

REPORT NO. 236 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held October 22, 2014

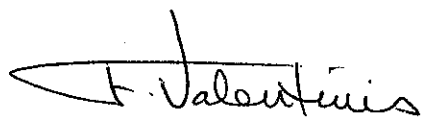
Present: Councillor J. Gignac
Councillor R. Jones
Councillor A. Halberstadt
Councillor F. Valentinis, Chair


Regrets: Councillor H. Payne

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

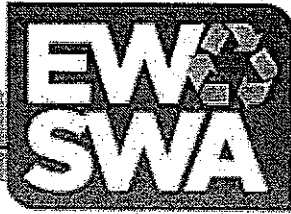
Moved by Councillor Gignac, seconded by Councillor Jones,
THAT the minutes of the Essex-Windsor Solid Waste Authority Board Meeting held July 9, 2014 **BE RECEIVED** for information.
Carried.

Clerk's Note: The minutes of the Essex-Windsor Solid Waste Authority Board Meeting held July 9, 2014 are attached as background information.


CHAIRPERSON


DEPUTY CITY CLERK

NOTIFICATION:	
NAME	CONTACT INFORMATION



Essex-Windsor Solid Waste Authority
Board Meeting Minutes

Essex County Civic and Education Centre - Meeting Room C
Wednesday July 9, 2014
In-Camera Meeting 4:00 PM
Regular Meeting 4:30 PM

Attendance

Board Members:	Ken Antaya	County of Essex
Vice Chair	Ron McDermott	County of Essex
	Alan Halberstadt	City of Windsor
Chair	Drew Dilkens	(Alt. to Mayor Francis) City of Windsor
By Conference Call	Bill Marra	City of Windsor
	Ed Sleiman	City of Windsor
Absent:	Ed Francis	City of Windsor
	Wayne Hurst	County of Essex
	Tom Bain	County of Essex
	Hilary Payne	City of Windsor
EWSWA Staff:	Eli Maodus	General Manager
	Katherine Hebert	Executive Secretary
	Cameron Wright	Manager of Waste Diversion
	Ralph Reiser	Manager of Waste Disposal
County of Essex Staff:	Mary Brennan	Director of Council Services / Clerk
	Rob Maissonville	Director of Corporate Services / Treasurer
City of Windsor Staff:	Natasha Couvillon	Financial Planning Administrator
	Anne Marie Albidone	Manager of Environmental Services

The Board deliberated at 4:15 PM for the In-Camera agenda. The Chair adjourned the In-Camera meeting at 4:25 PM.

1. CALL TO ORDER – 4:30 PM

The Chair called the meeting to order at 4:30 PM. He noted that Bill Marra was participating in the meeting via conference call.

2. DECLARATION OF PECUNIARY INTEREST

There were no declarations of pecuniary interest noted.

3. APPROVAL OF THE MINUTES

A) May 6, 2014 EWSWA Board Regular Meeting Minutes

Moved By Ken Antaya

Seconded By Alan Halberstadt

THAT the minutes from the Essex-Windsor Solid Waste Authority meeting dated May 6, 2014 be approved and adopted.

--CARRIED UNANIMOUSLY
46-2014

4. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

5. CORRESPONDENCE

A) Resolution from Town of Essex RE: Regional Landfill Methane to Electricity

Moved By Ed Sleiman

Seconded By Ken Antaya

THAT the resolution from the Town of Essex be received as information and filed.

--CARRIED UNANIMOUSLY
47-2014

6. DELEGATION

There were no delegations present.

7. WASTE DISPOSAL ISSUES

A) Regional Landfill Cell 4 North Development Postponed to 2015

Mr. Halberstadt questioned whether the delay on the development of Cell 4 North would translate to cost savings on the budget?

The General Manager noted that the expense of the construction of a new cell is unrelated to the bottom line of the budget and thus this delay will not impact the 2014 budget deficit should one exist.

Mr. Halberstadt questioned the savings as they relate to moving clay in the interim using Authority equipment rather than having a contractor do that during the construction process.

The General Manager noted that clay moving can be undertaken over the course of the next 12 months thereby reducing the cost of the cell development contract to some degree. The General Manager deferred to the Manager of Waste Disposal for actual cost of moving clay.

The Manager of Waste Disposal indicated that the cost of moving clay is approximately \$4-6 per yard. The Authority is required to move clay daily for use as cover, it can be stockpiled thus creating a cost savings in the tender for amounts of clay that require moving under the Cell 4 North contract.

Moved by Ed Sleiman

Seconded by Ron McDermott

THAT the Board approve deferring the development of Cell 4 North of the Regional Landfill until 2015.

--CARRIED UNANIMOUSLY
48-2014

B) Property Value Protection – 8005 Ferris Rd. - Barnett

Mr. Halberstadt questioned what the process was in determining the value of the property.

The General Manager noted that the property owner engages an appraiser from a list of accredited appraisers, as does the Authority. If the difference between the two appraisals is less than 10%, then the value is the greater of the two. If the appraised value difference between the two is greater than 10%, a third appraisal is undertaken and the value is calculated on the average of the three.

Moved by Ed Sleiman

Seconded by Ken Antaya

THAT the Board receive the report as information; and

THAT administration report back to the Board regarding the appraisal process.

--CARRIED UNANIMOUSLY
49-2014

C) Landfill #3 Compensation Claims Review

Mr. Halberstadt questioned how the Landfill #3 Technical Review Committee (TRC) is going to proceed once the 2012 and 2013 claims are paid out. How many claims are there for 2014?

The General Manager indicated that the \$25,000 No Fault Compensation Fund is budgeted annually. It is anticipated that clay hauling to Landfill #3 could continue through the autumn of 2014 and then some work will have to be completed on site during 2015. The TRC will consider the hauling schedule and site conditions when deliberating on the 2014 claims if any are received. There are no claims for 2014 at this time. As the year unfolds, a letter will be sent out to owners and occupants within the 2 kilometer zone around Landfill #3 to advise of a deadline date for submitting claims, once it has been determined.

Mr. McDermott asked for clarification with regard to the payment schedule for claims for 2012 and 2013. Have some been paid already?

The General Manager noted that the TRC has allocated funds to claims for 2012 and for 2013, but they are not yet prepared to pay the allocations yet. There are some administrative items that require the Committee's approval prior to that process.

Mr. Antaya questioned whether the TRC would be reconvening before the election?

The General Manager noted that there may be more TRC meetings this year, as there is a process in place for claimants to request reconsideration on the decision made by the TRC with regard to their claims. It is not yet determined whether a meeting will be required at this time.

Ms. Hardcastle (TRC Chair) was in attendance and noted that if a meeting was needed, the TRC would reconvene at that time.

Mr. Halberstadt questioned that if a claim was deemed as Not Qualified in 2012 and/or 2013 can that same claimant make a claim for 2014?

The General Manager explained that the claim process is such that when a person feels that they have suffered an 'adverse effect' as defined under the Environmental Protection Act, they can submit a claim at that moment in time, it is not limited to blanket claims for any year. Anyone can submit a claim at any time.

Mr. Halberstadt questioned whether the same claimants who submitted claims for 2012 did so for 2013?

The General Manager noted that in some cases, there were multi-year claims. For example, some claimants only submitted one claim, some claimants submitted as a household in 2012 and as individuals in 2013, some have submitted more than one claim and some submitted one claim per year. There are varying circumstances for the claims received to date. Claims will be paid out to individual claimants for individual claims.

Mr. Halberstadt questioned if there was an appeal process in place with the Board.

The General Manager indicated that the Board previously resolved not to act as an appeal body, and that the decisions lie with the Technical Review Committee and in their Terms of Reference.

Moved by Ed Sleiman

Seconded by Ken Antaya

THAT the Board receive the report pertaining to the Landfill #3 compensation claims review process as information.

--CARRIED UNANIMOUSLY
50-2014

D) Landfill #3 Clay Capping Project and End Use

Mr. Halberstadt noted that the City of Windsor share of perpetual care is 90% of the budget at Landfill #3.

The General Manager indicated that there would be meetings to discuss end use and perpetual care of the site with all stakeholders.

Mr. Antaya questioned whether a value had been calculated on the clay and hauling that has occurred at the Landfill #3 site.

The General Manager referred to the Manager of Waste Disposal who spoke on the matter.

The Manager of Waste Disposal indicated that the current cost at another Authority site for clay is approximately \$4-\$6 per cubic meter to haul and place. In the case of Landfill #3, the cost for hauling – which is the bulk of the cost-would be much greater since it is a greater distance from the Parkway excavation site. Multiply \$6 by the 1 million cubic meters of clay that will be delivered to Landfill #3.

Mr. Antaya also noted that there is a cost savings with the fast tracking of the clay capping as well, pertaining to the leachate hauling. What might that figure be?

The Manager of Waste Disposal indicated that the savings would be significant over the course of the next 10 years and beyond.

Moved by Ed Sleiman

Seconded by Ron McDermott

THAT the Board receive the report pertaining to the Landfill #3 Clay Capping project update as information.

--CARRIED UNANIMOUSLY
51-2014

E) Landfill #3 and Solar Project as Part of Ontario Power Authority's Large Renewable Procurement Process

Moved by Ed Sleiman

Seconded by Ken Antaya

THAT the Board receive the report pertaining to Landfill #3 and a solar project as part of Ontario Power Authority's Large Renewable Procurement Process as information

--CARRIED UNANIMOUSLY
52-2014

8. **WASTE DIVERSION ISSUES**

There were no Waste Diversion items discussed.

9. **FINANCE AND ADMINISTRATION**

A) 2013 Financial Statements and Auditors' Report

Mr. Halberstadt questioned the accumulated deficit. He asked for more clarification or explanation.

The Manager of Finance and Administration provided the following explanation:

The Accumulated Deficit totalling (\$2,414,357) at December 31, 2013 represents the Authority's equity or retained earnings and is a function of the net investment in capital, unfunded liabilities, long term debt and reserve balances.

Highlighted in the chart below is a summary comparison of the Authority's Accumulated (Deficit) for 2013:

	2013	2012
	Accumulated (Deficit)	Accumulated (Deficit)
Invested in tangible capital assets	\$23,627,257	\$24,164,134
Long term debt	(68,068,914)	(68,290,163)
RL post closure & employee benefit liabilities	(3,976,575)	(4,461,595)
Reserves	46,003,875	46,365,107
	<u>(\$2,414,357)</u>	<u>(\$2,222,517)</u>

The Manager of Finance and Administration further noted that the Authority has significant funds invested in assets and in reserves but also has a large debt due to the construction of the Regional Landfill. The combination results in a deficit for the Authority. The accumulated deficit also includes depreciation of assets that may still have debt associated with it.

Mr. Halberstadt then noted that it was a trend liable to continue through the coming years.

The Manager of Finance and Administration confirmed that the accumulated deficit is likely to continue until such a time that the debt is lower. She further noted that as of 2013 the Authority is making principal payments on the debenture, which until this time payments were being applied to the interest.

Mr. Sleiman questioned the depreciation aspect of the accumulated deficit, asking what assets are depreciating?

The Manager of Finance and Administration noted that all assets including heavy equipment, buildings and the landfill itself depreciate over time.

Moved by Ed Sleiman

Seconded by Ken Antaya

THAT the Board approve the report, the 2013 financial statements and associated auditor's report.

--CARRIED UNANIMOUSLY
53-2014

B) 2014 Insurance

Moved by Alan Halberstadt

Seconded by Ken Antaya

THAT the Board receive the report pertaining to Insurance for 2014 as information.

--CARRIED UNANIMOUSLY
54-2014

C) Summary of Legal Accounts

Moved by Alan Halberstadt

Seconded by Ken Antaya

THAT the Board authorize the payment of legal accounts as reported.

--CARRIED UNANIMOUSLY
55-2014

10. **ANY OTHER BUSINESS**

Discussion took place with regard to the Regional Landfill gas collection and the status of the production of energy.

The General Manager noted that the contract for the rights to the landfill gas is with IGRS. IGRS and the Authority will be working on submitting an application to Ontario Power Authority under the new Large Renewable Procurement process for a methane gas to electricity project of between 2-4 megawatts of power. The process is several steps, a Request for Qualifications then an RFP in 2015.

11. BY-LAWS

A) By-Law 9-2014 Being a By-Law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority

Moved By Ed Sleiman

Seconded By Alan Halberstadt

THAT By-Law 9-2014 - Being a By-Law to confirm the proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 9th day of July 2014.

–CARRIED UNANIMOUSLY

56-2014

12. NEXT MEETING

CANCEL THE AUGUST MEETING – AT THE CALL OF THE CHAIR

NEXT MEETING: MAY BE SEPTEMBER 10, 2014

13. ADJOURNMENT

Moved By Ken Antaya

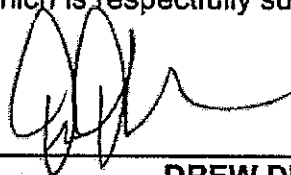
Seconded By Alan Halberstadt

THAT the Board stand adjourned at 5:45 PM.

–CARRIED UNANIMOUSLY

57-2014

All of which is respectfully submitted.



**DREW DILKENS
CHAIR**



**ILJA MAODUS
GENERAL MANAGER**

