



The Corporation of the Town of Essex

Drainage Board

Consideration of Report Minutes

November 25, 2020, 5:00 pm

Location: <https://www.youtube.com/user/EssexOntario>

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

North rear Road Drain South Side: New Bridge for Grondin

Geographic Township of Colchester North

Project REI2020Do10, Town of Essex, County of Essex

This is pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated September 24th, 2020 which was considered and adopted at Consideration Meeting held October 21, 2020 and pursuant to By-Law No. 1964 which received two readings by Council at its regular meeting held November 2, 2020.

This sitting of this Court of Revision was duly appointed by Council on November 2, 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 December 16, 2020. At the first Council meeting after this date the third reading to By-Law No. 1964 will be given.

Present: Felix Weigt-Bienzle, Board Member
Kirk Carter, Board Member
Percy Dufour, Board Member
Lindsay Dean, Drainage Superintendent

Regrets: Dan Boudreau, Chair
Luke Martin, Board Member
Mayor Larry Snively

Also Present: Shelley Brown, Deputy Clerk, Legal and Legislative Services
Kevin Girard, Director, Infrastructure Services
Tanya Tuzlova, Drainage Clerk
Gerard Rood, Professional Engineering, Rood Engineering Inc.

1. Call to Order

The meeting was called to order by the Chair at 5:01 pm.

2. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

3. Adoption of Published Agenda

3.1 Court of Revision Agenda for November 25, 2020

COR20-11-001

Moved By Felix Weigt-Bienzle, Board Member

Seconded By Percy Dufour, Board Member

That the published agenda for the November 25, 2020 Court of Revision be adopted as presented.

Carried

4. Adoption of Minutes

4.1 Adoption of Minutes for the Crystal Beach Drain

COR20-11-002

Moved By Percy Dufour, Board Member

Seconded By Felix Weigt-Bienzle, Board Member

That the minutes of the Court of Revision held August 12, 2020 for the Crystal Beach Drain, be adopted as circulated.

Carried

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.

The Deputy Clerk confirmed that no written appeals were received by the Clerk's Office.

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

6.1 Waiver of Appeal Rights

Waiver of Appeal Rights from applicant, Gerald Grondin, dated October 23, 2020 waiving his rights of appeal to the Court of Revision and the Drainage Tribunal.

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

7.1 Gerard Rood, Professional Engineer, Rood Engineering Inc.

Mr. Rood advised that he did not receive any appeals or questions from the landowner.

Mr. Rood stated that the report provides for the construction of a new farm access bridge in the North Rear Road Drain South Side and is in accordance with Section 78 of the Drainage Act.

Mr. Rood noted that the proposed works will not be eligible for the agricultural grant since the severance occurred earlier this year caused the need for a new access bridge and not prior to August 2004 as per OMAFRA's ADIP Policies.

Mr. Rood advised that the incidentals and bridge construction costs will be borne by Mr. Grondin, parcel 520-02300, but future maintenance would be shared between the owner and upstream affected lands and roads. Mr. Rood informed that the estimated cost of the project is \$25,225.00.

Mr. Rood recommended that a new access bridge be constructed as per provided specifications for bridge construction and drawings.

8. Questions from Landowners

There were no questions from landowners.

9. Court of Revision Decision

COR20-11-003
Moved By Percy Dufour, Board Member
Seconded By Felix Weigt-Bienzle, Board Member

That the assessments contained in the report for the North Rear Road Drain South Side (New Bridge for Grondin), Geographic Township of Colchester North, Project REI2020D010, Town of Essex, County of Essex, as prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated September 24, 2020, be confirmed as presented.

Carried

10. Adjournment

COR20-11-004
Moved By Percy Dufour, Board Member
Seconded By Felix Weigt-Bienzle, Board Member

That the meeting be adjourned at 5:06 pm.

Carried

Chair

Recording Secretary