

RESOLUTION NO. \_\_\_\_\_ – 2023

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A SECOND AMENDMENT TO THE LEASE AGREEMENT WITH CREECH SERVICES, INC., FOR USE OF THE HALEY PIKE LANDFILL, TO ALLOW FOR AN ADDITIONAL FIVE SUCCESSIVE FIVE YEAR EXTENSIONS, THROUGH JANUARY 2056; TO CHANGE HOW THE AMOUNT THE URBAN COUNTY GOVERNMENT IS REQUIRED TO PAY UPON TERMINATION OF THE LEASE FOR CONVENIENCE IS CALCULATED; TO ALLOW FOR THE COMPOSTING OF BREWER'S MASH; TO ALLOW FOR THE PUBLIC TO ACCESS THE LEASED PREMISES FOR EDUCATIONAL PURPOSES; TO ALLOW FOR LARGER AMOUNTS OF COMPOST MATERIAL UPON PROVISION OF A FIRE CONTROL PLAN, UNLESS THE INCREASED MATERIAL CREATES A RISK TO PUBLIC SAFETY; AND TO PROVIDE FOR A WIND-DOWN PERIOD AFTER TERMINATION FOR CERTAIN CAUSES, AT NO COST TO THE URBAN COUNTY GOVERNMENT.

---

BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute a Second Amendment to the Lease Agreement, which is attached hereto and incorporated herein by reference, with Creech Services, Inc., for use of the Haley Pike Landfill, to allow for an additional five successive five year extensions, through January 2056; to change how the amount the urban county government is required to pay upon termination of the lease for convenience is calculated; to allow for the composting of brewer's mash; to allow for the public to access the leased premises for educational purposes; to allow for larger amounts of compost material upon provision of a fire control plan, unless the increased material creates a risk to public safety; and to provide for a wind-down period after termination for certain causes, at no cost to the urban county government.

Section 2 – That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

---

MAYOR

ATTEST:

---

CLERK OF URBAN COUNTY COUNCIL

0730-23:EPT:X:\Cases\ECOQUALITY\23-LE0001\LEG\00785974.DOCX