



Court of Revision Agenda

August 12, 2020, 5:00 pm

Location: Zoom Video Conferencing

The purpose of the meeting is to hold the Court of Revision for:

Crystal Beach Drain: Repair and Improvements of Covered Drains, Geographic Township of Colchester South, Project REI2018D012, Town of Essex, County of Essex

This is pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated April 15th, 2020 which was considered and adopted at Consideration Meetings held May 21 and July 9, 2020 and pursuant to By-Law No.1920 which received two readings by Council at its regular meeting held July 20, 2020.

This sitting of this Court of Revision was duly appointed by Council on July 20, 2020.

Section 54 (1) of The Drainage Act provides that the decision of the Court of Revision can be appealed to the Drainage Tribunal within twenty-one (21) days from the date of the Court of Revision. The final day for appeal is September 2, 2020. At the first Council meeting after this date the third reading to By-Law No. 1920 will be given.

Pages

1. **Call to Order**

2. **Declarations of Conflict of Interest**

3. **Adoption of Published Agenda**

3.1 **Court of Revision Agenda for August 12, 2020**

Moved by _____

Seconded by _____

That the published agenda for the August 12, 2020 Court of Revision be adopted as presented.

4. **Adoption of Minutes**

4.1 **Adoption of Minutes for James Shepley Drain Bolger Bridge**

1

Moved by _____

Seconded by _____

That the minutes of the Court of Revision held June 24, 2020 for the James Shepley Drain Bolger Bridge, be adopted as circulated.

5. **Appeals from Landowners**

The Chair will advise that the purpose of the Court of Revision is to hear appeals regarding the Schedule of assessment only. The Schedule of Assessment may be altered but the total assessment must remain the same. If one assessment is reduced then another must be increased to balance.

6. **List of Written Appeals of Assessment Received by the Clerk**

7. Correspondence

- Ian Wright, 134 Crystal Beach Road, appeals the assessment of the Value of Special Benefit in the amount of \$2,050.00 on the Schedule of Assessment for Crystal Beach Drain South.
- Allison Van Geest, 120 Crystal Beach Road, appeals the assessment of the Value of Special Benefit in the amount of \$2,500.00 on the Schedule of Assessment for Crystal Beach Drain South, legal description of the property and hectares allocated.

8. Engineer to Provide a Background on the Drain and the Proposed Project (if required)

9. Questions from Landowners

10. Court of Revision Decision

Moved by _____

Seconded by _____

That the assessments contained in the report for the Crystal Beach Drain: Repair and Improvements of Covered Drains, Geographic Township of Colchester South Project REI2018D012, Town of Essex, County of Essex, as prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated April 15, 2020, be confirmed as presented.

11. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at [TIME].



Court of Revision Minutes

Location: Zoom Video Conferencing

Wednesday, June 24, 2020 – 4:30 PM

The purpose of the meeting is to hold the Court of Revision for:

James Shepley Drain: Bridge for Bolger

Geographic Township of Colchester North

Project REI2020D002, Town of Essex, County of Essex

This is pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated April 8th, 2020 which was considered and adopted at a Consideration Meeting held April 27, 2020 and pursuant to By-Law No.1918 which received two readings by Council at its regular meeting held June 1, 2020.

This sitting of this Court of Revision was duly appointed by Council on June 1, 2020.

Section 54 (1) of The Drainage Act provides that the decision of the Court of Revision can be appealed to the Drainage Tribunal within twenty-one (21) days from the date of the Court of Revision. The final day for appeal is July 15, 2020. At the first Council meeting after this date the third reading to By-Law No. 1918 will be given.

1. Roll Call

Present: Dan Boudreau

Kirk Carter

Percy Dufour

Regrets: None

Also Present: Shelley Brown, Deputy Clerk

Norm Nussio, Manager, Operations and Drainage

Lindsay Dean, Drainage Superintendent

Tanya Tuzlova, Operations/Drainage Clerk

Gerard Rood, Professional Engineer, Rood Engineering Inc.

General Public: None

The Deputy Clerk confirmed that all notices have been sent in accordance with The Drainage Act.

2. Declarations of Conflict of Interest

None declared.

3. Adoption of Published Agenda

Court of Revision Agenda

Moved by Board Member Carter

Seconded by Board Member Dufour

(COR20-06-001) That the published agenda for the June 24, 2020 Court of Revision be adopted as presented.

“Carried”

4. Adoption of Minutes

Court of Revision for Bayliss Drain: Bridge Replacements & Maintenance Schedule

Moved by Board Member Dufour

Seconded by Board Member Carter

(COR20-06-002) That the minutes of the Court of Revision for Bayliss Drain: Bridge Replacements & Maintenance Schedule held on May 21st, 2020 be adopted as circulated.

“Carried”

5. Appeals from Landowners

The Chair advised that the purpose of the Court of Revision is to hear appeals regarding the Schedule of Assessment only. The Schedule of Assessment may be altered but the total assessment must remain the same. If one assessment is reduced then another must be increased to balance.

6. List of Written Appeals of Assessment Received by the Clerk

The Chair asked if there were any appeals from landowners. The Clerk advised that there were no appeals.

7. Engineer to provide a Background on the Drain and the Proposed Project

Gerard Rood, Professional Engineer, Rood Engineering Inc.

Mr. Rood informed that the report is prepared in accordance with Section 78 of the Drainage Act and provides for construction of a new access bridge for Mr. and Mrs. Bolger.

Mr. Rood advised that the cost of the bridge and its additional length will be borne by the owner.

Mr. Rood advised that lands designated under Farm Tax class rate will be eligible for the agricultural grant for the future maintenance works. Mr. Rood explained the cost sharing for the future maintenance of the bridge.

Mr. Rood recommended that a new bridge be constructed to serve the lands of Mr. and Mrs. Bolger and the existing bridge be removed and abandoned.

The Chair asked if there are any questions. There were no questions from the Drainage Board.

8. Questions from Landowners

None present.

9. Court of Revision Decision

Moved by Board Member Carter
Seconded by Board Member Dufour

(COR20-06-003) That the assessments contained in the report for the James Shepley Drain Bridge for Bolger, Geographic Township of Colchester North, Project REI2020D002, Town of Essex, County of Essex, as prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated April 8th, 2020, be confirmed as presented. **“Carried”**

10. Adjournment

Moved by Board Member Carter
Seconded by Board Member Dufour

(COR20-06-004) That the meeting be adjourned at 4:40 PM. **“Carried”**

Chair

Recording Secretary

Date