

**CLAM LAKES PROPERTY OWNERS ASSOCIATION
BOARD MEETING**

The following are the MINUTES of a meeting of the Executive Committee of the Clam Lakes Property Owners Association [the "Association"]. They have been compiled as a collaboration of input of the Board Members present at the meeting. The meeting was held on August 13, 2011 at the home of Ian Dalglish, Kearney Ontario.

Present in Person:

Hartley Casselman

Eva Oldenburg

Roy Williamson

Ian Dalglish

John Dawson

With Regrets: Peter Greenberg and Irving Shendroff

1. Call Meeting to Order

Mr Casselman called the meeting to order at 10:01 am.

Mr Casselman noted that a quorum being present, Mr Casselman declared the meeting was duly constituted for the transaction of business.

2. Approval of July 10 2011 Minutes

Mr Casselman asked those present if there were any questions or comments relating to the minutes of the July 10, 2011 Board Meeting.

With no further comment a motion was duly proposed and seconded that the minutes of the July 10, 2011 meeting be accepted.

3. The Outlet Culvert and Lake Levels

The Board members reviewed and discussed the letters provided by the Town of Kearney prepared by the Ontario Ministry of Natural Resources [MNR] dated August 3, 2011 and the Department of Fisheries and Oceans [DFO] dated July 4, 2011. Copies of these letters are posted on the CLPOA and Town of Kearney websites.

The MNR and DFO letters were in response to the inquiry by the CLPOA through Eugene Storozinski. They were directed to the Town of Kearney and read into the Town minutes in its recent council meeting. They were the result of meetings held on site in May and June.

The MNR supported the Town in replacing the culvert with a "like kind" culvert located in the same position as the old culvert as verified by the Town's on site Engineer who verified this. The MNR also confirmed that the water level dropped because the new culvert is not full of debris. The old culvert restricted the water flow because debris was intentionally placed inside the culvert by a "person unknown".

However the MNR advises that "if the town or Lake Association wished to pursue a design that would raise the water level on the lake it would be considered a change that would be subject to a review by the MNR".

Eugene Storozinski informed the Board that the meeting[s] that were to be held were to be private in nature in that the only invited persons present, were to be representatives from MNR, DFO, Town of Kearney Eugene and his son. He informed the board that no one else was welcome nor invited at the request of the MNR and DFO. On May 18 a meeting was held on site between the MNR, DFO and the Town of Kearney representatives being present. A second meeting was held on June 17 including MNR, Town of Kearney, Eugene and his son. Some local residents were also present. The Town and the MNR had a sign in sheet and welcomed everyone who showed up. It is still an open question as to who wanted the meeting to be "private".

The DFO letter indicates that while instructions were submitted to the Town of Kearney, Operations Manager, Dean Hall on August 16, 2010 regarding the proposed culvert replacement, no further information on the culvert replacement was received from the Town of Kearney on the matter. The letter states "Therefore DFO did not conduct a review of the proposed project nor provide any advice to the Town of Kearney with respect to protecting fish and fish habitat for the culvert replacement project".

The DFO letter further advises that after consultation with MNR it is "indicated that fish passage at the Echo Ridge Road culvert location is not required at this time to support the current fisheries management objectives for Clam Lakes and its connecting water bodies".

The DFO letter states that "DFO will not be taking any further action regarding this matter".

In summary, it appears that the MNR has accepted the Town's position that the new outlet culvert has been placed at the same elevation as the old culvert and that any proposed change to the new lower water levels would be subject to review by the MNR.

It should be noted that neither letter refers to the dramatic change in the lake levels which began last fall after the culvert was replaced. This resulted in lower levels this Spring and has now reached dramatic lower levels than have been experienced in recent years. At the meeting, the MNR informed us that lower lake levels will not cause wells to run dry and the MNR did address the ecological effects of the lower lake level and informed us that fish and fauna are "very resilient" to lake level changes, "even as much as 4' over a season".

A general discussion by the board members acknowledged that the water levels were some 17" lower than they were back in May of this year and they are a few inches lower than seen over the past 10 years, primarily as the result of a drier, hotter summer as well as the new culvert allowing freer unrestricted water flow.

After a further discussion, the board decided that further action by the Association members should be on an individual basis. The Association does not have enough support on either side of the issue to take further action. It was agreed that Association members who have any issue with the Clam Lakes water levels submit a formal complaint letter with the Town of Kearney.

As a result of the discussion regarding member's opinions, of the water levels, the board requested Mr Dawson as CLPOA Secretary, contact Eugene Storozinski, who is no longer a board member nor CLPOA member, and request that he provide the copies of the survey conducted on behalf of the Association in May, 2011.

The Board then proceeded to discuss the email submitted to Mr Casselman and the Board members from Mr Storozinski outlining his concerns with regard to the meeting held at the outlet culvert on June 17, 2011. The Board decided that responding to Mr Storozinski's letter would only further upset him and would not be a benefit to anyone. Mr Storozinski appears to have his own agenda, which exceeded the authority given to him in our board meeting in October, 2010.

The Board also decided that any action taken in the future of a similar nature be undertaken and represented by at least 2 members of the board. This will hopefully insure that all sides of an issue are represented equally on behalf of all of our members.

4. Inconsiderate Boaters and ATV Operators

An Association member has reported that a boater near his cottage on August 1st long weekend travelled dangerously close to swimmers in the area and has asked the Association if steps can be taken to control such dangerous and inconsiderate actions.

As noted in previous minutes from Association Board meetings, the Association has no jurisdiction to control the use of the Clam Lakes by boaters or other users.

Members who observe dangerous boat or ATV operators must call 911 or the Burkes Falls OPP office and report the incident. Be sure when reporting such incidents, that you are able to identify the delinquent party and the details of the incident you are reporting.

It must be noted by all residents that the lower water levels has exposed water lines and the lower levels require swimmers to venture further distances from shore line creating additional risks. We have been advised of damage to water lines from boaters who previously had enjoyed higher water levels that previously had no impact on water lines in the lake.

5. Budget and Dues for 2011/2012

There are no outstanding financial obligations other than Directors Insurance which is due in September 2011. The thirty one members dues of \$25 each are deemed adequate to cover the operating expenses of the Association based upon the prior years cost base.

6. Social Event Labour Day Weekend

The Association Fall social event will be held at the Village Pub and Eatery in Burke's Falls on Saturday September 3rd and will begin at 6:00 pm. Members seeking further information, please contact Mr Casselman [705-636-9456 hartrhon@msn.com] or Mr Roy Willaimson. So far we have 18 members attending this event!!

7. Other Business

It is agreed that the CLPOA will hold the 2012 Annual General Meeting on Sunday July 15 at the Kearney Community Centre at 10 am in the Senior's Room.

The next Board Meeting will be held on Saturday October 8th at 10 am at the home of Mr Casselman.

Termination

There being no further business and upon motion to adjourn, the meeting thereupon terminated. The meeting was adjourned at 12:45 pm.