MUNICIPALITY OF MORRIS-TURNBERRY
COUNCIL CHAMBERS
41342 Morris Road
Tuesday, September 5th, 2017  7:30 pm

Minutes of the Meeting

1) Call to order: The meeting was called to order by Mayor Paul Gowing at 7:30 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
Kim Johnston  Recording Clerk
Mike Alcock  Director of Public Works
Jenn Burns  Huron County Planner

Others in Attendance:
1. Jackie Riggs  Wingham Advance Times
2. Denny Scott  North Huron Citizen
3. Mervyn W Martin  Landowner
4. Ezra Brubacher  Landowner
5. Danile H Martin  Landowner
6. Elam S B Martin  Landowner
7. Elias Weber  Landowner
8. Paul W Martin  Landowner
9. John B Haines  Landowner
10. Bill Haines  Landowner
11. Allan Kerr  Landowner
12. Johann Sieber  Landowner
13. Dave Craig  Landowner
14. Bill Dietrich  Dietrich Engineering Limited
15. Trevor Seip  North Huron Councillor
16. John Simpson  Landowner
17. Murray Simpson  Landowner
18. Bill Van Ness  Landowner
19. Alex Simpson  Landowner
2) Agenda:
An Addendum from the Clerk was added to the agenda for consideration as the items were of a time sensitive nature, Change Date of October 3rd, 2017 meeting.

Adoption of Agenda:
Motion: 454-2017 Moved by Jim Nelemans Seconded by Jamie Heffer
“That the agenda for the meeting of September 5th, 2017 be adopted as amended.”
Disposition Carried

3) Declaration of Pecuniary Interest:
No member declared a pecuniary interest, at this time.

4) Minutes:
Motion: 455-2017 Moved by Dorothy Kelly Seconded by John Smuck
“That the minutes of the August 1st, August 10th and August 22nd, 2017 Council Meetings, be adopted as amended.”
Disposition Carried

Amendment: August 1, 2017 Item#12 Council Reports Page 8 - Paul Gowing, ‘…‘He will be attending with his wife Jacquie’ which replaced the wording ‘He will be attending his wife Jacquie’.

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

6) Accounts
6.1 Account List:
Motion: 456-2017 Moved by John Smuck Seconded by Jamie Heffer
“That the 2017 Accounts dated September 5th, 2017 be approved for payment in the amount of: $593,267.98 for the Morris-Turnberry Accounts
Disposition Carried

6.2 Pay Report
Motion: 457-2017 Moved by Dorothy Kelly Seconded by Jim Nelemans
“That the Council of the Municipality of Morris-Turnberry accept the pay reports, dated August 9th and August 23, 2017.”
Disposition Carried
7) Planning Matters:
Jennifer Burns – Huron County Planner was in attendance.

7.7 By-law to Lift Holding 7:35 pm

Applicant - William Walton Haines
John B. Haines and Bill Haines were in attendance.

Jennifer Burns presented a report of the process to finalize the planning documents for the Haines application.
The following items must be addressed in order for the Administrator Clerk-Treasurer to lift the holding zone:
1. Environmental Impact Study
2. MVCA and The County Biologist review of the study
3. An agreement with the County to implement the study
4. A legally binding restoration plan.

Motion: 458-2017 Moved by Sharon Zinn Seconded by Jamie Heffer
"That By-Law No. 86-2017 be adopted as given first, second, third and final readings being a by-law to delegate authority to lift holding zone on Part of Lot 5 Concession 2, Morris, in the Municipality of Morris-Turnberry."
Disposition Carried

Denny Scott arrived at the meeting at 7:38 pm.

John B. Haines and Bill Haines left the meeting at 7:45 pm.

7.1 Enter into a Public Meeting: 7:45 pm

Motion: 459-2017 Moved by Jim Nelemans 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: 7:45 pm

Applicant - Daniel Martin and David Martin
Jennifer Burns – Huron County Planner was in attendance
A report was presented and reviewed.

Re: Zoning By-law Amendment

1. Call to order - The meeting was called to order by Mayor Paul Gowing at 7:45 pm

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

PURPOSE AND EFFECT
Part Lot 10, Concession 11, Turnberry (90848 Jeffray Line) is proposed to be rezoned to replace the AG1-9 zone text provisions to recognize existing uses, and to allow for the construction of a church and cemetery on the subject property. For the purposes of calculating Minimum Distance Separation requirements, the school, church and cemetery shall be treated as Type A land uses measured from building to building. The area being rezoned is approximately 8 hectares (46 acres) and currently contains farmland, a Mennonite Parochial school and residence.
3. **County Planning Department** – Jennifer Burns presented the planning report. The planning report dated August 31, 2017 recommends approval of the application.

4. **Comments Received** – Calvin Metcalfe and Alan Willits have no objection, as stated in person and by email, respectively.

5. **Oral submissions** at a public meeting or make written submissions to the Municipality of Morris-Turnberry before the by-law is passed, No submissions were made at the meeting.

6. **Applicants comments** –
Daniel and David Martin had no comments.

7. **Public comments** –
There were no public comments.

8. **Morris-Turnberry Council comments and questions** –
Jamie Heffer- There is a barn on that property. He questioned if the MDS was a problem.
He questioned if any hinderances for Alan Willits. Jenn Burns stated – no negative impact or problems for Willits.
Jim Nelemans questioned if a problem for the Rylaarsdam. - He was advised that that property was in the calculation with no impact.
Dorothy Kelly questioned the cemetery:
Mervyn Martin - Deacon advised of the approvals for cemeteries. The forms have been received. They have had a meeting of the Mennonite Central committee, who have the option for an exemption for responsibilities of a $100,000 bond for perpetual care. The Central Committee approved the location for upkeep.
Mervyn expects the reports very soon.

Sharen Zinn asked who will look after the cemetery if they move on. Mervyn advised that the Mennonite Central Committee will.

Mervyn advised that if the cemetery is not approved, the church will still proceed.

Mervyn Martin expressed appreciation to the Council and the planner.

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: 8:07 pm
Motion: 460-2017 Moved by Dorothy Kelly Seconded by John Smuck
“That the meeting be adjourned and re-enter regular session of council.”
Disposition Carried

7.3 By-law:
1. Informed Decision:
Motion: 461-2017 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 Lot 10, Concession 11, Turnberry (90848 Jeffray Line), former Township of Turnberry; 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 Lot 10, Concession 11, Turnberry (90848 Jeffray Line), former Township of Turnberry.”
Disposition Carried

2. By-law - Zoning By-law Amendment:
Motion: 462-2017 Moved by Jamie Heffer Seconded by Dorothy Kelly
“That By-law No. 87 - 2017 be passed as given first, second, third and final readings, being a by-law to rezone Part Lot 10, Concession 11, Turnberry (90848 Jeffray Line), former Township of Turnberry, from AG1-9 zone text provisions to recognize existing uses, and to allow for the construction of a church and cemetery on the subject property.”
Disposition Carried

7.4 Site Plan Agreement – Applicant - Daniel and David Martin
Jennifer Burns presented and reviewed the report in regards to the Site Plan.
Motion: 463-2017 Moved by Dorothy Kelly Seconded by John Smuck
“That By-Law No. 88-2017 be adopted as given first, second, third and final readings being a by-law to adopt a Site Plan Agreement for Daniel Hoover Martin and David Hoover Martin for Part Lot 10 Concession 11, Turnberry, in the Municipality of Morris-Turnberry.”
Disposition Carried

7.5 Lot Grading and Drainage Plan:
Applicant- Daniel and David Martin
A Letter of Request was received.
Jim Nelemans was concerned about a precedent setting.
John Smuck said this is consistent with other policies for the CBO to oversee the project.
Sharen Zinn said this is only waiving the requirement for an engineered drawing.
Motion: 464-2017 Moved by Jim Nelemans Seconded by Sharen Zinn
“That the Council of the Municipality of Morris-Turnberry hereby waive the provision of the Storm Water Management Policy, item No. 2.0, and that the Lot Grading and Drainage Plan be provided by the applicant, as approved by the Chief Building Official and the Drainage Superintendent, for Concession 11 Part Lot 10, Turnberry, 90948 Jeffray Line, in the Municipality of Morris-Turnberry.”
Disposition Carried
**Break:** The Council took a short break at 8:20 pm and returned at 8:25 pm.

### 7.6 Consent Application

1. **Consent Application for Paul Kerr and Leesa Kerr**

   Paul Allan Kerr was in attendance.

   Jennifer Burns presented and reviewed the report.

Motion: 465-2017  
Moved by Jim Nelemans  
Seconded by Sharen Zinn

“That the Council of the Municipality of Morris-Turnberry recommend consent for File # B65/2017 with the conditions as noted on the planning report.”

Disposition  Carried

Paul Allan Kerr left the meeting at 8:35 pm.

### 7.8 Site Plan Agreement

Applicant: M.W. Simpson Construction Ltd.

Murray Simpson, John Simpson and Alex Simpson were in attendance.

Nancy Michie reviewed the agreement and Murray Simpson advised that he had no problem with the security deposit.

Mike Alcock advised that the $5,000 for road entrance is to build the entrance to County Standards. The County deposit is to remove the entrance, if not to County standards.

Motion: 466-2017  
Moved by Jim Nelemans  
Seconded by Dorothy Kelly

“That By-Law No. 91-2017 be adopted as given first, second, third and final readings being a by-law to approve the Site Plan agreement for Part of Lot 8 Concession 1, Morris, in the Municipality of Morris-Turnberry, being 40534 Amberley Road.”

Disposition  Carried

**Break:** The Council took a short break to allow for time to sign the agreement and returned at 8:55 pm.

### 8) Drainage Report:

**Johnston Municipal Drain 2017 Report**  
**Reading of the Report**

Report by Bill Dietrich - Dietrich Engineering Limited

Trevor Seip – North Huron, Dave Craig and Johann Sieber were in attendance.

1. **Presentation of Report- under Section 4 & 78 of the Drainage Act.**

   Bill Dietrich – Dietrich Engineering Limited presented the report of the Johnston Municipal Drain.

2. **Comments:**

   Council- The Council had no comments. Jim Nelemans questioned the green line- which is the Ellison Drain.
Property owners affected by the drainage:
Bodie Craig advised that he understand that he can object in regards to his assessment
at the Court of Revision.
The improvement at K. Whitfield’s is under Section 78 of the Drainage Act.

3. **Withdraw Name:** Petitioners will be given an opportunity to withdraw their name
    from the petition.
    **Petitioner:** under Section 4-  H J Sieber Limited
    Johann Sieber representing Helmut Sieber said to move forward with the drain.

4. **Consideration of By-law:**

   **Motion:** 467-2017   Moved by Dorothy Kelly    Seconded by Sharen Zinn
   "That By-Law No. 89-2017 be adopted as given first and second readings, being a
   by-law to provisionally adopt the Johnston Municipal Drain 2017 Report."
   Disposition   Carried

5. **Date of Court of Revision and Instruction to tender:**

   **Motion:** 468-2017   Moved by Dorothy Kelly    Seconded by Sharen Zinn
   "That the Court of Revision for the Johnston Municipal Drain 2017 be set for October 3rd
   or 10th, 2017 which will be ratified by Council later in this meeting and the project be
   tendered for results to be presented on the same date."
   Disposition   Carried

6. **Members for the Court of Revision:**

   **Motion:** 469-2017   Moved by Jim Nelemans    Seconded by Jamie Heffer
   "That the Members for the Court of Revision for the Johnston Municipal Drain 2017 be:
   3 members;
   2 from Morris-Turnberry: Paul Gowing and John Smuck
   1 member from North Huron: Trevor Seip."
   Disposition   Carried

Bill Dietrich, Trevor Seip, Dave and Bodie Craig and Johann Sieber left the meeting at
9:05 pm.
9) Public Works
Mike Alcock - Director of Public Works was in attendance.
Public Works Report

1. Operations Report

Motion: 470-2017 Moved by Jamie Heffer Seconded by Dorothy Kelly
"That the Council of the Municipality of Morris-Turnberry accept the Public Works Report as submitted on September 5th, 2017."
Disposition Carried

2. Scrap Steel Hauling and Recycling

Motion: 471-2017 Moved by Jim Nelemans Seconded by Dorothy Kelly
"That the Council of the Municipality of Morris-Turnberry accept the report dated September 5, 2017, on scrap metal hauling and recycling at the Morris Landfill and furthermore to authorize the Director of Public Works to select the successful bidder in the best interest of the Municipality of Morris-Turnberry."
Disposition Carried

3. Shredding Brush at the Morris Landfill Site

Motion: 472-2017 Moved by Jamie Heffer Seconded by Dorothy Kelly
"That the Council of the Municipality of Morris-Turnberry accept the September 5th, 2017 report for Shredding brush at the Morris-Landfill Site."
Disposition Carried

4. OCIF funding project selection

Motion: 473-2017 Moved by Sharen Zinn Seconded by John Smuck
"That the Council of the Municipality of Morris-Turnberry receive the report for selection of an Ontario Community Infrastructure Fund (OCIF) grant project proposal; And further that the Council of the Municipality of Morris-Turnberry hereby declare the Bluevale stormwater drainage improvements project, a Municipal priority and endorse the project for application for OCIF funding."
Disposition Carried

Jim Nelemans stated that the council should reconsider the proposal if the grant is approved, to determine if Council wish to proceed.
10) Request for Road Closures:

1. Mair Line:
Bill Van Nes was in attendance.
Nancy Michie and Mike Alcock presented reports in regards to the proposal.
Discussion followed on options:
1. Texas gate for a cattle crossing
2. Close Mair Line and transfer to property owners
3. Install a culvert for passage by the cattle.

The council stated the best option appears to be a ‘Texas Gate’ which Bill Van Nes will work with Mike Alcock on, and Mike Alcock will report back to the council.

Motion: 474-2017
Moved by Sharen Zinn Seconded by Jamie Heffer
“That the Council of the Municipality of Morris-Turnberry hereby deny the request of the road closure for Mair Line between Brandon Road and Cardiff Road; and proceed for the Director of Public Works and Bill VanNes to investigate a Texas Gate for a standard acceptable to the Municipality and attempt to work towards a spring 2019 installation.”
Disposition Carried

Bill VanNes left the meeting at 9:50 pm.

2. Lower Town Part of Princess Street
A request to close part of Princess Street was presented to Council, as submitted by Eric and Sarah Skinn.

Motion: 475-2017
Moved by Jamie Heffer Seconded by John Smuck
“That the Council of the Municipality of Morris-Turnberry hereby give direction for the Clerk to proceed with the road closure process for part of Princess Street adjacent to 321 Princess Street Lower Town.”
Disposition Carried

11) By-laws:

11.1 By-law for Off-Road Vehicles
A report was reviewed by Council.
Jim Nelemans suggested signage to signify that Off Road Vehicles on the roads.

Motion: 476-2017
Moved by Jim Nelemans Seconded by John Smuck
“That By-Law No. 84-2017 be adopted as given first, second, third and final readings being a by-law to regulate the operation of Off-Road Vehicles (ATVs) and (ORUs) on municipal highways, within the limits of the Municipality of Morris-Turnberry.”
Disposition Carried

11.2 Doerr Municipal Drain

Motion: 477-2017
Moved by John Smuck Seconded by Dorothy Kelly
“That By-Law No. 60-2017 be adopted as given third and final readings being a by-law to adopt the revised Provisional By-law for the Doerr Municipal Drain Report, for the Municipality of Morris-Turnberry.”
Disposition Carried
11.3 Delegation of Authority for the Assessment Review Board
A report was presented and reviewed by Council.

Motion: 478-2017
Moved by Dorothy Kelly Seconded by Sharen Zinn
“That By-Law No. 85 -2017 be adopted as given first, second, third and final readings being a by-law to delegate authority for administrative matters in conjunction with the Assessment Review Board Appeals, for appeals of property within the boundaries of the Municipality of Morris-Turnberry.”
Disposition Carried

12) Business:

12.1 Resolutions

Motion: 479-2017
Moved by Jim Nelemans Seconded by Dorothy Kelly
“That the Council of the Municipality of Morris-Turnberry support and endorse the following resolutions:
1. Township of Oro Medonte – Ontario’s Wildlife Damage Compensation Program
2. Township of Georgian Bay – Invasive Plant Species
3. Municipality of Bluewater – Ontario Carbon Tax
4. City of Owen Sound – Out of Court Payments
5. Township of Central Frontenac – Tax Registration Procedures .”
Disposition Carried

12.2 Changes to the Municipal Elections Act
The Council reviewed this report, for Council’s information.

12.3 Natural Gas Grant Program
The Council reviewed this report, for Council’s information.

12.4 Dave Johnston Memorial Tournament
Waive fee for tent.

Motion: 480-2017
Moved by John Smuck Seconded by Jamie Heffer
“That the Council of the Municipality of Morris-Turnberry waive the fee for the tent in the amount of $120.00.”
Disposition Carried

12.5 Ministry of Community Safety and Correctional Services
The Council reviewed a letter that stated the Municipality of Morris-Turnberry is in compliance with the EMCPA for 2016.
12.6 Sale of the Belgrave Lots
The Council reviewed this report, for Council’s information.

Motion: 481-2017 Moved by Jamie Heffer Seconded by Dorothy Kelly
“That the Council of the Municipality of Morris-Turnberry hereby transfer the funds from the sale of the Belgrave lots to the following reserves:
Fire Reserve $82,500
Fire Reserve $ 6,000
General Reserve $ 11,929.”
Disposition Carried

12.7 Growing Success Project
If the Council would like to have a presentation for the project the project committee will attend a meeting.

Motion: 482-2017 Moved by Sharen Zinn Seconded by Jim Nelemans
“That the Council of the Municipality of Morris-Turnberry accept the Growing Success Project report and request a presentation from the Huron County Economic Development Board September 26, 2017.”
Disposition Carried

12.8 Rural Economic Development Program (RED)
The Council reviewed this report, for Council’s information.
A grant submission will be considered in 2018.

12.9 Elementary School Fair
Wednesday, September 13, 2017
Parade begins at 11:15 am and Opening Ceremonies held immediately after.
Paul Gowing will attend and bring greetings.

12.10 2018 ROMA Conference
Sunday January 21 to Tuesday January 23, 2018
Paul Gowing will attend.

12.11 2018 AMO Conference
August 19 to August 22, 2018
Paul Gowing and Jim Nelemans will attend.

12.12 Emergency Exercise
Thursday, September 7, 2017
Paul Gowing will attend and be part of the exercise.
Jamie Heffer will be an observer.
12.13 **IPM Update:**

1. **IPM Huron County OFA Food Court**
   
   Council Members Food Court Volunteer Training September 7, 2017 at 7:00 pm. Dorothy Kelly and Sharen Zinn will attend.

2. **IPM Showcase** - September 9, 2017 - Council – a tour will be available.
   
   Paul Gowing, Jamie Heffer, John Smuck and Jim Nelemans will attend.

13) **Council Reports:**

Due to the length of the meeting, the council did not present reports at this meeting.

Jamie Heffer: No report

Sharen Zinn: No report

Jim Nelemans: No report

Dorothy Kelly: No report

John Smuck: No report

Mayor Paul Gowing: No report

14) **Items for Information**

1. Seaforth Hospital Foundation – Donation request & Newsletter
2. Fire & Emergency Services North Huron Report
3. Zoning By-law Amendment - North Huron
4. Bluewater Builders Association – Meeting September 7th
5. Source Water Protection – drinking water
6. One Care - 2017 Annual Report
7. Thank you – Brussels Fall Fair Ambassador Erin McMahon
8. Thank you – Junior Fall Fair Ambassador Emily Bieman
9. Huron Residential hospice – Donation request & Newsletter
10. Sylvia Jones, MPP – Sewage Treatment
11. Ministry of Natural Resources and Forestry – Changes to Conservation Authorities Act
12. HMA Awards Nomination Form
13. Township of Huron Kinloss Zoning By-law
14. Fanshawe College

15) **Minutes**

There were no minutes for review.
16) **Other Business:**

1. **Change Meeting of October 3, 2017**

   **Motion:** 483-2017  Moved by John Smuck  Seconded by Dorothy Kelly
   “That the Council of the Municipality of Morris-Turnberry change the October 3rd, 2017 meeting to October 10th, 2017 at 7:30 pm.”
   Disposition  Carried

2. There was no other business to present.

17) **Additions to the agenda for the next meeting:**

1. Paul Gowing will speak to Nancy Michie in regards to adding a delegation by-law for site plans to another meeting.

2. 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 10:30 pm and returned at 10:45 pm.

Denny Scott and Jackie Riggs and left the meeting at 10:30 pm

**Extension of the Meeting:**

   **Motion:** 484-2017  Moved by John Smuck  Seconded by Dorothy Kelly
   “That the Council of the Municipality of Morris-Turnberry extend the meeting past 10:30 pm.
   Disposition  Carried

18) **Closed Session:**

   **Confidential Report** - pursuant to Section 239 (2) (b) personal matters about an identifiable individual; Potential litigation Section 239 (2) (e);
   1. Shared Services- Identifiable Individuals
   2. Legal Matter - potential litigation
   3. Confidential matter in regards to an identifiable individual
   4. Reconciliation of Shared Services- identifiable Individual
   5. Council Pay
   6. Davies and Howe Invoice
   7. Public Works Staff for IPM
18.1 Enter into Closed Session: 10:45 pm
Motion: 485-2017 Moved by Jim Nelemans Seconded by John Smuck
“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) (b) personal matters about an identifiable individual; Disposition of Property – Section 239 (2) (c)
   1. Shared Services- Identifiable Individuals
   2. Legal Matter - potential litigation
   3. Confidential matter in regards to an identifiable individual
   4. Reconciliation of Shared Services- identifiable Individual
   5. Council Pay
   6. Davies and Howe Invoice
   7. Public Works Staff for IPM

Disposition Carried

18.2 Adjourn the Closed Session: 11:55 pm
Motion: 486-2017 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

18.3 Report to the Public from Closed Session.
The Council discussed seven matters concerning Identifiable Individuals concerning personal matters: Shared Services; Legal Matter; Confidential matter in regards to an identifiable individual, Reconciliation of Shared Services; Council Pay; Davies and Howe Invoice, Public Works staff for IPM.

18.4 Action from the Closed Session:
Motion: 487-2017 Moved by Sharen Zinn Seconded by John Smuck
“That the Council of the Municipality of Morris-Turnberry approve the Council Pay for September 5, 2017.”
Disposition Carried

19) By-law No. 90-2017 Confirming By-law
Motion: 488-2017 Moved by Jamie Heffer Seconded by Dorothy Kelly
“That By-law No. 90-2017 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 September 5th, 2017.”
Disposition Carried
20) **Adjournment:**

Motion: 489-2017  Moved by Sharen Zinn  Seconded by Jim Nelemans

"That the meeting be adjourned at 11:55 pm. and this is deemed to be a
over 4 hour meeting."

Disposition  Carried

Mayor, Paul Gowing

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Clerk, Nancy Michie