



## MUNICIPALITY OF MORRIS-TURNBERRY

### COUNCIL MINUTES

Tuesday, February 18, 2025, 7:30 pm

The Council of the Municipality of Morris-Turnberry met electronically in regular session on February 18, 2025, at 7:30 pm.

#### **Council in Attendance**

Mayor Jamie Heffer  
Deputy Mayor Kevin Freiburger  
Councillor Jamie McCallum  
Councillor Jodi Snell  
Councillor Sharen Zinn

#### **Staff in Attendance**

Trevor Hallam	CAO/Clerk
Mike Alcock	Director of Public Works

#### **Others in Attendance**

Alvin McLellan	Deputy Mayor, Huron East
Brian Keller	Appellant, Nichol Municipal Drain Court of Revision
Ben Gowing	Project Engineer, GEI Consultants
Hailee Burlack	
Brad Lyons	
Rachel Hammermueller	The Wingham Advance Times
Scott Stephenson	The Citizen

#### **1.0 CALL TO ORDER**

Mayor Heffer called the meeting to order at 7:30 pm.

Mayor Heffer noted that Scott Stephenson and Rachel Hammermueller would be recording the meeting for the purpose of writing articles.

#### **2.0 ADOPTION OF AGENDA**

*Motion 34-2025*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of February 18, 2025, as circulated.*

Carried.

#### **3.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST**

None.

**4.0 MINUTES**

*Motion 35-2025*

*Moved by Jodi Snell  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the February 4, 2025, Council Meeting Minutes as written.*

*Carried.*

**5.0 ACCOUNTS**

*Motion 36-2025*

*Moved by Jodi Snell  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby approves the February 18 accounts for payment as presented.*

*Carried.*

**6.0 PUBLIC MEETINGS AND DEPUTATIONS**

**6.1 NICHOL MUNICIPAL DRAIN COURT OF REVISION**

The meeting to consider the engineer's report for Nichol Municipal Drain 2024 was held on January 24, 2025. Notice of the sitting of the Court of Revision was sent on January 27, 2025.

On January 24, Council appointed Huron East Deputy Mayor Alvin McLellan, Mayor Jamie Heffer, and Deputy Mayor Kevin Freiburger to sit on the Court of Revision.

**6.1.1 Open Court of Revision**

*Motion 37-2025*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry hereby adjourns their regular meeting of Council, to reconvene following the Court of Revision for the Nichol Municipal Drain 2024.*

*Carried.*

---

**Nichol Municipal Drain 2024 Court of Revision**

**6.2 Call to order by the Clerk.**

Mr. Hallam called the Court of Revision to order at 7:35 pm.

**6.3 Appointment of Chair**

*Moved by Kevin Freiburger  
Seconded by Alvin McLellan*

*THAT Jamie Heffer be appointed as Chairperson for the Nichol Municipal Drain 2024 Court of Revision.*

*Carried.*

**6.4 Appeals**

An appeal from Brian and Marian Keller was received on February 7, the details of which were provided for the consideration of the Court.

No other appeals were received by the deadline of February 8.

## 6.5 Late or Verbal Appeals

No late appeals were received, or brought forward by those in attendance.

## 6.6 Appeal #1 – Keller

### 6.6.1 Engineer

Ben Gowing addressed the Court. He noted that upon review of the appeal and the documentation that had recently become available from the 1994 Court of Revision, it was his recommendation that the previous decision be honoured by the Court. He recommended that the assessment for this report, as well as assessments for future maintenance, for the Keller property be reduced to zero, and the balance be borne by the Municipality as the road authority.

## 6.7 Deliberations of the Court

The Court discussed the appeal and the recommendation of the engineer, and reached a consensus to grant the appeal.

## 6.8 Decision of the Court

### 6.8.1 Appeal # 1

The Court may issue its decision verbally, to be followed by a written decision following the adjournment of the Court.

*Moved by Kevin Freiburger  
Seconded by Alvin McLellan*

*THAT the assessment for the portion of the cost of the report produced by GEI Consultants in December of 2024 for the Nichol Municipal Drain for the appellant's property be reduced from \$106.01 to \$0.00, and assessment for future maintenance for the Nichol Municipal Drain be reduced from 0.07% to 0.00%.*

*AND FURTHER THAT the balance of the assessment for the cost to produce this report and the assessment for future maintenance shall be borne by Municipality of Morris-Turnberry roads.*

*Carried*

### 6.9 Adjournment

*Moved by Alvin McLellan  
Seconded by Kevin Freiburger*

*THAT the Court of Revision for the Nichol Municipal Drain 2024 be adjourned.*

*Carried.*

## 7.0 STAFF REPORTS

### 7.1 FINANCE

#### 7.1.1 Tax Sale

A report prepared in this regard by Tax Collector Kelly Tiffin was provided for the information of Council.

### 7.2 BY-LAW ENFORCEMENT

#### 7.2.1 Animal Control Enforcement

A report prepared in this regard by Chief Building Official / Drainage Superintendent / Property Standards and By-Law Enforcement Officer Kirk Livingston was provided for the information of Council.

Councillor Zinn noted that the by-Law is well written, was put in place for a reason, and that this is the first Council has had to consider the enforcement of this provision. She stated that with the evidence of what happened she felt that staff acted in a professional way and followed the procedures, and that no relief should be given from the by-law. Councillors McCallum, Snell, and Deputy Mayor Freiburger agreed.

Ms. Burlack inquired about next steps, and Mr. Hallam said he would be in contact with her the following day.

## **8.0 BUSINESS**

### **8.1 TENDER RESULTS – MT 25-601 HEAVY DUTY 4WD LOADER BACKHOE**

A report in this regard was presented by Director of Public Works Mike Alcock.

Councillor Zinn expressed reservations about awarding the tender until the rest of the annual budget was reviewed again.

*Motion 38-2025*

*Moved by Kevin Freiburger  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry hereby accepts the quotation of NORS Construction Equipment for a 2025 Case 580SN W/T Loader Backhoe in the amount of \$209,000.00 (excluding HST) and authorizes the Mayor and CAO/Clerk to execute all required documents.*

*Carried.*

### **8.2 TENDER RESULTS - MT 25-602 4WD ½ TON CREW CAB PICK-UP TRUCK**

A report in this regard was presented by Director of Public Works Mike Alcock.

*Motion 39-2025*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby accepts quotation from Leslie Motors Ltd. Wingham for a 2025 Ford F150 Crew Cab 4 x 4, Pick-Up Truck complete with warning lights and snow tires on rims as specified, in the amount of \$60,488.04 (excluding HST) and authorizes the Mayor and CAO/Clerk to execute all required documents.*

*Carried.*

### **8.3 TENDER RESULTS - REPAIR STRUCTURE T100 ON SALEM ROAD**

A report in this regard was presented by Director of Public Works Mike Alcock.

*Motion 40-2025*

*Moved by Kevin Freiburger  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry accept the tender of AJN Builder Inc. for Contract No. BR1531, repairs to structure T100 on Salem Road, for an estimated price of \$388,946.00 (based on estimated quantities and excluding HST) and authorizes the Mayor and Clerk to execute all required documents.*

*AND FURTHER THAT any budget surplus be transferred to the Bridge and Culvert reserve for future projects after completion of this project.*

*Carried.*

**9.0 COUNCIL REPORTS**

Kevin Freiburger

February 5<sup>th</sup>, attended a meeting of the Bluevale Community Committee.

Jamie McCallum

Councillor McCallum noted that the Belmore Arena Board meeting had again been rescheduled due to weather.

Sharen Zinn

No report

Jodi Snell

Councillor Snell noted that the Wingham and Listowel Joint Physician Recruitment Committee meeting had been cancelled.

Jamie Heffer

No report

**10.0 CORRESPONDENCE, MINUTES, ITEMS FOR INFORMATION**

- 10.1 Statement of Remuneration and Expenses – SVCA Board Member
- 10.2 Drainage Project Status Report – Headway Engineering – Q3/Q4 2024
- 10.3 Resolution – Trade Tariffs – Eastern Ontario Warden’s Caucus
- 10.4 Outstanding Action Items

**11.0 ITEMS FOR A FUTURE AGENDA**

None.

**12.0 BY-LAWS AND AGREEMENTS**

**12.1 BOUNDARY ROAD MAINTENANCE AGREEMENT – HOWICK**

At the February 4<sup>th</sup>, 2025 meeting of Council, staff were directed to return a by-law authorizing the execution of a boundary road maintenance agreement with the Township of Howick. By-Law 09-2025 was provided for consideration.

*Motion 41-2025*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT leave be given to introduce By-Law 9-2025, being a by-law to authorize the execution of an agreement for the maintenance of a boundary road, between the municipality of Morris-Turnberry and the Township of Howick, and that it now be read severally a first, second, and third time, and finally passed.*

*Carried.*

## 12.2 ROBERTSON MUNICIPAL DRAIN – FINAL ASSESSMENTS

*Motion 42-2025*

*Moved by Jodi Snell  
Seconded by Kevin Freiburger*

*THAT leave be given to introduce By-Law 10-2025, being a by-law to amend by-law 45-2023 of the Municipality of Morris-Turnberry based on actual costs incurred for constructing the Robertson Municipal Drain 2023, and that it now be read severally a first, second, and third time, and finally passed.*

*Carried.*

## 12.3 THOMPSON LAMONT DEYELL MUNICIPAL DRAIN – FINAL ASSESSMENTS

*Motion 43-2025*

*Moved by Sharen Zinn  
Seconded by Jodi Snell*

*THAT leave be given to introduce By-Law 11-2025, being a by-law to amend by-law 33-2024 of the Municipality of Morris-Turnberry based on actual costs incurred for constructing the Robertson Municipal Drain 2023, and that it now be read severally a first, second, and third time, and finally passed.*

*Carried.*

13.0 **CLOSED SESSION**

## 13.1 Enter closed session.

*Motion 44-2025*

*Moved by Kevin Freiburger  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry enter a closed session at 8:10 p.m., with the CAO/Clerk remaining in attendance, for the purpose of discussing confidential matters pursuant to the following sections of the Municipal Act:*

- a) Section 239 (2) (b) regarding personal matters about an identifiable individual;*
- b) Section 239 (2) (e) regarding potential litigation affecting the Municipality.*

*Carried.*

## 13.2 Return to open session.

*Motion 45-2025*

*Moved by Sharen Zinn  
Seconded by Jodi Snell*

*THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 8:35 p.m.*

*Carried.*

## 13.3 Report and Action from Closed Session.

Council considered a request for a farm tax incentive rebate, and received correspondence related to an issue of potential litigation regarding the transfer of land and provided direction to staff.

*Motion 46-2025*

*Moved by Kevin Freiburger  
Seconded by Jodi Snell*

*THAT the Council of the Municipality of Morris-Turnberry hereby Council approves a farm tax incentive rebate in the amount of \$ 4,699.71 for 2024 for the property owned by Joyce Craig at 41393 Orange Hill Rd.*

*Carried.*

**14.0 CONFIRMING BY-LAW**

*Motion 47-2025*

*Moved by Jodi Snell  
Seconded by Jamie McCallum*

*THAT leave be given to introduce By-Law 12-2025, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on February 18, 2025, and that it now be read severally a first, second, and third time, and finally passed.*

*Carried.*

**15.0 ADJOURNMENT**

*Motion 48-2025*

*Moved by Sharen Zinn  
Seconded by Jodi Snell*

*THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 8:36 pm.*

*Carried.*

**NEXT MEETINGS:**

Regular Meeting of Council – Tuesday, March 4, 2025, 7:30 pm  
Regular Meeting of Council – Tuesday, March 18, 2025, 7:30 pm

---

Mayor, Jamie Heffer

---

Clerk, Trevor Hallam