



Court of Revision Minutes

Town of Essex, Council Chambers
33 Talbot Street South, Essex, Ontario
Wednesday, January 15, 2020 – 5:00 PM

**The purpose of the meeting is to hold the Court of Revision for:
Shepley Drain: Replacement Bridges for Elwood Defour and Garry & Bonny
Quick (Part of Lots 6 & 7, Gore Concession), Geographic Township of
Colchester South, Project REI2018D024, Town of Essex, County of Essex**

This is pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated October 17, 2019 which was considered and adopted at a Consideration Meeting held November 12, 2019 and pursuant to By-Law 1871 which received two readings by Council at its regular meeting held December 16, 2019.

This sitting of this Court of Revision was duly appointed by Council on December 16, 2019.

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 February 5, 2020. At the first Council meeting after this date the third reading to By-Law number 1871 will be given.

1. Roll Call

Present: Luke Martin
Percy Dufour
Felix Weigt-Bienzle

Regrets: None

Also Present: Shelley Brown, Deputy Clerk
Norm Nussio, Manager, Operations and Drainage
Tanya Tuzlova, Operations/Drainage Clerk
Gerard Rood, Professional Engineer, Rood Engineering Inc.
Kory Snelgrove, E.I.T., Rood Engineering Inc.

General Public: Elwood Defour, 2245 Roseborough, Harrow

The Deputy Clerk confirmed having administered the Oaths to the Members of the Court of Revision.

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

The Meeting was called to order by the Chair at 5:02 PM.

2. Declarations of Conflict of Interest

None declared.

3. Adoption of Published Agenda

Court of Revision Agenda

Moved by Board Member Dufour

Seconded by Board Member Weigt-Bienzle

(DB-20-01-001) That the published agenda for the January 15, 2020 Court of Revision be adopted as presented. **“Carried”**

4. Adoption of Minutes

i) Court of Revision for Thompson Drain: New Bridge for Cindy Brockman

Moved by Board Member Weigt-Bienzle

Seconded By Board Member Dufour

(DB-20-01-002) That the minutes of the Court of Revision for Thompson Drain: New Bridge for Cindy Brockman held on December 2, 2019 be adopted as circulated. **“Carried”**

The Chair asked if there are any questions regarding the minutes. There were no questions.

5. Appeals from Landowners

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.

6. List of Written Appeals of Assessment Received by the Clerk

The Chair asked if there were any appeals from landowners. The Deputy Clerk informed that there were no appeals.

7. Engineer to provide a Background on the Drain and the Proposed Project (if required)

Gerard Rood, Professional Engineer, Rood Engineering Inc. presented the overview of the Report, which provides for the construction of a replacement access bridge for Elwood Defour and the replacement access bridge for future construction for Garry and Bonny Quick.

Board Member Weigt-Bienzle asked if Mr. & Mrs. Quick had any questions since the last meeting.

Mr. Rood explained that all their questions were addressed at the Consideration of the Report meeting and he did not receive any further questions.

8. Questions from Landowners

The Chair asked if there are any questions from the Drainage Board or the public. There were no questions.

9. Court of Revision Decision

Moved by Board Member Weigt-Bienzle

Seconded by Board Member Dufour

(DB-20-01-003) That the assessments contained in the report for the Shepley Drain: Replacement Bridges for Defour and Quick, (Part of Lots 6&7, Gore Concession), Geographic Township of Colchester South, Project REI2018D024, Town of Essex, County of Essex, as prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated October 17, 2019, be confirmed as presented.

“Carried”

10. Adjournment

Moved by Board Member Weigt-Bienzle

Seconded by Board Member Dufour

(DB-20-01-004)That the meeting be adjourned at 5:09 PM.

“Carried”

Chair

Secretary

Date