MUNICIPALITY OF MORRIS-TURNBERRY
COUNCIL CHAMBERS
41342 Morris Road
Tuesday, March 5th, 2019

MINUTES

1) Call to order: The meeting was called to order by Mayor Jamie Heffer at 7:30 pm. Mayor Heffer welcomed Trevor Hallam to the meeting.

Council in Attendance:
Jamie Heffer
Kevin Freiburger
Jamie McCallum
Sharen Zinn
Jim Nelemans absent

Staff in Attendance:
Nancy Michie Administrator Clerk – Treasurer
Kim Johnston Recording Secretary
Trevor Hallam County Planner
Jennifer Burns County Planner

Media in Attendance:
1. Denny Scott The Citizen
2. Colin Burrowes Wingham Advance Times- arrived at 7:35pm

Others in Attendance
Ross Davies
Ken Koch

1.1 Recording Equipment:
No one disclosed the use recording equipment, at this time.

2) Agenda:

2.1 Adoption of Agenda:
An Addendum from the Clerk was presented with two items, for the Open Session of Council.

Motion: 96-2019 Moved by Sharen Zinn Seconded by Kevin Freiburger
“That the agenda for the meeting of March 5th, 2019 be adopted as amended.”
Disposition Carried
3) Declaration of Pecuniary Interest:
No member declared a pecuniary interest, at this time.

4) Minutes:

4.1 Minutes

Motion: 97-2019 Moved by Sharen Zinn Seconded by Kevin Freiburger
“That the minutes of the February 19th, 2019 Council Meeting be adopted as circulated.”
Disposition Carried

5) Business from the Minutes
There was no business from the minutes to be discussed.

6) Accounts

6.1 Account List:

Motion: 98-2019 Moved by Sharen Zinn Seconded by Kevin Freiburger
“That the 2019 Accounts dated March 5th, 2019 be approved for payment in the amount of $146,438.51”
Disposition Carried

6.2 Pay Report

Motion: 99-2019 Moved by Sharen Zinn Seconded by Kevin Freiburger
“That the Council of the Municipality of Morris-Turnberry accept the pay reports, dated February 20th, 2019.”
Disposition Carried

7) Planning-

7.1 Consent Application:

7.1.1 Consent Application for - Part of Lots 21,22,23,24 Concession 1, Morris 41153 Amberley Road

A copy of the application, checklist and Planning Report were presented by Ms. Burns. The owner’s agent, Ross Davies, provided and explanation of the history of the properties and how they came to be merged unintentionally. The purpose of this consent is to correct the titles for the subject properties, and conforms with Huron County and Morris-Turnberry policies.
Motion: 100-2019 Moved by Kevin Freiburger Seconded by Jamie McCallum

“That the Council of the Municipality of Morris-Turnberry recommend consent for File # C03-2019 with the conditions as noted on the planning report:

1. That the retained lands be zoned to AG 1 – Special to recognize all existing buildings and the deficient lot size.
2. Drainage agreement for the Jermyn Drain is required and a fee of $200.00 be paid.
3. That a fee of $300.00 be paid, cash in lieu of parkland.
4. That the current unopened road allowance to the west of the subject property be opened to provide a minimum of 150m of frontage to the severed parcel.”

Disposition Carried

7.2 Zoning By-law Amendment:

7.2.1 Enter into a Public Meeting

Motion: 101-2019 Moved by Sharen Zinn Seconded by Kevin Freiburger

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

Disposition Carried

7.3 Zoning By-law Amendment:

**Location:** Part of Lots 21-24 Concession 1, Morris

**Property Owner:** 2005020 Ontario Inc

**Agent:** Ross Davies, Crawford, Mill & Davies

Jennifer Burns – Huron County Planner was in attendance

Jennifer Burns will present the attached report

Re: Zoning By-law Amendment

1. **Call to order** - The meeting was called to order by Mayor Jamie Heffer at 7:45 pm

2. **Purpose of the Public Meeting** – Mayor Heffer stated the purpose of the application

**PURPOSE AND EFFECT**

This application proposes to rezone 41153 Amberley Road (Con 1 PT Lots 21 to 23, Morris) from AG1 (General Agriculture) to AG1-14 (General Agriculture- Special Provisions). The rezoning will recognize the size of the agricultural parcel and will deem all existing buildings to comply with the provisions of the Morris-Turnberry Zoning By-law. The area being rezoned is 10.8 hectares (30.8 acres) and contains a house, barn, shop and sheds. The rezoning is a condition of severance application C03/19.

3. **County Planning Department** -

Jennifer Burns presented the planning report. The planning report dated February 7th, 2019 recommends approval. Ms. Burns noted one correction to the area of the subject property. It was cited in the Planning Report as 10.8 hectares (26.57 acres), which is corrected to 12.5 hectares (30.8 acres) as it includes the former railway lands. Ms. Burns suggested that as the change is minor a resolution pursuant to section 34(17) of the planning act could be made by council that no further notice is required.
4. **Comments Received**
   Comments in support of the application were received from the Maitland Valley Conservation Authority.

5. **Oral submissions**
   None received.

6. **Applicants comments**
   None received.

7. **Public comments**
   Ms. Burns noted that one phone call was received by the Planning Department from the owner of an adjacent property who was seeking clarification on the application, but expressed no concerns.

8. **Morris-Turnberry Council comments and questions**
   None received.

9. **Explanation of the Process following the Public Meeting by Mayor Heffer**
   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:** 102-2019  Moved by Sharen Zinn  Seconded by Kevin Freiburger
    “That the meeting be adjourned and re-enter regular session of council.”
    Disposition  Carried

    **Disposition**  Carried

7.4 **By-law:**

1. **No Further Notice is required:**

   **Motion:** 103-2019  Moved by Jamie McCallum  Seconded by Kevin Freiburger
   “**Whereas** 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 41153 Amberley Road; 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. 20-2019.”
   Disposition  Carried
2. Informed Decision:

Motion: 103-2019  Moved by Jamie McCallum  Seconded by Sharen Zinn

“Whereas 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 41153 Amberley Road, Concession 1m Pt Lots 21-24, 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 41153 Amberley Road, Concession 1 Pt Lots 21-24, Morris.”

Disposition  Carried

3. By-law - Zoning By-law Amendment:

Motion: 104-2019  Moved by Jamie McCallum  Seconded by Sharen Zinn

“That By-law No. 20-2019 be passed as given first, second, third and final readings, being a by-law to rezone for 41153 Amberley Road, Concession 1 Pt Lots 21-24, Morris from AG 1 (General Agriculture) to AG 1-14 (General Agriculture-Special Provisions), the rezoning will recognize the undersized agricultural parcel and will deem all existing buildings on the property to comply with the provisions of the Morris-Turnberry Zoning By-law. The rezoning is a condition of consent C03/19.”

Disposition  Carried

At 7:55 pm, Ross Davies, Ken Koch and Jennifer Burns left the meeting.
Also at this time, Council moved ahead to agenda item 9, as Court of Revision for the Richmond Municipal Drain has been set for 8:00 pm.

9) By-laws:

9.1 Interim Tax By-law – 2019:

Motion: 105-2019  Moved by Sharen Zinn  Seconded by Kevin Freiburger

“That By-Law No. 21-2019 be adopted as given first, second, third and final readings being a by-law to provide for the Interim Tax Levies for the year 2019, for the Municipality of Morris-Turnberry.”

Disposition  Carried

9.2 Maintenance and repair of Drainage Works - 2018:

Motion: 106-2019  Moved by Sharen Zinn  Seconded by Kevin Freiburger

“That By-Law No. 22-2019 be adopted as given first, second, third and final readings being a by-law to provide for maintenance of drainage works for the year 2018, for the Municipality of Morris-Turnberry.”

Disposition  Carried
10) Business:

10.1 Resolutions

1. Resolution – Township of South Stormont - regarding the importance of the OMPF for rural municipalities
2. Resolution – Municipality of South Huron – regarding the location and timing of construction for the proposed new County of Huron Administration facility.

Motion: 107-2019 Moved by Jamie McCallum Seconded by Sharen Zinn
“That the Council of the Municipality of Morris-Turnberry support and endorse the following resolutions,
1. Township of South Stormont
2. Municipality of South Huron.”
Disposition Carried

10.2 Report to maximize the use of Council’s time and times for Council meetings:

Administrator/Clerk-Treasurer Nancy Michie presented a report to Council that provided details on the costs associated with Council meetings in 2019 and the impact of the inclusion of a lunch or snack break, and offered various options to Council that would address the issues identified.

Councillor Zinn expressed her preference for maintaining the start time of meetings at 7:30pm.

Councillor Mc Callum was in favour of including a lunch during longer meetings, but to reduce the break time so that it may be eaten during the course of the meeting. He also expressed a preference for a 7:00 pm meeting start time.

Councillor Freiburger expressed no preference regarding the timing of meetings, but noted that an earlier start time would conflict with family commitments.

Mayor Heffer expressed concerns over an earlier start time.

Councillor Zinn suggested that the matter be deferred until Councillor Nelemans is in attendance and can be consulted.

Motion: 108-2019 Moved by Sharen Zinn Seconded by Kevin Freiburger
“That the Council of the Municipality of Morris-Turnberry receive the report to maximize the use of Council’s time and times for Council meetings, in the Municipality of Morris-Turnberry and defer further discussion on the matter to the March 19th meeting when Councillor Nelemans is in attendance.”
Disposition Carried

At 8:08pm Council returned to agenda item 8.
8) Drainage:

8.1 Richmond Municipal Drain Report – 2019 Court of Revision

1. Close the Regular Session of Council:

Motion: 109-2019 Moved by Kevin Freiburger Seconded by Jamie McCallum
“That the regular meeting of council be adjourned and enter into the Court of Revision for the Richmond Municipal Drain 2019.”
Disposition Carried

Councillor Zinn pushed back from the Council table

2. Chairperson:

Motion: 110-2019 Moved by Kevin Freiburger Seconded by Jamie McCallum
“That the Chairperson for the Richmond Municipal Drain Court of Revision be Mayor Jamie Heffer.”
Disposition Carried

3. Open the Court – Mayor Jamie Heffer opened the Court of Revision at 8:10pm.

4. Appeals:

No appeals received in advance, and no verbal appeals were received from the floor.

5. Written Decision of the Court:

Motion: 111-2019 Moved by Jamie McCallum Seconded by Kevin Freiburger
“That the Members of the Court of Revision for the Richmond Municipal Drain 2019 hereby that no appeals were received for the Richmond Municipal Drain, 2019.”
Disposition Carried

6. Adjournment:

Motion: 112-2019 Moved by Kevin Freiburger Seconded by Jamie McCallum
“That the Court of Revision for the Richmond Municipal Drain Report - 2019, be adjourned and re-enter a regular session of Council.”
Disposition Carried

8.2 Drainage Tender:
A Tender recommendation from Dietrich Engineering was provided to Council.

Motion: 113-2019 Moved by Jamie McCallum Seconded by Kevin Freiburger
“That the tender report for the Richmond Municipal Drain - 2019 be received and that pending no appeals accept the tender submitted by Williams Drainage Inc for a total tendered amount of $19,335.99 plus HST.”
Disposition Carried

At 8:12pm Council returned to agenda item 10.
10) Business:

10.3 List of Municipal properties
A list of properties owned by the Municipality was presented to council pursuant to the request of Councillor McCallum.

Motion: 114-2019 Moved by Jamie McCallum Seconded by Kevin Freiburger
“That the Council of the Municipality of Morris-Turnberry hereby receive the List of Municipal properties, as of March 5, 2019, owned by the Municipality of Morris Turnberry.”
Disposition Carried

10.4 Spring Newsletter for 2019 Interim tax billings
A copy of the draft Newsletter, Spring 2019 was provided to Council. Council thanked Kim Johnston for the work that went into its preparation.

Motion: 115-2019 Moved by Sharen Zinn Seconded by Jamie McCallum
“That the Council of the Municipality of Morris-Turnberry receive and approve the 2019 spring Newsletter for the 2019 Interim tax billings.”
Disposition Carried

10.5 Sustainable Huron Steering Committee Meeting
Councillor Jamie McCallum provided a report from the Sustainable Huron Steering Committee meeting for the information of Council.

Motion: 116-2019 Moved by Sharen Zinn Seconded by Jamie McCallum
“That the Council of the Municipality of Morris-Turnberry receive the report from the Sustainable Huron Steering Committee Meeting from Councillor Jamie McCallum the representative for Morris-Turnberry.”
Disposition Carried

10.6 Brussels, Medical Dental Building 2019 Budget
Councillor Zinn provided clarifying comments on the nature of the request and the need for funds for a lift at the Brussels Medical, Dental Building to make the second floor accessible.

Councillor Freiburger asked clarifying questions of Councillor Zinn.

Motion: 117-2019 Moved by Sharen Zinn Seconded by Jamie McCallum
“That the Council of the Municipality of Morris-Turnberry approve the 2019 budget for the Brussels Medical, Dental Building and hereby authorize that $10,000 be added to the Morris-Turnberry budget to donate $10,000 for a lift elevator.”
Disposition Carried

10.7 Source Water Protection
For information purposes, Council was presented with a report and were informed there was a corresponding video which has been made available on the Municipal website.

Motion: 118-2019 Moved by Jamie McCallum Seconded by Kevin Freiburger
“That the Council of the Municipality of Morris-Turnberry receive the report on the amendment to the Source Water Protection plan for information purposes.”
Disposition Carried
11) **Council Reports:**

**Sharen Zinn:**
Councillor Zinn attended the Burssels Medical Building meeting.

**Jamie McCallum**
Attended the Maitland Valley Conservation Authority Annual General Meeting on February 20\textsuperscript{th}.

Attended the Sustainable Huron Steering Committee meeting for which he had presented a report earlier in this meeting.

Attended the Brussels, Morris, Gray (BMG) fundraising committee meeting on February 25\textsuperscript{th}.

**Kevin Freiburger:**
Attended the Maitland Valley Conservation Authority Annual General Meeting on February 20\textsuperscript{th} and the OFA meeting on March 1\textsuperscript{st}, 2019.

Attended the Ontario Good Roads Association conference February 24\textsuperscript{th} to 26\textsuperscript{th} and has provided a written report for the benefit of Council.

Noted his intention to bring a motion to a future meeting of Council to require all Councillors to provide written committee reports.

**Mayor Jamie Heffer:**
Attended the Huron County Federation of Agriculture meeting on March 1\textsuperscript{st} at which he had the opportunity to speak with MPP Lisa Thompson.

12) **Items for Information**
1. Ontario Growth Plan – Greater Golden Horseshoe
2. Civic Night- Stratford Festival
3. Ontario Energy Board
4. Rural Response for Healthy Children
5. County of Huron - grant for action on climate change and resilience
6. 2019 Farmland Forum

Noted and filed

13) **Minutes:**
Saugeen Valley Conservation Authority

Noted and filed

Councillor McCallum suggested that staff contact the secretary of the BMG Recreation Committee to receive a copy of the minutes from the last meeting.
14) **Other Business:**

1. **Delegation to County Council**
   For information purposes, Council was provided with emails from John Schwartzentruber regarding the delegation he will be making to County Council in response to the proposed Huron County Natural Heritage Plan.

2. **Demolition Agreement**
   Council was presented with a Demolition Agreement for Joshua Jordan Jorritsma and Jessica Lynn Jorritsma of 41734 Morris Road, Concession 5, SPT Lot 19, Morris.

**Motion: 119-2019**
Moved by Kevin Freiburger Seconded by Sharen Zinn
“That By-Law No. 24-2019 be adopted as given first, second, third and final readings, being a by-law to authorize a Demolition Agreement for 41734 Morris Road, Brussels, ON, Concession 5, SPT Lot 19, in the Municipality of Morris-Turnberry.”
Disposition Carried

15) **Additions to the agenda for the next meeting:**
1. Councillor Freiburger requests to add a motion regarding the presentation of written reports by members of Council at the April 2nd meeting.

Council took a short break at 8:35. Kim Johnston, Denny Scott and Colin Burrowes left the meeting.

16) **Closed Session:**

1. **Confidential Matters:**
   1. Matter of a Confidential Nature, pursuant to Section 239 (2) (b) Personal matters of an identifiable individual and Section 239 (2) (c) Disposition of land.
   2. Matters concerning Identifiable Individuals, pursuant to Section 239 (2) (b) Personal matters of an identifiable individual.

16.1 Enter into Closed Session:

**Motion: 120-2019**
Moved by Kevin Freiburger Seconded by Jamie McCallum
“That the Council adjourn the Public Session of Council and enter into a Closed to the Public Session for the following matters:

Confidential Matters:
1. Matter of a Confidential Nature, pursuant to Section 239 (2) (b) Personal matters of an identifiable individual and Section 239 (2) (c) Disposition of land.
2. Matters concerning Identifiable Individuals, pursuant to Section 239 (2) (b) Personal matters of an identifiable individual.”
Disposition Carried

16.2 Adjourn the Closed Session:

**Motion: 121-2019**
Moved by Kevin Freiburger Seconded by Sharen Zinn
“That the Council adjourn the Closed to the public session and re-enter regular open session of council.”
Disposition Carried
16.3 **Report to the Public from Closed Session.**
Council discussed seven Confidential matters concerning identifiable individuals, property issues and an employee matter.

17) **By-law No. 23-2019 Confirming By-law:**

**Motion:** 122-2019 Moved by Sharen Zinn Seconded by Jamie McCallum
"That By-law No.23-2019 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 March 5th, 2019."
Disposition Carried

18) **Adjournment:**

**Motion:** 123-2019 Moved by Kevin Freiburger Seconded by Jamie McCallum
"That the meeting be adjourned at 9:21pm and this is deemed to be a 2 hour meeting."
Disposition Carried

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Mayor, Jamie Heffer

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Clerk, Nancy Michie