



Annual General Meeting of Members

Wednesday July 7, 2021

By Zoom Video Conference, hosted by The Federation of Ontario Cottagers' Associations

Board of Directors:

Present: Mary Ann Peden, Andy Barnett, Ian Beverley, Bruce Creighton, Wendy Gibson, Paul Gleeson, Susanne Gossage, Fraser Govan, Caroline Konarzewski, Kathy Ogryzlo, Anne Swan, Susan Truscott, Marcia Watt, Ian White, Gloria Woodside

Secretary: Lili Davis-Burchat

Regrets: Pat Birnie, Sylvain Desjeans, Don Macintosh

Members and Guests:

Vaughn Adamson, Diane Arell, Chris Avedesian, Mo and Pat Bent, Bill Birnbaum, Richard Bodner, Pamela Bowen, Joel and Jackie Britz, Sally Bryant, Margaret Casey, Janet Caskey, Gary Chapman, Ellen Clark, Dave Coggins, Claire Cornwall, Alice Davis, Charlie Deacon, Beverley Deacon, Maura Dube, Jane Dupéré, Eric Fines, Jim Garner, Karen Girling, Terry Glover, Jacquie Godard, Tim Hadwen, David Hall, Sam Havens, Ron and Susan Herman, Walter Hogg, Debbie Holzman, Jayson Horner, Marcus Hulton, Susan Hutt, Ann Jeffrey, Susan Johnson, Tony Kalvik, Anne Kalvik, Ross Kerr, Gary Koreen, Ted Kovacs, Simon Kreindler, Bob and Joan Lehman, David Lennard, Robert Little, Joanne Magee, Sally McClelland, Betty McDonald, Virginia McKinnon, Steve Meadley, Judith Mills, Wendy Needer, George Nickerson, Lawton Osler, Joan Patterson, David Peden, Mike Peppard, Diane Pleavin, Sally Powell, Howard Rosenthal, Andrew Russell, Tim Sanderson, Sue Schaal, Douglas Scott, Joel Shapiro, Sheryl Slater, Wilma Spence, Jinty Stewart, Daniel Strickland, Nick Timms, Josepg Trigiani, Lynne and Bob Tuer, Barb Mason, Timothy Vick, Carl and Cathy Vorhies, Steve Watson, David Wilkie, Jennifer Wiser, Wayne Wynn, Ian Young, Michael Zammit

Speaker:

Chris Collings

Hosts:

Michelle Lewin, Terry Rees

1. **Federation of Ontario Cottagers Associations (FOCA) welcome**– Terry Rees, FOCA Executive Director
 - Terry Rees welcomed everyone to the meeting, spoke about how the electronic meeting would run and gave an overview of FOCA and the work the Association undertakes on behalf of its members as well as member benefits.
 - Mr. Rees explained that voting in the meeting would happen through a Zoom poll and a trial poll was conducted. According to the By-Laws of the Lake of Bays Association a motion is considered passed if a simple majority of members in attendance vote in favour.

2. **Welcome and Call to Order – Mary Ann Peden**

- Mary Ann Peden thanked Terry Rees, introduced herself as Chair of the Meeting and indicated that Lili Davis-Burchat would act as Secretary of the Meeting. She made the following land acknowledgement:

In the spirit of reconciliation, many communities and organizations use land acknowledgements to recognize the enduring relationship that exists between Indigenous Peoples and their traditional territories, and to recognize Indigenous Nations as sovereign.

I deliver this land acknowledgement as an expression of gratitude and appreciation to those on whose territory we gather, and as a way of honouring the Indigenous Peoples who have been living and working on this land for centuries and continue to do so to this day. Their connection to this land transcends colonial systems, beliefs, surrenders and treaties, and the Lake of Bays region continues to be home to many First Nations, Metis and Inuit people today. These lands are covered by the Williams Treaty of 1923 and the Robinson-Huron Treaty of 1850. We must seek to understand and respect these treaties and ensure our governments do too.

In Muskoka, we are on the traditional territory of the Anishnaabeg, which includes the Ojibwe, Odawa, Algonquin and Potawatomi Nations. The Huron-Wendat, the Haudenosaunee Nations and others have also walked on this territory over time. Their legacy and respectful stewardship for this land continues to shape the Lake of Bays region today.

We must remember that, as settlers, we continue to benefit from the colonization and forced sacrifices of Indigenous Peoples. We must examine our collective decision making to ensure Indigenous sovereignty so we can all move forward in a healthy way.

We all join this virtual meeting from different locations and I challenge everyone here to seek out knowledge - share what you know, look inward and outward - and take actions toward real truth and reconciliation in support of our commitment to wellness for all, and to walking the path together in respect, peace and harmony for future generations.

- Quorum for Lake of Bays Association Annual General Meetings has been set at ten individuals who are members entitled to vote and Ms Davis-Burchat confirmed quorum was met. Notice of this Meeting was sent to all members as required by the By-Laws. Ms Peden called the meeting to order at 4:45 p.m.

3. **Approval of the Agenda – Mary Ann Peden**

- Mary Ann Peden asked for a motion to approve the agenda as included in the Notice of this Meeting.

BE IT RESOLVED THAT, the agenda for the 2021 Lake of Bays Association Annual General meeting be approved as circulated.

MOVED BY: Wendy Gibson; SECONDED BY: Kathy Ogryzlo; CARRIED.

4. **Presentation of the Minutes of the 2020 AGM – Mary Ann Peden**

- Mary Ann Peden indicated that the last Annual Meeting of Members was held on Wednesday July 8, 2020 by Zoom, and that the minutes were posted on the Association website and a link to the minutes was included in the Notice of this Meeting. She asked if there were any questions or comments, and there were none.

5. **Presentation of Auditor's Report and Financial Statements – Kathy Ogryzlo**

- Mary Ann Peden introduced LOBA Treasurer Kathy Ogryzlo and asked her to present the Financial Statements of the Association for the year ending October 31, 2020 together with the Auditor's Report as contained in the Annual Yearbook of the Association and on the Association website.
- Kathy Ogryzlo began by thanking Bev Govan, Lili Davis-Burchat and Fraser Govan for the help they provide her; and acknowledged the hard work of all LOBA volunteers and Board members.
- The audited financial statements were approved by the Board of Directors on March 11, 2021.
- The audit opinion from BDO Canada LLP is a standard qualified opinion for not-for-profit organizations. They found no errors and no corrections to our statements were required.
- Prior to the beginning of each year, the Finance Committee prepares a budget setting revenue and expense projections, which is approved by the board. This provides the Association with guidance and a benchmark against which to evaluate our performance. Throughout the year expenses and revenues are monitored and compared to this budget. This year, we achieved a surplus or revenue over expenses.

General Fund

- Total revenue increased over \$9,600 from 2019. There was no impact to the revenue stream due to Covid-19. Membership fee revenue was up due to the increase in our annual membership fee, from \$60 to \$65, as membership numbers remained at just under 1,200 households. Advertising revenue increased almost \$5,000. This increase is a slight recovery from the 2019 low.
- Total operating expenses were \$115,642 in 2020, versus the prior year's \$114,996. LOBA's major expenditures relate to contracted and member services, publication of the yearbook, administrative services and water testing. Cost savings were implemented for yearbook production in 2020, involving a change in printer. Due to Covid-19 restrictions, there were some expense savings due to the inability to conduct certain activities in the usual fashion. These included water testing, in-person Annual General Meeting, Area Steward meetings, and in-person board and executive meetings.
- With a continued increase in general operating activities, the Board made a decision to adjust the compensation level of the Executive Coordinator and made a \$10,000 extraordinary payment for past services, to recognize a catch-up to current market compensation rates.

Action Fund

- The Action Fund was created to provide funds for specific special projects relevant to the lake. It is intended to be a reserve to cover costs such as legal and consulting fees, preparing briefs and representations associated with development plans, environment, water and air quality issues and government restructuring. This fund is critical to LOBA's ability to act on the memberships' behalf regarding major lake issues. The fund is reliant on donations, of which there were almost \$18,700 during fiscal 2020. Ms Ogryzlo thanked members for their support.
- Over the past two years, focus has been on preparing for the first stage of the Langmaid's Island LPAT hearing in regard to the development proposal that had been submitted. LOBA's expenses reflect a 50% shared cost with Lake of Bays Heritage Foundation, and consist of planning, consulting and legal fees. The hearing commenced in February 2021. The Langmaid's costs incurred for 2020, exceeded current year donation revenue by just over \$11,000. Ms Ogryzlo emphasized that this fund is there to help LOBA engage in difficult and expensive causes and from time to time we will draw on the accumulated surplus of the Fund.

Financial Position

- As in prior years, LOBA remains in a strong financial position. Cash and Investments (short and long-term) totalled \$333,800 at October 31, 2020 versus the previous year-end position of \$348,800. LOBA's funds are invested in Guaranteed Investment Certificates, with varying terms, with an investment objective of earning the best rate of return from CDIC insured financial institutions.
- LOBA continues to maintain a healthy accumulated surplus.
- There were no questions or comments.

6. **Appointment of Auditors and Remuneration – Kathy Ogryzlo**

- Mary Ann Peden asked LOBA Treasurer Kathy Ogryzlo to make a motion to appoint the Auditors of the Association.
- Ms Ogryzlo explained that as part of the Board's due diligence, LOBA put their audit out for tender early in 2021. We received 4 tenders. It is Ms Ogryzlo's recommendation to the members to appoint Pahapill and Associates Chartered Professional Accountants of Huntsville as the auditor of our statements. She made the following resolution:

BE IT RESOLVED THAT, Pahapill and Associates, Chartered Professional Accountants, are hereby appointed the Auditors of the Association to hold office until the close of the next Annual Meeting of the Members, and the Directors of the Association are hereby authorized to fix the remuneration of the Auditors.

MOVED BY: Kathy Ogryzlo; SECONDED BY: Marcia Watt; CARRIED.

7. **Election of Directors for 2020-2021 – Ian White**

- Mary Ann Peden asked LOBA Nominations Chair Ian White to present the nominations for Directors for 2021/2022.
- Ian White explained that By-Law No.1 fixes the size of the LOBA Board at 18 Directors and at the time of this meeting all those Board seats are occupied. Directors are generally elected for a three-year term, and those terms are staggered so that the three-year terms of six Directors expire each year. However, from time-to-time Board seats may be vacated or remain vacant between AGMs. Over the past year, there were a number of vacancies on the Board and as a result five Directors were voted on to the Board to fill those vacancies, all with terms ending at this meeting – Bruce Creighton, Sylvain Desjeans, Paul Gleeson, Susanne Gossage and Anne Swan. Therefore, at this year's AGM, Directors are being nominated for terms of one, two and three years to coincide with the six three-year Directors' terms that end over the next three years.
- At this AGM, the terms of the following ten Directors expire: Ian Beverley, Bruce Creighton, Sylvain Desjeans, Wendy Gibson, Paul Gleeson, Susanne Gossage, Kathryn Ogryzlo, Mary Ann Peden, Anne Swan and Susan Truscott.
- At a meeting of the Board of Directors held on June 12, 2021, the Nominating Committee comprised of Mr. White and the President, presented the following slate for the election of Directors to fill the vacancies on the Board:
 - The nominees for the six three-year terms are Ian Beverley, Bruce Creighton, Wendy Gibson, Kathryn Ogryzlo, Mary Ann Peden and Susan Truscott
 - The nominees for the three two-year terms are Sylvain Desjeans, Paul Gleeson and Susanne Gossage
 - The nominee for the one one-year term is Anne Swan.
 - No further nominations were received in accordance with the By-Laws of the Association.

Mr. White made the following resolution:

BE IT RESOLVED THAT, each of the following persons nominated as set out in the Report of the Nominating Committee, be and they are hereby elected as Directors of the Association, and each to hold office for one-, two- or three-year terms as follows:

- Ian Beverley, Bruce Creighton, Wendy Gibson, Kathryn Ogryzlo, Mary Ann Peden and Susan Truscott each for a term of three years;
- Sylvain Desjeans, Paul Gleeson and Susanne Gossage each for a term of two years, and;
- Anne Swan for a term of one year.

MOVED BY: Ian White; SECONDED BY: Wendy Gibson; CARRIED.

- Mr. White recognized the service of Jane Dupéré who sat on the Board from 2014 and stepped down in 2021. She served for a number of years as Chair of the Communications committee and has been Design Editor of the yearbook since 2010. She will continue as Design Editor of the yearbook and Current Connection newsletter. Her thoughtful insights on issues will be missed at the board table. Mr. White presented Ms Dupéré with a framed wall plaque.

8. Presentation of the Betty Day Award – Ian White and Wendy Gibson

- Mary Ann Peden asked LOBA Nominations Chair Ian White and Vice-President Wendy Gibson to present the Betty Day Award.
- Mr. White explained that the Betty Day Award was established in 1992 to recognize and acknowledge volunteers who have made extraordinary efforts in performing activities that further the goals of the Association. The award is in memory of Betty Day, who passed away in May 1992, while serving as President of the Association.
- The award was originally presented annually, but in 2019 the Board of Directors passed a motion to present the award when exceptional volunteers are identified. This year, two such volunteers have been selected. Mr. White asked Wendy Gibson to make the award presentations.
- Ms Gibson presented the first Betty Day Award to Jane Dupéré. With a successful career in magazine design and publishing including as co-founder and co-editor of Canadian House and Home magazine, Ms Dupéré offered her services as Design Editor of the LOBA yearbook in 2010 and continues her work today. She now also designs the Current Connection newsletter and all printed materials. She is responsible for LOBA's professional and consistent brand across all communications platforms. She served on the Board of Directors for seven years. Ms Gibson presented Ms Dupéré with a silver necklace.
- Ms Gibson presented the second Betty Day Award to Bob Lehman. Mr. Lehman is a well-respected professional planner and the principal of Lehman and Association planning firm. He served as LOBA's Chair of the Planning Committee from 2001 through 2005 during which time he represented LOBA's interests in the development of the Township's Development Permit By-law for the waterfront zone. In 2020, the Township announced the Development Permit By-law would be extended to cover all zones under the Community Planning Permit System By-law. Mr. Lehman offered and undertook, to review and provide input on this new by-law, on behalf of the Association. Ms Gibson presented Mr. Lehman with a carved Great Horned Owl.

9. President's Remarks – Mary Ann Peden

- Mary Ann Peden acknowledged this has been another strange year and encouraged everyone to stay safe and healthy and support local businesses.
- The LPAT hearing about the proposed development on Langmaid's Island was held from February 1 to March 5, and LOBA and the Lake of Bays Heritage Foundation (LBHF) were joint parties to the appeal. We were well represented by our lawyer and planners and the hearing was well attended. There is no decision yet. Ms Peden thanked everyone who supported this through donations to LOBA's Action Fund and the joint LOBA/LBHF Langmaid's Protection Fund which raised almost \$120,000.

- The Planning, Development and Government Relations team is chaired by Fraser Govan. At the Township they have monitored and commented on the proposed short-term rentals by-law, updated noise by-law and pending Community Planning Permit System By-law. They were involved with the Municipal Modernization review at the district level. At the provincial level, LOBA supported FOCA in their objection to the elimination of the seasonal class category by Hydro One, and are monitoring federal initiatives to provide infrastructure funding for better internet access in our communities.
 - The water testing program was suspended in 2020 but is going ahead in 2021. Long-time Water Quality Manager Deb Cumming retired in 2020, and Kieran Molony has taken over.
 - The communications team works hard to keep members informed about local issues through the yearbook, newsletters, electronic newsletters, website and social media.
 - Partly due to the pandemic, the demand and price for waterfront recreational properties has increased dramatically. There has also been a significant increase in boat traffic prompting safety concerns. The Safety Team is working on a “Share the Lake” brochure to help get the safety message out.
 - LOBA is aware of the frustration of American and International members who have been unable to get to their properties. Through FOCA, we continue to monitor the situation.
 - Ms Peden thanked all the members who support the Association, the Area Stewards for their work around the lake, the 100+ LOBA volunteers and 18 directors of the Association, and the hard-working contract employees.
 - Ms Peden recognized Administrative Assistant Bev Govan who is retiring after almost 20 years with LOBA. She presented Ms Govan with a necklace.
 - Ms Peden announced this is the end of her three-year term as President and Wendy Gibson will be taking over. She encouraged members to consider volunteering with the Association.
10. **New President’s Remarks – Wendy Gibson**
- Wendy Gibson thanked Ms Peden for all she has accomplished in the last three years and reminded members what a busy time it has been for LOBA with a municipal election, introduction of short-term rentals by-law, review of district governance, updates to the noise and burning by-laws, introduction of the Community Planning Permit By-law, Langmaid’s Island LPAT appeal and then a global pandemic. She presented Ms Peden with a gift certificate for dinner at a local restaurant.
11. **Member Q&A – Mary Ann Peden**
- Mary Ann Peden opened the floor for questions.
 - Why is LOBA changing auditors? Kathy Ogryzlo answered that LOBA had been with BDO for a number of years. LOBA got responses to the tender from one city firm and three local firms including BDO. Pahapill and Associates had the best price, and references were checked. The board is confident they can do the work and achieve savings for the Association.
 - Are you considering using the Zoom format for future meetings? Ms Peden indicated that we would like to get back to in-person meetings as soon as we safely can. We will try to incorporate an electronic portal if possible so more people can attend.
 - There were several nice comments about Ms Peden and Ms Gibson and their contributions to LOBA.
12. **Guest Speaker – Chris Collings**
- Mary Ann Peden introduced Chris Collings, By-law Enforcement Officer with the Township of Lake of Bays. Mr. Collings has worked in both the private and public sectors in fields ranging from industrial hazardous waste to industrial hygiene, and from environmental enforcement to by-law enforcement. He joined the Township of Lake of Bays in June 2018.
 - Mr. Collings explained what is and is not covered by township by-laws. He explained that by-laws can be enforced by voluntary compliance, warning, ticket, notice/order, set fines and charges. If a person “reports” an offense the by-law officer must take their contact information but does not share that with the offender. When reporting an offense, please provide “evidence” like photo or video (shot from a public location), dates, times and descriptions of the offenses.

- Short-term rental licensing comes into effect January 2022.
- Vegetation cutting along the shoreline is restricted. Contact the Township before you cut.
- Development Permit by-law regulates many aspects of how waterfront properties can be used and modified. Contact the Township before you make changes.
- Fireworks are now allowed on July 1, and statutory holiday weekends.
- Dark skies by-law to limit light pollution.
- Five ways to make a request for service:
 - Lakeofbays.on.ca
 - CCollings@lakeofbays.on.ca
 - 705-635-2272 ext. 1246
 - In writing
 - In person at the Township office, 1012 Dwight Beach Road during business hours.
- Questions:
 - Why can you not investigate anonymous complaints? Mr. Collings indicated that he is required to keep complainant's information confidential, and it is never shared with the person being investigated. However, in order to follow up, he has to have contact information for the complainant.
 - Rules around the use of bubblers? Mr. Collings explained that the use of bubblers is outside the jurisdiction of the Township. The only part the Township regulates is the lighting under the Dark skies by-law. If using a bubbler, please install a Danger Open Water sign lit with a downward facing light. The Township puts a display of the ideal set-up in their lobby starting every November. Michelle Lewin indicated there is information about the proper use of bubblers on the FOCA website.
 - Do you cover the part of Lake of Bays that is in the Town of Huntsville? Mr. Collings explained that if you pay property taxes to the Township of Lake of Bays, you are under the Township's jurisdiction. However, if you pay property taxes to the Town of Huntsville, you are under the Town's jurisdiction and by-laws. Always work cooperatively with other jurisdictions, and Mr. Collings is always happy to refer people to the correct authority whether it be another municipality, MNRF, or other.
- Ms Peden thanked Mr. Collings for his presentation and encouraged those with more questions to contact him directly.

10. **Adjournment**

- The meeting was adjourned at 6:05 p.m.

Minutes Approved: 11 June 2022

Mary Ann Peden

Mary Ann Peden, President

Lili Davis-Burchat

Lili Davis-Burchat, Secretary