

COURT FILE NUMBERS Q.B. No. 174 of 2021 and Q.B. No. 175 of 2021

COURT OF QUEEN'S BENCH OF SASKATCHEWAN

JUDICIAL CENTRE Battleford

APPLICANT SUFFERN LAKE REGIONAL PARK AUTHORITY

RESPONDENTS Lisa Wildman and Norm Zigarlick / John Danilak and Joanna Ritchot

AFFIDAVIT OF MARGARET E MCFADYEN

I, **Margaret E McFadyen** of the Town of Provost Alberta in the Province of Alberta, MAKE OATH AND SAY THAT:

1. I am a cabin owner at Suffern Lake Regional Park and have been for 23 years. I make this affidavit on the basis of the foregoing, and where I depose to any matter not within my personal knowledge, I do so on the basis of information and belief, and verily believe the same to be true.
2. I have reviewed the affidavits of David Kiefer sworn July 30, 2021 for use in Q.B. No. 174 of 2021 and Q.B. No. 175 of 2021, as well as that of Gordon Hollman sworn July 11, 2019 for use in Q.B. No. 174 of 2019.
3. I do not support the plaintiff's (SLRPA's) application for writ of possession against the respondents (Lisa Wildman, Norm Zigarlick / John Danilak, Joanna Ritchot) nor do I support SLRPA's decision to not renew the leases on cabins 56 and 27. I attach, as Exhibit A, my letter of 2021-06-30 sent to SLRPA, its oversight Ministries and Municipalities in which I voice relevant concerns.
4. I make this affidavit to provide information to this Honourable Court.

DOCUMENT: Affidavit

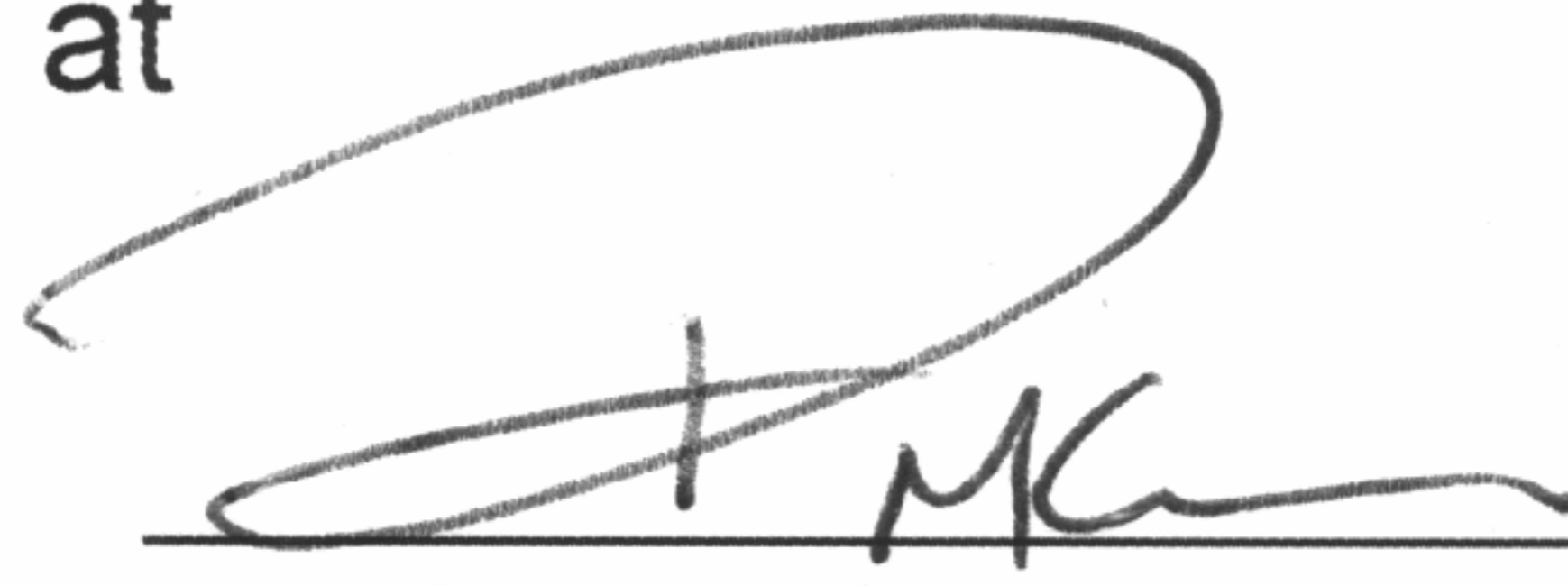
ADDRESS FOR SERVICE AND CONTACT INFORMATION: Margaret E McFadyen

5521 50th Street
Box 980
Provost, Alberta
T0B 3S0

Kimberly Myles Larson
Notary Public
Province of Alberta
December 31, 20²¹



Sworn (OR Affirmed) before me at
Provost, Alberta
on September 21, 2021

 (Signature)

43547-827 DLAB (ID verification)



A Commissioner for Oaths in and for Alberta,
Justice of the Peace or Notary Public

Expiry Dec 31 2021

Kimberly Myles Larson
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Province of Alberta
December 31, 2021

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From: Peggy McFadyen <peggyrodmcfadyen@icloud.com>

Date: June 30, 2021 at 4:08:53 PM MDT

To: tpcs.minister@gov.sk.ca, info@saskregionalparks.ca, dominique.clincke@gov.sk.ca, jrehman@sasktel.net, Donna Park Board <donna.suffernlakeparkboard@gmail.com>, biweber@sasktel.net, jake@landoilfield.com, neuf_89@hotmail.com, normwright7@yahoo.ca, harvey.suffernlakeparkboard@gmail.com

Cc: rm411@sasktel.net, rm442@sasktel.net, villageofsenlac@yahoo.com

Subject: Suffern Lake concerns

Without prejudice, I am forwarding my observations and concerns to all members of SLRPA and its oversight bodies:

Rod and I purchased our cabin "old #1" in 1998. The park was different then. Very few cabin owners or campers used the park and governance was relatively easy. We all minded our own business and enjoyed our wonderful oasis for what it was. A place to congregate with family and friends... a place to just simply kick back and get away from the hustle and bustle of our busy day to day lives.

Slowly but surely, more people discovered our wonderful lake. Cabins began to be used more and cabins were sold to new owners. Life was great. Understandably, more rules were enforced and the majority of us understood the reasons why. There was an unspoken trust and respect for the people who put their name forward to make decisions on behalf of the contributing municipalities and cabin owners. We may not have always agreed with decisions made, however...we understood.

Fast forward to 2014:

A fellow cabin owner added a bathroom addition to the north side of his cabin. I do not know all of the details, but this is what I observed. At that time, we had a board member who felt his power and convinced the existing board that the minor "out of bounds" addition was a concern. The neighbour to the north of the addition (whose property had been minimized slightly) had NO concerns.

At this time there was no survey in place. Be it right or wrong, property boundaries at the time were often moved by board members who felt the will and need to do so. Instead of simply adjusting the lot dimensions, egos prevailed, and a lawyer was hired by SLRPA. Eventually the perceived troublemakers moved to BC and sold their cabin. Unfortunately, but understandably so, many cabin owners had a change of attitude and respect for our then members of SLRPA. My opinion is that it was at this time the long standing "us and them" relationship began between the board and us...the cabin owners.

A Cabin Owners Association was formed and I attended the first meeting. Those present were united in believing democracy should prevail. We are ratepayers and deserve the Democratic right to vote for who will represent us on the SLRPA. (At this moment in time there would be a lack of people willing to put their name forward given the current circumstances). Many other concerns were expressed and brought to the board's attention by the Cabin Owners Association but to no avail. Why I cannot say.

Fast forward to 2017:

Fellow cabin owners questioned the process of taxation and assessments within the park. Rightfully so...why would a lakeside cabin be assessed at a far lower value than a cabin far removed from the lake? What was the process to determine assessment and taxation? These cabin owners were clearly willing to pay their taxes upon receiving answers.

Alas there was no explanation to the question, but there was a consequence. With their taxes only 90 days in arrears, their leases were terminated and soon after served with a writ of possession. Unbeknownst to the lake community there was another cabin within the park that had been in tax arrears for close to 5 years. Why had this cabin owner not suffered the same consequences? Perhaps it's because they were on the board. Perhaps they kept to themselves and didn't demand transparency or ask any other day another story.

Kimberly Myles Larso
Notary Public

Province of Alberta
December 31, 20²¹

Continuing on...

SLRPA took it upon themselves (with sizeable investment of Park tax money) to rid the Park of these perceived troublemakers who asked too many questions. I was personally told that these people refused to pay their taxes. I was never told the reason why they refused payment. I regrettably signed a petition with a heading stating that the purpose of the petition was to save the park money by combining the now 3 cases before the Court of Queen's Bench. I have since been privy to seeing the petition that was presented to the Court of Queen's Bench. The document heading had changed. It now read that the petition was to support eviction of my neighbours. My integrity would NEVER allow me to participate in an action such as this. I know what I signed and I would testify to a court of law the same.

Fast forward to the 2020 AGM:

The financial statement read that around \$68,000 had been spent in legal fees to that point. I specifically asked if legal expenses would cease (after all SLRPA had been unsuccessful in 3 attempts to evict). The response to my question was that no more than \$400.00 to \$450.00 would go to legal fees and that this money would be used to draft the new lease agreement which was due January 1st 2021. It was also stated by a board member that we would be upgrading our community water system in the fall of 2020. Those of us present at the AGM were also told that the upgrades would have been completed already if we hadn't had to spend money on the "troublemakers". I was also told by the Chair that mediation had been offered but had been refused by the accused. It is now my understanding that this was not the case.

Fast forward to June 2021:

There is now a new Demand for Possession with intent to apply for writ of possession on two cabins, a process which I am sure has incurred more than the sum of \$450.00 in legal fees.

Cabin owners have been notified they are not to use park water to maintain their investment of time and money to their yards and vegetation. Reason given is "we have applied for a grant". A newsletter stated that perhaps those affected by the lack of park water could ask those with wells to use their well water. As a cabin owner with a well, I would have appreciated being consulted before SLRPA offering free water. There is an expense not only in the drilling of a well but also in the operation of such.

Poor communication to say the least. Rod and I pay for community water simply for the betterment of this park.

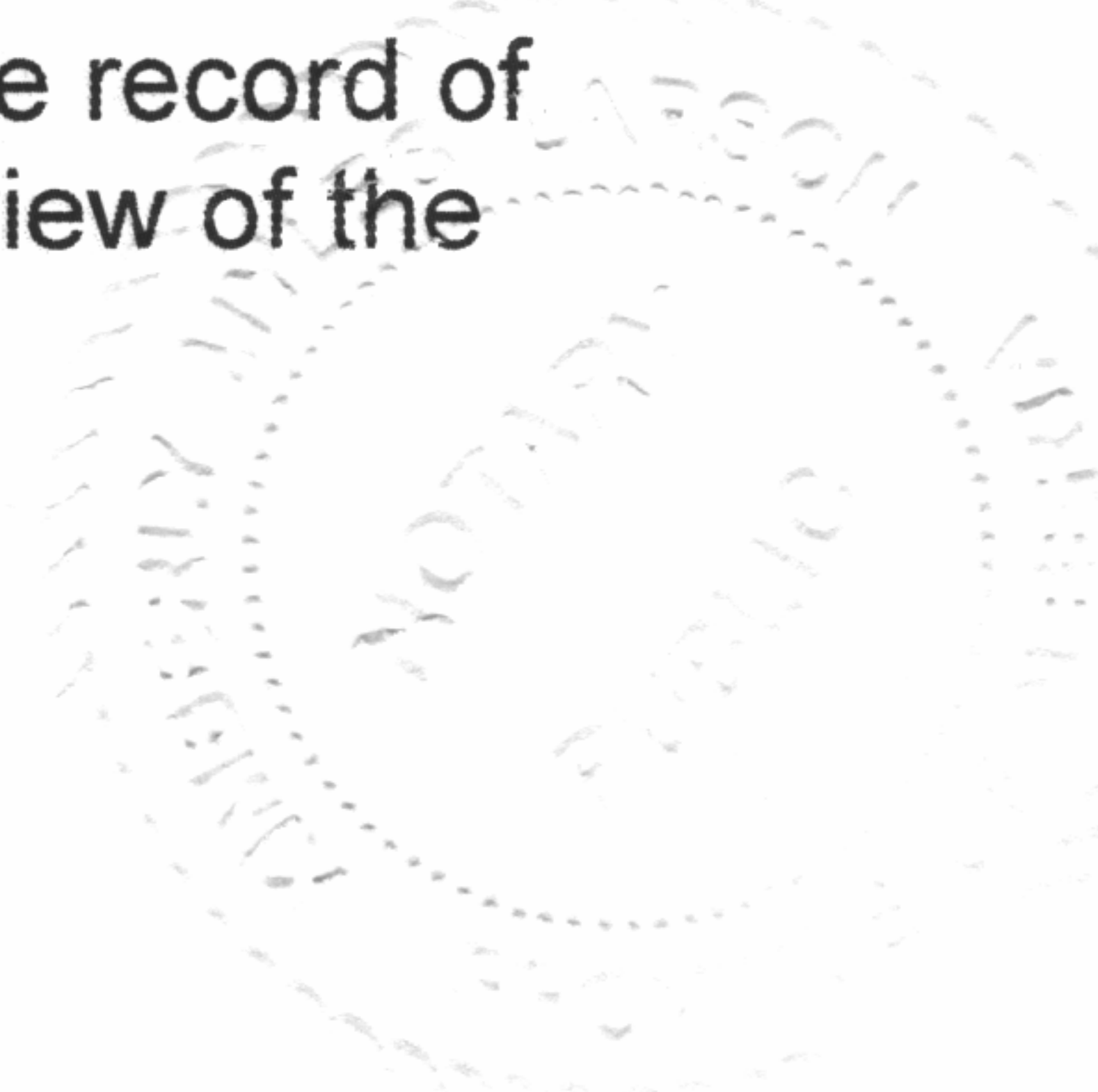
I therefore will add to other requests presented to you by other cabin owners who are severely affected by this decision...What is the reason? If it is poor pressure, I can assure you there has been very little pressure from the day this well was put online.

If it is over usage, I can also assure you that I am aware of only 3 to 4 cabin owners who water on a regular basis in a mindful respectful manner.

If it is lack of money, I can assure you that had SLRPA decision makers accepted mediation on any of the 4 times it was proposed in years past, instead of taking issues to court, we would have an upgraded functional well system up and running for now, and future usage and potential growth of this park.

At last August's AGM, Chairman Rehman answered my question about legal fees already spent and still to come stating, "*there will be small amounts like only \$400 so far in 2020*". In reviewing the minutes of 2020 and 2021, I have to question Mr. Rehman's response as every set of minutes makes note of phone calls, emails and statements about the lawyer reviewing documents and developing letters and invoices to continue actions against certain cabin owners. I am well aware of the cost of communicating with a lawyer and the record of minutes indicate a lot more activity than cabin owners approved at the AGM which was legal review of the lease, constitution and bylaws.

Kimberly Myles Larson
Notary Public
Province of Alberta
December 31, 2021



Sadly, I am now residing in a Regional Park:

WHERE... neighbour is pitted against neighbour

WHERE... numerous reports of targeted vandalism have been reported to the Unity RCMP detachment

WHERE... bullying is a regular occurrence

WHERE... many cabins have installed security cameras (including Cabin #1!)

WHERE... I have been refused access to audited financial reports to review before the 2021 AGM

WHERE... a 10-year draconian lease is being presented to Cabin Owners

WHERE... a one-way sign has been placed for obvious self-serving reasons

WHERE... our governing board has been negligent on proper guidance from Water Security or appropriate Government agencies to maintain proper water levels and protection of our fish habitat... also self-serving perhaps.

I'm not a "happy camper" but I do feel much better now that I have spoken my truth. The rest of the story will remain in your hands. I'll continue to observe and sincerely hope it's not too late to bring our beautiful park back to the good old days of community and friendship.

I, like many others, will "continue to observe".

Sincerely,

Peggy McFadyen

Kimberly Myles Larson
Notary Public
Province of Alberta
December 31, 20²¹

