

Newcastle Memorial Arena Management Board

Minutes – September 10, 2024 - 7:00 p.m.

Newcastle Memorial Arena

Approved by the Board

Present: Gary Oliver - Vice Chair, Josh Turner – Manager
Shea-Lea Latchford- Secretary Todd Taylor- Treasurer
Sue White
Jim Vinson
Regrets – Councillor Margaret Zwart, Bryan Hutchison, Omar Patel

1. Declarations of Pecuniary Interest
2. Land Acknowledgment Statement

ANOUNCEMENT: Gary Oliver announced on behalf of the Board that Josh Turner was the successful candidate for the Manager’s position at the Arena.

3. Adoption of Minutes - Motion #24-026 - Moved by Gary Oliver, seconded by Todd Taylor
THAT: The minutes of September 10, 2024, be accepted as presented.

CARRIED

4. Manager’s Report – Safety – Josh informed the Board that there were no on-ice or off-ice incidents. New hires and returning staff will be informed of all training requirements at the pre-season meeting. Legal Awareness #1 & #2 are the next two programs Josh will attempt to complete before the arena opens for the season. A binder will be in the office listing all employees and courses they have completed and the expiry dates. Risk Management - Completed and recorded August’s fire equipment report. The AED weekly and monthly reports were completed. Josh received the fire safety drawings, but they are incorrect. An email was sent to Rob and Tim at the Municipality and Josh will reach out to Councillor Zwart for assistance. Rentals – The website was updated and posted on Facebook. All August invoices for pad activities were mailed. An agreement has been reached with Josh Christian Lea regarding his outstanding invoice. Additional advertisers have reached out for ads on the boards. Josh has requested that we replace the Home and Visitors signs above the benches. Repairs/Maintenance – The natural gas hook-up has been completed and the stands have been painted. The faucet in dressing room #5 needs to be replaced and the shower head for dressing room #4 needs to be installed.

2.

Repairs/Maintenance cont'd

The Janice Parish sign needs to be installed above the time clock. MOC has cut the grass and the parking lot construction is well under way. Josh has a target date of September 20th as a completion date for the parking lot. **Inspections/Municipal Operations** – No inspection for the month of August was scheduled. Ken Ferguson is going to schedule a walk-about though the arena to ensure we are ready for the season. **ORFA Update** - Josh will follow up with new guidelines appropriate for our facility/operations. **Other** – The art show did happen as scheduled, but the rate was discounted due to the parking lot construction. The ice making process began on Monday, September 16th and Clarrington will oversee the painting. If everything proceeds Josh is hoping for an opening date of September 23, 2024. **Risk Management Follow-Up** - Daily checklist completed and Sue will schedule a walk though of the building and review risk management ideas and strategies. **Staff** – The staff that was laid off for the summer have returned giving a total of eight staff members. Josh would like to add three additional staff members: two attendants and one operator.

5. **Financial Report** – Todd provided the Board with an update of our revenue for January 1st to September 10, 2024. He does not see any problems looking ahead to the fourth quarter.
6. **Old Business – Advertising Update** – Sue advised the Board that 10 of the 18 rink boards have been sold plus two wall boards above the Home and Visitor benches, have been with an estimated annual revenue of \$6,940. **Terms of Reference** – Attached you will find a list of our concerns /issues which emailed to Lindsey Turcotte for clarification.

The Board discussed the rates of pay for students, attendants (non-students) and operators.

Motion #24-027 - Moved by Gary Oliver, seconded by Sue White **THAT:** The rate of pay for operators will be \$20/per hour.

CARRIED

7. **Round Table Discussion** - A round table discussion followed.
8. **Next Board Meeting** – Tuesday, October 8, 2024 –7:00 p.m., Newcastle Memorial Arena
9. **Adjournment - Motion #24-028** - Moved by Shea-Lea Latchford, seconded by Sue White **THAT:** The meeting adjourn at 8:48 p.m.

CARRIED

Hello Lindsey,

I must say that my first reading of this new terms of reference was that the spirit of cooperation that once existed between the Board and the Municipality is now gone. I hope that this is not the case, but it seems like the legal department certainly had a hand in developing this ToR. I guess I can list items for discussion numerically then it will be easier to follow for anyone else.

Mandate

#3 The board is responsible for the operation, maintenance, care, and use of the Newcastle Memorial Arena and the cost of all utilities...”

But in line #9 it states, “The Board shall always maintain the NMA in an orderly and hygienic condition as determined by the Municipality”. Is there a cleanliness guideline? Will we be subject to inspections? Why is this line even there?

#4 “This responsibility includes the safe operation and maintenance of the refrigeration plant in accordance with applicable statutes and regulations”. I believe this is a new line in the TOR and seems a little much to expect a volunteer board of citizens to know applicable laws for refrigeration systems.

#5 “If the Board desires to make any alterations or additions to the NMA.....” This line previously read “MoC would not withhold unreasonable approval”. Can this be added back

#7 “It is the Board’s responsibility to hire any employees and administer any human resource matters, including payroll to be paid for out of the Board’s budget. Any employee of the Board will be considered an employee of the Board and will be subject to the appropriate laws and regulations regarding employment and will not be considered an employee of the Municipality of Clarington under any circumstances. “ Is it too much to ask that a board get some assistance with certain HR matters from the MoC?

Municipality Responsibilities:

#11 “The Municipality shall retain responsibility for structural repairs or replacements to the roof, foundation or load bearing walls, building envelope and/or the mechanical equipment associated with the Newcastle Memorial Arena. The Municipality retains absolute and sole discretion for decisions relating to such repairs or replacements, and all expenditures shall have budgetary approval by the Municipality.” When is the time to address Council for “budgetary approval”

#12 “The Municipality shall be responsible for grass cutting on this property.” Should this not include” Property Maintenance” and encompass hedge/tree trimming/maintenance?

#15 “The Public Services Department of the Municipality shall assign a representative who will act as a Staff Liaison to the Board. As the Municipal Staff Liaison, this individual will attend

Board meetings as a non-voting resource person when requested.” Do we know who our Liaison Rep is? When will this commence?

Election of Positions on the Board:

#20 “The Board shall elect a Chair, Vice-Chair, Treasurer, and Secretary annually, from among its voting membership. Members of Council sitting on the Board are not eligible to fill the position of Chair or Vice-Chair, except as Election Chair, as outlined in this By-law.” I’m not sure annual elections are required. We are a small board, perhaps elections could happen “as required”?

Public Participation and Delegations:

#51 “Members of the public are not permitted to participate in the Board discussions but may appear as a delegation before the Board. Delegations shall be for a maximum of 5 minutes. Those wishing to appear as a delegation at a Board meeting must advise the Chair or Secretary a minimum of five days before the meeting.” 5 minutes seems awful short? Can we just remove this all together and we can manage this on our own?

Insurance:

#67 “The Municipality represents that general commercial liability insurance coverage is provided to the Board, its employees, and volunteers under the terms and conditions Municipality's Master Insurance Policy. The Board or its employees shall forward to the Municipality, appropriate documentation of all claims or potential claims. The Board shall undertake all of its activities in a manner consistent with that of a prudent in order to prevent or minimize claims, injuries, or damages, and shall work co-operatively with the Municipality's insurer in the investigation and defence of all claims.” Looks like you’re missing a word after prudent.

Budget:

#71 “The Municipality will request input from the Board recommendations for inclusion in the Capital Budget Program. These recommendations will be considered within the approved Capital Budget Prioritization criteria. Items not considered as part of the Municipality’s responsibility would include interior painting; movable equipment/furnishings and program related betterments/upgrades.” What are the timelines for these kinds of recommendations?

#72 “Any operating budget requests shall be submitted to the Municipality of Clarington in accordance with the budget timelines established by the Deputy CAO / Treasurer and shall be considered with all other budget requests.” Again, what are the timelines for these budgets?

Purchasing/Procurement Policy:

#75 “All purchases shall be in accordance with the Municipality’s Purchasing/Procurement By-law and within the Board’s approved budget. All expenses that exceed the Board’s approved budget require Council approval.” We need to be exempt from this. How are we to function if we must come to Council for approval for every expense?

Additional Notes:

Can we be included in the MoC Waste Oil pick up? We need a way of disposing of waste oil from the compressor and would like to be included in the Municipalities contract for waste oil removal.

Does item #25 mean Board members can’t petition for a new arena?

Schedule A -Nominations item #5 “A member can be nominated for more than one position but can only hold one position at a time.” If there is a lack of candidates to fill these positions can a member be allowed to hold more than one position.