



**COURT OF REVISION
SWALEY DRAIN
November 1, 2021 - 6:30 PM
Virtual Via Zoom**

Present:

Mayor Don Allen, Chair
Deputy Mayor Jennifer Coughlin
Councillor Wanda Maw-Chapman

Also Present:

Renée Ainsworth, Clerk
Mahesh Ramdeo, General Manager,
Infrastructure and Operational Services
Steve Buchanan, Operations Technician
Jennifer Marshall, Deputy Clerk
Kenn Smart, K. Smart Associates Limited

1 CALL TO ORDER

*Notice: Due to COVID-19 Council is taking the necessary steps to limit in person meetings. As such, members of Council participate in the meeting electronically. The meeting was live streamed.

Residents are provided with the following options to watch or listen to the Council meeting:

- 1) Watch the meeting live online at www.springwater.ca/live
- 2) Listen in to the meeting live from a telephone or cellular device by calling 1-647-558-0588 and using the following meeting ID 870 2423 1269. This option will only be available for the duration of the meeting.

Those who are unable to watch the live stream are encouraged to review the meeting at their convenience by watching the video on the Township's YouTube channel at <https://www.youtube.com/channel/UCV7aqd68Gy98xmhDW9aWUNg>

1.1. Opening of the Court of Revision

The Clerk opened the meeting of the Court of Revision.

RESOLUTION

Moved by: Coughlin
Seconded by: Chapman

That the meeting of the Court of Revision of the Township of Springwater of November 3, 2021 come to order at 6:37 p.m.

Carried

1.2. Election of the Chair

The Clerk called for nominations for the position of Chair for the Court of Revision.

Mayor Allen nominated Deputy Mayor Coughlin for the position of Chair.

Deputy Mayor Coughlin allowed her nomination to stand for the position of Chair of the Court of Revision.

RESOLUTION

Moved by: Chapman

Seconded by: Allen

That Deputy Mayor Coughlin be elected as the Chair for the Court of Revision.

Carried

2 ORDER OF APPEALS

2.1. Appeal #1, Appellant: Mr. Bill Haight, Property: 2117 George Johnston Road, Minesing

2.2. Appeal #2, Appellants: Mr. Paul Neals and Ms. Susan McKenna, Property: 1930 George Johnston Road, Minesing

3 ENGINEER GIVES EVIDENCE

The Chair introduced engineer, Mr. Kenn Smart, K. Smart Associates Limited

4 APPELLANTS PRESENT THEIR CASE

Appeal #1

The Chair called on engineer, Mr. Smart to provide his evidence for Appeal #1.

Mr. Smart advised that upon further investigation there is a drainage ditch that Mr. Haight's property drains into rather than the Swaley Drain, therefore Mr. Smart recommends that the Court of Revision concedes to the appeal and removes the assessment from the schedule.

The Chair called on appellant, Mr. Haight to add anything further.

Mr. Haight advised that he agreed with Mr. Smart's conclusion regarding his assessment being removed from the schedule.

Appeal #2

The Chair called on engineer, Mr. Smart to provide his evidence for Appeal #2.

Mr. Smart advised that he recommends that the Neals/McKenna assessment be removed from the assessment schedule as this property drains into the same drainage ditch as the property associated with Appeal #1.

The Chair called on appellant, Mr. Neals to add anything further.

Mr. Neals advised that he was pleased with Mr. Smart's recommendations regarding the removal of his assessment.

The Chair called on Mr. Smart for any further comments.

Mr. Smart advised that as a result of his investigation into Appeal # 1 and # 2, he would further recommend that the following two properties to the north be also removed from the assessment schedule:

- **Roll #:** 005-19100, **Owner:** D. Haidner-Seif in the amount of \$497.00, and
- **Roll #:** 005-18910, **Owner:** R. Cameron in the amount of \$190.00.

Mr. Smart also advised that a portion of the assessment be removed and the total assessment be reduced for the following property:

- **Roll #:** 005-19200, **Owner:** W. Gilroy and B. Doner be reduced from \$8,882.00 to \$7,106.00.

Mr. Smart advised that the total reduction in assessment is approximately \$5,127.00 and further recommends that this total assessment reduction be transferred to the roads of the Township of Springwater.

5 LATE APPEALS

The Clerk advised that there were no late appeals received.

6 DELIBERATIONS

The Court of Revision members deliberated on the appeals in private and came to a consensus regarding the final decision.

RESOLUTION

Moved by: Chapman
Seconded by: Allen

That the Court of Revision for the Swaley Drain does hereby resolve into private deliberations at 6:57 p.m. to deliberate on Appeal #1 and Appeal #2.

Carried

RESOLUTION

Moved by: Allen
Seconded by: Chapman

That the Court of Revision for the Swaley Drain does now rise from private deliberations at 7:25 p.m.

Carried

7 RENDERING A DECISION

The Chair called on the Clerk to read the final decision of the Court of Revision for the Swaley Drain.

DECISION

That the assessment costs for the following properties be removed from the assessment schedule:

Roll: 005-19100 – D. Haidner-Seif and S. Seif - \$497.00

Roll: 005-18910 – R. Cameron - \$190.00

Roll: 005-19101 - W. Haight - \$1,649.00

Roll: 005-19000 - S. McKenna P. Neals - \$1,015.00

And that the following property:

Roll: 005-19200 W. Gilroy and B. Doner - assessment be reduced from \$8,882.00 to \$7,106.00.

And that the listed reductions be assessed to the Township Roads and that the engineer be directed to prepare a revised assessment schedule.

8 ADJOURNMENT

8.1. Adjournment

RESOLUTION

Moved by: Chapman
Seconded by: Allen

That the Court of Revision Meeting of the Township of Springwater does now adjourn at 7:28 p.m.

Carried

Original signed by:

Jennifer Coughlin, Deputy Mayor

Original signed by:

Renee Ainsworth, Clerk