THE CORPORATION OF THE TOWNSHIP OF ASSIGINACK

MINUTES OF THE SPECIAL COUNCIL MEETING

The Special Meeting of the Council of the Corporation of the Township of Assiginack was held in the Council Chambers on Monday, June 29, 2015 at 9:00 A.M.

Present	Reeve Paul Moffatt Councillor Robert Case Councillor Hugh Moggy	Councillor Leslie Fields Councillor Brenda Reid
Staff	Alton Hobbs, CAO Ron Cooper, PW Superintendent	Jeremy Rody, Clerk
Others	Gary MacKay, Tulloch Engineering Eric Russel, Reeve, Tehkummah Township Patsy Cress, Clerk-Treasurer, Tehkummah Township Jamie Taylor, PW Superintendent, Tehkummah Township	

OPENING:

#228-15-15 R. Case – H. Moggy

THAT the Special Meeting of the Council of the Corporation of the Township of Assiginack be opened for business with a quorum of members present at 9:00 a.m., with Reeve Moffatt presiding in the Chair.

CARRIED

AGENDA:

#229-15-15 H. Moggy – R. Case

THAT the agenda for this meeting be accepted as presented.

CARRIED

DISCLOSURE OF PECUNIARY INTEREST:

Nil

DELEGATION(S):

Summary: Gary MacKay (Professional Engineer, Tulloch Engineering) introduced himself and his background to the Council members and staff in attendance. He proceeded with a summary of his report on the Rogers Creek Bridge and had a short

power point presentation of pictures, showing the condition of the bridge components. The engineer's recommendations are included in the cover letter of his report. Assiginack Council members were in agreement that the safety issues regarding this bridge are sufficient to warrant a resolution at the next regular Council meeting to initiate the temporary closure of the bridge. Council instructed staff to draft a resolution and have it reviewed by the Township solicitor. Tehkummah representatives requested that Gary MacKay make the same presentation to their Council as a whole and have agreed to expedite a resolution at their next regular Council meeting.

The second part of Gary MacKay's delegation was an informational power point presentation on his available services as a Municipal Drainage Superintendent.

#230-15-15 L. Fields – B. Reid

THAT we thank Gary MacKay from Tulloch Engineering for attending this meeting and making his presentations to Council;

AND THAT we thank the representatives from Tehkummah Township for attending this meeting.

CARRIED

CLOSING:

#231-15-15 B. Reid – L. Fields

THAT we adjourn until the next regular meeting or call of the Chair.

CARRIED

Paul Moffatt, REEVE

Jeremy Rody, CLERK

10:30 a.m.

These Minutes have been circulated but are not considered Official until approved by Council.

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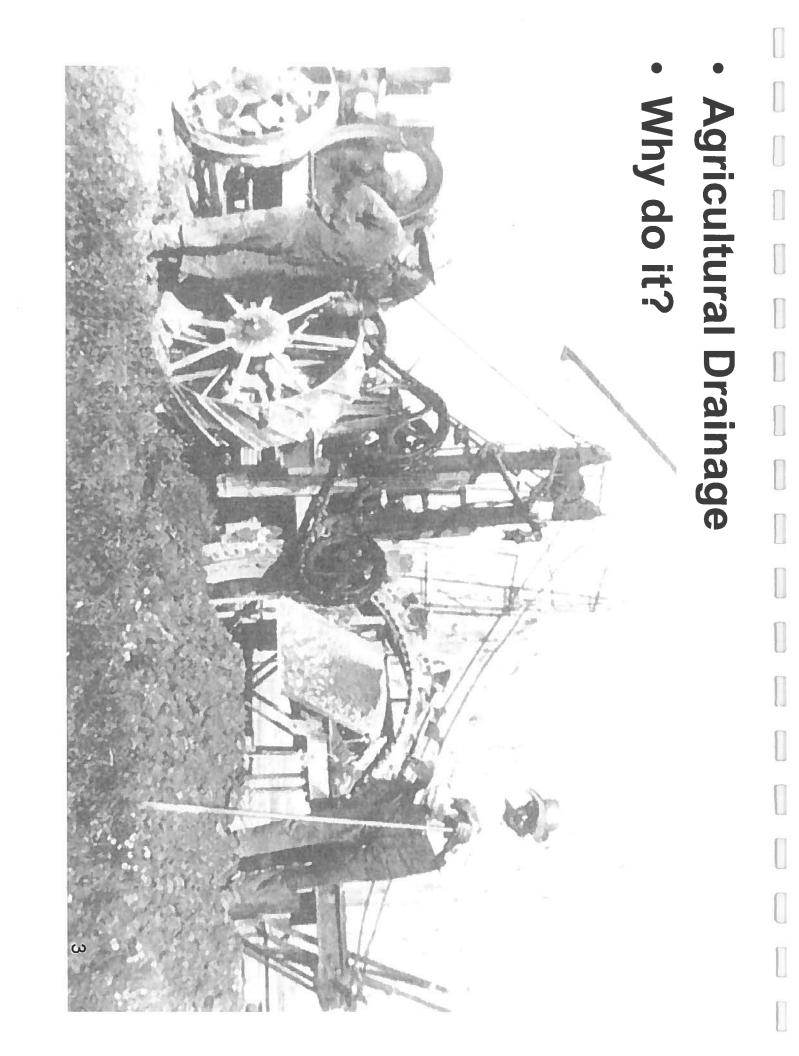
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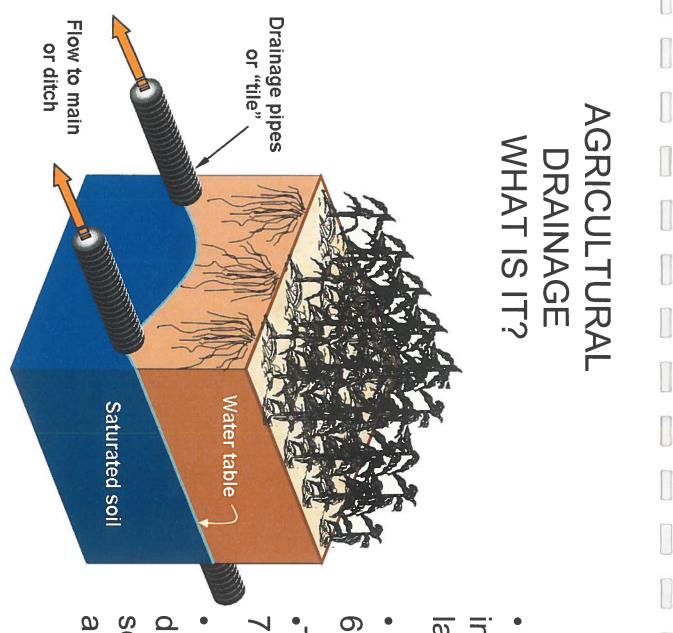
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Agenda

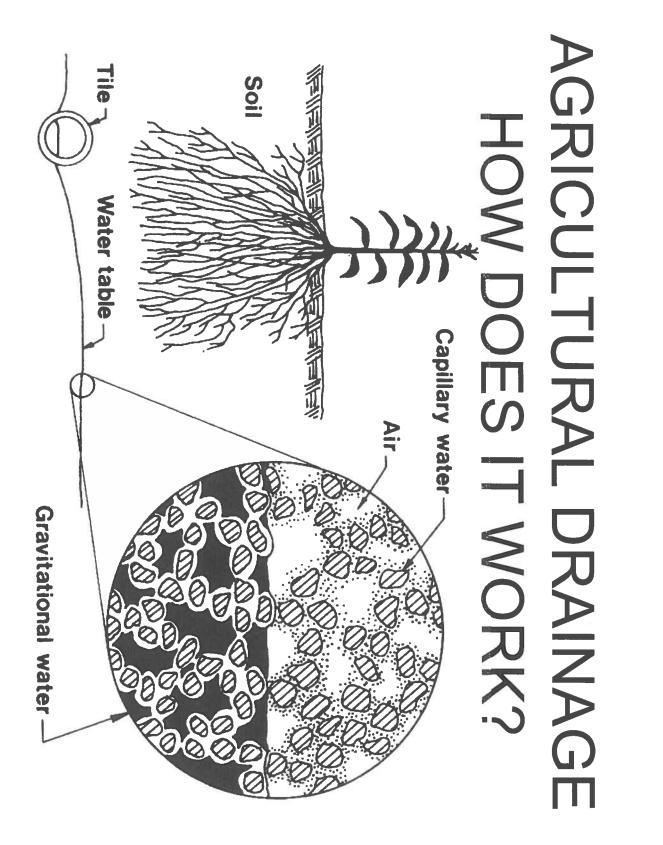
- Introduction
- Agricultural Drainage
- The Drainage Act
- Section 74 Maintenance
- Assessment Schedules
- Questions

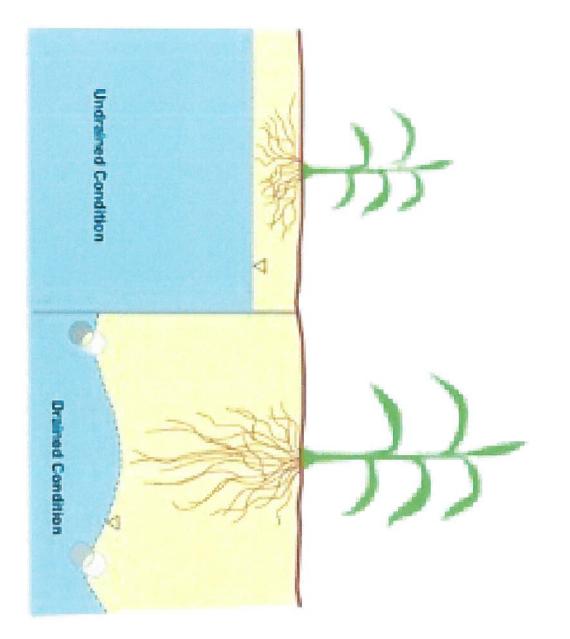




 Series of pipes installed beneath the land surface

- Minimum depth is 600mm (2 ft)
- •Typical depth is 750mm (2.5 ft)
- Spacing varies depending on crop, soil, drainage need and economics





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Drainage FACTSHEET



Order No. 528.000-1 Agdex 553 Revised March 2000

BENEFITS OF DRAINAGE

A properly designed and constructed drainage system removes excess water from the land lowering the water table. It permits aeration of the root zone and warming of the soil when temperatures rise in the spring. One of the main reasons for this excess water is when precipitation is far in excess of crop requirements.

Figure 1 shows precipitation far exceeds evaporation in the winter months. On the margins of the growing season (March and October) the potential for saturated soil is high. Rain accumulates in the soil building up the water table. While it is not possible to alter the climate, it is possible to conduct the excess water away.

CROP GROWTH REQUIRES DRAINAGE

There are four basic requirements for plant growth. In areas of the Province with excess rainfall or spring runoff, good soil drainage is required to ensure the right amounts of each of these:

1. Food

Plants require the right nutrients in sufficient amounts to grow. Manure and inorganic fertilizers are normally used to supply this need. Nutrients are better utilized by plants in welldrained soils.

2. Air

Air is required in the soil for seed germination, growing roots and for the growth of microorganisms and worms that result in good soil structure. Air is not available in poorly drained soils.

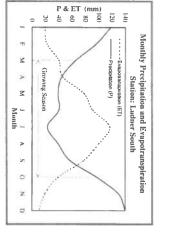


Figure 1 Annual Precipitation vs Evapotranspiration at Ladner, BC

3. Water

Plants require the right amount of water for growth. Too much will limit root and plant development, as well as. result in poor trafficability for fieldwork. Too little water will likewise limit crop growth.

4. Warmth

Plants need heat to germinate and to develop to full potential. Well-drained soils warm up more quickly, resulting in earlier, more productive growth.

In areas with excess rainfall or spring runoff problems, a well-planned drainage system will help to meet these requirements. Benefits to expect include the following:

FOOD

AIR

WATER

WARMTH

INCREASED CROP YIELD

It is a fact that plants use fertilizers more efficiently in well-dramed soils. In addition, drainage allows the root system to develop properly. The plants are able to draw moisture from a larger volume of soil and are therefore better equipped to withstand drought. Welldrained and aerated soils are less prone to plant diseases.

LONGER GROWING SEASON

A drainage system allows you to get on to your fields sooner in the spring. Tillage and seeding operations can start earlier. As well, the basic erop requirements discussed earlier are available sconer, giving the plant a better chance to reach its potential during the growing season. Weed control is easier since the erop is planted earlier in the spring.

LONGER HARVEST SEASON

A drainage system allows you to get on to your fields for longer periods in the fall. This gives a better chance to harvest late crops. Trafficability is increased and there is more opportunity for fall fieldwork.

GREATER CROPPING CHOICE & FLEXIBILITY

Well-drained soils offer greater choice and flexibility of crops. Land previously suitable to only moisture resistant crops may now be suitable for other higher value crops.

POTENTIAL FOR SUB-IRRIGATION

In relatively flat lands, water control structures to augment the drainage system can be used to raise the water table for sub-irrigation. Water can be backed up to the ditches and subsurface drains and be carried into the root zone by capillary action. Water control structures are essential to limit decomposition in organic soils.

CONTROL OF EROSION BY WATER

When rain falls on poorly drained waterlogged soils. It runs off overland and may earry soil particles with it. Well-drained soils have a capacity to absorb rainfall and runoff resulting in some control of erosion by water.

LESS SOIL DAMAGE

Soil structure describes how soil particles are arranged. Good soil structure occurs in well-drained soils. A drainage system should, with time, improve soil structure. Soil structure can be easily destroyed by compaction and smearing from farm machinery. Surface erusting from ponded water results from and compounds poor soil structural conditions. Soil structure damage is less likely to occur in welldrained soils.

MORE EFFICIENT FIELD WORK

Well-drained soils require less power to till. There is less wheel slippage and less chance of getting farm equipment bogged-down or stuck. Subsurface drains reduce the need for open ditches that interrupt field work and are regularly in need of maintenance.

LESS SOIL DAMAGE

INCREASED LAND VALUE

In addition to the value of the increased productivity, drainage systems increase the value of the land through increased capability.

PLAN FOR BEST RESULTS

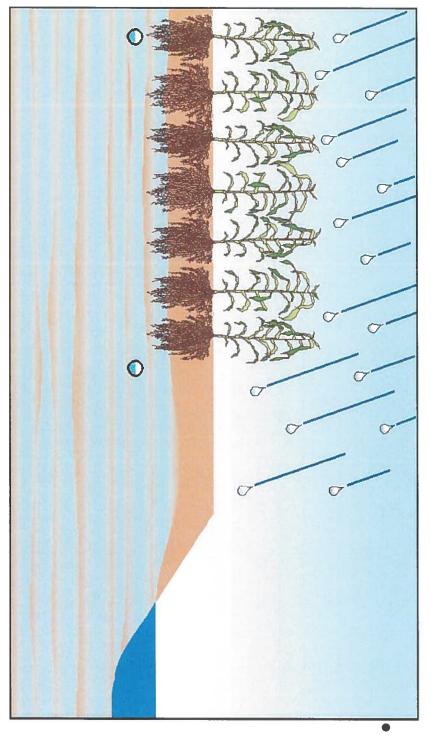
A drainage system should be well planned and properly installed. The permeability of the soil should be assessed. Ditches and subsurface drains should be located and spaced properly. Because minor elevation changes are involved, a topographic survey is often required. Installation equipment is available today to place ditches and sub-drains with a high level of accuracy to ensure proper performance.

INCREASED CROP YIELD LONGER GROWING SEASON LONGER HARVEST SEASON GREATER CROPPING CHOICE POTENTIAL SUB-IRRIGATION CONTROL OF EROSION

MORE EFFICIENT FIELD WORK

INCREASED LAND VALUE

PLAN FOR BEST RESULTS



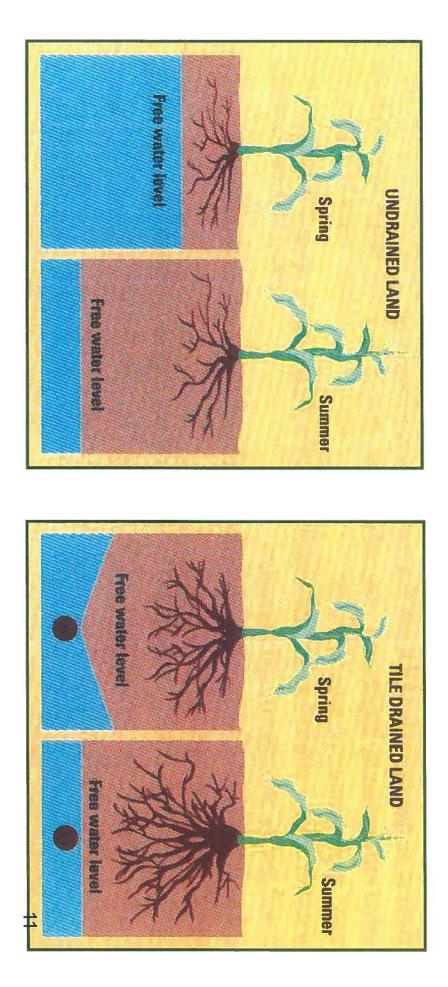
REDUCED SOIL EROSION

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Improved Trafficability

IMPROVED DROUGHT RESISTANCE



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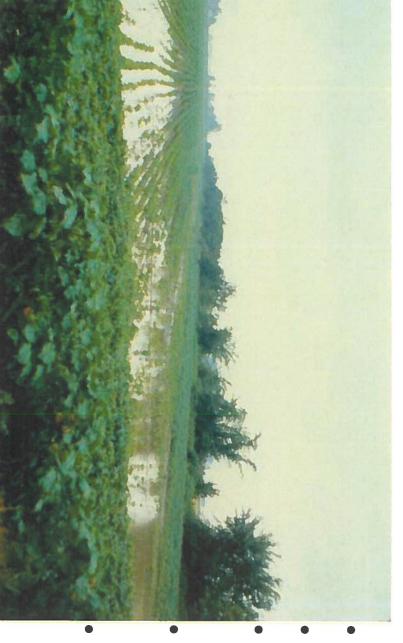
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OTHER BENEFITS:

- HIGHER SOIL TEMPERATURE
- BETTER SOIL STRUCTURE
- Reduced Soil Compaction
- IMPROVED DISEASE AND WEED CONTROL

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INCREASED CROP <u>PRODUCTIVITY</u> Corn – 29%

- Soybeans 26% Winter Wheat –
- 38% Spring Wheat –
- 33% White Beans – 21%

What is a Municipal Drain

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A Municipal Drain is simply a drainage system. rural agricultural areas of the province detention ponds, culverts and bridges. Some strips, grassed waterways, storm water basins, dykes or berms, pumping stations, butter closed tile system, similar to a storm sewer. Most Municipal Drains are either a ditch or a Municipal Drains. Drains are primarily located in creeks and small rivers are considered They can also include structures such as catch

Purpose of a Municipal Drain

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would be subjected to regular flooding, reduced agriculture land by serving as a discharge point for infrastructure; without them, many areas of the province remove excess water collected by roadside ditches, private agriculture tile drainage systems. These also health problems. production of agriculture lands and increased public commercial lands and other properties in rural lands residential lots, church lots, school lots, industrial lands, Drains have been a fixture of rural Ontario since the 1800's. Most are considered to improve the drainage of These are vital components to the municipal

What Distinguishes a Municipal Urain

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- Municipal Drains are created under the authority of the Municipal Drain: Drainage Act. There are three key elements of a
- Community Project: Landowners who need to solve a who prepares a report identifying the proposed solution to the problem and how the costs will be shared. Public Drainage Act to their local Municipality requesting the establishment of a Municipal Drain. Certain criteria must "Communally Accepted" project is established watershed of the Municipal Drain can voice their meetings are held where the landowners in the be met, and the Municipality must appoint an Engineer drainage problem may submit a petition under the concerns. Once the appeal stages are done a

Municipal Drain con't.

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Legal Existence: After all appeals have been and roads in the watershed in the same ratio as and the responsibility to construct the project. By-Law adopting the Engineers Report. This contained in the Engineers Report. enables the Municipality to have the authority heard and dealt with, the Municipality passes a The cost of the work is assessed to the lands

Municipal Drains con't.

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 Municipal Infrastructure: Once the authority of a By-Law, the drain becomes be held liable for damages for not maintaining these drains. certain circumstances the Municipality can Superintendent, is responsible for a part of the *municipal* infrastructure. drain becomes constructed under the repairing and maintaining the drain. In The Municipality, through the Drainage

Drainage Act

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allowance and compensations and the general this report the Engineer will delineate the water shed, the are done, an Engineer is hired to prepare a report. In petition or 60% by land area and once all the appeals majority by number of land owners agree with the petition the local Council for a Municipal Drain. Once a Act. In this section a number of land owners must constructed as Petition Drains as per Section 4 of the Many drains within the Township would have been construction of the drain. assessment for the land and roads which includes The last revision of the Drainage Act was done in 1990.

Drainage Act

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Once accepted, the Engineers Report is then the Engineers Report starts at Section 11 of the passed via By-Law by Council. The reference to Drainage Act.

Drainage Act

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consent from the property owner, perform maintenance, and Improvement of drains. This section of the Act gives the Drainage Act. property owner. This is all provided for in this section of have to be held, and there is no right of appeal from the limit to do the required maintenance works, no meetings and ensure that all is invoiced properly. There is no cost me the authority to enter onto all properties without prior Drainage Act which deals with the Maintenance, Repair The majority of my responsibility falls in Section 74 of the

Do's and Don'ts for Property Owners

- You should:
- Find out the name of your local municipality's drainage superintendent.
- If you don't have any information on the municipal drains that affect your property, to pay for the photocopies make arrangements with your municipality to get copies. Please note you may have
- there a municipal working space along or above a municipal drain on your property? assessed? Are there any buried municipal drains that cross beneath your land? Is Find out how the municipal drain affects your property. How much is your property
- adjoining road. This type of ongoing preventative work can reduce the possibility of Remove debris from any catchbasins that may be located on your property or the property damage during storm events
- As an involved landowner, you have a responsibility for the drains located on your drainage superintendent or the local municipality. property, so observe them. If you notice any problems, immediately notity the
- Before purchasing a property, investigate how municipal drains may affect the property

You can expect:

- and perform the necessary work. After it is completed, you will be billed for your share of the cost. your municipality will periodically arrange to enter onto your property Municipalities must maintain their municipal drains. Therefore, if you have a municipal drain located on your property, you can expect that
- land expect the working space along the drain to be accessed by the degree. You will not be paid for any damages that occur on this maintenance equipment and the land to be disrupted to some For a period of time while the work is being completed, you can
- drain for up to five years or \$5,000. Therefore, it is possible that you Municipalities have the right to accumulate the cost of maintaining a may be billed for work that occurred before you owned a property.

You should not:

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- you may have to pay the cost of removing that obstruction. area. If you do, and it results in an obstruction to the maintenance equipment, working space accessible and do not plant trees or build structures in this municipality has the right to use to maintain or repair the drain. Keep this Along every municipal drain is an unregistered working space that the
- drain. the drain, because during storm events, it could float away and block the Don't store materials such as brush, lumber or other floatable material near
- responsible for paying the cost of repairing the damages your municipality. If you do unauthorized work on a drain and that work drain requires maintenance, don't perform the work yourself; instead notify install a culvert or bridge on an open ditch municipal drain, or if a municipal results in damages to the drain or to other landowners, you could be behalf of the community of landowners involved in a drain. If you want to The local municipality is responsible for maintaining municipal drains on
- Although they are "man-made", all municipal drains eventually connect with other pollutants directly to these drains system waste, milkhouse wastes, barnyard and manure storage runott or the many lakes, rivers and streams located in Ontario. Do not direct septic 24

Maintenance & Repair

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SECTION 74: Any drainage works constructed under a bylaw passed under this Act or any predecessor of this Act...

- shall be maintained and repaired by each local municipality through which it passes,
- to the extent that such drainage works lies within the limits of such municipality,
- any way assessed for the construction or improvement of at the expense of all the upstream lands and roads in the drainage works and
- in the proportion determined by the then current byassessments as part of severance protocol appeal therefrom. Settle reapportionment of such provision for maintenance or repair is varied or otherwise determined by an engineer in a report or on *law* pertaining thereto until, in case of each municipality,

Maintenance & Repair

SECTION 79:

- Anyone affected by the condition of a drain can serve notice, in writing, to the head or clerk of the local municipality
- Have 45 days to initiate action to perform the work, if required
- If municipality does not respond, can be compelled by order of Referee and can be held liable for damages
- snow or ice Not liable for damages caused by drain being blocked by

SECTION 81:

Council can direct superintendent to remove minor obstructions and this cost is charged to the drain

Assessment Updates

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SECTION 65(1) and (2): Severance of Land

- Severance or subdivision of land assessment must be split
- Two ways: (1) by engineer or (2) by mutual agreement
- Consider making this a condition of severance

SECTION 65(3): Subsequent connections to drain

- When landowners connect land not originally assessed to the community asset that they haven't paid for – council approval first drain, or if the use of land is changed, they are making use of the required
- Appoint engineer to do report assess a "just proportion"

SECTION 65(4): Disconnection from a drain

Engineer appointed to reduce the assessment a fair amount

SECTION 76: New Assessment Schedule

Appoint engineer to prepare a report for a new assessment schedule; generally, same process as for new drain

Enforcement

SECTION 80:

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- obstruction within a specified time writing from council or superintendent to remove Obstruction to drain caused by landowner - notice in
- If not removed within specified time, superintendent removes the obstruction and costs are charged to the landowner

SECTION 82:

- Person damages, destroys or injures drain legal action
- Fine \$1000

Drainage Superintendent

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SECTION 93: Drainage Superintendent

- Appointed by by-law Two or more municipalities can appoint same person
- Duties:
- To maintain and repair drains
- To assist engineer in construction/improvement
- To inspect drains and report to council
- Superintendent costs charged to the general funds, NOT to the drain

SECTION 95: Commissioner

- Can appoint "works commissioner" (e.g. caring for pump station)
- Costs charged to drain

SECTION 96: Interfering

- Power of entry onto land (if appointed by by-law)
- Offense to interfere with the superintendent/commissioner 29

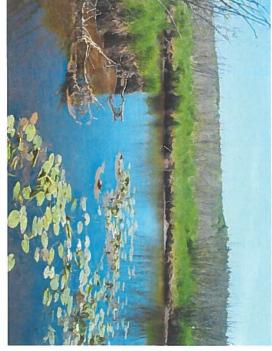
Example 1

- 2,712 m Open Channel
- **Outlets into Blue Jay Creek**
- Estimated Maintenance: \$15,000.00

Stagnant Water



Outlet to Blue Jay Creek



Heavy Brush and Debris



Heavy Vegetation in Channel



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Example 2

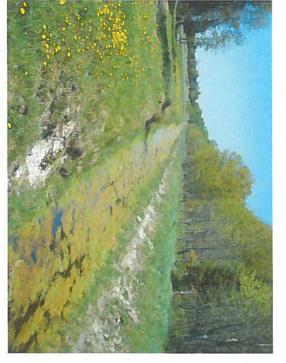
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- 732 m Tile
- 570 m Open Channel
- Outlets into Example 1
- Estimated Maintenance: \$2,500.00

Stagnant Water



Tile Outlet to Open Channel



Open Channel



DICB at 15th Sideroad



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Example 3

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- 1,070 m Tile
- 822 m Open Channel
- Outlets into channel on private property,
- then outlets into Example 1
- Estimated Maintenance: \$10,000.00



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Tile Outlet to Open Channel

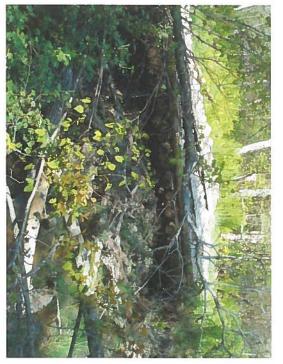


Heavy Vegetation

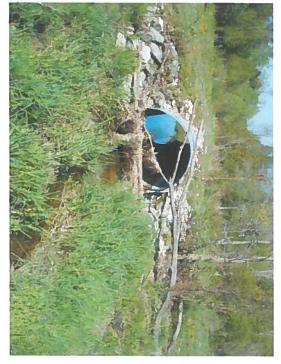


Tile Vent at Range Road

Old Wooden Bridge Blocking Flow 36 36



Farm Crossing w/ Blockage



Trees Encroaching on Drain



Tile Outlet Backed Up



Example 4

- 7,248 m Open Channel
- 282 m Tile
- **Outlets into Blue Jay Creek**
- Estimated Maintenance: \$34,000.00

Open Channel on Branch A



Tile Outlet Backed Up



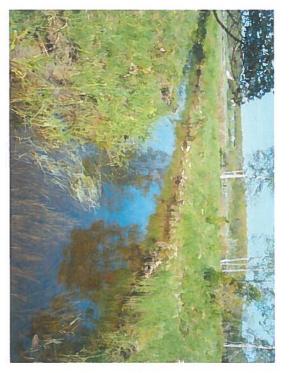
Beaver Dam Causing Blockage



Very Heavy Vegetation and Brush

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Open Channel at Gov't Road



Farm Crossing, No Blockage



DICB and Hickenbottom at 15th



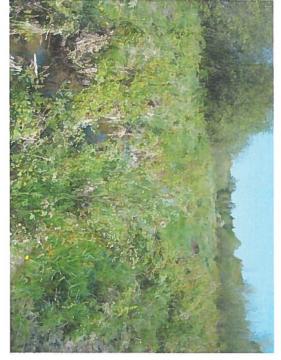
Stagnant Water



Typical Channel



Very Heavy Restrictions to Flow



Below Gov't Road



Beaver Dam Pond



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Rehabilitated with Rip Rap



Rehabilitated with Rip Rap



Private Tile Outlet



Private Ditch Sediment Deposits in Black Cr.

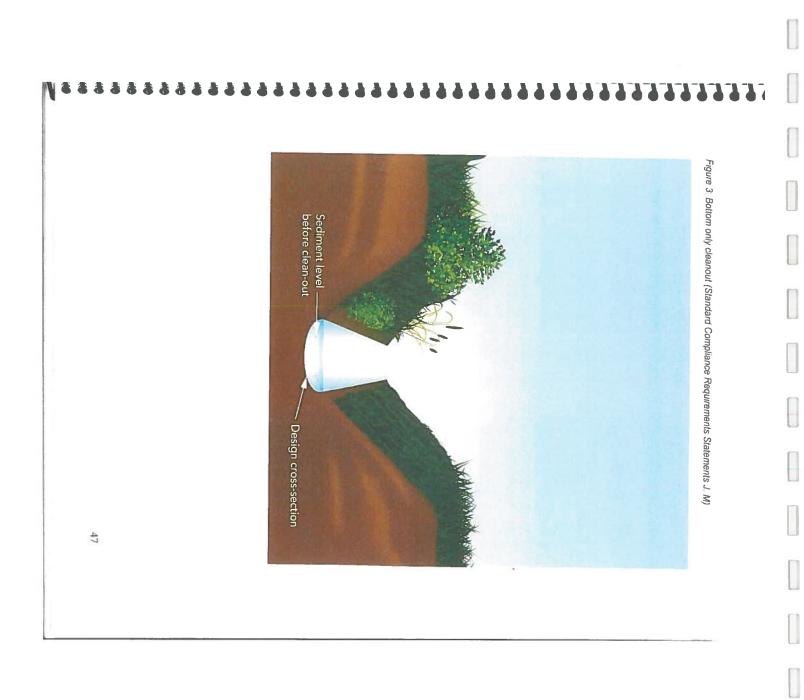


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Example 6 Drain 2013-2014 Maintenance

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- 14,335 m Open Channel
- Maintenance Cost: \$85,000.00



Rip Rap Protection



Side Cast Spoil and Level



Before and After Bottom Cleanout



Bottom Cleanout and Side Cast



Ex Drain during Bottom Clean Out: Nov 2013

Ex Drain: August 2014



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to earn the respect of both the public and council.

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The Drainage Superintendent's direction to employees and contractors should be concise and firm but friendly. Drainage Superintendents, through their association, create uniformity in the application of drainage concepts, their supervision, and their relationships with council, provincial ministries, and other agencies.

1.7 DUTIES OF THE DRAINAGE SUPERINTENDENT

The following is a list of duties that a Superintendent may be requested to perform. Although not all Superintendents will be required to perform all of these duties, most will be required to perform many of these tusks.

- To initiate and supervise the maintenance and repair of any drainage works in accordance with the current by-law.
- 2. To assist in the construction or improvement of any drainage works.
- To report to council and to keep council informed on drainage matters.
- To inspect and report to council on a regular basis the condition of each drainage works in the municipality.
- 5. May be required to remove any minor obstruction from any drainage works from time to time.

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- May advise people in the municipality of approaches that they might take to solve their drainage problems.
- May aid a person in drawing up a petition but should not circulate the petition.

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- May advise council on matters dealing with petitions being received.
 May be present at on-site meetings held by the engineer to provide
- assistance to all parties. 10. May study engineering reports received by council, make comments to
- council prior to its consideration, and be in attendance to advise council and affected ratepayers at the time of consideration of the report.
- 11. May provide comment to the Court of Revision.

 May advise the council and people of the procedures of the Act and how an appeal can be launched.

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- 13. May call tenders for work and advise council on tenders.
- 14. May testify before Drainage Tribunal.
- May act as a liaison between council, engineer, contractor, and landowner, during drain construction.
- 16. May visit site during drain construction, report progress to council, and check compliance with specifications.
- 17. May attend final inspection of drain construction.

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- To inspect new drains for deficiencies and assist or advise landowners on appealing the quality of construction prior to the end of the one year period (Section 64).
- 19. To investigate drainage concerns from landowners.
- 20. To investigate and report to council where council is notified that a drain is out of repair or has been placed on notice under Section 79.
- 21. To prepare a maintenance budget and Drainage Superintendent's budget for submission to the Ministry.
- To keep an accurate log of all activities.
 To verify application for maintenance grant and Drainage

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Superintendent's employment grant.

- To familiarize oneself with the drainage works within the municipality.
- 25. To be aware of special assistance programs for landowners and municipalities, relating to soil and water management.
- To acquaint oneself with Ministry requirements affecting the Drainage Superintendent work.
- 27. To acquaint oneself with the best methods of repairing and maintaining drainage works in accordance with the Act and good
- construction practice. 28. To be prepared to comment on drainage matters relating to severances and subdivision.
- 29. To actively participate at the local level and give input to the Executive of the Drainage Superintendents' Association of Ontario.

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		Еха	mple [Drain	Assess	sment	Example Drain Assessment Schedule: Example for a	e: Examp	le for		\$10,000 1	Maintenance Project	ince Proj	ect	
			Eng	ineer's	Report	for Con	Engineer's Report for Construction Costs Estimated at \$84,700.00	sts Estimat	ed at \$	84,700.	00			2015 Maintenance Estimated at \$10,000.00	tenance \$10,000.00
Land Ov	vners in	Land Owners in Drain Watershed	atershed		Drai	Drain A (89%	% of Costs)			Dra	Drain B (11	1% of Costs)		Drain A: \$8,900 Drain B: \$1,100	\$8,900 \$1,100
							Net					Net		2015	Net After
Conc.	Lot	Roll #	Owner	Hectares	Benefit	Outlet	Assessment after Grant	% Share	Hectares	Benetit	Outlet	Assessment after Grant	% Share	Maintenance Share	Grant
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в	23	23200		24.5	\$18,000	\$394	\$6,131	24.40%	4.0	\$6,500	\$333	\$2,278	73.47%	\$2,979	\$993
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Total Assessments on Lands	ssments o	on Lands			\$41,000	\$13,253	\$18,260			\$7,000	\$84I	\$2,614			
Highway 542A	42A	MTO			\$500	\$501		1.33%						\$118	
Special Ass	sessment	to Hwy 542/	Special Assessment to Hwy 542A for catchbasins	asins	\$1,500			1.99%						\$177	
Township Roads	Roads	Тмр			\$4,200	\$246		5.90%		\$300	\$159	\$459	4.94%	\$579	
Special As:	sessment	Special Assessment to Township Roads	p Roads		\$14,200			18.83%		\$1,000			10.75%	\$1,795	
for catchbasins and culverts	asins and	culverts													
Total Assessments on Roads	sements o	I Roads			\$20 400	\$747				\$1 300	\$159	\$459			48
Total Assessment on Drain	ssment or	Drain			\$75,400			100.00%		\$9,300	Total:	\$84,700	100.00%	\$10,000	\$2,462

