

## Minutes of the Otter Lake Ratepayers' Association (OLRA) Board Meeting Wednesday, February 2, 2022

**Attendees:** Martin Chepesiuk (joined the meeting at 4:27 pm), Denise Exler, Brian Hindley, Nicole Mailloux, AJ Mueller, Kerry Mueller, John Roberts

**Regrets:** David Amy, Brad Chittick

**1. Welcome and Open Meeting:** The Zoom meeting was started by Kerry Mueller at 3:32 pm. Quorum was confirmed.

**2. Declaration of any Pecuniary Interests:** None were declared.

**3. Approval of November 24, 2021 OLRA Special Board Meeting Minutes:**

**Motion: Approve the minutes of the November 24, 2021 board meeting, as presented:**

- Moved by John Roberts
- Seconded by Denise Exler
- **Motion carried**

**4. a) Treasurer's Report. December 31, 2021 Financial Statements VS 2021 Budget:** AJ Mueller reviewed the Balance Sheet and Income Statement written report as at December 31, 2021 in detail. Total Assets were \$76,504.18, with a Reserve Fund Balance of \$40,481.78 and an Environment Fund Balance of \$15,523.18.

Actuals as at December 31, 2021 Vs 2021 Budget were also reviewed in detail, with Total Actual Revenues of \$12,426.12 Vs Budget of \$12,450.00, Total Actual Expenses of \$8,698.19 Vs Budget of \$11,425.00 and Actual Net Income of \$3,727.93 Vs Budget of \$1,025.00. Actual Membership Revenue was \$6,900.00 (Vs Budget of \$6,275.00), Reserve Fund Revenue actual was \$1,068.04 (Vs Budget of \$900.00), Actual Environment Fund was \$1,478.00 (Vs Budget of \$1,250.00). Budgeted BBQ ticket sales revenue of \$1,750.00 and budgeted BBQ expenses of \$2,100.00 for a BBQ budgeted deficit of \$350.00 was not incurred. The Boat Parade, Photo Contest and Website expenses were below what was budgeted, while Insurance expenses were higher than budgeted. Benthic Monitoring actuals of \$1,500.00 were the same as budgeted.

**Motion: Approve the December 31, 2021 Year End Financial Statement.**

- Moved by Nicole Mailloux
- Seconded by Kerry Mueller
- **Motion carried**

**b) 2021 Final Membership Renewals/New Members:** AJ Mueller noted that as at December 31, 2021, there were 183 families represented and 282 additional family members, for a total of 465. The 2021 membership increased over 2020 by 47 (= 12 families + 35 additional family members).

**c) 2022 Memberships to Date:** AJ Mueller noted that as at January 31, 2022, there were 58 renewals plus 95 additional family members for a total of 153, including 1 new family. This is more than as at January 31, 2021, when there were 53 renewals plus 75 additional family members for a total of 125.

**d) Re-Investment of Funds for 2022:** AJ Mueller noted that as at December 31, 2021, the total bank and investment accounts which totalled \$75,504.18, were invested as follows:

TD Branch Cash	Scotiabank GICs		TD Direct Investing GICs	
Operating Account- Revolving Balance-	Maturity Date: 8-Mar-2022 Rate of Return: 0.70%	Maturity Date: 15-Jan-2022 Rate of Return: 1.35%	Maturity Date: 17-Jul-2023 Rate of Return: 1.18%	Maturity Date: 6-Jan-2022 Rate of Return: 2.22 %
\$21,954.18	\$17,050.00	\$10,000.00	\$10,000.00	\$16,500.00

After consulting with other Board members via e-mail, AJ Mueller informed the Board via email dated January 27, 2022 that the following actions were taken, with the intent of investing in staggered fixed term GICs at a later date and keeping OLRA’s operating account at approximately \$12,000.00.

- :
- Invested available cash of \$16,866.00 at TD Direct into a cashable 1Yr TDBK GIC @ 0.60%
  - Reached out to Scotiabank to turn available cash there (about \$10,000) into GIC @ 0.36%. Waiting for the paperwork to be prepared.
  - Reached out to TD to initiate investing \$8,000.00 from operating account into a cashable GIC. Waiting for response.

A risk strategy was discussed. Whatever investment product is chosen, the principal needs to be protected. According to banks, market linked GICs protect the principal. It was also mentioned that the Board should ensure that some funds are always readily available (for example, as cash) in case of emergency funding needs.

**Action:** John Roberts will look into whether to invest in market linked GICs and report back to the Board.

**5. Stewardship Report:** Kerry Mueller referred to a recently received Benthic Report she sent to Brad Chittick and Brian Hindley with questions. Brian Hindley mentioned that he plans to meet with Brad Chittick next week to discuss transition into his new role of Lake Steward.

**Actions:** Brian Hindley will review the Benthic Report and report back to the Board. Transition of role meeting is planned for February, 2022.

**New Business:**

**1. eDNA Sampling to Determine Biodiversity Project.** The discussion was related to the eDNA sampling presentation made by Cameron Von Bratt of Freshwater Ecosystems Services at the last meeting. The Board has already made a commitment to bring an eDNA environmental project of some form to the AGM. Comments included:

- The need for a plan, with objectives and budget. Is this a pilot project or a longer-term commitment?
- The need for a communication plan to educate members and others on this state-of-the-art sampling. What it can do and can't do. What is its purpose and value long term?
- The need to justify the expense. The amount of \$6,000.00 to sample 7 locations is expensive; however, this amount may be justified by the results and the low impact to any wildlife. Would others on the lake volunteer to pay for additional samples @ approximately \$700.00 per sample? Is it possible to go back to consultants and see if there are other less expensive options? (Martin Chepesiuk joined the meeting at 4:27 pm)
- The need to focus on varied sites to increase the possibility of finding more diversity.
- This project may not find "species at risk" that are actually present in Otter Lake depending on the sampling methodology, but it may as well as possibly detect "invasive species" and common species in our biodiverse ecosystem.
- Is it better to use this new tool to broadly assess biodiversity or develop a program that can focus on specifically looking for species at risk?

**Actions:** 1) Brian Hindley will reach out to Cameron Von Bratt to discuss costs and if there is other funding available 2) A Committee with volunteers, Kerry Mueller, Brian Hindley and Martin Chepesiuk will recommend a plan, budget, etc. for the Board's review and approval before the AGM.

**2. Where Does a Lake Begin (WDALB) updates:** Kerry Mueller provided a written report on Transport Canada's (TC) Response. By requiring a permit for the causeway at 202 Blue Lake Road, TC confirmed that it is in navigable waters. In the letter to the owner, which was forwarded to OLRA via Kerry Mueller, TC states: "*the approval of the causeway to interfere with navigation does not grant any rights related to the ownership of the bed of the navigable water*". From OLRA's research and email to OLRA from Jason Inwood, Seguin's CAO, the bed of the navigable water on which the causeway sits, was not sold with the shore road

allowance. It could be argued that it is Crown Land. Jason Inwood indicated that Seguin could sell the area of the shore road allowance under the navigable waters, but this would involve a public meeting. Going forward, the biggest issue is how to prevent more driveways or other structures being approved in the lake (Vs on private property)? In the end, the responsibility rests with Seguin Township. The Township needs to better monitor and facilitate the process of what property owners need to do to comply with all existing municipal, provincial and federal requirements, legislation and permits **before** any application is reviewed by Seguin and approved/denied.

**Motion: To ask for a follow up meeting with Seguin to further discuss recommendations made on August 19<sup>th</sup>, 2021 to Seguin and in the letter dated February 19, 2021.**

- Moved by AJ Mueller
- Seconded by John Roberts
- **Motion carried**

**3. OLRA's 60<sup>th</sup> Anniversary Celebration:** Nicole Mailloux provided a written report. Anyone interested in sending in photos and written memories need to follow the guidelines detailed in Denise Exler's January 30<sup>th</sup>, 2022 email to all members, and read the disclaimer. Deadline for submitting materials is February 28, 2022, but participating Board members are asked to send in their materials sooner to even out the review process. Reminders will be sent out February 11<sup>th</sup> and 20<sup>th</sup>. A second submission date may be provided for anyone who can't access their photos until spring. The Committee is exploring using an eBook with a link to the website. Historical information is being reviewed to be included in the eBook and/or be part of a Quiz at the BBQ. The first "edition" of the eBook is planned for the AGM. A budget, to be approved as part of the 2022 Budget, under "Special Projects", was provided.

**Action:** AJ Mueller will send out a sample eBook page to the Committee and then the Board.

**4. OLRA 2<sup>nd</sup> Annual Boat Parade Update:** Denise Exler provided a written report. The event is planned for July 2<sup>nd</sup>, rain date July 3<sup>rd</sup>. John Roberts volunteered to be the Lead Boat, and Nicole Mailloux and Brian Hindley volunteered to be the Anchor Boat. Kerry Mueller, John Roberts, Nicole Mailloux volunteered to join the Committee with Denise. Several prizes are planned: Best Overall (value \$100), Most Otter Lake Spirit (value \$50), Most Creative (value \$50); Tappattoo Resort will be donating a prize and the Otter Lake Marina will be donating 2 sweatshirts and allowing the use of their docks. Key Learnings from last year's parade were listed. A budget was prepared to be approved as part of the 2022 Budget.

**5. OLRA Annual Photo Contest:** Denise Exler provided a written report. The plan is to mirror last year's plan. All members should be eligible to submit photos and vote.

**6. OLRA BBQ update:** Denise Exler provided a written report. Tappattoo is booked for two BBQs for August 6, 2022 and August 12, 2023. Tappattoo will honour 2020 buffet dinner

pricing. Member pricing for the dinner was discussed to ensure OLRA complies with the Ontario Not-for-Profit Corporations Act (ONCA). Tappattoo can only accommodate indoors, as a tent would be too costly. The fire code can only accommodate up to a maximum of 120 people. Kerry Mueller volunteered to replace Denise Exler at the BBQ in the event she can't attend.

**Action:** Kerry Mueller will contact David Amy relating to OLRA's limitations under ONCA to subsidize member dinners.

**7. Regatta Proposal Update:** Deferred.

**8. 2022 Budget:** AJ Mueller provided a detailed revised budget for 2022, with Total Revenues of \$13,625.00, Total Expenses of \$11,155.00, for a Net Income of \$2,470.00. Assumptions included 180 families represented and 250 additional family members, \$2,000.00 for BBQ ticket sales, \$2,250.00 for BBQ expenses, \$1,700 for benthic monitoring, \$600.00 for Boat Parade expenses, \$200.00 for 60-Year Anniversary Celebration expenses. Expenses for eDNA monitoring have not been included in this preliminary budget.

**Motion:** To approve this budget and that benthic monitoring continue in 2022.

- Moved by Denise Exler
- Seconded by Brian Hindley
- **Motion carried**

**Action:** A final budget possibly including eDNA may need to be approved after the AGM.

**9. Sunny Point Sale and Possible Redevelopment Update:** Kerry Mueller indicated that Mr. M. Morris Barmherzig contacted her to complete due diligence regarding a conditional offer, realistic development opportunities and OLRA's feedback. A frank, respectful and transparent discussion was appreciated by both parties. The buyers' intent would be to turn the property into 10 residential lots, under the assumption that rezoning to residential would be less dense than a 10 rental cabin commercial operation. Kerry informed him that it is her opinion that the Seguin OP sees a private dwelling, with potential to be used as a year-round residence, as more impactful to the lake than a rental cabin which would have high and low seasons, the Seguin OP supports maintaining such commercial tourist resorts, and the buyers' plans appear to run counter to Seguin's OP in a few ways. Kerry Mueller urged his group to speak directly to the Seguin Planning Department. Kerry Mueller added that, in her opinion, many people on the lake are concerned about Sunny Point being redeveloped and the increased impacts this could have on Otter Lake, particularly the Long Arm, which is long and narrow. OLRA supports Seguin's OP which focuses on protecting the environment first. Otter Lake is already substantially over its recreational carrying capacity and biological capacity, and therefore new lot development is not allowed. OLRA has expressed concerns about redevelopment of resorts on Otter Lake in the past and would again.

**10. Seguin Official Plan Review Update:** Kerry Mueller provided a written update. There are no changes. The next steps are a Draft OP, a public meeting on the draft OP, and submitting a draft OP to the Ministry of Municipal Affairs and Housing.

**11. Indigenous Acknowledgement Discussion Continued:** Deferred.

**12. Spring 2022 Newsletter Planning:** Kerry Mueller provided a written report on articles and authors. Topics to be added to the list are A Brief History of OLRA/Otter Lake, author Martin Chepesiuk; OLRA's 60<sup>th</sup> Anniversary Celebration, author Nicole Mailloux; and, OLRA's 2022 BBQ, author Denise Exler. The newsletter is expected to go out in April.

**Actions:** Authors to have articles in to Kerry Mueller by the deadline (to be determined).

**13. Review and Update of OLRA Bylaws as per ONCA:** Kerry Mueller provided several links relating to changes to ONCA, which were proclaimed on October 19, 2021. The Board has three years to update its By-Laws, as required to comply with changes.

**Action:** David Amy will tweak any By-Laws for the Board's review, with the goal of presenting at the 2023 AGM for approval.

**Adjournment:** Kerry Mueller called the meeting to a close at 5:36 pm.

### **ADDENDUM A**

#### **Email Motions since February 2, 2022**

1. David Amy provided the following two options for the Board to vote on, based on his research into the question of whether OLRA should change its BBQ ticket pricing in view of the new ONCA legislation (in an e-mail dated March 20, 2022):

a) OLRA will price the BBQ tickets in 2022, as in previous years, to offer a \$5 discount for OLRA members to encourage attendance and in the furtherance of OLRA's activities including increasing awareness about OLRA projects to protect the lake. OR

b) OLRA will discontinue the \$5 member BBQ ticket discount in 2022.

**Motion: Option a) be implemented.**

- Moved by AJ Mueller by email on March 20, 2022
- Seconded by David Amy by email on March 20, 2022
- **Motion carried** by email on March 21, 2022

**2. Motion: That OLRA submit the attached responses to the Transport Canada ["Let's Talk"](#) website on: Let's Talk Small Vessels Noise Emissions.**

- Moved by Kerry Mueller by email on March 30, 2022

- Seconded by Martin Chepesiuk by email on March 30, 2022
- **Motion carried** by email on April 15, 2022

Please see attached letter submitted through the Transport Canada website “Let’s Talk Transportation”.

**3. Motion: That OLRA submit a short letter to Seguin Council and Staff in support of the following Seguin Township staff’s proposed draft resolution (schedule A):**

“Schedule “A”

WHEREAS Council understands that the Ministry of Northern Development, Mines, Natural Resources and Forestry is seeking public input on the use of floating accommodations on Ontario waterways per ERO# 019-5119;

WHEREAS the Township of Seguin has 186 lakes, and concerns with floating accommodations are affecting a growing number of municipalities;

WHEREAS the Township of Seguin has an Environment First philosophy, where the vision is to enhance the natural heritage features and ecological functions of the waterfront, protect and maintain the character of shoreline residential areas, and to recognize that lakes have a recreational carrying capacity; and

WHEREAS floating accommodations represent a threat to the environment due to waste discharge, conflict with the Township’s vision for the waterfront, represent an undesirable land use, and are a residential use on public lands.

NOW THEREFORE BE IT RESOLVED THAT The Council for the Corporation of Seguin Township requests that the province amend The Public Lands Act to permit the use of waterways only for the travelling/vacationing, boating public, as originally envisioned by the legislation;

AND FURTHER THAT the legislation be amended to restrict or prohibit floating residences, and provide the Province with the tools to enact enforcement on floating residences.”

- Moved by Kerry Mueller by email on April 15, 2022
- Seconded by Nicole Mailloux by email on April 15, 2022
- **Motion carried** by email on April 16, 2022

Please see attached correspondence to Seguin Council and Seguin Staff.

**4. Motion: That the Board bring the following motion to the 2022 for member approval:**

“The OLRA Board's spending limit in the OLRA Constitution was set to \$2500 in either 2002 or 1990. As per <https://inflationcalculator.ca/ontario/> at the rate of inflation, \$2500 in 2002 equates to \$3685 in 2022. Therefore, the board proposes that the limit be re-set to \$3700 and the OLRA Constitution be amended as follows:

Article XIV Execution of Documents:

3. Any contract or expenditure, which exceeds \$3700.00, shall only be entered into if passed by vote by two-thirds of the members of the Board of Directors and if ratified at a general meeting of the Corporation;”

- Moved by Kerry Mueller by email on May 9, 2022
- Seconded by Denise Exler by email on May 9, 2022
- **Motion carried** by email on Maya 10, 2022. No Board Member voted against the motion.

**Discussion:** The Board discussed via e-mail how much to set the limit to. The limit has not been increased in years. It was mentioned that a higher amount such as \$4,000.00 would also be a reasonable limit and that the Board should request increases to spending limits more often.

### Attachments

- March 2, 2022 email to Seguin Staff and Council regarding OLRA’s Proposed Planning Checklist.
- OLRA’s Proposed Planning Checklist.
- March 28, 2022 email from Kerry Mueller on behalf of OLRA Board to Seguin Staff.
- April 18, 2022 letter from Kerry Mueller on behalf of OLRA Board to Seguin Council and Seguin Staff.
- April 13, 2022 letter from Kerry Mueller on behalf of OLRA Board, submitted through the Transport Canada website “Let’s Talk Transportation”.

### Acronyms

- AGM: Annual General Meeting
- ATV: All-Terrain Vehicle
- dB: decibel
- DC: Decibel Coalition
- DFO: Department of Fisheries and Oceans
- EP: Environmental Protection
- FOCA: Federation of Ontario Cottagers Association
- FOI: Freedom of Information
- GBB: Georgian Bay Biosphere
- LPP: Lake Protection Program
- MNRF: Ministry of Natural Resources and Forestry
- MECP: Ministry of the Environment, Conservation and Parks
- OLRA: Otter Lake Ratepayers’ Association
- ONCA: Ontario Not-for-Profit Corporations Act

- OP: Seguin Township Official Plan
- OPP: Ontario Provincial Police
- PCOC: Pleasure Craft Operator Card
- PFD: Personal Floatation Device
- PWC: Power Water Craft
- SAR: Species at Risk
- SQL: Safe Quiet Lakes
- SRA: Shoreline Allowance
- STCR: Short Term Cottage Rentals
- TC: Transport Canada
- WDALB: Where Does a Lake Begin