



The Corporation of the Township of Huron-Kinloss

Court of Revision Meeting Agenda

March 20, 2025

7:00 pm

Members

Larry Allison, Councillor

Scott Gibson, Councillor

Jim Hanna, Deputy Mayor

Carl Sloetjes, Councillor

Staff

Jennifer White

Pages

1. Call to Order

The Chair to call the meeting to order at 7:00 p.m. in the Council Chambers.

The purpose of the Court of Revision is to provide an opportunity for property owners to appeal their assessments on the Gaunt-Laidlaw Municipal Drain project.

2. Disclosure of Pecuniary Interest

3. Order of Appeals

3.1 Appeal #1 - Appellant: Metske, Michael & Tina - 518 South Kinloss Ave

4. Late or Verbal Appeals

Members of the Court to consider if non-written appeals would be accepted at this sitting of the Court of Revision.

5. Engineer Gives Evidence

The Project Engineer may provide evidence respecting appeals received.

6. Appellants Present their Case

6.1 Appeal #1 - Appellant: Metske, Michael & Tina - 518 South Kinloss Ave

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7. Court of Revision Deliberations

The Court may give consideration to appeals with all the attendees present or privately.

8. Court of Revision Decision

The Court to issue its decision.

9. Adjournment

Document Accessibility

The Township of Huron-Kinloss is committed to providing information in the format that meets your needs. We have made every attempt to make documents for this meeting accessible but there may still be difficulty in recognizing all of the information. Please contact us if you require assistance and we will make every attempt to provide this information in an alternative format.

Please note that third party documents received and found within this document will not be converted to an accessible format by the Township of Huron-Kinloss. However, upon request, we will attempt to obtain these documents in an appropriate accessible format from the third party.

For assistance or to make a request please call 519-395-3735 or email info@huronkinloss.com



To: The Clerk of the Corporation of the _____ of _____

Re: Gaunt-Laidlaw Municipal Drain (Designation of drainage works)

Take notice that I/we, an owner or owners of land assessed for the above-mentioned drainage works, appeal to the Drainage Court of Revision under:

- Section 52 (1) for the construction or improvement of a drain, or
Section 76 (4) for the development of a new assessment schedule for the drain on the grounds that:

put applicant
del applicant

- My/our land has been assessed too high;
My/our land has been assessed too low;
Other land or road has been assessed too high;
Other land or road has been assessed too low;
Other land or road that should have been assessed has not been assessed;
Due consideration has not been given as to type of use of land.

Include Details of Appeal (attach additional pages if needed).

Property Owners Appealing to Court of Revision

- Your municipal property tax bill will provide the property description and parcel roll number.
In rural areas, the property description should be in the form of (part) lot and concession and civic address.
In urban areas, the property description should be in the form of street address and lot and plan number, if available.
If appealing to Court of Revision regarding multiple properties, attach additional page with property information.

Property Description: 518 South Kinloss Ave
Ward or Geographic Township: Huron-Kinloss Twp
Parcel Roll Number: 41-07-110-002-11600-0000

If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer. Only the owner(s) of the property may appeal to the Court of Revision.

Select Ownership Type

Enter the mailing address and primary contact information of property owner below:

Last Name: Metske
First Name: Michael & Tina
Middle Initial:
Mailing Address:
Unit Number:
Street/Road Number: 518
Street/Road Name: South Kinloss Ave
City/Town: Lucknow
Province: Ontario
Postal Code: N0G 2T0

Telephone Number: 519-440-1157
Cell Phone Number (Optional): 519-440-1557
Email Address (Optional): mnt.metske@hurontel.on.ca

To be completed by recipient municipality: Michael Tina

Notice filed this 4th day of March, 2025.

Name of Clerk (Last Name, First Name): White, Jennifer.
Signature of Clerk: J. White

Applicant additionally provided a letter to accompany appeal. JW

February 10th, 2025

Guant – Laidlaw Drain (Mike and Tina Metske Portion)

In 2018 The Metske's purchased Lot28 Conc. 2 of Huron Kinloss Twp. At this time the Guant – Laidlaw Drain worked as it should. Metske's field was never backed up with water as it has been in the past couple years since the neighbor (██████████) did his own tiling/ fixing on the municipal drains.

When Mike Metske noticed the water was not getting away in the hay field, he went to investigate. He had the neighbor (██████████) bring his backhoe over and dig some test holes on our farm. Mike and (██████████) spent over 1.5 days in freshly seeded alfalfa field digging these holes. Mike and (██████████) observed no issues on Metske's side of the fence. They concluded it must have been an outlet issue. Mike and (██████████) went across to where the outlet was supposed to be, and noticed the outlet had been filled in with water bubbling out of the ground with water running across the ground. This concluded that (██████████) had filled in the open ditch.

Metske's observed more than 3 excavating companies at the neighbors (██████████) farm in the first few years he owned it doing tiling/ drainage projects.

Mike then called the drainage superintendent Grant Collins at that time and made him aware of what was happening and asked for a meeting at the farm. Grant had ordered Harvey to re-dig it, which would allow the water to go back down. Harvey was told by Grant Collins to leave the municipal drain alone till there was a decision made.

In 2022, there was a petition starting after the on-farm meeting. Mike Metske just wanted the drain to work as it did. The only reason The Metske's signed the petition was to get this issue to council, so they knew what was happening and with hopes of getting it fixed with no expense to The Metske's as it worked prior to. Metske's have sandy soil by the drain outlet. Metske's also stated that no water comes from the east of their property. There was a catch basin on the fence line with stones around it. Mike asked for the outlet to be fixed, and a proper catch basin put back in on the fence line.

The Metske's consulted a fella that deals in drainage, and he noted to us that the drain was installed uphill after looking at the report. After (██████████) had been told not to do anymore work on this outlet/drain he decided to do the work anyway. (██████████) had another company come in and bury a 16" tile as noted in the initial engineer's report.

In 2023, The Metske's received a report from the Engineer K Smart and Associates and in that report noticed their portion of this project was costing the most at \$85, 000. The Metske's found this very upsetting as once again the Gaunt Laidlaw drain worked just as it should with no water being backed on their property. The Metske's are aware you can do what you wish on your own property but know that there are rules around touching a municipal drain.

Mike attended the Council Meeting and once again expressed his concern that the neighbor [REDACTED] went ahead and did this work on his property not realizing the consequences he was doing to others property by filling in the open ditch on the municipal drain. At this point the new drainage superintendent was involved. Apparently, Harvey was given the ok to put a bypass by the old municipal drain on his own property which was not properly working because of the work he previously had done to the municipal drain. Unfortunately, this was never communicated with the Metske's by either of the parties being the new drainage superintendent nor [REDACTED]. This municipal drain currently isn't working properly as the water is still backing up onto Metske's property. Once again [REDACTED] was allowed to tamper with the municipal drain to try and correct what he had done. After installing this new tile, we are still taking [REDACTED] surface water.

The Metske's feel that the Gaunt -Laidlaw Drain worked back in 2018 and feel that the monetary responsibility should not be theirs at this time because they had no doings in making the drain not work. The Metske's feel [REDACTED] should be accountable for his actions and pay the portions attached to the work set out by K Smart and Associates. The Metske's do realize that the drain is outdated, and needs updated but so are many other drains in Huron Kinloss. Unfortunately, this one worked before it was tampered with.

The Metske's are not the reason this drain needs updated as stated many times before the drain worked prior to the tampering was done by [REDACTED] and we feel he is liable for the costs to upgrade this drain.

Tina Metske did attend the council meeting on February 3, 2025, at the township office. Once again, she was there to express her concern regarding this Gaunt -Laidlaw Drain. The Metske's portion of this drain reconstruction has now gone up to \$92 000 and feels this is very unfair as the drain worked as it should prior to [REDACTED] tampering with it.

The Metske's are away from March 3 to 19th and will not be able to attend a council meeting if there is a meeting scheduled for that time. The Metske's would prefer it if we could change that date so they would be able to attend. Mike would like to be on zoom/facetime, if possible, for the next meeting as he has relocated to Manitoba. Also, Metske's farm recently has been listed for sale therefore, Metske's would like to have a conclusion to this issue as will have to disclose this in the sale offer and feel that is not fair to the buyer to have to deal with this issue!