



Report to Council

Department: Office of the CAO
Division: Legal and Legislative Services
Date: June 7, 2021
Prepared by: Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk
Report Number: Legal and Legislative Services-2021-11
Subject: Court of Revision for Graveline Drain: New Bridge at MN 1241 and Maintenance Schedule of Assessment
Number of Pages: 4

Recommendation(s)

That the following three (3) members of the Drainage Board: Janice Dougherty, Percy Dufour and Luke Martin be appointed to sit as members of the Court of Revision to be convened for the Graveline Drain: New Bridge at MN 1241 and Maintenance Schedule of Assessment, Geographic Township of Colchester North, Town of Essex, County of Essex, Project REI2020D031 pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., and dated April 28, 2021 (hereinafter **the "Report"**), **such Court of Revision to** be scheduled for 5:00 pm on July 6, 2021, via electronic meeting, and

That By-Law 2023 being a by-law to provide for the Graveline Drain: New Bridge at MN 1241 and Maintenance Schedule of Assessment, be read a first and second time and be provisionally adopted on July 6, 2021.

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 2010 (**hereinafter the “Drainage Act”**).

Background and Discussion

Rood Engineering Inc. was instructed by the Town of Essex on or about October 19, 2020 to prepare a report for the above Graveline Drain, pursuant to Section 78 of the Drainage Act.

On April 28, 2021 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 May 18, 2021. 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 May 18, 2021 consideration meeting, which minutes are included under Item 13 of the June 7, 2021 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, Percy Dufour and Luke Martin be selected and appointed to sit as the Court of Revision for the Graveline Drain: New Bridge at MN 1241 and Maintenance Schedule of Assessment.

It is further recommended that By-law 2023 adopting the recommendations in the Rood Engineering Inc. Report dated April 28, 2021 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

Drainage Department

Link to Strategic Priorities

- ☒ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☐ **Improve the Town's capacity to meet the** ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

Report Approval Details

Document Title:	Graveline Drain Legal and Legislative Services-2021-04.docx
Attachments:	- y-rpt Graveline Dr REI2020D031 Report.pdf - By-Law No. 2023 Graveline Drain New Bridge and Maintenance Schedule of Assessment.pdf
Final Approval Date:	Jun 1, 2021

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



Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk - Jun 1, 2021 - 2:39 PM



Chris Nepszy, Chief Administrative Officer - Jun 1, 2021 - 4:26 PM