



## Court of Revision Minutes

May 5, 2021, 5 PM

Location: Electronic Meeting

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at [clerks@essex.ca](mailto:clerks@essex.ca) or 519-776-7336 extension 1100 or 1101.

This is pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., dated January 25<sup>th</sup>, 2021 which was considered and adopted at a Consideration Meeting held March 17<sup>th</sup>, 2021 and pursuant to By-Law No. 2000 which received two readings by Council at its regular meeting held April 6, 2021.

This sitting of this Court of Revision was duly appointed by Council on April 6, 2021.

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 May 26, 2021. At the first Council meeting after this date the third reading to By-Law No. 2000 will be given.

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

Present:                   Kirk Carter, Court of Revision Chair  
                                Percy Dufour, Court of Revision Member  
                                Felix Weigt-Bienzle, Court of Revision Member

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

From General Public: None

Regrets:                   None

Absent:                    None

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

The Chair called the meeting to order at 5:03 PM

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

There were no declarations of conflict of interest noted at this time.

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

#### **3.1 Court of Revision Agenda for May 5, 2021**

##### **COR21-05-001**

Moved by Felix Weigt-Bienzle

Seconded by Percy Dufour

**That** the published agenda for the May 5, 2021 Court of Revision be adopted as presented.

**Carried**

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

#### **4.1 Court of Revision Minutes for March 17, 2021**

##### **COR21-05-002**

Moved by Percy Dufour

Seconded by Felix Weigt-Bienzle

**That** the minutes of the Court of Revision for 13<sup>th</sup> Concession West Drain Martin Bridge held on March 17, 2021 be adopted as circulated.

**Carried**

### **5. List of Written Appeals**

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 there were no appeals.

### **6. Public Presentations**

#### **6.1 Gerard Rood, Professional Engineer**

Re: Report from Rood Engineering Incorporated dated January 25<sup>th</sup>, 2021 regarding Barrette Drain Repair and Improvements, Geographic Township of Colchester North, Project REI2020D009, Town of Essex, County of Essex.

Mr. Rood presented the detailed overview of the report. Mr. Rood informed that he had received correspondence from Laura Amlin and response provided by Lindsay Dean, Drainage Superintendent. Mr. Rood commented that he agrees with the provided response and has no further comments.

Lindsay Dean, Drainage Superintendent, noted that before the meeting she had received a response from Ms. Amlin with further request to explain payment options and for consideration because of the pandemic. A response was provided to Ms. Amlin and did not receive any further requests.

Percy Dufour, Court of Revision Member, asked if all property owners were informed about debenture options.

Ms. Dean replied that the provisional by-law was attached to the Court of Revision Notice and was distributed to all property owners. Mr. Dean added that the by-law has information about debenture options and debenture thresholds.

**6.2 Court of Revision Decision**

**COR21-05-003**

Moved by Felix Weigt-Bienzle

Seconded by Percy Dufour

**That** the assessments contained in the schedules of assessment Report for the Barrette Drain Repairs and Improvements, Geographic Township of Colchester North, Project REI2020D009, Town of Essex, County of Essex as prepared by Gerard Rood, Professional Engineer, dated January 25<sup>th</sup>, 2021 be confirmed as presented.

**Carried**

**7. Adjournment**

**COR21-005-004**

Moved by Percy Dufour

Seconded by Felix Weigt-Bienzle

**That** the meeting be adjourned at 5:12 PM

**Carried**

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Chair

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Recording Secretary