

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

**June 25, 2015
McAdam Historic Train Station
McAdam, N.B.**

IN ATTENDANCE:

BOARD MEMBERS

Frank Carroll, Mayor of McAdam, Chairperson
Garry Christie, LSD Representative, Vice - Chair
Heather Hatt, 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
Annette Townes, 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:

Three persons were in attendance from the public

Call to Order

The meeting of the Southwest New Brunswick Service Commission was called to order at approximately 6:00 p.m. by the Chair F. Carroll.

Upon seeing Board member Darrell Weare at the table, the chair asked if he had any comments he wished to make to the Board. (By way of explanation the chair was offering him the opportunity to apologize to the Board for his behavior at a previous Board meeting which resulted in his expulsion. In such circumstances, under the procedural bylaws of the commission, in order to return to the Board table he is required to offer an apology to the Board and the Board would have to vote on whether or not to accept it i.e. if the majority approve it, he would be allowed back to the table.)

Mr. Weare indicated that he would not be apologizing to the Board and went on to attempt to raise other issues of concern to him. The chair immediately indicated that as he was not willing to apologize, he is required to vacate his seat at the Board table and none of his issues would be dealt with. Under verbal protest, Mr. Weare did leave the table and the meeting returned to its agenda.

Conflict of Interest Declarations

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

Public Presentation

David Bartlett was scheduled to make a presentation. He was not in attendance at this time, so the consensus of the Board was to continue on with the agenda items until he arrived.

Approval of Agenda

15-51 It was moved by W. Gamblin, seconded by H. Hatt that the agenda be accepted as circulated in each member's folder. **CARRIED**

Approval of the Minutes of the April 23, 2015 Meeting

15-52 It was moved by W. Gamblin, seconded by T. James that the April 23, 2015 minutes be accepted as circulated. **CARRIED.**

BUSINESS ARISING FROM PREVIOUS MEETING

Review of the Legal Cost Report and Addendum

Executive Director Frank Tenhave reviewed the report that was circulated in each member's file. He went on to explain the breakdown of the legal cost that has occurred and to which department those charges were allocated to. Chair, F. Carroll reminded members that since some of these items are the result of actions at an in-camera session, they could not be discussed at this session but at the in-camera session at the end of the regular meeting. T. James raised her concerns about

the awkwardness of these issues which cannot yet be brought to the public's attention despite it being the tax payers' money that was paying these legal costs. She also asked that as Board members they keep an eye on legal issues before they move us into a deficit position. Chair F. Carroll sympathized with her position but indicated that the confidentiality requirement was essential at the moment. He went on to clarify to all Board members and Alternates that the legal representation we have is strictly for the Commission and not for individual board members. He added that any member wanting to seek legal advice from the Board legal representation must seek approval from the whole Board before doing so.

Formation of an Ad Hoc Procedural Bylaw Review Committee

Chair F. Carroll asked the board members if there was anyone who would like to sit on this sub-committee. It would be a short term sub-committee to work on the list of review items that Executive Director Frank Tenhave has been keeping on behalf of the Board.

13-53 It was moved by A. Townes, seconded by S. Tucker that J. Wright, J. Tubbs, S. Choptiany, F. Carroll and ED, Frank Tenhave be appointed to the Ad Hoc Procedural Bylaw Review Committee. **CARRIED.**

Chair, F. Carroll asked the board if a time frame should be set for this committee. T. James felt that no time frame was needed as this committee would do this in a responsible time. S. Choptiany said that this committee would be bringing draft reports to the board as the other committees do.

13-54 It was moved by S. Choptiany, seconded by D. Dow that the Ad Hoc Procedural Bylaw Review Committee would have the final report completed for the April 2016 Annual General Meeting. **CARRIED.**

Response from TransCanada (pipeline) re; the Board's letter

Executive Director, Frank Tenhave went over the response letter from TransCanada Pipeline. They were pleased to see that this Board and region were interested in the east - west pipeline project. At this time they are focusing on the national level. They have 2-3 options for disposal of acid rock, which they are researching. It was stressed to TransCanada that if disposal was to be at the province's landfills, they would need to give the commissions adequate lead time in order to ensure that we had enough cell capacity ready to take the large volume of acid rock that they were anticipating would need disposal.

Chair, F. Carroll asked the Board if they were satisfied with the response from TransCanada or should the Board consider other options. The consensus of the board was that it was pleased with this response.

Clarification of the policy concerning the \$50 allowance for Office Expenses

Chair, F. Carroll reviewed the two documents that were in each member's file folder regarding this topic. D. Dow suggested that this allowance should be for every month whether the board

meets or not. T. James agreed with his statement saying that Board members have to read documents and prepare for meetings whether a meeting will be held or not. S. Choptiany stated that this is an optional expense item so if members did not wish to apply for it in non-meeting months they had the option not to do so.

13-55 It was moved by D. Dow, seconded by G. Christie that Board members be allowed to apply for the \$50 allowance for office expenses every month (12 months/year) whether there was a meeting or not, and that this would be retroactive from May 2015.

CARRIED.

St. Stephen Court Initiative

At this time, David Bartlett, Attorney from St. Andrews, gave a presentation to the Board on the actions and issues related to the proposed St. Stephen and Grand Manan court closures. He stated that not long ago the Province of New Brunswick told the Law Society that it would give a one year notice before any closures, along with consultation with the Law Society, both of which did not happen. The Grand Manan court is slated to close at the end of July while the St. Stephen court is slated for the end of October. A review of the true cost of the court closures across all aspects of it i.e. what savings might be vs. what additional costs might be will be looked at in detail.. The Law Society is considering fighting these closures through legal means (i.e. in court) and that it was seeking funds to assist in that effort. In summary he indicated that the region needed to take a formal stand against these closures.

Chair, F. Carroll stated that this Board must show a united front and, as stated before, this Board/commission also includes part of York County. An informal information session was held to get a consensus of how the people of this region felt about the court closures. W. Gamblin indicated that this Board must show the Province of New Brunswick that this Board supports the Charlotte County Barrister Society on the Charlotte County court closures issue.

S. Choptiany stated that there are four pillars that a community needs to sustain itself. Those are Health, Education, Justice and Citizen Wellness. He asked rhetorically how can this Board and region move forward with regional planning if the basic services that maintain its communities are being eroded in this way?

13-56 It was moved by S. Tucker, seconded by J. Quartermain that the Southwest New Brunswick Service Commission allocate up to \$5000.00 for assisting the Charlotte County Barristers Society to fight the Charlotte County court closures. The Executive Director would find the source of the funding, and the appropriate process of getting this funding to the society. **CARRIED.**

Summary of provincial RSC Chairs Meeting re; Economic Development

Executive Director, Frank Tenhave gave a brief report on the last RSC Chairs Meeting that he and Chair F. Carroll attended. Opportunities New Brunswick gave a power point presentation, which was included in the member's file folders. In summary, there appears to be no real change in the economic structure under Opportunities New Brunswick from what was in place under the

previous government with respect to how regional economic development is undertaken. Barring any change at the Opportunities NB level, which there appeared to be little interest in, the meeting was quite disappointing in that the current regional economic development structure is widely viewed as ineffective.

Potential Tourism Promotion Initiative

J. Wright provided the Board with a strong argument that there were tourism businesses and locations within the region that are basically unknown and which have little or no marketing of themselves. Even local people within the region are not educated on all that is here. She recommended that this commission consider promoting the SNBSC region's tourism opportunities, particularly those lesser known ones.. She felt that by using social media outlets and other means this could be done effectively. She saw a need to try to keep as much local money spent within the region as possible which would benefit the entire region. S. Choptiany outlined that there is organizations already in place here that are doing this type of promoting tourism; the Charlotte Coastal Tourism Association and that this might be a partner for the commission to work with Chair F. Carroll suggested that inviting this tourism organization to make a presentation to the Board at a meeting in the near future would be a good first step in determining how this commission could best play a role in tourism marketing.

“Building Sustainable Communities” Event Report

S. Choptiany delivered this report. A copy of the power point presentation used at this event was in each board member's file folder for their review. He indicated that the Brain Storming Session was held in St. Andrews on June 19th and was quite well attended.

Ad Hoc Bylaw Review Committee; RSC11 Documents

Chair, F. Carroll explained that there was an information package from RSC11 in each member's file folder for them to review prior to the next meeting.

COMMITTEE REPORTS

Community Policing Committee

G. Christie, gave a brief report of this committee's last meeting held on May 14th. The brochure project for this committee is still a work in progress. This committee will continue to work on the top priorities that they have been working on. Also the potential court closures were discussed in detail and serious concerns were raised. A power point presentation was presented to the committee by Jayson Hanson of the RCMP. This presentation was regarding last year's policing statistics for the region.

Finance and Audit Committee

D. Dow gave a brief report on the report that was in each member's file folder. Geoff Mitchell of RBC Dominion Securities attended the last meeting of this committee. Discussed at this meeting was the Investment Policy Statement that is being followed by RBC, the transfer of Capital Reserve funds and a review of the May 2015 Financial Statements.

13-57 It was moved by D. Dow, seconded by J. Tubbs to transfer \$157,000.00 from the Solid Waste Capital Reserve Fund for the Case 721 loader purchase. **CARRIED.**

15-58 It was moved by D. Dow, seconded by D. Blair that the amount of \$49,166.64 that stems from a transfer station bankruptcy be written off. **CARRIED. Voting Nay was G. Christie.**

Executive Committee

T. James gave this report. She indicated that this committee met on June 17th, with most of the discussion concerning setting the agenda for the upcoming Board meeting. It was also decided at this meeting that the next module for Financial Training would be held at a later date.

Technical Advisory Committee

W. Gamblin gave this report. This committee meet on June 2nd. It was a single agenda item, with the draft Leachate Assessment Report from Gemtec being the topic. It was decided that staff proceed with the consultant in installing a flow measurement system with the system, since this was a budgeted item.

Transportation Committee

S. Choptiany gave a power point presentation on what this committee has been doing. His presentation gave a detailed report on how the bus service would run. A six page report was also included in each member's file folder. Also, he indicated that Susan Farquharson was hired as the Project Manager for this committee.

HR Committee; Request for Additional Members

S. Tucker, chair of this committee, made this request. This committee will be undertaking several initiatives but the priority was putting a performance review structure in place for the Executive Director as none had been done in the two and a half years he had been here. She made a request for more members as the committee felt it needed to provide more balance between LSDs and municipalities. The chair was asking for a couple of members to sit on this committee.

13-59 It was moved by A. Townes, seconded by T. James that J. Wright and W. Greenlaw be appointed to the HR Committee. **Carried.**

Ad Hoc Animal Control Committee

D. Blair gave this report. He explained that the committee met with the NBSPCA, municipalities and the LSM for the region. After much discussion it was decided that each individual municipality would have to reach their own conclusions. D. Blair stated that this report brings a closer to the committee's work. Chair, F. Carroll stated that this committee has fulfilled its mandate and thanked the committee members for their hard work.

Executive Director

Executive Director, Frank Tenhave referred to the report he circulated that was in the Board member's file folder, and proceeded to give a brief report on what has happened in the last month.

Monthly Financial Statements Summary

Mark Porter, reviewed the monthly financials that was in each member's file folder. Further to the discussions at the last Board meeting he brought additional reports that provided a general breakdown of the financials to the various silos of the operation. He answered questions from the board regarding these.

Items for In-Camera Discussion

There is one legal item to be discussed at the in-camera session held at the end of this meeting

Time and Location of Next Board Meeting

15-60 It was moved by D. Dow, seconded by D. Blair that there would be no July meeting.
CARRIED.

15-61 It was moved by W. Greenlaw, seconded by T. James that the next regular Board meeting be held on Thursday August 27th @ 6pm at the Hemlock Knoll Waste Management facility in Lawrence Station. A Bar-B-Que will be held for members and staff at 4pm.
CARRIED.

Questions and Answers from the general public

Questions were asked and answered from the public.

Adjournment of the regular board meeting

The Chair, F. Carroll asked for a motion for the regular meeting to be adjourned at 9:01 pm.

15-62 It as moved by T. James that the meeting be adjourned.