AGENDA

REGIONAL SEWER COMMITTEE MEETING

February 15 2018, 10:00 am

TRAINING ROOM, MUNICIPAL COMPLEX, KENTVILLE NS

 General Introduction/Welcome a. Additions to Agenda b. Approval of Agenda 	Chair
2. Disclosure of Conflict of Interest Issues	All
3. Review of Previous Meeting Minutes (January 25, 2018)	All
4. Business Arising from the Minutes	All
5. 2018/2019 Budget Discussion	All
6. Operationsa. Operations Updateb. Compliance Update	Thoren Pelly
7. Capital Updates	Tim Bouter
8. Committee Terms of Reference Update	Chair
9. Partners Agreement Review update	Chair
10. Correspondence	
11. Other	

Next Meeting Date – Thursday March 15, 10 AM

REGIONAL SEWER COMMITTEE MEETING MINUTES OF JANUARY 25, 2018

A meeting of the Regional Sewer Committee was held on Thursday, January 25, 2018 in the Vineyards Room of the Municipal Complex, 87 Cornwallis Street, Kentville, NS.

In attendance:

Municipality of the County of Kings

Councillor Jim Winsor, Chair*

Tim Bouter, P. Eng., Public Works/Engineering

Karen Kluska, Financial Analyst

Scott Quinn, Manager of Engineering & Public Works, Lands & Parks Services

Tanya Oickle, Recording Secretary

Town of Kentville

Councillor Cate Savage* Mark Phillips, CAO Fred Whynot, P. Eng.

Village of New Minas

Commissioner Maynard Stevens*
Gerard Hamilton, Municipal Operations Manager

Pepsico Foods Canada

Cory Palmer, Technical Director* Erin Gillis, EHS Manager

Regrets:

Thoren Pelly, Operations Supervisor, Public Works/Engineering Scott Conrod, CAO

1. Call to Order

Chair Councillor Winsor called the meeting to order at 10:00 a.m. Roundtable introductions were held. Scott introduced Tanya Oickle; Tanya has been with the Municipality, formerly with Engineering and Public Works, and has just came from Community Development. She has been hired to fill Colleen Pearce's position. Corey introduced Erin Gillis; Erin is EHS with Pepsico and was hired four months ago.

1a. Additions to the Agenda

There were no additions to the agenda.

Approval of the Agenda

Commissioner Stevens moved for approval of the Agenda; seconded by Cory. MOTION CARRIED.

2. Approval of the Previous Meeting Minutes

The minutes of the Regional Sewer Committee meeting held January 11, 2018 were circulated with the agenda package.

Commissioner Stevens moved that the Minutes of the January 11, 2018 Regional Sewer Committee meeting be approved as read; seconded by Councillor Savage MOTION CARRIED.

3. Business Arising from the Minutes

There was no business arising from the minutes of January 11, 2018.

4. 2018/2019 Budget Presentation

Karen Kluska presented her power point presentation; handouts were distributed.

Karen reported that 2017/2018 was a good year as expenditures are expected to be below budget by 5%. This is primarily attributed to the closure of one of the pie plants, which reduced average BOD loads which reduced power consumption at the treatment plant. The hot water wash is fully operationally which reduced water consumption, but increased propane charges. The plant has lower actual forecasted wages and benefits, and reduced vehicle expenses associated with temporary coverage of the Operator position. No new long term debt was required which reduced interest expense below budget.

Karen presented the total 2018/2019 budget as \$1,405,400; which is \$44,500 lower than the previous year. The Cost Shares would be as follows:

- \$177,300 (12%) PepsiCo; 3% increase
- \$206,300 (15%) Kings County; 15% increase
- \$318,800 (23%) Village of New Minas; 3% decrease
- \$703,000 (50%) Town of Kentville; 9% decrease

The changes are mainly attributed to Town of Kentville no longer requiring the API design capacity, therefore those capital costs revert back to Kings County. Also there were some changes in partner loading or agreement minimums.

Operational budget assumptions include: continued savings for power, keeping the wages, benefits and vehicle budgets the same as the 2017/18 budget, assuming the water usage savings will be offset by the higher propane costs, and keeping the repairs & maintenance budget consistent with the 3-year average.

Capital budget assumptions include: debt service reduced by \$49k because two debentures were paid off. However, total capital contributions remain steady and the debt savings will go into the Depreciation Reserve. The total contribution to the reserve is budgeted at \$323.4k.

Capital projects are:

- Regional Headworks replace ductwork and waterlines with non-metallic material in Screen room and upgrade ventilation fans to help address H2S issues in the Screen Building, as well as a study to figure out where the H2S is coming from and how to eliminate it.
- Design phase for Aeration project which will include replacement of aeration equipment in cells 1 and 2 and desludging to improve oxygenation, biologic activity and energy efficiency

Future capital projects are:

- Aeration project 2019/20
- Design phase sewer line 2019/20
- Construction sewer line from curling club to research station 2020/21
- Construction sewer line from RG5 to curling club 2021/22
- Construction sewer line from a point west of STP to STP 2022/23

As of March 31, 2018 long term debt is expected to be \$1.03 million and the depreciation reserve is expected to be \$605,480. It was noted that capital funding for 2018/19 projects will come from depreciation reserve to cut down on long term debt.

Karen presented the proposed operating budget with the expected 2017/18 surplus going into operating reserves for studies or emergencies that may come up. Discussion was held around transferring to Capital reserves instead, however, operating funds can be used for both operating and capital requirements, but capital cannot be used for operating expenses.

A question arose around timesheets and it was noted that the committee stopped receiving the time sheet summary. It was decided the group would like to continue to receive copies of the timesheets.

7. Operations Update

There was no update.

8. Capital Updates

There was no update.

13. Other

The conflict of interest to be added to next agenda.

14. Correspondence

There was no correspondence.

15. Next Meeting

Discussion was held as to whether another meeting would need to be held or would members be ready to approve at next meeting. Members said they would be able to meet with their respective municipality to present the budget and will bring back the approval if granted, or may bring back questions at the next meeting.

The next meeting of the Regional Sewer Committee will take place on Thursday, February 15, 2018 at 10:00 a.m. in the Vineyards Room.

Adjournment

With no further business to discuss, the meeting adjourned at 10:49 a.m. on a motion made by Cory, seconded by Councillor Stevens.

Approved by:

Councillor Jim Winsor Tanya Oickle
Chairperson Recording Secretary







Regional Sewer Committee Policy

Creation Date To be Determined Policy Category Department of Finance

Approval Date To be Determined Next Review Date One Year after Approval

Revision Date Not Applicable Replaces Not Applicable

1. Establishment of the Committee

- 1.1 Per Sections 23(1) (c) and 24 of the Municipal Government Act, Municipal Council authorizes the formation of the Regional Sewer Committee (the "Committee") and authorizes it to conduct the activities outlined in this Policy on its behalf.
- 1.2 Municipal Council further authorizes the formation of the Regional Sewer Technical Subcommittee (the "Subcommittee") and authorizes it to conduct the activities outlined in this Policy in support of the Committee's activities.

2. Purpose

The Committee will assist Municipal Council in fulfilling its oversight responsibilities related to the Kings Regional Sewer System (the "System"). The Committee shall provide its recommendations to Municipal Council for action to be taken by Municipal Council and management as part of a continuous improvement program for the System that is mutually beneficial to System customers.

3. Related Legislation and Policy

The following legislation may be referenced to inform interpretation of and provide context for the work of the Committee:

- a. Fisheries Act RSC 1985, Government of Canada
- b. Environment Act 1994-95, Province of Nova Scotia
- c. Regional Sewer Treatment Plant, Approval to Operate No. 2008-065597-A03, Province of Nova
- d. Municipal By-law 64, Meetings and Procedures
- e. Municipal By-law 91, Sewer Discharge
- f. Municipal By-law 98, Wastewater Sewer
- g. Municipal By-law 102, Committees Governance
- h. Sewers Bylaw (Chapter 72), Town of Kentville
- i. Sewer Bylaw, Bylaw #3, Village of New Minas
- j. Municipal Policy FIN 05-006 Procurement
- k. Municipal Policy EPW-04-010 Engineering Services Procurement





Regional Sewer Committee Policy

4. Definitions

The following definitions will be used to interpret these Terms of Reference:

- a. "Agreements" means the agreements between the Municipality and each Partners.
- b. "Council" mean the Council of the Municipality of the County of Kings.
- c. "EPW" shall mean the Engineering and Public Works, Lands and Parks Services Department of the Municipality of the County of Kings.
- d. "Financing" means the method used to fund capital expenses including, but not limited to, debt financing, and grants from senior levels of government.
- e. "Partners" means the Municipality of the County of Kings (Municipality), Town of Kentville (Town), Village of New Minas (Village), and PepsiCo Foods Canada LLC (PepsiCo).
- f. "Partner Staff" means employees of the Partners.
- g. "Purchasing Authority" means the entity authorized to approve contract awards for the Municipality as set out in the Municipality's Procurement Policy.
- h. "Regional STP" means the sewage treatment facility owned and operated by the Municipality of the County of Kings located at 221 Jones Road in New Minas.
- i. "Regional Trunk System" means the series of gravity and force mains, and lift stations depicted in the drawings included in Appendix A of this Terms of Reference that are owned and operated by the Municipality of the County of Kings.
- j. "System" means the treatment and collection systems consisting of the Regional STP and the Regional Trunk System.

5. Responsibilities

- 5.1 The Committee will consider and plan for the longer term needs of the System to ensure that capacity will be available to the partners to meet future growth demands.
- 5.2 The Committee will review and provide recommendations to Municipal Council and staff, and the Partners on the following items:
 - a. System Annual Operating Budget;
 - **b.** Annual Capital budget and proposed capital projects; and
 - c. Annual review of 5-Year Capital Plan.
- 5.3 Subject to the provisions of the Municipality's Procurement Policy, the Committee will review all tenders and change orders for Capital Projects in excess of 10% of the original budget and provide the Purchasing Authority a recommendation on the tender or requested change order. The recommendation may be provided by email if the Committee is unable to meet in person in a timely fashion which could cause undue delays in ongoing work.





Regional Sewer Committee Policy

- 5.4 The Committee may provide input and guidance to Municipal Staff and/or the Partners as appropriate on the following matters:
 - **a.** As required, review reports from staff and others relating to the System's compliance with laws, regulations, and other obligations governing the System;
 - b. Matters regarding the Agreements; and
 - c. Development of operational policies.
- All recommendations made by the Committee shall be made in writing and submitted to the Partners at the earliest opportunity.

6. Municipality Responsibilities

The Municipality, as owner of the System, is responsible for:

- a. Performing all operation and maintenance activities;
- b. Meeting all applicable regulatory requirements;
- c. Maintaining financial and operating records;
- d. Arranging financing of capital expenditures as applicable;
- e. Administering capital upgrades and expansions;
- f. Executing and administering agreements with and on behalf of all Partners;
- g. Providing each Partner monthly summary reports of their total flow and all BOD test results within thirty (30) calendar days of the end of the month;
- h. Providing quarterly reports to the Partners at Committee meetings on Regional STP compliance with regulatory effluent limits and a summary of each Partner's total flow and BOD test results; and
- i. Promptly advise the Partners in writing by email, unless health or safety are at risk and time does not permit, upon becoming aware of any conditions within the System that:
 - i. Trigger a reporting requirement pursuant to legislation;
 - ii. Directives or orders issued pursuant to legislation;
 - iii. An event that could have a financial impact that is outside the approved budget authorizations (<u>i.e.</u> e.g., forcemain break);
 - iv. Discharges by a Partner that either exceeds the limits specified in their Agreement with the Municipality or applicable Bylaw; or
 - v. Other issues that, in the opinion of the Manager of EPW, that could pose an adverse long term impact to the System for environmental or health and safety compliance, operationally, or financially. 4.7 "System" means the treatment and collection systems consisting of the Regional STP and the Regional Trunk System





Regional Sewer Committee Policy

7. Partner Responsibilities

Each Partner, via their it's Agreement with the Municipality, is responsible for supporting the operation of the System including:

- a. Funding the System in accordance with their it's Agreement and approved funding model;
- b. Appointing one (1) voting representative and one (1) alternate to the Committee;
- c. Notifying the Recording Secretary in writing whom they have appointed as their Voting Member, alternate Voting Member, and their contact information. Notification must be provided a minimum five (5) business days prior to expiration of the term or the next scheduled meeting in the case of a resignation prior to the end of the term;
- d. Considering recommendations from the Committee; and
- e. Meeting all requirements of their respective Agreements.

8. Membership & Term of Appointment

- 8.1 The Committee shall be composed of voting and non-voting representatives from the Partners.
- 8.2 Each Partner shall appoint one representative to act as a Voting Member of the Committee. For the municipal partners, their Voting Member shall be a current member of the respective Council or Commission. The PepsiCo Voting Member shall be a person holding a management level position either at the New Minas facility or one who has operational or environmental oversight responsibilities for the New Minas facility.
- 8.3 The Committee Chair shall be the Municipality's Voting Member. The Vice-Chair shall be elected from the remaining Voting Members at the first Committee of each calendar year.
- 8.4 The non-Voting Members of the Committee shall consist of the following:
 - a. CAO of the Municipality;
 - b. CAO of the Town:
 - c. Clerk/Treasurer of the Village;
 - d. Manager, EPW, Lands and Parks for the Municipality;
 - e. Director of Public Works for the Town;
 - f. Public Works Supervisor for the Village;
 - g. PepsiCo may provide up to two (2) resource people at their discretion;
 - h. Representative of Nova Scotia Environment (optional);
 - i. Recording Secretary provided by the Municipality; and
 - j. Additional Partner Staff may attend as needed for reporting purposes.
- 8.5 Only Voting and non-Voting Members of the Committee may participate in Committee meeting deliberations.





Regional Sewer Committee Policy

- 8.6 A member of the Committee, who, without leave of the Committee, is absent from three (3) consecutive regular meetings shall cease to be a member.
- 8.7 Should any Voting Member of the Committee cease to be a member, the Chair shall promptly notify the affected Partner and request they appoint a new Voting Member.

9. Meetings & Governance Matters

9.1 Committee Values

The Committee and staff are expected to operate in compliance with the Municipal Code of Conduct, and the policies, laws, and regulations governing the Municipality. The Committee shall consider the economic, environmental, and social/cultural implications for the region in its decision making.

9.2 Accountability and Reporting

- 9.2.1 The Committee is accountable to Council.
- 9.2.2 The Committee shall report to Council as often as necessary but at least quarterly. Reporting shall normally be done through the Committee Chair.
- 9.2.3 The Municipality's Voting Member will provide periodic updates on the activities and decisions of Council pertinent to the work of the Committee.
- 9.2.4 The Committee shall annually review, discuss and assess its performance. The Committee will review these Terms of Reference on an annual basis and recommend any necessary changes to Council.

9.3 Meeting

Meetings shall be held at a minimum quarterly at a time to be established by the Committee at its first meeting of each calendar year. In the absence of the Chair of the Committee, the Vice-Chair will preside over the meeting. Special meetings may be convened throughout the year at the request of the Chair, the Manager of EPW, or at the written request by a majority of the Committee's Voting Members. A copy of the minutes or notes of each meeting shall be provided to each member in a timely fashion.

9.4 Quorum and Decision Making

- 9.4.1 A quorum consists of three (3) voting members of the Committee.
- 9.4.2 Each Partner shall have one (1) vote and shall designate their Voting Member as per this Policy.





Regional Sewer Committee Policy

- 9.4.3 The Chair presiding at any meeting of the Committee shall have a must vote on all matters considered by the Committee.
- 9.4.4 All motions require the approval of a simple majority of the Voting Members. Tie votes are considered a negative vote.

9.5 Rules of Procedure

The Committee and any Subcommittees shall conduct business according to Part II of Bourinot's Rules of Order, 4th revised edition except as modified by Bylaw 102.

9.6 Communications

The Committee members will maintain direct, open, productive communications with staff, Council and other key advisors as appropriate.

9.7 Policy Development

Review and comment on all applicable materials to help Municipal staff and Council to establish technically sound and achievable goals using a combination of management practices such as Nova Scotia Environment guidelines, by-laws, and best management practices. The Committee may invite resource person(s) to provide advice on matters before the Committee, and may, in good faith, rely upon any reports and findings they provide.





MUNICIPALITY OF THE COUNTY OF KINGS Regional Sewer Committee Policy

APPENDIX A

MAPS OF KINGS REGIONAL SEWER SYSTEM

Includes:

Sheet A - Overview Map

Sheet A1 – RG8 to Town of Kentville Boundary

Sheet A2 – Anderson Blvd to RG7

Sheet A3 – RG7 to RG6

Sheet A4 – RG6 to Crescent Ave Pumping Station

Sheet A5 - Crescent Ave Pumping Station to Cornwallis Connector Bridge

Sheet A6 – Regional Treatment Plant (from Cornwallis Connector to RG3)

Sheet A7 – RG3 to RG1





MUNICIPALITY OF THE COUNTY OF KINGS Regional Sewer Committee Policy

APPENDIX B TERMS OF REFERENCE TECHNICAL SUBCOMMITTEE



Municipality of the County of Kings Regional Sewer Technical Subcommittee (DRAFT)

Purpose

1. The Subcommittee will provide the Committee advice on technical, operational, and long term capital planning of the Kings Regional Sewer System (the "System").

Related Legislation

- 2. The following legislation may be referenced to inform interpretation of and provide context for the work of the Committee:
 - a. Environment Act 1994-95, Province of Nova Scotia
 - b. Fisheries Act RSC 1985, Government of Canada
 - c. Regional Sewer Treatment Plant, Approval to Operate No. 2008-065597-A03, Province of Nova Scotia
 - d. Municipal By-law 64, Meetings and Procedures
 - e. Municipal By-law 91, Sewer Discharge
 - f. Municipal By-law 98, Wastewater Sewer
 - g. Municipal By-law 102, Committees Governance
 - h. Sewers Bylaw (Chapter 72), Town of Kentville
 - i. Sewer Bylaw, Bylaw #3, Village of New Minas
 - j. Municipal Policy FIN 05-006 Procurement
 - k. Municipal Policy EPW-04-010 Engineering Services Procurement

Definitions

- 3. The following definitions will be used to interpret these Terms of Reference:
 - a. "Agreements" means the agreements between the Partners and the Municipality.
 - b. "Council" mean the Council of the Municipality of the County of Kings.
 - c. "EPW" shall mean the Engineering and Public Works, Lands and Parks Services
 Department of the Municipality of the County of Kings.
 - d. "Partners" means the Municipality of the County of Kings (the "Municipality"), Town of Kentville (the "Town"), Village of New Minas (the "Village") and PepsiCo Foods Canada ("PepsiCo").
 - e. "Partner Staff" means employees of the Partners
 - f. "Regional STP" means the sewage treatment facility owned and operated by the Municipality of the County of Kings located at 221 Jones Road in New Minas.
 - g. "Regional Trunk System" means the series of gravity and force mains, and lift stations owned and operated by the Municipality of the County of Kings as depicted in the drawings included in Appendix A of the Committee's Terms of Reference.
 - h. "System" means the treatment and collection systems consisting of the Regional STP and the Regional Trunk System.

Responsibilities

- 4. The Subcommittee will review and provide recommendations to the Committee on the following items:
 - a. System Annual Operating Budget;
 - b. Annual Capital budget and proposed capital projects; and
 - c. Annual review of 5-Year Capital Plan.
- 5. The Subcommittee may provide input and advice to Committee and/or Municipal Staff as appropriate on the following matters:
 - a. As required, review reports from staff and others relating to the System's compliance with laws, regulations, and other obligations governing the System;
 - b. Matters regarding the Agreements;
 - c. Development of operational policies;
 - d. Possible external funding sources for capital projects; and



Municipality of the County of Kings Regional Sewer Technical Subcommittee (DRAFT)

- e. Other matters assigned by the Committee.
- 6. All recommendations made by the Subcommittee shall be made in writing and submitted to the Committee at the earliest opportunity.

Membership & Terms of Appointment

- 7. The Subcommittee shall be composed of the following Voting Members.
 - k. Manager of EPW for the Municipality or designee;
 - I. Director of Public Works for the Town or designee;
 - m. Public Works Supervisor for the Village or designee; and
 - n. One (1) representative from PepsiCo whom has operational or environmental oversight responsibilities for the New Minas facility.
- 8. The Subcommittee Chair shall be the Municipality's Voting Member. The Vice-Chair shall be elected from the remaining Voting Members at the first Subcommittee meeting of each calendar year.
- 9. The non-Voting Members of the Subcommittee shall consist of the following:
 - a. Operations Supervisor for the Municipality:
 - b. Supervisor of Engineering Services for the Municipality;
 - c. Municipality's Operator responsible for the Regional STP or designee;
 - d. Recording Secretary provided by the Municipality; and
 - e. Additional Partner Staff may attend as needed.
- 10. Only Voting and non-Voting Members of the Subcommittee may participate in Subcommittee meeting deliberations.

Meetings & Governance Matters

Subcommittee Values

11. The Subcommittee is expected to operate in compliance with the Municipal Code of Conduct, and the policies, laws, and regulations governing the Municipality. The Subcommittee shall consider the economic, environmental, and social/cultural implications for the region in its decision making.

Accountability and Reporting

- 12. The Subcommittee is accountable to Council and the Committee.
- 13. The Subcommittee shall report to the Committee as often as necessary but at least following specific requests from the Committee. Reporting shall normally be done through the Subcommittee Chair.
- 14. The Municipality's Voting Member will provide periodic updates on the activities and decisions of Council pertinent to the work of the Subcommittee.
- 15. The Subcommittee shall annually review, discuss and assess its performance. The Subcommittee will review these Terms of Reference on an annual basis and recommend any necessary changes to the Committee and Council.

Meeting

16. Between November and March, the Subcommittee shall meet at least monthly regarding the Subcommittee' Responsibilities related to the Annual Capital and Operating budget. During the rest of the year, meetings shall be held as requested by the Committee, the Subcommittee Chair, or at the written request of a majority of the Subcommittee's Voting Members to review and provide recommendations to the Committee related to the Subcommittee' Responsibilities as they arise.



Municipality of the County of Kings Regional Sewer Technical Subcommittee (DRAFT)

17. In the absence of the Chair of the Subcommittee, the Vice-Chair will preside over the meeting. A copy of the minutes or notes of each meeting shall be provided to each member in a timely fashion.

Quorum and Decision Making

- 18. A quorum consists of three (3) voting members of the Subcommittee.
- 19. The Chair presiding at any meeting of the Subcommittee shall have a must vote on all matters considered by the Subcommittee.
- 20. All motions require the approval of a simple majority of the Voting Members. Tie votes are considered a negative vote.

Rules of Procedure

21. The Subcommittee shall conduct business according to Part II of Bourinot's Rules of Order, 4th revised edition except as modified by Bylaw 102.

Communications

22. The Subcommittee members will maintain direct, open, productive communications with staff, Committee and other key advisors as appropriate.



TO Regional Sewer Committee

PREPARED BY Scott M. Quinn, P. Eng., Engineering & Public Works, Lands and Parks

MEETING DATE February 15, 2017 – Committee Meeting

SUBJECT Draft Terms of References – Committee and Technical Subcommittee

ORIGIN

• Final draft terms of reference for Regional Sewer Committee (Committee) and Technical Subcommittee were circulated on January 11, 2018. Additional "administrative" changes have since been suggested.

RECOMMENDATION

Regional Sewer Committee authorizes the Chair and Municipal Staff to forward to Municipal Council the proposed Terms of Reference for both the Regional Sewer Committee and the Technical Subcommittee as attached to the February 15, 2018 Regional Sewer Committee agenda.

INTENT

Seeking the Committee's consensus to submit the proposed terms of reference with the suggested administrative changes as presented in Appendix A of this report.

DISCUSSION

Mayor Muttart has suggested some revisions to the draft Policy (see Appendix A of this report). The Chair and Municipal Staff recommend proceeding with the proposed changes via consensus since they are non-substantive.

FINANCIAL IMPLICATIONS

None.

ALTERNATIVES

None identified.

IMPLEMENTATION

- Upon Committee approval, the Chair and Municipal Staff will submit amendments to Bylaw 102 –
 Committee Governance, including changes needed to enable the proposed terms of reference.
- Upon Council approval of Bylaw 102 amendments, the proposed terms of reference to Council for its consideration. These may be brought forward after the amendments receive first reading.

APPENDICES

• Appendix A: Proposed Terms of Reference - Regional Sewer Committee and Technical Subcommittee

APPROVALS

Scott Quinn, Manager EPW, Lands & Parks Date: February 12, 2018