



Board of Directors Meeting
February 3, 2015
Woodstock Y's Men's Club

In Attendance:

James Kennedy, Chair, LSD Debec
Arthur Slipp, Mayor, Woodstock (arrived late)
Brian Hayden, LSD Woodstock
Elaine English, Mayor, Canterbury
Karl Curtis, Vice-Chair Mayor, Florenceville-Bristol
Paul Bradley, LSD Brighton
Alma Kilfoil, LSD Kent
Gailan Allan, LSD Aberdeen

Alexis Fenner, Mayor, Plaster Rock
Brent Pearson, LSD Glassville
Craig Melanson, Mayor, Hartland
Gary Thomas, Mayor, Centreville (left early)
Tim Linton, LSD Gordon
Mike Grant, Deputy Mayor-Perth Andover
Troy Stone, Secretary, Mayor, Bath
Leonard Foster, LSD North Lake
Joseph Weston, LSD Lakeville (Alternate)

Staff in Attendance:

Jo-Anne Lockhart, Executive Director
Katelyn Hayden, Planning Director
Bev Gullison, Office Administrator

Regrets:

Steve Manual, LSD Canterbury
Ed Stone, LDS, Upper & Lower Northampton

Absent:

Lance Graham, Meductic
Marven Demmings, Mayor Aroostook

The meeting was called to order at 6:30 p.m. by James Kennedy, Board Chair, and Chair LSD, Debec.

Prior to beginning the agenda items, Jim Kennedy asked everyone around the table to introduce themselves for the benefit of the newly elected 2015 LSD Chairs present as follows:

Gailen Allen – LSD, Aberdeen
Leonard Foster – LSD, North Lake
Joseph Weston – LSD, Lakeville
Alma Kilfoil – LSD, Kent (arrived late)
Tim Linton, LSD, Gordon

Approval of Agenda:

A motion was made by **Elaine English** and seconded by **Alexis Fenner** to approve the agenda.

MOTION CARRIED

Declaration of Conflict of Interest:

None

Approval of Minutes:

A motion was made by **Elaine English** and seconded by **Gary Thomas** to approve the minutes of meeting for the December 17, 2014 regular meeting.



MOTION CARRIED

Business Arising:

None

Presentations:

Kathy Orser-Sherwood – Department of Healthy & Inclusive Living (DHIL) *(Copy of presentation attached)*

Kathy Orser-Sherwood has been with the Wellness section of DHIL for 25 years. The mandate of the department is to promote a culture of wellness which includes Healthy Eating, Fitness, Mental Health and a Tobacco Free environment. A number of grants available in Western Valley were outlined. Kathy Orser-Sherwood encouraged the members to apply for them before the year-end submission deadline of March 31, 2015 and offered to provide assistance with the grant applications.

Frank Kingston – Safer Neighbourhoods & Communities (SCAN) *(Copy of presentation attached)*

Frank Kingston introduced himself as an ex-RCMP officer who had served in Alberta, Northwest Territories, Nova Scotia and New Brunswick throughout his career, with 10 years of experience in drug, major crime and gang divisions.

SCAN has been operating since 2010 and has 5 full-time investigators and 1 part-time assistant. There has been a noticeable reduction in crime when SCAN has been involved. SCAN's purpose is to empower citizens to report crimes. The complaint process is confidential and the complainant never has to go to court. SCAN has only taken one case to work in the last five years. Frank Kingston gave examples of situations where crimes were identified and resolved to the complainant's satisfaction.

Frank Kingston stated SCAN would be pleased to give a presentation to any interested group.

Committee Reports:

New Business:

Policing Committee: Chair of the Policing Committee, Elaine English stated the committee had not met since the last board meeting and will be meeting on February 24, 2015.

Finance Committee: Jim Kennedy asked Jo-Anne Lockhart to present the un-audited December 31, 2014 financial statements. Jo-Anne Lockhart stated the Commission was in good financial shape and results are consistent with the projected year-end surplus of \$100,000 reported at the December 17, 2014 meeting. Jo-Anne Lockhart gave a brief overview of each fund at December 31, 2014 as follows:

- a) Solid Waste – Revenue from higher Carleton County fees and unbudgeted interest income were offset by savings from the Canterbury / Meductic contract and corporate allocation to result in a year-end surplus of \$89,841.
- b) Planning had higher payroll costs than budgeted; however, these were offset by savings due to fewer committee meetings and a lower corporate allocation to result in a \$5,949 surplus.
- c) Corporate costs had higher than budgeted audit fees and professional fees which were offset by savings related to the Executive Director's vacancy and Board meeting costs. There is no surplus or deficit in this fund because the costs are allocated to the other funds.
- d) Co-op & Regional costs had lower meeting costs which resulted in a \$3,334 surplus.
- e) The overall surplus at December 31, 2014 year-end was \$99,124.



Troy Stone asked if the surplus of \$99,124 excluded the \$50,000 to be transferred to the Waste Capital Reserve. Jo-Anne Lockhart replied the \$50,000 was in the \$99,214 surplus.

Jo-Anne Lockhart mentioned the 2014 audit was to start on February 6, 2014 and the results would be presented at the March 24, 2015 Board meeting.

A motion was made by **Elaine English** and seconded by **Troy Stone** to accept the Finance report.

MOTION CARRIED

Waste Committee

Jim Kennedy asked Jo-Anne Lockhart to update the Board about the Land Transfer contract. Jo-Anne Lockhart reported the deadline had passed for the signing of the new contract with Bellis. However, a new extension of the current contract until March 31, 2015 was agreed to by Bellis and RSC12.

Recreation Committee

Brian Hayden informed the Board the committee will be having a meeting on February 4, 2015 in Hartland to discuss the Master Plan. \$75,000 has been identified for recreational purposes. Brian Hayden asked members who have Recreation Directors to invite them to the meeting. Brian Hayden suggested RSC12 look to other communities for ideas and informed the members 55,000 acres in Maine has been opened for recreational purposes, and a Nordic Ski Centre for the US team has been developed. Alma Kilfoil stated the Nordic Centre was amazing. Brian Hayden also suggested RSC12 could move their focus from individual sport teams to regional teams.

Support for Woodstock Local Government Office

Brian Hayden informed the Board the Administrative Assistant position in Woodstock would be terminated as of Friday, February 6, 2015 and asked RSC12 to show support for the Local Government office by writing a letter to the Province. Jo-Anne Lockhart was tasked with preparing the letter.

A motion was made by Brian Hayden and seconded by Art Slipp to send a letter to the Deputy Minister by February 4, 2015 to show support for the Local Government office.

Chair's Report

2014 Strategic Plan Accomplishments

Jim Kennedy asked Jo-Anne Lockhart to speak to the 2014 Strategic Plan accomplishments. Jo-Anne Lockhart asked members to refer to the handout provided and if they were aware of other accomplishments related to the Strategic Plan to forward them to her. Jim Kennedy commented it appears a lot was accomplished in 2014.

Minister Brian Kenny Visit to RSC12

Jim Kennedy advised the Minister of Environment and Local Government would be in Woodstock on February 17, 2015 to meet with the Board only. The meeting is at the F.P. Fischer Library at 7.00 p.m., not 6.30 p.m. Refreshments will be served.

Jim Kennedy stated the Minister does not have a prepared speech and he is looking to receive feedback from Board members on how to improve the Regional Service Commission models and what issues RSC12 has. Jim Kennedy asked the members to consider what issues they want to discuss with the Minister and forward them to Jo-Anne Lockhart to compile.



Jim Kennedy referred to a comment Art Slipp made at the Finance committee meeting on January 22, 2015 to the effect RSC12 should ask the Minister of the Environment and Local Government on whether the Commission has the authority to seek the best deal for its citizens.

There was discussion about an economic development mandate. Art Slipp expressed a concern about regional competition stating under the current situation there is a level playing field because the Municipality Act prevents competition. Reference was made to the L'Association francophones des municipalités du Nouveau-Brunswick and their efforts to involve the Anglophone communities in their study "Consultation and Summit on the Development of Regions" which is being led by Mike McKendy.

Brian Hayden pointed out RSC12 has the second highest waste costs in the Province; therefore, we should ask the Minister if we can make decisions for RSC12 which are in our best interests.

Highway Conditions: Jim Kennedy advised a letter from RSC12 about the poor winter highway conditions was sent to the Department of Transport & Infrastructure. Jo-Anne Lockhart was asked to forward the letter to the members

Confidentiality Forms: Jim Kennedy asked members to return the confidentiality forms sent out by the RSC12 office. Craig Melanson questioned the validity of the confidentiality forms as he has to report back to his Council on what was discussed at the RSC12 Board meeting. Jim Kennedy replied the issue was understood and the forms were optional.

Contact Information: Jim Kennedy asked members to return the contact information sheet sent to them by the RSC12 office and to keep the office informed of any changes to their contact information.

Website: Jo-Anne Lockhart mentioned we have received a report from our website provider showing the number of hits by month. The hits were quite significant. Brian Hayden asked if a report could be generated with a breakdown of the type of hits and send to members. Jo-Anne Lockhart said she would inquire of the webmaster.

Human Resources Study: Jim Kennedy told the Board members the commissioned report on a salary review from Pierre Bertrand of Human Resources was forwarded to the Finance committee and reviewed at the Finance committee meeting on January 22, 2015. Further review is required and the matter will be brought to the Board at a later meeting.

PRAC Committee: This item was tabled from the December 17, 2015 Board meeting in order to allow more time to review the issue. During the November 12, 2014 PRAC meeting Committee members requested the following amendment to section 4.8 of the Regional Service Commission 12 Planning Review and Adjustment Committee By-Law and Operating Procedure from:

"4.8 Decisions on all items on the agenda of the Planning Review and Adjustment Committee shall be made by motion in open session and with the exception of the approval of the agenda and the minutes of the meeting, shall include reasons for the decision."

To read as follows:

"4.8 Decision on all items on the agenda of the Planning Review and Adjustment Committee shall be made by a motion in a private session in the absence of members of the public or applicants and shall include reasons for the decisions, with the exceptions of the approval of the agenda and minutes of the meeting which will be made in open session."

A question arose at the December 17, 2014 meeting whether or not quorum was lost if members left the meeting. Katie Hayden informed the Board as long as there are three members present, quorum is not lost.



Katie Hayden presented a letter and backup she prepared to the Board dated February 3, 2015 outlining the history of the By-Law regulating the operations of the RSC12 PRAC committee along with a letter from Mr. Matthew M. Tweedie, Partner at Cox & Palmer Law Firm who are retained to present RSC12 for planning appeals.

Regarding the proposed change to section 4.8 of the Operating Guidelines of the PRAC By-Law, Mr. Tweedie's letter states "the proposed change would contravene s. 5.12 of the RSC's procedure By-Law. It therefore cannot be made unilaterally by the PRAC unless the RSC first changes it Procedural By-law to allow the PRAC to do so." In addition Mr. Tweedie wrote the Municipalities Act states "10.2(1) & (2) set out meetings must be "open" and "decisions" must be made in the meeting. There are certain exceptions set out in 10.2(4)." Mr. Tweedie stated "such an amendment would be viewed as regressive, and being contrary to principles of natural justice and procedural fairness. As such, an applicant or a member of the public would have reasonable grounds to challenge the proposed change in procedure in Court."

Brian Hayden asked if the vote on the motion should be limited to the LSDs and municipalities who use Regional services. Jim Kennedy responded the entire Board will vote.

Discussion ensued about the following:

- a) Declaration of conflict of interest should be made, in which case the proposed amendment would not be required.
- b) This request, if accepted would affect all PRAC meetings, as you could not just do it some of time
- c) Understanding of PRAC wanting to have a wholesome discussion about the issue at hand (it was suggested a discussion could be conducted off line; however, the decision must be public)
- d) The Provincial appeal system
- e) Suggested that the Municipal Act and Regional Service Delivery Act are not in sync
- f) Decisions being made in private will lead to more appeals
- g) Whether the Act had to be changed as the Act cannot be changed by the Commission. Jim Kennedy advised the Board that the Commission's Procedural By-Law would first need to be amended to allow for the proposed change to the PRAC By-law.

A motion was made by Brent Pearson and seconded by Art Slipp to accept the PRAC recommendation to amend section 4.8 of the Regional Service Commission 12 Planning Review and Adjustment Committee By-Law and Operating Procedure. Jim Kennedy called for a vote by show of hands. The vote result was 6 in favour of the motion and 8 against the motion. Jim Kennedy declared the motion defeated.

MOTION DEFEATED

Committee Appointments:

Jim Kennedy informed the Board due to the departures of former committee members, new appointments were required. The appointments are valid until May 2015 at which time there will be re-appointments. A brief description was given of the role each committee has.

The committee appointments are:



Finance – A motion was made by Alexis Fenner and seconded by Brian Hayden to appoint Tim Linton to the Finance committee. Tim Linton accepted.

MOTION CARRIED

Oversight – A motion was made by Elaine English to appoint Karl Curtis to the Oversight committee. Karl Curtis accepted.

MOTION CARRIED

Police – A motion was made by Elaine English and seconded by Leonard Foster to appoint Brian Hayden to the Police committee. Brian Hayden accepted.

MOTION CARRIED

Waste – Joe Weston volunteered to sit on the committee. A motion was made by Brian Hayden and seconded by Paul Bradley to accepted Joe Weston as a committee member.

MOTION CARRIED


Recreation – Brian Hayden stated no further committee appointments were required at this time.

PRAC – Katie Hayden informed the Board Alan McLaughlin, Mark Atwater and Ken Clark agreed to 4-year term appointments to the PRAC committee. A motion was made by Brent Pearson and seconded by Alexis Fenner to appoint Alan McLaughlin, Mark Atwater and Ken Clark to the PRAC committee.

MOTION CARRIED

Adjournment:

A motion was made by Troy Stone to adjourn the meeting at 8:50 p.m.



Troy Stone
Secretary



Jo-Anne Lockhart
Executive Director