



# TOWNSHIP OF NORTH HURON

# REPORT

Item No.

**REPORT TO:** Reeve Vincent and Members of Council  
**PREPARED BY:** Kathy Adams, Clerk  
**DATE:** 18/04/2017  
**SUBJECT:** Section 40 Report – Proposed Municipal Drain (Hopper)  
**ATTACHMENTS:** R. J. Burnside & Associates – Section 40 Report

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## **RECOMMENDATION:**

THAT the Council of the Township of North Huron hereby receive the Section 40 Report - Proposed Municipal Drain (Hopper) prepared by R. J. Burnside & Associates dated April 3, 2017 for information purposes.

## **EXECUTIVE SUMMARY**

At the November 21, 2016 Council Meeting, Council accepted a “Withdrawal from Petition Form” from a petitioner on the proposed Hopper Drain. The Petition Form was provided to our Engineer R. J. Burnside & Associates to determine its validity and requesting a Section 40 report under the Drainage Act to determine the amount of fees and other charges and by whom they should be paid.

## **DISCUSSION**

The Section 40 Report was received by the Clerk on April 4, 2017. The Engineer’s fees and other charges associated with the project total \$34,000.00 with the costs to be distributed as per the Engineer’s report. Page 4 of the report outlines the distribution of the Engineer’s fees and other charges summarized as follows –

- Three petitioners - \$26,100. plus applicable taxes in 3 equal shares.
- Property owners in opposition to proposed drain - \$5,400. plus applicable taxes in 27 equal shares.
- New owner of Part of Lot 42 and East Part of Lot 41, Concession 10 for extra costs incurred - \$2,500. plus applicable taxes.

The Clerk has been contacted by the initiator of the petition from the property owners in opposition to the proposed drain, advising that he wishes to pay for their costs in the amount of \$5,400, plus applicable taxes. The Clerk is investigating whether the Township can provide an invoice that is contrary to the assessments as shown in the Section 40 report, or whether the invoices should be prepared as per the report, and paid by the volunteering landowner. Our Engineer has no concerns with the individual covering the costs of the opposing landowners.

## **FINANCIAL IMPACT**

None for consideration at this time.

## **FUTURE CONSIDERATIONS**

None for consideration at this time.

**RELATIONSHIP TO STRATEGIC PLAN**

Goal 4 – Our administration is fiscally responsible and strives for operational excellence.

Goal 5 –Our natural environment is valued and protected.

A handwritten signature in black ink, appearing to read "Kathy Adams".

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Kathy Adams, Clerk

A handwritten signature in black ink, appearing to read "Sharon Chambers".

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Sharon Chambers, CAO