



Message from El Presidente, Douglas Rodger

First of all, a farewell and a sincere 'thank you', followed by an introduction. Susan Thompson who has been a member of the SDLCA Executive for 17 years has left the position of Membership Secretary - and left it in great shape. She continues to be involved in an informal fashion as she compiles and restores the long term archives of our association. All of this material will eventually be available online which is something we have always wanted to establish. Susan's level of commitment to our organization was incredible and we have all benefited from her work over the years.

Stepping into the position of Membership Secretary is Jacqueline Proud. Her husband Brett Proud is a long time cottager on Salerno Lake. At one point back in the 1950's, his family even ran a fly-in fishing camp on our lake. Jacqueline has now taken over the position of Membership Secretary with great energy and enthusiasm. In January we plan to launch our updated and improved website which she has been building.

We also have a new Recording Secretary Bill Holding who has been very helpful in assembling Minutes of the AGM and Executive Meetings.

An item of business; In the past our memberships were 'seasonal', that is, the term of membership spanned for example, 2012-2013. The problem was, it became somewhat confusing with people

thinking that they had paid for two years rather than one. Moving forward we now will issue memberships for the calendar year. Recently we sent out reminders to a couple of dozen members who had not yet paid for 2013. It's easy to dismiss these reminders I guess, thinking that Well 'I'll join again next year.' but the dues we collect are literally the life blood of the organization. We have to meet our financial obligations every year and when we have shortfall we must dip into our reserves. So I ask you, if you haven't yet, please renew your membership by paying the dues arrears. Your dues fund everything we do as volunteers. We have made it possible to pay yearly dues online now and soon we will have a PayPal account set up to make matters even easier. The SDLCA counts on the support of its members. Thank you....

Shoreline Assessment

As a part of the process of developing an Official Lake Plan, Devon Fowler a student from Trent University (working under the U-Links program) conducted a detailed Shoreline Assessment of Salerno Lake. There is good news and bad news. The minimum natural shoreline needed to maintain a healthy lake environment is 75%. Salerno Lake is at 74.6, so just under that amount. But this is largely due to undeveloped lakefront property and I think it is fair to say that there will be less and less undeveloped lake frontage in the years to come. Therefore it will be important for us as property owners to make a genuine effort

In this issue...

Salerno Lake Plan Plan update	2
Road Liability Workshop Workshop Report	2-4
Photo Contest Winners Winners and photos	4
Concert By The Lake Steve Payne article	4-5
What's Wrong With Grass CHA Article reprint	5-6
Septic Tips Septic Tips from CHA	6

to preserve or re-naturalize our shorelines. Equally important is the issue of how our septic systems affect the lake environment. Septic beds are the single largest polluter of our lakes. I hope you will take the time to read the SEPTIC TIPS Article in this issue of The Sentinel. If we fail to act on these two crucial issues we will end up with the same problems that are now bedeviling lakes like Simcoe and Kashagwigamog; Blue green algae, anaerobic dead zones etc etc.

If you'd like to see how your property scored in the Shoreline assessment, please email me (address to be added) and include your cottage address. You'll be sent a photo (which should confirm that the assessment is of the right property), and the 'Shoreline Classification Scorecards' which analyzes your particular stretch of shoreline. The process is totally

El Presidente's Message, Lake Plan Update, Report on Road Liability Workshop

confidential and the purpose is to help you to understand and perhaps improve or naturalize your property.

Farewells and Hello's

We would like to pay our respects to the families of Dorothy Clark and Stanley Danyshyn, two long time Salerno Lake cottagers who have passed away in the last year and a half. Their families are still well represented on the lake and their memories will remain with us.

On the welcome side, we extend our best to these new SDLCA members;

- Cindy Cross & Marc-Andre Bergeron
- Kris & Dewar Boyce;
- Kathleen Moss & Danny Goulis;
- Lorraine Nichol & Carol Gregson;
- Beth McCarthy-Knowler;
- James Spillane;
- Janice & Thomas Weiler;
- Chris and Tracy Vens, Zach & Taylor
- Debra & Stuart Sheppard
- Tracy Croft, Austin & Shelby Huntley (Plus Oscar the cat)
- Jim McCloskey
- Goulis, Kathleen, Moss & Danny
- Morgante, M.

Snail Mail or E-newsletter?

We are making a concerted effort to get more of our membership in email communication; the reasons are very simple. We can get you more information, more often, for less money. If you are presently receiving this newsletter by snail mail, please consider signing up for electronic delivery.

Salerno Lake Lake Plan Study Update

The Salerno Lake Lake Plan Study was initiated in Fall 2012 by a small but very dedicated group of volunteers. In October 2012, The Salerno Lake Shoreline Inventory Project was undertaken through U-Links, and a report

completed by Trent University student Devon Fowler. Please contact the SDLCA if you are interested in the assessment for your shoreline.

In Spring 2013, approximately 280 Lake Plan Surveys were distributed to property owners on and surrounding Salerno Lake. Surveys were mailed to members

Save these Dates!

Canada Day Fireworks

June 28th at 10 pm - West of the island.

Lake Plan Meeting

July 5th, location TBD

Concert By The Lake

Saturday July 12th @ 6:30 pm

SDLCA General Meeting

August 2nd - 10:00am

Irondale Community Centre

47th Annual Canoe Race

Childrens' Games and Barbecue

August 3rd, Registration at Noon,
Irondale Bridge

of the SDLCA where mailing addresses were available, and personally dropped off to the other properties. To date, approximately 130 (almost 50%) of the surveys have been returned.

On July 27th, 2013, a Public Meeting and Vision Statement Workshop were held at the Irondale Church Hall. The information in the surveys was compiled and assisted in the development of the Vision Statement for Salerno Lake. With the assistance of Julia Sutton of French Planning Services who facilitated the workshop, the following Vision Statement was composed. The final Vision Statement reads as follows:

To sustain, enhance and promote Salerno Lake's natural heritage for generations through:

- *preserving water quality, tranquility, natural environment and viewscape;*
- *sharing a balance between human activity and the environment with respect and dignity.*

Lake Plan Study Committee members will be developing an Action Plan and Recommendations over the next few months. It is hoped that a final draft of the Salerno Lake Lake Plan Study will be ready for review in late spring, early summer, at which time a public meeting will be held to present and receive feedback from the Salerno Lake Community.

For further information on Lake Planning, click on the following links.

<http://www.foca.on.ca/lake-planning-land-use>

http://www.foca.on.ca/xinha/plugins/ExtendedFileManager/demo_images/Lake_Planning_Handbook.pdf

or email: lakeplan@sdca.ca

REPORT - Road Liability Workshop Irondale Community Centre July 6th 2013

In attendance, approximately 45 people from the SDLCA and various other Lake & Road Associations.

My apologies for the delay in getting this report out to all participants. Blame it on the curse of volunteerism.

It needs be said that the opinions and summaries stated below are not legal opinions but informed hypotheses based on current law, legal precedents, and experience. I know anecdotally that a number of you have taken steps to obtain insurance coverage for your road associations since the meeting and that is gratifying to learn.

The workshop was held in response to a growing number of concerns that arise around the development, maintenance, usage and policing of private roads but

Report on Private Road Liability Workshop

the primary impetus was the issue of personal liability which is held by anyone who holds a right of way over land which they may not own. We live in a very litigious age.

Our featured speaker was Roger Young Past President of the Little Glamor Lake Cottagers' Association. Roger is a retired lawyer and a former MP. His experiences in reorganizing and administering their lake wide cottager/road association reflected many of the issues that participants had identified as important to them. Over the course of his tenure, the percentage of people who had not paid road or association dues, (some of them for more than a dozen years) was reduced to virtually none.

Many private roads on our lakes do not have an administrative body nor do they have road liability insurance. Each motorist must have automobile insurance of course but there are uninsured drivers with passengers, pedestrians, mountain bikers, ATV & dirt bike riders who might come to grief on a private road. If there is legal action anyone who has a right of way over that road could be sued. For example; someone who lives at the end of a private road has a responsibility for the upkeep of the entire road, not just the portion adjacent to his property.

Ironically the landowner, referred to as the 'burdened tenant' has less responsibility than those with the right of way, who are deemed the 'benefited' tenant.

"Because we all access our cottages by means of rights-of-way over other private lands, we, the holders of those rights-of-way, become legally responsible for their upkeep and for anything that happens upon those roadways, even when used by uninvited strangers and trespassers. That includes any part of a roadway used to reach your cottage, not just the piece running across your lot. If something terrible should happen anywhere on our road network, we could all be jointly as well as individually liable. It is unlikely that your personal cottage insurance

protects you for a road accident claim which could be a kilometre or more away along the general right-of-way. The dues that you pay each year goes, in large part, to buy a road liability insurance policy on your behalf."
Excerpt from newsletter – Author Roger Young

That liability extends over the entire right of way traversed by the rights holders. Aside from driver carelessness, road accidents may be caused by geographical factors such as sudden hills or gullies, sudden changes in road surfaces or narrowing of a road; potholes, tree or rock falls, poor sight lines etc. etc.

To quote Don Payne, FOCA's (Federation of Ontario Cottager's Associations) volunteer Road Advisor, *"It goes without saying that it is an impossible task to keep watch on any road 24 hours a day. Insurance is one practical way to "keep watch".... Or protect against the financial realities of responding to a potential lawsuit."* Roger Young put it very succinctly – *"Our liability insurance costs less than 25\$ per member a year. You can't even talk to a lawyer on the phone for that amount of money."*

<http://www.foca.on.ca/insuranceandriskmanagement>

Road Liability is available at a discounted rate through Cade Insurance for all Associations affiliated with FOCA. (**www.cadeinsurance.com**)

There are other insurers who handle this kind of policy as well.

SIGNAGE

Simply put; Posted signs are not enough to absolve one of legal liability. However if properly done posted signs may ameliorate some responsibility in a finding of fault. For instance if fresh gravel was put on a road and it was deemed by the courts to have been a contributory factor in an accident, the fact that warning signs (E.g. CAUTION; FRESH GRAVEL) had been posted would probably lessen the attribution of fault. So it is better to use signs than

not. Surprisingly (to me at least) Posted speed limits have no legal standing at all. (based on conversation with Constable Lee of the Haliburton OPP)

"No Trespassing" signs are almost meaningless. There are three types of trespassing charges and none truly apply to the situation of 'non-members' using a private road. Similarly, declaring a road as 'Closed' has no legal weight.

The Highway Traffic Act is NOT enforceable on private roads. However anything that might be construed as "criminal", such as criminal negligence and dangerous driving could initiate charges, according to my conversation with Corporal Cassandra Lee of the Ontario Provincial Police. In other words, after the accident occurs and the damage is done, charges may be laid. Small comfort...

UNJUST ENRICHMENT

Non Payment of road dues or share of maintenance costs is a big concern for a lot of groups.

Road maintenance charges: Ontario law says that everyone, whether individual or group, who holds a right-of-way is responsible for its upkeep...Each individual owner is legally obliged to contribute his/her fair share. There are no exceptions. There have been cases elsewhere in Ontario where dissenters refused to pay and have been taken to court. They lost, had to pay up, and were assessed costs in addition. It is a legal obligation incumbent upon each of us to pay our fair share of road upkeep. The roadway you use gets you in to your cottage, as well as emergency vehicles, if necessary."

For articles on Unjust Enrichment and Case Laws go to;

<http://www.foca.on.ca/case-law>
http://www.foca.on.ca/xinha/plugins/ExtendedFileManager/demo_images/test/Paint_Abino_Assn.pdf

It may be that a Road Association needs to incorporate, particularly if it is a large one but in practice a lot of small groups may not be able or willing to take on that

Concert By The Lake, Photo Contest Winners!

expense. However, if you plan to take a recalcitrant debtor to small claims court, you must have scrupulous records of expenses, billing notices sent etc. covering the time period in question.

Roger recounted how in the case of Little Glamor Lake, although they could have sought up to 7 years in unpaid dues, in the end they settled for only one year. This helped toward the desired effect; i.e. getting almost 100% participation in the Association. Of course, anyone who refused to pay would not be covered by the Liability insurance, leaving themselves unprotected.

Off Road Vehicles

This includes ATV's, Dirt Bikes etc. There seems to be no way to legally ban these vehicles although it is generally the driving behaviour, not the vehicle that concerned participants. Excessive speed, reckless driving and damage to roads and trespassing were mentioned

Private Roads & Emergency Vehicles

The following standards of private road maintenance for Emergency Vehicle (Fire and Ambulance) access apply to Highlands East and Minden Hills. Other municipalities may differ in some respects. (Condensed version)

A Private Road should meet the following criteria:

- Have a clear width of not less than 12 feet unless it can be established by the service provider that a lesser width is satisfactory.
- Have an overhead clearance of not less than 14 feet.
- Have a turnaround facility for any

dead end portion of the private road.

- Be designed to support the expected loads imposed by firefighting and EMS apparatus and be surfaces with material designed to permit accessibility under all climactic conditions.
- Bridges on private roads must be engineered to withstand the weight of the aforementioned apparatus.
- Private roads are to be maintained free of pot holes, snow, ice and foreign debris.
- Private roads that provide access to more than one property should not be obstructed by a fence or other mechanism that may impede through traffic. (My note** This to me indicates that locking a gate across a road serving multiple dwellings might have serious consequences in the event that someone is denied
- Emergency or Fire service because of the obstruction.

Steve Payne, The Canadian North

Irondale, Ontario, Canada, July 13, 2013
(Published in the UK - MAVERICK Magazine Issue 123)

Canada's largest province earned its name 'Ontario' from the aboriginal 'Ontario-io'—meaning 'beautiful lake.' Thousands of Ontarians head to the near north each summer to get closer to these wild places with their deep, clean lakes (of which there are almost 4,000) and thick vegetation. All the more reason you'd never expect to bump into a Bristol-based Brit sitting on the edge of one of these lakes, plugged into a floating sound system and entertaining an impromptu grandstand of all manner

CONCERT BY THE LAKE



Steve Payne, Salerno Lake, July 13, 2013

of boats and floating devices. Chameleonic troubadour, Steve Payne has friends in wet places, it seems—having been invited to play by the Salerno Devil's Lake Cottagers' Association at their annual summer concert. From his position on a dock, overlooking his buoyant audience, proved as natural a place to hear Steve's accomplished fare as any—the natural acoustics of the lake enhancing his phenomenal finger style and slide talents and stand-out vocals.

Local singer-songwriter, Albert John Saxby, opened the show with his rootsy, original fare, loyal—in a quirky way—to the Lightfoot school in his lyrical observation. Originally a drummer, the self-proclaimed Mayor of Essonville is a good guitarist who provided a suitable warm-up set—not that it wasn't hot out already. As Payne took to the stage...err, dock with his makeshift stool of plastic table and his glass of sustenance, he surely must've

Photo Contest Winners Announced!

Congratulations to both winners!

Wildlife Winner

Baby Turtles

Submitted by Rob Brown

Summer Fun Winner

Race for Frisbee

Submitted by Katie Sorochan



Steve Payne Review, What's Wrong With Grass?

wondered where in the heck he was. Payne displays marvellous control over his voice and has become skilled at augmenting it with a proverbial wall of sound from a single, well-worn, acoustic guitar. Each original serves as a stepping off point for his substantial guitar skills because, through a liberal use of fingerstyle, slide and various effects, Payne launches into extended jams, exploring the melody while underlining his prowess. From opener Suzie Takes A Trip (a song to his four year old daughter) to the drug-addled tale of Cocaine Lil, he adds influences and techniques as he injects elements of ragtime and flamenco. Goin' Down Slow revealed a strong blues influence behind his great rasp of a voice while Nobody But Myself To Blame allowed him to add even more of his patented sense of the blues to the set. Complex tunings provided time to tell stories from his recent shows at Orillia's Mariposa Folk Festival the week before—with tales of Arlo Guthrie and Randy Bachman the subject of Payne's impish sense of humour. One of the evening's sundrenched highlights was a gentle ballad paying tribute to a late friend with When Rita Leaves. This was eclipsed by an inventive guitar intro to a blues classic— his version of Little Red Rooster, popularised by the Stones but originally recorded by Howlin' Wolf—and was lifted by Payne's artful finger style guitar workout. Payne's own Pedestrian Jesus tells a real-life folksy tale based on an experience in California, peppered with tasteful accents—skirting classical and flamenco styles—with his usual vocal twist. Payne closed the show with a setting sun and an invigorating rendition of Dylan's Like A Rolling Stone, injecting it with freshness and a surprising level of power and energy. As he took his final bow and the mosquitoes started to circle, we realised these woods would never be the same. Eric G. Thom

Eric Thom is a cottager on White Lake
(Reprinted with permission) Photo
Credit Eric Thom.

What's Wrong with Grass?

We all love grass. It looks nice, is great

under foot, super to play on and most of us have fond memories of doing some of our favourite things on grass. So why do the lake health experts tell us not to use it around lakes in the Highlands. Are they just spoil sports or do they have valid reasons for their concerns with grass in lake country? Here's the scoop.... Commonly used grass varieties are not native in lake country. Non Native plants:

- Are not well suited to life in the Highlands and therefore need more inputs than native plants
 - Water – something the experts say we may soon be short of
 - Fertilizer- polluting our water- and costing us money
 - Cutting and trimming – adding to Global warming

These extra inputs add nutrients to our lakes increasing algae and weed growth thereby decreasing the oxygen that fish need. We are told that no point in the Highlands is more than 500 metres from water..... how far from the lake is your

septic system?

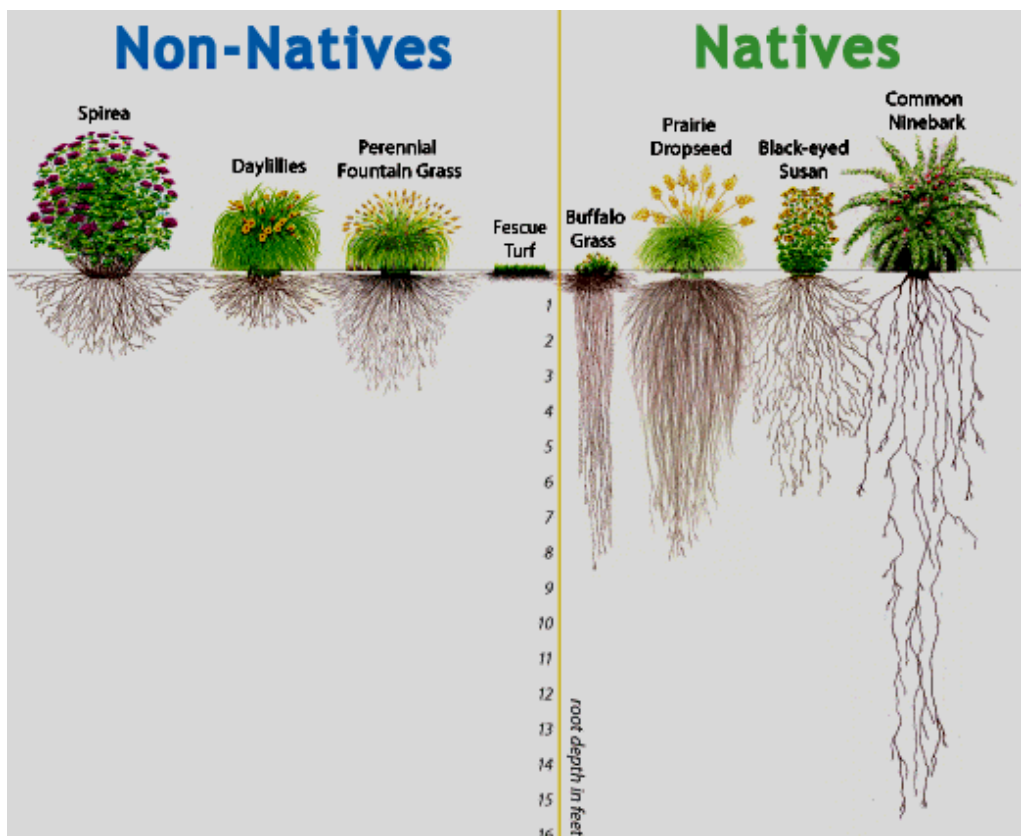
- Do not provide any habitat for the species that we all love such as frogs, toads, butterflies, humming birds etc.

Perhaps the biggest downside with grass is that grass does not contribute to and in fact harms the health of our precious lakes. Why is that – well there are all those reasons above but the biggest one is that grass does not do a good job of intercepting and absorbing nutrients before they get to our lakes. Nutrients such as Phosphorus come from:

- Our bodies, through our septic systems, where they leach into the soil and head down to water – our aquifers, streams, rivers and lakes
- Our Pets, Fertilizer use, Wildlife such as geese, birds etc.

The picture below shows why native plants absorb far more nutrients than non-native species such as grass

While grass roots extend mere inches



What's Wrong With Grass? Simple Septic Tips.

into the soil, the roots of native species extend many feet into the soil, searching for and absorbing nutrients such as phosphorous before they can damage our lakes. These long roots also do a better job of preventing erosion.

So why not take an area of your grass and plant it with native plants to help protect our lakes! You can start with a small area and then add more area over the years. Every little bit will help your lake where you, your kids and grandchildren can make new memories! Author Paul MacInnes is Chair of the C.H.A. and a Member of the Haliburton Highlands Stewardship Council.

Article provided by:



Keep our lakes clean with these simple SEPTIC TIPS

FACT: The more efficiently your Septic System operates, the less pollution goes into the environment.

The 2 secrets to septic health and minimizing lake pollution are: Time and Bacteria

Bacteria – Never let anything go down the drain that kills the good bacteria in your system, like:

- **Bleach** - non-chlorine bleach is ok
- **Anti-Bacterial Products** – ban them from your house and cottage!
- **Dishwasher Detergent** containing bleach (most brands do!)
 - Only ONE load of dishes using a regular detergent can kill ALL the good bacteria in your system for up to 70 hours – Use Septic Friendly Products available at The Organic Times in Minden & other local retailers (look for a statement on the front of the package stating no bleach & no phosphates)
- **Dishwasher Rinse Aids** – use lemon juice instead
- **Cream Cleansers** – most have bleach (see a.)
- **Drain Cleaners** – use Eco Ethic Septic Treatment instead (more detail

on reverse side)

- **Automatic Toilet Bowl Cleaners** – blue is not green

If soap, toilet paper or grease (bacon & eggs anyone?) get down your drain – use Eco Ethic Septic Treatment once a month to provide your system with the correct bacteria and enzymes to digest these items.

If your system is sometimes not used for months at a time –when you arrive back the 1st thing you should do is flush 2 cups of Eco Ethic Septic Treatment down your drain to kick start your system.

Never use a garburator.

Time - Your system needs as much time as you can give it to digest the waste you put in before the next load of water arrives. Remember – **one drop in = one drop out** of your system.

Give your system time by Minimizing Water Use and Spreading It Out Over Time

- Try not to do any more than 1 load of laundry per day
- Keep showers short and use a low flow shower head
- Use every opportunity to use less water when doing regular activities
- Get a licensed septic pumper to pump out both sides of your tank every 3-5 years.

For great entertainment and more info watch the “Poop Talk” Lake Protectors Video at <http://www.cohpoa.org> Click on the Documents/Videos Tab

Keep our lakes clean with these simple SEPTIC TIPS

Who we are: - The C.H.A. - is a Haliburton based non-profit, volunteer organization dedicated to protecting and enhancing the lakes in Haliburton County.

Did you know? - Septic Systems Are The Single Largest Polluter Of Our Lakes. All systems pollute, but those not working well pollute much more. Use Eco Ethic Septic Treatment & The

Septic Tips on the reverse side to keep your system performing well and protect your lake!

Q. – Is it true our Septics don't need added bacteria - our guts give them what they need?

A. - As long as you only put human waste - no soap, grease or toilet paper- down your toilet and drains that is correct. But - if like most of us, you do dishes having any grease on them, use soap & toilet paper- your system and your lake will benefit from monthly use of Eco Ethic Septic Treatment Regular use of Eco Ethic Septic Treatment will help keep your septic system performing well

Price - \$5 a month (\$60 plus HST for a year's supply) to protect your lake and one of your largest investments - your septic system and tile bed.

Available at Organic Times, 134 Bobcaygeon Rd., Minden and Northern Expressions, 13588 Hwy #118, Haliburton

Benefit - These retailers are CHA Lake Protectors Partners. Our Lake Protectors Partners contribute 100% of the net proceeds of this product's sales to environmental projects to protect our lakes in Haliburton County

Certification - this product is certified by Environment Canada's Eco Logo Program



The Details - A septic system functions on the principal of digestion of organic materials by bacteria. In the septic tank enzymes break the bonds of compounds, resulting in a simple food that bacteria then metabolize, converting waste into mostly water, carbon dioxide, mineral ash and more bacteria. Clean, clear effluent then flows out of the tank and into the tile bed (leaching field) where the effluent percolates into the soil. The more efficient the system operates the less pollution goes into the environment. The more bacteriological activity in the septic tank the better the effluent.