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AUG 06 2021

TOWN OF WADENA

August 5, 2021

Town of Wadena
P.O. Box 730
Wadena SK S0A 4J0

Dear Mayor, Deputy Mayor, Councillors, CAO, And Manager of Works & Operations,

Re: Reimbursement for Damages Caused by Public Tree - Birdbath

Sometime between July 17 - 20, 2021, a large limb of an unmaintained public ash tree along First Ave North, adjacent to my property at 98 2 ST NE, fell and damaged my perennial garden and broke my concrete birdbath. I was away from home at the time and, when I returned home on the evening of June 20, 2021, I noted the damage and that the limb had been removed. While I was away, no attempt was made by Town of Wadena staff to contact me regarding this damage. On June 21, 2021, I called Ms. Alyshia Neumann, Manager of Works and Operation to discuss the matter. She arranged for the tree to be cut down to a height of approximately 8 feet which was completed on June 24, 2021. Ms. Neumann advised me to submit a letter to the Town regarding the damage to my personal property.

My birdbath was a Campania concrete birdbath, with a pedestal approximately 2 feet tall and a bowl approximately 20 inches in diameter. It was in very good condition. There are only two distributors of Campania birdbaths in Saskatchewan, both of which have limited stock available: (1) Garden Architecture in Saskatoon and (2) Dutch Growers in Regina. I have gathered pricing information from these distributors for a replacement concrete birdbath comparable in size, colour, and quality as follows:

• Garden Architecture (Saskatoon):

(A) Oslo — \$375 <https://www.campaniainternational.com/product/oslo-birdbath-medium>
(B) Chatham — \$475 <https://www.campaniainternational.com/product/chatham-birdbath>

• Dutch Growers (Regina):

(C) Oslo - \$329.99 — <https://www.campaniainternational.com/product/oslo-birdbath-medium>
**not available in grey
(D) Williamsburg - \$319.99 — <https://www.campaniainternational.com/product/williamsburg-knot-garden-birdbath> **not available in grey

The costs shown above do not include taxes nor do they include shipping costs. Of these options, the birdbath most similar to the damaged birdbath is option B. I do not consider the birdbaths at Dutch Growers to be options because the colours available are not suitable; I have provided the information from Dutch Growers to demonstrate that the costs are within a similar range at both locations.

I am requesting reimbursement in full for the cost of the replacement birdbath (\$475 plus taxes) as well as the shipping/transportation costs for me to travel to Saskatoon to purchase the replacement (500 km at a mileage rate of \$0.50/km = \$250). Note that these products are not being held for me; a delay could mean that there may be no product in stock at a later date and this might necessitate sourcing the products from an even greater distance such as Winnipeg or Calgary.

Please be reminded that I wrote to the Town of Wadena Mayor, Councillors, and CAO on September 22, 2020 when an unmaintained public maple tree along 2 ST NE fell and damaged my car resulting in \$6,702.87 in damages. At that time, I also submitted a second letter (Re: Request for Inspection and Maintenance of Public Tree Assets) in which I requested detailed information as to when the Town would be addressing the long outstanding public tree maintenance issues. The Mayor, who was then a Councillor, should be aware of these letters; however, as the other Councillors and CAO were not yet elected/hired, I am attaching copies of these letters for their information.

I received a response from the Town dated November 26, 2020 which referenced Resolution 402-20. The letter also stated, "the Town will be developing and implementing an annual maintenance program for public trees". Please provide me with an update in writing regarding the progress on this plan and the deadline date by which the public tree assets adjacent to my property will be inspected and maintained.

Once I have received a written response regarding this matter, I will purchase the birdbath, arrange to pick it up, and submit the necessary receipts to the Town. Should you have any questions or require further information, please contact me at [REDACTED]

Sincerely,

A large, horizontal black redaction mark covering a signature.A horizontal black redaction mark covering a name.

Attachments:

1. Letter dated September 22, 2020, Re: Reimbursement for Damages Caused by Public Tree
2. Letter dated September 22, 2020, Re: Request for Inspection and Maintenance of Public Tree Assets
3. Letter dated November 26, 2020 Re: Request for Reimbursement for Damages Caused by Public Tree

[REDACTED]

2020 September 22

The Town of Wadena
P.O. Box 730
102 Main ST N
Wadena SK S0A 4J0

Dear Mayor, Councillors, and Chief Administrative Officer:

Re: Reimbursement for Damages Caused by Public Tree

I am writing to the Town of Wadena to request payment of \$500 to cover my costs to repair my personal vehicle which was damaged by an unmaintained public tree.

On the evening of August 27 during a storm event, the tree located on public land in front of my property at 98 2 ST NE fell and landed on my vehicle parked on 2 ST NE. I greatly appreciated the quick response of the Town employees, particularly Jordan and Joel, who assisted me by removing the tree from my vehicle.

The Wadena News included a photo of this incident on page 3 of its September 7, 2020 issue. If requested, I can provide additional photos of the damage.

The windshield, roof, roof rails, both driver's side doors, and hood of my vehicle were all damaged. If requested, I can provide the Saskatchewan Government Insurance documentation of damage and repair costs. It took two weeks for my vehicle to be repaired and the total cost to repair the damages was \$6,702.87. I was required to pay the deductible amount of \$500.

I have owned my property for four years and, during that time, no maintenance was done on this tree by the Town or its contractors. It is the Town of Wadena's responsibility to inspect and maintain its assets. Public trees are Town assets. I have, on several occasions, identified that particular tree to Town employees and expressed my concern that it was unhealthy and unmaintained. In considering my request for repayment of \$500, I would ask you to please put yourself in my shoes. If this situation was happening to you, what do you think would be fair?

I believe that our community is very fortunate to have many mature public trees. It is my hope that the Town will increase its efforts to maintain these public assets for current and future citizens and visitors to enjoy and that appropriate maintenance efforts will be undertaken to reduce the likelihood of damages to both public and private property that may be caused by neglect of Town assets.

Sincerely,

[REDACTED]

Attachments: CARS invoice/receipt

[REDACTED]

2020 September 22

The Town of Wadena
P.O. Box 730
102 Main ST N
Wadena SK S0A 4J0

Dear Mayor, Councillors, and Chief Administrative Officer:

Re: Request for Inspection and Maintenance of Public Tree Assets

I am concerned about the condition of the public trees in our community. On the evening of August 27 during a storm event, the tree located on public land in front of my property fell and landed on my vehicle parked on 2 ST NE causing \$6,702.87 in damages. Other public trees also fell during that storm event. This damage could have been prevented through timely maintenance of the Town's public tree assets.

I am writing to request the following: (A) inspection by a qualified arborist of the public trees adjacent to my property and, following inspection, the completion of required maintenance to these trees in a timely manner, and (B) landscaping of the public land in front of my property to include removal of the stump of the fallen tree, the addition of appropriate fill material, and seeding to grass.

As of the writing of this letter, the stump of the fallen tree had not yet been addressed. During the week of Sept. 14, a Town employee did hack away at the stump with a chainsaw but this did not remove the stump and served only to make a significant mess. The stump is a tripping hazard which will become a greater hazard when the snow falls. It is my expectation that the Town will promptly address the tree stump to reduce this safety hazard.

I believe that our community is very fortunate to have many mature public trees. It is my hope that the Town will increase its efforts to maintain these public assets for current and future citizens and visitors to enjoy and that appropriate maintenance efforts will be undertaken to reduce the likelihood of damages to both public and private property that may be caused by neglect of Town assets.

I would appreciate a written response to my letter that outlines the actions the Town will take and the dates on which these actions will occur.

Sincerely,

[REDACTED]



Town of Wadena

PO Box 730 | Wadena, SK S0A 4J0
P: 306.338.2145
E: wadadmin@sasktel.net
www.townofwadena.com

NOVEMBER 26, 2020

Re: Request for Reimbursement for Damages Caused by Public Tree

Dear [REDACTED],

Wadena Town Council made the following resolution at the October 20, 2020 Council meeting regarding your request for reimbursement for damages caused to your personal vehicle by a fallen Town tree during a storm event on August 27, 2020:

**402-20 C. Harmsworth
 Insurance
 Request
 Christianson
 Fitch** THAT based on the advice provided by SUMAssure, Administration be authorized to pay C. Harmsworth \$500 as requested for damage caused to her property by a fallen Town tree; and furthermore, that Administration develop a plan to address the condition of Town trees to be considered as part of the 2021 budget.

Carried

As indicated in the resolution, the Town will be developing and implementing an annual maintenance program for public trees. Town Council will be considering the plan as part of the 2021 budget. Should you require further information, please do not hesitate to contact me.

Sincerely,

Jennifer Taylor

**Jennifer Taylor, RPP RMA
CHIEF ADMINISTRATIVE OFFICER**

Enc. Cheque