

## Drew Cowern

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**From:** Sandy Currie <mrpoapresident@gmail.com>  
**Sent:** July 2, 2015 8:07 PM  
**To:** Sandy Currie  
**Subject:** Urgent News Regarding July 4th MRPOA Canada Day Celebration  
**Attachments:** MNROP Notice of Trespass - June 30, 2015.pdf

July 2, 2015

Good Evening to All MRPOA Members,

**Your Board of Directors regrets to have to advise all members that our Saturday, July 4, 2015 Bala Community Canada Day Party has been cancelled.**

This very difficult decision is necessitated due to a potential legal matter that arose late in the day on June 30, 2015.

At 3:00pm on June 30, 2015, members of our Board of Directors received an email message from Swift River Energy Limited. That entire document is attached.

The opening paragraphs of the document read as follows:

*" Dear Moon River Property Owners Association Executive, Members and Guests:*

*It has come to our attention that the Moon River Property Owners Association (MRPOA) is planning an event on provincial Crown land currently leased by Swift River Energy Limited (SREL) without permission as illustrated on the attached flyer attained from the MRPOA website.*

*This notice is to inform you that you and your association are not, under any circumstances, permitted access to, nor permitted to use, for any public gathering or event, any of the following list of provincially owned property in Bala, Township of Muskoka Lakes, District of Muskoka, Ontario, for which Swift River Energy Limited is deemed the legal occupier under the Trespass Act 1980, through its Licence of Occupation with the Ministry of Natural Resources and Forestry as illustrated on the attached Schedule A survey, herein collectively referred to as the "Property".*

It goes on to say:

*"You are required to:*

*Refrain from entering on the Property, promoting others to enter the Property, and placing any articles on the Property, without the express written permission of Swift River Energy Limited (the "Occupier").*

*If you do not comply with the above, the Ontario Provincial Police ("OPP") will be contacted and instructed to arrest you and to charge you with an offence. Swift River hereby authorizes any member of the OPP to act as Agent for the purposes of enforcing this notice. No further warnings will be given. You are advised to conduct yourself accordingly."*

As a precautionary measure, the Board of Directors feels that it has to protect the integrity of the members and of MRPOA, itself by cancelling the planned event.

Although we did explore an alternative location, it became apparent that the site was neither large enough nor safe enough to permit the event to be held.

In addition, I have written the following message to Mayor Furniss:

"July 2, 2015

*Good Afternoon Don,*

*I am writing to address the matter of the sudden closure of Margaret Burgess Park by Swift River Energy Limited. This closure was unforeseen by the Bala community, not communicated in advance to members of this Council or communicated to organizations and residents of Ward A who regularly use Margaret Burgess Park by the Ministry of Natural Resources and Forestry, The Township of Muskoka Lakes or Swift River Energy.*

*One of the key reasons why you, as Mayor, forced Council to reverse the decision to lease Township of Muskoka Lakes lands to Swift River Energy Limited, was expressly to preserve the use of the historic public park. Now Swift River Energy has reneged on that commitment and is prepared to have the OPP charge users of those lands with trespassing.*

*So my question to you is this - what are you prepared to do today, not tomorrow and not next week, to restore our residents' rights to use Margaret Burgess Park effective immediately?*

*I await your immediate response to this question.*

*Sincerely,*

*Sandy*

*Sandy Currie  
Township Councillor - Ward A"*

I received this response from Mayor Furniss later this afternoon:

*"Hi Sandy,*

*As you know this park is owned by the MNR and they have issued a Licence to Swift River for exclusive use of this property.*

*Swift now has control over how this park is used and has the right to regulate who uses it when and even fence it off, which has been mentioned for a number of years.*

*As you know, I want this property to remain in its present state and to be open to the public. For this to happen we need to negotiate a lease agreement with Swift that we have been working towards for the past 6 months, but it has not been completed at this time.*

*Swift I believe, has posted no trespass signs and advised the OPP that certain identified people should be*

*charged under the Trespass Act.*

*It is my understanding that the groups that plan to use MBP are there to raise funds for a legal challenge to their hydro project or have been involved in that activity or protests against the hydro plant. Quite frankly Sandy, I would not open my home for a fund raising party where the funds raised would be used in a lawsuit against my family. I don't believe anyone else would be so inclined.*

*Once we have a signed lease agreement with Swift approved by Council, I will certainly insist that MBP be open to all members of the public for legal activities.*

*Don"*

Members can judge for themselves whether or not Mayor Furniss has answered my questions. It does appear that Mayor Furniss is confusing our free MRPOA community social event for Canada Day, with a totally different fundraising event to be held by *SaveTheBalaFalls*.

We apologize for any inconveniences this cancellation might cause. Those members who sent donations, specifically earmarked for this event, will be contacted in the coming days with regards to receiving refunds.

### ***The Fight for Bala Documentary Video***

Very late this afternoon, I received word that the HuffingtonPost.ca website published an article about award-winning Canadian film-maker Rob Stewart. Rob is a long-time cottager in Torrance.

The article introduces Rob's soon-to-be released documentary "*The Fight For Bala*" and includes a link to an 8-minute preview of the final version. To view the video, please [Click Here](#).

### **Sad News Regarding Mrs. Edna Templeton, Bala Resident**

*Ruth Hoshkiw has advised that long-time Bala resident Edna Templeton passed away June 30, just weeks after the celebration of her 100<sup>th</sup> birthday.*

*Visitation is tomorrow, Friday evening, from 6-8pm at Trinity-St. Alban's Anglican Church parish hall. The funeral service will be Saturday, July 4 at 2pm, also at Trinity-St. Alban's Anglican Church. Reception to follow at the Bala Community Centre.*

Members with questions or comments are asked to contact me directly by email at [sandycurrie@sympatico.ca](mailto:sandycurrie@sympatico.ca) or by telephone at 705.762.0714.

Regards,

**Sandy Currie President**



