

**Western Regional Service Board  
Public Meeting Minutes**

**Meeting Information:**

Date: Thursday, October 5, 2023  
Time: 3:00pm – 6:15pm  
Location: WRSB Boardroom, 4 Herald Avenue, Corner Brook

**Present were:**

Bernd Staeben	WRSB Chair
Cynthia Downey	WRSB Member – Bay St. George (joined at 3:25pm)
Lenny Tiller	WRSB Member – Bay St. George
Linda Chaisson	WRSB Member – Corner Brook
Pamela Gill	WRSB Member – Corner Brook (joined at 3:50pm via zoom)
Darren Fitzgerald	WRSB Member – Western Hills (via Zoom)
Colin Davis	WRSB Member – White Bay South
Gary Warren	WRSB Member – Burgeo and Area
Melvin Reid	WRSB Member - Long Range
Jason King	Chief Administrative Officer, WRSB
Lynn Howse	Outreach Officer, WRSB
Diana Gosse	Finance Manager, WRSB

**Missing with apologies:**

Alfred Park	WRSB Member– North/South Bay of Islands
Melvin Keeping	WRSB Member – Southwest Coast
Hal Cormier	WRSB Member – Humber Valley
Pauline Anderson	Executive Assistant, WRSB
Trent Quinton	Operations Manager, WRSB

## Call to Order

Meeting was called to order at 3:00pm by WRSB Chair Bernd Staeben with quorum reached.

Land acknowledgement was read, and introductions were made.

### 1. Additions & Deletions to the Agenda

Add: Christmas Social under the CAO Report

Add: Budget Process under CAO Report

**Motion 23-1005-1.1.1:** Moved by Cynthia Downey, seconded by Linda Chaisson. Be it resolved the WRSB adopt the agenda for the October 5, 2023, meeting with the two additions under the CAO report (Christmas Social and Budget Process). All 6 Board members present are in Favour, none against. Motion carried.

### 2. Adoption of July , 2023, WRSB meeting minutes

**Motion 23-1005-2.1.1:** Moved by Linda Chaisson, seconded by Gary Warren. Be it resolved the WRSB adopt the minutes of the July 6, WRSB meeting as presented. All 6 Board members present are in Favour, none against. Motion carried.

### 3. Business Arising

### 4. CAO Report

#### a) Conflict of Interest – Lawyer

An email was sent to the Department for their view on Conflict of Interest when all members of an RSB are members of councils. They had no concerns on that topic and don't see any conflict of interest; however, they advised to check with our legal counsel on the issue. Legal came back stating it isn't as cut and dry as perceived. Legislation is unclear and there have never been any circumstances where this has become an issue.

With regards to Waste Management, there should be no conflict, but as we venture out into providing additional services, there may be a conflict for a board member if their community became involved in providing the service; however, if a company was involved, the board member would not be in a conflict.

This is something we still need to determine as we proceed with expanding services in the Western Region. We will continue to work through this with our legal counsel and the department. It may depend on each circumstance.

#### b) Hauler's Course

This course is set up to be an educational tool for the haulers to ensure continuity with the Sort-it-Western Program. It provides them with guidance in different situations in waste collection to avoid contamination of waste streams. Provides consistent information for haulers when conversing with residents. There seems to be increasing complacency with the collection of recyclables and keeping them separated from the clear bags.

There will likely be a few edits before it goes live; however, board members can click into the link and check out the course.

In talks now for short radio spots to inform the public about waste diversion and what items go in the different bags. Education is being ramped up this fall with mailouts, radio spots, social media, television, etc. There are also communities within western that don't have cell service, internet or access to the main radio channels.

c) Maintenance Building

Had a meeting with the prime consultant (AllNorth) with some site visits and soil sampling to ensure Wild Cove can be the site of the building. Plan is to have the RFP out by the end of 2023. Have bids signed off and ready to go by Spring 2024 and have the area prepped and ready for the building to go up in fall 2024.

It is important to have a wash bay in the building, especially when dealing with equipment in Waste Management. Investigating the cost of including that in the plans.

d) CBCL Project Update

Monitoring wells have been installed for our C&D landfill at Wild Cove with clay samples and water samples sent in. Waiting on final report.

Scale analysis of the site to determine how much of the site has been used over the past 5 years (using drone), to determine the life expectancy and where can we expand in the future. Waiting on final report.

Endangered Plants have hindered expansion in certain areas and directions at the Wild Cove site. These plants are still on the site and will be included in the final report.

Final report will likely be completed before the end of this year.

The C&D material/debris from Hurricane Fiona in 2022 cut into the lifespan of the Wild Cove site by almost a year and continues to add material to the landfill.

e) MNL Conference and Trade Show, October 25 – 28, 2023

The Regional Service Boards were asked to attend and provide a booth if possible. Central will be providing a booth; however, Eastern will not be providing a booth. There will be several WRSB members attending this conference, and the Board is in agreement that we provide a booth and presence at this conference. CAO will look at logistics and who will be involved in the booth (staff and Board).

f) Pay As You Go System

Ready to go for a soft launch (not mandatory at first) of this system in January. The infrastructure is ready to be constructed starting this month.

g) WRSB Professional Development and Teambuilding Workshop

We have been attempting to gather dates that may work for this workshop to take place. These events are important in building trust and cohesiveness amongst a team of people. We are working with the Gardiner Centre who has a session on Governance that was included in the CAO's Leadership Training. We also have arrangements with government officials and other sources available for this session.

November may be a better timeframe to look at, especially if we include Saturdays. Aiming for November 4<sup>th</sup> to set up this event.

h) Christmas Social 2023

Will be a private social at the Blomidon Golf Clubhouse on December 1<sup>st</sup>. We will have a meeting that afternoon and then proceed to our Social offsite. Look into having Pat Cosman catering the event.

i) 2024 Budget Process

The budget is due to be submitted to the Department by October 31<sup>st</sup>. As we are not moving into a year with new contracts or major changes, one budget meeting with the Finance Committee should suffice for finalizing the 2024 budget. Aim to have this budget meeting on October 23 or 24. CAO may have to request a week extension on the Budget submission to the Department as the next WRSB meeting will be in early November.

5. Standing Committee Reports

a) Finance – July 18, Aug 15, and Sep 14

This was Darren Fitzgerald's last FC meeting as he is moving to the Technical Committee.

- Financial Review  
Budget vs Actual - Reviewed to the end of August with a 66% variance along with the rationale spreadsheet. There are currently no categories with a cause for concern.  
Receivables - AR 90+ and Collections Update - Total in the 90+ category continues to decrease monthly.  
Tonnage - Tonnage was down for August with total just below the expected 4000 tonnes.
- Contracts - Operational Contracts for our Transfer Stations operate under 5 years + 1 year + 1 year. There were stipulations for increases each year in which some of the contractors implemented in their invoices and others didn't until recently. This discrepancy has been resolved and all contracts have now been paid up to date.
- Capital Reserve Account - Reviewed the balance in each of the five WRSB accounts. We received our 2022 HST Rebate which has been deposited into the Operational Account. An RFD on the Capital Reserve Account Transfer will follow this report.
- Capital / Procurement Update - Slowly receiving the Capital Equipment that was previously approved and ordered. CANOE has saved us a lot of time and money in this process. An RFD on Procurement Sole Sourcing will follow this report.
- MMSB Project Funding - Meeting next week with MMSB about possible program opportunities. Additional Project: Looking at having an app designed for Waste Management that can include everything from garbage collection schedules, office/site closures, and may even be able to link it to our portal to allow for payment on domestic accounts. This is still being investigated and will bring back more information for budget purposes.
- Blatant Non-Compliance Fees - There are multiple warnings and attempts to work through the problems before any non-compliance fees are issued. There is a major problem with the split trucks and sludge going from the garbage side of the truck to the blue bag side of the truck and

contaminating it. We have only placed the higher fee on blue bag loads that are entirely destroyed by this sludge.

A total of 18 loads were charged the non-compliance fee in the month of August with 7 of those loads being single source C&D bins.

- City of Corner Brook has received a letter about contamination on some of the City's recyclable material. They have some questions which will be posed in a letter that should be coming from the City to the organization shortly.

i RFD for Capital Reserve Transfer

Historically, any annual surplus from operations has been transferred to the Capital Reserve Account as we have not been able to budget any amount for that account each year. Our Auditor recommends each year that we have a balance in our operational account to be able to pay expenses for 6 months.

With our operational account currently having a balance of \$3.2M, we can move \$2M to the Capital Reserve Account for future capital needs and leave a \$1.2M balance in our operational account with an option of overdraft if needed.

This allows the organization to supply the Capital Reserve Account with an amount we were unable to budget for.

**Motion 23-1005-5.1.1:** Moved by Linda Chaisson, seconded by Lenny Tiller. Be it resolved the WRSB approve the transfer of \$2 million dollars from the WRSB Operational Account to the WRSB Capital Reserve Account. All 8 Board members present (including Cynthia and Pam) are in Favour, none against. Motion carried.

ii RFD for Sole Sourcing

As per the Capital Agreement with Government and the review of the Public Procurement Act, section 7.2; it was recommended to sole source the future procurement of trailers for the WRSB Fleet. This recommendation is due to past correspondence with PPA Staff when we procured a replacement trailer back in 2020. We wish to do this with the procurement of two (2) new open top trailers for our fleet.

Due to the detailed operational management breakdown of trailer specifics that are required of the trailers to fit into our current operations, it is recommended that we use sole sourcing for these trailers in the future when replacements are required, instead of the tender process.

**Motion 23-1005-5.1.2:** Moved by Linda Chaisson, seconded by Melvin Reid. Be it resolved the WRSB approve the use of sole sourcing when procuring a new trailer for our fleet due to the unique trailer specifications required for these trailers to work with the current WRSB system. All 8 Board members present (including Cynthia and Pam) are in Favour, none against. Motion carried.

b) Technical – No meeting since last WRSB Meeting

i ICI Update on Non-Compliance Fee

Our ICI Policy (released in 2019) always had the ability to place blatant non-compliance fees where applicable. We have delayed in implementing this until July 2023 in order to give the sector time to ensure compliance with the program. This fee is an additional

\$70/tonne and in the month of August, there were 18 loads in August to which this fee applied. Central went through the same process approximately 5 years ago with the same fee we are currently using and received the same feedback we are now receiving (haulers, communities, news, MHAs, etc.). This fee is an enforcement measure and not an increase in our actual tipping fee.

The scale house attendants were educated to complete a report on loads deemed to be contaminated, these reports are then investigated by WRSB staff to ensure they meet the criteria of blatant non-compliance before the fee is added to the load. For the first two weeks, only warnings were given to let them know that this load would be deemed non-compliant, and a fee added if this load had been delivered two weeks from now when the fee structure is implemented. 197 recommendations were received from July 27 to October 5, fees were applied to 45 of these loads. Many avoided fees by adhering to the warnings that were sent by the office. The first month 23% of loads resulted in recommendations for non-compliance fees, in the past month, that is now down to 5-7%. It needs to be stressed that any non-compliance fees are only added to the worst cases of blatant non-compliance (ex. Black bags, slime, etc.). The main concerns seem to come from the equipment being used to collect the waste rather than residents not following the program.

We continue to work with the sector to assist in implementing practices to assist them in adhering to the parameters of the policy.

Deer Lake needs to be addressed as they are using trucks that automatically dump the resident's trash can directly into the trucks.

ii Western MNL Conference Update (Sep 8-9)

Members of the WRSB who attended this conference were questioned about the ICI Policy and the blatant non-compliance fees as discussed in the section above.

c) Shared Services – No meeting since last WRSB Meeting

i Fire Protection Services Update

Postponed in communication with the Fire Commissioner's office as we need to determine if the Fire Commissioner have any authority to review the costs before any program can be approved. We received a response recently that this is NOT the case so we can proceed with the numbers that we currently have and reschedule the Shared Services Committee Meeting.

d) Negotiating Committee

i RFD for Central Negotiations

On September 19th there was a zoom meeting held that included the Western and Central Chairs & CAOs, and representatives from government and the MMSB. This Working Group was formed earlier this summer to review the documentation regarding negotiations between the two Regional Service Boards and to help determine a final formula or tipping fee for Western after over 5 years of strained negotiations.

After this meeting took place, the Negotiating Committee met to discuss and compile information to bring forward in a recommendation to the WRSB.

A Summary of that meetings discussions includes:

- CRSB's September 30th deadline for gate closure to Western.
- WRSB balance owing to CRSB.
- Government will pay for a new Review with a new Terms of Reference.
- Terms of Reference will be developed by both WRSB and CRSB
- Results of this Review will be final with long-term process determined in its results.
- Start discussions with government on a transportation subsidy/solution.

The negotiation committee met and developed some options for the Board to review to determine which option the Board could bring forward to the working group.

One concern is the rate adjustment that occurs each year for the rate for the previous year. It leaves Western always in arrears which is a poor business model. That needs to change with a long-term contract. Also discussed were if bindings could be placed on both Central and Western to this process and a long-term solution regardless of any payments that might be made by Western.

**Motion 23-1005-5.4.1:** Moved by Pamela Gill, seconded by Darren Fitzgerald. Be it resolved the WRSB agree to pay the full \$235K amount owing; proceed with the new Audit with the Terms of Reference to be determined by the current Negotiations Working Group with the outcome being a long-term contract; and, then focus on a long-term transportation solution with government for Western. Two Board members voted in favour of the motion (P Gill and D Fitzgerald) with six Board members voting against the motion (C Downey, L Tiller, L Chaisson, G Warren, M Reid, C Davis). Motion is defeated.

**Motion 23-1005-5.4.2:** Moved by Cynthia Downey, seconded by Linda Chaisson. Be it resolved the WRSB agree to pay the balance owing for 2020 and 2021 (\$120,037.70) on the condition of the new review with the Terms of Reference to be determined by the Current Negotiations Working Group with the outcome being a long-term contract; and, then focus on a long-term transportation solution with government for Western. Five Board members were in favour of the motion (C Downey, L Tiller, L Chaisson, G Warren, M Reid) with three Board Members against the motion (P Gill, D Fitzgerald and C Davis). Motion passed.

**Board was in agreement:** The WRSB requests MNP meet with the WRSB to discuss the process involved with the review, expectations and a timeline for the entire process.

e) Evaluation Committee – CAO Evaluation Update

This process is not yet finalized.

6. New Business

Nothing brought forward.

7. Correspondence/ Media

a) Eddy Joyce/Murphy Brothers Letters and Response Letter

The WRSB office received two letters from MHA Joyce related to concerns expressed to him regarding the non-compliance fees. One of the letters included a copy of a letter he received from a hauler which included questions for the organization. The WRSB office sent a response to MHA Joyce that answered the questions posed in his letter, and in the hauler's

letter and confirmed his letters will be brought forward to the next WRSB meeting for discussion.

We now need to draft a formal response to MHA Joyce since the WRSB meeting discussion has occurred. Regarding the Board meeting with the Hauler, the Board would be willing to have them attend a Board meeting if they do it through the delegation rules of the Board's Terms of Reference. It may be better to have it go through the Technical Committee, but if it goes to the Board, it will have to follow the WRSB delegation policy and not be a back-and-forth discussion.

8. Next WRSB Meeting  
November 2, 2023

9. Other

Meeting adjourned at 6:15pm.

DRAFT