



MUNICIPALITY OF MORRIS-TURNBERRY

COUNCIL MINUTES

Tuesday, June 15th 2021, 7:30 pm

The Council of the Municipality of Morris-Turnberry met electronically in regular session on the 15th day of June 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
Kim Johnston	Deputy Clerk
Sean Brophy	Treasurer
Mike Alcock	Director of Public Works
Jenn Burns	Huron County Planner

Others in Attendance

Steve Wever	Applicant, MTu Z02-2021
Bethanee Jensen	
Ron Cook	
Rick Henbid	
Nancy Michie	
Nancy Bridge	Auditor, Seebach and Company
Mike Wilson	Wingham Advance Times
Denny Scott	Blyth Citizen

1.0 CALL TO ORDER

Mayor Heffer called the meeting to order at 7:30 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 132-2021

*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 June 15th, 2021 as circulated.

Carried.

3.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

None.

4.0 MINUTES

Motion 133-2021

*Moved by Jim Nelemans
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the June 1st, 2021 Council Meeting Minutes as written.

Carried.

5.0 ACCOUNTS

Motion 134-2021

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the June 15th accounts in the amount of \$1,114,260.20.

Carried.

6.0 PUBLIC MEETINGS AND DEPUTATIONS**6.1 Zoning By-Law Amendment Public Meeting**

Application MTu Z02-2021, GSP Group (Steve Wever) - Municipality of Morris-Turnberry Concession 5, Part of Lots 2 and 3, 61 Corbett Drive, Belgrave

Motion 135-2021

*Moved by Jim Nelemans
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby Adjourns their regular meeting of Council and opens a Public Meeting to consider Zoning By-Law Amendment MTu Z02-2021.

Carried.

PUBLIC MEETING – ZONING BY-LAW AMENDMENT**6.1.1 Call to Order**

Mayor Heffer called the public meeting to order at 7:33pm

6.1.2 Declaration of Pecuniary Interest

None.

6.1.3 Requirement

This Public Meeting is being held under the Planning Act, which requires that Council hold at least one public meeting and that proper notice be given.

6.1.4 MTu Z02-2021 Morris-Turnberry

Council was provided with a report prepared by County Planner, Jennifer Burns with regards to the Zoning By-Law Amendment application submitted by the GSP Group – Steve Wever

6.1.5 Purpose

This application proposes to rezone 61 Corbett Drive in the Settlement Area of Belgrave to allow for future residential development.

- a) Area 1: Rezone from VR1-3 to VR1, in part, as the VR1-3 Zone standards do not correspond with the size and dimensions of the VR1-3 zoned area and to apply appropriate permitted uses and zone standards to the portion of the subject property located north of Jane Street within the hamlet of Belgrave as a future residential lot;
- b) Area 2 & Area 8: Rezone from VR1-H, and AG2-1 to NE2-3, in part, to implement the recommendations of the Environmental Impact Study (EIS) prepared for the subject property and the recommended wetland buffers, and to limit permitted uses within the wetland buffer areas to septic systems as recommended in the study;
- c) Area 3, 4 & 7: Rezone from VR1-H, AG1 and AG2-1 to NE2, in part, to implement the recommendations of the EIS prepared for the subject property to restrict permitted uses within the natural areas and associated buffers recommended in the study as areas to be conserved in a natural state;
- d) Area 5: Rezone from AG2-1 to VR1-16, in part, to recognize the existing residential dwelling in the south portion of this part of the subject property and to permit the severance of a new lot for the existing residential dwelling and associated natural environment lands, recognizing that the frontage for said lot will be 20 metres at the east side of Corbett Drive / east end of Parker Drive until such time as a new internal public road is established by plan of subdivision;
- e) Area 6: Rezone from AG2-1 to D, in part, to zone the remaining vacant, developable area of the subject property for future residential development, which will require further re-zoning to establish appropriate permitted residential uses, lot standards and approval of a plan of subdivision, while recognizing the existing agricultural use of this area of the property.

6.1.6 Application Process

An application was submitted by GSP Group, Steve Wever and was considered complete on May 18th, 2021.

Notice of the Public Meeting was mailed by the municipality to all property owners within 120m of the property on May 20th, 2021, and notice was posted on the subject property.

6.1.7 Comments

Huron County Planner Jenn Burns presented her planning report to Council regarding the application and the planning considerations allowing for the rational and orderly expansion to the built up area of Belgrave, while protecting important Natural Environmental Features and Agricultural Lands. Ms. Burns explained neighbours comments/concerns

Steve Wever added the general purpose of the rezoning, laying ground work to implement the strategy that Council had laid out for the property, to allow some limited development. The Archeological resources found on property introduce additional constraints and are recognized in the re zoning. One area of archeological importance is in the area to be zoned for future development, with the intent of having a further re zoning and plan of subdivision of this section (6). There are some limitations due to services provided in Belgrave, which is reflected in lot sizes.

Bethanee Jensen explained concerns, stating that when this project started she had the understanding that there would be nothing built closer to her farm than what already exists. When she built her house on her farm, she had to follow Minimum Distance Separation (MDS) setbacks from neighbouring barns.

Ms. Burns explained that the MDS measurements are taken from the edge of the settlement area, which is not being changed through this rezoning. Therefore there will be no new setbacks due to development within the settlement area.

Ms. Jensen asked if the new built houses would be as far away as the nearest house on the north side of Brandon Road.

Ms. Burns explained that MDS requires a double the distance from the settlement boundary and new buildings within that boundary would not impact the farm.

Mayor Heffer explained that no matter where a house is built in the settlement area, the MDS will not change because it is to the boundary line of the settlement area.

Ms. Jensen stated that she believes there is a double standard here between her and the Municipality.

Mr. Wever explained that MDS is a Provincial requirement and document and is not affected by who owns the property, the rule is that you can build in the area under discussion because the MDS is to the boundary of the settlement area. Mr. Wever suggested putting an advisory in the Request for Proposal when selling the property, stating that there may be smell or noise from area farm properties close to the land for sale in an effort to inform potential buyers and avoid future complaints.

Council's Questions and/or Comments

Mayor Heffer asked Council if they agreed with placing an Advisory in the Request For Proposal for Lot #1. Councillor Nelemans was not aware of anyone else having this on title and suggested running it by lawyer before this was completed. Mr. Wever offered to provide examples that have been used elsewhere. He clarified that this measure is to inform the purchasers, there no legal consequences for the municipality. The advisory is an informal notice, on title but not legal binding. Councillor Freiburger noted that he didn't see any issue in including it.

Council directed CAO/Clerk Hallam to insert the advisory in the Request for Proposal when selling Lot 1.

6.1.8 Recommendation of the Huron County Planner

It is recommended that zoning by-law amendment application Z02-2021 be **approved**.

6.1.9 Close public meeting

Motion 136-2021

*Moved by Jamie McCallum
Seconded by Jim Nelemans*

THAT the Council of the Municipality of Morris-Turnberry hereby closes the Public Meeting to consider Zoning By-Law Amendment s MTu Z02-2021 and reconvenes its regular meeting of Council.

Carried.

6.1.10 Consideration of Zoning By-Law Amendment MTu Z02-2021

Motion 137-2021

*Moved by Kevin Freiburger
Seconded by Jim Nelemans*

THAT leave be given to introduce By-Law # 32-2021, being a by-law to amend zoning by-law 45-2014, as amended, of the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 15th day of June 2021.

Carried.

6.2 MUNICIPAL AUDIT REPORT 2020

Nancy Bridge of Seebach and Company Chartered Professional Accountants presented the 2020 Financial Statements and Audit Report.

Motion 138-2021

*Moved by Kevin Freiburger
Seconded by Sharen Zinn*

THAT The Council of the Municipality of Morris-Turnberry accept the 2020 Audit Report as submitted by Nancy Bridge, Auditor, Seebach and Company Chartered Professional Accountants.

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.

7.2 TREASURER

7.2.1 Energy Consumption and Greenhouse Gas Emissions Report

A report was presented by the Treasurer Sean Brophy in this regard for the information of Council.

Motion 139-2021

*Moved by Jim Nelemans
Seconded by Jamie McCallum*

THAT The Council of the Municipality of Morris-Turnberry accept the Energy Consumption and Greenhouse Gas Emissions Report as submitted by Treasurer Sean Brophy.

Carried.

7.3 PUBLIC WORKS

7.3.1 Full Time Landfill/Public Works Operator

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

Councillor Nelemans asked Mr. Alcock what will happen on stormy Wednesdays and Saturdays when the landfill is open. Mr. Alcock stated that most winter maintenance is completed by 9am, and that the compacting can be done a little later as volumes into landfill are less on stormy days.

Councillor Nelemans asked if there is always two people working at the landfill. He didn't believe the Municipality ever had issues with finding someone to work before at landfill. Mr. Alcock said it was a little bit harder to find a person this past time.

Deputy Mayor Zinn asked if it would be another \$20,000 for benefits on top of what was identified in Mr. Alcock's report. Mr. Alcock confirmed that benefits were not included in his estimates. He further stated that it wouldn't be the same title as Public Works Operator. The new position would be its own classification. The normal working hours would be Tuesday – Saturday and the position would get overtime the same as the Seasonal Operator receives now for overtime.

Councillor Nelemans stated he would like to try and hire a landfill attendant prior to creating a new full time position. Mr. Alcock explained the high cost of advertising and backfilling the position until someone is hired. Deputy Mayor Zinn requested the Municipality advertise with a small ad stating to contact the Municipality for more information.

Councillor Freiburger thought Mr. Alcock's proposal seemed like a creative solution to try and eliminate an issue with the lack of interest in seasonal positions.

Deputy Mayor Zinn asked where the extra \$8000 in the budget would come from. Mr. Alcock explained that with extra hours in the summer the Municipality will save on paying outside help/contractors.

Councillor Nelemans stated the Council receives feedback from ratepayers feeling the Municipality employs too many staff. Mayor Heffer pointed out that rate payers are not happy if maintenance is not completed or that the roads are not plowed in time either.

Motion 140-2021

*Moved by Kevin Freiburger
Seconded by Jamie Heffer*

That the Council of the Municipality of Morris-Turnberry hereby approves the creation of a new Full Time Landfill/Public Works Operator position to be placed at the same Pay Band level as the Rural Roads Operator;

And further that Council hereby authorizes the Director of Public Works to advertise and fill the position in accordance with the Municipality of Morris-Turnberry's Hiring policy upon completion of the current 6 week contract position for the Landfill / Public Works Operator.

Defeated.

Motion 141-2021

*Moved by Jim Nelemans
Seconded by Sharen Zinn*

That the Council of the Municipality of Morris-Turnberry hereby directs the Director of Public Works to place an ad in the Newspaper to fill the existing position of Landfill Attendant.

Carried.

8.0 BUSINESS

8.1 2022 Election Service Provider

A report was presented by Deputy Clerk Kim Johnston in this regard.

Motion 142-2021

*Moved by Sharen Zinn
Seconded by Jim Nelemans*

That the Council of the Municipality of Morris-Turnberry hereby directs staff to return a by-law to secure the services of Simply Voting for internet/telephone voting for the 2022 municipal and school board election.

Carried.

9.0 COUNCIL REPORTS

Sharen Zinn

The Ontario Municipal code of conduct meeting was postponed and rescheduled to June 17th, she is unable to attend the rescheduled date. Jim Nelemans will attend the meeting in Sharen's absence.

Attended the Doctor Recruitment meeting.

Jamie McCallum

Attended a Coalition for Huron Injury Prevention meeting on June 9th, 2021.

Jim Nelemans

None.

Kevin Freiburger

The BMG community committee is hosting a rib dinner July 13th. All proceeds are going to Recreation, nothing specific at this point.

Jamie Heffer

The BMG Community Centre received good news on June 7th, 2021 that money from Federal and Provincial government would be provided for renovations to Community Centre, the Committee will be doing additional fundraising to move forward with the project.

10.0 CORRESPONDENCE, MINUTES, ITEMS FOR INFORMATION

- 10.1 Media Release – Business Retention & Expansion Survey Coming to Huron County
- 10.2 Media Release – Have your Say Community Engagement – Huron County
- 10.3 Media Release – Supportive Housing Report – Social Research and Planning Council
- 10.4 Media Release - Canada and Ontario Invest Over \$26 Million to Support Regional Community Centres in Partnership with Parry Sound and Huron East
- 10.5 Correspondence – Thank you – Huron Perth Public Health
- 10.6 Correspondence – Affordable Housing – Habitat for Humanity
- 10.7 Correspondence – Board Meeting Highlights from Avon Maitland District School Board
- 10.8 Notice of Public Meeting – Rutling Holdings Minor Variance – North Huron
- 10.9 Resolution – Elimination of LPAT – Town of Halton Hills
- 10.10 Resolution – Bill 228, Banning Unencapsulated Polystyrene Foam – Township of The Archipelago
- 10.11 Resolution – Bill 279, Environmental Protection Amendment Act – Township of The Archipelago
- 10.12 Resolution – Capital Gains Tax on Primary Residence – Town of Fort Erie
- 10.13 Outstanding Action Items

Motion 143-2021

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

That the Council of the Municipality of Morris-Turnberry hereby hereby supports and endorses the resolution of the Town of Fort Erie regarding the Federal Government cease further consideration of eliminating capital gains tax exemptions on primary residences.

Carried.

11.0 NEW BUSINESS

- 11.1 Items to be placed on the agenda of the next regular Council meeting.

12.0 BY-LAWS AND AGREEMENTS

- 12.1 By-law to adopt the Community Safety and Well-being.

At the June 1st meeting, Council directed staff to return a by-law to adopt the Community Safety and Well-being plan.

Motion 144-2021

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT leave be given to introduce By-Law # 31-2021, being a by-law to adopt the Community Safety and Well-being plan, and that it now be read severally a first, second, and third time, and finally passed this 15th day of June 2021.

Carried.

13.0 CLOSED SESSION

13.1 Enter closed session.

*Motion 145-2021**Moved by Jim Nelemans
Seconded by Jamie McCallum**THAT the Council of the Municipality of Morris-Turnberry enter a closed session, with the CAO/Clerk remaining in attendance at 9:16p.m. for the purpose of discussing confidential matters pursuant to the following sections of the Municipal Act:*

1. *Section 239 (2) (b) regarding the personal matters about an identifiable individual.*
2. *Section 239 (2) (c) regarding the disposition of land by the municipality*
3. *Section 239 (2) (k) regarding negotiations to be carried on by the municipality.*

Carried.

13.2 Return to open session.

*Motion 146-2021**Moved by Sharen Zinn
Seconded by Kevin Freiburger**THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 9:45 p.m.**Carried.*

13.3 Report and Action from Closed Session.

Council discussed one matter regarding identifiable individuals, one matter regarding the disposition of land and one matter regarding negotiations to be carried on by the Municipality. Direction was given to staff accordingly.

14.0 CONFIRMING BY-LAW*Motion 147-2021**Moved by Jim Nelemans
Seconded by Jamie McCallum**THAT leave be given to introduce By-Law # 33-2021, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on June 15th, 2021, and that it now be read severally a first, second, and third time, and finally passed this 15th day of June 2021.**Carried.***15.0 ADJOURNMENT***Motion 148-2021**Moved by Sharen Zinn
Seconded by Kevin Freiburger**THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 9:46 pm.*

NEXT MEETINGS:

Regular Meeting of Council – Tuesday July 6th, 2021, 7:30pm
Regular Meeting of Council - Tuesday, July 20th, 2021, 7:30 pm

Mayor, Jamie Heffer

Clerk, Trevor Hallam