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The Municipalities of Annapolis and Kings and the Towns of Annapolis Royal, Berwick, Kentville, Middleton and Wolfville: Partners in Waste Reduction

**Valley Region Solid Waste-Resource Management Authority
Regular Monthly Meeting
June 15, 2016
9:00am
Valley Waste-Resource Management Office – Boardroom**

Attendees

Members/Alternates: Hugh Simpson, Mark Pearl, Reginald Ritchie, Jane Bustin, Brian Hirtle, Sherman Hudson and Calvin Eddy

Staff: Ross Maybee, Jeff Martin, Andrew Garrett, Glenda Clark, Solicitor Coyle and Brenda Davidson

Regrets: Gail Smith

Guests: Rebecca Appleton and Scott Kyle, Dillon Consulting

Agenda Item No. 1 - Call to Order

Chair Pearl welcomed everyone calling the meeting to order at 9:05am. A special welcome was extended to Mayor Calvin Eddy in recognition of his attending his first Authority meeting as the recently appointed Alternate Representative from the Town of Middleton.

Agenda Item No. 2 – Approval of the Agenda

ON MOTION OF BRIAN HIRTLE AND SECONDED BY SHERMAN HUDSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE AGENDA WITH THE ADDITION OF AN IN-CAMERA SESSION FOR THE PURPOSES OF DEALING WITH A LEGAL ISSUE AFTER AGENDA ITEM NO. 13.

MOTION CARRIED.

Agenda Item No. 3 – Approval of the May 18, 2016 Minutes

ON MOTION OF REGINALD RITCHIE AND SECONDED BY BRIAN HIRTLE THAT THE MINUTES OF THE MAY 18, 2016 REGULAR MONTHLY MEETING OF THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY BE APPROVED, AS CIRCULATED.

MOTION CARRIED.

Agenda Item No. 4 – Business Arising from the Minutes

Agenda Item No. 4.1 – Presentation to Authority: Service and Facility Review, Dillon Consulting

General Manager Maybee took the floor indicating that Dillon Consulting has been in the process of completing the Service and Facility Review. A draft report was submitted for review and comment by senior staff and shared with Authority representatives. All feedback was forwarded to Dillon for consideration and incorporation into the final report as appropriate. Mr. Maybee noted the Authority undertook a Services and Facility review about 10 years ago and that the current review was brought forward based on the recommendation in the recently completed organization review.

Mr. Maybee welcomed Rebecca Appleton and Scott Kyle of Dillon Consulting for the purposes of reviewing their findings with the Authority. Ms. Appleton provided the Authority with a presentation noting key findings, a copy of which is attached to these minutes. Ms. Appleton also referred to the Conclusions and Recommendations document, as circulated and attached to these minutes, noting that the conclusions and recommendations form part of the complete final report. A copy of the full draft report dated May 6, 2016, is also attached to these minutes.

Hugh Simpson arrived at 9:09am.

Ms. Appleton provided an excellent and informative presentation highlighting the general overview of the project, previous studies and background, project tasks, project methodology and key recommendations with supporting comments by Mr. Kyle.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY HUGH SIMPSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE PRESENTATION AND SUPPORTING DOCUMENTATION AS PROVIDED BY DILLON CONSULTING IN FOLLOW-UP TO THEIR COMPLETION OF THE SERVICES AND FACILITY REVIEW.

MOTION CARRIED.

ON MOTION OF REGINALD RITCHIE AND SECONDED BY BRIAN HIRTLE THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY STRIKE A SUB-COMMITTEE WITH THE REPRESENTATION OF 2 AUTHORITY BOARD MEMBERS AND 3 SENIOR STAFF FOR THE PURPOSES OF DETERMINING HOW BEST TO MOVE FORWARD WITH THE FURTHER CONSIDERATION OF RECOMMENDATIONS INCLUDED IN THE SERVICE AND FACILITY REVIEW AS COMPLETED BY DILLON CONSULTING AND FURTHER THAT THE SUB-COMMITTEE WILL REPORT BACK TO THE AUTHORITY AS THE MATTER MOVES FORWARD.

MOTION CARRIED.

It was the consensus of the Authority that Chair Pearl and Brian Hirtle will serve on the Sub-Committee and further that General Manager Maybee will assign key personnel as felt appropriate. General Manager Maybee will serve as Chair of the Sub-Committee.

Chair Pearl extended a hearty thank you to Ms. Appleton and Mr. Kyle for the completion of the study and the presentation today noting the Authority now has a clear path to follow in response to the completion of the report.

Ms. Appleton and Mr. Kyle left the meeting at 10:05am.

It was noted that while the Authority is certainly very conscious about the importance of controlling and/or reducing costs, the social acceptance of service levels is also critically important when contemplating any changes.

Agenda Item No. 5 – General Manager’s Report

Agenda Item No. 5.1 – Presentation of the 2015-2016 Audited Financial Statements

Chair Pearl noted that the Audit Committee (Chair Pearl, Hugh Simpson and Brian Hirtle) met with the Auditors on April 27, 2016, during which the responsibilities of the Auditors and the Audit Committee were discussed. The Auditors moved forward with the completion of the Audit and met again with the Audit Committee on June 7, 2016. Chair Pearl referred to the June 7, 2016 letter to the Audit Committee from the Auditors, as circulated and attached to these minutes, noting that the only recommendation put forward by the Auditors as a result of their work recommended that the Authority develop succession plans to identify how key leadership positions will be replaced within the organization.

General Manager Maybee then took the floor referring to the Audited Financial Statements for the year ending March 31, 2016, as circulated and attached to these minutes, highlighting the fact that the Audit has been completed to the satisfaction of the Audit Committee and has resulted in the Authority ending the 2015-2016 fiscal year in a surplus position in the amount of \$648,158.00. Cheques have been prepared and are ready for distribution to partners, in their proportional shares, to return the surplus funds.

In response to the question, it was noted that the Audit Committee could approach the Auditors to determine whether or not recommendations within the Service and Facility Review become liabilities now that the issues have been raised.

Jane Bustin left the meeting at 10:20am.

ON MOTION OF REGINALD RITCHIE AND SECONDED BY SHERMAN HUDSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE AUDITED STATEMENTS FOR THE YEAR ENDING MARCH 31, 2016 AS PRESENTED.

MOTION CARRIED.

Agenda Item No. 5.2 – Expense Oversight Report: May 2016

Mr. Maybee referred to the Expense Oversight Report as of May 31, 2016, as circulated and attached to these minutes noting that the report is being provided to the Authority in keeping with Policy.

ON MOTION OF REGINALD RITCHIE AND SECONDED BY BRIAN HIRTLE THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE EXPENSE OVERSIGHT REPORT AS OF MAY 31, 2016, AS CIRCULATED AND ATTACHED TO THESE MINUTES.

MOTION CARRIED.

Mr. Maybee referred to the payment to CIBC Kentville noting that the funds represented the repayment of interim financing associated with capital expenditures for 2015-2016 as the final debenture for the funds is now in place with the Municipal Finance Corporation.

Agenda Item No. 5.3 – Unaudited Revenue and Expense Statements: April 2016 and May 2016

General Manager Maybee again took the floor referring to the Unaudited Revenue and Expense Statement for the months of April 2016 and May 2016, as circulated and attached to these minutes. Mr. Maybee noted that a new line has been added to the statements in the revenue section indicating revenues associated with the wind turbine in response to the Authority’s request during the last meeting. Mr. Maybee noted that while expenses and

revenues are as anticipated for the 1st two months of the new fiscal year, staff will be monitoring organics and recyclable processing as both are down in volumes at this point in time.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY HUGH SIMPSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE APRIL 2016 AND MAY 2016 UNAUDITED REVENUE AND EXPENSE STATEMENTS, AS CIRCULATED AND ATTACHED TO THESE MINUTES.

MOTION CARRIED.

Agenda Item No. 5.4 – Status Report: Approval of Draft 2016-2017 Operating and Capital Budgets

Chair Pearl noted that the Town of Kentville has approved the Authority's budget along with their overall budget. It was indicated that this item can be removed from future agendas.

Agenda Item No. 5.5 – Status Report: Development of Job Description for Re-instated position of Manager of Policy and Planning

Mr. Maybee referred to the Job Description, Manager, Policy and Planning, draft date June 6, 2016, as circulated and attached to these minutes, noting the Job Description is being provided in follow-up to the request of the Authority during the last meeting. Mr. Maybee reminded all that the position is being reinstated in recognition of the recommendation during the Organization Review and that funds have been included in the now approved operating budget for 2016-2017.

Chair Pearl noted he had met with Mr. Maybee on two occasions regarding this matter and is pleased to be in the position of bringing the updated Job Description before the Authority. It was the consensus of the Authority to move forward with the recruiting process as soon as possible. It was further noted that as the position is considered to be a key management position within the organization, a Hiring Committee consisting of Authority and senior staff representation for interview and selection purposes will be required in keeping with Policy.

Agenda Item No. 5.6 – Report to Authority: Performance of Wind Turbine

Mr. Maybee again took the floor referring to the VWRM Turbine Performance to June 14, 2016, report, as circulated and attached to these minutes. Mr. Maybee noted that the information in the report is directly from the Turbine operation website and provided at the request of the Authority during the last meeting in conjunction with the addition of the revenue line in the unaudited revenue and expense statement. It was noted that the information in the report is of immeasurable value in explaining not only the financial but environmental benefit of having the turbine in operation. It was the consensus of the Authority that it is not necessary to have a similar report at each Authority meeting as the information can be provided at any time upon request or by visiting the website.

Before moving along with the Agenda, Mr. Maybee noted that the Request for Proposals for the Provision of an Employee Salary Review will close at 2:00pm on Thursday, June 23, 2016, and as Chair Pearl is unavailable, an alternate Authority representative is required to attend the closing in keeping with Policy. Mr. Hirtle noted he would be pleased to attend on behalf of the Authority.

Agenda Item No. 5.7 – Approval of Temporary Borrowing Resolution, File No. 16/17-1 in the amount of \$399,000.

General Manager Maybee referred to the Valley Region Solid Waste-Resource Management Authority, Temporary Borrowing Resolution, File No. 16/17-1 in the amount of \$399,000.00, as circulated and attached to these minutes. It was noted that the Authority is required to pass the Resolution by motion to begin the process of securing funds to be borrowed associated with the Authority's 2016-2017 Capital Budget.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY HUGH SIMPSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE TEMPORARY BORROWING RESOLUTION, FILE 16/17-1 IN

THE AMOUNT OF \$399,000.00, TO BE EXECUTED BY THE CHAIR AND GENERAL MANAGER, AS CIRCULATED AND ATTACHED TO THESE MINUTES.

MOTION CARRIED.

Mr. Maybee indicated that the associated borrowing guarantees to be approved by participating partner Councils have been prepared for circulation to partners.

Solicitor Coyle reminded the Authority that while there is language in the Temporary Borrowing Resolution relating to the Town of Hantsport as currently represented by the Municipality of the District of West Hants, this matter will require further attention in the future as the Municipality of the District of West Hants is not a partner to the Authority under the Intermunicipal Services Agreement. Mr. Maybee indicated he has discussed this with Warden Dauphinee with both parties fully aware that the matter will require resolution in advance of the release of the next tender for collection services. At present, the Municipality of the District of West Hants is being invoiced similarly to the partners under the Intermunicipal Services Agreement and further that they are paying those invoices in a timely manner and putting borrowing guarantees in place as requested.

Agenda Item No. 6 – Operations Manager Monthly Report

Operations Manager Martin took the floor referring to the Operations Manager Report to the Authority, dated June 15, 2016, as circulated and attached to these minutes. Mr. Martin reviewed the report in its entirety with the Authority.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY HUGH SIMPSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE OPERATIONS MANAGER MONTHLY REPORT, DATED JUNE 15, 2016, AS CIRCULATED AND ATTACHED TO THESE MINUTES.

A short discussion arose with it being indicated that the management of the seasonal bins is a key service item in the Service and Facility Review Report and will be dealt with as discussed earlier during the meeting.

In response to the question, Solicitor Coyle noted that while there have been many investigations into illegal dumping at the seasonal bin locations, there has not been a case that has been prosecuted in court; however, administrative bylaw tickets have been issued for offences. Mr. Martin indicated that security cameras have been put in place in a couple locations with staff monitoring activity for follow-up as possible when bylaw infractions occur. Mr. Martin also noted that while there is signage in place on the bins to indicate sorting requirements, the signage does not state that the bin is for use by local cottage owners only which may have to be addressed in the future.

MOTION CARRIED.

Agenda Item No. 7 – Occupational Health and Safety System Monthly Report

Operations Manager Martin again took the floor referring to the OHS Report to the Authority, dated June 15, 2016, as circulated and attached to these minutes. Mr. Martin reviewed the report in its entirety with the Authority.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY HUGH SIMPSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE OHS REPORT TO THE AUTHORITY DATED JUNE 15, 2016, AS CIRCULATED AND ATTACHED TO THESE MINUTES.

MOTION CARRIED.

General Manager Maybee added that Authority staff participated in Emergency First Aid, CPR/AED training which is valid for the next 3 years.

Agenda Item No. 8 – Communications and Enforcement Reports

Communications Manager Garrett took the floor referring to the Communications Update, dated June 2016, as circulated and attached to these minutes. Mr. Garrett reviewed the key topics highlighted in the report including the Reuse Centre event at the West Management Centre, presentations at the Nova Scotia Community Colleges, the Delhaven Harbour Clean Up, the Planet Protectors educational program, the Michelin Health and Safety Day and finally the new recycling program in place in operating rooms at the Valley Regional Hospital.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY HUGH SIMPSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE COMMUNICATIONS UPDATE, DATED JUNE 2016, AS CIRCULATED AND ATTACHED TO THESE MINUTES.

MOTION CARRIED.

Enforcement Report

In Bylaw Enforcement Officer, Grace Proszynska's absence, Solicitor Coyle reported a successful prosecution under the Municipality of the County of Kings Solid Waste-Bylaw this week. The charges for failure to abide by a clean-up order and for illegal burning resulted in a guilty plea and a fine of \$750.00 for each count for a total of \$1,500.00. Communications Manager Garrett noted that a press release regarding this matter has been issued and reported to have been aired on the local radio station.

Agenda Item No. 9 – Regional Coordinators and Regional Chairs Report

Communications Manager Garrett took the floor noting that there has not been a Regional Chairs Committee since the last Authority meeting; however, during the last Chairs meeting the 2014-2015 Datacall results were presented and reviewed. A copy of the presentation is attached to these minutes. Mr. Garrett reviewed the graphs with the Authority noting that overall, when compared to its counterparts across the Province, the Authority is doing very well. Mr. Garrett did stress however, that due to varying service levels, it is extremely difficult to compare one Region to another.

ON MOTION OF HUGH SIMPSON AND SECONDED BY CALVIN EDDY THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE 2014-2015 DATACALL PRESENTATION, AS CIRCULATED AND ATTACHED TO THESE MINUTES.

MOTION CARRIED.

A short discussion arose where it was the consensus of the Authority that Communications Manager Garrett prepare and circulate a "1-pager" summary of the results of the Datacall for use by Authority representatives as felt appropriate.

Agenda Item No. 10 – Chair's Report

Chair Pearl noted that he had received information from Communications Manager Garrett regarding the extremely important issue of the implementation of an extended producer responsibility program where it was indicated that the Province of Ontario has now passed a law moving toward a full extended producer responsibility program with a qualifying statement indicating that it will take a few years to fully roll the program out.

Chair Pearl noted that he has been selected as the successful candidate to join the DivertNS Board (Resource Recovery Fund Board) with the final decision regarding his selection to be made during the upcoming Annual General Meeting to be held next Thursday in Truro.

It was the consensus of the Authority that having Chair Pearl serving on this Board will be invaluable in sharing municipal concerns and messages.

Agenda Item No. 11 – Investment Committee Report

Chair Pearl referred to the ScotiaMcLeod Investment Account Statement for the period of May 1-31, 2016, as circulated and attached to these minutes, noting that the report includes the recent contribution of \$161,051.00 as per the Authority's approved budget. Chair Pearl then referred to the Portfolio Performance Report as prepared by investment advisor, David Deacon, in response to the request of the Authority during the last meeting, as circulated and attached to these minutes. The report offers a clear explanation of portfolio performance since its inception.

Chair Pearl noted he has received e-mail notification from Marc Britney indicating that he is no longer able to serve on the Authority's Investment Committee. A copy of the e-mail is attached to these minutes. A short discussion was held resulting in the following motion:

ON MOTION OF BRIAN HIRTLE AND SECONDED BY SHERMAN HUDSON THAT HUGH SIMPSON BE SELECTED TO SERVE ON THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY INVESTMENT COMMITTEE EFFECTIVE IMMEDIATELY.

MOTION CARRIED.

In response to the question regarding the potential impact that implementing an extended producer responsibility program in Nova Scotia may have, it was indicated that if fully instituted less than 1% of businesses would be affected and that between 15-20 million dollars could be generated province wide which could translate to a reduction in approximately 1 million dollars in costs annually for the Authority. Essentially, the program would see industry and consumers paying for the management of packaging rather than the general tax payer. Chair Pearl advised if any Authority member requires further clarification, the best approach would be to contact Communications Manager Garrett directly.

Agenda Item No. 12 – New Business

Agenda Item No. 12.1 – Chester Update

General Manager Maybee took the floor noting that he, Chair Pearl and Vice-Chair Ritchie met with the Municipality of the District of Chester representatives along with a representative from Sustane Technologies recently where it was indicated that both parties continue to work together to bring Sustane's technology to Kaizer Meadow's Eco-Industrial Park. Capital funding is in place and they are eager to move forward with formalizing an agreement. Sustane Technology is indicating that they have the ability to create biomass pellets and fuels from residual waste destined for landfill and have markets for the materials. In support of moving forward, the Municipality of the District of Chester is seeking support from the Authority by confirming that all materials currently designated for landfill will continue to be sent to the Kaizer Meadow Landfill, that the Authority move forward with discussions to extend the current agreement for disposal services by 10 years, and that a portion of the Authority's diversion credits related to the new technology be shared with Sustane Technologies. Additionally, the Municipality of Chester is confirming that the rate for disposal at the landfill will not exceed \$74.00 per tonne for the next 3 years. Mr. Maybee indicated that he will be seeking the Authority's approval to enter into a Memorandum of Understanding regarding these issues. Solicitor Coyle offered that the Authority does carry the ability to make an adjustment to the current contract and further that the liability limitations issue as raised in the Service and Facility review can be further investigated as part of the project.

A short discussion arose with it being the consensus that General Manager Maybee prepares a report offering rationale for the consideration of a landfill services contract extension based on status quo, status quo plus ten years and a 10 year extension with a Sustane model with costs and benefits for the consideration of the Authority during the next meeting.

Agenda Item No. 13 – Correspondence

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

Agenda Item No. 14 – Next Meeting

The next meeting of the Valley Region Solid Waste-Resource Management Authority will be held on Wednesday, July 20, 2016, beginning at 9:00am in keeping with the normal meeting schedule.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY SHERMAN HUDSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY MOVE TO AN IN-CAMERA SESSION FOR THE PURPOSES OF DISCUSSING A LEGAL ISSUE.

MOTION CARRIED.

Agenda Item No. 15 – Adjournment

ON MOTION OF REGINALD RITCHIE AND SECONDED BY BRIAN HIRTLE THAT THE JUNE 2016 REGULAR MONTHLY MEETING OF THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ADJOURN AT 12:30PM.

Respectfully Submitted,

Brenda Davidson
Office Coordinator
Valley Waste-Resource Management