



Court of Revision Minutes

November 10, 2021, 5 PM

Location: Electronic Meeting

**Legalization of a Culvert over the Lawrence Quick Drain,**

**Roll#840-00501 in the Town of Essex, Reference 21-023**

**Malden Road West Drain: Bridge for McGuire & Laramie and**

**Maintenance Schedule, Geographic Township of Colchester North,**

**Project REI2021D007, Town of Essex, County of Essex**

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 David Basilious, Professional Engineer, BAIRD AE, dated June 21, 2021, which was considered and adopted at a Consideration Meeting held September 27, 2021 and pursuant to By-Law No. 2022 which received two readings by Council at its regular meeting held October 18, 2021.

This is pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., dated August 31, 2021, which was considered and adopted at a Consideration Meeting held September 27, 2021 and pursuant to By-Law No. 2076 which received two readings by Council at its regular meeting held October 18, 2021.

This sitting of this Court of Revision was duly appointed by Council on October 18, 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 December 1, 2021. At the first Council meeting after this date the third reading to By-Laws No. 2022 and 2076 will be given.

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

Present: Janice Dougherty, Chair  
Kirk Carter  
Felix Weigt-Bienzle

Also Present: Shelley Brown, Deputy Clerk, Legal and Legislative Services  
Lindsay Dean, Drainage Superintendent  
Tanya Tuzlova, Drainage Clerk  
David Basilious, Professional Engineer, BAIRD AE  
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 5:13 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 November 10, 2021**

#### **COR21-11-001**

Moved by Court of Revision Member Weigt-Bienzle

Seconded by Court of Revision Chair Dougherty

**That** the published agenda for the November 10, 2021 Court of Revision be adopted as presented.

**Carried**

## **4. Adoption of Minutes**

### **4.1 Court of Revision Minutes for Graveline Drain**

#### **COR21-11-002**

Moved by Court of Revision Member Weigt-Bienzle

Seconded by Court of Revision Member Carter

**That** the minutes of the Court of Revision held on July 6, 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.

The Deputy Clerk informed that there were no appeals.

## **6. Public Presentations**

### **6.1 David Basilius, Professional Engineer**

Re: Report from David Basilius, P. Eng. from BAIRD AE dated June 21, 2021 regarding Legalization of a culvert over the Lawrence Quick Drain for Roll No. 840-00501 in the Town of Essex, Reference 21-023.

Mr. Basilius explained that the bridge was installed in 2012 and the report was prepared to legalize this bridge. Mr. Basilius added that the report was adopted at the Consideration of report meeting on September 27, 2021 and there were no concerns from the bridge owner.

There were no questions or concerns from Court of Revision members.

#### **COR21-11-003**

Moved by Court of Revision Member Weigt-Bienzle

Seconded by Court of Revision Member Carter

**That** the assessments contained in the schedules of assessment report for the Legalization of a culvert over the Lawrence Quick Drain for Roll No. 840-00501 in the Town of Essex, Reference 21-023 as prepared by David Basilius, P. Eng., dated June 21, 2021 be confirmed as presented.

**Carried**

### **6.2 Gerard Rood, Professional Engineer**

Re: Report from Rood Engineering Incorporated dated August 31, 2021 including amendments made September 28, 2021 regarding Malden Road West Drain, Bridge for McGuire & Laramie and Maintenance Schedule, Geographic Township of Colchester North, Project 2021D007, Town of Essex, County of Essex.

Mr. Rood presented the overview of the report. Mr. Rood explained that the schedule in the report in error had acres owned indicated instead of hectares owned. Mr. Rood added that the Addendum dated September 28, 2021 with correct headings was prepared and circulated to all property owners with the Notice for the Court of Revision and the by-law. Mr. Rood added that he did not receive any questions or concerns.

There were no questions or concerns from Court of Revision members.

#### **COR21-11-004**

Moved by Court of Revision Member Carter

Seconded by Court of Revision Member Weigt-Bienzle

**That** the assessments contained in the schedules of assessment report for the Malden Road West Drain, Bridge for McGuire & Laramie and Maintenance Schedule, Geographic

Township of Colchester North, Project 2021D007, Town of Essex, County of Essex, as prepared by Gerard Rood, Professional Engineer, dated August 31, 2021 and amended September 28, 2021 be confirmed as presented

**Carried**

**7. Adjournment**

**COR21-11-005**

Moved by Court of Revision Member Carter

Seconded by Court of Revision Member Weigt-Bienzle

**That** the meeting be adjourned at 5:22 PM

**Carried**

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Chair

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Recording Secretary