

# Summer Village of Ghost Lake - Dock Committee

## Meeting Minutes - July 3, 2021

Meeting was held via Zoom. A recording is available on request. Approx. time indexes appear for some items below.

Attendees: Jeff Allan, Olav Cramer, Colin Donoghue, Bruce Lindsay, Barry Smith, Doug Stewart, Gary Stewart, John Walsh. Bruce had to drop out early for technical reasons.

These minutes are submitted by Jeff Allan.

The meeting began approximately 10:15.

**Motion:** to accept the Agenda as distributed earlier.

**Passed**

**Motion:** Jeff moved to approve the minutes of the last meeting (June 1, 2019) with the changes circulated earlier.

Seconded by: John

**Passed**

### Old Business

Items arising from the June 1, 2019 minutes

#### 1. Dock Space Allocation Policy changes

Jeff reviewed the proposed changes he made to the Policy arising from the last meeting.

**Motion:** Barry moved to accept changes to the policy that were presented.

Seconded by: Olav

**Passed**

Note that later in the meeting a **Decision** was made to hold off on making the changes that introduce the Loan Pool until this issue can be properly addressed at a future meeting.

**2. Dock space realignment** – John reported that this has not been done. It would require the removal of a tree, which may require approval from the NELS Cmte a/o Council. John said the potential space is between 716 Millers & 706 Wolf = E11.

**Tabled:** To the next meeting

**Action:** John to investigate in the fall.

**3. Marina expansion** [6:30] – we are waiting on the annexation by the Village of the shore front land before proceeding. Once the land is annexed the approval process will be simplified by not having to involve the MD of Big Horn and it will be possible to use grant funding for the project.

**4. Causeway repair** [7:00] – After having helped to install the group docks on the causeway the previous day, Barry reminded the committee that the causeway to the breakwater continues to deteriorate and require repair. John said that this work had been planned but the volunteer who was to do the work backed out. He assured the committee that this work will be done after the waterfront is annexed, thereby making funding easier.

## New business

Dock Space Allocation Policy review and updates

**5. Review of Article 21** [9:00] re dock space allocations (DSAs) being passed to the new property owner. Jeff raised concerns about this Article being contrary to several other Articles in the policy:

- 11 no ownership or rights
- 12 no future guarantee
- 13 DSA not to be on property title
- 14 realtors not to represent DSA as part of property
- 15d DSA must meet property owner's mooring needs

Jeff was also concerned about the fairness to those on the waiting list when a DSA goes to a new property owner. After a good discussion, Gary made the suggestion of changing the wording from "The DSA **will** be passed to the future property owner" to "The DSA **may** be passed ...". There was general agreement as this would allow the Dock Cmte / Council to address each case individually.

**Action:** Jeff to make this change for the next revision of the Policy.

### **6. Legal review of DSA Policy**

Barry and Olav expressed concern about the legal defensibility of certain parts of the Policy, e.g. re-allocation of dock spaces. It was suggested that we have a lawyer with appropriate background do a review of the Policy. General agreement.

**Action:** John to find out whether the Village has funds to hire a lawyer for this purpose.

### **7. Realtors representing that docks or DSAs go with a property** [22:00, 37:00]

There was discussion around Article 14 not being enforced.

**Action:** Everyone to inform the Administrator whenever a real estate listing describes a dock or DSA as being part of a property for sale.

**Action:** Jeff to draft a notice that the Administrator could use to inform realtors in such cases.

### **8. Waiting list position on sale of property** (30:20)

John raised the issue of whether Waiting List positions should go to new property owners.

**Decision:** No. New owners would have to request to be added to the end of the Waiting List.

**Action:** Jeff to make this change for the next version of the Policy.

Other new business

### **9. Access to waiting list** [39:50]

Barry asked if the Waiting List is on the website. John says not with names due to privacy issues, but this is possible with lot numbers as the identifiers.

Jeff asked if members of the Dock Committee could obtain a copy of the Waiting List.

**Action:** John to ask the Administrator for this.

### **10. Dock space allocation list** [40:20, 45:00]

Jeff asked if there was an updated DSA list. John pointed out that DSAs can be looked up on the Village's GIS system. [Go to [ghostlake.ca](http://ghostlake.ca), on the Administration menu select Mapping, on the map check the Community layer to see the DSAs, click on a DSA to see its details.] Nonetheless, Barry and others requested a list like the Excel spreadsheet we used to have.

**Action:** John to ask Administrator to produce such a list.

**11a. Review of unused dock space allocations [45:50]**

John reviewed the list of DSAs where no dock has been installed for 2 or more years.

<b>DSA</b>	<b>Lot</b>	<b>Owner</b>	<b>Notes</b>
1A	421	Csilics	Gave 1 yr exemption for family stressors. No dock last year. Has dock on shore.
2A	624	Zimmer	Bushes growing through dock. If situation not corrected potentially in the future we might need to consult NELS, currently this is not necessary. Has dock on shore.
5A	403	Janis	Jeff has spoken with the new owner. He has no boat now so doesn't need the DSA. Will apply to the waiting list. No dock.
11E	405	Frank Ducek	Never had a boat in. Used to have small dock in E0. 405 was reassigned to E11 but has never used and has no dock on shore. Property is conditionally sold. Barry asked whether the realtor listing represented that a DSA went with the property? John checked on Realtor.ca and it is not part of the listing. John suggested that the new owner needs to re-apply to the waiting list. General agreement. John noted that this property also appears on the waiting list.
14E	707	Beaton	Connie is willing to release her DSA. Has dock on shore and has asked that the new lot assigned either use it or dispose of it.

**Motion:** Gary moved to re-allocate the 5 DSAs discussed

Seconded: Olav

**Passed**

**Action:** John to recommend to the Administrator to re-allocate these 5 DSAs according to the Dock Space Allocation Policy.

**Action:** John to ask Administrator to advise current owner of 405 that new owner needs to apply to the waiting list.

**Issue:** Although the DSA Policy says that boats and docks of a forfeited DSA must be removed by the owner within 14 days (Article 25) it does not speak to what happens to existing dock moorings, steps and other infrastructure. Also, we expect that some property owners may not be cooperative about removing or properly disposing of items.

11b. John also identified the following DSAs as no longer being a concern:

<b>DSA</b>	<b>Lot</b>	<b>Owner</b>	<b>Notes</b>
4G	204	Lee	Has now put a dock in
1C	412	Macdonald-Smith	Aide has now put in a dock. She missed last year due to family stressors.
11G	211	Smith	Unclear that this space is usable. [John later confirmed with the owner that they do use the DSA when the water is high enough.]
OE	713	Buzogany	Available, but very tight. [GIS says it is alloc'd to 713]

11c. Barry informed the committee about the following situations involving the group docks [49:30]:

<b>DSA</b>	<b>Lot</b>	<b>Owner</b>	<b>Notes</b>
		Dave Campbell	Dave Campbell is giving up group dock space that Gord Anderson had.
5B	411	Tim Bliet	Since purchasing Ed Kabota's property (411?), Tim has been using Jim Kabota's group dock DSA thinking it was his (ie. Ed Kabota's

2B 424 Hansen

old one). As this was an honest mistake and since Tim has contributed to maintenance of the group dock, Barry suggested that he could take Dave Campbell's DSA. John pointed out that there is nothing we can do about unused group dock allocations because the Policy is about docks, not boats. Colin suggested it could be loaned out. Barry agrees. [See **Lending Docks**, below.]  
**Action:** Barry to confirm details and try to work out this situation. Has not put a boat in for years. [Jeff believes that the owner does not consider himself to have a DSA. So this might be another available DSA.]

## **12. Lending Docks** [50:20]

John pointed out that the current loan policy has not worked out well. There is an intrinsic conflict between borrowing a dock vs. remaining on waiting list. John suggested that perhaps we should do away with loans – either you have a space or you don't. There is also concern that Village-managed loans might create a liability for the Village.

Barry noted that if loans are done privately, then one could lend a dock space to someone not even on the waiting list, a situation that John believes exists now.

**Motion:** John moved to table the loan issue for a future meeting.

Seconded by Olav

**Passed**

**Decision:** Since this issue is tabled Jeff will not make changes to the DSA Policy regarding the Loan Pool.

## **13. Boat storage area** [1:08]

Jeff suggested that the boat storage area could use another clean-up

Barry asked whether the boat storage area comes under this committee.

**Action:** John to request the Administrator to communicate to villagers, perhaps in the newsletter, that the boat storage area is not meant for long-term storage.

**14. Group email address** [1:10] - Jeff suggested having a single email address that would forward to everyone on the committee. General agreement.

**Action:** Jeff to create [dockcmte@gmail.com](mailto:dockcmte@gmail.com). Each member will receive a confirmation email to which they need to reply.

**15. Committee affirmation** – John reminded all committee members to affirm their willingness to serve on the Dock Committee with an email to the Administrator.

**Next meeting** will be somewhere between late September and mid-October, possibly on Zoom again.

**Motion:** John moved to adjourn

Seconded by: Olav & Barry

**Meeting adjourned** at approximately 11:40