



PRIVATE UNASSUMED ROADS WORKING GROUP MINUTES

Wednesday, August 25th, 2021

5:30 p.m.

GoToMeeting

ATTENDANCE:

Members Present: Councillor Gene Richardson
Councillor RoxAnne Darling
Fred Barrett
Gordon Hill

Staff Present: Amanda Mabo, Acting CAO/Clerk
Noelle Reeve, Planner
Janie Laidlaw, Deputy Clerk

Members Absent: Frank Johnson

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m.
The Clerk conducted Roll Call.
A quorum was present.

The Clerk overviewed the Teleconference Participation Etiquette that was outlined in the Agenda.

2. APPOINTMENT OF CHAIR

RESOLUTION #PUR-2021-08-01

MOVED BY: Gordon Hill

SECONDED BY: RoxAnne Darling

“THAT, Councillor Richardson be appointed as the Chair of the Private Unassumed Roads Working Group.”

3. AMENDMENTS/APPROVAL OF AGENDA

The agenda was approved as presented.

4. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

None at this time.

5. APPROVAL OF MINUTES

None.

6. MEMBER INTRODUCTIONS

(Members are asked to provide a brief overview of why they were interested in sitting on this Working Group and what they would like to achieve).

Councillor Daring is the Councillor for the Sherbrook ward, this is here 4th term on Council, the obstacles for development on private unassumed roads have been coming from development applications, is looking forward to trying to resolve the issues.

Councilor Richardson is the Fire Chief at Lanark Highlands, is the Councillor for the Bathurst ward, is his 1st term on Council, has worked in the insurance industry for 14 years, is interested in making it work for everyone in the municipality.

Fred Barrett owns 3 properties in Maberly Pines has been a resident for 20 plus years. Has seen lots of false stars with unassumed roads and hopefully it can be resolved. Has an Engineering background.

Gordon Hill lives on Christie Lake, his background is law, practiced law for 23 years in Toronto and in Bermuda for 16 years, lives on a property purchased by his grandfather 100 years ago and has an interest in Christie Lake, the Township and the County. Hopes he can help with his legal background.

Frank Johnson - absent

7. BACKGROUND INFORMATION

The Acting CAO/Clerk explained the background items.

A Condominium Road is created under the Planning Act, since the creation of private roads are not allowed, the only way to create a road that is not a Township road is this way.

G. Hill advised that we will be recording the meeting. The Acting CAO/Clerk asked if anyone had an objection to the meeting being recorded. There was no objection.

- Road Diagram (describes the legal status of roads within the Township)
- List of Subdivisions with Private Unassumed Roads
- Private Unassumed Road - Maps
- Private Unassumed Road - Statistics
- Private Unassumed Roads – Estimated Costs to Upgrade
- Planning Process Related to Private Unassumed Roads - *presentation by Noelle Reeve, Township Planner.*

The Planner gave a PowerPoint Presentation – *attached, page 9.*

Councillor Darling read the motion from Council that established the Working Group. The mandate for the group is not only dealing with roads in subdivision, if it was it would be easier to resolve, but since it is not, then one resolution might not fit in all situations.

Andrew Kendrick questioned the Zoning By-Law Section 3.4 where it says that no lot shall be used, does that mean you can not even walk on it.

The Planner clarified that says that no lot shall be used means you should not be camping or walking without appropriate the access, the Township does not go out and determine this is happening or not, the point of this restriction for safe use of the properties, if a fire truck or ambulance can not get to you while you are using your property, it is not safe.

The Acting CAO/Clerk discussed the standard for a private road, the property owners can undertake routine maintenance gravel, snow plowing etc... but when replacing a culvert or widening the road then the standards of the road would need to be addressed.

G. Hill wanted to clarify that if someone complains to the Township about someone using their property without proper access, then Township will go out and investigate it. The Planer confirmed that was correct.

8. DELEGATIONS & PRESENTATIONS

- i) **Overview of Liability/Insurance Requirements on Private Unassumed Roads for the Township, Property Owners and Contractors.**
Carolyn Corkery and Matt White, Halpenny Insurance Brokers Ltd.

C. Corkery and M. White gave a PowerPoint Presentation – *attached, page 13.*

C. Corkery referred to claim scenarios and what the claim cost eg. One claim cost 30 million dollars and the Township's Road Access Agreement is only asking for 5 million in liability insurance. Explained that because of Joint and Several Liability regardless of having the agreement, the Township will be named in the lawsuit. Property owners are being asked to be liable for the roads and their personal assets are at risk in doing so, wondered if they seek their

own legal advice. Contractors that do any work or maintenance on the roads should also have liability insurance.

M. White reviewed claims scenarios in the PowerPoint and explained that the Township can be named in the lawsuit.

The Road Access Agreements required the owners to obtain 5 million in liability insurance. Insurers are reluctant to quote on these types of agreements as there could be multiple insurance policy covering the same section of road and some will not have any coverage, in a lawsuit they would all get dragged in and start pointing fingers, so many do not want to be involved, it can be expensive, it seems like a small expense but to a private property owner is a lot and it needs to be renewed each year, wonders if they understand that and to have to name the Township forever, it is also a burden on the Township administratively as they have to ensure they are in place and request certificates of insurance to make sure they are covering the road each year.

M. White also explained that adding the Township as additional insured, only covers the Township if they built the road, it would not extend coverage to the Township if a property owner cleared the road and was then named in a claim so it does not entirely cover the Township's exposure or risk.

The Acting CAO/Clerk explained that the Township did not build any of the roads in the subdivisions, it was the developer of the subdivision. C. Corkery explained that the Township accepted the road and needs to see if the developer still insurance in place, most are only for 12-24 months, if the contractor is still in business, the coverage has probably lapsed, if there is a claim today there is no coverage. A Policy must be in place at time of occurrence.

Councillor Darling asked if school buses go down private roads? The Acting CAO/Clerk does not think they go on private roads to the Township's knowledge and confirmed that the roads were built over 40 years ago and there is no insurance, so it would fall back to the Township.

The Planner asked about the Township having liability because we accepted the roads, by using the terms unassumed roads means we did not accept them. C. Corkery does not think it will matter, the courts will determine how they respond. As in any claim defense costs would need to be covered.

G. Hill that having read the agreement, is there a risk to the Township in telling the owners that they have to repair the road to their private road standards, that may insinuate that the Township through those actions have assumed the property. C. Corkery agrees with G. Hill on that.

M. White explained a road association, they pool together and purchase insurance and maintain the road, there are some challenges with that, despite there bring an association, the Township can still be named in a lawsuit and will

be on the hook for defense costs, it will be up to the courts to determine the liability, there is no enforcement for new property owners to get the other ones to participate and get insurance, another challenge is maintenance contractors may not have insurance and may be one of the property owners with their own equipment, would have same situation, as the Township needing to be added to the insurance and that has holes in it and the association need to continually have insurance etc...

Discussed deeming road away and creating a private road and what the challenges are with that option.

The Acting CAO/Clerk asked for clarification on deeming roads away and the Township being called into a lawsuit, if now in private ownership why would the Township be named.

C. Corkery explained that any third party can name Township in a suit, can have a claim for things that are not even in the Township, anyone can name you in a claim and make allegations that Township contributed to the claim. Similar to no fault automobile insurance naming Township for some reason or another.

Road Access Agreements are expensive for a homeowner and she is not sure they know what they are agreeing too.

Councillor Darling clarified that the existing private roads where the Township has no say in them, they are cottage roads and the Township could still be named in a lawsuit, if the fire department needed to get in and it was the only service the Township provided, if something happened that they could not get down the road, could the fire department be named in the lawsuit? Yes, there have been cases where the fire department was sued for not getting there fast enough etc..

ii) **Federation of Ontario Cottagers Association (FOCA) – Experience Regarding Private Unassumed Roads.**

Ian Crawford, President.

I Crawford gave a PowerPoint Presentation – *attached, page 20.*

Reviewed creating a Road Association, have to have the legal authority, they will assume ownership of the road, the property owners are shareholders. They purchase insurance and annual fee is determined for all owners on that road

Councillor Darling asked who they purchase the road from. I. Crawford replied that it is normally from the developer. In the PowerPoint is mentioned that a lien could be put on the property if they do not pay the annual fees, what authority is there to do that if someone doesn't pay. He explained that if they have the benefit of using the road then having that benefit you are responsible to contribute. The actual individual do not own part of the road, they own the

company that owns the road, but they receiving benefit and the courts see that they have to pay for that benefit.

iii) **Bennett Lake Estates Cottagers Association (BLECA) – Overview of Experience as an Incorporated Road Association on Private Unassumed Roads in the Township.**

Al Schoots, Member of BLECA.

A. Schoots reinforced what has been discussed and presented in his experience with the Bennett Lake Association. The roads in the subdivision were to be assumed by the Township once they were approved by the Township engineer and the Ministry of Transportation, the roads were not completed by the developer and that is why they are still unassumed. The Roads were built well, they are gravel and require maintenance. Snowploughing is done with by a company, but the residents would sand the hills manually if they were ice covered, winter maintenance is to the Township standard. Spring brings other challenges with the freeze thaw cycles and with mud and ruts. More gravel would help they do grade three times a year. They hold work parties for after a storm to clear branches etc., the struggle is with the extreme weather. Have had issues with some property owners that only come in the summer and do not feel they should have to pay for winter maintenance but have been able to resolve them, always looking for assistance from the Township.

The Acting CAO/Clerk wanted to clarify that the Bennet Lake Association is a formally registered association, and that the association holds the liability insurance? Yes, it is registered on the deeds and the executive holds the liability insurance.

9. BUSINESS

i) **Options and Next Steps.**

Amanda Mabo, Acting CAO/Clerk.

There is not one option that will fit all the private unassumed road situations, and there are pros and cons to each. Therefore, staff will put together a proposed list of which roads are best suited for each option for discussion by the Working Group at the next meeting.

G. Hill would like to see the subdivision agreements that the Township has with the developers, the problem starts at that level and need to see where the problems lie.

The Acting CAO/Clerk will post the presentations from this meeting and the subdivision agreements that the Township has on the Private Unassumed Roads Working Group webpage and will provide members with the link to the

page. At some point the Township will seek input from the Township solicitor when the group gets to that point.

10. NEW/OTHER BUSINESS

None.

11. NEXT MEETING DATE AND PROPOSED AGENDA ITEMS

Next Meeting: October was suggested

Terms of reference says meet monthly but not sure if will be ready with material for September, the Chair suggested early October clerk will send two dates out for availability.

Presentations will be posted to website along with subdivision agreements
Gordon 8 questions for insurer and 6 for staff will send electronically, send to Amanda and she will pass them on. All members will get answers and questions.

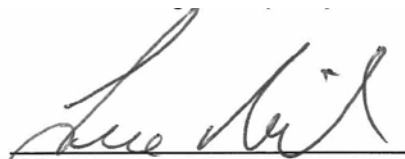

12. DEFERRED ITEMS

**The following items will be discussed at the next and/or future meeting:*

None at this time.

13. ADJOURNMENT

The Working Group adjourned at 7:08 p.m.


Chair
Secretary

BACKGROUND INFORMATION

Private Unassumed Roads – Planning Context August 25, 2021



Tay Valley Township

1

Official Plan

■ Official Plan section 2.16 Public Road Access, states:

"All new development shall have frontage on a public road that is maintained by the Township or other public authority, save and except the following:

- 1. Agriculture, forestry and conservation uses not having an accessory dwelling or any building or structure to which the public has access;*
- 2. Residential uses located on private roads or having only water access and which are zoned as Limited Services in the Zoning By-law that implements this Plan."*



Tay Valley Township

2

Official Plan

■ Official Plan section 4.4 Township Roads, states:

“For policy purposes, the Township considers unmaintained Township roads to be private roads.”



Tay Valley Township

3

Official Plan

■ Official Plan section 3.6.4.7 Residential Policies, states:

1. “Limited Services Residential Development is defined as residential development that does not have frontage on and direct access to an opened public road which is maintained year round. Access to Limited Services Residential Development may be provided by private right-of-way or private road, lane and by water. The residential uses include both seasonal dwellings and permanent dwellings.

■ Limited Services Residential Development may be permitted in the Rural designation in accordance with the following policies:

- a. Limited Services Residential Development shall not be provided with such municipal services as road maintenance and snow removal. In addition, no new Limited Services Residential Development shall be permitted unless other public services such as fire protection, police protection, etc. can be provided to the satisfaction of the responsible agencies or a Limited Services Agreement has been signed..”



Tay Valley Township

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Zoning By-Law Section 3.4

"No lot shall be used and no building or structure shall be erected on a lot in any zone unless such lot has sufficient frontage on an improved street to provide driveway access. Notwithstanding the foregoing, this provision shall not apply to:

- A non-residential building or structure accessory to an agricultural or conservation use;*
- A lot on a registered plan of subdivision and with frontage on a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement that is registered in title to the lots;*
- A lot on a plan of subdivision registered before December 10, 2002, that has frontage on a street that is not an improved street, where the owner has entered into a Road Access Agreement to the satisfaction of the Township;*
- A lot in a Limited Services Residential Zone;*
- An existing seasonal dwelling in a Seasonal Residential Zone."*



Tay Valley Township

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Implications for Development

- To mitigate risk to the Township from development on Township-owned private unassumed roads, the Township has developed a policy of requiring Road Access Agreements prior to a building permit being issued, with the applicable insurance.
- Owners of lots find this process costly and it causes delays in construction.



Tay Valley Township

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DELEGATIONS & PRESENTATIONS



Tay Valley Road Access Agreements Risk Management Considerations

August 25, 2021

**Carolyn Corkery, Vice-President
Matthew White, Vice-President**

1



Agenda

1. Exposures
2. Joint & Several Liability
3. Claims Scenarios
4. Property Owners Purchasing their own Insurance
5. Road Association Insurance
6. Deeming Roads Away
7. Recommendation

2

EXPOSURES

- The Highways Act defines a private road as a highway not maintained at public expense. This means the Local Authority is not responsible for fixing potholes, gritting or resurfacing the road.
- Within smaller municipalities in more remote areas of Ontario, many properties are accessed by private roads. Private roads are owned and maintained by one or more landowner and used to access private property. These roads are typically maintained by private owners of the land they occupy. Some private roads are maintained by a municipality and are open to the public
- Although the Owner by way of the agreement acknowledges that the Private Unassumed Road has not been brought up to municipal standards and has not been assumed by the Township and that the Township is not maintaining the road, it does not preclude a third party that has suffered injuries or damages to bring a claim against the Township. Although the Municipality transfers the liability for the private unassumed road to the property owner, they could still be named in a lawsuit and the Township could be held liable.

3

Joint & Several Liability

- As the Private Unassumed Road is still under the Township's jurisdiction, there is concern with liability.
- Under the Negligence Act, the law states that where damages have been caused by two or more persons and where two or more persons are found at fault or negligent, they are jointly and severally liable to the person suffering loss or damage.
- A plaintiff lawyer only has to prove 1% liability against the Township to recover 100% of the plaintiff damages.



4

Joint & Several Liability - Continued

- Is the Township Currently covered for Private Unassumed Roads?
 - The Municipal Liability extends cover to claims arising from the Township's operations subject to the policy terms, conditions and exclusions including \$10,000 deductible which also applies to defense costs. As with all claims, the allegation will determine how the policy will respond.
- We have approached the Township's insurer to extend coverage to the Property Owners.
 - The insurer will consider the request; however we need to confirm who is responsible for maintaining the roads for the insurer to determine if they are prepared to extend liability to the Property Owners as a Named Insured.
 - As the Township would be most likely named in a claim, it is advisable that the Township maintain the roads to manage their risk.

5

Claims Scenarios

- Cottage builder and/or contractors using heavy machinery end up in ditch due to lack of road maintenance.
- Amazon delivery driver slides into ditch causing bodily injury and/or property damage.
- School bus slides into ditch causing bodily injury and/or property damage.
- ATV or snowmobile hits obstacle (large rock or downed tree) and driver is injured.

Tay Valley could still be named in a lawsuit because an unknowing third party may assume the roads are Township's responsibility. Even if Tay Valley can get themselves removed from the action, there would still be legal fees.



6

Property Owners purchasing their own insurance

- Township's Zoning By-Law provides that no building shall be erected on a lot if it does not have access on an improved road unless a Road Access Agreement has been executed.
- Road Access agreements require that the landowner secure \$5M Commercial General Liability in order to build.

Challenges:

- Insurers are reluctant to quote because there could be several different policies covering each road.
- In a claims scenario, an accident could occur in front of multiple properties, making liability difficult to determine.
- We assume that only properties with buildings on site may have liability coverage.
- Are Vacant lots required to have insurance?
- Tay Valley could still be named in a lawsuit.

7

Property Owners purchasing their own insurance

Challenges (continued):

- Insurance can be expensive and difficult to secure (as expressed by previous property owners).
- Even if property owners can secure their own insurance, Tay Valley should request updated certificates annually to ensure they are added as additional insured.
- This places an additional administrative burden on the Township to follow-up with Property Owners for certificates as well as ensure that the roads are being maintained by competent contractors.
- Is the Insurance policy renewed after obtaining the building permit?
- Although the Township is added as additional Insured, this provision will only extend cover to the Township if they are named in a claim as result of the Named Insured's (Property Owner's) negligence.
- If the Property Owners do not secure liability coverage and a claim occurs?
 - As with all claims, the circumstances and the allegation will determine liability and will be decided by the courts.
 - By way of contractually transferring liability for the road to the Property Owner, it could be argued that the Property Owner should be responsible to maintain the road.
 - In the event of a claim, the Property Owners may be assigned partial / contributory liability.
 - The same would apply for maintenance contractors (if applicable).

8

Road Association Insurance

- When property owners collectively rely on an access road, they can form a Road Association.
- The property owners voluntarily take on the responsibility to organize road maintenance, communicate with road members and collect fees as necessary.
- Part of this includes securing liability insurance to protect them against claims alleging negligence arising out of the maintenance of the road.
- The Road Association should be required to maintain CGL coverage and provide the Township with an updated certificate of insurance on an annual basis including Additional Insured status for the Township.

9

Road Association Insurance

Challenges:

- This is a partial solution for neighborhoods which are organized and have a road association.
- This is a substantial burden to Property Owners where they may be the only families with dwellings on their property.
- It seems disproportionate that in order for them to build a structure on their property, they have to assume responsibility for maintaining the roads around them.
- Tay Valley can still be named in a lawsuit.
- Tay Valley must request updated certificates every year to ensure they are added as additional insured. This provision will only extend cover to the Township if they are named in a claim as result of the Owners negligence.
- Maintenance Contractors (snow removal, grading) may not have their own insurance. Often, a local property owner may have their own equipment and perform maintenance themselves.

10

Deeming Roads Away

- Deeming the roads away, in turn creating private roads, not owned or maintained by the township.

Challenges:

- Tay Valley could still be named in a lawsuit because an unknowing third party may assume the roads are town's responsibility. Even if Tay Valley can get themselves removed from the action, there will still be legal fees.
- If Tay Valley provides municipal services (ex. Garbage collection, school bussing, emergency services) and one of their vehicles or employees suffers bodily injury/property damage while on the private roads, it would be in Tay Valley's best interest to ensure the owners have sufficient resources (insurance) to pay a loss.

11

Recommendation

- It is our understanding that the Township currently has Private Unassumed Roads.
- It is our recommendation that Tay Valley retain ownership and should assume responsibility for maintaining the roads.
- This would reduce potential liability as the Township would be maintaining the road to Minimum Maintenance Standards and keeping records in the event of a claim.
- Tay Valley could levy a tax to the Property Owners to fund the upgrading and maintenance of these roads.

12

Halpenny Insurance Brokers Ltd.

WHO ARE WE?

Trusted Risk Advisers

With roots dating back to 1912 in Ottawa, our corporate values embrace trust, integrity, commitment, excellence and innovations. Our boutique service approach demonstrates our ability and willingness to deliver innovative solutions and value-added services while being mindful of the need to control cost in every possible way.

Over 100 years of experience

We work with our clients to position them for success, overcome market challenges, anticipate and manage risk. The insurance marketplace continues to be very reactionary and Insurers' respective underwriting philosophies changes from year to year. To achieve long-term success in today's business environment, you not only need a vision, but a partner to help you realize it.



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2019 FOCA ROAD ASSOCIATION SURVEY

JUNE 15TH ROADS SUMMIT PRESENTATION BY:

MIKE HAMMOND (NORTHWEST BELMONT LAKE ROADS ASSOCIATION)

& MICHELLE LEWIN (FEDERATION OF ONTARIO COTTAGERS' ASSOCIATIONS)



BACKGROUND & INTENDED USE OF THIS SURVEY



- This is the second road survey that FOCA has administered – Last done in 2010
- Designed to generate useful data for the June 15th 2019 road summit, and to provide benchmark information to road associations who are FOCA members
- Survey highlights will be posted in the roads section of the FOCA website:
<https://foca.on.ca/cottage-roads/>
- Today, we will cover some preliminary highlights, and get your thoughts on what information you would like to see in the final FOCA report?



SURVEY DEMOGRAPHICS



- A total of 132 fully completed surveys were used in this summary
- Partially completed surveys were flagged for follow-up, which is ongoing
- A final report will be published by the Fall, and be available from FOCA for members
- There were 89 different lakes represented, and surveys were received from 76 different townships/municipalities
- 61% of the associations are road-only, while 39% are combined road & lake associations
- Less than 1/3 (31%) of respondents' associations are incorporated

HIGHLIGHTS: ASSOCIATION PRACTICES



93% have an
email contact list



82% hold an Annual
General Meeting



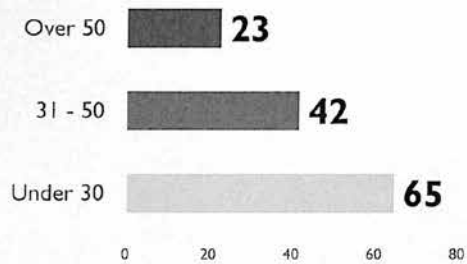
3/4 have an
elected executive



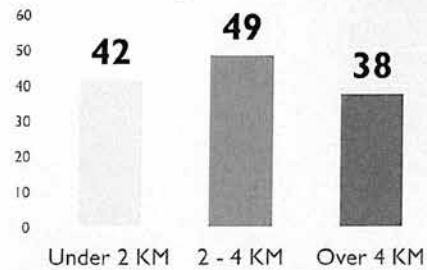
29% have an unwritten
or "handshake agreement" only!

SIZE SEGMENTATION AVAILABLE IN THE SURVEY

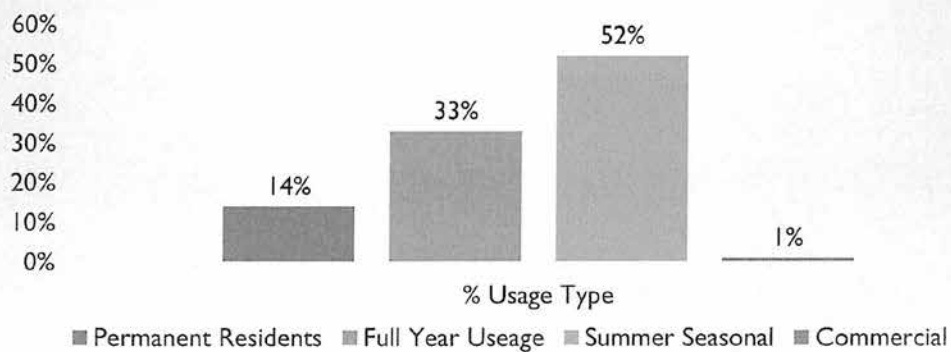
Of Properties



Length of Road



HOW ROADS ARE UTILIZED



ANNUAL DUES STRUCTURE AND AMOUNTS

*THESE PRELIMINARY RESULTS NEED FURTHER FILTERING, BEFORE FINAL REPORT:

Lowest reported:	(Flat vs. Hilly)	(Culverts, or not)	Highest reported:
	(Seasonal vs. Year Round)		
	(Short vs. Long)	(Drainage issues, or not)	
\$50			\$1,700

ONE FILTERED EXAMPLE:

averages for a dozen roads that are 2-4km long with 31-50 properties

Seasonal use only: range **\$265-300** Permanent residents: range **\$500-900**

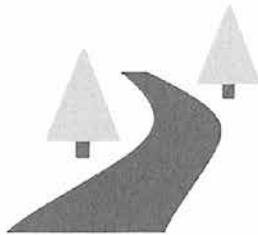
SOME AVERAGES & ROAD CHARACTERISTICS

Less than 10%

of responding associations own
their full road

the most common situation:

55% have deeded access over
property owned by another entity



85% experience
occasional to severe

seasonal **drainage** issues

the most common surface type is

3/8 granular



56% say their road is either NOT in
compliance with local standards for emergency
vehicles, or **THEY DON'T KNOW!**

DUES – PAYMENT RATES & ACTIONS TAKEN

8 in 10 respondents reported
90% or better were paid up

only **10%**
went to **SMALL CLAIMS
COURT** to recover dues
(up to 2 years, principle of
Unjust Enrichment)



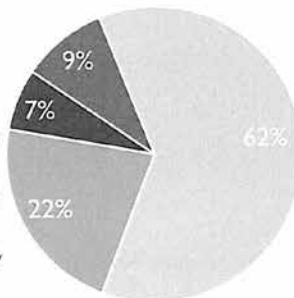
OTHER COLLECTION TACTICS:

- Inform property owner that they may lose eligibility for association liability insurance coverage
- Letters by e-mail and or post
- Phone calls
- Personal visits to the property owner
- Listing of payers vs. non-payers **!!! Warning – this could lead to liability issues!**

GROWTH IN OPERATING EXPENSES OVER 5 YEARS

Growth Rate

- Costs have reduced
- Costs have grown by inflation
- Costs have grown significantly (10% - 30%)
- Costs have grown substantially (more than 30%)



costs REDUCED or around INFLATION:

“improvements to the road over time have resulted in less annual maintenance costs”

UP SIGNIFICANTLY or SUBSTANTIALLY:

“long-overdue upgrades for drainage...”

“more winter usage expectations...”

MUNICIPAL GRANTS & SERVICE ARRANGEMENTS

16 Associations reported that they have received one-time municipal grants ranging from **\$400-\$1900** per grant OR have some municipal limited service arrangements (e.g., for grading, gravel...)

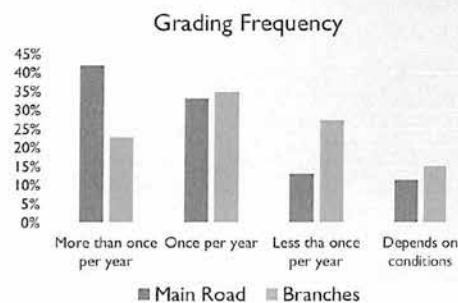
- Madawaska Valley (\$)
- Seguin (limited seasonal service)
- Georgian Bay (\$/service)
- Bracebridge (limited service)
- Grey Highlands (some matching \$, limited service)
- City of Kawartha Lakes (gravel, limited service)
- Rideau Lakes (\$)
- Whitestone (\$)
- Magnetawan (\$)
- Highlands East (\$)
- South Frontenac (\$)
- Algoma (\$)

BUT some grants have been eliminated recently (e.g., Wollaston Twp 2019; CKL after 2020?)



OTHER ROAD MAINTENANCE CONSIDERATIONS

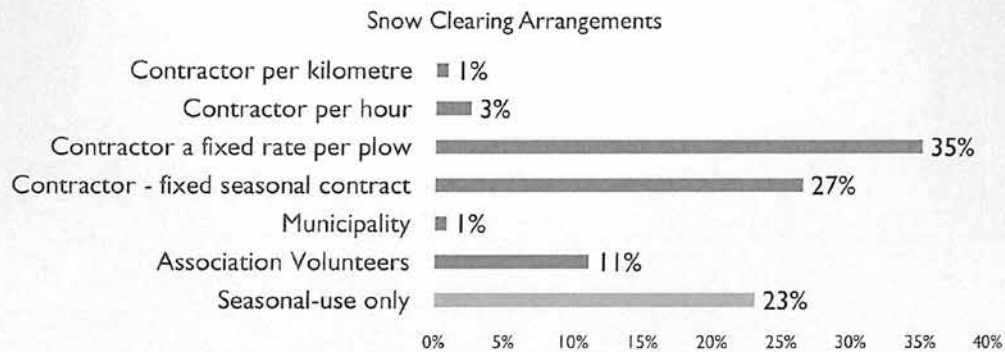
- only 10% have made arrangements to share expenses with other roads
- almost 3/4 of respondent associations pay a contractor to do road maintenance work
- most pay for **grading** per hour (32%) or under a fixed contract (26%), but most pay for **aggregate** by the truckload (87%)



Note: Only about half of the respondent Associations have branch roads



WINTER PLOWING AND SANDING



OTHER POLICY AREAS

- **75%** of respondent Road Associations carry liability Insurance (CGL and/or D+O)
- **56%** of Associations that use a Contractor have received proof of insurance
- **3/4** use signage to suggest speed and mark areas of caution, but there is limited “policing” of speed
- The OPP only visit **7%-8%** of the Associations surveyed with any regularity, while nearly **75%** say the OPP rarely or never visit

EXAMPLES OF SOME FINAL COMMENTS FROM SURVEY RESPONDENTS

- "It would be beneficial to create an informal buying group to secure better pricing from contractors."
- "Would like to know how we can get the municipality to either assume our road, contribute to our maintenance costs, or reduce our taxes."
- "We would appreciate FOCA's influence on municipalities to take on roads....it would create jobs and it could be applied to our taxes."



NEXT STEPS

- Get on the FOCA Elert list, to receive notification when the Final Survey Summary Report is released by FOCA to member Associations, later this year:

http://bit.ly/FOCA_Elert

- Contact FOCA for Association membership information:

Michelle Lewin, FOCA Communications Coordinator

705-749-3622 communications@foca.on.ca

