

**Western Regional Service Board
Public Meeting Minutes**

Meeting Information:

Date: Thursday October 28, 2021
Time: 11:10am – 4:30pm
Location: Grenfell Room, Glynmill Inn

Present were:

Anthony Blanchard	WRSB Member– North/South Bay of Islands
Barbara Barter	WRSB Vice-Chair – Burgeo and Area
Bernd Staeben	WRSB Member – Corner Brook (left meeting at 3:53pm)
Cynthia Downey	WRSB Member – Bay St. George (Via Zoom at 12:20pm)
Derrick Anthony	WRSB Member – Humber Valley (Joined meeting 12:38pm)
Joseph Reid	WRSB Member - Long Range (Joined meeting at 11:15am)
Josh Carey	WRSB Chair – Corner Brook
Lloyd Harnum	WRSB Member – Bay St. George (Via Zoom at 11:25am)
Melvin Keeping	WRSB Member – Southwest Coast
Roger Barrett	WRSB Member – Western Hills
Jason King	Chief Administrative Officer, WRSB
Pauline Anderson	Executive Assistant, WRSB
Trent Quinton	Waste Operations Manager, WRSB
Diana Gosse	Finance Manager, WRSB (Joined meeting 11:35pm)

Missing with apologies:

Vacant Seat	WRSB Member – White Bay South
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Call to Order

Meeting was called to order at 11:10am by WRSB Chair Josh Carey with quorum reached.

1. Additions & Deletions to the Agenda

Motion 21-1028-1.1.1: Moved by Anthony Blanchard, Seconded by Roger Blanchard. Be it resolved the WRSB adopt the agenda for the October 28, 2021 meeting with one adjustment as presented. **All 6 Board members present** are in Favour, none against. Motion carried.

The adjustment was to move the Rules of Procedure Committee meeting discussion up from Section 6.2 to Section 5.3 so it could be covered prior to the budget talk.

At this point, Joe Reid and Lloyd Harnum joined the meeting.

2. Approval & Adoption of Minutes from the September 23, 2021 WRSB Public Meeting

Motion 21-1028-2.1.1: Moved by Roger Barrett, Seconded by Melvin Keeping. Be it resolved the WRSB adopt the minutes of the September 23, 2021 WRSB meeting as amended with the additions and clarifications brought forward. **All 8 Board members present** are in Favour, none against. Motion carried.

3. Business Arising

There was a question if the recent Municipal Elections affected the Municipal Enforcement Officer position that was posted as a jointly by Deer Lake, Pasadena and Steady Brook. It was confirmed there was a report earlier in the morning that this contract between the three communities is continuing. Shared Services Committee will need to review to ensure this program can proceed without those larger communities.

3.1 Minister's Meeting Update

In Attendance at the October 6th Meeting:

Environment & Climate Change: Minister Davis, DM Shawn Dutton, ADM Dan Michielsen

Municipal & Provincial Affairs: Minister Howell, DM Ted Lomond

WRSB: Chair Josh Carey, Vice-Chair Barbara Barter, CAO Jason King

It is consensus of the WRSB contingent that this was a good meeting and the Ministers were presented with all the information they needed to know about Western's position.

Points discussed at this meeting:

- Opened the meeting with the letter that was sent to the Ministers by the WRSB.
- It was an appreciative atmosphere from both sides, for time and effort on this.
- Ministers were informed of all the costs WRSB is paying for that aren't associated with landfill costs.
- The discussion was very open and it was clear WRSB has had enough, "all of our cards are on the table" This was stated several times and both sides acknowledge this.
- A Comment was made that RSBs are not the problem and can be a part of the solution.
- Large amount of documentation was left for each member to review
- WRSB wanted to be direct and present all the facts to the Ministers.

Post meeting discussion with WRSB reps:

- A letter was drafted to the department again thanking them for their time to meet and their consideration on this matter.
- Summary of WRSBs takeaways (similar to above) with time frames on actionable items, ie. clearly state WRSBs expectations based on this meeting

There was a full briefing presented to the Board of the discussions that occurred.

Motion 21-1028-3.1.1: Motioned by Barbara Barter, Seconded by Anthony Blanchard. Be it resolved that based on the meeting with government on October 6, 2021 and the extended time without implementation of the Hann report, the WRSB proceed with their plan to establish their own site. All 8 members in favour, none against.

A letter is to be drafted to government stating government stated they would get back to us and since then the WRSB has met and this motion is the result.

3.2 Channel – Port aux Basques Trucks

The Operations Manager has been monitoring the situation, especially regarding the effect interim measures may have on the condition of recyclables. So far there has been no decrease in the amount of recyclables, nor the condition of the recyclables.

3.3 Covid-19 Status at Bay St. George

This is the closest call we had with Covid-19 since the pandemic began. The organization was able to implement additional precautions and all contractors on site were tested. The organization followed all government guidelines regarding test results and symptoms. The organization also monitored the situation in the area for increased cases of Covid-19. All affected employees are now feeling much better.

3.4 CBCL Limited Report

Expected to have that report in Mid-October in preparation for today's Board meeting; however, we have not yet received the report. Last response was that some numbers need to be finalized before the final draft can be submitted to the organization.

Motion 21-1028-3.4.1: Moved by Melvin Keeping, Seconded by Roger Barrett. A letter is to be written to CBCL indicating the Board's displeasure in not having the completed report in hand for the decisions that needed to be made in the October 28th meeting. The letter is to state we receive this report immediately. All 8 members in favour, none against. Motion passed.

The CAO sent an email to CBCL for an update. Their response will be presented to the Board in the afternoon session. CBCL will need to present the report asap, or at least explain the delay.

Response was received from CBCL immediately that the Final Draft Report will be sent to the organization on October 29th. A meeting of the Technical Committee will be needed to take place to review it in detail.

The meeting took a break for lunch from 12:05pm to 12:30pm.

3.5 Return of Environmentally Protected Land

The City is still doing their necessary work to ensure a smooth transition of this property from the WRSB to the City. They will contact us once their process is completed.

3.6 Christmas Social Booked

We have confirmed the Christmas Social at the Glynmill Inn for Friday, December 3. The Executive Assistant will be coordinating with Glynmill Inn and information will be coming to Board Members in November.

3.7 WRSB Elections Update

Initial email about the upcoming elections was sent out on October 8th with a nomination deadline of October 29th. A reminder email was sent out on October 26th reminding communities of the October 29th nomination deadline.

Some communities are unable to present nominees due to the need for a Special Municipal Election that needs to take place. Special elections are required in the 3 Municipalities within the Bay St. George Ward (Port au Port West Aguathuna; St. George's; Kippens) and one Municipality within the Burgeo & Area Ward (Ramea). Correspondence with the Western Office of Municipal and Provincial Affairs on October 27th has determined the special elections will take place on November 30th.

We have also had questions from the Burgeo and Area Ward and the Corner Brook Council will appoint two councillors as Members to our Board for that Ward.

After the expiration of the nomination period, we may need to re-evaluate to whom we are sending the information to in these communities.

A Bay St. George Member commented they their community cannot meet regulations to have their own LSD elections; therefore, they won't be able to present a nominee to the Board. The Executive Assistant will correspond with the Department about this concern to see if issues can be resolved to allow the LSD to proceed with their election.

4. CAO Report

- Thursday Sept 30 the office was opened on Truth and Reconciliation Day as directed by the Board. Staff wanted to educate themselves on the background of the holiday and watched video on the importance of recognizing Truth and Reconciliation Day.
- The Operations Manager was in St. Johns for Hazwoper training and the Water Technician was in St. John's for Level 2 Water Distribution Training which is the highest level that can be received
- The Operations Manager and Outreach Officer held a virtual meeting with Norris Point about cleanup questions, ideas for webinars for next spring, and tours.
- The CAO went to St. Johns with the Board Chair and Vice-Chair to meet with Ministers Davis & Howell and assist in a presentation. Staff provided supporting documentation.
- Reviewed the Outreach Officer's annual report which will be circulated to the Board once reviewed by the MMSB.

- Management meeting was held to recommend changing from a penalty system to an additional fee system. Blatant non-compliance and contaminated blue bag product is the focus.
- Working with Strong Data regarding system updates.
- Halloween preparations, activities and decorations at the office.
- Outreach Officer created a Sort-It Western display in the entrance of the WRSB office using Busch Systems products.
- A training course is being prepared and the Operations Manager is involved in the development of the training.
- Conducted quarterly Scotia meetings since new management took over at Scotia - residual numbers are down significantly.
- Application for funding for Advanced Leadership Program via NLjobgrant. If approved, it would provide up to 1/3 of the course costs. Course is online so we have been assured no problem with registration or deadlines. Once funding is approved the CAO will be registered for the course.
- Murphy Brothers cited C&D site access road issues. Operations Manager used a backup plan to ensure a smooth flow of traffic at the transfer station.
- Submitted application for funding Oct 12 Professional Development
- Drafted letter to Ministers thanking them for meeting.
- MMSB beverage deposit program meeting with Scotia Regarding beverage protocol. Very positive that there will be movement on this with the 2020 amount being paid very soon and the 2021 amount being paid in February 2022.
- Replacement trailer was delivered and is now included in the fleet.
- Reviewed Regional Service Board Act for procedures in drawing down capital reserve for budget purposes. This is included in the Budget section later in the agenda.
- Requested a second meeting with the Haulers regarding the ICI Policy - no response on a meeting. There has been some increase in residential/town non-compliance.
- Building Purchase: Met with the realtor at two buildings. One building was too small, the other checked all the boxes but based on a 10-year plan, the costs are a little high. This will be reviewed and brought forward in the next WRSB meeting. We have had two extensions to the current office lease. Noted to be careful in Commercial and Brook Street area due to engineering/oil/flooding concerns. Staff is working on finalizing a summary comparing to current cost leasing versus buying a building.
- Annual reports sent to the Department for Certificates of Approval renewals for C&D landfill, Transfer Stations and Public Drop-offs operations
- October 30th is the last Saturday for Public Drop-offs for the 2021 season.

5. New Business

The Chair took a moment to discuss the scheduling of committee meetings. The Board directed not to have committee meetings within a week of Board meetings to ensure documentation can be prepared and sent out to Board members with time to review before the Board meeting. It was mentioned for documentation to be sent out as it is finalized; however, the Chair mentioned that receiving documentation in a piecemeal situation is not ideal and can cause disorganization and misplacement of documents.

It was discussed that in recent cases, committee meetings had to be delayed until a few days before the WRSB meeting due to vacation and work commitments.

5.1 Covid-19 Vaccination Status – Government Policy

There was a press release and policy from government regarding Vaccine status in the workplace. The CAO consulted with lawyer about the legalities and how this policy relates to our contractors. The Lawyer recommends the organization wait for further guidance from government as they continue the review and implementation of this policy. What they come out with will determine vaccination status will relate to our contractors, vendors, etc. This may involve more details on accommodations, enforcement and penalties.

All WRSB staff and Board members are confirmed double vaccinated.

5.2 2020 Central Tipping Fee Audit

It was previously discussed that we not participate in the CRSB internal audit as recommended by the CRSB. A Letter was written to CRSB stating that as Western didn't receive the quarterly reports as per the Memorandum of agreement, the WRSB can choose one of the following:

1. Go ahead with 3rd party audit with same scope as last year's audit. No change in price.
2. Go with a revised scope from last year's 3rd party audit. Could mean increase in cost.
3. Contacted by Central about coming to an agreement on a number between 2.5 CPI and the 3.5 generated by Central, then both organizations wouldn't have to pay additional cost for a second audit. This correspondence was sent to Finance Committee.
4. WRSB not to pay any increase in the Central tipping fee until Government makes the decision to work with us towards a decision.

The WRSB noted there will be no further negotiating with Central without the Ministry's input. The Ministry is aware that the current model is not working (Western being continuously 2 years behind).

We previously offered to negotiate before the last audit and Central disagreed. Central's email is a negotiation and if we accept that, then we are accepting the model and it will have a long-term negative impact on Western NL.

Motion 21-1028-5.2.1: Moved by Roger Barrett, seconded by Joe Reid. Motion to rescind Motion 21-0923-6.5.2 (*the WRSB accept the drafted Central Tipping Fee letter to be sent to the CRSB Chair as presented*) about moving forward with the 3rd party audit. All present was in favour of the motion, none were against. Motion passed.

The letter mentioned in the above-noted motion recommends proceeding with a third-party audit due to non-compliance of CNWM with clause 2.7.

Motion 21-1028-5.2.2: Moved by Joe Reid, seconded by Roger Barrett. The WRSB is to place all discussions on the tipping fee and auditing on hold until the province comes forward with a clear path and meet with both Boards. All present were in favour of the motion, none against. Motion passed.

The CAO is to inform the CRSB and the Auditor that the WRSB is not moving forward with the 3rd party audit at this time. Inform Central of Motion 21-1028-5.2.2.

Momentum will need to be continued with the new WRSB

5.3 Rules of Procedure Committee meeting update - Last meeting October 19, 2021

The Rules of Procedure Committee were tasked with reviewing the WRSB Terms of Reference. This was completed during committee meetings and ratified by the WRSB in the September 2021 WRSB meeting.

6.2.1 WRSB Terms of Reference Amendments

Since ratification of the document occurred, the committee has made several adjustments or additions that are required to be included in the document and are presented at the October meeting as an addendum.

Motion 21-1028-6.2.1: Moved by Barbara Barter, Seconded by Roger Barrett. Be it resolved, the WRSB approve the requested addendum items be added into the recently adopted WRSB Terms of Reference Document. All 10 Board members present are in Favour, none against. Motion carried.

6. Standing Committee Reports

6.1 Finance Committee Update Last meeting October 25, 2021.

6.1.1 Staff Salary in Budget

Motion 21-1028-6.1.1A: Moved by Roger Barrett, Seconded by Joe Reid. The meeting is moved into an in-camera session of the WRSB. All 10 Board members present are in favour, none against. Motion Passed.

The in-camera session took place from 2:03pm to 3:03pm.

Motion 21-1028-6.1.1B: Moved by Roger Barrett, Seconded by Barbara Barter. The meeting is moved back into a public meeting of the WRSB. All 10 Board members present are in favour, none against. Motion Passed.

Motions from the in-camera session presented for ratification:

Motion 21-1028-6.1.1C: Moved by Barbara Barter, Seconded by Roger Barrett. Be it resolved there be no further discussion by this Board concerning the request for staff salaries increases as outlined in recent letters to the board dated September 10, unless there is written documentation to support a request as outlined within the memo. Seven Board members were in favour of the motion with three (Bernd Staeben, Cynthia Downey, Joe Reid) voting against the motion. Motion carried.

Motion 21-1028-6.1.1D: Moved by Barbara Barter, Seconded by Bernd Staeben. Be it resolved there be no further discussions concerning staff salary increases by this board, other than the future state salary grid as approved by the board. All ten Board members were in favour of this motion with none against. Motion carried.

6.1.2 RFD: 2022 WRSB Operational Budget & Fee Structure

The 2022 Operational Budget was prepared by Staff in consultation with the Finance and Administration Committee. The budget is based on multiple layers of fixed costs and the non-fixed General and Administration Costs. The 2022 budget does not include Capital reserving or any equalization offset funding as has been reviewed by this board on numerous occasions. The budget as presented, is a tight budget based on realistic projections associated with revenues and expenditures.

Also included in the budget is a drawdown of Capital Reserve Savings for offset of deficit.

The Fee Structure remains unchanged from 2021.

VOTING:

With the Rules of Procedure Committee's addendum approved earlier in this meeting, the Budget requires 2/3 of the Board to approve it for adoption (7 members). Bernd Staeben left the meeting prior to the Vote bringing attendance to 9 Board Members.

Motion 21-1028-6.1.2A: Moved by Bernd Staeben, Seconded by Joe Reid. Be it resolved the WRSB in accordance with the Regional Service Board Act, approve the 2022 budget with the amendments as suggested. Six Board members were in favour of the motion (D Anthony, J Reid, J Carey, M Keeping, C Downey, L Harnum) with three Board members voting against the motion (A Blanchard, R Barrett, B Barter). Motion defeated.

CAO: Need 1800 tonnage increase to balance the budget without transferring funds from Capital Reserve as a drawdown; Staff salary increases are not accepted and are not to be included in the budget.

Recommendation: Add in the amount of unreliable tonnage/revenue from CBPPL and Barry's Fishery instead of drawing down on Capital Reserve. If this isn't sufficient at the end of the year, THEN we rely the Capital Reserve.

Staff will make the recommended changes to the budget and the Board will reconvene to discuss and review for approval.

Does the Board have the Option to Suspend the rules and bring the motion back to the floor? After some research by the Vice Chair, Section 4.34 of the WRSB Terms of Reference/Rules of Procedure, states that a motion to suspend the rules requires a 2/3 vote of the directors present.

Motion 21-1028-6.1.2B: Moved by Joe Reid, Seconded Derrick Anthony. Be it resolved the WRSB move to suspend the rules. Six Board Members were in favour of the motion (D Anthony, J Reid, B Barter, M Keeping, L Harnum, J Carey) with three Board members against the motion (R Barrett, C Downey, A Blanchard). Motion Defeated.

Recommendation: The CAO will request an extension from Government for the 2022 WRSB Budget submission.

There was some discussion regarding the format of the Budget including: the headings; correct terminology, sub-total lines, showing transfers of funds, how any drawdowns (ex. Municipal Enforcement Officer) need to be located just above the Profit/Loss line, etc.

Cash flow/Operational Reserve account ensures operations of the organization can continue for at least 6 months.

Two weeks ago, a conversation happened between WRSB and CRSB Chairs about Reserve. CRSB is reducing the budgeted Capital Reserve down to 30% in their next budget; whereas WRSB cannot budget for Capital Reserve.

R Barrett left the meeting at this point (approximately 4:15pm).

6.1.3 RFD: 2022 Capital Funding Request

This item is to be brought forward to the next WRSB meeting as time did not allow for this to be discussed and voted upon at this meeting.

6.2 Rules of Procedure Committee Update – Was covered earlier as section 5.3

6.3 Education Committee Update – No meeting since last WRSB Meeting. Nothing to Report

6.4 Technical Committee Update – No meeting since last WRSB Meeting. Nothing to Report

6.5 Shared Services Committee Update – No meeting since last WRSB Meeting. Nothing to Report

6.6 Negotiating Committee Update – No meeting since last WRSB Meeting. Nothing to Report

6.7 Evaluation Committee Update – No meeting since last WRSB Meeting. Nothing to Report

7. **Correspondence/ Media**

Nothing to report under this item.

8. **Next WRSB**

Meeting tentatively called for Tuesday, November 2 at 10:30am – out of town members will attend via zoom to discuss the Budget and Capital Funding Request only.

Update: Meeting was postponed to Tuesday, November 9, 2021

9. **Other**

Nothing further brought forward.

Meeting adjourned at 4:30pm.