

The Corporation of the Town of Essex

Drainage Board

Consideration of Report Minutes

October 15, 2024, 4:30 pm

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

Present: Chair - Dougherty, Janice
Vice Chair - Bezaire Arevalo, Daniel
Member - Sauve, Danny
Member - Dufour, Percy

Regrets: Member - Pocock, Tiffany

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

14th Concession East Drain and Branch (Inspiration Industrial Park Bridge) in the Town of Essex,
File No. 24-8160, report dated September 18th, 2024

Walker Drain Repairs and Improvements, Geographic Township of Colchester North, Project
REI2022D008, Town of Essex, County of Essex, report dated September 19th, 2024

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 for 14th Concession East Drain: none

Present for Walker Drain:

Marina Clozza, 12077 Concession 12 Road

Paul Kulke, 7812 Howard Avenue

William Morand, 13049 County Road 15

David Santo, 14689 14th Concession Road

Richard Wirch, 13206 13th Concession Road

P. Tyssen, Lucier Estates Resident

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 Drainage Board Meeting Agenda for October 15th, 2024

DB 24-10-001

Moved By Danny Sauve

Seconded By Daniel Bezaire Arevalo, Vice-Chair

That the published agenda for the October 15th, 2024, Drainage Board be adopted as presented.

Carried

5. Adoption of Minutes

5.1 Adoption of Minutes for September 5th, 2024

DB 24-10-002

Moved By Janice Dougherty, Chair

Seconded By Daniel Bezaire Arevalo, Vice-Chair

That the minutes of the Drainage Board Meeting held September 5th, 2024, be adopted as circulated.

Carried

6. Presentation by Drainage Superintendent

Lindsay Dean, Drainage Superintendent, explained that there are two projects on the agenda. Ms. Dean explained the process under the Drainage Act. Ms. Dean also explained the general scope of each project and the purpose of the Consideration of Report meeting.

Ms. Dean explained the responsibilities of the property owners during the project and outlined the next steps in the process. Ms. Dean encouraged property owners to bring up any concerns or questions they may have. Ms. Dean explained appeal options, billing process, and debenture options. Ms. Dean noted that agricultural grant should be available for properties with Farm Tax class.

DB 24-10-003

Moved By Janice Dougherty, Chair

Seconded By Percy Dufour

That the presentation by Lindsay Dean, Drainage Superintendent, be adopted as presented.

Carried

7. 14th Concession East Drain

14th Concession East Drain and Branch (Inspiration Industrial Park Bridge) in the Town of Essex, report dated September 18th, 2024, File No. 24-8160

7.1 Written Appeals Received by the Due Date

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

7.2 Written Appeals Received after the Due Date

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

7.3 Verbal Report by Oliver Moir, Professional Engineer

Oliver Moir, Professional Engineer, presented the detailed review of the report. Mr. Moir noted that there was a small technical change in the report which is related to the material thickness for the couplers. The supplier recommended to change the size of couplers from 2.8 millimeters to 2 millimeters.

Percy Dufour, Drainage Board Member, asked if the development of the land by the Industrial Park will add flows to the municipal drainage.

Mr. Moir replied that Dillon Consulting was also appointed under Section 65 of the Drainage Act to address this concern. Mr. Moir added that the Section 65 component is being completed under a separate report.

DB 24-10-004

Moved By Daniel Bezaire Arevalo, Vice-Chair

Seconded By Percy Dufour

That the verbal report provided by Oliver Moir, Professional Engineer, Dillon Consulting Limited, regarding 14th Concession East Drain and Branch (Inspiration Industrial Park Bridge) in the Town of Essex, File No. 24-8160, report dated September 18th, 2024, be received.

Carried

7.4 Public Delegations/Presentations

There were no property owners in attendance for this project.

7.5 Decision

DB 24-10-005

Moved By Danny Sauve

Seconded By Daniel Bezaire Arevalo, Vice-Chair

That the report provided by Oliver Moir, Professional Engineer, Dillon Consulting Limited, regarding 14th Concession East Drain and Branch (Inspiration Industrial Park Bridge) in the Town of Essex, report dated September 18th, 2024, File No. 24-8160 be recommended for adoption and that the provisional by-law be prepared for Council's consideration.

Carried

8. Walker Drain

Walker Drain Repairs and Improvements, Geographic Township of Colchester North, Project REI2022D008, Town of Essex, County of Essex, report dated September 19th, 2024

8.1 Written Appeals Received by the Due Date

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

8.2 Written Appeals Received after the Due Date

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

8.3 Verbal Report by David Montigny, Engineer in Training

David Montigny, Engineer in Training, presented a detailed review of the report.

DB 24-10-004

Moved By Daniel Bezaire Arevalo, Vice-Chair

Seconded By Percy Dufour

That the verbal report provided by David Montigny, Engineer in Training, Rood Engineering Inc. regarding Walker Drain, Repairs and Improvements, Geographic Township of Colchester North, Project REI2022D008, Town of Essex, County of Essex, report dated September 19th, 2024, be received.

8.3.1 Correspondence

The Chair noted that on October 2, 2024, the Town of Essex received a letter from Steven Chapo, 12076 County Road 15, stating that the report does not acknowledge ownership and parcel information correctly for rolls 550-02500 and 550-02502. The Town has notified Mr. Rood and Mr. Montigny about this discrepancy.

8.4 Public Delegations/Presentations

David Santo, 14689 14th Concession Road, asked how much the engineering costs are for this project.

Mr. Montigny explained that Engineering charges are items 1 to 6 of the Incidentals section. Mr. Montigny added that other Incidentals include a biologist review and a contingency allowance.

Mr. Santo asked how the amount of the total estimate of \$479,000.00 is tendered.

Lindsay Dean, Drainage Superintendent, explained that this project would be released for public tender. Ms. Dean added that the Town usually accepts the lowest submission. Ms. Dean noted that if the estimate comes 133% over the original estimate, then the Town will hold an additional meeting with landowners to consider the contract price before proceeding with construction. Ms. Dean added that assessments in the report are estimates only and encouraged property owners to submit their concerns as soon as possible so they are addressed before the Court of Revision meeting.

Paul Kulke, 7812 Howard Avenue, asked if the Town can guarantee that the work will be done properly and that the drain walls will not collapse.

Joseph A. Malandruccolo, Director, Legal & Legislative Services/Clerk, said that he cannot provide the answer to that question since each such incident is approached on case-by-case basis. Mr. Malandruccolo added that if something

unexpected happens, the Town would take every step necessary to address the situation.

Lindsay Dean, Drainage Superintendent, added that quality of the workmanship of a contractor is under a one-year maintenance period. Ms. Dean noted that sometimes issues come up in the field during construction and Drainage Superintendent and Drainage Engineer will review if additional changes and costs are warranted.

Marina Clozza, 12077 Concession 12 Road, asked what the numbers on the assessments mean.

Ms. Dean explained that the schedule called "Walker Drain 12th Concession Portion" is to collect the cost for construction while the other schedule is for the future maintenance, and it establishes the proportion of cost to be assessed to a property if maintenance works are required. Ms. Dean added that property owners will receive two drain bills for this project: one for the construction part based on the actual cost and one for the development of the Maintenance Schedule based on \$1,500.00 cost. Ms. Dean added that the drain bills will be net of agricultural grant for properties at Farm Tax rate class.

David Santo, 14689 14th Concession Road, asked who requested the works and how the scope of work was identified.

Ms. Dean explained that concerns were identified upstream on the Drain and then there were identified gaps in the records therefore the report is needed to address all issues.

Mr. Montigny explained what issues were identified during the survey and referred to the Bridges Review section of the report. Mr. Montigny added that it is more cost effective to address all issues such as bridge replacement, drain cleaning and updating assessment schedule under one report.

Mr. Santo further asked what slope design will be used.

Mr. Montigny provided the technical details of the drain grading.

Mr. Santo expressed concern about issues experienced on another project in regard to bank slopes.

Mr. Montigny replied that Rood Engineering will provide inspection services to ensure that the construction is done as per provided design.

There were no more questions.

8.5 Decision

DB 24-10-007

Moved By Janice Dougherty, Chair

Seconded By Daniel Bezaire Arevalo, Vice-Chair

That the report provided by Gerard Rood, Professional Engineer, regarding Walker Drain Repairs and Improvements, Geographic Township of Colchester North, Project REI2022D008, Town of Essex, County of Essex, report dated September 19th, 2024, be recommended for adoption and that the provisional by-law be prepared for Council's consideration.

Carried

9. Adjournment

DB 24-10-008

Moved By Danny Sauve

Seconded By Daniel Bezaire Arevalo, Vice-Chair

That the meeting be adjourned at 5:11 PM.

Carried

Janice Dougherty
Signed with ConsignO Cloud (2024/11/28)
Verify with verifio.com or Adobe Reader.



Chair

Tanya Tuzlova

Recording Secretary