

The Northern Lights

Twin Lakes Beach Association Inc.

Issue # 1 of 2

Winter 2012/2013

President's Report- Jack King

Twin Lakes Beach continues to recover from the flood. Homes have been raised at great expense and effort. Contractors and water stewardship inspectors predict that 2013 will see even more 'lifts'. The rock work funding came to an end in October and final bills must be sent to MASC by January 31/13 for reimbursement. Some residents received spruce seedlings in the Fall through a Provincial program. We are hopeful that maple, lilac and willow may be offered this spring. More information will follow as received.

There is a 'mixed bag' of progress by the RM of St Laurent. There was extensive dredging of ditches and general cleanup during the spring and summer. Much of the debris from the destruction wrought by the wind event was cleaned up. Many homes that were slated for demolition have come down, though many more still stand as a cruel reminder of the flood. Twin Beach roads S and N have been widened and now have a smoother top coat. The Province has assured the municipality that Twin Beach South will have an asphalt surface. The deplorable state of the road from the four-way stop into Twin makes driving unsafe and has resulted in many repairs to vehicles. Under freedom of information, the RM of St Laurent exposed the false claims made by the government spin doctors of the costs of the two reaches (channels). The first, they claimed a cost \$100 million at Lake St Martin and the second at Dauphin River was pegged at \$25 million. The actual costs were \$30 and \$8 million respectively. The first channel is now closed. The second was never open. Neither channel was a direct drain for Lake Manitoba. The current lake level is in the upper operating range and coupled with the decision to close the channel confounds logic - to draw down over the winter in anticipation of spring run-off. Recently the government acknowledged responsibility for flooding of farmlands because of their operation of the Shellmouth dam and reservoir. We will continue to press for a similar admission given the water that contributed to the flood was from the Portage Diversion.

ALMS recently made an excellent presentation to the Regulatory Advisory Committee that is posted at lakemanitobaassociation.wordpress.com. Early in 2013, two commissions will report their findings: managing the lake level and reviewing the government response to the flood. Note that the reports are to the Province. We will bring pressure to ensure that the findings and recommendations are made public. – given that the most recent throne speech gave so little attention to the flood. A meeting with the Conservative Party is being arranged to exchange information and concerns. The Auditor General's office has agreed to meet with residents to discuss the manner in which the Flood programs were managed. Reports and information will be posted and emailed to members.

As you will read elsewhere here, the litigation process has begun as the negotiating and arbitration process with Ron Bell has been exhausted. It is small wonder that those suffering huge debts are left with the courts as a last resort to exact justice.

I want to acknowledge the resilient spirit of so many who have suffered greatly and who continue to be optimistic in their rebuilding efforts.

Jack King

President, Twin Lakes Beach Association
204-646-2018

Twin Lakes Beach Association Inc.

FLOOD ACTION COMMITTEE REPORT

DENNIS TUREK

The following are the highlights of the report given to the Lake Manitoba/Lake St. Martin Regulatory Commission by Scott Forbes on behalf of ALMS with input from all Associations belonging to ALMS. The full report is available on the Twin Beach Association & the ALMS websites. The Commission's findings were to be released by the end of December 2012.

RECOMMENDATIONS:

- INCREASE OUTFLOW CAPACITY OF LAKE MANITOBA TO 12,000 CFS.
- EMERGENCY CHANNEL MUST HAVE A MAINTENANCE PROGRAM, BE A PERMANENT STRUCTURE AND CAPACITY INCREASED.
- DIKE RESTORATION ON THE ASSINIBOINE, RESTORATION OF WETLANDS AND INCREASE IN UPSTREAM STORAGE CAPACITY MUST BE UNDERTAKEN.
- RESTORE CHANNEL CAPACITY OF THE ASSINIBOINE RIVER TO 1976 CAPACITY OF 24,000 CFS.
- PROVIDE RULES TO RUN THE PORTAGE DIVERSION, PROVIDE FOR AUTOMATIC CLEANUP/RESTORATION OF SHORELINE AFTER USE, PROVIDE RULES ON HOW TO HANDLE SPRING RUNOFF, AND PROVIDE RULES ON HOW TO HANDLE MULTIPLE HIGHWATER AND LOW WATER YEARS.
- ALLOW FOR A YEARLY FLUCTUATION OF THE LAKE OF 2 FEET BETWEEN SPRING AND FALL
- LAKE LEVEL SHOULD BE MAINTAINED AT DIFFERENT LEVELS BASED ON THE TIME OF YEAR:
- WINTER: DRAIN DOWN TO PROVIDE A BUFFER FOR SPING MELT.
- SUMMER: TOP UP TO MAINTAIN RECREATIONAL/COMMERCIAL NEEDS. USE HISTORICAL REFERENCES LIKE CROWN LAND SURVERYRS WHICH SHOW HISTORICAL LAKE SHORELINES.

The Flood Action Committee is awaiting the release of The Commission's findings and will deliberate on them to see if further action needs to be taken.

GEO-TUBE PROJECT / TWIN LAKES BEACH -WOODLANDS

DENNIS TUREK

A Meeting of with Woodlands' residents, Jon Graham from Lakefront Restorers and Al Caron (Flood Coordinator for the RM of Woodlands) was held in early September. As a result an action committee was established.

The goal of the committee is to acquire enough funding so that a uniform & acceptable permanent flood protection system can be installed along the stretch of beach in Woodlands. This permanent flood protection system would be effective & enviornmentally friendly. The vision is that a uniform flood protection system will be able to restore the shoreline to the natural pristeen condition that we enjoyed in the years prior to the slow and steady decay caused by years of high water levels.

The committee will work with Jon Graham and various government departments to acquire funding for this project. The present Geo-Tubes will be removed sometime this June.

COMMUNICATION BREAKDOWN???

The 2011 Flood Event has illustrated the importance of communication between The Association and our membership. We are striving to always improve communication.

If you are only receiving this newsletter in a printed format and want to receive it via e-mail, please notify us of your e-mail address. If you are planning a move, please send us your new contact information. If you are aware of a fellow member/cottage owner that is not receiving these communications, please notify us.

twinlakesbeach@gmail.com

With respect to your privacy, these e-mail addresses will **NEVER** be published or given out.

Twin Lakes Beach Association Inc.

Class Action Lawsuit Process

FRED PISCLEVICH

There has been considerable legal activity in the months following the May 31, 2011 disaster. While many TLBA members have received independent legal advice, two of these members obtained a legal opinion regarding a class action. These members informally shared this legal opinion with other individuals who organized as a Flood Action Committee. The Flood Action Committee shared information at several informal and formal meetings over the past 12 months, including a closed to the media meeting at Sisler High School that was attended by over 300 members of the TLB Association and other surrounding associations. While this evening generated considerable support to move ahead with a class action, many persons left with some confusion as to how they could participate in the process. Soon thereafter, a core group of TLBA members committed to active participation in a class action process. A subcommittee was established to identify a lawyer with the expertise and resources required to represent the group in a potential class action. After considerable deliberation, the group decided to retain the services of Brian Meronek, Q.C. of the firm Darcy and Deacon. Mr. Meronek has an extensive record of successful civil litigation awards which can be reviewed online along with his biography at:

<http://www.darcydeacon.com/bios.asp?id=3>

Progress with Mr. Meronek and his team to date has been very promising and the filing of the lawsuit should happen early in 2013. However, there is still an opportunity for TLBA members and other residents of surrounding communities to participate in the process through their active financial support. The conduction of research, preparation of court documents, and attaining expert opinions are time consuming and expensive tasks that must be completed prior to the registration of the class action suit. To date, thirty individuals and families from the TLBA and surrounding areas have contributed approximately \$45,000 to this effort. We thank those of you who have committed your personal time and resources to the support of the class action lawsuit process. If you are interested in contributing your financial support or are seeking any information or an update on the process, please contact either:

Fred Pisclevich
John Howden

fpisclevich@hotmail.com
howdenjp@gmail.com

Here are some things to consider:

- 1) There is strength in numbers and the more people that get involved makes our case stronger
- 2) We still need financial help and it is not a problem to be part of this suit and still be dealing with the Government regarding fixing your property.
- 3) Everyone has suffered damage, some more than others.
- 4) We could still use useful information (Evidence) regarding anyone's dealings with the Government over the last 10 or so years that could help with the case as it goes forward.
- 5) The expiry date to take legal action against the Government for losses sustained as a result of their flood is the end of May this year (May31 ,2013)

Twin Lakes Beach Association Inc.

Q/A with MASC and Water Stewardship (WS):

1. Is it true that rock work will not qualify for reimbursement?

MASC: Anything spent after October 31, 2012, will not qualify.

2. If I am lifting my residence, what part of the cost is subject to the 14% co-payment?

MASC: Anything over \$20,000

3. How does the 10% holdback get returned to the property owner?

MASC: First: If the property was demolished the 10% is released when the Flood Recovery Office (FRO) receives written confirmation from the local government that the lot has been cleaned up and decommissioned to their satisfaction. Second: The 10% will be released when the FRO receives written confirmation from MIT that the client has achieved Permanent Flood Protection.

4. What is possible under the programs for landscaping costs - fill, topsoil, sod, seeding?

MASC: Landscaping is only available to permanent residents. The value is determined by a MASC contracted adjustor.

WS: Landscaping costs related to the raising or terracing or diking of a permanent flood protection project are eligible for a home, business, farm or cottage application.

5. Is there money or program assistance for beach side cleanup of large debris?

MASC: From the FRO there is \$10,000 available for mitigation and clean up.

Note: The balance of funds left from the \$10000 after deducting for sandbagging costs, pumping and other items charged to this account as temporary mitigation are available for cleanup. So check with your MASC contact to determine what if any money is left for cleanup.

6. When lifting my home is there a limit to height to which it can be raised?

WS: Eligible buildings may be raised higher than the required flood protection level within reason.

7. If I pay costs for expanding the footprint or adding a garage door will that be acceptable?

WS: Additional costs for expanding the footprint of an eligible building are the responsibility of the applicant. Garages must meet our elevation requirements to be eligible for financial assistance. Garage doors and concrete floors in crawl spaces are not eligible expenses.

8. As a permanent resident can I choose to not raise my home but lift my garage?

WS: Only if the home or cottage is already at the required flood protection level. If a home or cottage is lower than the required flood protection level, raising just the garage is not an eligible expense.

2012-2013 EXECUTIVE LIST TWIN LAKES BEACH ASSOCIATION INC.

President:	Jack King	646-2018	Lot 67 TBN
Vice-Pres.	Jeff Simes	999-4300	Lot 304
Treasurer	Bob Cox	253-4325	Lot 370
Secretary	Lori Fenn	253-0758	Lot 157
Past Presidents:			
	Lawerence Heise	837-8487	Lot 140
	Dennis Turek	694-8642	Lot 310

Important Links & Numbers

Twin Lakes Beach Association Website:

www.twinlakesbeach.ca

Municipality of St. Laurent:

www.rmofstlaurent.ca 204-646-2259

Municipality of Woodlands:

www.rmwoodlands.info 204-383-5679

Association of Lake Manitoba Stakeholders:

<http://lakemanitobaassociation.wordpress.com>

Lake Manitoba Flood Assistance (MASC)

www.masc.mb.ca 1-855-220-1822

Manitoba Association of Cottage Owners

www.macoman.com

Manitoba Red Cross

www.redcross.ca 1-888-662-3211

Membership!

If you have not submitted your \$5 for a Twin Lakes Beach Association Membership you can do so by mail. Please mail a cheque made payable to Twin Lakes Beach Association Inc. Mail to :

c/o Bob Cox
Sutie 242 23-845 Dakota St
Winnipeg, Manitoba
R2M 5M3

Your membership is **important** !! We must stay united and have a strong voice to fight for our property rights!

