

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
Meeting of the
SHERBROOKE LAKE ACCESS ADVISORY COMMITTEE
Held in the Parkwood/Maplewood Community Hall
Thursday September 10th, 2015

ATTENDANCE:

Lennis Corkum	Committee Member
John Budden	Committee Member
Allan Veinot	Committee Member
Jack Wentzell	Committee Member
Douglas Moore	Committee Member
Garth Bangay	Committee Member
Mark Wentzell	Committee Member
Rex Veinot	Committee Member

REGRETS:

Murray Coolican	Committee Member
Larry Hagell	Committee Member
Chasidy Veinotte-Dorey	Administrative Assistant

STAFF:

Trudy Payne, Director of Recreation Services
Tina Robichaud-Bond, Administrative Assistant

1. CALL TO ORDER

Trudy Payne called the meeting to order at 7:00 p.m.

2. SELECTION OF CHAIR

Jack Wentzell nominated Larry Hagell for the role of Chair, seconded by Mark Wentzell. John Budden nominated Garth Bangay for the role of Chair. Garth accepted the nomination and a secret ballot vote was taken. Mr. Hagell was not present but had informed Ms. Payne he would accept the nomination. Ms. Payne and Ms. Bond counted the ballots and Larry Hagell was voted in as Chair.

Lennis Corkum nominated Jack Wentzell for the role of Vice Chair. Mark Wentzell nominated Garth Bangay for the role of Vice Chair. Garth did not accept the nomination and Jack Wentzell accepted the nomination and was appointed Vice Chair.

3. APPROVAL OF AGENDA

Moved by John Budden, seconded by Lennis Corkum, that the agenda be approved as circulated. Carried.

4. APPROVAL OF MINUTES

Garth advised that there is some repetition in the minutes and asked they be reviewed and the repetition be removed.

Moved by Garth Bangay, seconded by Douglas Moore, that the Minutes of the July 28, 2015, Sherbrooke Lake Access Advisory Committee be approved as amended. Carried.

5. BUSINESS ARISING FROM THE MINUTES

Map of Properties Surrounding Sherbrooke Lake

Trudy brought a large map of properties surrounding Sherbrooke Lake. The map was displayed on the wall. There is a table that indicates whether a road is private or public, crown land or municipal land for example. This is a base map; if there is something that is missing Trudy can go back to the Planning Department to make changes, if possible.

A question arose of whether or not we asked for ownership listing. A discussion ensued regarding the possibility of adding property owner's names and PID#s, as is noted on the smaller map provided at an earlier date. Mark advised that it would be nice to have this information on the larger map as well.

A request was made to have property owners on the Chester side added. Trudy advised that we have access to Property Online so it would be possible to add this information to the larger map.

Legal Opinion Update

It was asked that Trudy go back to speak with the CAO on whether this Committee could have access to the legal opinion. Trudy spoke to CAO – as we get closer to looking at options and if a Municipal property is an option, we can look at access to legal opinion.

Mr. Corkum stated the original question was that we ask Council for information. Committee does not deserve answers from staff. There was a question of legal challenges – for this Committee to make an honest decision we should have legal opinion before we go further. Makes no sense to go through all of this and then can't do it.

Trudy asked if it was the consensus of the group to ask Council for the legal opinion. The legal opinion would pertain to the Old Veinot Road and the open space lots MODL owns on private roads.

It was stated that Municipal council did get a legal opinion which was discussed in-camera and if the Committee did receive the information it would have to be an in-camera discussion of this Committee as well.

The Vice-Chair noted that if this discussion continues we will have to go in-camera on it.

6. REVIEW DRAFT WORKPLAN

Trudy read Outcomes 1-5 on the work plan which was discussed at the meeting in July.

Discussion ensued concerning the draft work plan. Lennis Corkum stated he felt that item number three (looking at options) should be moved to number one and number one (public consultation) be moved to number three. Mr. Corkum stated we have approached Council for \$20,000 for public consultation and in hindsight can no longer support this. He stated the community is asking for a simple public access as defined under provincial law and that the \$20,000 for a consultant is unrequired as MODL has capable staff to conduct the public consultation. He also stated he would not like to see the funds come the reserves set up by Council specifically for the Old Veinot Road.

Mr. Corkum questioned if we do spend that money for public research, the public will say where the access point is, so how can we ask public what they want, if in the end we cannot provide what they are asking for. He recommended that we should look for access points first and then go to the public.

Mr. Bangay complimented the staff on the draft work plan as it reflected the discussion that took place at the July 2015 meeting. He stated there is no mistaking the order that was agreed to as he went to the flip chart and drew out a flow chart with deadlines as shown in the draft work plan. He stated the work plan reflects the Terms of Reference of the Committee. He stated that this is a very objective way of determining what the public wants – rather than assuming what they want. He stated that the Committee did a lot of work in July and he would hate to see it tossed away.

Mr. Budden stated that he agrees we need to have an independent body to perform the survey to help determine what kind of property, size and costs.

Mr. Rex Veinot stated he agrees the Committee needs to do a survey but should we do it before looking at options.

Mr. Allan Veinot stated we should find out what's available before we consult the public to see what they want on that site.

Vice-Chair Jack Wentzell recapped the discussion by stating that Committee members are not arguing that we need to find out what the public wants but maybe the order in which we seek public input and that maybe we need to find out what is available first. Public needs to be involved – until we have something to offer them it's hard to set up a situation – we have to know what we are talking about to give suggestions. If I was doing this myself personally I would want to know what I had for land first.

Mr. Mark Wentzell agrees with doing public consultation now and stated that we don't know what the survey will look like – public put #1, 2 or 3 choices – that would give them feedback – survey would give us more information.

Mr. Bangay stated that the public consultation will let us know what the public wants, we may not have the piece of property today, but you watch the market, negotiate and acquire land that will meet the vision. This is the approach Annapolis County takes and it seems to work.

The Vice-Chair stated again that we agree we need feedback the debate is the timing of the feedback and the costs involved.

Mr. Mark Wentzell stated the cost for survey will be cost regardless of when it's done.

Mr. Corkum stated that he feels he does have insight on what the public wants as he has been here for 63 years and seeking public access to Sherbrooke Lake for 35 years. In his time he has never heard anyone say that they would settle for anything above a parking area, small beach, place to put boat – picnic tables, washroom and that the public will not support a \$20,000 survey. He is not against a survey just the cost.

Mr. Mark Wentzell stated that there is no data to show the level of interest that public have and that we have to make decisions based on data, not personal opinion.

The remaining three outcomes as shown in the draft work plan committee members agreed with.

The Chair stated it's been suggested that our first option is what's listed at #3 and move that up, if committee wants to move that to the #1 position we will have to vote on it.

Mr. Rex Veinot made a motion to move #3 outcomes to the #1 position –Mr. Doug Moore seconded the motion.

Before voting on the motion the Vice-Chair clarified that he could have a vote. Everyone agreed that the Vice-Chair is able to vote.

Five of the eight members present voted yes to the motion. Motion was carried.

5 voted yes in favour of the motion – Motion carried

Ms. Payne wanted clarification if the word draft should come off the work plan in light of the motion.

Mr. Bangay stated that it is not as simple as moving outcome 3 to number 1 as there are timelines associated with each outcome.

Concerning acting upon looking at the options it was agreed that Trudy would contact Chair Larry Hagell to start the ball rolling on this action. It was agreed that approaching land owners is very sensitive business and that there needs to be a strategy in place. It was felt this process could take until December. The options of who to approach will need to be discussed in-camera as they are land negotiations and that staff needs to be part of this process.

Ms. Payne asked for clarification concerning the work plan. Are we moving the timeline concerning the public consultation?

Mr. Bangay suggested that investigating options and conducting public consultation could be done in parallel.

It was agreed to discuss item 7 on the agenda and then come back to the work plan.

7. COUNCIL DECISION- FUNDS TO HIRE CONSULTANT TO CONDUCT PUBLIC CONSULTATION

At the September 8, 2015 meeting the following motion was discussed “to provide up to \$20,000 from the Sherbrooke Lake Public Access Reserve Fund to hire a consultant to design, implement, and report on the findings from a public consultation process, utilizing

a survey and public meetings". This motion was referred by Council to the Community and Cultural Services Standing Committee for further discussion and a recommendation.

Vice Chair Wentzell stated that Council is seeking this Committee's thoughts.

Ms. Payne explained to the Committee that she had sent an email out to the entire Committee on August 14, 2015 that had a draft request for proposal attached. In that document it outlined the scope of work the Committee would be seeking the consultant to do and included in the document was that the level of effort would be no more than \$20,000. The Committee was asked to get back to Trudy if they agreed, had any concerns, etc. as she would be taking the request to move forward with hiring a consultant to conduct the public consultation to Council either on August 25 or September 8, 2015. Ms. Payne did receive some feedback and proceeded with the request to Council.

Mr. Bangay commented that we as a Committee requested staff do this procedural thing and no one responded no, don't go ahead. Mr. Bangay recommended in future, staff put a time line for a response and if staff does not get a response they can take that as Committee member(s) not having an issue with the content.

Mr. Corkum stated that when he received the email at first he thought the email was fine and the \$20,000 did not send a red flag at the time. He apologized as he should have responded negatively at the time of email; the red flag came later.

The Vice -Chair asked if there was a consensus to go forward with the \$20,000 for public consultation. Consensus could not be reached so the decision was brought to a motion.

Mr. Bangay commented that the Committee's first choice was to hire a professional, however if Council thinks that's too expensive, lets' ask staff what other options that could be used as a vehicle to get information. There are other options but we still need a questionnaire designed and designed by a professional.

Ms. Payne commented that there are funding opportunities out there.

After further discussion the following motion was made:

Moved by Lennis Corkum and seconded by Allan Veinot that the Sherbrooke Lake Access Advisory Committee recommend to Council for the Municipality of the District of Lunenburg to approve up to \$20,000 to conduct public consultation to objectively determine the level and nature of the public interest in having access to Sherbrooke Lake; furthermore to have staff investigate options that could reduce the cost of public

consultation; and that the funds do not come from the Sherbrooke Lake Access Reserve set up by Council specifically for public access via the Old Veinot Road.”

Seven in favour of the motion; one opposed. Motion Carried

8. REVIEW DRAFT RFP

Will discuss this at the next meeting.

9. UPDATE ON LAKE ACCESS VISITS IN KINGS AND ANNAPOLIS COUNTIES

A few of the committee members went to visit sites to investigate how they were developed; the costs; the pros and cons; the best practices and research.

Mr. Budden commented that he was impressed with the enthusiasm and how extremely proud the staff was of their facilities. Both staff emphasised control over access – very important.

10. PUBLIC INPUT (15 MINUTES)

Hugh Harper from Sherbrooke Forest – he commented on the work plan in which he did not see 2 things – (1) is that a survey should be done of the land owners on the lakes you are visiting to find out what problems and solutions they came up with – (2) cottage owners and land owners on Sherbrooke Lake itself should also be surveyed – I’m sure a number of people don’t want public access to the lake but I think if we find out what their specific concerns are then I think we’d go a long way of seeing it in a positive way – please survey land owners on the lake as to their concerns

Vice Chair – one of the most important points – we are not thinking of ramming anything down their throat

Terry Meisner – Maplewood – I asked Trudy if they have surveyed a parcel of land on the Veinot Road – we have one that is MODL owned, why are we spending money to buy when we own land now? What are you going to do if the consultant says over 50% of the people asked that they do not want access to the lake – what do you do then?

Vice Chair – good points – we do have the roadway survey that we own – we should have a little more land adjacent to the lakeshore.

Terry – but that may be the only piece of property you’re going to get.

Vice Chair – that may well be – that’s the main problem we have – 66 feet wide roadway – really you should have a little more – we may be able to make that work – don’t know. We own 66 feet to the lake.

Terry – what if survey says they don’t want it – is it dead, is it gone?

Warren Veinot – stated a survey is worthless – you ask 10 people tonight – 9 will say don’t matter and you don’t own 66 feet to the lake.

Vice Chair – according to the surveyor MODL owns to the lake.

Warren Veinot - why search and try to find options when it’s the best place in the county and you can buy this property at a good price

Jocelyne Wentzell stated she has a place on lake and it is important to have a survey conducted by independent company - no biases – open and fair to everyone – a survey that will say what level are you are in favour of – you need this survey for the District of Chester and Lunenburg – not enough to have it in the LUN newsletter – need Chester – in favour of \$20,000 – you are wrong saying that people do not want it.

Ron Francis – I believe \$20,000 is a drop in the bucket to what will cost – that lake is a long way from any public highway – even if you use the Veinot Road it will be expensive – it’s going to be a lot more than that - when you look at a map 85-90% are seasonal who pay top dollar to buy on that lake - why? They want their privacy and they paid top dollar – proper survey by proper people – 10% who live on the road we can give Councillor Dorey a hard time – we get representation; the other 90% of the people there do not have representation – rethink \$20,000 figure.

Tina Connors – resident of New Ross – happy to be here. She found the evening interesting – my job is to listen and liaison with the District of New Ross and the Municipality of Chester Council, as she is a newly elected Councillor this term– I will say I represent full time residents and seasonal and youth population who also do not vote – I hope to attend all the meetings that don’t conflict with meetings – happy to listen and observe and share.

Hugh Harper – suggested public access for kayakers and swimmers – green thing – rather than public access for power boats.

Ms. Payne asked for Committee members to attend the Community and Cultural Services Standing Committee scheduled for September 17th @ 9:30am to bring forth the motion of this Committee and to be available to answer any questions the Community and Cultural

Services Standing Committee may have. John Budden volunteered. It was suggested that Larry Hagell be there if possible

11. IN CAMERA

No items.

12. ADJOURNMENT AND NEXT MEETING DATE

The next meeting will be held on Oct 15, 2015 at 7pm at the Parkdale/Maplewood Community Hall

There being no further business to discuss at 9:09 p.m., it was moved by John Budden, seconded by Lennis Corkum, that the meeting be adjourned. Carried.