



The Corporation of the Town of Essex

Court of Revision Minutes

July 3, 2024, 5:00 pm

Location: Essex Municipal Building, 33 Talbot Street South

Present: Chair - Dougherty, Janice
Member - Dufour, Percy
Member - Pocock, Tiffany

Also Present: Lindsay Dean, Drainage Superintendent
Tanya Tuzlova, Recording Secretary
Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk

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.

Little Drain and Extension, Replacement Bridge for Thompson, 2380 County Road 20 West,
Geographic Township of Colchester South,

Report dated February 26th, 2024, Project REI2023D016, Town of Essex, County of Essex

Present from General Public: Paula Thompson, 2380 County Road 20.

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

There were no declarations of conflict of interest noted at this time.

4. Adoption of Published Agenda

4.1 Court of Revision Agenda for July 3, 2024

COR 24-07-001

Moved By Tiffany Pocock

Seconded By Percy Dufour

That the published agenda for the July 3, 2024, Court of Revision be adopted as presented.

Carried

5. Adoption of Minutes

5.1 Adoption of Minutes for February 21, 2024

COR 24-07-002

Moved By Percy Dufour

Seconded By Tiffany Pocock

That the minutes of the Court of Revision held February 21, 2024, be adopted as circulated.

Carried

6. Presentation by Drainage Superintendent

Lindsay Dean, Drainage Superintendent, has informed that the scope of this meeting is to hear appeals on assessments. Ms. Dean further explained that components of assessments are benefit, outlet, and special benefit. Ms. Dean noted that possible causes of appeals are that lands are assessed too high or too low, that lands should have been assessed but has not been and due consideration has not been given to the use of lands.

COR 24-07-003

Moved By Tiffany Pocock

Seconded By Percy Dufour

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

Carried

7. Little Drain and Extension, Replacement Bridge for Thompson, 2380 County Road 20 West, Geographic Township of Colchester South, Report dated February 26th, 2024, Project REI2023D016, Town of Essex, County of Essex

7.1 Appeals from Landowners

7.1.1 Written Appeals Received by the Due Date

Joseph Malandruccolo, Director, Legal and Legislative Services/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

Joseph Malandruccolo, Director, Legal and Legislative Services/Clerk, has informed that no written appeals were received by the Clerk's Office after the due date.

7.2 Correspondence

No correspondence was received regarding this project.

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

Mr. Rood provided the detailed overview of the report. Mr. Rood also explained that Thompson bridge is not shown as a legal access in the past drainage reports

and therefore all costs related to this bridge will be assessed to the corresponding parcel. Mr. Rood also explained that cost sharing schedule was prepared to assess the future maintenance costs of six bridges on the drain. Mr. Rood added that there were no appeals and has advised to approve the proposed schedules of assessment.

Ms. Dean noted that Paula Thompson, who was in attendance, will be the only property owner to receive two drain bills.

COR 24-02-004

Moved By Tiffany Pocock

Seconded By Percy Dufour

That the presentation by Gerard Rood, Professional Engineer, be received.

Carried

7.4 Questions from Landowners

Ms. Thompson has asked why her property is assessed higher than the other properties on the Bridge Cost Sharing schedule.

Mr. Rood has replied that Ms. Thompson's property is larger than the other residential properties. Mr. Rood also mentioned that most farm properties are assessed much higher than her property.

Ms. Thompson further asked why her property is not cost shared on the first schedule and is cost shared on the second schedule.

Mr. Rood explained that when the bridge is installed for the first time the cost of works is 100% to the property owner.

Ms. Dean asked Mr. Rood to confirm that the first schedule is for the Thompsons' bridge and the second schedule involves the whole drain, to which Mr. Rood answered "Yes, that is correct". Ms. Dean explained that it was her understanding that there were two tasks in the report: to provide for the bridge and to prepare for the future cost sharing for all bridges. Mr. Rood confirmed Ms. Dean's understanding as correct.

Ms. Thompson asked about the estimated life span of her bridge.

Mr. Rood replied that it is expected that the new corrugated steel pipe culvert bridge will have a useful life of about 75 years. Mr. Rood added that previously the life span of bridges was about 20 years.

There were no further questions.

7.5 Court of Revision Decision

COR 24-02-005

Moved By Percy Dufour

Seconded By Tiffany Pocock

That the assessments contained in the Schedules of Assessment for Little Drain and Extension, Replacement Bridge for Thompson, 2380 County Road 20 West, Geographic Township of Colchester South, Report dated February 26th, 2024, Project REI2023D016, Town of Essex, County of Essex be confirmed as presented.

Carried

8. Adjournment

COR 24-02-006

Moved By Tiffany Pocock

Seconded By Percy Dufour

That the meeting be adjourned at 5:14 PM.

Carried

Chair

Recording Secretary