



Drainage Board Meeting Minutes

November 24, 2021, 5:00 PM

Location: Electronic Meeting

Long Marsh Drain: Reconsidered Report

Replacement & Future Bridge

Geographic Township of Colchester South, Town of Essex,

County of Essex, Project REI2020D022

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.

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

Present: Percy Dufour, Chair
Janice Dougherty, Vice-Chair
Kirk Carter, Drainage Board Member
Luke Martin, Drainage Board Member
Felix Weigt-Bienzele, Drainage Board Member

Also Present: Shelley Brown, Deputy Clerk, Legal and Legislative Services
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.

Regrets: None

Absent: None

General Public: Joe Grondin/Grondin Farms LTD, 1152 South Malden Road,
Amherstburg, ON N9V 2Y7

Allen Rogers, 5150 Smith Road, Amherstburg, ON N9V 2Y7

David Ennis, 4037 Drummond Road, Harrow, ON N0R 1G0

1. Call to Order

The Chair called the meeting to order at 5:00 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 Drainage Board Agenda for November 24, 2021

DB21-11-005

Moved by Board Member Weigt-Bienzle

Seconded by Board Member Martin

That the published agenda for the November 24, 2021 Drainage Board Meeting be adopted as presented.

Carried

4. Adoption of Minutes

4.1 Consideration of Report for the Bassett Drain held on November 4, 2021

DB21-11-006

Moved by Board Member Carter

Seconded by Board Member Dougherty

That the minutes of the Drainage Board Meeting held on November 4, 2021 be adopted as circulated.

5. List of Written Appeals

The Deputy Clerk informed that no written appeals were received by the Clerk's Office.

6. Public Presentations

6.1 Gerard Rood, Professional Engineer

Re: Reconsidered Report from Rood Engineering Incorporated dated October 5th, 2021 regarding the Long Marsh Drain, Replacement and Future Bridge, Geographic Township of Colchester South, Project REI2020D022, Town of Essex, County of Essex.

Mr. Rood presented a review of the reconsidered report for the Long Marsh Drain. Mr. Rood explained that the report has been reconsidered since Essex Region Conservation Authority have requested remodeling of Replacement Bridge #5 to be able to sustain for the higher water level during 1:100 year storm. Mr. Rood explained that to meet this requirement the larger pipe structure with precast concrete blocks has been required and that caused the increase to the cost of the bridge to \$76,000.00 as indicated on page 6 of the report. Mr. Rood added that the total cost of the project has increased to \$128,440.00.

Mr. Rood asked if there are any questions.

Drainage Board Member Weigt-Bienzle asked what the cost of the future bridge would be.

Mr. Rood replied that at the time of the bridge construction the Town of Essex will tender the project and will chose the lowest cost. The assessment to the future Grondin bridge will be non-prorateable and 100% to the property owner.

The Chair asked if there are any questions from the property owners.

Joe Grondin/Grondin Farms LTD, 1152 South Malden Road, asked to explain him the cost of \$5,250.00 to his property.

Mr. Rood explained that this cost is related to incidentals such as survey and bridge design.

Allen Rogers, 5150 Smith Road, stated that estimated cost of \$71,063.00 is excessive and he can not afford it.

Mr. Rood replied that Mr. Roger's property will be eligible for 1/3 agricultural grant which will be deducted from the estimated cost and the balance amount could be put on his taxes to be paid over a 10-year term.

Mr. Rogers stated that he would have to pay this cost in addition to the \$7,500 in property taxes for 10 years and that is excessive. Mr. Rogers reiterated that he can not afford bridge at the cost of \$71,063.00.

Board Member Dougherty explained that the amount to be debentured will be about \$50,000 and therefore per year will be about \$5,000 debenture for 10 years.

Mr. Rogers asked if there is an interest on debenture.

Ms. Dean replied that interest is approximately 3%-4%.

Mr. Rood added that the life expectancy of the bridge is about 75 years and the new bridge will be a valuable asset to the property for extended period of time.

Board Member Dougherty asked if there is an option to bring the cost down such as by using jute bags or gabion stone instead of precast blocks.

Mr. Rood explained that he has examined the design options and that the precast blocks are the most cost effective in this case.

Board Member Carter asked to explain to him the request to update the design of Mr. Roger's bridge from the Essex Region Conservation Authority.

Mr. Rood explained that the bridge should be in like or better condition to sustain the flooding and this bridge is located at a border of 100-year flood line mapping which indicates critical flooding area and therefore Essex Region Conservation Authority has requested the review of design to eliminate flooding in this critical flood area.

Ms. Dean, Drainage Superintendent, explained that Essex Region Conservation Authority does not control bridge design. Ms. Dean further explained that Mr. Rood prepares the bridge design to satisfy the Essex Region Conservation Authority's requirements and in this case the redesign resulted in a significant cost increase.

Mr. Rood explained that Ontario Ministry of Agriculture, Food and Rural Affairs requires that drainage projects must comply with requirements of Essex Region Conservation Authority and other regulating authorities.

David Ennis, 4037 Drummond Road, asked if the bridges on Drummond Road are going to be replaced.

Mr. Rood explained that replacing bridges on Drummond Road are beyond the scope of this project and advised Mr. Ennis to contact Ms. Dean.

Ms. Dean stated that since Mr. Rogers expressed concerns about the cost of his bridge, she would like to clarify if Mr. Rogers would like to proceed with the construction of his bridge.

Mr. Rogers replied that he would not be willing to move forward with the construction of his bridge at the cost of \$71,063.00.

Ms. Dean recommended to send the report back to the engineer for reconsideration if the bridge replacement is not moving forward.

Board Member Dougherty reiterated that the net cost of the bridge will be about \$46,000.00, and not \$71,063.00 after grant is applied. Ms. Dougherty asked if Mr. Rogers would like to proceed if the cost is \$46,000.00.

Mr. Rogers replied that even the cost of \$46,000.00 is excessive.

Drainage Board Chair Dufour asked what options are available to the property owner regarding the excessive cost.

Mr. Rood replied that amendments could be made to the assessment schedule to reduce assessment to Mr. Roger's bridge to about \$40,000.00 less 1/3 grant and to distribute the increased cost of about \$30,000.00 as outlet liability to upstream lands and roads.

Ms. Dean asked Mr. Rogers if his decision of not proceeding with construction of the bridge would change if taking into consideration the last statement from Mr. Rood about changing the assessments.

Mr. Rogers replied that he would be interested in proceeding with bridge construction if the cost is reduced to the original amount.

DB21-11-007

Moved by Board Member Martin

Seconded by Board Member Carter

That the presentation by Gerard Rood be received and that the Report for Long Marsh Drain, Replacement and Future Bridge, Geographic Township of Colchester South, Project REI2020D022, Town of Essex, County of Essex be received and that said report be referred back to the engineer to reconsider upstream assessments after further amendments to the assessment schedule to reduce the benefit portion or net assessment (after grant) to Owner Rogers to approximately \$40,000, with the design remaining the same and to distribute the balance of the bridge cost as outlet liability for assessment to upstream lands and roads .

Carried

Ms. Dean asked to clarify the motion of what the Drainage Board is asking Mr. Rood to do: to keep the existing crossing and to change the assessments or to remove this crossing entirely.

Drainage Board Member Carter commented that the report should be sent back to the engineer to reconsider the upstream assessments and to reduce the cost to Mr. Rogers's bridge to about \$40,000-\$45,000.

Drainage Board Chair Dufour asked Mr. Rood if he understands what should be reconsidered.

Mr. Rood said that his understanding is that he needs to reconsider the report and to change the assessment schedule to reflect that the increased cost that the Essex Region Conservation Authority required to be incorporated would be shared between all the affected upstream lands and roads and by that reducing the benefit proportion of the cost to the Rogers' bridge with its design remaining the same.

Drainage Board Chair Dufour confirmed that this is fair.

7. Adjournment

DB21-11-008

Moved by Board Member Carter

Seconded by Board Member Dougherty

That the meeting be adjourned at 5:45 PM.

Carried

Chair

Recording Secretary