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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 17, 2021

9:00am

Blend of In-Person and WEBEX Meeting

Attendees

Members Present: Craig Gerrard, Derrick Jamieson, Martha Armstrong, Gail Smith and Pat Power

Alternate Members Present: Wendy Elliott

Guests: Greg Barr, Director of Finance and IT and Mike Livingstone, Manager Financial Reporting, Municipality of the County of Kings – both via WEBEX

Regrets: General Manager Wort

Staff: Andrew Garrett, Doug Armstrong, Dennis Fury, and Brenda Davidson

Agenda Item No. 1 – Welcome and Call to Order

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

Agenda Item No. 2 – Approval of the Agenda

ON MOTION OF GAIL SMITH AND SECONDED BY DERRICK JAMIESON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE AGENDA WITH THE ADDITION OF ITEM NO. 8.1: REPORT TO AUTHORITY: VWRP2103 – FOR THE PROVISION OF ONE (1) NEW MODEL PICK-UP TRUCK.

MOTION CARRIED.

Agenda Item No. 3 – Approval of the Minutes

Agenda Item No. 3.1 – Approval of the Draft Minutes from Regular Authority Meeting October 20, 2021

ON MOTION OF PAT POWER AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE MINUTES OF THE REGULAR MONTHLY MEETING HELD OCTOBER 20, 2021, AS CIRCULATED.

MOTION CARRIED.

Agenda Item No. 4 – Business Arising From the Minutes

There was no business arising from the minutes brought before the Authority at this time.

Agenda Item No. 5 – General Manager Report

In General Manager Wort's absence, Communications Manager Garrett advised the board that staff are devoting significant time to 2022-2023 Operating and Capital Budget development based on the goal of meeting the Intermunicipal Services Agreement requirement of forwarding the draft budgets to the Parties under the Agreement by the end of the calendar year. It is also anticipated that a draft budget will be available to the Parties for preliminary review by December 1st, 2021, however, the per/tonne disposal fees at the Kaizer Meadow Landfill will not be confirmed until the upcoming Kaizer Meadow Consultation Committee meeting to be held on December 8, 2021 and the value will have a material impact on the Authority's overall operating budget.

Mr. Garrett also reminded that Authority that staff will be requesting postponing the December regular monthly meeting date from the normal date of December 15th to December 22nd later during the meeting to allow for adequate budget development time and feedback from the Parties.

On a final note, Mr. Garrett indicated that discussions regarding a contract issue will take place during the in-camera session to be held later today.

ON MOTION OF GAIL SMITH AND SECONDED BY DERRICK JAMIESON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ACCEPT THE GENERAL MANAGER'S REPORT AS PROVIDED BY COMMUNICATIONS MANAGER GARRETT.

MOTION CARRIED.

Agenda Item No. 6 – Finance Director Report

Agenda Item No. 6.1 – Unaudited Revenue and Expense Statement for the Period Ending October 31, 2021

Finance Director, Doug Armstrong, provided a full review of the Unaudited Revenue and Expense Statement for the period ending October 31, 2021, as circulated and attached to these minutes. Mr. Armstrong explained the key variances from budgeted values noting that generally all financial activity is as anticipated at this time noting the impact of the unbudgeted fee for services to the Municipality of Annapolis County.

Mr. Armstrong stressed that the report shows a snapshot in time of the Authority's financial activity and further that as the 2022-2023 operating budget is developed, staff will be focusing on the development of final year-end projections to better determine the Authority's financial position with regard to any surplus funds.

ON MOTION OF DERRICK JAMIESON AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ACCEPT THE FINANCE DIRECTOR'S REPORT.

MOTION CARRIED.

Agenda Item No. 6.2 - Temporary Borrowing Resolution Renewal – Capital Projects 2020-2021

Finance Director Armstrong referred to the Report to Authority: Temporary Borrowing Resolution Renewal – Capital Projects 2020-2021, dated November 3, 2021, and the associated Borrowing Resolution Renewal for 2020-2021 Capital Projects, as circulated and attached to these minutes.

Mr. Armstrong explained the difference between the original debenture borrowing and the renewal documents explaining that based on projects to be undertaken or completed, the value will drop from the original figure of \$945,000 to \$670,920 and further that all Parties will be provided with updated Guarantee Documents for approval ultimately to be forwarded to the Department of Municipal Affairs and Housing for Ministerial approval.

A discussion arose with it being indicated that there should be some indication to Councils that the new Guarantee will supersede the original guarantees to ensure that Councils understand that they are not agreeing to both \$945,000 and \$670,920 resulting in the following motion:

ON MOTION OF CRAIG GERRARD AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVES THE TEMPORARY BORROWING RESOLUTION RENEWAL IN THE AMOUNT OF \$670,920 TO FINANCE 2020/21 CAPITAL PROJECTS;

AND FURTHER, AUTHORIZES THE CHAIR AND GENERAL MANAGER TO EXECUTE THE TEMPORARY BORROWING RESOLUTION ON BEHALF OF THE AUTHORITY;

AND FURTHER, THAT THE ASSOCIATED GUARANTEE RESOLUTIONS BE FORWARDED TO THE PARTIES FOR APPROVAL AND EXECUTION;

AND FURTHER, THAT THE ORIGINAL GUARANTEE RESOLUTIONS IN THE AMOUNT OF \$954,000 FOR 2020/21 CAPITAL PROJECTS BE RESCINDED BY THE PARTIES;

AND FURTHER, THAT THE AFOREMENTIONED EXECUTED RESOLUTIONS BE SUBMITTED TO THE DEPARTMENT OF MUNICIPAL AFFAIRS AND HOUSING FOR MINISTERIAL APPROVAL.

MOTION CARRIED.

On a final note, Chair Armstrong noted a typing error in the Borrowing Resolution Renewal document with Mr. Armstrong noting that the document is provided by the Department of Municipal Affairs and Housing and he will make their representatives aware of the error.

Agenda Item No. 7 – Communications Manager/Regional Coordinator and Communications Reports

Communications Manager Garrett referred to the Regional Coordinator Report to the Authority dated November 5, 2021, as circulated and attached to these minutes, highlighting the key areas of:

- Bill 57 and Bill 25 – as per the report with Mr. Garrett adding that 2 days ago, the Province of Alberta put forward a Bill on Extended Producer Responsibility adding that they are the only Province outside of Atlantic Canada that had not previously moved forward with Regulations. It was noted that Chair Armstrong will be meeting with the Honourable Tim Halman, Minister of Environment in a couple of weeks where Bill 57 will be discussed along with the impact of the 300kg/person disposal rate as stated in the Environmental Goals and Climate Change Reduction Act which will have an impact on the Authority's future operations. Mr. Garrett added that the closest the Authority has come to the 300kg/person disposal rate was 320kgs/person a few years ago with significant change likely required to meet the stated target.
- New Brunswick EPR Legislation – as per the Report
- Mobius Awards – again as per the Report with staff planning social media campaigns to recognize the award winners in the Valley Region.

Agenda Item No. 7.1 – September 2021 Education, Enforcement and Social Media Reports

Communications Manager Garrett then referred to the September 2021 Education, Enforcement and Social Media Reports, as circulated and attached to these minutes.

A short discussion arose regarding the management of illegally dumped tires with it being noted that Councillor Gerrard can share a list of private citizens who are requesting metals and that those individuals would likely be in the position to collect tire rims. It was further noted that rims can be placed in the scrap metal pile within the Authority's operation, however, tires are not technically allowed for disposal at the management centre sites as there is an existing tire recovery system in place in Nova Scotia where dealers are required to take back 4 tires at a time. Staff will further discuss the matter to determine if resources are available to allow for an enhanced management of used tires within existing operations.

It was the consensus of all that using social media to raise awareness regarding proper tire disposal practices would likely help to alleviate the issue and reduce any public confusion.

ON MOTION OF CRAIG GERRARD AND SECONDED BY DERRICK JAMIESON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE COMMUNICATIONS MANAGER REPORTS.

MOTION CARRIED.

Agenda Item No. 8 – Operations Manager Report

Operations Manager Fury referred to the Operations Manager Report to the Authority dated, November 17, 2021 as circulated and attached to these minutes, highlighting the key areas of interest.

A short discussion arose regarding the recycling of the damaged greencarts no longer fit for service with Communications Manager Garrett noting that with another 600 carts to be removed from the East Management Centre, that will essentially clean up that area leaving approximately 1000 carts at the West Management Centre for recycling.

In response to the question, Operations Manager Fury noted that staff are actively seeking quotes for the sale of 4 pieces of surplus equipment including:

- 1 - 2010 Ford F150XL 4X4 Pick-Up Truck
- 1 – 2010 Load T Tandem Dump Trailer with Hydraulic Hoist
- 1 – 2002 Flatbed Utility Trailer
- 1 – Standard 8-foot Pick-Up Box Extension with Tarping System

ON MOTION OF CRAIG GERRARD AND SECONDED BY DERRICK JAMIESON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ACCEPT THE OPERATIONS MANAGER REPORT.

MOTION CARRIED.

Agenda Item No. 8.1 – VWRP2103 – For the Provision of One (1) New Model Pick-Up Truck

Operations Manager Fury reviewed the Report to Authority: VWRP2103 – For the Provision of One (1) New Model Pick-Up Truck, dated November 17, 2021, as circulated and attached to these minutes.

As per the Report, Mr. Fury explained that only 1 submission was received and that the submission was over budget, but staff are recommending that the shortfall in funding be drawn from funds in the existing Equipment Reserve Fund.

ON MOTION OF CRAIG GERRARD AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AUTHORIZE STAFF TO MOVE FORWARD WITH THE ACQUISITION OF ONE NEW 2022 MODEL 2500 TRADESMAN REGULAR CAB 4X4 PICK-UP TRUCK AS PER THE SUBMISSION BY POTHIER’S MOTORS UNDER REQUEST FOR PROPOSALS, VWRP2103, BASED ON THE TOTAL PURCHASE PRICE OF \$73,628.18;

AND FURTHER THAT, \$55,000.00 BE EXPENSED FROM THE APPROVED 2021-2022 CAPITAL FUNDING;

AND FURTHER THAT, THE REMAINDER OF THE FUNDING TO COVER THE CAPITAL BUDGET SHORTALL IS TO BE DRAWN FROM THE EQUIPMENT RESERVE FUND IN THE AMOUNT OF \$11,764.75.

MOTION CARRIED.

Agenda Item No. 9 – Policy Committee Recommendations

Agenda Item No. 9.1 – Proposed Revisions to the Procurement of Goods and Services Policy, AAP-05

Office Manager Davidson referred to the Procurement of Goods and Services Policy: Open and Effective Competition, AAP-05, dated November 17, 2021, as circulated and attached to these minutes, noting that the Policy Committee consisting of Chair Armstrong, Councillor Jamieson and General Manager Wort are proposing amendments to the policy in four areas as follow:

1. To bring the Policy into the Policy Format now being used by the Authority requiring the Chair and General Manager’s signatures on the approved document;
2. To move the evaluation process to best practices where senior staff evaluate submissions as opposed to the previous practice of drawing in the Authority Chair or designate to participate in the evaluation process,
3. To delineate requirements for final Authority approval regarding 1 time within approved budget acquisitions and long-term multi-year contract approval, and finally

4. To add wording directly from the Municipal Government Act regarding the application of approved funding in acquisitions.

ON MOTION OF DERRICK JAMIESON AND SECONDED BY CRAIG GERRARD THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE PROPOSED AMENDMENTS TO THE PROCUREMENT OF GOODS AND SERVICES POLICY: OPEN AND EFFECTIVE COMPETITION, APP-05, AS PRESENTED TODAY.

MOTION CARRIED.

Agenda Item No. 9.2 – New Policy – Covid-19 Vaccination Policy, AAP-28

Office Manager Davidson referred to the New Covid-19 Vaccination Policy, AAP-28, dated November 17, 2021, as circulated and attached to these minutes, noting that this will be a new Policy in the Authority's operations and that the Policy is being recommended by the Policy Committee. Ms. Davidson explained that the Policy is intended to be a true mandatory vaccine policy for all Authority employees adding that based on a recent informal and anonymous poll, the Authority has a very high vaccination rate in place at this time. Ms. Davidson noted that taking the mandatory vaccine route is being seen as best practice in Nova Scotia and across Canada. Ms. Davidson also noted that all staff members have been advised that the Authority will be considering the mandatory vaccine policy today and that there has not been any "outcry" from team members regarding the proposed implementation of the Policy.

Councillor Gerrard noted that while he is not anti-vaccine, he cannot support a mandatory vaccine policy indicating that it is his opinion that vaccination should remain voluntary and further, in speaking recently with a human resources expert, organizations with a mandatory vaccine policy, may be held to account if an employee suffers any damage as the result of receiving the vaccine.

ON MOTION OF GAIL SMITH AND SECONDED BY DERRICK JAMIESON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE NEW COVID-19 VACCINATION POLICY, AAP-28, AS PRESENTED TODAY.

MOTION CARRIED.

Agenda Item No. 10 – New Business

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

Agenda Item No. 11 – Correspondence

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

Congratulations were extended to Chair Armstrong for recently being appointed to the NSFM Rural Caucus at this time.

Before moving to the in-camera session, Greg Barr noted that he and Mike Livingstone feel it may be necessary review the motion passed earlier relating to the acquisition of the pick-up truck to ensure it meets the intent of Section 23 of the Intermunicipal Services Agreement which states that "The Authority shall in no case expend funds in excess of amounts approved in the annual budget estimates or

supplementary budget estimates". Mr. Barr noted that he and Mr. Livingstone will further investigate while the Authority holds the in-camera session and bring any recommendations forward.

Agenda Item No. 12 – In-Camera Session in Keeping with Section 22(2)(e) – Contract Negotiations in keeping with the Municipal Government Act

ON MOTION OF CRAIG GERRARD AND SECONDED BY WENDY ELLIOTT 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.

The November regular monthly meeting of the Valley Region Solid Waste-Resource Management Authority was called back to order at 10:31am.

ON MOTION OF CRAIG GERRARD AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ACCEPT THE RECOMMENDATION FROM GENERAL MANAGER WORT WITH REFERENCE TO THE E-MAILED REQUEST FROM THE MUNICIPALITY OF ANNAPOLIS COUNTY, DATED OCTOBER 19, 2021.

MOTION CARRIED.

The Authority then returned to discussions regarding the acquisition of the pick-up truck as discussed today resulting the following motions:

ON MOTION OF WENDY ELLIOTT AND SECONDED BY GAIL SMITH THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RESCIND THE FOLLOWING MOTION CARRIED EARLIER TODAY:

ON MOTION OF CRAIG GERRARD AND SECONDED BY WENDY ELLIOTT THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AUTHORIZE STAFF TO MOVE FORWARD WITH THE ACQUISITION OF ONE NEW 2022 MODEL 2500 TRADESMAN REGULAR CAB 4X4 PICK-UP TRUCK AS PER THE SUBMISSION BY POTHIER'S MOTORS UNDER REQUEST FOR PROPOSALS, VWRP2103, BASED ON THE TOTAL PURCHASE PRICE OF \$73,628.18;

AND FURTHER THAT, \$55,000.00 BE EXPENSED FROM THE APPROVED 2021-2022 CAPITAL FUNDING;

AND FURTHER THAT, THE REMAINDER OF THE FUNDING TO COVER THE CAPITAL BUDGET SHORTALL IS TO BE DRAWN FROM THE EQUIPMENT RESERVE FUND IN THE AMOUNT OF \$11,764.75.

MOTION CARRIED.

ON MOTION OF DERRICK JAMIESON AND SECONDED BY CRAIG THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AUTHORIZE STAFF TO MOVE FORWARD WITH THE ACQUISITION OF ONE NEW 2022 MODEL 2500 TRADESMAN REGULAR CAB 4X4 PICK-UP TRUCK AS PER THE SUBMISSION BY POTHIER'S MOTORS UNDER REQUEST FOR PROPOSALS, VWRP2103, BASED ON THE TOTAL PURCHASE PRICE OF \$73,628.18;

AND FURTHER THAT, \$55,000.00 BE EXPENSED FROM THE APPROVED 2021-2022 CAPITAL FUNDING;

AND FURTHER THAT, THE REMAINDER OF THE FUNDING TO COVER THE CAPITAL BUDGET SHORTALL IS TO BE DRAWN FROM UNUSED APPROVED CAPITAL FUNDING IN THE 2021-2022 APPROVED CAPITAL BUDGET AMOUNT OF \$11,764.75.

MOTION CARRIED.

In response to the question regarding access to the existing funding in the Equipment Replacement Reserve, it was noted that staff are working toward the development of an Equipment Replacement Reserve Policy and associated Equipment Replacement Policy with more information to be brought forward when available.

Agenda Item No. 13 – Next Meeting

Agenda Item No. 13.1 – December 15, 2021, normal meeting date – suggestion to move meeting to Wednesday, December 22, 2021

It was the consensus that the next meeting of the Valley Region Solid Waste-Resource Management Authority will be held on Wednesday, December 22, 2021, which is a slight deviation from the normal meeting schedule to accommodate 2022-2023 operating and capital budget development requirements. This will again be an in-person/WEBEX meeting subject to Covid-19 protocols in place at that time.

Agenda Item No. 14 – Adjournment

ON MOTION OF DERRICK JAMIESON AND SECONDED BY WENDY ELLIOTT THE NOVEMBER REGULAR MONTHLY MEETING OF THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ADJOURNED AT 11:01AM.

MOTION CARRIED.

Respectfully Submitted,

Brenda Davidson
Office Manager
Valley Waste-Resource Management