MUNICIPALITY OF MORRIS-TURNBERRY
COUNCIL CHAMBERS
41342 Morris Road
Tuesday, January 31st, 2017  7:30 pm

1) Call to order:  The meeting was called to order by Mayor Paul Gowing at 7:35 pm with all members in attendance.

Council in Attendance:
Paul Gowing
Jamie Heffer
Dorothy Kelly
Jim Nelemans
John Smuck
Sharen Zinn

Staff in Attendance:
Nancy Michie  Administrator Clerk Treasurer
Kirk Livingston  Chief Building Official
Susanna Reid  Huron County Planner
Kim Johnston  Recording Secretary

Others in Attendance:
1. Jackie Riggs  Wingham Advance Times
2. Denny Scott  North Huron Citizen
3. Jim Taylor  Ratepayer
4. Terry Brighton  Ratepayer
5. Mike Zarytshansky  Ratepayer
6. Harold Schriever  Ratepayer
7. Murray McKague  Ratepayer
8. Cheryl Marks  Ratepayer
9. Mike Wrycraft  Ratepayer
10. Josef Studhalter  Ratepayer
11. Andrew Williams  United Way
12. Ryan Erb  United Way
2) **Agenda:**

An Addendum from the Clerk was added to the agenda for consideration as the items were of a time sensitive nature, for the Open Session and Closed Session.
Sharen Zinn requested to add two items, one item in Other Business and one item in Closed Session regarding Council Accounts.
Dorothy Kelly requested to add one item in Closed Session, Discussion regarding an Identifiable Individual.

**Adoption of Agenda:**

**Motion:** 23-2017    Moved by Jim Nelemans    Seconded by John Smuck

“That the agenda for the meeting of January 31st, 2017 be adopted as amended.”

Disposition    Carried

3) **Declaration of Pecuniary Interest:**

No member declared a pecuniary interest, at this time.

4) **Minutes:**

**Motion:** 24-2017    Moved by John Smuck    Seconded by Dorothy Kelly

“That the minutes of the December 12th, 2016, December 20th, 2016 and January 12th, January 17th, January 24th, and January 26th, 2017 Council Meetings, be adopted as circulated.”

Disposition    Carried

5) **Business from the Minutes**

There was no business from the minutes.

6) **Accounts**

6.1 **Account List:**

**Motion:** 25-2017    Moved by Dorothy Kelly    Seconded by Sharen Zinn

“That the 2017 Accounts dated January 31st, 2017 be approved for payment in the amount of:

$ 94,762.38 for the Morris-Turnberry Accounts less Council Pay
$ 103,287.73 for the Shared Services Accounts

and the 2016 Accounts Payable dated January 31st, 2017 be approved for payment in the amount of:

$ 338,052.40 for the Morris-Turnberry Accounts
$ 348,718.71 for the Shared Services Accounts.”

Disposition    Carried
7) Planning: 7:41 pm

Susanna Reid – Huron County Planner was in attendance.

Josef Studhalter arrived at the meeting.

7.1 Enter into a Public Meeting:

Motion: 26-2017  Moved by Jamie Heffer  Seconded by Dorothy Kelly

“That the regular session of council be adjourned and enter into a Public Meeting under Section 34 of the Planning Act.”

Disposition: Carried

7.2 Zoning By-law Amendment: 7:41 pm

Applicant: Dylan VanDenAssem, Fortress Fencing

Susanna Reid – Huron County Planner was in attendance.

A report was presented and reviewed.

Josef Studhalter was in attendance.

Re: Zoning By-law Amendment

1. Call to order - The meeting was called to order by Mayor Paul Gowing at 7:41 pm

2. Purpose of the Public Meeting – was stated by Mayor Gowing

PURPOSE AND EFFECT

The purpose and effect of this application is to rezone part of the north part of Lot 17, Concession 9 (41545 Moncrief Road) from ER1 (Extractive Resource Zone) to AG4-13 (Agriculture–Small Holding – Special Provisions) to recognize the existing use of the property and permit of construction of a storage shed and shop. The area of the subject property is approximately 4.8 ha (11.82 acres). The AG4-13 zone recognizes a fencing business as a home industry and allows for three full time employees to be employed at a home industry on the subject property. The AG4-13 zone recognizes a maximum lot area of 4.8 hectares. The property currently contains a house, garage, pump house and shed.

This by-law amends the Municipality of Morris-Turnberry Zoning By-law 45-2014.

3. County Planning Department - Susanna Reid presented the planning report. The planning report dated January 26, 2017 recommends approval of the application.

4. Comments Received – Nancy Michie presented the following correspondence:
   1. Letter from MVCA dated January 17, 2017
   2. Josef Studhalter
   3. Chris Dietrich – Drainage

5. Oral submissions at a public meeting or make written submissions to the Municipality of Morris-Turnberry before the by-law is passed,

   There were no oral or written submissions received or presented.

6. Applicants comments – The applicant was not in attendance.
7. **Public comments** – There were no comments from the public.

8. **Morris-Turnberry Council comments and questions** –
   Jim Nelemans asked if someone wants a gravel licence on the property, must it be relicensed through Aggregate Resources Act and other studies and a planning application. Susanna Reid advised yes it will.

9. **Explanation of the Process following the Public Meeting by Mayor Gowing**
   If the By-law is passed, the Clerk is required to send Notice of Passing of the By-law, to all persons and agencies notified of this Public Meeting. There is a 20 day objection period from the time Notice of Passing of the by-law has been mailed by first class mail, wherein submissions/letters of objections or support in respect to the passing of the by-law, will be received by the Clerk.

10. **Adjournment:**
    
    **Motion: 27-2017**
    Moved by Dorothy Kelly  
    Seconded by John Smuck
    
    “That the meeting be adjourned at 7:55 pm and re-enter regular session of council.”
    
    **Disposition**  
    Carried

    **7.3 By-law:**

    **1. No Further Notice is required:**
    
    **Motion: 28-2017**
    Moved by Dorothy Kelly  
    Seconded by Jim Nelemans
    
    “That the Council of the Municipality of Morris-Turnberry has held a public meeting pursuant to Section 34 (12) of the Planning Act, 1990, with respect to a proposed zoning by-law amendment for Part of the North Part of Lot 17, Concession 9, (41545 Moncrieff Road), Morris; and
    
    **Whereas** certain changes have been made to the proposed by-law following circulation;
    
    **Now therefore,** the Council of the Municipality of Morris-Turnberry hereby resolves that pursuant to Section 34(17) of the Planning Act, 1990, no further notice is to be given in respect to the proposed By-law No. 1-2017.”
    
    **Disposition**  
    Carried

    **2. Informed Decision:**
    
    **Motion: 29-2017**
    Moved by Dorothy Kelly  
    Seconded by Jim Nelemans
    
    “That the Council of the Municipality of Morris-Turnberry has considered all oral and/or written submissions made in regards to the corresponding Zoning By-law for Part of the North Part of Lot 17, Concession 9, (41545 Moncrieff Road), Morris;
    
    **Now therefore,** the Council of the Municipality of Morris-Turnberry hereby resolves that the information has assisted the Council to make an informed decision in regards to the Zoning By-law for Part of the North Part of Lot 17, Concession 9, (41545 Moncrieff Road), Morris;”
    
    **Disposition**  
    Carried
3. By-law - Zoning By-law Amendment:

Motion: 30-2017  Moved by Dorothy Kelly  Seconded by Jim Nelemans
“That By-law No. 1 - 2017 be passed as given first, second, third and final readings, being a by-law to rezone part of the north part of Lot 17, Concession 9 (41545 Moncrieff Road) from ER1 (Extractive Resource Zone) to AG4-13 (Agriculture-Small Holding – Special Provisions) to recognize the existing use of the property and permit of construction of a storage shed and shop. The area of the subject property is approximately 4.8 ha (11.82 acres). The AG4-13 zone allows for three full time employees to be employed at a home industry on the subject property and recognizes a fencing business as a home industry, in the Municipality of Morris-Turnberry.”
Disposition  Carried

Josef Studhalter left at 8:00 pm.

7.4 Enter into a Public Meeting:

Motion: 31-2017  Moved by Jamie Heffer  Seconded by Dorothy Kelly
“That the regular session of council be adjourned and enter into a Public Meeting under Section 34 of the Planning Act.”
Disposition  Carried

7.5 Zoning By-law Amendment:

Applicant- Municipality of Morris-Turnberry
Owner- Dorothy Mae Marks
Susanna Reid – Huron County Planner was in attendance.
A report was presented and reviewed.

Cheryl Marks, Jim Taylor, Terry Brighton, Mike Zarytshansky, Harold Schriever and Murray McKague were in attendance.

Re: Zoning By-law Amendment

1. Call to order - The meeting was called to order by Mayor Paul Gowing at 8:00 pm

2. Purpose of the Public Meeting – was stated by Mayor Gowing

PURPOSE AND EFFECT
The purpose and effect of this application is to rezone Lot 24, Concession 9, former Township of Turnberry and part of a closed road allowance (Parts 2, 8, 16, 10 and 11 of Plan 22R-6224) to recognize a reduced lot frontage of 20 metres (66 feet). For the area zoned AG1-13, the front lot line will be considered the southerly limit of the closed road allowance between Concessions 8 and 9.

This by-law amends the Municipality of Morris-Turnberry Zoning By-law 45-2014.

3. County Planning Department - Susanna Reid presented the planning report. The planning report dated January 26, 2017 recommends that the rezoning be deferred until the Municipality has acquired the road access.

4. Comments Received – Nancy Michie presented the following correspondence:
   1. Drinking Water Source Protection
   2. Letter from MVCA dated January 17, 2017
5. **Oral submissions** at a public meeting or make written submissions to the Municipality of Morris-Turnberry before the by-law is passed,
   1. **James Taylor - Drainage**
      Comments from Garret Cleghorn – Drainage Superintendent
   2. **Steve and Marlene Christie – Encroachment Agreement**
   3. **Comments from Terry Hoy and Mike Zarytshansky - no objections**

Andrew Williams and Ryan Erb United Way arrived at the meeting at 8:20 pm.

6. **Applicants comments** – Cheryl Marks said her dad bought the farm 40 years ago. There have been a lot of road blocks. The Road allowance has been conveyed. They would like approval for a building permit and would like this considered to allow the inspector to approve the permit. They want to build a house and they will continue to lease the farm. They don’t plan to do anything to the ditch line.

7. **Public comments** – Mike Zarytshansky asked if the house will be built on the original site; would the new home restrict him building a barn. The planner advised that there is MDS for building between a residence and a barn.

8. **Morris-Turnberry Council comments and questions** – Sharen Zinn said the property owners can work out the drain issue together.

9. **Explanation of the Process following the Public Meeting by Mayor Gowing**
   If the By-law is passed, the Clerk is required to send Notice of Passing of the By-law, to all persons and agencies notified of this Public Meeting. There is a 20 day objection period from the time Notice of Passing of the by-law has been mailed by first class mail, wherein submissions/letters of objections or support in respect to the passing of the by-law, will be received by the Clerk.

10. **Adjournment:**
    8:35 pm

Motion: 32-2017
Moved by Jamie Heffer 
Seconded by Sharen Zinn
“That the meeting be adjourned at 8:35 pm and re-enter regular session of council.”
Disposition Carried

7.6 **By-law:** The council has the option to give consideration to the By-law or defer the By-law for an amendment.

2. **Deferral:** That the zoning amendment be deferred due to the following:

Motion: 33-2017
Moved by Jamie Heffer 
Seconded by Sharen Zinn
“That the Council of the Municipality of Morris-Turnberry defer the rezoning until the Municipality has the road access vested to the Municipality; and hold a special meeting for the consideration of the By-law.”
Disposition Carried
7.7  Direction for a Building Permit
Kirk Livingston said he is unable to issue a permit right now.

Motion: 34-2017  Moved by Jim Nelemans  Seconded by Jamie Heffer
“That the Council of the Municipality of Morris-Turnberry defer the Direction for a Building Permit until the other matters- zoning and road access have been dealt with.”
Disposition  Carried

7.8  By-law to assume and dedicate part of Lot 23 Concession 8, Turnberry
The consideration of this by-law will be deferred until the special meeting is held to deal with the matters.

7.9  Validation Certificate – File No. B6-2017
Planning Report was reviewed by Council.

Motion: 35-2017  Moved by Jim Nelemans  Seconded by Dorothy Kelly
“That the Council of the Municipality of Morris-Turnberry has no objection to the Validation Certificate for Lot 9 Concession 4, save and except Parts 1-3 on Plan 22R-6121, West half of Lot 8 Concession 4, Turnberry.”
Disposition  Carried

Cheryl Marks, Jim Taylor, Terry Brighton, Mike Zarytshansky, Harold Schriever and Murray McKague left the meeting at 8:50 pm.

8)  Deputation: 8:50 pm
United Way Perth-Huron
Andrew Williams – Chair of Campaign Cabinet and Ryan Erb – Executive Director made a presentation.

Motion: 36-2017  Moved by Sharen Zinn  Seconded by Dorothy Kelly
“That the Council of the Municipality of Morris-Turnberry receive the presentation by United Way Perth-Huron.”
Disposition  Carried

Susanna Reid left the meeting at 9:10 pm.

Andrew Williams and Ryan Erb left the meeting at 9:15 pm.
9) Building Report
Kirk Livingston – Chief Building Official

9.1 Building Activity Report:
Kirk Livingston presented the activity report and the year-end report.

1. December 2016 Building Activity Report:
2. Year End Report for 2016

Motion: 37-2017 Moved by Jamie Heffer Seconded by Dorothy Kelly
Disposition Carried

10) Public Works:

10.1 Public Works Activity Report by Jeff Molenhuis – Director of Public Works
Jeff Molenhuis was not in attendance.

1. Calcium Chloride Extension:

Motion: 38-2017 Moved by John Smuck Seconded by Sharen Zinn
THAT the Council of the Municipality of Morris-Turnberry grants pre-budget approval to extend the 2016 Dust Control Contract with Da Lee Dust Control for the supply and application of 35% Calcium Chloride solution for the 2017 Dust Control requirements, in the amount of $0.195 per litre;
AND FURTHER THAT the Director of Public Works is authorized to sign any necessary documentation.”
Disposition Carried

2. Grinding Equipment Follow up Report:

Motion: 39-2017 Moved by John Smuck Seconded by Jim Nelemans
“That the Council of the Municipality of Morris-Turnberry receives the Landfill Operations Report for information purposes.”
Disposition Carried

3. Landfill Operations Report:

Motion: 40-2017 Moved by Sharen Zinn Seconded by Dorothy Kelly
“THAT the Council of the Municipality of Morris-Turnberry defer the Landfill Operations Report for the new department head and collaborate with the two people working at the landfill and the contractors that do the covering work.”
Disposition Carried
11) Business

11.1 Resolutions:

Motion: 41-2017 Moved by Jim Nelemans Seconded by John Smuck
“That the Council of the Municipality of Morris-Turnberry support and endorse the following resolutions:
1. Municipality of Thames Centre – Support of Township of Zorra Resolution
   - Hydro Costs for Rural Residents
2. Township of Montage – Support of Township of Tay Valley Resolution
   - Hydro One’s Strategy of Hydro Costs
3. Township of Montage - Support of Township of Georgian Bay Resolution
   - Structure of Hydro rates for rural customers
4. Township of Montage - Support of Township of McKellar Resolution
   - Funding for Fire Department Infrastructure
And file the following resolutions:
1. City of Owen Sound – Gas Tax Funding Formula
2. Town of Atikokan – Property Tax for Railway Companies
3. Municipality of Huron East – Huron County OPP Detachment Facility
   And letter from Town of Goderich.”
Disposition Carried

11.2 Drainage Superintendent

1. 2016 Drainage Superintendent Program Report

Motion: 42-2017 Moved by Dorothy Kelly Seconded by Jamie Heffer
“That the Council of the Municipality of Morris-Turnberry approve the 2016 Drainage Superintendent Program Report, for submission to OMAFRA BY January 31, 2017.”
Disposition Carried

2. Grant Allocation Request Form- Fiscal year 2017/18
Grants for the Cost for Employing a Drainage Superintendent

Motion: 43-2017 Moved by Dorothy Kelly Seconded by Jamie Heffer
“That the Council of the Municipality of Morris-Turnberry approve the Grant Allocation Request Form- Fiscal year 2017/18, Grants for the Cost of Employing a Drainage Superintendent, in the amount of $24,931.20.”
Disposition Carried

11.3 2016 Council Remuneration
A copy of the 2016 Council Remuneration and expenses report was reviewed, for Council’s information.
11.4 Shared services:

Motion: 8-2017 Moved by Dorothy Kelly Seconded by Sharen Zinn
“That the complete Morris-Turnberry Administration Services remain with the Morris-Turnberry Staff and the Administration Portion of the Shared Services Pilot Project be deleted from the project, permanently as of December 31, 2016.”
Disposition Defeated

Motion: 44-2017 Moved by Dorothy Kelly Seconded by Sharen Zinn
“That the complete Morris-Turnberry Administration Services remain with the Morris-Turnberry Staff and the Administration Portion of the Shared Services Pilot Project be deleted from the project, as of December 31, 2016.”
Disposition Carried

2. Response to the Letter from the Township of North Huron

Motion: 45-2017 Moved by Dorothy Kelly Seconded by Sharen Zinn
“That the Council of the Municipality of Morris-Turnberry regretfully agree to the terms set out in the letter, dated January 24, 2017 from the Township of North Huron, to disband the Public Works portion of the Shared Services, effective February 17, 2017; And That the Municipality of Morris-Turnberry plan to continue with the joint Building Department for the duration of the Pilot project, at the Morris-Turnberry office”
Disposition Carried

3. Letters of Resignation:

Motion: 46-2017 Moved by John Smuck Seconded by Sharen Zinn
“That the Council of the Municipality of Morris-Turnberry regretfully accepts the resignation from James Marshall- Fire Prevention Officer, as of February 6, 2017 and acknowledges the resignation of North Huron Shared Services staff:
1. Jeff Molenhuis – Director of Public Works
Dave Sparling - Director of Fire and Emergency Services.”
Disposition Carried

11.5 Huron Economic Development Partnership
Funding applications are due Wednesday, March 1st, 2017 by 4:00 pm.
The Council discussed some project ideas.
A report on this will be brought back to the February 21st, 2017 Meeting or the Special Meeting, called for the Rezoning matter.

11.6 Maitland Conservation Annual Meeting
Wednesday, February 15th, 2017, 7:00
Hosted by North Huron, 274 Josephine Street, Wingham
Mayor Gowing, Dorothy Kelly and Sharen Zinn will attend.
12) **By-Laws:**

**Motion: 47-2017** Moved by Jamie Heffer Seconded by Sharen Zinn

"That the following by-laws be adopted as given first, second, third and final readings

1. 4-2017 - Peacock Municipal Drain – Amending By-law
2. 5-2017 - Hulpher Municipal Drain – Amending By-law
3. 6-2017 - Appoint Officials, Members of Committees and Boards
5. 10-2017 - Stop up and Close a portion of untraveled road allowance
6. 11-2017 - Sell Property being a road allowance
7. 12-2017 - Walsh Municipal Drain – Amending By-law
8. 14-2017 Sell property at 83019 Brussels Line .”

Disposition Carried

**Motion: 48-2017** Moved by Jim Nelemans Seconded by Dorothy Kelly

"That the following by-laws be adopted as given first, second, third and final readings

1. 7-2017 - Establish the Pay Range Grid for 2017
2. 8-2017 - Remuneration Policy for Municipal Councilors and Members of Local Boards

Disposition Carried

13) **Council Reports:**

**Jamie Heffer:** No report

**Sharen Zinn:** No report

**Jim Nelemans:**
Jim thanked the Council for having the meeting tonight rather than next week.

**Dorothy Kelly:** No report

**John Smuck:** No report

**Mayor Paul Gowing:**
He attended the ROMA Conference. There were 1,000 delegates and 300 delegations. He was part of the Recreation. Eight of the nine municipalities were reviewed. Recreation needs study and inventory.

He spoke of the changes to Ontario’s cabinet.
14) **Items for Information**
   1. Lake Huron Coastal Conservation - Community Workshops
   2. IPM Souvenir Edition – Advertising Rates
   3. MPAC – 2016 Assessment Update Municipal Summary Report
   5. Ministry of Citizenship– Ontario Volunteer recognition programs for 2017
   6. AMO – Ontario’s Cabinet Changes
   7. Bev Hill – Presentation to Huron County Council Natural Heritage Plan
   8. Min of Ag, Food and Rural Affairs – Upcoming Drainage Courses, Tile Loan Program
   9. Min of Ag, Food and Rural Affairs – Agricultural Drainage Infrastructure Program
   11. Minor Variance Application – North Huron
   12. FDNH – Activity Report for December 2016

15) **Minutes**
   1. Wingham & Area Health Professionals Recruitment Committee

16) **Other Business:**
   1. **Belmore Reconstruction Project**

   **Motion:** 49-2017  Moved by Jim Nelemans  Seconded by Sharen Zinn
   “That the Council of the Municipality of Morris-Turnberry authorize the Township of South Bruce to proceed with the Huron Bruce Road reconstruction project in Belmore prior to budget approval and further authorize the Township of South Bruce to proceed with the call for tenders for the said project.”
   Disposition: Carried

   2. There was no other business to present.

17) **Additions to the agenda for the next meeting:**
   1. There was no other business to add to the agenda for the next or any following meeting.

**Break:** The Council took a short break at 10:28 pm and returned at 10:38 pm.

Denny Scott and Jackie Riggs and left the meeting at 10:28 pm.
Extension of the Meeting:

Motion: 50-2017 Moved by Jim Nelemans Seconded by Sharen Zinn
“That the Council of the Municipality of Morris-Turnberry extend the meeting past 10:30 pm.
Disposition Carried

18) Closed Session:

1. Confidential Report - pursuant to Section 239 (2) (e) litigation including matters before administrative tribunals; pursuant to Section 239 (2) (b) personal matters about an identifiable individual;

   1. Information for Council from a legislative Tribunal
   2. Matter pertaining to an employee
   3. Shared Services – Notice to Employees
   4. Dorothy Kelly – Identifiable Individual
   5. Sharen Zinn – Identifiable Individual
   6. Council Pay

18.1.1 Enter into Closed Session: 10:38 pm

Motion: 51-2017 Moved by Sharen Zinn Seconded by Dorothy Kelly
“That the Council adjourn the Public Session of Council and enter into a Closed to the Public Session for the following matters:

1. Confidential Report - pursuant to Section 239 (2) (e) litigation including matters before administrative tribunals; pursuant to Section 239 (2) (b) personal matters about an identifiable individual;

   1. Information for Council from a legislative Tribunal
   2. Matter pertaining to an employee
   3. Shared Services – Notice to Employees
   4. Dorothy Kelly – Identifiable Individual
   5. Sharen Zinn – Identifiable Individual
   6. Council Pay.”

Disposition Carried

18.1.2 Adjourn the Closed Session: 11:50 pm

Motion: 52-2017 Moved by Jim Nelemans Seconded by Dorothy Kelly
“That the Council adjourn the Closed to the public session and re-enter regular open session of council.”
Disposition Carried
18.1.3 Report to the Public from Closed Session.
The Council discussed six matters concerning Identifiable Individuals concerning personal matters: Information for Council form a legislative Tribunal; Matter pertaining to an employee; Shared Services – Notice to Employees; Dorothy Kelly – Identifiable Individual; Sharen Zinn – Identifiable Individual; Council Pay.

18.1.4 Action from the Closed Session:

Motion: 53-2017 Moved by Jim Nelemans Seconded by Dorothy Kelly
“That the Council of the Municipality of Morris-Turnberry approved the Council Pay, dated January 31, 2017, for payment.”
Disposition Carried

19) By-law No. 13 -2017 Confirming By-law

Motion: 54-2017 Moved by Sharen Zinn Seconded by Dorothy Kelly
“That By-law No. 13 - 2017 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 January 31, 2017.”
Disposition Carried

20) Adjournment:

Motion: 55-2017 Moved by John Smuck Seconded by Jamie Heffer
“That the meeting be adjourned at 11:53 pm. and this is deemed to be a over 4 hour meeting.”
Disposition Carried

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Mayor, Paul Gowing

__________________________
Clerk, Nancy Michie