



Drainage Board

Consideration of Report Minutes

County of Essex Council Chambers, 360 Fairview Avenue West, Essex, Ontario

Monday, March 16, 2020 5:00 p.m.

Bayliss Drain: Bridge Replacements & Maintenance Schedule Geographic Township of Colchester South, Project REI2016D024, Town of Essex, County of Essex

1. Roll Call

Present: Luke Martin
Kirk Carter
Percy Dufour
Felix Weight-Bienzle

Regrets: Dan Boudreau

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

General Public: Per attached Sign-in Sheet

The Deputy Clerk confirmed that all notices have been sent in accordance with the Drainage Act.

2. Declarations of Conflict of Interest

None declared.

3. Adoption of Published Agenda

- i) Drainage Board Meeting Agenda
 - Moved by Board Member Weight-Bienzle
 - Seconded by Board Member Dufour

(DB-20-03-01) That the published agenda for the March 16, 2020 Drainage Board Meeting be adopted as amended. **"Carried"**

4. Election of Committee Chair and Vice-Chair for 2020.

The Deputy Clerk advised that the Committee Chair and Vice-Chair will be deferred to a future Drainage Board Meeting.

5. Adoption of Minutes

- i) Consideration of Report for Shepley Drain Defour and Quick Bridges on November 12, 2019.

Moved by Board Member Dufour

Seconded by Board Member Weight-Bienzle

(DB-20-03-02) That the minutes of the Drainage Board Meeting held on November 12, 2019, be adopted as circulated. **"Carried"**

6. List of Written Appeals

The Deputy Clerk confirmed that there were no appeals received by the Clerk's Office prior to the meeting.

7. Public Presentations

- i) Gerard Rood, Professional Engineer

Re: Report from Rood Engineering Incorporated dated February 18th, 2020 regarding Bayliss Drain: Bridge Replacements & Maintenance Schedule, Geographic Township of Colchester South, Project REI2016Do24, Town of Essex, County of Essex.

Mr. Rood presented the overview of the Report. The report provides for a new maintenance schedule and the replacement of access bridges on the Bayliss Drain.

Mr. Rood added that numerous severances have taken place and the current assessment schedule does not reflect all of the land parcels. Therefore, a variation of the current Schedule of Assessment is necessary in order to properly distribute the cost of maintenance. This variation in assessment establishes a Maintenance Schedule of Assessment which shall provide a basis for levying any future maintenance costs for work to both the open drain and the bridges. The proposed works are in accordance with Section 78 of the Drainage Act. Mr. Rood described reports that were utilized to prepare the current report.

Mr. Rood explained the project cost and added that there will be no allowances. Mr. Rood stated that it is anticipated that the agricultural lands served by the replacement bridges may be eligible for an agricultural grant if they are assessed under Farm Property Tax Class.

Mr. Rood detailed the Essex Region Conservation Authority (ERCA) and Fisheries and Oceans Canada (DFO) requirements and advised how those requirements will be satisfied.

Mr. Rood recommended the following:

- That the current Maintenance Schedule of Assessments be varied and the updated schedule provided within this report;
- A bridge cost sharing table is included in the report to provide the Town with a proper way of assessing the costs for any future maintenance works on the access bridges;
- That Bridges #2, 6, 8, 9, and 11 be replaced promptly due to their poor conditions, with the remaining bridges to be replaced under future maintenance;
- That Mr. Affeldt at parcel 710-02300 expressed an interest in adding a second access bridge but no request has been received at this time and is not included in this report;
- That the future cleaning of Bayliss Drain will be scheduled by the Town as per provided profile in the attached plans.

Mr. Rood stated that on March 3rd, 2020 he received concerns from Stephanie Wilhelm. Mr. Rood added that he has provided the response to all the questions and the response was circulated among the Drainage Board Members.

Mr. Rood added that he was also contacted by the Town regarding the questions received from Mr. Renaud. Mr. Rood advised that he has provided the responses to Mr. Renaud's questions and attached a digital elevation model.

ii) The Vice-Chair asked if there are any questions from the Drainage Board.

Board Member Dufour asked Mr. Rood to provide the life expectancy of new bridges.

Mr. Rood explained that the existing galvanized aluminum pipes have an expected life of 75 years. Mr. Rood added that there is significant rusting on some of the bridges and they will need to be replaced within 4-5 years and some of the bridges that are totally eroded must be replaced now.

Board Member Weight-Bienzle asked if a new bridge on Gorski's property should also be replaced.

Norm Nussio, Manager, Operations and Drainage, explained that this bridge was already installed in advance of the completion of this report due to safety concerns and will be billed using this report.

iii) Vice-Chair Martin asked if there are any questions from the public.

Lorrence Affeldt, 2301 County Road 20 W, stated that Mr. Rood said that the residents who own these bridges over the drain cannot be forced to replace the bridges before their time and inquired as to when the actual drainage issues will be dealt with.

Vice-Chair Martin explained that the bridges are the part of the drainage works which is part of the report being dealt with at this meeting. Vice-Chair Martin stated that the Board is trying to ensure the drains are maintained and the water continues to flow.

Norm Nussio, Manager, Operations and Drainage, explained that there are a few culverts being recommended for replacement in this report and the other bridges in this report will be replaced when their life expectancy comes up and need to be replaced. The cleaning of the drain was not included in this report, but has been suggested by Mr. Rood. The Town can definitely look at maintaining the drain this summer knowing that 1981 was the last time it had potentially been cleaned.

Morris Viscount, 2241 County Road 20 W, stated that two years ago he had a contractor give him a quote to replace his bridge (Bridge #9) and was told by the Town that it was being done under the Municipal Act because they have to replace a bunch of them along the drain. Mr. Viscount explained that his Bridge #9 is in urgent need of replacement. Mr. Viscount stated that the cost to replace the bridge is higher in this report than the quotes he received from several contractors and stated that the quotes he received were for various types of material. Mr. Viscount inquired as to why he cannot have the bridge replaced on his own at the lower cost and then have the drain assessed accordingly.

Norm Nussio, Manager, Operations and Drainage, acknowledged that the difference in cost is quite a bit, however, the cost is based on an estimate and the tender cost may come in lower or higher. Mr. Nussio added that he will ensure that the Town gets the best price possible. Mr. Nussio also stated that a contractor must have WSIB clearance and insurance.

Mr. Viscount reiterated that his bridge needs to be urgently replaced and asked when the replacement will be done.

Norm Nussio, Manager, Operations and Drainage, stated that at this time we are within the March 15th fish window that pertains to the DFO. Mr. Viscount can request an emergency replacement of his culvert and it will allow the Town to replace the culvert as required. The report will allow the Town to replace the culvert this summer

as soon as the fish windows are alleviated they can perform the work and obtain additional pricing.

Mr. Viscount stated that he did notify the Town because he was advised by someone from the Town to stop and that it was going to be replaced and felt that it was not necessary to contact the Town.

Vice-Chair Martin advised Mr. Viscount to discuss the details of his bridge with Norm Nussio, Manager, Operations and Drainage.

Mr. Viscount asked what the payment options are.

Norm Nussio, Manager, Operations and Drainage advised that Mr. Viscount can pay up front or through a 5 or 10 year debenture and those options will be available when the project is completed.

Ted Gorski, 6110 County Road 11, stated that the standard top width of a 6 m bridge is undersized for farming usage and he feels that the standard should be a 8 m bridge to accommodate the farming equipment.

Mr. Rood explained that the cost of a 6.1 m bridge will be shared with the upstream owners and that the bridge can be enlarged however the cost of the extra length will be borne by the owner as per the OMAFRA policy.

Mr. Gorski also stated that his farm is tiled (maps can be provided) and requested that Mr. Rood review the assessment of his property.

Mr. Rood asked Mr. Gorski to provide the information to the Drainage Department who can forward it to him and he will review and provide recommendations for consideration by the Court of Revision.

Ronald Renaud, 2466 County Rd 20, commented that in his understanding the report is about bridge repairs and not about cleaning.

Mr. Rood explained that the scope was to obtain existing pipe elevations and establish depth for pipes to be set at the required grades. Mr. Rood added that his focus was on bridge repairs and advised the Town to do the maintenance as necessary so proper drainage is provided.

Mr. Renaud suggested cleaning the drain first because culverts to the west-end of his property are half in water which means that the drain stopped draining. Mr. Renaud added that there is brush and fallen trees that have built up and stuck over the years.

Mr. Renaud suggested that the drain be cleaned first from the Quick Drain upstream.

Mr. Renaud reiterated that cleaning the drain will solve a lot of problems.

Regarding the bridge replacements, Mr. Renaud informed that his bridge is a common bridge with a neighbour and that the section of bridge on his side are fine and recommended to replace the section on the neighbour's side since it is deteriorating. Additionally, he expressed concern regarding one of the culverts west of Fox Sideroad.

Mr. Renaud asked if the upstream part of the drain past Fox Road which drains into Bayliss Drain is a municipal drain or a County drain. Mr. Renaud added that the culverts on that part were plugged for years.

Norm Nussio, Manager, Operations and Drainage, explained that the bridge at Fox Sideroad is the top end of the municipal drain. Mr. Nussio stated that west of Fox Sideroad it is a Ditches and Watercourse Drain or an Award Drain and therefore cannot be maintained by the Town. Mr. Nussio added that anybody can make a request to the County to clean that portion of the ditch and replace the culvert. There is also an option to petition to make that portion of ditch a municipal drain.

Mr. Renaud explained that he believes that his property is draining into the Quick Drain and not into the Bayliss Drain. Mr. Renaud explained that he came to this conclusion by checking the grade of his property with a laser and it has fall going south. Mr. Renaud suggested that an investigation should be done to review the watershed of this part of the drain.

Norm Nussio, Manager, Operations and Drainage, explained that the online mapping layer Mr. Rood used has been a fairly reliable source to show that Mr. Renaud's property is draining into Bayliss Drain. Mr. Nussio added that if needed Mr. Rood can prepare a topographic survey and actual water boundary review for this property.

Mr. Rood explained that such survey will require time and expenses to prepare and added that it is outside of the scope of this report. Mr. Rood added that he would prepare the requested survey if approved by the Drainage Board.

The Deputy Clerk advised that a motion is needed to proceed with this request.

Moved by Board Member Carter

Seconded by Board Member Weight-Bienzle

(DB-20-03-03) That the topographic survey and the actual water boundary of Mr. Renaud's property be prepared by Rood Engineering Inc. and presented at the Court of Revision.

"Carried"

Moved by Board Member Carter

Seconded by Board Member Weight-Bienzle

(DB-20-03-04) That the presentation by Gerard Rood be received and that the Report for the **Bayliss Drain: Bridge Replacements & Maintenance Schedule, Geographic Township of Colchester South, Project REI2016Do24, Town of Essex, County of Essex** as prepared by Gerard Rood, Professional Engineer dated February 18th, 2020 be received and recommended for adoption, and that it be recommended that a provisional by-law be prepared for Council’s consideration and that the Report proceed to a Court of Revision to be scheduled. **“Carried”**

8. Adjournment

Moved by Board Member Dufour

Seconded by Board Member Carter

(DB-20-03-05) That the meeting be adjourned at 5:56 PM. **“Carried”**

Chair

Recording Secretary

Date