



Drainage Board Meeting Minutes

April 14, 2022, 4:00 PM

Location: Shaheen Room at Essex Centre Sports Complex,
60 Fairview Ave West, Essex

Long Marsh Drain Reconsidered Report: Replacement & Future Bridge

Geographic Township of Colchester South

Project REI2020D022, Town of Essex, County of Essex

South Townline Drain: Replacement Bridge for Dubniak and

Drain Maintenance Schedule

Geographic Township of Colchester North

Project REI2020D006, 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.

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

Present: Kirk Carter, Drainage Board Chair
Luke Martin, Drainage Board Member
Percy Dufour, Drainage Board Member

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

Regrets: Janice Dougherty, Vice-Chair
Felix Weigt-Bienzle, Drainage Board Member

Absent: None

General Public: Please see attached Sign-in Sheets

1. Call to Order

The Chair called the meeting to order at 4:05 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 Drainage Board Agenda for April 14, 2022

DB22-04-001

Moved by Board Member Martin

Seconded by Board Member Dufour

That the published agenda for the April 14, 2022 Drainage Board Meeting be adopted as presented.

Carried

4. Adoption of Minutes

4.1 5.1 Consideration of Report for the Brooks Drain Maintenance Schedule and Brush Drain Repair and Improvements held on February 3, 2022

DB22-04-002

Moved by Board Member Martin

Seconded by Board Member Dufour

That the minutes of the Drainage Board Meeting held on February 3, 2022 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

6.1 Gerard Rood, Professional Engineer

Re: Report from Rood Engineering Incorporated dated March 2, 2022 regarding the Long Marsh Drain Reconsidered Report: Replacement & Future Bridge, Geographic Township of Colchester South, Project REI2020D022, Town of Essex, County of Essex.

Mr. Rood presented a brief review of the report and asked if there are any questions.

The Chair asked if there are any questions from the Drainage Board Members or the public.

There were no questions.

DB22-04-003

Moved by Board Member Martin

Seconded by Board Member Dufour

That the presentation by Gerard Rood be received and that the Report for the Long Marsh Drain Reconsidered Report: Replacement & Future Bridge, Geographic Township of Colchester South, Project REI2020D022, Town of Essex, County of Essex be received and recommended for adoption, and that it be recommended that a provisional by-law be prepared for Council's consideration and that the report proceed to a Court of Revision to be scheduled.

Carried

6.2 Gerard Rood, Professional Engineer

Re: Report from Rood Engineering Incorporated dated February 18th, 2022 regarding the South Townline Drain (Replacement Bridge for Dubniak & Drain Maintenance Schedule), Geographic Township of Colchester North, Project REI2020D006, Town of Essex, County of Essex

Lindsay Dean, Drainage Superintendent, presented the overview of the Drainage Act process. Ms. Dean informed taxpayers regarding the purpose of the Meeting to Consider and responsibilities of property owners during the meeting. Ms. Dean also explained drain billing and debenture procedures.

Mr. Rood presented a detailed review of the report. Mr. Rood advised that he has received letters from Laurie Veres requesting a secondary entrance on her property and from John Sutton stating that his bridge needs repairs of headwalls and the pipe replacement. As a result, Mr. Rood recommended that the report be reconsidered to include the requests from Ms. Veres and Mr. Sutton.

The Chair asked if there are any questions from the Drainage Board Members.

Board Member Dufour asked if Essex Region Conservation Authority needs to go through the Drainage process regarding its bridge.

Norm Nussio, Manager of Operations and Drainage, explained that that bridge was installed a long time ago under the Drainage Act and does not need a report at this time.

Mr. Rood further explained that property owners could work directly with the Drainage Superintendent regarding the repairs of the existing bridges built under the Drainage Act. Mr. Rood added that a report is required for a new bridge installment.

Board Member Dufour commented that he is not sure if there are endangered species in the area and asked if Essex Region Conservation Authority attended the location to check if endangered species are present.

Mr. Rood explained that there are various requirements set up by Essex Region Conservation Authority to protect fish habitat and endangered species depending on location and drain type. Mr. Rood added that construction is not allowed during the “fish window”, which is between March 15 to July 15 unless the drain is dry which is not the case.

Lindsay Dean, Drainage Superintendent, provided a high-level overview of this project. She reminded everyone in attendance that the scope of the meeting is to deal with the technical details of the project, and informed that during the on-site meeting the property owners requested a review of all the crossings. Ms. Dean explained that this report is comprehensive and will save cost to the property owners since they will not have to hire an engineer to review each bridge separately. Ms. Dean added that this report will be available to the property owners when a particular bridge needs to be replaced under drain maintenance. Ms. Dean advised that property owners should locate their own crossing within the report and to check the technical details of their bridge. Ms. Dean added that once the report is adopted, there will be no further changes permitted. Ms. Dean recommended that residents contact her or the engineer if changes to the report are needed. Mr. Dean added that the changes requested will be added to the report, the schedule will be recalculated and the meeting to reconsider the report will be set up. Ms. Dean also informed that the clean out of the drain is needed due to the accumulated sediment and those works will be done under the maintenance and this cost is not included in this report.

The Chair asked if there are any questions from the public.

Laurie Veres, 7362 County Road 18, informed that she would like her existing crossing to be replaced and that she also needs a second crossing for a second dwelling.

Kirk Carter, Drainage Board Chair added that there is also a request from Mr. Sutton to repair his bridge. Mr. Carter added that Mr. Sutton is not in attendance, but he has communicated with Ms. Dean and Mr. Rood regarding his needs.

Clifford McPherson, 7624 County Road 18, said that he believes that the on-site meeting did not take place. Mr. McPherson also stated that he received the report a couple days ago and did not have enough time to review it. Mr. McPherson said that he believes that the report should address only the Dubniak's bridge, and he does want to pay for the review all the bridges.

Lindsay Dean, Drainage Superintendent, replied that the reports were mailed out on April 1, 2022 and the delay must have been with Canada Post. Ms. Dean added that since the report is likely to be reconsidered, residents will have additional time to review the report before the next meeting. Ms. Dean also added that the on-site meeting took place on March 24, 2020. Ms. Dean added that it seemed to be appropriate to review all the crossings to save cost for residents for the engineering rather than preparing individual reports. The owners in attendance agreed to review all the crossings. Ms. Dean added that under this approach the future bridge repairs will be done under maintenance. Ms. Dean added that property owners may contact her any time when they decide to repair their bridge.

Mr. McPherson asked why he must pay for the Dubniak's bridge.

Mr. Rood explained the cost sharing procedure for bridges and added that sharing cost between the property owner and the upstream owners results in more fairly balanced assessments.

Ethelda Wilson, 4093 Drummond Road, said that some bridges on Drummond Road need to be replaced.

Lindsay Dean, Drainage Superintendent, explained that those bridges are related to the other project and advised Ms. Wilson to contact her.

Dennis Carlini, 7406 County Road 18, said that he needs a new bridge and asked if he will be responsible for the 100% of the cost for his bridge.

Lindsay Dean, Drainage Superintendent, explained that Mr. Carlini can do bridge repairs now under this report or wait to complete repairs later. When repairs are completed, the cost sharing of his bridge repairs is specified on cost sharing schedule under bridge #6.

Michael Van Vrouwerff, 7398 County Road 18, asked how much it will cost to repair his bridge.

Lindsay Dean, Drainage Superintendent, explained that the cost of this report covers the engineering cost and bridge cost sharing. The cost of future bridge repairs will be split between Mr. Van Vrouwerff and upstream property owners as per the bridge cost sharing schedule. Ms. Dean advised Mr. Van Vrouwerff to check the specifications of his bridge since when adopted, no changed to the design will be available.

Mr. Van Vrouwerff further commented that the problems with the drain are caused by the Community Living property and the Greenway.

Norm Nussio, Manager of Operations and Drainage, advised that drain maintenance is needed and that bridges identified as undersized will be replaced in the future as per specifications in this report.

Richard Dubniak, 7338 County Road 18, stated that it took too long to respond to his request for his bridge replacement.

Kirk Carter, Drainage Board Chair, advised Mr. Dubniak and other property owners to contact the Drainage Department if they have questions regarding the project.

Councillor Verbeek expressed concern regarding the high cost for engineering on this project and wondered what additional cost would be required to reconsider the report.

Lindsay Dean, Drainage Superintendent, explained that the cost has already been incurred to author this report and there will be additional costs to incorporate requests received at this meeting.

Board Member Dufour expressed concern about the cost of the project and suggested to separate the cost for the Dubniak's bridge from the other costs.

Lindsay Dean, Drainage Superintendent, advised that there will an additional cost to separate the reports and it is not necessary.

Norm Nussio, Manager of Operations and Drainage confirmed that separation of the report will add cost and create problems related to the project delay. Mr. Nussio further explained that the cost to develop a report for one bridge is from ten to fifteen thousand dollars and this report is not for one property owner but also for everybody else on the drain.

DB22-04-004

Moved by Board Member Martin

Seconded by Board Member Dufour

That the presentation by Gerard Rood be received and that the Report for Report from Rood Engineering Incorporated dated February 18th, 2022, regarding the South Townline Drain (Replacement Bridge for Dubniak & Drain Maintenance Schedule), Geographic Township of Colchester North, Project REI2020D006, Town of Essex, County of Essex

Carried

7. Adjournment

DB22-04-005

Moved by Board Member Martin

Seconded by Board Member Dufour

That the meeting be adjourned at 6:00 PM.

Carried

Chair

Recording Secretary