

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES April 6, 2004

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Steve Streach
Councillors: Krista Snow
David Hendsbee
Ron Cooper
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Stephen Adams
Brad Johns
Robert Harvey
Len Goucher
Reg Rankin
Gary Meade

ABSENT
WITH REGRETS:

Councillors Harry McInroy
Jerry Blumenthal

STAFF:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jan Gibson, Acting Municipal Clerk
Ms. Sherryll Murphy, Legislative Assistant

TABLE OF CONTENTS

1.	INVOCATION	5
2.	APPROVAL OF MINUTES	5
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	5
	10.1.2 Tabling of 2004/05 Capital & Operating Budgets	5
4.	BUSINESS ARISING OUT OF THE MINUTES	6
5.	MOTIONS OF RECONSIDERATION - None	6
6.	MOTIONS OF RESCISSION	6
7.	CONSIDERATION OF DEFERRED BUSINESS	6
8.	PUBLIC HEARINGS	6
	8.1 Case 00415: Amendment to the Municipal Planning Strategy for Dartmouth (Wright's Cove Area)	6
9.	CORRESPONDENCE, PETITIONS & DELEGATIONS	8
	9.1 Correspondence	8
	9.2 Petitions	8
	9.3 Presentation	9
	9.3.1 Prince Andrew Environmental Enhancement and Conservation Association (PAWEECA) - Point Pleasant Park Website - (i) Carla Ward - President and (ii) Kirk Sutherland, Vice President, Major Projects	9
10.	REPORTS	9
	10.1 CHIEF ADMINISTRATIVE OFFICER	9
	10.1.1 Tender 04-053, Vehicle Exhaust Extraction System - New Highfield Fire Station	10
	10.1.2 Tabling of 2004/05 Capital & Operating Budgets	10
	10.2 HERITAGE ADVISORY COMMITTEE	10
	10.2.1 Case H00124 - Addition to 1137 Ketch Harbour Road, the MacKey House (a Municipal Heritage Property, Ketch Harbour)	10
	10.3 MEMBERS OF COUNCIL	10
	10.3.1 Councillor Meade - Development Agreement Timelines	10

11.	MOTIONS	11
11.1	Councillor Hendsbee - Amendment to the Open Air Burning By-Law - Temporary Extension - Hurricane Juan Clean Up	11
11.2	Councillor Fougere - Amendment to Administrative Order #1, Relating to the Procedures for Public Hearings	13
12.	ADDED ITEMS	14
12.1	Councillor Mosher - Watershed Advisory Boards - Establishment of Standard Protocols	14
12.2	Pesticide By-Law / Insecticide Permit Process	15
12.3	Property Matter - Purchase of Murray Property, Lower Prospect	16
12.4	Personnel Matter - Citizen and Councillor Appointments to Boards Committees and Commissions	17
12.5	Legal Matter - Harbour Solutions Project - HPA/HRM License Agreement	17
12.6	Personnel Matter - Youth LIVE Program Review	17
13.	NOTICES OF MOTION	18
13.1	Notice of Motion - Councillor Smith - Possible Amendments to Building Code	18
14.	ADJOURNMENT	18

1. INVOCATION

The meeting was called to order at 6:00 p.m. with Councillor Hum leading the invocation.

2. APPROVAL OF MINUTES - March 23, 2004

MOVED by Councillor Hetherington, seconded by Councillor Sloane that the minutes of March 23, 2004, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Additions:

- 12.1 Councillor Mosher - Water Shed Advisory Boards - Establishment of Standard Protocols
- 12.2 Pesticide By-Law / Insecticide Permit Process
- 12.3 Property Matter - Purchase of Murray Property, Lower Prospect
- 12.4 Personnel Matter - Citizen and Councillor Appointments to Boards Committees and Commissions
- 12.5 Legal Matter - Harbour Solutions Project - HPA/HRM License Agreement
- 12.6 Personnel Matter - Youth LIVE Program Review

Noting that the 2004/05 Budget had been distributed this evening, it was **MOVED by Councillor Hetherington, seconded by Councillor Warshick that Council deal with item 10.1.2 Tabling of 2004/05 Capital & Operating Budgets, immediately following the Approval of the Agenda, Additions and Deletions. MOTION PUT AND PASSED.**

MOVED by Councillor Fougere, seconded by Councillor Hetherington that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Tabling of 2004/05 Capital & Operating Budgets

- The 2004-05 Operating Budget and Service Plans and the 2004-Proposed Capital Project Supplementary Reports and 2005-06 and 2006-07 Plan was circulated to members of Council. A document entitled Program and Service Review Committee, Review of the 2004/05 Proposed Business Planning and Budgets Service Implications was also distributed to Council.
- A schedule of Committee of the Whole Schedule, 2004/05 Business Planning and Budget Presentations was also circulated to Council.

MOVED by Councillor Hetherington, seconded by Councillor Sloane that the Proposed 2004/05 Operating and Capital Budget and Business Plan for the Halifax Regional Municipality be tabled.

Mr. McLellan made some brief introductory remarks commenting on the challenges HRM staff have overcome in the last year. He went on to advise that from a projected deficit position, staff has managed to achieve a projected break even position. Outlining the challenges to face in the upcoming year, Mr. McLellan noted amongst those is a 70% reliance on property tax. He went on to indicate that this is much higher than other cities, where the reliance on property tax is in the area of 50%.

Mr. McLellan went on to note that staff will be recommending that Council, as it has done in previous years, take advantage of the increase in assessment and reduce the tax rate. Mr. McLellan went on to note that approximately 30% of taxpayers will see a reduction in tax dollars paid to HRM as a result. Mr. McLellan advised that reduction in debt and increases in reserve balances will still be realized.

Betty MacDonald, Director, Governance and Strategic Initiatives, gave a brief overview of the focus for HRM in 2004/05 and initiatives included within the budget which address the Scorecard themes.

Continuing with the presentation, Mr. Bruce Fisher, Manager, Financial Planning, reviewed with Council the Residential Assessment Growth Rates. Mr. Fisher noted a large decrease in the growth of commercial property tax revenues and a slight decrease in the growth of residential property tax revenues in 2004-05. Growth in residential property tax revenues is significantly higher than growth in commercial property tax revenues.

Mr. Fisher went on to point out the fiscal challenges of the upcoming year and the key drivers of increases in the budget. Referring to key financial indicators, Mr. Fisher pointed out that HRM's total debt relative to other municipalities was still quite substantial. Mr. Fisher advised that the capital shortfall gap (to maintain assets where they presently exist) is estimated at \$27 million. A copy of the presentation is on file.

Concluding the presentation, Mr. McLellan noted that this budget represented no reduction in service and a gross operating increase of 3.5%.

Following a further short discussion, the **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

4. BUSINESS ARISING OUT OF THE MINUTES

5. MOTIONS OF RECONSIDERATION - None

6 **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS** - None

8. **PUBLIC HEARINGS**

8.1 **Case 00415: Amendment to the Municipal Planning Strategy for Dartmouth (Wright's Cove Area)**

- This matter was given First Reading at the January 20, 2004 meeting of Halifax Regional Council. A supplementary staff report dated April 3, 2004 prepared for Paul Dunphy, Director of Planning and Development Services, was before Council for consideration.

Mr. Kurt Pyle, Planner, gave a brief presentation as contained in the December 19, 2004 staff report . He noted that staff had provided a supplementary report dated April 3, 2004 which responded to questions posed by Councillor Smith at the January 20, 2004 meeting of Halifax Regional Council.

Following a review of the process for the benefit of the public, His Worship Mayor Kelly called for persons wishing to speak in favour of or against the proposal.

Scott Estabrook, Cold Lane

Mr. Estabrook addressed Council making the following points:

- The I-3 zoning was put in place 25 years
- Since that time a hold has been put on the property in the area, however, there has been no industrial or commercial development
- Area homeowners deserve to have the security of a residential designation
- The I-3 zoning impacts the value of area homes
- The homeowner's ability to mortgage the property is impacted due to the I-3 zoning
- Residential development should not be a great issue as there is very limited land on which to develop (two to three lots).

Jerry Pye, MLA representing Dartmouth North

Mr Pye addressed Council advocating on behalf of the impacted residents. Mr. Pye commented that:

- He believed an inequity existed with respect to application of the Holding Zone

- There appears to be an implication that the Holding Zone is equivalent to that of the Holding Zone in Portland Estates, Lakeview Estates, etc. In fact, the implication is that it allows the residential community of Greenbank Court, Cold Lane and Basinview to have the same benefits
- The Holding Zone does provide all the benefits of the R-1 zone, however, those residents who own more than one portion of land will not have opportunity to pass this land along to their children for residential development
- This is unlike Portland Estates where if you own three or four properties, you can develop those properties as residential properties.
- In this instance the Holding Zone will apply to only those properties on which a home is located. Those properties that do not have existing dwellings, do not have the opportunity to be developed residentially.
- This area is comparable with the south end Halifax which overlooks the container pier and is compatible with it or like the homes overlooking Fairview container pier
- Homes built here would overlook the Bedford Basin and would be compatible with the recreational use of the Bedford Yacht Club.

Peter Chaisson, Greenbank Road

Referring to the theory put forward that property value and zoning are not linked, Mr. Chaisson advised that this theory is incorrect as has been proven through experience. Mr. Chaisson commented that he was at a loss to understand why HRM does not want good looking development on the Harbour.

Mary Schumacher, Basinview Drive

Ms. Schumacher addressed Council and noted:

- That this area had originally belonged to Bedford
- The area had been forcibly amalgamated into Dartmouth and the promises made at the time were false
- This group of residents deserves some consideration and dignity
- There is a lack of beauty on the Dartmouth harbour front
- She would like to see some compassion toward the people who own properties in the area
- This battle has been ongoing for a number of years and it is time to have it resolved
- Area residents cannot mortgage or sell their homes and members of Council would not like to be in this position

Harvey Adams, Greenbank Court

Mr. Adams indicated that he would like Council to consider including his second lot, for which he has made application for consolidation, in the Holding Zone.

By way of explanation, Mr. Pyle advised that there were two property owners who had sought a lot consolidation to ensure both their lots were included in the holding zone. Mr. Pyle indicated that this would provide the residents with greater flexibility in terms of what could be located on the lot.

Mr. Pyle submitted a revised Map 1 which includes the two properties in question.

Resident, 32 Greenbank Court

A resident of 32 Greenbank Court addressed Council noting that he was the second of the property owners requesting inclusion of his second lot in the Holding Zone. He also has applied for a lot consolidation.

MOVED by Councillor Hetherington, seconded by Councillor Sloane that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Smith, seconded by Councillor Hetherington that Regional Council approve the proposed amendments to the Municipal Planning Strategy for Dartmouth, as shown on Attachment 1 of the December 19, 2003 staff report, to apply a Holding Zone to the parcels of land in Wright's Cove identified on revised Map 1 submitted at this meeting.

Following a brief discussion and questioning of staff, the **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

There were no petitions submitted.

9.3 Presentation

9.3.1 Prince Andrew Environmental Enhancement and Conservation Association (PAWEECA) - Point Pleasant Park Website - (i) Carla Ward - President and (ii) Kirk Sutherland, Vice President, Major Projects

- Correspondence from Carla Ward, President and Kirk Sutherland, VP, Major Projects, PAWEECA, was before Council for consideration.

Mr. Peter Bigelow, Manager, Real Property Planning, introduced Ms. Carla Ward , President and Kirk Sutherland, VP of Major Projects with PAWEECA.

Ms. Ward thanked Council for the opportunity to speak this evening providing a brief background to PAWEECA. She went on to advise that it is with pleasure that PAWEECA turns over ownership to HRM of the World Domain rights to www.pointpleasantpark.org and <http://www.pointpleasantpark.com>.

Mr. Sutherland reviewed in greater detail the sites being handed over and noted that PAWEECA would also be handing over the historic raw footage of the Park used in developing the virtual tours. Mr. Sutherland went on to note that PAWEECA would once again in May be carrying out its IWK "Trees for Kids" campaign.

Councillor Uteck thanked Ms. Ward and Mr. Sutherland for presenting this evening and for all the hard work undertaken by PAWEECA in developing the website. She further recognized Mr. Greg King, present in the gallery, for his contribution to this and other similar projects.

Councillor Warshick commented on the value of the work done by PAWEECA in light of the destruction caused by Hurricane Juan and thanked the students for a job well done.

Councillor Sarto commended the students on their hard work and generosity.

His Worship added his thanks to those of the Councillors and wished the students well.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 04-053, Vehicle Exhaust Extraction System - New Highfield Fire Station

- A staff report dated March 30, 2004 submitted by George McLellan, Chief Administrative Officer, was before Council for consideration.

MOVED by Councillor Cunningham, seconded by Councillor Sloane that Council authorize the award of Tender #04-053 to Atlantic Air Cleaning Specialists at a cost of \$59,174.52 (net HST incl) with funding from Capital Account # CBF00444 as outlined in the Budget Implications section of the March 30, 2004 report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Tabling of 2004/05 Capital & Operating Budgets

This matter was dealt with earlier in the meeting.

10.2 HERITAGE ADVISORY COMMITTEE

10.2.1 Case H00124 - Addition to 1137 Ketch Harbour Road, the MacKey House (a Municipal Heritage Property, Ketch Harbour)

- A report from Allan MacLellan , Chair, Heritage Advisory Committee, dated March 23, 2004 was before Council for consideration.

MOVED by Councillor Harvey, seconded by Councillor Adams that Regional Council approve the building addition to 1137 Ketch Harbour Road, Ketch Harbour, as described in the March 3,2004 staff report to the Heritage Advisory Committee. MOTION PUT AND PASSED UNANIMOUSLY.

10.3 MEMBERS OF COUNCIL

10.3.1 Councillor Meade - Development Agreement Timelines

Councillor Meade addressed the matter noting that prior to amalgamation there were no start times specified in Development Agreements. He went on to advise that a situation had arisen in his area where an individual is looking to amend a Development Agreement that has been in existence for some 25-30 years. Unfortunately, but not surprising, area residents do not even remember the original Development Agreement. Council Meade commented that this is no longer a problem as a requirement to execute a Development Agreement within a specified period is now included in all such agreements.

MOVED by Councillor Meade, seconded by Councillor Rankin that staff report on how time limits on execution can be applied to or included in Development Agreements that were put in place prior to such a requirement. MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

11.1 Councillor Hendsbee - Amendment to the Open Air Burning By-Law - Temporary Extension - Hurricane Juan Clean Up

- Notice of Motion regarding this matter was given at the March 23, 2004 meeting of Halifax Regional Council.

MOVED by Councillor Hendsbee, seconded by Councillor Snow that the Open Air Burning By-law be amended to allow for a temporary extension from April 15, 2004 to May 30, 2004 to give more time and opportunity for Hurricane Juan clean up in rural HRM.

Mr. Anstey advised that an amendment to the By-law would be carried out using the usual process and the extension of time would almost be expended at the end of that process.

Councillor Hendsbee suggested that given this circumstance there should be some allowance for the relaxation of enforcement of the By-law. Councillor Hendsbee noted that despite the best efforts of area residents last fall, there is still a great amount of clean up to be undertaken.

Chief Eddy advised that the Department understands the dilemma that many residents are in with the number of trees and brush down across the Region. He went on to note that his Department depended upon the Department of Natural Resources as the experts in woodland firefighting and the body responsible for firefighting in the County. Chief Eddy went on to note that his research indicates that fuel load is not the key determinant for having an increased threat for forest fire. In fact, high temperature, winds, low humidity, southern exposure of sloped land, and degree or depth of turf are all contributing factors.

Chief Eddy went on to indicate that the best deterrent to forest fires has been shown to be strong proactive measures. He went on to note that a public education program is a key component of the proactive measures to be taken. Noting that May and June, based on past experience, is a risky period, Chief Eddy commented that as the number of fires burning increase, so does the risk.

Seeking a resolution to the situation, Councillor Cooper proposed that staff prepare and amend a resolution that would permit burning in the rural area until such time as experts at the Department of Natural Resources advise the burning must stop.

A discussion ensued regarding possible solutions to the situation.

Mayor Kelly left the meeting and Deputy Mayor Streach takes the Chair.

Given the extraordinary circumstance, Councillor Rankin suggested that HRM approach the Province to determine what they might be able to do to assist in this regard.

Mr. Anstey noted that the date after which burning is not permitted which is set out in the By-law is the law upon which HRM must proceed. HRM can amend the By-law, however, the Province has no jurisdiction to do so.

Mayor Kelly returns to the meeting and Deputy Mayor Streach resumes his seat in Council.

Chief Eddy noted that Fire Services has been actively assessing sites, determining water supply, ascertaining the level of training of staff, and what equipment exists. In general, Fire Services is prepared to be more proactive in fighting woodland fires. The Chief further reiterated the public education would be a vital piece of the solution.

Chief Eddy went on to note that residents can clean up trees and brush all summer, pile these materials and then in October burn.

In response to a question from Councillor Hendsbee regarding which law takes precedent, the Provincial law or HRM's By-law, Mr. Anstey noted that as the HRM By-law is more stringent, it is the applicable law.

Councillor Hendsbee indicated that added to his difficulties with damage from Hurricane Juan is the fact that much of his area is in the beetle zone which does not allow for transport of debris outside the area.

Chief Eddy noted that his Department has been issuing special burn permits for properties having a beetle infestation.

Councillor Hendsbee asked if proof of infestation was required, or if being in the beetle zone would be sufficient to allow such a permit to be issued.

His Worship indicated that staff would respond at a later time.

The MOTION WAS PUT AND DEFEATED.

Members of Council voting in favour of the motion were: Mayor Kelly, Deputy Mayor Streach, and Councillors Snow, Hendsbee, Cooper, Warshick, Smith, Walker, Goucher, Rankin, and Meade.

Members of Council voting against the motion were: Councillors Sarto, Hetherington, Cunningham, Sloane, Uteck, Fougere, Hum, Mosher, Adams, Johns, and Harvey.

Councillors McInroy and Blumenthal were not present at the meeting.

11.2 Councillor Fougere - Amendment to Administrative Order #1, Relating to the Procedures for Public Hearings

- Notice of Motion regarding this matter was given at the March 30, 2004 meeting of Halifax Regional Council.

MOVED by Councillor Fougere, seconded by Councillor Sloane that staff bring forward a report regarding possible amendments to Administrative Order #1 relating to the procedures for public hearings.

Noting that there has been some inconsistency in the conduct of public hearings over the past number of years, Councillor Fougere provided the following list of issues she would like covered in the report:

- Start time of public hearings (evening vs. afternoon)
- Advertising one date versus two or more dates for a public hearing
- Procedures for recording the names of those wishing speak
- Dealing with capacity overflow, what is to be provided in the overflow location in terms of seating, security, audio and visual
- Introductory instructions regarding speaking time, name, address and whether or not the speaker is representing someone or some group
- Conduct of public hearing, for example, is the process 1. staff presentation 2. questions by Council for clarification and 3. public speakers
- Is Council permitted to ask questions of speakers, are they allowed to ask questions of staff?
- Will there be breaks?
- Continuation of the process if time runs out
- Conclusion mechanisms

A brief discussion ensued with Councillor Mosher submitting the Chebucto Community Council Public Participation Procedures/Guidelines for Public Hearings for consideration. She went on to suggest that carry over dates for public hearings should not be advertised, but that the advertisement should clearly state that individuals must be present on the date that the public hearing is advertised and should there be more speakers than time allows, a sign up sheet will be made available.

MOTION PUT AND PASSED UNANIMOUSLY.

12. ADDED ITEMS

12.1 Councillor Mosher - Watershed Advisory Boards - Establishment of Standard Protocols

- This matter was added to the agenda during the setting of the agenda.

Councillor Mosher addressed Council referring to Terms of Reference for all three Watershed Advisory Boards and noted that none of them was specific about the advisory capacity of these Boards. She went on to note that the Terms of Reference did speak to the Boards advising Regional or Community Council on items falling within their mandate.

However, recently an issue arose in District 17 regarding Hail Pond which was reported in the newspaper. The article implied a cross connection of raw sewage with a storm water drain and that raw sewage was being piped into the pond.

Councillor Mosher went on to advise that both she and staff were surprised to find that these concerns had first come before the Halifax/Halifax County Watershed Advisory Board in August. Councillor Mosher expressed concern with the lack of protocol in place with regard to matters of this nature. She noted that area residents had communicated similar concerns during a public meeting held coincidentally with this report in the newspaper.

Councillor Mosher referring again to the fact that it was her understanding that the Board had first dealt with this matter in August, suggested that if there had been a protocol in place the matter would have been communicated to staff. Councillor Mosher stated that the Halifax Water Commission has such a protocol in place.

Concluding her introductory remarks, Councillor Mosher noted that there were no common Terms of Reference for the three Boards and quoting from the minutes of a joint meeting of the Boards, noted that the Boards had expressed some concern in this regard.

MOVED by Councillor Mosher, seconded by Councillor Walker that matter of the Watershed Advisory Boards be referred to Environmental Management Services for a staff report to investigate establishing a protocol and procedure for reporting purposes and further that the report include an analysis of establishing similar Terms of Reference for these advisory boards.

Councillor Goucher expressed concern regarding a lack of Councillor representation on the Halifax/Halifax County Watershed Advisory Board. He went on to suggest that the Advisory Boards communicated and worked well together and if Council representation is a issue, this should be addressed.

A brief discussion ensued with Councillor Johns requesting an update relative to whether or not staff is considering establishing a Watershed Advisory Board for Sackville. The Councillor noted that this matter has been on the status sheet for the North West Community Council since August of 2003.

Following a further discussion the **MOTION WAS PUT AND PASSED.**

Members of Council voting in favour of the motion were: Mayor Kelly, Deputy Mayor Streach and Councillors Hendsbee, Cunningham, Sloane, Uteck, Fougere, Walker, Hum, Mosher, Adams, and Johns.

Members of Council voting against the motion were: Councillors Snow, Cooper, Warshick, Sarto, Hetherington, Smith, Harvey, Goucher, Rankin, and Meade.

Councillors McInroy and Blumenthal were not present at the meeting.

12.2 Pesticide By-Law / Insecticide Permit Process

- This matter was considered at the In Camera session of Halifax Regional Council held earlier today and was now before Council for consideration.

MOVED by Councillor Uteck, seconded by Councillor Fougere that:

- 1. Regional Council continue to support an enhanced, qualified third party pesticide permitting approach as described in this report.**
- 2. A letter from the Mayor and Regional Council be forwarded to the Federal Minister of Health, specifically requesting that federal recommendations to improve human health and environmental protection through proposed and approved changes in the Federal Pest Control Products Act and the Pest Management Regulatory Agency (PMRA) be expedited. Further, that the PMRA expedite the process to bring safer pest control products onto the market, as requested by the House of Commons Standing Committee on the Environment and Sustainable Development.**
- 3. A letter from the Mayor and Regional Council be forwarded to the Provincial Minister of Environment and Labour, specifically requesting that where possible, pesticide use information collected through the provincial pesticide applicators certification programs be made available to HRM to help better determine trends and overall pesticide use. Further, the Nova Scotia Department of the Environment and Labour look at enhancing its public education and awareness efforts towards more sustainable landscape maintenance practices including working more closely with the landscape industry, community and HRM.**
- 4. A letter from the Mayor and Regional Council be forwarded to the Provincial Minister of Health, the Minister of Health Promotion, and the Minister of Environment and Labour requesting financial contributions towards the costs of public education and awareness campaign on sustainable alternatives to pesticides.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Property Matter - Purchase of Murray Property, Lower Prospect

- This matter was considered at the In Camera session of Halifax Regional Council held earlier today and was now before Council for consideration.

MOVED by Councillor Meade, seconded by Councillor Snow that:

1. **Halifax Regional Council approve the withdrawal from the Parkland Reserve Account (Q107) in an amount up to \$20,500 to facilitate the purchase of lands in Lower Prospect known as PID #00587204, subject to the terms contained in the Private and Confidential staff report dated March 25, 2004.**
2. **This report not be released to the public until the transaction has been completed.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Personnel Matter - Citizen and Councillor Appointments to Boards Committees and Commissions

- This matter was considered at the In Camera session of Halifax Regional Council held earlier today and was now before Council for consideration.

MOVED by Councillor Fougere, seconded by Councillor Sloane that Regional Council:

1. **Approve the appointment of Judy Robertson to the Deadman's Island Committee (Ad Hoc)**
2. **Approve the staff appointment of Tanya Phillips to the Fences Arbitration Committee for a two year term to April, 2006.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.5 Legal Matter - Harbour Solutions Project - HPA/HRM License Agreement

- This matter was considered at the In Camera session of Halifax Regional Council held earlier today and was now before Council for consideration.

MOVED by Councillor Uteck, seconded by Councillor Hetherington that:

1. **Council authorize the Mayor and Municipal Clerk to execute the License Agreement (attached to the Private and Confidential staff report dated March 30, 2004) between Halifax Port Authority and Halifax Regional Municipality**

for the purpose of construction of the outfall/diffuser portions of the Harbour Solutions Project Sewage Collection System for a one-time lump-sum payment of \$37,416 plus HST.

2. This report not be released to the public due to the discussion of contractual issues regarding responsibility for payment of the fee.

MOTION PUT AND PASSED UNANIMOUSLY.

12.6 Personnel Matter - Youth LIVE Program Review

- This matter was considered at the In Camera session of Halifax Regional Council held earlier today and was now before Council for consideration.

MOVED by Councillor Uteck, seconded by Councillor Hetherington that:

1. Youth LIVE continue to provide services on behalf of HRM on a year to year basis with an annual review of its financial viability vis-a-vis other service provision alternatives.
2. This report not be released to the public.

MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

13.1 Notice of Motion - Councillor Smith - Possible Amendments to Building Code

Councillor Smith gave Notice of Motion that, at the next regular meeting of Halifax Regional Council to be held on April 13, 2004, he intends to bring forward a motion requesting staff for a report regarding possible amendments to the Building Code relating to a requirement to ensure that foundations for turf in new development have a minimum depth of topsoil and the soil have a certain mixture or level of compost added.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 8:30 p.m.

Jan Gibson
Acting Municipal Clerk