

# Justice Valley

## **BAD LAND DEALS:**

***bad for residents, bad for the environment***

## **STANDING UP FOR RESIDENTS**

Fort Qu'Appelle residents have been blocked from their homes since Nov. 3, 2016. That is when Abaco placed cement barriers in front of their driveways. This was in the aftermath of two Town councillors, one directly associated with Abaco, losing their seats on the local council.

For over seven months the newly elected council has treated the barricades as a civil matter between residents and Abaco. This is unacceptable and it won't stand up.

How did Fort Qu'Appelle get into this mess and **what do we do to get out of it?**

## **TOWN RESPONSIBILITY**

The Town sold the lot for condo development (for Blue Bill Bay Estates; later subdivided for Willow Court) **years before it sold the surrounding land to Abaco**. It was obliged to ensure a public access easement for all those living in these 17 units. ***Under provincial law, emergency vehicles also must have direct access to these homes. Our residents are being put at risk.***

The Town approved the building permits for these condos. So why did it sell all the surrounding land, without easements? What were they thinking? It is because the Town sold Block Q to Abaco that Abaco has been able to get away with placing cement blocks that restrict access of Willow Court residents. The west entrance of Echo Lodge could also be affected. The **same kind of bullying** could be done to Blue Bill Bay Estates residents if

Abaco decided to place barriers along Block V.

The past council clearly made bad decisions but the present council **has the duty to make things right.**

## **BAD LAND DEALS**

These were bad land deals from the start. Think about it. The Town sells **over 17 acres of valuable lakeside property** (Blocks V, Q and then Y) to Abaco, a North Dakota energy company, for \$2.00. Contrast this to charging the local developer of the condos, \$35,000, for a much smaller piece of property.

This land was sold so Abaco could do commercial development including a marina. But whether this was an appropriate site, environmentally, was not considered. The past council seemed to justify the \$2.00 giveaway because Abaco would incur the demolition costs at the old Indian Hospital. ***But the Town also agreed to a proposal from Apex, permitting it to haul rubble into the old sewage lagoon area. If this included demolition material from the old Indian Hospital, it would probably cut hauling costs and avoid landfill fees.*** And then the Town rewarded Apex by giving it 3 acres of valuable industrial lots. **You can't have it both ways.**

## **BREACHING THE AGREEMENT**

The Town sale required a security bond or equivalent for 50% of the estimated demolition costs. This came to \$250,000, which was to be in the Town's hands **by April 30, 2014.** So far, the Town has not provided proof that this or the insurance requirements were ever met. Minutes are not available for the council meeting at which it was agreed to sell Block Y to Abaco.

The sale required that **demolition be completed** within a year, by Jan. 30, 2015. **It was not.** Then after residents inquired, the Town gave Abaco another deadline, of Oct. 30, 2016. **But this was not met either.** This was a 21-month extension. What has to happen for this Agreement to be broken?

## CONFLICT OF INTEREST

These land deals raise serious concerns about conflict of interest. When the demolition started, the Fort Times reported (March 28, 2014) that Brian Janz is “working with Abaco Energy Services on the development”, but there was no mention that he is a Town councillor.

Brian Janz did not publicly declare his pecuniary interest until several meetings **after the sale** of Block V and Q to Abaco. The sale of Block V and Q to the “Abaco Group” was approved on Sept. 13, 2013. It was amended to read “Abaco Energy Services” at a special meeting on Dec. 21, 2013. The minutes say “Janz declared a pecuniary interest and left the room”. The Oct. 28, 2016 Fort Times (FT) reported that Janz did not actually declare a conflict of interest until March 2016. This is pretty late in the game.

*Based on the Corporate Registry kept by Information Services, Brian Janz has been a director of Abaco Energy Services, listed as an “oilfield equipment rental” business with an Estevan address, since Aug. 1, 2008. He is the longest acting director or officer listed in the Nov. 30, 2016 Profile Report.*

## NO FAIR MARKET APPRAISAL

The past mayor and council clearly dropped the ball. As did the Acting Administrator and lawyer who approved these land deals. (The Acting Administrator signed the first land deal.) Not only did the mayor, council, acting administrator and lawyer not ensure there were easements for infrastructure and access , but they didn’t ensure that a fair market value appraisal was done.

Past mayor Ron Osika’s Jan. 23, 2014 Affidavit saying this land is only worth \$2.00 **does not make it so**. This is starting to look like it was a done deal and there should now be *an independent review*.

## SACRIFICING THE ENVIRONMENT

These bad deals disregarded residents’ rights to access their homes. They also sacrificed the valley environment. *The Town agreed to a marina, in the vulnerable marshland at the mouth of the Qu’Appelle River, without any public consultation.*

***The province off-loaded environmental assessment to the Town, which, by then, had already sold and rezoned the land for a marina, without any environmental assessment.***

The province sold adjoining PFRA crown land, offloaded by the Harper government, to Abaco, **without informing Pasqua First Nation**. Governments breached their **duty to consult** and this matter is in court.

One mess leads to a bigger mess, just like a small lie (or half-truth) grows into a bigger lie.

The province required the Town to move its sewage lagoon out of the flood plain, **to protect the watershed** from contamination, which was a good thing. But, then the Town started to destroy that very same flood plain, marsh and riverside area by allowing waste dumping to create industrial lots. ***In June, 2016, the QVEA even caught them allowing dumping of toxic asphalt into the flood plain, which drains into the river.*** If we truly want to improve the water quality in the lakes we have to protect and restore the marshes and flood plains that clean the water.

While we want more retail and small business in the community, we should now consider an industrial park out of the valley, to protect our watershed.

Bad land deals end up just as bad for residents as they do for the watershed. **We can do better. We must, if we are to live up to our reputation as a tourist destination.**

## **SIGN THE PETITION**

If you care about what's happening, and you live in Fort Qu'Appelle, sign the petitions being circulated by concerned citizens. One asks for immediate action to ensure condo residents have legal access to their homes; another calls for a complete audit of land deals back to 2006. Let's stand up for residents. Let's stand up for the valley.

If you support our work, please consider becoming a QVEA member. Consider donating. Come and discuss these matters on **Wednesday, August 9th at 7pm**, at the Qu'Appelle Valley Centre for the Arts (Old Central School).

**Contact us: Box 506, Fort Qu'Appelle SK, S0G 1S0; [qvea2016@gmail.com](mailto:qvea2016@gmail.com)**



QU'APPELLE VALLEY  
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ASSOCIATION