



Court of Revision Minutes

December 8, 2021, 5 PM

Location: Electronic Meeting

**Bassett Drain: Bridge for MN 2430 County Road 20, Harrow Centre,
Geographic Township of Colchester South,
Project REI2021D012, 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 or 519-776-7336 extension 1100 or 1101.

This is pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., dated August 26, 2021, which was considered and adopted at a Consideration Meeting held November 4, 2021 and pursuant to By-Law No. 2096 which received two readings by Council at its regular meeting held November 15, 2021.

This sitting of this Court of Revision was duly appointed by Council on November 15, 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 29, 2021. At the first Council meeting after this date the third reading to By-Laws No. 2096 will be given.

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

Present: Percy Dufour
Felix Weigt-Bienzele

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

From General Public: Jenny Cacilhas, 2430 County Road 20 West RR #4, Harrow ON

Regrets: None

Absent: Luke Martin

1. Call to Order

The Chair called the meeting to order at 5:05 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 December 8, 2021

COR21-12-001

Moved by Court of Revision Member Weigt-Bienzle

Seconded by Court of Revision Chair Dufour

That the published agenda for the December 8, 2021 Court of Revision be adopted as presented.

Carried

4. Adoption of Minutes

4.1 Court of Revision Minutes for Lawrence Quick Drain and Malden Road West Drain

COR21-12-002

Moved by Court of Revision Chair Dufour

Seconded by Court of Revision Member Weigt-Bienzle

That the minutes of the Court of Revision held on November 10, 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.

Mr. Rood advised that he did not receive any questions or concerns.

6. Public Presentations

6.1 Gerard Rood, Professional Engineer

Re: Report from Rood Engineering Incorporated dated August 26, 2021 regarding Bassett Drain: Bridge for MN 2430 County Road 20, Geographic Township of Colchester South, Project 2021D012, Town of Essex, County of Essex.

Mr. Rood presented the overview of the report. Mr. Rood explained that new access bridge is being provided to serve as the access to the severance from an existing residential parcel. Mr. Rood added that all of costs for the new bridge construction and incidentals be assessed against the residential lands of Fernando and Maria Pedro and Jenny Cacilhas. Mr. Rood noted that 50% of the future maintenance costs for the bridge shall be assessed as a Benefit against the abutting property (severance from roll# 730-01600) and remaining balance of 50% be assessed pro-rata against the upstream lands and roads based on their Outlet Liability assessment in the 2007 Gerard Rood report Maintenance Schedule of assessment. Mr. Rood asked if Jenny Cacilhas has any questions.

Ms. Cacilhas replied that she has no questions or concerns.

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

COR21-12-004

Moved by Court of Revision Member Weigt-Bienzle

Seconded by Court of Revision Chair Dufour

That the assessments contained in the schedules of assessment report for the Bassett Drain: Bridge for MN 2430 County Road 20, Harrow Centre, Geographic Township of Colchester South, Project REI2021D012, Town of Essex, County of Essex as prepared by Gerard Rood, Professional Engineer, dated August 26th, 2021 be confirmed as presented.

Carried

7. Adjournment

COR21-12-005

Moved by Court of Revision Member Weigt-Bienzle

Seconded by Court of Revision Chair Dufour

That the meeting be adjourned at 5:11 PM

Carried

Chair

Recording Secretary