

*Submitted by the  
Minister of Municipal  
Affairs & Environment*

*2019-03-21*

*Barnes*



**EASTERN REGIONAL  
SERVICE BOARD**

**FIRE | SOLID WASTE | WATER | WASTE WATER**

**BOARD OF DIRECTORS MEETING**

# MINUTES

Meeting #65

Wednesday, January 30, 2019, 7:00 p.m.

Fairfield Inn & Suites by Marriott, 199 Kenmount Road, St. John's  
199 Kenmount Road, St. John's, NL

**In Attendance:**

Mr. Ed Grant  
Councillor Bill Bailey  
Mayor Danny Breen  
Councillor Maggie Burton  
Councillor Glenn Clarke  
Councillor Wally Collins  
Councillor Ian Froude  
Councillor Sandy Hickman  
Councillor Dave Lane  
Councillor Kevin McDonald  
Mayor Harold Mallowney  
Deputy Mayor Sheilagh O'Leary  
Councillor Peggy Roche  
Councillor Deanna Stapleton  
Councillor Lucy Stoyles  
Councillor Gerard Tilley  
Deputy Mayor Sam Whalen  
Mayor Hilda Whelan  
Councillor Sterling Willis  
Councillor Jamie Korab  
Councillor Hope Jamieson

**Regrets:**

**Other Attendees:**

Mr. Ken Kelly, ERSB

Mr. Bradley Power, ERSB  
Ms. Christie Dean, ERSB  
Ms. Lynn Tucker, ERSB  
Mr. Andrew Niblock, City of St. John's

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**1. Call to Order**

Mr. Grant called the meeting to order at 6:59 p.m.

**2. Adoption of Agenda**

**MOTION 2019-001**

**Moved By Mr. Hickman**

**Seconded By Mr. Clarke**

BE IT RESOLVED that the Agenda be adopted with the addition.

**Carried Unanimously**

**3. Review of Minutes**

**MOTION 2019-002**

**Moved By Mr. Hickman**

**Seconded By Mr. Willis**

BE IT RESOLVED that the Minutes from Board of Directors Meeting of November 28, 2018, be adopted as tabled.

**Carried Unanimously**

**4. Committee Reports**

**a. Finance & Audit Committee**

**1. Board Expenditures**

Mr. Hickman delivered the report on behalf of the committee.

The cheque register and payroll summaries for the months of November and December 2018 were tabled for review.

The cheque register included regular payments to waste collection contractors, fuel providers, City of St. John's for tipping fees, and payments to Can-AM Platforms for the construction of the Whitbourne Maintenance Depot.

**MOTION 2019-003**

**Moved By Mr. Hickman**

**Seconded By Ms. Whelan**

BE IT RESOLVED that the Board Expenditures for November and December be adopted as tabled.

**Carried Unanimously**

**2. Fire and Emergency Services Report**

Mr. Kelly presented the Fire and Emergency Services Report. He said that Staff presented the report on the experience in 2018 with the collection of fire fees to be paid to the Town of Holyrood.

In relation to the collection of fees for the service, there was a 14% delinquency rate in 2017 and a 21% for 2018 at year-end. When combined this is an overall delinquency rate of 18% or roughly \$7,300.

In addition, the report tabled noted that there is an estimated 600 properties in the area, but only 350 paying. Therefore, there are 250 properties not contributing to the cost of the service.

Mr. Kelly said that there is still resistance to paying this fee, even for a service as important as fire and emergency protection. He added that the service includes fire response, coverage for motor vehicle accidents, responses to false alarm, requests for medical assistance, response to grass fires, etc.

Mr. Hickman said the committee recommended that if the Board enters into an agreement to provide service for other areas that the agreement include an assessment to be completed at the end of each year and the Board only pay municipalities based on the properties that can be reasonably collected. This means the Board would not be responsible to carry delinquent accounts.

Mr. Kelly added that the Board can address this issue in the Holyrood service area again when their agreement comes back to the Board for consideration.

**3. Robin Hood Bay Budget**

Mr. Andrew Niblock from the City of St. John's presented the 2019 Robin Hood Bay Budget.

He noted the budget has decreased overall. Labour costs are down. Light/power has increased. Building maintenance at the landfill has also increased.

Actuals for 2018 should be available March/April 2019 and will be provided to the Board.

It was noted that \$1.2 million in 2018 and \$1.18 million in 2019 was forecast to come from reserves to make up the shortfall in revenue and to maintain the tipping fee at \$67.60. The tipping fee has remained the same since 2013.

Overall the City is drawing down the operating reserve for the facility as the tipping fees are not covering the annual costs. The Board will have to address this issue in the near future as volumes are flat or slightly decreasing.

The budget is for information purposes only. It was previously approved by the City of St. John's.

**1. Incentives/Different Rates for Commercial Sector**

Mr. Hickman noted that it was brought up at a previous Board meeting that ERSB should look at incentives or different rates that would encourage greater diversion by the commercial sector.

The waste rate of \$67.60 and the recycling rate of \$20 per tonne already provides a \$47 per tonne incentive, but maybe the Board could do more.

The suggestion, which was made by Councillor Burton, was to look at communicating this difference and making businesses aware that they could reduce their waste disposal costs by recycling. In the past, it has been the private haulers that were mainly aware of the difference in cost. By making the business community aware the Board might increase the demand on haulers to provide options to divert.

The Board and the City of St. John's will engage the MMSB to discuss a joint communication or other options. The City of St. John's is exploring ways it can communicate this message as well.

**b. Strategy & Policy Committee**

**1. Update on Public Engagement Strategy**

Mr. Whalen delivered the report on behalf of the committee.

An update from NATIONAL, the public relations firm who is advising on the public consultation process, was tabled for the Board's information.

There were approximately 500 responses to the Board's survey. Staff have received the analysis. The detailed report will be tabled at the committee level in February.

The results of the public consultation will be made public in March.

**2. Terms of Reference for Provincial Review of Waste Collection at Seasonal Properties**

Mr. Whalen noted that the Board's response to the Provincial Government regarding the Terms of Reference to hire a consultant to study the policy of the Board with regards to service levels and fees charged to seasonal properties.

The Board's response to Minister Letto and comments on his letter were tabled and included the following:

- The Board of elected representatives have made a decision on this issue,
- Doing a jurisdictional review within the province is of no value,
- Comparisons need to be made to similar situations, not simply across the province,
- The issue of charging property taxes in unincorporated areas versus service fees is not addressed, and
- No legislative changes to assist the Board are included in this review.

Board members encouraged the Chair to communicate further with government that they want direction on how to address the issues in cabin areas and unincorporated communities as soon as possible.

**MOTION 2019-004**

**Moved By Mr. Breen**

**Seconded By Mr. Tilley**

**BE IT RESOLVED** that the ERSB will send a letter to the Provincial Government demanding direction on the collection of curbside waste and fees in cabin areas and unincorporated areas throughout the Eastern Region.

**3. Update on 2018 Corporate Strategic Plan**

Mr. Whalen noted that a draft of the ERSB Corporate Strategic Plan for 2018-2022 was circulated to the Strategy and Policy Committee for review/comment.

The Committee will be reviewing the public consultation work by NATIONAL to see what can be learned from the results of the survey that they completed. An update on this work will be provided at the next Board meeting.

**4. Update on MNL Avalon/Eastern Regional Meeting Sponsorship and Attendance**

Mr. Whalen noted that MNL will be holding its annual Avalon/Eastern Region Meeting this Friday and Saturday, February 1-2.

Mr. Grant, Mr. MULLOWNEY, Mr. Kelly and Mr. Power will be attending the meeting. It starts at 2:00 p.m. on Friday, February 1.

**c. Governance Committee**

**1. Health and Post-Secondary Education Tax**

Mr. MULLOWNEY delivered the report on behalf of the committee.

The Board was reminded that it is subject to the Health and Post-Secondary Education Tax. As a result of this requirement, if payroll exceeds \$1.2 million during the year than ERSB has to pay/remit 2% of all payroll over that amount for the year to the government. The Board has crossed that threshold each year since 2015.

**2. Board Development Opportunities**

Mr. MULLOWNEY noted that the Board typically sends a representative and staff to the WASTECON conference each year. This year the conference is in Phoenix, Arizona, on October 21-24.

Board members were reminded that a poll was completed last year to determine who might be interested in attending these conferences moving forward. Registration will likely open up in May/June for the 2019 conference and staff will want to take advantage of the early bird rates when registering, if possible.

Those interested in attending WASTECON should reach out to Mr. Power. He will also send out another poll gauging interest closer to May.

**3. 2019 Joint Council Meeting Calendar and Update on New Joint Councils**

Mr. Mullooney tabled the joint council meeting calendar for 2019. It shows a very busy time for regional meetings moving forward. The calendar will be updated as new joint councils are established in the coming months.

**4. CAO Performance Review**

Mr. Mullooney noted that information on the annual CAO's Performance Review has been emailed out to Board members. A copy of the evaluation form is also available in hard copy.

Mr. Mullooney has received some feedback, but would appreciate if everyone returned their completed forms by Friday Feb 1. He will then compile the results and provide feedback.

**5. Correspondence**

There was no correspondence to be discussed.

**6. New Business**

**a. MMSB Regional Waste Management Forum**

Mr. Grant noted that the MMSB's Regional Waste Management Forum will take place at the Greenwood Inn & Suites, 48 West Street, Corner Brook on Thursday, March 14 and Friday, March 15, 2019.

Mr. Grant and Mr. Kelly will be attending this forum. They will provide a report on the forum at the Board meeting in April.

**b. Exemption Process**

Mr. McDonald, on behalf of Mr. Bailey, asked that staff review the current exemption process for waste fees. He requested that the boarding up of properties be considered for removal from the process, whereas it seems to be an excessive measure to prove inhabitability.

Mr. Kelly and Ms. Dean provided a brief overview of the exemption process.

The issue was referred to the Strategy and Policy Committee for consideration.

**7. In Camera Session**

There was no items to discuss in camera.

**8. Upcoming Meetings**

Board members were reminded of the following upcoming meeting dates/times:

- Finance & Audit Committee – Tuesday, February 12, 2019 at 12:30 p.m.
- Strategy & Policy Committee – Thursday, February 14, 2019 at 10:30 a.m.
- Governance Committee – Tuesday, February 19, 2018 at 10:30 a.m.
- Board of Directors – Wednesday, February 27, 2018 at 7:00 p.m.

**9. Adjournment**

**MOTION 2019-004**

**Moved By Ms. Stapleton**

**Seconded By Mr. Korab**

Seeing no further business to be discussed, BE IT RESOLVED that the meeting adjourn at 8:20 p.m.

**Carried Unanimously**