



**Meeting of the Board of directors**

**Kent Regional Service Commission**

**January 8<sup>th</sup>, 2015**

**6:30PM**

**KRSC offices - Richibucto**

## **1. CALL TO ORDER**

Mr. Marc Henrie calls the meeting to order at 6:30pm and welcomes the assembly and invitees.

## **2. ATTENDEES**

- **Marc Henrie, Chairman of the Kent RSC and LSD of Saint-Paul**
- **Henri E. Saulnier (LSD of Sainte-Anne-de-Kent)**
- **Aldéo Saulnier, Mayor of the Town of Bouctouche**
- **David Hanson, Vice-chairman of the Kent RSC and Mayor of the Village of Rexton**
- **Roseline Maillet, Mayor of the Village of Saint-Antoine**
- **Tina Beers (LSD of Harcourt)**
- **Danielle Dugas, Mayor of the Village of Saint-Louis**
- **Pierrette Robichaud, Mayor of the Village of Rogersville**
- **Jean Hébert (Mayor of the Rural Community of Cocagne)**
- **Docile Cormier (LSD of Carleton)**
- **Roger Richard (LSD of Acadieville)**
- **Roger Doiron, Mayor of the Town of Richibucto**
- **Roland Richard (LSD of Pointe-Sapin)**
- **Phil Delorme (LSD of Aldouane)**
- **Maurice Maillet (LSD of Sainte-Marie)**

## **ABSENT**

- **Allan Marsh (LSD of Saint-Charles)**
- **Raymond Millier, Non-voting member (First Nation)**

## **OTHER ATTENDEES**

- **Paul Lang, Executive director of the Kent RSC**
- **Tanya Collette, Administrative assistant of the Kent RSC**
- **Éric Demers, Director of Solid Waste Management**
- **Isabelle Godin, Project Coordinator in education and public awareness**
- **Francine Babineau, Translator**
- **Denise LeBlanc, Lawyer – McGinnis Cooper**
- **Bob Gallagher, exp Services**

### **3. CONFLICT OF INTEREST DECLARATIONS**

No declaration of conflict of interest.

### **4. ADOPTION OF THE AGENDA**

#### 2015-001

It was moved by Pierrette Robichaud, seconded by Roland Richard that the agenda be accepted as presented.

Motion carried

### **5. TRANSFER STATION**

#### 2015-002

Moved by: Roseline Maillet

Seconded by: Henri Saulnier

That the meeting be closed to the public according to article 13(3) of the Regional Delivery Service Act Regulation and of the articles 10.2(4) paragraph d) and 10.2(4) paragraph f) of the Municipalities Act.

Motion carried

#### 2015-003

Moved by: Roger Doiron

Seconded by: Roseline Maillet

That the meeting returns in public.

Motion carried

2015-004

**WHEREAS:**

- A. On October 10, 1995, the Kent County Solid Waste Commission and TIRU (New-Brunswick) Inc. entered into an agreement regarding the operation of the solid waste transfer station in Kent County (the « Agreement»); and
- B. The obligations incumbent upon the Kent County Solid Waste Commission have been transferred to and are now incumbent upon the Kent County Regional Services Commission (the « Commission »); and
- C. Pursuant to various internal corporate reorganizations, the contractual obligations of TIRU (New-Brunswick) Inc. have been assigned and are incumbent upon Canadian Solid Waste Inc. (« Canadian Solid Waste »); and
- D. Pursuant to the Agreement, the Commission was afforded certain options with regard t the acquisition of two (2) parcels of land situated at 42-46 Industrielle St, Bouctouche, NB and identified as apparent PIDs 25026519 and 25026527 (the « Site ») and certain equipment upon termination of the term of the Agreement, being December 31, 2014 (the « Term Date »); and
- E. By a directors` resolution passed on December 19<sup>th</sup>, 2013, the Commission chose to exercise the option to purchase the Site, the transfer station and the equipment on the Term Date in consideration of the sum of \$1.00; and
- F. The environmental consultants retained by the Commission (the « Consultants ») produced a report with finding that certain portions of the Site contained lead contamination in excess of current acceptable guidelines (the « Report »); and
- G. Due to the findings in the Report and to the risks associated with such findings, the Commission did not complete the purchase of the Site on the Term Date; and
- H. Canadian Solid Waste communicated to the Commission on December 30, 2014 its position that it no longer has a contractual obligation to complete the conveyance of the Site and the equipment subsequent to the Term Date; and
- I. The advice given to the Commission by the Consultants as contained in the Report and as communicated during the board meeting held on January 8, 2015, there is a high likelihood that the acquisition of the Site by the Commission would require the expenditure of considerable funds to conduct further environmental testing and for the decontamination of the Site; and
- J. Considering that the position taken by Canadian Solid Waste with regard to its obligation to convey the Site and equipment would require the Commission to incur significant legal fees;

**AFTER DISCUSSION, BE IT RESOLVED THAT :**

1. Considering the monetary value of the Site and the equipment and considering the fees which would and/or could be engaged by the Commission for the acquisition of such Site and equipment, the Commission cease all action and/or procedures to acquire the Site and equipment.

2. The management of the Commission do all acts which are necessary to comply with any obligation which is or could be incumbent upon the Commission pursuant to any law with regard to the disclosure of the contents of the Report to the relevant government authorities.

Moved by: Roger Doiron

Seconded by: Pierrette Robichaud

Motion carried

## **6. QUESTIONS FROM THE PUBLIC**

n/a

## **7. CLOSURE OF MEETING**

2014-005

It is moved by Roseline Maillet that the closure of the meeting is at 7:45pm.