



Drainage Board

Consideration of Report Minutes

Town of Essex Council Chambers, 33 Talbot Street South, Essex, Ontario

Tuesday, November 12, 2019 5:00 p.m.

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: Dan Boudreau
Luke Martin
Kirk Carter
Percy Dufour
Felix Weight-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: Per attached Sign-in Sheet

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 5:03 P.M.

2. Declarations of Conflict of Interest

Board Member Weight-Bienzle declared a Conflict of Interest due to the fact that he owns several properties assessed to this drain.

3. Adoption of Published Agenda

i) Drainage Board Meeting Agenda

Moved by Board Member Dufour

Seconded by Board Member Martin

(DB-19-11-01) That the published agenda for the November 12, 2019 Drainage Board Meeting be adopted as updated with the following amendment:

- a) Correspondence from Councillor Steve Bjorkman and Gerard Rood,
Professional Engineer dated November 12, 2019.

"Carried"

4. Adoption of Minutes

i) Consideration of Report for Thompson Drain New Bridge for Cindy Brockman on October 21, 2019.

Moved by Board Member Carter

Seconded by Board Member Dufour

(DB-19-11-02) That the minutes of the Drainage Board Meeting held on October 21, 2019, be adopted as circulated.

"Carried"

5. List of Written Appeals

The Chair asked if there were any written appeals.

The Deputy Clerk confirmed that there were no appeals received by the Clerk's Office prior to the meeting.

6. Public Presentations

i) Kory Snelgrove, E.I.T., Rood Engineering Inc.

Re: Report from Rood Engineering Incorporated dated October 17th, 2019 regarding 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. Snelgrove presented the overview of the Report. The Report 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. Mr. Snelgrove explained that the existing bridge conditions for Garry and Bonny Quick were investigated and the bridge was found to be in fair condition and not in need of immediate replacement. Mr. Snelgrove added that this report provides all necessary details for the future replacement of the access bridge for Garry and

Bonny Quick. The works under this report are in accordance with Section 78 of the Drainage Act.

Mr. Snelgrove advised that all necessary survey and investigations for the proposed bridges were conducted. Mr. Snelgrove presented the overview of the reports which were utilized to prepare the current report and added that the report from 1993 prepared by N.J. Peralta was reviewed to investigate the watershed boundary changes subsequent to the storm sewer reconstruction report completed by Lafontaine, Cowie, Buratto and Associates on September 12th, 1990.

Mr. Snelgrove presented the technical characteristics of the bridges and their position as it was discussed at the on-site meeting.

Mr. Snelgrove also explained how the project cost was calculated and added that there will be no allowances. Mr. Snelgrove stated that it is anticipated that the agricultural lands served by the replacement Defour Bridge should be eligible for an agricultural grant as the Defour property is currently assessed under the Farm Property Tax Class. Mr. Snelgrove added that all upstream lands that hold the Farm Property Tax Class designation are also expected to be eligible for the O.M.A.F.R.A. grant as stated on the Schedule of Assessment.

Mr. Snelgrove detailed the Essex Region Conservation Authority (ERCA) and Fisheries and Oceans Canada (DFO) requirements and advised how those requirements will be satisfied.

Mr. Snelgrove advised that at the day of the meeting Rood Engineering received a request from Councillor Steve Bjorkman. Councillor Bjorkman inquired as to why the Quick's property was assessed \$1,892.00 since there will be no construction of their bridge at this time.

Mr. Snelgrove explained that Rood Engineering Inc. was appointed to do a report for both bridges. There was no written notice to withdraw the Quick Bridge from the scope of work, but general discussions had established that the bridge was to remain in place until it required replacement in the future therefore the report does not provide for replacement at this time.

Mr. Snelgrove explained that a number of years ago, there were upgrades done to the storm drainage for Harrow Centre with a new larger outlet discharging into the Shepley Drain where it turns along County Road 20 just east of Roseborough Road. This drainage change requires all downstream pipes in the Shepley Drain from the Roseborough Road area westerly to the Richmond Drain be increased in size when replaced. In order to save the Quick parcel and all the upstream lands

and roads the cost of a separate drainage report for the bridge replacement in the future, Rood Engineering Inc. has included the survey and design work in the current drainage report. The assessment shown to the Quick parcel is their share of incidental costs for doing the bridge design now so that it can be replaced under maintenance in the future and save them and all affected lands and roads on the cost of a separate drainage report.

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

Board Member Carter asked Mr. Snelgrove to explain why the Quick Bridge is not being replaced at this time. Board Member Carter also asked why it was not replaced in 1990 due to the increased water flow after storm sewer reconstructions.

Mr. Snelgrove replied that in 1990 there were no requests to replace the bridge and since Rood Engineering Inc. was appointed at this time the company has an obligation to review previous reports and to conduct a survey, investigate and to provide technical details for the future reconstruction of Quick bridge under this report to save on the future costs of preparing a separate report.

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

Board Member Dufour asked what is the life expectancy of the current Quick Bridge. Mr. Snelgrove replied that it is 5-10 years.

ii) Public Presentations (if any).

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

Bonny Quick, 2361 County Road 20 West, stated that she did not submit an application for bridge repairs. Mrs. Quick stated that she believes that the bridge expectancy is 20 years since it is large and looks good. She added that she did not ask for this work and would likely appeal the assessment. Mr. Quick asked who included Quick Bridge into the report and why it was included.

The Chair advised that he specifically remembers that Mr. Quick asked for his bridge replacement when the Chair met with Garry Quick and Elwood Dufour at the initial meeting which was before the on-site meeting.

Norm Nussio, Manager of Operations and Drainage added that at the on-site meeting the Quick Bridge was discussed. Mr. Nussio added that Mr. Quick called him later calling off his request. Norm Nussio explained that including Quick Bridge into the report has a benefit both for the Quick property and the other

owners. Mr. Nussio added that storm water requirements are now higher and call for using the other type of pipes.

Garry Quick, 2361 County Road 20 West, said that he and Bonny were not present at the on-site meeting and that he does not remember meeting with the Chair and asked for documentation.

Mr. Rood replied that as per his records Garry and Bonny Quick were in attendance at the on-site meeting on September 15, 2018, which is specified at the Part III of the report.

Bonny Quick, 2361 County Road 20 West, said that she called to remove the Quick Bridge from the project as soon as she received the report. She added she will appeal the value of the benefit.

Norm Nussio, Manager of Operations and Drainage explained that it is more cost effective for both the Quick property as well as upstream owners to use one report for both bridges.

Gerard Rood, Professional Engineer, stated that the Quick bridge will deteriorate very soon and by incorporating the Quick Bridge into the current report, Rood Engineering has saved the owners from \$6,000 to \$7,000. Mr. Rood added that as an Engineer he has an obligation to provide an effective solution to taxpayers. Mr. Rood added that the Quick property was assessed \$1,892 for incidentals to prepare the report and in the future the repairs on Quick Bridge can be done as part of maintenance thus providing an advantage for the Quick property and the other taxpayers on the drain.

Bonny Quick, 2361 County Road 20 West, asked how long this report is valid for.

Gerard Rood, Professional Engineer, advised that this report will be current until another report is prepared for this drain. Mr. Rood added that the report was prepared taking into consideration the fairness principle and providing the most cost effective approach. Mr. Rood informed that the appeal to the Tribunal will increase the cost of the project by approximately \$3,000. Mr. Rood stated that he feels that the appeal will not be substantiated since there were no other appeals and including Quick bridge is cost effective, fair and has advantage to all parties related to the drain.

Felix Weigt-Bienzle, AFF Farms, asked why the Engineer did not prepare a report for one bridge that could have served both the Quick and Defour properties.

Gerard Rood, Professional Engineer, replied that he has offered this option but Mr. & Mrs. Quick did not agree to this option since the cost to their property would have been about \$25,000.

Board Member Carter asked if there is any way to distribute the cost of the Quick property to the other property owners.

Norm Nussio, Manager of Operations and Drainage, explained that it will be not fair to distribute the Quick’s property cost to the Road Department or to any other property owners since they have been already assessed their fair share of the cost for this project.

Moved by Board Member Dufour

Seconded by Board Member Martin

(DB-19-11-03) That the presentation by Gerard Rood be received and that the Report 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 REI2018Do24, Town of Essex, County of Essex** as prepared by Gerard Rood, Professional Engineer dated October 17th, 2019 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”**

7. Adjournment

Moved by Board Member Carter

Seconded by Board Member Martin

(DB-19-11-04) That the meeting be adjourned at 6:12 PM. **“Carried”**

Chair

Recording Secretary

Date