

**Southwest New Brunswick Service Commission
Board Meeting Minutes
December 14, 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
Winston Gamblin, Mayor of Harvey
Dennis Blair, LSD McAdam
Wade Greenlaw, LSD Dufferin
Annette Townes, LSD St. James
James Tubbs, LSD Dumbarton
Stan Choptiany, Mayor of St. Andrews
Joyce Wright, LSD Dennis Weston
Allen MacEachern, Deputy Mayor of St. Stephen
David Szemerda, LSD Pennfield
Daniel Dow – LSD Western Charlotte*
Darrell Weare – LSD Bayside*
Heather Hatt, LSD Fundy Bay (via CONFERENCE CALL)
Carla Brown, LSD St. David (via CONFERENCE CALL)
Terry James, Mayor of Black's Harbour (via CONFERENCE CALL)

*Members not in good standing with the Board

OTHERS

Frank Tenhave, Executive Director SNBSC
Claudette MacLean, Administrative Supervisor, SNBSC

PUBLIC:

Four persons were in attendance from the public including Darren McCabe, Local Services Manager, (Regional Office), DOELG

Call to Order

The meeting of the Southwest New Brunswick Service Commission was called to order at 6:06 p.m. by the Chair F. Carroll.

Conflict of Interest Declarations

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

The Chair then asked D. Weare if he has anything to say to the Board. D. Weare indicated that he had made his position known to the Board members via an e-mail earlier in the day and he would not be adding to that.

The chair then indicated that the next agenda item is dealing with action items in response to Board governance issues. He recognized W. Greenlaw who indicated that he had a motion to make. There was no discussion when that motion was completed and the chair asked if the Board was ready for the question.

15-80 It was moved by W. Greenlaw, seconded by J. Wright:

WHEREAS this Board has requested that the Minister of Environment and Local Government, as per his authority under the Regional Service Commission Act, consider removing Board members Dan Dow and Darrell Weare "for cause";

AND WHEREAS the Minister has accepted to review the Board's request, but requires more time to do so;

AND WHEREAS the Board does not wish to interfere in the objective process that the Minister is undertaking by stating in this public forum the details of its case for such a request;

AND WHEREAS the Minister is directing the Board to meet and to continue its regular business and in particular to adopt its 2016 budget;

AND WHEREAS the Board has decided to follow the Minister's wishes and proceed with its business in a manner that would allow its business to be conducted in an orderly and productive manner until the Minister renders a decision;

AND WHEREAS the Board is of the opinion that, given recent history, it must take extraordinary measures to allow it to continue to do its business in an orderly and productive

manner;

AND WHEREAS this Board has the authority to take such extraordinary measures as outlined in Part II, Article 13; Section 72 and 73 of Robert's Rules of Order;

I MOVE that:

Mr. Dan Dow and Mr. Darrell Weare are requested to leave this meeting of the Board immediately and that they are hereby directed not to attend any future Board or Committee meetings until the Minister has completed his review, he has made his decision known to the Board, and the Board has decided what it wishes to do in response to his decision.

CARRIED. Unanimous (however voting Nay were D. Weare* and D. Dow*).

***The vote was 12 in favor (and 2 against). As at the Board meeting in August, there is a question of the legitimacy of D. Dow and D. Weare being at the Board table and thus there is a question as to whether their votes should be counted.**

The Chair indicated that based on the passage of the motion, he was respectfully asking both members to leave the meeting. D. Weare requested a copy of the motion, copies were made, and both members received a copy as well as the rest of those present. Again the chair asked the members to leave the meeting. D. Weare proceeded to recite a list of items that the Board, and in particular the chair and the Parliamentarian, had done wrong in dealing with him, and so on. D. Dow added his comments and indicated that the Minister had informed them that no one had been removed from the Board and that they had a right to be at the table. The chair indicated that the Board was simply working in the best interest of getting its business done and the actions taken were not by him personally but by the majority of the Board. With that D. Weare left the meeting. D. Dow then questioned the "chair's authority" in all of this and then left as well at 6:16 p.m.

The chair then returned to the agenda.

Approval of Agenda

15-81 It was moved by W. Gamblin, seconded by J. Tubbs that the agenda be accepted as circulated in each member's folder. **CARRIED.**

S. Choptiany recommended that the comments and time of the two members departures' be recorded. The chair indicated that the meeting was being recorded and those items would be captured in the minutes.

D. Szemerda raised a point of order and went on to indicate that now that the two members had left the meeting, the two Alternates in the public gallery should take a position at the table to fill the two LSD vacancies at the table. The chair confirmed that this request is in order and asked

the two Alternates, Dennis Blair and Annette Townes, to participate in the meeting at the table which they did, and he thanked them for being available to serve.

Approval of the Minutes of the December 1, 2015 Meeting

15-82 It was moved by G. Christie, seconded by S. Choptiany that the December 1, 2015 minutes be accepted as circulated. **CARRIED.**

Business arising from previous meeting:

As a reminder to the Board, the chair indicated that in everyone's package there was a list of items that the Ad Hoc Procedural Bylaws Committee would be using as a starting point for its work. Board members were encouraged to review it over the coming few weeks and to ensure that they make the committee aware of any additional items that they would like to see added to this list. This committee is expected to start its work early in the New Year.

The chair also recognized that there was some confusion at the last meeting whereat the Ad Hoc Procedural Bylaws Committee was accidentally filled twice. There was some discussion and all agreed that this was not an issue, the "new" committee membership (D. Szemerda, F. Carroll, J. Tubbs, and J. Wright) was clear and the mandate from the Board was clear.

COMMITTEE REPORTS

Finance & Audit Committee:

Committee chair W. Gamblin provided a verbal review of the committee's report.

15-83 It was moved by W. Gamblin, seconded by W. Greenlaw that the amount of \$300,000 be moved from the Solid Waste Operating Account to the Solid Waste Capital Reserve fund. **CARRIED.**

Financial Report:

M. Porter was unable to attend. A brief review of the Budget Summary was given by F. Tenhave. He indicated that there were financial statements within everyone's packages. From among those he quickly reviewed the three page "silos report" summary. He indicated that this report usually has the most interest of Board members. A brief discussion followed.

Transportation Committee Report:

The chair then indicated that the next item on the agenda was the Transportation Committee Report and he turned the floor over to the chair of that committee, S. Choptiany. Stan distributed an additional report to all present and indicated that this would be in addition to the one that was in the package as it would provide greater clarity as to what was happening on this project.

He went on to review these documents for the Board. Highlights of the report consisted a review of the history of motions at the Board table related to this, a review of minutes concerning the relationship between this committee and the RSC, the sourcing and usage of funds from the RSC to date and the transparency around that item, the role of the newly created Southwest New Brunswick Transit Authority, and discussions about funding that were taking place at the political level with the Gallant government. He also indicated that the model being developed here is expected to be a model for the rest of the province i.e. a template for other regions considering setting up integrated rural transportation systems.

His presentation included a discussion of the possibility of this project being undertaken thru the Voluntary Services component of this commission. There was a good deal of discussion on this point, including comments from LSM Darren McCabe. In summary, if this was the direction the Board chose to go, this would be a learning experience for all concerned because a project of this size and nature had never been undertaken by any region and ELG in the past. The other component of this discussion was possibly accessing LSD Gas Tax funds as part of the government contribution to the operating costs of this potential service. This was discussed at length and in summary there was uncertainty about how this money could be accessed, what rules the province and Federal government had in place that may be road blocks, and so on.

The discussion concluded with the consensus that this entire issue/project needed to be discussed in more detail at the Board table in the near future. Further, the group indicated that there was a need for much greater clarity from government on the Voluntary Services process and on the potential GTF financial support for the project so that the Board could make an informed decision.

NEW BUSINESS

Board members raised the issue of rising policing services costs. This was discussed in detail and the group agreed that the ED would try to get a copy of a detailed cost breakdown of the RCMP services in our region. The chair suggested that this item be on the agenda for a near future meeting, that all LSD reps (including those not at the table) be invited and that the RCMP and/or Public Safety come to the meeting. There was a discussion and the Board supported this plan of action.

S. Choptiany asked for the indulgence of the chair and the members so that he could make a brief motion in appreciation to the work of the staff.

15-84 It was moved by S. Choptiany, seconded J. Wright that the Commission extend best Holiday wishes and the Boards appreciation to all the staff. **CARRIED.**

Garry raised the LSD elections issue and referred to the e-mail/document in the packages. There was a brief discussion of the LSD election process related to the May elections and so on. Darren McCabe was asked to review this process for the benefit of all present which he did.

In-Camera Discussion

The chair indicated that there were a couple of items that warranted a brief in-camera meeting. The consensus of the group was that this should take place right after this public meeting.

Time and Location of Next Board Meeting

The chair indicated that the next Board meeting, in keeping with past scheduling, would be on Thursday, January 28, 2016 @ 6 p.m. Further, in keeping with decisions made previously by the Board, it would be the one that deals with the commission's 2016 budget. Further it would be held at the Hemlock Knoll Conference Room in the Admin. Building in Lawrence Station. The members unanimously supported this schedule.

Public Question and Answer period

A number of questions were asked by both the press in attendance and those were answered, primarily by the chair but other members were invited to comment.

Adjournment of the regular board meeting

The Chair, F. Carroll asked for a motion for the regular meeting to be adjourned at 7:49 pm.

15-85 It as moved by W. Greenlaw that the meeting be adjourned.

Minutes Approved by;