



MEETING DATE: MARCH 11, 2025

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

**VERMILION RIVER REGIONAL WASTE MANAGE SERVICES COMMISSION
INDEMNITY AGREEMENT.**

RECOMMENDATION

THAT the County of Vermilion River accept the information as presented and proceed with _____ and seek an agreement to encompass the services that the County of Vermilion River provides to the Commission.

DETAILS

Background:

The commission was formed approximately 20 years ago between the neighboring Villages and Towns to collaborate on solid waste management. This resulted in land from the County being utilized for transfer station sites that were then operated by the waste commission.

In 2023 Planning and Community service sent a letter to the commission indicating that the agreement was coming to an end in 2023 with a conversation that had occurred with County Council May 16, 2023 that the purchase of the lands by the commission could occur with further conversations with the commission.

Discussion:

With the indemnity agreement now expired, it needs to be addressed on the indemnity side, but also how the lands and any potential contamination that was there previously and any that may have occurred during the operation of the transfer sites. The simplest solution for the County is to sell the lands to the commission either in an "as is where is" manner, or in a manner that identifies that there is an ownness on the County for any buried liability that may exist. With the land being owned by the County and having a transfer site operation occurring on it, there is further potential liability to the County with the ongoing operations. Simply referring to if there are any spills, or materials that are handled at these sites.



Understandably the Commission may not want to buy the lands or be gifted the lands for the same liability concerns of what may have occurred on these sites previously. For this aspect the response can be that under Provincial legislation, Alberta Environment can pursue the “person responsible” for any contamination on the lands that requires remediation, and the “person responsible” includes not only the owner but any former owner of the land or party responsible for the contamination. In this instance it would minimize the concern to the Commission by accepting the lands.

The second part of this discussion is regarding the operational aspects that Public Works has been providing to the Commission without any formal agreement between the two parties. The County has been providing the Commission with the following:

- Snow clearing services at all sites.
- Two loads a gravel per year at all sites.
- Occasional summer maintenance.

As the discussion with the indemnity agreement continues, the discussion should include these services that the County provides at these sites and including them into a formal agreement to ensure expectations on services are clear for both parties.

Relevant Policy/Legislation Practices:

Desired Outcome (s):

To accept the information as presented and provide direction regarding the land.

To update the indemnity agreement.

To formalize services that the County of Vermilion River provides to the Commission.

Response Options:

THAT the County of Vermilion River accept the information as presented and proceed with _____ and seek an agreement to encompass the services that the County of Vermilion River provides to the Commission.



IMPLICATIONS OF RECOMMENDATION

Organizational: N/A

Financial: Implications for potential sale of land, and also costs regarding operational services at these sites.

Communication Required: To the Commission regarding discussion at Council.

Implementation: Upon Council Approval.

ATTACHMENTS

Indemnity Agreement

Letter RE satellite sites

PREPARED BY: Ben McPhee

DATE: March 5, 2025