



Drainage Board
Consideration of Report
Minutes

October 21, 2020 4:30 p.m.

**This meeting was held electronically during a time of Declared Emergency pursuant to
Town of Essex By-Law 1902**

North Rear Road Drain South Side: New Bridge for Grondin
Geographic Township of Colchester North, Town of Essex,
County of Essex, Project REI2020D010

1. Roll Call

Present: Dan Boudreau
Kirk Carter
Percy Dufour
Luke Martin
Felix Weigt-Bienzle

Regrets: None

Also Present: Shelley Brown, Deputy Clerk
Lindsay Dean, Drainage Superintendent
Tanya Tuzlova, Operations/Drainage Clerk
Gerard Rood, Professional Engineer, Rood Engineering Inc.

General Public: Gerald and Tom Grondin, 3477 North Malden Road

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

i) Drainage Board Meeting Agenda

Moved by Board Member Dufour

Seconded by Board Member Martin

(DB20-10-001) That the published agenda for the October 21, 2020 Drainage Board Meeting be adopted as presented.

4. Adoption of Minutes

i) Crystal Beach Drain (Additional Meeting of the Drainage Board) held on July 9, 2020.

Moved by Board Member Carter

Seconded by Board Member Dufour

(DB20-10-002) That the minutes of the Drainage Board Meeting held on July 9, 2020, be adopted as circulated.

The Chair asked if there are any errors or omissions in the minutes. Board Member Dufour replied that he does not see any errors or omissions.

5. List of Written Appeals

The Chair asked if the Drainage Department, the Engineer or the Clerk's office have received any written appeals. The Deputy Clerk informed that no written appeals were received by the Clerk's Office.

6. Public Presentations

i) Gerard Rood, Professional Engineer

Re: Report from Rood Engineering Incorporated dated September 24th, 2020 regarding North Rear Road Drain South Side (New Bridge for Grondin), Geographic Township of Colchester North, Project REI2020D010

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 explained that he has reviewed the 1967 report by C.G.R. Armstrong which was utilized to establish the design parameters of the drain. The 2004 report by Rood Engineering Inc. was utilized to establish the size parameters and the details of the proposed bridge.

Mr. Rood informed that the on-site meeting via Zoom took place on June 24, 2020. The future bridge location and its size was discussed at the meeting. Mr. Rood added that the incidentals and bridge construction costs will be borne by Mr. Grondin, but future maintenance would be shared by the owner and upstream affected lands and roads. Mr. Rood informed that Mr. Grondin preferred a top width of 8 metres with the most cost effective headwalls of riprap sloped end treatment on filter cloth.

Mr. Rood detailed the Essex Region Conservation Authority (ERCA) and Department of Fisheries and Oceans Canada (DFO) requirements and advised how those requirements will be satisfied.

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

Mr. Rood added 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 explained that after the completion of the bridge it shall be maintained in the future by the Town of Essex. Mr. Rood recommended that 63.5% of the future maintenance costs shall be assessed as a Benefit against the abutting agricultural property being served by the access bridge, which is currently owned by Gerald Grondin, and the remaining balance of 36.5% be assessed pro-rata against the upstream lands and roads based on their Outlet Liability.

Board Member Dufour asked if anybody else approached the Town regarding the works on the drain knowing that a bridge will be constructed under this report.

Mr. Rood replied that there was a discussion at the on-site meeting about a potential bridge, but the owner failed to submit the request to the Town so the scope of the report remained as originally requested.

Mr. Grondin asked to clarify the top width of the bridge.

Mr. Rood explained that the top width is 8.0 metres which is slightly larger than the 24 feet originally requested because the pipe manufacturer requires the length to be rounded up to an even metre.

Mr. Grondin asked about the timing of the project and if it could be completed by the spring before the planting season.

Lindsay Dean, Drainage Superintendent, has informed that since Mr. Grondin is the only owner assessed into this project he can waive his rights to appeal at the Court of Revision to expedite the project. Ms. Dean added that the construction might be completed prior to fish window in March. Ms. Dean asked Mr. Grondin to contact her about the procedure.

Board member Dufour asked the Chair if a motion is needed to waive the Court of Revision.

The Chair explained that the Court of Revision still happens and added that by signing a letter Mr. Grondin waives the right to appeal his cost and his assessment.

Moved by Board Member Weigt-Bienzle

Seconded by Board Member Carter

(DB20-10-003) That the presentation by Gerard Rood be received and that the Report for the North Rear Road Drain South Side (New Bridge for Grondin), Geographic Township of Colchester North, Town of Essex, County of Essex, Project

REI2020D010 as prepared by Gerard Rood, Professional Engineer dated September 24th, 2020 be received and recommended for adoption, and that it be recommended that a provisional by-law be prepared for Council’s consideration and that the Report proceed to a Court of Revision to be scheduled.

7. Adjournment

Moved by Board Member Carter

Seconded by Board Member Martin

(DB20-10-004) That the meeting be adjourned at 5:06 pm. “Carried”

Chair

Recording Secretary

Date