

Adopted by Council at its meeting held May 20, 2014 [M224-2014]

/AC

Windsor, Ontario May 20, 2014

REPORT NO. 207 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held April 23, 2014

Present:

- Councillor J. Gignac**
- Councillor A. Halberstadt**
- Councillor R. Jones**
- Councillor H. Payne**
- Councillor F. Valentinis, Chair**

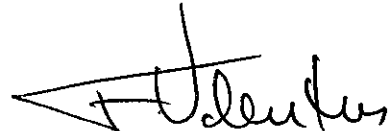
That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Halberstadt, seconded by Councillor Jones,
THAT the minutes of the Essex-Windsor Solid Waste Authority Board Meeting held December 3, 2013 **BE RECEIVED** for information.

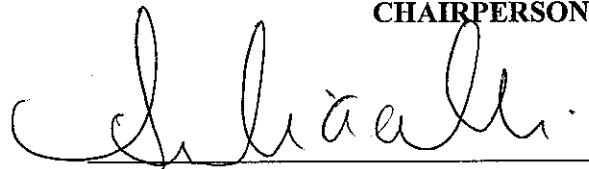
Carried.

Councillor Payne was absent at the time the vote was taken.

Clerk's Note: The minutes of the Essex-Windsor Solid Waste Authority Board Meeting held December 3, 2013 are ***attached*** as background information.



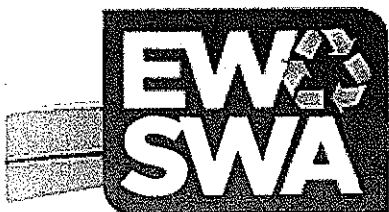
CHAIRPERSON



SUPERVISOR OF COUNCIL SERVICES

NOTIFICATION:

Name	Address	Email Address	Phone	FAX



Essex-Windsor Solid Waste Authority
Board Meeting Minutes

Essex County Civic and Education Centre
Meeting Room C
Tuesday December 3, 2013
4:30 pm

Attendance

EWSWA Board Members: Tom Bain County of Essex
Ken Antaya (Chair) County of Essex
Ron McDermott County of Essex
Wayne Hurst County of Essex
Alan Halberstadt City of Windsor
Drew Dilkins (Vice Chair) City of Windsor
Bill Marra City of Windsor
Ed Sleiman City of Windsor

Absent: Ed Francis City of Windsor
Cheryl Hardcastle County of Essex

EWSWA Staff: Eli Maodus, General Manager
Katherine Hebert, Executive Secretary
Michelle Bishop, Manager of Finance and Administration
Ralph Reiser, Manager of Waste Disposal
Cameron Wright, Manager of Waste Diversion

County of Essex Staff: Mary Brennan, Clerk / Director of Council Services
Rob Maisonville, Treasurer / Director of Corporate Services

City of Windsor Staff: Anne Marie Albidone, Manager of Environmental Services
Mark Spizzirri, Financial Planning Administrator
Tony Ardivini, Deputy Treasurer - Financial Planning
Mario Sonogo, City Engineer

1. CALL TO ORDER

The Chair called the meeting to order at 4:30 PM.

CITY OF WINDSOR
COUNCIL SERVICES

FEB 06 2014

RECEIVED

2. DECLARATION OF PECUNIARY INTEREST

There were no declarations of pecuniary interest.

3. APPROVAL OF THE MINUTES

A) November 5, 2013 – EWSWA Board Meeting Minutes

Moved By Ron McDermott

Seconded By Ed Sleiman

THAT the minutes from the Essex-Windsor Solid Waste Authority meeting dated November 5, 2013 be approved and adopted.

–CARRIED UNANIMOUSLY
79-2013

4. IN-CAMERA AGENDA

There were no In-Camera items discussed.

7. DELEGATIONS

Moved By Tom Bain

Seconded by Ron McDermott

That the order of business be altered to allow the delegation to appear before the Board prior to the remaining agenda items.

–CARRIED UNANIMOUSLY
80-2013

The Chair called upon the delegation to come before the Board to make their presentation.

Gary Peck a resident of Puce Rd. introduced himself and read a presentation regarding the Landfill #3 no-fault compensation fund. He noted that the residents group approached the Town of Lakeshore council and requested their support for an increase in funds to supplement the existing \$25,000 annual fund. He further noted that the Landfill #3 Technical Review Committee supported the residents request for the increase as well.

The Chair noted that there is a report that speaks to the same issue under Agenda Item 8(A). He requested that the General Manager address the report to this regard at the same time.

Moved By Ron McDermott
Seconded By Drew Dilken
That the report pertaining to the No-Fault Compensation Fund
under item 8(A) be addressed with the delegations presentation.

–CARRIED UNANIMOUSLY
81-2013

8 WASTE DISPOSAL ISSUES

A) Landfill #3 \$25,000 No Fault Compensation Fund

The General Manager discussed the report and the decision of the Technical Review Committee to make the request to the Board for the increase to the No Fault Compensation Fund from \$25,000 to \$40,000. He noted the Board's previous discussions, presentations received and decisions made regarding this issue. He further noted that the Ministry of the Environment does not require anything further than what has already been committed to by the Board. The TRC is seeking a specific Board decision with regard to the request for an increase to the fund.

Mr. Halberstadt questioned what the TRC vote results were with regard to the request to the Board.

The General Manager noted that the TRC vote was in favor of the request. He noted that there are 5 TRC members, the Ministry of the Environment doesn't vote and the Chair Ms. Hardcastle was absent. The vote was 2 to 1 in favor of the decision.

Mr. Bain expressed that considering that there are over \$200,000 in claims submitted to date, \$25,000 annually does not provide a lot of room to address the issues. Lakeshore council voted unanimously in favor of supporting the residents request for an increase to the fund.

Moved By Tom Bain
Seconded By No Seconder
That the Authority increase the dollar amount available to the TRC
for paying out claims from \$25,000 to \$40,000 annually.

–NO VOTE TAKEN

Mr. Dilken questioned the General Manager as to what Administration is looking for as far as direction from the Board with regard to the \$25,000 fund.

The General Manager noted that since the Board has heard the request for increased funds previously, but chose not to address the issue directly with a

resolution, the residents group doesn't have a clear response on the matter. Administration is seeking a decision in the form of a resolution that speaks to the Board's wishes pertaining to the no-fault compensation fund.

NOTE: Bill Marra and Wayne Hurst arrived at 4:45 PM

Moved By Drew Dilkins

Seconded By Ed Sleiman

That the Board wishes that the Ministry of the Environment condition in the Environmental Compliance Approval for Landfill #3 be followed as written, more specifically that the No Fault Compensation Fund will have an annual limit of \$25,000 and no more.

--NO VOTE TAKEN
Discussion

Mr. McDermott noted that the Board already made a decision. How many times can the same issue be brought forth for consideration?

The General manager indicated that it was a TRC decision to come back again on this matter, due to the lack of a specific resolution.

Discussion took place with regard to the claims review process, and whether the claims were still coming in for review.

The General Manager indicated that there are approximately 50 claims received to date, with the majority of the claims having been received in late 2012 and early 2013. The maximum amount for any one claim is \$5,000 and most claims received have claimed the maximum. Claims can be submitted anytime, and the TRC will address them all. The TRC has yet to review any claims, and has just completed its draft terms of reference. It is anticipated that claims review will commence in the next meeting or two.

The Chair called the question:

Moved By Drew Dilkins

Seconded By Ed Sleiman

That the Board wishes that the Ministry of the Environment condition in the Environmental Compliance Approval for Landfill #3 be followed as written, more specifically that the No Fault Compensation Fund will have an annual limit of \$25,000 and no more.

--CARRIED
82-2013
Tom Bain Opposed

5. BUSINESS ARISING FROM THE MINUTES

A) 2014 Budget – Options to Reduce Municipal Allocation

The General Manager discussed the report that was requested by the Board. He noted that the purpose of this report is to present the Board with options to consider in regards to mitigating the 2014 proposed budget allocation of \$10,600,000 to the City of Windsor and the seven County of Essex municipalities. The 2013 allocation was \$10,250,000. He noted that the items discussed were reviewed by the Authority's Technical Staff Committee and that Committee is not recommending any of the options listed for action.

The options have been presented under three categories:

1. Use of the Rate Stabilization Reserve
2. Increase revenue:
 - (a) by accepting refuse from outside the region, and/or
 - (b) by competing with local waste management companies
3. Expenditure reductions

At the request of some of the Board members, it was decided that the items shall be discussed and considered one by one.

Option 1 – Use of the Rate Stabilization Reserve

Discussion took place with regard to this option. The Board decided not to make further use of the Reserve in order to reduce the municipal requirement.

Option 2 – Options Related to Increasing Revenue

- a) *Reconsideration of the April 5, 2011 resolution of the Board where it was resolved that the Authority will not pursue any other outside sources of waste that originate from outside Essex-Windsor.*

Discussion took place with regard to the previous Board decision not to accept outside waste. It was decided that this option would not be considered at this time.

- b) *Increase the Industrial Commercial Institutional (ICI refuse customer base)*

Discussion took place with regard to the potential for increased revenue in this area. Considerable discussion took place with regard to the extremely low cost for disposal of refuse offered by Michigan landfills, making it nearly impossible to make a business case for local private sector producers to dispose of their waste at the Regional Landfill.

It was discussed that Administration could take on a more active role in seeking out business customers in the local area, however no decision was made regarding this item at this point of the meeting. (See resolution in Minutes at the end of the discussion of Agenda Item 5(A)).

- c) *Increase the minimum fee charged to residential customers delivering refuse to the public drop off depots from \$3 to \$5 per load.*

Discussion took place with regard to the increase and its impact on the Authority and on the residents.

Moved By Tom Bain

Seconded By Wayne Hurst

That the pay per use fee gets increased to \$5 from \$3 for 2014.

–MOTION LOST

Bill Marra Opposed

Ed Sleiman Opposed

Drew Dilkens Opposed

Alan Halberstadt Opposed

Option 3 – Options related to expenditure and or service level reductions

- a) *Eliminate the budget line items related to acquiring blue/red boxes and roll out carts for free distribution*

Discussion took place with regard to the impact that eliminating the free box program would have on the Authority. It was decided that the impact of the program was too great to change at this time.

At this point of the discussion, Mr. Bain requested that the Board members present their specific areas where they feel there was a need for further discussion, as each option need not be discussed.

- l) *Cell Phone App*

Moved By Drew Dilkens

Seconded By Alan Halberstadt

That \$15,000 for the Cell Phone App listed as item L be cut from the 2014 budget.

--CARRIED UNANIMOUSLY
83-2013

m) *Workshops/Seminars/Conferences*

Moved By Drew Dilkens
Seconded By Alan Halberstadt
That \$5,000 in Workshops/Seminars/Conferences for Authority members be cut from the 2014 budget.

--CARRIED UNANIMOUSLY
84-2013

n) *Security at Windsor Facilities*

Discussion took place with regard to the need for security personnel at the Windsor facilities now that cameras are in place.

Moved By Drew Dilkens
Seconded By Bill Marra
That a report from Administration be brought before the Board for consideration with regard to the need for security personnel at the Windsor facilities.

--CARRIED
85-2013
Ron McDermott Opposed

h) *Windsor Public Drop Off Depot and Kingsville Public Drop Off Depot*

Discussion took place with regard to the days and hours of operation at both locations. Impact on revenue could be as significant or even more significant than any potential cost savings should a site be closed on any particular day. It was discussed that without evaluating day by day and weighing the options for savings versus loss in revenue it would be difficult to determine at this time, if it would be a potential savings or not.

Moved By Ed Sleiman
Seconded By No Seconder
That Administration cut one day of service at each site.

--NO VOTE TAKEN

Non-listed item – Integrated Gas Recovery Services Inc. (IGRS) Revenue

Discussion took place with regard to a potential revenue source under a contract with IGRS related to emissions credits associated with the flaring of the Regional Landfill's methane gas.

Moved By Alan Halberstadt
Seconded By No Seconder
That the revenue line item for IGRS landfill Gas Management be increased by \$50,000.

--NO VOTE TAKEN

Moved By Drew Dilkens
Seconded By Ed Sleiman
That Administration prepare a report regarding the feasibility of eliminating the receipt of waste at the Public Drop Off Depots and outlining the cost changes associated with that.

--NO VOTE TAKEN
Discussion

The General Manager indicated that there are other services offered at those sites that would still have to be maintained such as recycling, metal, tires, MHSW, leaf and other yard waste etc..

Mr. Dilkens noted that there could be a potential cost savings for the waste portion, not the other services offered on site.

The General Manager indicated that the waste stream is the source of revenue on the site, eliminating that would essentially make the site even less economical.

Mr. Dilkens withdrew the motion.

Discussion took place with regard to ICI revenue from within Windsor and Essex County.

The General Manager indicated that the quantities of local ICI waste that could be attracted to Authority facilities are limited, and further the incentives the Authority can offer most likely cannot compete with the lower cost options provided by the private sector. It would be very difficult to acquire additional tonnes.

Mr. Bain noted that it will be virtually impossible to accomplish any significant increase in ICI tonnes with the current cost at the Authority facilities.

Moved By Drew Dilkens
Seconded By Ed Sleiman
That the Authority budget revenue line item under option 2(B) of the
General Manager's report be increased to 7,000 tonnes of ICI
revenue.

--CARRIED
86-2013
Tom Bain Opposed

B) 2014 Budget Cover Report

Moved By Drew Dilkens
Seconded By Ron McDermott

1. That the Board approve the 2014 budget as amended.
2. That the 2014 budget be recommended to the City of Windsor and the County of Essex for approval by their respective councils.
3. That the City of Windsor and the 7 County of Essex municipalities be allocated \$7,048,000, for the Authorities fixed costs, based on population in accordance with the 2011 census.
4. That the City of Windsor and the 7 County of Essex municipalities be assessed a Total Waste Management Fee of \$32.44 for each tonne of refuse delivered for disposal.
5. That the 2013 and 2014 deficits be funded by the Rate Stabilization Reserve.
6. That the attached fee schedule be approved for 2014 and that this fee schedule be recommended to both the City of Windsor and the County of Essex for approval by their councils.

--CARRIED UNANIMOUSLY
87-2013

6. **CORRESPONDENCE**

A) Recycling and ICI Tip Fee Revenue

Moved By Ron McDermott
Seconded By Wayne Hurst
THAT the report pertaining to ICI tip fee revenue be received for
information purposes.

--CARRIED UNANIMOUSLY
88-2013

B) Town of Lakeshore Resolution

Moved By Wayne Hurst

Seconded By Bill Marra

THAT the letter from the Town of Lakeshore RE council resolution in support of Puce Rd Residents be received for information purposes.

--CARRIED UNANIMOUSLY
89-2013

C) AMO Letter RE Blue Box Program Funding

Moved By Drew Dilkens

Seconded By Ed Sleiman

THAT the letter from AMO regarding Blue Box Funding be received as information.

--CARRIED UNANIMOUSLY
90-2013

8. **WASTE DISPOSAL ISSUES**

A) Landfill #3 \$25,000 No Fault Compensation Fund

This item was addressed earlier in the meeting.

B) Appointment of Alternate From the EWSWA to the Landfill #3 Technical Review Committee

The General Manager explained the need for alternate members for the TRC.

Moved By Ed Sleiman

Seconded By Drew Dilkens

THAT Hilary Payne be selected as the Board's alternative member for the TRC.

--CARRIED UNANIMOUSLY
91-2013

Mr. Payne was in attendance and confirmed that he would stand for the position on the TRC.

C) Trans Canada Trail at Closed Landfill #2 in Kingsville

Moved By Bill Marra

Seconded By Tom Bain

THAT the Authority approve in principle the idea of the construction of a trail at Landfill #2 conditional on appropriate funding by other organizations and conditional on having in place the required approvals and agreements.

**--CARRIED UNANIMOUSLY
92-2013**

9. WASTE DIVERSION ISSUES

A) Recycling in Municipal Facilities in Essex-Windsor

Moved By Wayne Hurst

Seconded By Alan Halberstadt

THAT the Authority send a letter to all its municipal partners appealing that they pass a resolution: a) that requires the implementation and maintenance of effective recycling programs in all municipal buildings and facilities; and b) that all special events under the jurisdiction of the municipality be required to have an effective recycling program on site during the event. .

**--CARRIED UNANIMOUSLY
93-2013**

B) Results from MHSW Tender Call

Discussion regarding the tender process and results took place.

Moved By Drew Dilkens

Seconded By Ed Sleiman

THAT 1) the Authority not award the MHSW tender based on the information contained in the report and that the tender for the provision of labour and equipment for the operation of the MHSW program in Essex-Windsor be reissued as soon as possible. And 2) that the current contract with Drain-All be extended until such a time as the MHSW tender process is completed and a new tender has been approved and awarded by the authority.

**--CARRIED UNANIMOUSLY
94-2013**

10. FINANCE AND ADMINISTRATION

A) 2014 Agreement with ADM Agri Industries

Moved By Bill Marra

Seconded By Drew Dilken

THAT the Board authorize the execution of an agreement with ADM for the delivery of 5001 tonnes of waste.

--CARRIED UNANIMOUSLY
95-2013

11. ANY OTHER BUSINESS

A) 2014 EWSWA Board Meeting Schedule

Moved By Alan Halberstadt

Seconded By Ron McDermott

THAT the tentative 2014 meeting schedule be approved and circulated by email.

--CARRIED UNANIMOUSLY
96-2013

12. BY-LAWS

A) By-Law 11-2013 - Being a By-Law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority

Moved By Tom Bain

Seconded By Wayne Hurst

THAT By-Law 11-2013 - 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 3rd day of December 2013

--CARRIED UNANIMOUSLY
97-2013

B) By-Law 12-2013 to Authorize the execution of an agreement between the EWSWA and ADM for a Volume Waste Contract Rate

Moved By Tom Bain

Seconded By Wayne Hurst

THAT By-Law 12-2013 - Being a By-Law to authorize ad agreement with ADM be given three readings and be adopted this 3rd day of December 2013

--CARRIED UNANIMOUSLY
98-2013

13. NEXT MEETING

NEXT MEETING – TO BE DETERMINED IN JANUARY, 2014

14. ADJOURNMENT

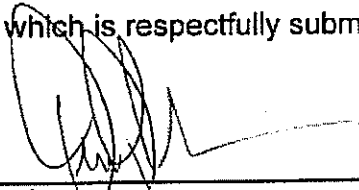
Moved By Drew Dilkens

Seconded by Ron McDermott

THAT the Board meeting stand adjourned at 6:05 PM

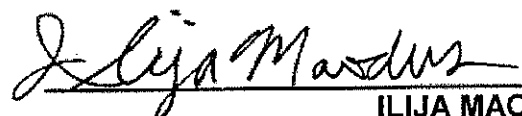
--CARRIED UNANIMOUSLY
99-2013

All of which is respectfully submitted.



DREW DILKENS.

CHAIR



ILIJA MAODUS
GENERAL MANAGER