



## **Drainage Board**

### **Minutes**

May 6, 2020, 4:30 pm

#### **Location: Zoom Video Conferencing**

**White Drain: Section 65 Subsequent Disconnection of Essex Windsor Solid Waste Authority parcel from the White Drain, Geographic Township of Colchester North, Town of Essex, County of Essex, Project REI2018D041**

**Consideration of Contract Price 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**

#### **1. Roll Call**

Present: Luke Martin  
Kirk Carter  
Percy Dufour  
Felix Weight-Bienzle

Regrets: Dan Boudreau

Also Present: Robert Auger, Clerk  
Norm Nussio, Manager, Operations and Drainage  
Lindsay Dean, Drainage Superintendent  
Tanya Tuzlova, Operations/Drainage Clerk  
Gerard Rood, Professional Engineer, Rood Engineering Inc.

General Public: Garry and Bonny Quick, 2361 County Rd. 20 West, Harrow  
Elwood Defour, 2353 County Rd. 20 West, Harrow

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

The meeting was called to order by Vice-Chair at 4:37 pm.

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

None declared.

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

i) Drainage Board Meeting Agenda

Moved by Board Member Weight-Bienzle

Seconded by Board Member Martin

That the published agenda for the May 6, 2020 Drainage Board Meeting be adopted as presented. "Carried"

## **4. Adoption of Minutes**

i) Consideration of Report for James Shepley Drain Bolger Bridge on April 27, 2020.

Moved by Board Member Weight-Bienzle

Seconded by Board Member Dufour

**That** the minutes of the Drainage Board Meeting held on April 27, 2020, be adopted as circulated. "Carried"

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

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

## **6. Public Presentations**

i) Gerard Rood, Professional Engineer

Re: White Drain Section 65 Subsequent Disconnection of Essex Windsor Solid Waste Authority parcels from the White Drain, Geographic Township of Colchester North, Town of Essex, County of Essex, Project REI2018D041

Mr. Rood presented the overview of the report. The report is prepared in accordance with Section 65 of the Drainage Act and provides for a subsequent disconnection of Essex Windsor Solid Waste Authority (EWSWA) lands from the White Drain. Mr. Rood explained that the presented report is recommended for adoption by Council. Mr. Rood added that there was a conference call between Mr. Rood, Town of Essex Drainage Department and EWSWA representatives on March 31<sup>st</sup> 2020. During the meeting Mr. Rood explained EWSWA's share of cost of the maintenance works that were done prior to this report. Mr. Rood also explained that on April 28<sup>th</sup>, 2020 he has provided notes on assessment calculations to the Town of Essex and EWSWA explaining how the cut off benefit assessment was adjusted and that subsequently the parts of lots 14, 15 & 16 were taken off the maintenance schedule of assessment. Mr. Rood added that there were no questions or concerns since that time.

Board Member Dufour asked if EWSWA is totally abandoning the drain.

Mr. Rood explained the lands to the south of the drain were assessed a cut off benefit in the original report, but since that time EWSWA has built berms. The berms provide EWSWA cut off that those parcels require and subsequently the cut off benefit was removed from the schedule for these lots.

Board Member Dufour asked where the water goes from the culverts and cross overs on the White Drain.

Mr. Rood replied that EWSWA is still assessed for the flows that are contributing to the White drain and added that most of the drainage would be coming from the west portion of the drain. Mr. Rood added that the focus of this report was to adjust cut off benefit for EWSWA since they have built berms on their lands.

Moved by Board Member Weight-Bienzle

Seconded by Board Member Martin

**That** the presentation by Gerard Rood be received and that the Report for the **White Drain: Section 65 Subsequent Disconnection of Essex Windsor Solid Waste Authority parcel from the White Drain, Geographic Township of Colchester North, Town of Essex, County of Essex, Project REI2018D041** be received and recommended for adoption by Council. "Carried"

ii) Gerard Rood, Professional Engineer

Consideration of Contract Price 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

Mr. Rood informed that the Tenders were received on February 26, 2020 and were provided to Norm Nussio on February 27 and the amounts received were significantly higher than the price that was received for the similar bridge upstream on Shepley Drain. Mr. Rood explained that during the last 2-3 months there was a significant increase in the price of the various drainage projects. The tender prices were received from three companies regularly contracted by the Town for drainage works. Mr. Rood also explained that he is taking into consideration the correspondence with the Town and the feedback from owners and therefore he recommends retendering the project. Mr. Rood also explained that at this time the Drainage Board may recommend to retender the project hoping to receive a better price or to award the tender as received.

Board Member Weight-Bienzle asked what components of the cost have increased.

Mr. Rood explained that the increase in cost is related to materials, labour, steel, and fuel.

Board Member Dufour asked if this project has been to Council for approval.

Norm Nussio, Manager of Operations and Drainage, explained that this project does not need to go to Council since it is under \$100,000 threshold.

Board Member Weight-Bienzle commented that the fuel cost has dropped dramatically during the last couple months. Mr. Weight-Bienzle added that he would recommend retendering the project.

Mr. Rood agreed that retendering the project may be beneficial since at this time more contractors may be interested to participate at tender.

Elwood Defour, 2353 County Rd. 20 West, said that this project has been going on for 2 years already and this is the reason why the cost of the project has increased.

Norm Nussio, Manager of Operations and Drainage, explained that two years is a typical time for any report. Mr. Nussio added that he would like to recommend retendering this project.

Mr. Rood also explained that two years is a typical time for the report since it is needed to schedule all the meetings as per Drainage Act. Mr. Rood added that due to changing conditions there may be more competitive contractors willing to participate at this time.

Elwood Defour, 2353 County Rd. 20 West, said that at the on-site meeting he was told by Dan Boudreau that the project may be started the same year. Mr. Defour added that two years later nothing was done on the project. Mr. Defour further noted that the Atlas Tube project has started a year later and is now in progress.

Norm Nussio, Manager of Operations and Drainage, explained that the engineering for the Atlas Tube project was done under a Section 40 report a couple years prior. At that time the report was closed and reopened a year ago. Mr. Nussio added that sometimes it takes more than a year to prepare the report.

Bonny Quick, 2361 County Rd. 20 West, said the prices during the crisis are very high and the assessment to her property initially was about \$1,900 and now it will be about \$4,000 therefore Mrs. Quick asked to retender the project.

Elwood Defour, 2353 County Rd. 20 West, asked if he can tender himself or if his contractor may participate and where he can find the criteria for tender participation.

Norm Nussio, Manager of Operations and Drainage, explained the tender should go through the Town since contractors should meet tender criteria to participate in the tender such as having WISB certificate and insurance.

Board Member Dufour asked if a new tender will be higher than the current tender, can we go back to the old tender.

Mr. Rood explained that normally when the tender is abandoned we have to go with new tenders that are received. Mr. Rood added that that he did not have such situation in his practice.

Board Member Dufour commented that it looks like as of today the prices are out of control.

Moved by Board Member Weight-Bienzle

Seconded by Board Member Martin

That the tender submissions for the **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 be rejected and that the project be retendered. "Carried"**

## 7. Adjournment

Moved by Board Member Weight-Bienzle

Seconded by Board Member Martin

That the meeting be adjourned at 5:06 pm. "Carried"

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Chair

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Recording Secretary

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Date