



**Board of Directors Meeting**  
November 9, 2017  
3143 Main St., Centreville, NB

**In Attendance:**

Elaine English, Chair, Mayor, Canterbury  
Arthur Slipp, Mayor, Woodstock  
Brian Hayden, LSD, Woodstock  
James Kennedy, LSD, Debec  
Joseph Weston, LSD, Lakeville  
Leonard Foster, LSD, North Lake  
Paul Bradley, LSD, Brighton  
Stephen Manuel, LSD, Canterbury  
Tracey Demerchant – Deputy-Mayor, Hartland

Alexis Fenner, Mayor, Plaster Rock  
Brent Pearson, Vice-Chair, LSD, Glassville  
Gailen Allan, LSD, Aberdeen  
Joseph Trevors, LSD, Peel  
Karl Curtis, Mayor, Florenceville-Bristol  
Michael Stewart, Mayor, Centreville  
Sheila Cummings, Deputy-Mayor, Perth-Andover  
Tena McLellan, LSD, Simonds  
Troy Stone, Secretary, Mayor, Bath

**Regrets:**

Marianne Bell, Mayor, Perth Andover

**Absent:**

Lance Graham, Mayor, Meductic  
Marven Demmings, Mayor, Aroostook

**Staff In Attendance:**

Katelyn McGrath, Executive Director / Planning Director  
Joan Kennedy, Financial Administrator  
Bev Gullison, Office Administrator

Meeting was called to order by Chair of the Board, Elaine English at 6:32 p.m.

Elaine English welcomed Tracey Demerchant, Deputy-Mayor of Hartland to the Board, noting Tracey is the replacement member for Craig Melanson, who has recently resigned as Mayor of Hartland.

**Approval of Agenda:**

**Motion:** To approve the agenda of the November 9, 2017 meeting.  
**Moved:** Alexis Fenner  
**Seconded:** Karl Curtis  
**Carried**

**Declaration of Conflict of Interest:**

None

**Approval of Minutes:**

**Motion:** To approve the minutes of the September 20, 2017 meeting.  
**Moved:** Gailen Allen  
**Seconded:** Tena McLellan  
**Carried**



**Presentations:**

None

**Business Arising:**

**2018 Budget**

Katelyn McGrath reminded the members that during the September 20, 2017 Board meeting a motion was made to distribute the 2018 draft budget for review to the municipalities. Therefore, consideration of approval for the 2018 budget is being requested. Katelyn reiterated to the members that the 2018 budget includes the proposal to implement curbside recycling with a proposed launch in May of 2018.

Alexis Fenner read an email from the Town of Plaster Rock inquiring who would be responsible to ensure that recyclable materials would not be contaminated during the transfer of material. Katelyn stated that the Woodstock facility, owned by JS Bellis, also operates a waste transfer station and the proposed recyclable sorting facility, and therefore there would be no need for Plaster Rock's contractor to transport materials to Green River if found to be contaminated at the recycling facility.

Arthur Slipp asked how correspondence sent to the Executive Director is handled, such as, do questions sent to the Executive Director become part of the record. Elaine English advised it is the Executive Director's responsibility to respond directly to inquiries sent to staff. Arthur asked for further clarification if the town council wishes to have a letter directed to all the Board members how should this be handled. Elaine advised the Executive Director would need to be made aware of council's wishes and the letter should be addressed to the Board of Directors.

Sheila Cummings asked if the Chair had received a copy of the letter that the Village of Perth-Andover sent to the Minister of Local Government addressing their concerns, as the Village of Perth-Andover has voted not to accept the budget. Sheila advised they did not receive the answers to their specific questions.

Katelyn McGrath confirmed questions presented in response to the document circulated to Councils and LSDs were answered at the previous Board meeting, as staff felt that any questions asked and answers provided would be beneficial for all Board members.

**17-24**

**BE IT RESOLVED** that the 2018 Western Valley Regional Service Commission budget is approved as presented.

Moved: Joseph Weston

Seconded: Alexis Fenner

Elaine English requested the vote by a show of hands for approval of the 2018 budget, which included the implementation of curbside recycling, and reminded the members that according to the Regional Service Delivery Act, 2/3 of those present and 2/3 of the population represented by the members present must vote in favor of the budget in order for the budget to pass.

**Motion carried**

2 Nay Votes



*18 members were present, therefore, 12 yes votes were required for the motion to pass, 16 yes vote were cast, therefore the 2/3 of those present requirement of the Act was met.*

*Population represented by the 18 members present was 33,530. 22,130 must be represented by a yes vote. The 16 yes votes cast by members represented 26,712, therefore the 2/3 of the population represented requirement of the Act was met.*

### **New Business:**

#### **Solid Waste Disposal Contract (2012) – Legal Opinion**

Katelyn provided a brief history of the current contracts with Northwest and Southwest Sanitation. Katelyn advised the current contract was signed by Valley Solid Waste in 2012, just prior to the creation of the Regional Service Commissions. Katelyn also informed the members that prior to the 2012 contract there was a similar contract signed between the same parties in 1997. Katelyn stated at that time, the former Valley Solid Waste Commission felt there was a double payment occurring at the Northwest landfill (Cogerno). As a result, that contract went to arbitration and it was determined the contract was clear and a decision was made in favor of Cogerno. In 2012, Valley Solid Waste signed a contract with identical wording.

The Local Service Manager has brought this concern again to the Staff who have brought the concern to the Solid Waste Committee, suggesting that perhaps we are double paying recycling fees. It was the opinion of the Solid Waste Committee and reviewed by the Finance Committee that the contracts are clear. Since the Local Service Manager did not agree, the Solid Waste Committee decided to seek a legal opinion on the contract.

Katelyn advised a copy of the decision from the law firm of Cox & Palmer has been distributed to all members and the decision was reviewed with the members. Katelyn read portions of the letters from Cox & Palmer, and stated that the legal opinion was that if the Western Valley Regional Service Commission were to have the issue of disposal fees arbitrated again; it is likely that the arbitrator would reach the same conclusion as the arbitrator did in 2001. *(Copy of Arbitrator's decision attached)*. Katelyn informed the members a copy of the letter providing the legal opinion has been forwarded to The Department of Local Government for record purposes. Katelyn advised the Solid Waste Committee felt there were no issues with the current contract and were reassured of that by the legal opinion.

Copies of the 1997 contract, the 2012 contract, the arbitration decision, and the 2017 legal opinion were provided to all board members.

### **Committee Reports:**

#### **Third Quarter Financials**

Troy Stone, Chair of the Finance committee, presented the third quarter financials as of September 30, 2017, as approved by the Finance committee at the meeting conducted November 9<sup>th</sup>, 2017. Troy reviewed budgeted versus actual amounts and provided variance explanations.



**17-25**

**BE IT RESOLVED** to approve the 2017 third quarter financials ending September 30, 2017, as presented.

Moved: Troy Stone

Seconded: Stephen Manuel

**Motion unanimously carried**

**Executive Director Report**

Katelyn McGrath informed the members that the office will begin copying the municipal Chief Administrative Officers and Clerks on all future Board communications to ensure they are kept up-to-date.

After discussion, it was agreed by the member majority that the next Board meeting would be held on December 14, 2017.

**Adjournment:**

**Motion:** The Chair, Elaine English called for a motion to adjourn the meeting at 7:05 p.m.

**Moved:** Alexis Fenner

Recording Secretary: Bev Gullison

A handwritten signature in blue ink, appearing to read "Troy Stone", is written over a horizontal line.

**Troy Stone**  
**Secretary**

A handwritten signature in blue ink, appearing to read "Katelyn Hayden", is written over a horizontal line.

**Katelyn Hayden**  
**Executive Director**