



## **Drainage Board**

### **Court of Revision Agenda**

County of Essex Council Chambers, 360 Fairview Ave. W., Essex, Ontario

Monday, November 18, 2019 – 4:30 PM-6:00 PM

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

Present: Luke Martin  
Kirk Carter  
Felix Weigt-Bienzle

Regrets: none

Also Present: Mayor Larry Snively  
Chris Nepszy, Chief Administrative Officer  
Robert Auger, Town Solicitor/Clerk  
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 Clerk to confirm having administered the Oaths to the Members of the Court of Revision.

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

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

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

#### **4. Drainage Board Court of Revision Agenda**

Moved by

Seconded by

That the published agenda for the November 18, 2019 Court of Revision Meeting be adopted as presented.

## 5. Court of Revision for Batten Drain

- a) Batten Drain Replacement Bridge for Abram Harms Holdings Inc., Part of Lot 27, N.M.R. Concession, Geographic Township of Colchester North, Project REI2019D024, Town of Essex, County of Essex;

This is pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated September 16th, 2019 which was considered at a Consideration Meeting held October 7, 2019 and adopted by Council at its November 4, 2019 Regular Meeting.

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 9, 2019. At the first Regular Council meeting after this date the third reading to By-Law Number 1860 will be given.

- b) Appeals from Landowners

The Chair will advise 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.

- c) List of Written Appeals of Assessment Received by the Clerk

- d) Engineer to provide a Background on the Drain and the Proposed Project (if required)

Gerard Rood, Professional Engineer, Rood Engineering Inc.

- e) Questions from Landowners

- f) Court of Revision Decision

Moved by

Seconded by

That the assessments contained in the report for the Batten Drain Replacement Bridge for Abram Harms Holdings Inc., Part of Lot 27, N.M.R. Concession, Geographic Township of Colchester North, Project REI2019D024, Town of Essex, County of Essex, as prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated September 16<sup>th</sup>, 2019, be confirmed.

## **6. Court of Revision for the Philip Ferris Drain**

a) Philip Ferris Drain New Drain Diversion for Atlas Tube Inc., Maintenance Schedule of Assessment Philip Ferris Drain-North Branch, Geographic Township of Colchester South, Project REI2019D007, Town of Essex, County of Essex;

This is pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated September 6th, 2019 which was considered at a Consideration Meeting held September 30, 2019 and adopted by Council at its November 4, 2019 Regular Meeting.

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 9, 2019. At the first Council meeting after this date the third reading to By-Law Number 1861 will be given.

b) Appeals from Landowners

The Chair will advise 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.

c) List of Written Appeals of Assessment Received by the Clerk

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

Gerard Rood, Professional Engineer, Rood Engineering Inc.

e) Questions from Landowners

f) Court of Revision Decision

Moved by

Seconded by

That the assessments contained in the report for Philip Ferris Drain New Drain Diversion for Atlas Tube Inc., Maintenance Schedule of Assessment Philip Ferris Drain-North Branch, Geographic Township of Colchester South, Project REI2019D007, Town of Essex, County of Essex, as prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc. dated September 6<sup>th</sup>, 2019 be confirmed.

## **7. Adjournment**

Moved by

Seconded by

That the meeting be adjourned at \_\_\_\_\_.