

Honourable Attorney General Virani,

We provide this document and attachment materials in support of our request for a Public Inquiry into the Sask Party's involvement in the coverup of long-term taxation evasion.

SECRECY, DIRTY TRICKS and DISHONESTY to HIDE WRONGDOING

We have identified instances of tax evasion and tax avoidance in regional parks and seasonal recreational communities throughout Saskatchewan, but none are so cut and dried as the situation at Lemsford Ferry Regional Park.

Other tax evading offenders offer up excuses such as a “*misinterpretation of regulations by a previous administration*” (Eston Riverside Regional Park Municipal correspondence 2022) or that they “*erred on the side of caution*” with required reporting of sales (Suffern Lake Regional Park supporting affidavit SKQB230 of 2019).

There is no plausible deniability for the Lemsford Ferry tax evasion.

On March 3, 2021, the CEO of the Saskatchewan Assessment Management Agency confirmed that the municipal administration had circumvented the tax assessment process and failed to collect Education Property Tax for over 20 years by disguising the cabin community as annually licensed trailers/RVs.¹ The RM was benefitting financially through the collection of annual license fees while defrauding the province of Education Property Tax.

Our Busted Trust Working Group became involved in exposing the Lemsford Ferry fraud after discovering the Suffern Lake assessment and taxation manipulation. Our findings led us to expand our research and we found various versions of tax fraud were taking place in other regional parks.

Our search uncovered a politically damaging mess of missing education funds, inequitable taxation and failed oversight.

We presented government with our findings. Instead of putting that information to use in an ethical cleanup and collection of missing tax monies to bolster the coffers of the struggling education system, Premier Moe and his group of not-so-wise-men and women chose to herd us into the justice system and keep us otherwise occupied in a string of frivolous and vexatious court actions as they attempted behind-the-scenes clean up.

The planned destruction of Lemsford Ferry Regional Park was undertaken for the sake of political self preservation, local and provincial.

¹ Irwin Blank CEO, Saskatchewan Assessment Management Agency, response to query March 3, 2021

When we submitted a FOIP request for information regarding communications related to the closing/dissolution of Lemsford Ferry Regional Park, the Ministry for Parks Culture and Sport advised it would cost about \$2700 to process the request.

Obstruction by expense is a tactic often used by the Saskatchewan government². Our team could not afford the \$2700 price tag, so we found another way to gain access to documents related to discussions about the dissolution of Lemsford Ferry Regional Park (LFRP). The meagre two pages of documentation provided through a municipal access request was a stark contrast to the 6000+ pages noted as responsive by the Ministry whose estimate included 77 hours of processing which would include redacting over 2000 pages (Sept 13/2022 OIPC Review Report 243-2021).

However, the two pages we did receive³ revealed that a January 9, 2019, meeting regarding dissolution of the park was held in MLA Everett Hindley's (replaced Brad Wall in the 2018 byelection) Swift Current constituency office with a Ministry representative in attendance. The Ministry participant's name was redacted "upon advice of counsel", but when the Privacy Commissioner reviewed the request, he directed that the hidden name be disclosed. To the surprise of no one it was Dominique Clincke, Park Planning Unit, Ministry of Parks, Culture and Sport.

Mr. Clincke is a mid-level bureaucrat and an accredited landscape architect. Curiously, in February of 2017, Premier Brad Wall directed his Parks Minister, Ken Cheveldayoff, to put Clincke in charge of the Suffern Lake Regional Park file which ultimately included preparing a taxation review⁴. Mr. Clincke has shown up in several places where EPT problems have surfaced which seems odd for a man who has no apparent related skills or qualifications.

At the same time as Lemsford was being unravelled in the same area of the province, enhancing and supporting regional recreational opportunities including Regional Parks, were proposed goals in the Prairie West District Plan (initiated in late 2016 and approved for implementation by Government Relations December 2019)⁵.

The park dissolution actions taken by the Saskatchewan government, the RM of Clinworth and the other municipal partners that made up the Lemsford Ferry Regional Park Board (RM of Happyland, RM of Newcombe, RM of Milton, Village of Sceptre and Town of Leader) were diametrically opposed to the goals of the Prairie West Development Plan.

² Current example of prohibitive FOIP fees when logically the information should be available to ALL ELECTED MEMBERS without charge: <https://leaderpost.com/news/local-news/sask-politics/sask-ndp-hit-with-107280-foip-bill-from-province>

³ Lemsford FOIP Clinworth response

⁴ Correspondence from Minister Cheveldayoff advising of the Premier's directive

⁵ Prairie West District Plan https://rmofantelopepark.ca/wp-content/uploads/2021/08/Prairie-West-District-Plan_.pdf

Statements from local interests say that Lemsford Ferry Regional Park was not losing money and nor was it putting any unusual burdens upon its oversight bodies. The schizophrenic behavior by Government and its municipal agents reeks of cover up. We have not found any comments from cabin owners referencing taxation but our communications with Ministry of Parks show that no later than mid-2016 this primary oversight Ministry was aware that property taxes were not levied on cabins at Lemsford Ferry.

Lemsford Ferry cabin owners fought dissolution but ultimately received Writ of Possession notifications on June 7, 2022. The notice cites **the “formal approval” of the Ministry of Parks, Culture and Sport**, and demands cabin owners vacate the Park by July 15, 2022⁶.

Owners lost their cabins/investments because government chose to hide the long-term tax evasion which was initiated through the unethical actions of politicians more than 20 years earlier.

Later, replacement politicians (municipal and provincial) determined that rather than address the tax evasion according to legislation, they would fabricate and circulate operational and management issues to justify stripping cabin owners of their assets and Park users of a regionally popular riverside recreation site.

In the case of Lemsford Ferry Regional Park it is our contention that **members of the Government of Saskatchewan went beyond willful blindness, they assisted in devising a tax fraud scheme and were instrumental in the actions taken to hide it.** They allowed citizens to be financially and emotionally harmed. It is obscene that they did this by taking away personal property and decommissioning a park that had provided a half century of public enjoyment with the potential for many more years of recreation.

EDUCATION PROPERTY TAX History

In the beginning we see some of the earliest and most influential members of the SaskParty becoming involved in, or turning a blind eye to, efforts to evade the wildly unpopular Education Property Tax.

Premier Brad Wall was a very strong supporter of the Regional Parks system. His government provided increased funding to Regional Parks⁷, which by nature are rural, while at the same time reducing funding for urban parks.⁸

⁶ Lemsford Writ of Possession document (attached)

⁷ July 2012, four year increase regional park funding: [https://www.saskatchewan.ca/government/news-and-media/2012/july/04/regional-parks-receive-more-than-\\$1-million-in-funding-from-government-of-saskatchewan](https://www.saskatchewan.ca/government/news-and-media/2012/july/04/regional-parks-receive-more-than-$1-million-in-funding-from-government-of-saskatchewan)

⁸ June 2016: <https://www.cbc.ca/news/canada/saskatchewan/five-urban-parks-lose-540000-in-provincial-money-1.3611025>

Regional Parks had strong government support with project funding available through the Saskatchewan Regional Parks Association (SRPA) where Premier Wall and the Association President shared a long-time friendship. All of which makes it difficult to understand why a popular Regional Park located almost in the backyards of the Premier and two influential Cabinet Ministers (Boyd and Elhard), would not subscribe to membership in the SRPA. However, SRPA “member” parks are evaluated for accreditation and subject to audit considerations that include compliance around things like taxation responsibilities.

Lemsford Ferry Regional Park’s mandated taxation authority was a Rural Municipality with a population of less than 200 people. It is not possible that the Municipal Administrators did not know their Regional Park had a cabin community. The local Administrator is charged under *The Municipalities Act* with the responsibility to identify assessable properties and to request a SAMA appraiser to attend the property and assess it. While levying property tax is optional on Regional Park cabins; **Education Property Tax is NOT.**

We queried Ministry of Government Relations about the tax status of the Lemsford Ferry cabin community on March 3, 2021. Our unanswered Ministerial query coupled with SAMA’s prompt and damning response left Lemsford’s oversight bodies with two choices: complete the dissolution of the Park OR explain how 19 cabins, that were not new construction, suddenly appeared on the assessment rolls and owners, who historically were not subject to EPT, now were.

We recognize the detrimental impact on their rural voter base had government implemented corrections through collections. *The Education Property Tax Act* requires a municipality to levy and collect EPT. A legislated action would have been for the Minister of Government Relations to issue a certificate naming the associated oversight bodies as liable for the amount owing.

Our identification of the tax avoidance schemes at Suffern Lake, Lemsford Ferry and Eston Riverside regional parks and the retraction of over \$35 million worth of regional park and resort village exemptions reveals tax evasion as a systemic province-wide concern. If government attempted to recover back taxes on all \$35 million over a 10-20-year period, the inappropriate nature of the exemptions would give those that paid fairly a valid argument about taxation inequity.

Of the \$35 million worth of inappropriate exemptions, more than one third involved dwellings in just three of Saskatchewan’s 296 Rural Municipalities.

School support misdirected and bureaucratic waste for political purposes: locations with historic and now “public record” Education Property Tax irregularities.

Candle Lake (RM of Paddockwood)

This resort village had about \$3 million worth of exemptions withdrawn from seasonal residential properties in 2021. This is Saskatchewan’s largest Resort Village. Nadine

Wilson, current leader of the Saskatchewan United Party and former long time and influential member of the SaskParty has also served as Reeve for the RM of Paddockwood. She was known to be a strong opponent of the EPT. Ms. Wilson currently serves as MLA for Saskatchewan Rivers; her constituency encompasses the RM of Paddockwood.

Eston Riverside Regional Park (RM of Snipe Lake)

32 dwellings out of 97 in the Park were wholly tax exempt prior to our inquiries. All 97 appear significantly undervalued with an average assessed value in 2022 of only \$34,000. The least expensive property for sale was just under \$45,000 and it was arguably one of the least valuable cabins in the Park. Many of the Eston Riverside cabins would blend into the upscale neighbourhoods of any Saskatchewan city. The Park was slated for a community-wide re-appraisal however, it is our understanding that funding restrictions delayed the reassessment. The Park is adjacent to the home of Sask Party cofounder and former Deputy Premier, Bill Boyd. Mr. Boyd was a strong opponent of the EPT and is still noted as a supporter of the Park.

Frenchman's Butte (RM of Lloydminster)

Approximately \$3 million worth of exemptions were withdrawn from Seasonal Residential dwellings in 2021. At the time EPT was introduced, the MLA for this constituency was Milton Wakefield one of the earliest elected members of the Sask Party and still an active Party member. Mr. Wakefield was the business partner of a Suffern Lake property owner who was also involved in irregular tax activities.

Jean Louis Legare Regional Park (RM of Willow Bunch)

With Ministerial approval, this Park "loaned" title of 13+ acres to a floundering golf course to secure a loan. When the time came to return title of the loaned acres to the Park, the golf course balked. What came to light was the fact that the golf course facility had enjoyed a complete tax exemption until 2021 at which time the Ministry indicated that had to change. Whose name appears in government communications? Dominique Clincke.

David Marit was a councillor for the RM of Willow Bunch back in the day when the title was loaned. He was very strongly opposed to the EPT. Currently Marit is MLA for Wood River which encompasses the RM of Willow Bunch and Minister for Agriculture responsible for the Water Safety Agency.

Lemsford Ferry Regional Park (RM of Clinworth)

As noted above, the Park's municipal oversight bodies were closely tied to early members of the Sask Party. At the time the EPT was introduced Wayne Elhard was the MLA for the constituency. He was replaced by Sask Party MLA Doug Steele who is still in office.

Suffern Lake Regional Park (RM of Senlac)

This Park is in a constituency represented by Independent MLA Ryan Domotor who was elected as a Sask Party member but a brush with the law removed him from that caucus. Prior to becoming an MLA, he was the Administrator for the RM of Mervin which

has an unusually high number of exemptions. It is also our understanding that a reassessment of properties in the RM of Mervin was scheduled but due to funding issues may have been conveniently delayed.

A former Administrator for the RM of Senlac was also associated with the RM of Newcombe which served as a municipal oversight body to both Eston Riverside and Lemsford Ferry Regional Parks.

Wakaw Lake Regional Park (RM of Hoodoo)

This RM is in the constituency of Delbert Kirsch a 20-year Sask Party MLA. Wakaw Lake Regional Park is one of the busiest parks in the province. It has over 300 RV sites, most of which are held through long-term leases. As of 2022 WLRP charged a transfer fee of \$10,000 for leases to change hands. Market research showed the sale of the right to lease was also of value. These sales prices ranged in the mid to high five figure category. No taxes were applied to any of these transactions (leases or the right to lease). In 2022 an empty lake front lot for lease at Suffern Lake Regional Park for tax purposes had an assessed value of \$24,900 (the right to lease was sold for about that value in 2018/19). A lot available for lease at Wakaw Lake Regional Park had no assessed value for tax purposes even though the rights to lease were being sold for tens of thousands of dollars.

More than a year ago our working group asked Government of Saskatchewan how this tax inequity could exist. There was no reply. We have been to court two more times since asking the question.

The RM of Hoodoo is home to several Resort Villages. In 2021 properties worth a total of about \$7 million, lost their tax exemptions. This represented 20% of the value for all Seasonal Residential exemptions removed in 2021. Our query to the RM Administrator was vaguely answered indicating the exemptions were related to Section 293. This is the same explanation used by the RM of Snipe Lake's Administrator regarding the exemptions at Eston Riverside when he claimed a misinterpretation of regulations (Section 293) by a previous administration.

The political history we note shows clearly why Ministries, RMs and other agencies saw a benefit in taking us to court rather than paying decades of delinquent taxes and exposing the interwoven layers of wrongdoing.

We are not trained legal minds with experience in that profession; we are ordinary retired seniors with grandchildren. Yet we didn't lose a single court case as Self Representing Litigants. We don't believe our brilliance won the day; we won by design. We were only supposed to feel the sting of professional legal attacks, bow to the stern words of a judge, and after sufficient intimidation, slink off into the sunset with our tails between our legs for **having the temerity to question our political employees – the people WE the public voted into office** (see more at www.errorcode343.com).

This kind of blatant abuse of the justice system is appalling and far too common. Publicly funded applicants employing high price lawyers to repeatedly attack self-funded everyday citizens is hardly a fair fight. It makes a mockery of the word justice and does nothing to improve trust in the justice system, a concern Supreme Court Chief Justice Richard Wagner has often voiced.

A ridiculous amount of public money has been spent on prosecuting us with countless hours of government manpower misdirected to defend the indefensible.

In a province where education funding is a volatile issue, how beneficial could those twenty years of uncollected Education Property Tax have been?

Sincerely,

Norm Zigarlick
Lisa Wildman
Joanna Ritchot
John Danilak