

# CORPORATION OF THE TOWNSHIP OF HURON-KINLOSS

## Court of Revision MacLennan Municipal Drain

7:00 p.m. - Council Chambers  
May 27<sup>th</sup>, 2013

### Court of Revision Members:

Deputy-Mayor	Wilfred Gamble (Chair)	(P)
Councillors	Lillian Abbott	(P)
	Jeff Elliott	(A)
	Jim Hanna	(A)
	Carl Sloetjes	(P)

### Staff:

Administrator	Mary Rose Walden	(A)
Clerk	Sonya Watson	(P)
Drainage Superintendent	Grant Collins	(P)

**OTHERS PRESENT:** Jonathan and Leroy Drennan

### MINUTES

#### 1.0 CALL TO ORDER

Councillor Sloetjes was delayed arriving. The meeting was not called to order until 7:21 p.m.

#### 2.0 DISCLOSURE OF PECUNIARY INTEREST

<u>Name</u>	<u>Item</u>	<u>Nature of Interest</u>
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None disclosed.

#### 3.0 ADOPTION OF MINUTES

Moved by Abbott  
Seconded by Sloetjes

ADOPT COURT OF REVISION MINUTES	THAT Huron-Kinloss Township Council hereby adopts the <a href="#">May 6<sup>th</sup>, 2013</a> Court of Revision Meeting Minutes for the MacLennan Municipal Drain as written.
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Carried.

#### 4.0 [MacLennan Municipal Drain Report](#)

##### 4.1 [Letters Received](#)

**STAFF COMMENTS:** The Clerk has received one submission since the May 6<sup>th</sup>, 2013 Court of Revision. Staff can provide further comments at the meeting regarding the letter.

**ACTION:** The Drennan's concerns were with Branches A, G & E of the drain. They feel the standards haven't changed and there is no run off. They felt if the catch basin's were fixed this would improve drainage because the current tiles are clean and working well.

They feel they should be reimbursed for the outlets and the abandoned portions of the drain that have already been paid for. The Drainage Superintendent explained that the old drain will be left as a private drain. The new drain is an inch and a half coefficient. There will be no compensation for the drain that is already there. Any existing tiles encountered with the new construction will be re-connected and existing downstream branches will be abandoned.

Drennan's stated they feel the assessment on their parcels of land is too high for the work being done. They feel they are paying 50% of the assessment on the drain and feel the engineer heavily assessed them.

There was further discussion that they have a great deal of land within this watershed area and therefore the assessment reflects this.

Drennan felt the downstream owners could receive a higher assessment on the drain.

#### 4.2 Resuming to Announce a Decision

***Chair states: The Court has resumed for a second sitting to announce their decision in regards to the assessment for the MacLennan Municipal Drain. Are there any other comments from landowners present concerning the drain?***

[Original Assessment Schedule](#)

[Revised Proposed Assessment Schedule](#)

ACTION: There were no parties present besides the Drennan's.

#### 4.3 Court of Revision's decision

*\* Members of the court may retire if necessary to reach a decision.*

ACTION: The Court members retired to the meeting room and requested the Drainage Superintendent and Clerk attend with them for further discussion on the points brought forward by Drennan. After a lengthy discussion and the Court members receiving clarification of the watershed area and the scope for properties affected and the following motion was passed.

Moved by Sloetjes  
Seconded by Abbott

MACLENNAN  
MUNICIPAL  
DRAIN

THAT the Court of Revision for the MacLennan Municipal Drain reviewed the appeals received from Courtney, Drennan and MacLennan and approves the "revised" Schedule of Assessments from Branch E as noted in Appendix C prepared by R.J. Burnside & Associates Limited to the Court of Revision on May 6<sup>th</sup>, 2013 and considered at the second sitting on May 27<sup>th</sup>, 2013. There will be no assessment changes to the other branches of the drain.

Carried.

***Chair advises: All parties to the drain will receive a written notice of the Court decision which will contain additional information on the process to appeal the decision of the Court of Revision to the Ontario Drainage Tribunal.***

**5.0**    **ADJOURN**

Moved by Sloetjes  
Seconded by Abbott

ADJOURN    THAT the Court of Revision for the MacLennan Municipal Drain does  
now adjourn.

Carried.

Original Signed by Wilf Gamble  
Chair

Original Signed by Sonya Watson  
Secretary