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The Municipalities of Annapolis and Kings and the Towns of Annapolis Royal, Berwick, Hantsport, Kentville, Middleton and Wolfville: Partners in Waste Reduction

**Valley Region Solid Waste-Resource Management Authority
Regular Monthly Meeting
May 20, 2015
9:00am
Valley Waste-Resource Management Office - Boardroom**

Attendees:

Members/Alternates: Hugh Simpson, Mark Pearl, Reginald Ritchie, Brian Hirtle, John Himmelman, Bernie Cooper, Frank Chipman, John Prall and Gail Smith

Staff and Guests: Ross Maybee, Ken Redden, Jeff Martin, Andrew Garrett, Grace Proszynska, Glenda Clark, Solicitor Mike Coyle and Brenda Davidson

Regrets: Jane Bustin, Harold Bulger, Sherman Hudson

Agenda Item No. 1 - Call to Order

Chair Pearl welcomed everyone calling the meeting to order at 9:05am extending a hearty thank you to Vice-Chair Ritchie for doing a wonderful job in fulfilling the Chair's role during his absence over the past few meetings.

Before moving to the next Agenda item, Chair Pearl indicated that there will be a meeting of the Audit Committee on which he, Hugh Simpson and Harold Bulger serve, directly following this meeting with Mr. Bulger's regrets extended to that meeting as well.

Agenda Item No. 2 – Approval of the Agenda

ON MOTION OF BRIAN HIRTLE AND SECONDED BY JOHN HIMMELMAN THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE AGENDA AS CIRCULATED.

MOTION CARRIED.

Agenda Item No. 3 – Approval of the March 25, 2015 Minutes

ON MOTION OF REGINALD RITCHIE AND SECONDED BY JOHN HIMMELMAN THAT THE MINUTES OF THE MARCH 25, 2015 REGULAR MONTHLY MEETING OF THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY BE APPROVED WITH A CORRECTION NOTING THAT FRANK CHIPMAN WAS IN ATTENDANCE.

MOTION CARRIED.

Agenda Item No. 4 – Business Arising from the Minutes

Agenda Item No. 4.1 – Update on Illegal Dumping Bylaw Enforcement Policy

General Manager Maybee noted that this item has been included on the Agenda in follow-up to questions that were raised as a result of the Authority's review of Accounts to Be Written off during the last meeting where the

Authority suggested that staff investigate the Bylaw and Policies as they relate to illegal dumping. In response Grace Proszynska, Bylaw Enforcement Officer, and Solicitor Coyle have taken the opportunity to review procedures. Solicitor Coyle took the floor reminding the Authority that Ms. Proszynska had provided an Enforcement Update: Part 1 – Illegal Dumping, Report to the Authority, in January 2014, a full copy of which was circulated and is attached to these minutes.

Hugh Simpson arrived at 9:10am.

Solicitor Coyle explained that the Authority's current Bylaw is consistent with all other solid waste management Bylaws across the Province, and at this time, would recommend that the Authority table further discussion until such time as the Province releases new regulations as those may lead to a more meaningful discussion requiring action.

A discussion was held regarding landowner responsibility for the removal and disposal of illegally dumped materials on their property when they in fact had no control over the matter. The current practice of offering \$500.00 in tipping fee waivers for clean-ups on private property was discussed with it being noted that if the Authority were to consider offering further assistance or an expanded service to address the issue, serious budgetary impact consideration would be required. The public relations value of community and media involvement in clean-ups was also discussed.

Bernie Cooper arrived at 9:20am.

It was the consensus of the Authority to follow Solicitor Coyle's advice and table further discussion until such time as the new Waste-Resource Management Regulations, now under development, are released.

Agenda Item No. 4.2 – Past Due Tipping Fee Accounts to Be Written Off

General Manager Maybee again took the floor referring to the Report to the Authority: Past Due Tipping Fee Accounts To Be Written Off, dated May 7, 2015, as circulated and attached to these minutes. Mr. Maybee reminded the Authority that a similar report had been brought before the Authority during the last meeting, however, some questions arose with regard to the management of uncollected Bylaw Tickets. Solicitor Coyle noted that for the purposes of the Authority, the writing off of uncollected accounts is simply an accounting entry; however, the main issue is whether or not a collection agency can be used as a way of enforcing a penalty under the Bylaw. Under the law, the answer is no as taking that route essentially deprives a person of the opportunity to defend his or herself against the charge. It is fine to write the uncollected values off, but calling a collection agency is not an advisable practice. The Authority simply has the option of either pursuing payment through the court system or simply forgiving or forgetting about the ticket and its associated fine.

A short discussion arose where it was indicated that in the case of a bankruptcy, staff do move forward with as deemed appropriate based on the level of debt with taking the steps to recover the funds. It was also noted, for information purposes, that over the years, taking the approach of forwarding uncollected Bylaw Ticket values to the collection agency has seen some success.

ON MOTION OF REGINALD RITCHIE AND SECONDED BY BRIAN HIRTLE THAT THAT VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY WRITE OFF THE OVERDUE TIPPING FEE ACCOUNTS IN THE AMOUNT OF \$1,481.52 AS WELL AS THE OUTSTANDING BYLAW TICKETS IN THE AMOUNT OF \$1,725.00 AS PER THE REPORT TO THE AUTHORITY: PAST DUE TIPPING FEE ACCOUNTS TO BE WRITTEN OFF, DATED MAY 7, 2015.

MOTION CARRIED.

Agenda Item No. 5 – General Manager’s Report

5.1 Expense Oversight Report

General Manager Maybee took the floor referring to the Expense Oversight Report as of March 31, 2015 and the Expense Oversight Report as of April 30, 2015, as circulated and attached to these minutes.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY JOHN HIMMELMAN THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE EXPENSE OVERSIGHT REPORT AS OF MARCH 31, 2015 AND THE EXPENSE OVERSIGHT REPORT AS OF APRIL 30, 2015.

MOTION CARRIED.

Agenda Item No. 5.2 – Status of Approval of 2015-2016 Operating and Capital Budget

General Manager Maybee noted that while the Authority is aware that the Operating and Capital Budget have been deliberated and finalized in most partner units, formal notice of the result of deliberations has been received from only two partners. All representatives were encouraged to ask their respective CAO’s to send along a formal confirmatory notice regarding the result of the budget approval process for the Authority’s records.

General Manager Maybee noted that staff are moving forward with various projects in keeping with the budget including the preparation of several Request for Proposals for capital acquisitions and moving forward with the wind turbine project. As per the budget, the transfer to capital reserve in the amount of \$146,410.00 has been released to ScotiaMcLeod for investment purposes.

In response to the question, Glenda Clark, Accountant, indicated that all partners are now current with share payments.

Agenda Item No. 5.3 - Update on Audit Process/Audit Committee Meeting

Mr. Maybee noted that the Auditors are now working away on site. Staff met with the auditors yesterday to discuss various items including any actions that have been taken in follow-up to the Audit Report released as the result of the completion of the 2013-2014 audit. As indicated by Chair Pearl earlier during the meeting, there will be a meeting of the Audit Committee with the Auditors directly following this meeting.

Agenda Item No. 5.4 - Update on Organizational Review

General Manager Maybee noted that the Organizational Review is now well underway with it being anticipated that the Authority’s Organizational Review Committee consisting of Chair Pearl, Vice-Chair Ritchie, Brian Hirtle, Tom McEwan and senior staff will meet with the Consultant, John Heseltine, Stantec, on June 11, 2015 to review a draft report. The goal is to bring a final report to the Authority during the June Regular Monthly meeting.

A short discussion arose where it was stressed that the organization review is considered to be phase one of a two-phase project with the second phase being a full services and facilities review in keeping with the recommendation received as a result of the 2014-2015 budget development process.

Agenda Item No. 5.5 – Brief Update on Chester Landfill Projects

Mr. Maybee noted that he, along with the Chair, Vice Chair, Mr. Redden and Mr. Martin attended a very interesting Landfill Consultation Committee meeting in Chester about a month ago. Mr. Maybee reminded the Authority that the Agreement with Chester for disposal services is unique allowing the Authority a full say and participation in their operations and budget development and review process. It was noted that the innovative nature of leadership in Chester is leading them to looking at new programs and challenges to make better use of the property while at the same time minimizing costs for all involved. Of particular interest is their recently signed agreement with Sustane Technology for the production of fuel pellets from solid waste. The project is being lauded as enhanced recycling, different from other technologies, as plastics, metals, etc., will be pulled from the waste prior to the pelletization process. Sustane, while privately funded, has received supporting funding from ACOA and the InnoVaCorp and they are ready to move forward. This project will have a positive impact on the

Authority's agreement for disposal services as under that Agreement the Authority pays a per tonne rate based on actual disposal costs and a minimal host community fee. Taking this approach with waste will reduce the overall landfill footprint, the need for cell construction and ultimately the disposal per-tonne rate. A significant positive effect will be felt by the Authority as the result of the review of closure cost requirements due to the associated extension to the life expectancy of the landfill. It has been indicated that this new technology will be operational in 2016.

Another exciting issue reported during the meeting is the effect of Chester's receiving materials from HRM due to HRM's rescinding of the flow control bylaw that had been put in place. The additional tonnages have resulted in a reduction in a per-tonne disposal rate with Chester effective now of about \$20.00 per tonne which in the Authority's 2015-2016 operating budget could translate to a savings of approximately \$400,000.00.

It was further noted during the meeting that due to the additional tonnage being received from HRM, the Authority will not be required to pay a previously anticipated shortfall adjustment to Chester, but instead will in the position of receiving an overpayment rebate for activity during the 2014-2015 fiscal year.

After a short discussion, it was the consensus of the Authority that staff continue to monitor the activity at the Chester Landfill and plan to bring the financial impact of those operations back to the Authority mid-year for further discussion to allow the Authority to determine the best way to move forward for all involved.

In response to the question, Mr. Maybee noted that he has not heard any more from Mr. Barry Zwicker regarding their proposed project.

Agenda Item No. 5.6 – Wind Turbine Project

General Manager Maybee reported that the wind turbine project continues to move forward. A height variance request has been forwarded to the Town of Kentville as the turbine is a little taller than what was originally proposed with staff at Kentville indicating that they have not received any opposition through the Appeal Process. Site preparation will soon be underway with some clearing, grubbing and access road development to be completed by the Authority's forces or local contractor or a combination of both. It has also been determined that it is in the best interest of the Authority to run the necessary power lines underground. It is anticipated that the turbine unit will be in production in early August and at the same time the contractor will be on site to perform the foundation work that will require approximately 30 days to properly cure. Based on these timelines, the turbine may be up, running and generating power by mid-September, a month earlier than operating budget estimates.

In response to the question, it was noted that staff do plan to do a full media campaign as the project moves forward and further that having the turbine on site is another wonderful educational tool during site tours.

In response to the question, it was indicated that staff are moving forward with the proposed project to connect Valley Waste operations to the Valley Community Fibre Network. A meeting has been coordinated with Bruce MacDougall, Internetworking Atlantic Inc. (IAI) next week. Steps are also being taken to meet with Shawn West, newly appointed IT Manager, with the Municipality of the County of Kings to further discuss the project.

Agenda Item No. 5.7 – Temporary Borrowing Resolution – 2015-2016 Capital Budget

Once again General Manager Maybee took the floor referring to the Temporary Borrowing Resolution, File No. 15/16-1 for various purposes in the amount of \$860,000.00, as circulated and attached to these minutes. Mr. Maybee explained that the Authority is required to approve and execute the Temporary Borrowing Resolution in keeping with the requirements of ultimately securing financing through the Municipal Finance Corporation and in keeping with the now approved Capital Budget.

ON MOTION JOHN HIMMELMAN AND SECONDED BY BRIAN HIRTLE THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AUTHORIZE THE CHAIRMAN AND SECRETARY (GENERAL MANAGER MAYBEE) TO EXECUTE THE TEMPORARY BORROWING RESOLUTION, FILE NO. 15/16-1 IN THE AMOUNT OF

\$860,000.00 ASSOCIATED WITH THE AUTHORITY'S 2015-2016 CAPITAL BUDGET AS CIRCULATED AND ATTACHED TO THESE MINUTES.

MOTION CARRIED.

General Manager Maybee noted that with the Temporary Borrowing Resolution now passed, all partner municipal units are required to approve and execute the associated borrowing guarantees which he will circulate and make arrangements to pick up once complete.

Before moving to the next Agenda item, in response to the question, General Manager Maybee noted that there was not a Revenue and Expense Report to bring before the Authority at this time due to time constraints with Ms. Clark noting that she fully anticipates having a report for the next meeting. Mr. Maybee added that preliminary indications point to partner municipalities being pleasantly surprised with the surplus as a result of 2014-2015 operations which appears at this time to be larger than previously estimated.

General Manager Maybee indicated that Operations Manager Redden continues to work with newly appointed Operations Manager Martin with the goal of smoothing the transition and that Mr. Martin will be presenting his first Operations Manager Report to the Authority during this meeting.

Before moving forward with the Operations Manager Report, Chair Pearl took the opportunity to stop and sincerely thank Mr. Redden for his years of innovation and creativity by presenting him with the gift of time in the form of an antique wall clock on behalf of the Authority. A hearty round of applause and recognition ensued with Mr. Redden thanking all. Chair Pearl noted that over the years, he could not recall even one time where Mr. Redden was not able to immediately address questions as they arose noting that he will be an experienced and knowledgeable resource who will be missed. Chair Pearl noted that he is proud to be part of a Board and organization as a whole that has created an environment that staff not only enjoy but also where they can excel in their roles.

Agenda Item No. 6 – Operations Manager's Report

Operations Manager Martin took the floor referring to the Operations Manager Report to the Authority, dated May 20, 2015, as circulated and attached to these minutes. Mr. Martin provided a full overview of the key items including: the Energy Audit and LED Lighting Retrofit project, the Wind Turbine foundation, NS Environment Audit, Electronics Recycling, casual summer help and the recently acquired Lifepak automated external defibrillator (AED) units.

ON MOTION OF JOHN HIMMELMAN AND SECONDED BY BRIAN HIRTLE THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE OPERATIONS MANAGER REPORT DATED MAY 20, 2015.

In response to the question, it was noted that all arrangements for the LED lighting retrofit at the Management Centre sites are coordinated through Efficiency Nova Scotia who then make the arrangements to secure the equipment and resources necessary to complete the project.

In response to the question, it was noted that the only additional costs incurred in the change in dates for the spring clean-up to date are associated with additional advertising.

With regard to the Authority now participating in the electronics recycling program, it was noted that there are no tipping fees applied to electronics being received at the sites under this program as consumers would have already paid a recycling fee at the time of purchase. When materials are received in a mixed load, clients are advised that that they are able to make an extra trip around the site to dispose of the materials falling under the program prior to being charged for other materials they are bringing in. While not all, some do take advantage of this procedure, but it is critical that they are given the opportunity to take that approach to ensure that the Authority is not charging them for something that has already been paid.

Mr. Redden took the opportunity to remind the Authority that the scales, particularly at the Eastern Management Centre are very busy and that one item that the Authority could reconsider to help alleviate congestion is the waiver for large appliances as the practice is time consuming for scale operators perhaps outweighing the value received for offering the program. In response, it was the consensus of the Authority that staff be asked to prepare a report regarding this matter for the consideration of the Authority during a future meeting.

On a final note, Operations Manager Redden indicated that it is his opinion that the right choice was made to delay the spring clean-up adding that while he does not have specific numbers at this time, he would estimate that volumes may be up a bit based on materials being seen on the tipping floors.

MOTION CARRIED.

Agenda Item No. 7 – Communications and Enforcement Reports

Communications Manager, Andrew Garrett, took the floor referring to the Communications Update, dated May 2015, as circulated and attached to these minutes, highlighting the key points of interest including: the My-Waste communication and educational tool, the upcoming Compost Giveaways, staff participation in farm markets, the #GetComposting promotional contest, Planet Protector tours, and finally the replacement of the ICI Coordinator.

In response to the suggestion, Dale Roberts, former Curb-side Inspector and newly appointed ICI Coordinator was brought into the meeting for congratulations on his securing this position within the organization. Mr. Garrett noted that the recruiting process for the now vacant Curb-Side Inspector position will soon begin.

ON MOTION OF JOHN HIMMELMAN AND SECONDED BY HUGH SIMPSON THAT THE VALLEY REGION SOLID WASTE RESOURCE MANAGEMENT AUTHORITY RECEIVE THE COMMUNICATIONS UPDATE DATED MAY 2015.

MOTION CARRIED.

Bylaw Enforcement Officer, Grace Proszynska, took the floor providing the Authority with an update regarding enforcement activities noting that most complaints being received are associated with illegal burning and messy properties. It was noted that the Curb-side Inspector and Transfer Station Inspector both did a great job in filling in while Ms. Proszynska was away during the month of April. Ms. Proszynska also noted that as the spring clean-up service in the Town of Wolfville coincided with convocation, in cooperation with the Town's Compliance Officer problem properties were identified and addressed. On a final note, Ms. Proszynska noted that while still involved, she has stepped down from her position as Chair with the Atlantic Bylaw Enforcement Association adding that Carson King, Transfer Station Inspector, is participating in annual training provided by the Associated in Fredericton.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY HUGH SIMPSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE BYLAW ENFORCEMENT REPORT.

MOTION CARRIED.

A discussion arose regarding the noticeable volume of litter in and around valley roads including the 101 access ramps which is greatly detracting from the areas. It was noted that in the past, funds were included in provincial budgets to address this issue but that funding may no longer exist. It was further noted that while the Adopt-A-Highway program is wonderful, due to safety issues, it does not support clean-ups along the 101 highway due to safety issues.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY JOHN HIMMELMAN THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT DIRECT STAFF TO PREPARE A LETTER TO THE NOVA SCOTIA DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE RENEWAL TO BE SIGNED BY CHAIR PEARL REGARDING CONCERNS

AROUND THE SERIOUS LITTER ISSUE BEING OBSERVED IN AND AROUND VALLEY REGION ROADS AND HIGHWAYS.

MOTION CARRIED.

It was suggested that the letter be copied to the 2 Transportation and Infrastructure Renewal Regional Managers located in Middleton and New Minas.

Agenda Item No. 8 – Regional Coordinators and Regional Chairs Report

Communications Manager, Andrew Garrett, took the floor referring to the Regional Coordinators Report to the Authority, dated May 20, 2015, as circulated and attached to these minutes. Mr. Garrett reviewed the report in its entirety providing an overview of each of the key topics of discussion including: NSE Regulation Review, Municipal-Provincial Priorities Group, Municipal Financial Studies for Proposed Regulations, Safe Sharps Program, Ban Compliance Standards, RRFB Summit and finally Mattress Recycling.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY HUGH SIMPSON THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY RECEIVE THE REGIONAL COORDINATORS REPORT DATED MAY 20, 2015.

In response to the question with regard to the mattress recycling program, staff at the management centres are not pulling mattresses from loads at this time.

General Manager Maybee took the opportunity to advise the Authority that Provincial Compost Regulations are now under review and that as the Authority is in year 13 of a 15 year agreement with North Ridge Farms, it may be in the best interest of the Authority to enter into an extension of the current agreement rather than issuing a Request for Proposals at this time as the final regulations will impact composting operations. With that in mind, he did consult with Solicitor Coyle regarding this issue who has advised that the Authority's current Procurement of Goods and Services Policy would allow for the taking this approach. Staff are closely monitoring the matter and will bring more information forward as it becomes available.

On a final note, Mr. Garrett indicated that 3 years appears to be the national standard for implementing extended producer responsibility programs.

MOTION CARRIED.

Agenda Item No. 9 – Chair's Report

Chair Pearl was pleased to report that he has now successfully complete General Manager Maybee's annual performance review thanking everyone involved for the input.

Chair Pearl referred to the Investment Account Statement from ScotiaMcLeod for the period of March 1-31, 2015, as circulated and attached to these minutes, noting that it was provided for information purposes. As mentioned earlier during the meeting, the 2015-2016 transfer to capital reserves in the amount of \$146,410 has been forwarded to ScotiaMcLeod for investment purposes.

Agenda Item No. 10 –New Business

Agenda item No. 10.1 – Preliminary Discussion: Service Provision to Apartments and Commercial Sector

General Manager Maybee noted that this item has been placed on the agenda for preliminary consideration in follow-up to the recommendation from the Budget Development Committee during the 2014-2015 budgeting process. It was the consensus of the Authority that this and other operational items would be considered in follow-up to a full services and facilities review with further discussion tabled until that time.

Agenda Item No. 10.2 – Community Energy Planning Conference

Hugh Simpson reported that he recently had the opportunity to attend an excellent Community Energy Planning Conference held at Acadia University. He noted that the information released during the conference was excellent and timely, but noted that attendance was poor and may have been a missed opportunity for many. Mr. Simpson suggested that if individual partner Councils are unable to move forward, perhaps the Authority could take an active role in establishing community energy programs.

Agenda Item No. 11 - Correspondence

There was no correspondence to bring before the Authority at this time, however the Authority was reminded that the Solid Waste Regulation Public Discussion Paper – What We Heard – Winter 2015, as released by NS Environment, was circulated to all with the meeting package for information purposes, as attached to these minutes.

Agenda Item No. 12 – Next Meeting

The next meeting of the Valley Region Solid Waste-Resource Management Authority will be held on Wednesday, June 17, 2015, beginning at 9:00am in keeping with the normal meeting schedule.

Agenda Item No. 13- Question/Answer Period

In response to the question, General Manager Maybee noted that for the moment, it is business as usual with the Town of Hantsport as they await a decision from the UARB who will ultimately have the final say in not only in the question of their status, but how service provision to the area will continue into the future. All were reminded that the proposed dissolution of Hantsport is different from the dissolution of the Town of Bridgetown where a currently participating partner, the Municipality of Annapolis County, absorbed responsibilities.

Agenda Item No. 14 – Adjournment

ON MOTION OF JOHN HIMMELMAN AND SECONDED BY BRIAN HIRTLE THE MAY 2015 REGULAR MONTHLY MEETING OF THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ADJOURNED AT 12:00 NOON.

Respectfully Submitted,

Brenda Davidson
Office Coordinator
Valley Waste-Resource Management