

Southwest New Brunswick Service Commission
Board Meeting
Minutes
March 28, 2013
Magaguadavic Place—Community Centre, St, George, NB
V 2013-4-26

Minutes of the meeting of the Board of Directors of Southwest New Brunswick Service Commission held on Thursday March 28, 2013 at 6:00 p.m. at Magaguadavic Place—Community Centre, St, George, NB

IN ATTENDANCE

BOARD MEMBERS

Daniel Dow, LSD Representative, Chairperson
Frank Carroll, Mayor of McAdam, Vice-Chairperson
Carla Brown, LSD Representative
Garry Christie, LSD Representative
Vern Faulkner, LSD Representative
Winston Gamblin, Mayor of Harvey
Stan Choptiany, Mayor of St. Andrews
Frank McCallum, LSD Representative
John Quartermain, Mayor of St. Stephen
Darrell Weare, LSD Representative
Nick Cleghorn, LSD Representative
Terry James, Mayor of Black's Harbour
Susan Farquharson, LSD Representative
Danny Henry, Mayor of St. George

OTHERS

Frank Tenhave, Executive Director
Dianne Orr, Contracted Assistant

Members of the general public were also present.

1. CALL TO ORDER

The meeting of the Southwest Service Commission was called to order at 6:10 p.m. by the Chairman, D. Dow.

2. AGENDA

The Chair referred everyone to the agenda that was circulated by e-mail and in hard copy in their files, and asked if anyone had any additions to make to it. The Chair asked for four items to be added. Attached is a copy of the revised agenda based on these additions.

13-32 It was moved by W. Gamblin, seconded by N. Cleghorn that the agenda be accepted with the four additions. **CARRIED.**

3. CONFLICT OF INTEREST DECLARATIONS

The Chair asked whether there were any conflicts of interest and none were brought forth.

4. REVIEW AND APPROVAL OF MINUTES

Minutes were reviewed and discussed and two corrections were added. Attached is a copy of the revised minutes based on these changes.

13-33 It was moved by T. James, seconded by C. Brown that the minutes be accepted with the revisions. **CARRIED**

5. EXECUTIVE DIRECTOR'S REPORT

F. Tenhave gave his report stating that systems are continuing to be put in place, as well as, cost saving procedures being considered. He also provided an update on items and issues discussed at the monthly meeting of the 12 Executive Directors and the Department of Environment and Local Government. In general all RSCs are now focused on just getting their structures and systems in place and on gaining a good understanding of their solid waste and planning components.

6. EXECUTIVE COMMITTEE

D. Dow read the Executive Committee Report describing the continuing work being done. The topic of training, PRAC policy, out of pocket costs to Board members for being on the Board and committees, and the cost of the new website being some of the items discussed

7. AD HOC POLICING SERVICES TERMS OF REFERENCE—GOVERNANCE COMMITTEE

F. Carroll discussed the Community Council Policing Committee Governance Manual that was circulated by e-mail and in hardcopy in member's files at the meeting. This model was put together after many hours of work. He stated that there may be more changes to it as the RCMP will likely redefine the terminology used in their new regional alignment which may include the terms "district" and "commander/commissioner" being replaced. He recommended that the word Council be removed from the title Community Council Policing Committee (CCPC) throughout the document. He pointed out many specific important items and procedures as he reviewed the document so that the Board clearly understood the intent of such components. He commented on the unique geographic location of this region and how this meant that several other agencies could serve as resources to this committee and were therefore listed within the document. Through discussions of this point he supported the suggestion that Transport Canada (the Federal Minister of Transport) be added to this list in addition to such listed agencies as the Canadian Border Services Agency, US Customs and Immigration Service, Department of Fisheries and Oceans, the Department of Agriculture, Fisheries and Aquaculture, and so on. It was discussed that in order to encourage the input and assistance with this regard, that the meetings would be advertised, and a letter of invitation would be sent out to all appropriate stakeholders if the Board approved this approach and the terms of reference for the Policing Services Committee. As outlined in the document, the Chair and Vice-Chair would be appointed

during the first meeting. The document also indicated that the only expenses paid by the Board to this Committee would be for all members on the Policing Services Committee's Executive Committee for Executive Committee meetings only. In addition he indicated that the cost of the room rental, refreshments, etc. for full Policing Services Committee meetings would be paid for by the SNBSC. During the discussion period there was a request to have the agreement between the Town of St. Andrews and the RCMP added to the document for completeness and the consensus was that this should be done.

13-34 It was moved by F. Carroll, seconded by N. Cleghorn that this document and the points as outlined and reviewed by F. Carroll be accepted as the Policing Services Committee's terms of reference, with the amendments as just discussed, and that the Policing Services Committee proceed immediately with implementation of the structure as outlined in the document. **CARRIED.**

8. AD HOC PRAC COMMITTEE MEMBERSHIP SELECTION COMMITTEE

S. Farquharson submitted a verbal report confirming the results of the March 23rd meeting. In the selection of representatives, 9 names from the public were received for consideration on the PRAC. It was stated that 8-10 members are allowed under the revised PRAC bylaws and a total of 8 would be filled now with 2 seats open for filling later, including possibly one from the islands. In addition to the 3 Board members on the committee (S. Farquharson, V. Faulkner, and N. Cleghorn), she presented the 5 names of the people recommended from the public to serve on this committee;

Wayne MacQuarrie
Sam Walsh
Janet Hunt
Bill Campbell
Brian Cornish

As per the PRAC bylaws, the committee meeting will take place every second Tuesday of the month. An Orientation/Training meeting for this new committee would be organized soon, possibly on April 9 if the majority of the newly selected members could attend.

13-35 It was moved by S. Farquharson, seconded by J. Quartermain that the Board accept/appoint these 5 individuals for a 4 year term thereby establishing the Planning Review and Advisory Committee (PRAC) for SNBSC as required in Section 3 of the PRAC by-laws and operating procedures. **CARRIED.**

9. AUDIT COMMITTEE

D. Weare brought forth the report from the audit committee, stating that the committee had not met. With regard to the Solid Waste Commission audit, the preliminary work is done however the work regarding the Rural Planning Commission component was being worked on and the draft will be reviewed with the other affected regional service commissions that have inherited a portion of the Rural Planning Commission assets and liabilities when the RSC system was implemented. It was put forth that it would be wise to delay the appointment of auditors for next year until October in order that we may have enough time to make a competitive choice in auditors in the future.

13-36 It was moved by D. Weare, and seconded by S. Choptiany that the appointment of auditors be delayed until October, in order to have enough time to make a competitive choice in auditors. (1 opposed.) **CARRIED**

10. FINANCE AND BUDGET COMMITTEE

C. Brown submitted the verbal Finance Report, stating that the first meeting occurred last Thursday (March 21st). The discussions included previously circulated questions and answers in regard to some specific costs of operations at the solid waste facility. The committee will be visiting the solid waste facility to learn more about the operation and gain insight into the cost of the operation. This is scheduled to happen in April. This visit should contribute to a determination of whether or not further study is needed. It was expressed that the facility manager should be included in all discussions and be given the opportunity to explain how the budget and systems in place were being managed.

11. THE FUTURE USE OF TELECONFERENCE CALLING

It was expressed that teleconferencing may not be the perfect solution, but it does help to improve meeting participation. It is set up for members from the islands and members outside of the region. It was suggested that weather and other events should also be included as times when this option could be used by all Board members. Specifically on days when schools were not closed but Board members were concerned about travelling / road conditions in order to go to a Board meeting; they could use the teleconference option.

13-37 It was moved by S. Farquharson and seconded by S. Choptiany, that the procedural by-law be changed to state that teleconferencing include Island members and other members of the Board on storm days when school is not cancelled. **CARRIED**

12. REVIEW OF CHANGES TO THE BY-LAWS

The by-laws that were revised by Board member V. Faulkner were reviewed and it was stated that no new language was added and that the intent of the by-laws was not changed, they were simply polished for consistency, clarity, etc. Vern reviewed the document and the changes were pointed out, followed by a discussion. There was also discussion of the various versions of documents and it was stated that once the "intranet" on the web site was established, it would be easier for members to obtain the most accurate information needed from there rather than have the many versions of documents being sent out. It was stated that all documents would continue to change and require updating as needed but by doing so to the "intranet" and "internet" versions it should be much less confusing.

13-37 It was moved by V. Faulkner, seconded by G. Christie, to accept the proposed changed by-laws as written and presented. **CARRIED.**

13. APPOINTMENT OF "HEAD" TO MEET NEW LEGISLATION

The Freedom of Information and Right to Privacy Act was discussed at length as it was stated that this organization falls under this legislation as of April 1st. In order to be structurally in compliance the Board was advised that it needs to select a "Head" as outlined in the legislation. This designation indicates the person ultimately responsible for the organization's fulfillment of the requirements under this Act. There were comments about the added cost to this and other organizational requirements as a result of compliance to

this Act. The Chair indicated that once the "Head" was designated, that person would then be able to appoint a staff member as the "Coordinator", something also called for under the Act, from within staff and that that person should be the Executive Director. The consensus was that this was an appropriate process to follow.

13-38 It was moved by F. Carroll and seconded by S. Farquharson that the Chair of the Board of Directors would be the person designated as this organization's "Head" for the purposes of the province's Freedom of Information and Right to Privacy Act. **CARRIED**

14.UPDATE AND DISCUSSION OF REPRESENTATIVE ON THE PROVINCE'S ADVISORY GROUP

The issue of representation on the province's Advisory Group for changing the province's existing Municipalities Act and Planning Act was discussed by the Chair and he gave a brief summary of the developments on this over the last couple of months. Documentation on all of this was referred to in the Board member's meeting file. The discussion centred around who from the Board should sit on the advisory group, if anyone from SNBSC was selected, and if no one from here was asked to sit, would the Board be interested in presenting a brief to the government on our views. Both these points were discussed at length

13-39 It was moved by S. Farquharson, seconded by C. Brown that D. Dow's name continue to be this commission's (interim) representative listed with government until such time as he is contacted about sitting on this Advisory Group at which time the Board would revisit this question. **CARRIED**

13-40 It was moved by F. Carroll and seconded by F. McCallum that an Ad Hoc Committee be formed to prepare a submission to government and that T. James, N. Cleghorn and V. Faulkner, who have volunteered to be this committee, be appointed to serve. **CARRIED**

15.INFORMATION MANAGEMENT SYSTEMS

There was a discussion with regard to information sharing; the amount of it, the confusing number of versions of various documents, and so on. Many felt that there were too many changes to documents and that the final documents should come from the Executive Director's office only when all changes are made. It was also brought forth that the completed Agenda be circulated 10 days in advance of the meeting and that there should not be further changes until the actual meeting.

13-41 It was moved by S. Farquharson, and seconded by T. James that all updated documents and edits should come only from the Executive Director and that the agenda for Board meetings be circulated at least 10 days before the meeting and that no further changes to it take place until at the actual meeting. **CARRIED.**

16.APPROVAL OF THE "WHITE GOODS" PROGRAM

The Board was asked to consider approving the "white goods" program at the solid waste facility for another year, as is. Several stated how beneficial the "White Goods" program has been in the past, how being able to place old appliances curbside is a great asset, and how the public really saw a benefit from the solid waste group offering this program.

13-42It was moved by W. Gamblin, and seconded by T James, that the Board approve the "White Goods" program being offered this year the same as last year. **CARRIED**

17. APPROVAL OF EXECUTIVE COMMITTEE TERMS OF REFERENCE

The terms of reference for this committee were discussed and it was pointed out that at the last board meeting not all members had seen these so the Board decided to accept them as a draft and have them receive a final approval at this meeting. There was a full discussion of the terms of reference and in particular the clause indicating that the Executive Committee had "minor decision making" power. The pros and cons of this were debated by the group.

13-43It was moved by F. Carroll, seconded by W. Gamblin to accept the terms of reference as circulated and discussed and further agreed that the clause "...engage in minor decision making,..." be removed from the document. **CARRIED.**

18. ADDITIONAL ITEMS OF BUSINESS

(a). FINANCIAL CONTRIBUTIONS

The subject of requests coming to the new regional service commission was discussed at length. This discussion expanded to include requests by various groups looking to make presentations to the Board and thereby seeking support for a position or issue. The Board discussed the merits of these items and the many time demands on the group during this hectic start-up period. The Chair suggested a motion to limit all of this during the first year of the commission.

13-44 It was moved by T. James and seconded by P. Dodd that this commission will not consider any financial contributions to any group or cause during its first year of operation. This would also include not having presentations made to the Board seeking either financial contributions or seeking any other kind of action that could be deemed as taking a "political" position. Further, this policy would be re-examined in the second year of this Commission's operation. **CARRIED**

A further discussion regarding this motion ensued concerning whether or not this policy should include the scholarship program that has been in place for many years at the solid waste facility. Given the different points of view on this subject, the Board decided to table this item until the next meeting.

(b). POSTPONED MEETINGS

There was discussion of the difficulty in rescheduling a postponed meeting due to the shortness of time and the probability that the meeting room could be booked for the backup date. It was stated that such a situation would have occurred with the current meeting had it been forced to be postponed due to weather. The Chair suggested that a solution could be to have a motion for a policy that stated that whenever a Board meeting is postponed due to weather, the location of the meeting on the back-up date (the following Tuesday) would automatically be at the boardroom of the solid waste office building in Lawrence Station. This policy would then be reviewed when the new corporate office is established at a permanent location and an alternative meeting room might be available there.

13-45 It was moved by D. Henry, seconded by D. Weare that the location of the Board meeting after a postponed meeting, on the back-up date, would automatically be at the boardroom of the solid waste office building until such time as a new location for the corporate office is established and an alternative meeting room is also available. **CARRIED**

At this point Board member Vern Faulkner took note of the time and indicated that in order to go beyond 9:30 a motion by the Board would be needed. There was a brief discussion of this point and whether the bylaws called for such a motion.

13-46 It was moved by V. Faulkner and seconded by G. Christie that the meeting be extended past 9:30 p.m. **CARRIED**

(c). TECHNICAL ADVISORY COMMITTEE

The need for a Technical Advisory Committee for the solid waste facility was discussed by the Board. It was noted that the governance structure of the previous solid waste commission had such a committee and it served an important service in providing that Board with expertise and recommendations that this current regional service commission Board does not have. It was recommended that this type of committee be re-established as there were a number of complex issues regarding the infrastructure at the solid waste facility that will require addressing in the near future. The Chair suggested that a motion to create a Technical Advisory Committee for the solid waste portion of the commission and SNBSC would be needed to do this. In addition it should be a standing committee within the governance structure. He further recommended that it be made up of individuals from both within the Board and from outside, and that the criteria for sitting on the committee be focused on a technical background and experience. Further the recommendation was that this committee be chaired by a member of the SNBSC Board and that person would report back to the Board on behalf of the committee.

S. Farquharson put forward her name to sit on this committee and Dan Dow indicated that he would be attending as well – as Chair he is ex-officio on all committees and thus open to attend all committee meetings.

13.47 It was moved by S. Farquharson, and seconded by J. Quartermain, to accept this motion, as read by D. Dow, that a Technical Advisory Committee be established as a standing committee of the Board, that it be made up of both Board and non-Board members, with selection on this committee being based on expertise and experience, and that it be chaired by a member from this Board who would report back to the Board. **CARRIED.**

(d). EXPENSES

The discussion opened on the subject of out of pocket expenses and remuneration of Board members serving on committees something that was discussed at a previous Board meeting. At that time the Board directed the Executive Committee to do research into all other commissions and municipal council guidelines, and come back to the Board with recommendations. Chair recommended that a motion be brought forward to address the differences in the out-of pocket cash costs that some Board members incur as part of their work on this Board and committees as compared to others that have access to office goods

and services that are not at their personal cost. It was recommended; \$50 per month for Board meetings and \$10 per month per committee per month. There was a full discussion of this point and members of the Executive Committee indicated that they had discussed this at length and in their opinion this was an appropriate approach. It was stressed that this would be optional as there is a great deal of variation in personal costs across the Board. This point was debated as well.

13-48 It was moved by F. Carroll, seconded by N. Cleghorn that all members of the Board would have the option to claim incidental office expenses of \$50 per month for Board meetings and \$10 per Committee per month on their expense forms. **CARRIED.**

19.LOCATION OF NEXT BOARD MEETING

It was decided that the next Board meeting will be held in St. Andrews on April 25, 2012 at 6 p.m. at the WC O'Neill Arena.

QUESTIONS AND DISCUSSION

Questions and comments from the public were requested by the Chair and answers were provided.

IN-CAMERA BUSINESS

At 10:15 p.m. it was moved by C. Brown that the public meeting be adjourned and that the Board move into an in-camera session after a short break. Approximately half of the Board members remained for this session.

The in-camera discussion centred on information management issues raised during the Board meeting.

There was a discussion of applying the 10 day 'rule' to all documents and not just the agenda i.e. the version of a document would be as of the same date as the agenda was created. Comments were made that there could be some problems in trying to do this that could add confusion.

There appeared to be a consensus among the group present that the Board meetings should use the teleconference calling technology available from Aliant i.e. set up a conference calling account with them, for several reasons stated by members familiar with it;

- 1) it was much cheaper than the way we are currently doing it
- 2) we would have the same conference code and call in number
- 3) it would be always available so timing was never an issue
- 4) it has a recording feature that would be helpful in keeping accurate minutes

The Executive Director indicated that he would put such a system in place as soon as possible.