percentage of the teachers' salaries. He noted that the policy for this fund recently changed because it was felt the funds would be better used for programs other than strictly sabbatical leaves.

Councillor Draper concluded that she was disappointed in the scheduling of this meeting; Town of Bedford Councillors only received the budget yesterday, and it is difficult to thoroughly review it in such a short period of time. Mr. Gillis explained that there was some misunderstanding in the scheduling of this meeting, as it is usually scheduled by the School Board, but this year it was arranged by Halifax County staff. He stated it may be necessary for the School Board to change their budgeting procedure in order to meet the County's deadline for setting the tax rate.

Councillor Cosgrove asked where the \$1.3 million was deleted from the original draft of the budget. Mr. Gillis informed that the account for teachers' salaries was cut by \$600,000; the substitute teachers' account was cut by \$100,00; the secretarial account was increased by \$20,000; the instructional supply account was decreased by \$25,000; the business administration centre was reduced by \$80,000; property services was decreased by \$590,000; and the Continuing Education budget was cut by \$50,000.

Councillor Fralick expressed appreciation to the School Board for eliminating the deficit as they had been asked to in the past.

There being no further question to Mr. Gillis and his staff, Warden Lichter thanked them for the presentation of the budget. He next advised that an 80 percent vote of the combined Councils is required to approve any supplementary funding for the School Board budget. Given those in attendance and Councillor Boutilier declaring a conflict of interest, 23 affirmative votes are required for approval.

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

"THAT Halifax County and Bedford Councils provide supplementary funding to the Halifax County-Bedford District School Board to total \$1,683,061, which is eligible for 75-25 cost-sharing."

Councillor Ball expressed concern about the proposed 19 percent increase in the general tax rate for Halifax County residents, and he stated if this supplementary funding is approved it will take away from the leverage to reduce the municipal rate.

Councillor Walker agreed that the residential tax rate must also be considered, and the motion on the floor for supplementary funding will mean an additional 3 cents on the Town of Bedford's tax rate. He stated the School Board has only removed 1 percent of the budget, by cutting it in the amount of \$1.3 million. He suggested more could be cut.

It was moved by Councillor Walker, seconded by Deputy Mayor Kelly:

"THAT the aforementioned resolution be amended. to include provision for a joint committee of the Municipal units to be established in order to develop terms of reference to do a complete comparison management audit of all operations of the Halifax County-Bedford District School Board to ensure adequate efficiency and cost effectiveness;

ALSO THAT the report of the committee be made available to the respective Councils by July 4, 1989, including the proposed cost and time for the study and a recommendation for a firm to undertake such a study."

Councillor Reid argued against the amendment, stating the School Board proposes to do its own study, which is done in most areas of the Province, and it will address those areas mentioned in the amendment. He stated it would be redundant to call for another, independent study. Councillor Reid also noted that the Province will cover the majority of the cost of the study proposed by the School Board, saving the Municipal units some dollars.

Deputy Mayor Kelly stated the study by the School Board will be done over a three year period, and it is important to look into this matter now, as it is time to look at the use of School Board funds. He stated everybody must be comfortable that the proper approach is being taken.

Councillor Deveaux indicated that he would not support the amendment for those reasons mentioned by Councillor Reid. He stated such action indicates that the municipal units do not have faith in the School Board and that they are not doing their jobs.

Warden Lichter noted that a similar motion in the past was not approved. Although it was not the intent to doubt the efforts of the School Board, it is certainly the feeling. He stated it is more important to determine what the municipal units can afford to contribute to the School Board, than to have somebody looking over the shoulders of the School Board for the next few months.

Councillor Eisenhauer questioned the authority of the municipal units to contract an audit of the School Board, which is primarily controlled by the Provincial government. Warden Lichter suggested that this would have to be investigated; he felt the Province would not object to such a study, but the details and the cost would have to be worked out between the School Board and the two municipal units.

Councillor Eisenhauer indicated that he would not support the amendment because it would call for an increased cost and no improvements.

AMENDMENT DEFEATED

Councillor Reid clarified that the motion calls for supplementary funding in the amount that the Halifax County has budgeted for.

Councillor Deveaux stated increasing education costs must be accepted with an increasing population. He stated education is the most important service that can be given to the residents, and it should not be tampered with. He stated a 4 to 5 cent tax increase for education is not too much to ask in order to maintain the standard of education in Halifax County and Bedford, and this standard should continue to be provided.

Councillor Richards expressed concern that Council has not had ample time to review the School Board budget before being asked to make a decision. He stated he is not prepared to say whether or not the proposed figure is realistic or justified. He also noted that Mr. Meech has been asked to prepare a lesser budget, recognizing that all areas of the budget would have to be adjusted; if this figure is approved today, he will not have the ability to cut supplementary funding for the School Board in an effort to lower the general tax rate. Councillor Richards concluded that the process has been too rushed, and he will not support the motion.

Warden Lichter informed that he was instructed to Council to arrange this meeting, and it was known to all well in advance. He advised that he and Mayor Christie even considered setting the amount for supplementary funding without meeting with the School Board because even when the budget is studied for weeks, the municipal units cannot tell the School Board where to make cuts; that is the business of the School Board. The only authority the municipal units has is to determine how much supplementary funding will be provided.

Councillor Richards stated the cuts proposed by Mr. Meech should be available before a decision regarding School Board supplementary funding is made. Warden Lichter referred to a memorandum from Mr. Meech which indicated that the operating budget for Halifax County could not be limited to a 10 percent increase unless supplementary funding to the School Board is cut.

Councillor Morgan felt more cuts could be found in a \$121 million budget. He stated he would not support the motion because nobody supports a 20 percent tax increase. He stated it is always assumed that there was no waste in the previous year and increases are necessary in the following year, although there are never residents that are satisfied with the services provided in the previous year. He suggested that somebody should take the leadership to cut their budget rather than looking for an increase.

Several others expressed objection to approving funds for the School Board at this time. They stated there has been no opportunity to review the budget or the cuts that Mr. Meech has been asked to make to the operating budget.

Councillor Goucher stated there is much pressure on the municipal units when it comes to supplementary funds for the School Board because for every \$1 of excess funds that is denied by the municipal units, the Provincial governments cuts \$3. He stated it is difficult to maintain the quality of education and to minimize the tax increase. He suggested a change to the Provincial formula would aid in this regard.

Warden Lichter agreed that changing the Provincial formula should be pursued. He also stated that for every \$1 approved by the municipal units, \$3 is spent.

Warden Lichter agreed that changing the Provincial formula should be pursued. He also stated that for every \$1 approved by the municipal units, \$3 is spent.

It was moved by Councillor Merrigan, seconded by Councillor Fralick:

"THAT the matter of supplementary funding for the School Board be deferred to a time mutually agreeable to Mayor Christie and Warden Lichter when review of the operating budget is complete."

MOTION CARRIED

ADJOURNMENT

This Joint Session of Council adjourned at 6:20 p.m.

PUBLIC HEARINGS

MONDAY, APRIL 10, 1989

PRESENT WERE: Warden Lichter
Councillor Meade
Councillor Fralick
Councillor Baker
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Randall
Councillor Smiley
Councillor Reid
Councillor Morgan
Councillor Snow
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor MacKay
Deputy Warden McInroy
Councillor Cooper

ALSO PRESENT: Mr. D.D. Reinhardt, Deputy Municipal Clerk
Mr. R.G. Cragg, Municipal Solicitor
Mr. Jim Donovan, Planner, Policy Division
Mr. Rick Spanik, Senior Planner, Policy Division

SECRETARY: Glenda Hill

Warden Lichter called the Public Hearings to order at 7 p.m. with the Lord's Prayer.

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

"THAT Glenda Hill be appointed Recording Secretary."
MOTION CARRIED

Mr. Reinhardt called the Roll.

Warden Lichter reviewed the procedure for the public hearings.

PA-LM-07-87; ZA-LM-21-87-08; SB-04-87: APPLICATION BY THE MUNICIPALITY TO AMEND THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR THE LAKE MAJOR PLAN AREA IN ORDER TO ESTABLISH THE MUNICIPAL SERVICING BOUNDARY IN NORTH PRESTON, AND TO AMEND THE MUNICIPALITY'S SUBDIVISION BY-LAW IN ORDER TO TEMPORARILY PERMIT DEVELOPMENT ON HOLDING TANKS ON THOSE LANDS SCHEDULED TO RECEIVE MUNICIPAL CENTRAL SERVICES

Mr. Donovan reviewed the staff report, advising that the purpose of the amendment is to establish the serviceable boundary to allow future development within the serviced area. He also informed that the amendment to the Subdivision By-law is a temporary measure to permit development with septic

systems until the servicing is complete, and that once the servicing is complete, that use of the private septic systems will be discontinued. With regard to private laneways, Mr. Donovan advised that they will be listed in the Subdivision By-law as Schedule "A" roads in order to permit servicing there. He concluded that this servicing project is a priority, which is supported by the intent of the Municipal Development Plan for the area, and it is the recommendation of staff and the Planning Advisory Committee that the amendments as noted be approved by Council.

Questions from Council

Councillor Adams asked if the concern of Lawrencetown residents about downstream outfall has been resolved to staff's satisfaction. Mr. Donovan advised that it has; he informed that he met with the Lawrencetown Citizens Committee in February in an attempt to address environmental concerns and to review any misunderstandings that may have been in existence. He advised that one concern was that environmental testing be undertaken prior to the commissioning of the water and sewer plant, which has been done. The testing reflected a high coliform count in a nearby lake, and the new treatment plant will help to remedy this problem.

Councillor Adams asked if the treatment plant and pumping station will have adequate capacity to service the entire area once it is completely infilled. Mr. Donovan informed that the consultants have stated "anything could be enhanced at a price". He informed that there is adequate capacity to accommodate additional population over and above what the treatment plant has been designed for, and it can be added to and enhanced, should it be necessary.

Councillor Bates asked if this amendment will have any impact on Cherry Brook. Mr. Donovan informed that physically there will be no impact; the amendment will be to the Plan and By-law for the North Preston and Cherry Brook areas, although the amendment really only affects that area to be serviced.

Councillor Randall inquired about the level of treatment at this plant. Mr. Donovan informed it will be secondary treatment.

Speakers in Favour of this Application

None.

Speakers in Opposition to this Application

None.

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

"THAT amendments to the Municipal Planning Strategy and Land Use By-law for the communities of North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston as outlined in Appendices "A" and "B" of the staff report be approved by Municipal Council"

MOTION CARRIED UNANIMOUSLY

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

"THAT amendments to the Municipal Subdivision By-law as outlined in Appendix "C" of the staff report be approved by Municipal Council."

MOTION CARRIED UNANIMOUSLY

DA-EP/CB-09-88-06 - APPLICATION BY ATLANTIC INDUSTRIES LIMITED TO ENTER INTO A DEVELOPMENT AGREEMENT TO PERMIT AN ADDITION TO AN EXISTING BUILDING, LOCATED ON THE OCEANVIEW SCHOOL ROAD, EASTERN PASSAGE

Mr. Donovan reviewed the staff report, including the key terms of the proposed development agreement. He informed that staff and the Planning Advisory Committee recommend approval of the development agreement because it meets the general intent of the Municipal Planning Strategy which provides for Council to entertain a development agreement within Community Facility Designation, in which this property is located.

Questions from Council

None.

Speakers in Favour of this Development Agreement

None.

Speakers in Opposition to this Development Agreement

None.

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

"THAT the proposed development agreement between the Municipality of the County of Halifax and Atlantic Industries Limited to permit an expansion to an existing building located on Oceanview School Road, Eastern Passage, be approved by Municipal Council."

Councillor Deveaux informed that the Ratepayers Association and the Planning Association are both aware of this proposed development and have expressed no objection. He stated this development will be an improvement to the general area.

MOTION CARRIED UNANIMOUSLY

RA-FEN-04-89-19 - APPLICATION BY THE MUNICIPALITY TO REZONE LANDS WITHIN PHASE I OF THE SPRINGFIELD LAKE SERVICING PROJECT FROM RR-1 (RESTRICTED RESIDENTIAL) ZONE TO R-1 (SINGLE FAMILY DWELLING) ZONE AND P-2 (COMMUNITY FACILITY) ZONE

Mr. Spanik reviewed the staff report, advising that the first phase of the Springfield Lake servicing project is nearing completion, and the remainder of

the area to be rezoned will be brought forward when the second phase of this project is nearing completion. Mr. Spanik informed that this rezoning application will permit further development within the serviced area; that area was rezoned to RR-1 with the intent of restricting development until the central services were available.

Mr. Spanik identified Phases I and II of the Springfield Lake servicing project on a map on the overhead, indicating which area is to be rezoned at this time. He informed that it is the recommendation of staff and the Planning Advisory Committee that this application be approved.

Questions from Council

Councillor MacKay asked that Mr. Spanik identify the area to be rezoned. Mr. Spanik referred to a Map 2 of the staff report, stating the area to be rezoned goes almost completely around Springfield Lake, as shaded on the map. The remainder of the area surrounding the lake to Highway No. 1 will be rezoned upon completion of Phase II of the servicing project.

Councillor Morgan asked if there is any identification of property uses that will not conform to the R-1 zone. He felt any non-conforming uses should be clearly identified and marked. Mr. Spanik advised that uses permitted under the RR-1 Zone will be legally permitted under the R-1 zone, including single unit dwellings, existing two unit dwellings, mobile homes, day care facilities and office space in conjunction with dwelling uses. He was not aware of any industrial or commercial uses under the RR-1 zone.

Warden Lichter stated all existing uses were permitted when this area was rezoned to RR-1, but those uses not permitted under the R-1 zone will become non-conforming, and if the owners of such uses wish to expand or rebuild, there will be some difficulty.

Councillor Morgan stated people operating business uses in their homes in this area will not be happy to hear about this change. He felt if somebody's use is to become non-conforming, they should be notified so problems such as those now encountered in Sackville can be avoided. He expressed no objection to the R-1 zone, but he felt anybody that will have a non-conforming use as a result should be notified.

There was some discussion about the original zoning of the land in question, and the rezoning now being considered. Councillor MacKay reminded of a public hearing to rezone a parcel of land in the past because somebody had a non-conforming use with a mobile home, and they wanted to replace it with a newer mobile home. Warden Lichter added that the application fee for that rezoning was waived because the owner was not aware that he had signed a petition in favour of the original zoning.

Councillor Eisenhauer stated there should be no new businesses uses since this area was zoned RR-1 because that was a restrictive zone applied to protect Springfield Lake before central servicing was installed. This rezoning application is to rezone the area back to R-1 (Single Unit Dwelling) Zone, as it had been zoned previously, because central services are now available.

Warden Lichter asked if there has been any attempt to identify what is permitted under the R-1 zone and what is presently in existence. Mr. Spanik advised that a list of existing uses on Fenerty Road is included in the Zoning By-law for the area. He advised that other businesses will be identified; if they are not, it is because they are permitted under the R-1 zone as office uses within permitted residential dwellings.

There was further discussion about the original zoning in this area and the process of rezoning, making existing uses non-conforming. Councillor Morgan reiterated that most people do not realize that their use is non-conforming until they try to sell it or enhance it, and the necessary permits cannot be obtained.

Councillor MacDonald stated if the non-conforming uses were known, a form of protection for them could be included in the resolution.

Councillor Deveaux felt if there is any doubt or question about such uses, the final decision should be deferred until all necessary information is available.

Councillor Bates felt zoning amendments should not be introduced, if it will interfere with people already living in the area affected. He stated there seems to be a difference of opinion as to whether this rezoning will cause problems for various people, and he suggested this should be further investigated.

Mr. Spanik responded that the people of Springfield Lake have been encouraging this rezoning because development there has been frozen for the last few years under the RR-1 Zone. He was not aware of any industrial or commercial uses in the phase now being considered for rezoning. He advised that he recently reviewed the area, and there were no signs or indication of such uses or equipment, and any industrial uses would have been located along the highway rather than closer to the lake. Mr. Spanik stated there is some desire on the part of the residents to be permitted to develop again, and any existing industrial uses will be recognized during the second phase of this rezoning. He stated original R-1 and R-2 zones existed since 1981; there has been adequate time to recognize illegal uses. He suggested that anybody who wanted their use to be recognized in the community would have come forward by now.

Councillor MacDonald agreed that the residents are waiting for the original zoning to be reinstated on the land in question; many of them are awaiting building permits which are subject to this rezoning. He stated the RR-1 zone was only a temporary zone to protect Springfield Lake until the sewage treatment plant is available for usage, and now that the first phase is almost complete, the R-1 zone should be re-applied. He stated most small businesses are located within the second phase, and they can be identified when it is time for that rezoning application.

Councillor Morgan stated a provision should be made for those uses that came forward subsequent to the rezoning to RR-1. He stated if they had the right to their use prior to the original rezoning, they should have the right once this application is approved, although they will not be aware of whether or not they

do have the right until they try to do something. He stated it is not fair that people cannot get building permits because rights they though they had were taken away from them.

Warden Lichter stated any mistake can be amended in the future, and this application should be approved tonight because it is better than the present RR-1 zone applied to the lands in question, whereby all development is frozen. He concluded that Council does not have the authority to make a general statement or policy regarding properties which should be exempt from a rezoning. He stated if there is any situation whereby another rezoning application must come forth because it should have been exempt from this application, Council will waive the rezoning application fee. He stated if a plan amendment is necessary to accommodate an existing use, that is what will be undertaken.

Following further discussion about the zoning and rezoning process, Councillor Eisenhower informed that he is very comfortable with approval of this rezoning application because any exemptions can be brought forward to Council in the future. He stated the original zoning was applied to the lands before people moved there; therefore, any illegal operations in the R-1 zone should have known full well the zoning restrictions, and they should not be there today because there were no homes when the original zones were applied.

Mr. Spanik concluded the discussion, stating that existing uses in the R-1 zone which do not comply with the zoning regulations are permitted; they will not be non-conforming, but they will be legally permitted as they are listed in the Land Use By-law.

Speakers in Favour of this Application

None.

Speakers in Opposition to this Application

None.

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

"THAT the rezoning of the lands within Phase I of the Springfield Lake servicing project from RR-1 (Restricted Residential) Zone to R-1 (Single Unit Dwelling) Zone and P-2 (Community Facility) Zone, as shown on Map 3 of the staff report, be approved by Municipal Council."

MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

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

"THAT this public hearing adjourn."

MOTION CARRIED

The public hearings adjourned at 7:55 p.m.

JOINT COUNCIL SESSION

RE, SUPPLEMENTARY SCHOOL BOARD FUNDING .

MONDAY, APRIL 17, 1989

PRESENT WERE: Warden Lichter
Mayor Christie, Town of Bedford
Councillor Meade
Councillor Poirier
Councillor Fralick
Councillor Baker
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Morgan
Councillor Snow
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor MacKay
Councillor Sutherland
Councillor Richards
Deputy Warden McInroy
Councillor Cooper
Deputy Mayor Kelly, Town of Bedford
Councillor Draper, Town of Bedford
Councillor Walker, Town of Bedford
Councillor Goucher, Town of Bedford
Councillor Cosgrove, Town of Bedford
Councillor Huntington, Town of Bedford

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. Dan English, Chief Administrative Officer, Town of Bedford
Mr. Ken Wilson, Director of Finance.
Mr. Ron Singer, Director of Finance, Town of Bedford

SECRETARY: Glenda Hill

Warden Lichter called the meeting to order at 4:35 p.m. advising that this meeting has been scheduled to resolve the matter of supplementary funding to the School Board.

Mayor Christie informed that the Town of Bedford does not have any funding formula in place for supplementary funds to the School Board. He informed that he wrote a letter to the School Board last week with regard to supplementary funding and other questions have been raised by Bedford Councillors, but there has been no discussion about dollars.

Councillor Boutilier declared a conflict of interest.

Warden Lichter informed that an 80 percent vote is required for approval of a resolution, which means 23 positive votes is required from those in attendance.

Councillor Reid informed that the School Board has been meeting to discuss where some possible cuts may have to be made to their budget, if supplementary funding from the two Councils is not as anticipated, and they have asked that the Chairman and the Chief Executive Officer be given an opportunity to present the proposed cuts and how they will affect the services offered.

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

"THAT School Board representatives be given an opportunity to present the proposed cuts to their budget to the two Councils."

Councillor Morgan objected to the motion, stating the information was sent to each Councillor in the mail and there was ample opportunity to review them over the weekend.

Councillor Walker also objected, stating there is now enough information available that a decision can be made without further analysis.

MOTION DEFEATED

It was moved by Councillor Walker, seconded by Deputy Mayor Kelly:

"THAT total supplementary funding provided by Halifax County Municipality and the Town of Bedford to the Halifax County-Bedford District School Board not exceed \$500,000."

Councillor Deveaux asked that affect of \$500,000 on the County's budget for funding to the School Board. Warden Lichter indicated that \$500,000 is much less than proposed in the County budget.

Councillor Deveaux next inquired about the percentage Halifax County and the Town of Bedford will provide in terms of supplementary funding. Warden Lichter informed that the Town of Bedford will be asked to pay \$28,500 of the \$500,000 proposed based on the pupil population percentages. Councillor Deveaux indicated that he will not support the motion.

Councillor Ball asked how many Bedford students are served by the School Board. Warden Lichter informed there are 1,677 students from the Town of Bedford, 5.7 percent of the total student population served by the Halifax County-Bedford District School Board.

Councillor Ball commented that the Town of Bedford would be holding Halifax County students at ransom if they are only willing to contribute \$28,500 in supplementary funding in 1989. He suggested it is unfair to the kids of Halifax County, and if the Town of Bedford feel they could provide the service they now receive for that amount, they should create their own school board.