little silver and
rainbow lakes
property owners
association

MINUTES OF THE

38TH ANNUAL GENERAL MEETING

JULY 11, 2010

Maberly Hall, Maberly, ON

PROPERTY OWNERS IN ATTENDANCE

*** Removed for Privacy ***

Guests: Bill Avery, Councillor, Tay Valley Township
Wayne Jordan, Councillor, Tay Valley Township

The meeting was preceded by a breakfast of pancakes with local maple syrup and sausages. During this time, scenes of the lakes were projected onto a screen at the front of the hall. Shortly before the meeting, the agenda was displayed.

1. Welcome and Approval of the Agenda

The President, Eileen Barbeau, called the meeting to order at 10:10 am. Since the pancake breakfast was a new venture, she asked for participants to provide feedback as to whether such events might be held in future. She thanked the people who were involved in purchasing and preparing the food, and setting the tables: Ros Creaser, Walter Downs, Rai-Anne Hunter, Mary Ann Jackson & Shari Jackson Pruner, Brenda King, Pat & Ed Mills, Sue & Frank Sammut, Anne Thomlison. She also thanked Mike Moriarty for preparing the slides and projecting them onto the screen during the meeting.

The agenda was approved by consensus, after it was ascertained that no further items were to be added.

2. Minutes of the 2009 AGM

Moved (Jean Hollebone, Anita McKeigan) that the minutes of the 2009 AGM as circulated be adopted. Carried.

3. Business arising from the Minutes

The beaver dam and baffler. In discussing this issue, the President emphasized how important it was to move ahead, and invited the Lake Steward, Frank Sammut, to make a presentation. He reported that the current baffler system was functioning all the time (24/7, 365 days a year). The lake level drops 3 mm/day in the absence of rain, according to measurements by Dr. Frank Johnson. However, there was an exceptional amount of rain last summer and fall, and so far this year there has been more rain than usual. Removing the beaver dam, as was done on May 15, in one fell swoop and during the fish spawning season, is in violation of the RVCA restriction demanding no in-water work prior to July 1 and in violation of the Canada Fisheries Act. The beavers will quickly rebuild using new wood rather than old wood from the original dam, causing more destruction of trees and shoreline. Accordingly, for the purpose of discussion, he presented a proposal with two options to extend the baffler system; this was displayed on a screen (see Appendix 2). It called for the addition of a second barrel and three 6-inch diameter pipes, which should drop the lake level by 6 inches per month in the absence of rain. The approximate cost would be $1300. The second option would be to install only two 6-inch diameter pipes, for a cost of about $1000. However, it would be troublesome to add a third pipe later if needed. This was the most that we could do; anything larger than three pipes is not within our expertise and would require involvement of RVCA and MNR.

In the discussion following this presentation, the President said that she wanted to hear first from those who were not on the Board of Directors; afterwards members of the Board could contribute to the discussion.

John Tarzwell predicted that the clandestine removal of the beaver dam would continue unless we take action; he supported adding three pipes. Jim Humphrey confirmed that three 6 inch pipes would be appropriate, and that he would prefer them to be laid horizontally across the stream rather than have one on top of another. Frank Sammut agreed that the three pipes would be laid horizontally, side by side, on the creek bottom; however, when they enter the barrel, one pipe should be above the other two so that they could all fit in the barrel. One problem that would have to be solved is how to join the pipes that meet at an angle in order to get around the curves in the creek. Corrugated Big O wrapped in chicken wire could be considered.

Jim Humphrey said that while chicken wire would keep animals away from the joints, it might be better to find something solid and smooth. Crains of Kingston should be able to provide joints for different angles, although it would be more expensive. Denton Wilson suggested that Rideau Pipes may have flexible aluminum piping, probably corrugated. He suggested that a local contractor, Harry VanAlstine, may have suggestions. Brian Hicks felt that it was better to make the investment in three pipes right away.

Steve Hiltz wondered what was the purpose of the barrel. Frank Sammut replied that it was to stop the beavers from plugging the upstream end of the pipe. At the downstream end, farm-wire fencing would keep the beavers away. This is in accordance with the recommendation of MNR. Steve Hiltz noted that in theory we could have more bafflers along the bottom with perhaps a third barrel to maximize the flow. Frank Sammut noted that this would be complicated; there was a limited amount of room and one needed to have the upstream end of the pipe higher than the other end to keep the flow.

Bob Irwin presumed that we needed to go to the Township. The President confirmed this, but said that we were suggesting a course of action to encourage the Township Council to act quickly. He also wondered about the cost, but the Treasurer assured him that the Association could afford it. Frank Johnson praised the Lake Steward for his work, and this was met with a round of applause from the assembly.

Ed Mills expressed concern about the lake level becoming too low in a dry period and therefore favoured the staggered pipes, one on top of the others. We would at least double the flow even if only two pipes are in the bottom layer. It was necessary to maintain flow throughout the season so that the lake did not stagnate. This is as big a concern as the effects of high water level. Anita McKeigan said that the baffler was to maintain flow; we are not allowed to alter the level of the lake. If we do not get rain, then there is no problem. The lake has been a lot higher in the past. We have a water flow, not a water level, problem.

Frank Sammut responded that the water will go down only to the level of the pipes. His own preference is for two pipes side-by-side in the barrel and a third one that would sit on

top of the other two. This triangular design allows the pipes to fit more easily into the barrel. All three pipes would be placed as low as possible in the barrel while still allowing a good grade from in-flow to out-flow.

Denton Wilson pointed out that he had an engineering degree and had worked for a water authority. He calculated that if there was one inch of rain, the water would flow at 2 feet per second through the pipes, so that it would take 22 days to lower the lake one inch through one 6-inch pipe. He consulted the Weather Network and found that the average monthly rainfall between April and November over the last 30 years was 3 inches. Of course, it was not just the rain falling on the lakes, but also on the catchment area which includes streams and other bodies of water. The problem is hard, and we just have to try our best. He had called Patrick Larson of RVCA, who visited the site on June 28 and measured the flow through the pipe at 0.014 cubic metres per second; this would lower the level one inch in 17.5 days. We need three 6-inch pipes to handle the flow; this would be a good starting point, but the system is really a work in progress. It is a big job to install the pipes, and we might as well do all three and we could block one if too much water is flowing out.

Frank Sammut noted that we would not be allowed by MNR to block a pipe once installed as this would be an attempt to control the water level.

Dr. Frank Johnson, who maintains a weather station at his cottage, said that we had to look at measurements rather than make estimates; the lake level is decreasing at the rate of 3 millimetres per day. His own measurements with a flow meter were consistent with those of Patrick Larson. The issue is complicated, and he is monitoring the rainfall and lake level in tandem. It should be noted that the beaver dam itself allows some flow; the pipes account for about half and the rest goes through the dam. One inch of rain would be cleared in about a week. To be on the safe side, we should put in three pipes.

Moved (Ed Mills, Mary Ann Jackson) that it be recommended that the proposal for a new barrel with three six-inch pipes be adopted, that the permission of Tay Valley Township be obtained for the work, that the approval for the project of RVCA and MNR be obtained, that downstream property owners be consulted, and then the work be proceeded with.

To the suggestion that the motion should deal with the configuration of the pipes, Jean Hollebone said that it was better to give the installers the flexibility to make the final decision. Bruce McKeigan wondered whether this solution might create problems downstream. Frank Sammut said that, for downstream property owners, maintaining a regular flow would be better than pulling the dam; he will certainly consult with downstream property owners. Steve Hiltz would not want to see the downstream owners exercise a veto. Frank Sammut did not foresee difficulty; he has already conferred with Paul Pospisil, who has recently extended his own baffler system, and will continue to do so.

Anita McKeigan said that this was not a decision of the board. The President said that this indeed was a decision of the Annual General Meeting and cannot be overturned by the Board. Ed Mills said that he was concerned about people removing the dam; would everyone leave it alone? Lynn Tarzwell suggested putting a notice on the website and signs at the site. Ed Barbeau thought that it would be best for those present to speak to their neighbours.

The President determined that no one else wished to speak and asked for the vote. She asked for a show of hands by those who approved, those who opposed and those who abstained. No one opposed nor abstained, so the motion was carried unanimously.

Ed Mills invited volunteers to help install the baffler after all the necessary approvals were in place.

4. New business

Pat Mills solicited opinions as to whether there might be another social event, such as a barbecue later in the summer.

Bill Avery and **Wayne Jordan**, Councillors for Tay Valley Township, were invited to address the assembly. Bill Avery presented the Association with two Tay Valley baseball caps and two Tay Valley golf shirts. The new township office was officially opened just the previous week; it is functional and he encouraged citizens to regard it as their building. The planner, Noelle Reeve, is now fulltime and a welcome addition to the staff. There is a new Chief Building Official, Ed Freeborn. Martha Bradburn of RVCA will have an office in the building. The current road superintendent, Howard Farrell, is retiring after 39 years of service and will be replaced in the fall. The tenders have been put out for the new South Sherbrooke fire hall which will be accessed from the north side of Highway 7. As it will have to be build to resist earthquakes and tornados, and will require a cistern of water large enough to extinguish a fire in the hall, it will cost $1.2 millions, more than the infrastructure grant of $800,000. However, its presence may allow property owners to obtain a reduction in their own private insurance premiums. The work on the firehall must be completed no later than March, 2011, in order to receive the grant. The old fire hall will be put up for sale.

In response to a query, Mr. Avery said that he had no information on alterations to Highway 7 between Armstrong Road and Wemys; it appears to depend on funding being available. There is to be a study of Highway 7 between Carleton Place and Peterborough.

Finally, Mr. Avery mentioned that the Maberly waste site would likely remain where it is.

Keith Snelson wondered what happed to the “hidden entrance” sign on southbound CR36 before Silvery Lane. Jim Humphrey noted that the intent was to have the sign on the northbound side of the highway, which is more important. Mr. Avery wondered whether the 40 km/hr speed limit sign was adequate.

Ron Powers asked whether there were plans to improve Hanna Road, as he understood it was part of the five-year plan. Wayne Jordan will look into this and report back to the President who will pass on the information.

Jim Humphrey wondered whether any consideration was being given to a hazardous waste facility at the transfer station, as Middleville is some distance away. Mr. Avery responded that there will be plastic barrels for battery disposal, but that he does recognize the inconvenience for other items. There may be eventually a receptacle for hazardous waste at Glen Tay.

Ros Creaser enquired about the new bylaw for non-compliant structures. Mr. Avery said that it allowed people to replace a building with one of the exact same footprint. The Township had to respond to the issue after the City of Ottawa lost a case in a court challenge. People are allowed to screen up to 10 square meters of a porch close to the water, but could not install windows and in effect make a separate room.

Wayne Jordan, who is from Christie Lake, felt that the beaver dam resolution was moving in the right direction. He advised the Association to submit its proposal on Monday to the Council, so that it can be on the agenda for the Tuesday meeting.

5. Reports from Directors

(a) President: The President said that she had little to add to the long report that was published in the June newssheet. She noted that she appreciated the courteous letters of support that she had received, and was encouraged to hope that with the collaboration of all and the involvement of the appropriate authorities, the beaver problem will soon be solved. We, permanent as well as seasonal residents, are lucky to live here and it behooves us to do our best to preserve our lakes for the future. She felt that most people were ready to move on from the contentious issues, and was met with applause.

(b) Treasurer: The Treasurer's report was projected onto the screen (see Appendix 1). The amount of $300 was budgeted for the breakfast, but the estimated cost was about $240. There is about $1700 in the bank, enough to cover the cost of the new baffler. Frank Sammut noted that all of the water testing was free; this will continue in the current year and he is hopeful that it will be so next year as well. The use of email saves about $300 per year in postage and printing costs. The Secretary noted that email material is sent out as a blind copy, so that it is possible to keep email addresses confidential.

(c) Lake Steward: Most of the indicators indicate that the lakes are in good health. The exception is the level of nitrogen, which is particularly high in Rainbow Lake. The most likely source of nitrogen is fertilizer. He suggested that whoever is using fertilizer to please stop. The results from the latest Ministry of the Environment and RVCA water testing in the spring are not available; they will be reported later in a newsletter. Five board and five other property owners

participated in the RVCA shoreline naturalization program; this is still available in 2011, and people can sign up for it individually. Ecologically friendly products were donated again by Nature Clean, Eco-Max and Canadian Tire; Nature Clean requested a donation of $20 to the Childhood Cancer Foundation, which we made. John Tarzwell noted that shoreline erosion was exacerbated by boating. The Lake Steward reminded everyone that there was an overall limit of 10 km/hr within 30 metres of the shoreline and on the entire lake between the island and CR36. He commented on the lack of emails he had received from property owners, and strongly urged people to contact him directly about any matter that concerned the lakes. Information about the regulations are on the website.

(d) Website: The President introduced Karin Cameron and thanked her for her work on the website, the home page of which was projected onto the screen. She encouraged people to submit photographs, notices of events and classified advertisements for the site.

(e) Area Representatives: Mike Moriarty had nothing to report except that there were two cottages for sale. He area representative report of Ron Powers was projected on the screen and read aloud in its entirety (see Appendix 3). Ed Mills reported that there were two cottages for sale on Little Silver Lake Road.

(f) Past president – Election of directors: The list of nominees to date was projected onto the screen:

President: Eileen Barbeau
Vice-President: Pat Mills
Secretary: Ed Barbeau
Area representatives – Rainbow Lane: Alice Hinther
Mike Moriarty
Area representatives – Silvery Lane: Paul Chambers
John Tarzwell

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The Treasurer, Anita McKeigan, and the Lake Steward, Frank Sammut, are continuing in office as are the Little Silver Lake Road area representatives, Ros Creaser and Ed Mills. The Lake Steward will serve for two more years, the rest for one.

The Past President asked for further nominations. There being none, Jean Hollebone moved, seconded by Jim Humphrey, that nominations be closed. This was carried and all the nominees were declared elected.

6. Other business

Bill Avery mentioned that an OPP representative was at the Bennett Lake AGM, who noted that fines for various infractions had been increased. For example, the penalty was

$325 for not having a boating card and $100 per person in a boat for not wearing a life jacket.

The four gifts from Tay Valley Township were raffled off, with Bill Avery drawing the tickets from one of the caps. Then those present came up in an order determined by a random draw to select from among the eco-friendly products.

7. Next meeting and Adjournment

The next Annual General Meeting will be held on Sunday, July 13, 2011. Maberly Hall will be booked. The meeting adjourned at about 12:10 pm.

Appendix 1: Treasurer's Report

LSRLPOA
OVERALL EXPENSES
05 August 2009 – 01 July 2010

Opening Balance (05 August 2009)
2,352.36

Deposits

Membership Dues	930.00
Interest	.16
	930.16

Expenses

FOCA*(membership)	272.21
Kettle Replacement (Maberly Hall)	57.03
Beaver Baffler	549.96
Administration Costs	115.54

Donations

OFAH*(free info pamphlets/environmental issues)	50.00
RVCA*(free water testing/watershed management)	50.00
Salvation Army (Terry Matte former president)	100.00
Childhood Cancer Foundation (Nature Clean products)	20.00
	1214.74

Closing Balance (01 July 2010) **2,067.78**

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Outstanding Payments

Annual General Meeting Refreshments (approx.)	300.00
(*Balance (approx.) after Annual General Meeting*	***1,767.78)***

*FOCA -Federation of Ontario Cottagers' Association
*OFAH-Ontario Federation Anglers & Hunters
*RVCA-Rideau Valley Conservation Authority

Appendix 2: Baffler proposal

Possible Options for Beaver Baffler Expansion:

1) Leave existing baffler system in place with its three (90' long) 4" diameter pipes. Add a second complete baffler system alongside the original one consisting of:

- a new barrel
- three sets of 6" PVC pipe approximately 90' long, with very short flexible sections of non-perforated 6" Big O at the corner joints only, in order to get around the approximate 120 degree curve in the creek. This Big O can be protected with chicken wire or metal lathing to prevent animals from chewing it.
- twelve concrete cinder blocks and galvanized wire to weigh the pipes and barrel down on the creek bed, without excavating.

The entire system will be placed with as much of a grade as possible to allow maximum water flow, as is the existing baffler system. The approximate cost of this will be $1,300.

2) Same as above but with only two complete 6" PVC pipes instead of three. Approximate cost would be $1,000.

Appendix 3: Ron Powers' Area Representative Report

Road Representative Report/Discussion points WATER LEVELS

Greetings

After several years as area representative on Silvery lane I have decided to let the position go to a new person. Over this period we have had major

achievements by the Association and its executives. I wish to highlight a few.

Eileen and Ed Barbeau managed to collect all known Association administrative material/records in one location. They reviewed and organised every piece, we now have an effective record system. As a couple they attended many meetings thus networking with others concerning lake associations matters. Our Association has greatly improved the sharing of information with property owners with the production of regular NEWS Letters and forwarding of other material of interest. The WEB SITE is a major success. Our lake Steward has supplied us with information pertinent to maintaining lake water quality and water tests show measured improvements.

I submit the following views and statements which represent discussions, emails and conversations, individually and in groups, with a significant number of present property owners over the last few months. It definitely is not all inclusive or statistically correct.

What have we learned?

1 The existing baffle system is inadequate.

2 The recent sudden increase in outflow, on May 15th, did not cause catastrophic damage to properties below our lake nor to the railway embankment.

3 Something has to be done soon so we do not have a repeat of unusual high water levels during most of last season, this past winter and spring.

4 Our association has apparently not changed its position: Concerned property owners are advised to contact the township directly.

5. Regarding the Township: Council reacts to the number of votes involved. We do not represent an effective number of votes. Council also responds to finances. Again, money spent on our lake would be a dangerous precedent as other localities would make similar demands. So effectively we are on our own.

Some basic assumptions/premises:

1 Before any development, lake water levels depended solely on the outflow in the creek. This was "NATURAL".

2 Silvery Lane was developed about 40 years ago as a cottage community and individual facilities/shoreline structures were based around water levels at that time. The creek would be cleared (as required) of all obstructions in an effort to ensure appropriate water flow & prevent damages from high ice/water levels.

3 Then followed the development on Little Silver Lake road. The placement of the culvert under that road was to handle the lake outflow. This became the new "NATURAL" flow pattern with its seasonal variations. It is reasonable to assume that the creek was to be unencumbered from the culvert to the lake. It is also reasonable that property owners above and below the culvert were expected to use their land respecting that the "NATURAL" flow would have wide seasonal variations.

4 The need to maintain water flow through and out of the lake has been recognized for years is "to prevent stagnation of the lake". A secondary effect is an adjustment of water level.

5 Over the years various other attempts have been tried, including trapping of beavers and a beaver dam baffler system. However, as the initial baffler was made of corrugated pipe, it was easily destroyed by ice and rodents (easy to chew on). We are told that trapping is presently not practical due to low fur prices and other reasons.

6 And not necessary last in importance: Great amount of bad feelings exist around the lake, too much of it in a destructive personal nature.

Some CONCLUSIONS and suggestions

1 All pretty well agree that an EFFICIENT baffle system is the best approach.

2 A serious NEW review of the parameters of the lake area, watershed area and dynamic outflow must be made. This expertise does exist amongst our members.

3 An effort must be made, preferably by the Association, to find and consult with these persons who have previous experience with bafflers

and/or lake level adjustments. Striking a special committee or convening special meetings may be worth trying.

Since this will be my last as Silvery road rep let me thank the executive for past co-operation. And to the owners I've had contact with: many thanks for your support and friendship. Keep in touch

Ron Powers June, 2010