

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL COMMITTEE OF THE WHOLE MINUTES JUNE 23, 1998

PRESENT: Mayor Walter Fitzgerald
Deputy Mayor Reg Rankin
Councillors: Bill Dooks
Gordon R. Snow
David Hendsbee
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
John Cunningham
Jerry Blumenthal
Graham L. Downey
Larry Uteck
Russell Walker
Bill Stone
Ron Hanson
Stephen Adams
Barry Barnet
Peter Kelly
Jack Mitchell

REGRETS Councillor Robert Harvey

STAFF: Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Jane Nauss, Assistant Municipal Clerk

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Deputy Mayor Rankin called the meeting to order at 6:00 p.m.

At a later point in the meeting, Councillor Bill Dooks acknowledged the presence of Mr. Brooke Taylor, MLA, Colchester-Musquodoboit Valley. Further, Deputy Mayor Rankin acknowledged Mr. Gordon Earle, MP, Halifax West, and Councillor-Elect, Ms. Sheila Fougere.

1. APPROVAL OF MINUTES

MOVED by Councillors Blumenthal and Walker that the Minutes of June 1, 1998 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

2. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The Municipal Clerk requested the deletion of the following item from the agenda:

4.2.13 Potential Parkland Acquisition: Jefferson Property, Fall River.

The Municipal Clerk requested the addition of the following item to the agenda:

7.1 Award of Tender No. 97-380, Eastern Passage Field House.

Councillor Adams requested the addition of the following items to the agenda:

7.2 Petition - Circle Drive Paving.

7.3 Motion - Leave of Absence.

7.4 Titanic Grave Site.

Councillor McInroy requested the addition of the following Information Item (#4) to the Regular Agenda:

7.5 Bissett Road Landfill - NSDOE Environment Act and HRM's Responsibilities.

Councillor Kelly requested the addition of the following Information Item (#7) to the Regular Agenda:

7.6 Invitation for Proposal by Maersk/Sea-Land.

Councillor Walker requested the addition of the following Information Items (#5 and #6) to the Regular Agenda:

- 7.7 ICI Sector - Municipal Collection Services - Two Month Extension
7.8 NS Budget of June 4, 1998.

Councillor Hetherington requested the three presentations be heard subsequent to agenda item 4.1.1.

Councillor Hendsbee requested permission for Mr. Greg Brown, Halifax Regional Development Agency (HRDA) to address Council on agenda item #4.2.1 - HRDA - Services to Urban Core.

MOVED by Councillors Cooper and Greenough to approve the Order of Business, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

3. BUSINESS ARISING OUT OF THE MINUTES - NONE

4. REPORT

4.1 MARINE DRIVE, VALLEY & CANAL COMMUNITY COUNCIL

4.1.1 Les Collins Road - District 3

- C A memorandum prepared for Councillor Hendsbee, Chair, Marine Drive, Valley & Canal Community Council, on the above-noted, was before Council. A copy of a petition, submitted to the Community Council, was also before Council.

The Community Council was recommending that HRM proceed with the tender preparations, survey work and required construction work for the road improvements to be done before December 1, 1998.

MOVED by Councillors Hetherington and Cunningham that it be recommended to Council to refer this matter to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

Council agreed to hear the three presentations (#s 6.1, 6.2 and 6.3) at this point in time and renumber as 4.1.2, 4.1.3 and 4.1.4.

4.1.2 Presentation - Emergency Services in the Musquodoboit Valley - Brooke Taylor, MLA

- C A memorandum and press release from Mr. Brooke Taylor, MLA, on the above-noted, was before Council.

Mr. Brooke Taylor, MLA, addressed the Committee expressing the fact it had been the recommendation of the Eastern Shore-Musquodoboit Community Health Board, to the Province, to place an ambulance at the Musquodoboit Memorial Hospital. This request, presented to the Province approximately one year ago, has been disregarded. Accordingly, Mr. Taylor requested Council support this request.

Deputy Mayor Rankin thanked Mr. Taylor for his presentation.

MOVED by Councillors Dooks and Hendsbee to refer debate on this issue to the June 30, 1998 Regular Council Session. MOTION PUT AND PASSED.

4.1.3 Airport Authority Transfer - Bernie Miller, Chair (oral)

C Copies of pictures of airports, marked "Then" and "Now" were distributed to Council.

Mr. Bernie Miller, Chair, Airport Authority, addressed Council, on recent developments of the transfer of the Halifax International Airport to the community. In the early 1990's, the Federal Government decided to withdraw its interest in the airport business (devolution) and to transfer airports to local communities, which would be represented by a Board, who would run the airports. Regulations were established by the government at the time, as to how the Boards would be created and stakeholder groups were provided with a number of nominees.

On June 19, 1998 a community front stood in Province House, advising Transport Canada that this community will not accept third class treatment, requesting fair and equal treatment as other airports (Ottawa and Winnipeg).

BACKGROUND

In 1995, three priorities, or principles, were developed as a way to measure any future deals:

- (a) must be financeable - self supporting;
- (b) treatment in Halifax must be equal to the treatment accorded to other similar sized airports (Ottawa and Winnipeg)
- (c) no known environmental liabilities will be accepted.

Mr. Miller advised this is considered a lease, with Transport Canada continuing to be the landlord.

Prior to the policy of devolution, it was clear that Halifax Airport required upgrading. Halifax was becoming the hub of Atlantic Canada and was growing faster than other airports in

Canada. All airlines, with Transport Canada, developed a plan that would equip this airport to handle expanded traffic. Cost of the plan, to implement, was between \$100 million and \$200 million. The parties involved went forward with the plan for the redevelopment of Halifax Airport according to the funds available. However, the policy of the Government then changed and devolution came about, with the Federal Government ceasing further airport investment. All other airports had been upgraded (prior to devolution), however, Halifax was not included in that group. Accordingly, this airport remains the sole major international airport in Canada that has not been upgraded over the past twenty years.

In referencing the airports in Winnipeg and Ottawa, Mr. Miller advised these airports serve 3 million passengers per year, as does Halifax. The communities of Winnipeg and Ottawa all realized a transfer of airports - approximately eighteen months ago - that were in superior condition. Copies of pictures of the airports, marked "Then" and "Now" were distributed to Council.

The Board has advised Transport Canada that their position fails the test of financial viability and fairness to this community; further, the Board will not accept such treatment despite suggestions that Halifax will suffer dire consequences if it does not accept an earlier deal which was not acceptable.

Alternatives have been proposed by the Board such as:

- C being as flexible as possible in how fairness and viability can be met through the policies/standards set by the Board; and,
- C the Board's demands have been reduced - various schemes have been suggested to minimize the amount of cash to be put up by the Federal Government i.e. instead of charging the municipality rent in the range of \$4 million to \$5 million per year, for a number of years, that a rent holiday be offered so that it rent could be utilized for the redevelopment of the airport.

On March 23, 1998, the Board made a proposal to Transport Canada. As of June 19, 1998, the proposal had not been discussed by Transport negotiators. This indicated they had no mandate to consider same. However, the Federal Minister has authorized the negotiators to respond to the proposal. The Board is cautiously optimistic and believe there may well be something behind this announcement and that a deal may still be possible. Further, the Minister has announced he will meet with the Premier of Nova Scotia once a review of the Board's proposal, by the negotiators, is complete - this should occur within thirty days.

Deputy Mayor Rankin thanked Mr. Miller for his presentation, requesting that Council be kept informed, subsequent to the thirty day period.

4.1.4 Art Gallery of Nova Scotia - Capital Funding - Phase II - Karen Cramm, Bernard Riordon

C Correspondence from Mr. Bernard Riordon, Art Gallery of Nova Scotia, on the above-noted, was before Council.

Ms. Karen Cramm, Treasurer, and Mr. Bernard Riordon, Director and Secretary to the Board, addressed Council with a proposal for capital funding for the Phase II expansion of the Art Gallery of Nova Scotia. The Board was requesting \$250,000 in capital funding, over a five-year period @ \$50,000 per year, commencing in 1998 or 1999.

Deputy Mayor Rankin thanked both Ms. Cramm and Mr. Riordon, for their comments.

MOVED by Councillors Greenough and Downey to refer the request for funding to staff, with a report to be brought back to Council on June 30, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

4.2 CHIEF ADMINISTRATIVE OFFICER

4.2.1 Halifax Regional Development Agency (HRDA) - Services to Urban Core

C A memorandum prepared for Mr. Ken Meech, Chief Administrative Officer, on the above-noted, was before Council.

Further to a Committee of the Whole meeting held on April 7, 1998, staff was responding to a request from Council to prepare a report on expanding the HRDA to the urban area.

Council agreed, at the commencement of the meeting, to hear comments from Mr. Greg Brown, HRDA.

Mr. Brown referenced the report distributed to Council, noting the Association is seeking \$50,000 from the municipality, should it provide services within the urban core.

Councillor Walker stated that he could support the staff recommendation but not the fee for publication of documents.

MOVED by Councillors Walker and Sarto that it be recommended to Council, that at this time it does not appear necessary that the HRDA provide services to the urban core. Staff will continue to work with the Association to determine the need and approach to facilitating community economic development in the urban core. Further, to support changes to the Association's by-laws, particularly the amendment

which changes the status of Municipal Councillors from voting members, to ex-officio or non-voting directorship. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Hendsbee advised he would be stepping down as a municipal representative on the HRDA.

4.2.2 Tender #98-203, North St. Outfall Consolidation, Dartmouth

C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Councillors Cunningham and Sarto that it be recommended to Council to:

- a) **award Tender No. 98-203 - North Street Outfall Consolidation, Dartmouth, to Amber Contracting Limited for materials and services listed at the unit and lump sum prices quoted for a Total Tender Price of \$418,370 and a Total Construction Project Cost of \$481,125 with funding authorized as per the Budget Implications section of the staff report dated June 17, 1998.**
- b) **approve the appointment of SGE Group Inc., for supervision and project management services during construction at an estimated cost of \$40,000 and with funding authorized as per the Budget Implications section of the staff report dated June 17, 1998. MOTION PUT AND PASSED UNANIMOUSLY.**

4.2.3 Tender #98-358, Trunk #2, Paving Renewal, Central Region

C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Councillors Snow and Cooper that it be recommended to Council to award Tender No. 98-358 to Basin Contracting Limited for Option "A" full depth reclamation, for materials and services specified at the unit prices quoted for a total tender price of \$229,913.75 and a total project cost of \$252,000.00 with funding from the approved Capital Account number noted in the Budget Implications section of the staff report dated June 10, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

Mayor Fitzgerald assumed the Chair (7:10 p.m.).

4.2.4 Tender #98-359, Windsor Junction Road Reconstruction

- C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Councillors Snow and McInroy that it be recommended to Council to award Tender #98-359, Windsor Junction Road Reconstruction, to Dexter Construction Co. Ltd. At a tender price of \$356,270.00 and a total project cost of \$409,710.00 with funding to be made available as noted in the Budget Implications section of the staff report dated June 9, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

4.2.5 Tender #98-387, Purchase of 16 Life Rafts

- C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Councillors Greenough and Mitchell that it be recommended to Council to authorize the award of Tender 98-387 to Sea Pro Services as the lowest bidder meeting specifications. Cost per unit is \$6,800 with a rebate of \$1,500 for each raft that is being declared surplus, for a total cost of \$84,000.

Councillor Barnet expressed concern on the trade-in costs requesting a supplementary report, for June 30, to clarify information contained in the report.

MOTION PUT AND PASSED.

4.2.6 GoTime Upgrade Project Funding

- C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Councillors Kelly and Downey that it be recommended to Council to authorize the transfer of \$647,177 from Capital Project Number 02-95115 to the GoTime Upgrade Project number 02-97801.

In response to an enquiry from Councillor Kelly if the account was closed, Mr. Brian Smith, Director, Business Operations (Regional Operations), clarified the project is considered an open project; that the account had been left open, enabling access by staff of same.

Councillor Cooper suggested there was a discrepancy in the figures contained within the staff

report and requested further clarification by staff. In response, Mr. Smith advised he would provide supplementary information.

4.2.7 By-Law R-200 Respecting Road Improvement Charges - Greenough Heights/Maplewood Subdivision

C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Deputy Mayor Rankin and Councillor Walker that it be recommended to Council to give First Reading to By-Law Number R-200, Respecting Road Improvement Charges - Greenwood Heights/Maplewood Subdivision. MOTION PUT AND PASSED UNANIMOUSLY.

4.2.8 Settlement of Expropriation, Parcel X-11, 3636 Dutch Village Road

C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Councillors Walker and Stone that it be recommended to Council that Wayne and Thelma Wood be compensated \$6,000 as settlement, in full, plus any additional taxes or closing adjustments that may be applicable for the expropriation of Parcel X-11, 3636 Dutch Village Road, as shown on Plan No. TT-52-32828. Funds are available in the account for the project, the Titus Street Upgrading Project, Account 02-97921. MOTION PUT AND PASSED UNANIMOUSLY.

4.2.9 Dingle Tower - Sir Sandford Fleming Park

C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Councillors Hanson and Uteck that it be recommended to Council to approve a phased program, starting in 1998, to repair and restore the Dingle Tower with an initial commitment of \$135,000, funded by transfers from projects #91211 (\$16,000), #97312 (\$70,000), #91342 (\$25,000) and #91339 (\$24,000). MOTION PUT AND PASSED UNANIMOUSLY.

4.2.10 Sidewalk Upgrading - Pinegrove Drive - Halifax

C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Councillors Adams and Hanson that it be recommended to Council to approve additional Local Improvement Charges in the amount of \$5.33 per foot per side as a frontage charge against the properties on Pinegrove Drive and relating to the replacement of the existing asphalt sidewalk with new concrete sidewalk and as outlined in the staff report dated June 10, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

It was noted the figure of \$3.33 in the second paragraph of page 2 should read \$6.66.

4.2.11 Water Service Extension Upper Hammonds Plains

C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Deputy Mayor Rankin and Councillor Walker that it be recommended to Council to approve borrowing \$350,000 for the Hammonds Plains Water project from water service reserve funds with the understanding that when appropriate works are undertaken these reserves will be reimbursed.

Deputy Mayor Rankin suggested a by-law be brought forward for a 20 year amortization period.

At the request of Council, Mr. Daniel Norton, President, Community Development Association of Upper Hammonds Plains, addressed Council.

Mr. Norton advised that residents in the affected area have had water problems for many years, and must resort to either purchasing potable water, or treating their own water (water softeners, salt, boiling).

At the request of Council, Mr. Gordon Earle, MP, Halifax West, addressed Council on the issue at hand. In speaking on behalf of the community, Mr. Earle noted the residents wish this project to be successful.

Mayor Fitzgerald thanked Messrs Norton and Earle for their comments.

In response to an enquiry from Councillor Adams if Mr. Earle could assist with water problems of this type in the Herring Cove area, Mr. Earle advised he would do what he could, to assist the residents in this regard.

Councillor Cooper suggested a policy should be developed to be applied to other areas within the municipality that have these same types of water problems (reference was made to Little

Salmon River Subdivision). Councillor Hendsbee echoed Councillor Cooper's comments referencing Little Ross Road Subdivision, and Crane Hill Road - East Preston.

MOTION PUT AND PASSED UNANIMOUSLY.

4.2.12 Beechville-Lakeside-Timberlea Community Centre Renovations

C A memorandum prepared for Mr. Dan English, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Deputy Mayor Rankin and Councillor Uteck that it be recommended to Council to approve \$60,000 from the Capital Surplus Reserve Fund to augment the \$50,000 in approved funding from the Federal/Provincial Infrastructure Program for capital improvements to the Beechville/Lakeside/Timberlea Community Centre as outlined in the 1998-99 Capital Budget. MOTION PUT AND PASSED UNANIMOUSLY.

4.2.13 Potential Parkland Acquisition: Jefferson Property, Fall River

This item had been deleted from the agenda at the commencement of the meeting.

5. CORRESPONDENCE

5.1 Canoe '97 - Commemorative Plaque

C Correspondence from Mr. Martin W. Jones, Chairman, Canoe '97 Organizing Committee, on the above-noted, was before Council.

MOVED by Councillors Cunningham and Hetherington that it be recommended to Council to authorize the Halifax Foundation to place a 42" x 36" bronze plaque on a natural granite base on HRM land adjacent to the gazebo site on Prince Albert road, Lake Banook. MOTION PUT AND PASSED UNANIMOUSLY.

6. PRESENTATIONS

All presentations took place earlier in the meeting renumbered as 4.1.2, 4.1.3 and 4.1.4.

7. ADDED ITEMS

7.1 Award of Tender No. 97-380 - Eastern Passage Field House

MOVED by Councilors McInroy and Hendsbee that it be recommended to Council to

approve funding as per the Budget Implications section of the staff report dated June 23, 1998 and award Tender No.97-380 Eastern Passage Field House Construction to Tag Enterprises for materials and services listed at unit and lump sum prices quoted for a total tender price of \$109,261.50. MOTION PUT AND PASSED UNANIMOUSLY.

7.2 Councillor Adams - Petition - Circle Drive

Councillor Adams submitted a petition from the residents of Circle Drive requesting the street be properly repaired and paved. The Councillor requested this petition be forwarded to staff for a report.

7.3 Councillor Adams - Motion - Request for Leave of Absence

Councillor Adams advised he has been absent from two consecutive Regular Council Meetings of Council and would be absent for the June 30, 1998 Regular Council Meeting as well. Accordingly, the Councillor requested Council grant him a Leave of Absence from three consecutive Regular Meetings of Council (pursuant to the Municipal Elections Act Section 18(6)).

MOVED by Councillors Hetherington and Barnet that it be recommended to Council to grant Councillor Adams a Leave of Absence from three consecutive Regular Meetings of Council (May 26, June 16 and June 30, 1998). MOTION PUT AND PASSED UNANIMOUSLY.

7.4 Councillor Adams - Titanic Grave Site

MOVED by Councillors Adams and Barnet that it be recommended to Council that a staff report be prepared identifying those Titanic Grave sites that have no markers, and those existing markers that are deteriorating. MOTION PUT AND PASSED UNANIMOUSLY.

7.5 Councillor McInroy - Bissett Road Landfill - NSDOE Environment Act and HRM's Responsibilities (Info Report #5)

C An Information Memorandum, prepared for Mr. Mark Bernard, Manager, Waste Resources, on the above-noted, was brought forward to the Regular Agenda from the Information Items listing.

Councillor McInroy referenced the staff report enquiring as to what development plans brought this issue into focus. Accordingly, the Councillor requested an expanded report be prepared.

MOVED by Councillors McInroy and Snow that it be recommended to Council that an “expanded” staff report be prepared. MOTION PUT AND PASSED UNANIMOUSLY.

Mr. Mark Bernard, Manager, Waste Resources, advised he would also meet with the Councillor in this regard.

7.6 Councillor Kelly - Invitation for Proposal by Maersk/Sea-Land (Info Item #7)

- C An information memorandum prepared for Ms. Val Spencer, Director, Priority and Policy, on the above-noted, was brought forward to the Regular Agenda from the Information Items listing.

Councillor Kelly questioned the process with the above-noted proposal invitation, by Maersk/Sea-Land, to develop a major intermodal container. In response, Mr. Ken Meech, Chief Administrative Officer, advised the Halifax Port Corporation is preparing a response to the proposal call, and that staff will be in a position to provide a further report for the July 14, 1998 Regular Session.

Councillor Greenough hoped the Port Corporation was successful with its response to the proposal call, noting the project was important to the future of Halifax as a port.

7.7 ICI Sector - Municipal Collection Services - Two Month Extension (Info item #5)

- C An information memorandum prepared for Mr. Mark Bernard, Manager, Waste Resources, on the above-noted, was brought forward to the Regular Agenda from the Information Items listing.

Councillor Walker enquired if the figures indicated on page two, paragraph one, of the staff report, were correct (\$390,000), to which Mr. Bernard advised in the affirmative - that it was an approximate figure.

The Councillor suggested his residents would be willing to pay the required fee (\$55.43/yr) and that perhaps staff should further investigate this. Councillor Walker enquired if it would be possible for the ICI sector to pay the \$55.43 per year (through taxes) to continue with the service.

In response, Mr. Bernard advised there is an unfairness in that the other ICI groups are subsidizing this smaller group. Should the municipality offer that to one section, it would have to offer to all, thereby losing a substantial amount of tipping fees.

Councillor Walker expressed further concern noting this group is presently paying taxes and losing the service. It is one thing to say they are being subsidized but at the same time the staff report states it would cost only \$55.43 per year to continue same.

The Councillor advised the report did not reference costs for the 441 businesses in the rural district and enquired if there was a dollar figure available, to which Mr. Bernard advised in the negative. Councillor Walker requested a further staff report, for next week, to determine if this would be possible.

MOVED by Councillors Walker and Schofield that a further staff report be prepared on this matter, for the June 30, 1998 Regular Council Session. MOTION PUT AND PASSED UNANIMOUSLY.

7.8 NS Budget of June 4, 1998 (Info Item #6)

C An Information memorandum prepared for Mr. Bruce Fisher, Budget Co-Ordinator, on the above-noted, was brought forward to the Regular Agenda from the Information Items listing.

Councillor Walker referenced the Information Report requesting a revised version be prepared for the next Regular Session of Council (June 30, 1998).

Councillor Walker further requested information from the Regional School Board as to where supplementary funding will be spent during the 1998/99 fiscal year; further, that this information be provided for the June 30, 1998 meeting as well.

8. ADJOURNMENT

MOVED by Councillors Uteck and Blumenthal to adjourn the meeting at 8:50 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
MUNICIPAL CLERK