

Minutes of a meeting of the Town of Amherstburg **Court of Revision** held on Monday, May 29, 2006 at 7 p.m.

**PRESENT**

Robert Bailey, Member  
Carl Gibb, Member  
Paul Renaud, Member  
David Mailloux, Clerk  
Lou Zarlenga, PWM  
Dwayne Grondin, PWI  
Bruce Crozier, P. Eng. (for 7 and 7:15 p.m. meetings)

**Appointment of Chair**

Moved by P. Renaud, seconded by R. Bailey that C. Gibb be appointed Chairperson for the **Court of Revision for the**

- 1) **Wismer Bridge over the Deslippe Drain – Report dated Jan. 6, 2006**
- 2) **Dufour Bridge over the Albert McGee Drain – Report dated Jan. 9, 2006**
- 3) **Willow Beach Drain & Pump – Report dated Nov. 2, 2005**

Motion Carried

**7:00 p.m. Meeting**

**Wismer Bridge over the Deslippe Drain**

Attendance: Darwin Wismer, Carolyn Boyce, Randy & Audrey Dufour.

Moved by P. Renaud, seconded by R. Bailey that the Court of Revision for the Wismer Bridge over the Deslippe Drain be opened.

Motion Carried

Engineer Bruce Crozier explained that this meeting was to hear any appeals or comments regarding the report dated January 6, 2006.

A letter of appeal dated May 18, 2006 was received from David & Carolyn Boyce, owners of part lot 74, concession 6 and a written response from Mr. Crozier dated May 24, 2006 was also received.

Mrs. Boyce was in attendance and stated that should not have to pay for another owners bridge.

Mr. Crozier explained that only those parties whose water went under this bridge are being assessed. If this would have been a new bridge, 100% of the cost would be assessed to Mrs. Wismer; however, since this is a replacement, 50% of the cost is assessed to Mrs. Wismer and 50% to the upstream owners.

Lou Zarlenga further explained that the Drainage Act is very specific on how bridges are to be assessed. The size of the bridge is determined by upstream lands.

Moved by P. Renaud, seconded by R. Bailey that the assessments in report dated Jan. 6, 2006 for the Wismer Bridge over the Deslippe Drain be confirmed and that the Court be closed.

Motion Carried

## **7:15 p.m. Meeting**

### **Dufour Bridge over the Albert McGee Drain**

Attendance: Randy & Audrey Dufour, Jon Parks

Moved by R. Bailey, seconded by P. Renaud that the Court of Revision for the Dufour Bridge over the Albert McGee Drain be opened.

Motion Carried

Mr. Crozier explained that this meeting was to hear any appeals or comments regarding the assessment schedule in the report dated January 9, 2006.

Mr. Crozier explained that a concern from Mrs. Bondy regarding the number of acres assessed in the drain caused him to review the matter and he was of the opinion that the acreage assessed should be reduced. He will make an adjustment after consulting with Lou Zarlenga and Dwayne Grondin.

An anonymous letter informing the Town of some properties draining into the Albert McGee Drain but not on the assessment schedule was reviewed along with a written response from Mr. Crozier dated May 24, 2006. Mr. Crozier agreed that after looking into the matter, the schedule should be revised.

Mr. Jon Parks, owner of part lot 72, concession 6 referred to a letter that he had submitted to Council at the meeting for the consideration of the report. Mr. Parks stated that 1/3 of the cost of the project is for engineering fees. This is too high. Engineering work should be tendered out as the construction work is. We are paying high rates for reports that are modeled on previous reports and should not require that many hours to produce. Even with high cost, the report needs revision

Chairperson Gibb advised Mr. Parks that his complaint will be noted in the minutes.

Moved by R. Bailey, seconded by P. Renaud that the assessment schedule in the report dated Jan. 9, 2006 for the Dufour Bridge over the Albert McGee Drain be amended and that the Court be adjourned and rescheduled to another date.

Motion Carried

## **7:30 p.m. Meeting**

### **Willow Beach Drain and Pump**

Attendance: No one in attendance.

Moved by R. Bailey, seconded by P. Renaud that the Court of Revision for the Willow Beach Drain and Pump be opened.

Motion Carried

There were no written or verbal appeals received.

Moved by R. Bailey, seconded by P. Renaud that the assessment schedules in the report for the Willow Beach Drain and Pump dated Nov. 2, 2005 be confirmed and the Court of Revision be closed.

Motion Carried

  
CHAIRPERSON

  
CLERK