



Report to Council

Department: Office of the CAO
Division: Legal and Legislative Services
Date: September 16, 2024
Prepared by: Joe Malandruccolo, Clerk
Report Number: Legal and Legislative Services-2024-06
Subject: Adams Sweet Drain: Section 76 Assessment Schedule
Number of Pages: 3

Recommendation(s)

That the following three (3) members of the Drainage Board: Janice Dougherty, Daniel Bezaire Arevalo and Danny Sauve be appointed to sit as members of the Court of Revision to be convened for the Adams Sweet Drain: Assessment Schedule, Geographic Township of Colchester North, Project REI-2024D018 pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering, and **dated July 23, 2024 (hereinafter the "Report")**, such Court of Revision to be scheduled for 5:00 pm on October 10, 2024 and

That By-Law 2371 being a by-law to provide for Adams Sweet Drain: Assessment Schedule, Geographic Township of Colchester North, Project REI-2024D018 be read a first and second time and be provisionally adopted on September 16, 2024.

Purpose

A Court of Revision is required in accordance with Section 46 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended (hereinafter the "**Drainage Act**").

Background and Discussion

Rood Engineering Inc. was instructed by the Town of Essex on or about April 2, 2024, to prepare a report for the Adams Sweet Drain: Assessment Schedule, pursuant to Section 76 of the Drainage Act.

On July 23, 2024, the Report was prepared by Rood Engineering Inc. to provide the details, estimates and assessments therein.

A Consideration Meeting for this Report was held on September 5, 2024. At this meeting the Drainage Board received public correspondence/delegations (if applicable) and heard the various concerns or comments made by those who attended. At this meeting the Drainage Board resolved and recommended that the said Report be adopted and that a provisional By-Law be prepared for Council's consideration (see Drainage Board minutes from the September 5, 2024, consideration meeting, which minutes are included under Item 14 of the September 16, 2024 Regular Council Meeting Agenda).

Appointment of Court of Revision Members:

The Court of Revision is to be comprised of three (3) members of the Drainage Board and so accordingly it is recommended that Court of Revision members when required to be convened shall be appointed on a rotating, alphabetical order basis. If an appointed member is not available then that appointed member shall be replaced by the next available member of the Drainage Board (based on the aforementioned rotating, alphabetical order basis).

It is therefore recommended that Janice Dougherty, Daniel Bezaire Arevalo and Danny Sauve be selected and appointed to sit as the Court of Revision for the Adams Sweet Drain: Assessment Schedule.

It is further recommended that By-Law 2371 adopting the recommendations in the Rood Engineering Inc. Report dated July 23, 2024 be provisionally adopted so that this project can proceed to the Court of Revision specified in this report.

The Court of Revision is the next step in the process in accordance with Section 46 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010.

Financial Impact

There is no financial impact.

Consultations

Lindsay Dean, Drainage Superintendent

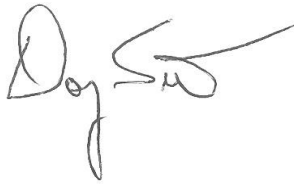
Link to Strategic Priorities

- Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- Leverage our Town's competitive advantages to promote jobs and economic investment.**
- Take care of our natural environment and strengthen the sense of belonging to everyone **who makes Essex "home"**.
- Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

Report Approval Details

Document Title:	Adams Sweet Drain - Legal and Legislative Services - 2024-06.docx
Attachments:	- By-Law No. 2371 - Adams Sweet Drain.pdf - y-rpt Adams Sweet Dr REI2024D018.pdf
Final Approval Date:	Sep 11, 2024

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to read "Doug Sweet", with a long horizontal stroke extending to the right.

Doug Sweet, Chief Administrative Officer - Sep 11, 2024 - 8:58 AM