



## **Court of Revision Minutes**

**Location: Zoom Video Conferencing**

Wednesday, November 25, 2020 – 5 PM

**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 REI2020D010, 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:                      Kirk Carter  
                                     Percy Dufour  
                                     Felix Weigt-Bienzele

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

General Public:            Gerald Grondin, 3477 North Malden Road

### **1. Call to Order**

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

### **2. Declarations of Conflict of Interest**

None declared.

### **3. Adoption of Published Agenda**

Moved by Board Member Weigt-Bienzle

Seconded by Board Member Dufour

**(COR20-11-001) That** the published agenda for the November 25, 2020 Court of Revision be adopted as presented. **Carried**

### **4. Adoption of Minutes**

#### **5.1 Court of Revision for Crystal Beach Drain**

Moved by Board Member Dufour

Seconded By Board Member Weigt-Bienzle

**(COR20-11-002) That** the minutes of the Court of Revision for Crystal Beach Drain held on August 12, 2020 be adopted as circulated. **Carried**

### **5. Appeals from Landowners**

The Chair advised 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.

Deputy Clerk informed that no written appeals were received by the Clerks' Office.

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

The Deputy Clerk advised that the letter was received from Mr. Grondin regarding waiving his rights of appeal to the Court of Revision and the Drainage Tribunal.

### **7. Engineer to provide a Background on the Drain and the Proposed Project**

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.

**9. Court of Revision Decision**

Moved by Board Member Dufour  
Seconded by Board Member Weigt-Bienzle

**(DB20-11-003)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<sup>th</sup>, 2020, be confirmed as presented. **Carried**

**10. Adjournment**

Moved by Board Member Dufour  
Seconded by Board Member Weigt-Bienzle  
**(COR20-11-004) That** the meeting be adjourned at 5:06 PM. **Carried**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Date