

September 5, 2021

ESPOA ANNUAL MEETING MINUTES

Start of meeting: 10:14AM

ED NOTE: NEARLY EVERYONE WORE A MASK

Peter introductory remarks

- New members:
 - Smalley – 2083 Boice Bradley Drive
 - Peric – 2511 Boice Bradley Drive
 - Bob Micak - 2725 Boice Bradley Drive
 - Burnett – 2987 Boice Bradley Drive
 - Ackerman - 1045 Fishermans Trail
 - Strickland - 1239 Baybreeze
 - Sturch – 2581 Boice Bradley Drive
 - Hewlett - 1141 Fisherman’s Trail

Condolences to the families of Buck Scott and George Eastwood who passed this year.

Walt McKechnie was asked speak,

- Update on the cell service but no update news
- Coming Wednesday another meeting at which time the non-service availability to be addressed
- Rogers was awarded the cell towers contract
- Septic inspection programs
 - o 964 properties on Lipsey, Coleman, Wyola, Redstone, Burdock, etc.
 - o 11% of the inspections to date with major issues (ie. new septic needed)
 - o 20%? needed some work
 - o 69% passed
 - o 229 still to be inspected
 - o Hoping to complete end September
- Shoreline setback proposed legislation
 - o As a councilor he has to listen
 - o If it were to be passed as-is Walt would suggest that it should come to a vote as he has been an owner since 1980 and feel that the majority should rule (his opinion) instead of just the 8 people that are on council
 - o the consultant’s report / area covers about 600 area lakes
 - o very lengthy → thorough, but heavily focused on Lake Simcoe, US lakes but not really referencing the Haliburton lakes much at all

- question asked of mayor → how will this be enforced with the single bylaw officer that the county has?
- common sense is really the way to go
- key solution to keeping lakes clean 1) septic 2) no lawn fertilizers 3) don't pour gasoline into the lake when filling boat → ie. common sense things
- Issue is that the people that are trying to push the policy through don't have "skin in the game"
- Walt suggests → he has been getting a lot of e-mails / "don't tell me that I'm not an environmentalist" / as an association we could test our own water quality / don't punish all because one or two clear cut their lots / stop fertilizing → tell you neighbors not to do it / we already have a 30 meter setback / we already have a tree cutting law, etc., etc.
- People with money are flaunting the rules as the tree cutting fines are too small
- Peter W. asked 'if the law passes, will things be grandfathered?' A. Walt didn't directly answer except to say that it seemed he wasn't sure. Thinks that forcing changes is impossible.
- Use common sense
- Q. What should we do? A. Suggests that lake associations need to voice their opinions.
- Peter suggested that we have a vote here at the ESPOA today.
- Walt thinks that only perhaps two or three of the other council members have a cottage themselves (ie. the new legislation doesn't directly impact most of the council members)
- ESPOA member (name?) suggested that we have a look at the Kennisis lake Facebook page. Larry Everitt is VERY opposed to the proposed rules. The RLCA seems to be in favour.
- Walt to send an e-mail to Peter which details the opposition to the proposed new 30 m set back rules of 70 well researched cottagers
- Member asked → what happens if you don't fix your septic? A: On Kennisis about 100 failed, pressure put on the owners. They might not be able to use the cottage (not clear), someone suggested it only might cost a \$22 per month fine or levy??
- Another member (Bob McK???) → I had it inspected in 2019 and paid for inspection then, and now I'm getting another bill for another \$130??!!
- Member (name?) → What can we do about the rising and falling lake levels? Walt: virtually no comment in the report / Peter: Parks Canada has historic control.
- Some discussion about the effect of the rapid rise and fall of the lake levels on fish and the environment?
- Walt suggested that we also have to look at the big boats making huge waves / "this wasn't even mentioned in the \$50k report. Let's use common sense

- Peter updated membership re the clear cut lot → former owner did a quick flip to evade the fines who then sold on. New owner want's to be a good neighbor. Apparently the MNR has now planted new trees.

1) Approval of the minutes

- No questions
- Motion to pass: Doug Sturch / 2nd Bonnie Salvator
- Passed / none opposed

2) Nominations for the Executive

- Bev is retiring
- Asked for nominations for Secretary – nobody volunteered
- Treasurer – will Norinne stay? Yes.
- President – will Peter stay? Yes.
- Motion to keep current executive – Melanie Ackerman, 2nd Bill Rea
- None opposed

3) Treasurer's report

- Norinne read out the summary numbers
- We were fortunate in that the spring didn't cost very much at all
- A few summer (July) repairs
- We were lucky
- Asked anyone with new contact details to leave the information
- Advised that the e-transfers will be transferred now in order to have those funds fall into the new accounting year
- 121 members / not all paid
- Q: Insurance – what does that include? A. \$5m liability insurance on the road plus \$2m D&O insurance.
- Q. Have we been sued? A. Yes, beach ATV accident about 10 years ago. We'll never be told by the insurance company re payout, but it is unlikely that the judge would have found us liable. Peter says that LY we were exonerated.
- Norinne: Our driveways are not covered. That's the property owner's issue
- Peter added that if dues paid we would be covered for the road that crosses their lots
- Q. How many people paid? ie. 99 x \$450 = \$45k A. We still have about 12 people that are still behind. Additionally a few people are not paying the full new \$450 fee.
- Q. Are we as volunteers (eg helping on the road) are we covered with insurance? A. Norinne, yes, board and volunteers would be covered if you are a member in good standing.

MOTION TO ACCEPT TREASURER'S REPORT: Dave Latta, 2nd Mike Smalley / carried unanimously

4) Water testing report -

- Phosphorous is the key item

- 4 micrograms per l / little red 4-5 over the last 10 years
- Then black and white disc clarity testing
 - Water transparency – Kennisis – they were at 8m / now at 6m
 - Picadilly bay – about 4 m Little Redstone about 4 m
- Overall seems to be holding consistent
- Annual testing is done by the RLCA

5) Road report

- Some work in May
- Baybreeze had some frost boils / Jeff Hamill said that's a problem each of the last 3 years
- Barry Boice when asked about these 3-4 spots, if marked he's be prepared to dig out these spots and put proper sand and gravel fill
- Casey and Joaquin: she will try to mark these spots
- Discussion re one way hill
- Priority
- Barry says best solution is to go AROUND the outcrop (blasting would cost about \$50k!) This would be much cheaper. Barry will donate the fill so long as we pay time for the machine use
- Two lanes or wider
- Q. Blair Smith if we should entertain other contractors than Barry Boice? A: General answer is that we trust Barry and he owns land and has skin in the game.
- Q. Blind corners and ditching? A. Peter → we will continue to try and get to these items with ditching and further culverts. First priority this year will be the frost boils as well as the one-way hill
- Q. Jeff Hamill suggested that when they are there with their machines particularly on Baybreeze the dying beech trees could be knocked down for safety reasons
- Peter suggested we investigate hiring a heavy duty brushing machine. Someone suggested that there are two unused Champion machines behind Guilford Shell station that we might be able to hire?
- Q. Could we move the Preacher's Lane and main road signs moved for improved clarity as to which direction to go? Good suggestion.
- Blair Smith → could we widen the road just behind the Smalley's? A. Not likely without blasting.
- Culvert by the Lemmers is completely full and needs to be fixed
- Comment the north end rough this year. Why didn't we do the two gradings? A. We will again (the hill north of Merganser) will be looked at.
- Will the culverts in front of Wainds and near the Duck Lake road gate in the flat section be addressed? Yes.
- Comment → someone thinks that the Forest might have bought the lot (the sand spit and Blueberry Island lot?) and might be asking for some building permissions?
- Some discussion re whether Brookfield will in future have to pay dues?
- Will 'A' gravel be put down? We do the best we can particularly on the hills. Pit run is \$200 cheaper per truck
- Should the old bypass hill on Baybreeze be resurrected? Some debate about whether it is on private property? Could private owners block access? Peter → as the road was realigned

that's the way it now is. We can only afford to maintain one road / Member was concerns because someone got stuck for 3-4 hours. / Joaquin says be reasonable. No one wants people to again have roads going over their own property

- Discussion re clarity re which roads we maintain? Once again clarified. Some request for expansion of what we do. Peter advised that we spend X for plowing and repairs and suggested that as we may have up to about \$80k we might have about \$55k on doing the above-mentioned key things. Est. on one-way hill about \$30-\$35k. Suggested that over time we use any excess amount to address improvements. Peter and Norinne suggested that we should keep about \$25-\$30k in reserves.
- MOTION: limit budget to redo one-way hill to \$25k → Motioned by: Joe Bourassa, 2nd by Sturch, unopposed, carried
- MOTION: Peter put forward suggestion that we carry balance of \$30k in budget reserves to cover road repairs → Motioned by Bryce Richardson, 2nd Dave Montgomery / unopposed, carried

6) OTHER:

- Question re websites → Norinne advised that websites already exist re water levels as well as the RLCA / that we shouldn't also try to organise a social page to address regatta's, missing boats, etc. Does anyone want to volunteer to do that? No one spoke up?
- Peter mentioned some items in the minutes:
 - a. Re legality of the association paying for plowing the road in a 'seasonal' area? → Peter approached the RLCA which has a retired lawyer as a board member who listed the info required to answer → ie. what is the basis of the road usage? Who owns the land and are there right of way deeds over which the road runs? We don't know. Does any documentation re road usage exists? Is the association incorporated? What is the basis on which everyone is a member of our association? We did approach the insurance → Q. Do they have an issue with the association paying for winter plowing? A. No issue. / Dysart planner says they have no issues with permanent residents in areas that are considered seasonal. There are no restrictions. Norinne advises that per today's code new buildings have to be built to year-round use specs. Peter advised that he is doing nothing more on this issue.
 - b. Member asked about AirBnBs → Peter says that whether or not a property is rented, the road will obviously be used by someone (ie. either the owners or renters). Peter and Norinne said that renting is simple fact of life for the future. Garbage is one of the biggest issues. Likely from renters. Ask that the landlord assume responsibility for the garbage. Member says that one can get LANDFILL PASSES to give out to the renters.
- Any other items to be discussed → Bill Rae suggested that some volunteers could cut down some of the beech trees on Baybreeze / we will ask Barry to knock some of them down / Jeff Hamill says that arborists won't touch them
- Road work day – meet at the Y on the Thanksgiving day Saturday at 10AM

7) Motion to adjourn made by Debbie Bannister / adjourned at 12:15