



**EASTERN REGIONAL  
SERVICE BOARD**

# ANNUAL REPORT

## 2019

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## Message from the Chairperson

I am pleased to present the 2019 annual report for the Eastern Regional Service Board (the 'Board'). This report covers the period January 1 to December 31, 2019.

The Board has been very active in the advancement of the Provincial Waste Management Strategy by continuing to implement a modern waste management system in the Eastern region. The Board continues to develop other services including fire and emergency protection and water/wastewater consultation.

The Clarendville Transfer Station has been operational for several years and provides a great service to the communities in the Smith Sound area. The site also includes a waste recovery facility.

In addition, the construction of a maintenance depot in Whitbourne began this year. This depot will be the central base for the Board's fleet operations in the region. This site also includes a waste recovery facility.

In addition to the Minister's Directive of November 2018, the Board received three letters of directives from the Minister in 2019 (February 8, February 27, and March 8).

The Board was pleased to work with the Minister's office for much of 2019 to develop a plan to implement the directives that saw services withdrawn from "un-serviced roads in unincorporated areas" at midnight, December 31, 2019.

Once this work is completed, the Board will focus its attention on service delivery improvements, operational efficiency and preparing for our next opportunities in regional service delivery.

The Board will continue to work closely with stakeholders and government to identify and improve on emerging operational issues.

Sincerely,

*Harold Mullaney*

Harold Mullaney, B.Sc., B.Ed., M.P.H.  
Chairperson  
Eastern Regional Service Board

## OVERVIEW

The Eastern Regional Service Board (the “Board”) was charged with implementing the regional plan developed by its predecessor committee – Eastern Waste Management for the 163 communities and 270,000 people in the eastern region. The plan was developed to accomplish three broad goals:

- advance the implementation of modern waste management practices,
- divert materials from disposal in the landfill, and
- close the 42 community landfills that operated in the region.

As of December 31, 2019, there is no community landfill operating in the eastern region. The landfill on Bell Island closed in 2018. In accordance with the Eastern Regional Plan, all 42 community landfills that were operational in the Eastern region have been closed.

The province has chosen the Robin Hood Bay facility to be the focus for landfill and diversion services/facilities. The City of St. John’s operates the Robin Hood Bay facility for the benefit of the region.

While many of the larger urban communities have dedicated waste fleets, for the most part the smaller municipalities, local service districts and unincorporated areas have regional service delivery provided by the Board. The regional service allows for an efficient and effective collection, transport, and diversion of waste materials. The Board provides direct service to approximately 31,000 households and businesses. This includes weekly waste collection, biweekly recyclables collection (fiber and containers), and regular bulk garbage collection events.

In addition to the roadside/curbside collection, the Board also operates a series of waste recovery facilities throughout the region and a transfer station in Clarendville to ensure that residents have ready access to services and facilities to dispose of household bulk items. Throughout the year, household hazardous waste collection events take place to allow residents to properly dispose of these hazardous materials.

Operations are overseen by a board of nineteen municipal government representatives led by a chairperson. These twenty members are either nominated by their respective Council or are elected by the Councils in a sub region to represent the sub region on the Eastern Regional Service Board.

The map on the following page illustrates the representation for each area in the eastern region.

A list of Board members for 2019 is provided on page 6.





EASTERN REGIONAL SERVICE BOARD MEMBERS 2019		
Position	Name	Community
Chair	Harold Mallowney	Southern Shore
Vice Chair	Danny Breen	St. John's
Member	Lucy Stoyles	Mount Pearl
Member	Glenn Clarke	Trinity Conception North
Member	Bill Bailey	Clareville & Isthmus
Member	Peggy Roche	Metro Area
Member	Maggie Burton	St. John's
Member	Wally Collins	St. John's
Member	Gerald Snook	Trinity Bay South and Isthmus East
Member	Vacant	St. John's
Member	Gerard Tilley	Conception Bay South
Member	Dave Lane	St. John's
Member	Sam Whalen	Bay Roberts Area
Member	Sheilagh O'Leary	St. John's
Member	Deanne Stapleton	St. John's
Member	Sandy Hickman	St. John's
Member	Kevin McDonald	Southwest Avalon
Member	Jamie Korab	St. John's
Member	Ian Froude	St. John's
Member	Sterling Willis	Paradise

## Revenue and Expenditures

The Board is accountable for the funds it receives from the Government and the funds that are generated through fees that are levied on property owners, occupiers, and users. Each year it has audited financial statements prepared.

### EASTERN REGIONAL SERVICE BOARD

#### Statement of Operations

Year Ended December 31, 2019

	Budget 2019	Total 2019	Total 2018
<b>REVENUES</b>			
Clareville transfer station	\$ 225,000	\$ 266,878	\$ 276,180
Government grants	369,375	90,074	77,500
Tipping fees (Note 9)	3,339,572	3,339,572	3,349,346
Waste management fees	5,100,000	5,132,320	5,091,407
Metals recycling revenue	75,000	3,325	81,801
Capital government grants	300,000	-	684,151
Fire and emergency services revenue	19,200	22,768	21,180
	9,428,147	8,854,937	9,581,565
<b>EXPENSES</b>			
Advertising and promotion	121,900	84,844	191,236
Amortization	-	574,461	775,207
Bad debts	90,000	372,722	123,407
Business taxes, licenses and memberships	16,000	13,995	56,088
Directors fees	100,000	89,140	96,469
Insurance	135,000	127,304	142,516
Interest and bank charges	40,000	23,576	26,424
Interest on obligations under capital lease	9,615	2,939	9,587
Office	98,600	45,439	57,808
Outreach program	-	50	17,366
Professional fees	83,000	186,932	157,615
Regional waste management operations	378,500	381,830	575,866
Rental	116,000	102,004	144,188
Repairs and maintenance	31,400	51,920	94,784
Salaries and wages	2,116,649	1,938,588	2,176,224
Telephone	45,000	40,163	36,533
Tipping Fees Clareville	400,000	406,835	354,142
Training	68,000	23,300	41,250
Travel	57,500	45,024	48,301
Vehicle	1,113,600	899,659	1,145,071
Waste collection operations	4,047,000	3,289,966	3,286,221
Waste recovery facilities - site development	-	8,341	7,162
	9,067,764	8,709,032	9,563,465
<b>SURPLUS FROM OPERATIONS</b>	360,383	145,905	18,100
<b>OTHER INCOME (EXPENSES)</b>			
Gain on disposal of tangible capital assets	-	(33,061)	-
Interest income	75,000	329,044	462,075
Miscellaneous revenue	25,000	5,319	36,646
	100,000	301,302	498,721
<b>ANNUAL SURPLUS</b>	\$ 460,383	\$ 447,207	\$ 516,821

The staff complement includes a total of 25 full-time employees and 12 part-time employees. ERSB is governed by a board of 20 local municipal representatives.

Audited Financial statements are submitted to the Provincial Government on an annual basis under the requirements of our legislation – *Regional Service Boards Act, 2012*.

## **MANDATE**

In accordance with section 3 of the *Eastern Regional Service Board Regulations, 2013*, the authority granted to the Eastern Regional Service Board is to:

### **Prescribed services**

3. (1) The board has the power to construct, acquire, maintain, and operate a waste management system within the Eastern Region.

(2) The board has the power to provide operational oversight of water and wastewater systems owned by municipal authorities within the Eastern Region which have been identified through the Community Sustainability Partnership Initiative.

(3) The board has the power to provide fire protection services within the Eastern region.

The boundaries of the Eastern Regional Service Board are from St. John's in the East, Clarendville in the West and down the Burin Peninsula to Swift Current and Random Island.

These regulations can be viewed in their entirety on the following website:

<http://www.assembly.nl.ca/Legislation/sr/Regulations/rc130008.htm>

## **LINES OF BUSINESS**

### **1) Operation of Waste Facilities and Management of Waste Collection**

The Board operates ten waste recovery facilities across the region – Bay Bulls, Renew's-Cappahayden, St. Joseph's, Placentia, Cavendish, Harbour Grace, Sunnyside, Clarendville, Whitbourne and Old Perlican. These facilities accept residential bulk garbage at no charge, including appliances, tires, construction and demolition materials, vehicles, and parts.

Collection services are provided by the Board to 31,000 homes and businesses on a weekly basis. This includes weekly waste collection; biweekly recyclables collection; and regular bulk pick up events. All properties in receipt of regional services have recyclables collection.

In addition, the Board provides household hazardous waste collection events throughout the region.

## 2) Education and Promotion of the Provincial Waste Management Strategy

Through its regular contact with municipal stakeholders, the Board supports the education and promotion of the Provincial Waste Management Strategy in the Eastern region. For example, this year the Board conducted an **Engagement Study** regarding how waste management services are delivered in the region and to understand perceptions on what would be a fair way for households to pay for such essential services. The Board continues to work on raising the participation of residents in the recycling program. In conjunction with other municipal organizations the Board continues to focus on the education of residents and the increase in recycling services offered by municipalities.

## 3) Regional Water and Wastewater Systems

The Board has hired an engineer to be an expert resource to 15 communities in the region. Many of these communities have been experiencing longstanding boil-water advisories and the assistance of an expert resource should help them address these issues and remove the boil water advisory.

In conjunction with the province and as part of the Community Sustainability Partnership, these communities across the region were chosen to be a part of this pilot initiative. This began as a three-year pilot project; however, the province has continued funding the program up to March 31, 2021.

## 4) Fire and Emergency Protection

Under the authority granted to the Board in 2016 it has contracted the Town of Holyrood to provide fire and emergency services to an unincorporated area along Salmonier Line.

# VISION

The vision of the Eastern Regional Service Board is to improve the quality of life, provide leadership and to protect the environment in the eastern region by ensuring cost effective, sustainable services.

# HIGHLIGHTS AND ACCOMPLISHMENTS

## Regional Water/Wastewater Operator Pilot Program

During 2019 additional communities were added to the Regional Water and Wastewater Systems Operator pilot program. The table below summarizes the status of these communities for 2019 and the removal of Boil Water Advisories (BWA).

This program is scheduled to finish in March of 2020 and is currently being reviewed by the Department of Municipal Affairs and Environment. With some revisions and additional activities, the program could become more valuable and potentially address the needs of more communities. A focus for the program should be on communities that express a desire to participate.

**Regional Water and Wastewater Systems Operator Pilot Program**

**Participating Communities**

**2019**

Cluster	Community Name	Community Type	Participating?	BWA?	Certification?	Remarks
Southern Shore	Aquaforte	Town	Yes	No	No	all is well
	Biscay Bay	Local Service District	No	Yes	No	not interested, dropped
	Brigus South	Local Service District	No	Yes	No	not interested, dropped
	Fermeuse	Town	Yes	No	Yes	new water supply 2018
	Ferryland	Town	Yes	No	No	new WTP 2018
	Renews-Cappahayden	Town	Yes	No	No	cross-connections resolved
CBC	Avondale	Town	No	No	No	not interested, dropped
	Georgetown	Local Service District	Yes	Yes	No	new water supply 2018
	Marysvale	Local Service District	Yes	Yes	No	new WTP 2018
Isthmus	Garden Cove	Local Service District	Yes	No	No	all is well
	Goobies	Local Service District	Yes	Yes	No	not returning calls
	North Harbour	Local Service District	Yes	Yes	No	Chlorine residual problems
	Swift Current	Local Service District	Yes	Yes	No	new disinfection system installed
South Coast	Portugal Cove South	Town	Yes	Yes	No	needs infiltration gallery
	Trepassey	Town	Yes	Yes	No	Dept. Health testing
	St. Shott's	Town	Yes	Yes	No	needs infiltration gallery
	Gaskiers	Town	Yes	Yes	No	inadequate flow at new well
	St. Mary's	Town	Yes	Yes	No	WSER

### **Waste Recovery Facilities**

Waste Recovery Facilities (WRF) received material from approximately 40,350 clients in 2019, which is a 4% decrease from 2018 and approximately 11% decrease from 2017. Please note that 2017-2018 is the first time a decrease in the number of clients has been seen. The material collected included household appliances, furniture, electronics, residential construction material, tires, metal, shingles, floor coverings, propane tanks (20 lbs. or less), trees, branches, etc.

Waste diversion activities in 2019 included:

- 1,020,260 kg of metal was diverted to an approved metal recycler versus 1,013,350 kg in 2018; (977,630 kg in 2017; 1,363,510 kg in 2016 and 249,770 kg in 2015);
- 12,924 tires as accepted by the Used Tire Recycling Program of the MMSB, versus 14,863 tires in 2018; (12,237 in 2017; 12,885 in 2016 and 14,113 in 2015); and,
- 246 pallets of electronic waste (approximate weight of 520,000 kg) were accepted by the Recycle My Electronics Program of the Electronic Products Recycling Association (EPRA) versus 248 pallets in 2018; (250 pallets in 2017; 263 pallets in 2016 and 192 pallets in 2015).

In 2019, 7,908,400 kg of waste was transferred from the various waste recovery facilities to the Regional Waste Management Facility located at Robin Hood Bay for disposal in the landfill. The decrease in the amount of materials moved from these facilities to Robin Hood Bay from 2018 is partially due to a vacancy of one of the Highway Transport Equipment Operator's positions. These are the employees who transport the materials from the waste recovery facilities to Robin Hood Bay. In addition, there was a decrease in the amount of materials received at the facilities this year.

In 2018, 9,961,889 kg of waste was transferred from the various waste recovery facilities to the Regional Waste Management Facility located at Robin Hood Bay for disposal in the landfill. In 2017, 6,273,770 kg was transferred from these sites to the regional landfill. The increase in removals in 2018 from 2017 is a direct result of the addition of a third grapple truck to remove waste from these facilities. In 2016, 6,226,318 kg of waste was transferred and in 2015, 5,781,784 kg was transferred.

Due to low usage and the high cost of snow clearing, the Sunnyside site was closed for winter from December 16, 2019 to April 4, 2020.

### **Household Hazardous Waste (HHW) Events**

In 2019, 25 events were held throughout the region in June and September to collect Household Hazardous Waste (HHW).

Approximately 858 residents participated by disposing of their HHW materials at these events. Materials collected included 10,099 liters of liquid HHW waste; 38 paint boxes (approx. 8,100 liters of paint); 511 kg batteries; 408 compressed gas tanks; and 375 fluorescent light bulbs were collected.

Overall, for 2019 attendance decreased by 11% from 2018. In addition, the amount of materials collected was lower than in 2018.

For 2018, 950 people took advantage of this service, which saw 13,600 L of liquid waste, 38 paint boxes (approximately 8,100 L of paint), 290 kg of batteries, 517 compressed gas tanks, and 200 fluorescent light bulbs collected. Overall, for 2018, the attendance and waste collected was similar to 2017.



### School Recycling Pilot Program

The Recycle@School Pilot Program ended June 2017. In September 2017, the ERSB was engaged to provide garbage and recycling removal services to the following schools:

SCHOOL	COMMUNITY	SCHOOL	COMMUNITY
Dunne Memorial Academy	St. Mary's	St. Bernard's Elementary	Witless Bay
Crescent Collegiate	Blaketown	Baltimore School	Ferryland
Woodland Elementary	Dildo	Laval High School	Placentia
Stella Maris Academy	Trepassey	St. Anne's Academy	Placentia
Mobile Central High	Mobile	Random Island Academy	Hickman's Harbour

Note: School waste contracts that excluded recyclables were set to expire in June 2019 have been extended for one year. The new expiry is June 2020 with the option of another year extension.

### Curbside Waste Collections

There was no significant change in curbside waste diversion rates between 2019, 2018 and 2017.

#### **Summary of Properties in Each Contract Area at the End of 2019:**

ACRONYM	AREA	PROPERTIES
BDGA	Bay de Grave (Clarke's Beach, Port de Grave, Bristol's Hope)	968
CBC	Conception Bay Center	2,041
CLAR	Clarenville & Smith Sound Area	4,686
ISTHMUS	Isthmus & South West Arm	3,331
INTERNAL	Salmonier Line, Hodgewater Line and Ocean Pond (Properties started in 2017)	2,787
SSWMI	Southern Shore	3,954
TCN	Trinity Conception North	3,462
TBS/TBC	Trinity Bay South/Center	3,265
SAW	Southwest Avalon and St. Mary's Bay	2,588
BELL	Bell Island	1,441
Carbonear	Carbonear and Area	2,150
		<b>30,673</b>

At the end of 2018, the number of properties in receipt of regional waste collection service was 30,988 or 315 more properties than at the end of 2019 or 1% decrease.

**In February 2019, approximately 300 properties on 14 roads were permanently removed from the curbside collection** in response to the Minister's Directives (see Ministerial Directives section on page 13). These roads were identified as difficult to provide year-round waste services. The impacted property owners were refunded any waste fees paid for 2019.

The Board worked closely with the Minister of Municipal Affairs and Environment to reach an agreement in relation to the Ministerial Directives of 2018 and 2019 that saw the withdrawal of waste services from all properties located on un-serviced roads in unincorporated areas by midnight, December 31, 2019.



### **Clareville Transfer Station**

In 2019, 5,520,840 kg of waste and 386,950 kg of recyclables were received at the commercial portion of the facility. This is a 1.7% increase in waste and a 4% increase in recyclables over 2018. This required 267 trips from the transfer station to the Regional Waste Management Facility located at Robin Hood Bay to transport this material for disposal.

For comparison purposes, in 2018, 5,426,310 kg of waste and 372,460 kg of recyclables were received at the commercial portion of the Clareville facility. This required 282 trips from the Clareville facility to Robin Hood Bay for final disposal.

For 2017, 5,421,190 kg of waste and 458,020 kg of recyclables were received at the commercial portion of the facility while in 2016, 5,106,250 kg of waste and 273,210 kg of recyclables were received at the commercial portion of the facility.

There was a decrease in recyclables received primarily due to a decrease in the OCC (old-corrugated cardboard).

Please see the Waste Recovery Facilities section of this report for residential drop-off information.

### **Fire and Emergency Protection Services**

The Fire and Emergency Protection Services began in 2017 when the Board implemented this new program by partnering with the Town of Holyrood to expand its fire services boundary to include unincorporated areas outside its municipal boundary. The Board has taken on the responsibility of providing fire and emergency protection and through the contract has engaged the volunteer fire department of the Town to deliver the service.

This contractual arrangement is a pilot of the ability to collect fees for a service that many municipalities have been providing to areas outside of their boundaries for several years without receiving any funding to contribute to the cost of the service.

The agreement currently includes approximately 600 properties along the Salmonier Line and side roads.

A request to expand this concept of contracting with neighbouring municipal fire departments has been made to the Department of Municipal Affairs and Environment.

## **MINISTERIAL DIRECTIVES**

### **Ministerial Directives - Background**

On November 23, 2018, the Minister of Municipal Affairs and Environment sent a letter (Appendix 1) that directed the Board to “cease from advancing further court action against cabin owners until their voice is represented through the appropriate changes to the governance structure of the Eastern Regional Service Board.”

On December 20, 2018, the Board responded to the Minister's directive and provided an outline for the Board's rationale for the single fee for all properties and the provision of waste collection services in seasonal areas.

The submission reiterated the Board's strongly held view that \$180 for all property owners is both fair and reasonable. The amount is not particularly prohibitive, and it is the Board's view that any attempt to create a 'seasonal' rate will not resolve the small amount of criticism received. In addition, the Board believes such a move would create other inequities and unfairly shift the costs to other users, specifically municipalities and local service districts.

In addition, the selection for representation to the Board would be difficult when these unincorporated cabin areas have no form of governance. Furthermore, the province's announcement that the Government will move to reduce the representation on the Board of the City of St. John's and install a cabin owner on the Board lacked consultation with the Board and neglects the reality of the Board's current electoral process.

The Board noted it is amenable to discussions around the removal of properties located on 'unplowed roads'. The Board acknowledges that 1% of the properties in receipt of waste services may encounter winter delays or interruptions in service over a three-month period during winter annually; however, most properties included are in receipt of regular weekly service.

#### **Ministerial Directives – Letter of January 14, 2019**

On January 14, 2019 a second letter (Appendix 2) from the Minister of Municipal Affairs and Environment was received by the Board that directed officials in the Department to proceed with an independent review of the fee structure for waste management services. This review of service levels and fees will be incorporated into the recently announced comprehensive review of the Provincial Waste Management Strategy.

The Board responded that it looks forward to fully participating in the review.

#### **Ministerial Directives – Letter of February 8, 2019**

On February 8, 2019 (Appendix 3) the Minister of Municipal Affairs and Environment sent another letter of directives to the Board to take the actions outlined below:

1. Cease the collection of waste on un-serviced roads, or where the services cannot be reasonably provided on a regular basis, as soon as possible. Based on past discussions, it is my understanding that officials with the ERSB have some idea as to the areas in question but a dialogue amongst our respective teams may assist in finalizing the approach. It is also my position that this action should not result in any increased costs to other clients of waste management services in the region for which you provide these services. I would appreciate an update on plans to discontinue this practice **by February 20, 2019.**
2. On a go forward basis, limit all outstanding fees and interest (i.e., or "back fees") charged to individuals on their first invoice to a two-year period.
3. Improve the Board's transparency, accountability, and engagement by publicly advertising the time and location of public meetings, posting minutes in a timely fashion, and ensuring that

thorough consultations are completed in advance of the setting of an annual budget and fees and/or expanding service areas or other operational changes impacting the public.

**The Board responded on February 20, 2019** (Appendix 4) that it was pleased to have received the Minister's letter that clarified Government's position on the Provincial Waste Management Strategy and that the Board would:

1. Amend its Service Delivery Policy to exclude roads that are un-serviced for the purposes of waste management collection as confirmed by the Provincial Government. This change affected approximately 300 properties located on the following roads:
  - Old Shoe Cove Road, Chance Cove;
  - Leah Wheeler's Road, Lower Island Cove;
  - Western Bay Line, Western Bay;
  - Daniel's Cove, Trinity Conception North;
  - Holiday Hill Road, Trinity Bay South;
  - Dam Pond Road, Brigus Junction;
  - Pigeon Inlet, Brigus Junction;
  - Twin Gullies Lane, Brigus Junction;
  - Old Witless Bay Line, Southern Shore;
  - North Harbour Pond Road, Goobies;
  - Rocky Pond Road, New Harbour Barrens;
  - Junction Pond Road, Placentia Junction;
  - Old Mill Road West of Second Bridge, Placentia Junction; and,
  - Station Pond Road North of Pond, Placentia Junction.

The Department of Municipal Affairs and Environment engaged their colleagues in the Department of Transportation and Works to review policies that they have in place with respect to un-serviced roads and if additional roads should be considered. If additional roads are added to the list by the provincial government, it would be published on the Board's website and the impacted property owners would be notified.

In addition, the Board confirmed that any property owners on these roads that had paid their waste fees for 2019 would be refunded. The Board also confirmed that any invoices issued for these roads for 2019 were cancelled and a letter in this regard was sent to all property owners whose addresses the Board had on file.

The refunds were completed on March 8<sup>th</sup> with 80 cheques issued to property owners on these roads who had already paid their waste fees. The total amount refunded was \$13,579.81.

2. The Board's response of February 20<sup>th</sup> also addressed the second directive included in the February 8<sup>th</sup> letter that stated, *"On a go forward basis, limit all outstanding fees and interest (i.e., or "back fees") charged to individuals on their first invoice to a two-year period."*

The Board raised concerns that this directive would incentivize those that have not come forward to continue to defer identification despite being in receipt of weekly services. This would perpetrate the 'catch me if you can' approach to paying for services.

The Board suggested that January 1, 2017 as the date that all new invoices to newly invoiced property owners would be limited. This creates an incentive for those that have not self-identified to come forward.

3. Thirdly, the Board addressed the third directive by providing information that the Board holds monthly public meetings with the details of these meetings published on the Board's website so that the public may attend. All minutes of meetings are public once they have been adopted, normally at the next public meeting. Once adopted, all minutes of meetings are published on our website, and this has been done since 2013.

Further, the annual audit of the Board's finances and the presentation of financial statements are prepared by a licensed public accounting firm and are published on the Board's website upon adoption.

In addition, the Board recently completed a public consultation project (What We Heard – Appendix 5) in which all 32,000 properties in our service area were asked to participate in either an online survey or by telephone. Invitations were sent to seasonal and permanent property owners, online advertising and social media advertisements were placed as were traditional media advertising. The consultation resulted in 323 responses which were not even sufficient to make the results statistically representative. The Board then engaged a third-party firm to telephone another 200 property owners in the service area to receive sufficient feedback to make the sample statistically representative. This survey asked about our services, what services were important to property owners, how they thought the services should be paid for and what was their opinion of ERSB. We service 46 municipalities and 46 local service districts in addition to unincorporated areas. We consider the lack of response from our client base to be reflective of satisfactory service, albeit, we are constantly striving to make improvements.

Many of the critics of the regional service are simply not providing factual information regarding operations, accountability, and transparency.

The Board noted that the three directives outlined in the Minister's letter of February 8, 2019 required clarification for the public as social media discussions were interpreting the directives in many ways. It was suggested that the Provincial Government and the Board issue a joint communication that details the outcomes of the work done to date to provide clarity.

### **Ministerial Directives – Letter of February 27, 2019**

On February 27, 2019, the Board received another letter (Appendix 6) from the Minister of Municipal Affairs and Environment that:

1. Confirmed the list of roads that the board outlined as challenging to maintain collection services year-round were indeed un-serviced and should be removed from the waste collection service immediately and refunds provided.
2. Acknowledged that there has been significant confusion around the definition of an un-serviced road and how it pertains to other publicly owned roads that may be maintained through private arrangements. The Department has engaged our colleagues in Transportation and Works to review policies that they have in place with respect to un-serviced roads in an effort to determine if additional roads should be considered. It is expected that this internal review will be completed in the coming weeks and further guidance and direction will be provided to ERSB.

3. Regarding the issue related to back fees, the directive as written in my February 8, 2019 letter accurately reflects the fact that the onus is on ERSB to identify and adequately provide invoices to the property owners being serviced. Therefore, the suggestion by ERSB to utilize January 1, 2017 as the initial date of fee collection for all future identified property owners, regardless as to when the property is identified, is not acceptable.

### **Ministerial Directives – Letter of March 8, 2019**

On March 8, 2019, the Board received another letter (Appendix 7) from the Minister of Municipal Affairs and Environment that provided further direction:

1. I am directing the ERSB submit a plan by **April 1, 2019** to implement additional changes to its Service Delivery Policy for waste collection, such that **waste collection services and respective fees will no longer be mandatory for any individuals who own a secondary residence on any road that is not serviced, directly or indirectly, by a level of government.** It is my position that these property ownership criteria could be verified by the provision of a tax or fee invoice from a municipality or a local service district for the primary residence.
2. To further clarify, the directive does not apply to properties on roads maintained by the Provincial Government, a municipality, or a local service district, but would apply to roads maintained solely by other groups (e.g., cabin owners) on a voluntary basis.
3. In addition, I am also directing ERSB in its implementation plan for these Service Delivery Policy changes, to ensure that there is **no resulting fee increase for its remaining clients.**
4. At the same time, I am also ordering a special audit regarding ERSB's waste collection services and associated fee-setting practices, in accordance with section 34(3) of the *Regional Service Boards Act, 2012*. Department officials will provide further detail on how this audit will be conducted in the coming days.
5. Finally, I also acknowledge that these issues regarding service delivery and fee structures will be addressed on a provincial scale through the comprehensive review of the Provincial Solid Waste Management Strategy, announced in January 2019. Stakeholder consultation will be a part of the review, and I expect ERSB will participate fully in this review.

Following receipt of the March 8<sup>th</sup> letter, the Board requested an extension of the deadline of April 1 to June 30, 2019 as a comprehensive plan could not be completed by April 1, 2019. The Board has contracts for service and discussions were necessary with the contractors, legal counsel, etc.

The Minister agreed and extended the deadline for submission of an implementation plan to June 30, 2019.

### **Ministerial Directives – Draft Plan for Implementation of Minister's Directives of February 8 and March 8, 2019 (June 2019)**

The Board submitted its plan on June 27, 2019. The plan provided a description of the Board's waste collection operations as well as the rationale for the waste fees and how the contracts are organized. It provided three options for the Minister's consideration.

The Board again reiterated the fact that the "expenses of a board may be defrayed out of revenue generated by the assessment of fees" as outlined in our legislation. The current directives restrict the Board's legislative ability to recover its costs by eliminating occupied properties from fees and restrict the Board's ability to raise fees. Therefore, the underlying position and the Board's original position is that

the Board will find it impossible to continue providing services to the same service areas without being able to collect the necessary revenue.

Under the current model of service delivery, the Board incurs a cost of \$114 per unit for contracted services that include the collection and transportation of waste, recyclables, and bulk materials. This cost does not include the tipping fees for disposal, marketing and education, the administration of the system nor its governance.

The cost of servicing an area is comprised of inputs that are not linear based on the number of properties to be serviced. If the same kilometers must be covered then the same labour, fuel, insurance, maintenance, and other fixed costs will be incurred even if the tonnage that is collected is reduced. The cost to drive one kilometer to collect waste from one property owner whether it is a permanent or secondary residence is the same as driving one kilometer and collecting from 25 properties. The only factor that changes is the weekly tonnage.

Therefore, to be fair and equitable to all property owners, one fee was adopted.

The plan also outlined that the waste collection service is provided by a combination of resources that includes internal staff, internal equipment, contracted private companies and community partners.

The curbside/roadside waste collection program is serviced predominantly by contracts with private firms to collect, transport and dispose of waste and recyclables collected from each property on each collection day.

The Board developed an internal capacity to provide waste collection services in 2015 as the prices derived from the tender process were increasing. A strategic decision was made to develop the capacity so that private firms were not the only mechanism by which the Board could provide this service.

At times the division of work between internal operations and contracts with private firms was approximately one-third internal and two-thirds contracted.

In 2019, the internal operations were reduced and now completes approximately 20% of the curbside/roadside waste collection and the remaining 80% is completed using private firms.

On June 27 the Board provided the following three options for implementing the Minister's Directives:

- A.** The first option suggested the Board implement a voluntary system on un-serviced roads. It was determined that this option would result in the Board charging two different waste fees, to which the Minister's directive has stated that those left in the regional system cannot see an increase in their fees. Therefore, this is mutually exclusive and unachievable.
- B.** The second option suggested that the Board simply remove the costs for the unincorporated areas from the regional system by eliminating service to these areas completely. There would be no service to any unincorporated areas and the Board would instead focus service on towns and local service districts only. This model would be like the service delivery models in other regions of the province. This would reduce the cost structure to the Board and preserve the service and the fee structure to the towns and local service districts.

- C. The third option was to further reduce the cost to the Board of administering the system would be to eliminate the local service districts as the individual invoicing and the collection of revenue is an added administrative cost. Focusing on service to towns only would increase the efficiency of the Board.

Options B and C were discussed with the Board's waste collection contractors, and it was determined that ending the contracts on December 31, 2019 would mesh well with budget processes in terms of starting with new costs and fees for the next fiscal year.

Option B was discussed with contractors and for the most part the elimination of the unincorporated areas from the contracts that continue past December 31, 2019 is unfeasible for the contractors. The Clarendville contract ends on December 31, 2019. The contractor for Conception Bay Center and Bay de Grave contracts believes that these will be viable after the unincorporated areas are removed. The other contracts would have to be bought out while those contracts ending would have to be re-tendered.

Option C would result in the contracts having to be bought out; therefore, it will have an equal impact in terms of contract termination costs. The cost of buying out the waste collection contracts was estimated at \$600,000.

In addition, it would mean the dismantling of the Board's internal Waste Collection Division which would result in the elimination of eight positions (field operations/GIS technician, waste collection supervisor, waste collectors and labourers) as well as the equipment used to provide the service, i.e., compactors, pick-up trucks, trailers, etc.

Option B was identified as the Board's preferred option.

#### **Ministerial Directives – Revised Plan for Implementation of Minister's Directives Respecting Unincorporated Areas in Response to Minister's Letter of July 8, 2019**

On July 8, 2019 the Minister of Municipal Affairs and Environment (MAE) responded to the Board's June 2019 plan for implementation of the ministerial directives with the following:

1. Option A – MAE states: ERSB does have the data with respect to how many properties are on these un-serviced roads and could easily calculate the potential range of revenue loss and resulting cost increase to other collection customers. Option A – Some further considerations to include in your analysis:
  - a. ERSB Concern – Administrative burden to track primary and secondary residents.
    - i. MAE Comment – ERSB could continue to bill all property owners and the onus could be on secondary residents to self-identify and bring in proof that they paid for waste management services at their primary residence.
  - b. ERSB Concern – Can't identify who paid and who didn't pay when collecting waste in the field.
    - i. MAE Comment – Residents could be provided with an annual approval decal to post on waste containers once paid and/or tags could be provided to mark their garbage bags.
  - c. ERSB Concern – Property owners with multiple properties would opt out of all their secondary properties.
    - i. MAE Comment – While only a small percentage of individuals would own multiple properties on these un-serviced roads, ERSB could propose to limit the exemption to a single secondary property.
  - d. ERSB Concern – Loss of leverage for other services such as fire protection.

- i. MAE Comment – All residents will still be in the ERSB system and billed, it will be up to residents to apply for exemption, hence no loss of information.
  - e. ERSB Concern – Cost increase for others.
    - i. MAE Comment – ERSB could quantify the potential range of lost revenue and the resulting potential impact on the fee for remaining clients to present in a revised plan. Please note that the Ministerial Directive remains that the costs for other users should not increase.
2. Option B – MAE states: We wish to clarify that there was never any intent to impact service to residents in unincorporated areas on roads serviced by government. The Plan submitted by ERSB does not consider an option that would allow residents living on serviced roads in unincorporated areas to maintain waste collection services. This could have several advantages over the current Option B as proposed by ERSB including:
    - a. Considering this could minimize the impact on contractors and employees and allow more permanent residents to avail of the service.
    - b. Serviced roads in these areas are generally easily identified, well maintained, easy to access, and would likely cost less to provide collection services to than the un-serviced cabin roads.
    - c. Most of these serviced roads are in areas adjacent to, or in between, incorporated areas that will continue to be serviced by ERSB. Hence, it is likely that in many of these areas your collectors and contractors will be passing through regardless.
    - d. There may be more willingness for contractors to provide flexibility in current contracts given they can maintain a significant portion of the unincorporated areas; specifically given the fact that the government serviced roads are likely the lowest cost properties to which they already provide collection services.
  3. Option C – MAE states Option C is essentially the same as Option B with the removal of collection services to local service districts as well as unincorporated areas. We agree with ERSB and see no merit in pursuing this option further.
  4. MAE requested a response by the end of July 2019.
  5. MAE through Transportation and Works provided ERSB its list of unincorporated communities for which they provide snow clearing/road maintenance services, etc. In addition, in an email from Dan Michielsen, ADM (July 10), ERSB was provided information regarding the level of service expected for each community by providing a specific key. The levels of service are:
    - a. No service;
    - b. Main road through community only;
    - c. Main road and some side roads; and,
    - d. Main road and most all side roads.

**Ministerial Directives – REVISED Plan for Implementation of Minister’s Directives of February 8 and March 8, 2019 (July 30, 2019)**

ERSB submitted its Revised Plan for Implementation of Directives Respecting Unincorporated Areas in Response to the Minister’s Letter of July 8, 2019:



**1. Option A:**

- a. The estimated range of revenue loss is \$744,000 to \$1.3 million annually. This amount could actually be higher depending on the number of property owners eligible to opt out of the waste program.
- b. The required annual increase when averaged for the waste fee would be \$45 per property for a new annual waste fee of \$225 per property.
- c. This is an annual increase of 25% for the Board's remaining customers.
- d. The overall range was an increase of \$29 to \$58 per property annually. The annual fee range was \$209 to \$238. This analysis was based on the current contracted prices.
- e. The above increase does not include any changes to current contracts that have to be re-tendered.
- f. ERSB is unable to determine the actual number of secondary property owners that would opt out of the waste program.
- g. If a road is not completely removed from the service area, then ERSB through contractors and its internal service still has to cover the ground; therefore, cost does not change but revenue does because secondary property owners may opt out. The costs remain the same except for the tipping fees.
- h. Because ERSB has no way to know how many properties to include in the tender for waste collection for the 42 communities the Board expects the pricing from the contractors to be high to reflect this uncertainty. Contractors would most likely bid as if they were collecting from all/most properties in an area to ensure a viable contract.

**Regarding the additional concerns that were identified regarding Option A:**

ERSB Concern	MAE Comment
Administrative burden to track primary and secondary residents	ERSB could continue to bill all property owners and onus could be on secondary residents to self-identify and bring in proof that they paid for waste mgt. services at their primary residence.
<p><b>ERSB RESPONSE:</b></p> <p>ERSB would incur significant administrative expense to continue to bill the estimated 4,100 to 7,300 secondary property owners that could possibly opt out of the regional waste system. The cost to produce and print invoices; fold and stuff invoices; cost of envelopes and the cost of postage would make it expensive to continue to invoice these customers on an annual basis. A rough estimate of costs would be \$14,000 and that would have to be borne by the customers remaining in the regional system.</p> <p>This amount does not include the additional cost of about \$5 per property to produce the Board's <i>Annual Guidebook</i> that is provided to each property in its service area. Based on the numbers above that cost would be about \$20,500 to \$36,500. The guidebook provides a waste collection schedule, information on waste diversion as well as information regarding the regional landfill, waste recovery facilities, Clarendville Transfer Station, Regional Water/Wastewater Program, Fire and Emergency Services, etc. The cost to continue to produce a booklet for each and every property is an additional expense until such time as ERSB has a better understanding on the actual number of properties that would be opting out of its services.</p> <p>In addition, customers with secondary properties will likely be upset about having to bring in proof every year that they have paid for waste services at their primary residence.</p>	

Customers who will be bringing in proof will have had to settle their property taxes at their primary residence to request exemption. This will most likely be in March, April, or May each year (or later). ERSB's policy states that if no payment is received by mid-March, the customer receives our first reminder letter of overdue payment. Again, this will upset and annoy those customers.

The contractor(s) as well as our internal staff will have extreme difficulty in understanding what properties to continue to provide service as it is impossible to communicate specific properties to contractors/staff without civic numbering, etc. The contractor(s) does not necessarily use the same collection team each week which will compound the situation.

The Board would have to develop an administrative system to track permanent versus secondary property as well as an operational system to identify which properties receive service on roads with no civic addresses or possibly no names and/or signage.

ERSB Concern	MAE Comment
Can't identify who paid and who didn't pay when collecting waste in the field.	Residents could be provided an annual approval decal to post on waste containers once paid and/or tags could be provided to mark their garbage bags.
<p><b>ERSB RESPONSE:</b></p> <p>The ERSB provides its customers a choice of payment schedules and the majority of property owners in the unincorporated areas choose to settle their invoice for waste services in 10 equal payments of \$18 or 4 equal payments of \$45; therefore, most customers will not have paid their waste fee in full until October 31<sup>st</sup> each year. In addition, we have customers in special payment arrangements whereby their accounts will not be settled in current year and may extend to 20 months. ERSB would not be able to provide these customers an annual approval decal until after the date their account is paid in full. This will not work for many customers. To provide an annual approval decal before payment is received would be very risky for ERSB as the property owner could choose not to make any further payments.</p> <p>For this suggestion to work, customers would have to settle their waste fee either in one payment or two payments early in the year; otherwise, no waste collection could be provided until they are able to settle their annual fee.</p> <p>ERSB's greatest concern is that placing decals on waste containers to indicate payment in full may be perceived by customers as a breach of their privacy.</p> <p>To provide anything other than one annual decal to property owners would significantly increase costs of not only providing the decals but administering the program. The production of approval decals and/or tags for garbage bags will again increase administrative costs as these items would have to be uniquely designed, tracked, and managed by ERSB.</p> <p>To provide tags for customers to mark their garbage bags for collection would assist the collection teams; however, the cost to produce and mail the tags to customers would add an additional cost to the service provision again making the system that much more unaffordable for those who remain.</p> <p>In addition, customers in unincorporated areas may use a variety of vessels as waste containers – everything from wooden garbage boxes, old freezers, plastic tubs, fish nets, etc. In other words, it may be difficult to see a decal just driving by the property. Waste collectors would have to stop at each property every week to check the waste container/netting/etc. for a decal/tags.</p>	

The ownership or use of a property is not an issue for weekly collection as each property now receives service. Waste collection staff, both internal and contracted, are not provided with information on a property-by-property basis to service one property and not another because of use, payment of fees, occupancy, etc. To implement MAE's suggestion, ERSB would have to begin providing waste collectors information on a property-by-property basis.

This will be an issue for many customers who regularly enquire as to what personal information is provided to the waste collection crews. To this point ERSB has been able to assure its customers that no personal information including their name, account number, status of their account, etc., is shared with any contractor or waste collection crew. Again, ERSB is concerned with placing decals on waste containers to indicate payment in full may be perceived by customers as a breach of their privacy.

ERSB would incur significant administrative costs with no way to recuperate the additional expenses as the Minister's directive is clear in that there *"is no resulting fee increase for its remaining clients."*

ERSB Concern	MAE Comment
Property owners with multiple properties would opt out of all their secondary properties.	While only a small percentage of individuals would own multiple properties on these un-serviced roads, ERSB could propose to limit the exemption to a single secondary property.
<p><b>ERSB RESPONSE:</b></p> <p>ERSB has determined that about 17 percent of property owners in receipt of service in the Eastern region own secondary properties. We arrived at this percentage by identifying those customers to whom we send invoices outside the actual service area i.e., invoice is mailed to Mount Pearl for a property at Goulds Big Pond. However, we realize that not all of these would be located in unincorporated areas. ERSB could change its <i>Service Delivery Policy</i> to reflect that individuals with more than one property in unincorporated areas would be limited to exemption of a single secondary property only.</p> <p>We understand from several of our property owners with multiple properties that many of the secondary properties they own are rented to full-time residents who will require waste collection; however, the property owner will request an exemption of one property because they may even though tenants residing in the property will continue to need waste collection services.</p> <p>ERSB services several 'multiple properties' located at one site such as Brown Rabbit Cabins, White Pines Resort, etc. For this report, ERSB did not remove these types of properties despite billing for multiple units as they are businesses located on main roads and who will require continued waste services. We assumed no changes for these types of properties.</p>	
ERSB Concern	MAE Comment
Loss of leverage for other services such as fire protection.	All residents will still be in the ERSB system and billed, it will be up to residents to apply for exemption, hence no loss of information.
<p><b>ERSB RESPONSE:</b></p> <p>As noted earlier, ERSB will incur significant expense to continue to invoice all customers in unincorporated areas with no way to recuperate most of those expenses.</p> <p>At this time, ERSB is invoicing customers in the unincorporated areas of Salmonier Line including all side roads and Middle Gull Pond for fire and emergency services on behalf of the Town of Holyrood in the amount of \$50 annually. This item is listed on their annual invoice from ERSB along with their waste fee.</p>	

ERSB remits \$45 per property to the Town and \$5 covers a portion of the administrative costs that is being shared with the waste management service.

However as directed by the Minister's correspondence of July 8<sup>th</sup> ERSB will discontinue to invoice the side roads off Salmonier Line and all properties at Middle Gull Pond for waste services. Therefore, it is no longer feasible to send invoices to those properties for fire and emergency services only in the amount of \$50 annually. The administrative costs would have to increase for the program to be sustainable. Again, the ERSB has been directed that there can be no fee increase for its remaining clients.

Please note that ERSB has a contract with the Town of Holyrood for the provision of Fire and Emergency Services that expires December 31, 2019.

Even though invoices will no longer be sent to those property owners on side roads off Salmonier Line or in Middle Gull Pond for fire and emergency services, the Town of Holyrood will be expected to provide service without payment.

MAE is requesting that ERSB continue to invoice all customers and to leave it up to the residents to apply for exemption. The issue here is not loss of information. ERSB would have no need to track property ownership outside its service areas. Instead ERSB was able to add the fee for fire and emergency services to its annual waste invoice as all properties were included for waste collection. However, with most properties in these areas now being removed from the waste system, it would no longer be feasible to invoice property owners for fire and emergency services only.

ERSB Concern	MAE Comment
Cost increase for others	ERSB could quantify the potential range of lost revenue and the resulting potential impact on the fee for remaining clients to present in a revised plan. Please note the Ministerial Directive remains that costs for other users should not increase.

**ERSB RESPONSE:**

ERSB has quantified as best as possible the potential range of lost revenue and the resulting potential impact on the waste fee. Our analysis shows revenue loss in the range of \$744,000 to \$1.3 million annually. This amount could actually be higher depending on the number of property owners eligible to opt out of the waste program.

Our analysis was completed for each contract area individually; however, one fee is set for the Eastern region; therefore, we averaged the required annual increase at \$45 per property for a new waste fee of \$225 annually per property. More detailed information is provided on page 2 of this report.

Again, we have to reiterate that ERSB has no way to know how many properties will opt out. In addition, we have no way to know the costs of any new contracts going forward; therefore, it is challenging to determine the overall financial impact of these changes.

The Ministerial Directive remains that costs for other users should not increase. ERSB cannot see any way forward other than raising the waste fee for the remaining customers.

2. **Option B** continues to be the most feasible option in addition to aligning the Board's service provision with the service provided by Central Newfoundland Regional Service Board.
  - a. **By removing all unincorporated areas, the Board could re-tender its contracts for the towns and local service districts only and preserve the service and the current fee structure.** This would be possible as ERSB knows the actual numbers of properties to be serviced and there would be no provision for opting out of the waste services.

Option B continues to be the preferred option. All unincorporated areas would be removed as per our June plan so as to ensure the preservation of the service as well as the current fee structure for those remaining in the system.

The Board can provide service at the level requested by the Minister in unincorporated areas; however, it cannot be assured that the waste fee would not be impacted as that would be determined once contracts have been re-tendered. Discussions with contractors and all analyses were based on the Board being provided a response by August 16, 2019 to withdraw service effective December 31, 2019.

The Ministerial Directive remains that costs for other users should **not** increase. The Board cannot see any way forward other than raising the waste fee for the remaining customers if service is to be provided on a voluntary level in unincorporated areas.

#### **Ministerial Directives – FINAL Plan for Implementation of Ministerial Directives Respecting Un-Serviced Roads in Unincorporated Areas (September 2019)**

Following collaboration with the Departments of Municipal Affairs and Environment as well as Transportation and Works, the Board was pleased to provide its final plan for the implementation of the Minister's Directives (Appendix 8).

The plan recommends modifications to Option B to include un-serviced roads in unincorporated areas; therefore, effective midnight, December 31, 2019:

- a. The Board will withdraw services from the roads identified by Transportation and Works and as outlined in detail in the plan;
- b. The Board would provide services to any un-serviced road in unincorporated areas if 70% of the property owners identified in the area provides a request to have services provided;
- c. For the areas listed in the plan, no further invoice for waste fees will be issued effective January 1, 2020. The Board will not proceed to Small Claims Court to collect from those customers whose outstanding balance includes only 2019 fees and interest. For those customers the Board would set aside the 2019 accrued interest with payment in full of the 2019 fees. However, those customers with an outstanding balance prior to January 1, 2019 are responsible to settle all outstanding fees and interest for services including 2019.
- d. For newly identified customers the first invoice will begin at January 1, 2017 if service was available before that date or from the date of service implementation if later than January 1, 2017.

The Board is pleased to provide this final plan for implementation of the Ministerial Directives received February and March 2019. The Board worked diligently with the Minister's office to develop a plan that would meet the directives as well as maintain the services for the remainder of the Eastern region.

### **Ministerial Directives – Summary**

Following approval of the plan outlined above, all identified impacted property owners were notified of the agreement and the terms. In addition, the final plan was posted to the Board's website that included the complete list of un-serviced roads in unincorporated areas.

The Departments of Transportation and Works and Municipal Affairs and Environment continued to provide updates to the list of roads to the end of 2019. Those impacted were notified and all information was uploaded to the Board's website.

### **Internal Waste Collection Dismantled Following Ministerial Directives**

The Board's internal waste collection fleet was dismantled following the agreement pertaining to the Ministerial Directives as the Board shut down its Waste Collection Division at the end of December 2019. This meant the liquidation of the Board's waste collection equipment including three side-loading garbage compactors, one rear-loading garbage compactor, three pickup trucks, one float trailer and other miscellaneous equipment.

It also resulted in the loss of eight (8) full-time positions including one Field Operations/GIS Technician, one Waste Collection Supervisor, three waste collectors/compactor operators, and three labourers. These positions were all located at the Whitbourne site except for the Field Operations/GIS Technician which was located at the Board's main office in St. John's.

## **PUBLIC ENGAGEMENT STUDY AND FEEDBACK**

To actively engage residents of the Eastern region in the conversation regarding how waste management services are delivered in the region, and to understand perceptions on what would be a fair way for households to pay for such essential services, the Board undertook a public engagement initiative beginning in late 2018 and early 2019.

There were two key components to the study, including an online survey, as well as a telephone survey with residents. In total, 523 surveys were completed between October 2018 and January 2019, with 323 surveys completed online and an additional 200 surveys completed by telephone.

The results of this engagement study are interesting, and the Board prepared an information leaflet for the public entitled, "What We Heard" (Appendix 5) to communicate the outcomes. This information is on the Board's website.

Permanent residents are generally satisfied, or at least neutral, with many of the key services provided, although there are clear opportunities for improvement. Overall, seasonal property owners are less satisfied with municipal services, and many residents describe such services as unavailable or irrelevant.

Permanent residents responded that:

- 88% are satisfied with waste collection;
- 83% are satisfied with fire and emergency services;
- 36% are satisfied with road maintenance; and,
- 59% are satisfied with access to safe drinking water.
- 94% agree that all households should have access to safe drinking water;

- 86% agreed that all households should have consistent, standardized waste services;
- 80% agree that everyone in the region should have access to the same level of municipal services;
- 70% agree that a regional approach can lead to more services in smaller communities;
- 62% agree that a regional approach delivers services more efficiently; and,
- 60% agree that regional services can result in cost savings.

Seasonal residents responded that:

- 21% are satisfied with waste collection;
- 30% are satisfied with fire and emergency services;
- 70% did not name a service they would like to access;
- 55% agree that all households should have access to drinkable water;
- 35% agree that households should have consistent, standardized waste services;
- 41% agree that everyone in the region should have access to the same level of municipal services.

What's most important to residents when it comes to municipal service delivery?

	Permanent Residents	Seasonal Residents
Ensuring a clean and healthy community	29.3%	24.2%
Keeping costs down	25%	41.4%
Ensuring access to all services	14%	7.8%
Protecting the environment	20.5%	21.6%
Boosting local economy	11.3%	5%

There is a clear difference in opinion on how residents want to pay for services:

	Permanent Residents	Seasonal Residents
Seasonal residents should pay less	50%	83%
Agree with a pay-per-use system	43%	76%
Agree that everyone should pay	71%	29%
Agree that permanent residents should subsidize seasonal residents	15%	14%

The Board understands that cost of living is top of mind, but so is having access to high quality services. We are committed to the challenge of looking for ways to improve services and reduce costs to residents. We understand that we have work to do to earn the public's trust; however, we are committed to taking this feedback and working to find solutions that benefit all the residents of the Eastern region.

The Board is committed to working with communities and municipal leaders to improve regional service delivery throughout the region and to ensure that residents are in receipt of the services they want and need.

## **OPPORTUNITIES AND CHALLENGES AHEAD**

The Board is pleased to have reached an agreement with the Minister of Municipal Affairs and Environment to implement the Ministerial Directives of February and March 2019. The plan saw the Board withdraw services from all ‘un-serviced roads in unincorporated areas’ effective midnight, December 31, 2019.

From the public engagement study, the Board learned it has work to do to earn the public’s trust. The Board is committed to taking the feedback and working to find solutions that benefit all residents. We are committed to innovating and working with communities to provide high-quality, essential services that they can depend on.

The Board has developed a conceptual model based on its work with the joint councils and municipalities as the basis for regional government. This concept has been presented to the province to leverage the regional service board model that is currently in place.

The support of the joint councils in the region has been well received and the work has delivered many benefits to the communities that are served by the joint councils. Advocacy on municipal issues has increased and several proposals have been developed for the provision of additional regional services including municipal law enforcement; regional water technician; and building inspections.

The Board continues to advocate to the province on the need to address some of the administrative tools that are not included in the enabling legislation for regional service boards. The Board is requesting that the Act be changed to provide the authority to place liens on properties for outstanding debt, similar to municipalities. This provides another option other than collecting debt through the court, which is the only option under the Regional Service Board Act.

The province does not have standards for waste collection; therefore, communities may choose to opt out of waste diversion programs and simply send all their waste to the landfill. This is not in line with the Provincial Waste Management Strategy that outlines clear diversion targets for the province.

The Board has identified the need for a mandatory property registry in the province so that property ownership may be easily identified not only for invoicing of services but to ensure the best possible response in case of an emergency.

## **SUMMARY**

The Board will continue to work with its partners in regional service delivery including municipalities, local service districts, businesses, Provincial Departments, and others in the development of quality and cost-effective services to the Eastern region.



# **Appendix ‘1’**

NOV 23 2018

COR/2018/03918

Mr. Ed Grant, Chairperson  
Eastern Regional Service Board  
E-mail: [info@easternwaste.ca](mailto:info@easternwaste.ca)

Dear Mr. Grant:

As discussed during our meeting of November 15, the Department of Municipal Affairs and Environment has been reviewing the concerns of cabin owners related to waste management services provided by the Eastern Regional Services Board. Thank you for taking the time to provide the Eastern Regional Service Board's perspective on these issues.

During our review, it was noted that due to the current structure of the Eastern Regional Service Board there is no representation for cabin owners or individuals in unincorporated areas on waste management services and fees that pertain to them. I was pleased to hear your receptivity to this discussion. I have recently met with representatives of cabin owners and this representation is very important to them. It is my intention to proceed with the necessary to allow this representation as quickly as possible, while continuing to consult with the Eastern Regional Service Board and with cabin owners to determine the final structure.

I believe that making progress on this issue requires compromise and collaboration by all parties. In that light, until this change can come into effect, I am requesting that as a show of good faith, Eastern Regional Service Board, cease from advancing further court action against cabin owners until their voice is represented through the appropriate changes to the governance structure of the Eastern Regional Service Board.

I am available to discuss this request if you would like to do so.

Sincerely,



**GRAHAM LETTO, MHA**  
District of Labrador West  
Minister of Municipal Affairs and Environment

cc: COATT  
ERSB Members

# **Appendix ‘2’**



Government of Newfoundland and Labrador  
Department of Municipal Affairs and Environment  
Office of the Minister

JAN 14 2019

COR/2019/00090-01

Mr. Ed Grant, Chairperson  
Eastern Regional Service Board  
255 Majors Path, Suite 3  
St. John's, NL A1A 0L5  
E-mail: [info@ersbnl.ca](mailto:info@ersbnl.ca)

Dear Mr. Grant:

I am writing in response to your recent submission detailing the rationale for the Eastern Regional Service Board's (ERSB)'s fee structure for waste management collection services. Further to our recent meetings and discussions, please be advised that I have directed officials with the Department of Municipal Affairs and Environment to proceed with an independent review by an external firm.

I acknowledge the Board's request for input into the terms of reference for this review. To this end, I hereby request that ERSB review the attached Consultant Fee Request, which outlines the proposed scope of work and approach for the review. This review of service levels and fees will be incorporated into the recently-announced comprehensive review of the Provincial Waste Management Strategy. **Please ensure that comments are provided directly to my office by end of day, January 18, 2019.**

The overarching intent of this work is to engage and consult with the Board, and to work with all stakeholders towards collaborative solutions. In fact, this has been the intent for all of our meetings and discussions to date. I trust that you and the Board will participate in accordance with this spirit of collaboration and compromise going forward.

Sincerely,

**GRAHAM LETTO**  
District of Labrador West  
Minister of Municipal Affairs and Environment

cc: Honourable Premier Dwight Ball  
ERSB Board Members

Enclosure

Hon, Graham Letto, MHA  
Minister of Municipal Affairs and Environment  
Government of Newfoundland & Labrador  
PO Box 8700  
St. John's, NL, A1B 4J6

Dear Minister Letto,

The Eastern Regional Service Board (ERSB) was established to administer the eastern region with regards to the following services; a regional waste management system, fire and emergency services, and a pilot water and waste water treatment program. Time and time again statements have been made that the best people to be making the decisions with regards to these services are the local representatives. This principal was included in your letter of November 16, 2018.

The duly elected municipal leaders that sit as the ERSB have clearly made the decision that a single rate will be applied to all properties in the eastern region that it deems as receiving the waste collection service. This latest project would seem to fly in the face of that principal. As written this Terms of Reference is not a review to determine if the existing system is appropriate as its stated goal infers that the existing decision of the Board is not "reasonable, equitable or practicable."

Different regions face different issues, as you have stated in the past, and the comparative review of select regions and /or jurisdictions that is required needs to compare similar situations. Similar situations to the eastern region do not exist in other areas of the Province. No other regional service board is collecting in unincorporated areas to the same degree, has a similar level of development in unincorporated areas, and has a similar level of population that resides permanently in unincorporated areas. Therefore, a jurisdictional comparison that focuses on comparing the eastern region to other regions in the province is of no value.

Left out of this review are issues such as incorporating proper administrative tools into the legislation, developing a basic database of property ownership in the province or the implementation of a property tax and assessment based mechanism to replace the fee based system. The project is focused solely on the waste collection service and does not include other services such as fire and emergency protection or other future services.

We do note the Terms of Reference seems to acknowledge some fee structure needs to be in place and we look forward to fully participating in this review and hopefully arrive at some mutual agreement on all issues so we can all move forward.

Sincerely,



**Ed Grant**  
Chairperson  
Eastern Regional Service Board

# **Appendix ‘3’**



Government of Newfoundland and Labrador  
Department of Municipal Affairs and Environment  
Office of the Minister

FEB 08 2019

COR/2019/00445

Mr. Ed Grant, Chairperson  
Eastern Regional Service Board  
255 Majors Path, Suite 3  
St. John's, NL A1A 0L5  
E-mail: [info@easternwaste.ca](mailto:info@easternwaste.ca)

Dear Mr. Grant:

I write in follow-up to a meeting with yourself and Ken Kelly on November 15, 2018 and subsequently with the Eastern Regional Service Board (ERSB) on December 5, 2018, and further to your press release of February 1, 2019 regarding waste management collection services and fees for cabin owners in unincorporated areas.

As you know, my approach to this issue upon my appointment as Minister of Municipal Affairs and Environment in November was to seek to find common ground between cabin owners and the ERSB on these issues in a collaborative fashion. I had pursued this through meetings with the ERSB as well as representatives from the Cabin Owners Against Trash Tax (COATT) group. During our meeting in November, I specifically requested that you and Mr. Kelly develop a plan to implement seasonal rates or to remove un-serviced roads from your collection routes, for further consideration and deliberation. This approach was intended to engage the Board in working towards a solution, rather than receiving a directive from the Provincial Government. From the follow-up meeting with the ERSB board members and your subsequent correspondence, it had become clear that the Board was unwilling to take any such action. At that time, the preferred course of action was to pursue an independent review of waste management collection services and associated fees in this region.

In your recent public statement, I took great interest in the indication that the ERSB would take direction from the Provincial Government with respect to waste collection practices in these areas. I note ERSB's position in this regard, and as the Minister responsible for the *Regional Service Boards Act, 2012* (the Act), I am taking this opportunity to clarify our government's position and provide clear direction on waste management in the region.



First, I acknowledge that the Act and its associated regulations include unincorporated areas within the regions in which Regional Service Boards may provide services. I also acknowledge that determining the specific areas to be serviced are operational policy decisions that are within the jurisdiction of the local government representatives who serve on the respective Boards. However, our government firmly believes in the principle that fees should only be charged and collected where the service can be reasonably provided, in keeping with our vision to deliver better services and outcomes through The Way Forward. I would also expect that such service delivery considerations and logistics be considered in the Board's operational decisions.

Therefore, I am hereby directing the ERSB to take the actions outlined below:

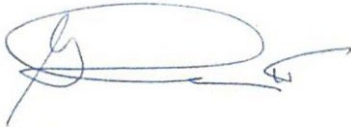
- 1) Cease the collection of waste on un-serviced roads, or where the services cannot be reasonably provided on a regular basis, as soon as possible. Based on past discussions, it is my understanding that officials with the ERSB have some idea as to the areas in question but a dialogue amongst our respective teams may assist in finalizing the approach. It is also my position that this action should not result in any increased costs to other clients of waste management services in the region for which you provide these services. I would appreciate an update on plans to discontinue this practice **by February 20, 2019.**
- 2) On a go forward basis, limit all outstanding fees and interest (i.e., or "back fees") charged to individuals on their first invoice to a two-year period.
- 3) Improve the Board's transparency, accountability, and engagement by publicly advertising the time and location of public meetings, posting minutes in a timely fashion, and ensuring that thorough consultations are completed in advance of the setting of an annual budget and fees and/or expanding service areas or other operational changes impacting the public.

In addition to the above, as you know the Province is undertaking a comprehensive review of the Provincial Waste Management Strategy, and direction on other issues pertaining to waste management may be conveyed upon its conclusion.



The ERSB plays an integral role in implementing the Provincial Waste Management Strategy and providing these services to the public in this region of the Province. The Province will continue to work with you in this endeavor.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'G' followed by a horizontal line and a small flourish at the end.

**GRAHAM LETTO, MHA**  
District of Labrador West  
Minister of Municipal Affairs and Environment

cc: Honourable Premier Dwight Ball  
COATT

# Appendix '4'

Hon, Graham Letto, MHA  
Minister of Municipal Affairs and Environment  
Government of Newfoundland & Labrador  
PO Box 8700  
St. John's, NL, A1B 4J6

February 20, 2019

Dear Minister Letto,

The Eastern Regional Service Board (ERSB) is extremely pleased to have received your letter of February 8, 2019 clarifying your Government's position on the Provincial Waste Management Strategy. In our press release of February 1, 2019 the Board had requested just such a response and we now look forward to implementing this new directive.

In your letter there were three areas in which you focused your direction to the Board. We have structured our response to your letter around those directives.

*Therefore, I am hereby directing the ERSB to take the actions outlined below:*

- 1) *Cease the collection of waste on un-serviced roads, or where the services cannot be reasonably provided on a regular basis, as soon as possible. Based on past discussions, it is my understanding that officials with the ERSB have some idea as to the areas in question but a dialogue amongst our respective teams may assist in finalizing the approach. It is also my position that this action should not result in any increased costs to other clients of waste management services in the region for which you provide these services. I would appreciate an update on plans to discontinue this practice by February 20, 2019.*

Attached is a list of roads within the eastern region where we have experienced some operational challenges in maintaining a curbside/roadside waste collection service year-round. This list is based on the review of our Global Positioning System (GPS) fleet tracking data of the routes our vehicles travel. Discussions between ERSB and the Department of Municipal Affairs and Environment identified these areas and we acknowledge issues with access on a recurring basis. Service on these roads can be stopped immediately and a motion can be tabled at our next monthly meeting that will bring this change in operations into effect as of March 31, 2019 as per your directive.

In these areas we have augmented the summer curbside/roadside waste collection service with a series of winter waste drop-off locations to ensure that property owners have a means to dispose of waste in an appropriate manner. This practice was approved and operated under a Certificate of Approval. We suggest continuing with the winter drop off locations until March 31, 2019 as it



correlates with the posted removal dates for the winter drop off locations. This should provide sufficient time for communication of changes and mitigate any confusion of the public that use these sites that the service has disappeared without an alternative being put in place and avoid illegal dumping.

Further, we will advise these property owners that all service, both summer/winter will be discontinued and they should make alternative arrangements. We will arrange to very quickly refund anyone who may have paid for the 2019 service. At the same time we will strongly encourage all these property owners to utilize our nearest Residential Waste Recovery Facility for bulk household items, at no charge, to protect the environment from illegal dumping.

This change in operations will not necessitate any increase in fees charged to those remaining as recipients of the weekly curbside/roadside waste collection services delivered by the ERSB.

With your concurrence, the attached list of roads can be immediately removed from our service model, property owners advised, and refunds issued where necessary. Further, there is considerable confusion surrounding "un-serviced" roads which needs to be rectified. We suggest that a joint press release be issued clarifying exactly who is affected as we are getting calls for refunds, cancelling existing payment arrangements, who do they get to provide service and related issues.

- 2) *On a go forward basis, limit all outstanding fees and interest (i.e. or "back fees") charged to individuals on their first invoice to a two-year period.*

We acknowledge this directive and will now only back charge to 2017 or later if the service started thereafter. We are concerned that this directive to limit outstanding fees and interest to two years without qualifying the circumstances will incentivize those that have not come forward to continue to defer identification. I often refer to this as "Catch as catch can." We suggest we establish January 1, 2017 as the date that new invoices to newly invoiced property owners will be limited. This creates an incentive for those that have not self-identified to come forward. However, we further assert that by now all property owners in the eastern region know of the service and therefore the back charge period not be limited to two years going forward. We await your further clarification of this position.

Actions to recover funds from delinquent accounts will start again as of the date of this letter.

- 3) *Improve the Board's transparency, accountability, and engagement by publicly advertising the time and location of public meetings, posting minutes in a timely fashion, and ensuring that thorough consultations are completed in advance of the setting of an annual budget and fees and/or expanding service areas or other operational changes impacting the public.*

With regards to the last directive the ERSB holds monthly public meetings with the details of these meetings published to our Board's website so that the public can attend. This has been the practice for some time. All minutes of our meetings are made public once they have been adopted, normally at the following monthly meeting. This is the same practice for a municipality to adopt

minutes of the previous meeting at the next available opportunity. Minutes of meetings have been published to our website since 2013.

With regards to annual budgets these reflect the costs of the Board and are published on our web site. Information on our annual budget is sent to all of the municipalities and local service districts in the eastern region. Once adopted, it is posted to the Board website along with the minutes of all meetings since 2013. Further, the annual audit of the Board and the presentation of financial statements are prepared by a licensed public accounting firm and are also published to our website.

In addition, the Board recently completed a public consultation project in which all 32,000 properties in our service area were asked to participate in either an online survey or via telephone. Invitations were sent to seasonal and permanent property owners, online advertising and social media advertisements were placed as were traditional media advertising. The consultation resulted in 323 responses which was not even sufficient to make the results statistically representative. The Board then engaged a third party firm to telephone another 200 property owners in the service area to receive sufficient feedback to make the sample statistically representative. This survey asked about our services, what services were important to property owners, how they thought the services should be paid for and what was their opinion of the ERSB. We service some 46 municipalities and 46 LSD's in addition to unincorporated areas. We consider the lack of response from our client base to be reflective of satisfactory service, albeit, we are constantly striving to make improvements. Many of the critics of the service are simply not providing factual information regarding operations, accountability or transparency. They simply reject the service outright and, frankly, we are unable to find any accommodation for their position. Any suggestions you can offer would be appreciated.

As mentioned earlier your three directives require clarification amongst the public. We have been monitoring the social media discussions on your directives and they are interpreting the directives in many different fashions. A joint Provincial Government and ERSB communication that details the outcomes of the work done to date is required to provide clarity. Further, we could possibly outline steps and options for those that are displeased by this outcome to advocate during the Provincial Waste Management Strategic review.

Sincerely,



Ed Grant  
Chairperson  
Eastern Regional Service Board

cc. ERSB Board Members

AREA	COMMUNITY CODE	ROAD NAME	TOTAL UNITS IDENTIFIED BY MAPPING	TOTAL UNITS IDENTIFIED & INVOICED BY ERSB	NO. OF CUSTOMERS PAID AT FEB 20, 2019	% OF 2019 FEES PAID TO FEB 20, 2019	% OF 2018 FEES PAID
CHANCE COVE	3596	Old Shoe Cove Rd	34	23	6	24%	28%
LOWER ISLAND COVE		Leah Wheeler's Rd	1	1	1	20%	100%
WESTERN BAY	5321	Western Bay Line	89	56	20	35%	49%
TRINITY CONCEPTION NORTH	1310	Daniel's Cove	10	9	5	35%	70%
TRINITY BAY SOUTH	476	Holiday Hill Road	50	31	19	54%	83%
BRIGUS JUNCTION	616	Dam Pond Road	3	2	2	100%	100%
		Pigeon Inlet	2	1	1	100%	100%
		Twin Gullies Road	8	6	2	18%	67%
SOUTHERN SHORE	5456	Old Witless Bay Line	24	13	5	36%	59%
GOOBIES	1885	North Hr Pond Rd	20	2	2	100%	100%
NEW HARBOUR BARRENS	5018	Rocky Pond Road	24	11	3	19%	38%
PLACENTIA JUNCTION	3805	Junction Pond Road	6	5	3	42%	82%
		Old Mill Road West of Second Bridge	15	6	6	73%	89%
		Station Pond Rd North of Pond	14	9	7	78%	79%
			300	175	82		

**TOTAL 2019 FEES PAID BY CUSTOMERS IN ABOVE AREAS TO FEBRUARY 20, 2019:      \$12,905.07**

**NOTE: *Brigus Junction – Twin Gullies Road – ONE customer is a permanent resident***

***Southern Shore - Old Witless Bay Line – ONE customer is a permanent resident***

## NEWS RELEASE

FEBRUARY 27, 2019

### IMPORTANT CHANGES TO SERVICE DELIVERY POLICY

The Eastern Regional Service Board amended its Service Delivery Policy to exclude roads that are un-serviced for the purposes of waste management collection as confirmed by the Provincial Government. This change affects approximately 300 properties in the eastern region.

Any property owners on the roads below that have paid fees for 2019 will be refunded. Refunds will be sent via cheque on Friday, March 8, 2019, to the address that the Board has on file for the account. Any preauthorized debit agreements for property owners on these un-serviced roads will be stopped as of March 4, 2019. Anyone who has received an invoice for a property on roads below, please note that your 2019 invoice has been cancelled. A letter in this regard will be sent to all of those property owners whose addresses we have on file.

The list of un-serviced roads and the letter from the Minister of Municipal Affairs and Environment confirming the list of un-serviced roads are included below. Maps of the impacted roads are available by clicking on the road name.

The Department of Municipal Affairs has engaged their colleagues in the Department of Transportation and Works to review policies that they have in place with respect to un-serviced roads in an effort to determine if additional roads should be considered. If additional roads are added to the list by the Provincial Government, this website will be updated and property owners will be notified.

### ROADS

- Old Shoe Cove Road, Chance Cove;
- Leah Wheeler's Road, Lower Island Cove;
- Western Bay Line, Western Bay;
- Daniel's Cove, Trinity Conception North;
- Holiday Hill Road, Trinity Bay South;
- Dam Pond Road, Brigus Junction;
- Pigeon Inlet, Brigus Junction;
- Twin Gullies Lane, Brigus Junction; \*\*Revised March 5, 2019\*\*
- Old Witless Bay Line, Southern Shore;
- North Harbour Pond Road, Goobies;
- Rocky Pond Road, New Harbour Barrens;
- Junction Pond Road, Placentia Junction;
- Old Mill Road West of Second Bridge, Placentia Junction; and,
- Station Pond Road North of Pond, Placentia Junction.

### LETTER

- Letter 1 from the Hon. Graham Letto, Minister of Municipal Affairs and Environment (Friday, February 8, 2019)
- Letter 2 from the Hon. Graham Letto, Minister of Municipal Affairs and Environment (Wednesday, February 27, 2019)

# **Appendix '5'**



## What We Heard

### ERSB PUBLIC ENGAGEMENT FEEDBACK

Creating a strong, vibrant community is everyone's responsibility. And decisions about important things, such as municipal services, need as many voices and perspectives as possible.

In fall 2018, we engaged permanent and seasonal residents living in our service areas to tell us how they felt about regional services.

Your feedback helped us identify several areas that will help us plan for the future and shape this region. We wanted to share what we heard with you.

**349**

permanent residents responded

**226**

seasonal property owners responded



## Permanent Residents

We provide essential services to 29,000 households in the region—services that keep our communities clean and our residents safe.



There is always room for improvement and we're committed to finding new ways to enhance service through innovation and collaboration.

### We asked, and you told us how we're doing:



#### Satisfied

**88%**

satisfied with waste collection

**83%**

satisfied with fire and emergency services



#### Needs Improvement

**36%**

satisfied with road maintenance

**50%**

satisfied with access to safe drinking water

#### Top three services requiring change:

1. road infrastructure/maintenance
2. waste management
3. water system, safe drinking water

We think regional services benefit our communities and so do a lot of the people we service:



**94%** agree that all households should have access to drinkable water



**86%** agree that all households should have consistent, standardized waste services



**80%** agree that everyone in the region should have access to the same level of municipal service



**70%** agree that a regional approach can lead to more services in smaller communities



**62%** agree that a regional approach delivers services more efficiently



**60%** agree that regional services can result in cost savings

Cost of living is top of mind, but so is having access to high quality services. We're up to the challenge of looking for ways to improve services and reduce costs to residents.



**2%** were willing to pay less for lower quality services



**35%** were willing to pay more for high quality services

We have work to do to earn your trust. We are committed to taking this feedback and working to find solutions that benefit all the residents in our service region.



believe ERSB provides dependable services



believe ERSB provides fair services



believe ERSB is trustworthy



believe ERSB acts in the best interest of residents

## Seasonal Residents

We have also provided services to seasonal properties. These properties may be located within or outside a municipality or local service district.

Seasonal residents are divided in their opinions about core services. Most seasonal property owners are dissatisfied with (or simply don't want) services, but some see a lot of value in the same services. We're working with government to determine how to better balance the needs of part-time residents.

## Differing opinions



### Fire and Emergency Services

- 30% satisfied
- 18% neutral
- 23% dissatisfied
- 29% do not need this service



### Weekly garbage collection

- 21% satisfied
- 5% neutral
- 26% dissatisfied
- 48% do not need this service

Seasonal property owners feel that they do not need most services and do not want to pay for service delivery at their part-time residences.



Did not name a new service they would like to access.

Seasonal property owners hold very different views on the delivery of regional services.



55% agree that all households should have access to drinkable water



35% agree that households should have consistent, standardized waste services



4% agree that everyone in the region should have access to the same level of municipal service

## Comparison

What's important and how people want to pay for services isn't the same for everyone—especially when it comes to permanent and seasonal residents.

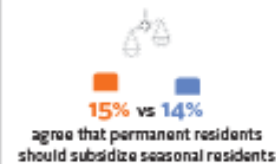
### Legend

- Permanent residents
- Seasonal residents

### A difference in opinion



### Common ground



## What's most important to residents?

- Ensuring a clean and healthy community
- Keeping costs down
- Ensuring access to all services
- Protecting the environment
- Boosting local economy



## What's Next?

We know we have work to do. We are committed to working with communities and municipal leaders to improve regional service delivery and to bring more transparency to what we do.

We are ready to keep innovating and working with you to provide high-quality, essential services that you can depend on, and even be proud of.

Thank you again for providing your feedback. We value your participation and welcome the opportunity to hear more from you. If there's anything else you want to let us know about, don't hesitate to get in touch.

## Contact

255 Majors Path, Suite 3  
St. John's, NL A1A 0L5  
Tel: 709-579-7960  
Email: info@ersbnl.ca  
easternregionalserviceboard.com



# **Appendix '6'**

FEB 27 2019

COR/2019/00701

Mr. Ed Grant, Chair  
Eastern Regional Service Board  
255 Majors Path, Suite 3  
St. John's NL, A1B 4J6

Dear Mr. Grant:



Thank you for your draft response dated February 20, 2019, to my February 8, 2019 letter in which I provided direction to ERSB with respect to waste management collection services in unincorporated areas. I am pleased to see that ERSB is willing to comply with the direction provided.

With respect to the list identifying roads where you have experienced operational challenges in maintaining collection services year round, I am pleased to confirm that these are indeed un-serviced and should be removed from waste collection service immediately and refunds provided as per your suggested approach.

Further to this, I acknowledge that there has been significant confusion around the definition of an un-serviced road and how it pertains to other publicly owned roads that may be maintained through private arrangements. The Department has engaged our colleagues in Transportation and Works to review policies that they have in place with respect to un-serviced roads in an effort to determine if additional roads should be considered. It is expected that this internal review will be completed in the coming weeks and further guidance and direction will be provided to ERSB.

In regard to the issue related to back fees, the directive as written in my February 8, 2019 letter accurately reflects the fact that the onus is on ERSB to identify and adequately provide invoices to the property owners being serviced. Therefore, the suggestion by ERSB to utilize January 1, 2017 as the initial date of fee collection for all future identified property owners, regardless as to when the property is identified, is not acceptable.



I look forward to continue to engage with your board and staff as we work through this issue as well as the fulsome review of the Provincial Waste Management Strategy.

Sincerely,

A handwritten signature in blue ink, appearing to read "Graham Letto", with a long horizontal flourish extending to the right.

**GRAHAM LETTO, MHA**  
District of Labrador West  
Minister of Municipal Affairs and Environment

# **Appendix ‘7’**



MAR 08 2019

COR/2019/00701-02

Mr. Ed Grant, Chair  
Eastern Regional Service Board  
255 Major's Path, Suite 3  
St. John's, NL A1A 0L5  
E-mail: [info@easternwaste.ca](mailto:info@easternwaste.ca)

Dear Mr. Grant:

Ed.

Further to my letter of February 8, 2019, which provided direction with respect to cabins on un-serviced roads and my subsequent letter of February 27, 2019, regarding the discontinuation of waste collection services for roads where the Eastern Regional Service Board (ERSB) experiences challenges in delivering waste collection services, I am writing to provide further direction on this matter.

To this end, I am directing that the ERSB submit a plan by **April 1, 2019** to implement additional changes to its Service Delivery Policy for waste collection, such that **waste collection services and respective fees will no longer be mandatory for any individuals who own a secondary residence on any road that is not serviced, directly or indirectly, by a level of government.** It is my position that these property ownership criteria could be verified by the provision of a tax or fee invoice from a municipality or a local service district for the primary residence.

To further clarify, the directive does not apply to properties on roads maintained by the Provincial Government, a municipality, or a local service district, but would apply to roads maintained solely by other groups (e.g. cabin owners) on a voluntary basis.

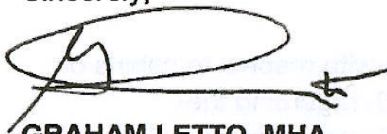
In addition, I am also directing ERSB in its implementation plan for these Service Delivery Policy changes, to ensure that there is **no resulting fee increase for its remaining clients.**

At the same time, I am also ordering a special audit regarding ERSB's waste collection services and associated fee-setting practices, in accordance with section 34(3) of the *Regional Service Boards Act, 2012*. Department officials will provide further detail on how this audit will be conducted in the coming days.

Finally, I also acknowledge that these issues regarding service delivery and fee structures will be addressed on a provincial scale through the comprehensive review of the Provincial Solid Waste Management Strategy, announced in January 2019. Stakeholder consultation will be a part of this review, and I expect ERSB will participate fully in this review.

Thank you for your attention to this matter, and I look forward to working with you to implement these next steps in the very near future.

Sincerely,



**GRAHAM LETTO, MHA**  
District of Labrador West  
Minister of Municipal Affairs and Environment

/jl

cc: Honourable Premier Dwight Ball



# **Appendix ‘8’**

## PLAN FOR IMPLEMENTATION OF MINISTER'S DIRECTIVES



1. **Effective midnight, December 31, 2019 the Board will withdraw services from the following areas having un-serviced roads in unincorporated areas;**
  - a) **Brigus Junction and all side roads except for portion of road serviced by government\* (Please refer to the map on page 4. The roads shown in red are serviced and, therefore, will continue to receive waste collection services)**
  - b) Cape Pond Road and all side roads
  - c) English Hill Road including Old Highway (Carbonear area)
  - d) **Flat Rock Road (between Freshwater and Salmon Cove)\***
  - e) Glen's Cove
  - f) Goulds Big Pond and Old Man's Pond and all side roads
  - g) Goulds Pond and all side roads
  - h) **Grassy Point Road (off Fair Haven Road)\***
  - i) **Gull Pond Road (beyond Town of Witless Bay limits)\***
  - j) Hell Hill Pond and all side roads
  - k) **All side roads off Hodgewater Line\***
  - l) Horse Chops and all side roads
  - m) Line Road and Gunner's Road and all side roads (Carbonear area)
  - n) Mahers and all side roads
  - o) Middle Gull Pond and all side roads
  - p) Mobile First Pond and all side roads
  - q) Ocean Pond, Hodgewater Pond and Leahy's Road and all side roads
  - r) Old Prison Camp Road and all side roads (off Salmonier Line)
  - s) Peak Pond and Reid's Pond and all side roads
  - t) Placentia Junction and all side roads
  - u) **All side roads off Route 73 - New Harbour Barrens Road\***
    - i. **Old Track Road;**
    - ii. **Denny's Pond Road; and,**
    - iii. **Unnamed Road running along Gull Pond**
  - v) All side roads off Salmonier Line (excluding the LSD of Deer Park/Vineland Road):
    - i. Burry Heights Road (and all side roads)
    - ii. Way Points Wilderness Road
    - iii. Little Bull Pond Road (and all side roads)
    - iv. Bermuda Lake Road
    - v. Gilles Road
    - vi. Fern Hill Lane
    - vii. George Street West
    - viii. Fraser's Loop
    - ix. Governor's Park Road (and all side roads)
    - x. The Wild's Road (and all side roads)
    - xi. Penny Lane
    - xii. Hootersville Estate Road
    - xiii. Mill Lane

- xiv. Pioneer Place
- xv. Tobin's Pond Road
- xvi. Belbin's Mill Pond Road (and all side roads)
- xvii. Jimmy's Run (and all side roads)
- xviii. Hender's Brook Road
- xix. Unmarked Road off Salmonier Line (located on right hand side located 0.3 km before Deer Park Road and 5.8 km from Vineland Road)
- w) Spread Eagle and all side roads
- x) Witless Bay Line including Old Witless Bay Line and all side roads

If additional un-serviced roads in unincorporated areas are identified, the Eastern Regional Service Board will review them with the Department Municipal Affairs and Environment to determine if they should remain in service.

***\*Denotes areas added following initial plan as outlined in above paragraph.***

**PLEASE NOTE FOLLOWING CHANGE:**

- a) Lamanche and all side roads** – *this area had been included as an un-serviced road; however, this area is in receipt of services and, therefore, waste collection will NOT be withdrawn at year end.*
- b) Brigus Junction and all side roads except for 1.6 km portion serviced by government** – *This area had been included as an un-serviced area; however, as per the map on page 4 of this document, **the roads shown in red on the map are in receipt of services**, and, therefore, waste collection will NOT be withdrawn at year end from those roads.*

## **2. Reinstatement/Continuation of Service(s):**

The Board would provide services to any area noted above if 70 percent of the property owners identified in that area provides a request/response to have service(s) provided and/or continued.

If 70 percent of the identified property owners in any one area request the service, the Board would provide the service to all property owners in the area and all property owners in the area shall pay for the service(s).

### **3. Fees Collection**

For the areas listed in number one above, no further invoice for waste management services will be issued effective January 1, 2020.

The Board will not proceed to Small Claims Court to collect from those customers whose outstanding balance includes only 2019 fees and interest. For those customers the Board would set aside the 2019 accrued interest with payment in full of the 2019 fees.

However, those customers with an outstanding balance prior to January 1, 2019 are responsible to settle all outstanding fees and interest for services including 2019.

### **4. First Invoice for Newly Identified Property Owners**

For newly identified customers the first invoice will begin at January 1, 2017 if service was available before that date or from the date of service implementation if later than January 1, 2017.