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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, September 19, 2018**  
**9:00am**  
**Valley Waste-Resource Management Office – Boardroom**

**Attendees**

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**Members Present:** Wendy Elliott, Eric Bolland, Barry Corbin, Brian Hirtle, Gail Smith, John Kinsella

**Alternates Present:** Martha Armstrong

**CAO Group:** CAO Mark Phillips and Mayor Sandra Snow

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

**Agenda Item No. 1 – Welcome and Call to Order**

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

**Agenda Item No. 2 - Approval of the Agenda**

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**ON MOTION OF BRIAN HIRTLE AND SECONDED BY WENDY ELLIOTT THAT THE AGENDA BE APPROVED WITH THE ADDITION OF AGENDA ITEM 6.3 – SURPLUS/DEFICIT POLICY AAP-07 AND AGENDA ITEM 9.3 CONTRACT NEGOTIATIONS.**

**MOTION CARRIED.**

**Agenda Item No. 3 – Approval of the Minutes**

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**Agenda Item No. 3.1-Approval of the draft minutes of August 22, 2018**

**Agenda Item No. 3.2 Approval of the draft minutes of August 31, 2018-Special Meeting**

**Agenda Item No. 3.3-Approval of the draft minutes of September 10, 2018-Special Meeting**

**ON MOTION OF ERIC BOLLAND AND SECONDED BY BRIAN HIRTLE THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE MINUTES OF AUGUST 22, 2018-REGULAR MONTHLY MEETING, AUGUST 31, 2018 – SPECIAL MEETING AND SEPTEMBER 10, 2018-SPECIAL MEETING, AS CIRCULATED.**

**MOTION CARRIED.**

## **Agenda Item No. 4 – Interim General Manager**

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

Cathie Osborne brought the Authority up to date with recent activity around the discontinuation of service to Annapolis County. A successful negotiation was completed with Annapolis County where it was agreed they would arrange to have green carts emptied with Valley Waste staff now collecting carts as quickly as possible. It was noted that Jeff Martin is not attending the meeting today as he is on the road with the cart collection team. It was also reported that about 1/3 of the carts have been collected to date and the carts are currently being delivered to the West Management Centre site for sorting and washing. Ms. Osborne noted that the collection of the carts is an unplanned and therefore unbudgeted activity and a request has been sent to the Parties to consider the reallocation of approved funds to cover the associated expenses. It was stressed that if the Parties do not agree to the request, the process will be stopped so every effort is being made to ensure that all Parties are comfortable with the request.

In response to the question it was noted that the Municipality of the County of Kings has not yet approved the reallocation as there was some confusion around the total cost figure being requested.

While it was noted that all but 1 of the Parties has approved the request or will be formally approving it in the very near future Ms. Osborne explained that in the request she did indicate the estimated cost savings of the Authority by not serving Annapolis County along with the estimation that the retrieval of the carts will be in the range of \$60,000. It was again stressed that as the Intermunicipal Services Agreement only speaks to Supplementary Budgets, that term is used, but essentially in this case it is a request to reallocate already approved funds. As a result of the discussion, Ms. Osborne will contact Scott Conrod, CAO, Municipality of Kings, directly to confirm whether or not additional information is required and further that if any additional information is provided that the information is shared with all Parties. It was further noted that other municipal units have expressed great interest in buying any surplus carts that may become available which will offer a revenue stream to help offset expenses. While some of the used carts will be offered for sale to those municipalities, staff will retain a stock of the newer used carts for use into the future which will reduce the need to budget for new carts for a period of time depending upon the number that are available.

**ON MOTION OF WENDY ELLIOTT AND SECONDED BY BARRY CORBIN THAT INTERIM GENERAL MANAGER OSBORNE AND STAFF OF VALLEY WASTE BE COMMENDED FOR ALL EFFORTS OVER THE PAST MONTHS IN RECOGNITION OF THE CURRENT SITUATION THAT THE AUTHORITY FINDS ITSELF IN.**

**MOTION CARRIED.**

Ms. Osborne updated that the Municipality of the County of Annapolis continues to refuse to pay the outstanding invoices for services rendered. A consultation with legal will be held to determine the options available for collections.

Ms. Osborne further noted that as all are aware the 1<sup>st</sup> hearing regarding the expropriation of the lands housing the West Management Centre was held yesterday, September 18, 2018 and the Judge has ordered a stay where no further action will be taken by Annapolis County until a 2<sup>nd</sup> hearing is held on November 20, 2018. In response to the question it was noted that the date works well with the

Authority's approval to allow the County of Annapolis to transport their waste-resource materials to the Kaizer Meadow Landfill in Chester.

On a final note and in response to the question, Ms. Osborne indicated that there has been no further information or action associated with the claim by the County of Annapolis that something has been sent to the RCMP for investigation.

**Agenda Item No. 4.2 – Follow-up: Actions Recommended in Policies Report as circulated during the last meeting**

Ms. Osborne reviewed the Memo to Chair Kinsella, dated August 22, 2018 regarding her summary findings – VWRM Authority and Administrative Policies, as circulated and attached to these minutes.

A discussion ensued with it being the consensus of the Authority that the work completed is appreciated and will be of great benefit to the new general manager when that person is put in place. Ms. Osborne noted she would like to see activity begin immediately to update the Authority's Personnel Policies and further that she would like to see the Authority be responsible for approving the strategic framework of the personnel policies and give the General Manager high level strategic direction. The personnel policy would become an administrative policy and will streamline updating the policy going forward.

**ON MOTION OF BRIAN HIRTLE AND SECONDED BY GAIL SMITH THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE MEMO TO CHAIR KINSELLA, SUMMARY FINDINGS – VWRM AUTHORITY AND ADMINISTRATIVE POLICIES, DATED AUGUST 22, 2018.**

**MOTION CARRIED.**

A short discussion arose regarding the re-establishment of a Policy Committee with both Chair Kinsella and Brian Hirtle agreeing to serve on the Committee along with senior staff as deemed appropriate. A meeting will be organized in the near future where the Memo discussed today will be brought before the Committee to determine the approach to address the issues raised.

**Agenda Item No. 4.3 – Status Report – Operating Line of Credit and Debenture**

Ms. Osborne noted a request has been forwarded to the Parties to determine the status of their approval of the guarantees associated with the operating line of credit and debenture. The Department of Municipal Affairs has asked for confirmation of approval of the guarantees by the Parties prior to approving the request to move forward with the establishment of the operating line of credit. It was further noted that the Department of Municipal Affairs has not yet concluded that the Municipality of the County of Annapolis has withdrawn from the Intermunicipal Services Agreement with Ms. Osborne now taking steps to confirm that it is in fact official that the municipality is no longer an active Party under the Intermunicipal Services Agreement. Chair Kinsella noted he would be pleased to sign any correspondence that may be of help as this process moves forward.

Ms. Osborne further noted that Finance Manager McCain is keeping a close eye on cash flow and at this point in time the Authority is holding its own with the ebb and flow of cash. If financial activity continues as usual, the Authority may not be required to draw heavily from an a operating line of credit, if approved, to meet day-to-day requirements.

**Agenda Item No. 4.4 – Tour: Fundy Compost Facility**

Communications Manager Garrett noted that while a tour of the Kaizer Meadow Landfill was facilitated with the Authority in follow-up to the municipal elections, it is felt to be of great benefit to have the Authority tour the other facilities with which they contract to include the Authority’s own operations, Scotia Recycling and the Fundy Composting facility. Mr. Garrett indicated that by setting a day or 2 aside, the Authority should have ample time to see these facilities and further that he will do a “doodle poll” to determine a time that will work for all interested individuals.

**Agenda Item No. 5 – Staff Reports**

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**Agenda Item No. 5.1 – Manager of Finance**

**Agenda Item No. 5.1.1 – Request for Proposals – Investment Advisory Services**

Finance Manager McCain reported that as the current contract for investment advisory services will expire in December of this year, staff are preparing a Request for Quotations for this service with more information to be provided as it becomes available.

**Agenda Item No. 5.2 – Operations Manager**

As indicated earlier during the meeting, Operations Manager Martin is on the road with the cart collection team. Contact has been made with an external party who may have some labour available to provide additional support which will allow the Authority’s staff to return to their normal duties. Pricing from the external service provider should be received soon.

**Agenda Item No. 5.3 – Office Manager**

Office Manager Davidson indicated that staff are now moving forward with the preliminary planning for the implementation of the ADP Ez-Labour time management system.

**Agenda Item No. 5.4 – Communications Manager/Regional Coordinator**

Communications Manager Garrett reviewed the Regional Coordinator Report, dated September 18, 2018, as circulated and attached to these minutes noting that wording for motion for the Authority’s consideration has been prepared regarding the Extended Producer Responsibility resolution.

In response to the question it was noted that education and enforcement services are not be provided to the residential or industrial/commercial/institutional community in the Municipality of the County of Annapolis. It was stressed however that a majority of the schools are in the Towns so service will continue there.

**ON MOTION OF BARRY CORBIN AND SECONDED BY ERIC BOLLAND THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ENCOURAGE NSFM MEMBERS WITHIN THE REGION TO ENDORSE PROPOSED RESOLUTION #6, EXTENDED PRODUCER RESPONSIBILITY, OF THE SEPTEMBER 7, 2018 NSFM INTERIM RESOLUTIONS REPORT, AS A PRIORITY RESOLUTION FOR THE FALL CONFERENCE.**

**MOTION CARRIED.**

**ON MOTION OF BRIAN HIRTLE AND SECONDED BY WENDY ELLIOTT THAT THE ABOVE MOTION BE SHARED WITH MUNICIPALITIES ACROSS THE PROVINCE ENCOURAGING THAT THEY TOO OFFER THEIR SUPPORT IN A SIMILAR MANNER.**

**MOTION CARRIED.**

In response to the question, Communications Manager Garrett noted that while difficult to apply a specific dollar amount to the potential value of Extended Producer Responsibility for the Valley Region, the value is significant and could be in the range of up to \$18,000,000 annually province-wide. It was suggested that the provincial number be used when contacting other municipal units seeking their support.

**Agenda Item No. 5.4.1 – Communication Status and Green Cart Collection from Annapolis County Properties**

Mr. Garrett noted that Valley Waste and the Municipality of Annapolis County have shared the same messages to citizens regarding the removal of the VWRM green carts and that the messaging is working well with perhaps between 5-10% of the carts not out for pick-up.

**Agenda Item No. 6 – Committee Reports**

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**Agenda Item No. 6.1 – General Manager Selection Committee (Meeting September 10, 2018)**

It was reported that the General Manager Selection Committee met on September 10, 2018 and has reactivated the process of recruiting a new General Manager. During the meeting the process for advertising and other deliverables was reviewed. The Committee has not yet confirmed the date for the next meeting.

**Agenda Item No. 6.2 – Audit Committee – Audited Financial Statements 2017-2018**

Finance Manager McCain circulated the Valley Region Solid Waste-Resource Management Authority Financial Statements for the fiscal year ending March 31, 2018, as attached to these minutes. It was noted that the Audit Committee has met with the Auditors and with the support of the Municipality of the County of Kings and the Municipality of the District of Chester and supporting legal advice have agreed to the presentation of the underfunded liability for closure/post closure landfill costs as shown in the Authority's Statements.

**ON MOTION OF BARRY CORBIN AND SECONDED BY BRIAN HIRTLE THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AGREE TO AMEND THE CHESTER LANDFILL AGREEMENT WITH RESPECT TO THE PAYABLE TO CHESTER LANDFILL OF VALLEY WASTE'S PROPORTIONATE SHARE OF THE UNDERFUNDED CLOSURE/POST CLOSURE LANDFILL RESERVE, AS REFLECTED IN THE 2017-18 AUDITED FINANCIAL STATEMENTS. TERMS OF REPAYMENT, EFFECTIVE APRIL 1, 2018 TO BE OVER 10 YEARS AT 2% PER ANNUM.**

**MOTION CARRIED**

**ON MOTION OF BARRY CORBIN AND SECONDED BY ERIC BOLLAND THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ACCEPT THE DRAFT CONSOLIDATED 2017-2018 FINANCIAL STATEMENTS AS REVIEWED AND RECOMMENDED BY THE AUDIT COMMITTEE FOLLOWING A PRESENTATION AND REVIEW OF THE STATEMENTS BY THE BOARD'S INDEPENDENT AUDITORS; AND FURTHER THAT COPIES OF THE FINALIZED AUDITED STATEMENTS BE FORWARDED TO THE PARTIES AND OTHER ASSOCIATED ORGANIZATIONS AS DEEMED APPROPRIATE.**

**MOTION CARRIED**

Finance Manager McCain provided a thorough review of the consolidated financial statements highlighting the key issues. It was stressed that \$997,901 as shown in the statements is associated with the underfunded liability for landfill closure and post-closure.

It was noted that concluding this issue is the major reason for the delay in the finalization of the statements and further that showing the value is based on the changes in the rules for acknowledging the underfunded liability in financial statements as per the Financial Reporting and Accounting Manual in keeping with the Municipal Government Act.

It was further noted that the Authority will end the 2017-2018 fiscal year and as shown in the Financial Statements the value of the deficit is \$23,544 which will be the responsibility of the Parties based on proportional shares.

**Agenda Item No. 6.3 – Operating Surplus/Deficit Policy No. AAP-07**

Discussion turned to the current Surplus Deficit Policy with General Manager Osborne suggesting a change to the wording resulting in the following motion:

**ON MOTION OF BARRY CORBIN AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AMEND THE OPERATING SURPLUS/DEFICIT POLICY NO. AAP-07 TO “AN ANNUAL OPERATING DEFICIT, AS DETERMINED BY THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY’S ANNUAL AUDITED STATEMENTS OF \$30,000.00 OR LESS MAY BE CARRIED OVER TO THE NEXT FISCAL YEAR’S BUDGET. THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY MAY REQUEST THAT THE PARTIES FUND ALL DEFICITS ACCORDING TO THE COST SHARING PERCENTAGES IN USE AT THE TIME.**

A discussion ensued where Mr. Hirtle stressed that the perception of the request for payment of the deficit by the Parties at the same time as the Authority is requesting their consideration of the approval of the reallocation of approved funding is causing concern. While other Authority members had reservations as well, it was recognized that, under the current circumstances, the approach to invoice for the value of the deficit in proportional shares may be in the Authority’s best interest in the long run.

**MOTION CARRIED.**

**Agenda Item No. 7 – New Business**

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**Agenda Item No. 7.1 – Social Media Policy**

General Manager Osborne explained that in light of recent events, staff are drafting a Social Media Policy which will be brought before the Authority for approval in the near future adding that many Municipalities have a similar Policy which is put in place to ensure that all involved are protected.

**Agenda Item No. 8 – Correspondence**

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

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

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9.1 – Status Report: Recyclables Processing Contract with Scotia Recycling

9.2 – Status Report: Curbside Collection and Transportation Contract

9.3 – General Manager Services Contract

**ON MOTION OF ERIC BOLLAND AND SECONDED BY BRIAN HIRTLE 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) OF THE MUNICIPAL GOVERNMENT ACT.**

**MOTION CARRIED.**

The September Regular Monthly Meeting of the Valley Region Solid Waste-Resource Management Authority was called back to order at 11:45.

**MOTION CARRIED.**

**Agenda Item No. 10 – Next Meeting**

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

**ON MOTION OF WENDY ELLIOTT AND SECONDED BY GAIL SMITH THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVES OF THE EXTENSION OF THE CURRENT CONTRACT WITH CATHIE OSBORNE TO SERVE AS INTERIM GENERAL MANAGER UNDER THE SAME TERMS AND CONDITIONS TO NOVEMBER 30, 2018.**

**MOTION CARRIED.**

**Agenda Item No. 11 - Adjournment**

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**ON MOTION OF WENDY ELLIOTT AND SECONDED BY BRIAN HIRTLE THE SEPTEMBER 2018 REGULAR MONTHLY MEETING OF THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ADJOURNED AT 11:48AM.**

Respectfully Submitted,

Brenda Davidson  
Office Manager  
Valley Waste-Resource Management