



## **Administrative Report**

### **Essex Windsor Solid Waste Authority Office**

**To: Warden Tom Bain and Members of County Council**

**From: Ilija Maodus  
General Manager**

**Date: May 16, 2018**

**Subject: Closed Landfill 3 Dog Pound Agreement**

**Report #: 2018-0516-R002-EWSWA-EM**

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#### **Purpose**

The purpose of this report is to recommend that the County of Essex enter into a lease agreement with the towns of Essex, Lakeshore, LaSalle and Tecumseh for the use of a portion of closed Landfill #3 property in order for those municipalities to collaboratively operate a dog pound for their own purposes.

The term of the lease agreement would be for a 20 year period beginning on the date that the County signs the lease agreement.

The rent amount would be at a rate of \$1 per year for each of the four municipalities.

#### **Background**

Landfill 3 closed to the receipt of waste on June 30, 1997. Since that time the County of Essex had a lease agreement with the pre-municipal amalgamation townships, towns and village which currently comprise the Towns of Essex, Lakeshore, LaSalle and Tecumseh. The term of that agreement was 20 years, therefore the agreement expired in mid-2017. The municipalities continued to operate the dog pound on a month-to-month basis until a new agreement could be negotiated.

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The County of Essex is party to the agreement, as opposed to the EWSWA, since it is the County that possesses legal title to the Landfill 3 lands and property. Under the 1994 agreement between the City of Windsor and the County of Essex that created the Authority, the Authority managed the operations of Landfill 3 while it was an active landfill site and the Authority continues to manage the site post-closure.

At the May 1, 2018 meeting of the Essex-Windsor Solid Waste Authority, the Board considered a report from its General Manager and resolved to recommend to the County of Essex that the County enter into the aforementioned lease agreement.

## **Discussion**

In mid-2017 the four municipalities expressed an interest to Authority Administration that they wished to continue operating a dog pound at closed Landfill 3. Administration then sought legal advice from the Authority's legal counsel, Ms. Christine Riley, regarding any modifications that should be made to the terms language of the lease agreement. Minor modifications were made, mostly to protect the interests of the Authority, County of Essex and City of Windsor. The newly drafted lease agreement was agreeable to the four municipalities and approval, by by-law, has been received by all.

## **Financial Implications**

None noted.

## **Recommendation**

That the Warden and Clerk be authorized to enter into a 20 year lease agreement, with an annual rental fee of \$1.00 per municipality per year, with the Towns of Essex, Lakeshore, LaSalle and Tecumseh for the use of a portion of the closed Landfill #3 property, in order for those municipalities to collaboratively operate a dog pound for their own purposes.

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Respectfully Submitted

*Ilija Maodus*

Originally Signed by

Ilija Maodus, General Manager - EWSWA

Concurred With,

*Robert Maisonville*

Originally Signed by

Robert Maisonville, Chief Administrative Officer

<b>Appendix No.</b>	<b>Title of Appendix</b>
Appendix I	Dog Pound Lease Agreement