

# NEWSLETTER — May, 2002

This Newsletter is produced and distributed by the Bluewater Shoreline Residents' Association (BSRA), an umbrella group of residents/beach/cottage/subdivision associations, as a service to the shoreline residents in Hay and Stanley Wards. It is funded by the Member Associations and its Associate Members. For information on membership, please contact the Membership Secretary, **Jim Chapman**, at (519) 235-1644 or (519) 565-5303. BSRA's Postal address is **BSRA, GMB #411, RR 2, Zurich ON N0M 2T0**.

1. Welcome back to the warmer half of the year, all of the permanent residents, snowbirds and seasonal residents. Since the last Newsletter, the Association has held its Annual Meeting, and there are now some new faces on the Executive Committee. It has been meeting from time to time since the Annual Meeting, and there has been a continuing presence of your Association Executive Members at meetings of Bluewater Council as they observe the discussions and activities of the Council, and the participation of our various representatives. Here is a list of the **BSRA Executive Committee** Members currently working in the interests of all of those in the Association's area:

Office	Name	Subdivision	Home*	Lake*	Coordinating Responsibility
President:	<b>Bob Campbell</b>	N. Houston Heights	565-5202		Administration, External liaison, Council
Past Pres.:	<b>Don Brazier</b>	Lakewood	271-6203	565-5231	Assisting President
1 <sup>st</sup> Vice Pres.:	<b>John Gillespie</b>	St. Joseph Shores	236-7285		Water Quality Initiatives
2 <sup>nd</sup> Vice Pres.:	<b>Doug Kyle</b>	Gendron-Bachand	236-4711		Coordinating Exec. Attendance at Council
Secretary:	<b>Jean Irvin</b>	Lakewood Gardens	236-7047		Correspondence, Minutes, Mailings
Treasurer:	<b>Bob Worthy</b>	Sunset Estates	641-0860	236-7512	Treasury, Group Insurance, Telephone
Membership:	<b>Jim Chapman</b>	Westdell	235-1644	565-5303	Liaison with Member Associations
Newsletter:	<b>Doug Banks</b>	Houston Heights S.	471-4378	565-2560	Newsletter

\* All area code 519. When there is no Lake number, this indicates a permanent resident.

Also for your information, here is a list of Bluewater Council Members. You may wish to **clip and keep it for reference**.

Mayor	<b>Bill Dowson</b>	Hay Ward	<b>Brad Mousseau</b>	Bayfield	<b>Joe Laudenbach</b>
Deputy Mayor	<b>Paul Klopp</b>	Hay Ward	<b>Tony Denomme</b>	Zurich	<b>Marg Deichert</b>
Councillor at Large	<b>Diane Denomme</b>	Stanley Ward	<b>Mavis Govier</b>	Hensall	<b>Rod Parker</b>
		Stanley Ward	<b>Bill Martin</b>		

The Municipal Offices are located at **14 Mill Street, Zurich**, and the mailing address is **PO Box 250, Zurich ON N0M 2T0**. The Office has two telephone numbers: **(519) 236-4351** and **(519) 565-5212**. The Fax number is **(519) 236-4329**. As noted in a previous Newsletter, the Management Team consists of the following, with telephone information:

**Janisse Zimmerman**, Clerk-Administrator, ext. 231

**Milt Dietrich**, Chief Building Official, ext. 225

**Luanne Phair**, Treasurer, Tax Collector and Deputy Clerk, ext. 230

**Tom Dickins**, Facilities Manager, 262-3200

**Ross Fisher**, Public Works and Property Manager, ext. 224

2. You should have received a flyer from Bluewater Council with this Newsletter, advising you about the large item garbage pick-up in June. Ross Fisher advises me that it is the hope of Council to have the large-item pickup on the same weekend each year, but this is dependent on a number of factors, including which garbage contractor receives the contract, the commitments of the contractor, etc. If you appreciate this large item pickup, please let the Councillors know.

3. As you will have observed in the news media throughout the winter, there has been increased concern about the water quality in Lake Huron, often related to stories about the construction of the many new pig barns along the shoreline drainage area. Elsewhere, you will read about upgrades to the Hensall and Zurich sewage lagoons, and concern about the safety of water sources in the Municipality other than the Lake Huron pipeline supply. After Walkerton, the Province is trying to ensure that water wells are not subject to contamination by surface water runoff, which itself might be contaminated. Concern has been expressed about repair and upgrading of septic systems, for which in the past some funds were available through various programs for financing major work. Bluewater Council has taken the initiative to encourage the Province to re-institute such loans, by petitioning the Province to undertake a **Septic System Loan Program**, and is circulating the other municipalities to join the petition.

Bluewater Council notes that the Ministry of the Environment has imposed regulations in regard to the operation and maintenance of municipal water systems to ensure the safe quality of water, and has issued Orders on municipal sewage lagoons in order to prevent the contamination of water sources; that malfunctioning septic systems pose a danger of contamination to potable water sources and to bodies of water used for recreational purposes; and that many owners of septic systems are unable to repair or replace their malfunctioning septic systems due to the cost, so it petitioned the Ministry of the Environment to provide a program for the repair/replacement of septic systems based on the tile drain loan program provided by the Ministry of Agriculture, Food and Rural Affairs; and further, that the resolution be forwarded to municipalities province-wide and to *AMO* (Association of Municipalities of Ontario) for their consideration and endorsement. (This paragraph has been adapted from the actual resolution to save space.)

It should be noted that this is a **petition** asking for action, but **no such program** is currently in place. Those of us who are interested in the water quality of Lake Huron appreciate the efforts of Bluewater Council in this initiative!

4.. The information here on some specific issues was reported at the BSRA meeting on May 18 by our Treasurer, Bob Worthy. We are pleased to report that over 20 associations are now part of the BSRA group insurance program. We will now begin working with Westlake McHugh, Zurich to establishing an *improved* group plan with higher coverages using these existing policies. If your association still has no insurance coverage, you may call Brian McHugh at 236-4391 or review previous Newsletters which outline information on this group insurance for our associations. As for the Directors and Officers insurance, we still have insufficient associations interested in establishing a policy. If you are an officer or director of your association, you may want to review what risk you may assume without this important coverage. If interested in obtaining coverage, please contact a member of the Executive, listed above.

With deregulation finally here, we each have the opportunity to change our long distance carrier. If you do nothing, you will stay with the Bell Canada program. With both Hay Communications Cooperative for 236 & 238 and Tuckersmith Communications Cooperative for 565 exchange, the LD phone service offered is basically the same. ALTO six to six (6pm to 6am) is 9 cents a minute for all Canada and 20 cents a minute to the USA with a \$20 cap and NO MONTHLY FEE. ALTO around the clock is 9 cents a minute Canada and 18 cents a minute to USA, but has a \$4.95 per month fee which is NOT attractive for seasonal or limited long distance use. There are several other plans available but most require a monthly fee which is costly if you are not at the lake residence all 12 months. For further information, check with your representative who

attended the general meeting on May 18.

5. Our President, Bob Campbell, has provided the information which follows about the **Inequity Across Bluewater in Levels of Taxation and Services**. On May 18<sup>th</sup>, a special meeting of BSRA was held to review the progress to date with respect to this issue, and to consider alternative courses of action open to shoreline residents to eliminate the inequity. A copy of the report presented by the Executive at that meeting will be available through the representative of your individual association. The following is a summary of the key points, and there are different aspects to the issue:

Shoreline residents currently **pay the same rate of municipal tax** as other Bluewater residents, whether or not the Municipality provides, from its general revenues, maintenance of roads required to access shoreline residences.

Shoreline residents **subsidize other Bluewater residents** for the cost of maintaining the assumed roads accessing their residences.

Shoreline residents have to **pay additional money beyond their taxes** to provide maintenance of unassumed roads accessing their own residences. By the way, *dedicated* but *unassumed* roads **belong to the municipality**.

The membership of BSRA has some expectations regarding this inequity, and believe that inequalities with respect to taxation relative to the levels of services must be resolved. Alternatives presented to the Bluewater Council over a year ago include:

- (a) **Providing relative tax relief** to those residents West of Highway 21 whose residences are not serviced by municipally-assumed and maintained roads, (i.e., through mechanisms such as the imposition of increased area assessment on other ratepayers of Bluewater whose residences are serviced by assumed roads).
- (b) **Approving a plan to reduce the inequity** in road services through the assumption and maintenance of those residential access roads that the residents of a particular shoreline subdivision wish assumed. Naturally, only those access roads that the residents of a particular subdivision wish assumed by the Municipality should be considered. As well, roads should be assumed on an "as is" basis, without the necessity of upgrading; therefore, any cost to the municipality should not exceed those maintenance costs presently incurred by the shoreline residents beyond their Bluewater taxes.

The history of this issue has been documented in previous BSRA communications. The detailed chronology will not be repeated in this Newsletter. The essential points are as follows.

All 10 members of the Bluewater Council and their administrative staff have been personally aware of the inequity issue for almost two years; some for a considerably longer period.

Council has not met its own timelines for dealing with the issue, nor has it responded in a timely manner, in that:

- Several meetings of its "Roads Committee" were postponed and rescheduled, and the "Committee Report", scheduled by Council for presentation on August 23/01, was not presented until September 17<sup>th</sup>. Although all input had been received at a Public Meeting on October 2<sup>nd</sup>, Council did not deal further with the matter until November 12<sup>th</sup>.
- On November 12<sup>th</sup>, Council rejected assuming the requested roads on an "as is" basis, and directed the Administration to prepare a draft roads policy for presentation to Council in February, 2002. The requested report has not been presented to date, and on April 15 the Clerk-Administrator indicated that there would be a related engineering presentation to Council some time in May. It was subsequently clarified that this presentation would not constitute the report requested by Council last November.

Council's approach to the road assumption request makes it highly unlikely that any roads policy, whenever developed, will result in an elimination of the taxation/service inequity for the majority of shoreline residents.

The majority of our Hay and Stanley Ward representatives have been noticeable in the absence of their support in addressing the inequity, notwithstanding the fact that 60% of their constituents are shoreline residents.

Council's approach to the issue and to our requests on behalf of shoreline residents raises a serious question as to whether the majority of Councillors recognize or care that perpetuating the status quo is wrong. To date, there is not a single action on the part of Council that alleviates the inequity in any way. Simply put, although it is recognized that the Council has many other issues of importance to deal with, failure to take the issue seriously and to address the inequity on a timely basis can only be interpreted as lack of concern about the inequity issue.

It should be noted that shoreline residents finance 35-40% of all Bluewater expenditures, including all transportation services budgets. As a result of the recent Council decision on financing the new Zurich arena, Hay shoreline residents, denied transportation services, are now also expected to finance 60% of Hay's portion of the cost of that arena.

In view of Council's failure to address the inequity in a timely manner, BSRA formally requested in a letter dated April 22<sup>nd</sup>, and in a presentation on April 29<sup>th</sup>, that Council take the following action to address the taxation inequity that exists relative to services not provided to a significant portion of its ratepayers: "In establishing the 2002 tax rates, finance all Bluewater road service expenditures by imposing area rating on all residences directly serviced by municipally-assumed and maintained roads." The requested redistribution of total taxes collected is based on the simple principle that **ratepayers whose residences are accessed by municipally-serviced roads should pay for that service, and not be subsidized by shoreline residents to whom the municipality denies road services**. Given Council's previous awareness of the issue, it is not unreasonable to expect resolution of the taxation within the first two budget years of its present term of office. All that is required to resolve the inequity is the will of our elected representatives.

Nonetheless, there are some options for Shoreline Residents if the Council response is considered inadequate. A general meeting of the Association will be held on June 29<sup>th</sup>. By that time, Council should have established the 2002 tax rates, so its response regarding area rating will be known. At that meeting, it is anticipated that a decision will be made as to what actions should be taken. Alternatives under serious consideration include the following:

1. Seek **separate municipality status for the shoreline** portion of Hay and Stanley Wards (i.e., "Township") pursuant to the provisions of the *Municipal Act*. For example, a new municipality, if combined with the former Village of Bayfield, would have one half of the Bluewater assessment.

2. Ensure shoreline representation proportionate to the number of electors by seeking to **change the structure of Bluewater through the creation of a shoreline "Ward"**, pursuant to the provisions of the *Municipal Act*. Based on the present number and distribution of electors, a "Shoreline Ward" would qualify for 3 of the 8 Councillor seats with the reduced Hay and Stanley Wards entitled to only one each. Bayfield, Hensall, and Zurich would continue to be represented by one Councillor each.
3. Ensure adequate consideration by the Bluewater Council of the concerns of shoreline residents through **direct political involvement**. This would involve seeking the candidacy of residents West of Highway 21 and recommending specific candidates in the 2003 municipal election. The political weight of the shoreline resident vote (35-40% of all Bluewater, and about 60% of both Hay and Stanley Wards) could determine the makeup of the majority of Bluewater Council. Under the present ward structure of Bluewater, this would determine the elections results for the 4 Councillor positions for Hay and Stanley Wards, and influence the results for the positions of Mayor, Deputy-Mayor, and Councillor-at-large.
4. As a last resort, if this tax inequity is not satisfactorily resolved by the end of the next term of municipal office, (i.e., 2004-06), **seek through collective action reduced individual assessments** for those properties West of Highway 21 not accessed via municipally-assumed and maintained roads.

To summarize, it would be preferable that the inequity be resolved within the existing municipal structure, *if possible*. However, the Council was strongly cautioned that the response of shoreline residents will depend primarily on the degree to which shoreline residents feel that their interests and concerns are adequately considered within the existing ward structure of Bluewater, both by Council as a corporate body and particularly by their Hay and Stanley Ward representatives. Specifically it will be dependent upon how Council addresses the issue this spring. The one certainty is that shoreline residents do not appear willing to have this issue remain unresolved beyond the present term of office of this Council.

Bob Campbell, President Compiled by Doug Banks, Newsletter Editor

Several meetings of its "Roads Committee" were postponed and rescheduled. The Committee Report, scheduled by

4. The issue of the sewage lagoons raised concerns about who would pay for the repairs, the whole municipality of those who benefit from the lagoons. BSRA members will recall that they were the ones who paid for the Lake Huron Water Supply pipeline that serves their area, as Bayfield ratepayers will recall who is paying for their sewage system. With such concerns driving decisions, there has been some discussion about "area rating".

paying for upgrades to municipal properties in the Superbuild program