



Essex-Windsor Solid Waste Authority Administrative Report

March 2, 2022

To: The Warden and Members of County of Essex Council
From: Michelle Bishop, General Manager
Meeting Date: Wednesday, March 16, 2022
Subject: Extension of Agreement for Farmland Rent

Purpose

The purpose of this report is to recommend that County Council approve exercising the option to extend the agreement between the Essex-Windsor Solid Waste Authority, the County of Essex and Chris Malott Farming Enterprises Inc. (CMFE) for a one-year period November 1, 2022 – October 31, 2023 at the current agreement price of \$276 per acre for 10 parcels of farmland making up 813 acres in the vicinity of the Regional Landfill. This agreement earns the Authority income of \$224,388 per year.

Background

Commencing in 2016, the Authority and the County entered into a 5-year agreement with CMFE for the period November 1, 2016 – October 31, 2021. The agreement contains an option clause which allows for three additional extensions of one year each upon mutual consent of the parties.

In November 2020 the Authority approved the first one-year extension for the period of November 1, 2021 – October 31, 2022.

The County is party to the agreement because under the conditions of the 1994 agreement between the County of Essex and the City of Windsor that created the Authority, the Authority cannot have title to property. For properties located in the County that Authority requires to manage as part of delivering waste disposal and waste diversion services to Essex-Windsor, property title is in the name of the County. Examples of this would include the Regional Landfill, Transfer Station #2 (located in Kingsville) and the farmland properties which are the subject of this report. Similarly, for property located in Windsor, Windsor would have title to

those lands. An example would be the land on which the two recycling centres, transfer station and public drop-off are situated.

In December 2020, the County approved the first one-year extension for the period of November 1, 2021 – October 31, 2022.

Discussion

Although the current term does not expire until late in 2022, Mr. Malott has communicated with Authority administration and confirmed his intention to request a second extension.

Mr. Malott has complied with all terms and conditions of the agreement and has made investments to enhance the condition of the soil of the various parcels of land.

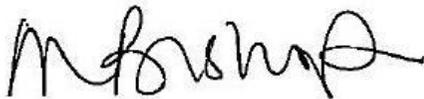
Essex-Windsor Solid Waste Authority Approval

The Authority Board at its March 1, 2022 meeting approved the one-year extension for the period November 1, 2022 – October 31, 2023 at the current agreement price of \$276 per acre for 10 parcels of farmland making up 813 acres in the vicinity of the Regional Landfill.

Recommendation

THAT Essex County Council authorize the Warden and Clerk to execute an extension agreement between the Corporation of the County of Essex, Essex-Windsor Solid Waste Authority and Chris Malott Farming Enterprises Inc. for a one-year period November 1, 2022 – October 31, 2023 at the current agreement price of \$276 per acre for 10 parcels of farmland making up 813 acres in the vicinity of the Regional Landfill.

Submitted By



Michelle Bishop, General Manager