

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

REGULAR MEETING

PAGE 1

AUGUST 26, 2020

PRESENT: MAYOR: Leslie GAMBLE
COUNCILLORS: Kevin BURKE, Patricia HNATUIK, Glenda MASSICOTTE, Cheryl PHILLIPS,
Dale RIVERS, Susan SONNENBURG
CLERK-ADMINISTRATOR: Kim SLOSS

Motion No: 2020-236
Moved By: P. HNATUIK
Seconded By: D. RIVERS
WHEREAS there is a quorum of Council present and the time is 6:00 p.m.;
BE IT RESOLVED THAT this regular meeting be open for business;
AND THAT the minutes of the regular meetings of August 12, 2020 be approved.
CARRIED

Mayor Gamble declared a conflict of pecuniary interest in the agenda item Court of Revision as he is a property owner assessed on the drain.

*The Court of Revision for the Assessment Schedule for the McGregor Drain shall now commence.
The Court of Revision has concluded and the regular meeting resumed. The minutes of the Court of Revision are attached hereto.*

Consent
Agenda –
C1
Motion No. 2020-237
Moved By: D. RIVERS
Seconded By: K. BURKE
BE IT RESOLVED THAT item C1 contained on the Consent Agenda be adopted.
CARRIED

C1-Public
Works
Committee
Meeting
Report
Motion No. 2020-238
Moved By: D. RIVERS
Seconded By: K. BURKE
BE IT RESOLVED THAT the following Meeting Report be accepted:
- Public Works Committee - August 19, 2020
CARRIED

Bylaw
2020-34 –
Procedural
Bylaw – 1st
& 2nd
Reading
Motion No. 2020-239
Moved By: G. MASSICOTTE
Seconded By: K. BURKE
BE IT RESOLVED THAT Bylaw 2020-34, being a Bylaw to amend the Procedural Bylaw, be read a first and second time.
CARRIED

3rd & Final
Reading
Bylaw
2020-34
Motion No. 2020-240
Moved By: S. SONNENBURG
Seconded By: D. RIVERS
BE IT RESOLVED Bylaw 2020-34, being a Bylaw to amend the Procedural Bylaw, be read a third and final time and passed in open council.
CARRIED

Meeting
complies
with
Procedural
Bylaw
Motion No. 2020-241
Moved By: S. SONNENBURG
Seconded By: C. PHILLIPS
BE IT RESOLVED THAT Council deems that this meeting shall comply with the Procedural bylaw amendment passed therein.
CARRIED

Meetings to
be held at
Massey &
District
Community
Centre
Motion No. 2020-242
Moved By: K. BURKE
Seconded By: S. SONNENBURG
WHEREAS the Procedural Bylaw, Section 6.3 requires that a resolution shall be passed to dispense with, or alter the time, day or place of any meeting;
AND WHEREAS it is deemed necessary to hold meetings in a larger venue to accommodate the physical distancing guidelines for Covid-19;
BE IT RESOLVED THAT until further notice, meetings shall take place at the Massey and District Community Centre & Arena, including this meeting.
CARRIED

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

REGULAR MEETING

PAGE 2

AUGUST 26, 2020

Ice in at Arena for Oct 1/20	Motion No.	2020-243
	Moved By:	S. SONNENBURG
	Seconded By:	D. RIVERS
	WHEREAS a plan and procedure has been created for the reopening of the Massey Arena Facility for ice-time usage, that includes measures to be taken to respond to Covid-19 guidelines; BE IT RESOLVED THAT Council concurs with this and agrees to have ice installed for October 1, 2020 for this winter season.	

CARRIED

Consent Files C20- 05 & 20-06	Motion No.	2020-244
	Moved By:	P. HNATUIK
	Seconded By:	C. PHILLIPS
	BE IT RESOLVED THAT Consent application file Nos. C-20-05 and 20-06 as applied for by Sandy Crites and Chris Tatarnuk be PROVISIONALLY APPROVED this 26 th day of August, 2020; The land in subject application is composed of land in the Township of Salter, Section 13, Parcel 8309; The purpose of these consents is to allow for a new lot per application in the Rural zone. The are hereby provisionally approved with the schedule of conditions attached hereto.	

CARRIED

1 st & 2nd Reading Bylaw 2020-35 & 2020-36	Motion No.	2020-245
	Moved By:	S. SONNENBURG
	Seconded By:	C. PHILLIPS
	BE IT RESOLVED THAT the following bylaws be read a first and second time: - Bylaw 2020-35 – being a bylaw to grant validation under the Planning Act for property in Hallam Township; - Bylaw 2020-36 – being a bylaw to appoint auditors for the municipality.	

CARRIED

3 rd & Final Reading Bylaw 2020-35 & 2020-36	Motion No.	2020-246
	Moved By:	D. RIVERS
	Seconded By:	G. MASSICOTTE
	BE IT RESOLVED THAT the following bylaws be read a third and final time and passed in open council: - Bylaw 2020-35 – being a bylaw to grant validation under the Planning Act for property in Hallam Township; - Bylaw 2020-36 – being a bylaw to appoint auditors for the municipality.	

CARRIED

	Motion No.	2020-247
	Moved By:	P. HNATUIK
	Seconded By:	G. MASSICOTTE
	BE IT RESOLVED THAT this meeting be adjourned until the next regular meeting or call of the Chair.	

CARRIED

MAYOR – L. GAMBLE

CLERK-ADMINISTRATOR – K. SLOSS

Township of Sables-Spanish Rivers

PUBLIC WORKS COMMITTEE
Roads/Water/Waste Management

AGENDA / MEETING REPORT

Wednesday, August 19, 2020 at 6:00 p.m.

PRESENT: Leslie GAMBLE, Kevin BURKE, Pat HNATUIK, Glenda MASSICOTTE Cheryl PHILLIPS, Dale RIVERS
Glen CLIFFORD, Jacques MAILLOUX, Kim SLOSS

ABSENT: Susan SONNENBURG

A. ROADS

Updates:

1. 2020 Calcium completed 132.1 km of road completed
2. Road Patching completed
3. Prime and Chip areas completed as of last week, Agnew Lake Rd, Lee Valley Rd, Meredith St, Carl Albert St, Mouth Park Rd and Waterfalls Rd.
4. All road entrances have been marked with a 60 km/hr maximum sign, this work is ongoing with only intersecting roads to be completed
5. Repair of broken guardrail posts completed with 60 guardrail posts changed

6. Hiring of Contract Drivers for the 2020/2021 winter season, report to be circulated to committee members
Glen reviewed his memo with the Committee. The Committee recommended proceeding with advertising for casual, on-call drivers/operators for this winter season from October 31st-March 15th, following our usual interview process. It was stated that with our staffing as is there is no movement ie: nightshifts. This may provide more opportunity for this as well as snow removal on a timelier basis

7. Webbwood snowplowing options for 2020/2021 season
GFL (formerly Riverside Enterprises) has given notice that they will not be providing winter maintenance services in Webbwood this year. Further discussion and analysis within Public Works would have to be done to see if this can be performed in-house.
The Committee recommended tendering this out as has been done in the past. We can state that contractors can provide options for service depending on what equipment they have. If it means that we our Public Works goes in after a snow event to help out we can work with that. We know that a loader is needed for the laneways.

8. Railway Crossings
As a result of a car/train incident at the end of July at the Kring Road railway crossing, Transport Canada has to do an investigation. Glen and Jacques are meeting with the inspector on August 20th to go over all areas and confirm what is required by the Township ie: site lines. A bylaw was passed in 2019 specific to crossings where we erected stop signs then, so any additional locations we may put up signs will require another bylaw.

After Meeting Note from Glen: investigation is complete. We met with Jeff from Transport Canada this morning (on Aug 20th). I will get a count on the number of signs we require by end of day tomorrow, incidentally on our trip this morning we met up with Rob Johnson the Foreman from the railway. We are going to use their posts at the crossings for the signs therefore they are responsible for putting the signs up. We only have one small area to brush on Hannah and we all agreed to let each other know when working close to the rail tracks, once that is completed by end of day tomorrow, I will respond to Jeff's documents indicating brushing completed and awaiting a Council Bylaw for the remaining stop signs. I will cc you on the completed documents for your file, once that is done, we are fully in compliance all that's left to do is let Jeff know when the signs are in fact erected.

9. Massey Storm Sewers

Tenders were electronically circulated by WSP this week to Beamish Construction, Belanger Construction, JI Enterprises, Sanftenberg Construction and Mailloux Construction. Members of the committee were approached by a contractor with concerns of the tender requirements of the 100% performance bond and 50% material bond. The Committee understood the concerns but sees the reasoning for the requirement. No changes were recommended.

2. Capital Projects

a) Sidewalks:

It was previously determined that certain areas of sidewalk in both Massey and Webbwood are beyond repair and creating a tripping hazard for pedestrians. The committee previously recommended adding \$50,000 to the capital budget for sidewalk removal. It was decided that Public Works would complete this project in house starting with the worst areas along Grove St up to the Library and Imperial St. South on the East side from the Legion to the intersection of King St. and Imperial St. Public Works is still awaiting the arrival of the thumb for the backhoe to begin this work.

The plan and process we will take to complete this this fall was discussed.

B. WATER/WASTE WATER

1. Webbwood Flow Meter

See correspondence from OCWA

The flow meter at the sewage pump station in Webbwood requires replacement. It failed the annual verification and is required under the certificate of approval to be operational at all times. The Committee recommends providing OCWA with the approval to proceed with expenditure request in the amount of \$15,885.29. It was also suggested to ask OCWA about a surge protector for the meter, and if there is one.

C. WASTE MANAGEMENT

Clean up days: It had been agreed to forego Clean Up Days in the spring, but it was indicated that we could look at scheduling some time in the fall. Does the Committee agree to offer two full days in late September as Clean Up Days at Tennyson Landfill site? This means that the landfill is open longer, and tipping fees are waived, except for construction materials.

The Committee agreed to provide this on September 25th and 26th, from 10am to 4pm. The advertising will specify that household waste is free of tipping fees, and that fees will still apply to construction / building material ie: shingles, drywall, used lumber.

The Household Hazardous Waste Day that was postponed in the spring will be taking place on Saturday, September 26th at the Espanola Public Works Yard. This is being advertised.

The Committee commented that most residents don't know that the Township cannot provide this service within our municipality as we do not have a certificate of approval from the Ministry of Environment to accept hazardous wastes. As the Town of Espanola has this, they host this event with our area municipalities to participate in. We will explain this to residents when advertising the event.

Mention was made of a waste electronic depot on Barber Street in Espanola, and Earth Care. Staff will research this and make contact to see if they are accepting anything from the public.

D. EQUIPMENT

a) Backhoe Lease – Report to be circulated to committee members for discussion

Glen reviewed the report prepared. The Committee discussed leasing. There is a maintenance service program available with cost savings if the John Deere grader maintenance can be lined up for same day services for which the Committee agreed was a good idea however would like more information on the options available. The Committee recommends changing the monthly rental to a lease commencing in September, and Glen will gather more information on the maintenance program costings.

b) Loader Repair – The loader is repaired with a new pin on bucket, midway through the project it was determined that additional work was required on the midship pins with line boring and new top and bottom pins and shims.

For information only.

E. CEMETERIES

Dale Rivers asked to briefly discuss the fencing at the Walford Protestant Cemetery. He indicated that his opinion is that some brushing to remove rust from the existing fencing, some spot welding and a new coat of paint would be satisfactory. This will be followed up with Ruth and Pat to see where they are at with their review of this.

F. BUILDING MAINTENANCE

1. Sand Dome:

Our sand dome is in need of some foundation repairs, when the building was originally constructed the base was not completely square which required some parging where the structure met the foundation. Portions of this parging are beginning to crack and fall out causing rain to enter the dome, this will cause issues come freeze up with portions of the sand being frozen which could damage the conveyors and spreaders in the trucks. Further the asphalt tarmac in the opening to the dome has shifted causing run off during rain events to enter the dome, however, this can be easily fixed by adding a small speedbump if you will to keep water from entering into the dome and flow to the side.

A quote was requested from Carol Sonnenburg for a spray foam fill and a sealant to protect the filler from ultraviolet rays and birds, this quote came in at just over \$10,000.00.

I am suggesting we clean the areas requiring re-parging and replace with actual cement to maintain the integrity of the structure, this also can be done in house and would likely take two days to complete the work.

Glen advised the Committee that staff has made repairs in-house, at a very modest cost. There was spray seal applied to the inside, away from the ultraviolet rays. This is not a permanent fix, but it will be good for this winter's stockpile of sand.

Other business:

Kim Sloss updated the Committee on a teleconference call held earlier in the day with RealTerm Energy and the progress of the LED streetlighting project. It is near completion; there are 4 high voltage fixtures that will need to be installed by Espanola Regional Hydro due to their proximity to the High Voltage Primary Lines. It was determined that the existing infrastructure was much worse than anticipated; and that is relative to the age of the system. As such, fuse holders, secondary connections and re-establishing the connection between the arm and the pole all had to have their allowances increased. Therefore, a change order in the amount of \$13,660 is required to account for additional materials. Fortunately, because of under usage of wiring and various arm lengths, the overall budget will be only slightly over in the \$2,000 range, excluding our cost to have Espanola install the 4 fixtures. A final total be provided when the project is reconciled. The Committee agrees to the change order and commented that these new lights look really good; we have already received compliments on the improved lighting.

Dale Rivers asked a few questions and responses were provided:

- *In-house (cross) training – this is ongoing. Different operators are being trained on various equipment ie; graders, excavator*
- *Algoma Street West sidewalk winter maintenance – it was indicated that this is a dead-end sidewalk with nowhere to put the snow. All efforts are made to have the street widened when snow plowing, knowing that children walk to the school in that area.*
- *Update on portable speed limit sign – it was reminded that Council had indicated that this would be reviewed for the 2021 budget. Staff is obtaining information and costs.*
- *It was confirmed that the trailer to haul the excavator has been purchased as per the capital budget this year.*

Jacques Mailloux made mention of replacement of some sizable culverts and ditching that is needed on Buckmiller Road. He is hoping that they can be done during the fall culvert program. These culverts are currently still full of water. There will be further review of this by Public Works.

Next Meeting:

At the call of the Chair

August 19, 2020

Memo to Public Works Committee

Subject: Contract Drivers for 2020/2021 Winter Season

For the 2020/2021 winter season I am asking the Committee to consider the hiring of 2-3 winter season Contract Positions. Traditionally the Township of Sables-Spanish Rivers completed all snow removal operations using the current staffing available.

Current staff essentially must remain available 24/7 for call ins on weekends, holidays sometimes resulting in no time off which understandably is part of this industry and is generally accepted.

I have three reasons for the Committee to consider the hiring of Contract Operators for the winter season;

1. The ability to use Contract Operators during requests for time off, sick days which allow staff the ability to take some personal time during winter months. Using the Contract Operators in this instance also has the ability to reduce overtime paid during winter events on weekends, holidays etc.
2. During heavy winter events Contract Operators could be used to clear main arteries overnight leaving only clean up during day shift, however, there would be a cost to this but can be mitigated by Full Time Staff finishing earlier again resulting in less or no overtime costs incurred.
3. Night time operations such as snowbank removals, this would allow the operations to be done when less traffic is present on streets thus making it easier and safer to get done in a timely fashion.

Contract Operators would be hired with a start date and end date, there are no benefits paid only straight wages and would give us as Managers a way of mitigating overtime hours paid on weekends, holidays and overnight operations.

Our current staffing level does not support any outside the normal operations during the winter season.

Glen Clifford
Public Works Manager

August 19, 2020

MEMO TO Public Works Committee

Subject: Five (5) Year Backhoe Lease

Background: In May of 2020 the Townships Case 621 Loader was deemed unfit to operate due to the deterioration of the coupler and the inability to properly secure the bucket to the loader. The Loader ultimately went to Brandt of Sudbury for repair.

As this machine was the only means of moving material, loading trucks etc. a rental agreement was struck with Brandt for a 2020 John Deer Backhoe to replace the loader during its repair. While the John Deer was not the cheapest rental it was chosen as they offered 40 hours of demo time, and it would be the exact machine the Township would receive if purchased or leased as prior to this I had sought pricing on both purchase prices and leasing options from several different companies.

Below is a table listing monthly how many hours this machine was used and for what purpose.

	May	June	July
Bridges and Culverts	4	20.5	6
Roadside Maintenance	15	47	48
Hardtop Maintenance	6	23.5	18.5
Loose top Maintenance		15	13
Tennyson Landfill		6	
Chutes Landfill	1	8	
Total Hours	26	120	85.5

The current cost of renting the Backhoe from Brandt is \$4800.00/month, a monthly lease would be \$2,677/month (actual would be slightly less as \$11,520 of \$14,400 of rental payments is being applied to the purchase price) our current cost of rental from GFL is \$65.00/hour.

	May	June	July
\$4800.00/Month	\$184.61/Hr.	\$40.00/Hr.	\$56.14/Hr.
\$2,677.87 (Lease)	\$103.00/Hr.	\$22.32/Hr.	\$31.32/Hr.
\$65.00/Hr. (GFL)	\$1,690.26	\$7,800.00	\$5,557.50

One must also take into account the number of working hours spent for two bodies to pick up the machine in Webbwood, travel to the work site and return the machine to Webbwood at the end of shift this is broken down as follows;

- .25 hrs. to pick up the machine
- .25 hrs. pre trip time
- .50 hrs. travel time to jobsite

.50 hrs. back to deliver the machine

.25 hrs. back to shop

This equates to 1.45 hrs. of work time just to get the machine to the jobsite and back to its home yard.

Included in the Backhoe Lease is a 14-foot blade which primarily would be used for parking lots, could be used for laneways etc. a ditching bucket and thumb are also included. This also would alleviate further stress on our already aging loader.

While the machine comes with a full five-year factory warranty, Brandt also offers a Proactive Maintenance Program with the full cost to be rolled into the monthly finance payment. This would eliminate any travel costs as well as costs associated with the 500-hour servicing program. They are also offering the same maintenance program on the John Deer Grader which has 3 years left on its warranty, however, if the committee decided not to proceed with the maintenance program on the grader both 500-hour services could be tied into 1 service trip eliminating the travel costs on the grader.

At the end of the 5 year lease program the residual value owing on the Backhoe would be \$70,000.00 the option to purchase would be available or return the machine.

Glen Clifford
Public Works Manager

THE CORPORATION OF THE
TOWNSHIP OF SABLES-SPANISH RIVERS

Provisional Approval - Consent Application File No. C-20-05 and 20-06

Schedule of Conditions:

1. Road allowance - That if a survey is required, the road allowance(s) deemed to be approximately 33 ft. from the centre of the existing road(s) in front of the land to be severed be surveyed, and together with other road allowances that may be on this or existing surveys be conveyed to the Municipality at the applicant's expense and appropriately certified that the Municipality's title is free and clear of all encumbrances and the Municipality has a good and marketable title.
2. Public road - The road authority requests that the roads on the applicant's lands deemed to be approximately 33 ft. from the centre of the existing road and approved by the Municipality be acknowledged as public road and if shown on a survey, shall convey title of these public roads to the Municipality at the applicant's expense.
3. No deviation - The official survey, if required, must not deviate substantially from the application. The applicant must provide a copy of the draft reference plan to the Municipality.
4. Administration fee - That a \$100.00 administration fee per application be paid to the Municipality.
5. No arrears - That there be no arrears owing to the Municipality by the applicant unless payment is guaranteed by the applicant's solicitor upon closing.

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BYLAW NUMBER 2020 - 34

Being a Bylaw to Amend the Procedural Bylaw

WHEREAS Section 238 of the Municipal Act, R.S.O., 2001, as amended provides that every municipality shall pass a procedural bylaw for governing the calling, place and proceedings of meetings;

AND WHEREAS Bylaw 2015-23 has been enacted to provide a procedural bylaw for the Township of Sables-Spanish Rivers;

AND WHEREAS Council deem it expedient to amend the Procedural Bylaw;

NOW THEREFORE the Council of the Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. That Section 6 – Council Meetings is hereby amended by adding the following subsection:

6.10 Council meetings shall be audio-recorded as our available technology allows, and posted to the municipal website.
2. This Bylaw hereby amends Bylaw 2015-23 and shall come into effect upon third and final reading.

READ A FIRST AND SECOND TIME THIS 26th DAY OF August, 2020.


MAYOR – L. GAMBLE


CLERK – K. SLOSS

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS 26th DAY
OF August, 2020.


MAYOR – L. GAMBLE


CLERK – K. SLOSS

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BYLAW NUMBER 2020- 35

Being a Bylaw to Grant Validation
Under the Planning Act

WHEREAS Ontario Regulation 229/99 under the Planning Act R.S.O. 1990 was filed for the purpose of delegating approval authority to the Council of the Corporation of the Township of Sables-Spanish Rivers for various planning matters, including validations;

AND WHEREAS Council has deemed it appropriate to grant validation of title as per Application File No. VAL-20-01;

BE IT RESOLVED THAT the Council of the Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. THAT pursuant to Ontario Regulation 229/99 and Section 57 of the Planning Act, R.S.O. 1990, Chapter 13, as amended, Council hereby grants validation to the following land;

Parcel 490 and 726
Part Lot 8, Concession 6
Township of Hallam

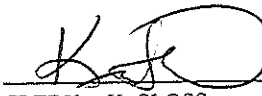
READ A FIRST AND SECOND TIME THIS 26TH DAY OF AUGUST, 2020.


MAYOR – L. GAMBLE


CLERK – K. SLOSS

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS 26TH DAY OF AUGUST, 2020.


MAYOR – L. GAMBLE


CLERK – K. SLOSS

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BY-LAW NUMBER 2020-36

BEING A BYLAW FOR THE PURPOSE OF
APPOINTING AUDITORS FOR THE MUNICIPALITY

WHEREAS The Municipal Act, 2001, S.O. 2001, c.25 requires that the Council of every municipality appoint an auditor;

AND WHEREAS the firm of Baker Tilly SNT LLP was appointed as Municipal Auditors for the Corporation of the Township of Sables-Spanish Rivers for an initial term of one (1) year being the fiscal year of 2019;

AND WHEREAS the initial term of the appointment has been successfully completed;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Sables-Spanish Rivers enacts as follows:

1. THAT the firm of BAKER TILLY SNT LLP be and is hereby appointed as the Municipal Auditors for the Corporation of the Township of Sables-Spanish Rivers.
2. This appointment is for a period of five years.
3. The Municipal Auditors shall perform such duties as are prescribed by the Ministry of Municipal Affairs and Housing, and also such duties as may be required by the Council or any local board, that do not conflict with the duties prescribed by the Ministry of Municipal Affairs and Housing.
4. This Bylaw shall come into effect upon third and final reading.

READ A FIRST AND SECOND TIME THIS 26TH DAY OF AUGUST, 2020.


MAYOR - L. GAMBLE


CLERK-ADMINISTRATOR - K. SLOSS

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS 26TH
DAY OF AUGUST, 2020.


MAYOR - L. GAMBLE


CLERK-ADMINISTRATOR - K. SLOSS

*THE CORPORATION OF THE
TOWNSHIP OF SABLES-SPANISH RIVERS*

Minutes of the Court of Revision held on

August 26, 2020

6:00 pm

Massey and District Community Centre,
455 Government Road, Massey, Ontario

Members of Court of

Revision Present:

Kevin Burke, Glenda Massicotte, Dale Rivers

Administration Present:

Kim Sloss, Ruth Clare, Anne Whalen

Others Present:

Neal Morris, Engineer, K. Smart Associates; John Linley,
Drainage Superintendent

1. Disclosure of Pecuniary Interest and the General Nature Thereof

None

2. Motion No: 2020-01

Moved by: G. Massicotte

Seconded by: D. Rivers

BE IT RESOLVED THAT Kevin Burke is appointed as Chair of the Court of Revision.
CARRIED

3. Motion No: 2020-02

Moved by: D. Rivers

Seconded by: G. Massicotte

BE IT RESOLVED THAT the Agenda for the Court of Revision be approved.
CARRIED

4. Motion No. 2020-03

Moved by: G. Massicotte

Seconded by: D. Rivers

BE IT RESOLVED THAT Kim Sloss is appointed as Secretary of the Court of Revision.
CARRIED

5. Introduction and Purpose of Meeting

The Chairs advises that the purpose of the Court of Revision is to hear appeals of assessments contained in the Engineer's Report dated May 29, 2020 for the McGregor Drain prepared under Section 76 of the Drainage Act, 1990. This hearing shall only

transfer an assessment from one landowner to another. Any other technical matters cannot be dealt with at this hearing.

6. Motion No. 2020-04
Moved By: G. Massicotte
Seconded By: D. Rivers

BE IT RESOLVED THAT the Court of Revision will accept verbal appeals that qualify under reasons for appeal.
CARRIED

The Chair advises that if there are residents in attendance who had not already submitted their written appeal to the Clerk, they can obtain an application for late appeal from the Clerk and complete it at this time.

7. The engineer (Mr. Morris PEng.) explained how the assessments were determined and a brief history of the Drainage Act. The engineer submitted an updated schedule to all landowners with the notice of this meeting.
8. Written Appeals to the Court of Revision on Assessments to the McGregor Drain.

Appeal #1: Leslie Gamble, Elizabeth Gamble, Roll #52-18-000-003-22600-0000
Owner's land assessed too high.

Appeal #2: Douglas Bracken, Roll #52-18-000-003-22200-0000
Owner's land assessed too high.

Appeal #3: Daniel Gravelle, Danika Gravelle, Roll #52-18-000-003-22701-0000
Owner's land assessed too high.

Appeal #4: Guy Constantin, Sara Constantin, Roll #52-18-000-003-22315-0000
Owner's land assessed too high.

Appeal #5 (late): Reiner Seel Cindy Seel, Roll #52-18-000-003-22400-0000
Owner's land assessed too high. Due consideration has not been given as to type of use of land.

Appeal #6 (late): Barbara Strange, Roll #52-18-000-003-22301-0000
Owner's land assessed too high. Cost of engineer.

9. Engineer's Oral Submissions and questions from the Landowners present

Neal Morris, P. Eng., K. Smart & Associates responded to each of the appeals. He presented mapping showing the watershed. He provided clarification of the watershed in answer to some questions from the landowners and Drainage Act legislation and requirements.

10. Decision of the Court

The Court of Revision members retired until August 28, 2020 at 9:00 am to make their deliberations. The Chair advises that all parties who submitted an appeal to the drain will receive a written notice of the Court's Decision which will include additional information on the process to appeal the decision, if required, to the Ontario Drainage Tribunal.

The Court of Revision adjourned.

The Decisions of the Court of Revision pronounced on the 28th day of August 2020 are attached hereto.

DECISION of the COURT OF REVISION:

RE: McGregor Drain

Decisions Pronounced on the 28th day of August 2020

Appeal #1- Appellant: Leslie Gamble, Elizabeth Gamble; Property: 52-18-000-003-22600-0000

Appeal Summary: Owner's land assessed too high

Decision: no changes; assessment stands

Appeal #2- Appellant: Douglas Bracken, Property: 52-18-000-003-22200-0000

Appeal Summary: Owner's land assessed too high.

Decision: no changes; assessment stands

Appeal #3- Daniel Gravelle, Danika Gravelle, Property: 52-18-000-003-22701-0000

Appeal Summary: Owner's land assessed too high.

Decision: no changes; assessment stands

Appeal #4- Guy Constantin, Sara Constantin, Property: 52-18-000-003-22315-0000

Appeal Summary: Owner's land assessed too high.

Decision: no changes; assessment stands

Appeal #5- Reiner Seel Cindy Seel, Property: 52-18-000-003-22400-0000

Appeal Summary: Owner's land assessed too high. Due consideration has not been given as to type of use of land.

Decision: no changes; assessment stands

Appeal #6- Barbara Strange, Property: 52-18-000-003-22301-0000

Appeal Summary: Owner's land assessed too high. Cost of engineer.

Decision: no changes; assessment stands

The updated schedule as provided by the engineer is accepted by the Court of Revision.

FURTHER APPEAL RIGHTS

If dissatisfied with the Decisions of the Court of Revision which were pronounced on the 28th day of August, 2020, anyone may appeal this decision to the Agriculture, Food and Rural Affairs Appeal Tribunal by filing a notice of appeal with the Clerk of the municipality within 21 days of the date of this decision.

Signed: _____
Kevin Burke, Chair Court of Revision for the McGregor Drain

Dated this 28th day of August, 2020.

_____,
Kim Sloss, Clerk-Administrator, Township of Sables-Spanish Rivers

