



Central Newfoundland Waste Management
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BOARD MEETING –Norris Arm 1:00 p.m. August 16, 2017

Attendance

Allan Scott	Chair – CRSB
Derrick Luff	Direct Haul
Robert Elliott	Zone 2 -Point Leamington
Bruce Moores	Town of Grand Falls Windsor
Winston Perry	Zone 6 – Indian Bay
Glenn Arnold	Zone 7 – Terra Nova
Kevin Butt	Zone 3-NWI/Twillingate
Sam Windsor	Zone 5 - Gander Bay
Dennis Woolridge	Bishops Falls/Botwood/Lewisporte
Andrew Shea	Zone 4 - Fogo Island
Marjorie Gaulton	Norris Arm North & South
Ed Evans	CAO – CNWM
Karen White Attwood	Manager of Finance/Administration – CNWM
Mark Attwood	Manager of Operations – CNWM

Apologies

Claude Elliot	Town of Gander
Brad Hefford	Service NL
Wayne Lynch	Service NL
Jerry Collins	Department of Municipal Affairs and Environment

1. Review of previous minutes – June 21, 2017

**MOTION: Moved by B. Moores to adopt the minutes of June 21, 2017.
Seconded by K. Butt.**

M/C

2. Financial Report

**MOTION: Moved by S. Winsor to pay the operational invoices June 6, 2017 –
August 7, 2017 totaling \$570,883.64. Seconded by M. Gaulton.**

M/C

**MOTION: Moved by G. Arnold to pay the Capital invoices June 6, 2017 –
August 7, 2017 totaling \$56,342.19. Seconded by W. Perry.**

M/C

- Review of 2nd Quarter – presented and discussed

- MRF Report – presented and reviewed

- Tonnage Report – Presented and reviewed

3. Other Business/Correspondence

Update on Processing of Wood Fiber

- Contract in place with Ryan construction for the processing of wood fiber, waiting on complete list of requested documentation from Ryan Construction as per contract before processing begins.

Fall Protection System

- Completed
- Waiting on certification from SNC Lavalin.

Gull Protection - Regional Site Buildings

- To award a (2) year contract with Orkin to install several gull deterrents, clean MRF roof and monthly inspections.

MOTION: Moved by R. Elliott to award a (2) year contract to Orkin in the amount of \$8,721.12 plus taxes per year for Gull protection at the MRF Building. Second by S Winsor. M.C.

Soil Treatment Facility

- MOU for (1) year has been signed with Soiltech. Once all approvals are in place from Provincial Departments for Soiltech the option to sign a (5) year lease on property will be available.

Tire Processing Pilot (MMSB)

- Halifax C&D are now set up on the Regional site in the MMSB laydown area to begin tire chipping. Contract between Halifax C&D and MMSB

Waste Compliance Officer (MMSB)

- Application is currently being prepared to be submitted to MMSB
- Position will involve working with Commercial Industry as part of the CNWM education plan and Illegal Dumping.

Water/Waste Water Specialist

- More communities have been added under the pilot project

- Leading Tickle
- Cottrell's Cove
- Phillips Head
- Twillingate
- Summerford

Phoebe Ward Request Letter

- Presented and discussed by the Board. CNWM is not a charitable organization and cannot comply with the request. This is the consensus of the Board.
- A written policy, following in line with CRSB practices on request for donations will be prepared for the Board review.

Special Audit – Ongoing

Transportation Subsidy

- Consensus of the Board to sign a letter supporting Western Waste Management request for a transportation subsidy to move waste from non-host service board areas to host regions (Norris Arm and Transfer Stations)

Resolution – Late Payment Fees/Invoices

MOTION: Moved by B. Moores to adopt the resolution outlined below, regarding late payment Fees and when invoices are due and payable. Second by M. Gaulton.

M.C

**RESOLUTION OF THE MEMBERS OF CENTRAL REGIONAL SERVICE BOARD
(operating as Central Newfoundland Waste Management) (the “Board”)**

CENTRAL REGIONAL WASTE MANAGEMENT SERVICE

WHEREAS:

- A. The Central Region was created and the Board was established by the *Central Regional Service Board Order (O.C. 2008-036)* under the *Regional Service Boards Act, RSNL 1990, c. R-8* for the purpose of providing a waste management service for the Central Region by constructing, acquiring, maintaining and operating solid waste disposal sites and solid waste management facilities and systems within the Central Region (the “Central Regional Waste Management Service”).**
- B. The Central Region and the Board are continued under the *Regional Service Boards Act, 2012, SNL 2012, c. R-8.1* (the “Act”) for the purpose of providing the Central Regional Waste Management Service for the Central Region in accordance with the Act and the *Central Regional Service Board Regulations, 2013* (the “Regulations”) under the Act.**
- C. Subsection 24(1) of the Act provides that expenses of the Board with respect to the Central Regional Waste Management Service may be**

defrayed out of revenue generated by the assessment of fees from users of the Central Regional Waste Management Service.

- D. Subsection 24(3) of the Act provides that the methods of raising revenue by the assessment of fees referred to in subsection 24(1) of the Act, as well as the date when the money being raised as revenue is due and payable, shall be imposed or varied by a resolution of the Board.
- E. Section 4 of the Regulations provides that an amount owing under section 24 of the Act is a debt due to the Board and the Board may recover it by a civil action in a court.
- F. Section 5 of the Regulations provides that the Board may stop providing the Central Regional Waste Management Service to a user of that service where that user fails to comply with a policy of the Board respecting that service.
- G. By this Resolution, the Board wishes to do the following:
 - i. impose, vary or clarify, as the case may be, the methods of raising revenue referred to in subsection 24(1) of the Act, as including the assessment of tipping fees and the assessment of late payment fees;
 - ii. impose the dates when money being raised by the assessment of tipping fees and by the assessment of late payment fees is due and payable;
 - iii. clarify the references to “service charges of 2% per month and 24% annually” and “2% interest charges on accounts that are 90 day’s overdue” in prior resolutions of the Board to mean references to the assessment of late payment fees referred to in this Resolution
 - iv. adopt as a policy of the Board the requirement that the fees referred to subsection 24(1) of the Act be paid when due and payable.

NOW THEREFORE BE IT RESOLVED THAT:

Methods of Raising Revenue

- 1. The Board hereby imposes, varies or clarifies, as the case may be, the following methods of raising revenue by the assessment of fees referred to in subsection 24(1) of the Act:

- a. the Board may raise revenue by the assessment of ‘tipping fees’ from a user of the Central Regional Waste Management Service referred in subsection 24(1) of the Act (“Tipping Fees”); and
- b. the Board may also raise revenue by the assessment of ‘late payment fees’ from a user of the Central Regional Waste Management Service referred in subsection 24(1) of the Act where that user fails to pay the amount owing for assessed Tipping Fees when due and payable (“Late Payment Fees”).

Tipping Fees

2. Tipping Fees are assessed in accordance with the applicable schedule of tipping fees imposed or varied by resolution of the Board from time to time.
3. Tipping Fees from users of the Central Regional Waste Management Service who are municipal authorities and persons who occupy real property (either as owners or tenants of the property) are due and payable net 30 days from the date of invoice.
4. Tipping Fees from commercial users of the Central Regional Waste Management Service providing waste collection and disposal services are due and payable net 90 days from the date of invoice.
5. The amount owing for the assessment of Tipping Fees when due and payable is a debt due to the Board and the Board may recover it by civil action in a court in accordance with section 4 of the Regulations.

Late Payment Fees

6. Late Payment Fees are assessed on the amount of Tipping Fees owing over 90 days from the date of invoice and calculated on the basis of 2% interest per month (compounded monthly) on that outstanding amount.
7. Late Payment Fees are due and payable by each user of the Central Regional Waste Management Service commencing the first day following 90 days from the date of that user’s invoice.
8. Where applicable, the amount owing for Late Payment Fees when due and payable is a debt due to the Board and the Board may recover it by civil action in a court in accordance with section 4 of the Regulations.

Clarification

- 9. The reference to “service charges of 2% per month and 24% annually” in the resolution of the Board decided February 16, 2012 is hereby clarified to mean a reference to the Late Payment Fees referred to in this Resolution.**
- 10. The reference to “2% interest charges on accounts that are 90 day’s overdue” in the resolution of the Board decided September 19, 2013 is hereby clarified to mean a reference to the Late Payment Fees referred to in this Resolution.**
- 11. The reference to “2% interest charges on accounts that are 90 day’s overdue” in the resolution of the Board decided October 19, 2016 is hereby clarified to mean a reference to the Late Payment Fees referred to in this Resolution.**

Board Policy

- 12. The Board hereby adopts as a ‘payment policy’ of the Board respecting the Central Regional Waste Management Service the requirement that Tipping Fees and Late Payment Fees shall be paid when due and payable in accordance with the payment terms imposed by clauses 3, 4 and 7 of this Resolution.**
- 13. For clarity and certainty, the payment policy of the Board referred to in clause 12 of this Resolution shall be a policy of the Board for all purposes of the Act and the Regulations, including for the purpose under section 5 of the Regulations where the Board may stop providing the Central Regional Waste Management Service to a Municipal Authority, user or other person who fails to comply with the terms of the payment policy by failing to pay Tipping fees and Late Payments Fees when due and payable.**

Severability

- 14. If any of the terms of this Resolution are found to be in contradiction of or inconsistent with the Act, the Regulations, or other laws of the Province of Newfoundland and Labrador or the Country of Canada, such terms shall be severed and shall have no effect on the force and effect of the remaining terms of this Resolution.**

THIS RESOLUTION is hereby decided by the members of the Board pursuant to section 15 of the *Regional Service Boards Act, 2012* and evidenced by the execution of this Resolution.

DATED the _____ day of August, 2017.

Manager of Operations Report

Landscaping at Point Leamington Transfer Station

MOTION: Moved by D. Woolridge to award to Green Valley Sod Farm in the amount of \$10,392.00 plus tax, for landscaping at the Point Leamington Transfer Station. Second by K. Butt. M.C.

Maintenance Garage Floor Leveler - Mechanics cannot work on fleet of equipment with tires due to the Iron rails in the floor from initial design.

MOTION: Moved by R. Elliott to award to Blue Bird Investments for the amount of \$18,400 plus tax to level up the maintenance garage floor. Second by S. Winsor. M.C.

Maintenance Garage Extension

- A scope of work needs to be developed to identify exactly what is need for the extension.

6. Next Meeting –September 20, 2017 Call of the chair

7. Adjournment

MOTION: Moved by R. Elliott to adjourn meeting. Second by B. Moores. M.C.