

Southwest New Brunswick Service Commission
Board Meeting
Minutes

December 1, 2015
Hemlock Knoll Sanitary Landfill
Lawrence Station, N.B.

IN ATTENDANCE:

BOARD MEMBERS

Frank Carroll, Mayor of McAdam, Chairperson
Garry Christie, LSD St. Patrick, Vice - Chair
Carla Brown, LSD St. David
Winston Gamblin, Mayor of Harvey
Terry James, Mayor of Black's Harbour
Dennis Blair, LSD Representative
Wade Greenlaw, LSD Dufferin
Annette Townes, LSD Representative
James Tubbs, LSD Dumbarton
Stan Choptiany, Mayor of St. Andrews
Joyce Wright, LSD Dennis Weston
John Quartermain, Mayor of St. Stephen
Sharon Tucker, Mayor of St. George
David Szemerda, LSD Pennfield
Dennis Green, Mayor of Grand Manan (via teleconference)
Heather Hatt, LSD of Fundy Bay (via teleconference)

OTHERS

Frank Tenhave, Executive Director SNBSC
Mark Porter, Financial Officer, SNBSC
Claudette MacLean, Administrative Supervisor, SNBSC

PUBLIC:

Eight people were in attendance from the public.

Call to Order

The meeting of the Southwest New Brunswick Service Commission was called to order at 6:07 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.

Out-come of In-camera Discussions Re; Legal Issues

The Chair indicated that the Minister had responded to the Board's request regarding the removal of two Board members and that it had been discussed in an in-camera meeting prior to this meeting. He indicated that the Minister's letter was marked personal and confidential so it could not be discussed however he did state that the Minister was asking the Board to proceed with meeting if at all possible as there was a need to get a budget passed as soon as possible. He went on to say that because of the Minister's request this meeting was being held and he hoped that it would be able to meet the Minister's wishes. He indicated that he had no further comments on the situation or the Minister's letter.

Approval of Agenda

The Chair indicated to the members present that the Agenda had not been forwarded to all within the 3-day window as specified within the Procedural Bylaws. He went on to explain the unusual situation being dealt with and how it resulted in the Executive Committee and the Finance and Audit Committee not being able to complete their work until much closer to the meeting date. He asked that by approving the agenda it would also be accepting the reasons for its lateness and approving it being handled as it was.

15-70 It was moved by W. Greenlaw, seconded by J. Tubbs that the agenda be accepted as circulated in each member's folder and thereby allow for this variance from the bylaws with respect to its lateness. **CARRIED.**

Approval of the Minutes of the August 27, 2015 Meeting

15-71 It was moved by S. Tucker, seconded by C. Brown that the August 27, 2015 minutes be accepted as circulated. **CARRIED.**

BUSINESS ARISING FROM PREVIOUS MEETING

The Chair went on to explain that as a result of motions at the last meeting, there was a vacancy on the Finance and Audit Committee. The Board asked for volunteers to fill that position and Sharon Tucker put her name forward for that spot. He indicated that the Board needed to make this appointment official.

15-72 It was moved by T. James, seconded by J. Wright that S. Tucker fill the vacancy on the Finance & Audit Committee. **CARRIED.**

Review of DRAFT Form for Adding an Item to an In-Camera Meeting Agenda

The Chair explained that in the past there had been some problems in dealing with such items when they are not known in advance and the Board had agreed that there needed to be a better method for doing this. He reviewed the form in detail for the group. Some typos were identified during that process and the Executive Director indicated that those would be fixed on the final version. A concern was raised that this method should not handcuff the Board from being able to move an item that comes up during the course of a meeting (legal, HR, and so on) to in-camera if it is so required. During the discussion it was the consensus that such items could be handled in this way simply through a motion and majority vote at the Board table thus this method and form was not designed to limit the ability to act in that manner.

15-73 It was moved by A. Townes, seconded by S. Choptiany, that this form be adopted as the method for adding an item to the In-camera session be accepted with the exception being that when appropriate items for in-camera discussions come up during meetings, the Board still has the power to vote and move them into “in-camera” agenda. **CARRIED.**

COMMITTEE REPORTS

Finance & Audit Committee

The chair recognized the new chair of the Finance and Audit Committee, W. Gamblin, and asked him to proceed with his report. W. Gamblin proceeded to summarize the committee’s report which was provided within the package of material that all Board members received at the beginning of the meeting. Following that, he called upon the Financial Officer, Mark Porter, to proceed with a detailed review of proposed 2016 Budget as brought forward by this committee.

Mark provided all with a copy of the full length Budget document that is what goes to the Province. In addition he provided a three page summary document which provided a simplified version of the budget (the three silos plus the corporate silo). Also during this presentation a copy of the 10 year capital plan for the solid waste division was circulated and referred to. Each silo in the summary document had a summary of the specific changes from the 2015 budget outlined so that it was clear to all present. During and after this lengthy presentation, Board members asked a number of questions which Mark answered in detail. There was particular interest in the cost of the recycling program and the Board was informed that this was an item that the F&A Committee would be looking at closely in the next fiscal year but it was not something being dealt with in this budget. At the end of this discussion the chair recapped all of the changes from last year’s budget and their financial impact so that everyone in the room clearly understood what was being proposed and what the financial impact would be.

15-74 On behalf of the Finance and Audit Committee, it was moved by W. Gamblin, seconded by D. Blair that, the Board approve this 2016 budget as the proposed budget to be distributed to all Board members such that the 45 day term for members to consider this budget and provide feedback to the committee and Board can begin as soon as possible. **CARRIED.**

Committee chair W. Gamblin went on to explain that there were motions that the Finance and Audit Committee had prepared for recommendation to the Board for the August meeting but because of what happened these were not dealt with at that time so he was bringing them forward now.

15-75 It was moved by W. Gamblin, seconded by J. Wright that the amount of \$ 130,000 be moved from the Solid Waste Operating Account to the Solid Waste Operating Reserve Fund. **CARRIED.**

15-76 It was moved by W. Gamblin, seconded by S. Choptiany that the Commission continue to carry Directors & Officers Insurance covering the previous Solid Waste Board. **CARRIED.**

NEW BUSINESS

Prioritizing of Committees work/reports for the next Board meetings.

A new Ad Hoc Procedural Bylaws Review Committee was discussed by the chair. He went on to request volunteers for such a committee. Its purpose was to review all of the suggested items on the list of bylaw items being kept by the Executive Director, plus any others Board members wished to bring forward, and make appropriate changes to the bylaws for discussion with the Board. After that process, the new bylaws would require approval by the Board. He requested volunteers to fill this committee and F. Carroll, D. Szemerda, J. Tubbs and J. Wright all agreed to serve on this committee. There was a discussion of the time frame for such work and problems encountered on this point the last time this was done. The strong consensus of the Board was that it would be an open ended committee which would report back to the Board whenever it completed its work and with no time frame specified.

15-77 It was move by T. James, seconded by W. Gamblin that a new ad hoc committee be formed by these four members (F. Carroll, D. Szemerda, J. Tubbs, and J. Wright) to review and recommend changes to the Procedural Bylaws. **CARRIED.**

The chair and others made mention that the Board's committees should consider returning to their work at their earliest convenience given that much time had been lost. There was a discussion of possible need for meetings of several committees before the next full board meeting as there are items that needed to be dealt with at that meeting. One committee in particular was discussed, the Transportation Committee, given that it had done a great deal of work since the last Board meeting and the Board would benefit from such a report. The chair of that committee, Stan Choptiany, agreed to do so at the next meeting.

Time and Location of Next Board Meeting:

The chair asked all present, and in particular the municipalities, to try to deal with the proposed 2016 budget at their earliest convenience. He indicated that it might be possible to approve a budget in less than 45 days but it all depended on how quickly all members were able to review the budget, and so on.

15-78 It was moved by W. Gamblin, seconded by C. Brown that the next Board meeting be held on Monday, December 14 at 6:00 PM in the Conference Room of the Administration Building at the Hemlock Knoll Waste Management facility in Lawrence Station. **CARRIED.**

Questions and Answers from the general public

Questions were asked and answered from the public. Darren McCabe of ELG indicated that he would work with the Executive Director such that a RAC meeting would be scheduled at the earliest possible time where the proposed 2016 Budget would be reviewed before LSD representatives and questions asked. One item raised by a member of the public that generated a lengthy discussion was the rising cost of policing. Several Board members commented on this issue and policing services in general. As a result of this discussion, the chair committed to having the cost of policing services as an agenda item at a Board meeting in the near future.

Adjournment of the regular board meeting

The Chair, F. Carroll, asked for a motion for the regular meeting to be adjourned at 7:51 pm.

It was moved by H. Hatt that the meeting be adjourned.

Minutes Approved by;