



MUNICIPALITY OF MORRIS-TURNBERRY

COUNCIL MINUTES

Tuesday, August 9th, 2022, 7:30 pm

The Council of the Municipality of Morris-Turnberry met in Council Chambers in regular session on the 9th day of August 2022, at 7:30 pm.

Council in Attendance

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

Staff in Attendance

Trevor Hallam	CAO/Clerk
Kirk Livingston	CBO/Drainage Superintendent/By-law and Property Standards Enforcement Officer
Meghan Tydd-Hrynyk	Huron County Planner

Others in Attendance

Dallas Coultres	Applicant MV03-2022
Denny Scott	The Blyth Citizen
Mike Wilson	Wingham Advance Times

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 174-2022

*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 August 9th, 2022, as circulated.

Carried.

3.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

Councillor Nelemans declared a conflict of interest regarding item 8.3, concerning his eligibility to sit on Council and the vacancy of the Office he currently holds.

4.0 MINUTES

Motion 175-2022

*Moved by Jim Nelemans
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the July 19th, 2022, Council Meeting Minutes as written.

Carried.

5.0 ACCOUNTS

Motion 176-2022

*Moved by Kevin Freiburger
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the August 9th accounts in the amount of \$273,993.85.

Carried.

6.0 PUBLIC MEETINGS AND DEPUTATIONS

6.1 COMMITTEE OF ADJUSTMENT

Application MV03-2022 Coultres
Concession 3, South Part Lot 4, Morris

Motion 177-2022

*Moved by Jamie McCallum
Seconded by Jim Nelemans*

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 application for Minor Variance MV03-202, submitted by Dallas Coultres.

Carried.

COMMITTEE OF ADJUSTMENT MEETING

6.1.1 Call to Order

Mayor Heffer called the hearing of the Committee of Adjustment to order at 7:33 pm.

6.1.2 Declaration of Pecuniary Interest

None.

6.1.3 Purpose

The application proposed to reduce the MDS setback of 470 m to 253 m to the neighbouring barn across the road to the south as well as reduce the MDS setback of 380 m to 220 m to the neighbouring barn to the west.

6.1.4 Application Process

An application for a Minor Variance was submitted by Dallas Coultres and considered complete on June 17th, 2022.

Notice of a Public Meeting was mailed by the municipality to all property owners within 60m of the property on June 20th, 2022, and notice was posted on the subject property.

A Hearing of the Committee of Adjustment was held on July 5th during which the Committee deferred a decision on the application to allow staff and the applicant additional time to review the proposed house location in relation to existing barns and to discuss options.

6.1.5 Comments

1. Planner's Report

A report was presented by Huron County Planner Meghan Tydd-Hrynyk regarding this application.

2. Council's Questions and/or Comments

Deputy Mayor Zinn noted she was glad that a compromise was able to be reached.

3. Applicant and/or Agent

No comment.

4. Others

None.

6.1.6 Recommendation

It was recommended that application MV03-2021 be approved with the following conditions:

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

6.1.7 Committee of Adjustment Decision

Motion 178-2022

*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, 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 MV03-2022, submitted by Dallas Coultas, subject to the following conditions:

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

Carried.

6.1.8 Close Committee of Adjustment

Motion 179-2022

*Moved by Jim Nelemans
Seconded by Jamie McCallum*

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 Establishment of Compliance Audit Committee

Mr. Hallam presented a report prepared by Deputy Clerk Kim Johnston in this regard.

Motion 180-2022

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby directs staff to return a by-law appointing members to a Compliance Audit Committee and establishing Terms of Reference for the same.

Carried.

8.0 **BUSINESS**

8.1 GENERAL UPDATE AMENDMENT TO THE MORRIS-TURNBERRY ZONING BY-LAW

Planner Meghan Tydd-Hrynyk presented a report in this regard.

Discussion followed regarding the change in direction with regard to what is being permitted compared to previous years, and whether Council is required to pursue the updates.

Motion 181-2022

*Moved by Jamie McCallum
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby directs staff to initiate a general update to the Morris-Turnberry Zoning By-Law, and that Notice of a Public Open House and Public Meeting be circulated.

Carried.

8.2 ELLISON MUNICIPAL DRAIN CROSSING TENDERS

Mr. Hallam presented a report prepared by project engineer Matt Ash in this regard.

Motion 182-2022

*Moved by Jim Nelemans
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry hereby accepts the tender of VanDriel Excavating Incorporated in the amount of \$22,342.82 excluding HST for the work on the Ellison Municipal Drain Crossing.

Carried.

8.3 DECLARATION OF VACANCY – OFFICE OF COUNCILLOR

A report was presented by Mr. Hallam in this regard.

Mayor Heffer thanked Councillor Nelemans for his years of service on Council and his efforts to represent the ratepayers of Morris-Turnberry.

Motion 183-2022

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris—Turnberry declares a vacancy in the Office of Councillor, currently held by Jim Nelemans, pursuant to Sections 259(1) and 262(1) of the Municipal Act, effective September 1, 2022;

AND FURTHER THAT said office shall remain vacant until filled by the General Election held on October 24th 2022.

Carried.

9.0 COUNCIL REPORTS

Sharen Zinn

No report.

Jamie McCallum

No report.

Jim Nelemans

Noted that there was a Belmore Maple Syrup festival meeting next week.

Kevin Freiburger

August 3rd attended a meeting of the Bluevale Community Committee regarding organizing for the upcoming baseball tournament.

Jamie Heffer

Attended the opening ceremonies of the Brussels Homecoming last weekend to bring greetings on behalf of the municipality.

10.0 CORRESPONDENCE, MINUTES, ITEMS FOR INFORMATION

- 10.1 Minutes – Saugeen Valley Conservation Authority – 19 May 2022
- 10.2 Minutes – Maitland Valley Conservation Authority – 18 May 2022
- 10.3 Minutes – Maitland Valley Conservation Authority – 15 June 2022
- 10.4 Notice – Enbridge Gas rate increase
- 10.5 Outstanding Action Items

11.0 NEW BUSINESS

None.

12.0 BY-LAWS AND AGREEMENTS

- 12.1 Ellison Municipal Drain Crossing Third Reading

At the June 21st meeting, Council gave first and second reading to a by-law adopting the engineer's report for the installation of a crossing on the Ellison Municipal Drain. The Court of Revision was held on June 21st with no amendments being made, and the 40-day period for submitting an appeal has expired with no appeals being received. By-law 23-2022 was returned for third and final reading.

Motion 184-2022

*Moved by Jamie McCallum
Seconded by Kevin Freiburger*

THAT leave be given to introduce By-Law # 23-2022, being a by-law to adopt the engineer's report for the Ellison Municipal Drain Crossing, and that it now be read a third time, and finally passed this 9th day of August 2022.

Carried.

13.0 CLOSED SESSION

13.1 Enter closed session

Motion 185-2022

*Moved by Jamie McCallum
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry enter a closed session at 8:03 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:

- 1. Section 239 (2) (b) regarding personal matters about an identifiable individual, including municipal or local board employees;*
- 2. Section 239 (2) (C) regarding a proposed acquisition or disposition of land;*
- 3. Section 239 (2) (K) regarding negotiations carried on by the Municipality.*

Carried

13.2 Return to open session

Motion 186-2022

*Moved by Jamie McCallum
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 8:56 p.m.

Carried.

13.3 Report and Action from Closed Session.

Council received employee pay reports, considered an application for a Tile Drain Loan and discussed a shared service agreement for Animal Control Officer services.

14.0 CONFIRMING BY-LAW

Motion 187-2022

*Moved by Kevin Freiburger
Seconded by Sharen Zinn*

THAT leave be given to introduce By-Law # 32-2022, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on August 9th, 2022, and that it now be read severally a first, second, and third time, and finally passed this 9th day of August 2022.

Carried.

15.0 **ADJOURNMENT**

Motion 188-2022

*Moved by Jim Nelemans
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry does
now adjourn at 8:56 pm.*

Carried.

NEXT MEETINGS:

Regular Meeting of Council - Tuesday, September 6th, 2022, 7:30 pm
Regular Meeting of Council - Tuesday, September 20th, 2022, 7:30 pm

Mayor, Jamie Heffer

Clerk, Trevor Hallam