

**Southwest New Brunswick Service Commission**  
**Board Meeting**  
**Minutes**

**April 23, 2015**  
**Magaguadavic Place**  
**St. George, N.B.**

**IN ATTENDANCE:**

**BOARD MEMBERS**

Frank Carroll, Mayor of McAdam, Chairperson  
Garry Chrisite, LSD Representative, Vice - Chair  
Darrell Weare, LSD Representative,  
Carla Brown, LSD Representative  
Winston Gamblin, Mayor of Harvey  
Terry James, Mayor of Black's Harbour  
Daniel Dow, LSD Representative  
Dennis Blair, LSD Representative  
Wade Greenlaw, LSD Representative  
David Szemerda, LSD Representative  
James Tubbs, LSD Representative  
Stan Choptiany, Mayor of St. Andrews  
Joyce Wright, LSD Representative  
John Quatermain, Mayor of St. Stephen

**OTHERS**

Frank Tenhave, Executive Director SNBSC  
Tammi McCrum, Coordinator, SNBSC  
Mark Porter, CA, SNBSC

**PUBLIC:**

Six person were in attendance from the public

**Call to Order**

The meeting of the Southwest New Brunswick Service Commission was called to order at 6:01 p.m. by the Chair F. Carroll.

## **Conflict of Interest Declarations**

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

## **Approval of Agenda**

F. Carroll asked to make a couple additions to the agenda. Under section 10, Executive Committee Report he would like to add a resignation from a committee, and under agenda item 13, Location and Date of next meeting he would like the Board to discuss this topic.

**15-36** It was moved by W. Gamblin, seconded by G. Christie that the agenda be accepted with the addition of these two items. **CARRIED**

## **Approval of the Minutes of the March 26, 2015 Meeting**

**15-37** It was moved T. James, seconded by J. Tubbs that the March 26, 2015 minutes be accepted as circulated. **CARRIED. D. Weare voting Nay**

A Point of Order was raised by D. Dow regarding the Planning Committee report at the March 26, 2015 meeting. D. Dow stated that this report was not sent out in the 72 hours before that meeting. He would state that all motions or resolutions would be nulled and voided. After much discussion, Chair F. Carroll stated that the Board members was asked if they would allow this report and its recommendation to go ahead. The Board accepted the report and made a motion to do what the committee recommended (larger Planning office space) as this was time sensitive.

**15-38** It was moved by W. Greenlaw, seconded by T. James that the Planning Management Committee report stands as stated in the March 26, 2015 meeting. **CARRIED. Voting Nay was D. Weare and D. Dow.**

## **BUSINESS ARISING FROM PREVIOUS MEETING**

### **Final Review of 3 SNBSC Priority Documents**

D. Szemerda, gave a brief overview on the change that was made to SNBSC, Priority #1, Rural Communications. The only change that was made was in recommendation #2. This was asking to identify where the infrastructure money was slated to go in our region.

Executive Director, Frank Tenhave gave the brief outline on the SNBSC Priority #2, Economic Development. He noted that nothing has changed from the last meeting. After much discussion it was decided to leave this report as it was.

J. Tubbs, gave a brief overview of the SNBSC Priority #3, Governance. This priority has four points that this Board would like the Government of New Brunswick to change and these would require changes in the regional service commission legislation.

**15-39** It was moved by T. James, seconded by W. Greenlaw that after careful reviewing and discussion on these three priority documents, that the SNBSC Board supports these documents. **CARRIED. Voting Nay was D. Weare and D. Dow.**

#### **Possible SNBSC Priority #4 Document**

Chair, F. Carroll asked the Board for some guidance on this priority. The circulated draft document pertains to the infrastructure closure and service reduction in our region. This would be presented at the Special meeting on April 27<sup>th</sup> as an additional priority if the Board so wished.

**15-40** It was moved by D. Dow, seconded by W. Greenlaw that the SNBSC will have a fourth priority document for the April 27<sup>th</sup>, special meeting. **CARRIED.**

Much discussion was focused on the St. Stephen court closure, especially with respect to additional policing costs, accessing the justice system in Saint John, and taxation for the SNBSC region in order to pay for higher policing costs. The lack of support for victims of crime and young offenders were highlighted as additional costs to the region. S. Choptiany spoke in detail on these items and it was suggested that he and J. Quartermain might be best suited to do the revisions to this document for presentation to the Minister.

**15-40** It was moved by S. Choptiany, seconded by D. Dow that the Infrastructure Closure and Service Reductions Concerns be presented at the April 27<sup>th</sup> meeting as Priority #4. **CARRIED.**

**15-41** It was moved by W. Greenlaw, seconded by J. Tubbs that S. Choptiany and J. Quartermain will present Priority #4, Infrastructure Closure and Service Reduction concerns at the April 27<sup>th</sup> meeting, with full editing permission on behalf of the SNBSC board. **CARRIED.**

Chair F. Carroll mentioned that there are more concerns about other infrastructure closures or possible closures in the region. Several members stressed that these are important issues that need to be addressed for this region and that the SNBSC is 100% against any closures in the region.

**15-42** It was moved by S. Choptiany, seconded by D. Dow that a letter be sent to the Premier and the Minister, that the SNBSC board are against any hospital closures in our region. **CARRIED**

**15-43** It was moved by S. Choptainy, seconded by D. Dow that a letter be sent to the Premier and the Minister, that the SNBSC board are opposed to the court closures in St. Stephen and Grand Manan. **CARRIED.**

#### **Letter to TransCanada and the NEB**

A draft letter to the TransCanada Pipeline Company, Inc. was in each member file folder for review.

**15-41** It was moved by T. James, seconded by D. Szemerda that the letter to the TransCanada Pipeline Company, Inc. be sent as presented. **CARRIED.**

### **Legal Cost Report**

Chair, F. Carroll stated that a request for legal fee cost was made at a public meeting. A document was in each member file folder. It was just for information purpose and if anyone had comments they could ask at the next meeting.

**15-42** It was moved by D. Dow, seconded by T. James that this item would be put on next month agenda for members to ask questions. **CARRIED.**

### **Internal Issue before Board**

D. Dow raised a Point of Order on this issue. He indicated that he believed that there was three Board members that were in a conflict of interest when the closed session was held before and after the last Board meeting. The Board's Procedural Bylaw section 4.4 and 4.8 was quoted on this issue. It indicated that members must declare the conflict of interest themselves.

It was suggested that the meeting adjourn for 10 minutes to allow D. Dow and S. Choptiany to discuss the details of his Point of Order.

**15-43** It was moved by G. Christie, seconded by C. Brown that on the advice of the Parliamentarian that the board move into a closed session. **CARRIED.**

After a full discussion of this issue with the Board, there appeared to be consensus that there were no grounds for the Board to take any action on this Point of Order. However, if individual Board members wished to go further with this, at their own expense, they could do so. With that the Board returned to open session.

**15-44** It was moved by W. Gamblin, seconded by D. Weare that this meeting adjourn. **DEFEATED. Voting Ya was D. Weare.**

**15-45** It was moved by G. Christie, seconded by C. Brown that in response to an internal issue before this board, that D. Weare be removed from the Finance and Audit committee, by this board. **CARRIED. Voting Nay was D. Dow**

At this point D. Weare made a series of heated and inappropriate comments aimed at the Board and in particular at the chair. Seeing this outburst and loss of decorum in the meeting, S. Choptiany rose and invoked his duty as Parliamentarian to restore order, and proceeded read aloud: "Section 6.6.2 Improper Conduct of Board Member. Remarks made in the course of discussion shall be clear and concise, in good taste and shall give offence to no one."

No Board member shall resist the rules of the Board; disobey the decision of the Chair on a question of order or procedure other than the Parliamentary. In case any Board member continues to resist, or disobey; the Chair may order such Board member to vacate his or her seat for the rest of the meeting. The absence of such a member from the meeting shall not affect quorum. Upon apologizing, he or she may, by majority vote of the Board present, shall be permitted to retake his or her seat.”

With that he asked D. Weare to leave the meeting and not to return until he had fulfilled the requirements just read. Upon hearing this, D. Weare made a couple of more provocative comments and actions but did leave the meeting.

### **Changes to Board Committees**

The chair raised this agenda item, referred to the committee sheet circulated, and asked all present if there were any members that wished to be added or removed from the committees.

C. Brown indicated that she was resigning from the Planning Management Committee.

The Ad-Hoc Procedural Bylaw Review committee was not formed but set aside to be dealt with at the next Board meeting. Executive Director, Frank Tenhave, indicated that he would e-mail everyone a list of potential bylaw items for discussion and possible change that he had accumulated over the last many months. Board members that wished to have other bylaws considered for review could send them to him for addition to the list. With this information it was felt that members would be in a better position to decide if they wanted to become a member of this Ad Hoc committee.

### **COMMITTEE REPORTS**

#### **Community Policing Committee**

G. Christie gave a brief report on this committee’s last meeting held on March 30. It was a recorded session by CHCO-TV that would be televised at a later date. This triggered more discussion around the table of the pending court closures in the region.

**15-46** It was moved by G. Christie, seconded by W. Greenlaw that the SNBSC write a letter to the premier and Minister of Finance in support of keeping these courts open on behalf of this committee. **CARRIED.**

#### **Finance and Audit**

D. Dow gave a brief report on the report that was in each members file folder. Most of the discussion was on how present the monthly financial statements to the board.

**15-47** It was moved by J. Wright, seconded by D. Dow, that there will be Monthly Summary Financial sheets, plus a detailed copy of the Income Statement and Balance sheet which would include the Corporate costs breakdown. **CARRIED.**

**15-48** It was moved by D. Dow, seconded by J. Wright that the Finance and Audit Committee recommends that the SNBSC transfer \$106,000.00 from the Solid Waste Capital Reserve Fund for the D5 Dozer purchase. **CARRIED.**

### **Executive Committee**

T. James gave this report. She indicated that this committee met on April 16, with most of the discussion concerning setting the agendas for the upcoming AGM and regular Board meeting as well as the Special Meeting with the ELG Minister meeting on April 27.

Chair, F. Carroll informed the board that he accepted Vern Faulkner resignation off the EMO PPC committee.

### **Executive Director**

Executive Director, Frank Tenhave referred to the report he circulated and were in the Board members file folder, and proceeded to give a brief report of what has happen in the last month. The newly formed Ad Hoc Animal Control did have a meeting with the NBSPCA in Fredericton.

### **Monthly Financial Statements Summary**

Mark Porter reviewed the monthly financials that were in each member's file folder. He answered questions from Board members regarding these.

### **Items for In-Camera Discussion**

There was one in camera session earlier in the meeting. No additional session was requested.

### **Time and Location of Next Board Meeting**

Chair, F. Carroll noted that due to having the AGM and Regular meeting on April 23<sup>rd</sup> plus the upcoming Special Board meeting with the ELG Minister on April 27<sup>th</sup>, it would be appropriate to hold the next regular Board meeting in June. This was discussed and the consensus was that this would be a right way to go.

**15-49** It was moved by D. Dow, seconded by T. James that the next regular board meeting be held on Thursday June 25<sup>th</sup> @ 6pm at the McAdam Train Station in McAdam. Supper will be supplied for this meeting at 5 p.m. **CARRIED.**

### **Questions and Answers from the general public**

Chair F. Carroll indicated to the public that the internal issue before this Board was something that would not be commented on.

**Adjournment of the regular board meeting**

The Chair, F. Carroll asked for a motion for the regular meeting to be adjourned at 8:44 pm.

**15-50** It as moved by G. Christie that the meeting be adjourned.

Minutes Approved by;