

*Vernon Yacht Club*

# *Tiller Topics*

**Pub. Mail Agreement No.  
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**Return Undeliverable  
Canadian Mail to:  
Vernon Yacht Club  
7919 Okanagan Landing Road  
Vernon, BC ,V1H 1H1**

**Delivery Address:**



New members Lisa, Glenn, kids Myah and Jordyn Gallie: "Our sleep-over-adventure campout on March 26th...we woke up to SNOW!!"

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Do you have ideas for Tiller Topics, do you have an opinion you would like published? Tiller Topics gratefully accepts your submissions. Please drop them off at the club or e-mail them to [tiller@vernonyachtclub.com](mailto:tiller@vernonyachtclub.com)

# VYC - 2010—2011 Executive

7919 Okanagan Landing Road, Vernon, BC V1H 1H1

Name:	Position:	Home:	Work:	Cell:
Tim Amy	Commodore	542-6322	833-2444	833-2444
Mike Thomas	Vice Commodore	545-8501	545-8501	549-0320
Lawrence Johnson	Rear Commodore		260-8003	
Rick Reichelt	Staff Captain	558-5598	542-5550	309-2311
Bob Montguire	Fleet Captain	545-8851		308-7879
Gary Pearson	Treasurer	979-0359	717-5700	859-5800
Terri McLennan	Secretary	549-5056	549-2558	307-7140
Jim Caldwell	Past Commodore	260-5846		540-5846
Dean Myrfield (house & grounds)	Director 1 Year	558-3636	549-5251	308-6904
Dave Atkins (By-laws)	Director 1 Year	542-2668		550-0186
Dan Irvine (Docks)	Director 1 Year	549-0119	549-4161	549-0119
Allen Dubeski (dir. at large)	Director 2 Year	549-4531	545-9188	558-8478
Jerry Spelchan (membership)	Director 2 Year	545-4564		549-0051
Craig Williams (Publicity)	Director 2 Year	503-8993	558-1111	503-8993

Vernon Yacht Club **phone** number 545-5518  
 Vernon Yacht Club **fax** number 545-0388

Please leave a message if no one is there to answer your call.  
 All phone messages are followed up.

Vernon Yacht Club - **Email Address:** office@vernonyachtclub.com  
 Vernon Yacht Club - **Website:** www.vernonyachtclub.com

**Office hours:** Tuesday and Thursday from 8:30 am until 2:00 pm.  
 Occasional changes to these hours will be posted on the office door.

**Important Notice to All Members:** If you access the clubhouse with your key card and are confronted with **the alarm going off while you are inside**, please follow this procedure: Re-swipe your card at either entrance. Then call the security company and identify yourself and have them cancel the alarm. The phone number is posted at both entrances. If you fail to do this, the club can be billed up to \$150.00. Your cooperation is greatly appreciated.

\* **Submissions for Tiller Topics** can be sent via e-mail to:  
 tiller@vernonyachtclub.com

\*\***Deadline for submissions:** the second week of each month.

### Tiller Topics' Team to date:

Hanny Kooyman - Layout & Design  
 Brad Marsh - Proof Reading  
 Cees Kooyman - Mailing  
 Terry Rudersdorfer - Website  
 Allen Dubeski - Advertisement

### Regular Contributors:

Dave Atkins - Messing about in Boats  
 Carol Craske - Valley Girls; Racing  
 Lisa Gallie - Fitness/kayak  
 Ron Heuman - Security Team  
 Dave Simpson - Sailing Fleet; Sailing Lessons  
 Dan Irvine - On the Water Front  
 Kerry Richardson - Correspondent  
 Patricia - Newcomer's Point of View  
 Rudersdorfer  
 Doug Stewart - CPS News

**Executive members** and many occasional writers and photographers.



# Commodore's Report

Tim Amy



**Days are longer,** weather is warming, boats will soon be on the water. The VYC **Spring Clean Up April 30** is a great way to meet other members and get a handle on what it

takes to run the club. The VYC **Boat Show May 7-8** is run by club members, contact Director Dan Irvine to get involved.

A quick review of Executive duties;  
Commodore chairs executive meetings, keeps agenda focused and 'coordinates' the talents of Executive members to achieve the Club's objectives.  
Vice Commodore deals with staff issues, club insurance, 'naughty' behaviour (if any) of members, long term planning for the Club  
Rear Commodore, manages the Club's land and water assets within budget, establishes contracts for maintenance and capital projects.  
Fleet Captain and Moorage Committee, oversees assignment of moorage and all issues related to moorage and land storage of vessels and maintenance of the Club work boats .  
Staff Captain, organizes Club social events and works with Bar Manager to develop bar and kitchen service.  
Secretary, records minutes of Executive meetings and AGM, 'encourages' Executive members in reporting to members via the newsletter.  
Treasurer, with Executive, establishes annual budget and provides monthly progress reports on Clubs finances, chairs clubs finance committee in monitoring clubs financial records.

House Director, with Rear Commodore and club maintenance person, engages house and grounds maintenance services as needed.  
Dock Director, with Rear Commodore, engages dock and breakwater maintenance services as needed.  
Bylaws Director, advises Executive on procedural matters.  
Sailing Fleet Director, liaises between sailing fleet and Executive.  
Membership Director, finds ways to recruit new VYC members, screens and introduces new members to the Club.  
Publicity Director, plans and coordinates publicity for the Club.

These are very brief summaries and the Directors full 'job descriptions' are available to you upon request. All members of your Executive are engaged in running their own businesses, often involving much travel and yet manage to have full family lives as well as contributing time and talent to directing the VYC. And most will tell you they have fun with this.

By the time you read this, there will be six months of boating weather ahead and 230 days till Christmas. Get your boat in the water soon.

Gone sailing  
*Tim*



## Vice Commodore's Report Mike Thomas



**Sincere, warm greetings to my fellow members at the V.Y.C.**

My wife and I are back from an extended holiday which began on January 6th. and ended on March 19th.

As your Vice Commodore, I was concerned about being missing in action for such a long time. However, I was assured that our Club is relatively quiet during the first quarter of the year and I shouldn't worry. Our holiday was exceptional and I would not have missed it but every time we go away for a vacation and then return home, my wife and I both realize how very fortunate we are to be Canadians and also to be Canadians living in Vernon. Now that we are back, I can see all the work which has been done to dismantle and replace our old wooden "B" dock with a state of the art concrete version and C" dock has been extended. I will suggest to our staff Captain that we stage a special celebration to commemorate the completion of this stage of our dock improvements which should be quite soon. I walked down to the Club today and I saw that our roof is finally being replaced. **Kudos** to my fellow executive members, our volunteers and staff who have "been performing their tasks so diligently. It is a sincere pleasure to serve with such a great bunch of people.

What do you think of our weather? Apparently the first day of Spring or the Vernal Equinox officially occurred on March 20. I see our daffodils are blooming at the Club but it's a very good thing they are so

hardy when we take into account the cold evening temperatures we have been having lately. However, take heart fellow members. The weather will be warming soon and your executive and fellow members are planning for such events as our wildly successful annual Boat Show which takes place on May 7th and 8th. [Volunteers should contact Dan Irvine at: [dan@danirvine.ca](mailto:dan@danirvine.ca) and he will have a task for you which will only take a little of your time]. Our annual "Rib-Off" which takes place on Sunday May 28 and before you know it , we will all be enjoying our annual Commodore's Social and Sail Past which will take place on June 25th. As always volunteers are always welcomed.

Finally, since we are such a culturally active organization, I thought you may like some poetry:

*Spring is sprung  
The grass is ris,  
I wonder where the birdie is.  
There he is up in the sky,  
He dropped some whitewash in my eye.  
I'm alright, I won't cry,  
I'm just glad that cows can't fly.*

Mike

## Rear Commodore's Report Lawrence Johnson



**Spring is here ...**

and the new season is upon us. My focus for the past few months has been on the expansion of B dock and we will have it complete by the end of the month. We have also added a few new slips to the end of A dock with the remaining wood dock and slips from the old B dock which gives us an additional 6 slips.

**Spring clean up is on April 30th** and everyone who is available please attend. Thanks again.

Lawrence

# Fleet Captain's Report

## Bob Montguire



**Due mainly to** the current expansion all those members who were on the wait list now have moorage. We also reduced the move list from thirty-one members to one. We can still accommodate more members with moorage for this year.

We have the following sublets available, 1 - 32', 3 - 28', 1 - 24' 2 - 20'. We also have 13 - 20' slips which would be permanent moorage. If you know of anyone with a 20' boat, tell them now is the time to join the club.

Please remember we have fenders, rope, clips and springs available for mooring your boat. If any new member requires assistance tying up their boat, give me a call and we will show you how to tie up according to club rules.

Happy Boating.

*Bob*

# Staff Captain's Report

## Rick Reichelt



**Hello to all of you,**

Spring is taking its time but hopefully we will get some warmer weather soon.

I would like to thank all of you that have been supporting the clubhouse throughout the winter. Friday nights have been very successful and should get busier as summer gets closer. Thanks to all the staff for their efforts.

**Please remember when using your yacht club bucks to sign your tab before you leave the bar.**

See you on the water soon. *Rick*



# 2011 Calendar of Events

for  
Okanagan Lake Yacht Clubs

DATE	YC	EVENT
<b>APRIL</b>		
Apr 30 – May 1	KYC	Boat show
May – Oct	WKYC	Thurs night Anchor Club dinners start May 5 <sup>th</sup> & end Oct 13th
<b>MAY</b>		
5	SYC	Sail Fleet “Race Night” starts (every Thurs)
<b>7 &amp; 8</b>	<b>VYC</b>	<b>Boat show</b>
14 & 15	WKYC	Commodore’s Ball & Sail Past
21 – 23	KYC	Canaccord Cup
<b>28</b>	<b>VYC</b>	<b>Rib Off</b>
May-Sept	SYC	Every Sunday starting May 8 <sup>th</sup> “Steak & Rib” night (call ahead)
<b>JUNE</b>		
<b>3 – 5</b>	<b>VYC</b>	<b>United Way Regatta</b>
4 & 5	SYC	Commodore's Ball & Sail Past
11 & 12	KYC	Commodore’s Ball & Sail Past
17 - 19	PYTC	Grass Roots Regatta
18	KYC	Boat for Hope
24	WKYC	Lobster Fest
<b>25-26</b>	<b>VYC</b>	<b>Commodore’s Ball &amp; Sail Past</b>
<b>JULY</b>		
1	WKYC	Westside Daze Open House
2	SYC	Dock Party
8 – 10	SYC	Giants Head Regatta – “Agar Lake Camp Charity”
15 – 17	WKYC	Invasion weekend – Poker Run
<b>22 – 24</b>	<b>VYC</b>	<b>Invasion weekend</b>
30	PYC	Members BBQ (all clubs invited)
<b>AUG</b>		
5 – 7	SYC	Invasion weekend - Ball Tournament
13	WKYC	Rib'n N Blues
13 – 14	KYC	Commodore's Cup Regatta
19 – 21	KYC	Invasion weekend
<b>20</b>	<b>VYC</b>	<b>Women’s Regatta</b>
27	PYC	Commodore's Banquet (no sail past)
<b>SEPT</b>		
<b>10</b>	<b>VYC</b>	<b>Pig Roast</b>
10	PYTC	Grand Prix Regatta
16 – 18	SYC	All Club Regatta - End to End - call SYC for more info
17	WKYC	Golf Tournament
24	KYC	CNIB Fishing Derby

DATE	YC	EVENT
<b>OCT</b>		
2	SYC	Sunday – “Steak & Rib Night” ends
15	SYC	Lift out
29	SYC	Halloween Party
<b>29</b>	<b>VYC</b>	<b>Halloween Party</b>
30	SYC	Sail Fleet “Race Night” ends
31	KYC	Halloween Party
<b>NOV</b>		
<b>28</b>	<b>VYC</b>	<b>AGM</b>
<b>DEC</b>		
<b>31</b>	<b>VYC</b>	<b>New Years Eve Party</b>
<b>Year Round</b>	<b>VYC</b>	<b>Friday Night Steak Dinners</b>



# Vernon Yacht Club Minutes Summary

By Teri McLennan, secretary

## April 15th, 2011

Hi everyone,

I do not have the minute’s summary this time since our meeting won’t happen until after press time. Instead I would like to recognize the amount of work and effort that our editor Hanny Kooyman has put into this newsletter.

Between soliciting articles and prodding the executive for reports she has been vital to getting information out to all

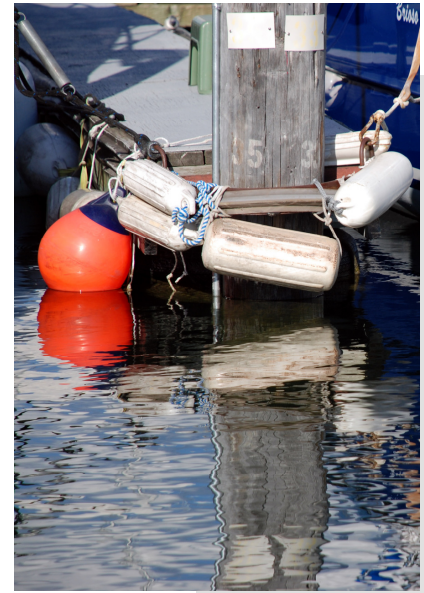
members. She manages the size of newsletter to be self supporting via ads, as well as does layout and ensures the newsletter goes to print, mail outs and the website. She has put in a great amount of time and effort and I know I can say for everyone that she deserves a big THANK YOU for this!



Teri



## May Flowers More Security



**Hockey** hockey, hockey.... We have the local team involved in playoffs and our professionals taking up valuable spring weather with indoor viewing.... Now, how many boaters are following the hockey playoffs? As you may know, we do have wonderful flat screens in the "Gangplank Lounge" so if you want to share some quality hockey viewing with fellow boaters why not drop in to the Club.... And, of course, while you are there you may as well take a moment to look around to see that everyone who is around the Clubhouse or on the docks appears to be doing "member activity". Always, while at the Club be vigilant for unusual activity. If it looks amiss it probably is....

May 7-8 will be the Boat Show weekend, so we will have many visitors looking things over at the Club. Remember that the Boat Show has defined hours of "open house" to the public. We will have to be aware of anyone lingering about outside those hours. The VYC Security Team will be conducting extra shifts throughout the Boat Show quiet hours, however we still need all members to be on guard.

So, hopefully if your boat is not yet in the water, it will be soon. Come out and watch some sailing on Sundays as the races begin! The more member activity at the Club the better. And always, always, be Vigilant for VYC Security. You make VYC security happen!

Ron 

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# Messing About in Boats

by  
Dave Atkins

**How** many people go out boating when the lake is covered with “white caps” and the rain is pouring down? Very few, unless they are masochistic. However there may be times when the weather changes while you are far from shore and you have to make the best of it, and it becomes boating in survival mode. I hear people complaining that the weather on Okanagan Lake can change without warning and is unpredictable, but that is not true. What they are really saying is that they haven’t taken the trouble to learn about weather patterns and they didn’t bother to check the local forecast before they decided to go boating.

Weather information is readily available these days from a variety of sources, the radio, TV and internet are probably the most common, and of course these days smart phones are

everywhere. However the basic weather information is not very useful if you have no understanding of how weather systems work. We live in an area of the globe where we are between two areas of climate and the interaction of these areas cause turbulence in the boundary area and this gives rise to our changeable weather patterns. Some areas of the world have stable weather patterns and the day to day pattern is fairly stable and predictable.

In the Power Squadron Boating course there is a section on weather, which is a good place to start finding out about it, it is in fact just a teaser and to get further understanding one has to go deeper into the subject and spend some time. “Why should I bother?” you ask, when Mike Roberts gives me the weather forecast twice a day. At times our weather changes fast and a forecast may only be partially correct. Weather systems move and can change direction and intensity quite quickly, but they always give signs to those that know how to read them. Cloud patterns give a lot of information to the people who can read them. Clouds come with weather systems in

quite predictable ways and give notice of the type of weather approaching and the speed at which it is moving. There are some weather events that come with little local warning, but can be anticipated if the general pattern is known. We have occasional “microbursts” which may appear out of an apparent clear sky, but are associated with thunder storms but the storm may be some distance away and concealed by the mountains. A person who is weather-wise and knows the local situation could expect such an event even if there were no visible signs.

I must admit that weather is one of my hobbies which started when I was in high school and ran a weather station for the school on a daily basis, even posting a forecast for the school daily. I still follow with interest and find the satellite photos and other modern information sources make it more interesting than ever, however the weather in our climate zone is still very changeable and needs to be watched carefully.

Next month I will offer some suggestions for handling your boat in bad weather.

Dave

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## Members Classified Ads - Free Classified Ads .

Drop your ad off at the club or e-mail to [tiller@vernonyachtclub.com](mailto:tiller@vernonyachtclub.com)  
Ads will be posted for the duration of four months. (Inform the editor if you would like to renew.)

### Wanted

We are looking to rent a sailboat cradle for NEXT FALL/WINTER. We have a 27 foot keel-boat and we need to work on her underside. As boats go back in the water, maybe we can secure a lift for next year???

Glenn Gallie  
250-308-2088

### Wanted

Looking for a used main sail for small boat (21 foot).  
(Shredded my old one during storm last year)

Approximate dimensions:  
255 inches (mast) by  
105 inches (boom).

Contact Mark Olsen:  
Email: [markolsn@telus.net](mailto:markolsn@telus.net)  
Phone: 250-558-1153  
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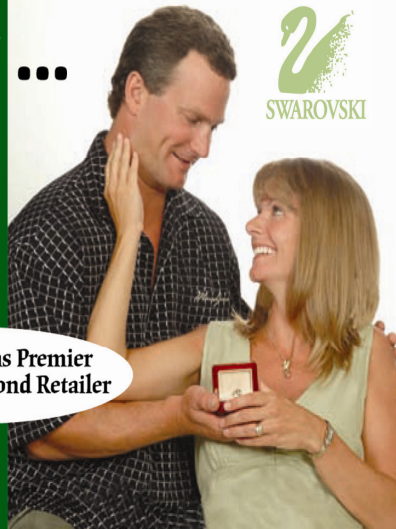
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IV



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# Vernon Yacht Club -Wind and Sail 2011

## Agenda

Tuesday June 7, 2011	6:30 pm	Classroom Lesson #1
Thursday June 9, 2011	6:30 pm	On-the-water Lesson #1
Saturday June 11, 2011	10 am	Classroom Lesson #2
Saturday June 11, 2011	1 pm	On-the-water Lesson #2
Tuesday June 14, 2011	6:30 pm	Classroom Lesson #3
Thursday June 16, 2011	6:30 pm	On-the-water Lesson #3
Saturday June 18, 2011	10 am	Classroom Lesson #4
Saturday June 18, 2011	1 pm	On-the-water Lesson #4

*Classroom lessons are at VYC club-house lower-level and each are 2-hr  
On-the-water lessons depart from VYC marina gate and each are 2-hr*

*Manual: 'Sailing Fundamentals' by Gary Jobson*



ii

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## On the Water Front

by Dan Irvin

### Build It And They Will Come...



Well it seems that after taking a year off to scout out a better neighbourhood the pair of Ospreys that were checking out our “Osprey Penthouse Platform” has decided there is no place like home. The pole that was erected in 2009 on the west side of our lot saw some immediate action but unfortunately boat show activity that year made the pair of Ospreys decide to keep looking. It seems though that they are back and I recently watched them flying in lumber the size of a hockey stick to lay the foundation of their new nest. With a full grown wingspan of 2 meters the

Ospreys will be an impressive sight for VYC deck dwellers if the birds decide to stick around. Another impressive feature of Osprey anatomy is an opposable thumb like talon that can articulate to allow this raptor to grab its prey with two talons on either side. This clever bit of evolution is shared with no other raptor but Owls. Considering that fish make up 99% of an Ospreys diet, and they dive on them from as high as 40 meters, the grip must come in handy. With an estimated population of nearly 500,000 worldwide the Osprey seems on safely on its way to recovery after decades of hunting, egg gathering, and most of all DDT contributed to population decline. The call is a series of sharp whistles, described as *cheep, cheep* or *yewk, yewk*. If disturbed by activity near the nest, the call is a frenzied *cheereek!* (thanks Wikipedia) so if you hear something like this around the club chances are our newest members are bringing in building supplies or dinner. We are lucky to have this pair here so let’s all wish them a happy and productive mating season. Maybe we’ll be sipping beers and watching the young ones learn to fly this summer. Here’s hoping.

Thanks to everyone that responded to the email recently sent out with the above heading. The volunteers heading up the various Boat Show departments tell me that they did get some response but people are still needed in all categories. If you are reading this from your email we will be in countdown mode to the big day but there are still opportunities to bail in. (reprint below)

**22<sup>nd</sup> Annual Vernon Yacht Club Boat Show May 7-8** This is a biggy! VYC’s annual boat show is one of our flagship community involvement events. Aside from the businesses that pay to attend there are a number of watersports related organizations that are invited free of charge to promote water safety, non-motorized water travel and Pleasure Craft Operator Card licensing. The names below are the volunteers who have graciously agreed to head up the various departments listed. Some of these people have done this job more than one year already so please think about bailing in and learning how you may be able to head up one of these

*Cont. page 17*

### Move It On Over...

It didn’t take long for Martin and Dagmar to take advantage of their new slip on A Dock and



move Nuage into her new home. In a burst of creative thinking a couple of our clever flag officers decided to explore extending A Dock with a part of B Dock

that we were disposing of. This made Fleet Captain Bob Montguire happy as it freed up six new slips to help pare down the waiting list. With the bulk of the dock construction expected to be completed within two weeks there will be a lot more members movin’ it on over to their new slips just in time for boating season. Two aspects of the construction that VYC will again be relying on members for is the plumbing and center panel placement. If you have some talents laying pipe, crimping fittings, or you just wanna be a hoser eh, get in touch with Ed Kinnear ([ed\\_deb@shaw.ca](mailto:ed_deb@shaw.ca))



Watch for the email regarding the laying of the center panels. This happens of course at the final

stage of construction and really is a job where many hands make light work. If you have any questions or comments on what you read here or suggestions for future articles let me know.

[dan@danirvine.ca](mailto:dan@danirvine.ca)



From page 16

**Shuttle-bussing And Traffic Control:**

Past Commodore Rob Ladan would love to hear from you to fill in the schedule of drivers and parking lot attendants.

[robladan@shaw.ca](mailto:robladan@shaw.ca) 250-306-3349

Include your phone # with your email.

**Food and Refreshment Concession**

The ever so hard working MJ Watson is again heading up this department. Let MJ know if you have a couple hours for this.

[mary\\_wat@telus.net](mailto:mary_wat@telus.net) (there is an underscore in there) 250-309-2212

Include your phone # with your email

**Vernon Yacht Club Tent** Pam St Pierre is ordering up some snazzy new NYC apparel to sell and the "Big Top" is home to many boat show activities such as membership information, sailboat rides, learn to sail lessons, regatta promotion, prize raffles etc etc. Let Pam know if you can do a shift in the tent.

[pamela.stp@gmail.com](mailto:pamela.stp@gmail.com) 250-558-0322 Include your phone # with your email

**Site Setup, Maintenance and Tear-down**

This takes place on Friday May 6th and at the end of the show on Sunday May 8<sup>th</sup>. It's all over by early Sunday evening. To volunteer for this or even help with overseeing

it let me know. [dan@danirvine.ca](mailto:dan@danirvine.ca) 250-549-0119 Include your phone # with your email

**Sailboat Rides For The Public**

This is a popular part of the show and involves taking a few people out for about 45-60 minutes, weather permitting. It involves being on standby during a particular timeslot, ie 2-3PM Sunday afternoon, to take interested parties out. It is a rewarding experience seeing a child hoist a sail for the first time and it is an easy and fun way to contribute to the success of the boat show. To participate, or to volunteer to coordinate this let me know. [dan@danirvine.ca](mailto:dan@danirvine.ca) 250-549-0119 Include your phone # with your email



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## To kayak, or not to kayak... that is indeed the question of the day!

This sport is hardly new in our area, but is growing in leaps and bounds these days. The reasons are limitless!

### Kayaking offers a lifetime of varied benefits:

It is forever rewarding. The basic skills can be learned in a day or so. But, you can have fun perfecting those basic skills and learning new ones for years. Kayaking as a hobby provides the basis for a health and fitness lifestyle, as well as an outdoor-based lifestyle. It can be relaxing. It is at times challenging. It is a fun social activity. Or it can be pursued solo. It is something you can spend a few hours enjoying. Or you can challenge yourself to an expedition of days or even weeks.

Did you know that it is possible to exert 400 calories per hour while pushing your kayak through the water on our beautiful shores ON OKANAGAN LAKE? When you are paddling you can expect to do about 500, maybe more, maybe less, strokes per mile! Placing the pad

dle in the water and executing a good stroke is going to incorporate every muscle in the upper body and some lower body muscles as well. This means that in one hour at 3 mph you are going to do about 1500 repetitions of low impact upper body movements, which no matter what your fitness goals are, you are going to tone up almost every muscle in your body. Hey, you are going to look good, and feel amazing each paddling session!

And you won't believe how different the area looks from the water-level! I think you will also be amazed at how much you miss when your focus is on operating a large vessel. Not surprisingly, there are also many psychological benefits to kayaking. Can you think of a more blissful way to spend a sunny afternoon than gliding across silky smooth water under your own power? You don't have to be a world-class athlete to enjoy kayaking, the pace is set by you.

And let's not forget, there is no

*Cont. page 19*

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From page 18

need for fuel, no pollution produced, and not a sound is made by these wonderful little boats! It's just you and your paddle, and the lake. What could be better?

We are hoping to build a kayak rack in April for use by our members. This rack will provide our kayak owners with tidy, convenient storage that is close to the water for ease. If you are interested in storing your kayak here, please contact Lisa Gallie at [lisagallie@mac.com](mailto:lisagallie@mac.com) so that we can get some numbers together for the rack...Bring on the SUNSHINE!

Lisa



### Morning's fun!



April 16, Crane Day

Photo's by Lisa Gallie, new contributor with our Tiller Topics Team.

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# Letter to the Editor

WALLEY P. LIGHTBODY Q.C.  
BARRISTER & SOLICITOR  
ARBITRATOR & MEDIATOR

2502 ABBOTT STREET, KELOWNA, B.C. V1Y 1E3  
TELEPHONE (250)7622783 \*FACSIMILE (250)7626596  
EMAIL:LUXCORFUS@SHAW.CA

March 17, 2011

The VYC takes no position on this issue at present. However, it may be of interest to individual VYC boaters as it could lead to increasingly piecemeal regulation of boating on Okanagan Lake. A desire to regulate house boats in the Kelowna area has been the initial motivation behind West Kelowna's attempts to control boating on the area of the lake offshore from that community, out to the centre of the lake.

As explained in the attached legal opinion from Walley Lightbody QC (Queens Counsel), legislation of navigable waterways is the responsibility of the Federal Government.

For further information contact Walley Lightbody QC at the phone and email provided in his attached article. Mr Lightbody has undertaken to bring this issue before the courts on behalf of the boating community.

Tim Amy  
Commodore VYC

**The right to navigate and moor your boat, temporarily or otherwise, on Okanagan Lake has been put in jeopardy. I believe this is an issue of major public importance. I have been asked by members of the media and others for an update on this issue and my comments on same which I provide as follows:**

On August 18, 2010 The District of West Kelowna (DWK) commenced action against Keith Newcomb and Dave Hunter seeking an injunction restraining them and all other persons having notice of the order (injunction) from using or occupying any houseboat or other vessel within the W1 (water Zone and 'Licence Area', and from mooring any houseboat or other vessel in the W1 Zone.

The W1 Zone was created by a bylaw passed by DWK pursuant to its perceived powers granted by the Province of B.C. at the time it was incorporated by Letter Patent in October, 2007. The W1 zone includes all the waters to the middle of Okanagan Lake from the southern to the northern boundaries of the District of West Kelowna.

The "Licence Area" indicated above refers to what is known as that part of the lake where a "Licence of Occupation" has been granted by the Province to DWK dated June 25/10 and refers to the area known as Gellatly Bay.

DWK applied for what in law is known as "short leave" to have their application for an injunction heard in an expedited hearing. I appeared on behalf of Messrs. Newcomb and Hunter and the application was dismissed.

Since that time the Defendants have fought back and the case will proceed to be set for a Supreme Court Trial for several days bearing in mind the issues in this case, and, because of the seriousness of those issues, there will be a probable appeal to the B.C. Court of Appeal and perhaps from there to the Supreme Court of Canada.

Might I say at the outset it is clear that DWK has set its target on houseboats which is discriminatory and gives rise to a charter argument, but the injunctive relief DWK is claiming affects all vessels navigating Okanagan Lake. Again the claim for injunctive relief is to restrain "ALL PERSONS having notice of the order from using or occupying any houseboat OR OTHER VESSEL WITHIN THE W1 ZONE AND LICENCE AREA AND FROM MOORING ANY HOUSEBOAT OR OTHER VESSEL IN THE W1 ZONE. To clarify, this injunction would prohibit all of us from operating our boats on the west side of the lake.



In my opinion neither the District of West Kelowna nor the City of Kelowna has the legal right to restrain houseboats or any other vessel from navigating and mooring in these waters.

Simply put, navigation of these waters and moorage, which is part of navigation are under Federal jurisdiction pursuant to the division of powers under the Constitution Acts 1867 to 1982 pursuant to the powers given to the Federal Government under the Navigable Waters Protection Act and the Canada Shipping Act. In my view neither the Province nor the District of West Kelowna, which is a creature of the Province has no right to enact legislation restricting navigation in these waters. In the Constitution Act Section 91 ss. 9 and 10 give exclusive jurisdiction to the Federal Government over matters relating to Navigation and Shipping and, Beacons, Buoys and Lighthouses.

Messrs. Dunlop and Newcomb navigate the waters of Okanagan Lake in their vessels which are described as houseboats. These are substantial crafts worth thousands of dollars. In comparing houseboats to other vessels, houseboats have larger cabins than most vessels their size. They may have a single hull or rest on two or three pontoons. Neither Newcomb nor Hunter live upon their boats and have never done so. Both have their own residences on shore, Newcomb in Kelowna and Hunter in West Kelowna. They are both experienced sailors with many years of boating experience, Newcomb being a former member of the Power Squadron. They, like so many of us live in Kelowna for the outstanding amenities, the main one being the jewel of Kelowna, Okanagan Lake. And, of course, cruising on the lake is a very substantial part of their lives as it is with so many of us.

Now, West Kelowna proposes to limit the right to navigate Okanagan Lake, and although their action is directed at Houseboats, the injunction would have the effect of restricting all vessels from using the waters of the W1 (water) zone. Look again at the wording of the injunction DWK is seeking from the court; **ALL PERSONS HAVING NOTICE OF THE ORDER FROM USING OR OCCUPYING ANY HOUSEBOAT OR OTHER VESSEL IN THE W1 ZONE AND LICENCE AREA AND FROM MOORING ANY HOUSEBOAT OR OTHER VESSEL IN THE W1 ZONE.**

In October, 2008 pontoon style houseboats were evicted from Shelter Bay Marina where Newcomb and Hunter had been moored for several years. They then moved their vessels to Gellatly Bay.

In an effort to find cause to evict the houseboats from Gellatly Bay DWK erroneously alleged that houseboats were discharging effluent into the bay. An environmental inspection found no ground for such allegation.

Today Messrs. Newcomb and Hunter have departed Gellatly Bay in an effort to reach a peaceful accord with DWK but without waiving their right to navigate and moor in the Bay. The Licence of Occupation does not give DWK exclusive right to use of this area, indeed if it gives them any right at all which it is submitted it does not.

Both Hunter and Newcomb have paid moorage fees in the past and are willing to continue to do so. Unfortunately, under the current state of affairs there is no structure in place to accommodate them and so they have arranged for their own moorage in the waters on the lake.

In a comprehensive study done by the Regional District in October 2008 it concluded there was a woeful lack of boating facilities on Okanagan Lake. There was a colossal undersupply of marina facilities. "This demand would support (4) more marinas with fueling facilities, pump outs, with 200-400 slips each." The report recommended that "mooring buoys should be provided at a number of locations on all three lakes. Buoys should be placed off-shore from public lands....An additional 50 buoys on Lake Okanagan should be considered." This would be far preferable to "having to burn fuel driving up and down the lake."

These recommendations have gone unheeded for a very costly and protracted lawsuit. The old adage is the "You can't fight City Hall". Well Messrs. Hunter and Newcomb are prepared to do so and are confident they will come out winners... but we need the help of the boating community. If you are able to assist financially or otherwise please contact me at the above phone# address or email. I thank you in advance for helping to keep our lake available for our boating community.

Wally Lightbody Q.C.

Kelowna, B.C.



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## CPS News



May, 2011

### Your Lifejacket ...



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### Coming Events:

- Navigating with GPS commences May 10 and 14
- WCID AGM and Conference in Vernon May 27 - 29
- VHF Radio Course repeating June, 2011. Watch for it!

**Didja' know:** The Vernon Squadron of CPS is celebrating its **50th Anniversary** this year! Many thanks to long-time CPS Members John Fleming, Dave Atkins and Jane Nielsen for their continuing support. And thanks to our partner, VYC, for your support!

### See Us on the Web!

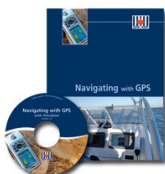
Want to find out more about the Power Squadron and its courses? Check us out on our web-sites: **Vernon Power & Sail Squadron** [www.cpsvernon.ca](http://www.cpsvernon.ca)

**Canadian Power & Sail Squadrons** [www.cpsboat.ca](http://www.cpsboat.ca)

### CPS Course Lineup



**The Maritime Radio Course** The course leads to the VHF Marine Radio Operators certification, the ROC(M), which is legally required to operate a VHF Radio on the water. The course will be offered again In June, 2011. Watch for it!



**Navigating With GPS** This course will introduce you to the versatile Global Positioning System (GPS) receivers. With this course you will learn simple explanations of the system which makes GPS such an effective navigational aid. Tuesday, May 10 from 7:00 - 9:30 pm, and all day Saturday, May 14.

For more information, and to pre-register for courses, please call Simo Korpisto at

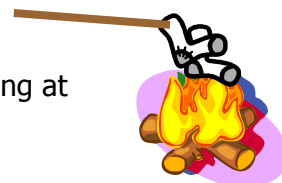
**250-542-5525.** Register on-line [www.cpsboat.ca](http://www.cpsboat.ca) or [www.cpsvernon.ca](http://www.cpsvernon.ca).

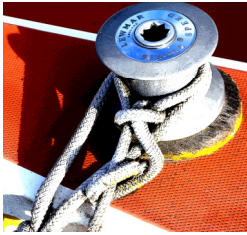
### 2nd Annual 'Rite of Spring' - Burning of the Socks !

Spring is almost upon us, and that means that all committed boaters will soon be abandoning their socks. The Vernon Power & Sail Squadron invites Yacht Club Members for the 2nd annual ceremonial "Burning of the Socks", signifying it will soon be warm enough to wear boat shoes without socks!

Bring along your old tube socks or panty hose, and we will delight in throwing these unwanted items onto the flames! CPS will supply light snacks, and the Yacht Club bar will be open.

Come on out Thursday evening on May 19, commencing at 7:30 pm (1930 hrs) at the Vernon Yacht Club fire pit.





# May 2011

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 Lounge Hrs 13:00—18:00	2 	3 Valley Girls 6:30 PM	4 Lounge Hrs 16:00—20:00	5 Lounge Hrs 16:00—20:00 Dart Night 6-8 PM	6 Lounge Hrs 16:00—23:00 <b>Friday Night Dinner</b>	7 Lounge Hrs 13:00—17:00 <b>Boat Show</b>
8 Lounge Hrs 13:00—18:00 <b>Boat Show</b>	9 VYC Execu- tive Meeting 18:30	10 Valley Girls 6:30 PM	11 Lounge Hrs 16:00—20:00	12 Lounge Hrs 16:00—20:00 Dart Night 6-8 PM	13 Lounge Hrs 16:00—23:00 <b>Friday Night Dinner</b>	14 Lounge Hrs 13:00—17:00
15 Lounge Hrs 13:00—18:00	16	17 Valley Girls 6:30 PM	18 Lounge Hrs 16:00—20:00	19 Lounge Hrs 16:00—20:00 Dart Night 6-8 PM	20 Lounge Hrs 16:00—23:00 <b>Friday Night Dinner</b>	21 Lounge Hrs 13:00—17:00
22 Lounge Hrs 13:00—18:00	23	24 Valley Girls 6:30 PM	25 Lounge Hrs 16:00—20:00	26 Lounge Hrs 16:00—20:00 Dart Night 6-8 PM	27 Lounge Hrs 16:00—23:00 <b>Friday Night Dinner</b>	28 Lounge Hrs 13:00—17:00 <b>Rib Off</b> 
29 Lounge Hrs 13:00—18:00	30	31 Valley Girls 6:30 PM				



**June 3, 4, 5  
United Way Regatta**