

MINUTES & REPORTS
OF THE
THIRD YEAR MEETINGS
OF THE
FORTY-THIRD COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX
MARCH COUNCIL SESSION
TUESDAY, MARCH 5 & 19, 1991
&
PUBLIC HEARING
MARCH 11 & 25, 1991
&
SPECIAL COUNCIL SESSION
MARCH 18, 1991

MARCH COUNCIL SESSION - 1991

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COUNCIL SESSION

March 5, 1991

PRESENT WERE: Councillor Boutilier, Chair-Person
Councillor Meade
Councillor Poirier
Councillor Fralick
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Morgan
Councillor Eisenhauer
Councillor MacDonald
Councillor Harvey
Councillor Richards
Councillor McInroy
Councillor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
G. J. Kelly, Municipal Clerk
Fred Crooks, Municipal Solicitor

APPOINTMENT OF CHAIR-PERSON

Mr. Kelly asked for nominations for Chairman for this session.

It was moved by Councillor McInroy, seconded by Councillor Meade

"THAT Councillor Boutilier act as Chair-Person for this session."

MOTION CARRIED.

OPENING OF COUNCIL - THE LORD'S PRAYER

The meeting opened with the Lord's Prayer. Mr. Kelly called the roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Meade, seconded by Councillor Adams

"THAT Christa Pettipas be appointed as Recording Secretary."

MOTION CARRIED.

APPROVAL OF MINUTES

It was moved by Councillor Deveaux, seconded by Councillor Adams

"THAT the January 14, 1991 Public Hearing minutes be approved as circulated."

MOTION CARRIED.

It was moved by Councillor Reid, seconded by Councillor Poirier

"THAT the January 28, 1991 Special Council Session meeting minutes be approved as circulated."

MOTION CARRIED.

It was moved by Councillor Fralick, seconded by Councillor Poirier

"THAT the February 5, 1991 Council Session minutes be approved as circulated."

MOTION CARRIED.

LETTERS AND CORRESPONDENCE

1. The Honourable Elmer MacKay's Office, House of Commons, Re Breakwater at Three Fathom Harbour

Mr. Kelly outlined the letter.

It was moved by Councillor Randall, seconded by Councillor Fralick

"THAT this letter be received."

MOTION CARRIED.

2. Town of Shelburne Re Resolution Approved by Town Council Respecting Opposition of Waste Treatment Plant, Queen's County, as Proposed by Surety Environmental Inc.

Mr. Kelly outlined the letter.

It was moved by Councillor Horne, seconded by Councillor Bates

"THAT this letter be received."

MOTION CARRIED.

3. Department of Transportation and Communications Re Conduct of Field Surveys for Sidewalk Construction on Holland Road and Brook

Street, Wellington

Mr. Kelly outlined the letter.

It was moved by Councillor Horne, seconded by Councillor Harvey

"THAT this letter be received."
MOTION CARRIED.

4. Department of Transportation and Communications Re Signing for the Community of Grassy Lake Corner, Sheet Harbour

Mr. Kelly outlined the letter.

It was moved by Councillor Deveaux, seconded by Councillor Reid

"THAT this letter be received."
MOTION CARRIED.

5. Department of Advanced Education and Job Training, Reconsideration to Award Metro Engineering Inc. the Predesign Contract for the Halifax Harbour Cleanup

Mr. Kelly outlined the letter.

It was moved by Councillor MacDonald, seconded by Councillor Cooper

"THAT this letter be received."
MOTION CARRIED.

6. Department of Transportation and Communications Re Paving of Lakeshore Drive, Lawrencetown under the 15 Year Paving Policy

Mr. Kelly outlined the letter.

It was moved by Councillor Randall, seconded by Councillor Poirier

"THAT this letter be received."
MOTION CARRIED.

7. Edmonds Landscape Services Re Opportunity Given at the February 19th Council Session to Express Concerns Respecting Solid Waste Management

Mr. Kelly outlined the letter.

It was moved by Councillor MacDonald, seconded by Councillor Eisenhauer

"THAT this letter be received."
MOTION CARRIED.

8. Halifax-Dartmouth Port Development Commission Re Absentism of Commission Member from 3 Consecutive Board Meetings

Mr. Kelly outlined the letter.

It was moved by Councillor Richards, seconded by Councillor MacDonald

"THAT this letter be received."
MOTION CARRIED.

Councillor Boutilier asked if any further action would be required with regard to this correspondence.

Mr. Kelly stated that the Port Development Commission By-laws requires to advise if a member is absent for 3 consecutive meetings.

Councillor MacDonald suggested that a letter be forwarded to Mr. Richards requesting his intentions. He felt another person should be nominated if Mr. Richards does not wish to complete his term.

It was moved by Councillor MacDonald, seconded by Councillor Reid

"THAT a letter be forwarded to Mr. George Richards requesting clarification of his intentions as a representative of the County on the Port Development Commission."

Councillor McInroy stated that to his recollection, the term expired in 1990. He stated that this may be the reason for his absentism at the last two or three meetings.

MOTION CARRIED.

9. Mr. Steven Briggs, 115 Lancaster Drive, Re Extension of Water Transmission Mains Along the Herring Cove Road to service the Churchill Estates Subdivision, Hebridean Drive, St. Paul's Avenue, and a portion of the Ketch Harbour Road

Mr. Kelly outlined the letter.

It was moved by Councillor Reid, seconded by Councillor Deveaux

"THAT this letter be received."
MOTION CARRIED.

10. Residents of Herring Cove Re Water Supply

Mr. Kelly outlined the letter. He advised of a petition received from Herring Cove area residents respecting the water supply.

It was moved by Councillor Bayers, seconded by Councillor Bates

"THAT this letter and petition be received."
MOTION CARRIED.

11. Ronald Hiltz, The Armoyan Group Limited Re Presentation to Council by Mr. George Armoyan, Armcrest Estates

Mr. Kelly outlined the letter.

It was moved by Councillor Meade, seconded by Councillor Morgan

"THAT this letter be received."
MOTION CARRIED.

Councillor Meade stated that he spoke with Councillor Frank Sutherland on this item. He stated that Councillor Sutherland requested that this submission be first on the list of submissions to be presented to Council.

Mr. Meech stated that if Council receives a presentation from George Armoyan on behalf of the developer as it relates to Armoyan Estates, a presentation from staff should also be received in order that both sides of the issue are identified.

It was moved by Councillor Poirier, seconded by Councillor Meade

"THAT presentations from Mr. George Armoyan and Staff take place with respect to Armoyan Estates at a future Special Council Session."
MOTION CARRIED.

Councillor Morgan stated he has been involved with discussions with the developer, Councillor Sutherland and the Warden. He said there was a sense of urgency in this particular situation. He stated the motion just passed did not place any urgency into it as to a date.

Councillor Boutilier stated Council should hear the presentation as soon as possible. He stated when Mr. Armoyan gives an indication to the Clerk as to a possible time he would be available to make the presentation, arrangements could then be finalized.

Mr. Meech suggested that this be discussed at a possible Special

Council Session as it is an issue that would require a sufficient amount of time.

Mr. Kelly stated the next Special Council Session for presentations will be held on March 18, 1991. He stated there are two presentations at this session. He asked if Council wished to add this item to the agenda.

Councillor Boutilier wished to leave this to the Warden for his decision. He stated that three presentations in one evening may be too lengthy.

SUPPLEMENTARY CORRESPONDENCE

1. B. H. Branton, Lake Fletcher, Re Wellington/Lake Fletcher Fire Department

Mr. Kelly outlined two letters respecting this matter.

It was moved by Councillor Deveaux, seconded by Councillor Horne

"THAT both letters be received."
MOTION CARRIED.

Councillor Horne referred to the first letter received. He referred to the last paragraph respecting purchase of a rescue vehicle without an area ratepayers meeting. He stated for clarification purposes, a ratepayers meeting took place in which this proposal was discussed and approved.

2. Residents of District 14, Re Request for Presentation to Council

Mr. Kelly outlined the letter stating that area residents were in attendance and wished to make a presentation respecting the acquisition of a fire department vehicle.

Councillor Boutilier asked Councillors agreement to allow representatives to address Council.

Councillor Deveaux asked how many representatives wished to speak.

Councillor Boutilier stated that one person wished to speak on behalf of the residents.

Councillor Deveaux asked for a timeframe as to how long this would take.

Mr. Kienapple, area resident, advised the presentation would take three to five minutes.

Councillor Merrigan stated he was opposed to hearing a presentation.

Councillor Horne advised a meeting was held in the community and sufficient notice given. He felt there should not be allowance for further presentations.

Councillor Eisenhower stated Council is responsible for levying area rates. He stated that he had no difficulty hearing the presentation.

It was moved by Councillor Deveaux, seconded by Councillor Cooper

"THAT correspondence be received."
MOTION CARRIED.

Councillor Cooper stated that he did not read from the information that residents were against purchase of the fire truck. He believed residents were just asking to be heard not necessarily for or against.

It was moved by Councillor Eisenhower, seconded by Councillor Cooper

"THAT a presentation be received on behalf of the area residents."
MOTION DENIED.

6 IN FAVOR.
13 AGAINST.

PLANNING ADVISORY COMMITTEE REPORT

1. Application No.'s RA-SA-16-90-22/ZA-SA-22-90 - Applications by Channing and Mary Gillis to rezone lands on the east side of the Beaver Bank Road and to amend the requirements of the C-1 (Local Business) Zone.

It was moved by Councillor Fralick, seconded by Councillor Morgan

"THAT a public hearing on this application be held on March 25, 1991."

Councillor Morgan noted that in the second paragraph of the report provided to Council, it stated Council would be provided with the

amended Appendix A at the Public Hearing.

Councillor Boutilier asked if he was suggesting that this be amended to show 2000 square feet as opposed to 1500 square feet.

Councillor Morgan responded it was essential that this be included in the advertisement.

Mr. Crooks stated this was correct. He advised there was a requirement the public notice and the file clearly indicate what is to be considered at the public hearing. He stated that the proposal is that the public hearing notice indicate 2000 square feet.

Councillor Morgan stated this should be made available to the public for inspection purposes.

Mr. Crooks advised a text of the amendment should be made available for inspection in the file from the time of public notice.

MOTION CARRIED.

2. Application No. RA-PD5-21-90-05 - Rezoning Application by Peter Phillips, Williamswood

It was moved by Councillor Richards, seconded by Councillor Cooper

"THAT a public hearing on this application be held on March 25, 1991."

MOTION CARRIED.

3. Application No. RA-FEN-23-90-28 - Rezoning Application by Larry Watts, Lucasville Road

It was moved by Councillor Meade, seconded by Councillor Richards

"THAT a public hearing on this application be held on March 25, 1991."

MOTION CARRIED.

EXECUTIVE COMMITTEE REPORT

1. Winley Estates Road Conveyance

Mr. Kelly outlined the report.

It was moved by Councillor Reid, seconded by Councillor Horne

"THAT conveyance of land from the Municipality to the Nova Scotia Department of Transportation & Communications to connect Winley Estates and Fall River Village Subdivisions be approved."

MOTION CARRIED.

2. Preston Water Tower

Mr. Kelly outlined the report.

It was moved by Councillor Adams, seconded by Councillor Bates

"That Council approve an agreement to lease space on top of the Water Tower situated in Preston to Motorola Canada Limited for purposes of installing a communications antenna. The lease agreement is for a two year period with an option to renew for an additional two year term."

MOTION CARRIED.

3. Loan Request - Wellington/Fletcher's Lake Volunteer Fire Department

Mr. Kelly outlined the report.

It was moved by Councillor Horne, seconded by Councillor Merrigan

"THAT Council approve a loan advance in the amount of \$200,000 to Wellington/Fletcher's Lake Volunteer Fire Department for purchase of a new fire pumper vehicle repayable with interest over a ten (10) year term with Council reserving the right to levy an area rate in default of principal and/or interest repayment."

Councillor Morgan felt this would be an appropriate time for individuals who were not given the opportunity to speak earlier to speak now.

He advised he had spoken with Councillor Horne privately with respect to this particular issue. He felt Council should give this a second look as it is of major concern to the residents in the community. He felt they should be given the opportunity to speak.

Councillor Reid felt the residents should not ask Council's direction at the present time. He stated that it is a community concern not a direct Council concern.

Councillor Cooper stated the question here was whether there was sufficient query and the residents sufficiently informed. He felt Councillor Horne should be proud of his community as they show

interest with respect to matters such as this. He felt Council should make as much effort as possible to give the individuals within the community an opportunity to speak.

Councillor Eisenhauer stated the cost of the fire vehicle did not seem to be the issue. He asked what the rules and regulations were with respect to conducting a public meeting.

Mr. Crooks, Municipal Solicitor, advised this body was not an incorporated association or society, therefore, there were no specific procedures or regulations governing the conduct of proceedings of a public meeting.

Councillor Eisenhauer asked if the Executive Committee determined the need for the fire vehicle. He asked for clarification of the procedure followed.

Councillor Horne advised there was a meeting held in the community on January 21, 1991. He stated it was advertised more than two weeks before through handouts in the mail service, notices published in both newspapers, as well as through radio communication. The meeting was held in which approximately 65 individuals attended. He stated a motion was made at the meeting to postpone the loan until the following year but the motion failed. There was approval for area rates for the fire department budget as well as area rates for paid firemen budgets at the meeting. He stated the motion for approval of the loan was debated and at about 11:30 p.m., it passed approximately 28 to 19. He stated a number of residents were unhappy with the direction of the vote. He felt the proposed new truck was necessary for fire protection in the community.

Councillor Morgan stated to his understanding, this particular meeting was called by the fire department to find out if residents were in favor of purchasing a fire truck. He asked if there was anything to stop another organization from calling a meeting. He asked which one would carry the weight, the fire department or the other organization.

Councillor Horne advised the fire department was a society registered under the Society's Act. He advised there was no Ratepayer's Association in the community.

Councillor Bates felt the District Councillor could not have done much more for the area than what has already been done. He asked if there were any guidelines for Councillors to follow if placed in this position.

Fred Crooks stated the procedure followed was an effort by the fire

department and District Councillor to properly deal with the issue.

Councillor Merrigan stated rural areas do not have a budget for advertising. He said it was very expensive to do this. He stated Councillors were elected to make decisions on behalf of the residents and that Council should be satisfied with Councillor Horne's decision.

MOTION CARRIED.

4. C.U.P.E. Local 1083 Collective Agreement

Mr. Kelly outlined the report.

It was moved by Councillor Reid, seconded by Councillor Smiley

"THAT Council approve CUPE, Local 1083 Collective Agreement with revisions as follows:

1. Six percent salary increase, all classifications.
2. 15 month contract to expire March 31, 1992.

Councillor MacDonald asked for clarification of why salary increase was 6% as opposed to 5%.

Mr. Meech stated this related to the increase over a 15 month period as opposed to a 12 month period. On an annualized basis, it would equate to something below 5%.

Councillor MacDonald asked what would be done with the remaining balance of 1992.

Mr. Meech answered the contract would have to be renegotiated from the period of April 1, 1992 to March 31, 1993.

Councillor Harvey stated that the Department of Finance in Ottawa has asked the public sector to try and keep their increases at 3%. He asked if Halifax County Municipality intended to look at this seriously.

Mr. Meech stated that this would have to be considered in the future.

MOTION CARRIED.

5. IAFF - Local 1456 Agreement

Mr. Kelly outlined the report.

It was moved by Councillor Poirier, seconded by Councillor Meade

"THAT the agreement between the Municipality and the International Association of Firefighters, Local 1456 (Lakeside/Black Point Fire Departments) be approved with the following revisions:

1. Twenty-seven month contract to expire March 31, 1992.
2. Five percent increase in the salary scales for the period January 1, 1991 to March 31, 1992.
3. Hours of work will include an 8-hour shift (40 hours per week), as well as the existing 24-hour shift.
4. Additional clothing and equipment will include:
 - One (1) summer jacket every three years;
 - One (1) pair of coveralls every year;
 - One (1) sock hood every three years;
 - One (1) pair of fire-rated gloves every year;
 - Pocket Ventilators.
5. Inclusion of common-law spouse and aunt/uncle in the bereavement clause.

MOTION CARRIED.

URBAN SERVICES COMMITTEE REPORT

Mr. Kelly outlined the report.

It was moved by Councillor Bates, seconded by Councillor Deveaux

"THAT approval be given to the Humber Park Sewer Connection and Loon Lake water and sewer extension project, and an application be made to the Department of Municipal Affairs for 50% cost sharing on the \$1,010,000.00 estimated cost under the Capital Assistance Program.

FURTHER THAT Engineering Consultants be engaged to commence the design of this project immediately."

MOTION CARRIED.

PETITION RE IMPROVEMENTS, SECTION OF OLD SACKVILLE ROAD

Mr. Kelly outlined a memorandum from Councillor Boutilier, Chairman, Sackville Community Committee, and a petition with respect to improvements to the Old Sackville Road from the Intersection at Cobequid Road and Sackville Drive to the Intersection at Sackville Cross Road. He advised it is requested that Council write to the Department of Transportation and Communications requesting that the necessary repairs at this location be immediately undertaken.

It was moved by Councillor Harvey, seconded by Councillor Deveaux

"THAT the correspondence be received."
MOTION CARRIED.

Councillor Harvey advised that a copy of the petition had already been forwarded to the Department of Transportation and Communications directly from the residents. He requests it be discussed here because of major problems being experienced with respect to the sanitary sewer manhole covers which are located on the road which are a responsibility of the Municipality. He stated cooperation between the Municipality and the Province is required to resolve this problem. He requested that Council endorse the petition and refer it to the Urban Services Committee for a recommendation. He advised the Water Utility Division has carried out a survey of the manhole covers along the road and are aware of the problem.

It was moved by Councillor Harvey, seconded by Councillor MacDonald

"THAT a matter with respect to the sanitary sewer manhole covers, Old Sackville Road be referred to the Urban Services Committee."
MOTION CARRIED.

FINE OPTIONS PROGRAM

Mr. Kelly advised the report being discussed has been prepared by Cyd LePage with respect to this program. He stated based on the success of this program, it is recommended that Halifax County Municipality continue to operate a Fine Option Program, and a Fine Options Officer be employed on a contract basis.

Councillor Boutilier advised Percy Fawson was present to answer any questions Council may have pertaining to this matter.

Councillor Reid asked if there was any urgency for this item. He stated that this was suggesting that the Municipality hire a full

time Officer. He suggested this be discussed at the budget sessions.

Mr. Meech advised the intention was to allow Percy Fawson to provide a presentation on the program with those particular suggestions but it was not necessarily expected that there would be any final decision at this session. He advised it is a program that has been demonstrated to be beneficial to various areas of the Municipality.

Councillor Morgan wished to support the Program. However, with regard to providing meaningful work in particular communities, the option would be to incarcerate these people. He asked if this program was intended for people that have demonstrated that they cannot afford to pay.

Mr. Fawson answered this was not necessarily the case. He stated the program offered an alternative to paying fines.

Councillor Morgan indicated this particular report shows that we have successfully negotiated a minimum wage of \$10.40 per hour in order to somehow justify the program. He felt the entire report should be discussed during the budget debate.

It was moved by Councillor Cooper, seconded by Councillor Morgan

"THAT the report be received and no decision be made on this issue at the present time."

Councillor McInroy questioned the position of the Solicitor General's Department in this program.

Mr. Meech advised that he was not sure of jail sentences if fines were not paid. He stated it was a provincially initiated program. There has been a fair amount of benefit received by the Municipality from the program.

It was moved by Councillor Deveaux, seconded by Councillor Adams

"THAT this Fine Options Program be considered during budget deliberations."

MOTION CARRIED.

Mr. Meech suggested that a letter be forwarded to the Solicitor General's Department advising them of success recently achieved as a result of this program and requesting minimum financial assistance in order to continue/coordinate the program.

It was moved by Councillor Morgan, seconded by Councillor Deveaux

"THAT a letter be forwarded to the Solicitor General's Department advising of success recently achieved as a result of this program and to request minimum financial assistance for continuation/coordination of the Fine Options Program."
MOTION CARRIED.

BUILDING INSPECTOR'S REPORT RE: LESSER SIDE YARD CLEARANCE

Mr. Kelly outlined the report. He stated that approval was recommended for lesser side yard clearance of 1 foot, Cove Road, Prospect, Applicant - Samuel Rogers.

It was moved by Councillor Deveaux, seconded by Councillor Eisenhauer

"THAT this report be received."
MOTION CARRIED.

It was moved by Councillor Deveaux, seconded by Councillor Morgan

"THAT the lesser side yard clearance of 1 foot, Cove Road, Prospect, Samuel Rogers be approved."

Councillor Cooper asked why the property owner went in this direction rather than enlarging their property to maintain the clearance.

Councillor Boutilier stated he could not answer this and Department Staff were not present to speak on the application.

Mr. Meech stated the property owner apparently owns both properties.

Councillor Cooper asked if they were still separate properties.

Mr. Meech responded they were separate properties.

Councillor Cooper stated Council has had difficulties with individuals placing a patio this distance to a fence. Councillor Richards referred to the sketch showing the property to be 35 feet in width. He asked if this was accurate. He stated there were a number of unanswered questions in this application. He stated a staff person is not in attendance to support the application or to give details of the other lot, why the property owner is not willing to absorb it under this lot so that he would be well within his rights to expand even much further than the proposal states, he asked if it was permissible because of lack of

detail to defer this to the next Council session for receipt of a report.

MOTION WITHDRAWN.

It was moved by Councillor Richards seconded by Councillor Cooper

"THAT this application for a lesser setback be deferred to the next Council Session for receipt of a complete staff report."

Councillor McInroy expressed concern with the date noted on the report.

Councillor Boutilier requested that Mr. Kelly obtain clarification on Councillor McInroy's points expressed.

Councillor Randall stated that Staff had been asked some time ago to examine guidelines in this entire area.

Mr. Meech stated that there has been a fair amount of time and research expended on this subject. He stated his expectation was that a staff report would be provided very shortly.

Councillor Deveaux stated that he agreed with the deferral.

MOTION CARRIED.

POLICING AND MUNICIPAL SOCIAL ASSISTANCE

Mr. Kelly advised of a memorandum forwarded to the Councillors, Mayors and Wardens from the President of UNSM respecting Policing and Municipal Social Assistance. The decision of UNSM was as follows:

- 1) Removal of cap effective April 1, 1991;
- 2) A three year phase in process;
- 3) During year one, financial positive impact resulting from uncapping will be used to offset full Class IV Police Costs. There will be a zero financial impact on all units;
- 4) During year two, all units will realize 50 percent benefit from the removal of the cap. The remaining 50 percent will be used to reduce the cost of Class IV Policing and;
- 5) During year three, all units will receive the full benefit of the removal of the cap and units with Class IV areas will pay the cost of Class IV policing.

Councillor Fralick stated that this was the final adoption put forward on two different occasions. He advised of the removal of capping effective April 1, 1991.

It was moved by Councillor Deveaux, seconded by Councillor Fralick

"THAT this correspondence be received."

Councillor Cooper referred to Point 3 - (During year one, financial positive impact resulting from uncapping will be used to offset full Class IV Police Costs. There will be a zero financial impact on all units). He asked if they were saying that the money from the Province provided to most of the towns and cities will now be used to assist the rural municipalities in their Class IV costs.

Councillor Fralick answered that this would be correct.

Mr. Meech stated that based on this proposal, units such as Halifax-Dartmouth would be giving up some additional cost sharing under Social Services to help offset in the first year the cost for Class IV areas.

Councillor Cooper asked if during the discussions of this subject, it had been suggested at one time that written assurances be sought that the Province not reinstate the capping in the future.

Councillor Fralick advised this issue was brought before the UNSM and they were not able to achieve it. The motion went forward as identified. He answered that this was the recommendation brought forward from that meeting.

Mr. Meech stated that if UNSM are going to abide by this particular resolution in its entirety, before there is an agreement, the Province will have to confirm that the cap be removed on April 1, 1991.

Councillor Cooper stated cost for police protection is getting fairly high approximately \$100,000 per man. He stated that he was in opposition of the motion approved. He felt it did, however, give the opportunity in 1 year or so to consider initiating policing with neighboring municipalities to achieve financial savings and possibly have an equal police service in the area.

Councillor Richards advised that he was not in support of the motion to accept the report. The message that our Municipality attempted to send back to UNSM seems to have gotten lost somewhere along the way. The message was that we were to do an attempt to trade off the so called "people services" for services that were

more appropriate to the Municipalities. He stated he did not believe that changing Social Services in lieu of policing services is fitting that formula. He stated that he considered policing and social services were "people services". He stated if this goes through, the financial impact on Halifax County whether it is this year or next is devastating to the point that our taxpayers will have a bill that they will not be able to afford. The attempt to have the capping situation resolved at the Provincial level fell short again of our expectations. We asked that that should be part of the negotiated package. He stated that all points Halifax County attempted to make have failed.

Councillor Boutilier stated that the correspondence was to basically inform colleagues of the decision.

Councillor Fralick stated his area was very close to a Class IV area which means a tremendous demand for a lot of dollars. He advised of other areas such as Class V. He suggested that City of Halifax could do the policing in that section instead of having the RCMP proceed with it. He stated if this does come forward, we could do a lot better in the total cost than they are suggesting which is \$95,000.00 per man. The Union's idea was to deal with the capping. If the cap is not removed, there is no deal.

Councillor Deveaux asked if this had changed anything with respect to financial commitments.

Mr. Meech answered it would be phased in over three years. In the first year, there would be no actual transfer of funds. He stated it would not have any immediate impact on the budget. He stated if this had not come about, Halifax County would be expecting an increase in cost sharing for Social Services for this fiscal year.

Councillor Deveaux stated that Class IV Communities over the next few years will end up paying more than they will be receiving.

Mr. Meech advised the estimate based on 1990 figures, based on Policing for Class IV and assuming cap is removed from Social Services, that Halifax County would have a net cost of somewhere between \$3.6 million dollars. He stated the only thing that would change this is whether an arrangement could be established for policing service at a better rate or if the Province decided not to implement it. Mr. Meech felt this decision was incumbent upon Halifax County to proceed with planning for provision of a policing service.

Councillor Deveaux asked if Metropolitan Authority had conducted a survey a couple of years ago respecting policing in the area.

Mr. Meech believed such a study was carried out by Judge Green.

Councillor Reid stated to his understanding, the cap could in effect be removed by the Province.

Councillor Fralick stated that the majority of Municipal Units did support this particular policy.

Councillor Reid disagreed and suggested this be checked into.

Councillor MacDonald was unsure whether to give his support. He felt before anything was done, the intent of the Province should be found out with respect to Social Services. He felt that other means of policing in the Municipality must be examined.

Councillor Merrigan expressed concern with respect to #4 of the report.

Councillor Bates asked what direction Halifax County Municipality would have to proceed to protest.

Mr. Meech stated that the only alternative would be to send position or displeasure of approval of this to the Premier and the Minister of Municipal Affairs, as well as President of the Union.

Councillor Bates asked if this would cost Halifax County Municipality \$3.6 million dollars when it became fully operational.

Mr. Meech advised of the net impact to Halifax County. He stated that this was definitely going to have a major financial impact on Halifax County Municipality. This does give us some time to investigate alternative means of policing.

MOTION WITHDRAWN.

It was moved by Councillor Bates, seconded by Councillor Eisenhauer

"THAT a letter be forwarded to the Minister of Municipal Affairs with copies to the Premier and President of UNSM advising that Halifax County Municipality is opposed to the position taken by UNSM respecting Policing and Municipal Social Assistance."

Councillor Fralick asked if Councillor Bates had read the report from the Mayors and Wardens and the options which they had suggested.

Councillor Bates stated that he did not see any change to their position.

MOTION CARRIED.

It was moved by Councillor Cooper, seconded by Councillor Reid

"THAT the Executive Committee be requested to examine alternatives with respect to cost efficient policing in the Municipality of the County of Halifax."

MOTION CARRIED.

URGENT AGENDA ITEMS

1. Recognition for Accident Prevention - Councillor Randall.

Councillor Randall stated that last week an oil tanker driver, for Irving Oil proceeding through Highway #207 at Lawrencetown, ran into a heavy patch of black ice and started to lose control. The driver noticed immediately there was a school bus proceeding towards him. He did some very fast thinking and maneuvering and was successful in avoiding a collision with the school bus. Councillor Randall advised that he had contacted the RCMP Officer who was at the scene.

It was moved by Councillor Randall, seconded by Councillor Richards

"THAT a letter be forwarded to Irving Oil Company, commending Mr. Jim Marks, Oil Tanker Driver, for his fast action in avoiding a collision with a school bus."

MOTION CARRIED.

ADDITION OF ITEMS TO THE MARCH 19, 1991 COUNCIL AGENDA

1. CRTC - Councillor Fralick.
2. DOT - Councillor Adams.
3. Appointment of Non-Council Members to Nutrient Content of Lakes Committee - Councillor McInroy.
4. Development, Infill Lots in Urban Areas - Councillor McInroy.
5. Washroom Facilities, Halifax County Recreational Fields - Councillor McInroy.
6. Policing - Councillor Bates.

STREET PAVING - COUNCILLOR HARVEY

Councillor Harvey advised of a petition received from property owners of Brian Drive and Scott Edward Drive, Lower Sackville

requesting consideration for paving under the 15 year provision.

It was moved by Councillor Harvey, seconded by Councillor MacDonald

"THAT this petition be received, endorsed and directed to the Department of Transportation and Communications for action."
MOTION CARRIED.

DEPARTMENT OF ADVANCED EDUCATION AND TRAINING RE HARBOUR CLEAN-UP -
COUNCILLOR MEADE

Councillor Meade referred to the letter received from the Minister respecting the above item. He stated Metro Engineering Incorporated wished to be endorsed for the Halifax Harbour Cleanup Project.

It was moved by Councillor MacDonald, seconded by Councillor Deveaux

"THAT Council endorse the appointment of Metro Engineering Incorporated for the pre-design contract for the Halifax Harbour Cleanup."

Councillor Deveaux stated that he was not in favor of the tendering process used. He advised that Dartmouth changed their minds with respect to their position.

Councillor McInroy advised that he disagreed with endorsing the position which was taken in the awarding of the contract.

Councillor Richards stated that ignoring the issue would be the best approach in this regard. He asked that Councillor MacDonald withdraw the motion.

MOTION WITHDRAWN.

ADJOURNMENT

It was moved by Councillor Meade, seconded by Councillor Randall

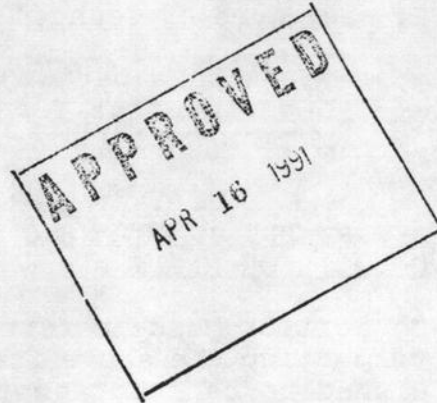
"THAT the session adjourn."
MOTION CARRIED.

Time of Adjournment: 8:10 p.m.

COUNCIL SESSION

March 19, 1991

PRESENT WERE: Warden Lichter
Councillor Meade
Councillor Poirier
Councillor Fralick
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Randall
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Eisenhauer
Councillor MacDonald
Councillor Harvey
Councillor Sutherland
Councillor Richards
Councillor McInroy
Councillor Cooper



ALSO PRESENT: G. J. Kelly, Municipal Clerk
K. R. Meech, Chief Administrative Officer
Fred Crooks, Municipal Solicitor

The meeting opened with the Lord's Prayer. Mr. Kelly called the roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Deveaux, seconded by Councillor Merrigan

"THAT Christa Pettipas be appointed as Recording Secretary."
MOTION CARRIED.

APPROVAL OF MINUTES

It was moved by Councillor Richards, seconded by Councillor Horne

"THAT the February 11, 1991 Public Hearing minutes be approved as circulated."
MOTION CARRIED.

It was moved by Councillor Sutherland, seconded by Councillor Randall

"THAT the February 19, 1991 Council Session minutes be approved as circulated."
MOTION CARRIED.

It was moved by Councillor Meade, seconded by Councillor Harvey

"THAT the February 25, 1991 Public Hearing Minutes be approved as circulated."
MOTION CARRIED.

LETTERS AND CORRESPONDENCE

1. Department of Transportation and Communications Re Improvements to the Approach Road to Smiley's Point Wharf, Factory Cove, Port Dufferin

Mr. Kelly outlined the letter.

It was moved by Councillor Richards, seconded by Councillor Meade

"THAT the letter be received."
MOTION CARRIED.

2. Union of Nova Scotia Municipalities Re Report on Municipal Campaign Expenses

Mr. Kelly outlined the report.

It was moved by Councillor Horne, seconded by Councillor Meade

"THAT the report be received."
MOTION CARRIED.

It was moved by Councillor Richards, seconded by Councillor Fralick

"THAT the report on Municipal Election Campaign Expenses not be endorsed."

Warden Lichter asked if the Municipal Elections Act was amended with the Election Campaign Expenses Report.

Mr. Kelly responded there were no changes to the Municipal Elections Act in this regard.

MOTION CARRIED.

3. River Oaks Golf Club Re Restaurant License

Mr. Kelly outlined the letter.

It was moved by Councillor Reid, seconded by Councillor Fralick

"THAT the letter be received."
MOTION CARRIED.

It was moved by Councillor Reid, seconded by Councillor Fralick

"THAT a letter be forwarded to Kevin Kerr, River Oaks Golf Club confirming the licensing of the restaurant meets the requirements of the Municipal zoning requirements."
MOTION CARRIED.

4. Canadian Mental Health Association Re Proclamation of Monday, May 6, 1991 as Mental Health Day

Mr. Kelly outlined the letter.

It was moved by Councillor Adams, seconded by Councillor Sutherland

"THAT the letter be received."
MOTION CARRIED.

5. Atlantic Winter Fair Re Appreciation for Efforts by Halifax County Council to Assist Atlantic Winter Fair in their Operation

Mr. Kelly outlined the letter.

It was moved by Councillor Deveaux, seconded by Councillor Randall

"THAT the letter be received."
MOTION CARRIED.

6. Department of Transportation & Communications Re No Passing Zone - Trunk #1, Near Lewis Lake

Mr. Kelly outlined the letter advising the request for change of centreline markings in this particular area was investigated. The report from the Traffic Department indicated that the research into accidents happening along Trunk #1 between the vicinity of the Old Maxwell School and Lewis Lake did not show accidents which resulted from a passing manoeuvre. The centre line markings were re-measured to verify their conformance to existing standards for this class of road. The survey showed that the markings were more than adequate for the class of road at this site. Therefore, the Traffic Department recommend that the markings not be changed at this time.

It was moved by Councillor MacDonald, seconded by Councillor

Eisenhauer

"THAT the letter be received."
MOTION CARRIED.

Councillor MacDonald advised that the intent of the request previously forwarded to the Department of Transportation & Communications was to prevent accidents in this particular area.

It was moved by Councillor MacDonald, seconded by Councillor Eisenhauer

"THAT a letter be forwarded to Mr. P. O'Brien, P.Eng., Division Engineer, Sackville, Department of Transportation & Communications requesting further investigation with respect to the passing zone, Trunk #1, Near Lewis Lake."
MOTION CARRIED.

7. Municipality of the County of Richmond Re Policing/Social Services Proposal

Mr. Kelly outlined correspondence from the County of Richmond which included a resolution passed by the Council respecting the Policing/Social Services proposal.

It was moved by Councillor Sutherland, seconded by Councillor Horne

"THAT the letter be received."
MOTION CARRIED.

Warden Lichter asked if Council wished to support the resolution contained in the letter.

It was moved by Councillor Cooper, seconded by Councillor Deveaux

"THAT the Municipality of Richmond County Council resolution respecting Policing/Social Services be supported."
MOTION CARRIED.

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. John Holm, M.L.A. Re Armcrest Development

Mr. Kelly outlined the letter.

It was moved by Councillor Sutherland, seconded by Councillor Harvey

"THAT the letter be received."

MOTION CARRIED.

2. Municipality of the County of Cape Breton Re Policing/Municipal Social Services

Mr. Kelly outlined the correspondence from the Municipality of the County of Cape Breton.

The correspondence was an appeal by the Municipality of Cape Breton to a decision made by the Union of Nova Scotia Municipalities Executive Committee to advise the Minister of Municipal Affairs that the UNSM supported the proposed Policing/Social Services Swap and the implementation of a specific three year phase-in formula (0% in the 1st year; 50% in the 2nd year; and full implementation in the 3rd year). The correspondence also stated that the UNSM had no mandate to express such an opinion to the Minister when less than 34 member units were supportive.

The correspondence further stated that the action by the Executive of UNSM and the decision to implement the proposed formula should be rescinded.

It was moved by Councillor Deveaux, seconded by Councillor MacDonald

"THAT the correspondence be received."
MOTION CARRIED.

It was moved by Councillor Reid, seconded by Councillor Horne

"THAT a letter be forwarded to the Minister of Municipal Affairs, Premier Cameron, to again protest the action taken by the UNSM to endorse the three year phase-in formula respecting Policing/Social Services as based on information received that the UNSM may not have received majority consensus from its membership to adopt this position."
MOTION CARRIED.

3. Neptune Theatre Re Request for Presentation to Council for a Grant

Mr. Kelly outlined the letter.

It was moved by Councillor Adams, seconded by Councillor Eisenhauer

"THAT the letter be received."
MOTION CARRIED.

Councillor Reid advised presentations should be made to the Executive Committee.

It was moved by Councillor Reid, seconded by Councillor Bates

"THAT the Neptune Theatre Request for a Presentation with respect to a grant request be referred to the Executive Committee."

MOTION CARRIED.

4. FCM Re Proclamation of March 21, 1991 as U. N. Day for the Elimination of Racial Discrimination

Mr. Kelly outlined the letter.

It was moved by Councillor Richards, seconded by Councillor Adams

"THAT the correspondence be received."

MOTION CARRIED.

It was moved by Councillor Harvey, seconded by Councillor Adams

"THAT Council approve a Proclamation that March 21, 1991 be the International Day for the Elimination of Racial Discrimination."

MOTION CARRIED.

Warden Lichter asked Council's permission to discuss Item 1 of the Executive Committee Report with respect to the Affirmative Action Plan Amendment Proposed "Set Aside" Program.

AFFIRMATIVE ACTION PLAN AMENDMENT PROPOSED "SET ASIDE" PROGRAM

Mr. Kelly outlined the recommendation by the Executive Committee to Council.

It was moved by Councillor Adams, seconded by Councillor Richards

"THAT the Affirmative Action Plan Amendment Proposed "Set Aside" Program re Black Entrepreneurs be approved as outlined in the attached report with the exception that Item #4 of the recommendations be amended to examine the possibility of obtaining the services of a person employed by the District School Board with duties in this particular area to act as a Resource Person to the Race Relations Committee."

Councillor Sutherland stated he supported the concept of this program. However, was experiencing some difficulty with the proposed process. He felt group minorities should be given preference to this program, bonds waived and tenders open to all. He felt the process at present would fan flames of resentment. He

expressed difficulty with County Council identifying this as a "Set Aside" Program.

Warden Lichter advised an amendment such as this could change the reflection of the entire program outlined. If the program was approved, approval would still be required from the Human Rights Commission. If the suggested amendment was forwarded, they could possibly consider this as a Non-Affirmative Action Plan.

Mr. Markesino advised that in October of last year, the Black Business Consortium met with the Staff Management Committee with respect to this matter. From that meeting, it was considered a plan should be made to service Black Entrepreneurs, not just the consortium. Meetings were held with the Human Rights Commission respecting the program.

Councillor Cooper requested that the recommendations be clarified.

Mr. John Markesino explained the recommendations contained in the report.

Councillor Cooper questioned the 5th recommendation. He asked if this was a minimum of \$200,000.

Mr. Markesino responded this was a minimum of \$200,000.

Councillor Cooper felt Council Members did not have time for adequate consideration. He felt the program, however, was a good first step. He felt the program should be expanded to include visible minorities in order for them to have the same opportunity as Black Entrepreneurs within Halifax County. He asked if this was given consideration.

Warden Lichter responded this was considered but to include all minorities, Halifax County would be looking at several years of work.

Councillor Cooper felt this plan should be considered a top priority. He suggested that before the plan is brought back the following year for approval, recommendation to expand all minority groups should be included. He asked why Halifax County was also going to the District Schoolboard with regard to an Employment Equity Officer. He felt Halifax County should manage their own programs and directions.

Warden Lichter advised of a grant the Halifax County/Bedford District School Board received and it was intended to obtain the services of a resource person for the Race Relations Committee.

Councillor Cooper felt if County Council was going to set up the

program, funding should be provided for it.

Warden Lichter stated that may be the position of County Council. He advised that they decided to delete #4 of the recommendations for an Employment Equity Officer because false hopes could be created.

Councillor Eisenhauer felt this was the Contract Compliance Program with a different name.

Mr. Meech stated the Contract Compliance Program specifically related to the North Preston Project.

Councillor Meade asked if the performance bond was waived. He asked if there was any guarantee with respect to the work done after the job was completed.

Warden Lichter responded some kind of assurances would be required before contracts were awarded.

Mr. Meech stated it was intended there would be some holdback fees in place.

Councillor Meade asked if this would be a one year contract.

Mr. Meech answered this depended on the size of the company.

Councillor Eisenhauer indicated there were two main criterias. One was to put up 10% of the bid, and secondly, performance bids. He stated the problem was financial backing. He stated that some small companies do not have the experience or financial backing as larger contractors have.

Councillor Merrigan expressed concern with respect to waivering requirements of performance bonds for the contractors.

Councillor Adams stated it was important to keep in mind a good working Affirmative Action Plan. He felt difficulties could arise with respect to minorities targeted. He felt Black Entrepreneurs should be identified. He felt this would be an active program in a global sense. He asked for Council's approval.

MOTION CARRIED UNANIMOUSLY.

PLANNING ADVISORY COMMITTEE REPORT

1. File No. ZA-F&S-34-90 - Application by the Municipality to Amend the R-6 (Rural Residential) Zone and R-7 (Rural Estate) Zone

It was moved by Councillor Cooper, seconded by Councillor Adams

"THAT a public hearing on this application be held April 8, 1991 at 7:00 p.m.
MOTION CARRIED.

2. Application No. DA-F&S-12-90-14 - Development Agreement between the Municipality and John Shields

It was moved by Councillor Randall, seconded by Councillor Deveaux

"THAT a public hearing on this application be held April 8, 1991 at 7:00 p.m."
MOTION CARRIED.

3. Application No.'s ZA-TLB-14-91/DA-TLB-14-90-02 - Amendment to the Land Use By-law for Timberlea/Lakeside/Beechville and Development Agreement between the Municipality and T. A. Products Limited

It was moved by Councillor Fralick, seconded by Councillor Poirier

"THAT a public hearing on this application be held April 29, 1991 at 7:00 p.m."
MOTION CARRIED.

4. File No.'s PA-SA-23-90-22/ZAP-SA-23-90-22 - Application by Miller Group Architects Limited on Behalf of Kiel Developments Limited

It was moved by Councillor Bates, seconded by Councillor MacDonald

"THAT a public hearing on this application be held April 29, 1991 at 7:00 p.m."
MOTION CARRIED.

5. File No. PA-CH/W-07-90 - Proposed Amendments to the Municipal Planning Strategy for Cole Harbour/Westphal.

It was moved by Councillor Cooper, seconded by Councillor MacDonald

"THAT a public hearing on this application be held May 13, 1991 at 7:00 p.m."
MOTION CARRIED.

EXECUTIVE COMMITTEE REPORT

1. Amendment Re Topsoil By-law

Mr. Kelly outlined the report.

It was moved by Councillor Bates, seconded by Councillor Richards

"THAT Council approve an amendment to By-law #40, The Removal of Topsoil By-law, as attached in order to comply with the Planning Districts 8&9 and Lawrencetown Municipal Planning Strategy's."

MOTION CARRIED.

2. Drainage Easement "BE" - Southeast Passage

Mr. Kelly outlined the report.

It was moved by Councillor Bates, seconded by McInroy

"THAT Drainage Easement "BE" shown on Plan No. 86-2836 (portion attached) be conveyed to the Nova Scotia Department of Transportation and Communications."

MOTION CARRIED.

3. Loan Request - Village of Waverley

Mr. Kelly outlined the report.

It was moved by Councillor Richards, seconded by Councillor Bates

"THAT Council approve a \$40,000, 10 year loan advance to the Village of Waverley for the purpose of acquiring the Anglican Church Property in Waverley to be utilized as a village office and community centre with Council reserving the right to levy an area rate in default of principal and/or interest repayment."

MOTION CARRIED.

4. Capital Grant Request - District 8

Mr. Kelly outlined the report.

It was moved by Councillor Adams, seconded by Councillor Bates

"THAT a District Capital Grant Request - District 8 in the amount of \$1,000 for the purpose of carrying out improvements to the North Preston Recreation Centre be approved."

MOTION CARRIED.

5. 1991 Cost of Living Allowance - Halifax County Pension Plan

Mr. Kelly outlined the report.

It was moved by Councillor Bates, seconded by Councillor Sutherland

"THAT a 5% cost of living increase for all recipients of Halifax County pensions be approved effective January 1, 1991."

MOTION CARRIED.

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

1. Withdrawal from Special Reserve

Mr. Kelly outlined the report.

It was moved by Councillor Bates, seconded by Councillor Horne

"THAT the Withdrawal from Special Reserve as follows be approved: SR91-01 Equipment (Computer Expansion) \$200,000."
MOTION CARRIED.

2. District Capital Grant Request - District #21

Mr. Kelly outlined the report.

It was moved by Councillor Harvey, seconded by Councillor Fralick

"THAT the District Capital Grant Request - District #21 in the amount of \$600.00 for the purpose of fencing and baseball backstop for the Acadia Recreation Club be approved."
MOTION CARRIED.

Warden Lichter asked permission to discuss position of UNSM.

UNION OF NOVA SCOTIA MUNICIPALITIES

It was moved by Councillor Bates, seconded by Councillor McInroy

"THAT Municipal Council authorize Warden Lichter to convey the following to the Union of Nova Scotia Municipalities:

THAT the Municipality of the County of Halifax has no desire to endanger the existence of the UNSM, thus we shall remain a member of UNSM, but at the same time we shall do all we can to assure that the Executive of this organization will treat all its members in a fair manner.

THAT the UNSM shall receive our 1991 membership fees, such shall be paid in equal monthly installments.