

The Corporation of the Town of Essex

Drainage Board

Consideration of Report Minutes

April 30, 2025, 5:00 pm

Harrow and Colchester South Community Centre, 243 McAfee Street

Present: Vice Chair - Bezaire Arevalo, Daniel
Member - Sauve, Danny
Member - Dufour, Percy
Member - Pocock, Tiffany

Regrets: Chair - Dougherty, Janice

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

Shepley Drain Bank Repairs and Improvements

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 from public:

Felix Weigt-Bienzle, AFF Farms Limited, 1221 Snake Lane
Milla Chatta, 348 Maple Avenue
Kevin Bessette, 304 Maple Avenue
Timothy Boiciuc, 39 Shepley Court
Craig Borkowski, 302 Erie Street South
Dean Dufour, 399 King Street West
Julie Hedges, 1410 County Road 13
Kenneth Krizan, 166 Kael Crescent
John Mailloux, 1458 County Road 27
Carl and Lucille McDonald, 334 Maple Avenue
Peter McKeen, 1403 Gore Road
Christopher and Roseann O'Keefe, 1420 County Road 13
Lynne and Rainer Pahl, 1424 Gore Road
Christopher Palmer, 1407 Gore Road
Edward Pohanka, 1170 Snake Lane
Brian Pollard, 75 Shepley Court
Garry Quick, 2361 County Road 20W
Andrew Russell, 31 Shepley Court
Arandia Teran, 47 Shepley Court
Richard Walters, 310 Maple Avenue

1. Call to Order

The Vice-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 April 30, 2025

DB-25-04-01

Moved By Danny Sauve

Seconded By Percy Dufour

That the published agenda for April 30th, 2025, Drainage Board be adopted as presented.

Carried

5. Adoption of Minutes

5.1 Adoption of Minutes for October 15, 2024

DB-25-04-02

Moved By Percy Dufour

Seconded By Danny Sauve

That the minutes of the Drainage Board Meeting held October 15, 2024, be adopted as circulated.

Carried

6. Election of Committee Chair and Vice-Chair

6.1 Election of Chair

DB-25-04-03

Moved By Tiffany Pocock

Seconded By Percy Dufour

That Danny Sauve be elected as the Chair of the Drainage Board.

Carried

6.2 Election of Vice-Chair

DB-25-04-04

Moved By Danny Sauve

Seconded By Tiffany Pocock

That Percy Dufour be elected as the Vice-Chair of the Drainage Board.

Carried

7. Presentation by Drainage Superintendent

Lindsay Dean, Drainage Superintendent, explained the process under the Drainage Act. Ms. Dean also explained the scope of the 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 explained appeal options, billing process, and debenture options. Ms. Dean noted that agricultural grant should be available for the properties with Farm Tax class.

DB-25-04-05

Moved By Danny Sauve

Seconded By Percy Dufour

That the presentation by the Drainage Superintendent be adopted as presented.

Carried

8. Shepley Drain

Shepley Drain Bank Repairs, Stabilization and Improvements, Geographic Township of Colchester South, Project REI2022D018, dated April 2nd, 2025, Town of Essex, County of Essex

8.1 Written Appeals Received by the Due Date

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

8.3 Verbal Report by Gerard Rood, Professional Engineer, Rood Engineering Inc.

Mr. Rood presented the detailed review of the report. Mr. Rood added that he received a letter from Cheryl Huczel, 1390 County Road 13, stating that her property has less than 8.69 ha, since part of it was previously sold. Mr. Rood said that he will prepare an Addendum to correct this discrepancy and that the Addendum with adjustments will be circulated with the Court of Revision notice.

DB-25-04-06

Moved By Danny Sauve

Seconded By Tiffany Pocock

That the verbal report by Gerard Rood, Professional Engineer, Rood Engineering Inc. be received.

Carried

8.4 Public Delegations/Presentations

Lynne Pahl, 1424 Gore Road, asked if the drain has an adequate capacity to carry the flows and if the repairs will be adequate for the drain.

Gerard Rood, Professional Engineer, replied that the drain capacity is designed for a one in two-year storm events. Mr. Rood added that with time bank slopes change and sediment accumulates, however those deficiencies could be fixed in the future through maintenance works.

Ms. Pahl further asked if the drain will be able to include more volume of run off.

Lindsay Dean, Drainage Superintendent, explained that current project's scope is to address bank stabilization concerns. Ms. Dean added that if the drain needs to be cleaned it can be completed through maintenance upon the request of a landowner.

Norm Nussio, Manager of Operations and Drainage, reiterated that drain capacity is not the scope of this project.

Ms. Dean added that there were previously two meetings on this project and drain capacity was not added to the scope of this project during those meetings. Ms. Dean added that any owner assessed into the drain may request the review of drain capacity as a separate project.

Representative of Arandia Teran, 47 Shepley Court, who was in attendance, asked if the slopes on all residential lots will have gabion stone installed. He further noted that banks on farmer's side are eroding quickly and asked why stone is not installed on farmer's lots.

Mr. Rood replied that gabion stone will be installed only on properties that asked for their banks to be stabilized. Mr. Rood added that residential lots have steeper banks, therefore rocks are the only option for bank stabilization to minimize impact on residential properties where sheds, trees and gardens are located. Mr. Rood added that the cost is not excessive for the rocks on a filter cloth option and will allow to reduce the frequency of future repairs. Mr. Rood further explained that environmental regulations recommend that farmer's banks have two to one slopes to allow for more natural and environmentally friendly habitat so wildlife can survive.

Wayne Garant, 298 Maple Avenue, noted that if the works are done on residential side of the ditch, then it should be done on the farmer's side as well because erosion will continue on their side.

Mr. Rood replied that those locations have flatter bank slopes and that helps them to reduce their maintenance costs. Mr. Rood added that proposed repairs will help to reduce cost of future maintenance works to all upstream lands and roads which also share that cost of repairs and maintenance.

Mr. Garrant further asked why he has to pay for his side of the property and farmer not pays for his side.

Mr. Rood reiterated that the cost is split between the upstream properties as well.

Mr. Garant replied that the works will not fix the problem. Mr. Garant did not have further questions.

Lucile McDonald, 334 Maple Avenue, asked how the properties which have gabion works will be protected if neighbors do not install gabion stone.

Mr. Rood explained the technical details of proposed bank protection.

Carl McDonald, 334 Maple Avenue, noted that the drain’s condition is deteriorating and wondered when the construction would be completed.

Ms. Dean replied that the Drainage Act process may take over three months therefore it is possible that the works could be done this year.

Felix Weight-Bienzle, AFF Farms Limited, asked how many parcels requested the works.

Mr. Rood explained where to find this information in the report and added that about one third of the properties requested the banks stabilization works.

There were no further questions from public in attendance.

DB-25-04-07

Moved By Percy Dufour
Seconded By Tiffany Pocock

That the public presentations be received.

Carried

8.5 Decision

DB-25-04-08

Moved By Percy Dufour
Seconded By Tiffany Pocock

That the report provided by Gerard Rood, Professional Engineer, regarding Shepley Drain Bank Repairs, Stabilization and Improvements, Geographic Township of Colchester South, Project REI2022D018, dated April 2nd, 2025, Town of Essex, County of Essex, be recommended for adoption and that the provisional by-law be prepared for Council's consideration.

Carried

9. Adjournment

DB-25-04-09

Moved By Danny Sauve
Seconded By Daniel Bezaire Arevalo, Vice-Chair

That the meeting be adjourned at 5:48 PM.

Carried

Chair

Recording Secretary