

**INTERIM IMSA BOARD OF DIRECTORS**  
**Wednesday, May 15, 2024 – 10:00 a.m.**  
**Hybrid Meeting**  
**MINUTES**

A meeting of the Interim Intermunicipal Service Agreement (IMSA) Board of Directors was held on Wednesday, May 15, 2024, at 10:00am via videoconference and in-person attendance based in the Valley Waste-Resource Management Boardroom.

**Attendees:**

**Board Members**

Municipality of Annapolis County:	Brad Redden, Deputy Warden
Town of Annapolis Royal:	Michael Tompkins (regrets from Amery Boyer)
Town of Berwick:	Don Clarke, Mayor
Town of Kentville:	Sandra Snow, Mayor
Municipality of the County of Kings:	Peter Muttart, Mayor
Town of Middleton:	Sylvester Atkinson, Mayor
Town of Wolfville:	Wendy Donovan, Mayor

**Also in Attendance:**

Town of Annapolis Royal	Regrets from Sandi Millett-Campbell
Town of Berwick:	Jen Boyd
Town of Kentville:	
Town of Middleton:	Ashley Crocker
Municipality of the County of Kings:	
Town of Wolfville:	
Municipality of Digby:	Jeff Sunderland
IMSA Executive Director:	Regrets from Dwight Whynot
Valley Waste:	Andrew Garrett, Interim General Manager
Kings Transit and Valley Waste	Dan L'Abbe
MNP:	
IMSA:	Dan McDougall
Recording Secretary:	Brenda Davidson

**Agenda Item No. 1 – Call To Order**

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Chair Muttart welcomed everyone calling the meeting to order at 10:00am confirming that a quorum is in place.

**Agenda Item No. 2 – Approval of Agenda**

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**ON MOTION OF SANDRA SNOW AND SECONDED BY DON CLARKE THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD OF DIRECTORS APPROVE THE MAY 15, 2024 AGENDA, AS CIRCULATED.**

**MOTION CARRIED.**

**Agenda Item No. 3 – Approval of the Minutes**

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**Agenda Item No. 3.1 – Approval of the Minutes from Special Meeting held April 10, 2024**

**Agenda Item No. 3.2 – Approval of the Minutes from Meeting held April 17, 2024**

**ON MOTION OF DON CLARKE AND SECONDED BY SYLVESTER ATKINSON THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD OF DIRECTORS APPROVE THE APRIL 10, 2024 SPECIAL MEETING MINUTES AND THE APRIL 17, 2024 REGULAR MEETING MINUTES, AS CIRCULATED.**

**MOTION CARRIED.**

In response to the question, there was no business arising from the Minutes noted above.

**Agenda Item No. 4 – Progress Update and Discussion**

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Chair Muttart noted that Mr. Whynot is away referring to the IMSA Pilot Project – Progress Report, as circulated and attached to these minutes, advising that if there are questions, they can be raised.

In response to the question, it was noted that staff are awaiting further word from the Municipality of the District of Chester regarding landfill disposal services.

A discussion arose regarding the noted workshop with CAO's with Mr. McDougall providing an overview of the meeting indicating that the intent of the meeting was to seek advice and feedback regarding future governance, administration and funding. Mr. McDougall noted that more work is being completed regarding the funding options and when complete, it is anticipated a presentation will be prepared for the Board's consideration.

A discussion arose regarding the structure of Mr. Whynot's Progress Report with it being the consensus that the Report be redesigned to present only current information, for clarity purposes, with it being noted that the suggestion be raised with Mr. Whynot.

Mr. Redden noted that during a Annapolis County Council meeting yesterday there was some discussion about service options with Mr. Garrett explaining that the current fee for services contract with the Municipality of Annapolis County will expire at the end of March 2025, however the Agreement indicates that a decision regarding preferred future service delivery (fee for service contract or Party under a new IMSA) is required by July based on the goal of having an updated formal Agreement in place by September.

As Mr. Whynot may be unavailable for an extended period, it was suggested that consideration be given to naming someone as Acting General Manager for the Kings Transit Authority. Mr. L'Abbe noted that Mr. Whynot had not officially named someone to act in his absence. Chair Muttart indicated that Mr. Whynot has indicated that he does hope to be working again as soon as possible; however, the situation will be monitored.

**ON MOTION OF WENDY DONOVAN AND SECONDED BY DON CLARKE THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD OF DIRECTORS RECEIVE THE IMSA PILOT PROJECT – PROGRESS REPORT.**

**MOTION CARRIED.**

## **Agenda Item No. 5 – Valley Waste**

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### **Agenda Item No. 5.1 – General Manager’s Report**

Interim General Manager Garrett referred to the Valley Waste-Resource Management – General Manager’s Report, as circulated and attached to these minutes, highlighting the sections relating to:

- Extended Producer Responsibility
- Sale of Surplus Roll-Off Trucks
- Education and Enforcement Activity
- The impending closing of 2 Request for Proposals (provision of forklift and a pick-up truck)

With regard to Extended Producer Responsibility there will be a second round of virtual consultation held on June 3<sup>rd</sup> and June 12<sup>th</sup>, 2024 and an invitation to participate can be extended to any interested Board representatives.

In response to the question regarding extended producer responsibility, Mr. Garrett explained that Divert NS has been named as the EPR oversight organization so would not be in the position to provide funding for any required EPR training as that would be the responsibility of the Producer Responsibility Organization (PRO). At present Valley Waste has a contract with Divert NS for the provision of education and enforcement services on all solid waste matters.

Also, in response to the question, Mr. Garrett indicated that, the PRO may consider the use of rigid containers rather than bags for the curbside collection of recyclable materials in the future although no immediate changes are anticipated.

Regarding the sale of the surplus roll-off trucks Mr. Garrett explained that any funds received as the result of the sale of capital items deemed to be surplus are protected for use for future capital needs and not rolled into the general revenue accounts. It was noted that the Reserve Policies fall under the work being undertaken by MNP and Mr. McDougall with more information to be provided to the Board as it becomes available.

On a final note, in response to the question, Mr. Garrett noted that Valley Waste has always accepted batteries through the Household Hazardous Waste Depots, but under the new Agreement with the PRO for the management of batteries, Call To Recycle, the PRO will start paying for the handling of batteries which may generate around \$15,000 a year in new revenue for the Authority. Mr. Garrett noted that the PRO is also required to ensure that more drop off depots for used batteries are put in place under the new program and therefore, Towns, Villages, etc., may be assigned as drop off locations which may impact the overall potential revenue impact for the Authority.

**ON MOTION OF DON CLARKE AND SECONDED BY WENDY DONOVAN THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD OF DIRECTORS RECEIVE THE VALLEY WASTE-RESOURCE MANAGEMENT GENERAL MANAGER’S REPORT, AS PRESENTED.**

**MOTION CARRIED.**

### **Agenda Item No. 5.2 – Presentation of Quarterly Financial Report**

Mr. Garrett provided an overview of the Quarterly Financial Report for the period ending March 31, 2024, as circulated and attached to these minutes.

Mr. Garrett stressed that adjusting entries are still required prior to closing the 2023-2024 fiscal year and that the unknown adjustment related to landfill services may have a significant impact on the projected surplus at year end. Mr. Garrett further noted the higher than anticipated revenues at the East Management Centre appear to be primarily related to the volume of construction and demolition debris being received at the site.

Mr. Garrett also reviewed the Update on Capital Spending referencing the finalization of a Debenture that will be discussed later during the meeting and the activity around the hydrogeological work that will soon be undertaken in keeping with the new Construction and Demolition Debris regulatory requirements.

In response to the question, it was noted that Berwick, the Village of Kingston and Middleton offer residents an option for the removal of brush and leaves with Mayor Donovan indicating that she will reach out to those units regarding their programs as Wolfville has recently removed this option for their residents. Also, in response to the question, Mr. Garrett indicated that consideration could be given to allowing the residents of Wolfville to present a “brush removal tag”, in some form, at the Management Centre Sites authorizing the invoicing of the associated disposal fee to the Town of Wolfville. Mayor Donovan noted that some feedback from residents has indicated that the Management Centre’s closing time on Saturday at noon is too early for them to access the site with their materials.

**ON MOTION OF SANDRA SNOW AND SECONDED BY DON CLARKE THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD OF DIRECTORS RECEIVE THE QUARTERLY FINANCIAL REPORT, AS PRESENTED.**

**MOTION CARRIED.**

**Agenda Item No. 5.3 – Request for Decision: Award of Transportation of Source-Separated Solid Waste Contract**

Mr. Garrett provided the Board with an overview of the Request for Decision: Award of Transportation of Solid Waste Services Contract, as circulated and attached to these minutes.

Mr. Garrett noted that a comprehensive evaluation of the 2 submitted proposals was completed and competitive pricing was received. As can be seen in the Request for Decision, staff are recommending awarding the 6-year contract with a 1-year extension option to EFR Disposal Ltd. Mr. Garrett further explained that the new contract starting April 1, 2025 represents an increase of approximately 8.5% over current year costs and that the annual pricing for the term of the contract includes an approximate increase of 3.4% each year.

In response to the question, Mr. Garrett confirmed that under the current contract for transportation services fees are based on a per-tonne rate with the new contract pricing based on a per-load rate encouraging the maximum compaction of each load prior to transport.

**ON MOTION OF SANDRA SNOW AND SECONDED BY WENDY DONOVAN THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD AWARD THE CONTRACT FOR THE PROVISION OF TRANSPORTATION OF SOLID WASTE FOR THE 6-YEAR PERIOD OF APRIL 1, 2025 – MARCH 31, 2031 TO EFR DISPOSAL LTD., BASED ON THEIR SUBMISSION UNDER VWRP2309, DATED APRIL 15, 2024;**

**AND FURTHER THAT,**

**THE CHAIR AND GENERAL MANAGER BE AUTHORIZED TO EXECUTE THE APPROPRIATE CONTRACT DOCUMENTS FOR AND ON BEHALF OF THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY.**

**MOTION CARRIED.**

**Agenda Item No. 5.4 – Request for Decision: Award of Provision of Legal Services Contract**

General Manager Garrett provided the Board with an overview of the Request for Decision: Award of Provision of Legal Services Contract, as circulated and attached to these minutes.

Mr. Garrett noted, as per the report, that as the result of a comprehensive evaluation staff are recommending awarding the contract for services to Burchill Wickwire Bryson LLP for a term of approximately 5 years beginning upon the signing of the contract and ending on March 31, 2029.

A short discussion arose where it was indicated that any conflict-of-interest issues that may arise in the performance of legal services is addressed in the Request for Proposals document and further that the agreement with the successful Proponent will be for service to Valley Waste and Kings Transit as two separate organizations. It was further noted that the services will be based on a fee for services rendered and that a retainer for services is not required.

**ON MOTION OF WENDY DONOVAN AND SECONDED BY DON CLARKE THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD FORMALLY APPROVES ENTERING INTO A CONTRACT WITH BURCHELL WICKWIRE BRYSON LLP FOR AN APPROXIMATELY 5-YEAR PERIOD ENDING ON MARCH 31, 2029, BASED ON THE PROPOSAL SUBMISSION UNDER REQUEST FOR PROPOSALS, VWRP2312, FOR THE PROVISION OF LEGAL SERVICES TO THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AND TO THE KINGS TRANSIT AUTHORITY;**

**AND FURTHER THAT,**

**THE CHAIR AND GENERAL MANAGERS ARE AUTHORIZED TO EXECUTE THE ASSOCIATED CONTRACT FOR AND ON BEHALF OF THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AND THE KINGS TRANSIT AUTHORITY.**

**MOTION CARRIED.**

**Agenda Item No. 5.5 – Request for Decision: Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate**

Mr. L'Abbe provided an overview of the Request for Decision: Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate, as circulated and attached to these minutes.

**ON MOTION OF SANDRA SNOW AND SECONDED BY DON CLARKE THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD FORMALLY AUTHORIZES THE CHAIR AND INTERIM GENERAL MANAGER, SERVING AS SECRETARY TO THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY, TO EXECUTE THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE SUBJECT TO INTEREST RATE IN THE AMOUNT OF \$543,972.00 AND FURTHER TO SUBMIT THE FULLY EXECUTED RESOLUTION TO THE PROVINCE OF NOVA SCOTIA FOR APPROVAL AND RELEASE OF FUNDS.**

**MOTION CARRIED.**

**Agenda Item No. 6 – Kings Transit**

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**Agenda Item No. 6.1 – General Manager’s Report**

Mr. L’Abbe, on behalf of Mr. Whynot, provided an overview of the Kings Transit General Manager’s Report. It was noted the Report has been updated to include some key performance indicators (KPI’s) as they relate to fuel, ridership and route cancellation. Beginning this week, the approach to counting riders will change to by municipality and one rider will be one rider when transfers are involved so that the transfers are not counted as separate riders. Making this change will likely have an impact on trends showing in the ridership graph. Mr. L’Abbe also explained that route success will be based on a bus driver’s shift. At present there are 7 morning shifts, 7 evening shifts and 7 shifts on Saturdays. Steps are being taken to implement changes to encourage drivers to accept extra shifts when the need arises.

Mr. L’Abbe also noted that a recent accident resulted in major damage to the bus involved which will put it out of service for approximately 6 months with attempts being made to find a temporary replacement. In response to the question, Mr. L’Abbe indicated he will confirm replacement bus coverage with the insurer.

The WSP Study was raised with it being noted that the Draft Final Report had been released to Mayors/Wardens and CAO’s and that Mr. Whynot was awaiting any feedback with none received to date. Mayor Donovan noted that she has several questions to raise adding that she would like to see an Executive Summary with the list of recommendations attached for easy reference by impacted municipal units. As it was indicated that there are a number of questions, it was suggested that rather than having the item on the Agenda for the next Regular Monthly Meeting in June perhaps a special meeting with the WSP Study as the lone item should be considered and further that associated Chief Administrative Officers should be invited and encouraged to attend. Chair Muttart indicated that he concurred with the suggestions. It was indicated that this information will be shared with Mr. Whynot to determine the best path forward.

The 25 route cancellations showing in the route cancellations graph were noted with Mr. L’Abbe explaining that the cancellations in February were due to weather and that the “25” encompasses all routes, which translates to roughly 2 days of cancellations.

Also, in response to the question, it was indicated that all sectors appear to be having challenges in recruiting and retaining drivers and that the question will be raised with Mr. Whynot to determine if he has another explanation.

**ON MOTION OF DON CLARKE AND SECONDED BY BRAD REDDEN THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD OF DIRECTORS RECEIVE THE KINGS TRANSIT AUTHORITY GENERAL MANAGER’S REPORT, AS PRESENTED.**

**MOTION CARRIED.**

**Agenda Item No. 6.2 – Request for Decision – Accounts to be Written Off**

Mr. L’Abbe provided the Board with an overview of the Request for Decision: Accounts to be Written Off, as circulated and attached to these minutes.

In response to the question, Mr. L'Abbe indicated that he was unsure of whether the Kings Transit Authority uses a collection agency when all internal attempts to collect past-due funds fail. Mr. Garrett added that Valley Waste-Resource Management has used a collection agency as deemed appropriate in the past.

It was also indicated that, as per the Statement attached to the Request for Decision, the past due activity covers the period of October 2023 to January 2024. It was further noted ticket sales agents receive a block of hard tickets and that the use of hard tickets versus electronic options is now under consideration.

**ON MOTION OF DON CLARKE AND SECONDED BY SANDRA SNOW THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD FORMALLY APPROVES THE WRITE-OFF OF \$1,087.80, REPRESENTING THE OUTSTANDING AND UNCOLLECTABLE BALANCE ON THE BASIN FOODS TICKET AGENT ACCOUNT.**

**MOTION CARRIED.**

**Agenda Item No. 6.3 – Presentation of Quarterly Financial Report**

Mr. L'Abbe provided the Board with an overview of the Kings Transit Authority Quarterly Financial Report, as circulated and attached to these minutes. Mr. L'Abbe explained that 2023-2024 fiscal year-end audit work is now underway and that adjusting entries are anticipated. Mr. L'Abbe noted that revenues are very close to forecast and that the impact of the carbon tax on fuel is being seen.

**ON MOTION OF WENDY DONOVAN AND SECONDED BY SANDRA SNOW THAT THE INTERIM INTERMUNICIPAL SERVICES AGREEMENTS BOARD OF DIRECTORS RECEIVE THE QUARTERLY FINANCIAL REPORT, AS PRESENTED.**

**MOTION CARRIED.**

**Agenda Item No. 6.4 – WSP Report**

Chair Muttart noted that this item was addressed earlier during the meeting.

**Agenda Item No. 7 – New Business**

The concern about the Kings Transit Authority not having an Acting General Manager in Mr. Whynot's absence was again raised. After a short discussion, it was the consensus that Mr. McDougall reach out to CAO Conrod and Deputy CAO Rob Frost as soon as possible to discuss potential options.

A discussion arose regarding the Pilot Project deliverables with Mr. McDougall indicating that a number of discussions have occurred and a decision regarding a phased approach to decision making regarding governance administration and finally funding is being considered as opposed to preparing and presenting a full package.

It was stressed that the approach of the preparation of a full package with all options will take longer and that it may be preferable to take the phased decision-making approach to move the matters forward in a timely manner. Participation of the Chief Administrative Officers and their respective Councils will also be key. It was indicated that decisions are needed especially as they relate to a General Manager for the Kings Transit Authority as Mr. Whynot is serving in that role in the interim. It was noted that 2 administration options are under consideration with the first being to merge the two organizations under one parent corporation with one General Manager overseeing both and the second being to leave the two organizations as stand-alone each staffed with a General Manager.

Chair Muttart thanked Mr. McDougall for his comments. Mr. L'Abbe indicated that for the immediate future, Mr. Whynot indicated that he anticipates being available in a couple of weeks.

**Agenda Item No. 8 – Next Meeting**

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The next meeting of the Interim Intermunicipal Services Agreements Board will be held June 19, 2024, beginning at 10:00am based in the Valley Waste-Resource Management Boardroom with the virtual attendance option, in keeping with the normal meeting schedule.

**Agenda Item No. 9 – Adjournment**

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**ON MOTION OF SANDRA SNOW AND SECONDED BY DON CLARKE THAT AS THERE WAS NO FURTHER BUSINESS TO BRING FORWARD, THE MEETING ADJOURNED AT 11:16AM.**

Respectfully submitted,

Brenda Davidson  
Recording Secretary  
Administration and Policy Manager  
Valley Waste-Resource Management