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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
Thursday, November 29, 2018
9:00am
Valley Waste-Resource Management Office – Boardroom

Attendees

Members Present: Wendy Elliott, Barry Corbin, Brian Hirtle

Alternates Present: Craig Gerrard, Owen Elliot

Regrets: Chair John Kinsella and Eric Bolland

CAO Group: CAO Scott Conrod, CAO Mark Phillips

STAFF: Cathie Osborne, Andrew Garrett, Geoff McCain and Brenda Davidson

Agenda Item No. 1 – Welcome and Call to Order

Acting Chair Corbin welcomed everyone calling the meeting to order at 9:07am noting that a quorum is in place and thanking everyone for making the effort to attend this meeting due to the postponement to the meeting that was originally scheduled to take place on November 21, 2018.

Agenda Item No. 2 - Approval of the Agenda

ON MOTION OF BRIAN HIRTLE AND SECONDED BY CRAIG GERRARD THAT THE AGENDA BE APPROVED AS CIRCULATED.

A short discussion arose where it was indicated that the services of a General Manager will be further addressed during the in-camera session later during the meeting.

MOTION CARRIED.

Agenda Item No. 3 – Approval of the Minutes

Agenda Item No. 3.1-Approval of the draft minutes of October 17, 2018

ON MOTION OF WENDY ELLIOTT AND SECONDED BY BRIAN HIRTLE THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE MINUTES OF OCTOBER 17, 2018, AS CIRCULATED.

MOTION CARRIED.

Agenda Item No. 4 – Interim General Manager

Agenda Item No. 4.1 – Status Report-Discontinuation of Service to Annapolis County

Ms. Osborne provided the Authority with an overview of recent activity noting the following:

- Annapolis County has not submitted any payment toward outstanding invoices. Staff continue to prepare and release invoices with interest which Annapolis County continues to refuse to pay. At present, the total owed by Annapolis County, without November 2018 interest applied is in excess of \$800,000 and the Authority may want to consider how to collect the outstanding balance. There is approximately \$25,000.00 in interest charges.
- As shared with all, the Parties were successful in the Judicial Review of the stopping the expropriation of the Western Management Centre.
- Staff continue to collect green carts in Annapolis County and will soon stop cart collection efforts and turn to notifying residents who have not released the green cart of the requirement to return the cart to Valley Waste. The cost for the collection of the green carts is currently around \$48,000.00 with more costs yet to be applied to the total.

Agenda Item No. 4.2 – Sustane Technologies and Invitation

General Manager Osborne and Finance Manager McCain met with the General Manager for Sustane Technologies and the Chester Landfill Manager during which an update regarding Sustane Technologies activation of their processing system was provided. It was noted that Sustane is cautiously adding parts to the processing equipment ensuring that all components will work as intended. Essentially there are numerous processing points and these are being connected and tested. The Landfill is seeing savings in operations as they are not yet paying Sustane to take materials and therefore, the year-end surplus estimation for landfill operations is being reported to be in the range of \$600,000 which can fluctuate considerably over the remaining 4 months of the fiscal year.

Representatives from Sustane wanted to extend an invitation to the Authority and party CAO's to visit the site before all systems are up and running to see and discuss the progress being made. Staff will reach out to Sustane to select a date and send invitations. It is hoped that all equipment will be fully operational in February 2019.

In response to the question, it was noted that Chester is reporting some challenges associated with managing the recyclable and residual materials being received from the Municipality of Annapolis County. The recycling materials are being separated outside and sent to Halifax for processing. It is our understanding that organic materials are being directly hauled to Northridge Farms and are not offloaded at the Chester facility.

Agenda Item No. 5 – Staff Reports

Agenda Item No. 5.1 – Manager of Finance

Agenda Item No. 5.1.1 – Unaudited Revenue and Expense Statement for the period ending October 31, 2018

Finance Manager McCain took the floor referring to the Revenue and Expense Statement for the 7 months ending October 31, 2018 and the associated Budget Variance Analysis for the 7 months ending October 31, 2018, both as circulated and attached to these minutes.

Mr. McCain reviewed the documents explaining values and variances as identified in the report. It was noted that at this time, the Authority is in a deficit position in the amount of \$138,262. In response to the question General Manage Osborne noted that there has been one permanent staff transfer from the West Management Centre to the East Management Centre with that person replacing a retiree.

A discussion arose regarding the Authority's service provision to seasonal bins in cottage country area with it being noted that Authority staff are, in response to the numerous complaints, providing collection services and further that the collection contract has been adjusted to reflect the removal of their requirement to do so. It was noted that there is no impact on Authority operations as staff were already performing the service with Valley Waste-owned equipment to address the complaints. It was further noted that additional discussion regarding the seasonal bins in cottage country will take place later during the meeting as 2 pieces of correspondence are addressed.

ON MOTION OF WENDY ELLIOTT AND SECONDED BY BRIAN HIRTLE THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE REVENUE AND EXPENSE STATEMENT AND BUDGET VARIANCE ANALYSIS FOR THE 7 MONTHS ENDING OCTOBER 31, 2018.

MOTION CARRIED.

Agenda Item No. 5.1.2 – Cash Flow Analysis

Finance Manager McCain provided the Authority with an update regarding cash flow matters as per the Cash Flow Projection document dated November 20, 2018, as circulated and attached to these minutes. As per the report it is anticipated the Authority will see a bank balance of \$295,688 as of December 15, 2018 which is of concern. It was noted that the next round of invoicing will be released to the Parties in January 2019, however, the Authority will remain in a perilous position financially due to the previous advance payments made by the Parties. It was further stressed that while the Municipal Finance Corporation will be releasing \$399,000, these funds must be used for capital purchases only and are not to be used for operating purposes. It was further noted that these funds will be used for the acquisition of a grinder and pick-up truck in keeping with the approved capital budget for the current fiscal year. A discussion arose regarding the outstanding balance owed by the Municipality of the County of Annapolis with it being noted that the Party CAO's will be discussing the matter with their legal counsel.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY CRAIG GERRARD THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY MOVED TO AN IN-CAMERA SESSION IN KEEPING WITH SECTION 22 OF THE MUNICIPAL GOVERNMENT ACT.

MOTION CARRIED.

The November regular monthly meeting of the Valley Region Solid Waste-Resource Management Authority was called back to order at 10:20am.

Agenda Item No. 5.1.3 – Development of 2019-2020 Operating and Capital Budgets

Finance Manager McCain reported that staff are developing the draft operating and capital budgets for the 2019-2020 fiscal year and anticipate the presentation of the draft budgets during the December Authority meeting in keeping with the requirements of the Intermunicipal Services Agreement.

Agenda Item No. 5.2 – Operations Manager

Agenda Item No. 5.2.1 – Report to the Authority: Janitorial Services, VWRP1703

In Operations Manager Martin's absence, Interim General Manager Osborne referred to the Report to the Authority, Request for Proposals: Provision of Janitorial Services, VWRP1703, dated November 21, 2018, as circulated and attached to these minutes. Ms. Osborne noted the contract document has not yet been signed as the proponent is in the process of ensuring the provision of a letter of credit in keeping with the requirements of the request for proposals. Signing will take place as soon as the documentation is made available. In response to the question, it was noted that Jani-King, the successful proponent, is the current provider of the janitorial services.

Agenda Item No. 5.3 – Office Manager

Office Manager Davidson reported that she did not have a report to bring before the Authority at this time.

Agenda Item No. 5.4 – Communications Manager/Regional Coordinator

Communications Manager Garrett took the floor referring to the Report to the Authority, Regional Coordinator Report, dated November 13, 2018, as circulated and attached to these minutes. Mr. Garrett reviewed the report highlighting key information. In response to the question, it was noted that staff will make calendars available to residents through every possible venue to ensure easy access by those who will not receive a calendar through flyer services. Also in response to the question, it was noted that there are approximately 5000 registered users of the My-Waste App.

In addition to the items in the report, Mr. Garrett noted that Valley Waste is hoping to secure a student from Acadia for a 6 week period at no charge. It is intended that the student will focus on a plastic bag reduction project by working with the retail community.

In response to the question, and in reference to the October 16, 2018 letter to Minister Miller and the Minister's response dated October 24, 2018, as circulated and attached to these minutes, it was noted that the Nova Scotia Federation of Municipalities declared extended producer responsibility to be a key priority at the Fall conference. While the Canadian Federation of Independent Business remains opposed to the implementation of extended producer responsibility programs, communication and misunderstandings may be an issue. The Provincial Priorities Group is developing a tool kit to assist with education around the matter. While there are a number of variables, the implementation of the extended producer programs could be of great value financially across the Valley region and support across the Province is gaining momentum.

Agenda Item No. 6 – Committee Reports

Agenda Item No. 6.1 – General Manager Selection Committee

Acting Chair Corbin reported that the General Manager recruitment continues to move forward with interviews scheduled to take place on December 12, 2018. The General Manager Selection Committee

will be making a recommendation to the Authority in follow-up to the interview process; however, it is fully anticipated that the new General Manager will not be appointed for another month and a half.

Agenda Item No. 6.2 – Policy Review Committee

Interim General Manager Osborne reported that the Policy Review Committee has met and discussed the best way to move forward with the Policy creation/update project with it being the consensus that as much work as possible will be completed by e-mail. The Committee is pleased to present the draft new Human Resources Policy for the consideration of the Authority today.

Agenda Item No. 6.2.1 – Draft Human Resources Policy-AAP-22

Ms. Osborne referred to the Draft Human Resources Policy, AAP-12, as circulated and attached to these minutes explaining while in the past, the Authority had approved the existing Personnel Policies in 2001, the Authority is now being asked to consider and approve the draft Human Resources Policy which will serve as the foundation from which the Human Resources Operating Manual will be developed. This approach of having the Authority approve the Policy is being taken to separate the overarching Authority policy, which is intended to establish the requirements and tone, from the human resources operations manual documentation which will be developed separately and managed as an internal operating document by the General Manager.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY CRAIG GERRARD THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ADOPT THE NEW HUMAN RESOURCES POLICY AND FURTHER AUTHORIZES STAFF TO MOVE FORWARD WITH THE DEVELOPMENT OF THE ASSOCIATED HUMAN RESOURCES MANUAL.

MOTION CARRIED.

Agenda Item No. 6.2.2 – Investment Committee

Finance Manager McCain reported that the Investment Committee met on November 9th. During the meeting the expiring agreement for Investment Services was discussed with it being the consensus of the Committee that an Expression of Interest document be prepared and released to select firms for response. The Committee will review responses once they are available. The Committee also welcomed Heather McKay as the citizen-at-large representative to the Committee who brings a wealth of knowledge and experience to the table. As it was noted that the Authority has not formally established a fee for the citizen appointment to the Committee in keeping with the Investment Policy, a short discussion arose regarding the annual stipend for the citizen representative resulting in the following motion:

ON MOTION OF BRIAN HIRTLE AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVES OF THE ESTABLISHMENT OF A \$500.00 PER YEAR STIPEND TO BE PAID TO THE CITIZEN-AT-LARGE MEMBER OF THE INVESTMENT COMMITTEE.

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

There were two pieces of correspondence to bring before the Board:

1. E-mail from Gloria Armstrong, dated November 15, 2018 and
2. Letter from Loretta Kalkman, dated November 19, 2018.

Both pieces of correspondence were directly related to the seasonal bin monitoring fees historically paid to the two cottage associations. General Manager Osborne reminded the Authority that a new Cottage Bin Maintenance Payments Policy was approved by the Authority on October 18, 2017; however, since that time the manner in which the seasonal bins around cottage country are managed has changed by having Authority-owned equipment and personnel directly provide collection services and therefore the Authority's contract with EFR Disposal for collection services has been amended to eliminate their provision of the service. By taking this approach, the payment for monitoring services by the various community groups and/or individuals historically paid by the Authority is no longer needed. Taking this approach has proven to be very successful in virtually eliminating the overwhelming number of complaints that were being received regarding the bins. Ms. Osborne further noted that any outstanding payment to the time of the change in August 2018 can be released upon the completion and submission of the "Bin Maintenance Agreement" which is Appendix A to the Cottage Bin Maintenance Payments Policy.

It was the consensus that the General Manager prepare and release a response to the two pieces of correspondence noted above expressing, on behalf of the Authority, sincere gratitude for the work that has been done going above and beyond any monitoring expectations indicating that the Authority is committed to ensuring that all payments are made as they relate to monitoring services up to August 2018.

Agenda Item No. 9 – In-Camera Session in keeping with MGA Section 22(2)(e) and (g) -Contract Negotiations and Legal Advice

- 9.1 – Status Report: Recyclables Processing Contract with Scotia Recycling
- 9.2 – Status Report: Curbside Collection and Transportation Contract
- 9.3 – Status Report: Legal

ON MOTION OF BRIAN HIRTLE AND SECONDED BY CRAIG GERRARD THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY MOVE TO AN IN-CAMERA SESSION FOR THE PURPOSES AS NOTED ABOVE IN KEEPING WITH SECTION 22(2)(e) AND (g) OF THE MUNICIPAL GOVERNMENT ACT.

MOTION CARRIED.

The November Regular Monthly Meeting of the Valley Region Solid Waste-Resource Management Authority was called back to order at 11:50am.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY CRAIG GERRARD THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVES THE EXTENSION OF THEIR AGREEMENT TO

THE DIRECT ACCEPTANCE BY THE MUNICIPALITY OF THE DISTRICT OF CHESTER AT THE CHESTER LANDFILL OF ANNAPOLIS COUNTY'S MUNICIPAL SOLID WASTE STREAM FOR AN ADDITIONAL 3 MONTHS TO FEBRUARY 28, 2019 UNDER THE SAME CONDITIONS OF THE ORIGINAL AGREEMENT AS PER THE LETTER TO WARDEN ALLEN WEBBER DATED AUGUST 31, 2018.

MOTION CARRIED.

ON MOTION OF CRAIG GERRARD AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AGREES TO ACQUIRE A SECONDMENT FROM THE MUNICIPALITY KINGS COUNTY FOR SERVICES TO ADDRESS CAPITAL, OPERATING AND LEGAL PREPARATION RELATING TO VALLEY WASTE BETWEEN DECEMBER 1, 2018 AND FEBRUARY 28, 2019 FOR THE INCREMENTAL COSTS OF BACKFILLING.

MOTION CARRIED.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY CRAIG GERRARD THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVES THE EXTENSION OF THE AGREEMENT WITH CATHIE OSBORNE TO SERVE AS INTERIM GENERAL MANAGER TO THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY UNTIL SUCH TIME AS THE BOARD DETERMINES OTHERWISE OR UNTIL THE HIRING OF THE NEW GENERAL MANAGER. THIS AGREEMENT SHALL BE BASED ON THE TERMS AND CONDITIONS AS AGREED TO BY THE CHAIR OF THE AUTHORITY.

MOTION CARRIED.

In response to the question, it was noted that the Parties will seek legal advice regarding moving forward with Arbitration with the Municipality of Annapolis County.

Acting Chair Corbin then took a moment to express, on behalf of the Authority, his deep appreciation and thanks for the work being completed by Ms. Osborne. Acting Chair Corbin noted that the Authority has weathered a tough situation and the road is now looking brighter complimenting Ms. Osborne for the sage advice that she has been providing along the way. Chair Corbin also took a moment to sincerely thank the Authority's team for all of the hard work and continued support as the Board works through this difficult situation noting that he is looking forward to a new and improved Valley Waste-Resource Management under a refreshed Intermunicipal Services Agreement into the future!

Agenda Item No. 10 – Next Meeting

The next regular monthly meeting of the Valley Region Solid Waste-Resource Management Authority will be held on December 19, 2018 in keeping with the normal meeting schedule.

MOTION CARRIED.

Agenda Item No. 11 - Adjournment

ON MOTION OF BRIAN HIRTLE THE NOVEMBER 2018 REGULAR MONTHLY MEETING OF THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ADJOURNED AT 12:00PM.

Respectfully Submitted,

Brenda Davidson
Office Manager
Valley Waste-Resource Management