

Cellar uprising?

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tion to carrying a large amount of their debt. Babineau, also General Manager of SUBS Inc., says that The Cellar would likely close if the Union withdrew its support; students would be the real losers, because a new, non-student oriented bar would take its place.

Insiders say they don't expect the Union would use the "nuclear option," because Council and SUBS Inc. both realize this conflict can be sorted out.

But, says Skinner, "a little transparency would go a long way. If [SUBS Inc. is] serious about change they have to be open about it."

Babineau says the power struggle is due to miscommunication. He thinks that the high annual turnover of Councilors might mean they don't have a complete grasp of The Cellar's history with the Union.

Council learned only last week at Monday's meeting that the Union and SUBS Inc. are two separate companies. The majority of Councilors had been unclear as to what relationship the two organizations actually share; some thought that since the Union provides financial and administrative support to The Cellar their relationship was that of parent and subsidiary corporations.

The two organizations have, since 1994, been separate entities in the eyes of the law. Munro, former President of SUBS Inc., suspects this was likely done to shield the Union from any liability The Cellar might incur.

"We are simply a creditor that provides financial and administrative support," says Chiasson.

The Cellar has always been able to act in any way that it sees fit, regardless of the Union's wishes. It is only recently, says Munro, that SUBS Inc. has asserted its independence. The fact that the Union is witnessing this kind of behavior worries some Councilors.

But Chiasson says, "SUBS Inc. is not doing anything wrong, necessarily."

Babineau thinks the Union is distancing itself from SUBS Inc., not the other way around. He says that SUBS Inc. was well within their right to reject Skinner's nomination, referring to the incident that sparked the row between the two organizations.

Forcing repayment of loans will

just end up hurting students, says Babineau. He points out that The Cellar employs 32 students during the academic year. He also suggests that should The Cellar close, another bar would likely replace it.

But Skinner wonders if it is "in the best interests of the Union to subsidize or enter into the business sphere given our financial situation."

For his part, SU VP Finance and former President of SUBS Inc. Munro had enough; his resignation was accepted by SUBS Inc. yesterday. Without their primary liaison and down to four representatives on the SUBS Inc. Board, Babineau says the Union will have an even more difficult time lobbying for their interests with SUBS Inc.

"I was in a significant conflict of interest that was detrimental to both organizations. It was the only ethical thing to do," says Munro. A confidentiality motion prevented Munro from disclosing information about SUBS Inc. to Council, making it difficult to operate as both VP Finance and President of SUBS Inc.

Which is a shame, says Munro, because the intent of both the Student Union and The Cellar is to serve students. He wonders what the SUBS Inc. Board is doing that the Union really has a problem with. Babineau too has a hard time understanding where the animosity comes from. He speculates that the row has become personal.

Skinner counters that it hasn't. The concern stems from the fact that, "right now the Union is in debt... we have a loan from UNB which we can't default on. In our financial context it is difficult to justify giving a loan to another company that can't be profitable."

But Skinner will have a tough time convincing Council, as many Councilors still view The Cellar as a service.

Babineau has yet to play host to an envoy from the Union, let alone a solitary Councilor in search of compromise. Though he seems a bit disappointed with the relationship compared to the one he shared with the Union last year, Babineau is certain that feathers can be smoothed if everyone would just, "sit down, have a beer, and work it out."

For Skinner, the solution is simple: "they have to turn a profit."

SUBS Inc. by-laws violated Liquor Act

by Brendan Doyle

A legal oversight has allowed The Cellar Pub and Grill to remain in violation of the New Brunswick Liquor Control Act for almost a year.

Student Union Beverage Services Inc. (SUBS Inc.), the company created by the UNB Student Union to manage the affairs of The Cellar, must conform to the Liquor Act and the Companies Act because it is incorporated in New Brunswick.

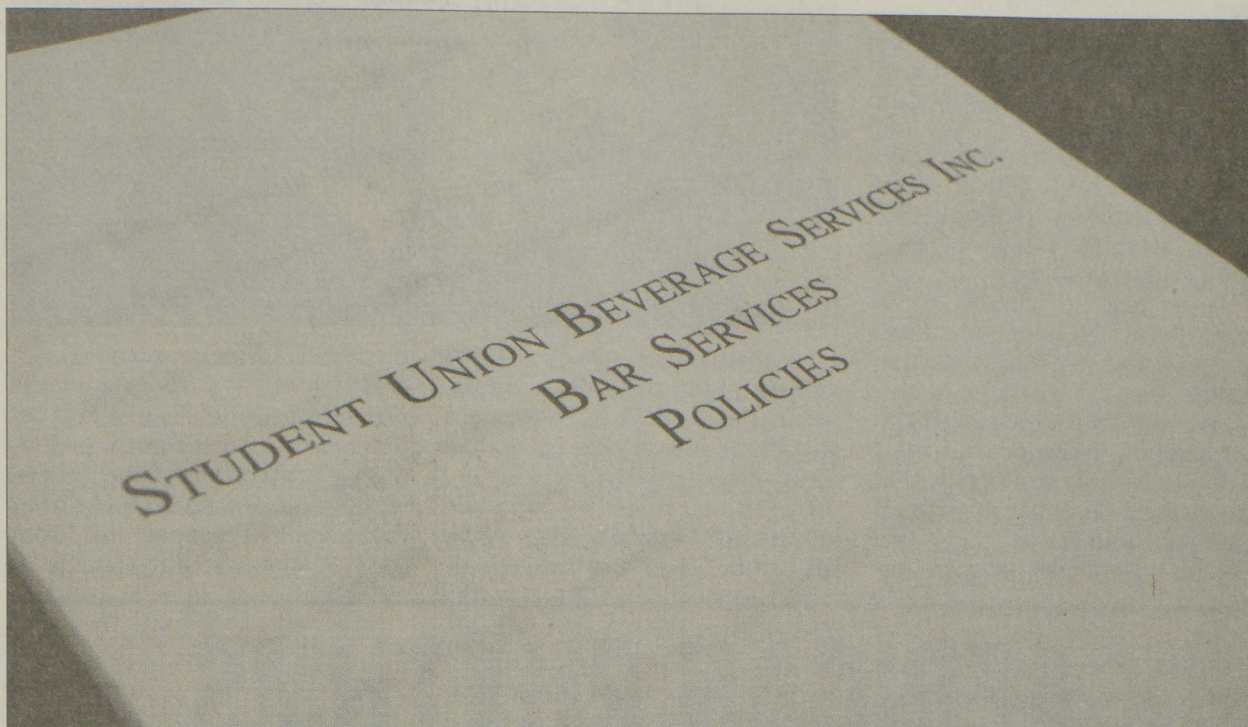
But because it is both a not-for-profit company and a holder of a liquor license, it is subject to very specific rules.

The SUBS Inc. Liquor Act violation was corrected yesterday, according to SUBS Inc. General Manager Mike Babineau. He is also Manager of The Cellar.

The changes were made at a Board meeting Tuesday afternoon. The changes are not fully in effect until SUBS Inc. holds an Annual General Meeting, at which members must vote to ratify the by-law amendments.

The old SUBS Inc. by-laws were written such that the company had eight Members, who were also Directors. This would be perfectly acceptable if The Cellar did not serve alcohol. But Liquor Board policy states that any establishment licensed under section 63.g of the Liquor Act must have at least 40 members.

This is, however, a recent development. Babineau says that SUBS



The original Student Union Beverage Services Inc. by-laws complied with NB laws. The revamped by-laws, changed yesterday, are also in compliance with the Companies and Liquor Acts.

Inc. updated and revised their by-laws in 2005. The legal problem developed then, when membership rules were changed.

Previous incarnations of the SUBS Inc. by-laws, including the original ones drafted in 1994 when The Cellar first opened its doors, stated that, "Members of Student Union Beverage Services Inc. shall include all University of New Brunswick full-time and part-time undergraduate and graduate students, Saint Thomas University and University of New Brunswick faculty and staff."

The revised by-laws from 2005 have changed again, narrowing

membership to eight directors: President, Vice-President, General Manager, Chair, and four Student Union representatives; one from Council, one student-at-large, and the Union's DrinkSmart Coordinator and General Manager.

SUBS Inc. is now without a President, however, because Mark Munro, also VP Finance for the UNB Student Union, has resigned. Citing a conflict of interest that prevented him from acting fully in his capacity as liaison between the Union and SUBS Inc., Munro felt that the only ethical option was to resign.

Babineau understands and ap-

preciates Munro's situation but says, "it will affect the SU more than SUBS Inc." Munro's fellow Councilors and Executive understand as well, says SU President Ciana Chiasson.

"We may have to work harder," she says, now that Munro is no longer the direct line of communication, "but [he] is ensuring that he does his job as VP Finance."

SUBS Inc.'s legal problems have been compounded by an icy relationship with the Student Union. The SU provides SUBS Inc. with administrative and financial support throughout the school year.

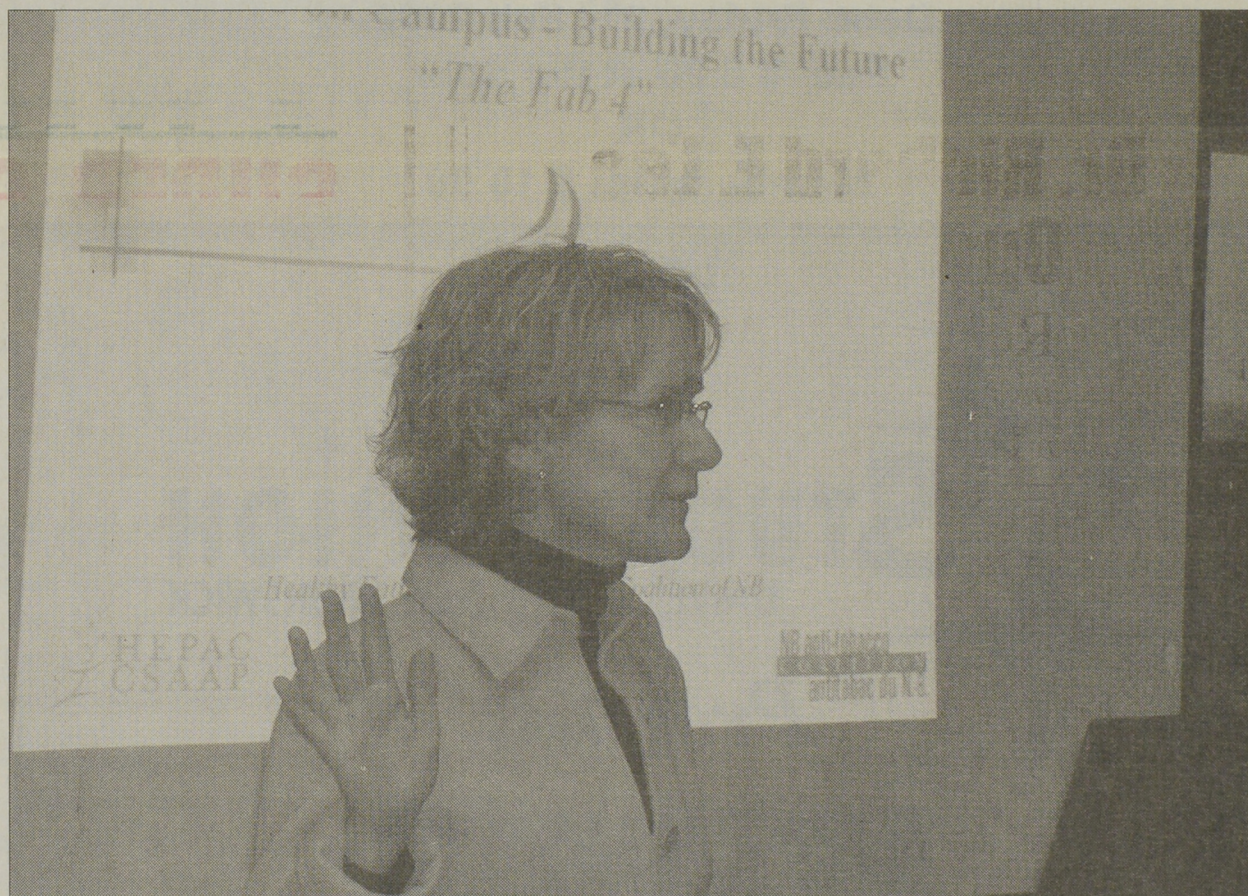
Wellness on campus: the fab four

by Wellness Committee

Got Milk?, Keep Fit and Have Fun, and Drugs, Drugs, Drugs - Which are Good? Which are Bad? are no longer just catchy slogans made to capture a young audience. This was evident as people of all ages participated in the Fab Four Wellness Seminar held recently on campus. Despite icy roads (and school closures) over 25 people, including students, staff and alumni, braved the weather to gain some information and strategies to help them keep their New Year's resolutions.

The event began with a brief introduction to Wellness and a reminder that we're the most obese province in Canada. Then those resent broke into four focus groups: Stress Management, Addiction Control, Healthy Eating Physical Activity. Each group was facilitated by an expert in the field and provided the participants with the opportunity to seek information and advice about a particular topic of interest.

At the end of the seminar, Wellness Toolkits were distributed to everyone to help them get started on their way to better health. The Toolkits contained Health and Wellness related materials from safety whistles to food guides and specific information about resources available on Campus. That's not all the attendees left with - aside from the great knowledge gained surrounding their



Barbara Ramsey, facilitator for one of the four Health and Wellness focus groups, speaks at the Fab Four Wellness Seminar.

Health, they also left with many door prizes including water bottles and clothing.

There were many smiling faces as the seminar evaluation sheets were passed back to organizers. A good indication that the best of Fab Four is yet to come.

Fab Four was sponsored by the UNB Learning Environment Group and hosted by the Campus Wellness Committee. The committee is an ad hoc group with representation from several units on campus including Campus Recreation, Kinesiology and Nursing faculties, Human Resources, Residence Life

& Conference Services, Student Affairs and Services, ALPS, and the Student Union. The goal of the committee is to foster a culture of Wellness within the university community and to encourage individuals to make healthy choices. The committee's slogan "Balance Your Life" sums it up.

WANT A PIECE OF THIS?

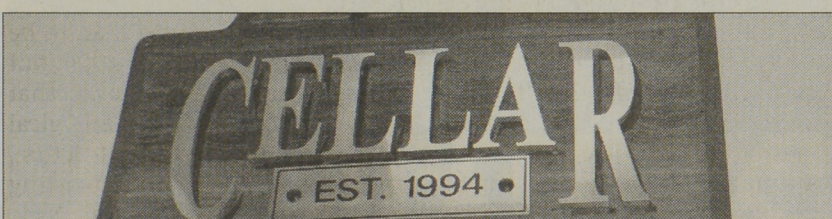
Don't worry! If you missed the session described above, you still have time to get help with your New Year's resolution. During Health and Wellness Week, March 20-24 you can expect more great activities that will be featured on

campus including the following:

Wellness Scavenger Hunt
Blood Pressure & Blood Sugar Testing
Lunch 'n' Learn
Fitness Assessment
Yoga
Healthy Cooking and Eating
And many more...

With the success of the Fab Four, you can bet the Health and Wellness Week in March will be the key to achieving your New Year's Resolution.

Here's to our Health!



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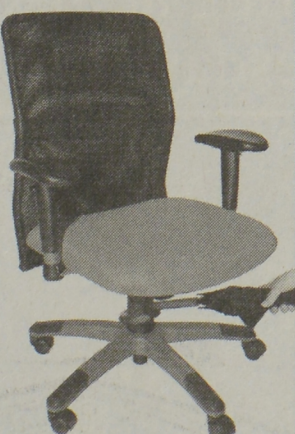
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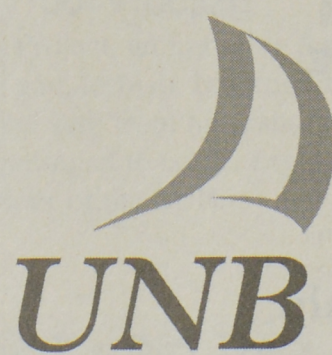
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