



MUNICIPALITY OF MORRIS-TURNBERRY

COUNCIL MINUTES

Tuesday, May 4th 2021, 7:30 pm

The Council of the Municipality of Morris-Turnberry met electronically in regular session on the 4th day of May, 2021, at 7:30 pm.

Council in Attendance

Mayor Jamie Heffer
Deputy Mayor Sharen Zinn
Jamie McCallum
Jim Nelemans
Kevin Freiburger

Staff in Attendance

Trevor Hallam	CAO/Clerk
Jenn Burns	Huron County Planner
Kirk Livingston	

Others in Attendance

Paul Fear	Applicant, MV01-2021
Matt Robillard	
Brad Beuermann	Applicant, MV02-2021
Mike Wilson	Wingham Advance Times
Denny Scott	Blyth Citizen

1.0 CALL TO ORDER

Mayor Heffer called the meeting to order at 7:34 pm.

Mayor Heffer noted that Mike Wilson of the Wingham Advance Times disclosed the use of recording equipment for the purpose of writing articles to the Clerk in advance of the meeting.

2.0 ADOPTION OF AGENDA

Motion 107-2021

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of May 4th, 2021 as circulated.

Carried.

3.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

None declared.

4.0 MINUTES

Motion 108-2021

*Moved by Jim Nelemans
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the April 20th, 2021 Council Meeting Minutes as written.

Carried.

5.0 ACCOUNTS

Deputy Mayor Zinn asked for clarification regarding the invoice from the Social Research and Planning Council for the Community Safety and Wellbeing Plan. Mr. Hallam explained that the invoice was for 50% of the cost of preparing the Plan, as per the agreement that was approved.

Motion 109-2021

*Moved by Kevin Freiburger
Seconded by Jim Nelemans*

THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the May 4th accounts in the amount of \$114,407.73.

Carried.

6.0 PUBLIC MEETINGS AND DEPUTATIONS

6.1 COMMITTEE OF ADJUSTMENT

Application MV01-2021, Fear Minor Variance
Concession 6, North Part Lots 2, 3, 4.
40365 Morris Road.

AND

Application MV02-2021, Beuermann Minor Variance
Plan 100, Lot 479 Part Lot 480.
120 Turnberry Street.

Motion 110-2021

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT The Council of the Municipality of Morris-Turnberry hereby adjourns their Council Meeting and the Committee of Adjustment hereby opens a meeting to review applications for minor variance MV01-2021, submitted by Paul Fear and MV02-2021, submitted by Brad Beuermann.

Carried.

COMMITTEE OF ADJUSTMENT MEETING – MINOR VARIANCE

6.1.1 Call to Order

Mayor Heffer called the committee of adjustment to order at 7:39 pm.

6.1.2 Declaration of Pecuniary Interest

None declared.

6.1.3 Application MV01-2020, Fear Minor Variance

Concession 6, North Part Lots 2, 3, 4.
40365 Morris Road.

An application for a Minor Variance was submitted by Paul Fear and considered complete on April 16, 2021.

Notice of a Public Meeting was mailed by the municipality to all property owners within 60m of the property on April 19th, 2021 and notice was posted on the subject property.

A report was presented by Huron County Planner Jenn Burns regarding this application.

6.1.3.1 Purpose

To reduce the required Minimum Distance Separation (MDS) II setback to allow for an expansion to the existing hog barn operation. The application proposes to reduce the required MDS setback of 539m to 325m and 227m to neighbouring houses, owned by the applicant.

The specific variance requested is:

1. Section 4.5, to reduce the required MDS II setback for the expansion to an existing hog operation from:
 - a. 539m to 227m to the house on the property north west of the proposed barn expansion;
 - b. 539m to 325m to the house on the property north east of the proposed barn expansion.

6.1.3.2 Comments

1. Council's Questions and/or Comments

Councillor Nelemans noted that it seemed like a straightforward proposal, and that there were no issues with neighbouring properties.

2. Applicant and/or Agent

No additional comments.

3. Others

No comments or questions from others in attendance.

6.1.3.3 Recommendation

It was recommended that application MV01-2021 be approved with the following conditions:

1. The structure be located within the footprint contained on the sketch that accompanied the application; and
2. The variance approval is valid for a period of 18 months from the date of Council's decision.

6.1.3.4 Committee of Adjustment Decision

Motion 111-2021

*Moved by Jamie McCallum
Seconded by Jim Nelemans*

THAT The Committee of Adjustment of the Municipality of Morris-Turnberry, considering the variance to be minor, and to maintain the appropriate development of the lands and to maintain the general intent of the Morris-Turnberry Zoning By-law 45-2014 and the Morris-Turnberry Official Plan, hereby approves application for minor variance MV01-2021, submitted by Paul Fear, subject to the following conditions:

1. *The structure be located within the footprint contained on the sketch that accompanied the application; and*
2. *The variance approval is valid for a period of 18 months from the date of Council's decision.*

Carried.

6.1.4 Application MV02-2021, Beuermann Minor Variance
Plan 100, Lot 479 Part Lot 480
120 Turnberry Street.

An application for a Minor Variance was submitted by Brad Beuermann and considered complete on April 16, 2021.

Notice of a Public Meeting was mailed by the municipality to all property owners within 60m of the property on April 19th, 2021 and notice was posted on the subject property.

A report was presented by Huron County Planner Jenn Burns regarding this application.

6.1.4.1 Purpose

The purpose of this application is to allow for the construction of a larger personal shop to be used for storage. The application proposes to increase the maximum ground floor area of accessory buildings from 90 m² (968 ft² +/-) to 121 m² (1302 ft² +/-) and to increase the maximum height from 4.5m (14.8 ft) to 5.4m (17.7 ft).

The specific variance requested is:

1. Relief from Section 14.5.2: To increase the maximum total ground floor area of all accessory buildings from 90 square metres to 121 square metres.
2. Relief from Section 14.5.3. To increase the maximum building Height from 4.5 metres to 5.4 metres.

6.1.4.2 Comments

1. Council's Questions and/or Comments

Nelemans asked about one of the structures seen on the aerial photo. Mr. Beuermann explained that it was a trampoline and that it had already been removed.

2. Applicant and/or Agent

No additional comments

3. Others

No comments or questions from others in attendance.

6.1.4.3 Recommendation

It is recommended that application MV02-2021 be approved with the following conditions:

1. The structure be located within the footprint contained on the sketch that accompanied the application;
2. The structure be constructed as per the elevation drawing submitted with the application;
3. The old three sheds be removed from the subject property and from the lane to the rear of the property;
4. The variance approval is valid for a period of 18 months from the date of Council's decision.

6.1.4.4 Committee of Adjustment Decision

Motion 112-2021

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

THAT The Committee of Adjustment of the Municipality of Morris-Turnberry, considering the variance to be minor, and to maintain the appropriate development of the lands and to maintain the general intent of the Morris-Turnberry Zoning By-law 45-2014 and the Morris-Turnberry Official Plan, hereby approves application for minor variance MV02-2021, submitted by Brad Beuermann, subject to the following conditions:

1. *The structure be located within the footprint contained on the sketch that accompanied the application;*
2. *The structure be constructed as per the elevation drawing submitted with the application;*

3. *The old three sheds be removed from the subject property and from the lane to the rear of the property;*
4. *The variance approval is valid for a period of 18 months from the date of Council's decision.*

Carried.

6.1.5 Close Committee of Adjustment

Motion 113-2021

*Moved by Jim Nelemans
Seconded by Kevin Freiburger*

THAT The Committee of Adjustment hereby adjourns their meeting and the Council of the Municipality of Morris-Turnberry hereby reconvenes their Regular Council Meeting.

Carried.

7.0 STAFF REPORTS

7.1 CLERK

7.1.1 COVID-19 Update

A report was presented by CAO/Clerk Trevor Hallam in this regard for the information of Council.

8.0 BUSINESS

8.1 Business Retention and Expansion Survey Update

Correspondence from Huron County Business Retention & Expansion Coordinator Cole Nicholson was provided for the information of Council. Mr. Hallam updated Council on how the changes will impact the approach taken by Morris-Turnberry.

8.2 Rotating Mass Vaccination Clinic

A report was presented by CAO/Clerk Trevor Hallam in this regard.

Councillor Nelemans asked why there is a desire to have a clinic in Wingham. He noted that Goderich or Stratford do involve some travel, but that the clinics set up there are very well run and based on what he saw they would be hard to duplicate in smaller centers. He suggested that volunteer time might be better spent providing transportation to established clinics.

Deputy Mayor Zinn agreed with Councillor Nelemans, noting that the clinic in Goderich is excellent and offering rides would be much better than trying to duplicate it.

Councillor Freiburger noted that Goderich is more than a 20 minute journey for a horse and buggy, and that the municipality does have Mennonite populations that will have issues with access. He said there may be interest in a clinic that is closer by. The only way to effectively move that number of people would be by bus which can't be done with social distancing.

Deputy Mayor Zinn agreed that the Mennonite community would benefit from a closer facility, but that there are lots of vans that provide rides for various things that could be used.

Councillor Nelemans noted that he believed that local drug stores are also offering vaccines. Deputy Mayor Zinn confirmed that this is the case.

Mayor Heffer agreed with Councillor Nelemans and Deputy Mayor Zinn that the Goderich clinic seems to be running well and would be hard to duplicate elsewhere, but he also agreed that there would be a benefit to some members of the community in something more local. He suggested that if the focus was to be the Mennonite community there would have to be some coordinating needed first to move ahead efficiently, and that Belmore or Howick may be better locations.

Councillor Nelemans agreed with Mayor Heffer that if the focus is on the Mennonite community it should be organized differently, and that Belmore or Howick would be more suitable.

Councillor Freiburger suggested that if the Health Unit is involved, it would be a benefit to the area, and we have the finances then it would be good to support it.

Motion 114-2021

*Moved by Kevin Freiburger
Seconded by Jamie McCallum*

That the Council of the Municipality of Morris-Turnberry supports collaborating with North Huron and Howick to establish rotating COVID-19 vaccination clinics in Wingham, and authorizes the CAO/Clerk to use Safe Restart Funds with discretion to contribute up to 1/3 of the operating costs of running the clinics.

Defeated.

Mr. Hallam Trevor offered return to Council with more info on the proposed clinics will the target populations, how long they plan to run the clinic for and more detail about what a commitment of support might look like.

Councillor Nelemans was supportive of the suggestion, clarifying that he is not against supporting a local clinic, but more clarification on whether the Health Unit believes this is a priority would be helpful.

Deputy Mayor Zinn agreed with Councillor Nelemans and explained that the prepared motion was too open ended. She stated that when more information is available she would have no issue considering it again, its just difficult to commit when so much is still unknown.

8.3 Tax Rebate for Eligible Charity

A report prepared by Tax Collector Kelly Tiffin in this regard was presented by Mr. Hallam. Mr. Hallam explained that the rebate was a requirement under the Municipal Act and County By-Law, and that the approval before Council was for the funds to be returned, not for the acceptance or approval of the application or the program. He noted that this is the first of its kind that Morris-Turnberry has received in some time and suggested that staff could bring forward a draft of a policy to delegate the administration of such request to staff in the future.

Councillor Nelemans asked if the charity leased or owned the building. Mr. Hallam noted that he believed they leased the building but did not have that information on hand. Councillor Nelemans went on to question whether the rebate would go to the owner or the charity. He noted that he had no issue with the rebate if it was in fact the charity that was benefiting.

Deputy Mayor Zinn asked if everything that Habitat for Humanity sold at the location was donated. She noted that if that was the case the only real expense they would have would be their rent.

Councillor McCallum suggested that Council should have more clarification on these questions before the rebate is considered.

Direction was given to return a report with more detail regarding the application to address the questions raised by Council.

8.4 Invitation – Municipal Code of Conduct Consultation – Western Ontario

An invitation has been received from the Ministry of Municipal Affairs and Housing for a representative of Council to participate in a townhall to provide feedback on various issues related to the strengthening accountability for municipal council members.

Mayor Heffer explained that he received this invitation as Head of Council, and asked that it be put on the agenda as he will not be available to attend. He suggested that Deputy Mayor Zinn might be a good candidate to participate.

Councillor Nelemans agreed that it would be important to have a representative and nominated Deputy Mayor Zinn.

Deputy Mayor Zinn agreed to commit to attending the consultations.

Motion 115-2021

*Moved by Jim Nelemans
Seconded by Kevin Freiburger*

That Deputy Mayor Zinn be appointed to represent the municipality in the upcoming consultations hosted by the Ministry of Municipal Affairs and Housing regarding issues related to the strengthening accountability for municipal council members.

Carried.

9.0 COUNCIL REPORTS

Sharen Zinn

No report

Jamie McCallum

No report

Jim Nelemans

No report

Kevin Freiburger

Attended a Maitland Valley Conservation Authority Board meeting on April 21st.

Jamie Heffer

No report

10.0 CORRESPONDENCE, MINUTES, ITEMS FOR INFORMATION

- 10.1 Media Release – Cycling Workshop – Huron County
- 10.2 Media Release – Closure of SVCA Properties – SVCA
- 10.3 Media Release – Community Safety and Wellbeing Plan – Social Research and Planning Council
- 10.4 Correspondence – Clean Fuel Standard – Township of Springwater
- 10.5 Correspondence – Nursing Week Proclamation – John Lowe
- 10.6 Correspondence – Spring Newsletter - SVCA
- 10.7 Minutes – SVCA Source Protection – January 22
- 10.8 Minutes – SVCA Meeting – March 18
- 10.9 Board Meeting Highlights – AMDSB – April 27
- 10.10 Notice of Public Meeting – MV03-2021 – Township of North Huron
- 10.11 Resolution – Paid Sick Leave – City of Cambridge
- 10.12 Outstanding Action Items

Motion 116-2021

*Moved by Sharen Zinn
Seconded by Jim Nelemans*

That the Council of the Corporation of the Municipality of Morris-Turnberry does hereby proclaim May 10th to 16th as Nursing Week.

Carried.

Motion 117-2021

*Moved by Jamie Heffer
Seconded by Sharen Zinn*

That the Council of the Corporation of the Municipality of Morris-Turnberry supports and endorses the letter sent to MP Bev Shipley by the Township of Springwater's agricultural Advisory Committee regarding the Clean Fuels Standard.

Carried.

11.0 **NEW BUSINESS**

None.

12.0 **BY-LAWS AND AGREEMENTS**

12.1 23-2021 Demolition Agreement

Sandra and Paul Garniss have requested that they be permitted to continue to occupy and existing house during the construction of a new dwelling on their property. Following the completion of the new dwelling the existing dwelling will be demolished. A by-law authorizing an agreement to that effect was presented for the consideration of Council.

Councillor Nelemans asked how the agreements are enforced, and what might is in place to make sure the old house is demolished. Mr. Hallam explained the timelines laid out in the agreement, that staff always make an effort to work with the applicants in setting achievable timelines for the agreement, and that through the course of construction regular inspections are made and the agreement deadline is monitored.

Motion 118-2021

*Moved by Kevin Freiburger
Seconded by Jamie McCallum*

THAT leave be given to introduce By-Law # 23-2021 being a by-law to authorize an agreement for the demolition of a residence located at Concession 3, Part of Lot 16 in the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 4th day of May 2021.

Carried.

12.2 24-2021 Final Tax Levy By-Law

At their April 20th meeting, Council directed staff to return a by-law to collect the tax amounts not collected under the interim levy by-law.

Motion 119-2021

*Moved by Jim Nelemans
Seconded by Sharen Zinn*

THAT leave be given to introduce By-Law # 24-2021 being a by-law to provide for the levy and collection of sums required by the Corporation of the Municipality of Morris-Turnberry and to provide for the mailing of notices demanding payment of taxes for 2021, and that it now be read severally a first, second, and third time, and finally passed this 4th day of May 2021.

Carried.

12.3 25-2021 Reserves

At their April 20th meeting, Council passed by-law 20-2021 adopting a budget and tax rates for the municipality. Included the budget were certain amounts to be set aside as reserves. By-law 25-2021 is presented here to establish those reserve funds.

Motion 120-2021

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT leave be given to introduce By-Law # 25-2021 being a by-law to confirm the reserves and establish reserve funds for the year 2021, and that it now be read severally a first, second, and third time, and finally passed this 4th day of May 2021.

Carried.

13.0 CLOSED SESSION

13.1 Enter closed session.

*Motion 121-2021**Moved by Jamie McCallum
Seconded by Jim Nelemans**THAT the Council of the Municipality of Morris-Turnberry enter a closed session, with the CAO/Clerk remaining in attendance at 8:35 p.m. for the purpose of discussing confidential matters pursuant to the following sections of the Municipal Act:*

1. *Section 239 (2) (c) regarding the disposition of land by the municipality.*
2. *Section 239 (2) (k) regarding negotiations to be carried on by the municipality.*

Carried.

13.2 Return to open session.

*Motion 122-2021**Moved by Kevin Freiburger
Seconded by Jim Nelemans**THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 9:08 p.m.**Carried.*

13.3 Report and Action from Closed Session.

Council discussed one matter regarding the disposition of land by the municipality and two matters regarding negotiations to be carried on by the municipality. Direction was given to staff accordingly.

14.0 CONFIRMING BY-LAW*Motion 123-2021**Moved by Sharen Zinn
Seconded by Jamie McCallum**THAT leave be given to introduce By-Law # 26-2021, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on May 4th, 2021, and that it now be read severally a first, second, and third time, and finally passed this 4th day of May 2021.**Carried.***15.0 ADJOURNMENT***Motion 124-2021**Moved by Kevin Freiburger
Seconded by Jim Nelemans**THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 9:09 pm.**Carried.*

NEXT MEETINGS:

Regular Meeting of Council - Tuesday, May 18th, 2021, 7:30 pm
Regular Meeting of Council - Tuesday, June 1st, 2021, 7:30 pm

Mayor, Jamie Heffer

Clerk, Trevor Hallam