

COURT FILE NUMBER: 1501-00955

COURT: COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE: CALGARY

APPLICANTS: LUTHERAN CHURCH – CANADA, THE ALBERTA – BRITISH COLUMBIA DISTRICT, ENCHARIS COMMUNITY HOUSING AND SERVICES, ENCHARIS MANAGEMENT AND SUPPORT SERVICES, AND LUTHERAN CHURCH – CANADA, THE ALBERTA – BRITISH COLUMBIA DISTRICT INVESTMENTS LTD.

DOCUMENT: AFFIDAVIT

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File No. K-5820(1)

AFFIDAVIT OF RANDALL SCOTT KELLEN
Sworn on July 11, 2016

I, RANDALL SCOTT KELLEN, of Burnaby, British Columbia, SWEAR AND SAY THAT:

1. I am a member of the St. Luke Lutheran Church in Surrey, British Columbia and a depositor to the Lutheran Church – Canada, the Alberta -- British Columbia District (“ABC District”) Church Extension Fund (the “CEF”) and as such have personal knowledge of the facts and matters hereinafter deposed to, except where stated to be based on information and belief and where so stated I verily believe the same to be true.
2. I have reviewed Schedule 1 to the Twenty-First Report of the Monitor filed with the Court in these proceedings. That Schedule attaches a printout from the CEF Forum

website of an exchange dated February 24, 2015 between myself (identified by the name “randy” and my initials “RK”) and a participant identifying himself as “reepicheep”.

3. In this exchange, I posted links to certain internet sites, including:
 - a. a youtube presentation by architect Alvin Reinhart Fritz dated 2011 regarding a proposal for development of the Prince of Peace lands;
 - b. The Conrich Wastewater Servicing Plan;
 - c. The Conrich Potable Water Network Plan; and
 - d. the Conrich Area Structure Plan.
4. Having reviewed these postings, I now recall that I became interested in the cost of bringing potable water service to the Prince of Peace lands after reading in the affidavit of Kurtis Robinson sworn January 22, 2015 at para. 77 that there was no potable water delivery system between the POP development and the municipal water system, and that Rocky View County had agreed to construct a potable water delivery system at ECHS’s expense.
5. I came across the youtube presentation in another CEF Forum post by a member identifying himself as “Dave” and reposted it. I do not recall whether I came across the Conrich Wastewater Servicing Plan and the Conrich Potable Water Network Plan in the course of my own internet research, or in postings by other CEF Forum members that I simply reposted.
6. I now recall that after reviewing those documents, I visited the Rocky View MD website and obtained a link to the Conrich ASP, which I added to my post dated February 24, 2015. I do not recall reading the Conrich ASP in any great detail at that time.
7. In my affidavit sworn June 28, 2016 I have deposed that the Conrich ASP came to my attention on or about April 29, 2016. When I swore that affidavit I did not recall reviewing the Conrich ASP, the Conrich Wastewater Servicing Plan or the Conrich Potable Water Network Plan in February 2015. Those internet materials were just three of the many, many pieces of information that I was trying to quickly access and share during the early stages of these proceedings. I did not appreciate their significance at that time, and I simply forgot about them until I read Schedule 1 to the Twenty-First Report of the Monitor. I had no intention of giving false evidence or misleading the Court or the other parties to these proceedings.

8. I make this Affidavit for the purpose of opposing the application of the ABC District for judicial sanction of the District Plan, and for no other or improper purpose.

SWORN BEFORE ME at the)
City of Vancouver, in the)
Province of British Columbia, this)
11th day of July 2016.)


RANDALL SCOTT KELLEN

_____)
Errin A. Poyner)
A Commissioner for taking)
Affidavits within the Province of)
British Columbia.)

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