

REGULAR COUNCIL SESSION

APRIL 6, 1982

Present Were: Warden Lawrence, Chairman  
Councillor Walker  
Councillor Poirier  
Councillor Baker  
Councillor Deveaux  
Councillor McInroy  
Councillor Topple  
Councillor Adams  
Councillor Gaetz  
Councillor Smith  
Councillor MacKenzie  
Councillor McCabe  
Councillor Lichter  
Councillor Benjamin  
Deputy Warden MacKay  
Councillor Eisenhauer  
Councillor MacDonald  
Councillor Wiseman

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer  
Mr. Robert Cragg, Municipal Solicitor  
Mr. G. J. Kelly, Municipal Clerk  
Mr. P. J. Fawson, Personnel Co-Ordinator  
Mr. Keith Birch, Director of Development  
Mr. Allan Bond, Municipal Collector  
Mr. Ken Wilson, Director of Finance  
Ms. Dorothy Smith, Planner  
Mr. Brant Wishart, Planner  
Mr. Lorne Denny, Industrial Promotions Officer  
Mr. Dave Ardley, Purchasing Co-Ordinator  
Mr. Dale Reinhardt, Administrative Clerk  
Mr. Peter MacDonald, Resident - District 15  
Mr. David Grace, President - NAUTEL

SECRETARY: Christine E. Simmons

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OPENING OF COUNCIL - THE LORD'S PRAYER

Warden Lawrence brought the Council Session to order at 2:07 P.M. with the Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

APPROVAL OF MINUTES

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

"THAT the minutes of the Special Council Session with the Storm Drainage Task Force, February 1, 1982 be approved."

Motion Carried.

At this point in the Session Warden Lawrence advised that Councillor Williams was now home from the Hospital. She indicated that a Get Well card had been obtained for him and requested that it be circulated and signed by all Council Members.

As well, Councillor Baker advised that he had been speaking to Councillor Williams and indicated that he was in good spirits and would soon be in to attend a meeting.

Warden Lawrence also recognized, in the Council Chambers, Councillor McInroy's parents who were visiting from Hamilton, Ontario, as well as Councillor McInroy's wife.

At this time, it was agreed by Council to deal firstly with those items left over from last Council Session, and since there were two Public Hearings scheduled for 7:00 P.M., Council would break for supper at 5:30 P.M. and reconvene at 7:00 P.M. to deal with the Public Hearings. It was felt that since the agenda for this Council Session was so long it would be a welcomed change in procedure from the usual Sandwiches.

MUNICIPAL DEVELOPMENT PLAN COMMITTEE REPORT

This was a one-sheet Report distributed to all Councillors which was self-explanatory as a request for Council's motion of intention to adopt the MDP Plan Documents and Zoning By-Laws for the Eastern Passage-Cow Bay and the Cole Harbour - Westphal Development Plans, May 10th and May 17th respectively.

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

"THAT Municipal Council hereby gives notice of its intention to adopt the Municipal Development Plans and Zoning By-Laws for the Eastern Passage and Cow Bay areas on May 10th and for the Cole Harbour-Westphal areas on May 17th.

Motion Carried.

ITEMS DEFERRED FROM THE MARCH 16, 1982 COUNCIL SESSION

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

"THAT the items deferred from March 16, 1982 be received."

Motion Carried.

LETTERS AND CORRESPONDENCEEastern Shore Tourist Association

Mr. Meech indicated that this letter from Mr. Broomfield, Executive Director of the Eastern Shore Tourist Association was in the nature of a request to address Council on tourism developments in the County, as he does each year. The suggested time for such a presentation was April or May.

Mr. Meech indicated that there was a similar request from the South Shore Tourist Association in the Regular Agenda Book. Therefore it was his suggestion that Council should make arrangements to have the two presentations on the same Council day.

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

"THAT both the Eastern Shore Tourism Association and the South Shore Tourism Association be invited to make a presentation to Council at the Council Session of May 4, 1982."

Motion Carried.

Letter From Parks Canada

Mr. Meech advised that this letter was in response to Mr. Kelly's letter regarding the York Redoubt article in the Newspaper. The letter indicated that York Redoubt is still a priority in the policy of Parks Canada.

Letter From Mayor Ron Wallace

This letter to Warden Lawrence from Mayor Ron Wallace of the City of Halifax requested whether or not the County of Halifax is interested in representation on the Halifax-Dartmouth Port Commission.

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

"THAT the letter from Mayor Ron Wallace requesting Council's position regarding representation on the Halifax-Dartmouth Port Commission, be referred to the Planning Advisory Committee for consideration and recommendation back to Council."

Motion Carried.

Letter From Attorney General of Nova Scotia

A letter from the Attorney General of Nova Scotia regarding the issue of RCMP Policing in Mobile Home Parks was included in the Letters and Correspondence. The letter advised:

"After considerable consideration of the matter it is my opinion that the problem should be dealt with by giving occupiers of the private property the right to take action by way of summary conviction and to give police the right to take action where a complaint has been made. Accordingly, I intend to propose to government that there be enacted a Bill dealing with the protection of property which will deal

with trespassers to property and the conduct of persons who trespass. Should this legislation be enacted then I would propose that it be given some time to operate to determine the effectiveness of it. Of course, if such legislation does not alleviate the problem experienced by occupiers of Mobile Home Parks then I would be prepared to consider proposing amendments to the Motor Vehicle Act."

Councillor MacDonald advised that he had been speaking with Mr. Gayle of the Attorney General's Department who advised him that the Attorney General has proposed a bill to the Policy Committee of the Provincial Government and if they agree it will be forwarded to the legislature for a proposed Bill.

Deputy Warden MacKay spoke on this issue advising that the proposed Bill would address only the problem of trespassing. He indicated that this was only one problem; the other being the lack of ability of the Police Force to provide surveillance or conviction under the Motor Vehicle Act in trailer Courts because they are considered to be private property. He advised that it would not necessarily be someone outside the Park causing a problem but it could be someone living within the Mobile Home Park. The only time someone can be convicted is under the Liquor, Narcotics and Criminal Control Acts. There is no provision whatever for the Motor Vehicle Act.

The Deputy Warden further questioned; if the proposed action by the Attorney General were accepted by the Province as a Bill, how would the Summary Action be employed? Could the owner or a resident in the Park register a complaint and have a conviction made?

Solicitor Cragg advised that, yes they could; a private citizen can use the Criminal Code, the Narcotic Control Act, a Municipal By-Law or any other law as he wishes, although he has to go through the time and expense of prosecuting that particular charge.

The Deputy Warden indicated that a private citizen already has this privilege at the present time and the Solicitor concurred with this statement.

The above issue was briefly discussed by Municipal Council.

#### Letter From Waverley Ratepayer's Association

Mr. Meech advised that this letter from the Waverley Ratepayer's Association was an indication of their opposition to the proposed PUD Agreement between the Municipality and Metro Aggregates Limited for a rock crushing operation in District 14. He advised that this letter had been dealt with and discussed at length at the previous Council Session, March 16th.

#### REPORT OF THE DIRECTOR OF DEVELOPMENT

Warden Lawrence advised that this report was included for Council's information only.

REPORT OF THE HALIFAX COUNTY - BEDFORD DISTRICT SCHOOL BOARD

The School Board Report advised that: "As the Halifax County - Bedford District School Board has no further use for the Wellington (Eastern Passage) and Brookside Old Schools, it was moved, seconded and approved at a meeting of the Board held on February 17, 1982 to declare these schools surplus to their needs."

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

"THAT the Wellington (Eastern Passage) and Brookside Old Schools be declared surplus to the needs of the Halifax County - Bedford District School Board."  
Motion Carried.

MANAGEMENT COMMITTEE REPORT - (Deferred from March 16 Council Session)Report, Re: Taxation, Recreational and-or Community Properties

Mr. Meech outlined the Report, advising: "The Management Committee has examined property taxation on recreational and-or community facilities in the Municipality for the purpose of classifying these assessments into various categories to establish policy respecting taxation for these various facilities and organizations."

A copy of the various assessments in district order for each category and an outline of the criteria used for classification purposes were attached to the Management Committee Report, for Council's information. (Please refer to the assessments and criteria, if necessary, for any additional clarification).

Mr. Meech further advised: "The Management Committee recommend to Council, for approval, the report respecting taxation of recreational and or community use properties."

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

"THAT Council approve the Report respecting taxation of recreational and-or community properties."

Mr. Meech also advised that at the last Council Session there had been two communications, one from the Kinsman Club and one from the Lions Club within the Sackville area relative to this issue.

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

"THAT the two Organizations in Catagory three, which are both located on Municipally-owned property and occupied by the Kinsmen Club of Sackville and the Lions Club of Sackville, be included, instead, in category one of the Report (which would give them total exemption)."

Deputy Warden MacKay spoke at length on behalf of his amendment.

He advised that the criteria for category one in the report was:

- a) community centre;
- b) recreational association;
- c) community halls - used primarily for community and-or recreational functions.

The Deputy Warden gave the following reasons for his request to have the Kinsmen and Lions Clubs of Sackville included in category One:

1. The Clubs both fit the above specifications of Category One;
2. Both properties are owned by the Municipality and leased to the Organizations;
3. The County has never received taxes from the Organizations as they could not tax their own land;
4. Services are supplied to the Organizations by way of an area rate and the only service which would be supplied to the Organizations would be garbage which is supplied by their own private garbage collector;
5. It has only recently been determined that these Organizations should pay taxes and this is due to an interpretation by the Regional Director of Assessment (an interpretation not evenly applied to the whole Province).
6. At the recent Meeting with the MLA's, at least two of those MLA's had felt that this interpretation should be reviewed; also by a recent motion of Council, the interpretation was requested to be reviewed;
7. The entire issue should be dealt with by the Province;
8. The Deputy Warden suggested that all Surplus Schools will be dealt with in the same manner in 1983; this was his feeling based on comments made by the Regional Director of Assessment;
9. The Kinsmen and Lions Clubs improved those properties on the assumption that no taxes would be levied in future even though there is a provision in their lease which states that they should be prepared to pay all liens and taxes;
10. The Deputy Warden summed up his list of objections with the following question: "If the Kinsmen and Lions Clubs are not in a position to pay taxes will the Municipality evict them and if so, will the Municipality administer those properties at a cost to the taxpayers?"

The Deputy Warden also advised that since the properties in question are owned by the Municipality, the Organizations cannot pass a Private Members Bill. As well, the Organizations by virtue of their charter and by virtue under incorporation of the Societies Act of the Province of Nova Scotia are legally and morally bound that they cannot take any more than 15% of any money they raise toward the administration of the Organizations. A minimum of 85% must be turned back into their service work by virtue of their National and International charters and they do prepare annual statements which are submitted. On that basis and on the basis of the above, the Deputy Warden indicated his strong opinion that the two Organizations must be included in Category One of the Report and be exempt from all taxes.

Councillor Deveaux indicated his sympathy with Deputy Warden MacKay but advised that the Management Committee had reviewed this issue extensively and he would be supporting their recommendation.

Councillor MacDonald upheld the opinion of Deputy Warden MacKay and advised that the County is not in the habit of taxing its own land.

Councillor Topple informed Council that he was not totally satisfied with the recommendations of the Management Committee but he felt the recommendations were the fairest arrangement they could come up with. He also advised that Crown land is not taxable; however, as soon as the land is leased, it is taxable, regardless of who the lessee is.

Councillor McInroy advised there is some indication that the Lions and Kinsmen Clubs are substantially different from other Clubs when in fact they are not different from any other Community Service Clubs, except that the two in question are located on Municipally-owned land. He felt that if these two were granted total exemption from all taxation, other Service Clubs would request the same treatment.

Councillor MacKenzie spoke in support of Deputy Warden MacKay's amendment and requested that the Deputy Warden and Councillor MacDonald, include in their amendment, the Eastern Passage-Cow Bay Lions Club.

This request was agreed to by the Deputy Warden and Councillor MacDonald.

Subsequent to further brief discussion by Council, the question was called on the amendment as follows:

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

"THAT the Lions Clubs in Sackville and in Eastern Passage-Cow Bay and the Kinsman Club in Sackville be included in Category One (which would give them complete tax exemption) on the Management Committee Report regarding taxation of recreational and-or community facilities."

Amendment Defeated.

Councillor Smith read to Council a letter she had received from the Musquodoboit Harbour Board of Trade which requested that the Board of Trade Building in Musquodoboit Harbour which houses the Musquodoboit Railway Museum be reassessed as a Residential Property. The letter indicated that the property was presently assessed as Commercial. The letter further advised that the railway museum is opened to all Residents of the County free of charge and that about 10,000 visitors were admitted freely in 1981. Therefore, it was felt that it was in no way a commercial operation. The Board of trade Building in Sheet Harbour has its maintenance and taxes paid by the County while all that is looked for in Musquodoboit Harbour is to be correctly assessed as Residential.

Subsequent to further discussion, in which it was determined there were offices in the building which had a bearing on the Committee's decision, it was agreed that this item be referred back to the Management Committee for further consideration.

The question was now called on the main motion:

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

"THAT Council approve the Report respecting taxation of recreational and-or community facilities."

Motion Carried.

POLICY COMMITTEE REPORT, (Deferred from March 16 Council Session)

Transit Costs

Mr. Meech outlined this Report which advised: "The Policy Committee met with Councillor Baker to discuss the 1982 Transit Rate for the Herring Cove Area of District 5.

The projected 1982 Transit Rate for this area will result in a substantial increase over last year. Councillor Baker has requested special financial assistance in order to reduce the transit area rate to a more acceptable figure.

The Policy Committee recommend to Council for approval, that an amount of \$10,000.00 be provided from General Revenue toward Transit Costs for Herring Cove for the purpose of reducing the 1982 Transit Area Rate for the area.

The Policy Committee recommend to Council that the Municipality's representatives on the Metropolitan Transit Commission and Metropolitan Authority be given direction that the per capita grant for transit be disbursed on a population basis rather than sharing of the operating deficit.

The Policy Committee further recommend to Council that the Urban Services Committee be designated the Transit Advisory Committee as the appropriate body to study, discuss and make recommendations on transit."

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

"THAT Council approve an amount of \$10,000 to be provided from the General Revenue toward transit costs for Herring Cove, for the purpose of reducing the 1982 transit area rate for that area."  
(See motion to amend).

It was amended by Councillor Baker, seconded by Councillor Deveaux:

"THAT an amount of \$19,000 (the entire amount of the deficit) be provided from the General Revenue toward transit costs for Herring Cove for the purpose of reducing the 1982 transit area rate for that area."



Councillor Baker indicated his opinion that the County was the body responsible for the huge deficit because they included the district of Portugese Cove last year in the transit rate, who of course did not pay, resulting in the \$19,000 deficit remaining from 1981.

Considerable discussion took place relative to this issue regarding County-wide Transit problems and some problems specific to individual areas in the County. Many councillors spoke in opposition to the amendment, primarily due to the extra financial burden on their taxpayers.

Subsequent to discussion, the question was called on the amendment to the motion:

It was amended by Councillor Baker, seconded by Councillor Deveaux:

"As previously written."  
Amendment Defeated.

Brief discussion on the main motion now took place in which Councillor Topple who had been in opposition to the amendment, spoke again voicing his opposition to the main motion.

Councillor Wiseman and Deputy Warden MacKay spoke in favour of the motion; Councillor Wiseman advised she would not like to see the transit service which was vital to so many people, jeopardized and Deputy Warden MacKay advised that, although, he did not advocate transit, he was in support of this particular motion on the basis that there were special extenuating circumstances in Councillor Baker's District.

Councillor Deveaux also spoke in favour of the motion, as he had the previously-defeated amendment.

Councillor Walker questioned whether, since children were utilizing the bus system in Councillor Baker's district, which seemed to be one of the main concerns, would it be cheaper for the Municipality to pay the deficit from the general fund then it would be to put on school buses especially to handle these children. However, he was advised that although school children do utilize the transit service in that area, it is not a necessity that they do.

Prior to the question on the main motion, Councillor Baker reiterated his previous comment that the assistance would be a one-shot request for this year only and would not be repeated next year.

The question was then called on the main motion, as follows:

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

"THAT an amount of \$10,000 be provided from general revenue toward transit costs for Herring Cove for the purpose of reducing the 1982 transit area rate for this area."  
Motion Carried.

Councillor Baker then indicated to Council that upon the request of the Herring Cove Ratepayer's Association he would like to place the following motion on the floor:

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

"THAT \$28,000 be provided to District 5 from the general revenue to retire the \$19,000 deficit with the remainder to be used to construct a turning circle for transit busses."  
Motion Defeated.

At this time, the second recommendation from the Policy Committee Report was dealt with including several changes from the original construction of the recommendation, as follows:

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

"THAT the Municipality's representatives on the Metropolitan Transit Commission and Metropolitan Authority be given direction that the per capita grant for transit be disbursed on a population basis to the Municipality's share of the operating deficit."  
Motion Carried.

The third recommendation was then dealt with, as follows:

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

"THAT the Urban Services Committee be designated the Transit Advisory Committee as the appropriate body to study, discuss and make recommendations on transit."  
Motion Carried.

#### Water Supply Policy

Mr. Meech briefly outlined the Policy Committee Report, respecting the establishment of a program in accordance with policy established by the Province to supply potable water to households who have mineral contaminated water.

A lengthy report was contained in the agenda which outlined the criteria to be included in the policy. (Please see Report for Details)

The Policy Committee recommended to Council for approval the administration of the program to supply potable water to households with evidence of such mineral contamination. According to the proposed policy, the Homeowner would pay the total cost of water delivery and be reimbursed 50% by the Municipality upon submission of receipts. Subsequently, the Municipality would be reimbursed by the Province in this amount. Therefore, the only cost to the Municipality would be the administration cost of the program.

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

"THAT Council approve the administration of a program to supply potable water to households in the Municipality where evidence of "toxic levels" of mineral contamination has been confirmed."  
(See Motion to Defer).

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

"THAT the issue of a proposed policy for the supply of potable water be deferred until such time as clarification is received from the Department of Municipal Affairs regarding cost-responsibility for the program."  
Motion Carried.

Councillor Adams indicated that at the time of the recent meeting between Council representatives and MLA's, it had been indicated by the MLA's that the intention of the proposed policy was that cost be shared by the Municipality and the Province and not by the homeowner.

#### Staff Vacations - Holidays

The Policy Committee reviewed a report respecting non-union Staff Vacations and Holidays. A copy of the Report was included in the Agenda for Council's information. (please refer to Report for detail.)

The Policy Committee recommended approval of said report.

The proposed vacation schedule, included in the Report was as follows:

- a) during the first year or part thereof - 1.25 working days per month.
- b) After 1 year completed service - 15 working days per annum.
- c) after 8 years completed service - 20 working days per annum.
- d) after 15 years completed service - 20 working days, plus 1 additional working day per annum to a maximum of 25 working days vacation.

The above are computed on the basis that the vacation year is January 1 to December 31.

As well, the designated Holidays specified in the Report, were:

- |                       |                    |
|-----------------------|--------------------|
| 1. New Year's Day     | 2. Good Friday     |
| 3. Easter Monday      | 4. Victoria Day    |
| 5. Canada Day         | 6. Labour Day      |
| 7. Thanksgiving Day   | 8. Remembrance Day |
| 9. Christmas Day      | 10. Boxing Day     |
| 11. Halifax Natal Day |                    |
12. Any other proclaimed as a public holiday by Municipal Council, or by Federal or Provincial Government Authority.

If a Holiday falls on a weekend, a day in lieu of the holiday will be granted on a working day immediately following the weekend.

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

"THAT the proposed Municipal Policy regarding non-union employee vacations and holidays, be approved by Municipal Council."

Councillor Deveaux questioned, whether the Municipality would be forced to give employees a holiday on the following Monday in lieu of a holiday such as Canada Day which is usually celebrated on the day it falls, when it falls on a Saturday or Sunday.

Mr. Percy Fawson advised that the practice has been that when a statutory Holiday falls on a weekend, the employees are given the Monday off. This has been the case, for example, on a Labour Day Holiday which falls during the weekend.

Subsequent to further discussion, it was decided this was not a desirable position for the Municipality to be in. To eliminate this problem it was decided to delete the second paragraph of number 12 in the designated holidays section of the report. It was also decided that if the Upper levels of Government were giving the following Monday of a holiday to their employees after a weekend holiday, the Municipality would follow suit. If not, there would be nothing in the Municipal Policy to force the Municipality to give this holiday to its employees.

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

"THAT the second sentence (paragraph) of number 12 in the designated holidays section of the proposed policy for staff vacations and holidays be deleted."  
Amendment Carried.

Councillor Eisenhauer requested clarification regarding the Municipality's vacation policy for Halifax and Dartmouth Natal Day. It was indicated that the Municipality had approved a policy last year to give Halifax Natal Day to Municipal Employees working out of the Municipal Building and that Employees working out of the Rehab Centre or Ocean View Manor would receive the day of their choice.

Councillor Eisenhauer also advised that the proposed Policy makes no mention of sickness in the event that one is on Holiday.

Mr. Meech advised that many associated policies including this issue, are still under review. He advised that there is no clear-cut policy on this issue as yet.

Councillor Smith requested clarification as to how this policy compares to the vacation and holiday schedule enjoyed by union workers.

She was advised by Mr. Meech that this policy was somewhat better than that of the unionized workers. The major difference was that unionized workers receive only two weeks vacation from one to three years while the proposed non-union policy allows for three weeks from one to three years service.

Councillor Smith felt that three weeks was quite a bit of vacation for only one year of service and requested the reason for the proposal.

She was advised by Mr. Meech that, although a person may be employed with the Municipality for only one year, they may be a highly qualified and experienced person who has worked for many years, elsewhere.

Councillor Smith was still not in agreement with the three week vacation allowance for employees who have been employed with the Municipality for only one year. As well, she requested how employees from other areas of the County would be compensated for Halifax Natal Day. She wondered if people from outlying areas who have their own community celebrations would be able to enjoy these days as holidays. She was advised by Warden Lawrence that the Policy arbitrarily chooses Halifax Natal as the Holiday for the entire Municipality, as the Municipal building is located in the City of Halifax.

It was amended by Councillor Smith, seconded by Councillor Eisenhower:

"THAT the Vacation policy be amended to allow .83 working days per month up to a maximum of 10 working days in the first year of employment or part thereof, and 1.25 working days per month after the first year and up to completion of the second year of employment, up to a maximum of 15 working days."

Deputy Warden MacKay advised he would prefer to see the amendment read that in the first year of employment one day per month be allocated to a maximum of ten days, up to the end of the second year and that after the second year 1.25 working days per month be allocated to a maximum of 15 working days per year up to the end of the eighth year and after the eighth year of employment 1.25 working days per month plus one additional day for each year of service up to a maximum of 25 days.

Councillor Wiseman was opposed to any amendment, as most people working in the Metro area are receiving up to three weeks of vacation in the first year. This is the case of almost all levels of government and a majority of private enterprises.

Councillor Eisenhower suggested a further amendment. However, it was determined that the amendment was no change from the present policy and he was advised that to accomplish it, he should vote against the amendments and the main motion.

Councillor McInroy spoke in opposition to the amendment advising that approximately 10 years ago when he had been working with the City of Dartmouth, he had only two weeks of vacation. This had not been nearly sufficient a period of relaxation or time to take a trip and he had been successful in increasing that amount to three weeks.

Subsequent to further discussion, the question was called on the amendment.

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

"As previously written."  
Amendment Defeated.

Subsequently, the question was also called on the main motion as amended.

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

"THAT the proposed Municipal Policy regarding non-union employee vacations and holidays, with the deletion of a day in lieu of a holiday falling on a week-end (except where taken by other levels of government) be approved by Municipal Council."  
Motion Carried.

This completed the deferred items from the March 16, 1982 Council Session.

#### LETTERS & CORRESPONDENCE

##### Letter From Atlantic Child Guidance Centre

A letter to Warden Lawrence from Mrs. Linda Smith, Board Chairman of the Atlantic Child Guidance Centre indicated that, "The members of the Board of Directors shall include an elected or appointed representative from each of the governments of Halifax City, Halifax County and Dartmouth City and members shall hold office for a period of two years unless reappointed or replaced due to retirement or otherwise." The letter also advised that Councillor Williams had held office as the County representative for the past ten years and requested that Council indicate whether Councillor Williams shall be reappointed or whether a new appointee will be made.

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

"THAT this issue be deferred pending verification of whether or not Councillor Williams wishes to be reappointed to this position."  
Motion Carried.

##### Letter From Nova Scotia Firefighters School

A letter was received from E. J. Rees, Executive Director of the Nova Scotia Firefighter's School, expressing appreciation for Municipal support in the past.

The letter requested continued financial assistance this year as well as an opportunity to meet with Council at Council's convenience.

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

"THAT Council agree to schedule a meeting with the Nova Scotia Fire Fighters School at a Council Session in the near future."  
Motion Carried.

#### Letter From South Shore Tourism Association

A memorandum was received from Margaret Campbell, the Executive Director of the South Shore Tourism Association requesting an opportunity to make a presentation to Municipal Council to advise of the progress of the Association. This request had been dealt with earlier in the Council Agenda at the time the similar request from the Eastern Shore Tourism Association had been dealt with.

#### Letter From FCM

A letter had been received from the Federation of Canadian Municipalities. (Please refer to letter in agenda booklet).

This letter was an update to indicate the importance of the 1982 Annual Conference and was for Council's information only.

#### Letter From Union of Nova Scotia Municipalities

A letter received from the UNSM, advised Council that the Select Committee of the House of Assembly on Volunteer Fire Services was now re-activated. The following recommendations were contained in the letter:

1. Watch the press for notices relating to the activities of the Committee;
2. Study the Committee's terms of reference;
3. Arrange to have representatives of your Council attend any hearings which may be scheduled in or near your unit;
4. Be prepared to make oral or written submissions to the Committee;
5. Forward copy of your submission to our Office.

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

"THAT Staff be given direction to prepare a draft Submission to the Select Committee of the House of Assembly on Volunteer Fire Services."  
Motion Carried.

#### Letter From East Preston Ratepayers Association

A letter addressed to Warden Lawrence from the East Preston Ratepayer's Association was included in the Council Agenda.

This letter was in regard to the controversy surrounding the relocation of the RCMP Detachment from its present site on Bruce Street in the City of Dartmouth. The letter advised:

"The residents of East Preston and Lake Echo are extremely disappointed and frustrated with the information that the detachment which was to be relocated at Minesville is now being proposed for two other sites.

We the Ratepayer's and residents of East Preston take objection to having our hopes shattered, when again we realize that long awaited improvements to our community have been denied.

We fully support the efforts of Councillor Wayne Adams and the Honourable Tom McInnis, MLA for the area, in having the Attorney General and the RCMP stick to their former committment to have the detachment stationed at Minesville. We encourage your Council to support these gentlemen in their efforts."

Mr. Meech advised that this item was for information only but should be taken into consideration when dealing with the Policy Committee recommendation on the matter, later in the agenda.

However, Councillor Topple spoke briefly on the issue, advising that he was in agreement with the position of the MLA and of Councillor Adams.

Letter From the Province of Nova Scotia - Minister in Charge of the Liquor Control Act

This letter was in response to a telephone call to the Minister's office, made by Mr. Kelly in accordance with the request of Councillor Lichter regarding the surcharge on the purchase of liquor for re-sale.

The Minister advised that the surcharge was first introduced in 1961 to acquire revenue to cover the costs of administrating and policing those provisions of the Liquor Control Act that fall within the jurisdiction of the Liquor Control Board. He further advised that at the present time, revenues in excess of those required for the operation of the Liquor License Board accrue to the Liquor License Commission, profits of which are in turn, remitted to the general account of the Province of Nova Scotia.

Councillor Lichter advised that this letter did not address his request that the surcharge be eliminated in cases where liquor is purchased for re-sale by community and charity functions.

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

"THAT the original letter be resubmitted to the Minister for answer."

Motion Carried.

Letter From Mrs. Janet C. Jacques, Re: Metro Aggregates Proposal

A letter was received from the above-mentioned Mrs. Jacques to bring Council's attention to her personal concern with the proposed Metro Aggregates quarry operation in the Waverley area.

This letter was for information only and completed the Letters and Correspondence in the Agenda.



WARDEN'S REPORT TO COUNCIL

A Report from the Warden regarding her resignation, the TRI Committee Report on Councillor's Salaries and Committee Structure as well as amendments to the Education Act, was distributed to all Council Members.

Resignation

The Report advised: "As you have read and heard, I have been appointed a member of the new Municipal Board effective May 1. I will be submitting my resignation to the Municipal Clerk in the next few days, to take effect April 30. I assume that Mr. Kelly will report this officially to Council at its next Session so that Council can declare the position of Warden vacant as of May 1 and arrange to elect a new Warden May 4."

This item was for information only.

Report of TRI Committee

It was agreed by Council that this item in the Warden's Report be deferred until discussion, later in the agenda, of the Report of the TRI Committee.

Amendments to the Education Act

The Warden advised: "Amendments to the Education Act were tabled recently in the legislature. Although the Walker Commission was silent on the subject, these amendments provide for the continued existence of school trustees. Sections of the Act, referring to Boards of Trustees have been changed in regard to the setting of area school rates, a matter of continuing concern and controversy in Council. Our Municipality is one of the few in the province to continue to have locally elected Boards of Trustees. I recommend that the Policy Committee study these amendments and make recommendations to Council and that Council's position be presented to Law Amendments Committee at the appropriate time."

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

"THAT the Policy Committee study the amendments to the Education Act, tabled recently in the legislature, and make recommendations to Council and that Council's position be presented to the Law Amendments Committee at the appropriate time."  
Motion Carried.

This completed the Warden's Report to Council.

PLANNING ADVISORY COMMITTEE REPORT

Warden Lawrence indicated a new Policy whereby it is no longer necessary to make a motion to receive for discussion, reports which are already included in the agenda.

Annual Report of the Planning Advisory Committee

Warden Lawrence indicated that there was an annual Report of the Planning Advisory Committee included in the Agenda for information purposes.

Subsequent to review of the PAC Annual Report, Councillor Lichter solicited Council's support in requesting information for the next Council Meeting, concerning the Planning Department's Staff Compliment in 1974 as compared to 1981.

It was agreed by Council that a comparison of Planning Staff of 1974 and 1981 be included in the upcoming Council Agenda.

Public Land Donation

The Planning Advisory Committee recommended that the "Park Area Reserve" parcel of land in the Highland Park Subdivision, Hammonds Plains, which is being donated to the Municipality under the provision of the Planning Act, be accepted as parkland by the County. This parcel of land was outlined on an attached plan in the agenda, for Council's information as to its exact location and size. The Municipal Solicitor Reports that the parkland in question is free and clear of all encumbrances and County Council is therefore in a position where it can accept title to the land.

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

"THAT the Municipality accept as parkland, the "Park Area Reserve" parcel of land in the Highland Park Subdivision, Hammonds Plains, under the provisions of the Planning Act."  
Motion Carried.

Prior to the passing of the motion, Deputy Warden MacKay requested reasoning for a small strip of land adjacent to the land donation being left out.

Solicitor Cragg advised that the parcel being questioned was a drainage ditch.

MANAGEMENT COMMITTEE REPORTAdditions to 1982 Suburban Paving Program

Warden Lawrence outlined this Report, advising: "The Management Committee received a report from Mr. Wdowiak, Director of Engineering and Works, respecting the addition of Burrows Drive, Wellington to the 1982 Suburban Paving Program. (Copy Attached)

The Management Committee recommend to Council for approval the addition of Burrows Drive, Wellington to the 1982 Suburban Paving Program."

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

"THAT Burrows Drive in Wellington be added to the 1982 Suburban Paving Program, subject to the required majority of signatures and the approval of the Minister of Transportation."  
Motion Carried.

#### Mileage Rates

This item was outlined by Mr. Meech who advised that he had prepared and presented a Report to the Management Committee respecting mileage rates. He indicated that the following mileage rates would be comparable to those of the Province of Nova Scotia:

For the first 10,000 miles	34.
For 10,000 - 15,000 miles	31.4
15,000 plus	20.9

Mr. Meech advised that the proposed rates allow more than previously for the first 10,000 miles, dropping until after 15,000 miles, less mileage than presently being received, would be allowed, thus discouraging employees from driving excessively. Mr. Meech also advised that the present rate almost encourages employees to drive their vehicles when unnecessary.

Subsequent to a review of the Report (Attached to the Agenda for Information), the Management Committee recommended to Council, approval of the above-mentioned mileage rates for the County of Halifax, effective January 1, 1982.

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

"THAT the mileage rate proposed by Mr. Meech be approved by Municipal Council, effective January 1, 1982."  
Motion Carried.

The motion was carried subsequent to discussion of comparative mileage rates in other Municipalities and Government Levels, as well as discussion of the County's proposed purchase of vehicles in lieu of mileage.

#### Setting of 1982 Tax Rate

Mr. Meech advised that the Management Committee has discussed budget review and a tentative date for setting the 1982 tax rate.

The Committee was informed that a meeting will be held shortly between the Councils of Halifax County and the Town of Bedford to discuss the District School Board budget and also Department budgets should be finalized shortly according to recommendations following the preliminary discussions.

The Management Committee requested Council to consider April 20, 1982 as a tentative date for setting the 1982 tax rate.

Councillor Lichter was in agreement that the tax rate should be set as soon as possible but he did not want to commit himself to setting the rate April 20th, if he was not satisfied with the budget.

However, subsequent to brief discussion by Council members, it was agreed to set April 20 as a "tentative" date to set the 1982 tax rate.

#### SUPPER ADJOURNMENT

Council agreed at 5:20 to adjourn the meeting until 7:00 P.M.

#### PUBLIC HEARINGS, 7:00 P.M.

Subsequent to reconvening the Council Session at 7:00 P.M. the following two Public Hearings were held.

#### Rezoning Application, No. 16 - 81

Mr. Brant Wishart came forward to outline the Planning and Development Zoning Report for Rezoning Application No. 16-81.

Mr. Wishart advised that the Public Hearing respecting Application No. 16-81 has been duly advertised under provisions of the Planning Act. He advised that No. 16-81 was an application to zone and rezone Lakeland Acres Subdivision and Portions of the C. & D. Lively Subdivision off the Beaverbank Road, Beaverbank, District 15 from G (General Building Zone) and an unzoned status to R-1 (Residential Single Family Dwelling Zone).

Mr. Wishart advised it was the recommendation of the Planning Department that Council approve this Application for rezoning.

Mr. Wishart provided Information as follows: "Lakeland Holdings Limited, the developer of Lakeland Acres Subdivision, has submitted an application requesting that their development be zoned from its present status to R-1. This application was accompanied by a petition supporting the request which was signed by the Developer, representing 7 lots and 24 households within the subdivision representing 28 lots."

"At the time the application for zoning was made by Lakeland Holdings Ltd. they indicated that they had no objection to including the neighbouring C. & D. Lively Subdivision in their application. Subsequently, a petition was circulated in the C. & D. Lively Subdivision by the Barret Lake Homeowners Association and 38 households representing 38 lots indicated their desire to have R-1 Zoning. The developer of the the C. & D. Lively Subdivision indicated that he did not wish the bulk lands of the subdivision zoned at this time."

Mr. Wishart also outlined the existing land use and existing zoning. (Please refer to the Planning and Development Zoning Report for detail).

The Comments of the Planning & Development Department were: "It is a general policy of the Planning and Development Department to support applications such as this from developers and residents requesting restrictive zoning as a means of protecting residential areas from the intrusion of incompatible land uses. The requested R-1 Zone in this case will offer both the desired protection and is compatible with the existing land use within the subdivisions. Therefore, the Planning and Development Department recommends that County Council: Zone and Rezone the Lakeland Acres Subdivision and those portions of the C. & D. Lively Subdivision as indicated on the attached map to R-1 Zone."

Councillor Benjamin questioned whether there was any buffer zone around Barrett Lake or whether it was zoned down to water's edge. He was advised by Mr. Wishart that in this application it was zoned right down to the water's edge. However, he pointed out two parcels of land owned by the Municipality as parkland.

#### Speakers in Favour of Application

Mr. Peter MacDonald, 15 Franklyn Drive in Green Forest Subdivision: Subsequent to giving his name and address, Mr. MacDonald advised that the request for rezoning to R-1 was to ensure that the pleasant appearance and the values of the properties are maintained. He felt that development other than that allowed in R-1 zoning could detract from the appearance and have a detrimental effect on the property value.

There were no questions from Council for Mr. MacDonald.

#### Speakers in Opposition to Application

None.

#### Motion From Council

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

"THAT the lands of lakeland Acres Subddivision and those portions of C. & D. Lively Subdivision as outlined by Staff, be zoned and rezoned to R-1 (Residential Single Family Dwelling Zone)."

Motion Carried.

#### Rezoning Application, No. 1 - 82

Mr. Brant Wishart also came forward to outline to Council the Planning & Development Zoning Report for a request to Zone and Rezone, No. 1-82, lands of Nautical Electronic Laboratories Ltd., Highway 333, Hackets Cove, District 3 from G (General Building Zone) and an unzoned status to I-1 (General Industrial Zone).

Mr. Wishart advised that the Public Hearing had been duly advertised as per the provisions of the Planning Act. The recommendation of the Planning & Development Department was that County Council approve the application.

Mr. Wishart further advised: "NAUTEL is a small Canadian Company which, in conjunction with its research and development program, manufactures solid state radio transmitters such as aeronautical and marine radio beacons for a variety of national and international customers. The high technology firm, which was established in 1969 employs approximately 67 people at its Hackett's Cove plant. The company is now in a position to expand and has submitted preliminary plans for a 45 X 98, 2 and 1/2 storey addition to an existing building on the site. The proposed expansion would result in approximately 20 employees being added to the existing staff level over the next couple of years."

Mr. Wishart then provided Council with a description of the lot and surrounding area as well as information pertaining to the zoning of that area. (Please refer to Report for Detail).

He also advised that the rezoning is required to permit the proposed expansion to take place as District 3 falls under the Industrial Uses section of the Municipality's Zoning By-Law. This section of the Zoning By-Law states that all industrial uses must receive specific industrial zoning in certain districts.

The Planning and Development Zoning Report indicated the following Comments from other Agencies as well as the Planning & Development Department:

Department of Health: The Department of Health has stated that they have no objection to the proposed expansion.

Department of Municipal Affairs: The Department of Municipal Affairs has stated that they have no objection to the expansion.

Planning and Development: NAUTEL has been situated at its present site for over twelve years, becoming a nonconforming use as a result of adoption of the Industrial Uses Section of the Zoning By-Law for District 3 by County Council in 1976. Therefore, to carry out the planned expansion the property must receive industrial zoning.

As Nautel is an established use which is compatible with its surrounding land use and is a high technology industry which is environmentally "clean", the Planning and Development Department recommend that the application for rezoning be approved.

#### Speakers In Favour of the Application

Mr. David Grace, President, Nautical Electronics Laboratories Ltd., Resident of the City of Halifax: Mr. Grace indicated that Nautical Electronics was a local company whose Officers and the majority of their employees live in the area. As such he felt the company was of considerable benefit to the area and the County. The Company has provided stable employment since 1969 and anticipate expanding at some time in the next few years. He concurred with the comments of Mr. Wishart which indicated their industry was clean and compatible, with no polluting factors and no problems from the County's point of view.

Councillor MacDonald questioned whether the Company was planning a large increase in staff to which Mr. Grace replied probably 20-30 people over the next five years, depending on economic conditions.

Councillor Eisenhauer questioned whether Nautical Electronics was the Company which had recently invented a small radio transmitter. He was advised by Mr. Grace, that it was his Company. He was then congratulated by Councillor Eisenhauer on the Company's success.

Speakers in Opposition to the Application

None.

Motion From Council

It was moved by Councillor Topple, seconded by Councillor Poirer:

"THAT Municipal Council approve of the change in zoning of the lands of Nautical Electronics Laboratories Ltd. from G and an unzoned status to I-1 General Industrial Zone."

Motion Carried.

This concluded both Rezoning Applications and the Public Hearing.

Planning Staff, Mr. Grace and Mr. MacDonald retired from the Council Chambers.

SUPPLEMENTARY MANAGEMENT COMMITTEE REPORT

Sackville Fire Department Union Contract - 1982 - 1983

In accordance with the Supplementary Management Committee Report (Please refer to Report) and the recommendation of the Management Committee:

It was moved by Deputy Warden MacKay, seconded by Councillor Eisenhauer:

"THAT the collective agreement between the Municipality of the County of Halifax and Local 2527 I.A.F.F. Sackville Firefighters be approved by County Council."

Motion Carried.

The contract was for the period of January 1, 1982 to December 31, 1983 and provided for a salary increase of 12% in each of two years.

Lakeside - Black Point Fire Department - Union Contract 1982 - 1983

In accordance with the Management Committee Supplementary Report and the recommendation of the Management Committee:

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

"THAT Collective Agreement between the Municipality of the County of Halifax and Local 1456 I.A.F.F. Lakeside - Black Point Firefighters, be approved by Municipal Council."  
Motion Carried.

The contract, in compliance with a conciliation Board decision, was for the period January 1, 1982 to December 3, 1983 and provided for a salary increase of 15% for each of the two years.

#### POLICY COMMITTEE REPORT

##### Proposed Affirmative Action Plan

Mr. Meech outlined this item advising: "The Policy Committee received a report from Mr. Fawson, Personnel Co-ordinator respecting the proposed Affirmative Action Plan. (Please refer to Copy Attached to Agenda for further information). The concept of the proposed Affirmative Action Plan is to recognize equal employment opportunities in the Municipality. The Policy Committee recommend Council's approval of the Affirmative Action Plan."

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

"THAT the Municipality of the County of Halifax adopt and approve the Affirmative Action Program."  
Motion Carried.

Prior to approval of the motion, there was some discussion by several Councillors as to the necessity of the Plan. It was felt that the Municipality is already an Equal Opportunity Employer. However, it was agreed that it should be adopted as a confirmation of the Municipality's present hiring policies.

It was also agreed by Council that the Official Signing of the Affirmative Action Plan would be at the next Council Session, April 20, at which time the Honourable Laird Sterling would attend Council for the signing.

##### Capital Projects - Recommended for Capital Grants

Mr. Meech outlined this item as well, advising: "The Policy Committee reviewed a Report from Mr. Wilson, Director of Finance, relative to capital grants allocation to districts and capital projects recommended for Capital Grants Allocations. (Copy of Report was attached) The recommendation of the Policy Committee was that Council approve the Capital Grants Allocation as outlined in the Report."

It was moved by Councillor MacDonald, seconded by Deputy Warden MacKay:

"THAT the Capital Projects recommended for Capital grants as outlined in the Report of the Director of Finance, be approved by Municipal Council."  
Motion Carried.



The motion was carried subsequent to brief discussion of Council and information from Mr. Meech, indicating that the funds in the Report would be from the General Capital Grant Fund.

Radio Communication System for Municipal Operations

Mr. Meech advised that: "The Policy Committee has reviewed mobile communication requirements for Municipal Operations. The Committee received a Report and recommendation and also proposals for replacement of the system and other data relative to the County Mobile System. The Policy Committee recommend to Council for approval, the acquiring of a Halifax County Radio Communication System by accepting proposal number two as outlined in the Report (Attached - for further information, please refer to the report) in the amount of \$49,715. and further recommend to Council that this project be financed from the County 75% General Capital Grant Fund."

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

"THAT Council approve the acquisition of a Halifax County Radio Communication System by accepting proposal number two, outlined in the Staff Report, in the amount of \$49,715 and further that this project be financed from the County 75% General Capital Grant Fund."

(See Motion to Defer).

Councillor Lichter indicated that a letter had been received from the Professional Engineer, Mr. Oldham who was away at the time the Policy Committee made the above recommendation. He advised that this letter indicated that proposal number two included several deficiencies. Councillor Lichter felt this letter should be considered by the Policy Committee.

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

"THAT the Policy Committee recommendation regarding a County Mobile Communication System be referred back to the Policy Committee to consider additional information from Mr. Oldham and further that the Policy Committee report back to the next Council Session with a recommendation."

Motion Carried.

Relocation of RCMP Detachment

Mr. Meech indicated that the Policy Committee discussed the proposed relocation of the Dartmouth RCMP Detachment and recommended to Council that the Councillors of Districts 6 to 11 and District 13 meet as a group to provide a recommendation to Council on this issue.

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

"THAT the Councillors from Districts 6 to 11 and District 13 meet as a group to provide a recommendation to Council on this issue."

Warden Lawrence referred Council to the letter received earlier under letters and correspondence from the East Preston Ratepayer's Association, indicating this was a controversial issue.

Councillor Topple agreed with the formation of the proposed Committee and indicated his concern over the change in previous plans to locate the detachment in Minesville, for no apparent reason.

Councillor Adams, based on information presented by Mr. Meech at the Policy Committee, agreed that Council had not taken a firm position on this issue previously. However, he now urged that Council take a positive position in regard to the Minesville location.

Councillor Smith questioned the involvement of District 11 and was advised by Councillor MacKenzie that District 11 was involved in that the location of a detachment in Musquodoboit Harbour would affect the number of RCMP Personnel in his District.

Councillor Deveaux spoke at length in opposition to the formation of a Committee. He also read two letters; one from Mr. Reid, the head of the RCMP to Harry Howe, Q.C., Attorney General received October 28, 1981 by the Attorney General's Office. The letter favoured the Cole Harbour location and a satellite office in Musquodoboit Harbour. To accomplish this the present Dartmouth Detachment RCMP personnel would be transferred, the majority to a location in Cole Harbour and the remainder to a satellite office in Musquodoboit Harbour. Councillor Deveaux also read a letter from The Honorable Robert Caplan to Mike Forrestall. This letter also favoured the Cole Harbour location due to its population density and based on the satellite office in Musquodoboit Harbour. Both letters were lengthy in their appraisal of the policing situation in the above-mentioned areas and were based on a survey carried out.

Councillor Lichter indicated his amazement that when he had questioned RCMP Officials in Council regarding the policing of Meagher's Grant, they had been unable to reply. However, according to the above-mentioned correspondence, they had known all along that Meagher's Grant would be policed by the Musquodoboit Satellite Office once it becomes a reality. Subsequent to this discussion, the question was called on the motion:

Moved by Councillor Wiseman, seconded by Councillor Gaetz:

"As previously written."  
Motion Carried.

#### BUILDING INSPECTOR'S REPORT

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

"THAT the Supplementary Building Inspector's Report be received and the application for lesser side-yard clearance of 4', 1221 Beaverbank Road, Applicant Eric Joudrey, contained therein be approved by Municipal Council."  
Motion Carried.

SALE OF DOLPHIN PROPERTY

Mr. Meech advised that all the requirements necessary to complete the sale of the Dolphin Building Property have been carried out and it is now necessary that appropriate documentation be provided to the Minister of Municipal Affairs for approval as required under the Act.

He advised that Municipal Council is requested to approve the following resolution and further that certified copies of the resolution be submitted to the Minister of Municipal Affairs.

Resolution:

WHEREAS by Section 134 (92) (b) of the Municipal Act, it is enacted that the Municipality may, with the consent of the Minister of Municipal Affairs, sell real or personal property no longer required for the use of the Municipality;

AND WHEREAS it is deemed expedient to sell the property described in attached Schedule "A";

AND WHEREAS the said property is no longer required for the use of the Municipality;

AND WHEREAS the property referred to herein was formerly used for education purposes, namely for a Municipal School Board Garage and the school board has declared by resolution that it is no longer so required;

AND WHEREAS an acceptable offer has been obtained for the purchase of said property;

AND WHEREAS the price hereinafter mentioned is considered by the Council to be fair and reasonable;

BE IT THEREFORE RESOLVED that subject to the consent of the Minister of Municipal Affairs, the Municipality of the County of Halifax do sell and convey the property above described to MacKenzie Distribution Services Ltd. at and for the price of Twenty Five Thousand Dollars (\$25,000.00);

FURTHER RESOLVED that the Warden and the Municipal Clerk be and they are hereby authorized and instructed to execute and deliver on behalf of the Municipality, a Deed in the usual form and to affix to it the seal of the Municipality conveying the said property in conformity with the terms of this Resolution.

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

"THAT Municipal Council approve the above-noted Municipal Resolution with respect to the Sale of the Dolphin Property."  
Motion Carried.

APPOINTMENT OF RETURNING OFFICER

Mr. Meech outlined to Council his recommendation regarding the appointment of Returning Officer. He advised: "Council is aware that 1982 is election year for Municipalities throughout Nova Scotia; accordingly it is necessary to take action to make preparations for the forthcoming elections this fall. The option is available to the Council to appoint the Municipal Clerk as Returning Officer or another suitably qualified candidate. I recommend that G. J. Kelly be reappointed to the position of Returning Officer in accord with the Municipal Elections Act."

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

"THAT G. J. Kelly, Municipal Clerk, be reappointed to the position of Returning Officer in accord with the Municipal Elections Act."  
Motion Carried.

SACKVILLE REPRESENTATION ON THE HALIFAX COUNTY INDUSTRIAL COMMISSION

Mr. Meech advised that at the County Industrial Commission meeting held on March 23, 1982 a motion was passed to recommend Council's approval for an amendment to the instrument of incorporation and By-Laws to increase the membership of the Commission by three members, as follows:

- a) A representative of the Sackville Chamber of Commerce (recommended by the Chamber of Commerce);
- b) A representative of the Sackville Advisory Board (recommended by the Sackville Advisory Board);
- c) Two Sackville Councillors (representing any of Districts 15, 16, 18, 19 or 20).

Alternatively, to the suggestion of two Sackville Councillors, there could be one Sackville Councillor and one person appointed by Governor-in Council.

The above would increase the membership of the Commission to 14.

A letter was included in the agenda from Warden Lawrence, outlining the present Commission structure as well as the proposed changes. As well, letters were included in the agenda from the Sackville Advisory Board, a supplementary letter from the Sackville Chambers of Commerce and two letters from the Honourable Roland J. Thornhill Minister of the Department of Development.

The Minister of Development advised: "I heartily endorse the increased involvement of Sackville residents in the County of Halifax Industrial Commission and am prepared to increase the total of our 50% matching fund for an approved budget up to a maximum limit." He further indicated that the combined Industrial Commission Budget should be in the area of \$170,000.00 and he would be prepared to fund up to 50% of this amount

In another of the Minister's letters he indicated some concern that residents of the Sackville area have approached him concerning the establishment of a separate Industrial Commission.

It was therefore, the concensus of Council, that he would rather endorse the increased funding to maintain one Industrial Commission than to have two separate Industrial Commissions.

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