

The Honourable Michael Laffin, in his letter, requested that Council have this member reappointed or replaced to the Nominating Committee at their earliest convenience.

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

"THAT Councillor McInroy be reappointed to the Nominating Committee."

Concern was raised with regard to the fact that this could be considered a conflict of interest. It was stated that the Halifax County Housing Authority receives its funding from the NS Department of Housing of which Councillor McInroy is an employee.

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

"THAT this item be deferred to the next Council Session."
Motion Carried.

INDUSTRIAL COMMISSION REPORT, RE PROPOSED CONDOMINIUM, LAKESIDE

Mr. Meech indicated that Mr. Denny is before Council to provide some detailed information on behalf of the Industrial Commission relative to a decision that was recently taken by the Commission to establish the Industrial Mall that was constructed in the Lakeside Industrial Park as a registered condominium. He further advised that Mr. Denny is before Council, on behalf of the Industrial Commission, to share that decision with Council and also to discuss the method of financing for the project as a condominium.

Mr. Denny circulated to the Warden and members of Council a report respecting the Lakeside Industrial Condominium Project. Mr. Denny read the report and addressed a number of questions from Council.

Mr. Meech indicated that the Industrial Commission does need the support of the Municipality through the Council to continue to provide the temporary funding. He went on to advise that this would be the first Industrial Condominium in the province of Nova Scotia. Mr. Meech indicated that the response, based on the tenants that we have, is fairly favourable that small business people seem to be attracted to the option of being able to own their own particular unit and become part of the condominium.

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

"THAT Council adopt the recommendation of the Halifax County Industrial Commission to offer for sale the Industrial Mall at Lakeside Industrial Park as Industrial Condominiums at a sale price of 39.00 per square foot subject to the approval of the Registrar of the Condominium Act."
Motion Carried.

Councillor DeRoche inquired if the lease arrangements are over and above the purchase price. Mr. Denny advised that they were. Councillor DeRoche indicated that that is not projected in the final figures that have been presented.

Mr. Meech informed Council that Mr. Denny and the other Staff people involved do deserve commendation because it is a very fine facility.

Councillor Deveaux made a few comments regarding a piece of land in his district. He indicated that he has always supported industrial development but feels that maybe more effort could be made with regard to this piece of property in his district. He requested that the Municipality, as soon as the snow melts, clean up the junk that has been piled on this property and erect no dumping signs on the property. In conclusion, Councillor Deveaux requested that Mr. Denny and the Industrial Commission take a serious look and make a greater effort in trying to get something established not only on the parcel of land which was mentioned but also at other areas which have been designated for industry in his District.

Councillor Deveaux also requested that serious consideration be given to having the representative from his district on the Commission or at least have one of the representatives on Council from either Cole Harbour or Westphal.

Councillor Poirier thanked Council for their support in this project indicating that it is a credit to the community, to the committee, and to the County as a whole.

Councillor DeRoche indicated that Eastern Passage, which has been an industrialized area for a great number of years, has received little or no attention. It was stated that it would be useful to have an elected representative from Eastern Passage.

A number of Councillors indicated that the development through the Commission is noticeable and the Committee has given attention to all areas of the County.

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

"THAT Council write to Industrial Estates requesting activity at the Park in Chezzetcook area."
Motion Carried.

PROPOSED AGREEMENT, RE SEWER BEDFORD/SACKVILLE

Mr. Meech advised that at the last Council Session a recommendation from the Urban Services Committee was received with regard to the proposed agreement for the operation and cost sharing of the Bedford/Sackville Sanitary Sewer System. Council had approved the agreement as presented.

As a result of Council's decision, Mr. Meech indicated that Bedford is requesting some minor revisions to the agreement. Mr. Meech further advised that issue has been discussed with Mr. Cragg who had had some consultation with the Council of Bedford. It was requested that a phrase be added to Section #3 under RESPONSIBILITIES in the agreement. The revised section would read as follows: The common system shall henceforth be operated and maintained by the Municipality for the benefit of the Municipality and the Town without prejudice to any right of the Municipality and the Town to ownership of any part of the common system including real property.

Mr. Meech further advised that Mr. Cragg has indicated that he has no difficulty with the slight amendment.

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

"THAT the proposed amendment to Section #3, Responsibilities, be approved."
Motion Carried.

HALIFAX COUNTY REGIONAL REHABILITATION CENTRE BY-LAWS

Mr. Kelly indicated that he had received copies of the Halifax County Regional Rehabilitation Centre By-laws. Mr. Kelly further advised that these were brought to Council over a year ago and approved by Council. Since that time, Mr. Kelly advised that there has been considerable discussion with respect to a small number of items in the By-Laws between the Department of Municipal Affairs, the Department of Social Services and the Board. To this date, there is agreement between all parties concerned with respect to the by-laws. Mr. Kelly indicated that he has received total by-laws with the amendments that have been made from Mr. Cragg dated March 28, 1985.

Mr. Kelly further advised, that it was his understanding, that this final draft of the by-laws was presented to the management of the Rehabilitation Center as of yesterday and that the Board is in agreement with the final by-law draft and request approval of the amendment.

It was noted that Mr. Cragg has suggested that Council's resolution of December 6, 1983 be rescinded and that a new amendment to the by-law be adopted by Council.

A number of members of Council desired that the changes be read so that they are aware of the exact changes. Mr. Kelly read the relatively minor changes.

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

"THAT the motion of December 6, 1983 be rescinded."
Motion Carried.

It was moved by Councillor Mont, seconded by Councillor DeRoche:

"THAT the amendments to the Halifax County Regional Rehabilitation Centre By-laws be approved."
Motion Carried.

CONFIRMATION OF JOINT COUNCIL MEETING, SCHOOL BOARD BUDGET

Mr. Kelly indicated that a tentative date has been set for a joint Council meeting of the Councils of Municipality of the County of Halifax and the Town of Bedford relative to the 1985 School Board Budget. The tentative date was April 10, 1985 at 3:00 p.m.

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

"THAT the Joint Council Session regarding the School Board Budget be held on April 10, 1985 at 3:00 p.m."
Motion Carried.

Warden MacKenzie indicated that he needed two members of Council to sit in on the meeting with the MLA'S.

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

"THAT Councillor Poirier be one member to attend the meeting with the MLA'S."

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

"THAT Councillor Mont be one member to attend the meeting with the MLA'S."

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

"THAT nominations cease."
Motion Carried.

Warden MacKenzie indicated that Councillor Poirier and Councillor Mont would be the two members to sit in on the meeting with the MLA'S. Warden MacKenzie further advised that he would determine the time for that meeting and inform the members at a later date.

ADDITIONAL BUDGET SESSION

Council agreed to meet on Friday, April 12, 1985 at 2:00 p.m. to hold an additional budget session.

AGENDA ITEMS

Staff Sargeant Russ Durling, Cole Harbour RCMP - Councillor Mont

Councillor Mont advised that Staff Sargeant Russ Durling of the Cole Harbour RCMP detachment has resigned at the end of March after many years of service with the force.

It was moved by Councillor Mont, seconded by Councillor DeRoche:

"THAT a letter be sent to Staff Sargeant Russ Durling thanking him for the service that he has given to the Municipality, congratulating him on his retirement, and wishing him good luck in his new career."
Motion Carried.

Warden MacKenzie further suggested that a County Plaque also be presented to Sargeant Durling at a Council Session in the future.

ADJOURNMENT OF ANNUAL SESSION TO APRIL 16, 1985 SESSION

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

"THAT the Annual Session be adjourned to the April 16, 1985 Council Session at 6:00 p.m."
Motion Carried.

ADDITION OF ITEMS TO THE APRIL 16, 1985 COUNCIL SESSION

Councillor Margeson requested that the Executive Committee be directed to look at the issue of annexation.

There being no further business, the meeting adjourned.

COUNCIL SESSION

APRIL 16, 1985

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. R. Cragg, Solicitor, County of Halifax
Mr. D. Reinhardt, Deputy Municipal Clerk
Mr. Gary Smith, Financial Controller
Mr. K. Wilson, Director of Finance
Mr. R. Gough, Development Officer

SECRETARY: Margaret MacDonell

CALL TO ORDER

Warden MacKenzie called the meeting to order at 6:10 p.m. with the Lord's Prayer.

ROLL CALL

Mr. Reinhardt called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Margaret MacDonell be appointed as Recording Secretary."
Motion Carried.

APPROVAL OF MINUTES - MARCH 19, 1985 COUNCIL SESSION; MARCH 25, 1985 PUBLIC HEARING; APRIL 2, 1985 COUNCIL SESSION

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

"THAT the minutes of March 19, 1985 Council Session be approved as circulated."
Motion Carried.

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

"THAT the minutes of March 25, 1985 Public Hearing be approved as circulated."
Motion Carried.

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

"THAT the minutes of April 2, 1985 Council Session be approved as circulated."
Motion Carried.

AGENDA ITEMS

Councillor Gaudet - Share Project

Councillor Baker - Terence Bay Road

Councillor Deveaux - Extension of Bus Service, Eastern Passage
- Dangerous and Unsightly Premises By-law

Councillor Wiseman - SEED Program

Councillor Larsen - School Board
- Tax Relief

Councillor Adams - Municipal Awareness Week

LETTERS AND CORRESPONDENCE

Mr. Reinhardt advised that a letter had been received from the Canada Post Corporation. He indicated that the letter is in acknowledgement of our letter requesting the establishment of a post office within the communities of Fall River and Lake Fletcher.

Councillor Mont indicated that sometime ago he made a request that a letter be sent to Mr. Michael Warren in regard to both the establishment of a post office in Cole Harbour and the change of the mailing address, now which is Dartmouth, to read Cole Harbour.

Councillor Mont noted that a reply has not been received as of yet to this matter and, therefore, requested further communication with regards to this matter.

Councillor Adams advised that Council had received no response with regards to mail service in the Lake Echo area. He also advised that further clarification was requested respecting their rational but no reply has been received. Councillor Mont requested that this matter be pursued.

Councillor DeRoche also requested that the petition and resolution that was adopted by Council with respect to rural route delivery to Site 18 be included as part of the correspondence to the Postal Authority.

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

"THAT this item of correspondence be received."
Motion Carried.

Mr. Reinhardt indicated that a letter had been received from the Department of Transportation. He advised that the letter is in response to our letter regarding deer crossing signs.

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

"THAT this item of correspondence be received."
Motion Carried.

Mr. Reinhardt advised that a letter had been received from Arnold D. Brown with regards to the current Municipal planning proposals for land use zoning in District 18.

Councillor Lichter advised that the Planning Committee is reviewing the letter and assured that they will take the appropriate action to resolve the problem.

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

"THAT this item of correspondence be received and will be dealt with by the Planning Advisory Committee."
Motion Carried.

DIRECTOR OF DEVELOPMENT REPORT

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

"THAT this report be received."
Motion Carried.

EXECUTIVE COMMITTEE REPORT

Mr. Reinhardt indicated that the Executive Committee received a request

for a District Capital Grant, District 13, in the amount of \$5,000 for the Meagher's Grant - Elderbank Volunteer Fire Department for an extension to the Fire Hall. A request was also received for a loan for the Meagher's Grant - Elderbank Volunteer Fire Department in the amount of \$10,000 for an extension to the fire hall.

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

"THAT a District Capital Grant, District 13, in the amount of \$5,000 and a loan advance in the amount of \$10,000 to the Meagher's Grant-Elderbank Volunteer Fire Department be approved."
Motion Carried.

Request for District Capital Grant, District 14

Mr. Reinhardt indicated that the Executive Committee received a request for a District Capital Grant, District 14, in the amount of \$2,000 for improvements to the senior citizens recreation facility (former Fall River West School Building).

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

"THAT a District Capital Grant, District 14, in the amount of \$2,000 for improvements to the senior citizens recreational facility, Fall River, be approved."
Motion Carried.

Request for General Parkland Grant and District 8 Parkland Grant

Mr. Reinhardt indicated that the Executive Committee received a request for a General Parkland Grant in the amount of \$1,200 and a District 8 Parkland Grant in the amount of \$1,000 for improvements to the Lake Echo Ball Field.

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

"THAT a General Parkland Grant in the amount of \$1,200 and a District 8 Parkland Grant in the amount of \$1,000 for improvements to the Lake Echo Ball Field, including filling and leveling of the field, be approved."
Motion Carried.

Lease - Former Goodwood School

Mr. Reinhardt indicated that the Executive Committee received a request to lease a portion of the former Goodwood School for approximately 800 square feet of the basement area.

Councillor MacKay expressed concern with regard to the other occupant of this building. Mr. Meech advised that Mr. Brine is following up on this matter and a report will be brought back at a subsequent Executive Committee meeting.

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

"THAT the Municipality enter into a one (1) year lease agreement with Mr. John Chapman for approximately 800 square feet of the basement area of the building."

Motion Carried.

Resolution, re Proposed Senior Citizens Housing Project, Herring Cove

Mr. Reinhardt indicated that the Municipality has been advised by the Nova Scotia Department of Housing that the 1985-86 budget includes funding for a 15 unit senior citizens project in Herring Cove.

Councillor McInroy declared a conflict of interest.

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

"THAT the proposed 15 unit senior citizens housing project in Herring Cove be approved."

Motion Carried.

Resolution, re Proposed Family Housing Units

Councillor McInroy declared conflict of interest.

Mr. Reinhardt indicated that the Municipality has been advised by the Department of Housing that the Department has included in their 1985-86 budget funding to construct six (6) family housing units in the Municipality.

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

"THAT two (2) family housing units be constructed in the Terence Bay area, two (2) family housing units be constructed in the Sheet Harbour area, and two (2) family units be constructed in the Lake Echo-East Preston area."

Motion Carried.

Collins Park - Extension to Water System

Mr. Reinhardt indicated that the Executive Committee received a report respecting extension of the water system, Collins Park. The Executive Committee recommended approval for an extension to the Collins Park Water System by Pioneer Construction Limited and further recommended that the Municipality not provide capital funding for this project.

Councillor MacKay expressed concern with regard to the other lands, that are immediately adjacent to it that would have been designated as having arsenic contamination. He inquired if they would be guaranteed the ability to hook onto the service at their own costs if and when those lands are developed. Mr. Meech indicated that it was his understanding that there will be still adequate supply to accommodate the remaining vacant lots in the identified serviceable area that was initially established and that the lands beyond this, in fact, are not within that arsenic belt.

It was moved by Councillor Snow, seconded by Deputy Warden Walker:

"THAT approval be granted for an extension to the Collins Park Water System by Pioneer Construction Limited and further that the Municipality not provide capital funding for this project."
Motion Carried.

Taxi By-Law - Taxi Fares

Mr. Reinhardt indicated that the Executive Committee has re-examined the proposed amendments to the Taxi By-law respecting Taxi Fares. It was stated that the Committee believe that the proposed increase in taxi fares as proposed by the Halifax County Taxi Drivers Association is not unreasonable considering the last increase in fares was approved in 1982.

Councillor MacDonald again requested that the Executive Committee look at the possibility of setting up a taxi commission to investigate the concerns of the Halifax County Taxi Drivers Association.

A number of Councillors indicated that it was their opinion that the proposed taxi fares are reasonable.

Councillor Deveaux indicated his opposition towards the proposal. He stated that he could not support the automatic increase in taxi fares.

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

"THAT the Taxi By-law be amended to provide an increase of the initial charge from one dollar to one dollar and forty cents and from one dollar per mile to one dollar and ten cents per mile."
Motion Carried.

FCM Conference

Mr. Reinhardt indicated that the Executive Committee discussed the matter of delegates to attend this years FCM Conference in Calgary. The Committee recommended that seven (7) Council members plus the Warden be delegated to attend the FCM Conference each year.

A number of Councillors expressed concern with regards to the cost associated with sending seven (7) Council members plus the Warden to the FCM Conference.

Warden MacKenzie advised that the Executive Committee would like to see each member of Council attend the FCM Conference at least once during their three year term of office. It was further noted that there are a number of Council members who may never have an opportunity to attend an FCM Conference.

Councillor Deveaux indicated that the Municipality would benefit from sending one or two extra people to the Conference.

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

"THAT the Warden plus one Council member be delegated to attend the FCM Conference each year."
Motion Defeated.

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

"THAT three voting delegates be delegated to attend the FCM Conference each year."
Motion Defeated.

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

"THAT seven (7) Council members plus the Warden be delegated to attend the FCM Conference each year."
Motion Carried.

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

"THAT the delegates to the FCM Conference pay half their expenses."
Motion Defeated.

Purchasing Policy

Mr. Reinhardt advised that the Executive Committee has reviewed the Purchasing Policy for the Municipality.

Mr. Meech pointed out that the Executive Committee undertook a review of the report that was done and they are now recommending certain revisions to the existing policy.

Mr. Wilson outlined the details of the revised policy.

Councillor DeRoche inquired if Council was assured that the latitudes which were identified by the Auditors last summer, with respect to the implementation of the purchasing policy, have now been addressed and are firmed up. Mr. Meech advised that they have.

Councillor Larsen pointed out that Mr. Wilson stated that the listed vendors on file who fail to respond to a bid request three (3) consecutive times would be dropped from the fourth request by the Purchasing Department but the wording states that they may be dropped. Mr. Wilson agreed to make the appropriate change.

Councillor Larsen also expressed concern with regard to number 23 of the purchasing policy. Mr. Meech explained that the Purchasing Department is intended to define the department for purchasing. The intent is to ensure that the department that has ordered the goods from the purchasing department in fact understands that it has the

responsibility, when it receives the goods, to make sure that they are in good order. It was suggested that the policy specify that the purchasing department is not responsible for goods in those situations where other departments sign for them as being received. Mr. Meech indicated that Section 23 could be reworded to indicate that the Department requisitioning the goods should clearly understand that they are responsible to ensure that the goods that have been received are as was ordered and are in good condition.

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

"THAT the Purchasing Policy be approved as amended."
Motion Carried.

Weapons Free Zone

Mr. Reinhardt indicated that the Executive Committee dealt with the matter of declaring Halifax County a nuclear weapons free zone.

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

"THAT Council support the federal government in their goal of getting the super powers to negotiate a verifiable nuclear arms freeze with the goal of making the world a nuclear free zone."
Motion Carried.

Former Herring Cove School

Mr. Reinhardt read the report indicating that the Executive Committee recommend to Council that the Municipality accept the offer from the Department of Housing to acquire the former Herring Cove School property for the location of a proposed senior citizens housing project.

Councillor McInroy declared conflict of interest.

Councillor Baker expressed concern with regard to money taken from his District to pay for a debt in another District. Mr. Meech advised that if the Municipality were to receive certain dollars from the sale of the property, it would go into a special reserve account on the Municipality's balance sheet and it would not be specifically earmarked for Councillor Baker's District or any other District. Mr. Meech further noted that the proposal from the Department of Housing is essentially one where they are offering to purchase the former Herring Cove School property for the site of a new senior citizens unit and, at the same time, suggesting as the compensation, the write off of an account receivable that they believe that the Municipality owes them relative to some outstanding interest that accumulated on some moneys that had not been paid to the Department of Housing for about four or five years after the lands had been purchased for two school sites back in the mid seventies.

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

"THAT the Municipality accept the offer from the Department of Housing to acquire the former Herring Cove School property for the location of a proposed senior citizens housing project."
Motion Carried.

PUBLIC HEARING RE MINOR VARIANCE - 7:00 P.M.

A report was circulated to the Warden and members of Council with respect to the Minor Variance 02-21-85.

Mr. Gough advised that there has been an application made for a minor variance from Mr. Robert Ronan of 84 Ancaster Court, Cole Harbour. Mr. Gough read the report and made reference to a sketch which outlined the existing structure and small utility shed.

Mr. Gough also circulated pictures of the property in question to members of Council.

QUESTIONS FROM COUNCIL

Councillor DeRoche advised that the zoning by-law in the area calls for an 8 foot side and rear yard clearance and, therefore, inquired why there was a 4 foot reference in the final paragraph of the report. Mr. Gough indicated that they advised Mr. Ronan at the very beginning that they could consider a minor variance of approximately 4 feet and they felt that that is what he might apply for. In view of the reference to Section 79.3(c) of the Planning Act, Councillor DeRoche inquired as to why they would have considered any variance at all. Mr. Gough advised that the shed was not permanently there. Mr. Gough also stated that Mr. Ronan did not know that he even required a permit at the outset and after that was taken care of, it was felt that Mr. Ronan would apply for an approximately 4 foot side and rear yard clearance.

Councillor Mont inquired if a notice went out to the adjoining owners. Mr. Gough advised that notice did go out to the adjoining owners. It was further noted that the adjoining owners have indicated their acceptance for the application.

SPEAKERS IN FAVOUR OF APPLICATION

Mr. Ronan indicated his desire to speak in favour of the application.

He advised that he had moved to Cole Harbour in September from New Brunswick. Unaware that he needed a permit, Mr. Ronan advised that he did construct a shed. He further noted that he was unaware of the by-laws regarding the 8 feet clearance lines from property lines and adjoining buildings.

Mr. Ronan went on to state when he moved into the area, he noticed all the storage sheds in Colby Village were either up against the houses or on property lines. Mr. Ronan indicated that his choice of location for the shed was due to the fact that the location was the most even piece of land he had and was away from the house.

Mr. Ronan also advised that he spoke with all of his neighbours and received a signature from them stating that they had no objections to this storage shed.

Mr. Ronan indicated why he has applied for the 2½ foot as opposed to the 4 foot minor variance. He stated that coming in the foot and a half from the fence is not bad at all but the foot and the half moving the other way would cause the storage shed to be touching the trees. With regard to the power line problem, Mr. Ronan advised that this fall the Hydro was in to do a transformer change and an insulator change. He further advised that the linemen had no trouble entering the place to do it.

QUESTIONS FROM COUNCIL

Councillor MacKay inquired if there was a green belt between his back property line and the abutting property in back of him. Mr. Ronan advised that there is approximately a seven foot easement that goes between the two.

Councillor DeRoche inquired if there was a by-law in New Brunswick with respect to location of an accessory building in relation to the house. Mr. Ronan advised that he is not aware of that by-law but due to the fact that the neighbour worked for the City and he did report various neighbours for putting up fences when they are not suppose to and he did not report his, he assumed that there was not a by-law.

Councillor McInroy expressed concern with regard to moving the shed at least in one direction a foot and a half. Mr. Ronan advised that the shed can be moved a foot and a half but it will definitely touch one tree and, if he moves it one foot and a half in the other direction, it will not touch the tree but the ground will have to be leveled off. Councillor McInroy stated that he personally feels that 8 feet is excessive for a utility shed and noted that many utility sheds are not located eight feet away from property lines.

SPEAKERS IN OPPOSITION TO THE APPLICATION

None.

Councillor Mont advised that he has not received any comments from anyone in opposition to this development and indicated that he has no problem with the minor variance being granted.

It was moved by Councillor Mont, seconded by Deputy Warden Walker:

"THAT the minor variance of 2½ feet, application #02-21-85 be granted to Mr. Ronan."
Motion Carried.

FINANCIAL STATEMENTS YEAR ENDED DECEMBER 31, 1984

It was moved by Councillor Margeson, seconded by Councillor Gaudet:

"THAT the Financial Statements Year Ended December 31, 1984 be tabled."

Motion Carried.

SETTING OF 1985 TAX RATES AND AREA RATES

Mr. Wilson reviewed and circulated copies of a summary regarding alternative 1985 tax rates for the County of Halifax.

There was concern expressed with regard to the adjustments to the original budget. With regard to the Mainstreet Program, Councillor MacKay indicated if the program was reduced by \$10,000 then some of the projects would have to be scaled down or cut out. He inquired if one of the areas were desirous of continuing the program, would it be possible to fund it through an area rate or a general rate. Mr. Meech advised that this would be possible.

Concern was expressed with regard to eliminating the new youth program. A number of Councillors indicated their opposition to the elimination of the new youth program. It was noted that this program is a very worthwhile program and favoured it being included in the budget.

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

"THAT a .79 residential rate be approved on the assumption that it is 1.63 for Commercial and further that the youth program not be cut from the budget."

Motion Carried.

Warden MacKenzie advised that the area rates have been established and have been delivered to each member of Council.

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

"THAT the areas rates be approved as detailed in the attached report with the deletion of the Upper Hammonds Plains Fire Department rate, the Upper Hammonds Plains Community Center rate, and the area and recreation rate in East Preston."

Motion Carried.

Councillor Eisenhower requested that the areas for the Upper Hammonds Plains Fire Department and for the Upper Hammonds Plains Community Center be deferred. It was agreed that Councillor Eisenhower's request be granted.

Councillor Adams requested that the Area and Recreation Rate in East Preston be deferred. It was agreed that this rate would be held in abeyance until such time a public vote has been taken respecting the rate.

TEMPORARY BORROWING RESOLUTION

Mr. Wilson requested that a borrowing resolution for the Aerotech Park for three million dollars be approved.

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

"THAT a temporary borrowing resolution in the amount of three million dollars for the Aerotech Industrial Park be approved."
Motion Carried.

METROPOLITAN AUTHORITY REPORT - COUNCILLOR MONT

Councillor Mont had no report at this time.

APPOINTMENT OF REPRESENTATIVE TO THE NOMINATING COMMITTEE, HALIFAX COUNTY HOUSING AUTHORITY

It was noted that the term of office of Councillor Harold McInroy, Municipal Representative on the Nominating Committee for the Halifax County Housing Authority will expire June 14, 1985. The Minister of Housing requests that Council reappoint or replace this member to the Nominating Committee.

Communication was received from Councillor McInroy to Warden MacKenzie indicating that he would not wish to be considered for reappointment to the Nominating Committee.

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

"THAT Councillor Deveaux be appointed to the Nominating Committee."

It was moved by Councillor Margeson, seconded by Councillor Gaudet:

"THAT nominations cease."
Motion Carried.

SUPPLEMENTARY REPORT OF THE PLANNING ADVISORY COMMITTEELand Use By-Law Amendment - Planning Act

The report advised that in response to correspondence from the Municipal Solicitor, Mr. Cragg, the Planning Advisory Committee asks that council request the Minister of Municipal Affairs to amend the Planning Act as suggested in Mr. Cragg's letter and that a copy of this correspondence be sent to the Union of Nova Scotia Municipalities for information purposes.

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

"THAT Council request the Minister of Municipal Affairs to amend the Planning Act as suggested in Mr. Cragg's letter and a copy of this correspondence be sent to the Union of Nova Scotia Municipalities for information purposes."
Motion Carried.

Unlisted And Unmaintained Roads

Mr. Reinhardt advised that the Committee requests that Council write the Minister of Municipal Affairs to have the Planning Act amended to define public roads that are owned by the Department of Transportation.

Mr. Reinhardt circulated copies of a letter from the Honourable Jack MacIsaac addressing this concern.

It was moved by Councillor DeRoche, seconded by Deveaux:

"THAT Council write the Minister of Municipal Affairs to have the Planning Act amended to define public roads that are owned by the Department of Transportation."

Councillor Lichter indicated that there is a difficulty with the Planning Act at the present time. He advised that the Act refers to public roads that are owned and maintained by the Department of Transportation. Councillor Lichter went on to state that the Committee is trying to clarify that the roads are owned by the Department of Transportation but do not maintain them.

Motion Carried.

Municipal Planning Strategy - Lawrencetown

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

"THAT subject to full cost recovery from the Department of Municipal Affairs, the Council is willing to undertake the preparation of a Municipal Planning Strategy for the Lawrencetown area."

Motion Carried.

Section 18, Municipality's Building By-Law - Bonding

Mr. Reinhardt read the report indicating that the Planning Advisory Committee reviewed the staff report from the Chief Building Inspector and is requesting that Council amend the Municipality's Building By-Law to delete "Bonding" under Section 18 of the By-Law.

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

"THAT Council amend the Municipality's Building By-Law to delete "Bonding" under Section 18 of the By-Law."

Motion Carried.

BUILDING INSPECTORS REPORT RE: LESSER SIDEYARD CLEARANCE

Mr. Reinhardt advised that approval is recommended for a lesser side yard clearance of 4.5'. Property located at Black Point. Application Snair's White Eagle Bakery Limited.

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

"THAT an application for lesser side yard clearance of 4.5', property located at Black Point, application Snairs's White Eagle Bakery Limited be approved."
Motion Carried.

SEMINAR - URBAN GREEN AREA MANAGEMENT - TRURO

Mr. Reinhardt indicated that the Union of Nova Scotia Municipalities, the Canadian Forestry Service, and the Nova Scotia Department of Lands and Forests are jointly sponsoring a seminar on urban green area management on April 23 and 24, 1985 at Truro.

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

"THAT Councillor Snow be a representative to attend the seminar on urban green area management on April 23 and 24 at Truro."

It was moved by Councilor MacDonald, seconded by Councillor Deveaux:

"THAT Councillor Gaetz be nominated as a representative to attend the seminar on urban green management on April 23 and 24, 1985 at Truro."

It was moved by Councillor Margeson, seconded by Councillor DeRoche:

"THAT nominations cease."
Motion Carried.

APPOINTMENT TO THE BOARD OF DIRECTORS OF UNITED WAY

Mr. Reinhardt read the correspondence from United Way advising that the County of Halifax is requested to submit a nomination to complete a one-year term as a Director of United Way, commencing with the Annual Meeting on April 23, 1985.

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

"THAT Dale Reinhardt be reappointed to a one-year term as a Director of United Way commencing April 23, 1985."

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

"THAT nominations cease."
Motion Carried.

ADDITIONS OF ITEMS TO THE MAY 7, 1985 COUNCIL SESSION

Councillor Lichter - Expense Accounts For Out of Province Travel

Councillor Adams - The Need for Single Parent Housing in Halifax County

Councillor Margeson advised that sometime ago he requested that the Executive Committee have a look at expropriation by other governments. Mr. Meech advised that it is a continuing item on the Executive Committee Agenda.

AGENDA ITEMS

a) Share Project - Councillor Gaudet

Councillor Gaudet advised that Wayne Hamilton, a teacher of the Brookside Junior High School, conceived the idea of a share program. Councillor Gaudet explained the program indicating that \$170,000 was raised to help thousands of people who suffer in African countries.

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

"THAT Mr. Wayne Hamilton be invited to the next Council Session presenting him with a County of Halifax Plaque in recognition of his idea."

Motion Carried.

b) Terence Bay Road - Councillor Baker

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

"THAT a request be sent to the Department of Transportation to include in their 1985 Road Building Program the road from Pennant to Terence Bay."

Motion Carried.

c) Extension of Bus Service, Eastern Passage - Councillor Deveaux

Councillor Deveaux advised, as chairman of Ocean View Manor, that they have been attempting for several years to try and extend the bus service in Eastern Passage. Councillor Deveaux indicated that it would be beneficial to add more runs during the peak hours.

Councillor Deveaux advised that he is trying to acquire \$2,700 in order to have the extensions added in May.

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

"THAT subject to \$2,700 being made available by April 19, 1985, that Council approve the extra \$9,800 for an extension of the present transit services in Eastern Passages."

Motion Defeated.

A number of Councillors expressed concern with regard to voting for something that may have further implications within the system.

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

"THAT the County of Halifax approve their portion of the costs for an extension of bus service in Eastern Passage."
Motion Carried.

) Unsightly Premises By-Law - Councillor Deveaux

Councillor Deveaux expressed concern with regards to where a gentleman had dug three basements in his District in December. He went on to advise that the ice has melted in these basements resulting in a dangerous situation. Councillor Deveaux further advised that the basements are adjoining an elementary school. As a result, Councillor Deveaux indicated that it took three weeks to solve this situation in which he felt was an emergency. Councillor Deveaux indicated that when emergency situations of this type arise, there should be something on record in order to remedy the situation within twenty four to forty eight hours.

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

"THAT this issue be referred to the Executive Committee and Mr. Cragg for research."
Motion Carried.

e) Letter Re: Challenge '85 The Summer Experience and Development Program - Councillor Wiseman

Councillor Wiseman indicated that she received a copy of a letter that was directed to Warden MacKenzie from Mr. Crosby, MP for Halifax West. She went on to advise that the letter was referred to Challenge '85 the Summer Employment Experience and Development Program from the Department of Employment and Immigration. Mr. Crosby, in his letter, stated that there had been a request from Halifax County and requested input from the Councillors of Halifax West so that these views could be communicated to the Minister of Employment and Immigration. Councillor Wiseman advised that she has difficulty with the information as it was presented.

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

"THAT a meeting be arranged of the Councillors listed on Mr. Crosby's list to discuss the SEED Program."
Motion Carried.

f) School Board - Councillor Larsen

Councillor Larsen indicated that concern has been raised with regard to the budgeting process and the system with regards to the school board budget.

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

"THAT the formation of a joint committee of the Town of Bedford Council and the Halifax County Council be established to fully investigate and report upon the District School Board funding, the budgeting process, and the accountability of the school board to the people and to the Councils under the present legislation and to make recommendations which may be deemed necessary on future changes to the legislation."
Motion Carried.

Councillor Larsen also requested that the CAO's for the respective bodies investigate the matter respecting the investigation of the possible errors in the calculation of salaries for 1985. Councillor Larsen further asked that a presentation be made by the School Board to this Council regarding the effect of operations under the present budget.

f) Tax Relief - Councillor Larsen

Councillor Larsen expressed concern with regard to tax relief. Councillor Larsen advised that the June 1984 Task Force established by the Canadian Council of Social Development defined poverty lines as follows: \$9,056 for a single person; \$15,096 for a couple; \$18,113 for a family of three; and \$21,131 for a family of four.

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

"THAT Staff investigate and the Executive Committee deal with the consequences of a program for relief of taxes based upon poverty lines such as the above considering the effect upon loss of tax revenue and the social services implications."
Motion Carried.

g) Municipal Awareness Week - Councillor Adams

Councillor Adams requested that Council be aware of Municipal Awareness Week and do some special event in their Districts that would be a highlight for that occasion.

There being no further business, the meeting adjourned.

MINUTES & REPORTS

OF THE

THIRD YEAR MEETINGS

OF THE

FORTY - FIRST COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

MAY COUNCIL SESSION

TUESDAY, MAY 7 and 21, 1985

&

PUBLIC HEARINGS

MAY 13, 1985

I N D E X

Aerotech Business Park - Expropriation -----	2 - 8
Aviation Council of Nova Scotia -----	20 - 21
Chief Building Inspectors Report -----	15 & 21-22
Capital Projects -----	28-29
District Capital Grants & Loans -----	8-9 & 23-24 & 27
Dangerous & Unightly Premises By-Law -----	24
East Preston - Area Rates -----	15
FCM Conference - Appointment of Delegates -----	14 & 18
Grants to Organizations - Policy -----	22
Interest Rates - Outstanding Taxes -----	22-23
Motion - Appointment of Recording Secretary -----	1 & 19
Motion - Approval of Minutes -----	2 & 20
Motion - Prospect Bay Ratepayers Association -----	3-5
Motion - Letters & Correspondence -----	5-6 & 21
Motion - Public Hearing Dates -----	6-7
Motion - Woodbine Mobile Home Park -----	7
Motion - Expropriation, Aerotech Business Park -----	7-8
Motion - District Capital Grants & Loans -----	8-9 & 23-24 & 27
Motion - Marina Mobile Home Park -----	9-11
Motion - Representation, Metropolitan Authority -----	11
Motion - Relocation of Power Line Right of Way -----	11
Motion - Senior Citizens Housing Projects -----	12
Motion - Area Rate Upper Hammonds Plains -----	12
Motion - Middle Musquodoboit Sanitary Sewer System -----	12-13
Motion - Urban Services Committee Report -----	13-14
Motion - Appointment of FCM Delegates -----	14 & 18
Motion - Area Rate, Upper Hammonds Plains Rec. -----	14
Motion - Area Rates, East Preston -----	15
Motion - Expense Accounts -----	15 & 24-25
Motion - Chief Building Inspectors Report -----	15 & 21-22
Motion - Announcements -----	16
Motion - Burning Permits -----	16
Motion - Schools -----	17
Motion - Railroads -----	17
Motion - Fishing Derby -----	17
Motion - Springfield Lake -----	18
Motion - Senior Citizens Housing -----	18
Motion - Adjournment -----	18 & 32
Motion - Aviation Council of Nova Scotia -----	20-21
Motion - Policy re Grants to Organizations -----	22
Motion - Interest Rate, Outstanding Taxes -----	22-23
Motion - Dangerous & Unightly Premises By-Law -----	24
Motion - Power Line Right of Way -----	25-26
Motion - Designation Agreement -----	26
Motion - Loan, Westphal/Cole Harbour Area Service Commission -----	26
Motion - Parkland Grant, District #9 -----	27

Motion - Water Main Extension, Caldwell Road -----	27
Motion - Vehicle Purchase -----	28
Motion - Capital Projects -----	28-29
Motion - Tourism Steering Committee -----	29
Motion - Metropolitan Authority Report -----	29-30
Motion - Halifax County West Housing Authority Representatives -----	30
Motion - Single Family Housing -----	30-31
Motion - Acadia School -----	31-32
Motion - Schools, Sackville/Beaver Bank Area -----	32
Prospect Road Ratepayers Association -----	3-5
Public Hearing Dates -----	6-7
Senior Citizens Housing Projects -----	12
Single Family Housing -----	30-31
Tourism Steering Committee -----	29
Upper Hammonds Plains - Area Rate -----	12
Urban Services Committee Report -----	13-14
Upper Hammonds Plains Rec - Area Rate -----	14
Vehicle Purchase -----	28
Woodbine Mobile Home Park -----	7,

Councillor MacDonald - Springfield Lake

Councillor Snow - Fishing Derby, Grand Lake

Deputy Warden Walker - Senior Citizen Housing Project, Boutilier's Point

Warden MacKenzie - U.N.S.M.'s, Five Voting Delegates

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

Prospect Bay Ratepayer's Association

Councillor Gaudet advised, as stated in the report, that the Executive Committee has examined an application submitted by the Prospect Bay Ratepayer's Association requesting Municipal Council to levy a 1985 area rate within the area served by the Association.

It was further advised that, in view of legal advice, there is no provision under the legislation for the Association to levy funding for payment of legal fees or hiring a professional planner, the Executive Committee recommend that the Prospect Bay Ratepayer's Association's application to levy an area rate for funding these purposes be rejected.

The Executive Committee further recommended that the 1985 area rate approved for the Riverlake Ratepayer's Association not include provision for payment of legal fees.

Councillor Snow expressed concern with regard to the last paragraph of the report which indicates that the Executive Committee recommends that the 1985 area rate approved for the Riverlake Ratepayer's Association not include provision for payment of legal fees. Councillor Snow requested that this last paragraph be deferred until another time.

Councillor Gaudet inquired as to why the Prospect Bay Ratepayer's Association could not receive this kind of an area rate which has been levied in other areas. Mr. Cragg noted that he has advised, in the recent past, that the Waverley Ratepayer's Association is a distinct legal entity which was set up by a special act of the legislature in 1965 which allows them to secure funds and subsequently have Council levy an area rate for such purposes as retaining legal council to become involved in Planning matters. He went on to state, by virtue of the fact that they have special Provincial Legislation which is specific and to the point, it allows them to approach Council and seek those funds which are to be returnable by way of an area rate. Mr. Cragg further advised that the Prospect Bay Ratepayer's Association is merely a group of citizens who have banded together and incorporated themselves under the provisions of the Society's Act. He stated that this gives them no special powers, status, or authority. Because they have no special status, Mr. Cragg advised that we must be governed by the general legislation applicable to area rates which in this instance is the Municipal Act. Mr. Cragg advised that the Muncipal Act, Section

141, says that certain prerequisites must be met before Council may as opposed to shall consider levying an area rate. One of the most important prerequisites is that before Council levys an area rate, as a result of a request from a group such as we have from Prospect Bay, the purpose must be one of those enumerated in Section 136 of the Act and there are sixty three purposes which cover most of the day to day things for which we levy rates and are familiar with. No where in that Section, Mr. Cragg advised, is listed a need for legal services and the subsequent payment of it and recovered by an area rate. Therefore, it was Mr. Cragg's opinion, in the absence of that and in the absence of any special provincial or federal legislation the Municipality has no strict legal authority to do so.

This matter has as well been discussed, in some length, with the Senior Solicitor with the Department of Municipal Affairs who agrees with Mr. Cragg's interpretation.

Mr. Cragg further advised that he has discussed this matter with the Solicitor representing the Ratepayer's Association who doesn't agree with their interpretation but, however, was unable to provide Mr. Cragg with any authority for such a levy. As the bottom line, Mr. Cragg indicated that Council does not have the authority to levy such an area rate.

Councillor Baker inquired as to what the Prospect Bay Ratepayer's Association would have to do now in order to qualify for an area rate for this purpose. Mr. Cragg suggested that they could secure the appropriate enabling Provincial or Federal legislation but reasonably it is Provincial legislation or secure an amendment to the Municipal Act.

Councillor Snow felt that it would be an injustice to the people of District 13 to suddenly say that they are without legal advice where they have had this in place for quite a few years.

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

"THAT the Prospect Bay Ratepayer's Association's application to levy an area rate for funding for payment of legal fees or hiring a professional planner be rejected."

A number of Councillors expressed their difficulty with the report. Councillor MacKay spoke against the motion and suggested that this matter be deferred and further consultation with Municipal Affairs be sought. Councillor MacKay went on to state that if the majority of the residents for an area indicate their desire at a ratepayer's meeting to request a rate for a certain purpose then they should be able to be afforded the opportunity to levy that rate.

Councillor Mont inquired if an association could not use part of their area rate to hire a lawyer as an incidental to one of the purposes as outlined in the Municipal Act. Mr. Cragg advised that he has taken the position that the line has to be drawn somewhere. Mr. Cragg confirmed that under no circumstances can a ratepayer's association hire a lawyer

COUNCIL SESSION

MAY 7, 1985

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Walker
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor Deveaux
Councillor DeRoche
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. R. Cragg, Solicitor, County of Halifax

SECRETARY: Margaret MacDonell

CALL TO ORDER

Warden MacKenzie called the meeting to order at 6:00 p.m. with the Lord's Prayer.

ROLL CALL

Mr. Reinhardt called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Margaret MacDonell be appointed as Recording Secretary."
Motion Carried.

PRESENTATION - STAFF SARGEANT RUSS DURLING - MR. WAYNE HAMILTON

Warden MacKenzie, on behalf of the Councillors, the Staff, and all of the residents of the Municipality of the County of Halifax, extended very best wishes to former Staff Sargeant Russ Durling, Cole Harbour RCMP, on his retirement. Warden MacKenzie presented Staff Sargeant Russ Durling with a County Plaque.

Warden MacKenzie also presented Mr. Wayne Hamilton with a County Plaque recognizing his efforts to raise \$132,000 through the Share Program to help the African Relief Fund.

APPROVAL OF MINUTES - APRIL 10, 1985 JOINT COUNCIL SESSION; APRIL 16, 1985 COUNCIL SESSION; APRIL 22, 1985 PUBLIC HEARING

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

"THAT the minutes of April 10, 1985 Joint Council Session be approved as circulated."

Motion Carried.

It was moved by Councillor DeRoche, seconded by Councillor Mont:

"THAT the minutes of April 16, 1985 Council Session be approved as circulated."

Motion Carried

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

"THAT the minutes of April 22, 1985 be approved as circulated."

Motion Carried.

PRESENTATION BY AVIATION COUNCIL OF NOVA SCOTIA

Members of the Aviation Council of Nova Scotia were not in attendance.

AGENDA ITEMS

Councillor Margeson - Schools
- Railways

Councillor Margeson expressed his thanks and appreciation for Warden MacKenzie's presence at their Appreciation Night in Beaver Bank/Kinsac at a public meeting on April 18, 1985. Councillor Margeson also expressed his thanks and appreciation, on behalf of his community, to Deputy Warden Ron Walker, Councillor Bill MacDonald, Councillor Wiseman, and Councillor Gaetz for their presence and support at the opening of the Harold T. Barrett Junior High School in Beaver Bank on April 25, 1985.

Councillor DeRoche - Announcements
- Burning Permits

and have it paid for out of an area rate in the absence of any provisions in the Municipal or in Provincial legislation.

Concern was also expressed with regard to the whole matter based on the premise that all of a sudden a determination is made that something that has been an accepted practice over an extended period of time now suddenly is no longer acceptable. Councillor DeRoche had difficulty with this in light of a term used with respect to a conflict between common usage and strict application of the law that the common usage prevails. Mr. Cragg did not agree with this practice in all instances but agreed where past usage and a common reasonable man interpretation of certain provisions may in certain circumstances give rise to granting an area rate in this particular instance for purposes which are not technically provided in the Municipal Act or in Provincial legislation.

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

"THAT the request by the Prospect Bay Ratepayer's Association to levy a 1985 area rate within the area served by the Association be deferred until further information is acquired."
Motion Carried.

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

"THAT the 1985 Riverlake area rate be withheld until the whole issue is reviewed."

After discussion, Councillor Snow and Councillor DeRoche agreed to withdraw their motion.

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

"THAT a delegation from the Municipality be empowered to immediately meet with officials of the Department of Municipal Affairs to obtain a definitive ruling on the legal aspects of area rates for Solicitors services."
Motion Carried.

LETTERS AND CORRESPONDENCE

Mr. Kelly advised that a letter had been received from the Department of Lands and Forests. He indicated that the letter is in acknowledgement of our letter regarding Deer Crossing signs. The Minister advised, in his letter, that the policy is where there appears to be an area of highway that is frequently crossed by deer their District staff contact the Dept. of Transportation and request that Deer Crossing signs be erected.

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

"THAT this item of correspondence be received."
Motion Carried.

Mr. Kelly advised that a letter had been received from the Department of Transportation with regards to signs locating the Middle Musquodoboit Hospital. The Minister stated in his letter that they would place one more sign at the intersection of Route 357 and 224 in Middle Musquodoboit.

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

"THAT this item of correspondence be received."
Motion Carried.

Mr. Kelly indicated that a letter had been received from the Department of Education with regard to Council's inquiry and resolution regarding the provision of a vocational school/swimming pool complex in Lower Sackville. The Minister stated in his letter that in the event funds become available, Council's resolution will be given every consideration.

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

"THAT this item of correspondence be received."
Motion Carried.

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

"THAT Council adjourn for five minutes."
Motion Carried.

PLANNING ADVISORY COMMITTEE REPORT

Rezoning Application No. RA-SA-10-85. Request by Memorial Gardens (Atlantic) Ltd. to Amend the Land Use By-Law for Sackville by Adding Funeral Parlours and Undertaker Establishments to the List of Commercial uses Permitted Under Section 13.1 of Part 13

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

"THAT Rezoning Application No. RA-SA-10-85 be approved and that a public hearing be held on June 10, 1985 at 7:00 p.m."
Motion Carried.

Rezoning Application No. RA-CH/W-11-85-17. Request By Mrs. Gwen Stevens To Rezone Lot 3 of the Lands of William J. Casavechia, Located on the Caldwell Road at Cole Harbour, From R-1 (Single Unit Dwelling) Zone to R-2(Two Unit Dwelling) Zone.

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

"THAT a public hearing be held on Rezoning Application No. RA-CH/W-11-85-17 on June 10, 1985 at 7:00 p.m."
Motion Carried.

Rezoning Application No. RA-24-21-84-15. Request by Westphal Mobile Home Court Limited to Rezone a Portion of the Lands of Westphal Mobile Home Court Limited (Woodbine Trailer Park), Located Off The Windsor Junction Road at Beaver Bank, From G (General Building) Zone and an Unzoned Status to T (Mobile Home Park) Zone.

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

"THAT the rezoning of a portion of the lands of Westphal Mobile Home Court Limited (commonly referred to as Woodbine Trailer Park), located off the Windsor Junction Road at Beaver Bank, from G (General Building) Zone and an unzoned status to T (Mobile Home Park) Zone be rejected and THAT a copy of this report be forwarded to the Municipality's Board of Health for information purposes."
Motion Carried.

RA-SA-19-85-20, Lot 36D, Sackville Developments. Application by the Municipality to Rezone the Property of Lot 36D, Sackville Developments, Located at 4 Mulberry Court at Lower Sackville, From R-1 (Single Unit Dwelling) Zone to R-2 (Two Unit Dwelling) Zone.

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

"THAT this item be dealt with during the June 18, 1985 Council Session."
Motion Defeated.

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

"THAT Rezoning Application No. RA-SA-85-20 be forwarded to Council for approval and a public hearing be held June 24, 1985 at 7:00 p.m."
Motion Carried.

Rezoning Application RA-CH/W-18-85-21. Request by Ms. Kathryn Andrew to Rezone Property at 14 Tamerlane Court, Forest Hills, From R-1 (Single Unit Dwelling) Zone to R-2 (Two Unit Dwelling) Zone.

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

"THAT Rezoning Application No. RA-CH/W-18-85 be approved and that a public hearing be set for June 24, 1985 at 7:00 p.m."
Motion Carried.

RESOLUTION, RE EXPROPRIATION OF LANDS, SEWER & WATER SYSTEM FOR AEROTECH PARK

Mr. Laurie Emms, Underwood - McLellan Ltd., was in attendance. Mr. Emms explained the necessity of the expropriation. Description of lands which are required by the County for the installation of water and sewer services for the Aerotech Business Park was outlined.

A number of Councillors felt that some of the issues with regard to subdivision and the policies and guidelines present in the County have not been addressed adequately.

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

"THAT Council approve the expropriation of the portion of the lands claimed by Stefan Jachimowicz, Oakfield Estate Limited, and Roy Todd which are required by the County for the installation of water and sewer services for the Aerotech Business Park."
Motion Carried.

EXECUTIVE COMMITTEE REPORT

Request for District Capital Grant, District 12

The report indicated that the Executive Committee received a request for a District Capital Grant, District 12 in the amount of \$2,000 to assist in the purchase of a fire vehicle for the Middle Musquodoboit Volunteer Fire Department.

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

"THAT a District Capital Grant, District 12, in the amount of \$2,000 for the purchase of a fire vehicle for the Middle Musquodoboit Volunteer Fire Department be approved."
Motion Carried.

Request for District Capital Grant and Loan, District 3

The report indicated that the Executive Committee received a request for a District Capital Grant, District 3, in the amount of \$2,000 and a loan in the amount of \$10,000 to purchase communication equipment for the Seabright Volunteer Fire Department.

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

"THAT a District Capital Grant, District 3, in the amount of \$2,000 and a loan advance in the amount of \$10,000 for the purchase of communication equipment for the Seabright Volunteer Fire Department be approved."
Motion Carried.

Request for District Capital Grant, Districts 7 & 8

It was advised that the Executive Committee received a request for a District Capital Grant, Districts 7 and 8, in the amount of \$1,100 for the purpose of installing a security system in a former portable classroom occupied by Watershed Development Enterprises. The District Capital Grant would be equally divided between the two Districts.