

The Smiths won't sell Calmar home

Holdout family delays Imperial Oil's efforts to repair old oil well

By Jeanne Armstrong, Edmonton Journal July 11, 2011

In three weeks, Calmar residents living beside an abandoned oil well in the middle of a playground should be finished with the dust and distraction of drilling.

Not so for those living by a second leaking, abandoned nuisance.

That well was also scheduled to be resealed this summer, but the project has been held up by one family -the Smiths, a household name now in the town of 2,000 people.

Four of the Smiths' neighbours have signed over their homes to Imperial Oil. Trevor and Stacy Smith refused, claiming their home is worth more than the company has offered. They've also filed a lawsuit against the town and the company that developed their street.

"It has divided this town. Some give us tremendous support, some hate our guts," Trevor Smith said Sunday, four days after work started on the other site in town.

Three leaking wells were found in Calmar, 30 kilometres southwest of Edmonton, after a developer noticed gas bubbling up through a puddle three years ago. Imperial Oil has committed to resealing the wells, but said it needs to move or demolish five homes in the new suburb of Evergreen to complete to work.

Four homes, one to the left of the Smiths and three to the right, have already been torn down and the lots covered in gravel.

Just down the crescent, homeowner Bob Cranston wishes the Smiths would take the offer.

"This is dragging on and dragging on, and it'd be nice if it was over with," Cranston said, shaking his head. "It's an eyesore."

He thinks the Smiths were offered a fair deal by Imperial Oil - \$300,000 in compensation, the amount the company deems the house is worth.

The Smiths moved into their two-storey, mid-sized home in 2006. They started renovating soon after buying, finding out about the well 16 months after their purchase. Today, Trevor believes a similarly-built home would be worth \$386,000 at the very least.

In his lawsuit filed April 20, he said he is also seeking \$300,000 in punitive and general damages for the stress his family endured.

Neighbours Cyndi and Ralph Olson support his case, despite the dust and gravel that abuts their home, too.

The Olsons, along with the Smiths, have met several times with the town council, MLAs, Imperial Oil representatives and the Energy Resources Conservation Board to discuss alternatives. The Olsons claim they've gone unheard.

"Nobody seems to care ... it's discouraging," Ralph Olson said.

In their lawsuit, the Smiths say both the town and the developer, Aztec Homes Sales Inc., ignored recommendations from the provincial government to check for abandoned wells before approving and starting new residential developments in 2005.

The Municipal Government Act prohibits homes or public buildings from being built within 100 metres of gas or oil wells, but the same regulation does not apply to abandoned wells.

A statement of defence has not yet been filed, but town Coun. Wally Yachimetz said municipalities like Calmar are within their right to override recommendations.

"There's a difference between recommendations and something that's law," Yachimetz said.

Calmar Mayor Don Faulkner said he doesn't understand why the Smiths filed the lawsuit. He said he wants to see drilling on the final site in the Smith's Evergreen neighbourhood move ahead.

"Imperial Oil has offered them a fair price -I don't know what more they need," he said when reached by phone Sunday. "Once (the drilling is) done, it will probably be a nicer community."

As for Smith, he too wants the battle to end -but for the time and money he's invested in his home, the offer on the table just isn't enough to get by, he said.

"We don't want to stay, but we can't afford to leave."

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To read the Smith's lawsuit, find this article at edmontonjournal.com

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