



**4.0 MINUTES**

*Motion 284-2024*

*Moved by Sharen Zinn  
Seconded by Jodi Snell*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the December 3, 2024, Council Meeting Minutes as written.*

*Carried.*

**5.0 ACCOUNTS**

*Motion 285-2024*

*Moved by Jamie McCallum  
Seconded by Jodi Snell*

*THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the December 17 accounts in the amount of \$ 131,430.17.*

*Carried.*

**6.0 PUBLIC MEETINGS AND DEPUTATIONS****6.1 MASSON MUNICIPAL DRAIN COURT OF REVISION**

The meeting to consider the engineer's report for Masson Municipal Drain 2024 was held on November 19, 2024. Notice of the sitting of the Court of Revision was sent on November 20, 2024.

On November 19<sup>th</sup> Council appointed Councillor Snell, Councillor Zinn, and Councillor McCallum to sit on the Court of Revision.

**6.1.1 Open Court of Revision**

*Motion 286-2024*

*Moved by Sharen Zinn  
Seconded by Kevin Freiburger*

*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 Masson Municipal Drain 2024.*

*Carried.*

**Masson Municipal Drain 2024 Court of Revision****6.2 Call to order by the Clerk.**

Clerk Hallam called the meeting to order at 7:35pm

**6.3 Appointment of Chair**

*Motion 287-2024*

*Moved by Jodi Snell  
Seconded by Sharen Zinn*

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

*Carried.*

**6.4 Disclosure of Pecuniary Interest / Potential Conflict of Interest**

None.

## 6.5 Appeals

The Clerk confirmed that no appeals were received by the deadline of December 7, 2024.

## 6.6 Late or Verbal Appeals

The Clerk confirmed that an appeal from PBG Farms was received on December 9<sup>th</sup>, the details of which were provided for the benefit of the Court in advance of the meeting.

*Motion 288-2024*

*Moved by Sharen Zinn  
Seconded by Jodi Snell*

*THAT the Court of Revision for the Masson Municipal Drain  
2024 shall allow the appeal of PBG Farms received on  
December 9 to be heard.*

*Carried.*

Paul Johnston asked to submit an appeal to the Court from the floor.

*Motion 289-2024*

*Moved by Jodi Snell  
Seconded by Sharen Zinn*

*THAT the Court of Revision for the Masson Municipal Drain  
2024 shall allow the appeal of Paul Johnston to be heard.*

*Carried.*

## 6.7 Appeal #1 – PBG Farms

### 6.7.1 Engineer

Michel Terzian presented evidence regarding the appeal.

Mr. Terzian acknowledged misunderstanding a question raised by the appellant at the meeting to consider the engineer's report regarding the removal of the junction box at sta. 0+553. He confirmed that he and the engineer had no objections to it being removed at the tendering stage.

Councillor Zinn asked if the removal of the junction box would affect the assessment of PBG Farms. Mr. Terzian confirmed that there would be a reduction in the total cost of the project that would reduce the assessments of all landowners by a corresponding amount relative to the proportions of their assessments.

### 6.7.2 Appellant

Nic Gowing expanded on the written appeal for the Court.

He highlighted issues such as the serviceability and adequacy of the existing drain for the purposes of PBG Farms, and the benefits of the work to their farm relative to the benefits for the neighbouring farm of George Mueller. He specified that PBG Farms is requesting a reduction to the assessment for benefit for the closed portion of the drain.

Councillor Snell asked Mr. Gowing if there was an amount he felt was fair. Mr. Gowing did not provide an amount but noted that something more proportionate to the benefit received from the work would be appropriate.

Mr. Terzian and Mr. Brickman offered clarifying points regarding the design of the proposed drain, its lack of sufficient depth, and the appellants characterization of the per hectare costs for each property.

## 6.8 Deliberations of the Court

The Chair called a brief recess and the members of the Court, accompanied by the Clerk, left Council Chambers to deliberate.

Upon returning the Chair stated that the Court had considered the appeal but wished to hear the second appeal before issuing a decision on the first.

## **6.9 Appeal #2 – Paul Johnston**

### **6.9.1 Appellant**

Mr. Johnston explained that the previous owner of Mr. Mueller's property was consulted in 1997 and had not wanted the system to be extended to his property. Mr. Johnston showed members of the Court pictures of what he claimed to be the catch basin at sta. 0+419 with the tile installed in 1997 not conveying any water. He suggested that Mr. Mueller did not need the proposed design to get the outlet needed but could get it by extending the twinned system from the catch basin at sta. 0+553.

He expressed frustration with having paid for the installation of the existing drain as recently as 1997 and having to pay again. He claimed there was limited benefit to his lands in the completion of the works and produced tile drainage maps for the Court that showed his lands being tiled to an outlet at the open portion of the drain.

Councillor Zinn asked if extending the existing drain in the way suggested was possible. Mr. Brickman noted that doing this would result in an undersized drain that is not up to standard and would not achieve the depth required.

Mr. Terzian noted that the tile map presented by Mr. Johnston was used to inform the assessments in the report, and that the benefit assessment to Mr. Johnston's property for the closed portion of the drain is due to the surface water that uses the catch basin at sta. 0+419.

The Clerk asked for clarification of the appeal Mr. Johnston would like to Court to consider. Mr. Johnston confirmed that he would like the Court to consider changes to the design in the way he suggested, and adjustments to his assessment for benefit for the closed portion of the drain.

## **6.10 Deliberations of the Court**

The Chair called a brief recess and the members of the Court, accompanied by the Clerk, left Council Chambers to deliberate.

## **6.11 Decision of the Court**

### **6.11.1 Appeal # 1**

The Chair read a written decision of the Court.

The Court decided that the PBG Farms assessment for Benefit under section 22 of the *Drainage Act* for the closed portion of the drain will be reduced from \$77,079.00 to \$57,079.00, and the balance of \$20,000.00 will be assessed as benefit under section 22 of the *Drainage Act* to George Mueller (Part lot 26, Concession 3, 3-065-00).

The remaining points of the written appeal were dismissed by the Court.

### **6.11.2 Appeal # 2**

The Chair read a written decision of the Court.

The Court decided that Paul Johnston's assessment for Benefit under section 22 of the *Drainage Act* for the closed portion of the drain will be reduced from \$15,369 to \$12,369, and the balance of \$3,000.00 will be assessed as benefit under section 22 of the *Drainage Act* to George Mueller (Part lot 26, Concession 3, 3-065-00).

The portion of the appeal regarding design was dismissed by the Court as being beyond their jurisdiction.

The Chair noted that a written notice of decision would be issued to those affected on the day following the sitting of the Court.

## 6.12 Adjournment

*Motion 290-2024*

*Moved by Jodi Snell  
Seconded by Sharen Zinn*

*THAT, the Court of Revision for the Masson Municipal Drain hereby adopts the assessment schedules for construction and maintenance as amended by the Decision of the Court, pronounced this 17<sup>th</sup> day of December 2024,*

*AND FURTHER THAT the Court of Revision be adjourned.*

*Carried.*

The regular meeting of Council was reconvened at 9:15 pm. Steve Brickman, Michel Terzian, George Mueller, Paul Johnston, Nic Gowing, and Jaquie Gowing left the meeting.

**7.0 STAFF REPORTS**

## 7.1 PUBLIC WORKS

## 7.1.1 Operations Report

A report prepared by Director of Public Works Mike Alcock providing an update on Public Works activities was provided for the information of Council.

**8.0 BUSINESS**

## 8.1 EARLY TENDER APPROVAL

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

*Motion 291-2024*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry hereby accepts the offer of Pollard Distribution Inc. to extend 2024 pricing for 2025 for dust control,*

*AND FUTHER THAT the Director of Public Works is hereby authorized to tender for maintenance gravel prior to Council receiving the 2025 draft budget.*

*Carried.*

## 8.2 TENDER AWARD – MT 24-602 TANDEM

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

*Motion 292-2024*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby accepts the quotation of Altruck International Truck Centers for a 2026 International HV615 SBA 6 x 4, Tandem Cab & Chassis Complete with Viking Combination Dump and Spreader Body and Snowplow Harness as specified, in the amount of \$416,156.50 (excluding HST).*

*AND FURTHER THAT the Mayor and CAO are hereby authorized to execute the tender and all other required documents.*

*Carried.*

### 8.3 BELGRAVE SIDEWALK INFORMATION

A report prepared by Director of Public Works Mike Alcock in this regard was provided for the information of Council. Council received the report for information and provided no further direction to staff.

### 8.4 FIRE SUPPRESSION SERVICES AGREEMENT EXTENSION

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

*Motion 293-2024*

*Moved by Jamie McCallum  
Seconded by Jodi Snell*

*THAT the Council of the Municipality of Morris-Turnberry hereby approves the extension of the Fire Suppression Agreement signed under the authority of by-law 92-2018 with the Township of North Huron for an additional period of one year.*

*AND FURTHER, THAT Council agrees that unless otherwise approved in writing by all other parties to the Fire Agreements (Central Huron, Ashfield Colborne-Wawanosh, Morris-Turnberry, and North Huron), 2025 capital purchases by North Huron during the one-year extension shall not exceed the following:*

- *Replacement of Rescue # 7 - \$300,000*
- *Extrication Equipment - \$60,000*

*Carried.*

### 8.5 TURNBERRY CONSERVATION AREA MEMORIAL GATE REPAIRS

A report was presented in this regard by CAO/Clerk Trevor Hallam. Council received the report for information and provided no further direction to staff.

## 9.0 **COUNCIL REPORTS**

Kevin Freiburger

December 11 attended a meeting of the Bluevale Community Committee.

Jamie McCallum

December 16 attended a meeting of the Belmore Community Centre Board.

Sharen Zinn

No report.

Jodi Snell

Attended a meeting of the Wingham Physician Recruitment Committee, and the Coalition for Huron Injury Prevention.

Jamie Heffer

No report.

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

10.1 Media Release – Policy Consultation Process – Saugeen Valley Conservation Authority

10.2 Board Meeting Highlights – AMDSB – December 10

10.3 Outstanding Action Items

## 11.0 **ITEMS FOR A FUTURE AGENDA**

Councillor McCallum requested a discussion regarding changes to the way appointments to Courts of Revision are made.

## 12.0 **BY-LAWS AND AGREEMENTS**

### 12.1 FEES AND CHARGES

*Motion 293-2024*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*THAT leave be given to introduce By-Law 60-2024, being a by-law to establish fees, rates, and charges for the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed.*

*Carried.*

### 12.2 REVENUE COLLECTION POLICY

*Motion 294-2024*

*Moved by Jodi Snell  
Seconded by Kevin Freiburger*

*THAT leave be given to introduce By-Law 61-2024 to adopt a policy with respect to the collection of taxes and other revenues by the Municipality, 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 295-2024*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry enter a closed session at 9:30 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) (e) regarding potential litigation affecting the Municipality.*

*Carried.*

### 13.2 Return to open session.

*Motion 296-2024*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 9:40 p.m.*

*Carried.*

### 13.3 Report and Action from Closed Session.

Council received an update on an issue regarding potential litigation regarding the transfer of land and provided direction to staff.

**14.0 CONFIRMING BY-LAW**

*Motion 297-2024*

*Moved by Jodi Snell  
Seconded by Kevin Freiburger*

*THAT leave be given to introduce By-Law 62-2024, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on December 17, 2024, and that it now be read severally a first, second, and third time, and finally passed.*

*Carried.*

**15.0 ADJOURNMENT**

*Motion 298-2024*

*Moved by Jodi Snell  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 9:42 pm.*

*Carried.*

**NEXT MEETINGS:**

Regular Meeting of Council – Tuesday, January 14, 2025, 7:30 pm  
Special Meeting of Council – Tuesday, January 28, 2025, 9:00 am  
Regular Meeting of Council – Tuesday, February 4, 2025, 7:30 pm

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Mayor, Jamie Heffer

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Clerk, Trevor Hallam