



The Corporation of the Town of Essex

Court of Revision Minutes

Austin C. Wright Drain, Replacement Bridge for Nelner and New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017, dated November 22, 2023, Town of Essex, County of Essex

Bondy No. 1 Drain, Maintenance Schedules of Assessment, Geographic Township of Colchester South, Project No. D22-063, dated August 16, 2023, Town of Essex, County of Essex, including amended schedules prepared for the Court of Revision meeting.

February 21, 2024, 5:00 pm

Shaheen Room, Essex Centre Sports Complex, 60 Fairview Avenue West

Present: Chair - Dougherty, Janice
Member - Sauve, Danny
Member - Dufour, Percy

Also Present: Lindsay Dean, Drainage Superintendent
Tanya Tuzlova, Recording Secretary
Shelley Brown, Deputy Clerk, Legal and Legislative Services

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at clerks@essex.ca or 519-776-7336 extension 1100 or 1101.

Present from General Public:

for Austin C. Wright Drain: Bradley Anger, 5946 5th Concession Road;

for Bondy No. 1 Drain: Joe Gorski for Gorski Land Holdings Inc.

1. Call to Order

The Chair called meeting to order at 5:00 PM.

2. Land Acknowledgement

We acknowledge that this land is the traditional territory of the Three Fires Confederacy of First Nations (comprised of the Ojibway, the Odawa, and the Potawatomi Peoples), and of the Huron-Wendat Peoples. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island who have been living and working on the land from time immemorial.

3. Declarations of Conflict of Interest

4. Adoption of Published Agenda

4.1 Court of Revision Agenda for February 21, 2024

Austin C. Wright Drain, Replacement Bridge for Nelner and New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017, Town of Essex, County of Essex

Bondy No. 1 Drain, Maintenance Schedules of Assessment, Geographic Township of Colchester South, Project No. D22-063, Town of Essex, County of Essex, including amended schedules prepared for the Court of Revision meeting

COR 24-02-001

Moved By Danny Sauve

Seconded By Percy Dufour

That the published agenda for the February 21, 2024, Court of Revision be adopted as presented.

Carried

5. Adoption of Minutes

5.1 Adoption of Minutes for October 17, 2023

Hyman Drain Cost Sharing, Geographic Township of Colchester South, Project REI2023D008, Town of Essex, County of Essex

COR 24-02-002

Moved By Percy Dufour

Seconded By Danny Sauve

That the minutes of the Court of Revision held October 17, 2023, be adopted as circulated.

Carried

6. Presentation by Lindsay Dean, Drainage Superintendent

Lindsay Dean, Drainage Superintendent has explained the procedure under the Drainage Act. Ms. Dean also explained the scope of the Court of Revision meeting, responsibilities of the property owners during the process and their appeal options.

COR 24-02-003

Moved By Danny Sauve

Seconded By Percy Dufour

That the presentation by Lindsay Dean, Drainage Superintendent, be received.

Carried

7. Austin C. Wright Drain

7.1 Appeals from Landowners

7.1.1 Written Appeals Received by the Due Date

Shelley Brown, Deputy Clerk, has informed that no written appeals were received by the Clerk's Office by the due date.

7.1.2 Written Appeals Received after the Due Date

Shelley Brown, Deputy Clerk, has informed that no written appeals were received by the Clerk's Office after the due date.

7.2 Engineer to Provide Background on the Drain and the Proposed Project

Austin C. Wright Drain, Replacement Bridge for Nelner and New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017, dated November 22, 2023, Town of Essex, County of Essex

Mr. Rood presented the review of the report.

COR 24-02-004

Moved By Danny Sauve

Seconded By Percy Dufour

That the verbal report provided by Gerard Rood, Professional Engineer, Rood Engineering Inc. regarding Austin C. Wright Drain, Replacement Bridge for Nelner and New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017, dated November 22, 2023, Town of Essex, County of Essex be received.

Carried

7.2.1 Questions from Landowners

Mr. Bradley Anger, 5496 5th Concession, asked if Michael and Christine Broser will be responsible for the entire cost of the installation of their bridge and that future maintenance will be shared.

Mr. Rood stated that this is correct.

7.2.2 Court of Revision Decision

Austin C. Wright Drain, Replacement Bridge for Nelner and New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017, dated November 22, 2023, Town of Essex, County of Essex

COR 24-02-005

Moved By Danny Sauve

Seconded By Percy Dufour

That the assessments contained in the schedules of Assessment for Austin C. Wright Drain, Replacement Bridge for Nelner and New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017, dated November 22, 2023, Town of Essex, County of Essex be confirmed as presented.

Carried

8. Bondy No. 1 Drain Maintenance Schedule of Assessment

8.1 Appeals from Landowners

8.1.1 Appeals from Landowners by the Due Date

Shelley Brown, Deputy Clerk, has informed that no written appeals were received by the Clerk's Office by the due date.

8.1.2 Written Appeals Received after the Due Date

Shelley Brown, Deputy Clerk, has informed that no written appeals were received by the Clerk's Office after the due date.

8.2 Engineer to Provide Background on the Drain and the Proposed Project

Bondy No. 1 Drain, Maintenance Schedules of Assessment, Geographic Township of Colchester South, Project No. D22-063, dated August 16, 2023, Town of Essex, County of Essex, including amended schedules prepared for the Court of Revision meeting.

Mr. Peralta presented the review of the report.

Mr. Peralta also noted that Mr. Joe Gorski from Gorski Land Holdings Inc. contacted him to advise about the assessment discrepancy for roll# 670-00100. Mr. Peralta further noted that he inspected the parcel and prepared adjustments to the schedules which were circulated with the Court of Revision notice.

COR 24-02-006

Moved By Percy Dufour

Seconded By Danny Sauve

That the verbal report provided by Antonio B. Peralta, Professional Engineer, N. J. Peralta Engineering Inc. regarding Bondy No. 1 Drain, Maintenance Schedules of Assessment, Geographic Township of Colchester South, Project No. D22-063, dated August 16, 2023, Town of Essex, County of Essex, including amended schedules prepared for the Court of Revision meeting be received.

Carried

8.2.1 Questions from Landowners

Mr. Gorski, who was in attendance, did not have further questions related to the project.

8.2.2 Court of Revision Decision

Bondy No. 1 Drain, Maintenance Schedules of Assessment, Geographic Township of Colchester South, Project No. D22-063, dated August 16, 2023, Town of Essex, County of Essex, including amended schedules prepared for the Court of Revision meeting.

COR 24-02-007

Moved By Danny Sauve

Seconded By Percy Dufour

That the assessments contained in the schedules of Assessment for Bondy No. 1 Drain, Maintenance Schedules of Assessment, Geographic Township of Colchester South, Project No. D22-063, dated August 16, 2023, Town of Essex, County of Essex, be confirmed as presented, including amended schedules prepared for the Court of Revision meeting.

Carried

9. Adjournment

Moved By Danny Sauve

Seconded By Percy Dufour

That the meeting be adjourned at 5:17 PM.

Carried

Chair

Recording Secretary