MUNICIPALITY OF MORRIS-TURNBERRY  
COUNCIL CHAMBERS  
41342 Morris Road  

Tuesday February 12th, 2019  5:00 pm  

Agenda for the Special Council Meeting  

Public Notice - Published in the Wingham Advance and Citizen Newspaper –  
– January 30, 2019  
Posted on the Website Agenda – January 24, 2019  
Placement on the counter – February 7, 2019  
Notice placed on the front door – February 7, 2019  

1) Call to order:  

Council in Attendance:  
Jamie Heffer  Mayor  
Sharen Zinn  Deputy Mayor  
Kevin Freiburger  Councillor  
Jamie McCallum  Councillor  
Jim Nelemans  Councillor  

2) Purpose: Special meeting authorized by Motion: 10-2019- to authorize a special meeting, as approved on January 8th, 2019.  

3) Agenda:  

Note: Procedural By-law 4.7 The only business to be dealt with at a Special Meeting is that which is listed in the notice of the meeting.  

Motion: Moved by Seconded by  
“That the agenda for the meeting of February 12th, 2019 be adopted as circulated.”  

Any discussion  
Is everyone in Favour or Opposed  
Disposition Carried or Defeated
4) 1. R J Burnside & Associates Limited: 5 pm
   Kent Hunter and Joy Rutherford
   Background on the Morris Landfill and
   Morris Landfill- Future Development

   Summary on the December 12, 2018 meeting with staff

   Motion: Moved by Seconded by
   “That the Council of the Municipality of Morris-Turnberry receives the report from R J Burnside & Associates Limited, in regards to the Morris Landfill and gives the following direction:

   ...”
   Any discussion
   Is everyone in Favour or Opposed
   Disposition Carried or Defeated

Lunch Break

2. B M Ross and Associates Limited 7 pm
   Ryan Munn and Kelly Vader
   Presentation on the Class EA for the Blind Line Bridge on Abraham Line
   Consultation Summary is attached

   Motion: Moved by Seconded by
   “That the Council of the Municipality of Morris-Turnberry receives the report from B M Ross and Associates Limited, in regards to the Blind Line Bridge on Abraham Line and gives the following direction:

   or

   Any discussion
   Is everyone in Favour or Opposed
   Disposition Carried or Defeated

3. Council Orientation Binder:
   Please bring your electronic or hard copy of the orientation presentation and binder, for review.
10) **By-law No. 16-2019 Confirming By-law**

**Motion:** Moved by Seconded by

"That By-law No.15-2019 be passed as given first, second, third and final readings, being a by-law to Confirm the actions of the Municipality of Morris-Turnberry for the Meeting February 12th, 2019."

Any discussion
Is everyone in Favour or Opposed
Disposition Carried or Defeated

11) **Adjournment:**

**Motion:** Moved by Seconded by

"That the meeting be adjourned at pm and this is deemed to be hour meeting."

Any discussion
Is everyone in Favour or Opposed
Disposition Carried or Defeated
Memorandum – Meeting Summary

Date: December 21, 2018  Project No.: LNE085770.2018

Project Name: Morris Landfill - Future Development

Client Name: Municipality of Morris-Turnberry

To: Nancy Michie and Mike Alcock

From: Caitlin Fergusson, P.Eng.

Below is a summary of our meeting held on Wednesday, December 12, 2018 to discuss the future development options at the Morris Landfill.

- Kent reviewed the existing Plan of Development and Operation, steps taken for establishing Interim Stage III fill area and the recommendations made in the 2011 Hydrogeological Assessment Related to Future Development at the Morris Landfill Site.

- Caitlin reviewed the waste projection calculations, indicating the 25-year waste projection was based on the 2017 annual fill rate. She also indicated that preliminary calculations show the 2018 fill rate to be slightly higher and an increasing trend in the fill rate has been observed since 2013.

- She then proceeded to discuss the location of three preliminary development options, along with their advantages and challenges.

- From an operations point of view, Mike indicated he preferred Option 1 (South Option) to be the next fill area and indicated Option 2 (Central Option) would be a good option after the completion of Option 1.

  - He also preferred staging the Option 1 cell construction from South to North for ease of access and to limit the extent of road construction required. Burnside indicated they would take this into consideration when completing the detailed contaminant calculations. However, it was noted that Area A is downgradient of the central cells in Option 1 and their construction may need to be last.

- Both Nancy and Mike agreed proceeding with Option 1 first would give the Municipality adequate time to plan for moving the stormwater pond (required for Option 2). Neither saw an issue with cutting a new stormwater ditch across the central part of the site and
constructing a new pond on the northeast portion of the site from a constructability perspective.

- Option 3 contained significantly more challenges and only seemed feasible if it was constructed using a liner system. It is very close to the north property boundary and would require CAZ lands if natural attenuation was used.

- Mike and Nancy both indicated constructing a public drop-off area at the site would be extremely beneficial. It would keep the residents out of the fill area, limiting the possibility for injuries and vehicle damage. It was suggested to include the public drop-off area in the tender for the next cell construction.

- Nancy indicated we should plan to consult with the MECP early to mid-January to get their input and any concerns on the preferred option (Option 1). Once consultation is complete, Burnside will present the development options to Council, along with any MECP comments and the suggested public drop-off area. The Council presentation should occur in late January or early February.

CF/KH

cc: Kent Hunter, R.J. Burnside & Associates Limited (Via: Email)
    Joy Rutherford, R.J. Burnside & Associates Limited (Via: Email)
Class EA for Blind Line Bridge on Abraham Line

Consultation Summary

Initial Public Notice

Contents: General study description, summary of proposed works, key plan
Issued: February 28, 2018
Placed In: Wingham Advance and Listowel Banner (February 28 and March 7, 2018)
Circulated To: 10 adjacent property owners
Input Period: Concluded March 30, 2018

Table 4.1 summarizes the feedback received from residents as a result of the Notice.

<table>
<thead>
<tr>
<th>Member of Public</th>
<th>Comments</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner</td>
<td>- They need access to their property.</td>
<td>- Information noted and filed.</td>
</tr>
<tr>
<td>Doug Garniss</td>
<td>- Need a bridge that is wide and high enough for farm equipment – ideally 16’ wide.</td>
<td></td>
</tr>
<tr>
<td>March 18, 2018 (via email)</td>
<td>- Otherwise, maintain existing bridge and improve the low level crossing.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Road access from Amberley road adds 6km to route plus travel on major roads and road building through a wetland.</td>
<td></td>
</tr>
<tr>
<td>Adjacent Property Owner</td>
<td>- Indicated that another property owner, Mr. John Wessling was present and had also received the project notice.</td>
<td>- Information noted and filed.</td>
</tr>
<tr>
<td>John Smuck</td>
<td>- Existing bridge is ok for cars but can’t accommodate agricultural equipment, which must use the river to cross upstream of bridge.</td>
<td>- Will contact in April to arrange for an on-site meeting.</td>
</tr>
<tr>
<td>March 29, 2018 (via phone)</td>
<td>- Mr. Smuck own the buildings on the north side of the river. They are currently rented but his son might move into the house.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Would prefer a new wider bridge at the crossing, but at minimum, a bridge needs to be provided.</td>
<td></td>
</tr>
<tr>
<td>Adjacent Property Owner</td>
<td>- They live in the vicinity of the bridge and use the crossing to access their other farm which is separated by the river.</td>
<td>- Information noted and filed.</td>
</tr>
<tr>
<td>Gerald and Marilyn Freiburger</td>
<td>- They use the crossing to check on their livestock and to get farm implements over the river.</td>
<td>- Copy of letter forwarded to the County of Huron.</td>
</tr>
<tr>
<td>March 30, 2018 (via email)</td>
<td>- Without the bridge their property north of the river would be inaccessible during high flow events putting their livestock at risk.</td>
<td></td>
</tr>
<tr>
<td>Member of Public</td>
<td>Comments</td>
<td>Action Taken</td>
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</tbody>
</table>
| Adjacent Property Owner Mark Sluys October 17, 2018 (via email) | - Owns farm properties at the north end of the proposed road route, Lot 17 & 18, Concession 1, N. Pt. Lot 19 & 20, Conc. 1  
- Does not want the proposed road that would divide his two farms.  
- Would be marginally ok with road at far east or far west end of his properties.  
- Feels a 2 km long road access is not ideal for properties adjacent to the bridge and is no benefit to him.  
- Not happy with boreholes but will provide access if there is limited compaction and no damage to his drainage tiles. | - Information noted and filed.  
- Will contact in April to arrange on-site meeting. |
| Adjacent Property Owner John Smuck December 4, 2018 (via phone) | - Called Mr. Smuck to ask about access through the bush along the unopened road allowance.  
- He indicated that there was no existing access through the bush.  
- He asked if a mesh base could be used to build a road through the swamp. Indicated I was unsure, that it would need to be built to municipal standards.  
- He complained about how long the EA was taking to complete and how much it was costing. Didn’t like how long it was taking to complete the boreholes along the road route.  
- Was tired of how long and expensive the entire process was taking to complete. | - Information noted and filed. |

Review Agency and Stakeholder Consultation

Input into the Class EA process was solicited from government review agencies and identified stakeholders by way of direct mail correspondence. Agencies and organizations that might have an interest in the project were sent an information package detailing the nature of the proposed works, an outline of the assessment process, and a general location plan of the project site. Photographs of the project site and surrounding properties were also incorporated into the location plan. The information was circulated to eight review agencies on February 26, 2018. The organizations were asked to comment on the project on or before March 30, 2018.

Table 4.2 summarizes the comments received as a result of this consultation.
<table>
<thead>
<tr>
<th>Review Agency</th>
<th>Comments</th>
<th>Action Taken</th>
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</thead>
<tbody>
<tr>
<td>Craig Newton, MOECC</td>
<td>- Noted that the Class EA process should include consultation with stakeholders, evaluation of alternatives, assessment of the effects of the proposed works, and identification of measures to mitigate any adverse impacts.</td>
<td>- Information noted and filed.</td>
</tr>
<tr>
<td>(via email) March 1, 2018</td>
<td>- The Municipality has a responsibility to conduct adequate consultation with First Nation and Métis communities as part of the EA process. Provided a list of communities that should be contacted.</td>
<td>- Copy of letter forwarded to the Municipality.</td>
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<tr>
<td></td>
<td>- The crown is delegating procedural aspects of this consultation to the Municipality.</td>
<td></td>
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<td></td>
<td>- EA report must also address impacts of Climate Change and Source Water Protection policies in the report.</td>
<td></td>
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<tr>
<td>Brooke Herczeg, MTCS</td>
<td>- MTCS has a mandate of conserving Ontario’s cultural heritage including archaeological resources, built heritage resources, and cultural heritage landscapes.</td>
<td>- Information noted and filed.</td>
</tr>
<tr>
<td>(Via email) March 26, 2018</td>
<td>- Under the EA process, proponent is required to determine a project’s potential impact on cultural heritage resources.</td>
<td>- Bridge check list completed and added to report.</td>
</tr>
<tr>
<td></td>
<td>- Check-lists used to identify potential impacts.</td>
<td>- Made arrangements for completion of CHER/HIA.</td>
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<tr>
<td></td>
<td>- Completed check-lists should be included in the Class EA report.</td>
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<tr>
<td>Dave Marriott, MNRF</td>
<td>- Advised that Wavy-rayed lampmussel was present in the Little Maitland River system near the site and was protected under the ESA.</td>
<td>- Information noted and filed.</td>
</tr>
<tr>
<td>(via email) July 6, 2018</td>
<td>- Suggested we review the Aquatic Species exemption regulation to see if it would apply to the project.</td>
<td>- Forwarded to project engineer for his information.</td>
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<td>- Rainbow mussels are also present which are protected through SARA.</td>
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<td>- Barn swallows may also be present.</td>
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<td>- An extended timing window would apply to the site due to the long-ear sunfish. No in-water work from April 1 – August 31.</td>
<td></td>
</tr>
<tr>
<td>Patrick Huber-Kidby</td>
<td>- Received a copy of the project information and apologized for the late response to the notice.</td>
<td>- Information noted and filed.</td>
</tr>
<tr>
<td>MVCA (via email) December 11,</td>
<td>- Advised that the bridge is located within an area regulated by the MVCA.</td>
<td></td>
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<tr>
<td>2018</td>
<td>- Suggested that MVCA regulations staff be contacted prior to implementation of the project to assist with the permit process.</td>
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First Nations Consultation

a) Aboriginal Consultation Process

The Crown has a duty to consult with First Nation and Métis communities if there is a potential to impact on Aboriginal or treaty rights. This requirement is delegated to project proponents as part of the Class EA process, therefore the project proponent has a responsibility to conduct adequate and thorough consultation with Aboriginal communities as part of the Class EA consultation process.

The project study area is located in the traditional territories of the Saugeen Ojibway Nation and also contains a number of sensitive natural features which may be of concern to First Nation and Métis communities in the area. These features include the Little Maitland River and the wooded area located along the proposed road route.

b) Background Review

In order to identify Aboriginal Communities potentially impacted by the project the Aboriginal and Treaty Rights Information System (ATRIS) was consulted. A search was conducted for Aboriginal Communities, including their traditional territories that would lie within a 50 km radius of the project study area. Utilizing this process and feedback received from the MECP, eight aboriginal communities/organizations were identified in conjunction with this project including: Kettle and Stony Point First Nation, Chippewas of Saugeen First Nation, Chippewas of Nawash Unceded First Nation, Saugeen Ojibway Nation (SON) – Chippewas of Saugeen & Chippewas of Nawash, Historic Saugeen Métis, Metis Nation of Ontario, and Great Lakes Métis Council. Correspondence was subsequently forwarded to each community/organization detailing the proposed project and asking for input.

No responses to the Initial Project Notice were received from any of the Aboriginal communities that were circulated.
CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW NO. 16-2019

“CONFIRMATORY BY-LAW”

Being a by-law of the Corporation of the Municipality of Morris-Turnberry to confirm the proceedings of the Council of the Corporation of the Municipality of Morris-Turnberry, for the meeting, dated February 12th, 2019;

WHEREAS by Section 8 of the Municipal Act 2001, S.O. 2001, c. 25- A municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

WHEREAS by Section 5. (3) of the Municipal Act 2001, S.O. 2001, c. 25 – A municipal power, including a municipality’s capacity, rights, powers and privileges under Section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Municipality of Morris-Turnberry for the February 12th, 2019 meeting be confirmed and adopted by By-law;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY ENACTS AS FOLLOWS:

1. The action of the Council of the Corporation of the Municipality of Morris-Turnberry at its meeting held the 12th day of February, 2019, in respect of each recommendation contained in the Minutes and each motion and resolution passed and other action taken by the Council of the Corporation of the Municipality of Morris-Turnberry at the meeting, is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-Law;

2. The Mayor and proper officials of the Corporation of the Municipality of Morris-Turnberry hereby authorized and directed to all things necessary to give effect to the action of the Council to the Corporation of the Municipality of Morris-Turnberry referred to in the preceding section thereof;

3. The Mayor and Administrator Clerk-Treasurer are authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation.

Read a first, second and third time and passed this 12th day of February, 2019.

Mayor, Jamie Heffer

Clerk, Nancy Michie