

Kahshe Lake Ratepayers Association

Terms of Reference for the KLRA Rock Marker Committee

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Kahshe Lake Ratepayers Association (1994) Inc. (KLRA)

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Introduction

This document outlines the Terms of Reference for the Kahshe Lake Ratepayers Association's ("the KLRA") Rock Marker Committee (the "Committee").

Definition of "The KLRA Rock Marker System"

The "KLRA Rock Marker System" means the KLRA assets or property used to mark navigational hazards on Kahshe and Bass Lakes during the summer boating season, beginning on or about, but generally no later than, the penultimate Monday of May (**Victoria Day weekend**), and ending on or about, but generally no later than the second Monday of October (**Thanksgiving weekend**).

These assets include:

- Seasonal navigation buoys, anchors, chains and fixtures;
- Permanent navigational buoys (lighthouses), and fixtures;
- Signage;
- Information and know-how such as, plans, maps, charts, inventory lists, and Lifetime Sponsorship Program lists; and,
- Spares, such as lanterns, anchors, fixtures, and tools.

These assets are the exclusive property of the KLRA.

Committee Mandate & Responsibilities

Under the authority and governance of the Kahshe Lake Ratepayers Association, the Committee, a standing committee of the KLRA, shall:

- 1) **Manage, maintain and improve the KLRA Rock Marker System.** The Rock Marker Committee shall: (a) manage and maintain the KLRA Rock Marker System in accordance with the Guidelines provided in Appendix A, below; and, (b) improve the KLRA Rock Marker System.
 - 2) **Manage and maintain the KLRA Lifetime Rock Marker Sponsorship Program.** The Rock Marker Committee shall manage the KLRA Rock Marker Lifetime Sponsorship Program by, at a minimum:
 - a. ensuring the memorials (fixed or markers) are in place and in good order throughout the boating season; and,
 - b. installing or replacing memorial plaques as required.
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Governance

The Committee is exclusively and solely accountable to the KLRA Board of Directors.

The KLRA Board of Directors shall appoint, at its sole discretion, the Committee Chair for a period of two years. The term of the appointment shall begin on the date of appointment.

The Chairperson serves at the sole discretion of the KLRA Board, and may be dismissed without cause at any time.

Except the Chairperson, Committee members need not be approved by the KLRA Board of Directors.

The Committee shall report to the KLRA Board of Directors in accordance with the

responsibilities of the Chairperson, outlined in section "Responsibilities of the Chairperson", below.

**Responsibilities
of the
Chairperson**

The Chairperson shall:

- Take appropriate action to fulfill the mandate and responsibilities of the Committee, as outlined above in section *Committee mandate & responsibilities*.
- Prepare an annual budget and report, submitted to the President of the KLRA on or before the date requested by the President.
- From time to time, at the request of the KLRA's President, report to the KLRA Board of Directors the activities of the Committee and/or any event or issue that may concern the Board.
- Immediately make the Board aware of any events or issues regarding the KLRA Rock Marker System. For example, but not limited to: boating accidents involving KLRA navigational aids; a resident's concerns regarding the KLRA Rock Marker System that cannot be resolved by the Committee; or threat of legal action against the KLRA with regards to the KLRA Rock Marker System.
- Maintain the records of the Committee in good order and in a form that the records may be transferred to and used by subsequent Committee members.
- Ensure the smooth transition of responsibilities to the successor Chairperson.
- Follow the financial and administrative procedures of the KLRA as outlined by the Treasurer.

Modifications

The Terms of Reference, including Appendices, are policy of the KLRA. Modifications, alterations or amendments may be made only by the KLRA Board of Directors.

APPENDIX A
GUIDELINES
FOR THE MANAGEMENT & MAINTENANCE
OF
THE KLRA ROCKMARKER SYSTEM

Introduction

This Appendix provides guidelines for the maintenance and management of the KLRA Rock Marker System.

Regulations governing private aids to navigation in Canada

The Committee shall manage and maintain the Rock Marker System in compliance with the following Government of Canada regulations:

- a) *The Canada Shipping Act, 2001*; Private Buoy Regulations (SOR/99-335) Current to December 10, 2012; and,
 - b) *An Owners Guide to Private Buoys*; Transport Canada; TP 14799E
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Location of hazards to be marked

Because of the unique geography of Kahshe and Bass Lakes, and their being a land-locked, non-navigable waterway, many recreational boaters would be unable to identify up- or down-stream channels on the lakes. The use of the Red/Green-Port/Starboard marker system to indicate navigational channels is likely to be confusing to many boaters.

It is a policy of the KLRA that Committee mark only shoals (rocks). The Committee shall not mark navigational channels with directional markers (Red/Green).

The navigational aids shall be moored in conformance with the KLRA Rock Marker Map of the current year (see Record Keeping & Documentation, below).

Seasonal installation & removal of aids

The Committee shall install the navigation aids, annually, on or about, but generally no later than, the penultimate Monday of May (**Victoria Day weekend**); and, remove and store the aids on or about, but generally no later than the second Monday of October (**Thanksgiving weekend**).

Maintenance of the Rock Marker System

During the summer boating season, the Rock Marker Committee shall:

- 1) **Perform monthly visual inspections.** The Committee shall make a visual inspection of the Rock Marker System at least monthly to ensure the functioning and proper placement of the aids.
 - 2) **Retrieve and replace wayward aids.** The Committee shall, as soon as possible after reported, retrieve and replace any aid that has become unmoored and/or displaced from its usual position.
 - 3) **Replace malfunctioning lanterns.** The Committee shall, as soon as possible after reported, replace any malfunctioning navigation light.
 - 4) **Respond to reported malfunctions or wayward aids.** The Committee shall
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respond to reports of malfunctioning and/or wayward aids by:

- a) Investigating the report. As soon as possible after the report, the Committee shall investigate the report of a malfunction and/or wayward aid.
 - b) Rectifying the situation. As soon as possible after the report has been investigated, the Committee shall, if necessary, take action to rectify any reported issue with the KLRA Rock Marker System.
 - c) Notifying the person(s) who reported the event; and, notify the KLRA that the issue has been rectified.
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**Maintenance & Care
of KLRA Assets**

The Committee shall maintain and care for the assets of the KLRA as follows:

- 1) **Off-Season Storage of Assets.** The Committee shall store navigational aids, their components and tools in a prudent and safe manner to:
 - a) prevent vandalism, theft, loss or weather damage to the assets;
 - b) maximize the life expectancy of the assets; and,
 - c) ensure the manufacturers' warranty is not voided by improper storage or use.
 - 2) **In-season Maintenance of Assets.** The Committee shall inspect the assets regularly and take appropriate action to ensure:
 - a) assets remain properly deployed to minimize wear and damage (for instance, damage caused to buoys by excessive abrasion against rocks);
 - b) ensure the manufacturers' warranties are not voided by improper usage; and,
 - c) undertake appropriate remedial maintenance actions to maximize the life cycle of the assets.
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**Record Keeping &
Documentation**

The Committee shall maintain the records of the KLRA Rock Marker System current and in good order. The records of the Committee include:

- An inventory of assets (aids, equipment, tools);
 - Maps;
 - Maintenance Logs;
 - Expense reports (and receipts) before transfer to the Secretary of the KLRA.
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Community Outreach

With respect to the KLRA Rock Marker System, the Committee Chairperson shall act as the spokesperson to the Kahshe and Bass Lakes community, and/or other lake associations. At his/her discretion, the Chair may engage the Kahshe and Bass Lake residents on behalf of the KLRA to:

- Enlist volunteers to manage and maintain the KLRA Rock Marker System;
- Improve awareness of the KLRA Rock Marker System; and,
- Enlist community support to develop or improve the KLRA Rock Marker System.

The President of the KLRA, or his/her delegate, shall act as the spokesperson on behalf of the KLRA and its committees to any official or governmental organizations,

including the District and Townships, Federal or Provincial Government departments.
