

TUESDAY, MARCH 16, 1976

The Municipal Clerk gave a resume of the correspondence and it was moved by Councillor Gaetz, seconded by Councillor Johnson:

"THAT the correspondence be received."
Motion carried.

Councillor Lawrence asked if there had been any word received from CRTC and was advised by the Clerk that nothing had been received.

Councillor Deveaux stated that a lot of people are being seriously hurt by the costs of power. With regard to the letter from the Premier that the moratorium on school construction was continued, he remarked that he was sorry to hear this, and termed the moratorium ridiculous.

The Report of the Warden was then considered. It was moved by Councillor Smith, seconded by Councillor McCabe:

"THAT the Report of the Warden be received."
Motion carried.

The Report of the Director of Planning and Development was the next item on the agenda.

It was moved by Councillor Slauenwhite, seconded by Councillor Anderson:

"THAT the Report of the Director of Planning and Development be approved." Motion carried.

Next item was the Report of the Planning Advisory Committee. It was moved by Councillor Slauenwhite, seconded by Councillor Fader:

"THAT the Report of the Planning Advisory Committee be approved." Motion carried.

Councillor McCabe commented that there had been an unsightly building in his District for about five years now, and he receives letters saying that steps are being taken but nothing is ever done. Mr. Bensted advised that this is one where we are taking legal action and it is a long drawn-out process, but action will be taken shortly.

Councillor Hudson spoke on the Shubenacadie Canal and the eight foot set back.

Mr. Cox advised that a change in the Zoning By-law and Building By-law would be required. He stated that he and Mr. Bensted had been contacted by the Provincial Planning Appeal Board with regard to the issuing of a permit - the hearing is to be on the 12th and 13th of April.

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

"THAT the Municipal Solicitor be instructed to attend the Appeal of the Provincial Planning Appeal Board re Russell Attree and act in the best interests of the Municipality." Motion carried.

Councillor Hudson commented that she did not see why we should defend action taken by the Provincial Government.

Councillor Anderson stated that anything that is connected with the regional development is of interest to this Council.

The Municipal Solicitor commented that he had just brought it up so that someone would not ask why he was not there.

It was moved by Councillor Hudson, seconded by Councillor Anderson:

"THAT the Planning Advisory Committee be asked to have a look at the possibility of a greater set back re building where water frontage is involved."
Motion carried.

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

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended so that the provisions contained in Sections 49B, 49C and 49D regarding Industrial Uses apply to District No. 3 of the Municipality. Application No. 53-75."
Motion carried.

It was moved by Councillor Fader, seconded by Councillor Slaunwhite:

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of Grant MacLaine, Lower Sackville, from R-1, Residential Single Family Dwelling Zone, to C-1, Commercial Local Business Zone. Application No. 47-75." Motion carried.

It was moved by Councillor Fader, seconded by Councillor Slaunwhite:

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of Elia Ramia, Lower Sackville, from R-1, Residential Single Family Dwelling Zone, to C-1, Commercial Local Business Zone. Application No. 49-75." Motion carried.

The Supplementary Report of the Chief Building Inspector was then dealt with.

It was moved by Councillor Anderson, seconded by Councillor Lawrence:

"THAT the Supplementary Report of the Chief Building Inspector be approved." Motion carried.

Councillor Deveaux asked about the case of the Trynor property.

Mr. Bensted advised that Planning Advisory had deferred action in this item. He advised that in conversation with Mr. Larry Powell, Trynor had indicated that they were going to make application to Planning to reconsider the application: If Planning wish to receive his submission and wish to make any further recommendation to Council, they are at Liberty to do so.

Councillor Dunbar advised that they had not received the letter until the actual time of the meeting yesterday. He stated that Planning Advisory Committee was taking a second, third and fourth look at most of these rezoning requests that are coming in.

The Report of the Municipal School Board was the next item on the Agenda.

It was moved by Councillor Anderson, seconded by Councillor Hudson:

"THAT the Report of the Municipal School Board be received." Motion carried.

Councillor Deveaux noted that, according to reports in the paper, a number of school playgrounds were going to be paved in the Sackville area, and asked if this were part of the million dollar expenditure.

Councillor McCabe advised that some driveways were going to be paved in certain schools.

Councillor Deveaux said he had nothing against Sackville but that there were other Councillors who would like to have things done also.

The Municipal Clerk advised that the Municipal School Board had submitted a certain amount for work to be done. This had been submitted to the Department of Education for cost-sharing, but approval had not been received as yet.

Councillor Gaetz commented that the article to which Councillor Deveaux had referred to caused quite a discussion at the High School meeting in his area.

Councillor Slaunwhite asked if the \$46,000 levy re area school rate for Sackville SS75 could be changed.

TUESDAY, MARCH 16, 1976

Mr. Bensted said that, as he understood it, if this was passed at the meeting in the required manner, Council has no alternative but to make an area rate covering this.

Mr. Cox, Municipal Solicitor, advised that unless this was done at the local level neither the School Board nor Council can change this.

At this point Councillor Anderson requested permission to withdraw from Council to return to the Hospital. Permission was granted.

Councillor Dunbar stated that the purpose of the \$10,000 for Hammonds Plains was to hire a remedial teacher. This sum was passed at a Trustees meeting but this is only the amount that would cover the salary of the teacher for six or seven months. He stated there were a number of factors overlooked at the Trustees meeting. He said he did not realize that this was a responsibility of the Trustees themselves, and did not take into consideration that this teacher would not be employed by the Municipal School Board, but by the Trustees. If a teacher is not hired they will have to collect the \$10,000 and consider the \$10,000 as a surplus. He asked if another meeting could be held before the next Council meeting.

Mr. Cox commented that, generally speaking, he could see no reason why they could not hold another meeting as long as it was before the tax rate was set.

It was moved by Councillor Killam, seconded by Councillor Slawnwhite:

"THAT the Section of the Municipal School Board Report re Area School Rates be referred to the Finance and Executive Committee." Motion carried.

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

"THAT the Municipal School Board be requested to circulate the Minutes of the Municipal School Board Meetings to members of the Municipal Council." Motion carried.

A standing vote was taken on this motion with the result nine (9) for, four (4) against. The Warden declared the motion carried.

Councillor Killam rose to speak about his concern with the education system in Nova Scotia and turned to address Councillor McCabe, but found that he was absent from the Council Chamber.

Councillor Killam stated that he had grandchildren going to school and he was concerned about their training. He further stated that this was not a personal reference to Councillor McCabe or Councillor Hudson, or in fact, the Municipal School Board. He said he would like to know how they represent us in light of the poor educational system in our schools.

Councillor Killam said he would like to have their views on the educational policy of the Province with regard to what is happening in the school system as to the end product, or the graduate with regard to abilities in the essentials.

Councillor Hudson replied that there is no doubt that the Municipal School Board is concerned. She commented that teachers were cut back last year by the Department of Education. The Municipal School Board protested but was ignored. This year they have been told they are to cut back sixty-eight teachers, and it makes for an extremely serious situation. She stated that one real problem is handicapped children.

Councillor Hudson also stated that we did not have enough school buildings - that children are going to be on half time. She stated that it is not possible to get remedial teachers. She stated that she has advocated "in-service" programs for teachers. She also stated that there is not much that can be done about the curriculum. This is established by the Department of Education and in her estimation they were "doing a rotten job".

Councillor Deveaux commented that he could not see how the cut back would avoid effecting other teachers as well, and he hoped that the Municipal School Board would make a strong appeal to the Department of Education to maintain the same teachers as this year.

TUESDAY, MARCH 16, 1976

Councillor Johnson, speaking with regard to the request for School Board minutes, commented that this same resolution had been put through many times before. He stated that there are some things in their minutes which might concern personalities and the Board might not wish to have them circulated.

Councillor McCabe agreed that it was a useless motion and stated that if any Member of Council went up to the School Board and requested to see the Minutes he would not be denied.

Councillor Fader brought up that he had asked for a report from the Municipal School Board with regard to vandalism. He stated he also asked that the School Board look into the lighting of school property.

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

"THAT the Municipal School Board be requested to consider, as part of their budget, the matter of providing schoolyard area lighting to cut down on vandalism." Motion carried.

Councillor Fader asked if any damages were a shareable item and was advised by Councillor McCabe that insurance covered this area.

The next item was the Report of the School Capital Program Committee.

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

"THAT the Report of the School Capital Program Committee be approved." Motion carried.

Councillor Gaetz advised that a delegation had come in to the Municipal School Board to ask why the Junior High School at Musquodoboit Harbour had not been started before, and were advised that it was not included in the moratorium.

The Municipal Clerk advised that this was "yes and no" - that it had been included in the moratorium and then released.

The next item was the Report of the Finance and Executive Committee.

It was moved by Councillor Killam, seconded by Councillor Slauenwhite:

"THAT the Report of the Finance and Executive Committee be approved." Motion carried.

With regard to the "recommended studies by the Board of Public Utilities", Councillor Hudson said she was against spending any more money for studies.

The Municipal Solicitor advised that under the terms of the Municipal Boundaries Act, the Board has the authority to direct certain studies by the Municipality and that a meeting had been arranged to determine the extent of these studies. The date of this meeting is March 24th at 9:30 a.m.

Mr. Bensted advised that he and Mr. Cox would report back to Council as to what the Board of Public Utilities felt the County should do. He said there was no doubt that the Municipality would be accepting the Municipal Development Plan and certain information would be of great value to carry out a study in the Sackville area.

Councillor McCabe commented that Mr. Irving Conrad of Middle Musquodoboit had recently been appointed as Weed Inspector. He advised that this man's superior was concerned over the amount he was paid.

Mr. Bensted advised that the Weed Inspector was being paid \$25.00 per day plus mileage. Councillor McCabe suggested that this should go to the Finance and Executive Committee to be raised to \$30.00 per day plus mileage.

It was moved by Councillor McCabe, seconded by Councillor Killam:

"THAT the matter of remuneration to the Weed Inspector be referred to the Finance and Executive Committee." Motion carried.

Councillor Gaetz reported that he had been called from some of the people in his area about the height of the Bridge at Porters Lake.

The Municipal Solicitor advised that an application had been made under the Navigable Waters Act.

Warden Settle expressed the thought that more direct action could be taken by the people themselves.

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

"THAT the concern of the Residents of the Porters Lake Area be made known with respect to the application by the Provincial Department of Highways under the Navigable Waters Act re construction of a causeway and bridge across Porters Lake for highway purposes."
Motion carried.

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

"WHEREAS the Municipality of the County of Halifax established the Retirement Pension Plan with effect from January 1st., 1963, and

WHEREAS the right is reserved to the Municipality in Section 13.1 of the plan to amend the plan from time to time, and

WHEREAS the Municipality wishes to amend the provisions of the Plan dealing with supplementary pensions.

NOW THEREFORE the Plan is hereby amended effective January 1, 1976, as follows:-

Sections 15.1 to 15.4 inclusive are deleted in their entirety and replaced by the following new Section 15.1-

"15.1 - As at January 1, 1976 any amount held by the Trustees in respect of additional voluntary contributions made by members under the provisions of this Section 15 as in effect prior to January 1, 1976 shall be transferred to individual registered retirement savings plans issued in the name of said members. Such transfers shall be in accordance with any applicable requirements of the Department of National Revenue. Subsequent to January 1, 1976, no additional voluntary contributions shall be accepted from members under the plan."
Motion carried.

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

"WHEREAS substantial assistance was formerly available under Federally funded programs to municipalities to help defray the installation costs of water and sewer services,

AND WHEREAS the Federal Government has recently revised its assistance program in such a way as to deny to municipalities such assistance in the future,

AND WHEREAS the Council of the Municipality of the County of Halifax deems it essential to the proper development of housing programs in the Municipality that such assistance be restored,

BE IT RESOLVED THAT the Council urge the Federation of Mayors and Municipalities to request the Federal Government to reinstate such assistance programs so that proper servicing can be provided for housing developments." Motion carried.

TUESDAY, MARCH 16, 1976

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

"WHEREAS the Halifax County Hospital has requested that the Municipality of the County of Halifax lease the barn and former piggery building to the Halifax County Hospital to be used for storage and work shop activities of the patients,

AND WHEREAS the Halifax County Hospital has requested the Municipality to lease to it certain lands to be used for patient excursions and outings,

BE IT RESOLVED THAT Council approve of such lease in principle subject to the signing of a formal lease providing for an annual rental of \$1,000.00 and the Maintenance and upgrading of the existing buildings by the Board of Management." Motion carried.

Councillor Fader asked for permission to sit in on the Finance and Executive Committee to enter into the discussion regarding the Taxi By-law and the Dog By-law.

The Municipal Clerk asked Councillor Fader to indicate to him the areas of his concern with regard to the two By-laws.

Councillor Deveaux also asked permission to attend the Finance and Executive meeting when these By-laws were discussed.

Councillor Killam suggested that possibly the whole Council should discuss the dog problems. If the ratio is one dog to three persons the situation is getting wild. He said he would certainly favour any Councillor who would like to sit in with the Committee on this discussion, and asked if any Councillor had any information that would be helpful to the Committee, it would be appreciated if it would be mailed in to the office before the meeting.

Councillor Smith said he would like to recommend to the Finance and Executive Committee that children sixteen years of age be exempt from having to obtain a license under the Trade and Licensing By-law. He commented that some of the children wishing to sell the Regal Line - or cards, etc., only make around \$20.00 and the license costing \$20.00 would profit nothing.

The Municipal Clerk advised Councillor Smith that the Finance and Executive Committee would have a look at this matter with the Municipal Solicitor, although the Solicitor advised that he did not think we had any authority to make exemptions, he would check into it.

The Municipal Solicitor announced that if any Councillors had any suggestions or questions with regard to Municipal Legislation, that he had been advised in the noon break today, that the Law Amendments Committee would be considering reform bills at ten o'clock tomorrow morning.

Councillor Deveaux asked the Solicitor what part of a farm comes under commercial property and was advised by the Municipal Solicitor that any farm or woodland providing the persons does not own over fifty thousand acres will come under the lower rate.

Councillor Killam commented that this is the first day of the Annual Council Session and with budgets coming in we are going to have to defer many items until the April Session.

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

"THAT Items 19 to 23 inclusive, of the March Agenda be deferred to the April Session of Council." Motion carried.

Councillor Hudson advised that she had a request for the right to borrow the Municipal By-laws and she asked that six copies be made available to the Halifax County Regional Library and amendments be forwarded to the Library as they come in.

Councillor Dunbar commented that he had had a similar request.

After much discussion, on the issue, it was moved by Councillor Hudson, seconded by Councillor Dunbar:

TUESDAY, MARCH 16, 1976

"THAT the Halifax County Regional Library be provided with six (6) copies of the present By-laws for circulation."
Motion carried.

The Municipal Solicitor expressed the opinion that there should certainly be a notification in the front of the books that the Municipality accepts no responsibility that it is not a complete set.

Councillor MacKenzie asked if any changes were not made available to Department Heads.

The Municipal Clerk stated that we would have no way of knowing that they would be kept up to date. We accept the responsibility of seeing that the office copy is kept up to date at all times.

Councillor Lawrence brought up the fact that this is election year in the Municipality and after some discussion, it was moved by Councillor Lawrence, seconded by Councillor Deveaux:

"THAT the Finance and Executive Committee review the matter of payment re Revisors, Presiding Officers, Deputy Presiding Officers, Poll Clerks, and Place of Poll, and report to the April Session of Council."
Motion carried.

Councillor Lawrence said she was unable to find the letter to Mr. Bensted from the Department of Municipal Affairs covering the Province-wide Questionnaire as to educational background and training of Municipal Employees and asked if those reports had been returned to the Department of Municipal Affairs.

The Municipal Clerk advised that this had been a confidential report but a report would come back. He stated his report had been submitted three to four weeks ago.

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

"THAT Council adjourn to April 20th, 1976 at 10:00 a.m."
Motion carried.

MINUTES OF THE ANNUAL SESSION OF THE MUNICIPAL COUNCIL
OF THE THIRD YEAR COUNCIL OF THE THIRTY-EIGHTH COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX

The Annual Session (Second Day) of the Council of the Municipality of the County of Halifax convened at the Municipal Administration Building at 3:00 P.M. following the regular April Session, with Deputy Warden Kenneth Streach in the Chair.

The Municipal Clerk called the Roll.

The Annual Report of the Director of Assessment was presented to Council. It was moved by Councillor Hudson, seconded by Councillor Nicholson:

"THAT the Annual Report of the Director of Assessment be received." Motion carried.

Councillor Deveaux asked about the assessment situation re Devil's Island and was advised by the Municipal Clerk that there was exemption for Federal Government property.

Councillor Hudson asked if a similar report would be received every year even though the Assessment Department was now under the Provincial Government.

Mr. Bensted advised that it was anticipated that such a report would be received each year.

The Annual Report of the Planning Advisory Committee was then presented to Council. It was moved by Councillor Hudson, seconded by Councillor Nicholson:

"THAT the Annual Report of the Planning Advisory Committee be approved." Motion carried.

Councillor Anderson brought up the matter of street numbering.

Mr. Bensted advised that there were a number of areas where street numbering has to be carried out and Planning Advisory are now in a position where they are starting to catch up and hope by the end of the summer the back log will be taken care of.

The Annual Report of the Director of Social Assistance was next considered.

It was moved by Councillor Williams, seconded by Councillor Fader:

"THAT the Annual Report of the Director of Social Assistance be approved." Motion carried.

Mr. Bensted brought up the matter of appointment by Council. He commented that there were four members to the Visiting Committee to Ocean View Manor but advised that the Government will look after compensation for three only.

It was moved by Councillor Nicholson, seconded by Councillor Killam:

"THAT appointments by Council be deferred to the May Session of Council with the exception of the appointment of the Auditors." Motion carried.

It was moved by Councillor Hudson, seconded by Councillor Killam:

"THAT the firm of Thorne, Riddell & Company be appointed as Auditors for the year 1976." Motion carried.

The Municipal Clerk spoke on the Revisal Sections. It was moved by Councillor Hudson, seconded by Councillor Nicholson:

"THAT the Revisal Section as tabled, be approved." Motion carried.

Councillor Johnson requested a change in the place of Pollin his District from Eastern Star Hall to East Preston Recreational Centre.

Councillor MacKenzie requested a change in the description of the Revisal Section referring to Tangier.

The next item was the Annual Report of the Municipal Collector together with a Statement of Outstanding Taxes. It was moved by Councillor Deveaux, seconded by Councillor Nicholson:

"THAT the Annual Report of the Municipal Collector together with the Statement re Outstanding Taxes be received." Motion carried.

The Report of the Finance and Executive Committee was then considered.

It was moved by Councillor Anderson, seconded by Councillor Killam:

"THAT the Report of the Finance and Executive Committee be approved." Motion carried.

Councillor MacKenzie asked what the reason was that we have been unable to meet with Government Ministers.

Councillor Killam advised that the House was in Session but he hoped that a meeting might be arranged within the next ten days.

Councillor MacKenzie commented that the non-shareable items in the budget of the Municipal School Board had been increased to slightly over one million dollars and asked if there were some new items being added.

Mr. Bensted said he did not think the Municipal School Board had added much in the way of new programs.

Councillor Dunbar asked what areas came under the jurisdiction of Joint Expenditures and was advised by the Municipal Clerk that it covered the costs of the Correction Centre, the Court House Commission and general costs of justice, witness fees, Court attendance, etc. He advised that the Halifax-Dartmouth Bridge Commission was not involved in this at all.

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

"THAT Council recommend that the Finance and Executive Committee seek a meeting with the Premier and Cabinet Ministers re Shareable Costs." Motion Carried.

Following some discussion, it was moved by Councillor Nicholson, seconded by Councillor Williams:

"THAT following a decision from the Department of Education the Municipal School Board review their estimates for the year 1976 before presenting them again." Motion carried.

Councillor Smith advised that the name of Stanley Watson had been omitted from the list of District Officers. The Municipal Clerk advised that Mr. Watson's name would be added.

Councillor MacKenzie advised that the name Mrs. Dennis Glawson should be Mrs. Donniss Glawson. The Municipal Clerk said that this correction would be made.

It was moved by Councillor Williams, seconded by Councillor Nicholson:

"THAT the District Officers be approved, as amended." Motion carried.

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

"THAT the Annual Session of Council adjourn to 10:00 a.m. on Tuesday, May 18th., 1976." Motion carried.

MINUTES OF THE ANNUAL SESSION OF THE MUNICIPAL COUNCIL
OF THE THIRD YEAR COUNCIL OF THE THIRTY-EIGHTH COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX
(THIRD DAY)

The Annual Session (Third Day) of the Municipal Council of the Municipality of the County of Halifax convened at the Municipal Administration Building at 3:00 p.m., Tuesday, May 18th., 1976 with Warden Ira S. Settle presiding.

The Municipal Clerk called the Roll.

It was moved by Councillor Nicholson, seconded by Councillor Anderson:

"THAT the Minutes of the Second Day Annual Session of the Municipal Council held on Tuesday, April 20th., 1976 be approved." Motion carried.

It was moved by Councillor Williams, seconded by Councillor Anderson:

"THAT the members of the Visiting Committee to the Halifax County Hospital, with the exception of Mrs. C.L. Dodge be re-appointed as follows:
Mr. Arthur Harrigan of Herring Cove, Halifax County.
Rev. A.C. Snow of 22 Elkenvale Drive, Dartmouth,
Rev. Bernard Landry of West Chezzetcook, Halifax County,
and Rev. Robert Jones of Musquodoboit Harbour, Halifax County." Motion carried.

It was moved by Councillor Anderson, seconded by Councillor Nicholson:

"THAT the members of the Visiting Committee to Ocean View Manor with the exception of Mr. Murray Ritcey be re-appointed as follows: Rev. Father Hayes of Eastern Passage; Rev. Joseph Willett of Ship Harbour, R.R.#1, Lake Charlotte; and Mrs. Garfield Woodworth, of 6 Meadowbrook Drive, P.O. Box 231, Bedford, Halifax County." Motion carried.

Mr. Bensted announced that Mr. Henry Bonang of Head Chezzetcook had advised that he was unable to act on the Veterinary Assistance Board.

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

"THAT Mr. Roscoe Tofflemire of Chezzetcook be nominated to the Halifax South-East Assistance Board. " Motion carried.

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

"THAT nominations cease." Motion carried.

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

"THAT Mr. Melvin Harris of 921 Cole Harbour Road, Dartmouth, and Mr. Roscoe Tofflemire of Chezzetcook, Halifax County be appointed to the Halifax South-East Veterinary Assistance Board." Motion carried.

It was moved by Councillor McCabe, seconded by Deputy Warden Streach:

"THAT Mr. Havelock Erskine of Upper Musquodoboit, R.R.#4 Middle Musquodoboit and Mr. Austin MacKay of R.R.#4, Middle Musquodoboit, be appointed to the Halifax Musquodoboit Veterinary Assistance Board." Motion carried.

The Municipal Clerk announced that the Auditors had already been appointed.

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

"THAT Mr. Arthur Harrigan of Herring Cove and Mr. Owen Dillman of Meagher's Grant, and Mr. Frank Holman of Middle Musquodoboit be appointed to the Municipal Building Board." Motion carried.

It was moved by Councillor Nicholson, seconded by Councillor Fader:

"THAT the Municipal Clerk and Treasurer or a person whom he delegates, be authorized to take delivery of paid coupons and bonds charged to the account operated in the name of the Municipality of the County of Halifax Bond, Redemption Account (both Municipal and School) in the Royal Bank of Canada." Motion carried.

It was moved by Councillor McCabe, seconded by Councillor Slauenwhite:

"THAT the Municipal Clerk and Treasurer and the Warden or Chairman of the Finance and Executive Committee be authorized to sign the Royal Bank of Canada forms re Safety Deposit Box and;

"THAT the Clerk and Treasurer and the Warden or Chairman of the Finance and Executive Committee have access to the Safety Deposit Box." Motion carried.

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

"THAT the Area School Rates be approved as recommended." Motion carried.

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

"THAT the Report of the Finance and Executive Committee re Special Area Rates be approved." Motion carried.

The Municipal Clerk then presented the Third Report of the Finance and Executive Committee re Estimates and Expenditures.

It was moved by Councillor Killam, seconded by Councillor Hudson:

"THAT the Third Report of the Finance and Executive Committee be approved." Motion carried.

Councillor Killam reported on the meeting with the Provincial Ministers. He stated that the Finance and Executive Committee had been waiting for some time for such a meeting with the Premier, the Minister of Finance and the Minister of Education. The House being in Session, delayed matters and in the meantime, we had to deal with the Municipal School Board - we were aware of their interests and their concerns and the School Board was aware of the concerns of the Municipality.

Councillor Killam commented that it was pretty well a "no-no" before the Committee went to the meeting. He stated that they talked about school problems and "zeroed-in" basically on the shareable and non-shareable items. He stated that non-shareable items have gone up almost a million dollars and we are in danger of building up a non-shareable cost that people will not be able to handle. The Minister of Finance seemed to direct the Minister of Education that this is an area that they should and will be watching closely as to what are shareable items and should this be revised towards Municipalities.

Councillor Killam continued that the feeling is that the Department of Education has taken over all education. This, he said, is not so. We have been issued with what the Province now deems to be a final rate on non-shareable items which will be reviewed. Councillor Killam said he felt that "the door is open". They will watch this. This is a matter of great concern.

Councillor Killam continued saying that the Government had passed their budgets. They are getting requests from all over the Province, but state they have no money. He stated that the Finance and Executive Committee are sympathetic to the School Board but there is not that kind

MINUTES OF THE ANNUAL SESSION OF THE MUNICIPAL COUNCIL
MAY 18th., 1976 - Continued

of money available to warrant the taxpayers paying one hundred percent of the items. He stated that this was brought to the attention of the Ministers so that they could take action next year, however, it is our understanding that when it is shown in the Autumn that we need teachers, they will do their best.

Councillor Williams asked what happened to the Premier's promise when he was taking over the Government for four years that they would take over full education.

Councillor Killam advised that the Premier was not at the meeting. He said that many municipalities are asking the same question. He commented that we are concerned too, if what had already taken place continues, there is no way people in the County of Halifax will be able to handle the non-shareable items.

Councillor Williams stated that he would be the first to admit that the Finance and Executive Committee and the Municipal School Board have done a lot of work to bring the tax rate to a sensible level but he felt that the Municipal Council, as an elected body, should make sure that the Premier be reminded that he made a promise and we hope that we are not going to be in this state in a year and then another year (election year) funds be implemented. He stated he would like a letter to go to the Premier expressing the concern of the people that his promise to the people be implemented as soon as possible.

Councillor Killam commented that if the Finance and Executive Committee and the Municipal School Board cut too fine and cut away items that we could handle, then the Government will take the stand that we can handle it. He stated that the level of education of children will not be handicapped, and future Councillors should attempt to follow up the shareable and non-shareable items.

Councillor Gaetz commented that on listening to the Minister of Education, he had gotten the impression that a lot of teachers had been hired that were not necessary.

It was moved by Deputy Warden Streach, seconded by Councillor Nicholson:

"THAT the Revenue and Expenditures for the year 1976 be approved as submitted." Motion carried.

It was moved by Councillor Anderson, seconded by Councillor Lawrence: (Amendment)

"THAT \$30,000.00 for Continuing Education; \$5,000.00 for the Tantallon Junior High School (Improvement to Grounds) and \$5,000.00 for the William King School at Herring Cove be added to the Estimates."

A standing vote was taken with the result three (3) for; fourteen (14) against. Amendment defeated.

A standing vote was taken on the motion with the result fifteen (15) for, two (2) against. Warden Settle declared the motion carried.

Deputy Warden Streach commented that while he agreed with the motion on the floor, in principle he had to agree with Councillor Nicholson. He stated that the Finance and Executive Committee had looked over this budget time and time again. He stated that there had been over three million dollars in non-shareable items and the Municipal School Board went back and submitted to the Finance and Executive Committee a report that they could live with. He said that not one item that is more important than another that has been deleted. He said he would have to vote against the motion.

Councillor Killam commented that he was sure all Councillors would like to have things in our schools that they do not now have. Some items can be postponed. He stated that we had been assured by the Municipal School Board that buildings will not be deteriorated if some items are postponed for a year. If we deviate and put something in one area - why not in another area.

Councillor Deveaux said he wished Councillor Anderson had included Adult Education in his motion. We realize, he said, that the Finance and Executive Committee and the Municipal School Board went through a lot of work but he was hopeful next year that the Government would take over and give us more in extra education. Two wrongs, he said, do not make a right and he was of the opinion that the Provincial Government should not have cut out the cost sharing.

MINUTES OF THE ANNUAL SESSION OF THE MUNICIPAL COUNCIL
MAY 18th., 1976 Continued

Councillor MacKenzie brought up the matter of a teacher for the Mooseland School which he would like added and he was advised by the Municipal Clerk that it is the responsibility of the Municipal School Board, all we can do is recommend it to them.

It was moved by Councillor MacKenzie, seconded by Deputy Warden Streach:

"THAT the Municipal School Board be requested to consider the hiring of another teacher in order to avoid closing the Mooseland School." Motion carried.

A standing vote was taken with the result ten (10) for, seven (7) against. Warden Settle declared the motion carried.

Councillor Hudson expressed the opinion that if the Municipal School Board were given permission to hire another teacher it would be extremely unlikely that Mooseland would be the best place for that extra teacher.

It was moved by Councillor Hudson, seconded by Councillor Fader:

"THAT Mrs. Doreen Muriel Snow of Fall River, Mr. A.A. McPherson of Fall River and Mr. William MacDonald of 9 Hillcrest Avenue, Lower Sackville be appointed as Constables for the licensing of dogs." Motion carried.

It was moved by Councillor Nicholson, seconded by Councillor Hudson:

"THAT the Municipal Council adjourn until 4:00 o'clock." Motion carried.

The Municipal Council reconvened at 4:15 o'clock.

The Municipal Clerk presented the Final Report of the Finance and Executive Committee.

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

"THAT the Final Report of the Finance and Executive Committee be approved." Motion carried.

Councillor Williams commented that it was a very good rate for householders but he felt for some of the small business holders - what would be considered commercial and what residential - if there were some stores in their homes.

The Municipal Clerk said in such an instance there would be a breakdown of the assessment - part for residential and part for commercial.

Councillor Williams spoke of the one large fishery in his District commenting that the water is frozen up early in December until late in Spring which means it is almost a matter of no work whatsoever, and he felt the commercial rate would be a blow to them - it was quite an increase. He wondered what was going to happen to the individual man who was trying to make a living.

Mr. Bensted, Municipal Clerk, advised that the assessment is based on the market value of the property and whether an operation is carried on one month or twelve months does not enter into the situation.

Councillor MacKenzie stated that the Finance and Executive Committee have to be congratulated for bringing in such a fine report, and he was very pleased that we have been able to hold the rate as it is. He commented that the last three years he has been in Council that the Finance and Executive Committee had lowered the rate each year.

Councillor Williams agreed that it was an exceptionally good residential rate - he was only voicing his concern about commercial buildings.

Councillor Gaetz added his congratulations to the Finance and Executive Committee.

It was moved by Councillor Killam, seconded by Deputy Warden Streach:

"THAT the General Tax Rate be set at \$2.32 per

MINUTES OF THE ANNUAL SESSION OF THE MUNICIPAL COUNCIL
MAY 18th., Continued

\$100.00 of Assessment and the Residential Tax Rate
be set at \$1.48 per \$100.00 of Assessment."
Motion carried.

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

"THAT the Minutes of the Annual Session of Council
(Third Day) be approved." Motion carried.

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

"THAT the Annual Session of the Municipal Council
adjourn." Motion carried.

M I N U T E S & R E P O R T S

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T H I R D Y E A R M E E T I N G S

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T H I R T Y - E I G H T H C O U N C I L

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A P R I L C O U N C I L S E S S I O N

T U E S D A Y , A P R I L 20th., 1976

INDEX

| | |
|--|-------|
| Approval of Minutes - re March 16th, 1976 Session - Motion----- | 2 |
| Assessment Act - exemptions re charitable purposes - Motion----- | 14 |
| Adjournment - Motion----- | 16 |
| Bedford - approval, rezoning lands of Blundon Construction - Bedford - Motion----- | 3 |
| Brushett Realty Ltd., Approval rezoning lands at Lower Sackville - Motion----- | 3 |
| Brown, Philip A.G., approval of rezoning lands at Lower Sackville - Motion----- | 3 |
| Building Inspector - approval of Supplementary Report - Motion----- | 8 |
| Blasting - Bedford, Public Works to investigate - Motion----- | 15 |
| Council Sessions - discussions re change in times----- | 11-12 |
| Director of Planning and Development - approval of report - Motion----- | 2 |
| Documents - re destruction - Resolution----- | 8-9 |
| Dutch Settlement - loan re recreation - Resolution----- | 9 |
| Dog By-law - amendments - Motion----- | 10-11 |
| Day-light Savings Time - Resolution----- | 11 |
| Discussions re Council Sessions----- | 11-12 |
| Finance and Executive Committee - approval of report - Motion----- | 6 |
| Fees - re Revisicrs - Resolution----- | 8 |
| Incorporation - study of districts 15, 16, 18, 19 and 20 re Dept. of Municipal Affairs - Motion----- | 14 |
| Keefe R.J. - approval re undersized lot - lands at Lower Sackville - Motion----- | 1-2 |
| Leonard Doris, appointment as recording secretary - Motion----- | 1 |
| Liquor License Board - plebiscite re District #8 - Resolution----- | 8 |
| Loan - re recreation, Dutch Settlement - Resolution----- | 9 |
| Motion - appointment Doris Leonard - recording secretary----- | 1 |
| Motion - undersized lot approval re lands of R.J. Keefe - Lower Sackville----- | 1-2 |
| Motion - approval of Minutes of March 16th., 1976 Session----- | 2 |
| Motion - approval of Warden's Report----- | 2 |
| Motion - approval of report of Director of Planning & Development----- | 2 |
| Motion - approval of report of Planning and Advisory Committee----- | 3 |
| Motion - approval rezoning lands of Blundon Construction Ltd., at Bedford----- | 3 |
| Motion - approval rezoning lands of Brushett Realty at Lower Sackville----- | 3 |
| Motion - approval rezoning lands of Philip A.G. Brown, Lower Sackville----- | 3 |
| Motion - approval rezoning lands of James O'Hagen at Bedford----- | 3 |
| Motion - approval of School Board Report----- | 5 |
| Motion - flood lights re school grounds----- | 5 |
| Motion - approval re School Capital Program Committee Report----- | 6 |
| Motion - approval of Finance and Executive Committee Report----- | 6 |
| Motion - remuneration change re weed inspector ----- | 8 |
| Motion - approval, Supplementary Report of the Chief Building Inspector----- | 8 |
| Motion - re Sheep Protection Act----- | 10 |
| Motion - amendments - to Dog By-law----- | 10-11 |
| Motion - amendments re Taxi By-law----- | 11 |
| Motion - Nova Scotia Housing Commission re study of County Districts re Senior Citizen Housing----- | 13 |
| Motion - power rates re Nova Scotia Power Corporation----- | 14 |
| Motion - Municipal Affairs re study incorporation Districts 15, 16, 18, 19 and 20----- | 14 |
| Motion - Assessment Act, exemptions re charitable purposes----- | 14 |
| Motion - Public Works investigate blasting re Bedford area----- | 15 |
| Motion - R.C.M.P. increase force re Sheet Harbour----- | 15 |
| Motion - Adjournment----- | 16 |
| Nova Scotia Power Corporation - re power rates - Motion----- | 14 |
| O'Hagen, James - approval, rezoning lands at Bedford - Motion----- | 3 |
| Ocean View Manor - re per diem rates resolution----- | 8 |
| Planning Advisory Committee - approval of report - Motion----- | 3 |
| Power Rates - re Nova Scotia Power Corporation - Motion----- | 14 |
| Public Works - investigate blasting re Bedford area----- | 15 |
| Resolution - plebiscite re Liquor License Board re district #8----- | 8 |
| Resolution - re revisors' fees----- | 8 |
| Resolution - Per Diem Rates re Ocean View Manor----- | 8 |
| Resolution - re destruction of documents----- | 8-9 |

| | |
|--|------|
| Resolution - recreation loan re Dutch Settlement----- | 9 |
| Resolution - re temporary borrowing re operating costs----- | 9-10 |
| Resolution - re daylight saving time----- | 11 |
| R.C.M.P. - increase force re Sheet Harbour----- | 15 |
| | |
| School Board - approval of report - Motion----- | 5 |
| School Grounds - floodlights - Motion----- | 5 |
| School Capital Program Committee - approval of report - Motion----- | 6 |
| Sheep Protection Act - Motion----- | 10 |
| Senior Citizen Housing - surveys re N.S.H.C. - Motion----- | 13 |
| Sheet Harbour - R.C.M.P. increase force - Motion----- | 15 |
| | |
| Temporary Borrowing - re operating costs - Resolution----- | 9-10 |
| Taxi By-law - amendments - Motion----- | 11 |
| | |
| Undersized lots - approval lands of R.J. Keefe - Lower Sackville - Motion----- | 1-2 |
| | |
| Warden - approval of report - Motion----- | 2 |
| Weed Inspector - remuneration change - Motion----- | 8 |

MINUTES OF THE APRIL SESSION OF THE MUNICIPAL COUNCIL
OF THE THIRD YEAR COUNCIL OF THE THIRTY-EIGHTH COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX

The April Session of the Council of the Municipality of the County of Halifax convened at the Municipal Administration Building at 10:00 a.m., Tuesday, April 20th., 1976 with Warden Ira S. Settle presiding.

Following the Lord's Prayer the Municipal Clerk called the Roll.

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

"THAT Miss Doris Leonard be appointed Recording Secretary
for this Session of Council." Motion carried.

Warden Settle stated that he was particularly pleased to welcome Grade VI pupils, along with their teachers, from the L.C. Skerry School at Waverley.

Warden Settle announced that Councillor Slauenwhite would not be present at this Council Session as he was presently in Germany.

Mr. Bensted, Municipal Clerk, reminded some of the Councillors that there were still some District Officers which we had not yet received and requested that these be passed in this morning so they could be presented to the afternoon Session of Council.

The Municipal Clerk announced that the first item to be considered was a Public Hearing, being Application No. F 55-76 - R.J. Keefe, Lower Sackville, under the 1966 Legislation for undersized lots. The Municipal Clerk advised that this application had been duly advertised and that no written objections had been received. The Clerk referred to the Planning Advisory Committee report and also staff recommendations.

Mr. Matheson appeared on behalf of Mr. Keefe. He advised that Mr. Keefe had had three purchasers for this lot and in each case the arrangement had fallen through, the reason being that the purchasers requested that one section be commercial and the remaining portion be residential. He stated that under the powers of the Municipality, they have the power to make allowances for this use and requested, on behalf of his client, that this be granted.

Warden Settle asked three times if there was anyone who wished to speak for or against this proposal.

Councillor Fader advised that he was familiar with this property. He said he had spoken with people in the area. He advised that Mr. Keefe had tried to purchase property on both sides of this lot but had been unsuccessful. He stated he had looked into the situation and that there was nothing wrong with this application as far as Public Works is concerned.

It was moved by Councillor Fader, seconded by Councillor Williams:

"BE IT RESOLVED THAT Lot No. 3 of the R.J. Keefe
property at Lower Sackville be and the same is
hereby approved under the 1966 Undersized Lot
Legislation." Motion Carried.

A standing vote was taken on this motion with the result thirteen (13) for, three (3) against. Warden Settle declared the motion carried.

Councillor Hudson asked what was going to happen to the houses next to this property and was advised by Councillor Fader that he understood the property to the left had been sold and the property to the right has also been sold, and the house that is presently there, is to be moved.

Mr. Gough, Director of Planning and Development, stated that from a staff point of view, they felt this was a dangerous precedent - he stated there were other problems where a precedent could be set to have another one approved.

Councillor Hudson asked what the solution was and was advised by Mr. Gough, that the solution was rejection of approval. He stated that in this instance the Nova Scotia Housing Commission had expropriated some of this land.

Councillor Nicholson commented that these lots have created problems. We put water and sewer there and the man is paying for these sewer privileges and should be entitled to use some of this land. He said it had never entered his mind that we would not have rezoning and said he would have to go along with the Resolution.

Councillor Lawrence asked how long Mr. Keefe had owned the property and was advised by Mr. Gough that while he did not have all the details, that Mr. Keefe had owned the property prior to the services being installed, and the services had been installed approximately six years ago.

Councillor Anderson stated that he did not want to unduly delay the function of Council but felt that Mr. Gough should bring in a map and show Councillors what is involved-that Councillors should have all the details before a decision was made.

Mr. Gough drew attention to the map on the wall, but Councillor Anderson stated he wanted the subdivision plan. Mr. Gough advised that the subdivision plan does not show anything different from the sketch that is attached to his report.

Councillor Nicholson said that Councillor Anderson was referring to rezoning plans, however, this was not rezoning, this was an application re undersized lot. He stated that regardless of what the rest of Sackville looks like we are dealing today with an undersized lot.

Councillor Deveaux commented that if this was not approved, there would be no way to get services in there.

Mr. Bensted advised that service is on Lot No. 3, that what the application is asking for is approval of Lot 3A.

Councillor Killam commented that this application certainly appears to be establishing a precedent and that Council would be well advised to be cautious. He commented that planning, as we know it, could be jeopardized and we should be very careful with our decision.

Councillor Fader recalled that in April of 1975, we heard a similar application for a dwelling on frontage and commercial in the rear and there was no problem. He further spoke in favour of Mr. Keefe's application and said he felt that the gentleman was acting in good faith.

On completion of the standing vote, in favour of the application, Councillor Fader thanked the Council for their support.

Councillor Hudson stated that it was her feeling that Council should receive a report from the Director of Planning and Development stating when something is going to create problems with advice as to the correct solution.

Mr. Gough, Director of Planning and Development said he would be prepared to table a report of this nature.

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

"THAT the Minutes of the March Session of Council held on March 16th., 1976, be approved."
Motion carried.

Letters and communications were then dealt with. Mr. Bensted gave a brief outline of the correspondence received.

The next item on the Agenda was the Report of the Warden. It was moved by Councillor Nicholson and seconded by Councillor Gaetz:

"THAT the Report of the Warden be received."
Motion carried.

The Report of the Director of Planning and Development was then considered.

It was moved by Councillor Hudson, seconded by Deputy Warden Streach:

"THAT the Report of the Director of Planning and Development be approved." Motion carried.

Next was the Report of the Planning Advisory Committee. The Municipal Clerk advised that Items 2,3,4 and 5, were applications for rezoning and hearings had already been heard.

It was moved by Councillor Nicholson, seconded by Deputy Warden Streach:

"THAT the Report of the Planning Advisory Committee be approved." Motion carried.

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

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of Blunden Construction Limited at Bedford from R-1 (Residential Single Family Dwelling Zone) to C-2 (Commercial General Business Zone). Application No. 4-76." Motion carried.

It was moved by Councillor Fader, seconded by Deputy Warden Streach:

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of Brushett Realty Limited at Lower Sackville from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial Local Business Zone). Application No. 3-76." Motion carried.

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

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of Phillip A.G. Brown at Lower Sackville from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial Local Business Zone). Application No. 2-76." Motion carried.

Councillor Hudson felt that Council should have a good look at Sackville to determine where commercial property is located, and asked about the "town centre". Councillor Fader advised that twenty-two (22) acres had been allocated as the Town Centre.

It was moved by Councillor Dunbar, seconded by Councillor Williams:

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of James O'Hagan at Bedford from R-1 (Residential Single Family Dwelling Zone) to R-2 (Residential Two Family Dwelling Zone). Application No. 48-74." Motion carried.

Councillor Dunbar asked, before leaving discussions on planning, why there was no request for a lesser setback of twenty feet on Spring Street in Bedford. He said he expected that this would be on the agenda, and was a matter on which he wished to speak.

Mr. Gough, Director of Planning and Development, advised that this was actually a question that arose in the Building Inspection Department. He said that, to the best of his knowledge, the Building Inspection Department brought this to the Planning Advisory Committee and that it was looked after at Committee level as it did not need the approval of Council.

Councillor Dunbar said he completely disagreed with this being done at the Committee level. The Municipal Clerk advised that this was according to the By-law.

Councillor Deveaux said that he was having problems in his District with non-conforming establishments and asked what the possibility was of referring this to the Planning Advisory Committee to arrange for more protection. He felt that people who lost their building through an "Act of God", should be able to re-build without rezoning. He felt that when the area was zoned that non-conforming people should have been informed.

Warden Settle stated that the problem was a matter of time, and the Municipal Clerk commented that the ideal solution would be to have spot rezoning.

Mr. David Hooley, Solicitor, advised that changes would be required in legislation, that there is no reason why the Municipality could not write a letter to the Minister.

Mr. Bensted suggested that it could be referred back to the Planning Advisory Committee for recommendation.

Councillor Dunbar commented that of six items, four of them dealt with lesser setbacks. Mr. Bensted advised that the item in question dealt with a corner lot and in the case of corner lots, the Planning Advisory Committee have the authority to deal with them.

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

"THAT the Planning Advisory Committee review the matter of non-conforming use in case of fire or wind damage." Motion carried.

It was moved by Councillor Dunbar, seconded by Councillor Anderson:

"THAT the Planning Advisory Committee review the process dealing with lesser setbacks or lesser streets." Motion carried.

The Report of the Public Works Committee was the next item on the Agenda.

The Municipal Clerk briefly reviewed the items on this report which dealt with an Agreement re Water Services in Westphal Mobile Home Court - an Agreement with the City of Dartmouth re Water System and an Agreement with Central Mortgage and Housing Corporation with regard to the extension of the trunk sewer on the Beaverbank Cross Road.

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

"THAT the Report of the Public Works Committee be approved." Motion carried.

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

"BE IT RESOLVED THAT the Warden and Clerk be and they are hereby instructed to enter into on behalf of the Municipality, an Agreement respecting water serviced with the Westphal Mobile Home Court Limited, a copy of which is attached to this resolution." Motion carried.

It was moved by Councillor Fader, seconded by Councillor Dunbar:

"BE IT RESOLVED THAT the Warden and Clerk be and they are hereby instructed to execute on behalf of the Municipality, an Agreement respecting a loan to provide financing for a trunk sewer extension in the Beaverbank Cross Road Area of Sackville with Central Mortgage and Housing Corporation, a copy of which is attached to this Resolution." Motion carried.

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

"BE IT RESOLVED THAT the Warden and Clerk be and they are hereby instructed to execute on behalf of the Municipality, an Agreement respecting water services with the City of Dartmouth, a copy of which is attached to this Resolution." Motion carried.

Speaking with regard to the Westphal Mobile Home Court, Councillor Anderson asked in an extension of service of this type if there would be any other users except the Mobile Home Court. Mr. Bensted advised that there would not be other uses, that this was an extension purely to eliminate the problem that exists. He stated that this was outside our Planned Serviced Area and at the present time the Mobile Home Court only, can be hooked in.

The next item was the Report of the Municipal School Board. It was moved by Councillor McCabe, seconded by Councillor Nicholson:

"THAT the Report of the Municipal School Board be received." Motion carried.

Councillor Gaetz commented that Warden Settle had been quoted as saying that the tax rate would be something the same as last year - possibly a little more. He said he had been approached by several residents in this area inquiring about when the Province of Nova Scotia would be taking over the education.

Mr. Bensted, Municipal Clerk, advised that the take-over of education by the Province is somewhat misleading as the Province has reduced the amount that it will be sharing in. He stated that the Province had indicated increased sharing but that the 75% sharing referred only to the residential portion of the shareable costs.

Councillor McCabe commented that people would have to look to the Province for the answers. He said they had met with the Government and asked for answers as soon as possible, but they had made no commitment. He said he was hoping optimistically that they would get fifty percent of what they had asked for.

Councillor Deveaux went on record as disagreeing with the Municipal School Board on their policy of not circulating Board Minutes.

Councillor Fader asked if the Municipal School Board were responsible for rights-of-way to schools, that is, roads on school lands.

Mr. Bensted advised that if the roads were part of the school property, then the Municipal School Board would be responsible.

Councillor Fader advised that the road situation at the Sackville Heights Junior High School is pathetic. He also commented that he had asked for a report on vandalism which had exceeded \$50,000.00. He also had asked about the possibility of lighting up the school yards.

It was moved by Councillor Fader:

"THAT the Municipal School Board be requested to consider the erection of flood lights on school grounds in the County of Halifax."

Mr. Bensted advised that a Resolution of that nature had already gone to the Municipal School and that they would have to weigh the pros and cons as to where the money is going to come from.

Councillor Nicholson said that this has to go back to the Province to ascertain what is shareable and what is non-shareable.

Councillor McCabe advised that the vandalism is covered by insurance.

Deputy Warden Streach asked if the Municipal School Board had an agreement with regard to the sanding, ploughing and grading of school yard driveways.

Councillor McCabe advised that to his knowledge, there was no agreement - that they hire private snow ploughs.

Warden Settle commented that he believed there had been a change - that there will now be sharing in paving.

Councillor Nicholson expressed the opinion that the Department of Highways had the equipment and the manpower to do this work and many of our communities are not fortunate in having paving and he felt the Department of Highways should be responsible for grading. He felt there should be some agreement between them.

Councillor Hudson commented that one big problem is the young people in cars driving around at high rates of speed.

Councillor McCabe stated that in some cases, the Department of Highways have gone in and levelled off pot holes.

Councillor Deveaux asked if anyone from the Municipal School Board had met with the Province with regard to the cutback in teachers.

Councillor McCabe advised that they had been advised of a cutback of seventy-two teachers but that they had also asked for fifty-three additional teachers and that this was part of their appeal when they had met with the Government at which time they had explained the fast growth and also the new schools. He stated that they were being optimistic.

The Report of the School Capital Program Committee was next on the Agenda.

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

"THAT the Report of the School Capital Program Committee be approved." Motion carried.

Councillor Fader asked if there was anything new to report on the Athletic Field at Sackville and was advised by the Municipal Clerk that following the written submission, the formal application had been completed and that an acknowledgement of receipt had been received. This application is now pending the decision of the Government. He stated that the Minister felt it was a very good program but he could not add anything to that at this time.

Councillor MacKenzie commented that he knew what it would have meant had there been approval of this Council when his District wanted to build a swimming pool on school property. He stated they had to go to another site and he was very much opposed to Council getting involved in this Athletic Field. He stated his District had lost some Twenty-Five thousand dollars by this Council not getting involved.

Mr. Bensted, Municipal Clerk, stated that this had been a matter of time limit, that it was not possible to deal with the problem in the time limit involved. He further stated that the people of Sheet Harbour had made the decision to proceed.

Deputy Warden Streach stated that he concurred with Councillor MacKenzie, that he had been very sympathetic with Sheet Harbour regarding the swimming pool. He felt that things could have been done within the time limits.

Councillor Smith asked about the Junior High School for Musquodoboit Harbour, and was advised by the Municipal Clerk that these preliminary plans were not preliminary plans with regard to the building - they were in connection with the Department of Public Health. He stated that if this milestone is passed then it will be necessary to get approval for water and sewer, and the exact site was not certain until approval had been received from the Department of Public Health.

Councillor MacKenzie brought up the fact that there are a number of residents in the Municipality that have been trying to get soil tests and lots approved and they have been told it would be done in the Spring. He commented that on two or three occasions the School Capital Program Committee had been able to get soil tests done and asked how this had been worked.

Mr. Bensted advised that the Committee put machines on the site and had had three or four pits dug below the frost line. He stated if an individual wanted to do the same thing, they could probably get a test but commented that many people do not want to spend that kind of money.

The Report of the Finance and Executive Committee was next on the Agenda.

The Municipal Clerk gave a brief resume of the items on this report. It was moved by Councillor MacKenzie, seconded by Councillor Killam:

"THAT the Report of the Finance and Executive Committee be approved." Motion carried.

With regard to the By-law on Dogs, Councillor Williams commented that we had taken in an excess of \$20,000.00 last year, and had spent something in the way of \$30,000.00 and asked if it would be possible to get an account of how this money had been spent. He asked if he had a man picking up dogs in his area would it be possible for that money to be at the disposal of the District involved so that we could get our own man.

The Municipal Clerk advised that Districts 15 and 16 had levied an area rate to take care of this service.

Councillor Williams felt it would not be difficult to get a Dog Controller to spend one week in one area and another week in another area and so on. He felt that there were too many rates

on the people these days. He stated further that people are being hit hard and if they are going to be hit for a neighbour's dog running - that is too much. He felt that the Municipality had a right to see to the control of animals. He felt that we could come up with a dog control that would give protection each and every month. Council has to grow up, he commented, and asked how could a small District hope to set a rate that would offset getting a dog catcher to do a proper job. He felt there should be a man appointed who would report to Council monthly just as the Weed Inspector does, and asked that the Chairman of the Finance and Executive Committee give consideration to this proposal and bring in a report to the next Session of Council.

Councillor Killam said that there was no way the Finance and Executive Committee could do anything further than it has already done. He stated it was a serious problem and if any District felt it could afford to get a dog catcher he would say go ahead. He further stated that in his District there were calls in December as well as March and commented that it was a national problem not just a local problem. Finance and Executive Committee, he said, would be pleased if anyone could place before them a viable solution to the problem. He felt it was one of the most serious problems and one most difficult to answer. He said he would be at a loss to know what kind of a report they could bring back unless every District has its own dog catcher. He said people were letting down - that it was a two legged problem as well as a four-legged problem - that people were not controlling their animals.

Councillor Anderson wanted to go on record as being definitely and whole-heartedly opposed to any increase in the rate structure. He said he realized that this was a By-law which was not being enforced. He said that we are collecting fees from the people and would definitely not pay \$12.00 for a license for his dog. He said he kept his tied up, and could not see why people who paid their fees should be made to suffer for those who let their dogs run loose, and felt that it was wrong for Councillors to make a decision on one submission. He further commented that we are running a losing business, one that was costing more than was taken in, and that the obvious fault was not with the Dog Tax but in the enforcement of the By-law.

Councillor Nicholson stated that raising the fees was penalizing dog owners who do pay and if any of the Councillors did not agree all they had to do was vote against it.

Councillor Hudson commented that there were several things needed and one was a one and a half minute time limit on speeches. She said she would like to ask that we seek legislation for a higher fee for dogs.

Councillor Fader said he was not altogether happy, that he would like to see a higher fee, but he would support the Finance and Executive Committee Report.

Councillor MacKenzie spoke with regard to impounding of an animal for the second time, that it would create a problem unless the dogs have a license on them. The Municipal Clerk advised that they would have to have a license before they were released from the pound. He stated that Councillor Smith had engaged a man in his District who had also been very helpful in District 11, that it had cut down on complaints which he had been receiving.

Councillor Williams commented that Councillor Nicholson had advised if we disagreed to vote against it. That, he added, does not get us anywhere. A man is taxed for his property, he is taxed for his dog and he asked if the Municipality did not have some responsibility to protect a man's property.

The Solicitor stated that the problem was one of enforcement.

Councillor Gaetz stated he was glad to have the rate at Ocean View Manor settled. He then asked why we had discontinued the dollar incentive re the payment of dog licenses. He felt this should not be done away with.

The Municipal Clerk stated that it was the responsibility of the individual to have his dog licensed. There are no requirements to have someone go to an individual's door and ask him to buy a license.

Councillor Dunbar commented on the By-law with regard to Topsoil "not applying to areas less than an acre" or "exempt for purposes of a residential lot". He said he did not see anything in this By-law to cover the type of situation in his District where a man owning a lot had had the contractor bulldoze it and the hole had remained all winter - it was unsightly and dangerous. He asked if there was any way that the By-law could be changed or something added to have the land owner restore the property to a slightly condition. He asked the Solicitor to bring in some recommendations to get around this problem and put more teeth into this By-law.

It was moved by Councillor McCabe, seconded by Deputy Warden Streach:

"BE IT RESOLVED THAT the per diem remuneration for the Weed Inspector be and the same is hereby increased from \$25.00 per day to \$30.00 per day."
Motion carried.

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

"THAT Council adjourn until 2:00 p.m. "

It was moved by Deputy Warden Streach, seconded by Councillor Williams:

"THAT Council adjourn until 1:30 p.m."
Motion carried as amended.

AFTERNOON SESSION

Council re-convened at 1:30 p.m.

The Municipal Clerk called the Roll.

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

"THAT the Supplementary Report of the Chief Building Inspector be approved."
Motion carried.

It was moved by Councillor Johnson; seconded by Councillor Nicholson:

"BE IT RESOLVED THAT the Liquor License Board be requested to conduct a plebiscite in District No. 8, of the Municipality of the County of Halifax, on the question: "Are you in favour of the sale of liquor for consumption on premises licensed by the Liquor License Board?"

AND BE IT FURTHER RESOLVED THAT the Clerk be and he is hereby instructed to forward such request to the Liquor License Board." Motion carried.

It was moved by Councillor Dunbar, seconded by Councillor Lawrence:

"BE IT RESOLVED THAT the fees for revisers be and the same are hereby fixed at a flat fee of \$20.00 to cover the day of sitting plus fifteen cents per name." Motion carried.

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

"BE IT RESOLVED THAT the resolution dealing with per diem rates at Ocean View Manor passed by Council on February 17, 1976, be and the same is hereby rescinded.

AND BE IT FURTHER RESOLVED THAT a new per diem rate effective January 1, 1976, in the amount of \$26.20 per day be and the same is hereby approved."
Motion carried.

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

"WHEREAS the documents and records of the Municipality of the County of Halifax as set out in the affidavit of H.G. Bensted, the Municipal Clerk, sworn to the

20th day of April, A.D., 1976, are no longer required.

AND WHEREAS according to the said affidavit the said documents and records have been personally examined by the said Clerk and he had determined that there is nothing of value therein and that the said documents do not include any documents or records which are exempt from destruction pursuant to Section 4 of the Destruction of Documents By-law;

BE IT THEREFORE RESOLVED THAT the said documents and records as set out in the said affidavit of the said Clerk be forthwith removed and destroyed." Motion carried.

It was moved by Deputy Warden Streach, seconded by Councillor Hudson:

"BE IT RESOLVED THAT Council approve of a loan by the Municipality of the County of Halifax to the Ratepayers of Dutch Settlement not to exceed \$30,000.00 plus interest for the purpose of constructing a recreation facility, said loan to be repaid over a twenty year period. The Council reserves the right, if necessary, to levy an area rate in order to recover any outstanding amounts re principal and/or interest and subject to title to the land being held in the name of the Municipality." Motion carried.

It was moved by Councillor Hudson, seconded by Councillor McCabe:

Municipality of the County of Halifax
Issuing Resolution - \$8,000,000.00

To authorize the borrowing of certain moneys from the Royal Bank of Canada to meet the current expenditure of the Corporation of the Municipality of the County of Halifax (hereinafter called the "Corporation") for the year 1976.

Whereas it is necessary to borrow the sum of \$8,000,000.00 from the Royal Bank of Canada to meet the now current expenditure of the Corporation until such time as the taxes to be levied therefor, can be collected.

BE IT THEREFORE RESOLVED by the Municipal Council of the Corporation as follows:

1. That the Warden with the Treasurer of the Corporation, be and they are hereby authorized under the seal of the Corporation to borrow from the Royal Bank of Canada the sum of Eight Million dollars as the same may be required from time to time to meet the now current expenditure of the Corporation which said expenditure has been duly authorized by the Council.
2. That the said Warden with the Treasurer aforesaid, be and they are hereby authorized to pay or allow to the said bank interest on the said sum of Eight Million dollars at the rate of 10½ per cent per annum, which may be paid or allowed in advance by way of discount or otherwise howsoever as they may deem best.
3. That the said sum of \$8,000,000.00 to be borrowed shall be made payable on or before the day of next; and the promissory note or notes of the Corporation, if any, given therefore if made payable before the said day of may be renewed by the said and Treasurer from time to time, but no renewal thereof shall fall due later than the said 31 day of March next.
4. That the promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Warden and the Treasurer of the Corporation given from time to time as required, in security for the amounts borrowed from time to time under the provisions of this resolution.
5. That the giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only of indebtedness.

Motion carried.

The following resolution was rescinded at the Council Session of July 20th., 1976.

It was moved by Councillor Nicholson, seconded by Councillor Fader:

Municipality of the County of Halifax
Debenture Issue - \$4,000,000.00
to provide for outstanding Temporary
Borrowings on completed projects

Motion carried.

It was moved by Councillor Hudson, seconded by Councillor Fader:

"THAT we request a change in the Sheep Protection Act
with respect to licenses of neutered dogs and
authority to set a higher fee."
Motion carried.

A standing vote was taken on this motion with the result twelve (12) for, four (4) against.
Warden Settle declared the motion carried.

It was moved by Councillor Hudson, seconded by Councillor Fader:

"THAT we ask for a change in the Sheep Protection Act
and Dog Control Act to allow a limit to the number of
dogs a person may have outside of a kennel."
Motion defeated.

A standing vote was taken, on this motion with the result three (3) for, thirteen (13) against.
Warden Settle declared the motion defeated.

It was moved by Councillor Hudson, seconded by Councillor Fader:

"THAT the Dog By-law be amended to allow a Pound Keeper
to destroy a dog after the second time of pick-up
within a twelve-month period, subject to the owner
being notified of this."
Motion carried.

A standing vote was taken on this motion with the result thirteen (13) for, three (3) against.
Warden Settle declared the motion carried.

It was moved by Councillor Hudson, seconded by Councillor Lawrence:

"THAT the matter of Dog Fees be deferred to the October Session of Council." Motion carried.

Councillor Deveaux stated that he could not go along with the recommendation re Taxi By-law and commented that the problem in his area still exists.

Mr. Bensted, Municipal Clerk, commented with regard to the Dog By-law and/or Taxi By-law that if people will not go to Court and give evidence there is nothing we can do.

It was moved by Councillor Hudson, seconded by Councillor Fader:

"THAT the Taxi By-law be amended so as to require that the amount of Insurance re Taxis be increased to \$100,000.00 and Certificate of Insurance from the Insurance Company be requested." Motion carried.

A standing vote was taken on the motion with the result fifteen (15) for, one (1) against. The Warden declared the motion carried.

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

"BE IT THEREFORE RESOLVED THAT the Municipal Offices be operated on Atlantic Daylight Saving Time so-called to conform with the observation of the said Daylight Saving Time in the Halifax-Dartmouth area;

AND BE IT FURTHER RESOLVED THAT the Municipality encourage the co-operation of all in observing Atlantic Daylight Saving Time throughout Halifax County." Motion carried.

Councillor Deveaux spoke with regard to Evening Meetings for the Council Sessions. He stated that had been one of his hopes. He said he realized that there were some Councillors who would be late getting home, and he sympathized with them, but felt that they were all adults and that there were probably many nights that they were late getting home. He also felt that the residents of the County were being deprived of the opportunity of coming to the Council Sessions.

Councillor MacKenzie commented on the letter that had been presented to the Finance and Executive Committee with regard to holding Council Sessions in the evening. He said his reason for opposing such a course was that, looking back nine or ten years, he could not recall one Evening Session when there were more than two persons in the gallery. He also commented that if this were carried out, it would be necessary to bring Staff back in the evenings - items would be rushed through. He commented that with a Day Session, we are sometimes here for seven hours - this would make it very late for an evening session and everything would be rushed in order to get out. He stated he would agree to a trial basis of a couple of evenings but disagreed with permanent evening sessions. He stated that if there is anything of a controversial nature there is a good many turn out for a day session and it was his opinion that if anyone really wanted to attend a Session, they could manage to do so. He stated that his main reason is the number of Staff that would have to be brought back along with the fact that a number of the Councillors get a lot of business done for their Districts in the day time.

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

"THAT the Municipal Council not consider any change in the hours of Council Sessions."

A standing vote was taken on the motion with the result eight (8) for, eight (8) against. Warden Settle declared the motion defeated.

Councillor Lawrence spoke against the motion, stating that several things go through at three o'clock in the afternoon, She felt that people should have the opportunity to come if they so desire. and that many people could not afford to take the time off in the daytime to attend. She felt that the time it was tried before was not a logical time as many people were away.

Deputy Warden Streach commented that this was the third time that this matter has been brought before Council. He stated that on previous occasions he had voted against as he felt that

Council was running smoothly. He said he still felt the same way but felt that in speaking in opposition, Councillor MacKenzie said he would not oppose a trial period. He commented that there are quite a number of Councillors who did not experience the previous trial period. He felt that the number of Staff Members required would not be all that great. He stated that most of the Staff Members were on salary and the expense would not be all that great. With regard to attendance in the gallery, he commented that this was an unknown factor. He stated that Councillors are making a great many decisions on behalf of the people that they represent. He felt that it was proper to give Evening Session a trial period.

It was moved by Councillor Deveaux, seconded by Deputy Warden Streach:

"THAT the Solicitor be instructed to prepare an amendment to the By-law to have Council Sessions at 7:00 p.m. for the months of June to September, inclusive." Motion defeated.

Councillor Deveaux commented regarding the "late night but", stating that we all had late nights. He stated that it could be just as stormy at three o'clock in the afternoon as in the evening. He commented that things are often rushed at three o'clock in the afternoon. He felt we were denying people the right to attend Council Sessions.

Councillor McCabe said he concurred with Councillor MacKenzie, that he had never seen anyone present in the gallery.

Councillor Fader felt that it was not fair to approve such a motion today. He stated that he would go along with a trial period of two months, and as there was an election coming up in October, the trial evening meeting should be in July and August and see if people are interested enough to come in.

Councillor Deveaux expressed the opinion that July and August were not suitable months as there were many people on vacation at that time, and if Councillor Fader would agree, he would suggest the months of June to September.

Councillor Lawrence said that she supported Councillor Deveaux in his motion. We all, she commented, go to many evening meetings, and she could see no reason for not recommending that the meeting start at six or six-thirty. She said she would like to see the By-laws deferred to the next Session of Council as she was very much interested and having received her copy of the Agenda late on Monday, she had not had time to study them.

A standing vote was taken with the result six (6) for, ten (10) against. Warden Settle declared the motion defeated.

The Municipal Clerk advised that the Solicitor would have to prepare a By-law to go to the Minister of Municipal Affairs and there would not be time for it to come back for a June meeting.

Councillor Nicholson said he would not support the June to September suggestion.

Deputy Warden Streach commented on Committee meetings, pointing out that one Committee, in particular - Planning Advisory - that have to make decisions for other people re zoning. He felt that the information that that Committee has is very important and felt that Planning Advisory Committee should avail themselves to the Public and should have evening sessions.

It was moved by Deputy Warden Streach, seconded by Councillor Deveaux:

"THAT Council recommend and go in order in supporting the possibility of evening meetings to the Planning Advisory Committee and in particular, Public Hearings and request that the Planning Advisory Committee give consideration to this request." Motion carried.

Councillor Nicholson said he did not think it should come to this Council.

Mr. Bensted advised that it was not a direction, just a recommendation.

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

"THAT the Solicitor be instructed to prepare an amendment to the By-law in order to have Council Session at 7:00 p.m. for the months of July and August." Motion carried.

A standing vote was taken on this motion with the result nine (9) for, seven (7) against. Warden Settle declared the motion carried.

Councillor Gaetz commented that the Chambers could be crowded for two meetings and then that would be that. He could not see the purpose of evening meetings for two months.

At this point, Warden Settle requested Deputy Warden Streach to take the Chair as he had to leave for a meeting in Moncton, New Brunswick.

Councillor McCabe advised that he had been approached with regard to a Senior Citizens Home in the Musquodoboit Valley. Deputy Warden Streach said he would like to have District No. 13 included in any survey that was made.

It was moved by Councillor McCabe, seconded by Councillor Lawrence:

"THAT the Honourable Minister of Housing and Central Mortgage and Housing Corporation be approached to see what proposal they could come up with in Districts 12 and 13 and a study made to see what the requirements would be." (Withdrawn, see amended motion)

The Municipal Clerk advised that there was a meeting with the Housing Commission three months ago and representatives of the Housing Commission indicated that they were considering other projects in Halifax County and indicated that Eastern Passage, Porters Lake and Hubbards were others that they were having a look at.

He added that no information has been received since that meeting and he did not know whether they had the dollars available but they did not seem to be moving very quickly on the projects that they have on hand.

Councillor Nicholson felt that District No. 2, was a logical place for a Senior Citizens Home, close to the City, etc., and he would like to have his area looked at also.

It was moved by Councillor Hudson, seconded by Councillor Killam:

"THAT the Nova Scotia Housing Commission be asked for an up-to-date report as to surveys re Senior Citizens Housing Projects in Halifax County and an indication of plans for projects." Motion carried.

Councillor Fader commented on an item with regard to a Senior Citizens Project in Sackville and noted that both he and Councillor Slauenwhite had opposed the proposed location of this twenty-unit project and advised we would like to have it located near the stores, library, etc., and an invitation extended to Councillor Hudson and Councillor Dunbar to attend a meeting with the Minister with regard to this.

It was moved by Councillor Fader, seconded by Councillor Hudson:

"THAT the Minister of Housing be requested to arrange a meeting with regard to the Senior Citizens Project for Lower Sackville." Motion carried.

Councillor Lawrence suggested:

"That the three amended by-laws included on the agenda, be deferred for one month."

Councillor Dunbar asked for her reasoning for requesting deferment, and was advised by Councillor Lawrence that she had received her agenda so late that she did not have sufficient time to study the By-laws and she was very interested in them. Councillor Dunbar did not think this a valid request.

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

"THAT the amended By-laws re Blasting, Gravel Pits and Excavation, Removal of Top Soil and Earth and Alteration of the Grade of Land be deferred for one month." Motion carried.

A standing vote was taken on this motion with the result nine (9) for; four (4) against. Deputy Warden Streach declared the motion carried.

Councillor Fader brought up the issuing of a recommendation by the Board of Public Utilities with regard to the Incorporation of Districts 15, 16, 18, 19 and 20 as a Town.

The Municipal Clerk said arrangements for a meeting with the Solicitor and the Board of Public Utilities had been made. He advised however, that the meeting was with one member of the Board and that they had discussed the matter in some detail and tried to get some understanding as to what the Board means to do and what not to do. He advised that the Board had been provided with a work schedule of the Development Plan. This seems to be in line with what the Board was looking for in that the information can be compiled and persons interested in looking at incorporation of an area would have the information to deal with. We have not as yet heard back from the Board of Public Utilities.

Councillor Williams spoke at some length about the energy charge on electric bills and the great burden it was placing on some of the people. After much discussion it was moved by Councillor Williams, seconded by Councillor Deveaux:

"THAT the Municipality of the County of Halifax recommend to the Chairman of the Nova Scotia Power Corporation that consideration be given to establishing the oil surcharge as follows: Any home owner using 800 Kilowatt hours or less, pay no fuel adjustment charge and those using over 800 Kilowatt hours, be charge a maximum of \$15.00 re Fuel Adjustment Charge." Motion defeated

It was moved by Councillor Nicholson, seconded by Councillor Johnson:

"THAT the motion with regard to the Fuel Adjustment Charge be deferred to the May Session of Council." Motion carried.

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

"THAT the Minister of Municipal Affairs be requested to carry out a study with regard to the incorporation of Districts 15,16,18, 19 and 20 as a Town with funds as indicated being available by Premier Regan." Motion carried.

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

"THAT the previous motion be amended by adding the words "according to the request of the Board of Public Utilities". Motion carried.

Councillor Fader requested that the National Building Code of Canada be put on the Agenda for May Session of Council.

Councillor Lawrence said she understood that the Assessment Act had been amended with regard to property for charitable purposes and stated she had been approached by a Lodge in her District as to whether or not they would qualify and she wondered how many organizations could qualify this way.

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

"THAT the Finance and Executive Committee have a look at the Assessment Act with regard to the exemption re charitable purposes." Motion carried.

Councillor Smith took this opportunity to invite any Committee that would like to use the facilities of Ocean View Manor Room for holding meetings.

Councillor Dunbar advised that the Community of Bedford, and in particular, Sunnydale and Brockwell Subdivisions, has been plagued by very heavy blasts - some houses rocking, and he has been trying to find out where the blasting is going on and with the help of the people in Bedford we think it is coming from the new railroad cutting on the Waverley Road going back into the County and being done by Municipal Spraying.