

Halifax Regional Municipality

HALIFAX REGIONAL COUNCIL MINUTES MARCH 21, 1996

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

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

The meeting was called to order at 6:00 p.m. with an invocation.

2. **ADDITIONS/DELETIONS TO ORDER OF BUSINESS**

At the request of Councillor Cooper, it was agreed to add "Update - Dog Tag Fees" to the agenda.

At the request of Councillor Hendsbee, it was agreed to add "District Capital Fund Carryover" to the agenda.

At the request of Councillor Hendsbee, it was agreed to add "Para Transit" to the agenda.

At the request of Councillor Kelly, it was agreed to discuss agenda item 8.4.4 - "Solid Waste/Resource Strategy System Working Plan" - prior to agenda item 4.

At the request of Councillor Kelly, it was agreed to defer agenda item 10.3 - "Emergency Services (Fire) Response Time" - to the next meeting of Council.

At the request of Councillor Kelly, it was agreed to add "Provincial Proposal - Municipal Units to Pay PST" to the agenda.

At the request of Councillor Barnet, it was agreed to defer agenda item 9.3 - "Appropriate Spelling - Beaver Bank" - pending the first Council meeting in April, 1996.

At the request of Mayor Fitzgerald, it was agreed to delete agenda item 7.1.1 - "Board of Police Commissioners."

At the request of the Municipal Clerk, it was agreed to add:

- "Nova Scotia Research Foundation Re: Uranium & Radon Concerns at Site A; "Resource Recovery Fund Inc. - Enviro Depots Locations (item 8.4.5)
- "Nova Scotia Research Foundation Findings (item 8.4.6)

At the request of Councillor Kelly and as agreed upon by the Chief Administrative Officer, it was agreed to delete 8.2.1 - "Recommendations re Nominations - Greater Halifax Economic Development Partnership" - from the agenda.

At the request of Councillor Barnet, it was agreed to add "Anonymous Reports and Correspondence".

2. **ADDITIONS/DELETIONS TO ORDER OF BUSINESS CON'T**

At the request of Mr. Meech, CAO, it was agreed to defer agenda item 8.3.1 - "Establishment of Regional Planning Advisory Committee" - pending a staff report to be prepared for the next Council meeting.

APPROVAL OF ORDER OF BUSINESS

MOVED by Councillors Schofield and Greenough that the agenda, as amended, be approved. The Motion was put and passed unanimously.

3. **APPROVAL OF MINUTES - FEBRUARY 28 AND MARCH 6/96**

MOVED by Councillors Schofield and Mitchell that the minutes of February 28, 1996 and March 6, 1996 be approved.

Councillor Adams sought clarification on the March 6, 1996 minutes, page 6 - item 5.2.2. (4) - "Recommendations - Major Facilities" - in that he understood the Motion should state that the management of the building would be an advisory committee and management of the multi-service group would become a policy board.

MOVED by Councillors Schofield and Mitchell that the minutes of February 28, 1996 and March 6, 1996, as amended, be approved. The Motion was put and passed unanimously.

5. **PROPOSED ADMINISTRATIVE ORDER NUMBER ONE, RESPECTING THE PROCEDURES OF COUNCIL (discussion purposes)**

Councillor Cooper suggested there was no area for "correspondence" within the existing structure of the Administrative Order. He expressed concern that Council may not be receiving copies of all pertinent correspondence; further, he enquired as to how the distribution of correspondence to Council was to be handled.

In response, Mr. Anstey, Solicitor, advised that a full report including the structure and schedule of meetings, will be prepared for the next meeting of Council. However, he sought permission from Council to bring the matter of final approval of the Administrative Order to the first Meeting in April rather than the last meeting March, 1996 as initially agreed upon by Council.

MOVED by Councillors Greenough and Schofield that final approval of the Administrative Order be discussed during the first Meeting in April rather than the last meeting March, 1996 as initially agreed upon by Council. The Motion was put and passed unanimously.

6. **PRESENTATIONS**

6.1 **Department of Housing/Harbour City Homes/Dartmouth Non-Profit Housing
Re: Municipal Subsidization of Non-Profit Housing Societies**

Councillor Clint Schofield, Chair, Dartmouth Non-Profit Housing Group, noted the group would not be making a presentation this evening. Further, he noted that the reason a representative from the Department of Housing was addressing Council this evening was to provide suggestions as to how the Department could re-organize their structure so the municipality would not have to pay a subsidy.

A representative from the Department of Housing addressed Council, noting that the non-profit group administers 340 units of social housing that are subsidized by the Federal/Provincial Governments from various social housing agreements. They now operate as two separate societies but it would be possible to save funds through amalgamating and reorganizing the way they do business and provide the same service.

The Department has gone through an exercise in reducing the number of Housing Authorities throughout the Province over the past number of years (from 46 to approximately 18). As a result, deficits have reduced from reorganizing the manner in which business is carried out.

In response to an enquiry from Mayor Fitzgerald as to what would occur should the deficit not be carried by the municipality, Council was advised that Harbour City Homes is facing a cash flow problem where there are non sufficient funds to maintain the units. From the Department's point of view they are concerned with the on-going liability of both non-profit groups. Further, they want to keep the social housing portfolio as active as possible.

In response to an enquiry from Councillor Schofield if the Department of Housing realized any savings when the Housing Authorities were amalgamated, he was advised the process is not complete as yet, however, they are working towards that end.

In response to an enquiry from Councillor Schofield if there were other public non-profit organizations in the Province and how many were there, Council was advised that outside of the public non-profit groups there are private non-profit groups, however, the Departmental representative did not believe these other groups are seeking additional funding from a third source other than rental revenues and subsidies available through the program.

In response to several enquiries from Councillor Schofield, the Departmental representative provided the following information:

C if the City of Halifax had not provided Harbour City Homes with both subsidy and

Line of Credit over the past few years, the Homes would have been forced to sell some of its assets. This would have meant the end of the Federal subsidy which is one of the Department's main concerns.

- C municipal non-profit groups are non-profit housing societies and they have been able to act independently. As far as the Department is concerned, as long as the units exist, the Department will subsidize them. He would like to see the groups run more efficiently, however.
- C several options could be suggested should the Department consider taking over the management of the groups, however, the Boards of both non-profit groups would have to agree to same.

Councillor Schofield advised that Halifax Regional Municipality does not have the authority to manage the non-profit groups, however, if they do not receive the subsidy from the municipality, they won't survive as a body. Therefore, he suggested it is an obligation on the part of the Provincial Government to recommend what re-structuring would be required so that a subsidy from the municipality would not be required.

In response to another enquiry from Councillor Schofield, the Departmental representative advised there was no other Province in the country that has municipal participation in this regard.

MOVED by Councillors Schofield and Walker that correspondence be forwarded to the Department of Housing to request (in writing) the identification of options for the re-organization of the existing non-profit housing groups, to recommend what re-structuring would be required so that a subsidy from the municipality would not be required. The Motion was put and passed unanimously.

Ms. Nancy Wooden, Harbour City Homes, addressed Council noting this body has received no subsidy in fifteen years. Further, she stated it is very difficult for non-profit housing groups to function effectively and efficiently in this day and age with the problems people are experiencing.

6.2 Nova Scotia Union of Public Employees Re: Student Transportation

A brief presentation was made by Ms. Pat Briggs, a representative from the school bus drivers and Mr. Ron Stockton, NSUPE, outlining the service provided for students to date and that the same level of service could be provided to Halifax Regional Municipality. Mr. Stockton respectfully requested Council to act quickly in this regard prior to September, 1996.

MOVED by Councillors Epstein and Snow that further deliberations in this regard

be deferred pending a staff report. The Motion was put and passed unanimously.

A brief discussion ensued on Successor Rights and Labour Relations as it pertains to Social Service Workers. Mr. Meech advised he would monitor the situation.

6.3 Nova Scotia Department of the Environment Re: Resource Recovery Fund

Through the use of overheads, Mr. Barry Friesen addressed Council providing a brief overview of the regulations and strategy which is based on environmental protection and economic development. Further, Council was advised that the goal is to reach 50% solid waste diversion by the year 2000.

The Province of Nova Scotia has been divided into seven regions each of which is responsible for achieving a 50% diversion rate. In closing, Council was advised this was a public strategy and not a Departmental strategy.

Mr. Elwood Dillman, Chairman, Resource Recovery Fund, Inc. addressed Council and responded to numerous questions from Council. Council expressed concern that this was not a public strategy and requested this region be exempted from the program as it was envisaged taxpayers would not benefit from another tax, particularly seniors due to a fixed income. In response, Mr. Dillman advised there will be no exemptions granted in any of the Nova Scotia municipalities.

A brief discussion ensued on the percentage of funds to be returned to municipalities and the locations where containers can be taken for deposit refund. It was agreed an area listing of all depots would be provided to Council at the request of Councillor David Hendsbee.

Mr. Friesen circulated to Council a document entitled "Regulations Respecting Solid Waste-Resource Management."

Other concerns were raised by Council such as recycling fraud whereby there is stockpiling of containers by individuals, through any means.

In response to an enquiry from Councillor Bruce Hetherington as to how the RRF will collect the 10¢ for each can, Mr. Dillman advised this will be charged at source (at the distributor level).

MOVED by Councillors Rankin and Hetherington that this Council correspond with the Minister requesting Council's strong opposition to this program and request he consider a program exemption in this Region. The Motion was put and passed unanimously.

MOVED by Councillors Greenough and Walker to break for five minutes. The Motion was put and passed unanimously.

7. **APPOINTMENTS**

7.1.2 **Management Boards: Halifax County Regional Rehabilitation Centre and Ocean View Manor**

MOVED by Councillor Cooper and McInroy that current membership on the Halifax County Regional Rehabilitation Centre and Ocean View Manor be maintained. Further, interested Members of Council should submit their names to the Clerk.

ON A POINT OF CLARIFICATION, Councillor Hendsbee enquired about appointments to the Dartmouth General Hospital Board. In response, Mayor Fitzgerald advised that a list of recommended names will be forwarded to Council once the Committee structure of HRM is struck.

The Motion was put and passed.

8. **REPORTS**

8.1 **Audit Committee**

Mr. Larry Corrigan, Commissioner of Corporate Services, addressed Council through the use of overheads, outlining the analysis and RFP responses as they pertain to external audit services for HRM. It was the Committee's recommendation to award a five year external audit contract to KPMG.

MOVED by Councillors Schofield and Walker that Council award a five year external audit contract to KPMG and authorized staff to negotiate detailed terms, based on the RFP. The Motion was put and passed unanimously.

8.2 **Chief Administrative Officer**

8.2.2 **Stipends Committee - Recommendation**

MOVED by Councillors Schofield and Rankin to support staff's recommendation that former Councillors in each of the four municipal units be paid an ex-gratia payment equivalent to three times the monthly stipend received by each former Councillor at the time each was defeated or did not run in the 1995 municipal

election.

MOVED by Councillors Hendsbee and Epstein to amend the Motion to read “six times” rather than “three times.”

MOVED by Councillors Hetherington and Epstein to amend the Motion to take an average of three months pay of all Councillors involved and pay out the highest to each individual.

The Amended Motion was lost.

The Main Motion was back on the floor for discussion.

MOVED by Councillors Harvey and Hendsbee to amend the motion that the amount paid out to those Councillors involved be deducted from this Council’s stipend over a period of four and one half years.

The Amended Motion was lost.

Following a recorded vote, the Main Motion was carried (15 for - 8 against).

FOR:

Mayor Fitzgerald and Councillors Dooks, Snow, Hendsbee, Cooper, Greenough, Sarto, Hetherington, Schofield, Epstein, Walker, Stone, Hanson, Rankin and Mitchell.

AGAINST:

Councillors McInroy, Cunningham, Blumenthal, Downey, Adams, Barnet, Harvey, and Kelly.

ABSENT:

Councillor Uteck.

8.3 Commissioner of Community Services

8.3.2 Electrical Inspections - Update

Mr. Meech, Chief Administrative Officer, advised that the Province is not prepared to amend legislation which would have placed Halifax Regional Municipality in the position of providing the service of electrical inspections.

MOVED by Councillors Greenough and Hetherington that this report be received and tabled for information.

In speaking to the Motion, Councillor Adams suggested there is no reason why the municipal electrical inspectors could not provide the same service at a break even point, thereby saving four positions. Further, he expressed concern that clarification should be sought from the Province as it pertains to the definition of "down loading."

Councillor Blumenthal expressed extreme concern on the contents of the Minister's correspondence.

Councillor Epstein advised the Hon. Sandy Jolly is incorrect to suggest the legislation requires an amendment to permit the municipality to provide electrical inspections as he interpreted the existing Electrical Inspectors' Act as stating that existing inspectors could have been simply appointed. Further, financially, it would be in the municipality's best interests to provide this service.

MOVED by Councillor Epstein that the four electrical inspectors be kept on staff by HRM pending further negotiations with the Province.

Mayor Fitzgerald advised the Province does not want to discuss this matter in the Legislature due to a potential attack on the matter of metro's amalgamation. **Accordingly, he advised he would Second the Motion.**

A brief discussion ensued on the fact that HRM could become involved with liability suits and obligations should it take over electrical inspections from the Province.

Mr. Anstey advised that the HRM Act would have to be amended to allow for budget purposes and the Department of Labour would require from HRM a guarantee that HRM would assume all liabilities and consequences plus a personal guarantee that HRM electrical inspectors would be held personally responsible in the case of any liability.

Councillor Stone suggested correspondence be forwarded to the Minister with an invitation to attend a meeting of Council to provide clarification to her response.

Councillor Greenough noted that Council must be realistic. After April 1, 1996, HRM has no jurisdiction in the area of electrical inspections. Accordingly, HRM will have to accept this fact although correspondence should be forwarded to the Minister. Further, he suggested Council simply accept the report which has been tabled.

Councillor Uteck took his place at the meeting at approximately 9:55 p.m.

MOVED by Councillors Kelly and Hetherington that correspondence be forwarded to the Minister of Municipal Affairs outlining Council's concerns in this matter and requesting the Minister to reconsider her initial response; that this letter be copied to each MLA, and further, that this matter be brought back to Council following receipt of the Minister's response. The Motion was put and carried.

8.4 Commissioner of Regional Operations

8.4.1 Access-A-Bus Operation

Councillor Kelly noted that during Metropolitan Authority discussions on the issue of Access-A-Bus service, concerns were raised on the treatment by the current service provider of individuals using the service. Those using the service desire that the operation be managed by HRM.

MOVED by Councillors Kelly and Hendsbee that HRM absorb the responsibilities of the Access-A-Bus Operation thereby operating the service in-house.

In speaking to the Motion, Messrs George McLellan (Commissioner of Regional Operations) and Brian Smith (Director of Transportation) addressed Council noting there were no levels of standards created initially and that the current provider is not meeting expectations. Following discussions with Metropolitan Authority staff and representatives from Access-A-Bus, it was decided to create a level of standard and call tenders while at the same time, permitting Metropolitan Authority the opportunity to bid during the tender call.

Councillor Kelly reiterated his concerns in that problems were created due to lack of respect given to the ridership involved; therefore, the reasoning why Metropolitan Authority decided to provide this service in-house. Further, in his opinion, staff overview of the matter is incorrect.

MOTION LOST.

MOVED by Councillor Stone and Rankin to accept the recommendation of staff to give notice to Zinck Bus Company effective June 29, 1996; further to authorize staff to call for expressions of interest, list qualified bidders and go to tender for a new service provider; and further, to permit Metropolitan Authority to bid on this service. The Motion was put and carried.

8.4.2 Appointment of Local Traffic Authority

MOVED by Councillor Blumenthal and Snow to appoint Mr. Ken Silver as Local

Traffic Authority and Mr. Paul Connors as Deputy Local Traffic Authority. The Motion was put and carried unanimously.

8.4.3 Status of Municipal Taxi By-Laws

MOVED by Councillors Hetherington and Adams to maintain the status quo pending a review of the existing by-laws.

Councillor Blumenthal requested a staff report on "Access-A-Taxi." Mr. Smith advised that a report would be prepared.

A brief discussion ensued on a new Taxi Commission. In response, Mr. Meech, Chief Administrative Officer, advised that a paper will be prepared in this regard for the next meeting of Council.

Councillor Hetherington suggested correspondence be forwarded from HRM to each taxi stand advising who to contact regarding complaints.

The Motion was put and carried unanimously.

ON A POINT OF ORDER, Councillor Hendsbee enquired if the "Added Items" could be discussed at this point in time.

It was the consensus of Council that a report from the Solid Waste/Resource Advisory Committee be tabled for information this evening as a formal report will be forthcoming to Council in the near future.

ADDED ITEMS

CO-ORDINATED HOME CARE STAFF

Councillor Dooks made reference to March 15, 1996 correspondence which had been forwarded to all permanent staff of Co-ordinated Home Care (Dept. Of Social Services). Mr. Meech, CAO, agreed to forward correspondence to employees respecting the option of severance, etc. once it is determined in which agency those involved will be employed.

DOG TAG FEES

Councillor Cooper enquired if each municipal unit's dog tag fees would be harmonized. In response, Mr. Meech advised in the affirmative.

LAKE SAFETY PATROL - DARTMOUTH LAKES

Councillor Hetherington advised that the current lake safety patrol of Dartmouth Lakes expires May 1, 1996. Accordingly, it was suggested Halifax Regional Council look into this matter as soon as possible.

DISTRICT CAPITAL FUND CARRYOVER

Councillor Hendsbee requested a report on District Capital Fund Carryover for an upcoming meeting of Council.

PROPOSAL BY THE PROVINCE - MUNICIPAL UNITS TO PAY PST

MOVED by Councillors Kelly and Harvey that correspondence be forwarded to the Province expressing that Halifax Regional Council does not support a proposal requesting municipal units pay PST. Further, that all MLAs be copied. The Motion was put and carried unanimously.

ANONYMOUS REPORTS AND CORRESPONDENCE

Councillor Barnet requested the Staff Solicitor to review the matter of Mayor and Councillors receiving anonymous correspondence. In Councillor Barnet's opinion, it is inappropriate for staff to distribute same.

PARA TRANSIT

Councillor Hendsbee requested that staff prepare a report on "Para Transit" for an upcoming meeting of Council.

9. MOTIONS

9.4 Councillor Rankin re Provincial Department of Education Funding

MOVED by Councillors Hendsbee and Mitchell the following Resolution:

WHEREAS Halifax Regional Council requests the Province of Nova Scotia's attention to the matter of downloading of education costs to municipal taxpayers, taking into account that the Premier, when in Opposition in 1993, publicly expressed his party's dissatisfaction with the Conservative Government share as low as 85%; further, his own pledge during the last election was to go to 90% Provincial share;

AND WHEREAS

Halifax Regional Council strongly believes that the principle of the so called “revenue neutral” municipal exchange on roads, Police and Social Services, is not being appropriately evaluated. On the other hand, if the Province has not “made good” on assuming a greater share of people services, on education alone the current amount of downloading measured against the Government’s shortfall on education costs is 90% Provincial Share (pledge) minus 83% actual share, which equates to 7% (shortfall) times \$690 million (this year’s projected total education costs) = \$48.3 million projected off loaded cost to property taxpayers this year;

AND WHEREAS

The total funding requirement is estimated to be \$689.9 million for the 1996/97 fiscal year;

AND WHEREAS

At the beginning of the Savage Government, the municipal share of that day (15.31%) would cost the municipalities today \$105.6 million (\$689.9 m times .1531%), and at the proposed 1996/97 level of 17.30, it will cost \$119.4 million (689.9 m times .1730%) --- a difference of \$13.8 million to Halifax Regional Municipality taxpayers this year.

BE IT THEREFORE RESOLVED that this Council protest and request the Province of Nova Scotia to take responsibility for immediate redress to the growing downloading inflicted annually upon the residential and commercial taxpayers of Halifax Regional Municipality as documented on the table below:

YEAR	PROVINCIAL SHARE	MUNICIPAL SHARE
1993/94	84.69	15.31
1994/95	84.12	15.88
1995/96	83.40	16.60
1996/97 (proposed)	82.70	17.30

The Resolution was put and passed unanimously.

MOVED by Councillors McInroy and Blumenthal that the meeting adjourn at 11:00 p.m. The Motion was put and passed unanimously.

MAYOR WALTER FITZGERALD, CHAIRMAN

Respectfully submitted by:
Vi Carmichael, Municipal Clerk

