

**Minutes from Sunset Beach Annual General Meeting
June 11, 2022 - 10:00 am**

Present

Earl Gosick - Hamlet Board member (2020-2024)
Sean Zamrykut – Hamlet Board Member (2022-2026)

12 rate payers

Rory Norton – Hamlet Board Member (2019-2023) was not able to attend

Meeting called to order at 10:03 am.

Minutes from previous meeting held June 26, 2021 were read

Motion: Minutes be accepted as read – Dave
Second: Jack

CARRIED

Update on Items from 2021 Minutes:

Weed Disposal

The following question was submitted to the RM of Grayson: Last year at the September 9, 2020 meeting resolution 252/20 was carried to allow the Hamlet of Sunset Beach to weed drop off area on the corner of R (M3718). We have heard that this land is now going to be used to build a road for access to the new Dam to be constructed. The Hamlet of Sunset Beach simply wants to validate that it is still ok to use the SE corner of R (M3718) for a weed disposal area?

RM Response: The RM of Grayson has jurisdiction over Parcel R, Plan M3718, therefore Resolution 252/20 remains in effect.

As a reminder resolution 252/20 stated:

That Council reviewed the 2020 Annual Meeting Minutes and correspondence provided by the Hamlet of Sunset Beach and further that permission is granted to create a sea weed drop off on the corner of R (M3718) providing the Hamlet of Sunset Beach obtains any required permits prior, maintains the area, and monitors the operation to ensure the site is the disposal of sea weeds only. Carried.

Risk Management and Liability

The following question was submitted to the RM of Grayson: Following the dredging of the boat launch area this winter, the water within the breakwater is significantly deeper than last year. Randy Durovick was concerned that this introduced risk and liability due to the proximity of the beach and swim area. As such, he built a temporary fence to restrict access to the breakwater and placed some caution signs around this area. Moving forward he felt this should be the responsibility of the RM/Hamlet. The Hamlet of Sunset Beach requests the RM talk to the insurance provider and find out what our responsibilities are with respect to this public area? Do they recommend a permanent fence be constructed to limit access? What exactly is our liability with respect to the safety of the beach and boat launch area?

RM Response: I contacted our insurance provider in regards to the boat launch and swimming beach areas within the Hamlet of Sunset Beach, and the public water bodies, such as the lake, that are within the RM boundaries. As for what liability risk the lake poses, it would be rather minimal as the RM has no statutory obligations with respect to a lake and the RM has little or no jurisdiction on what activities occur on the lake. So, for the most part, the presence of a lake in the RM/Hamlet doesn't constitute a greatly increased liability exposure.

While there are no specific requirements in the RM's liability insurance for buoys in the water to designate a swimming area, a recommendation from a risk management and mitigation perspective would be that such buoys be in place. They will provide a clear boundary for those members of the public who choose to swim in the lake of where they should be. As well, if there are watercraft in the lake, it provides a clear indication of where they should not be.

As for the fencing that has been put up, even if the boat launch was recently dredged, it's likely that the overall liability risk of the area has not significantly increased over past seasons just because the depth of the water changed. There are certainly no policy requirements for such fencing. That being said, if the area has long been a spot of concern for the Hamlet Board and the increased depth of the water has only added to that concern, signage or barriers of some sort could certainly be erected to warn people or keep them physically back from the edge. From the photos provided, the insurance provider felt the temporary fencing is likely not a great permanent solution, as it probably serves to attract people to the edge to see what is going on.

Docks owned by the RM/Hamlet at the lake, be it at the shore or of a floating nature, are a liability exposure as they are a structure which invites people to the water. If someone was to be injured while doing something on the dock and it was due to the negligence of the RM/Hamlet, there could be a potential for liability. That being said, such liability exposures are covered by the RM's Liability Insurance through SARM. When I say covered, I mean that the liability plan would defend a claim against the RM. Whether or not a claim is paid depends on the circumstances of each particular claim.

Regarding signage on playgrounds, while we have no written requirement for this within the Liability Self-Insurance Plan (LSIP) wording for RM owned or controlled playgrounds, it does make prudent sense from a Risk Management perspective. Signage stating that a playground is an unsupervised area or "use at own risk", for example, would potentially serve as a positive nod towards risk mitigation, in the event a claim arose from the use of the playground.

As the Playground Equipment is on Municipal Reserve land, the RM and/or The Hamlet of Sunset would have liability coverage through the RM's liability policy for their exposure as owner of the land on which the playground resides. The RM's liability coverage would not extend to cover SBRI's liability exposure as the owner and constructor of the Playground structure and nor could the RM insure the Playground on its property policy while it is owned by SBRI.

Note: The Hamlet of Sunset Beach board has confirmed that as of October 22, 2021 the playground and pickleball courts have been added to the RM's Liability Self-Insurance Plan. Transfer of ownership as documented in the RM of Grayson's council meeting held October 12, 2021 resolution 238/21.

Access to property owned by Sean Zamrykut

The following question was submitted to the RM of Grayson: We realize this has been an ongoing discussion between the RM and Sean. A number of ratepayers expressed concerns that dealing with the RM has been an inconsistent experience with some ratepayers expressing frustration. Would the RM Council please provide an update on the current plans regarding the property adjacent to that owned by Sean Zamrykut abutting the beach/playground area?

RM Response: For legal reasons, the RM of Grayson is unable to speak on this topic.

Shared expenses for Beach and Boat Launch area

The following question was submitted to the RM of Grayson: The beach and boat launch area are used by a much broader group of people than just those ratepayers of Sunset Beach. It would probably be fair to say that the majority of users of these areas are from non-ratepayers either coming from the campground, neighboring Hamlets, or the neighboring community of Marieval. However, all expenses for the maintenance of these areas are fully funded by levies from the ratepayers of Sunset Beach. Since 50% of the tax levies from Sunset Beach go to the RM, 50% of neighboring Hamlet levies go to the RM, and 100% of the campground levies go to the RM of Grayson, we ask that the RM of Grayson contribute funds to the maintenance of the beach and boat launch areas that reside within our Hamlet. In 2021, we expect approximately 20% of our total expenses to be consumed by this maintenance.

The Hamlet of Sunset Beach would like to work with the RM of Grayson to find the best way

to share these expenses.

- a. Would it be possible to have the allotment of the levy that gets passed to the Hamlet of Sunset Beach to be increased to 60%?
- b. Would it be possible to consider having the Sunset Campground levies be included within the Hamlet of Sunset Beach?
- c. Are there any other alternatives the RM council would like to propose for this?

RM Response:

- a. As per provincial legislation, the RM can obtain up to 75% (Hamlet 25%) of the Hamlet tax base and currently at 50%, is already lower than the average Hamlet/RM allotment percentage. A change will not be made at this time.
- b. This would require an alteration of Hamlet Boundaries which would need to be forwarded onto the Municipal Consultant for review. Please advise if you wish to proceed with this review/expense.
- c. Annually, the opportunity is given to the Hamlets to adjust the mill rate to reflect their financial needs. In 2021, the Hamlet Chairs decided not to adjust the mill rate. This may be something you wish to revisit in the future.

Nonprofit corporation to manage beach and boat launch maintenance

This did not turn out to be a feasible option and will not be pursued any further.

New Business:

1. 2023 Budget

Earl Gosick presented the proposed budget for 2023.

Total projected revenue to hamlet -	\$ 31,000
Total projected expenditures	\$ 29,795
Projected surplus for the year	\$ 1,205
Projected surplus end of year	\$ 6,859

- Expected to maintain a 75% reserve, this will put us at 32%

Motion: Dave Criddle - The 2023 proposed budget as presented be accepted

Second: Eric Criddle

CARRIED

2. Vote on amendment to Bylaw Section 8.4.6

Following our request from last year to have two RV's allowed on lots with no primary residence the action detailed below has occurred. As such, the results of a vote in favor

or against an amendment to section 8.4.6 (2) of the Zoning Bylaw 2004-02 will determine if this will be allowed in the future or not. Please read the information below and complete the voting form provided to register your vote. Bring your completed forms to the annual meeting or complete them and mail them to the RM of Grayson office. Any votes not in prior to June 30, 2022 will not be counted.

From the RM of Grayson:

Amendment Request to Section 8.4.6 (2) of the Zoning Bylaw 2004-02

220/21: That Council acknowledges the email from the Hamlet of Sunset Beach requesting an amendment be made to Section 8.4.6 (2) of the current Zoning Bylaw 2004-02 and further that the RM of Grayson sent out an email to the Hamlet Chairmen of Exner's Twin Bays, Greenspot, Moose Bay and Sunset Beach with the following options:

1. Have the Bylaw remains as is, one (1) camper shall be allowed per titled lot.
2. Amend the Bylaw to allow one (1) camper on lots with a Permanent Residence and two (2) campers on lots without a Permanent Residence (empty lots), designating one (1) camper as their Primary Residence.
3. Decision deferred until the 2022 Hamlet Annual General Meetings to allow each Hamlet to have the ratepayers vote on this issue.

Council acknowledges the responses from the Hamlets as follows:

1. The Hamlets of Greenspot and Sunset Beach are in favor of an amendment being made to allow one (1) camper on lots with a Permanent Residence and two (2) campers on lots without a Permanent Residence (empty lots), designating one camper as their Primary Residence.
2. The Hamlets of Exner's Twin Bays and Moose Bay responded that they are opposed to the proposed amendment and would like the Bylaw to remain as is with one (1) camper allowed per titled lot; therefore, Council has decided that the topic will be tabled until the next RM of Grayson Council and Hamlet Board Meeting with Council suggesting that the topic be taken to the 2022 Hamlet Annual General Meetings to provide the opportunity for the ratepayers to discuss the potential amendment and vote on the issue. Carried

Wilfred Blaus introduced a motion to have a formal vote to see how many ratepayers are in agreement of the proposed Amendment Request to Section 8.4.6 (2) of the Zoning Bylaw 2004-02.

Second: Dave Criddle

Carried with majority vote in favor of the amendment

Mike Norton introduced a Motion for the Hamlet board of Sunset Beach to investigate next steps if RV amendment is not adopted, to have Hamlet of Sunset change the rules only for our Hamlet. Find out the process to negotiate an amendment to this rule - Ombudsman or other?

Second: Debbie

Carried

3. Boat launch fee update

An annual boat launch pass will continue at a cost of \$30 per year. Annual permits are available from the Hamlet Board or the Sunset Beach Store.

The daily fee will remain at \$5 a day.

Propose raising rate next year to \$40 for an annual pass

4. All invoices for the Hamlet of Sunset Beach must be preapproved

Throughout the last few years, the Hamlet of Sunset Beach has received a number of invoices from the RM of Grayson that are redirected to the Hamlet of Sunset Beach for payment as a result of services that have not been pre-approved by anyone on the Hamlet Board. So far in 2022 the following invoices have been received that were not pre-approved.

Snow Removal - \$1,170

Snow Removal - \$1,170

Clean out of Culvert - \$1,075

When communicating directly with the RM of Grayson, and requesting any work to be performed, ensure you know who will be paying for that work prior to requesting any services.

Any future invoices received that have not been approved by a Hamlet of Sunset Beach board member will not be paid.

Dave Criddle introduced a motion to have the Hamlet Board of Sunset Beach communicate to the RM that any potential expenditures be approved by the Hamlet Board of Sunset Beach prior to any expense being approved and invoices also be approved by the Hamlet Board of Sunset Beach prior to being paid.

Second: Eric

Carried

5. Hamlet of Sunset Beach revenue

2021/2022 had very heavy snowfall with lots of blowing snow. As a result a large majority of our reserve fund was depleted. The Hamlet of Sunset Beach needs to increase our revenue and would like to discuss options.

- Tax Increase? – Mill rate or base?
- Special Levy?
- Other?

Motion by Wilfred to introduce a special levy to raise additional revenue of \$100 per lot for the 2023 and 2024 tax years.

Second: Debbie

Carried

6. Support Virtual Meetings

The Hamlet is asked to make provisions for all upcoming Hamlet Meetings to be virtual so those not able to attend Hamlet meetings in person can participate virtually. Since COVID - the majority of the work force has been working remotely and holding meetings virtually. Technology these days allows meetings to be conducted virtually in a simple format such as Teams or Go To Meetings platforms as two examples. If the internet reception is questionable in the Sunset Hall - it is recommended an alternate meeting location be secured. Over the years attendance has been limited at the Sunset Hamlet rate payers meeting as folks are busy with kids stuff, prior commitments, long travel distance to attend or work obligations. By holding the Sunset Hamlet rate payers meeting virtually - this may encourage and facilitate more rate payers to participate and provide valuable input on topics being discussed at the rate payers meeting.

Discussion with ratepayers at the meeting pointed out a lack of network connectivity at the hall for either regular internet or via mobile devices. There are no options for high speed internet, and the signal and bandwidth available on mobile devices is very limited and not reliable. The preference is to have meeting remain at the Sunset Beach Hall in the future.

Motion: Randy Durovick to facilitate virtual attendance for our AGM

No Second

David Criddle put forth a motion to table this due to no interest.

Second: Marcy Gosick

Carried

7. Election of Board Members

Chair announced the position currently held by Sean Zamrykut is now up for election and asked for a motion to open nominations.

Dave Criddle tabled a motion to open nominations
Second: Jack Martin

Carried

Call was made for nominations of new Board Members for a term of 4 years.

Earl nominated Shawn Zamrykut

Dave Criddle put forth a motion to nominations to cease
Second: Wilfred Blaus

Carried

Vote for Shawn Zamrykut

- Unanimous

Shawn Zamrykut was voted onto the Hamlet of Sunset Beach Board

8. Any other business from the floor?

A question was asked if the Playground title had been transferred to the RM. We have confirmed the title was transferred to the RM and the RM confirmed the playground and pickleball courts have been added to the RM's Liability Self-Insurance Plan.

There was discussion on snow removal over the 2021/22 season. By the end of the season the area being cleared was not always following the road. As a result when the melt occurred there is significant maintenance required to sections of the road within the Hamlet of Sunset Beach.

There was a request to send out communication to all ratepayers advising them to ensure their garbage cans are secure from rodents. The observation was made that garbage cans hung on posts are less susceptible to access for many animals. But any garbage stand that allow the garbage lids to be secured from access by animals is recommended.

In addition, garbage pickup is for household garbage only. Trees or anything other than

household garbage will not be picked up. Garbage must be placed in garbage cans. Garbage pickup has been arranged from the May long weekend until the September long weekend and will be picked up Monday morning unless Monday is a statutory holiday, then pickup will be Tuesday.

9. Propose date for 2023 AGM

Randy has asked us to consider an alternate weekend other than the 2nd week in June.

Motion: Earl Gosick – Next Annual Ratepayers Meeting to be held on June 3rd, 2023.

Second: Debbie Criddle

CARRIED

Motion: To adjourn – Earl Gosick