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The Municipality of Kings and the Towns of Annapolis Royal, Berwick, Kentville, Middleton and Wolfville

**Valley Region Solid Waste-Resource Management Authority
Wednesday, November 20, 2019
9:00am
Valley Waste Boardroom**

Attendees

Members Present: Wendy Elliott, Eric Bolland, Barry Corbin, Martha Armstrong, Gail Smith and John Kinsella

Alternates Present: None

Guests: Greg Barr, Director of Finance & IT, Municipality of Kings

Regrets: None

Staff: Andrew Wort, Jeff Martin, Andrew Garrett, Geoff McCain, Grace Proszynska, Solicitor Shanks and Brenda Davidson

Agenda Item No. 1 – Welcome and Call to Order

Chair Kinsella welcomed everyone calling the meeting to order at 9:00am.

Agenda Item No. 2 – Approval of the Agenda

ON MOTION OF BARRY CORBIN AND SECONDED BY GAIL SMITH THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE AGENDA, AS CIRCULATED.

MOTION CARRIED.

Agenda Item No. 3 – Approval of the Minutes:

Agenda Item No. 3.1 - Approval of Draft Minutes from Regular Authority Meeting October 16, 2019

ON MOTION OF WENDY ELLIOTT AND SECONDED BY ERIC BOLLAND THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE MINUTES OF OCTOBER 16, 2019, AS CIRCULATED.

MOTION CARRIED.

Agenda Item No. 4 – Business Arising from the Minutes

Agenda Item No. 4.1 – Status Report: Proposed Revisions to Bylaw and Associated Directives

Grace Proszynska, Bylaw Enforcement Officer, with the support of Andrew Garrett, Communications Manager, provided the Authority with a comprehensive presentation regarding the proposed amendments to the Valley Region Solid Waste-Resource Management Bylaw. A copy of the Presentation, dated November 20, 2019 and a Report to Authority: Proposed Changes to Valley Waste Bylaw approved in 2012, dated November 20, 2019, as circulated, are both attached to these minutes.

Key messages in the Presentation were:

- Valley Waste's Enforcement Style
- The reasons behind moving forward with the proposed Bylaw amendments now
 - Change in the collection contract effective April 1, 2020
 - Changes in the regional structure under the umbrella of the Authority's operations
 - Changes to the list of Provincial and Authority-banned materials
 - Deficiencies in the current Bylaw and associated Directives
- The types of changes being proposed to the Bylaw
 - New clauses, concepts and provisions – collection services, banned items and added prohibition against leaving lid or door to waste storage open
 - Update to penalties, court fines and Bylaw tickets
 - Clarification of intent with regard to flow control
 - Clarification in definitions and other terminology
 - Housekeeping
- And finally, the amended Bylaw approval process and timelines to ensure that the Bylaw has been approved by each participating Party Council in time for April 1, 2020 implementation.

Several questions were raised and addressed throughout the presentation including litter versus illegal dumping, the ability to incorporate stated penalties, waste responsibility in the case of illegal dumping, cat litter versus dog feces, the management of pine needles, etc.

Of particular note, it was suggested that the Authority take a closer look at the proposed wording in Sections 5.8.1 and 5.1.7 to ensure that the wording is sufficient in protecting both the Authority and the participating Parties from any unintended liability. It was further noted that while the Bylaw requires the approval of each individual Council, the Directives, historically approved at the Authority level only, should also be included as an attachment to the Bylaw for approval to ensure that they can be relied upon should enforcement proceed to the laying of any charges for infractions.

It is anticipated at this time that the draft Bylaw will be provided to all Parties for comment and that a final draft will be brought before the Authority during the December meeting. Upon approval by the Authority, the final draft will be forwarded to Councils for consideration and approval. Caution was noted relative to the timelines stressing the importance of ensuring sufficient time for the legal enactment of the Bylaw.

Chair Kinsella thanked Ms. Proszynska for the informative presentation.

Agenda Item No. 5 – General Manager Report

General Manager Wort addressed the Authority noting the following items of interest:

- Migration of Deeds – the deeds for all lands owned by the Authority have now been migrated to ensure clarity in ownership in follow-up to the attempted expropriation of the West Management Centre lands by the Municipality of Annapolis County. This work was completed by Solicitor J. Washington.
- Department of Environment Inspection – West Management Centre: the Department of Environment recently visited the West Management Centre for inspection purposes. The inspection went very well with no deficiencies noted.
- OEANS Conference - Mr. Wort indicated that he took the opportunity to attend 1 day of a 2-day conference facilitated by the Office of the Employer Advisor Nova Scotia which he found extremely interesting and informative. The discussions focused on the steps being taken to move forward with stress related Workers' Compensation Board of NS claims advising all that new case law is coming forward and further that all employers including municipal Councils should be aware. Mr. Wort explained that the Office of the Employer Advisor is in place to provide support and legal advice to employers relating to employment law and WCB claims.
- 2020-2021 Operating and Capital Budget Development: General Manager Wort noted that staff are now deep into 2020-2021 fiscal year operating and capital budget development and that other issues to be raised with the Authority will be discussed later during the meeting.

Agenda Item No. 5.1 – Report To Authority: Request for Proposals, VWRP1906: Provision of Staffing Review, Closed November 7, 2019 – Pending Recommendation from Evaluation Panel

General Manager Wort reviewed the Report to Authority, Request for Proposals VWRP1906, Provision of Staffing Review, dated November 20, 2019, as circulated and attached to these minutes. Mr. Wort noted that it has now been confirmed that all fees for the completion of this project will be covered under the Municipal Modernization Funding being held by the Municipality of the County of Kings.

ON MOTION OF BARRY CORBIN AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AUTHORIZE THE GENERAL MANAGER TO AWARD THE CONTRACT FOR THE PERFORMANCE OF A STAFFING REVIEW TO GERALD WALSH ASSOCIATES INC. AS PER THEIR SUBMITTED PROPOSAL UNDER REQUEST FOR PROPOSALS, VWRP1906 FOR THE PROVISION OF STAFFING REVIEW, DATED NOVEMBER 7, 2019 BASED ON THE TOTAL COST OF \$24,250.00 PLUS HST CONTINGENT UPON THE PROJECT BEING FULLY FUNDED UNDER THE MUNICIPAL MODERNIZATION FUNDING HELD BY THE MUNICIPALITY OF THE COUNTY OF KINGS.

MOTION CARRIED.

In response to the question, it was noted that the Consultant will approach Authority Party Chief Administrative Officers as part of the work to ensure that all are aware and have the opportunity to provide input.

Also in response to the question, it was noted that the work should be completed within 10-12 weeks.

Agenda Item No. 6 – Staff Reports

Agenda Item No. 6.1 – Manager of Finance

Agenda Item No. 6.1.1 – Unaudited Revenue and Expense Statement for the period ending October 31, 2019

Finance Manager McCain noted that this report is unavailable at this time.

Agenda Item No. 6.1.2 – Report to Authority: Request for Proposals, VWRP1904: Provision of Cost and Management Accounting Services for the Valley Region Solid Waste-Resource Management Authority, Closed November 14, 2019 – Pending recommendation from Evaluation Panel

Finance Manager McCain reviewed the Report to the Authority – Request for Proposals VWRP1904, Provision of Cost and Management Accounting Services for the Valley Region Solid Waste-Resource Management Authority, dated November 20, 2019, as circulated and attached to these minutes. As per the Report, only one response was received as a result of the Call for Proposals from Keir Corp. While surprising, it is very specialized work and Keir Corp will bring valuable experience to the table from their participation in the recently released Efficiency and Effectiveness of the Solid Waste Resource Management System Study commissioned by Divert NS on behalf of the Regional Chairs Committee. General Manager Wort explained that, in essence, the work to be completed will be an extension of the Efficiency Study, but at the Regional level resulting in the development of a “tool” that will allow financial modeling with “what if” capabilities. Mr. Wort further noted that it would be of great benefit if a similar model was put in place at the Kaizer Meadow Landfill.

Mr. Wort also noted that it has now been confirmed that all fees for the completion of this project will be covered under the Municipal Modernization Funding being held by the Municipality of the County of Kings.

ON MOTION OF MARTHA ARMSTRONG AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AUTHORIZE THE GENERAL MANAGER TO AWARD THE CONTRACT FOR THE PROVISION OF COST AND MANAGEMENT ACCOUNTING SERVICES TO KEIR CORP AS PER THEIR SUBMITTED PROPOSAL UNDER REQUEST FOR PROPOSALS, VWRP1904 FOR THE PROVISION OF COST AND MANAGEMENT ACCOUNTING SERVICES, DATED NOVEMBER 8, 2019 BASED ON THE TOTAL COST OF \$38,534 INCLUDING HST CONTINGENT UPON THE PROJECT BEING FULLY FUNDED UNDER THE MUNICIPAL MODERNIZATION FUNDING HELD BY THE MUNICIPALITY OF THE COUNTY OF KINGS.

MOTION CARRIED.

It was indicated that similar to the Staffing Review, Party CAO’s will be briefed throughout the project completion process to ensure all are aware and have the opportunity to provide feedback.

It was the consensus that by performing the Staffing Review and the Cost and Management Accounting Services work all involved should have a strong sense of confidence in the Authority’s operations.

ON MOTION OF BARRY CORBIN AND SECONDED BY ERIC BOLLAND THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ACCEPT THE FINANCE MANAGER’S REPORT.

MOTION CARRIED.

Agenda Item No. 6.2 – Operations Manager

Operations Manager Martin noted in follow-up to General Manager Wort's comments, that the inspection at the West Management Centre by the Department of Environment was completed on November 5, 2019 noting that the inspection was more in depth when compared to previous inspections. All documentation was reviewed and a request for tonnage information for incoming and outgoing materials has been addressed. It was further noted that Annual Reports are completed in keeping with the requirements of the Authority's four Industrial Approvals (2 Transfer Stations and 2 Household Hazardous Waste Depots) and that tonnage summaries are included in those reports.

Agenda Item No. 6.2.1 – Status Report: Options – Acquisition of 4X4 Pick-up Truck

In follow-up to discussions during the last meeting, it was noted that staff have determined the only option available to replace the aging 4X4 Pick-up truck is to include the replacement in the 2020-2021 capital budget due to the only submission to the previously released Request for Proposals being over budgeted values.

Agenda Item No. 6.2.2 – Report to Authority: Request for Proposals, VWRP1901: For Provision of Services for the Transportation of Source Separated Solid Waste, Closed October 31, 2019.

Mr. Martin reviewed the Report to Authority: Request for Proposals: VWRP1901, Provision of Services for the Transportation of Source-Separated Solid Waste, dated November 20, 2019, as circulated and attached to these minutes.

ON MOTION OF BARRY CORBIN AND SECONDED BY ERIC BOLLAND THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AUTHORIZE THE CHAIR AND GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH EFR DISPOSAL LIMITED FOR THE PROVISION OF SERVICES FOR THE TRANSPORTATION OF SOURCE-SEPARATED SOLID WASTE FOR THE 5-YEAR PERIOD OF APRIL 1, 2020 TO MARCH 31, 2025 BASED ON THE SUBMISSION UNDER REQUEST FOR PROPOSALS, VWRP1901, DATED OCTOBER 29, 2019.

MOTION CARRIED.

ON MOTION OF ERIC BOLLAND AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE OPERATIONS MANAGER REPORT.

MOTION CARRIED.

Agenda Item No. 6.3 – Office Manager

Office Manager Davidson reported that she did not have any new information to bring before the Authority at this time.

Agenda Item No. 6.4 – Communications Manager/Regional Coordinator

Communications Manager Garrett referred to the Report to the Authority: Regional Coordinator Report, dated November 12, 2019, as circulated and attached to these minutes, highlighting the following key topics:

- Plastic Bag Reduction Act – Bill 152 – as noted, the legislation to ban single use plastic shopping bags was passed on October 30th and will come into effect in the fall of 2020. Some stores have already implemented their own bans including Sobeys who will begin on January 1, 2020.
- New Collection Day Map – Mr. Garrett referred to the new collection services map drafted by Kings County GIS staff, as circulated and attached to these minutes. As noted in the report, the Region will transition from 30 collection areas to 8 larger areas improving efficiencies and allowing for Management Centre site closure on all Holidays. The new schedule will take effect on March 31, 2020.
- 2020 Waste-Resource Management Calendar – all information has now been submitted and staff are awaiting the calendar proof for review. The cover strongly encourages all who receive it to “look inside”.
- New Clean-Up Schedule – Mr. Garrett explained the approach to the new spring and fall clean-up services schedule as noted in the Report. Staff anticipates preparing and releasing a media blitz associated with the new collection schedule and spring and fall clean up schedules to raise as much awareness across the Region as possible.
- Electronics Recycling and Used Oil and Glycol Programs – Mr. Garrett noted the update provided in the Report regarding recent activity around these two programs adding that the Authority already serves as a depot for the Electronics Recycling Program and that, as noted in the Report, will be applying to serve as a depot under the Used Oil and Glycol program.

Agenda Item No. 6.4.1 – Communication and Enforcement Activity Levels Report

Communications Manager Garrett referred to the Communication Update, dated October 2019 and the Enforcement Update, dated November 20, 2019, as circulated and attached to these minutes, reminding the Authority that both of the Reports will be provided during each Authority meeting for information purposes.

In response to the question, it was noted that all documents discussed above are considered to be public and can be shared as deemed appropriate by Authority representatives with their respective Councils.

Martha Armstrong noted that she had been approached by a fellow Councillor regarding the Authority’s provision of a fall leaf collection. She advised that the Authority no longer provides this service and is not contemplating its return at this time. A short discussion arose where it was noted that several Party municipalities offer an alternate opportunity to residents for the disposal of leaves and further that the Authority accepts de-bagged leaves at no charge at both Management Centre sites as well as bagged leaves on a price per tonne basis.

In response to the question, it was noted that staff can include updated collection services information when Bylaw information is released to participating Parties. Mr. Garrett added that staff encourage Parties to help share messages by including information through internal newsletters. On a final note, General Manager Wort noted that staff is available to address Councils, at any time, upon request, to provide clarification and raise awareness.

ON MOTION OF MARTHA ARMSTRONG AND SECONDED BY GAIL SMITH THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE COMMUNICATION MANAGER’S REPORT.

MOTION CARRIED.

Agenda Item No. 7 – New Business

There was no new business to bring before the Authority at this time.

Agenda Item No. 8 – Correspondence

Agenda Item No. 8.1 – October 25, 2019 E-mail String re: RCMP Investigation Closed

The Authority acknowledged and received the October 25, 2019 email string regarding the notification that the RCMP investigation instigated by the Municipality of Annapolis County has been officially closed, as circulated and attached to these minutes.

Agenda Item No. 8.2 – October 31, 2019 Letter from John Ferguson, CAO, Municipality of Annapolis County

The Authority acknowledged and received the October 31, 2019 letter from John Ferguson, CAO, Municipality of Annapolis County, as circulated and attached to these minutes.

Agenda Item No. 9 – In-Camera Session in keeping with Section 22(2)(e) of the Municipal Government Act.

ON MOTION OF MARTHA ARMSTRONG AND SECONDED BY GAIL SMITH THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY MOVE TO AN IN-CAMERA SESSION IN KEEPING WITH SECTION 22(2)(e) OF THE MUNICIPAL GOVERNMENT ACT.

MOTION CARRIED.

Grace Proszynska left the meeting at this time.

The November regular monthly meeting of the Valley Region Solid Waste-Resource Management Authority was called back to order at 12:34pm.

ON MOTION OF MARTHA ARMSTRONG AND SECONDED BY GAIL SMITH THAT THE VALLEY REGION SOLID WASTE RESOURCE MANAGEMENT AUTHORITY REPEALS THE FOLLOWING 2 MOTIONS AS PREVIOUSLY CARRIED DURING A SPECIAL AUTHORITY MEETING HELD ON MARCH 13, 2018:

ON MOTION OF BARRY CORBIN AND SECONDED BY BRIAN HIRTLE THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY REQUIRES THAT ALL APPROVAL MOTIONS AND ALL ATTACHMENTS BE FORWARDED TO THE CURRENT MUNICIPAL PARTIES THAT ENTERED INTO THE INTERMUNICIPAL SERVICES AGREEMENT THAT CREATED THE MUNICIPAL ENTERPRISE KNOWN AS THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY FOR CONSIDERATION AND APPROVAL.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY MARTHA ROBERTS THAT ONCE THE CHESTER AGREEMENTS ARE PROPERLY AUTHORIZED BY THE MUNICIPAL PARTIES IT IS REQUIRED THAT A SIMILAR PROCESS IS FOLLOWED FOR THE ORGANICS PROCESSING CONTRACT, THE RECYCLABLES PROCESSING CONTRACT, THE CURB-SIDE COLLECTION AND

TRANSPORTATION CONTRACT AND ANY OTHER CONTRACT THAT EXCEEDS \$100,000 IN VALUE AND EXTENDS BEYOND ONE FISCAL YEAR.

MOTION CARRIED.

It was noted that an explanation regarding the Authority's decision to repeal the 2 motions above relating to the Authority's approval of long-term contracts will be provided to participating Party Chief Administrative Officers.

Agenda Item No. 10 – Next Meeting – December 18, 2019

The next Regular Monthly Meeting of the Valley Region Solid Waste-Resource Management Authority will be held on Wednesday, December 18, 2019, beginning at 9:00am, in keeping with the normal meeting schedule. It was noted that Vice-Chair Corbin will Chair the meeting in Chair Kinsella's absence.

Agenda Item No. 12 – Adjournment

ON MOTION OF MARTHA ARMSTRONG THE NOVEMBER REGULAR MONTHLY MEETING OF THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ADJOURNED AT 12:37PM.

Respectfully Submitted,

Brenda Davidson
Office Manager
Valley Waste-Resource Management