



Merry Christmas and Happy New Year

# Echo's of the Oxtongue

Newsletter of the Oxtongue Lake Ratepayers Association

Christmas  
2006

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## President's Message

I have been asked to summarize the remarks I made at the 2006 AGM which focused on the idea of Community. As I have noted in the Spring 2006 Newsletter, "We all have our own interests to pursue on the Lake. It may be that your permanent home is on the Lake, or that your cottage is here, or that you operate a business venture here. Whatever brought you to Oxtongue Lake, you are a part of this community". What is the state of our community today? Is it a good community? Is it getting better for you? Is it getting worse?

What does being part of a community mean to you? Well, it's people who make up a community and people can be one of two things: they can be considerate of their neighbours, or they can be inconsiderate. We all know this. We all know no-one has any problems with the considerate people. Did you know that there are two types of considerate people? There are those who are actively considerate: they join committees, they do service work; and there are those who are passively considerate: they keep to themselves but don't do anything that bothers or upsets others.

I won't dwell on the problems associated with inconsiderate people (besides, when you talk about others, I bet it's the inconsiderate ones you talk ENOUGH about already!). I'll just note that there are also two types of inconsiderate people: those who are passively inconsiderate: they do things for their own fun or their own gain, but what they do annoys their neighbours. The other type is more frightening: those who are actively inconsiderate: they plan out and do things to purposefully annoy or harass neighbours.

One problem with living so far out here is that many laws and by-laws are unenforceable. Is it the considerate or inconsiderate neighbour that would take advantage of this fact of life at Oxtongue Lake? Is it the considerate or the inconsiderate neighbours that would police themselves? Why can we not ALL OF US consider the activities we do? Does it bother others? Then why do it?

I suppose that in our society today we more and more believe that we have the right to do THIS or the right to do THAT no matter what anyone says. I suppose this is the legacy of the "Me" generation. If it is, I appeal to you to reject it. Reject selfishness. Reject selfishness in favour of the Community.

I appeal to you to make our community of Oxtongue Lake a better one; a better one through the idea of Consideration of Others. Will this message change everyone into being considerate? No, of course not; but if just one person in the community becomes a little more considerate than they were, then it will not have been a waste of time.

To close on a positive note, I would like to highlight some activities that have been wonderful Community Builders here at Oxtongue Lake: those which have been going on for many years: the Volunteer Fire Department; the Snowmobile Club; the Annual Regatta organizers; the fireworks displays; and even the bagpiper we used to hear in the evenings – who was he? Is he still around? I miss him!

I would also like to acknowledge those new initiatives that got going during this last year, such as the Driver Reviver Station and Halloween Social – well done and thanks! Am I forgetting any other Community Service groups or social builders? Come on, who else has done something to make Oxtongue Lake a better community?

*Rick Wesolowski*

## **Legal Challenge to Access to Dam**

Access to the Oxtongue Lake dam area continues to be disputed in an ongoing legal challenge. The plaintiff, a property owner living near the dam has effectively gated and closed off access to the “right of way” and initiated an action against two neighbouring property owners charging trespass after they used the “right of way” to cross the plaintiff’s property. The defendants maintain they, in conjunction with other members of the public, have an ongoing right of access along a shore road which led to a dock or boat launch (in the vicinity of the dam). It was over this same road that OLRA has historically gained access to the dam for the purposes of maintaining the water level of Oxtongue Lake on behalf of all of its

ratepayers. OLRA believes that it has historically, in common with the public, had access to the Oxtongue Lake Dam (located at the outlet of the Lake) via access over a “right of way” referred to variably as a “survey road”, “motor road”, “public portage” or “trespass road” on various historical documents and surveys.

A preliminary ruling was made in favour of the Plaintiff in June 2005. A contempt ruling, made in August 2006 against the defendants when they failed to sign quit claims to any interest in the “right of way”, was stayed for 6 months at a court hearing in Bracebridge in November 2006. The defendants are now continuing to research their entitlement to reach the shore and boat launch.

On behalf of the Association, your executive is interested in how OLRA might become involved in the research related to the legalities around this case with the objective of ensuring that the dam remains a public domain and continues to be accessible to the residents of Oxtongue Lake. OLRA, acting on behalf of its ratepayers to protect public access to the dam, believes it has a right to permanent access to the dam over the “right of way”, and as such, has interests in common with the defendants. OLRA is currently gathering information from all available sources to support OLRA’s position. While OLRA has the right to launch an independent action with the goal of gaining permanent access to the dam, this option could be costly, and will not be initiated without a clear mandate from its membership.

Given the importance of this issue to the ratepayers of Oxtongue Lake and the potential that significant costs could be incurred if OLRA initiates independent legal action, your executive is asking you to respond to the brief survey included on the last page of this newsletter. Please take the time to complete and return the questionnaire to help your executive with this decision. (Submitted by the Executive)

## **Notes from the Fire Department**

*Seasons Greetings*

*From the Members of the Oxtongue Lake Volunteer Fire Department*

Our volunteer department has, as of this date, 18 active fire fighters. These people volunteer an average of 128 hours per year attending department training, medical calls, motor vehicle accidents and fires. Please be careful with fire and all other activities.

Our main fund raiser this year was the bi-annual Hen House Golf Tournament. This spring and fall tourney allowed us to donate approximately \$3,500.00 to Camp "BUCKO". This camp is a volunteer facility dedicated to the rehabilitation of burned children. The Annual Regatta raised \$1,453.50. This money will be used to purchase equipment for our fire station. Many thanks to the Hollingsworth-Lomax family for their hard work and efforts to provide everyone with a well run regatta.

Please check your smoke detectors and have a safe and happy holiday season.

*Ted Keown  
District Fire Chief*

## **Algonquin Snowmobile Club**

With the first few snowfalls and the dipping of the thermometer, our thoughts are turning towards the upcoming sledding season at the Algonquin Snowmobile Club (ASC). Let's hope that Mother Nature will cooperate once again this year with good ice on the lakes and lots of snow for the trails.

Please remember that permits have increased in price from \$180.00 to \$230.00

as of December 1<sup>st</sup>. \$230.00 for a whole season of fun is incredible value compared to the cost of an evening of dinner and theatre or a trip to Rama. Permits can be purchased at the following local businesses: Hesel's Store, Blue Spruce Inn, Parkway Cottages, and Lakewoods Resort in Oxtongue Lake, The Beacon and Lakeland Motor Sports in Dwight, South Portage Marina, Hidden Valley Resort, Deerhurst, Tally Ho Resort, and Colonial Bay Cottage Resort. Be sure to support our local businesses that support our club! A 3 day permit is \$90.00, and a 1 week permit is \$120.00.

Just a few of the benefits of becoming a member of ASC include having your name entered in the draw for great prizes like embroidered turtle necks and hats, discounted tickets to social events, and making new snowmobiling friends!

As usual, we have another full season of great social events including the annual chili contest at McCann's hunt camp on January 27th, dinner at Muskoka on the Rocks on February 10th, and the annual fish derby on Oxtongue Lake on March 4th. Don't miss the excitement of the Portage Bay drag races on the weekend of February 4<sup>th</sup> and 5<sup>th</sup>. Come and check out the amateur racing, helicopter rides, draws, food and manufacturers' product displays. Call Marlene Kyle at 635-9816 for more information on any of these events. Proceeds from our fundraising at social events will go towards the construction of a new groomer shed.

This year was crazy with storms which resulted in much devastation in the forest. The Club owes a big 'thank you' to Doug Kyle and his gang of like minded sledders who headed out armed with chain saws and axes. A special thank you is also accorded to Terry Nadrofsky Logging who came to the rescue with some heavy machinery for the more difficult sections. We have had some trail wash outs and some bridge damage due

to the incredible amount of rain that we've had. We are still continuing our efforts to get the work done. Anyone who loves to work in the bush and get close to nature should feel free to contact Doug Kyle to offer up a hand. If you are not the phoning type then just pick your favorite trail and go out and see if you can make it better. Peninsula Lake will be staked this year from Deerhurst to Colonial Bay and to North Portage. The groomer is almost ready to go. Now all we have to do is wait for snow!

Our first full membership meeting of the season will be a Christmas potluck on Thursday December 7<sup>th</sup> at Blue Spruce Inn. All are welcome to attend. Looking forward to seeing you on the trails!

*Scott Hayden*

## **Property Taxes**

Many of you may be aware that WRAFT ( Waterfront Ratepayers After Fair Taxation) was formed 3 years ago. Last spring, WRAFT concluded that they were not getting their message across because they were viewed as a small group of elite ratepayers, so, in April 2006, they became a founding member of CAPTR (Coalition After Property Tax Reform). CAPTR now represents 800 groups and over 1 million Ontario taxpayers. The Coalition notes that 17% of the 2005 property assessments were up over 20% from 2003 assessments. The coalition is therefore proposing:

- a cap on property tax increases of 5% per annum (this is the long term average rate of escalation for property values).
- when a property changes hands on an arm's length basis, it would be reassessed at the current value.
- The base year for capping would be 2004 (because of concerns with the 2005 assessment)

It was noted that the provincial ombudsman also reported fundamental problems in the CVA ( current value assessment) system last March. At this time, the coalition believes that it is not clear whether the liberals are committed to rectifying the CVA situation in

the long run. The two year moratorium that was imposed in July 2006 and their commitment to implement the ombudsman's report are both timed for after the next provincial election. The two year moratorium means that inflation for 2005 & 2006 which would have been reflected in taxation years 2007 & 2008 will not be applied – but watch out for taxation year 2009 if no changes to CVA are made. The coalition believes that next spring's budget is critical in understanding whether the message is getting through at the political level. If no changes are proposed in the spring budget, look for greatly increased coalition activity in the runup to the election. Of interest is the fact that the PC's have a private members bill at 2<sup>nd</sup> reading proposing a 5% cap, and that the NDP is proposing a 0% cap. One Canadian province and many US states have dropped CVA altogether. CAPTR encourages individuals to write to their MPP's or drop into their constituency offices to express their support for the 5% cap. CAPTR's website is [www.captr.org](http://www.captr.org) . *(From the fall meeting of FOCA, the Federation of Cottagers' Associations, submitted by Jim Elliott)*

*Newsletter editors Margaret & John  
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