



Legislative Assembly of Alberta

The 30th Legislature
Third Session

Select Special
Committee on
Real Property Rights

Public Input Meeting in St. Paul

Friday, April 1, 2022
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Select Special Committee on Real Property Rights

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Select Special Committee on Real Property Rights

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Joann Syson
Andrea Terletski
Mike Terletski
Jim Toews
Kevin Wirsta

11 a.m. Friday, April 1, 2022

[Mr. Sigurdson in the chair]

The Chair: Hello, everyone. I'd like to call this meeting of the Select Special Committee on Real Property Rights to order and welcome everybody here today in attendance. We are meeting in St. Paul, of course, beautiful St. Paul, Alberta. It was a great drive out this morning.

My name is R.J. Sigurdson, MLA for Highwood and chair of this committee. Before we begin, I will ask the committee members joining me here today to introduce themselves. I will start on my left, working towards my right.

Mr. Schmidt: Marlin Schmidt, MLA for Edmonton-Gold Bar.

Mr. Rowswell: Garth Rowswell, MLA for Vermilion-Lloydminster-Wainwright.

Mr. Yao: I'm Tany Yao, the MLA for Fort McMurray-Wood Buffalo.

The Chair: Just a few housekeeping items before we get going here. The audio of today's meeting is being live streamed on the Internet and broadcast on Alberta Assembly TV. The audiostream and transcripts of meetings can be accessed via the Legislative Assembly website. For the duration of the meeting we would please ask that you set your cellphones and other devices to silent.

Just to give a bit of background on the committee before we begin today, the Legislative Assembly struck the committee on March 22, 2021. The committee's mandate is limited to the consideration of whether the legal remedies available to a real property owner who is deprived of the use of the real property are adequate; whether the real property rights should be expanded or, in the case of an individual, constitutionally protected; whether the law of adverse possession should be abolished; whether the expropriation processes provided under the Expropriation Act are adequate; and any other matter that the committee decides is necessary to ensure the completeness of its review.

The committee may review as a part of its mandate any part of the following statutes: Alberta Bill of Rights, Alberta Land Stewardship Act, Expropriation Act, Land Titles Act, Law of Property Act, Limitations Act, Responsible Energy Development Act, and a review of any other act that the committee determines is necessary to ensure the completeness of its review.

So far the committee has received technical briefings from government ministries and has also received written submissions and oral presentations from identified stakeholders that have reached out to us.

We now turn our attention to hearing presentations from members of the public. We have had two public meetings so far. The first was a virtual meeting hosted in Edmonton last month, and the second was in Edson last Friday. Today's meeting is our second of six in-person public meetings, planned in locations around the province. Information about these meetings can be found on the committee's website. Those interested in presenting to the committee this morning were to register with the committee clerk outside, so if you haven't done so, please feel free to do so at this time or any time as the meeting is ongoing.

Presenters, if we had a full meeting we would have limited time, but of course at this time I only have two people who have registered to present, so I'm not going to put a limitation, really, at this time. We want to make sure that we don't limit it, so we'll kind of keep the floor open for this meeting when it comes to the two presenters that have already registered.

At the end of the meeting if there is time remaining after hearing from the registered presenters, members will be permitted to ask questions. So if you'd like to get back into a little bit of a to-and-fro question, we will open that up once we get through the formal presentation period. If you would like to ask a question, please, when you approach the mic, just be sure to note your name and who you would like to direct a question to, and we will do our best to answer those questions at that time.

With that, I guess I will call on our first presenter. I have Jim Toews for a presenter. Jim. Like I said, just please introduce yourself for the record and begin when you're ready.

Mr. J. Toews: My name is Jim Toews from Waskatenau, Alberta. As I was discussing with Garth here before the meeting – and this is to the meeting, the whole committee, in general – the thing that's been keeping me up at night is the fact that for the last hundred years we have been secure in the fact that we were protected from big government until we woke up a month ago and found out that we were not. We had a couple of politicians in Ottawa that were more worried about saving their skin than looking after the Canadians.

I know that constitutional reform is out of the question. We know how that always goes, but for the Alberta government to enhance our property rights, especially when it comes to things like the bank account – like, it was a disappointment, really, how little blowback the provincial government gave the federal government when they introduced this, that they didn't stop what was going on at least in our province. I think that if we do this right – and we have to do it quickly, before everybody forgets what they did in Ottawa – in a few years you would see other provinces join and you could end up with the proper rights for Canadians without having to touch the Constitution.

Another thing that does concern me that really isn't involved with property rights: the technology is moving fast where you have governments able to monitor cellphones, facial recognition technology. I mean, it's in China, and it won't be very long that it'll be here, if it's not already. That's another thing that should be addressed if you're going to go into the Alberta charter for our rights. I think that you shouldn't be able to – if we are a society of the rule of law, people's rights shouldn't be allowed to be, like, thrown under the rug without at least having to go before a judge, right? I would say: get it going and get it going quickly because people still remember what happened. Two years from now it's going to be too late.

Have you got any questions?

The Chair: At this time, I mean, of course, just so everybody in the room understands, we will ask questions, clarifying questions, if they come to us. I appreciate you offering us that opportunity. This is more a listening exercise. I'm trying to keep it a listening exercise as much as possible. With that as well, ensuring that – I've read some pretty relatable articles to what you bring to my attention. Definitely, when we're looking at this, what's within the terms of reference of this committee fits directly to property in itself. I understand your concerns on those other areas. I think as we continue to strengthen property rights – I personally, and I've said this before, it being a pinnacle part of our freedom – it continues to strengthen all the arguments that you bring, as a protection, as a citizen of Canada, and that is the goal of what we're doing here. Of course, the scope, which I stated in my opening statements, relates to just that, just property rights, but I do believe that strengthening that also strengthens our freedoms here in Canada.

Are there any specific comments that you have on certain issues that were within the terms of reference of the committee work? As

far as constitutionalization I guess I'll ask one quick question: the fact of whether it should be constitutionally protected. I guess, from your comments here you're in support of moving forward with more of building out an Alberta constitution with relation to property rights. Is that kind of what I'm getting from some of your comments?

Mr. J. Toews: Yes. I don't think you have the power to do much else. If you try to do it nationally, it's not going to happen, right? It's only – what? – every 50 years where the stars line up right, where you can actually get something done. The last time it all fell apart, you know, with one vote in Manitoba. We know how that works. But if Alberta does a good job of giving Albertans rights, I don't think it'll be very long before the other provinces would be forced to do the same. If each province has their own, like I said, 50 years from now, when they open up the Constitution, they could put it in federally, but until that happens, all you can do is what happens inside Alberta. That's the only thing you can do, right?

11:10

The Chair: Being on that topic, is there anything constitutionally that you think, when it comes to real property rights, we need to focus on when we're looking at that portion of constitutionalizing property rights to be able to protect them and provide that strength and assurance to Albertans? Are there any specific areas that you think are important to be considered in that process?

Mr. J. Toews: Well, your bank accounts for one. We found that out pretty quick, right? I mean, that is property, you know, or even contracts between private individuals. Like, they were threatening to cancel the truckers' insurance and stuff. They shouldn't be able to go in there. That's between two people.

Ms Redcrow: That's property.

Mr. J. Toews: Yes.

The Chair: I'll just pause here briefly and open it up to my colleagues, too, for any questions. But, first of all, I just want to say on behalf of the committee: thank you for presenting. This is what this is about, that public engagement and getting that feedback on the direction we need to move. We decided as a committee, as a whole, that we want Albertans to lead the conversation and direct us on where we want to go, and we want to be able to take that input back to the committee and see what work can be done and what recommendations can be made.

I'll briefly pause here and open it up to other members if they have any further questions.

Mr. Rowswell: I don't know if I have a question or not, but in Edson last week we were talking about elk and hunters, which I didn't think was part of what we were talking about, but it turned into something that I didn't know before, which was that farmers can't charge people to go on their land. Like, there's actually a rule against that, right? So it might become part of that.

But what you're talking about: you know, when I first got involved in this, I didn't think that this would be an issue, right? Now that you bring it up, maybe it's something that we have to consider. I don't really have a question. It's there, so I appreciate the presentation.

The Chair: Jim, thank you for your presentation.

I'll just pause. Sorry. Tany, did you have a question?

Mr. Yao: I was wondering if we should clarify that we're here to discuss rural property rights versus chattel and whatnot.

The Chair: Versus which? Sorry.

Mr. Yao: Chattel like weapons and that sort of thing.

The Chair: Yeah. We do want to ensure we always try to direct it back to property rights, for sure, as much as possible and make sure, like I said, that with the committee's consideration, of course, like I stated, we try to relate it to property owned and, of course, the availability of what you do on your property and so on and so forth and the protection of that.

I will move on. Next we have as a presenter Gary Moses. Hopefully, I've got the last name correct. I apologize if I didn't.

Mr. Moses: Very Biblical, as Garth knows.

Mr. Rowswell: Yeah.

Mr. Moses: I would like to just talk on your Expropriation Act and a personal thing that happened to me. Generally when you look at the need for expropriation, it's highways, power lines, pipes. You know, somebody is doing something holding up the public good. And the expropriation authority is "the Crown or any person empowered to acquire land by expropriation."

My family has lived on the south side of Vermilion for going on to close to a hundred years, and the land has been subdivided many times as needed. Lately I was in negotiations with some possible buyers, which I had done a few times before, and the mayor, who was in real estate, said that the town said that it was not going fast enough and expropriated the land. So I started into the procedure not knowing what it is and got the feeling that when you get to the hearing, they would say that it's wrong and that would be the end of it. So we started into the process.

First of all, you've got to hire a lawyer. Supposedly, at the end it's not supposed to cost you anything because the people that are expropriating have to pay the costs. We started going into that. When we went to the hearing, the lawyers, the appraisers, everything going before the adjudicator or whatever you call them: everybody had papers that thick. I think the bill by that time was getting close to \$200,000.

Then it started, and we did the report. It was a two-day thing. My lawyer phoned me up a couple of months later and said, "Congratulations; we won." I said: "Perfect. We're done." I then found out that's not the way it works. When you get further down, it says that the approving authority has to study the report and would give an opinion on it. It's not law; it's just an opinion. So I thought: "Well, it's good to go. This is all done." Then I find out in the act that it says that the approving authority is the one that has to approve the report. "The approving authority shall consider the report." If the expropriating authority and the approving authority are one, then it doesn't matter.

So what happened was that the town of Vermilion expropriated my land. We went through all the hearings and got to the final report. I thought it was done because the lawyers said that it was this and the report stated that the town was in the wrong and that I was looking after the need. I then found out that the town, being the expropriating authority, was also the approving authority. They just approved it, and I was done. Then we went through five years of negotiation, which turned out to be a horror show. I feel my property was taken for an improper reason, to have commercial highway things on it, which I had done before, but it was just this new mayor that was in real estate and pushed. That's what happened.

I think you should look at your appropriating act. To think that the town of Vermilion is the expropriating authority, you have a hearing, I won, and then they say, "That doesn't matter because

we're the approving authority," and it's done. Such a waste of a couple hundred thousand dollars. It shouldn't work that way.

Thank you.

The Chair: Excellent, Gary. Thank you so much for that. I really appreciate that explanation because you really drove down to right where the issue relates to. I appreciate that.

Is there any other – oh, sorry. We do have two more registered to speak, so I will move on to Kevin Wirsta. Is that correct?

Mr. Wirsta: That's correct. But my concerns were brought up by Jim, so it's all covered.

The Chair: Okay. I mean, recognize, Kevin, that if you come to the mic and want to get that on the record again, sometimes having issues brought up more than once, definitely when it comes on record, will elevate the situation and the priority. I mean, the more we hear about a certain situation or issue, that definitely helps the committee to prioritize that, the same as when we're getting into public submissions. So if later you do still want to stand up and get on the record for that, please just let me know, okay?

Mr. Wirsta: Sure.

The Chair: Excellent. Thank you, Kevin.

Next we have Sheila – sorry; I'm not sure if that's an E or an O – Redcrow, I believe. Sorry. I apologize.

Ms Redcrow: I'm interested in this thought of real property rights because there's something called the Doctrine of Discovery. You can google it. You'll find out what it is. The Pope said to the explorers: go out there, find lands, and if those lands don't have Christian people in them, you just put in the cross and a flag and you own it, and Christianize those people. That's where this all started.

11:20

Then there's the Royal Proclamation signed by the King in 1763 recognizing several nations and tribes of Indians and reserved to them their lands, their hunting grounds under this proclamation of Great Britain. Well, right now we have virtually nowhere to hunt because we can't go on a farmer's land because it's private property. Now your government is selling off all the Crown lands, the provincial ones, which were supposed to be ours, so virtually our people have nowhere to hunt without getting a huge fine, getting their guns confiscated, getting their vehicles confiscated. It's, like, not good at all.

Then after that we can go on to the Constitution of 1867, which provides that the exclusive use of legislative authority of the Parliament of Canada extends to "Indians, and the Lands reserved for Indians." Then we have the Constitution Act of 1982, which is fairly recent, where it recognizes and affirms Indian people, their treaty rights under Treaty 6. Under Treaty 6 we agreed to share the land with the newcomers to the depth of the plow, but that's not happening either. That's why I came here, because, really, it's a big thing that you're going to do real property rights and – what? – we have our little reserve. We had all these lands before.

Things weren't done properly during treaty. Our people were starving because they killed all the buffalo. So – what? – you have a guy called the treaty commissioner. If you want more, you can buy his book; it's called Alexander Morris's notes of what happened during treaty time. It took them four years because we weren't getting a good deal. You know, like, how can they call the earth Mother Earth? How do you sell your mother? Who sells their mother? It was beyond our comprehension that all this was going to happen. Totally. So what'd they do? Killed the buffalo, made us

starve. Our people were starving, and then he comes along, this treaty commissioner, and says: "I'm going to take care of you. I'm going to feed you all. I'm going to give you \$5 a year. I'm going to set aside lands and hunting grounds." And none of that is happening. All of those things have been broken. It's in his notes, and actually after he did Treaty 6 he retired. But it's a really good book. It'll give you an insight into what we keep saying that nobody is believing.

This town right here called St. Paul used to be St. Paul des Métis. It was a Métis settlement. Somehow it turned into – they dropped that, and it's just St. Paul now.

The other thing I think you should be aware of is Saddle Lake's land surrender in 1925 to the Soldier Settlement Board. Well, the Soldier Settlement Board was like a government-to-government kind of a deal, and the soldiers who came back from World War I, they thought, would take up these lands to farm. It didn't happen. They didn't want to move out here. So then the Indian agent and the bishop here in St. Paul went to Ottawa and wanted them to open it up to the newcomers, which is what happened.

Then along came the Dirty Thirties, and people couldn't pay for their land. We have a court case on this because we never got the money. We never got the interest. We got nothing. Nothing. My father-in-law, while he was alive – I said, "Why is Saddle Lake jagged like this?" He said: "The land surveyor was too lazy. He said, 'Oh, this is good enough; put in a stake here.'" There was a settler. He went around that settler's land. That's why Saddle Lake is not a nice square block.

So I'm very concerned about what's going on. I mean, we feel like we can't even feed our family. Our families can't be fed anymore. We have to go real far to find something, but now with all the oil leases there's no moose around where we used to go. We used to go to the mountains. And those national parks? They're Crown land. Those are supposed to be ours yet. We never agreed to hunting and fishing. That was ours. They said that the newcomers would bring their own animals. Yet when we go hunt on a farmer's land, next thing fish and wildlife are there, making you pay a big fine, taking your vehicle, taking your guns. Like, I don't know. I just don't think it's – there's no fairness happening in this country. That's what I'd like to say.

Thank you.

The Chair: Thank you for your presentation.

At this time we don't have any further presenters that have approached the clerk to speak as of yet. I will pause briefly and just remind everybody that if you do wish to come to the mic or speak, the clerk is just outside the door, and if you provide your name, of course, for the record, it's for *Hansard* purposes, of course, getting on the record for when we compile the information for presentation back to the committee as a whole and, of course, having it on record as a formal submission. You can register with her and then speak.

If we don't have anybody else that is willing at this time to do so, what I might do is just stop to have a five- or 10-minute coffee break. It'll allow people to be able to chat a little bit and then see if anybody has some additional ideas focused around property rights and if they want to speak. I'll leave it there for right now, and I think we will – sorry. Is there anybody at this time that wants to speak?

Mrs. Labrie: Can I just ask something?

The Chair: Yes, absolutely.

Mrs. Labrie: Do I need to go up there?

The Chair: No, no. You can ask from there. I'm sure it's fine.

Mrs. Labrie: This is coming from a person that just – I’ve seen this on Facebook, and it caught my attention with property rights. I haven’t really done my research with the acts or the legislation, I guess. Can you just give us a brief overview of why we’re here and what you’re compiling this information to do and what’s the time frame? What’s the final result of this, and when do you expect the conclusion, I guess, of all this data that you’re compiling?

The Chair: Absolutely. No. Definitely a very fair question. When this committee was struck, it was done by a government motion by the House leader, Government Motion 69, and it basically was to take a look at what the situation is with property rights within the province and really to just have this public engagement.

We were laid out kind of a terms of reference, or TOR as we call it, which is what I stated at the very start. I’ll just pause briefly, and I’m going to just read it again. Then I’ll provide some more background into it. When they came out with the government motion, they gave us some principal ideas to kind of get us going in a direction.

Number one was “whether the legal remedies available to a real property owner who is deprived of the use of their real property are adequate.”

Number two: “whether the real property rights should be expanded, or in the case of an individual, constitutionally protected.”

The third was “whether the law of adverse possession should be abolished.” For many adverse possession, of course, has been – in other jurisdictions they’ve gone away from it, but it basically states that if you put a fence up, even if it’s on somebody else’s property, and it’s there for 10 years, you can claim that property. That’s adverse possession, and that is actually still in place right now. We’ve heard a lot of response back: why are we still doing this? It’s very outdated. It has been in legislation for an extremely long time.

Next, it was “whether the expropriation processes provided under the Expropriation Act are adequate.” Of course, you know, when Gary Moses was up here, he spoke directly to that – “I’m a landowner. I have a property. I own that property. We understand that the province needs to grow for the common good.” – but then discussing whether that process of expropriation, which is really, you know, something that’s put onto a landowner, that they’re forced into – is fair. Is the process fair? Is it adequate to be able to protect landowners?

The last one, of course, is “any other matter that the Committee decides is necessary to ensure the completeness of its review.” So that opens up a little bit into, you know, what this means to Albertans to try not to limit the conversation too much on the process of how municipalities grow into rural areas and/or other areas through the expropriation and those processes.

You know, when we talk about this, it’s: how do we strengthen it? How do we ensure that owners of property, because that’s where the bulk of a lot of people within our province is putting most of their investment, a huge amount of their investment – I would say that most people have the bulk tied up in that alone. How do we listen to Albertans and make sure that they’re being protected as much as possible?

11:30

You know, we firmly believe that it’s a right. It’s a constitutionally protected right. We have to make sure that the processes by which we deal with that are, in my personal opinion, strengthened. This is a listening exercise for us to be able to engage with Albertans and see if they can identify areas where we can strengthen that and we can make things better for landowners.

I’ll leave it there, and I’ll allow my colleagues to jump in here. Absolutely, Marlin.

Mr. Schmidt: Yeah. Mr. Chair, just to put you on the spot, I think one of the questions that – I’m sorry. I don’t recall the name of the questioner.

Mr. Rowswell: Sheila.

Mr. Schmidt: No, no. The last person who asked a question. She was not only asking about . . .

Mrs. Labrie: Emilie.

Mr. Schmidt: Emile. Yeah. Emilie asked not only what our scope of work is but also what products we will produce and when we will see the results of those works. I’m wondering, Mr. Chair, if you could address those issues as well.

The Chair: Yeah. I apologize. Thank you, Marlin, for picking up on that, because I’ll sometimes get off on a tangent. There are multiple keys to a question, and I forgot. I didn’t make notes.

The conclusion of this is in July. We have a mandate to come back with a report to the Assembly on all recommendations, and those will be a mix of both what we’ve seen from written submissions, as I mentioned, the stakeholder presentations – we saw presentations from different landowner groups and other stakeholders across the province – and then, of course, this process, too, of getting out and allowing the public to be able to have their input. We’ll bring that all together, and then as a committee of both the government and opposition we’ll sit down and we’ll take a look at, you know, what has been brought to us and in what areas we need to make recommendations to different departments within government to be able to make improvements. Does that make a little more sense?

Yeah.

Ms Syson: I have a question as well.

The Chair: Okay. Go ahead.

Ms Syson: I prefer not to present. I came not to speak but to listen and learn, so I’m doing it backwards. I’m a new farm owner. My concern as a new landowner is this alternative – what did you call that? It used to be squatters’ rights.

The Chair: Adverse possession.

Ms Syson: Adverse possession. Thank you. That’s my big concern because as a property owner I bought and paid for that property. I don’t think I have to be out hiking the north 40 to make sure somebody didn’t put a gate up there. I guess in this process, to be recognized how much I object to that, what I believe is a very archaic rule – I’m sure there was a place for it at some time – do I need to get up and present and say, “Hey, I’m Joann, and I want that law abolished”? Do you folks take this back to the rest of your bigger working group and say, “Little Joann wants that abolished, and so do five other people”? Like, “How does this change happen”? I guess is my question.

The Chair: Yeah. It’s a great, perfect question. Yes. Definitely, when you register with the clerk out front and you get your name on record, that becomes a formal public submission of objection to adverse possession. It elevates the issue to the committee and then, you know, definitely strengthens, when we’re looking at those submissions, both what we’ve received through stakeholders, written – and now we’re getting the public oral presentations. That definitely brings it up. Yeah. Anybody that has an objection to that, that wants to state their name – I mean, it can be quick, right at the mic – and just say: I completely object to adverse possession, and I’d like that

abolished. I'm only saying that as – and you could be that quick, definitely. Yeah.

Ms Syson: But to be on record, I need to register?

The Chair: Yeah. There's a list out front. The clerk has it there. What we might do – like I said, we've got time here today. We can definitely take a quick break to have coffee, let people, once they understand that now – and then we'll allow some more people to sign up as well. But we will answer any other questions before we move to that.

Sorry. It was Sheila? I apologize, Sheila.

Ms Redcrow: I forgot to talk about the Natural Resources Transfer Act. I just remembered when I sat down.

So this used to all be the North-West Territories. Then, I think, it was Ottawa who wanted to divide it up into Manitoba, Saskatchewan, and Alberta. Canada was going to say, "Okay," but they demanded to have the natural resources. They demanded, or they wouldn't become provinces. No consultation with the First Nation people was signed. That's how you get all the oil, the gas, the gold, the coal, the whatever, because we agreed to share to the depth of the plow, not for anything else. That's a big issue, and that one also will be going to the Supreme Court fairly soon, we're hoping, just to let you know. It really bothers me that these squatters, which a lot of people were back in the day, are now saying that they own it, they paid for it. But who did they pay? That's my question. Who did they pay? There's no bill of sale from First Nations. At the UN they keep asking for the bill of sale of Canada, and they can't produce it because there is none.

That's what's happening, and people need to know this. That's why I came along. Like, I'm going to go talk to my councillor – not there. I'm doing it for them because I'm very concerned about what's going on here and the way we're, like, pretty well: drill, baby, drill; the price is up. That's not cool. You're destroying the water, and nobody but nobody can live without water. It doesn't seem to matter. Fort McMurray: all those pools that they have go right into the Athabasca River, which feeds all the other rivers. Like, it's a shame. People who live up there have some rare form of cancer, so they've pretty well left. Now they all live in Edmonton. You guys need to take care of the environment first. That's what I think.

The Chair: Are there any other questions at this time? Any points of clarification? Yes, please. Sorry. Just please state your name and then just . . .

Ms Laramee: My name is Christine.

The Chair: Thank you, Christine.

Ms Laramee: Yes. My question is about Bill 36. When was it first implemented? I can't remember. Bill 36, land rights. My question is: how much property rights do we have because of Bill 36? It states also that governments can take over your land without compensation. This is pretty much what they've done to our Indigenous peoples. My biggest concern is that we've never addressed Bill 36 and the amendments.

Thank you.

The Chair: I appreciate those comments. Thank you. It definitely will be something we'll put to consideration to the committee. [interjections]

Unidentified Speaker: Is anyone going to respond to that?

The Chair: As a committee we're not here to respond. I mean, understand that this is a listening exercise. This is for us to take back the recommendation and your objection to it and then review. We are not here – as we are only four members of a larger committee, we're here to listen. Then, of course, we're going to take those recommendations back, and then as a committee we'll do a deeper dive and at that point can actually also bring back departments to be able to do reports, to ask them questions about the specific legislation, whichever particular department that that fits underneath. This is literally public engagement, and this is a listening exercise for us, right? I mean, we want to be here. We want to hear your concerns, and then we want to take that back to the government, the departments and have those conversations, take a look at these deeper issues, and then as a committee come up with recommendations.

Mr. Yao: I think for *Hansard's* sake we should ask everyone to speak into the mic.

The Chair: Yeah. I mean, definitely, for *Hansard's* sake, as a recommendation coming from the clerk and from *Hansard*, please, if anybody does want to come up, I think the best thing would be to just have everybody step up to the mic.

Is there anybody else that has any additional questions?

11:40

Mr. Yao: Sir, if you could please speak up to the mic. That's just so that they can record the words.

The Chair: Absolutely.

Mr. Reszel: Yeah. My name is Kyle Reszel, local landowner. I'm not sure how this pertains, but I'm just curious how we'd come about finding more information. We're dealing with local wind turbine projects here, and for five years they've been approaching landowners. We've made phone calls to councillors, to MLAs. Nobody seems to have any answers on how this would even work, how this would pertain to us as landowners if the projects did end up in our community. Nobody seems to have any sort of answer where to even get answers from. Any suggestions on where we could start or any past experiences?

The Chair: I will say that if you haven't approached your local MLA, please do. [interjections] They can send it through the department. I don't have specific details. I apologize, okay? I'm not going to sit here and pretend that I know everything about wind projects, how it applies both municipally and provincially to your land in this area. I don't know. I'll be quite honest on that. That would have to be something that would have to go to the department to see what their current regs are.

I'm not sure if that relates to you putting one on your property or whether you believe those are impacting as a neighbouring property. I'm not sure if that's a bit more your landowner issue. But I just will apologize in saying that I don't have the answers for you.

Mr. Reszel: Personally, it pertains to the project coming into our area, and we're not for it. We'll have land in the projected area, and I want to know what our rights would be if there ended up being a turbine on either side. Do they have the right to bring power through our land?

The Chair: Do you mind stating that on record? This is a landowner issue, and I'm saying that this about property rights, and I think that this is something great to get on the record. I apologize. That's why I wanted to ask the clarifying question, because we are trying to

drive down into that deeper, if you are a landowner, how this impacts you.

Mr. Reszel: Our concern is that they are projecting one in the Elk Point area, and we have land there. There is quite a bit of our land that ends up in the project area, and they're projecting tower turbines on either side of our quarters of land. Now, if they do go ahead with the project but we refuse to allow a turbine, will they have the rights to go through our land and put power to connect them without us having an opinion on it?

Your answer to my question about where we find information is, unfortunately, the same problem we had with the councillors, with the MLAs in different districts: nobody knows where to find the answer. I have yet to have one person tell me: start looking here, and this will give you some answers. Nobody knows. I think that this is such a grey area that hasn't happened here that nobody even has an idea of where to start, but in the meantime five years have gone by, and they look like they're about to start stage 2. Well, five years is a long time to not have any answers.

Mr. Yao: Who's the company?

Mr. Reszel: Northeast power out of Toronto.

The Chair: Definitely, like, I can see your concern, because being a landowner in the affected area, you definitely want to take a look at that process. As I mentioned to you previously, I don't have answers on what the specific details are there, but it definitely does relate to a landowner issue. Maybe afterwards we can connect, and I can try to assist and, you know, try to get you those answers, okay?

Mr. Reszel: Yeah. For sure.

The Chair: Definitely, I'm sure that myself and all committee members sitting right here right now would be more than happy to try, after the meeting, to connect with you and see if we can direct you in the right area, okay? All right.

Sorry. Go ahead, Garth.

Mr. Rowswell: I invited a couple of people here, and one guy showed up at 9 o'clock because I told him it was going to be between 9 and 11, but he couldn't stay. The reason I bring it up now is that it's relevant to what you're talking about. One of the things that we've looked at and had other presentations on is that if a project gets approved and you're across the road and it impacts the value of your land, is there a compensation issue there, right? I don't know. His concern relative to that – he was a reeve of an MD, and he said: "So who's going to pay that? If it's not the developer, is the county expected to pay?" That was the concern that they brought forward.

You can see it in some of the larger urban areas, where they'll make a green zone or something. Well, did that just reduce the value of whoever owned that land? Could they ever sell it, or could they ever develop it? Those are issues we've heard from other presentations or submissions that came to us. I thought it was an opportune time for me to just – like, you're not alone in your concern, and it has been brought up to the committee in other written submissions.

Mr. Reszel: I just find it hard to understand how such a big project can have very little information on it. It's hard to get information from the company. It's hard to get information from the county. It's hard to get information from the MLA because I don't think they've tackled this before. I don't think there is enough out there. These are projects that once they start, they don't stop. Something so big: I feel that there should be something a little more concrete or a little easier way to get . . .

Mr. Rowswell: What's your name?

Mr. Reszel: Kyle Reszel.

Mr. Rowswell: Okay. Right.

The Chair: I just will ask one question: how did you find out about the project? Was it through public notification or direct contact?

Mr. Reszel: No. It was direct contact. There was a land man that came around approaching us with a contract and was forcefully trying to get us to sign it. In our area, anyway, they were using neighbours against neighbours. They were telling people that your neighbour has signed up, so you'd better sign up because if you don't, you're going to lose out yet there are still going to be turbines on your adjacent land. We wrote a letter to the paper five years ago making people aware of this. We had plenty of neighbours that came up to us and said that they used our name, that the company used our name as if we were interested, and that's how it started. When we refused to sign the contract, they've stayed away from us, but they're calling all the neighbours. They don't call acreage owners. They only call people with full quarters and nothing less than 80 acres, so acreage owners aren't even aware that this project is even in the community.

Like I said, we brought this contract to the lawyer and had him look it over. All his opinion was: do not sign it without getting an environmental lawyer to look into this thing. It's beyond him was his opinion because it was a 40-page contract and it was pretty serious. There was everything from being allowed to farm it to being allowed to hunt on it. It was a pretty serious contract, with nobody, again, to direct you to some information in that process.

Mr. Yao: Can I make a comment?

The Chair: Yeah, absolutely. Tany, go ahead.

Mr. Yao: Because there's a power-generation issue with windmills, that should be regulated under the Alberta Energy Regulator. It's great that you're vocalizing that here, so it is on the record, but it is important to get the who, what, where, when, why and write that out and provide that to your MLA as well as your municipality. Quite honestly, either of them should be able to get you that information. You have a good MLA in this region, Dave Hanson. He's pretty astute on these things. He has actual experience as a land man. That was one of the things he did. He'd be able to provide you some guidance.

Mr. Reszel: Wouldn't I be correct by saying, considering the project is in the county, that it should be their job to contact me with the information as opposed to me contacting them with the information?

Mr. Yao: I can't comment on what the municipality is doing, but you would think that they would be aware. Now, again, it's – yeah. I've never dealt with windmills. I'm from Fort McMurray. We mine the land for oil.

The Chair: I think you touch on two important things that deal with property rights, which is why we're here. First of all, how are property owners adequately provided notice when it comes to an upcoming project that can impact their land? I think that's really important. That's why I asked about how you found out about the project or how you were notified, because that is a process in which that can be looked at. How do we strengthen that? How do we build that so that, first of all, landowners have adequate time to have a full understanding of the projects happening in their area and whether that will or will not have an impact on their property and

property value and then as well, with that, what is your process to be able to be a part of that input when it comes to that? That's why I kind of asked those two clarifying questions.

11:50

Definitely, your comments fit right into landowner property rights. You've definitely exposed a gap, and we will take this information back and start taking a look at this and asking some questions on why you've ended up where you have today, right? How do we prevent this from happening again? I mean, I can't comment on your situation, I can't fix where we are, unfortunately, for you right now, but definitely we want to take a look at how we build a better process in the future. So I appreciate your comments.

Did you have any other questions?

Mr. Reszel: No. That pretty much covers it. Thanks.

The Chair: Okay. Excellent. Thank you.

Next on the list I have Dale Hedrick.

Mr. Hedrick: Hi. I'm Dale Hedrick with the county of St. Paul. I came here for the same reason Kyle is here, over the windmills. Like, we're in the dark when it comes to this stuff as well. Everything I've found when it comes to the windmills is that the farmers don't really have a say. If they want the windmills to go through, all they have to do is go through the Alberta Utilities Commission, and they push them through, just like about eight years ago. There was a big power line north of St. Paul here. They wanted to put this power line through. They gave two options to the landowners: it's either going here, or it's going here. That's what they said: you guys pretty much duke it out and see where it's going. And it ended up going through. None of the property owners wanted it to go through, but it went through because the Utilities Commission said: yes, it's going through.

When it comes to these windmills, it's the same thing, just like Kyle brought up about the small acreage owners. You've got an acreage there. Say you have five acres, but then there's the 155 acres that the farmer owns. The farmer puts the windmill there. Well, then this acreage owner: he's got to listen to the sound of this windmill and all the effects from this windmill. I don't think that's right. There has to be something written in stone where in a certain area, like a big area, the owners have to be contacted, and if they don't want it there, it shouldn't have to go there.

Another thing, too, is the reclamation when it comes to these windmills. I don't know what's all on there for reclamation. Like, once these windmills are done, then the landowner is stuck with digging up all the cement. There's a pile of cement and everything that goes into putting up these windmills, and to leave that hanging for the farmer who – maybe he's not even the one that got the windmill put up; he bought the land and the windmill was there, and then down the road he's got to deal with all that. That's not right. There has to be something that's put in stone, written there, about reclamation.

I don't know if these companies have to put some money aside for reclamation so they can't just say: "Oh, we're broke; sorry; there's nothing we can do," and they walk away from it when they're done with these windmills. But there has to be something put in there. These farmers: they need some rights when it comes to this stuff because as it is right now there are no rights, I don't think. The Utilities Commission: they trump everything that the farmers say, and that's not right.

Thank you.

The Chair: I appreciate that input. Thank you very much.

Next we have Claude Brousseau. Is that correct? I apologize if my pronunciation is off, but please just state your name.

Mr. Brousseau: It's very good. I've heard worse than that.

It's what Dale just said there. When they went for the power line, I had a nice half section, and they were going through that way. It doesn't matter; they went through. So you've got no rights. In your yard if it gets stolen, the cop says: leave and go; don't take the law in your hands. Well, their \$60,000 truck is gone, and then who replaces it? The police do their job, I think. It's the law that doesn't do its job. They say: oh, don't do that again. A little slap on the hand. And that's what we get.

The Chair: Excellent. Thank you, Claude.

I am not sure – I'm just going to check, pause here briefly. I'm getting yelled at here because I'm not reminding everybody to state their name when they get up to the mic. I see a head nodding back there. Yeah. I'm getting in trouble here.

Next I have on the list Diane Dargis. Please just state your name before you proceed with your comments. Thank you.

Mrs. Dargis: Hi. My name is Diane Dargis. We had, as well as Claude Brousseau, the power lines go through our land a few years ago. We felt as if our rights were completely ignored. Both my husband and I felt the same way. The Alberta Energy Regulator, without our knowledge, had approved that there were some transmission lines that needed to go through. They had two separate lines, as Dale had mentioned. They said: it could be either (a) or (b). We didn't even know anything about the Alberta Energy Regulator meetings that were going on prior to them determining that these lines had to go in somewhere. Nobody contacted us saying that there's a potential that your land may be affected by this and maybe you should come here and give your input if you would like to say something about whether or not you want these transmission lines going through your land. We were never contacted at any point in time. We later found out once we went to the Alberta Utilities Commission's gong show meetings or court case or whatever it was called. It was basically just . . .

Unidentified Speaker: Hearings.

Mrs. Dargis: The hearings. There we go.

The hearings were a gong show. It was already rubber-stamped even before we got in there that it was going to go through, where the power lines went through. It was predetermined that that was the desired one for ATCO Electric. Basically, it was a done deal even before we went to the hearings. It was very, very unfortunate that we didn't feel as if we were heard. At one point my husband and I were told: you're only farmers; you don't know anything. At these hearings that's what they said: you are not knowledgeable enough to know anything about what is going on as far as utilities and everything else. We know our land. We know everything about our land. We don't want power lines in between two perfectly good quarters of land. There was no negotiation; there was nothing. Once they determined that that's the route that they were going to take, there was nothing we could say about it.

In my opinion, I feel as if our rights have eroded to nothing at this point, because especially with power companies, any kind of utilities companies, they seem to have all the power in the world. They can do what they want, when they want, however they want, and it doesn't matter who they step on. Like, even where the power line goes through – like my husband says, you know, they pay per power pole. But you're not allowed to build – I don't know how many metres it is – between the two power poles, in the middle. I think it's 300 metres on either side that you're not allowed to build

at all. Our rights have been taken away. We're not compensated for this. We're paid per power pole. We're not compensated for the land that we lose because we can't build a barn or whatever the case may be, whatever it is.

Ms Redcrow: You can't use your own land.

Mrs. Dargis: Yeah. You can't use your land for what it was determined for or what we wanted it for.

We asked them: well, can you at least put it on the side of the road so that it's not going to impair our use of our land? Now we've got these huge, humongous power poles in the middle of two quarters, so we have to go around these power poles constantly. It makes no sense why we don't have the right to at least negotiate something in the end. No. Once it was determined that that was the route they were taking, that was it. It was a done deal. That's where I feel our rights as landowners are eroding. We have no rights anymore, and I feel like this has got to change. This has got to change. We have to be able to – like, I can see: okay; it's good for the greater good and stuff like that. But at least work with the landowners, saying: okay; well, we'll go on the side of the road rather than the middle of the quarter or in the middle of two quarters.

12:00

Like, they could have negotiated, but they didn't. The things that we thought they negotiated in the contract they didn't even uphold. They didn't even go by what they negotiated. They say: oh, well, you didn't write it in your contract. The land rep or whatever said, "Oh, yeah, we're going to do this and this and this and this and this," but he never wrote it in the contract, and in the end they didn't uphold any of the things that they told us that they were going to uphold or, you know, go by. I've never felt so blasted violated by any company out there.

In my opinion, these people that think that we as landowners are just these mere individuals that don't know anything – you know what? Maybe you should actually speak to the farmers. They're pretty damn knowledgeable about their land. They know their land, and they know what would be best for their land. Like, to completely ignore landowners – I mean, we've paid for 40 years for this land. We own this land. We've worked hard on this land. They chose to take that route for the power lines because in the past we cleared all the land. It was perfect for them. It was perfect, hardly any work for them at all, because all the land was cleared. We worked for that. My husband and his father cleared that land so that they could work it, not to have blasted power lines go through it.

That's where I feel like these rights – you know, people say that we have property rights. No, we don't. We don't have any property rights at all when it comes to government. The government can expropriate whenever they want, however they want, do whatever they want. As long as the Alberta Energy Regulator says, "Yeah; that's what we need to do," then that's what they do. I just feel like we've got to really step up a notch when it comes to things like that and start listening to the farmers and to the actual real property owners and say: "Okay. We need this. How can we work with you to get this done?" That wasn't done at all. It wasn't done at all.

This Alberta Utilities Commission hearing that they had was a complete gong show. It was ridiculous. One person said that they had, like, this much of a – the lawyers on the other side had that many papers and all this paperwork and stuff like that for ATCO Electric. Well, we've never done this before. I mean, this is our first kick at the can, and we're expected to know how all of this show works? No, that's not – I felt very violated, and I know my husband did, too. I know of a few other farmers that felt the same way, that it was a violation. Now any – any – utility company that comes up

to us: we've got our dukes up immediately. We're not playing nicey-nicey anymore. We are there to fight, and we will fight. We thought that the process was going to work on our behalf, and it didn't. The process stunk, stunk up high heaven. [interjections] Well, absolutely.

I really feel for those farmers that are affected by the windmills because it could be any one of us, and once they think that they can strong-arm us into doing any of this stuff, they will do it. They will do it. It's exactly what Kyle said. They go to one farmer and say, "Well, your neighbour said that they've already signed," which is a total bunch of bull. They're doing it to manipulate people, and they're doing it to try to strong-arm them to get things done. That is absolutely wrong, and they should not be doing that. It should be held as a – if you want to get a whole bunch of farmers together, you hold it as a meeting, and then that way they can talk together. These people that think that they can go to each individual person and then, you know, lie to them and say that the other farmers are doing it and they're not – that's wrong.

It should be held as a meeting where these – let's say it's ATCO Electric. Or – I'm not sure; I can't remember the company's name for the windmills. [interjections] Northeast power. Okay. Well, get that as a meeting so that all the farmers and all the people affected by this could get together and actually have a meeting about it rather than picking people off one by one. That would be a huge suggestion. I don't know if that would be helpful. To me, in our transmission line thing, the whole debacle that we went through, I think that would have been very helpful, if we could have had a meeting even prior to them approving that, you know, a transmission line was needed. We should have had a meeting saying: there is a potential that it could affect you, and would you like to be part of this meeting?

The Chair: So more proactive engagement prior to a design?

Mrs. Dargis: Absolutely. Absolutely.

You know, this project, this transmission line, was approved without even our knowledge that it could affect us, so we didn't even get a chance to give our input. It was approved, and then the AUC said: well, it's been approved. So you have no choice at this point. It's been approved.

Anyway, thank you. That's all I need to say.

The Chair: No. I appreciate your input. Really, I do.

Next on the list I have Kevin Wirsta again. Go ahead, Kevin.

Mr. Wirsta: Yeah. Thank you. Kevin Wirsta, county of St. Paul, also RMA district rep for district 5. I can't speak for everybody here, but I can certainly summarize, I want to say, their love for the land and me being a farmer as well. There are a number of people in this county that are 100 years plus on this land, and whether it's right or wrong, we all have rights to certain things in this country.

Jim mentioned earlier, you know, our rights on our bank accounts: a big issue when it comes down to our charters. Again, I'm going to recognize that as he had spoken earlier on it.

Then we get into Kyle. I mean, I've had tons of phone calls on the windmills that are happening here. To be quite frank, the county was not aware of anything happening within our county, so this is all happening in closed doors and not being informed to the public. You know, they always say that knowledge is good, and the more we learn, the more we can understand. But when you do things behind closed doors and things unfold and happen before you even have a chance to react, it's unfair to any landowner in this country.

You know, one person on a land or owning land is very easy to manipulate or bully. But you've got to recognize, too, that we're 680 people. In this province we're the third-largest city, and that needs to be commended as landowners in Alberta. When one of us

speaks, you're only hearing one, but actually you're hearing 360,000 people because we pretty much all stand behind each other. Just sitting here listening to my fellow people in the room, more and more we're getting bullied about certain things happening, and we're not getting recognized for what we need done for ourselves.

You know, a big push here – and I'm going to mention this one – is the unpaid leases and taxes that are owed to the municipalities or to the landowners. We have unfair companies out there that create shell companies that go on to neglect to pay taxes. I do believe that this year so far we're \$243 million owed in taxes to Alberta residents and municipalities. That goes right back to the AER, okay? They have the power to stop this. This certainly needs to be looked at because as we go forward, with \$150 oil coming in this year, this needs to stop. So I think this is something that we certainly need to take back.

We haven't learned from our oil reclamation, so now we're starting into our windmills. We're allowing windmills to go across this province, and at the same token the AUC is not recognizing the reclamation that my fellow counterparts had brought up. Reclamation is a huge thing in this province – you know, learning from what happened in the oil industry, how now we have to reclaim and look after our own wells – yet we're allowing windmills and windmill farms to come up, and there are no reclamation proceeds in that.

12:10

They mentioned about the contracts that are coming through. Yes, they're 40 pages long, and you need a lawyer to decipher them. What landowner or farmer in this community would understand a 40-page document? There are some unfair advantages coming forward, but I think we certainly need to look at – and we can't change the future, what's coming, but we can certainly be ready for it. With the AUC claiming and allowing all these wind farms to come through but not recognizing that we need a reclamation part of it, I think that's something that really needs to be considered as we didn't do it in the oil side of things.

With that, you know, I certainly thank you folks for coming and listening to us here today and bringing it back to upper management so we can get this rectified.

Thank you.

The Chair: I appreciate it. Thank you, Kevin.

I mean, the work and everybody on this committee: we share this. I grew up in rural Alberta. A lot of us did. Even Marlin was telling me how he graduated from Hanna. All of us are committed to strengthening property rights in the province. That's why we're doing this, and we appreciate the input that's coming to us. I apologize. Some here who've shown up today may be a little bit frustrated that we don't have answers, and I get that. What we're trying to do is create some solutions, anticipate some of the issues that may be coming up, and then do what we can to find the strength in those areas, to be able to build around those property rights because I think that out of anything we all respect both rural, urban, all property rights across the province, and we want to do what we can to be able to strengthen that.

We appreciate your input on that end, so thanks again, Kevin. Are there any specific questions that you have at this time?

Mr. Wirsta: No, not at this time.

The Chair: Okay. Next on the speaker list I have Marie Brousseau. Please, when you get to the mic, just correctly state your name because I think I just absolutely butchered that, and please go ahead with your comments afterwards.

Mrs. Brousseau: Okay. I'm Marie Jeanne Brousseau, and we dealt with the transmission line. We went to hearings, and then with the outcome, if we weren't happy, we had to go to court. The big companies have lawyers, and their costs are covered by the government if it's energy, but the farmers' have to come out of pocket. As far as I'm concerned, the government should pay for the farmers if they have to go to court as well and give it fair play.

The Chair: Thank you.

At this time I have no other speakers registered to speak. We're about an hour and 15 minutes in, so I am just going to take a brief, 10-minute break, and then we'll reconvene as a committee, just enough for everybody to grab a quick coffee, bio break, bathroom break, and we'll be back at 12:25.

Thank you, everyone.

[The committee adjourned from 12:14 p.m. to 12:25 p.m.]

The Chair: Okay. Everyone, it is 12:25, and I'd please ask that everybody take their seats. I just want to ensure that we do have enough time to get through everybody that wishes to come and speak on property rights.

At this point in time I have next registered to speak Andrea Terletski. If you're available, please come up. Just please state your name, and then provide your comments afterwards. Thank you.

Mrs. Terletski: Andrea Terletski. I am a resident of the MD. Actually, we have just shy of three acres in a rural subdivision, and our issues with the MD started two years ago, when they proposed, on MD land that they owned, to open a garbage storage facility. We live on a dead-end road. Our rural subdivision is a horseshoe. We access the same range road.

In their due process they informed the only two residents that live down the range road at the far end of the dead end, never approached the rest of us. It was led to believe, with the original two residents, that everybody was informed and agreed with it, which was not the case. We met with our reeve. We had our discussions at that point in time. At that point in time there ended up being 52 of us against this storage facility in regard to – bear with me here – our land value, the increase of traffic, the safety of our tenants, of our residents. We have children. We're in a horseshoe, so we're always walking, riding our bikes, the dogs, stuff like that.

Three weeks ago those two same residents were issued another letter that they're going ahead with this storage facility for garbage, at which point in time all the checks were not in place for the environmental concerns, because we're a quarter kilometre from the river. The MD has not addressed the other 48 residents in that subdivision, saying that we have no rights because it doesn't affect us because we're not directly associated with that land. But we all access the same point of intersection. There are three of them that have to be crossed to get there so that all of the rural area residents can drop their garbage. There are no checks and balances in place for us as adjacent landowners.

The due process at this point has worked. We were supposed to meet next Tuesday for a development meeting, but because, again, all of us as a community got together and said that we don't agree with this, they have kiboshed it again. Where are the checks and the balances in place for future development on this, and why are all adjacent landowners not informed of the decisions of future development? Whether we own the land or not, we are still adjacent, and it affects all of us in regard to safety, value, all of it.

So there's my addressing of concerns: the due process and the value of the land and everybody adjacent to the associated land.

The Chair: Excellent. Thank you, Andrea.

Next to speak I have Edna Gervais. Please, as a reminder, just state your name before you talk.

Mrs. Gervais: Edna Gervais. Mine is just kind of a concern. A number of years ago I was in Drumheller, and at that time there was a protest happening, and it was in regard to a change in Crown land. People that were leasing Crown land at the time got to use the Crown land, and I assume it was for 100 years or something like that, and it would cost them a dollar. They were able to put, like, improvements on the land, so if they wanted to use it for grazing or something like that, they could fence it and put their cattle in there or whatever. What the government had proposed at that time was that whoever was leasing the Crown land got the revenue from the oil wells that were on there, like, the rental income.

I just have a question, if that did actually get changed or not, because some of those farmers, if they had, let's say, 10 oil wells, were actually getting paid to use that land.

It kind of puts the other farmers at a disadvantage when you're paying millions of dollars for farmland and taxing, you know, property taxes and everything, yet some of these that were using Crown land, I mean, were using the land for free. As far as I know, there's no taxation on that, and they were also getting the revenue off it. I just had a question in regard to if that was addressed, if that has changed in the past decade or so.

The Chair: I'm unaware of any changes, but please don't quote me on that. It is something that we will take away as a comment and to be able to address that as a committee as a whole, to do a review on that specific piece. Thank you.

I will make one quick check here. I don't have any other speakers at this time scheduled to speak, so once again, as just a reminder, anybody that does wish to speak, please sign up at the back, and we can get you up to the mic to get you formally on the record for comments. But at this time we're just waiting to see if anybody else wants to come and make some comments. Looks like we've almost heard from everybody in the room, I guess.

Mrs. Drolet: Maybe I'll get up and speak.

The Chair: Absolutely.

Mrs. Drolet: Sure. I was taking some notes.

The Chair: When you get back to the mic, please just restate your name.

Mrs. Drolet: My name is Lori Drolet, and I'm a property owner in rural Alberta, the rural St. Paul area. A common thread is manipulation of rights, that I'm hearing from a lot of the landowners and property owners. In the last two years we've clearly been aware that our rights and our privileges can be abridged at any moment, at any time by any magistrate, be it provincial or federal. All of the provincial work that we're doing here today, that you guys are doing: I feel that it's a bit in vain in that a federal jurisdiction could come and pass whatever laws in regard to turbines and power. When I hear companies like northeast power – sounds good, eh? Northeastern Alberta; sounds great – from Toronto: I think we've all had a lifetime of Toronto's poor decisions and having to live with the outcome of Toronto's poor decisions. Again, property rights are a great thing to have if we truly have them. Rights and freedoms are not worth a grain of salt if they can be abridged by any Premier, Prime Minister, body, Toronto company.

There is a wind turbine in Elk Point, Alberta, that was set up with the FCSS building as an alternate power. They have some solar power

there as well. I think it ran for about a year before one of the Elk Point residents demanded that it be shut down because of noise and annoyance 24/7. Quite honestly, I was standing under it one time during one of these apocalyptic winds that we get, and it was unsettling. I wanted to get into that building quite quickly.

When people that are acreage owners are not being consulted about wind turbines going up, that should be a real concern, because those are the people that would be the most affected, I would expect. It's one thing for a farmer to have to go around a turbine and know that he's being paid for that. It's quite another to live with the constant drone 180 feet away from your home. I would expect, anyway. As a citizen of the St. Paul area the first I have ever heard was when I read in the paper that these wind turbines were going up in our community and for certain nothing about a Toronto company.

12:35

I live in a rural area where ATCO Electric comes through and cuts the trees under power lines. Nine times out of 10 the fellows that are working cutting those trees are all from Ontario. A few years back it was pretty grim times for a lot of our oil field workers, and when I saw these guys from Ontario pulling up, I said: jeez, you guys better hide your plates because the good old boys around here are not going to appreciate you guys being paid \$48 an hour to cut Alberta trees down from underneath Alberta power lines, and all that money is going right back to Toronto. So I think Albertans are pretty consistently underappreciated, perhaps bullied. We're kind people. We're good people.

The Métis people that owned all the land in Banff and Jasper before it was Banff and Jasper had their lands appropriated by the federal government even though they owned that land in Alberta, and the federal government compensated the Métis people from Banff and Jasper with some land in Edson and Hinton. Now, I don't know how you'd feel about owning a quarter section of land in Banff, but it would be pretty lucrative as opposed to, of course, a quarter section or even half a section outside of Edson.

Alberta people have certainly been abused and taken advantage of over the years, and I really think that this committee can work towards looking at what our rights are beyond Alberta's borders and if our rights are just placated and we're just told that we have a right to feel better but those rights could be abridged at any moment. That's a really nice-sounding term, you know: we're just abridging your rights. But two years later, when our rights are still abridged, it's unsettling to say the least. As a person that values rights and freedoms, I think that's all I had to say.

I mentioned the Elk Point thing and the Toronto thing. Yeah. I'm not for northeast power from Toronto putting these up. I really can't see any advantage in an oil and gas community to putting up a bunch of 10-year – these have a 10-year span. Especially when, like, one of the fellows was saying about the reclamation and the abandoned oil wells that are still not cleaned up and the unpaid taxes on those, I don't know what that would look like if this northeast company from Toronto changes its name next month and some landowners are stuck with all the hassle 10 years from now.

Thank you.

The Chair: Excellent. Thank you for that.

That is the only other person that I am aware of right now to speak.

I think I'll take just a quick pause and look at Warren here. Warren, I apologize. I sit on a few special committees right now with deadlines. Can you just remind me of the submission date for the committee to submit its report back?

Mr. Huffman: Yes, Mr. Chair. The deadline is June 15.

The Chair: I apologize to everybody before. I'm sitting on two separate committees, and we both have the same deadlines: one was in June, and one was in July. I just wanted to ensure that everybody is aware that it is June and not – I previously mentioned July, and I apologize for that. That was a misstep on my part. I wanted to make sure to get that on the record and the right date so that everybody in this room is aware of when this committee will be coming back with its recommendations and its full report.

I'll just briefly pause. Is there anybody else at this time that is wishing to speak to this issue?

I recognize that we have about 20 minutes left, and we don't all have to sit here in awkward silence. What I will do at this point in time is basically move to just a brief break, but if somebody does, in that interim, in this last 20 minutes – recognizing that this is a hard stop of 1 o'clock, that is when we do have to cut the meeting off. I will break, but at any point if you want to speak, if you approach the clerk or anybody within the room, we will immediately come back and open the mic up so that you can get on record to be able to speak to what you want to speak to with relation to property rights. If nobody is willing to come to the mic at this time, we will just pause the meeting. As I mentioned, if you do want to speak, approach any of us, the clerk, or sign up at the back. We'll get you up to the mic immediately. We will pause right now. Everybody, enjoy a coffee or water.

Thank you.

[The committee adjourned from 12:40 p.m. to 12:53 p.m.]

The Chair: Everyone, with about 10 minutes left, in about one more minute we'll start to just allow brief comments from the committee members present, and then, as well, we'll probably maybe have a few clarifying questions but then have to wrap up the meeting. In about 60 seconds – we're just waiting for one committee member to return. There he is, walking through the door.

Just briefly at this time, after everybody has had a little time to chat and maybe get a little bit more caffeine onboard, I'll open it up one final time to see if there's anybody that has some additional questions to the committee members or is willing to provide some additional comments.

Seeing no hands, what I'll do is briefly pause, and I'll just allow some open comments. I'll start to my left with MLA Schmidt. MLA Schmidt, do you have any comments, questions, or anything before we move on?

Mr. Schmidt: I do. Thank you, Mr. Chair. Mrs. Dargis, I had a few questions around the case that you talked about. Is it fair to say that you would support a compensation regime that compensated you for the entire area that you lost due to the . . .

Mrs. Dargis: Preferably, I would like those blasted power lines gone, period. That would be the big thing. But compensation is a big issue as well. Like, once they strong-armed themselves onto our land and stuff like that, they do not compensate appropriately. They say, "Okay; it's for the greater good of society" and stuff like that, but that's certainly not the greater good for us. As landowners it is not good for us whatsoever. I mean, we have to go around these power poles all the time. They are a nuisance. One of the power poles is actually a splitter pole, so it's huge. Like, it's huge. I mean, I don't know if it's 20 feet across. It's big, and it happens to be on our land. It is just a huge inconvenience.

We had tried saying that, you know, like, we have cows on one side, pasture land, and the reproductive rate has not been as good since those transmission lines have been there, but they don't care. They don't acknowledge the fact that the science says that the reproduction rate isn't good. There are just a ton of things that they

have completely ignored when it comes to farmers and their rights. We have no rights.

Mr. Schmidt: Pardon me for cutting off – our committee clerk is saying that we're running out of time – but can you tell me a little bit about what the compensation process was? I understand that you're upset with the level of compensation, but can you help the committee understand what process you go through to determine what compensation you're awarded from the project?

Mrs. Dargis: They tell you what you're getting.

Mr. Schmidt: It's just, like, here's your cheque; take it or leave it.

Mrs. Dargis: Yep.

Mr. Schmidt: Okay. One final question for you. You had mentioned that there's an understanding or an agreement that you had come to that they didn't uphold. What processes were in place, if any, to hold them accountable to the promises that they made to you?

Mrs. Dargis: It was a lot of sleepless nights, and we had to claw our way and try to figure out who the heck it was that we had to get a hold of to finally get somewhat of a compensation that we should have gotten initially. We finally got something, but, I mean, it certainly wasn't anything that . . .

Mr. Schmidt: Sorry. Can you help me understand, like, who did you talk to? What was the authority that they had, that kind of thing?

Mrs. Dargis: We had talked to the land agent initially. We just weren't getting anywhere because this guy was unbelievable. He was not working for the farmers whatsoever. He was working for ATCO Electric, absolutely. Like, he wasn't a land agent. He was working for ATCO Electric, and he was terrible to deal with. In a lot of cases we had to go talk to – we got a phone number of somebody in Calgary. He was an engineer, and he was the only that actually got things going for us, which was unfortunate because we couldn't do anything through the land agent at all.

Mr. Schmidt: But this was an engineer at ATCO?

Mrs. Dargis: It was through ATCO, yeah, eventually.

Mr. Dargis: It was through ATCO for the project.

Mr. Schmidt: I just have a couple more questions, I think.

The Chair: I'm going to briefly pause here quickly just in order to be able to extend time, because we did take an additional break. There appear to be a few questions of clarification that we want to make sure to get addressed here. In order to extend the meeting, I would need unanimous consent. At this time we will extend the meeting to 10 minutes after 1 to accommodate the additional questions, so I'll just ask one simple question. Are there any committee members opposed to extending the meeting till 1:10? Hearing none, we will extend to 1:10.

Please go ahead, Marlin. Thank you. Sorry; MLA Schmidt. I apologize.

Mr. Schmidt: Thank you, Mr. Chair. I appreciate you taking a little bit of extra time to help the committee understand the issues. Thank you very much for that.

You had mentioned in your statement that you felt unprepared for the hearing process. You know, ATCO is a very sophisticated player. They go through the hearing process all the time. They can afford the best lawyers in the world. I assume that these kinds of

resources and expertise are not available to you. Now, Mrs. Brousseau, who had talked about her similar experience, had suggested an idea around government support or some kind of support for landowners like you to negotiate the hearing process. What kind of supports do you think would allow you to fairly engage in the hearing process?

Mrs. Dargis: Well, the AUC hearings that we went to actually were paid. The lawyer that we had: he represented a number of landowners in our area, but he was one that followed the AUC circuit. That's what we called it. Basically, he just followed all of these AUC hearings, so he didn't really have a whole lot of vested interest in getting positive results for the landowners. He was just a lawyer that followed each one of these AUC hearings, and he represented some farmers and stuff like that. He kind of gave his blah, blah, blah, but he did not represent us. In my opinion, he did not represent us whatsoever. We felt bamboozled.

1:00

When we go to that AUC hearing, it was – even before we got the results of the hearing, the lawyer told us that we lost. Even before we got the results, he told us to our faces, my husband and I, that we had lost the case. It was the most disheartening thing that I have ever heard. He knew even before we went there that we had lost the case, so what was the point? What was the point? There was no point in even going to that hearing at all because they knew what they were going to do. We felt like they didn't even hear, they didn't listen to anything that we had to say. They didn't listen to anything.

Mr. Schmidt: And your lawyer wasn't even working in your interests?

Mrs. Dargis: No, not at all.

Mr. Schmidt: Okay. If I can move on?

The Chair: You have about nine minutes remaining.

Mr. Schmidt: Okay. Thank you, Mrs. Dargis. I appreciate that.

I did have a question, then, for Andrea. Terletski, I think, was your last name. Now, you had talked about the MD wanting to open up a garbage station in your horseshoe, at the end of a . . .

Mrs. Terletski: At the end. We live in the horseshoe. The horseshoe is on the right-hand side, and the MD is looking at using their MD-owned land on the left at the end of the dead end.

Mr. Schmidt: Oh, I see.

Mrs. Terletski: So one is to the left, and one is to the right.

Mr. Schmidt: You talked about a number of landowners or residents who would potentially be negatively impacted by the activity, but my understanding is that the MD had excluded 48 of those people from . . .

Mrs. Terletski: Yes. Yes.

Mr. Schmidt: Were they given any reasons? What reasons were they given for being excluded?

Mrs. Terletski: Because we were not directly associated with the land in question.

Mr. Schmidt: And how did they define that? Can you help us? Do you know?

Mrs. Terletski: Adjacent landowners were the only ones affected.

Mr. Schmidt: Like, you actually had to own land that was directly . . .

Mrs. Terletski: Directly across from the site.

Mr. Schmidt: . . . connected to the garbage site.

Mrs. Terletski: Yes.

Mr. Schmidt: So even if you could smell the garbage or if it was blowing onto your land across the road or something, that was not being considered?

Mrs. Terletski: Didn't matter.

Mr. Schmidt: Can you help the committee understand, like, under which authority the MD was acting to disallow the directly affected? Do you know?

Mrs. Terletski: Just the MD. The MD was acting on behalf of the MD in their best interests. They had no other representation.

Mr. Schmidt: Sure. But it's fair to say that you would support expanding this idea of who could be considered directly affected in these kinds of developments that have negative impacts on your properties.

Mrs. Terletski: Definitely. Definitely.

Mr. Schmidt: Okay.

Mrs. Terletski: Community consult. In our situation that's exactly what should have happened.

Mr. Schmidt: Can you help us understand – I guess, you know, one of the concerns that we often have is that we want to allow everybody who is potentially negatively impacted by these projects to go forward, but we don't want to throw the net open so wide that somebody from Calgary could say that this is better or . . .

Mrs. Terletski: I understand what you're saying. For us, in our situation it is unique because we are down a dead-end road. We share one rural road. There is a rural subdivision that is connected where it's a dead end. So you've got all the public that is coming off the main highway, 55, coming in. They're going: oh, there's a subdivision here; we're going to look in. Now you've got increased traffic, increased crime, plus the decrease in value of the homes. Not to brag or anything, but some of the homes are quite large in scale. It's not your average urban subdivision, so to speak. There's a certain amount of privilege with us seeking that land, and for them to not consult us in regard to the value of it now is wrong.

Mr. Schmidt: Yeah. So if I understand your position correctly, we still need to limit it to people who are directly affected, but having land physically connected to the property or to the proposal site is maybe too narrow a definition. Is that fair?

Mrs. Terletski: Yes.

Mr. Schmidt: You should be able to demonstrate some potential direct effect from the project in order to have your voice heard. Is that a fair summary of your position?

Mrs. Terletski: That's a fair assessment, yep.

Mr. Terletski: Yeah. This is a new thing, a bit of a unique scenario, just because it is a dead-end road. There are kind of the two that are right across from the garbage bin, and then there is a subdivision. It

was pretty much the subdivision and the two people they contacted, and that's it. They could have expanded it that far because of that.

Mr. Schmidt: Okay. Really great.

Those were all my questions, Mr. Chair. Thank you to the committee members for allowing us to have a little bit of extra time to discuss these things.

The Chair: I will move to my right here for closing comments just before we are closing in on the final minutes of the meeting. Please go ahead.

Mr. Rowswell: Okay. Sure. Yeah. It's interesting. We had the virtual meeting in Edmonton, and then we had the one in Edson last week, and now we have this one. There are themes that are attached to different locations depending on the issues that are there. In the virtual one adverse possession was a big deal, and people were interested in that; in the last two meetings, not so much. Up in Edson it was elk and hunters that hunt elk and the interaction between public and private property owners there.

Here it's development, expropriation, and, you know, like the reeve that I told to be here at 9 o'clock said, adjacent landowners

and who pays for that or who compensates, so compensation and that type of stuff. I appreciate the theme. This was a really good meeting, and there's lots of stuff I got out of here, and I hope all you guys felt listened to and heard.

Thank you.

Mr. Yao: Thank you, all, so much for participating. I greatly appreciate you vocalizing your concerns and questions. That's the only way that our government can learn and action things. Thank you all so much.

The Chair: In that case, I'd also like to thank everybody that came out to speak today, sharing your concerns and your input here in St. Paul. I also would just like to put out a notice. If you know anybody else that would like to speak to the committee, our next public meeting will be in Medicine Hat on April 12.

At this point in time, based on the time that we have available, I will now call for a motion to adjourn. All those in favour of adjournment, say aye. All those opposed, say nay. Hearing none, that motion is carried. Thank you, everyone. This meeting is adjourned.

[The committee adjourned at 1:08 p.m.]

