



# Municipality of West Elgin

## Minutes

### Court of Revision

August 10, 2023, 3:00 p.m.

West Elgin Community Complex - Hybrid Meeting

160 Main St

West Lorne

Electronic Hybrid Meeting

**Present:** Richard Leatham, Chair  
Taraesa Tellier  
Michelle Navackas  
Bill Denning  
Steve Vanek, Municipality of Chatham-Kent

J.M. Spriet, P. Eng., Spriets and Associate

**Staff Present:** Tom Mohan, Drainage Superintendent  
Terri Towstiuć, Clerk/Recording Secretary  
Magda Madura, CAO/Treasurer

#### 1. Call to Order by Recording Secretary

That the Court of Revision for the Eastlake, Wright, Stricker and Calixte & Primak Municipal Drains hereby convenes at 3:04 p.m.

#### 2. Appoint Chair

**Moved:** Bill Denning

**Seconded:** Taraesa Tellier

That Court of Revision for Eastlake, Wright, Stricker and Calixte & Primak Municipal Drains hereby appoints Richard Leatham as chair.

**Carried**

#### 3. Disclosure of Pecuniary Interest

None.

**4. Adoption of Minutes**

**Moved:** Taraesa Tellier

**Seconded:** Michelle Navackas

That the Minutes of the Court of Revision held on February 23, 2023, be adopted as circulated and printed.

**Carried**

**5. Understanding Court of Revision Procedures Under the Drainage Act**

Provided for information purposes only.

**6. Eastlake Drain**

John M. Spriet, P. Eng, Spriet Associates, advised no written comments were received.

Mr. Steven Vanek was present from the Municipality of Chatham-Kent Drainage Board and had no questions or concerns on the Eastlake Drain maintenance.

**6.1 Written Appeals**

None received by the Clerk, prior to the July 31, 2023, deadline.

**6.2 Comments or Questions from Landowners**

No landowners present.

**6.3 Comments or Questions from Members of the Court of Revision**

None.

**6.4 Decision**

**Moved:** Bill Denning

**Seconded:** Taraesa Tellier

That the Court of Revision hereby approve the Schedule of Assessments for the Eastlake Drain, as outlined in the report prepared by Spriet & Associates Engineering Limited, dated April 20, 2023.

**Carried**

**7. Wright Drain**

John M. Spriet, P. Eng, Spriet Associates, advised no written comments were received.

### **7.1 Written Appeals**

None received by the Clerk, prior to the July 31, 2023, deadline.

### **7.2 Comments or Questions from Landowners**

No landowners present.

### **7.3 Comments or Questions from Members of the Court of Revision**

None.

### **7.4 Decision**

**Moved:** Michelle Navackas

**Seconded:** Bill Denning

That the Court of Revision hereby approve the Schedule of Assessments for the Wright Drain, as outlined in the report prepared by Spriet & Associates Engineering Limited, dated March 7, 2023.

**Carried**

## **8. Stricker Drain**

John M. Spriet, P. Eng, Spriet Associates, advised no written comments were received.

### **8.1 Written Appeals**

None received by the Clerk, prior to the July 31, 2023 deadline.

### **8.2 Comments or Questions from Landowners**

Mr. K. Okolisan attended the Court of Revision and spoke in opposition of his assessment. He advised that he has no issues on his land with Drainage and feels that it is unfair to pay for any maintenance or construction on the Sticker Drain. Mr. Okolisan did not submit a written objection, prior to the ten (10) day, prior to the meeting, appeal period.

Mr. Spriet reviewed that as a landowner for the top portion of the Sticker Drain, Mr. Okolisan is responsible, pursuant to the *Drainage Act*, to pay his share, and that any landowner on this drain has the right to request maintenance to allow their land proper drainage, also pursuant to the *Drainage Act*.

Mr. Spriet also answered Council's questions regarding appeals to the assessment and advised that this drain is a 1960 tile in need of repair, and an appeal would likely not be granted under Provincial Regulation.

### **8.3 Comments or Questions from Members of the Court of Revision**

Council requested clarification about landowners' ability to appeal, which was answered by Mr. Spriet.

### **8.4 Decision**

**Moved:** Taraesa Tellier

**Seconded:** Michelle Navackas

That the Court of Revision hereby approve the Schedule of Assessments for the Stricker Drain, as outlined in the report prepared by Spriet & Associates Engineering Limited, dated April 28, 2023.

**Carried**

## **9. Calixte & Primak Drain**

John M. Spriet, P. Eng, Spriet Associates, advised no written comments were received.

### **9.1 Written Appeals**

None received by the Clerk, prior to the July 31, 2023, deadline.

### **9.2 Comments or Questions from Landowners**

No landowners present.

### **9.3 Comments or Questions from Members of the Court of Revision**

None

### **9.4 Decision**

**Moved:** Taraesa Tellier

**Seconded:** Michelle Navackas

That the Court of Revision hereby approve the Schedule of Assessments for the Calixte & Primak Drain, as outlined in the report prepared by Spriet & Associates Engineering Limited, dated May 2, 2023.

**Carried**

**10. Adjournment**

**Moved:** Bill Denning

**Seconded:** Taraesa Tellier

That the Court of Revision for the Eastlake, Wright, Stricker and Calixte & Primak Municipal Drains hereby adjourn at 3:25 p.m.

**Carried**

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Richard Leatham, Mayor

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Terri Towstiuc, Clerk