Staff Report

Report To: Dan Best, Chief Administrative Officer
From: Rebekah Msuya-Collison, Director of Legislative Services/Clerk
Date: January 13 2020
Report: CL#01-2019
Subject: Branch A Brock Miller Drain – Withdrawal of Petition under Section 78 of Drainage Act

Recommendations:
That South Huron Council receives the report of R. Msuya-Collison, Director of Legislative Services/Clerk re Withdrawal of Petition under Section 78 of Drainage Act; and
That Council accept the withdrawal of the petitioner and not proceed with the preparation of the report for Drain Improvement and revoke resolution# 482-2018 appointing the Municipal Drainage Engineer.

Purpose:
To provide Council with information to accept the withdrawal of the Petition under Section 78 of the Drainage Act for the Brock-Miller Municipal Drain.

Background and Analysis:
Frank Dietrich petitioned South Huron Council for Drain Improvement pursuant to Section 78 of the Drainage Act at the October 15, 2018 Regular Council meeting. The following resolution was passed:

Resolution: 482-2018
That South Huron Council receives the report from R. Msuya-Collison, Clerk re Requests for Drain Improvement under Section 78 of the Drainage Act; and
That South Huron Council hereby appoints William J. Dietrich, P. Eng., from Dietrich Engineering Ltd. as the Municipal Drainage Engineer to prepare a report for Drain Improvement. Carried.

The property owners attended an on-site meeting and decided not to proceed with the drain improvement on the Brock-Miller Municipal Drain under Section 78 of the *Drainage Act* R.S.O. 1990. The municipality has received “Notice of Withdrawal from the Petition” from the petitioner to the original request.

The drainage report under Section 78 will not be required. Dietrich Engineering Ltd. (DEL) has confirmed that they will not be submitting an invoice for any engineering costs associated with the section 78 request, if it is withdrawn.

**Operational Considerations:**

There are no operational considerations as a result of the actions outlined in this report.

**South Huron’s Strategic Plan:**

Section 6.2.2 of the Municipality of South Huron 2015-2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Administrative Efficiency and Fiscal Responsibility
- ✓ Transparent, Accountable, and Collaborative Governance

**Financial Impact:**

There is no financial impact as a result of the actions outlined in this report.

**Legal Impact:**

There is no legal impact as a result of the actions outlined in this report.

**Staffing Impact:**

There is no staffing impact as a result of the actions outlined in this report.

**Policies/Legislation:**

*Drainage Act*
Consultation:
Dietrich Engineering Limited

Related Documents:

Respectfully submitted,

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Rebekah Msuya-Collison, Director of Legislative Services/Clerk