



TOWN OF COLLINGWOOD

JUDICIAL INQUIRY

Before:

Associate Chief Justice Frank Marrocco

Held at:

Collingwood Town Hall

Council Chambers

97 Hurontario Street

Collingwood, Ontario

April 23rd, 2019

1 APPEARANCES

2

3 Kate McGrann ) Inquiry Counsel

4 John Mather ) Associate Inquiry

5 ) Counsel

6

7 Michael Watson ) Alectra Utilities

8 Belina Bain ) Corporation

9

10 (No Counsel) ) For Paul Bonwick

11

12 George Marron ) For Sandra Cooper

13

14 (No Counsel) ) For Timothy Fryer

15

16 Frederick Chenoweth ) For Edwin Houghton

17

18 William McDowell (np) ) For Town of Collingwood

19 Ryan Breedon )

20

21 Patrick Gajos (np) ) For Collus PowerStream

22 ) Corporation

23

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1	TABLE OF CONTENTS	
2		PAGE NO.
3	List of Exhibits	4
4		
5	SANDRA COOPER, Sworn	
6	Examination-in-chief by Ms. Kate McGrann	5
7		
8		
9		
10		
11		
12		
13	Certificate of Transcript	166
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1	List of Exhibits		
2	Exhibit No.	Description	Page No.
3	37	TOC0037574	40
4	38	TOC0034211	60
5	39	TOC0040918	80
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

1 --- Upon commencing at 1:01 p.m.

2

3 THE HONOURABLE FRANK MARROCCO: Go  
4 ahead.

5 MS. KATE MCGRANN: We'll be turning to  
6 our next witness, Ms. Sandra Cooper.

7

8 SANDRA COOPER, Sworn

9

10 THE HONOURABLE FRANK MARROCCO: Ms.  
11 Cooper, we'll -- we'll testify for about an hour, then  
12 I'll take a ten (10) minute break and repeat that  
13 process throughout the afternoon.

14 MS. KATE MCGRANN: Okay, thank you.

15

16 EXAMINATION-IN-CHIEF BY MS. KATE MCGRANN:

17 MS. KATE MCGRANN: Good afternoon, Ms.  
18 Cooper.

19 MS. SANDRA COOPER: Good afternoon.

20 MS. KATE MCGRANN: I'd like to begin  
21 by talking about your background with the Collingwood  
22 Town Council.

23 You served as a Town Councillor from  
24 1997 to 2003, is that right?

25 MS. SANDRA COOPER: That is correct.

1 MS. KATE MCGRANN: And after that, you  
2 served as the Deputy Mayor of Town Council from 2003  
3 to 2010?

4 MS. SANDRA COOPER: That is correct.

5 MS. KATE MCGRANN: Following that, you  
6 were elected as mayor in 2010?

7 MS. SANDRA COOPER: Yes.

8 MS. KATE MCGRANN: And you were re-  
9 elected as mayor in 2014, is that right?

10 MS. SANDRA COOPER: Yes, that's  
11 correct.

12 MS. KATE MCGRANN: Would you provide  
13 us with a brief summary of your work and education  
14 history, please?

15 MS. SANDRA COOPER: So my employment  
16 before coming into Council and in -- until I became  
17 mayor, I worked in retail, downtown. I worked part-  
18 time and was able to have other time spent with my  
19 family and volunteering with school and such.

20 Also, my background, I went to high  
21 school in Collingwood and from there graduating, went  
22 right into the workforce.

23 MS. KATE MCGRANN: Turning to your  
24 work as mayor during the 2010 to 2014 Council term,  
25 during that time what did you understand your

1 responsibilities as mayor of the Town of Collingwood  
2 to be?

3 MS. SANDRA COOPER: My understanding  
4 of that role was to represent the people of  
5 Collingwood in a fair way as well as being prudent,  
6 fiscally responsible, a communication between the  
7 people of Collingwood and perhaps suggestions of  
8 sending them to staff. Also representing Council, as  
9 the lead of Council.

10 MS. KATE MCGRANN: When it came to  
11 questions of a potential conflict of interest in your  
12 role as mayor, what was your understanding of or how  
13 did you approach identifying potential conflicts of  
14 interest?

15 MS. SANDRA COOPER: So regarding  
16 potential conflicts of interest, I had the opportunity  
17 to attend workshops, sessions that would be part of  
18 the topic was conflict of interest, as well in my  
19 office at the time, in the Mayor's office, I did keep  
20 a copy of the Ontario Municipal Act in my office and I  
21 did refer to it, as well as having conversations with  
22 the clerk, Sarah Almas.

23 MS. KATE MCGRANN: When you mention  
24 you attended workshop sessions, in what context did  
25 you attend those sessions? What were they?

1 MS. SANDRA COOPER: Well, it would  
2 have been -- there -- at the beginning of a term of a  
3 Council, as well as attending AMO, Association of  
4 Municipalities of Ontario and there was various  
5 workshops of interest with speakers.

6 And so I would have attended something  
7 there as well.

8 MS. KATE MCGRANN: What did you learn  
9 from attending those sessions about how -- what a  
10 conflict of interest was?

11 MS. SANDRA COOPER: Well, what I  
12 learned was looking at the Municipal Conflict of  
13 Interest Act and a specific area and -- is regarding  
14 family who would be on that list of conflict of  
15 interest. And I was quite satisfied in looking at the  
16 Municipal Conflict of Interest Act and able to rely on  
17 that as to looking at parents, spouse and children.

18 MS. KATE MCGRANN: Other than the  
19 Municipal Conflict of Interest Act, did you go to any  
20 other sources or resources in considering potential  
21 conflicts of interest in your work?

22 MS. SANDRA COOPER: Well, I would have  
23 had a conversation with the clerk.

24 MS. KATE MCGRANN: If you had a  
25 question about whether you were facing a potential



1 conflict of interest, you would consult the clerk?

2 MS. SANDRA COOPER: Yes.

3 MS. KATE MCGRANN: Any other resources  
4 that you would turn to if you were concerned about a  
5 potential conflict of interest?

6 MS. SANDRA COOPER: No.

7 MS. KATE MCGRANN: With respect to  
8 meetings of Council during the 2010 to 2014 term, what  
9 was your understanding of -- of what an in-camera  
10 meeting meant?

11 MS. SANDRA COOPER: An in-camera  
12 meeting was such that there weren't cameras there and  
13 it was behind closed door and it was in private  
14 session.

15 MS. KATE MCGRANN: What was your  
16 understanding of how information discussed in in-  
17 camera meetings was to be treated?

18 MS. SANDRA COOPER: In confidence, and  
19 as well looking at -- it would be still bare minimum  
20 minutes of -- of those meetings, but certainly held in  
21 confidence.

22 MS. KATE MCGRANN: When you say "bare  
23 minimum minutes" of those meetings, what -- what do  
24 you mean?

25 MS. SANDRA COOPER: Well, there wasn't

1 a story to tell, it was get -- it was points that were  
2 taken by the clerk at those meetings and then they  
3 were passed, reviewed and approved by Council at a  
4 later date.

5 MS. KATE MCGRANN: Did the process for  
6 taking, reviewing and approving in-camera Council  
7 minutes differ from the process for regular Council  
8 minutes?

9 MS. SANDRA COOPER: They were -- and I  
10 believe they still are today -- approved in-camera and  
11 then just the minutes are approved as noted.

12 MS. KATE MCGRANN: With respect to the  
13 kinds of information that would be included in the  
14 minutes, was there a difference in your mind as  
15 between in-camera meetings and regular meetings?

16 MS. SANDRA COOPER: Yes.

17 MS. KATE MCGRANN: Would you explain  
18 what you understood the difference to be?

19 MS. SANDRA COOPER: Well, the minutes  
20 that would be -- during a regular Council meeting  
21 would be having discussion around the Council table by  
22 members of Council asking further questions, follow-up  
23 questions of staff and minutes taken from those  
24 discussions.

25 And then in-camera there was, again,

1 discussion among members of Council, also  
2 conversations, questions of staff that were involved  
3 in that particular area.

4 It would speak to only that area alone  
5 and the minutes were much more brief in-camera.

6 MS. KATE MCGRANN: You've mentioned  
7 that you would consult the clerk and have reference to  
8 the Municipal Act, the Municipal Conflict of Interest  
9 Act.

10 In general, in your work as mayor, what  
11 other resources did you rely on to help you get the  
12 job done?

13 MS. SANDRA COOPER: During the time  
14 that you referred to earlier, the first part, there  
15 was at that time not an integrity commissioner that  
16 was a resource, and also it was the Conflict of  
17 Interest Act and the Municipal Act book that I had,  
18 and as well conversation with the clerk. Those were  
19 the two (2). And I was certainly confident with the  
20 information that was provided to me.

21 MS. KATE MCGRANN: Stepping away from  
22 the question of how you would approach a potential  
23 conflict of interest in turning to your role as a  
24 mayor in general, the work that you were doing during  
25 the 2010 to 2014 term, what resources did you rely on

1 to help you accomplish all of your responsibilities?

2 MS. SANDRA COOPER: So I relied on  
3 staff reports, conversations with CAO, with department  
4 heads, from the public.

5 MS. KATE MCGRANN: During the first  
6 term that you were mayor, what did you understand your  
7 role to be with respect to or as it related to the  
8 staff of the Town?

9 MS. SANDRA COOPER: Communicating with  
10 staff would be my role. Bringing forward any  
11 concerns, suggestions that the public may have,  
12 bringing forward or suggesting meetings that an  
13 interested resident would have in the municipality and  
14 connecting them to the -- either the appropriate  
15 department head or to the CAO.

16 MS. KATE MCGRANN: So you saw yourself  
17 as a liaison between members of the community and --  
18 and the relevant staff member?

19 MS. SANDRA COOPER: Yes. I was in the  
20 community all of the time and regularly for events, as  
21 well as just day-to-day down to the bank to pay a bill  
22 or groceries and always contacted by someone in the  
23 community and who would I speak to about this? Well,  
24 I could suggest they go to a person, staff person, or  
25 I would also contact that staff person and say I've

1 been contacted in relation to this, if you would like  
2 to -- there -- set up a meeting.

3 MS. KATE MCGRANN: Did you take any  
4 steps to make records of -- of the connections that  
5 you've made with people in the community and the  
6 relevant staff member you identified?

7 MS. SANDRA COOPER: Not -- not all of  
8 the time, as it would be on my personal time and I --  
9 I didn't take notes if it was on my own personal time.

10 MS. KATE MCGRANN: When you did keep  
11 records of it, what form did those records take?

12 MS. SANDRA COOPER: I had a journal.

13 MS. KATE MCGRANN: What kind of  
14 information would you record in the journal?

15 MS. SANDRA COOPER: It would just be  
16 meeting with so-and-so and -- and staff and --  
17 regarding the matter.

18 MS. KATE MCGRANN: When you connected  
19 a member of the community and a member of staff, would  
20 you usually attend the meeting that you had arranged?

21 MS. SANDRA COOPER: Sometimes.

22 MS. KATE MCGRANN: How did you decide  
23 which of those meetings to attend and which not to  
24 attend?

25 MS. SANDRA COOPER: It -- if it was

1 something that -- if it was a topic that there was a  
2 discussion and the person wasn't satisfied with the  
3 answer that I've given, then I believe that I had gone  
4 as far as I could and that staff maybe could get into  
5 further particulars on a matter and relieve with more  
6 further information.

7 MS. KATE MCGRANN: During the 2010 to  
8 2014 Council term, how did Council communicate its  
9 decisions and instructions to staff?

10 MS. SANDRA COOPER: Communicating at a  
11 Council meeting and asking department head or asking  
12 the CAO about a matter and there were times that then  
13 that was followed up and report back.

14 MS. KATE MCGRANN: Okay, so within the  
15 context of Council meetings, how would Council  
16 communicate decisions or instructions to staff?

17 MS. SANDRA COOPER: Sorry, could you  
18 repeat that? I didn't hear the -- the first.

19 MS. KATE MCGRANN: Within the context  
20 of the Council meeting, how did Council communicate,  
21 instructions or directions to staff?

22 MS. SANDRA COOPER: So that would be  
23 during a Council meeting and there would be a member  
24 of Council ask that whatever the item, whatever the  
25 topic that they had a concern, whether it be

1 affordable housing, whether it would be a pothole on  
2 Pine Street, it would come up to the -- ask the  
3 department head to look into it further and then it  
4 would usually come back to Council or if it was able  
5 to be found a solution promptly, then an e-mail would  
6 be sent out to all of Council with a response from the  
7 staff person.

8 MS. KATE MCGRANN: What I would like  
9 to understand is what it -- what it looked like when  
10 Council provided instructions or directions to staff  
11 in the context of a -- a Council meeting.

12 So for example, could a single  
13 councillor provide instruction to a department head  
14 within the context of the Council meeting?

15 MS. SANDRA COOPER: To provide  
16 direction, no. It would be a mover and seconder in  
17 most cases, unless it was something relating to the  
18 consent agenda and then the ask could come from that.

19 MS. KATE MCGRANN: Okay, I'd like to  
20 understand a little bit more than that.

21 So when you say there would be a mover  
22 and a seconder, is it the case that in order for  
23 Council to provide direction to a staff member at a  
24 meeting, there would have to be a vote of Council?

25 MS. SANDRA COOPER: That's -- yes,

1 most times that's how -- how it ran.

2 MS. KATE MCGRANN: You say most times  
3 that's how it ran. When it didn't run like that, how  
4 did it run?

5 MS. SANDRA COOPER: It was more --  
6 well, a discussion and then a -- a staff person would  
7 say we'll just get back to you on that.

8 So there's nothing formal in a mover  
9 and seconder.

10 MS. KATE MCGRANN: Okay. In the more  
11 informal conversations that you're describing there,  
12 would it still be the case that Council would have to  
13 come to a consensus before staff would be asked to do  
14 anything by them?

15 MS. SANDRA COOPER: Well, the  
16 information would come back and if Council felt that  
17 there needed to be fur -- further follow-up, then that  
18 would be something at the Council table to -- to  
19 respond to.

20 MS. KATE MCGRANN: Okay, I think  
21 you're talking about when you say when the information  
22 comes back a staff member has gone away and done some  
23 work and comes back --

24 MS. SANDRA COOPER: Yes.

25 MS. KATE MCGRANN: -- I want to



1 understand how they end up leaving to go do work in  
2 the first place.

3 So we've talked about a vote being  
4 taken to provide instruction, you said most of the  
5 time --

6 MS. SANDRA COOPER: Yes.

7 MS. KATE MCGRANN: -- that's how it  
8 happened.

9 How did it happen otherwise? I  
10 understand you would be saying that there could be  
11 informal discussion and a staff member would take on a  
12 project.

13 In that case, the informal discussion,  
14 was it still the case that Council had to reach a  
15 consensus, even if they didn't take a vote, still  
16 reach a consensus before staff could be asked to take  
17 steps?

18 MS. SANDRA COOPER: So that would --  
19 again, an e-mail come back to all of Council or come  
20 back -- a report from department heads at the Council  
21 table and if there was anything further, then a -- a  
22 motion would be put in place for further direction,  
23 further information.

24 I hope that's helpful.

25 MS. KATE MCGRANN: You're describing

1 information coming back to Council. How does -- how  
2 does that staff member get sent away to go get that  
3 information in the first place, if not through a vote  
4 of Council to provide that direction?

5 MS. SANDRA COOPER: Well, as I said  
6 earlier, most times it is a vote of Council and there  
7 is an occasion where there would be some discussion  
8 and staff have said or -- staff have said well, I'll -  
9 - I'll take that advice and -- and look for  
10 information that I can bring back to Council.

11 MS. KATE MCGRANN: In the case where  
12 it's a discussion situation like what you just  
13 described, was it still the case that Council would  
14 have to achieve an agreement that they wanted staff to  
15 go do that before staff would take that step?

16 MS. SANDRA COOPER: So if the  
17 information is gathered and it comes back, either  
18 through email or at the next Council meeting, then if  
19 it's felt that it's -- if Council feels that there  
20 needs to be further follow-up, and in a particular  
21 area of that information, then it would be someone to  
22 move and second it in a specific area, and the Clerk  
23 would make note of that.

24 MS. KATE MCGRANN: During the 2010 to  
25 2014 Council term, either within or outside of Council

1 meetings, was it the place -- the case that individual  
2 councillors could provide instructions to staff?

3 MS. SANDRA COOPER: To provide  
4 instructions, I don't believe so, but to ask a  
5 question, absolutely.

6 MS. KATE MCGRANN: To ask that work be  
7 done?

8 MS. SANDRA COOPER: No. That would be  
9 giving direction.

10 MS. KATE MCGRANN: To ask that  
11 information be gathered?

12 MS. SANDRA COOPER: It would be to ask  
13 a clarification question. There would be such -- as  
14 an example, one of the councillors during that term  
15 was a former department head and so would feel  
16 comfortable in going to the Treasurer and asking a  
17 question, you know, where are we with -- with our --  
18 our debt today or along those lines, asking questions  
19 of where the Town is situated.

20 MS. KATE MCGRANN: Okay. So during  
21 the 2010 to 2014 council period, was it the case that  
22 individual councillors did go to staff with questions  
23 like the example that you just gave?

24 MS. SANDRA COOPER: Well, they did.

25 MS. KATE MCGRANN: Which councillor

1 was the former department head that you just described  
2 to us?

3 MS. SANDRA COOPER: It was the former  
4 -- retired fire chief, Sandy Cunningham.

5 MS. KATE MCGRANN: How did Council  
6 keep track of individual requests for information from  
7 councillors made to staff?

8 MS. SANDRA COOPER: Well, I -- I  
9 wouldn't know how individual councillors would keep  
10 track of but at one time there was an -- there were  
11 action items in a list and where they -- where they  
12 were situated would be on a Council agenda from time  
13 to time, and that would be something that Council  
14 would review and -- and see from that.

15 MS. KATE MCGRANN: The list of action  
16 items that you just described, I'd like to understand  
17 a little bit more about that. So that would appear in  
18 Council agendas, is that right?

19 MS. SANDRA COOPER: Yes, it did at one  
20 time.

21 MS. KATE MCGRANN: Who was responsible  
22 for the list of action items?

23 MS. SANDRA COOPER: The CAO.

24 MS. KATE MCGRANN: How did an item be  
25 added to the list of action items?

1 MS. SANDRA COOPER: Well, it would be  
2 something that Council in a discussion would ask to be  
3 looked at, and that process wasn't kept for very long  
4 in that the CAO was not in favour of keeping track  
5 that way, that she -- that it took longer to put it  
6 together than it would be to -- to just report back to  
7 Council, so it was only for a brief period of time and  
8 there was this action area.

9 MS. KATE MCGRANN: What kind of issues  
10 would be put on the action items list?

11 MS. SANDRA COOPER: I don't recall at  
12 this time specific items that would included on that  
13 action list.

14 MS. KATE MCGRANN: Would it be items  
15 that hadn't yet gone to a formal Council vote but that  
16 some or all of Council would like to see moved  
17 forward?

18 MS. SANDRA COOPER: Could be that,  
19 yes.

20 MS. KATE MCGRANN: Anything else, any  
21 other kind of issues that would go on there?

22 MS. SANDRA COOPER: No. Mainly items,  
23 and -- and again I don't -- I don't recall what  
24 particular item it would be, however, in moving  
25 forward the action is completed or ongoing.

1 MS. KATE MCGRANN: You mentioned the  
2 action item list in a -- in response to a question  
3 that I asked you about how individual councillor's  
4 requests to staff for information would be kept track  
5 of. You said you don't know how individual  
6 councillors would keep track of requests that they  
7 were making.

8 To your knowledge, was anyone keeping a  
9 record or keeping track of individual or councillor  
10 requests directly to staff?

11 MS. SANDRA COOPER: Not that I was  
12 aware of.

13 MS. KATE MCGRANN: Were you aware at  
14 the time that individual councillors were going  
15 directly to staff with questions?

16 MS. SANDRA COOPER: Yes.

17 MS. KATE MCGRANN: What was your  
18 working relationship with Town staff like during the  
19 2010 to 2014 council period?

20 MS. SANDRA COOPER: I believe it was  
21 amicable and respect.

22 MS. KATE MCGRANN: How much time did  
23 you spend on your work as mayor in any given week? I  
24 understand this will be an estimate, but we'd just  
25 like to understand what the workload looked like for

1 you.

2 MS. SANDRA COOPER: It was a heavy  
3 workload. I attended meetings that were -- some  
4 meetings that I was asked to be involved in, meeting  
5 with a staff person. Sometimes I didn't meet;  
6 sometimes I did.

7 There were ribbon cuttings. There were  
8 welcomings. There were meetings, Collus board  
9 meetings, public utility meetings, Police Services  
10 Board meetings, as well as county council meetings and  
11 committee meetings there, as well as governance  
12 meetings, waste management meetings which were quite  
13 lengthy at the county, preparing -- preparing for  
14 upcoming events, meeting -- conversations with -- we  
15 had a sister city in Japan, and connected to the  
16 consulate general of Japan in Toronto, as well, from  
17 time to time inviting me there or providing  
18 information about Collingwood, being in contact with  
19 our industries locally.

20 The CAO and myself would visit various  
21 industries and business, employers, to be specific, in  
22 the town of Collingwood, speaking with them, asking  
23 them how we could assist or their -- their challenges.

24 We've hosted job fairs in the council  
25 chambers here when business may not have a space to be

1 able to do that. And that's -- as I say, speaking  
2 with people coming -- people -- seeing -- as the  
3 mayor's office is directly on the main street, and  
4 there would be a resident walking by and happen to see  
5 that I'd be in my office, and -- and they would come  
6 in and speak. I receive phone calls often.

7 MS. KATE MCGRANN: It sounds like more  
8 work than your average full-time job?

9 MS. SANDRA COOPER: It was very busy,  
10 yes.

11 MS. KATE MCGRANN: I understand that  
12 part of your role as mayor during the 2010 to 2014  
13 council term required you to act as a director of  
14 Collus Power, Collus Utility Services and the CPUSB.  
15 Is that correct?

16 MS. SANDRA COOPER: Yes.

17 MS. KATE MCGRANN: Before you took on  
18 those directorship positions, what training were you  
19 provided to prepare you to do that work?

20 MS. SANDRA COOPER: There was no  
21 specific training. There was a binder that was given  
22 with our agenda, our minutes. And -- and I recall  
23 specifically with hydroelectricity and perhaps water,  
24 that there are so many acronyms, that I would sit at  
25 the meeting with two (2) full-page, double-sided



1 acronyms, so in the discussions I could have that.

2 I -- I know that was part of -- part of  
3 sort of the training of it that I'd done.

4 MS. KATE MCGRANN: The binder that  
5 you're referencing here, is that a binder that you  
6 received from someone at Collus or was that part of  
7 your -- your orientation as mayor for the town?

8 MS. SANDRA COOPER: It would have been  
9 Collus.

10 MS. KATE MCGRANN: And was the -- was  
11 the list of acronyms part of that binder?

12 MS. SANDRA COOPER: Yes.

13 MS. KATE MCGRANN: Was there general  
14 information in that binder about what your roles and  
15 responsibilities were as a director?

16

17 (BRIEF PAUSE)

18

19 MS. SANDRA COOPER: I can't say  
20 specifically what -- what the -- what was stated;  
21 however, there would have been certainly fiduciary  
22 responsibility included in -- in that, yes.

23 MS. KATE MCGRANN: During the 2010 to  
24 2014 council term, what did you understand your --  
25 your role, your responsibilities, your obligations as

1 a director of Collus Power, Collus Utility Services to  
2 be?

3 MS. SANDRA COOPER: I felt my role  
4 there -- I understood my role to be as a director and  
5 answering to the board at Collus, and no -- no  
6 different than with the county of Simcoe, for the  
7 greater good, you have a conversation and you have  
8 discussions for the greater good.

9 My role at the -- at Collus was to  
10 Collus.

11 MS. KATE MCGRANN: Would you say that  
12 you -- sorry, you said, I won't be able to get this  
13 quite right, but you reported to the board?

14 MS. SANDRA COOPER: The discuss --  
15 yes.

16 MS. KATE MCGRANN: What -- what do you  
17 mean by that?

18 MS. SANDRA COOPER: That that was --  
19 my fiduciary responsibility was to the board.

20 MS. KATE MCGRANN: And in whose  
21 interest did you think you were acting when you were  
22 doing your work as a director?

23 MS. SANDRA COOPER: The customers, the  
24 taxpayers, the residents of Collingwood.

25 MS. KATE MCGRANN: At any point during

1 the 2010 to 2014 council term, did you consider  
2 whether you were -- you were being asked to serve  
3 competing interests in your role as a mayor and in  
4 your role as a director of Collus Corporations?

5 MS. SANDRA COOPER: I don't recall.

6 MS. KATE MCGRANN: Do you remember  
7 having a conversation about that question with anyone?

8 MS. SANDRA COOPER: At the board, we  
9 had a discussion, not about me specifically, but the -  
10 - the fiduciary responsibility to the Corporation of  
11 the business.

12 MS. KATE MCGRANN: What do you  
13 remember of that discussion?

14 MS. SANDRA COOPER: I don't remember  
15 the details of that discussion.

16 MS. KATE MCGRANN: Do you remember who  
17 was part of that discussion?

18 MS. SANDRA COOPER: It would have been  
19 the board. So, it would have been the -- Mr.  
20 Muncaster, Mr. McFadden, and Ed Houghton would have  
21 been in the -- the boardroom, as well. And, likely,  
22 Pa -- Pam Hogg is the recording secretary, so  
23 definitely she was at most of the meetings.

24 MS. KATE MCGRANN: Do you remember  
25 when during the 2010 to 2014 council term that meeting

1 took place?

2 MS. SANDRA COOPER: No, I don't.

3 MS. KATE MCGRANN: Do you recall if it  
4 would have been generally towards the beginning of  
5 your tenure?

6 MS. SANDRA COOPER: I believe it would  
7 have been after that, but I -- I can't recall a  
8 specific time of year.

9 MS. KATE MCGRANN: Turning our focus  
10 back to the town, during the 2010 the 2014 council  
11 term, what did you understand the role of the CAO to  
12 involve?

13 MS. SANDRA COOPER: Well, the CAO was  
14 to administrate her -- the Corporation and the staff  
15 and responsible that way, and communication between  
16 council and -- and herself and staff.

17 MS. KATE MCGRANN: With respect to  
18 communication between council, herself, and her staff,  
19 what did you understand she was -- she was to do?

20 MS. SANDRA COOPER: From council to  
21 staff? That -- hopefully, that she could answer some  
22 questions if there were any questions, or -- or pro --  
23 be able to provide some answers for council.

24 MS. KATE MCGRANN: Was it your  
25 understanding that the CAO was supposed to function as

1 the person through which council and staff communicate  
2 with each other?

3 MS. SANDRA COOPER: I understand  
4 that's the way it's to function, and it wasn't always  
5 the case.

6 MS. KATE MCGRANN: Did you under --  
7 was that your understanding during the 2010 to 2014  
8 council term?

9 MS. SANDRA COOPER: That was my  
10 understanding.

11 MS. KATE MCGRANN: And when you say it  
12 wasn't always the case, why was that?

13 MS. SANDRA COOPER: Well, as I  
14 referred to earlier with former department head,  
15 speaking with another department head.

16 MS. KATE MCGRANN: And I think you  
17 said that that wasn't the only instance in which  
18 councillors went directly to staff?

19 MS. SANDRA COOPER: That is correct.  
20 But I did not keep track of anything.

21 MS. KATE MCGRANN: What was your  
22 working relationship like with Kim Wingrove when she  
23 was CAO during the 2010 to 2012 period?

24 MS. SANDRA COOPER: Well, as I say, we  
25 did -- well, we went on a road trip with -- within the

1 municipality attending the various employers in our  
2 community trying to get an understanding of their  
3 strengths or how the municipality could help out.

4 I had encouraged her to attend an AMO  
5 conference. And that might have been in 2011. And  
6 that would be in August -- June -- July, August --  
7 July maybe 2011, to network with other CAOs and -- and  
8 be available for members of council that might be in  
9 attendance.

10 I think I felt that it was informal, as  
11 well, back and forth. Our offices were bo -- both on  
12 the first floor, and I believe that's the case still  
13 today, and that we were able to knock on the door and  
14 walk in and -- and have a discussion if -- if need be.

15 MS. KATE MCGRANN: You mentioned AMO,  
16 which I think is an acronym?

17 MS. SANDRA COOPER: Yes.

18 MS. KATE MCGRANN: What does that  
19 stand for?

20 MS. SANDRA COOPER: Association of  
21 Municipalities of Ontario, as I mentioned earlier.

22 MS. KATE MCGRANN: You mentioned that  
23 you went on a road trip, your offices were on the same  
24 floor and you were able to knock on the door and walk  
25 into each other's offices for discussions.

1 Do you feel that -- well, how would you  
2 describe the communication as between you and Ms.  
3 Wingrove?

4 MS. SANDRA COOPER: I thought we had  
5 an open two-way communication. That's how I felt.

6 MS. KATE MCGRANN: How frequently  
7 would you meet with her?

8 MS. SANDRA COOPER: I don't have my  
9 journals. Once a week. It would be more than -- it  
10 would more than once a week.

11 MS. KATE MCGRANN: You were in  
12 attendance last week when Ms. Wingrove gave evidence  
13 about her views of her working environment here at the  
14 town, but I need you to say 'yes' or 'no' for the  
15 transcript.

16 MS. SANDRA COOPER: Yes, sorry.

17 MS. KATE MCGRANN: What was your  
18 reaction to her evidence about her experience of the  
19 working environment here?

20 MS. SANDRA COOPER: I -- I didn't  
21 realize that it had that impact on her. There was no  
22 conversation that we had with knowledge of that at the  
23 time.

24 MS. KATE MCGRANN: When you say, "That,  
25 knowledge of that," what are you talking about?

1 MS. SANDRA COOPER: She was referring  
2 to not -- not having that relationship with -- that  
3 council members were going to staff and not coming to  
4 her or saying that there wasn't -- from what I recall,  
5 that there were no booked appointments or there were  
6 last-minute meetings that we would have.

7 In my mind, I understood that there was  
8 an open communication and that we could go back and  
9 forth informally, attending each other's office and  
10 have -- having -- having informal conversations.

11 So, I was not aware that it was that  
12 overwhelming for her.

13 MS. KATE MCGRANN: This is my  
14 paraphrase, so I'll start with -- with asking you  
15 this. Last week, Ms. Wingrove gave evidence to the  
16 effect that she felt that you would take counsel from  
17 Mr. Houghton, that you preferred to take counsel from  
18 Mr. Houghton as opposed to -- to going to her.

19 What was your -- first of all, do you  
20 remember her saying something like that?

21 MS. SANDRA COOPER: Yes.

22 MS. KATE MCGRANN: What was your  
23 reaction to hearing that?

24 MS. SANDRA COOPER: Well, I can say  
25 that I was very comfortable. And -- and reaching out



1 to Mr. Houghton, he was someone that had been employed  
2 by the municipality for many years.

3 And I just -- I felt comfortable and  
4 confident with -- with speaking with him and his  
5 explanations that he could give me and whatever the  
6 question, but I don't recall any right now  
7 specifically.

8 MS. KATE MCGRANN: During the time  
9 that Ms. Wingrove was CAO did she bring any questions,  
10 comments, concerns about her working environment to  
11 you, as mayor?

12 MS. SANDRA COOPER: I don't recall  
13 that.

14 MS. KATE MCGRANN: Will you please  
15 turn up document TOC37574?

16

17 (BRIEF PAUSE)

18

19 MS. KATE MCGRANN: Actually, before we  
20 go to this, do you mind taking that off the screen for  
21 a second? One (1) more question. You said that you  
22 felt comfortable reaching out to Mr. Houghton. And  
23 you mentioned his long service to the town.

24 Did you feel comfortable reaching out  
25 to Ms. Wingrove in the same way?

1 MS. SANDRA COOPER: I have to say no.

2 MS. KATE MCGRANN: Please explain why.

3 MS. SANDRA COOPER: Well, Mr. Houghton  
4 was very knowledgeable in the intricacies of the  
5 Public Works department and generally if -- if a  
6 resident were to come to me, it's likely roads or  
7 sidewalks. And so I would reach out to Mr. Houghton  
8 in that regard, and he'd be able to supply an answer  
9 promptly to the question or concern. And it wouldn't  
10 necessarily be the case for Ms. Wingrove.

11 MS. KATE MCGRANN: Okay. So was it  
12 the case that if a question came to you where you  
13 dealing with a Public Works-type issue, you would --  
14 you would go directly to Mr. Houghton?

15 MS. SANDRA COOPER: Yes.

16 MS. KATE MCGRANN: Did you consult  
17 Mr. Houghton on issues outside of questions of  
18 Public Works?

19 MS. SANDRA COOPER: In all likelihood,  
20 I would have.

21 MS. KATE MCGRANN: What kinds of other  
22 topics would you discuss with him?

23 MS. SANDRA COOPER: Hydro-related in  
24 that some of those contacts I had received from some  
25 residents or a very few -- thank goodness -- residents

1 of Collingwood and having challenges paying their  
2 hydro bill. And so I would ask him who would they get  
3 in touch with to resolve their matter.

4 MS. KATE MCGRANN: Any other kind of  
5 topics that you would go to Mr. Houghton for -- for  
6 assistance or advice on?

7 MS. SANDRA COOPER: Not that I can  
8 recall at this time. Those are some that come to my  
9 mind.

10 MS. KATE MCGRANN: Did you have any  
11 conversations with Ms. Wingrove about your discomfort  
12 in going to her on questions in the times that you've  
13 described to us?

14 MS. SANDRA COOPER: I believe I had  
15 mentioned about better communication with myself and  
16 Council.

17 MS. KATE MCGRANN: Would you tell me  
18 what you recall about that discussion?

19 MS. SANDRA COOPER: Well, it would  
20 have been very brief and that would have been  
21 basically it.

22 MS. KATE MCGRANN: I'm reacting to  
23 your use of a phrase "would have been."

24 MS. SANDRA COOPER: Sorry.

25 MS. KATE MCGRANN: It suggests to me

1 that you may be guessing. Do you recall having a  
2 conversation with Ms. Wingrove about better  
3 communication with yourself and Council?

4 MS. SANDRA COOPER: Yes.

5 MS. KATE MCGRANN: What do you recall  
6 of that discussion?

7 MS. SANDRA COOPER: That there  
8 would -- sorry -- that we needed to have a -- a more  
9 open communication with Council, of with myself.

10 MS. KATE MCGRANN: What did you mean  
11 by that?

12 MS. SANDRA COOPER: There were  
13 tasks -- Ms. Wingrove was not -- was challenged with  
14 delegating work, and Council was keen to -- they'd  
15 just become elected the end of December of 2010 and  
16 ready for January 2011 and -- and had some items that  
17 they wanted to address and -- and get those items done  
18 promptly or addressed and focused as soon as they  
19 could. And I believe that it was a little slower  
20 process in completion than what Council would hope to  
21 have.

22 MS. KATE MCGRANN: Do you recall what  
23 items you're discussing here?

24 MS. SANDRA COOPER: Well, I can say  
25 one definitely was budget.

1 MS. KATE MCGRANN: It sounds like  
2 you're talking to something towards the beginning of  
3 term. What do you remember about the conversation  
4 that you had with her? You said "open communication."  
5 What did you mean by open communication?

6 MS. SANDRA COOPER: Well, if there was  
7 something that the CAO felt strongly about that  
8 they -- that person and Ms. Wingrove would be able to  
9 come and speak with me and vice versa.

10 MS. KATE MCGRANN: Could you help me  
11 understand what you're talking about?

12 MS. SANDRA COOPER: You just said open  
13 communication, right?

14 MS. KATE MCGRANN: Yeah. And it  
15 sounds to me like you're inviting people to your  
16 office. So what is it that you're discussing?

17 MS. SANDRA COOPER: Just speaking  
18 about the CAO.

19 MS. KATE MCGRANN: When you told the  
20 CAO that you wanted more open communication, what was  
21 it that you were hoping she would do more of or  
22 differently?

23 MS. SANDRA COOPER: It was more giving  
24 a comfort for her that she could come and speak to me  
25 if there were any items that I could give my advice on

1 or assist with.

2 MS. KATE MCGRANN: And you said you  
3 wanted more open communication. You were -- you were  
4 trying to communicate to her that you were there as a  
5 resource for her?

6 MS. SANDRA COOPER: Yes.

7 MS. KATE MCGRANN: Was anybody else  
8 part of this discussion?

9 MS. SANDRA COOPER: No.

10 MS. KATE MCGRANN: Do you remember  
11 where it took place?

12 MS. SANDRA COOPER: It would have even  
13 -- either been in my office or her office.

14 MS. KATE MCGRANN: Did you have a  
15 concern at the time that she wasn't coming to you with  
16 concerns that she had?

17 MS. SANDRA COOPER: What -- at the  
18 time, I just wanted to build a relationship with --  
19 with her because I do know that the Mayor and the CAO  
20 should work together collaboratively. And so  
21 that's -- I was reaching out to -- to let her know  
22 that if I could be of any assistance in -- in  
23 providing advice or that area, then I'd be certainly  
24 open to that.

25 MS. KATE MCGRANN: Okay. Now we'll

1 turn to the document that I had up on the screen a  
2 second ago: TOC37574. This is an email from  
3 Paul Bonwick to you on January 19th, 2011. In this  
4 email, he discusses a company called AGP that we'll  
5 come back to later.

6 What I'm about to take your attention  
7 to right now is the very end of the email where he  
8 says:

9 "I'm available to chat and in the  
10 morning if you have free time. I'm  
11 also curious how you made out with  
12 the CAO in clarifying roles of  
13 conduct. Please call my cell when  
14 you have time."

15 Do you remember receiving this email  
16 from Paul Bonwick?

17 MS. SANDRA COOPER: I don't remember  
18 it. At the time, I -- if I read through the  
19 documents, it did come back to me.

20 MS. KATE MCGRANN: All right. So when  
21 you read through the documents, you say it came back  
22 to you.

23 MS. SANDRA COOPER: The Foundation  
24 Document, sorry.

25 MS. KATE MCGRANN: What do you mean

1 when you say it came back to you? Did it trigger a  
2 memory of receiving the -- the email?

3 MS. SANDRA COOPER: It would have  
4 triggered a memory to me regarding conducting myself,  
5 working with staff, depart -- well, department heads,  
6 and the CAO, and wanting to build a relationship.

7 MS. KATE MCGRANN: Can we make this  
8 email the next exhibit, please?

9 THE HONOURABLE FRANK MARROCCO: Yes.  
10 Yes.

11 THE REGISTRAR: Exhibit 37,  
12 Your Honour.

13

14 --- EXHIBIT NO. 37: TOC0037574

15

16 CONTINUED BY MS. KATE MCGRANN:

17 MS. KATE MCGRANN: I'd like to  
18 understand what you know about why Mr. Bonwick is  
19 emailing you saying that he's curious how you made out  
20 with the CAO in clarifying rules and conduct.

21 Were you discussing the CAO rule --  
22 CAO's role in clarifying roles of conduct with your  
23 brother in January of 2011?

24 MS. SANDRA COOPER: I don't recall  
25 that. Again, all Council meetings were televised, and



1 a lot of people in the community made comment to me in  
2 many topics of a Council meeting.

3 MS. KATE MCGRANN: You say you don't  
4 recall discussing with this -- this with him. Is it  
5 possible that you did have discussions with him about  
6 the CAO in clarifying roles of conduct at this time  
7 and you just don't remember?

8 MS. SANDRA COOPER: No. I just -- I  
9 don't recall.

10 MS. KATE MCGRANN: All right. And my  
11 question is a little bit different: Is it possible  
12 that you were having discussions with him about the  
13 CAO in clarifying roles of conduct, and you just don't  
14 remember?

15

16 (BRIEF PAUSE)

17

18 MS. SANDRA COOPER: I don't recall the  
19 conversation.

20 MS. KATE MCGRANN: More generally,  
21 your relationship with staff in your role as mayor, is  
22 that a topic that you would discuss with Paul Bonwick  
23 during the 2010/2014 council term?

24 MS. SANDRA COOPER: I think on a high  
25 level. How -- you know, how's it going? And that

1 would be it. It wouldn't be anything specific.

2 MS. KATE MCGRANN: He would ask you  
3 how it was going?

4 MS. SANDRA COOPER: Yes.

5 MS. KATE MCGRANN: And would you  
6 provide him with answers?

7 MS. SANDRA COOPER: Fine. Or, you  
8 know, making our way through.

9 MS. KATE MCGRANN: You -- is there  
10 anything else you can tell me to help me understand  
11 why Mr. Bonwick is emailing you asking how you made  
12 out with the CAO in clarifying roles of conduct in  
13 January of 2011?

14 MS. SANDRA COOPER: I don't recall.

15 MS. KATE MCGRANN: Could we turn to  
16 TOC512155.

17

18 (BRIEF PAUSE)

19

20 MS. KATE MCGRANN: This is a  
21 three-page document. The first two pages are  
22 typewritten and -- and the last page, if we could  
23 scroll down to it, is a -- a form with handwriting.

24 Do you recognize some or all of this  
25 document?

1 MS. SANDRA COOPER: Yes. I recognize  
2 all of it.

3 MS. KATE MCGRANN: Okay. Could we  
4 look at the first two pages for a second.

5 Thank you. What do you recognize this  
6 document to be?

7 MS. SANDRA COOPER: This would have  
8 been a -- a review with the CAO, a performance  
9 review -- performance evaluation.

10 MS. KATE MCGRANN: Okay. Can you  
11 scroll to the very top of the first page, please?

12 This document is dated April 1st, 2011.  
13 When do you recall -- let me try that again.

14 First of all, did you engage in a  
15 performance review discussion with Ms. Wingrove as  
16 CAO?

17 MS. SANDRA COOPER: Yes.

18 MS. KATE MCGRANN: When do you recall  
19 engaging in that discussion?

20 MS. SANDRA COOPER: It would have been  
21 around this time.

22 MS. KATE MCGRANN: By "this time," do  
23 you mean April 1st --

24 MS. SANDRA COOPER: April 1st, 2011.

25 MS. KATE MCGRANN: Do you know who the

1 author of the two typewritten pages was?

2 MS. SANDRA COOPER: It would have been  
3 Ms. Wingrove, I'm assuming, because it came -- she  
4 brought it to me.

5 MS. KATE MCGRANN: What do you  
6 remember of the -- the performance review discussion  
7 you had with her?

8 MS. SANDRA COOPER: Well, we -- she  
9 went over her items, and I -- we had a discussion on  
10 that. I don't recall the details today. And we -- we  
11 had discussion around the typewritten presentations  
12 that she had given or papers that she had provided.

13 And then I had also printed out --  
14 you'll find further on, and I had made handwritten  
15 notes as a follow-up from our conversation.

16 MS. KATE MCGRANN: Okay. So if we  
17 scroll down in the third page, I think that that's  
18 the -- the document that you're referring to. Is this  
19 the document that you're talking about that you had  
20 printed out?

21 MS. SANDRA COOPER: Yes.

22 MS. KATE MCGRANN: And you say that  
23 you made handwritten notes of these handwritten -- is  
24 this handwriting yours?

25 MS. SANDRA COOPER: Yes, it is.

1 MS. KATE MCGRANN: When did you make  
2 these notes relative to the meeting you had with  
3 Ms. Wingrove?

4 MS. SANDRA COOPER: Well, it would  
5 have been notes taken directly after our interview  
6 per se, our conversation.

7 MS. KATE MCGRANN: At the top, it says  
8 "January 2011 to April 2011." What does that note  
9 indicate?

10 MS. SANDRA COOPER: That is when I  
11 became mayor in that term.

12 MS. KATE MCGRANN: And so is this  
13 review meant to cover that period of time?

14 MS. SANDRA COOPER: Yes. I hadn't  
15 been involved in a review before that, and I'm not  
16 sure if there was a review done before that.

17 MS. KATE MCGRANN: Where did you get  
18 this overall evaluation form from?

19 MS. SANDRA COOPER: It would have been  
20 on the Town template. It would have been an HR area  
21 for the Town of Collingwood.

22 MS. KATE MCGRANN: Did you speak to  
23 someone and ask them for a form like this and you were  
24 given one or --

25 MS. SANDRA COOPER: I believe the

1 HR manager had directed me where I could get that.

2 MS. KATE MCGRANN: Did you have any  
3 discussions with anyone about the purpose of a  
4 performance review or how to conduct a performance  
5 review discussion?

6 MS. SANDRA COOPER: I had not.

7 MS. KATE MCGRANN: Do you remember how  
8 it was that you came to be directed to this form?

9 MS. SANDRA COOPER: Performance  
10 evaluations are done from time to time, and I wanted  
11 to start off in -- in a positive manner with -- with  
12 the CAO in coming into my new role as mayor. It's  
13 certainly different than a member of council or even  
14 deputy mayor for that matter.

15 And so coming new into that, I felt  
16 that I wanted to -- to do everything that was intended  
17 for my position, and one of those was having to work  
18 closely with the CAO as the mayor that the performance  
19 evaluation would be something that would be  
20 appropriate.

21 MS. KATE MCGRANN: What I'm trying to  
22 understand right now is -- is where you got this form  
23 from. So you didn't speak to the HR manager before  
24 you had the performance review. I think you said it  
25 was template. So how did you get this form?

1 MS. SANDRA COOPER: Okay. To be  
2 clear, I didn't speak to the -- the HR manager about  
3 having a performance review with the CAO. I did ask  
4 where would I retrieve a template for -- for  
5 evaluation.

6 MS. KATE MCGRANN: Across the top of  
7 the page, there's five standards, the line written  
8 across: "unsatisfactory," "substandard but making  
9 progress," "satisfactory," "above average," and  
10 "excellent." Do you see that?

11 MS. SANDRA COOPER: Yes.

12 MS. KATE MCGRANN: And there's  
13 initials above "satisfactory." Are those your  
14 initials?

15 MS. SANDRA COOPER: Yes.

16 MS. KATE MCGRANN: Why did you put  
17 your initials there?

18 MS. SANDRA COOPER: Because at that  
19 time from January till April 2011, I felt that the  
20 overall performance in that period of time was  
21 satisfactory.

22 MS. KATE MCGRANN: During the  
23 performance review discussion you had with  
24 Ms. Wingrove, did you explain to her that on this  
25 ranking of five (5) standards that you had ranked her

1 as satisfactory?

2 MS. SANDRA COOPER: I don't recall.  
3 I -- I'm -- what I do recall is having a conversation,  
4 and it was a -- a lengthy conversation. I didn't  
5 have -- I did -- I don't recall how long of a  
6 conversation or a meeting took place for, but it was  
7 in my office, and it was a -- I thought a good  
8 conversation back and forth, communication.

9 And -- and upon Ms. Wingrove leaving my  
10 office, then I did an overview of what we discussed  
11 and -- and areas that needed to be reviewed going  
12 forward. And that overall, it was satisfactory.

13 MS. KATE MCGRANN: This form, after  
14 you completed it, did you provide a copy of it to  
15 Ms. Wingrove?

16 MS. SANDRA COOPER: Actually, I  
17 believe I provided it to the HR manager.

18 MS. KATE MCGRANN: All right. Did you  
19 provide a copy of it to Ms. Wingrove?

20 MS. SANDRA COOPER: No.

21 MS. KATE MCGRANN: Do you know whether  
22 the HR manager provided a copy of it to Ms. Wingrove?

23 MS. SANDRA COOPER: I don't recall.

24 MS. KATE MCGRANN: Does this form  
25 reflect a summary of your discussion with



1 Ms. Wingrove? A summary of your thoughts after the  
2 meeting with her? Both? What do these notes  
3 represent?

4 MS. SANDRA COOPER: They would have  
5 been a discussion that we had had.

6 MS. KATE MCGRANN: So this is a  
7 summary of the discussion that you had with her.

8 MS. SANDRA COOPER: Yes.

9 MS. KATE MCGRANN: But you're not sure  
10 if you told her whether or not you thought her work  
11 was satisfactory, as opposed to substandard or above  
12 average.

13 MS. SANDRA COOPER: I don't recall  
14 that. She left in a positive note.

15 MS. KATE MCGRANN: Under "areas of  
16 weakness," you've listed "contract position in  
17 treasury obstacle," "health and safety," and "working  
18 relationship with Council." What do you recall  
19 discussing with Ms. Wingrove about her working  
20 relationship with Council as an area of weakness?

21 MS. SANDRA COOPER: It -- it seemed --  
22 well, the working relationship with Council I believed  
23 to be an area of frustration that Council were going  
24 to others, other staff department heads.

25 MS. KATE MCGRANN: An area of

1 frustration for who?

2 MS. SANDRA COOPER: For the CAO.

3 MS. KATE MCGRANN: And what did you  
4 say to her in this meeting about her working  
5 relationship with Council and it being an area of  
6 weakness?

7 MS. SANDRA COOPER: Well, to try and  
8 bring it together, better communication. Just to make  
9 a suggestion of -- I may bring it to the attention  
10 that that's an area of weakness and -- and how can you  
11 bring it -- strengthen that, would certainly be part  
12 of the -- the discussion.

13 And I don't -- I know there was a  
14 discussion around the relationship with Council.  
15 However -- I guess Council not coming to her, but it  
16 was an area of -- of weakness. And I don't know  
17 how -- I don't have a suggestion how you can change  
18 that if you have members of Council feeling  
19 comfortable going elsewhere. I don't know -- know how  
20 I could -- could have changed that or -- or made that  
21 suggestion to her.

22 MS. KATE MCGRANN: Can you scroll down  
23 just so that we can see the whole comment box? That's  
24 perfect.

25 So I -- I'm having trouble

1 understanding which of that answer was you speaking to  
2 me knowing what you know today and how much of it was  
3 what you recall out of the meeting you had with  
4 Ms. Wingrove.

5                   So thinking specifically about the  
6 meeting that you had with her that these notes  
7 reflect, what do you remember talking about with her  
8 in respect of this area of weakness, the working  
9 relationship with Council?

10                   MS. SANDRA COOPER:    So the working --  
11 the working relationship with -- with Council was  
12 weak.   Councilor -- members of Council were contacting  
13 others, department heads, rather than directly to the  
14 CAO.

15                   And as was suggested, he had a better  
16 understanding of Council's direction.   And maybe  
17 looking today that that would -- would have been  
18 something that I -- I would have -- would have made  
19 more clear to -- to Ms. Wingrove in that having a  
20 better understanding 'cause maybe that -- there was a  
21 breakdown of what Council's direction was and what she  
22 understood it to be.

23                   MS. KATE MCGRANN:    Do you specifically  
24 recall telling Ms. Wingrove she needed to have a  
25 better understanding of Council's direction?

1 MS. SANDRA COOPER: When I read today,  
2 yes. From then, I don't recall.

3 MS. KATE MCGRANN: I would like to  
4 understand what you remember from that meeting. When  
5 you say, when you read today, yes --

6 MS. SANDRA COOPER: When I'm reading  
7 the document today, the -- that Foundation Document,  
8 then I see better understanding of Council's  
9 direction.

10 MS. KATE MCGRANN: Do you remember  
11 speaking with Ms. Wingrove about having a better  
12 understanding of Council's direction in this meeting?  
13 Can you remember speaking to her about it?

14 MS. SANDRA COOPER: What I do recall  
15 is communication and -- and better working  
16 relationship with Council. I don't recall this exact  
17 statement.

18 MS. KATE MCGRANN: We've already  
19 touched on this a little bit, but I would like to turn  
20 to your relationship with your brother, Paul Bonwick.

21 THE HONOURABLE FRANK MARROCCO: I  
22 wonder, is this -- you're going on to a different  
23 topic.

24 MS. KATE MCGRANN: Yes. And I lost  
25 track of time. I'm sorry. This would be an opportune

1 time for a break.

2 THE HONOURABLE FRANK MARROCCO: Well,  
3 maybe I'll -- we'll stop now for ten (10) minutes.  
4 Ms. Cooper --

5 MS. SANDRA COOPER: Yes.

6 THE HONOURABLE FRANK MARROCCO: -- I'm  
7 not speaking about -- this comment isn't directed to  
8 you discussing anything with Mr. Marron. It's more  
9 general than that. It's probably not a good idea for  
10 others to talk to you about the evidence that  
11 you're -- you've given. It could be misunderstood.

12 MS. SANDRA COOPER: Yes. Thank you,  
13 Your Honour.

14 MR. GEORGE MARRON: I relayed that  
15 with her, Your Honour.

16 THE HONOURABLE FRANK MARROCCO: Thank  
17 you, Mr. Marron. I assumed you had.

18

19 --- Upon recessing at 2:05 p.m.

20 --- Upon resuming at 2:17 p.m.

21

22 CONTINUED BY MS. KATE MCGRANN:

23 MS. KATE MCGRANN: Before we took the  
24 break we had been talking about Ms. Wingrove's  
25 performance evaluation and the form that you

1 completed. I think you told me that you hadn't  
2 provided a copy of it to Ms. Wingrove directly but you  
3 thought you had given a copy of it to the HR manager;  
4 is that right?

5 MS. SANDRA COOPER: That is correct.

6 MS. KATE MCGRANN: Who did the HR  
7 manager report to?

8 MS. SANDRA COOPER: Would have  
9 reported to the CAO.

10 MS. KATE MCGRANN: Ms. Wingrove?

11 MS. SANDRA COOPER: Yes.

12 MS. KATE MCGRANN: I think you told me  
13 that you weren't sure whether or not Ms. Wingrove was  
14 ever given a copy of your comments on that handwritten  
15 sheet; is that right?

16 MS. SANDRA COOPER: That is correct.

17 MS. KATE MCGRANN: Would you agree  
18 with me that Ms. Wingrove would not be able to benefit  
19 from the comments that you put on that sheet if she  
20 didn't receive it?

21 MS. SANDRA COOPER: Correct.

22 MS. KATE MCGRANN: Turning to your  
23 relationship with Paul Bonwick during the 2010 to 2014  
24 Council term. What was your relationship with Mr.  
25 Bonwick like at the beginning of your first term as

1 mayor?

2 MS. SANDRA COOPER: Paul Bonwick was  
3 supportive as was the rest of my family.

4 MS. KATE MCGRANN: And what did him  
5 being supportive look like?

6 MS. SANDRA COOPER: Words of  
7 encouragement.

8 MS. KATE MCGRANN: Did he communicate  
9 his words of encouragement to you over email?

10 MS. SANDRA COOPER: It would be an  
11 email as I've -- I've read, you know, be strong.

12 MS. KATE MCGRANN: Would he give you  
13 this kind of encouragement through telephone calls?

14 MS. SANDRA COOPER: Not so much  
15 telephone.

16 MS. KATE MCGRANN: In person?

17 MS. SANDRA COOPER: Gosh, usually in  
18 person where family matters, like, personal, our --  
19 our elderly parents.

20 MS. KATE MCGRANN: Most of the time  
21 you spent in person with Mr. Bonwick in -- early in  
22 your term was to discuss family matters?

23 MS. SANDRA COOPER: Yes.

24 MS. KATE MCGRANN: How often would you  
25 see him in person a month?

1 MS. SANDRA COOPER: How often would I  
2 see him? I can't recollect how often but we would see  
3 each other in the hospital, in the nursing home.

4 MS. KATE MCGRANN: Did he ever come  
5 and meet with you in your office?

6 MS. SANDRA COOPER: I believe that he  
7 did at one (1) occasion that I can recall.

8 MS. KATE MCGRANN: Do you recall a  
9 single meeting during the 2010 and 2014 Council term?

10 MS. SANDRA COOPER: I recall him  
11 coming to my office, as did others of my siblings as  
12 well.

13 MS. KATE MCGRANN: Do you only recall  
14 him coming to your office once during the 2010 to 2014  
15 Council term?

16 MS. SANDRA COOPER: Coming to my  
17 office, yes.

18 MS. KATE MCGRANN: Why did he come to  
19 your office that one (1) time?

20 MS. SANDRA COOPER: Newly elected  
21 mayor and come in to -- to -- into my office to visit,  
22 invited him in. I invited other family members to  
23 come into the mayor's office.

24 MS. KATE MCGRANN: Do you remember  
25 what you discussed at that visit?



1 MS. SANDRA COOPER: I don't recall.

2 MS. KATE MCGRANN: Do you remember how  
3 long it lasted?

4 MS. SANDRA COOPER: I don't recall. It  
5 wouldn't have been long.

6 MS. KATE MCGRANN: Was anybody else  
7 there?

8 MS. SANDRA COOPER: No.

9 MS. KATE MCGRANN: Were you aware  
10 during the period between 2010 and 2014 that Mr.  
11 Bonwick had a company called Compenso Communications  
12 Inc.?

13 MS. SANDRA COOPER: Yes.

14 MS. KATE MCGRANN: Did they have  
15 offices in town?

16 MS. SANDRA COOPER: Yes.

17 MS. KATE MCGRANN: Where were those  
18 offices?

19 MS. SANDRA COOPER: On Hurontario  
20 Street.

21 MS. KATE MCGRANN: Did you ever meet  
22 with Mr. Bonwick in his offices?

23 MS. SANDRA COOPER: I might have  
24 popped in.

25 MS. KATE MCGRANN: You --

1 MS. SANDRA COOPER: Only to say hello  
2 as being at the radio station they were in the same  
3 building.

4 MS. KATE MCGRANN: Okay. Other than  
5 popping in to say hello, do you remember spending any  
6 more substantial time with him in his offices?

7 MS. SANDRA COOPER: I don't recall  
8 that.

9 MS. KATE MCGRANN: What do you  
10 understand Mr. Bonwick, what kind of work did Mr.  
11 Bonwick do with Compenso Communications Inc.?

12 MS. SANDRA COOPER: So communications,  
13 public relations.

14 MS. KATE MCGRANN: And what did that  
15 look like on the ground? What did that actually mean  
16 to you?

17 MS. SANDRA COOPER: Communications,  
18 and communicating with others. A good communicator,  
19 public relations, reaching out to the public.

20 MS. KATE MCGRANN: Did you think that  
21 he was doing this on a -- a one-on-one basis or was he  
22 doing it to a larger audience?

23 MS. SANDRA COOPER: I don't know.

24 MS. KATE MCGRANN: Do you think that  
25 he was doing it in person or over the phone, through

1 media?

2 MS. SANDRA COOPER: I don't know.

3 MS. KATE MCGRANN: Did you ever ask  
4 him many details about his work with Compenso during  
5 the period between 2010 and 2014?

6 MS. SANDRA COOPER: Details of his  
7 work, no.

8 MS. KATE MCGRANN: Why not?

9 MS. SANDRA COOPER: I didn't ask any  
10 of my siblings detail of their work.

11 MS. KATE MCGRANN: Can we look at  
12 document TOC34211. This is an email from Mr. Bonwick  
13 to you dated December 2nd, 2010. In this email he  
14 addresses you as little sister and he says:

15 "First crack, take a look at it and  
16 maybe bring Dunc and Brian in on  
17 this one. Once you have a copy you  
18 are pleased with read it forty (40)  
19 times and let me space it out for  
20 you to provide easy reading. It  
21 will also need to be properly  
22 edited."

23 And you can see at the top attachments  
24 Inaugural Speech.

25 MS. SANDRA COOPER: M-hm.

1 MS. KATE MCGRANN: I'm going to take  
2 you to that attachment in a second, but to begin with,  
3 do you recall receiving this email from Mr. Bonwick?

4 MS. SANDRA COOPER: Yes, I do.

5 MS. KATE MCGRANN: What do you recall  
6 about receiving this email?

7 MS. SANDRA COOPER: He did -- Paul  
8 Bonwick sent me this email and so I was able to have a  
9 look at it. I printed it out. I also shared it with  
10 Dunc and Brian who were my campaign -- co-campaign  
11 chairs and would -- as a draft and -- and make any  
12 changes or flow-throughs that any of us felt would be  
13 -- make it enhanced.

14 MS. KATE MCGRANN: Why was Mr. Bonwick  
15 providing you with a draft of an inaugural speech at  
16 this time?

17 MS. SANDRA COOPER: Helping out his  
18 sister.

19 MS. KATE MCGRANN: Had you asked him  
20 to draft this for you?

21 MS. SANDRA COOPER: I don't recall.

22 MS. KATE MCGRANN: Could we mark this  
23 email as the next exhibit, please.

24 THE HONOURABLE FRANK MARROCCO: Yes.

25

1 --- EXHIBIT NO. 38: TOC0034211

2

3 CONTINUED BY MS. KATE MCGRANN

4 MS. KATE MCGRANN: The attachment is  
5 at TOC34212. If you can scroll to the bottom of the  
6 second page. I'd like to turn you to the -- your  
7 attention of the paragraph that starts with "Well,  
8 folks, that starts today."

9 This draft says:

10 "Effective immediately, I will ask  
11 our Council to support a full  
12 department and expenditure review.  
13 We will return to a budgetary system  
14 where each and every counsellor  
15 participates in the budget process  
16 chaired by our Deputy Mayor Rick  
17 Lloyd. The days of closed budget  
18 meetings are gone. Our budget  
19 process will once again return to a  
20 public format. It's your money, you  
21 have a right to know how we spend  
22 it."

23 Do you remember if this message made  
24 its way into your inaugural speech?

25 MS. SANDRA COOPER: Yes, it -- it

1 would have been included.

2 MS. KATE MCGRANN: Do you remember --  
3 did you use this draft as your inaugural speech?

4 MS. SANDRA COOPER: I would have used  
5 -- used it with some minor changes, and again that  
6 would be three (3) of us, two (2) others, Dunc and  
7 Brian, and myself, reviewing it and just to ensure  
8 that everything is covered that I campaigned on.

9 MS. KATE MCGRANN: You said "would  
10 have." Do you remember making any changed to the  
11 draft that were -- that Mr. Bonwick provided to you?

12 MS. SANDRA COOPER: I would have made  
13 some changes. I don't recall what they would have  
14 been but I would have made some change.

15 MS. KATE MCGRANN: The reason that I'm  
16 -- I'm coming back to, is because I'm reacting to your  
17 use of the phrase "would have," which suggests to me  
18 that you don't have any memory of making any changes.  
19 Do you have any memory of making any changes to this  
20 draft?

21 MS. SANDRA COOPER: I don't recall  
22 what those changes would be.

23 MS. KATE MCGRANN: Could we look at  
24 Document TOC37580?

25

1 (BRIEF PAUSE)

2

3 MS. KATE MCGRANN: Could you scroll to  
4 the bottom of the page so we can find the email in the  
5 chain? There we go. Scroll up a little bit just so  
6 we can see.

7 So this is an email from Mr. Bonwick to  
8 you on January 19th, 2011. The subject is "for  
9 contract." He writes:

10 "Hi Sandra: Please let me know if  
11 you have time tomorrow morning to  
12 review the AGP situation."

13 What is AGP, do you know?

14 MS. SANDRA COOPER: Yes. Amaizeingly  
15 Green. It was a manufacturing industry to the east of  
16 Collingwood in our -- our industrial area, and  
17 Amaizeingly Green is the AGP --

18 MS. KATE MCGRANN: Was Amaizeingly  
19 Green or AGP a client of Mr. Bonwick's?

20 MS. SANDRA COOPER: I was not made  
21 aware that they were a client.

22 MS. KATE MCGRANN: Do you know sitting  
23 here today if AGP was a client of Mr. Bonwick's?

24 MS. SANDRA COOPER: From reading today  
25 and also from that period of time, I understood they

1 worked -- they did work together.

2 MS. KATE MCGRANN: Okay. So I'd like  
3 to deal with one period of time at a time, if we  
4 could. I understand you to be saying today you're  
5 aware that AGP did work with Mr. Bonwick, is that  
6 right?

7 MS. SANDRA COOPER: Yes.

8 MS. KATE MCGRANN: And when you say he  
9 did -- they did work with Mr. Bonwick, is it your  
10 understanding today that he was a client of Mr.  
11 Bonwick's?

12 MS. SANDRA COOPER: I would not use  
13 the word "client," but I would say that I understood  
14 that they did work together.

15 MS. KATE MCGRANN: Did you understand  
16 that Mr. Bonwick did work for AGP, sitting here today?  
17 I apologize.

18 MS. SANDRA COOPER: So sitting today,  
19 either AGP or a parent company, yes.

20 MS. KATE MCGRANN: Sitting here today  
21 is it your understanding that AGP or a parent company  
22 paid Mr. Bonwick for the work that he did for AGP?

23 MS. SANDRA COOPER: That I don't know.

24 MS. KATE MCGRANN: Have you ever asked  
25 him if he was paid by AGP for the work that he did for



1 them?

2 MS. SANDRA COOPER: No.

3 MS. KATE MCGRANN: Why not?

4 MS. SANDRA COOPER: It was not a --  
5 it's not a conversation that I have with any of my  
6 siblings or family members of their incomes, their  
7 financial situations, or where their income are  
8 derived from.

9 MS. KATE MCGRANN: Focusing on January  
10 19th, 2011, the day that you received this email, why  
11 did you think Mr. Bonwick wanted to review the AGP  
12 situation with you the next morning?

13 MS. SANDRA COOPER: I can't speak on -  
14 - on Paul Bonwick's behalf, but what I would say that  
15 there was some difficulty at AGP, at the -- the  
16 industry, and at that point in time, keeping up with  
17 their financial responsibilities to -- to the Town of  
18 Collingwood and Hydro, and also looking at the  
19 Ministry -- Minister of Environment -- it would have  
20 been Ministry of Environment. So they had some  
21 pressures to upgrade an old plant and so that -- they  
22 were attempting to do that as well, so they -- they  
23 had a lot of challenges.

24 MS. KATE MCGRANN: So you've described  
25 to me challenges that you were aware that AGP was

1 facing at this time. Is that right?

2 MS. SANDRA COOPER: I'm not sure if  
3 it's right at this time but around -- around that time  
4 that they, for January 19th. I'm not sure exactly  
5 what -- what date, but I -- I was fully aware that  
6 they were having their challenges.

7 MS. KATE MCGRANN: And what was your  
8 understanding about why your brother wants to meet  
9 with you about AGP's challenges around this time?

10 MS. SANDRA COOPER: To provide me with  
11 an understanding of what it is that AGP -- how they  
12 economically affect the area.

13 MS. KATE MCGRANN: Why was he the  
14 person doing that?

15 MS. SANDRA COOPER: I'm sure he felt  
16 comfortable in -- in providing that to me.

17 MS. KATE MCGRANN: Well, a second ago  
18 you said that you couldn't tell me how he felt. I  
19 want to understand what you understood at the time.  
20 Why is your brother the person who is coming to speak  
21 to you about this company at this time? What did you  
22 understand?

23 MS. SANDRA COOPER: Well, I didn't  
24 think anything of it. I would -- I didn't think  
25 anything of it. He was providing me with some

1 information about AGP, how they were economic  
2 benefactors or benefit the -- how they benefit the  
3 area, both with jobs and employment, and in the  
4 agricultural area as well.

5 MS. KATE MCGRANN: You say that you  
6 didn't think anything of it. Was this the kind of  
7 conversation that you would have with your brother  
8 while you were mayor during this term?

9 MS. SANDRA COOPER: Well, here, as --  
10 as -- when -- situation that he did make me aware of  
11 AGP and the challenges that they -- they had, well,  
12 which I had already -- I knew what their challenges  
13 were. It was how do we come to a resolution to assist  
14 in the manner that the -- the Town can assist.

15 My family had been through -- there --  
16 I'll just back up a bit. There had been a lot of  
17 challenge and I was concerned of the industry, AGP  
18 closing, or I was receiving -- had received one email  
19 and other comments of concerns of lack of employment,  
20 and in particular how it would impact individual  
21 families. My family and I had been through this  
22 already, this experience, with the Collingwood  
23 shipyards and the closure, 19 September of 1986, fully  
24 aware of how families struggle through that period of  
25 time to get back on their feet and knowing first-hand

1 what those employees are going through. I empathized  
2 with them and I wanted to assist in a way that I was  
3 able to, to keep that plant to be a success.

4 MS. KATE MCGRANN: And I understand  
5 what you're saying. That doesn't help me understand  
6 why you were working with Mr. Bonwick on this. So let  
7 me ask you this: you said that this -- you didn't  
8 think anything of this, Mr. Bonwick giving you  
9 information and -- and trying to help out a local  
10 business. You mentioned other siblings and that you  
11 don't ask them about their income.

12 Were your other siblings also coming to  
13 you to try to get you to work with local businesses in  
14 January of 2011?

15 MS. SANDRA COOPER: In January 2011,  
16 no.

17 MS. KATE MCGRANN: Did Mr. Bonwick  
18 come to you on behalf of businesses other than AGP to  
19 try to get you to help them out?

20 MS. SANDRA COOPER: No.

21 MS. KATE MCGRANN: And I'd like to ask  
22 you the same question, stepping away from January  
23 2011, looking at your 2010 to 2014 mayoral term. Was  
24 Mr. Bonwick coming to you on behalf of other local  
25 businesses to try to get you to help them out?

1 MS. SANDRA COOPER: Not that I can  
2 recall, no.

3 MS. KATE MCGRANN: So in this  
4 particular circumstance in which he is trying to get  
5 you to help out a business, did you ask him at any  
6 point during your 2010 to 2014 term why he was  
7 interested in this company?

8 MS. SANDRA COOPER: No, I did not.

9 MS. KATE MCGRANN: Did you ask him if  
10 he was being paid for the time that he was spending on  
11 their interests?

12 MS. SANDRA COOPER: No, I didn't.

13 MS. KATE MCGRANN: Why not?

14 MS. SANDRA COOPER: My focus was to  
15 keep employment in Collingwood. I felt I had a duty  
16 to keep our town vibrant, both through tourism and  
17 manufacturing industry. Manufacturing industry was  
18 dying off slowly in the Town of Collingwood and I felt  
19 retention was very important, hence trying to assist  
20 AGP to keep going, to employ people, and not, on my  
21 watch, not to have an industry shut down, jobs shut  
22 down.

23 MS. KATE MCGRANN: In this email, the  
24 second line, Mr. Bonwick writes:

25 "It is their hope that you will be

1                   able to send the letter out this  
2                   week requesting a meeting for  
3                   February 26th -- 22nd, or March 2 or  
4                   3."

5                   Do you remember discussing this with  
6 Mr. Bonwick?

7                   MS. SANDRA COOPER:    I recall he had  
8 asked if I could send a letter out. I don't recall  
9 the date.

10                  MS. KATE MCGRANN:    Do you recall if  
11 you did send the letter out?

12                  MS. SANDRA COOPER:    Yes.

13                  MS. KATE MCGRANN:    Okay. That's my  
14 fault for the way that I asked the question. You  
15 recall -- did you send the letter?

16                  MS. SANDRA COOPER:    Did I send the  
17 letter? Yeah. Thank you for that clarification.

18                  MS. KATE MCGRANN:    Who drafted it?

19                  MS. SANDRA COOPER:    I don't recall.  
20 I'd have to take a look at the letter.

21                  MS. KATE MCGRANN:    Is it possible that  
22 it was drafted by Mr. Bonwick?

23                  MS. SANDRA COOPER:    It's possible.  
24 It's possible but --

25                  MS. KATE MCGRANN:    In what instance --

1 MS. SANDRA COOPER: -- I don't recall  
2 right now.

3 MS. KATE MCGRANN: Sorry, I didn't  
4 mean to cut you off. What was that?

5 MS. SANDRA COOPER: I don't recall at  
6 this time.

7 MS. KATE MCGRANN: This email goes on  
8 to say:

9 "It was explained to me that Cindy  
10 Hood takes her marching orders from  
11 the director."

12 Who's Cindy Hood?

13 MS. SANDRA COOPER: Cindy Hood worked  
14 for MOE.

15 MS. KATE MCGRANN: Is MOE the Ministry  
16 of the Environment?

17 MS. SANDRA COOPER: Minister of  
18 Environment. I am not sure of what her position was  
19 but I had met Cindy Hood at least once that I recall.  
20 She works -- she was employed by Minister of  
21 Environment at that period in time.

22 MS. KATE MCGRANN: Do you recall if  
23 you were trying to arrange a meeting on behalf of AGP  
24 with Ms. Hood?

25 MS. SANDRA COOPER: Yes.

1 MS. KATE MCGRANN: Do you recall who  
2 was supposed to be at that meeting?

3 MS. SANDRA COOPER: I don't recall who  
4 all was at that meeting, but I do recall there was  
5 Cindy Hood and there -- there was one or at least one  
6 other from the Minister of Environment in that  
7 meeting, and it was in town hall.

8 MS. KATE MCGRANN: And you were at  
9 that meeting?

10 MS. SANDRA COOPER: Yes, I was.

11 MS. KATE MCGRANN: What was the  
12 purpose of that meeting?

13 MS. SANDRA COOPER: It was the  
14 environmental issues that were -- that AGP were  
15 attempting to address with complaints that had come in  
16 from a residential neighbourhood near the industrial  
17 park.

18 MS. KATE MCGRANN: Did Mr. Bonwick  
19 attend that meeting?

20 MS. SANDRA COOPER: I don't recall

21 MS. KATE MCGRANN: What was your role  
22 at that meeting? What were you there to do?

23 MS. SANDRA COOPER: I felt that my  
24 role was a facilitator and getting a message to the  
25 Minister of Environment that that industry would have



1 a huge impact on our community if it were to be shut  
2 down and that if they could work -- work with the  
3 industry and -- and help them through the -- the steps  
4 to come into compliance, if they were not in  
5 compliance. There was also concern in the area of  
6 compiling all of the industries in that industrial  
7 Park -- I'll refer it to on the east end of  
8 Collingwood -- the impact that they all may have  
9 together collectively in a residential neighbourhood.

10 MS. KATE MCGRANN: Were any of the  
11 other representatives of the tenants in that  
12 industrial park invited to the meeting that you're  
13 telling me about?

14 MS. SANDRA COOPER: We were speaking  
15 to the AGP only in this situation. I had been -- that  
16 was my focus at the time, was the people -- the  
17 employees of AGP that were making a comfortable  
18 earning as opposed to the service industry and minimum  
19 wage.

20 MS. KATE MCGRANN: In this email, Mr.  
21 Bonwick is indicating to you, looks to me that it  
22 would be important that the director attend the  
23 meeting, and he says that there is a slight hesitation  
24 on behalf of the director.

25 "I will call John Wilkinson's

1                   (phonetic) office and ask him to  
2                   give the director a bit of  
3                   encouragement."

4                   Do you recall if you needed Mr. Bonwick  
5 to -- to take -- to -- to follow up on that offer?

6                   MS. SANDRA COOPER:    No.

7                   MS. KATE MCGRANN:    You don't recall?

8                   MS. SANDRA COOPER:    I don't believe he  
9 did.

10                  MS. KATE MCGRANN:    Do you remember?

11                  MS. SANDRA COOPER:    I remember that he  
12 -- he did not, as far as I knew.

13                  MS. KATE MCGRANN:    But you didn't ask  
14 him to?

15                  MS. SANDRA COOPER:    I didn't ask him  
16 to call Mr. Wilkinson's office, Minister Wilkinson.

17                  MS. KATE MCGRANN:    Okay. But you may  
18 have and you just didn't know about it?

19                  MS. SANDRA COOPER:    Yes.

20                  MS. KATE MCGRANN:    If we could look at  
21 paragraph 87 of the Foundation Document.

22

23                                   (BRIEF PAUSE)

24

25                  MS. KATE MCGRANN:    Sorry, I asked for

1 paragraph 87 but I actually need you to look at  
2 paragraph 80. Here is says,

3 "AGP was trying to obtain public  
4 funding. Paul Bonwick helped AGP  
5 write briefing notes to be used in  
6 fundraising meetings with the  
7 Ontario government."

8 And the document reference here is the  
9 period between February 28th and March 1st, 2011. Do  
10 you remember that AGP was trying to obtain public  
11 funding at that time?

12 MS. SANDRA COOPER: Yes.

13 MS. KATE MCGRANN: Were you involved  
14 in AGP's efforts to obtain public funding.

15 MS. SANDRA COOPER: Well, I did send  
16 out some requests that they support AGP.

17 MS. KATE MCGRANN: You sent some  
18 requests to who?

19 MS. SANDRA COOPER: To the provincial  
20 -- the Ontario government.

21 MS. KATE MCGRANN: And who asked you  
22 to do that?

23 MS. SANDRA COOPER: I don't recall who  
24 asked. I knew that in my mind that there was a need  
25 to support a local industry and sending a letter to

1 the province to bring to their attention that there is  
2 an urgency for support for -- for AGP in particular  
3 that I was supportive of that.

4 MS. KATE MCGRANN: Let's look at  
5 TOC40918. Sorry, can we look at TOC40917.

6

7 (BRIEF PAUSE)

8

9 MS. KATE MCGRANN: And could you  
10 scroll to the second last email in this chain, please?

11

12 (BRIEF PAUSE)

13

14 MS. KATE MCGRANN: Up the page. I'm  
15 looking for -- yeah, that one right there.  
16 So, Paul Bonwick to Daryl Dorchak on February 28th,  
17 2011. You're not copied on this email, but I believe  
18 that you're referenced in it.

19 Do you know Daryl Dorchak is?

20 MS. SANDRA COOPER: Yes. He -- and I  
21 don't know his posit -- I can't say what his position  
22 is. I believe he's the manager of Dar -- of AGP.

23 MS. KATE MCGRANN: Have you met Mr.  
24 Dorchak?

25 MS. SANDRA COOPER: Yes.

1 MS. KATE MCGRANN: In what  
2 circumstances did you meet him?

3 MS. SANDRA COOPER: I met him at -- I  
4 met him at AGP on a tour there. I met him in the  
5 arena hockey games.

6 MS. KATE MCGRANN: In this email, Mr.  
7 Bonwick writes to dis -- Mr. Dorchak:

8 "We are scheduled to speak with Ed  
9 and Sandra at 4 PM this afternoon.  
10 I would recommend we have a follow-  
11 up discussion on the Heritage dinner  
12 file post-briefing."

13 And he says, "Thank you." Do you know  
14 if Mr. Bonwick is referring to yourself and Mr.  
15 Houghton in that email?

16 MS. SANDRA COOPER: I believe he is.

17 MS. KATE MCGRANN: Do you remember  
18 what you would be meeting with Mr. Bonwick, Mr.  
19 Dorchak, and Mr. Houghton about at this time?

20

21 (BRIEF PAUSE)

22

23 MS. SANDRA COOPER: I'm not sure if  
24 you scrolled if it would help a little bit. However,  
25 I would ex --

1 THE HONOURABLE FRANK MARROCCO: Well,  
2 just -- just a minute.

3 MS. SANDRA COOPER: Oh.

4 MS. KATE MCGRANN: You can --

5 THE HONOURABLE FRANK MARROCCO: How do  
6 you want it scrolled?

7 MS. KATE MCGRANN: Oh, sorry, to see  
8 further up?

9 MS. SANDRA COOPER: Further up,  
10 please, thank you. Thank you, Your Honour. So  
11 getting a good handle on my understanding and I  
12 believe -- well, my understanding, at least, I'm only  
13 speaking to myse -- but myself, that I have an  
14 understanding of the impact of -- of the amazingly  
15 green en -- environmental criteria and -- and meeting  
16 those standards.

17 I know there was a lot of scuttlebutt.  
18 I guess I can use the terminology about odour. And so  
19 that would've been the focus on AGP, is the odour  
20 meeting, environmental regulations. And -- and so  
21 that was -- that would've been what -- what the  
22 meeting was about.

23

24 CONTINUED BY MS. KATE MCGRANN:

25 MS. KATE MCGRANN: The word that you

1 used, scuttlebutt, what does that mean?

2 MS. SANDRA COOPER: Talk in that  
3 residential neighbourhood next to our nearing the  
4 industrial park.

5 MS. KATE MCGRANN: Okay. So, there  
6 were a set of complaints about the smell coming from  
7 AGP?

8 MS. SANDRA COOPER: Yes, the odour.

9 MS. KATE MCGRANN: Could you scroll up  
10 to the top of this email chain? We'll go slowly so  
11 that Ms. Cooper can stop you if she'd like -- like to  
12 take a look at anything.

13

14 (BRIEF PAUSE)

15

16 MS. KATE MCGRANN: Can you stop there  
17 for one (1) second? So here, on February 28th, Mr.  
18 Dorchak has written back to Paul Bonwick, "AGP in a  
19 nutshell." And if you go through, he's -- he's set  
20 out an ex -- explanation of the company.

21 MS. SANDRA COOPER: M-hm.

22 MS. KATE MCGRANN: If you continue to  
23 scroll up, Mr. Bonwick sends that email on to you on  
24 March 1st. And you write back to him on March 1st:

25 "Paul, I believe this is bang on.

1                   There's some spelling which requires  
2                   correction if I am the pass this  
3                   along to MOE. Do I have permission  
4                   to forward to Ed?

5                   Do you remember sending this email to  
6 your brother?

7                   MS. SANDRA COOPER:    Yes, I recall  
8 sending to Paul Bonwick.

9                   MS. KATE MCGRANN:    Can we make this  
10 email the next exhibit, please?

11                  THE HONOURABLE FRANK MARROCCO:    Yes.

12

13 EXHIBIT NO. 39:            TOC0040918

14

15 CONTINUED BY MS. KATE MCGRANN:

16                  MS. KATE MCGRANN:    Do you recall if  
17 the spelling in Mr. Bonwick's message on to you is  
18 corrected and you passed that information on to the  
19 MOE?

20                  MS. SANDRA COOPER:    I would say today,  
21 if there were spelling reque -- corrections required,  
22 that I would've made them.

23                  MS. KATE MCGRANN:    Did you pass the  
24 message that Mr. Bonwick delivered to you on to the  
25 ministry of the environment?



1 MS. SANDRA COOPER: I would have in --  
2 I -- I would've passed that along because there was  
3 information there pertinent for -- for them.

4 MS. KATE MCGRANN: You said, "would  
5 have." Do you remember if you did?

6 MS. SANDRA COOPER: Sorry, yes.

7 MS. KATE MCGRANN: Do you remember  
8 making any changes to the message that Mr. Bonwick  
9 provided to you before you passed it on to the  
10 ministry of the environment?

11 MS. SANDRA COOPER: No.

12 MS. KATE MCGRANN: Do you remember if  
13 you indicated to the ministry of the environment that  
14 that message had been authored by someone other than  
15 you?

16 MS. SANDRA COOPER: No, I did not.

17 MS. KATE MCGRANN: Why not?

18 MS. SANDRA COOPER: The important part  
19 to me was getting the message across, not who did  
20 what. But for me, it was getting the message to the  
21 minister of environment and to others, the Ontario  
22 government, to say that this industry, this employer,  
23 needs some assistance.

24 MS. KATE MCGRANN: Was the  
25 transparency of the request also important to you?

1 Did you think that the people who you were making  
2 requests of should know who was involved?

3 MS. SANDRA COOPER: My point -- my  
4 focus was on keeping that industry running and keeping  
5 jobs. That was my -- my focus.

6 MS. KATE MCGRANN: I understand that  
7 your focus was keeping the industry running. My  
8 question to you is about something different. Did you  
9 think it was important that the ministry of the  
10 environment understood who was involved in the request  
11 that was being made of them?

12 MS. SANDRA COOPER: They would've been  
13 aware that it was AGP, of who authored -- authored the  
14 letter. I didn't feel that that was the focus here.  
15 It was the focus on keeping the industry going,  
16 keeping jobs in Collingwood going. I didn't want to  
17 lose jobs on my watch.

18 MS. KATE MCGRANN: Could we turn back  
19 to the foundation document, paragraph 81, please?

20

21 (BRIEF PAUSE)

22

23 MS. KATE MCGRANN: So this paragraph  
24 discusses a set of briefing notes that were made, one  
25 (1) made on your letterhead one (1) on AGP's

1 letterhead. And I will take you to the document  
2 itself. Look at TOC 41125, please.

3

4 (BRIEF PAUSE)

5

6 MS. KATE MCGRANN: So this is an email  
7 from Mr. Houghton to Fairmont.com. I think it's the  
8 business centre. He's got a copy to Mr. Bonwick. He's  
9 attaching AGP summary dot, dot. The email says:

10 "Business Centre, could you please  
11 print five (5) copies for guest, Mi  
12 -- Mr. Houghton. He asks if it's  
13 possible to print in colour and  
14 notes that he'll pick up at the  
15 centre."

16 If you go to the attachment, it's at  
17 TOC41126, this is the document that was attached. Do  
18 you know why Mr. Bonwick and Mr. Houghton were  
19 coordinating with the Fairmont Business Centre to get  
20 this letter printed?

21 MS. SANDRA COOPER: Well, I would -- I  
22 would hazard a guess that there was a meeting.

23 MS. KATE MCGRANN: Do you recall?

24 MS. SANDRA COOPER: I don't recall at  
25 -- right at this time.

1 MS. KATE MCGRANN: You told us that  
2 Mr. Bonwick was working to help AGP. Was Mr. Houghton  
3 also working help AGP, to your knowledge?

4 MS. SANDRA COOPER: Mr. Houghton would  
5 have been working to -- to assist AGP in their  
6 challenges, as well.

7 MS. KATE MCGRANN: Was he working  
8 together with Mr. Bonwick on that project?

9 MS. SANDRA COOPER: From reading the  
10 documents, definitely that appears to be so. And I --  
11 I think a communication in that Paul Bonwick would've  
12 had an inroad to -- for Mr. Houghton to reach out to  
13 the Ontario government and the appropriate parties.

14 MS. KATE MCGRANN: Were you aware that  
15 Mr. Bonwick and Mr. Houghton were discussing the AGP  
16 situation at this time?

17 MS. SANDRA COOPER: I can -- I can  
18 tell you that AGP was tardy, was behind in their hydro  
19 invoice in which the board was fully aware of, and  
20 that Mr. Houghton was doing his utmost that that  
21 invoice be -- be paid.

22 MS. KATE MCGRANN: To your knowledge,  
23 were Mr. Houghton and Mr. Bonwick talking about AGP at  
24 this time with each other?

25 MS. SANDRA COOPER: I don't recall.

1 MS. KATE MCGRANN: Could we go back to  
2 the foundation document and just move on to the next  
3 paragraph, please?

4

5 (BRIEF PAUSE)

6

7 MS. KATE MCGRANN: So, we want to look  
8 at paragraphs 82 and 83. We're in the same time  
9 frame. Paragraph 82 describes the conversation  
10 between Mr. Houghton and Mr. Bonwick about an  
11 introductory meeting between government  
12 representatives, yourself, and Mr. Houghton about AGP.

13 Do you remember going to an  
14 introductory meeting with Mr. Houghton about AGP with  
15 government representatives at this time?

16

17 (BRIEF PAUSE)

18

19 MS. SANDRA COOPER: At this point in  
20 time, I don't recall the introductory meeting. I do  
21 recall that I had a brief conversation with Minister  
22 Wilkinson at a social on March 1st, 2011.

23 MS. KATE MCGRANN: So -- and you  
24 discuss a meeting with Minister Wilkinson in the next  
25 paragraph. You email Mr. Bonwick on the evening of

1 March 1st and say:

2 "We met with Minister Wilkinson. I  
3 will call later; positive.

4 So, is that meeting with Minister  
5 Wilkinson something that you had discussed with Mr.  
6 Bonwick before you attended?

7 MS. SANDRA COOPER: It would've been  
8 the information that was provided to me, the factual  
9 information regarding Amazingly Green (phonetic). And  
10 it was not -- my recollection, it was not a meeting  
11 per say. It was -- it was by chance that we were in  
12 the same room with many other people, and I had an op  
13 -- I felt I had an opportunity to meet -- to speak  
14 with the minister at that point in time.

15 And I've done that at other  
16 conferences, Association of Municipalities of Ontario,  
17 where I've not had an opportunity to have official  
18 formal meetings with ministers or their departments.

19 However, if I happen to see a minister  
20 that I would've liked to have had a meeting with and  
21 on the other -- the other side of the room, I have  
22 often times turned around on the escalator and gone  
23 down to catch up with them, so it was just an info --  
24 it was informal.

25 But I -- I needed to have the

1 information about AGP in order to have a con --  
2 conversation to bring it to his attention.

3 MS. KATE MCGRANN: Okay. So you  
4 needed to have the information about AGP to bring to  
5 Minister Wilkinson's attention. You just told me  
6 that, right?

7 MS. SANDRA COOPER: I'd -- I'd have to  
8 have some information that I knew what I was talking  
9 about, yes.

10 MS. KATE MCGRANN: And we see that Mr.  
11 Houghton arranged for notes about AGP to be printed on  
12 your letterhead on -- on this day. Did --

13 MS. SANDRA COOPER: M-hm.

14 MS. KATE MCGRANN: Do you remember  
15 that?

16 MS. SANDRA COOPER: Yes.

17 MS. KATE MCGRANN: Those notes came  
18 from information that you received from Mr. Bonwick,  
19 correct?

20 MS. SANDRA COOPER: He provided me  
21 with information, yes.

22 MS. KATE MCGRANN: That you then had  
23 put on your letterhead, right?

24 MS. SANDRA COOPER: Yes.

25 MS. KATE MCGRANN: Did you speak with

1 Mr. Bonwick before this conversation you had with  
2 Minister Wilkinson about your intention to meet with  
3 Minister Wilkinson about AGP?

4 MS. SANDRA COOPER: It was a random --  
5 in the same room -- or the same full room, ballroom at  
6 the same time and seeing that as an opportunity to  
7 reach out and engage with -- with him.

8 MS. KATE MCGRANN: It was an  
9 opportunity that you had taken steps to prepare for,  
10 correct?

11 MS. SANDRA COOPER: Yes, in -- in --

12 MS. KATE MCGRANN: With your brothers  
13 assistance?

14 MS. SANDRA COOPER: -- in case I  
15 didn't see him.

16 MS. KATE MCGRANN: With Mr. Bonwick's  
17 assistance, he provided you with the information that  
18 you put on your letterhead for this meeting, right?

19 MS. SANDRA COOPER: The -- the  
20 information came from -- it was factual information  
21 that was a fact for AGP.

22 MS. KATE MCGRANN: Which you received  
23 from Mr. Bonwick, correct?

24 MS. SANDRA COOPER: Well, it -- it did  
25 -- it did arrive through him, yes.



1 MS. KATE MCGRANN: So you prepared for  
2 this meeting. Did you speak with Mr. Bonwick about  
3 your intention to discuss AGP with Mr. Wilkinson  
4 before this meeting that you email him about here?

5 MS. SANDRA COOPER: I don't recall.

6 MS. KATE MCGRANN: In this paragraph,  
7 you have emailed Mr. Bonwick saying:

8 "We met with Minister Wilkinson. I  
9 will call later; positive."

10 Do you recall if you called later to  
11 report back of the meeting?

12 MS. SANDRA COOPER: I would have -- I  
13 I don't recall. I know that the next day I would've  
14 gone back into the conference.

15 MS. KATE MCGRANN: What would've gone  
16 back into the conference?

17 MS. SANDRA COOPER: I would have  
18 participated further in a conference that I attended.

19 MS. KATE MCGRANN: You don't recall if  
20 you reported back to Mr. Bonwick on the meeting as you  
21 promised to here?

22 MS. SANDRA COOPER: I don't recall.

23 MS. KATE MCGRANN: At this point in  
24 time, do you remember what you thought about why Mr.  
25 Bonwick was doing this work for AGP?

1 MS. SANDRA COOPER: Attempting to help  
2 AGP be successful in receiving fun -- government  
3 funding.

4 MS. KATE MCGRANN: Did it cross your  
5 mind at this point in time that he might be working  
6 for AGP?

7 MS. SANDRA COOPER: My focus were jobs  
8 and people in Collingwood that worked in those jobs.  
9 I did not want an industry shutting down on my watch.

10 MS. KATE MCGRANN: I understand that,  
11 but my question is a little bit different. Did you  
12 ask yourself at this point or any time before then --  
13 your brother's doing quite a bit of work on behalf of  
14 AGP. Did you ask yourself is he working for them?

15 MS. SANDRA COOPER: No.

16

17 (BRIEF PAUSE)

18

19 MS. KATE MCGRANN: When you met with  
20 Minister Wilkinson you described that it was a chance  
21 meeting that you took advantage of?

22 MS. SANDRA COOPER: M-hm.

23 MS. KATE MCGRANN: Did you mention to  
24 him that you were working with your brother on this  
25 project?

1 MS. SANDRA COOPER: No. My  
2 conversation would have been about AGP.

3

4 MS. KATE MCGRANN: Is there any reason  
5 that you didn't mention that Mr. Bonwick was involved  
6 in your -- in your work with AGP?

7 MS. SANDRA COOPER: No.

8

9 (BRIEF PAUSE)

10

11 THE HONOURABLE FRANK MARROCCO: Are you  
12 going on to something different?

13 MS. KATE MCGRANN: I am, yes.

14 THE HONOURABLE FRANK MARROCCO: Take  
15 ten (10).

16 MS. SANDRA COOPER: Okay. Thank you.

17

18 --- Upon recessing at 2:33 p.m.

19 --- Upon resuming at 3:24 p.m.

20

21 MS. KATE MCGRANN: A couple more  
22 questions about AGP, I think that you mentioned that  
23 AGP was in debt, is that right?

24 MS. SANDRA COOPER: That's correct.

25 MS. KATE MCGRANN: Who was AGP in debt

1 to?

2 MS. SANDRA COOPER: The Hydro, Collus,  
3 and as well, water, wastewater, and property tax.

4 MS. KATE MCGRANN: Do you recall  
5 approximately what the quantum of AGP's test -- AGP's  
6 debt was with respect to property tax?

7 MS. SANDRA COOPER: I don't recall,  
8 but I can say that I was very confident and am  
9 confident today that the tax collector is very prudent  
10 in collecting what is owed to the Town, but I don't  
11 recall what the amount was.

12 MS. KATE MCGRANN: And were you aware  
13 of what the quantum of AGP's debt was to Collus Power  
14 for its hydro?

15 MS. SANDRA COOPER: An amount comes to  
16 mind. However, I am not totally sure that if it's  
17 only the Hydro or if it's hydro water, wastewater.

18 I have an amount, but I'm not sure if  
19 it's specifically to Collus.

20 MS. KATE MCGRANN: What's the amount?

21 MS. SANDRA COOPER: A million dollars.

22 MS. KATE MCGRANN: Could we look at  
23 paragraph 92 of the Foundation document please? It  
24 starts with on September 18th, 2011.

25

1 (BRIEF PAUSE)

2

3 MS. KATE MCGRANN: So I've asked for  
4 paragraph 92, we're looking at paragraph 85. This is  
5 the paragraph that I would like to refer to. It seems  
6 that there is a numbering error in the foundation  
7 document that's been entered into evidence, I'll bring  
8 this to your attention and we will figure out how to  
9 address this tomorrow.

10 But for now, this paragraph 85 is the  
11 paragraph 92 I would like you to look at. This is an  
12 e-mail chain, September 18th, 2011, you write to Ed  
13 Houghton saying "I have recently been asked again  
14 about AGP and outstanding debt to the Town. I want a  
15 full report so that this can be brought to Council."

16 Do you recall being asked questions  
17 about an outstanding debt to the Town with respect to  
18 AGP at this time?

19 MS. SANDRA COOPER: Yes, it would have  
20 been about that time that that question did come to  
21 me.

22 MS. KATE MCGRANN: Just -- I'm trying  
23 to understand your comment about the tax collector, if  
24 there is a back tax that you are being asked about in  
25 September 2011.

1 MS. SANDRA COOPER: I understood that  
2 there was a back tax that was required.

3 MS. KATE MCGRANN: Did you understand  
4 that AGP had fallen behind in paying its taxes?

5 MS. SANDRA COOPER: Yes.

6 MS. KATE MCGRANN: Did you take any  
7 action on AGP's behalf to protect it from tax  
8 collection measures?

9 MS. SANDRA COOPER: I did not  
10 interfere with staff on that, no.

11 MS. KATE MCGRANN: Okay. I'm not sure  
12 if that's an answer to my question.

13 Did you take any steps to -- to assist  
14 them in avoiding paying back taxes?

15 MS. SANDRA COOPER: I would say that I  
16 was supportive of successful funding to AGP and that  
17 would assist them to be able to address their many  
18 issues. Specific to their back taxes? No, not  
19 specifically to one or another.

20 MR. PAUL BONWICK: Your Honour, if I  
21 can -- if I'm understanding process properly bring  
22 forward a point of order, I'm just looking for some  
23 clarification from yourself.

24 THE HONOURABLE FRANK MARROCCO: Yes.

25 MR. PAUL BONWICK: Thank you.

1 I'm sitting here listening to the  
2 Judicial Counsel going to detail over the course of  
3 the last 2 1/2 hours, and I'm -- I'm cognizant of the  
4 conference call that took place on Monday about  
5 extending the hearing dates and the amount of time and  
6 I -- I'm trying to draw relevance in terms of what the  
7 Council is doing related to the sh -- 50 percent share  
8 of Collus Power stream, the process that it underwent  
9 in order to go through that sale, transfer, the  
10 benefits that come out of that, versus focusing on an  
11 industry that had nothing to do with the share --  
12 share purchase.

13 Counsel knows full well that mayors all  
14 across the province, and for that matter the country,  
15 on a daily basis write letters of support for  
16 industries for funding from the provincial and federal  
17 level. They know full well that industry provides  
18 them background details on those letters.

19 I would argue that they're creating  
20 some sort of conspiratorial theory here, driving a  
21 narrative that has nothing to do with the two and a  
22 half hours that we should've been focused on in  
23 dealing with the -- the matter of the 50 percent share  
24 sale of Collus.

25 And I'm -- I'm trying to link it and

1 I've got no less than 12 pages of notes and I keep  
2 trying to draw a parallel back somehow to the share of  
3 Collus Power stream and I -- I just can't seem to get  
4 there and I'm wondering if perhaps either a) you could  
5 provide some clarification on that or suggest to  
6 counsel that focus on the matter at hand.

7 THE HONOURABLE FRANK MARROCCO: I  
8 think what I'll do is I'll -- I'll let this go on for  
9 a little while longer and we'll see if over time it  
10 doesn't become clear what everybody's getting at or  
11 what the questions are getting at.

12 So that's as far as we'll take it right  
13 now.

14 Are -- are you -- do you have further  
15 questions about this AGP matter?

16 MS. KATE MCGRANN: I'm actually  
17 planning on shifting focus right now to a different  
18 topic.

19 THE HONOURABLE FRANK MARROCCO: All  
20 right.

21

22 CONTINUED BY MS. KATE MCGRANN:

23 MS. KATE MCGRANN: So I'd like to turn  
24 now to talk about the valuation that was done of  
25 Collus Power by KPMG and how that came about.



1                   If you could go to paragraph 139 of the  
2 Foundation document.

3

4                   (BRIEF PAUSE)

5

6                   MS. KATE MCGRANN:     Paragraph 139  
7 discusses an exchange of e-mails that you were not  
8 copied on.  It's an exchange of e-mails between Mr.  
9 Houghton and Mr. Bonwick.

10                  I would like to look at this particular  
11 email in which Mr. Houghton is sending a draft  
12 statement to Mr. Bonwick and it reads as follows:

13                         "As you know, my Council was elected  
14                         to get our spending and our  
15                         municipal debt under control.  I  
16                         have asked our CAO and our  
17                         department heads to look for  
18                         opportunities within their areas of  
19                         responsibility to reduce costs and  
20                         still offer similar levels of  
21                         service."

22                  When I look at this email, it looks as  
23 if it's drafted to be coming from you.  Are you  
24 familiar with -- are you familiar with this e-mail?

25                  MS. SANDRA COOPER:     Not as it is from

1 between Mr. Houghton and Mr. Bonwick.

2 MS. KATE MCGRANN: Do you know why Mr.  
3 Houghton was drafting a statement as if it was coming  
4 from you on January 30th, 2011?

5 MS. SANDRA COOPER: From time to time,  
6 department heads would draft messages, statements,  
7 letters for my consideration.

8 MS. KATE MCGRANN: Do you know why Mr.  
9 Houghton was drafting a statement as if it was coming  
10 from you on January 30th, 2011, this statement in  
11 particular?

12 MS. SANDRA COOPER: This would have  
13 been regarding my election platform, which was a focus  
14 on review of departments and finding ways of saving  
15 taxpayers dollars, and not always the way things were  
16 done in the past, we wanted to really have a focus on  
17 how we can save taxpayers dollars and re -- reduce the  
18 debt for the Town of Collingwood, cutting the -- the  
19 service charges for those -- the carrying charges for  
20 those debentures and trying to get a grip on finance.

21 And so, department heads, to have a  
22 look at all departments and -- and look at ways of  
23 savings.

24 MS. KATE MCGRANN: If you look at this  
25 message, it goes on to say, "I would like to ask that

1 Collus looks for similar opportunities to help reduce  
2 our debt."

3 Did you ask Mr. Houghton to draft this  
4 for you?

5 MS. SANDRA COOPER: I could have.  
6 Again, department heads and my assistant would often  
7 draft comments, statements, as well as if I'm  
8 representing the County of Simcoe, the warden at an  
9 event or at -- on occasion and certainly there as  
10 well, it was common practice that statements be  
11 drafted by others.

12 MS. KATE MCGRANN: You said that you  
13 could have. Do you remember whether or not you asked  
14 Mr. Houghton to draft this statement for you?

15 MS. SANDRA COOPER: Yes, I would have  
16 in so many words.

17 MS. KATE MCGRANN: Can you please  
18 explain that answer to me?

19 MS. SANDRA COOPER: So I'm looking at  
20 all departments and reviewing some cost savings or  
21 some opportunities in all departments, including  
22 Collus, and I would have said same goes with you, Mr.  
23 Houghton, in your department.

24 MS. KATE MCGRANN: I'm looking  
25 specifically at the language that Mr. Houghton has

1 drafted here as if it's coming from you.

2 Did he do this? Did he write this  
3 letter at your specific request?

4 MS. SANDRA COOPER: I believe he did.

5 MS. KATE MCGRANN: What do you  
6 remember about asking him to write this message for  
7 you?

8 MS. SANDRA COOPER: That it was  
9 something that I -- I wanted to make a -- a statement  
10 to -- to staff for the Town of Collingwood, looking at  
11 opportunities, looking at suggestions that there could  
12 be cost savings and less of an impact on the taxpayers  
13 dollars and looking at reducing the debt and looking  
14 outside of the box.

15 MS. KATE MCGRANN: Okay. If you look  
16 at the third paragraph in this message it says:

17 "My specific request would be for  
18 Mr. Houghton and Mr. Muncaster to  
19 undertake a valuation of Collus and  
20 to look at the positives and  
21 negatives of selling the assets of  
22 Collus."

23 When you asked Mr. Houghton to write  
24 this message for you, did you ask him to specifically  
25 put in this request to undertake a valuation of Collus

1 and to look at the ups and downs of selling the assets  
2 of Collus?

3 MS. SANDRA COOPER: It may have been  
4 in fewer words, but it would have been that -- that  
5 direction, looking at -- looking at opportunities.

6 MS. KATE MCGRANN: Did you ask him to  
7 write a letter instructing him to undertake a  
8 valuation of Collus?

9 MS. SANDRA COOPER: In so many words,  
10 looking at opportunities for Collus and Mr. Dean  
11 Muncaster was the Chair and Mr. Houghton did report to  
12 Mr. Muncaster. There was always that line of  
13 communication between the two of them, and it would  
14 have been in so many words.

15 Perhaps not exactly those words, but  
16 definitely I would've said, you know, even Collus has  
17 to look at some opportunities there too. Valuation,  
18 I'm not sure if I would have said that, but looking at  
19 opportunities, that would be something that, okay, I -  
20 - I would think that would be considered as well.

21 MS. KATE MCGRANN: Okay. I'd like to  
22 understand what your request to Mr. Houghton to draft  
23 this message looked like. What did you ask him to do?

24 MS. SANDRA COOPER: I would have asked  
25 that he draw something, draft something up regarding

1 the various departments under the Corporation of the  
2 Town of Collingwood in cost savings, bringing down the  
3 debt, innovative opportunities to save dollars. Pay  
4 down the debt, put money in reserves, not increase our  
5 taxes anymore.

6 We had a burden to the taxpayers and  
7 that needed to be addressed. That is what I would  
8 have said in all departments.

9 MS. KATE MCGRANN: I'd like to focus  
10 specifically on your request to Mr. Houghton. You  
11 have said, "I would have said." That suggests to me  
12 that you don't remember the conversation. Do you  
13 remember requesting Mr. Houghton, asking him to write  
14 a message from you to him, about getting a valuation  
15 of Collus?

16 MS. SANDRA COOPER: I would have asked  
17 him. I -- I asked him to draft up a -- a letter for  
18 me or comments, a statement.

19 MS. KATE MCGRANN: And do you remember  
20 if you made that request face-to-face, over the phone,  
21 an email?

22 MS. SANDRA COOPER: It would have been  
23 at my, well our -- the Council inaugural, and also my  
24 campaign literature and then speaking with Mr.  
25 Houghton, saying I --I still want this followed up.

1 MS. KATE MCGRANN: Tell me about the  
2 conversation. Tell me about speaking with Mr.  
3 Houghton. Where did that conversation take place?

4 MS. SANDRA COOPER: I don't recall  
5 where -- where in 2011 that conversation would have  
6 taken place. However, there were conversations that I  
7 did have with a conversation with Mr. -- a  
8 conversation with Mr. Houghton, that we're looking at  
9 all departments.

10 MS. KATE MCGRANN: I'm going to ask  
11 that the document that this is from be put on the  
12 screen. It's TOC38100.

13

14 (BRIEF PAUSE)

15

16 MS. KATE MCGRANN: Can you scroll to  
17 the bottom of the email please? So it's Sunday,  
18 January 30th, at quarter to four in the afternoon, Mr.  
19 Houghton emails Mr. Bonwick, "We have a board meeting  
20 tomorrow morning and I was wondering if we could  
21 chat." Do you know what board meeting Mr. Houghton is  
22 referring to there?

23 MS. SANDRA COOPER: No.

24 MS. KATE MCGRANN: Can you scroll up?  
25 Mr. Bonwick replies, "Good idea. I will call you in a

1 few minutes, if that works." And then if you scroll  
2 up further. This is the draft that we were looking  
3 at. Mr. Houghton has emailed it to Mr. Bonwick.  
4 There are some very specific requests in this draft  
5 that I would like to understand whether they come from  
6 you or not.

7 So. starts off with "My Council was  
8 elected to get our spending and our municipal debt in  
9 control. You've given us information about that  
10 already." You say, "I've asked our CAO and our  
11 department heads to look for opportunities within  
12 their areas of responsibility to reduce costs and  
13 still offer similar levels of service."

14 Is that the request that you are  
15 talking about when I asked you, "Did you ask Mr.  
16 Houghton to draft this letter?" And you say, "Not in  
17 so many words." Is that what you're talking about?

18 MS. SANDRA COOPER: It would have been  
19 looking at doing things differently, even at Collus.  
20 I had attended over my tenure, not only as mayor, but  
21 other positions, the EDA AGM Electrical Distribution  
22 Association annual meeting and the focus -- part of  
23 the focus was on utility of the Hydro utility and  
24 Hydro industry. And so that's what came to my mind.

25 MS. KATE MCGRANN: Two paragraphs down,



1 and we've looked at this already once. By specific  
2 request, would be from Mr. Houghton and Mr. Muncaster  
3 is to undertake a valuation of Collus? Did you want  
4 Mr. Houghton and Mr. Muncaster to undertake e  
5 a valuation costs as of January 30th, 2011?

6 MS. SANDRA COOPER: I would have --  
7 sorry. What I was looking for were opportunities in  
8 innovation, ways that haven't been thought of  
9 previously by previous mayors and council of cost  
10 savings of bringing down costs. And specifically to  
11 say, I want you to go away and do a valuation of  
12 Collus. I don't recall saying that. However, I have  
13 said I want prudent fiscal financial responsibility.

14 When I looked at many graphs and many  
15 presentations at the county and here in these chambers  
16 from staff and looking at the household income of the  
17 residence in Collingwood, it was lower than the  
18 average for Simcoe County. So, I was asking all  
19 department heads, including Mr. Houghton, to look at  
20 opportunities for cost savings. Mr. Houghton reported  
21 to Mr. Muncaster, so hence, the two together.

22 MS. KATE MCGRANN: By January 30th,  
23 2011, have you consi -- had you considered getting a  
24 valuation of Collus? You, yourself?

25 MS. SANDRA COOPER: No in those words,

1 a valuation of Collus.

2 MS. KATE MCGRANN: Have you considered  
3 -- sorry.

4 MS. SANDRA COOPER: --I'd say  
5 considering looking at opportunities. You have to  
6 know what you have in order to... It's -- it's no  
7 different than our -- the Town's Park, Rec and Culture  
8 Department and looking at a private company to come in  
9 and oversee operating the recreation facilities or  
10 overseeing the parks, facilities, and you have a --  
11 you have to have a knowledge of what the value is  
12 before you can compare it to something else.

13 MS. KATE MCGRANN: So, fair to say you  
14 had thought of understanding what you had or what the  
15 Town had in Collus, not necessarily using the term  
16 valuation?

17 MS. SANDRA COOPER: Correct.

18 MS. KATE MCGRANN: Do scroll down so we  
19 can see the next paragraph on the page. In the draft  
20 that Mr. Houghton has put together, he writes, "I  
21 trust and I know that you will take our municipality's  
22 best interest when doing this -- when doing this  
23 review. This request and your review must be kept in  
24 strictest confidence."

25 Do you remember communicating to Mr.

1 Houghton that you wanted him to write this letter and  
2 say it had to be kept in the strictest confidence?

3 MS. SANDRA COOPER: I don't recall  
4 that.

5 MS. KATE MCGRANN: Do you know what  
6 this is doing in the draft that he wrote?

7 MS. SANDRA COOPER: Pardon me?

8 MS. KATE MCGRANN: Do you know what  
9 this message is doing in the draft that he wrote on  
10 January 30th, 2011?

11 MS. SANDRA COOPER: I believe that  
12 keeping it in confidence --and that would have been  
13 suggested by Mr. Houghton and explaining that we  
14 weren't necessarily, say, we, collectively, going out  
15 with a For Sale sign and, you know, Collus is for  
16 sale. I think that there was more of a, say, kicking  
17 the tires. I hear counsel's say, refer to that --  
18 that message, kicking the tires to see if there's any  
19 interest. What is of interest in -- in the, out in  
20 the Hydro world, the energy electricity world, and  
21 then come back in and report.

22 MS. KATE MCGRANN: So, am I right in  
23 understanding that you're saying that the concept of  
24 doing this review on a confidential basis was Mr.  
25 Houghton's suggestion?

1 MS. SANDRA COOPER: Well I would have  
2 agreed to it, in that it made perfect sense to me.

3 MS. KATE MCGRANN: But it was his  
4 suggestion that you agree to?

5 MS. SANDRA COOPER: He suggested it and  
6 gave me the reasons why, and I thought of that, and I  
7 agreed that certainly that made sense, not to share it  
8 out in the world before even the kicking the tires.

9 MS. KATE MCGRANN: Looking at this  
10 email chain from bottom to top, you see that Mr.  
11 Bonwick and Mr. Houghton are discussing a board  
12 meeting and then Mr. Houghton shares his draft with  
13 Mr. Bonwick

14 Were you aware in and at the end of  
15 January 2011 that Mr. Houghton was discussing  
16 instructions for you to be giving with Mr. Bonwick?

17 MS. SANDRA COOPER: No, I wasn't aware  
18 of it and my focus wasn't on -- nor that I could, be  
19 checking people's emails. My focus was on running  
20 Council meeting, looking at draft agendas,  
21 communicating with the Clerk, with the CAO, with the  
22 residents of Collingwood.

23 Looking at the various boards and  
24 committees that I was a member of, as well as every  
25 other week and more than that, going to the County of

1 Simcoe administration building for meetings there and  
2 throughout Simcoe County. Plus my personal time with  
3 my parents and my -- aging parents.

4 MS. KATE MCGRANN: What did you know  
5 about the relationship between Mr. Bonwick and Mr.  
6 Houghton at this time?

7 MS. SANDRA COOPER: I knew they knew  
8 one another. It's a small town. We all grew up in  
9 this -- well not we all, some of us grew up in  
10 Collingwood and would know of one another.

11 MS. KATE MCGRANN: To your knowledge,  
12 we're they friends?

13 MS. SANDRA COOPER: I don't know who  
14 Mr. Houghton had as friends and I didn't know who Mr.  
15 Bonwick had as friends and or how often they met or  
16 where they met.

17 MS. KATE MCGRANN: You know if they  
18 ever discussed mutual business interests or one of  
19 their business interests with the other?

20 MS. SANDRA COOPER: I'm not aware of  
21 that.

22 MS. KATE MCGRANN: Turning back to the  
23 email on the screen, do you recall if you received  
24 this draft from Mr. Houghton?

25 MS. SANDRA COOPER: I believe I did.

1 Not in this -- not in this attachment though.

2 MS. KATE MCGRANN: How do you recall  
3 receiving it?

4 MS. SANDRA COOPER: Likely would have  
5 been an email from Mr. Houghton.

6 MS. KATE MCGRANN: If you look at  
7 paragraph 143 of the Foundation document. So, we were  
8 looking at an email exchange between Mr. Bonwick and  
9 Mr. Houghton on January 30th. You recall that -- that  
10 email chain started with a reference to a board  
11 meeting the next day. The next day on January 31st,  
12 2011, the Collus Power Board met. The minutes don't  
13 record any board approval of a valuation of Collus  
14 Power, but the minutes do indicate that Collus  
15 proceeded in-camera.

16 Do you recall if there was a discussion  
17 of getting a valuation of Collus Power at this board  
18 meeting?

19 MS. SANDRA COOPER: I believe there was  
20 some talk of that.

21 MS. KATE MCGRANN: What do you remember  
22 about that?

23 MS. SANDRA COOPER: I don't recall the  
24 specifics of it.

25 MS. KATE MCGRANN: Tell me what you do

1 remember?

2 MS. SANDRA COOPER: Well, that we did  
3 proceed in-camera on the matter of personnel or  
4 property. Property. And was regarding to looking at  
5 a valuation of -- of Collus and some discussion about,  
6 you know, how -- how would that play out, how the  
7 process would be.

8 MS. KATE MCGRANN: Do you remember who  
9 asks that the board move into an in-camera session?

10 MS. SANDRA COOPER: No, I don't recall.

11 MS. KATE MCGRANN: Do you remember who  
12 raised the concept of the valuation?

13 MS. SANDRA COOPER: No, I don't recall  
14 that. I, just I know that we spoke of valuation as  
15 there could be potential for opportunities and we  
16 needed to have a valuation.

17 MS. KATE MCGRANN: You recall if any  
18 decision was made about the valuation?

19 MS. SANDRA COOPER: I don't recall the  
20 specifics.

21 MS. KATE MCGRANN: Do you -- do you  
22 recall the decision was made but you don't recall  
23 something specific about it?

24 MS. SANDRA COOPER: I don't -- yes, I  
25 don't recall the specifics of it.

1 MS. KATE MCGRANN: But you recall that  
2 a decision was made?

3 MS. SANDRA COOPER: At some point, the  
4 board had, did determine that a valuation, yes, would  
5 be -- would be prudent.

6 MS. KATE MCGRANN: Do you remember if  
7 that happened at this meeting?

8 MS. SANDRA COOPER: I'd have to take a  
9 look at the attachment to see that.

10 MS. KATE MCGRANN: It's my  
11 understanding that no minutes were taken of in camera  
12 meetings of the Collus Power Board of Directors during  
13 this time.

14 Is that consistent with your  
15 understanding?

16 MS. SANDRA COOPER: I see that for  
17 open session the minutes do not record that. The in  
18 camera, again, I -- as I had stated I don't recall  
19 details of it, however, looking at the topic of  
20 valuation and would've been discussed with the board.

21 MS. KATE MCGRANN: Could we turn to  
22 document TOC38162. While that's being brought up,  
23 what time of day to the Collus Power board meetings  
24 happen?

25 MS. SANDRA COOPER: It varied. Often



1 times it would be over lunch but it varied.

2 MS. KATE MCGRANN: Okay. Before we go  
3 to this document then, can you please pull  
4 CPS6996\_0001.

5 These are the minutes of the January  
6 31st, 2011 board meeting. We were discussing this  
7 meeting started at 7:59 in the morning. Can we scroll  
8 to the bottom to see if there's an end time.

9

10

11 (BRIEF PAUSE)

12

13 MS. KATE MCGRANN: And it looks like  
14 the meeting ended at ten o'clock in the morning.

15 Can we turn to TOC38162. This is an  
16 email from Mr. Bonwick to you on January 31st, 2011 at  
17 9:53 in the morning so just before the Collus Power  
18 board meeting ended.

19 Subject is debts and lower costs and he  
20 writes:

21 "Good morning. I got your message  
22 re budget. You will need to be very  
23 clear with department heads on your  
24 expectations. Same goes for Collus.  
25 It also sends a message through

1                   early in your term that your council  
2                   will provide direction. When I  
3                   spoke to you a few weeks ago about  
4                   this type of direction, Ed thought  
5                   his board would be supportive of the  
6                   request. See you here at 1:30."

7                   So I have a couple of questions about  
8 this email. First of all do you remember receiving  
9 it?

10                   MS. SANDRA COOPER: Sorry. Reviewing  
11 the foundation documents, yes.

12                   MS. KATE MCGRANN: So when you  
13 reviewed the foundation document you saw this email  
14 and you recalled receiving it?

15                   MS. SANDRA COOPER: Yes.

16                   MS. KATE MCGRANN: Mr. Bonwick writes:  
17 "I got your message re budget. Do you know what  
18 message he's talking about there?

19

20                   (BRIEF PAUSE)

21

22                   MS. SANDRA COOPER: It likely was just  
23 a comment that, you know what, I'm in budget or we're  
24 doing budgets. We're beginning the budget and at that  
25 time we had -- it was quite a full budget binder.

1 So it was a lot of -- so it would've been probably  
2 starting -- likely starting the budget process of  
3 becoming familiar with -- with the budget.

4 MS. KATE MCGRANN: Were you  
5 communicating with Mr. Bonwick about the work to be  
6 done on the town budget at this time?

7 MS. SANDRA COOPER: No, not nec -- no,  
8 no. It was just pay down the debt. No more  
9 debentures. Look out for the taxpayer

10 MS. KATE MCGRANN: When you list those  
11 things are you describing topics that you spoke about  
12 with your brother or that's just more your general  
13 approach to the budget at time.

14 MS. SANDRA COOPER: That was my  
15 campaign approach and going forward with -- with the  
16 budget as well. So to tie it in.

17 MS. KATE MCGRANN: Just so I can be  
18 sure that I understand, Mr. Bonwick writes you: "Good  
19 morning. I got your message re budget" and he gives  
20 you advice about how to deal with the department heads  
21 but you weren't speaking with him about your approach  
22 to the budget at this time?

23 MS. SANDRA COOPER: It probably was  
24 just -- I don't know what -- I can't recall what the  
25 message was about other than, you know what, I'm going

1 over the budget. It was a general comment. Nothing  
 2 that I was looking for anything -- anything in  
 3 particular in that statement. It was certainly  
 4 something that I'd made it at my inaugural. It was  
 5 part of my campaign literature. Whenever in  
 6 September, October of the -- I guess September of the  
 7 year before, it was something that I spoke about  
 8 regularly and so -- this - this did not jump out at me  
 9 at all. I had a lot of other things happening.

10 MS. KATE MCGRANN: When he writes at  
 11 the end of this email:

12 "When I spoke to you a few weeks ago  
 13 about this type of direction, Ed  
 14 thought his board would be  
 15 supportive of the request."

16 What request is he talking about, do  
 17 you know?

18 MS. SANDRA COOPER: Again, I'll go  
 19 back to all department heads and including the utility  
 20 I wanted the thought of looking outside of the box,  
 21 I'll use as a term, to look at ways to -- that hadn't  
 22 been considered before in going in to budget, all  
 23 department heads had to take a close serious look at  
 24 their departments, at their budgets. The way they  
 25 were doing business. The way in the future that they

1 may do things differently.

2 MS. KATE MCGRANN: With respect to  
3 Collus, it's my understanding that at this time, Mr.  
4 Houghton was the president and the CEO of that  
5 company, is that right?

6 MS. SANDRA COOPER: That is correct.

7 MS. KATE MCGRANN: Did you view the  
8 president and CEO of Collus Power as a department  
9 head?

10 MS. SANDRA COOPER: With the public  
11 works and engineering, yes.

12 MS. KATE MCGRANN: With respect to  
13 Collus?

14 MS. SANDRA COOPER: It was owned by  
15 the town of Collingwood so I felt they were connected.

16 MS. KATE MCGRANN: I'm just reacting  
17 to the fact that you are repeating information or a  
18 request that you made of department heads that right  
19 now we're talking about Collus which is an OBCA  
20 corporation, was my understanding, is that right?

21 MS. SANDRA COOPER: Correct.

22 MS. KATE MCGRANN: And Mr. Houghton is  
23 the president and CEO of that corporation?

24 MS. SANDRA COOPER: Correct.

25 MS. KATE MCGRANN: But with respect to

1 this request that you've made of department heads  
2 because of the Town's ownership of Collus, you saw it  
3 as the same thing?

4 MS. SANDRA COOPER: Yes.

5 MS. KATE MCGRANN: So the request  
6 that's being spoken about here is the general request  
7 to think outside of the box, look for other solutions?

8 MS. SANDRA COOPER: Yes.

9 MS. KATE MCGRANN: Do you remember Mr.  
10 Bonwick mentions here speaking to you a few weeks ago  
11 and saying that Ed thought his board would be  
12 supportive of the request.

13 Do you remember having that conversation  
14 with him?

15 MS. SANDRA COOPER: I don't recall the  
16 conversation, however, many people in the community  
17 would remind me of my campaign literature and  
18 representing them well when it came down to -- that  
19 their -- their money, taxpayers.

20 MS. KATE MCGRANN: Okay, I understand  
21 that you don't remember this conversation that he's  
22 referring to. Do you remember more generally Mr.  
23 Bonwick telling you that he had spoken with Ed about  
24 direction that you were giving and that Ed thought  
25 that his board would be supportive?

1 MS. SANDRA COOPER: I don't recall  
2 that.

3 MS. KATE MCGRANN: You're a member of  
4 that board, right?

5 MS. SANDRA COOPER: Yes.

6 MS. KATE MCGRANN: So you would know  
7 if the board would be supportive, right?

8 MS. SANDRA COOPER: Would -- I -- I  
9 would believe that the board would -- the board would  
10 be supportive of looking at opportunities, yes.

11 MS. KATE MCGRANN: Okay, so this  
12 email's on January 31, at 9:53. I'd now like to look  
13 at TOC38164.

14

15 (BRIEF PAUSE)

16

17 MS. KATE MCGRANN: So it's January  
18 31st, same day. It's now 1:00 p.m. This is an email  
19 from you to Shelley Fuhre. What was Shelley Fuhre's  
20 role with the Town at this time?

21 MS. SANDRA COOPER: She was executive  
22 assistant to myself and some times that role changes a  
23 little bit but to mayor and council.

24 MS. KATE MCGRANN: In this email you  
25 write, "Hi Shelley, kindly review and suggest any

1 changes." And then if we can scroll down. You've  
2 written to Collus, Chair and Ed.

3 "As you may know our new council is  
4 proudly elected to get our spending  
5 and municipal debt under control.  
6 As a result, I have asked our CAO  
7 Ms. Wingrove and our department  
8 heads to look for opportunities  
9 within their areas of responsibility  
10 to explore cost reduction  
11 opportunities and still offer  
12 similar levels of service."

13 You go to say,

14 "I would like to ask that Collus  
15 look for similar opportunities in  
16 part to help reduce our debt and  
17 create greater efficiencies for  
18 Collingwood residents. I recognize  
19 the input during budget  
20 presentation."

21 Did you take Mr. Houghton's draft and  
22 revise it to come up with this -- this message?

23 MS. SANDRA COOPER: I would have used  
24 his draft.

25 MS. KATE MCGRANN: We see that you've



1 retained the specific request that Mr. Houghton be  
2 directed to undertake a valuation of Collus.

3                   You agreed that that was a -- a good  
4 direction to go in?

5                   MS. SANDRA COOPER:     Yes.

6                   MS. KATE MCGRANN:     And we've seen that  
7 you retain -- you say, I would appreciate this review  
8 being treated with confidence until myself and Council  
9 have had an opportunity to be presented with a report.

10                  Was it your intention when you wrote  
11 this to keep the valuation confidential until the work  
12 was done a valuation report was ready?

13                  MS. SANDRA COOPER:     Yes.

14                  MS. KATE MCGRANN:     Why was that?

15                  MS. SANDRA COOPER:     It would then  
16 offer some insight and some answers that if members of  
17 Council or the board would have questions, then there  
18 would be some oppor -- there would be some insight  
19 there and some answers provided. And then whether to  
20 move -- move forward with it or not.

21                  MS. KATE MCGRANN:     Does looking at  
22 this draft email that you have sent to Ms. Fuhre at  
23 1:00 p.m on January 31st in which you asked for a  
24 valuation of Collus help refresh your memory about  
25 what was discussed at the Collus Power board meeting

1 that morning.

2 MS. SANDRA COOPER: Again, it would  
3 have been valuation but I -- I'm not aware of the  
4 details. It would have been -- sorry for that phrase,  
5 the topic of discussion that staff would -- staff  
6 brought forward a connection with what Council --  
7 members of Council and -- any myself had been elected  
8 on and it was prudent spending and ways to --  
9 innovative ways to get hold of the Town finances and  
10 so that was a strong message that was over and over  
11 again. It would relate to that in conversation -- or  
12 into -- in general terms at the in camera meeting.

13 What is to be in camera information has  
14 to stay on topic with confidential items listed and  
15 not go off topic. But it would have -- definitely it  
16 would have been a discussion of some sort.

17 THE HONOURABLE FRANK MARROCCO: While  
18 the two (2) counsel are conferring, why -- why did the  
19 request -- did you have any sense of why you had to be  
20 specific in requesting a valuation? You've said in  
21 the earlier paragraph that you want Collus to look for  
22 similar opportunities.

23 MS. SANDRA COOPER: M-hm.

24 THE HONOURABLE FRANK MARROCCO: Why --  
25 isn't that enough? Why do you have to ask them to do

1 an evaluation?

2 MS. SANDRA COOPER: I felt that, Your  
3 Honour, that not unlike departments within the Town of  
4 Collingwood -- within the corporation and I'll say  
5 another one I'd -- I did speak about Parks and Rec but  
6 I'll -- I'll also bring forward another department and  
7 that would be snowplow operation and looking at should  
8 that be done privately or should it be done still  
9 through the Town of Collingwood and to get the value  
10 on that before you can -- that you need to base your  
11 decision on. So for me it was similar opportunities  
12 but also being a little more clear and then bring  
13 valuation in to that

14 THE HONOURABLE FRANK MARROCCO: But I  
15 thought Mr. Houghton added that? I thought your --

16 MS. SANDRA COOPER: -- yes.

17 THE HONOURABLE FRANK MARROCCO: I  
18 thought your direction was, look for opportunities and  
19 then he prepares a draft but in the draft he has you  
20 asking for valuation and I'm -- I'm -- do you know why  
21 that was?

22 MS. SANDRA COOPER: It was tied in to  
23 similar opportunities and I think it taking it one  
24 step further, looking at valuations and having --  
25 having had a discussion with Mr. Houghton that it

1 would have made -- sorry, it made sense to be clear to  
2 include that, other terms of council in other budget  
3 meetings. It was never included in part of the  
4 looking at a micro of the Town's finances and this is  
5 an area that look at a valuation of Collus and having  
6 that information. That was -- Ed Houghton adding  
7 that, including that and to me it -- I was acceptable  
8 to that. I don't know if that answers your question,  
9 Your Honour.

10 THE HONOURABLE FRANK MARROCCO: It  
11 does in a way. Did he indicate to you that without  
12 you making the requests the board would not likely opt  
13 for valuation?

14 MS. SANDRA COOPER: No, not  
15 necessarily because two (2) things. It would have to  
16 come forward to the board and then have a discussion  
17 and secondly, attending the annual meetings for the  
18 electricity industry for Georgian Bay, many times the  
19 presenters spoke of mergers, acquisitions, economist  
20 spoke, LDCs spoke, the CHEC Group spoke. All touched  
21 on this idea of how can the LDCs continue with the  
22 Green Energy Act coming in and having to comply with  
23 some things -- some policies that the province would  
24 have in place and with those -- with that added  
25 burden, it would be a challenge for smaller LDCs,

1 local distribution companies, and Collus being one of  
2 those.

3                   So looking at what is the value of it  
4 was to me it -- it was acceptable to add that and it  
5 would bring further conversation and discussion to the  
6 Board. It wasn't any -- anything -- again, I hate to  
7 repeat myself -- but representing the taxpayers of  
8 Collingwood, being in the community, being approached  
9 by some very few -- thank goodness -- saying you know,  
10 I can't pay my hydro bill. What do I do? My water  
11 might be cut off. What do I do?

12                   So all -- keeping all those things in  
13 my mind, how can we -- how can we make things better  
14 in our community? And touching on valuation of Collus  
15 and making an informed decision was important.

16                   THE HONOURABLE FRANK MARROCCO:   Go  
17 ahead.

18

19 CONTINUED BY MS. KATE MCGRANN:

20                   MS. KATE MCGRANN:   Could we turn to  
21 paragraphs 141 and 142 of the Foundation Document,  
22 please?

23                   MR. FREDERICK CHENOWETH:   Your Honour,  
24 I wonder before we move on if I might express a  
25 concern that I have, Your Honour.

1 THE REGISTRAR: Sir, could you speak  
2 into your mic, please.

3 THE HONOURABLE FRANK MARROCCO: Got to  
4 turn it on.

5 MR. FREDERICK CHENOWETH: Yes. Sorry.  
6 And that I wonder, Your Honour, if  
7 before we move further, I might express a concern that  
8 I am developing with respect to the manner in which  
9 we're proceeding.

10 THE HONOURABLE FRANK MARROCCO: Go  
11 ahead.

12 MR. FREDERICK CHENOWETH: Yes. Thank  
13 you, Your Honour.

14 It -- it's no secret that on earlier  
15 occasions, I have expressed the view that I had  
16 concerns about the balance that existed in Foundation  
17 Document 1, and I had expressed concerns that my  
18 client and I felt that the document that, in many  
19 respects, was adversarial and did not have the balance  
20 that I hoped it might have.

21 THE HONOURABLE FRANK MARROCCO: Maybe  
22 -- maybe if you get closer to the microphone, it'd be  
23 better so we can get it all on the transcript.

24 MR. FREDERICK CHENOWETH: Yes.  
25 Certainly, Your Honour. Hopefully that improves it.

1 MR. FREDERICK CHENOWETH: Your Honour,  
2 I've listened for a number of hours this afternoon  
3 through the questions, and the answers we've got to  
4 the questioning style, et cetera.

5 And it's my understanding that with  
6 respect to public inquiries and commissions that the  
7 inquiry counsel has a special role to play. It's not  
8 an adversarial role. It's an investigative role. And  
9 hence, inquiry counsel is given the opportunity to  
10 question the witness first; to lead the witness, and  
11 I've expressed some concerns about that in the quality  
12 of the evidence that arises from it; to cross-examine  
13 the witness, before there's an opportunity for even  
14 counsel for that particular witness or that particular  
15 participant to play any role.

16 Those are the rules of the inquiry.  
17 That's the practices of inquiries. And I have no  
18 particular trouble with that, on the assumption that  
19 the approach that's taken investigates all aspects of  
20 the matter and all sides of the story in order to  
21 bring out the truth of the situation.

22 I'm developing a concern, Your Honour,  
23 in the day -- the days I've sat here and in particular  
24 this afternoon with respect to whether or not the  
25 inquiry will be assisted by the present approach,

1 which in my observation does not appear to involve an  
2 investigation of all aspects of the matters that the  
3 witnesses are being cross-examined on.

4 I think a classic example of that this  
5 afternoon is the questions that have been asked with  
6 respect to the AGP matter. It would strike me that a  
7 strong argument can be made and may be made at later  
8 times -- and I'm -- and I'm conscious of the fact that  
9 it may be at later times -- but it strikes me that  
10 there's a strong argument that the AGP story and the  
11 efforts of those who assisted AGP is a very positive  
12 story of people in this community working to preserve  
13 jobs, working to get power paid for, working to get  
14 taxes paid, and doing an excellent job to do that.

15 My own thought, Your Honour, is that  
16 the questioning approach that we've seen from -- and I  
17 say this with the greatest of respect -- from inquiry  
18 counsel has only focused on what appears to be a -- a  
19 conspiratorial thought that -- that there's something  
20 going on with respect to the way AGP was approached  
21 that -- that is troubling in some way. Now that could  
22 be right. It could be wrong. And this inquiry will  
23 find out.

24 But I'm concerned that we've now gone  
25 beyond the AGP situation without asking the questions



1 that, in my submission, would get to the truth and  
2 fully investigate the AGP story. Where are the  
3 questions that bring out the fact that the AGP story  
4 is a very positive, feel-good, successful story on  
5 which a number of named people worked on in this  
6 community?

7                   It strikes me, Your Honour, with the  
8 greatest of respect to -- to my friend, that if we are  
9 going to have a successful commission here, there's  
10 a -- there's a -- a special obligation on inquiry  
11 counsel to get to the truth by exploring all aspects  
12 of the matter and not just one particular theory.

13                   If that approach is -- is continued,  
14 this is going to be an adversarial and not an  
15 inquisitorial process, and we'll be -- we'll be stuck  
16 with respect to the -- to only opportunities to  
17 cross-examine and -- and the opportunity to get to  
18 the -- to the truth of a number of these matters won't  
19 be had.

20                   So I -- I am simply expressing that as  
21 a concern to Your Honour at this time, and -- and I --  
22 I've expressed it at earlier occasions with respect to  
23 the FD 1, and I was hopeful that we might see a more  
24 all-encompassing approach through the course of the  
25 oral testimony.

1                   The matters we've heard today, the  
2   approach to -- to the AGP matter, the approach to  
3   whether or not people are trying to get on with the --  
4   with counsel's work of -- of finding solutions to  
5   their debt problems, et cetera in a positive way, none  
6   of that is coming out as a result of the approach  
7   that -- that is being taken, and it's my thought that  
8   it's not a fully investigative approach that's useful  
9   to this commission.

10                   THE HONOURABLE FRANK MARROCCO:   At  
11   this particular point, I don't share your concern. I  
12   think inquiry counsel's doing their best to give the  
13   witness an opportunity to comment on the matters that  
14   inquiry counsel have focused on. And so I'll take  
15   your statements into consideration, but I don't -- I  
16   don't share the concern right now.

17                   So we'll carry on as we've carried on,  
18   but I'm conscious of what you're saying.

19                   MR. FREDERICK CHENOWETH:   Very good,  
20   Your Honour. I want to thank you for receiving my  
21   comments.

22                   THE HONOURABLE FRANK MARROCCO: Go  
23   ahead. Carry on for a bit longer.

24

25   CONTINUED BY MS. KATE MCGRANN:

1 MS. KATE MCGRANN: If we could pull up  
2 TOC38169.

3

4 (BRIEF PAUSE)

5

6 MS. KATE MCGRANN: Before we had been  
7 looking at a draft that you sent to Ms. Fuhre, and you  
8 asked her to review. Here we see Ms. Fuhre responding  
9 to you with some minor revisions. "Please review,"  
10 that's at January -- January 31 at 1:40 in the  
11 afternoon.

12 Do you remember if you sent this  
13 message on to Mr. Muncaster and Mr. Houghton?

14 MS. SANDRA COOPER: Your Honour, I  
15 believe that I did send this message -- this letter  
16 out to Mr. Muncaster and Mr. Houghton.

17 MS. KATE MCGRANN: And one more  
18 question about January 31st, if we could go to  
19 paragraph 142 of the Foundation Document.

20

21 (BRIEF PAUSE)

22

23 MS. KATE MCGRANN: We have looked at  
24 this email earlier this afternoon. I just have one  
25 last question for you about it. In Mr. Bonwick's

1 email to you on this day, he says to you, "See you  
2 here at 1:30." Do you remember what that was about?

3 MS. SANDRA COOPER: No. I -- I don't  
4 recall.

5 MS. KATE MCGRANN: The next document  
6 I'd like to turn your attention to is ALE71.

7

8 (BRIEF PAUSE)

9

10 MS. KATE MCGRANN: Now, before I ask  
11 you any questions about this, I want to point out that  
12 you're not copied on this email. This is an email  
13 from Mr. Bonwick to Brian Bentz sent on February 1st,  
14 2011, so the next day.

15 At this point in time. Brian Bentz is  
16 President and CEO of PowerStream. Mr. Bonwick writes,  
17 in the interest of time -- I'm looking at the second  
18 paragraph here:

19 "In the interest of time, I had to  
20 initiate the beginning of the  
21 process we discussed.

22 Unfortunately, the next committee  
23 meeting was not scheduled for  
24 another two months, which would have  
25 caused some timing challenges if the

1 process was not initiated this week.  
2 As a result, the chairperson and  
3 executive director have now received  
4 direction to commence a valuation of  
5 the utility."

6 Were you aware that Mr. Bonwick was  
7 having this kind of correspondence with Mr. Bentz in  
8 February of 2011?

9 MS. SANDRA COOPER: No. I had many  
10 other things that I was dealing with.

11 MS. KATE MCGRANN: Can you see how  
12 someone who is reading this email for the first time  
13 in the context of what we've discussed so far today  
14 may conclude that Mr. Bonwick is -- is taking credit  
15 for initiating a process that results in the  
16 chairperson and the executive director of receiving  
17 direction to commence a valuation of Collus Power?

18 MS. SANDRA COOPER: I'm very familiar  
19 with reports that are taken out of text.

20 MS. KATE MCGRANN: Okay. Do you think  
21 that this is being taken out of text?

22 MS. SANDRA COOPER: It's -- I haven't  
23 authored it. I -- I couldn't comment one way or the  
24 other.

25 MS. KATE MCGRANN: Did you tell

1 Mr. Bonwick at any point before February 1st, 2011 or  
2 on February 1st, 2011 that you had directed that a  
3 valuation be undertaken of Collus Power?

4 MS. SANDRA COOPER: I don't recall  
5 that I did.

6 MS. KATE MCGRANN: I just want to ask  
7 you one question to clarify your answer. Is it the  
8 case that you know that you didn't tell him? Or is it  
9 the case that you can't recall whether or not you did  
10 tell him?

11 MS. SANDRA COOPER: I hadn't told --  
12 did not tell him that a valuation had been done. I  
13 did not tell Mr. Bonwick a valuation had been not done  
14 -- had been done. Sorry.

15 MS. KATE MCGRANN: And just because  
16 you said "had been done" and this email is talking  
17 about a direction to commence a valuation, did you  
18 tell Mr. Bonwick that Collus had been directed to  
19 commence a valuation?

20 MS. SANDRA COOPER: No.

21 MS. KATE MCGRANN: At this time,  
22 February 1st, 2011, were you aware that Mr. Houghton  
23 had been in contact with Brian Bentz at PowerStream in  
24 December of 2010?

25 MS. SANDRA COOPER: I don't recall.

1 MS. KATE MCGRANN: Can we go to  
2 paragraph 115 of the Foundation Document?

3 MS. SANDRA COOPER: Can I just say, as  
4 I -- I don't recall. However, Mr. Houghton did report  
5 to the Board, and he also worked closely with Mr. Dean  
6 Muncaster. So there was strong communication between  
7 them and also reporting -- a Board-reporting process.

8 MS. KATE MCGRANN: Had Mr. Houghton  
9 reported to the Board that he had been in contact with  
10 PowerStream in December 2010?

11 MS. SANDRA COOPER: And I don't recall  
12 from 2010, January 2011, or February.

13 MS. KATE MCGRANN: Can we look at  
14 paragraph 115 -- 115 of the Foundation Document?

15 This paragraph discusses an email that  
16 Mr. Bonwick sent to Mr. Bentz on January 10th of 2011  
17 -- you're not copied on this email -- in which he says  
18 that -- he mentions during the time he was in elected  
19 office, the potential sale of Collingwood's utility  
20 services had been raised with mixed emotions, and he  
21 says that he would like to meet and discuss  
22 PowerStream's level of interest in pursuing such an  
23 option.

24 Did you know in January of 2011 that  
25 Mr. Bonwick had been in contact with PowerStream to

1 discuss the potential sale of Collingwood's utility  
2 services?

3 MS. SANDRA COOPER: No. No.

4 MS. KATE MCGRANN: Did you later learn  
5 that Mr. Bonwick had reached out to Mr. Bentz in  
6 January of 2011 to discuss that kind of a sale?

7 MS. SANDRA COOPER: I had read the  
8 Foundation Documents and found that to be so.

9 MS. KATE MCGRANN: The first time that  
10 you learned about the January communication from  
11 Mr. Bonwick to Mr. Bentz is when you read the  
12 Foundation Document?

13 MS. SANDRA COOPER: Yes.

14 MS. KATE MCGRANN: What was your  
15 reaction to reading that?

16 MS. SANDRA COOPER: I read the  
17 Foundation Document and what I had also read that  
18 nothing had been tested. And we just referenced to  
19 about things being taken out of context.

20 And again, as -- as the mayor, and I  
21 put my all into it, that I was doing a lot of  
22 different things. So, I mean, he was a municipal  
23 councillor.

24

25 (BRIEF PAUSE)



1 MS. SANDRA COOPER: And you know, I --  
2 I read it through the Foundation Documents, and that's  
3 what -- what I -- I read until things are pulled  
4 together from the inquiry.

5 MS. KATE MCGRANN: So we can see that  
6 this -- this email was sent on January 10th, 2011, and  
7 it says what it says. What was your reaction to  
8 learning that Mr. Bonwick sent this email to  
9 Mr. Bentz?

10 MS. SANDRA COOPER: The first  
11 go around was the -- the draft Foundation Documents,  
12 and my solicitor and I had an opportunity to read  
13 through. And certainly --

14 MS. KATE MCGRANN: May I interrupt you  
15 for one second --

16 MS. SANDRA COOPER: Please.

17 MS. KATE MCGRANN: -- only to clarify  
18 that I am not interested in hearing about any  
19 discussions that you had with your solicitor.

20 MS. SANDRA COOPER: Oh, sorry.

21 MS. KATE MCGRANN: We're not looking  
22 for information about conversations that you had with  
23 Mr. Marron --

24 MS. SANDRA COOPER: I'm sorry.

25 MS. KATE MCGRANN: -- or any questions

1 you asked him or any answers he gave you. Okay?

2 MS. SANDRA COOPER: Yes.

3 MS. KATE MCGRANN: I'm sorry for  
4 interrupting, but I wanted that to be clear before you  
5 continued your answer.

6 MS. SANDRA COOPER: Absolutely. I --  
7 I'm glad you raised that point. How true.

8 And so in having a read of the draft  
9 Foundation documents, there were some correspondence  
10 that I was not aware of at the time of -- of the  
11 correspondence, but have been come -- become aware of  
12 since then.

13 Do I have anything to -- to comment  
14 about them? I will await to hear what the commission  
15 will bring from this.

16 THE HONOURABLE FRANK MARROCCO: It may  
17 also be that Mr. Marron will have one or two things to  
18 comment about them as the hearing progresses, but we  
19 can -- we'll just take your answer at that for now.

20 MS. SANDRA COOPER: Thank you,  
21 Your Honour.

22 THE HONOURABLE FRANK MARROCCO: We'll  
23 take ten (10) minutes, just give you a chance to --

24 MR. WILLIAM MCDOWELL: Your Honour --  
25 sorry -- Commissioner, just out of curiosity, when

1 were you planning to break for the day? At 5 or --

2 THE HONOURABLE FRANK MARROCCO: Well,  
3 I thought we'd -- we didn't start till 1, and that's  
4 on me, not on anybody else. But I thought we might go  
5 a little longer and try to make up for --

6 MR. WILLIAM MCDOWELL: No. That's  
7 fine. Just for clarification. Thanks. Sorry to  
8 interrupt you.

9 THE HONOURABLE FRANK MARROCCO: I  
10 don't know. How much longer? Well, I was thinking  
11 till 5:30 or something like that.

12 MR. WILLIAM MCDOWELL: That's fine.

13

14 --- Upon recessing at 3:17 p.m.

15 --- Upon resuming at 4:40 p.m.

16

17 CONTINUED BY MS. KATE MCGRANN:

18 MS. KATE MCGRANN: Ms. Cooper, before  
19 the break, we were looking at paragraph 115 of the  
20 foundation document. I'd now like to look at  
21 paragraph 127 of the foundation document.

22

23 (BRIEF PAUSE)

24

25 MS. KATE MCGRANN: This paragraph

1 describes that Mr. Bonwick, on January 19th, 2011,  
2 sent Mr. Houghton a copy of Compenso's proposal to do  
3 work for PowerStream and asked Mr. Houghton to take a  
4 look.

5 Mr. Houghton responds:

6 "Had a look. Tried to clean up the  
7 billing section."

8 And the next day Mr. Houghton replies,  
9 "Sorry, I reviewed and made a few minor changes." So,  
10 you're not copied on this email chain. Were you aware  
11 that Mr. Houghton was assisting Mr. Bonwick in putting  
12 together his proposal to PowerStream in January 2011?

13 MS. SANDRA COOPER: No, I was not. I  
14 was not aware of -- of the emails or -- or that.

15 MS. KATE MCGRANN: At that time, would  
16 it have been your expectation that Mr. Houghton would  
17 report on matters like this?

18

19 (BRIEF PAUSE)

20

21 MS. SANDRA COOPER: I wasn't aware of  
22 -- as you had mentioned earlier, not aware of the  
23 email, and that's -- I wasn't aware of it or the  
24 contacts of this email.

25 MS. KATE MCGRANN: Okay. Regardless

1 of whether you were aware or not, would it have been  
2 your expectation in January of 2011 -- you're the  
3 mayor, you're a director on Collus Power's Board of  
4 Directors, would you expect that company's president  
5 and CEO to report if he was helping a consultant reach  
6 out to a potential buyer to speak about a potential  
7 sale?

8 MS. SANDRA COOPER: Mr. Houghton did  
9 work closely with the board, and with Mr. Muncaster in  
10 particular. I'm not aware of conversations that they  
11 would have had in any detail, such as what's being  
12 suggested in this email.

13 Again, I -- I -- this -- had not been  
14 copied, was not privy of any of this information, and  
15 so I would judge it that perhaps Mr. Houghton had a  
16 conversation with Mr. Muncaster. I have no proof of  
17 that.

18 I know they had good, excellent working  
19 relationship. And Mr. Houghton, in my estimation of  
20 being on council, that he was always there to fulfil  
21 the needs of council and the residents of Collingwood.

22 MS. KATE MCGRANN: Okay. And other  
23 than speaking with Mr. Muncaster about this -- Mr.  
24 Houghton works for the town as a department head, the  
25 Executive Director of Public Works. He's the

1 president and CEO of a company wholly owned by the  
2 town. Would you have expected him to report back to  
3 anybody else other than Mr. Muncaster about  
4 conversations like this?

5

6 (BRIEF PAUSE)

7

8 MS. SANDRA COOPER: I'm not aware of  
9 at any point in time. Perhaps he did -- Mr. Houghton  
10 did report to someone. He hadn't reported it to me.  
11 Perhaps it -- it was -- yeah, the -- it hadn't been  
12 reported to me.

13 And again, I can't speak on behalf of  
14 Mr. Houghton. Perhaps he had a comfort level and that  
15 he spoke to somebody else about it. I don't know.

16

17 (BRIEF PAUSE)

18

19 MS. KATE MCGRANN: Can we turn to  
20 paragraph 144 of the foundation document, please?

21

22 (BRIEF PAUSE)

23

24 MS. KATE MCGRANN: So I'm just going  
25 to use these two (2) paragraphs to help reorientate

1 some time. We're moving away from January into  
2 February. Paragraph 144 discusses an Ed Houghton call  
3 to John Herhalt, Global Lead, KPMG, Government  
4 Services practices on February 6th, 2011.

5 Do you know who John Herhalt is?

6 MS. SANDRA COOPER: He -- yes. He is  
7 with KPMG. I didn't know his specific position, but  
8 his is with KPMG, or was at that time.

9 MS. KATE MCGRANN: And we see here  
10 that Jonathan Erling, a managing director at KPMG,  
11 received an email from Mr. Herhalt in which Mr.  
12 Herhalt reports:

13 "I spoke to Ed Houghton yesterday,  
14 and they want to engage us and start  
15 very soon. Can you put together a  
16 draft engagement letter and put  
17 together terms of reference? Set  
18 the fee 30,000. I am traveling  
19 today. Will give you a call  
20 tomorrow."

21 Were you aware in early February of  
22 2011 that Mr. Houghton was reaching out to KPMG to ask  
23 them to do some work for Collus Power?

24 MS. SANDRA COOPER: I was not email --  
25 I was not a part of the email context at all with this

1 -- with this email. However, Mr. Houghton reported to  
2 the board at -- the board meetings, and that would  
3 have been something that he would have reported to the  
4 board.

5 MS. KATE MCGRANN: Do you remember him  
6 reporting about this to the board?

7 MS. SANDRA COOPER: It was February  
8 2011. And it's har -- it's difficult to recall  
9 specifics of board meetings unless I reviewed some  
10 minutes.

11 MS. KATE MCGRANN: I'm just trying to--

12 MS. SANDRA COOPER: Yeah. Yeah.

13 MS. KATE MCGRANN: -- understand your  
14 answer, that he would've reported the board. Why are  
15 you saying that, because you remember?

16 MS. SANDRA COOPER: It would've been  
17 the process. It would've been a report to the board  
18 saying that, you know, we're KPMG, we're moving  
19 forward with this. There would've been updates from  
20 time to time. And this would have --

21 MS. KATE MCGRANN: Pardon me, sorry.

22 MS. SANDRA COOPER: And certainly,  
23 with a cost in it, would have been coming back to the  
24 board.

25 MS. KATE MCGRANN: Can we look at



1 paragraph 146, please? So, you're not copied on this  
2 email, but you are -- you're discussed in this  
3 paragraph. So this paragraph says:

4 "On February 14th, 2011, Mr. Erling  
5 sent Ed Houghton a draft proposal  
6 for KPMG to assist Collingwood in  
7 review its utility ownership  
8 options."

9 Mr. Houghton forwards the proposal to  
10 Mr. Muncaster. Mr. Muncaster notes that the fee  
11 estimate is higher than Mr. Houghton's authorization  
12 limit, raising the tactical questions of involving  
13 other directors.

14 Mr. Muncaster also wrote:

15 "Because Mayor Cooper has been  
16 involved in the previous  
17 consideration of having this  
18 valuation done, that should not be  
19 a difficulty. And I would suspect  
20 that we will be relying on her  
21 judgment about the involvement of  
22 the shareholder."

23 He goes on to discuss when to involve  
24 independent director David McFadden. If Mr. Houghton  
25 had reported back to the board about KPMG's

1 involvement in the valuation, would Mr. McFadden have  
2 known about it?

3 MS. SANDRA COOPER: Yes. And I -- I  
4 want it to be clear that -- I'll -- I'll repeat myself  
5 in that Mr. Houghton worked and reported quite -- very  
6 closely with Mr. Muncaster and we, as the board,  
7 received updates from time to time.

8 I was not copied on this email at the  
9 time, from February 2011. And again, there would be  
10 from time to time -- well, we would receive as the  
11 board updates, Mr. Houghton did work closely and  
12 reporting to Mr. Muncaster regularly.

13 MS. KATE MCGRANN: I'd like to ask you  
14 some questions about what Mr. Muncaster wrote about  
15 your involvement where he says you've been involved in  
16 the previous consideration of having this valuation  
17 done. And he goes on the say:

18 "I would suspect that we will be  
19 relying on her judgement about the  
20 involvement of the shareholder."

21 Do you remember having any  
22 conversations with Mr. Muncaster or Mr. Houghton about  
23 when or how to involve the shareholder?

24 MS. SANDRA COOPER: I don't recall a  
25 direct conversation with the two (2) of them. Excuse

1 me. However, the information would come to the board.

2 And, as well, we had -- or at least for  
3 my part, I depended on the knowledge in this business  
4 sector with Mr. Muncaster, with Mr. McFadden. I had  
5 confidence with their experience and knowledge,  
6 background knowledge, that they would be able to  
7 assist in providing me with information to -- to make  
8 a decision when do you involved the sha -- such as  
9 when do you involve the -- the shareholder.

10 MS. KATE MCGRANN: Do you remember  
11 having discussions with Mr. Houghton or Mr. Muncaster  
12 or Mr. McFadden together, separately about when the  
13 town should be told that valuations and option  
14 analysis was being performed of Collus Power?

15 MS. SANDRA COOPER: I don't recall the  
16 specifics; however, this discussion certainly would  
17 have taken place.

18 MS. KATE MCGRANN: And you say you  
19 don't recall the specifics. Do you generally recall  
20 discussing the question of when to inform the town?

21 MS. SANDRA COOPER: Yes.

22 MS. KATE MCGRANN: What do you  
23 remember about it?

24 MS. SANDRA COOPER: There was a  
25 discussion of at what stage should the municipality be

1 informed, and so gathering the information first,  
2 prior to presenting. And then I don't have the  
3 schedule in front of me, but I know in fact after  
4 that, there was -- when the information was all pulled  
5 together, that that would be the appropriate time that  
6 it be provided and presented to council.

7 MS. KATE MCGRANN: Do you remember who  
8 expressed that view?

9 MS. SANDRA COOPER: We would've had a  
10 discussion and come to us a consensus on that and ev -  
11 - that all parties discussing it would have come to a  
12 consensus that -- the best time to provide the  
13 information to council.

14 MS. KATE MCGRANN: Okay. And I -- I  
15 have heard you say that you don't recall specifics.  
16 I'm just trying to understand everything that you do  
17 recall about this.

18 MS. SANDRA COOPER: Yeah.

19 MS. KATE MCGRANN: Do you remember who  
20 was involved in this discussion?

21

22 (BRIEF PAUSE)

23

24 MS. SANDRA COOPER: Mr. Houghton, Mr.  
25 Muncaster, Mr. McFadden, myself. And I can't recall

1 others on the board, if they were involved in that  
2 discussion. Mr. Garbutt pulled in to that discussion.  
3 Actually, he wouldn't have been, sorry.

4 MS. KATE MCGRANN: Not Mr. Garbutt?

5 MS. SANDRA COOPER: No. He was on the  
6 water, not the hydro.

7 MS. KATE MCGRANN: Do you remember  
8 where the discussion took place?

9 MS. SANDRA COOPER: It would've been  
10 at the boardroom at Stewart Road (phonetic).

11 MS. KATE MCGRANN: Do you remember how  
12 long the discussion lasted?

13 MS. SANDRA COOPER: I don't recall how  
14 long.

15 MS. KATE MCGRANN: And I understand  
16 that you said that you reached consensus. Do you  
17 remember if anyone asked any questions or suggested  
18 that perhaps council should be advised before the  
19 report is available that this work was being done by  
20 KPMG?

21 MS. SANDRA COOPER: I don't recall.

22 MS. KATE MCGRANN: Anything else that  
23 you remember about that discussion that I haven't  
24 asked you about?

25 MS. SANDRA COOPER: I just -- I'd like

1 to comment though again. The Collus board chair, Mr.  
2 Muncaster, was -- had a lot of experience in business  
3 corporation world, hibry -- highly respected and was  
4 very knowledgeable. And I don't like to repeat  
5 myself.

6 And, also, Mr. David McFadden, very  
7 knowledgeable in the hydroelectricity industry, among  
8 other areas as well and -- and very familiar with both  
9 government policy in particular areas and someone that  
10 I still today have a great deal of respect for in his  
11 knowledge and input that he provided with -- with the  
12 Collus Board.

13 MS. KATE MCGRANN: And I understand  
14 you to be saying that the discuss -- in the discussion  
15 that you've describe to us you all agreed that council  
16 shouldn't be advised about the valuation and options  
17 analysis until after the work was done and the report  
18 was ready?

19 MS. SANDRA COOPER: Well, yeah, skip -  
20 - have the report available, and -- and then have  
21 further discussion and -- and have those answers  
22 already prepared to questions.

23 MS. KATE MCGRANN: In this paragraph  
24 that were looking at, it starts by saying that Mr.  
25 Erling sent Mr. Houghton a draft proposal. It is at

1 CPS2000. I'd like to take a look at the document with  
2 you for a second.

3

4

(BRIEF PAUSE)

5

6

MS. KATE MCGRANN: This is a copy of  
7 the draft proposal that KPMG sent to Mr. Houghton,  
8 Chief Executive Officer Collus Power.

9

Did you ever see -- and if you'd like  
10 to scroll through it to get a better sense of it,  
11 please us know, but did you ever see this document?

12

MS. SANDRA COOPER: Would you scroll  
13 through it, please? Thank you.

14

15

(BRIEF PAUSE)

16

17

MS. SANDRA COOPER: That's fine.  
18 Thank you. I don't believe that I had seen the  
19 letter; it's not addressed to me. I'm not CCed on it,  
20 I believe we. And we haven't scroll down to that  
21 part. However, I have not been CCed on it.

22

And again, I my -- I don't micro manage  
23 either. I don't expect every -- every step of every  
24 single item in the town or Collus to be -- come back  
25 to me directly. So this would -- I've not co -- been

1 copied on this, nor is -- nor is it addressed to me.

2 MS. KATE MCGRANN: Could you scroll  
3 back up to the top of the letter, please? So, in this  
4 letter, KPMG writes that it's pleased to submit a  
5 proposal to help you, Collus Power, and your  
6 shareholder, the town of Collingwood, evaluate the  
7 strategic options for ownership of your utility.

8 You didn't see a copy of this retainer  
9 letter. Do you know if anyone from the town saw a  
10 copy of this retainer letter before it was signed?

11 MS. SANDRA COOPER: I -- I don't know  
12 that. It certainly -- I think the first paragraph  
13 touches on valuation of strategic op -- options is  
14 something that was pointed out a number of times, but  
15 I don't know who from the town of Collingwood may have  
16 seen it.

17 MS. KATE MCGRANN: You've explained to  
18 us that you have -- you've discussed and -- and  
19 reached an agreement with Mr. Muncaster and Mr.  
20 Houghton and Mr. McFadden that the town will be  
21 advised of the fact of this valuation and options  
22 analysis until it's done.

23 This is the retainer letter that --  
24 that starts it off. I'm just wondering KPMG is saying  
25 that they're doing this to help Collus and the town.



1 MS. SANDRA COOPER: M-hm.

2 MS. KATE MCGRANN: Did anybody else  
3 from the town know that they were getting this help  
4 from KPMG?

5 MS. SANDRA COOPER: I -- I don't know.

6

7 (BRIEF PAUSE)

8

9 MS. KATE MCGRANN: I apologize if --  
10 if I've asked this to you already, but I do want to  
11 make sure that I know the answer.

12 Other than yourself, Mr. McFadden, Mr.  
13 Muncaster, Mr. Houghton, and the individuals at KPMG  
14 who are doing the valuation and option analysis, who  
15 knew that this work was being done prior to the final  
16 -- or the report being issued?

17 MS. SANDRA COOPER: The Board would be  
18 aware of that. Sorry, the -- the Board was aware of  
19 it.

20 MS. KATE MCGRANN: And who -- who did  
21 that involve?

22 MS. SANDRA COOPER: There was also  
23 Councillor Mike Edwards at the time, was a member of  
24 the Board.

25 MS. KATE MCGRANN: And which board was

1 that, sorry?

2 MS. SANDRA COOPER: The Collus --

3 MS. KATE MCGRANN: Holding company or  
4 Power?

5 MS. SANDRA COOPER: I'd have to go  
6 back through and see specifics of that.

7 MS. KATE MCGRANN: Okay. So Mr.  
8 Edwards knew, and how he learn of this?

9 MS. SANDRA COOPER: Well, he attended  
10 Board meetings.

11 MS. KATE MCGRANN: Did you learn of it  
12 because it was discussed at Board meetings?

13 MS. SANDRA COOPER: I would expect.

14 MS. KATE MCGRANN: So anybody else?

15 MS. SANDRA COOPER: Again, I don't,  
16 and I did not micro-manage, so I'm -- on February --  
17 there was a Council meeting in January -- no, maybe  
18 not, no. I'm go -- I'm jumping a -- a year ahead, so  
19 I apologize for that. Between '11 and '12 -- I don't  
20 know who else from the Town was -- was aware of the  
21 letter.

22 MS. KATE MCGRANN: I'm sorry, I've  
23 moved on from the letter. I know you've explained to  
24 us that you reached an agreement with Mr. Muncaster,  
25 Mr. McFadden, Mr. Houghton, that Council would not be

1 advised of the valuation and option analysis work  
2 until it was done and the report was available, right?

3 MS. SANDRA COOPER: Yes. You want to  
4 take information to them.

5 MS. KATE MCGRANN: So I'm trying to  
6 understand who knew that this work was being done, the  
7 -- the option -- the option analysis and valuation,  
8 before KPMG provided a report? I think you said Mr.  
9 Edwards.

10 MS. SANDRA COOPER: I believe the  
11 Board.

12 MS. KATE MCGRANN: Anybody else?

13 MS. SANDRA COOPER: I don't recall --  
14 look back.

15 MS. KATE MCGRANN: What would you look  
16 at -- you were going to --

17 MS. SANDRA COOPER: Foundation  
18 Documents, and to see if I could find something.

19 MS. KATE MCGRANN: If we could go to  
20 paragraph 165 of the Foundation Document.

21

22 (BRIEF PAUSE)

23

24 MS. KATE MCGRANN: So we move from  
25 February to May 24th, 2011. This paragraph describes

1 a slide presentation that KPMG sent to Collus. The  
2 slide presentations is called Collingwood Utility  
3 Services Review Options.

4 This paragraph goes on to describe the  
5 slides, including that -- they talk about the  
6 Provincial Government being expected to take steps to  
7 encourage LDCs to consolidate and create larger  
8 regional utility companies. It encourages Collingwood  
9 to move quickly if it wants to sell its electric  
10 utility, and it outlines options for the future of  
11 Collus Power, four (4) of them. (1) maintaining full  
12 ownership; (2) selling 100 percent of the company;  
13 (3) selling a majority interest in the company; (4)  
14 selling a minority interest in the company.

15 Do you remember, did you look at this  
16 presentation when KPMG sent it over?

17 MS. SANDRA COOPER: I was not emailed  
18 it, however, it would have been brought forward at a  
19 Board meeting, I'm -- I'm guessing. I don't recall.

20 MS. KATE MCGRANN: Do you remember if  
21 KPMG ever made a slide presentation to the Board about  
22 its review options for Collus?

23 MS. SANDRA COOPER: Yes. I just -- I  
24 don't recall the date.

25 MS. KATE MCGRANN: Do you recall who

1 made the presentation?

2 MS. SANDRA COOPER: It would have been  
3 -- sorry, it was KPMG.

4 MS. KATE MCGRANN: Do you remember who  
5 from KPMG made the presentation?

6 MS. SANDRA COOPER: I pause because  
7 Jonathan Erling was there for -- one of -- one of the  
8 three (3) John, Jonathans, were there for a period of  
9 time and had to leave that file, and so another one of  
10 them came in, so I apologize for not being so  
11 specific, but definitely it was a representative of  
12 KPMG.

13 MS. KATE MCGRANN: The options  
14 analysis slides look at four (4) options, and we just  
15 went through them. In this slide presentation, KPMG  
16 doesn't address the concept of a 50 percent share  
17 sale.

18 Do you know if KPMG was ever asked to  
19 analyse a 50 percent share sale by Collus Power?

20 MS. SANDRA COOPER: I don't recall  
21 that. Looking at options for Collus was certainly the  
22 focus, and I don't recall specific to KPMG suggesting  
23 50 percent as an option. I don't recall that.

24 MS. KATE MCGRANN: Okay. You don't  
25 recall them suggesting 50 percent as an option, but do

1 you know if -- if they were ever asked to assess 50  
2 percent if Collus Power wanted to sell 50 percent,  
3 would you give us your expert opinion on that? Were  
4 they asked to do that?

5 MS. SANDRA COOPER: Since that time I  
6 have reviewed several -- several Foundation Documents,  
7 so I am attempting to recall something to tweak my  
8 memory in that, and I don't recall how the discussion  
9 began but there -- there was -- it was reviewed to  
10 look at 50 percent as well, and KPMG, I believe, did  
11 look at that moving forward.

12 MS. KATE MCGRANN: Can you tell me  
13 what you do remember about that discussion and KPMG  
14 looking at 50 percent moving forward?

15 MS. SANDRA COOPER: I don't recall the  
16 discussion at the time, but as I've read some of the  
17 Foundation Documents, the discussion was around the  
18 finances -- financial piece as well, looking at  
19 strategic partners, opportunities for -- for Collus.

20

21 (BRIEF PAUSE)

22

23 MS. KATE MCGRANN: I'm -- I'm  
24 confused. I'm trying to think of a better way to ask  
25 you this question in a way that I haven't asked it of

1 you already, but -- and I understand that you have  
2 looked at a number of documents recently. I'm asking  
3 you about -- questions about things that happened a  
4 number of years ago.

5 I think that you're saying that you  
6 don't have an independent recollection -- recollection  
7 of KPMG being asked to look at a 50 percent share sale  
8 back in 2011, but after reading documents in  
9 preparation for the Inquiry, you have an idea that  
10 maybe that was done.

11 Am I -- am I understanding you  
12 properly?

13 MS. SANDRA COOPER: Well, at the  
14 initial outset it wasn't -- 50 percent was not  
15 specific, however, moving forward 50 percent was --  
16 the 50 percent partnership was introduced.

17 MS. KATE MCGRANN: I understand that  
18 the concept of a 50 percent partnership was introduced  
19 to Council and it became the subject of an RFP, and  
20 we're going to -- were' going to look to that shortly.  
21 I'm just trying to understand whether you're saying to  
22 me that you've got a recollection that KPMG was asked  
23 to analyse whether a 50 percent partnership was a good  
24 idea for Collus Power.

25 MS. SANDRA COOPER: I'm trying to

1 recollect and I don't at this point.

2 MS. KATE MCGRANN: If we could turn to  
3 paragraph 209 of the Foundation Document.

4

5 (BRIEF PAUSE)

6

7 MS. KATE MCGRANN: This paragraph  
8 discusses an in camera presentation that Mr. Houghton  
9 made to Council about a study that Collus was doing to  
10 investigate strategic opportunities. It's a June  
11 27th, 2011, presentation, so it's after KPMG has  
12 delivered its report.

13 Do you remember Mr. Houghton making  
14 this presentation to Council?

15 MS. SANDRA COOPER: Yes, I do, and  
16 there were other staff there as well, yes.

17 MS. KATE MCGRANN: So what do you  
18 remember about Mr. Houghton's presentation?

19 MS. SANDRA COOPER: The reference of  
20 strategic opportunities, strategic partner --  
21 strategic partner was talked about from there and  
22 ongoing, and here saying strategic opportunities, and  
23 -- and I recall strategic partners.

24 MS. KATE MCGRANN: This presentation  
25 was made in camera. Do you remember why the



1 presentation was made in camera?

2 MS. SANDRA COOPER: Well, that's where  
3 I depend on the Clerk to determine what would be in  
4 camera item and if it was to be in closed session, and  
5 I don't recall -- it would be listed on the minutes of  
6 why -- why it is in camera.

7 MS. KATE MCGRANN: Okay. But you  
8 don't have a recollection?

9 MS. SANDRA COOPER: Well, we'd have to  
10 pull that out and I could agree with it.

11 MS. KATE MCGRANN: Well, we can take a  
12 look at the minutes. They're at TOC516351.

13

14 (BRIEF PAUSE)

15

16 MS. KATE MCGRANN: I'm going to ask  
17 you to direct the Court Operator to scroll up and down  
18 so that you can see the information that you want to  
19 refer to.

20 MS. SANDRA COOPER: M-hm. So just to  
21 scroll up a little bit there; scroll down, sorry. So  
22 proceeds in camera to pertain -- I would say security  
23 of the property -- of the municipality or local board.  
24 I would -- it would fall under that, I would suggest,  
25 but I'm not the Clerk.

1 MS. KATE MCGRANN: Okay. And I'm  
2 just trying to understand if you remember why this  
3 particular topic was discussed in camera. If you  
4 don't remember --

5 MS. SANDRA COOPER: Well, it would  
6 have been a property matter.

7 MS. KATE MCGRANN: Do you recall if  
8 during his presentation Mr. Houghton advised Council  
9 that KPMG had done a valuation and an option analysis?

10 MS. SANDRA COOPER: I believe he did.  
11 It wasn't an -- it was an analysis that was not done  
12 in-house.

13 MS. KATE MCGRANN: Do You remember him  
14 saying that it was an analysis that wasn't done in-  
15 house?

16 MS. SANDRA COOPER: If I recollect  
17 that he had said that it was KPMG had -- had prepared  
18 this.

19 MS. KATE MCGRANN: Do you know why  
20 KPMG didn't present directly to Council?

21 MS. SANDRA COOPER: No, I don't. I  
22 didn't give -- didn't give it a thought.

23 MS. KATE MCGRANN: Do you know if the  
24 reports that KPMG issued to Collus were shared with  
25 Council?

1 MS. SANDRA COOPER: The presentations  
2 -- I believe that KPMG certainly, along with some  
3 staff at Collus, would have put a presentation  
4 together.

5 MS. KATE MCGRANN: Well, we know that  
6 on --

7 MS. SANDRA COOPER: We received  
8 presentations at our board, Collus Board, and I  
9 wouldn't second-guess why the consultant wouldn't be  
10 in attendance.

11 MS. KATE MCGRANN: Well, I guess I'm  
12 thinking the consultant did the work. We saw that the  
13 consultant put together a slide presentation. That  
14 slide presentation isn't delivered to Council.  
15 Council received a different slide presentation. So I  
16 wondered why KPMG didn't present -- you don't know.  
17 I'm now wondering was KPMG's report, the thing you  
18 were waiting for, and so that you could tell Council  
19 and they could get answers to their questions in the  
20 report -- was it given to Council?

21 MS. SANDRA COOPER: I had seen a KPMG  
22 report and I did have that in my possession. I don't  
23 recall if it was as a Board member or for the Town of  
24 Collingwood. I don't recall which. I did have a -- I  
25 don't have it now, but I did at that time.

1 MS. KATE MCGRANN: Were you ever  
2 involved in any discussions about whether or not to  
3 give the KPMG work product resulting from the option  
4 analysis and valuation to Town Council?

5 MS. SANDRA COOPER: I don't recall  
6 that conversation.

7 MS. KATE MCGRANN: I'm just wondering  
8 if there was -- I'm wondering if there was one or not.

9 MS. SANDRA COOPER: I don't -- I don't  
10 know. I don't recall.

11 MS. KATE MCGRANN: Do you recall if a  
12 decision was ever made or communicated to you about  
13 whether or not the members of Council should receive  
14 KPMG's work product from option and valuation  
15 analysis?

16 MS. SANDRA COOPER: Sorry, could you  
17 repeat that?

18 MS. KATE MCGRANN: Were you aware was  
19 a decision ever made about whether or not the members  
20 of Council should be given KPMG's work product?

21 MS. SANDRA COOPER: I -- I'm not aware  
22 of that conversation.

23 MS. KATE MCGRANN: And you say you've  
24 got a copy of KPMG's work product, but you don't know  
25 whether you have it as a Board member or as a Council

1 member?

2 MS. SANDRA COOPER: At that time I  
3 would have had it and likely as a Board member. It  
4 likely was provided to me at a Board meeting.

5 MS. KATE MCGRANN: We're looking at  
6 June 27th, 2011. Right now do you know if at any  
7 point between June 27th, 2011, and July 31st, 2012,  
8 the members of Town Council were provided with copies  
9 of the work that KPMG had done for Collus?

10 MS. SANDRA COOPER: I -- I can't  
11 recall.

12 MS. KATE MCGRANN: I'm looking at --

13 THE HONOURABLE FRANK MARROCCO: Are  
14 you moving --

15 MS. KATE MCGRANN: -- the --

16 THE HONOURABLE FRANK MARROCCO: -- on  
17 to something else?

18 MS. KATE MCGRANN: Yeah.

19 THE HONOURABLE FRANK MARROCCO: We may  
20 as well stop. Do you have any idea, Ms. McGrann, when  
21 you'll complete direct examination of the witness?

22 MS. KATE MCGRANN: I hope to complete  
23 the direct examination tomorrow. Can I be more  
24 specific than that? I would like --

25 THE HONOURABLE FRANK MARROCCO: Before

1 or --

2 MS. KATE MCGRANN: I would like to say

3 --

4 THE HONOURABLE FRANK MARROCCO: --

5 after lunch?

6 MS. KATE MCGRANN: By early afternoon.

7 THE HONOURABLE FRANK MARROCCO: All

8 right. That's just for your information, so you can

9 figure out the order of your cross-examination.

10

11 --- Upon recessing at 5:30 p.m.

12

13

14 Certified Correct,

15

16

17 \_\_\_\_\_

18 Wendy Woodworth, Ms.

19

20

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25

<hr/>	<b>12</b> 96:1	<b>2:05</b> 53:19	108:15	160:11
<b>"Did</b>	154:19	<b>2:17</b> 53:20	110:12	165:6,7
104:15	<b>127</b> 139:21	<b>2:33</b> 91:18	113:6,16	<b>28th</b> 75:9
<b>"Good</b>	<b>139</b> 97:1,6	<b>2003</b> 5:24	132:14	76:16
103:25	<b>141</b> 125:21	6:2	133:8	79:17
<b>"I</b> 102:11	<b>142</b> 125:21	<b>2010</b>	134:1,2,2	<b>2nd</b> 59:13
106:20	131:19	6:3,6,24	2	<hr/>
<b>"I've</b>	<b>143</b> 110:7	9:8 11:25	135:12,16	3
104:10	<b>144</b> 142:20	14:7	,24 136:6	<b>3</b> 62:6
<b>"My</b> 104:7	143:2	18:24	137:6	70:4
<b>"Not</b>	<b>146</b> 145:1	19:21	140:1,12	156:13
104:16	<b>14th</b> 145:4	22:19	141:2	157:8
<b>"We</b> 103:19	<b>165</b> 155:20	24:12	143:4,22	<b>3:17</b>
<hr/>	<b>166</b> 3:13	25:23	144:8	139:14
1	<b>18th</b> 92:24	27:1,25	145:4	<b>3:24</b> 91:19
<b>1</b> 33:21	93:12	28:10	146:9	<b>30,000</b>
56:7,19	<b>19</b> 67:23	29:7,23	155:25	143:18
79:17	<b>1986</b> 67:23	36:15	159:8	<b>30th</b>
82:25	<b>1997</b> 5:24	54:23	160:11	98:4,10
126:17	<b>19th</b> 39:3	56:9,14	165:6,7	103:18
129:23	63:8	57:10	<b>2012</b> 29:23	105:5,22
139:3	65:10	59:5,13	165:7	107:10
156:11	66:4	68:23	<b>2014</b>	110:9
<b>1/2</b> 95:3	140:1	69:6	6:9,24	<b>31</b> 119:12
<b>1:00</b>	<b>1st</b>	134:24	9:8 11:25	131:10
119:18	43:12,23,	135:10,12	14:8	<b>31st</b>
121:23	24 75:9	<b>2010/2014</b>	18:25	110:11
<b>1:01</b> 5:1	79:24	41:23	19:21	113:6,16
<b>1:30</b> 114:6	85:22	<b>2011</b>	22:19	119:18
132:2	86:1	30:5,7	24:12	121:23
<b>1:40</b>	132:13	36:16	25:24	131:18
131:10	134:1,2,2	39:3	27:1,25	165:7
<b>10</b> 5:12	2	40:23	28:10	<b>37</b> 4:3
53:3	<hr/>	42:13	29:7	40:11,14
91:15	2	43:12,24	54:23	<b>38</b> 4:4
138:23	<hr/>	45:8	56:9,14	61:1
<b>100</b> 156:12	2	47:19	57:10	<b>39</b> 4:5
<b>10th</b>	<b>2</b> 11:19	63:8	59:5	80:13
135:16	24:25	65:10	68:23	<hr/>
137:6	62:6 70:3	68:14,15,	69:6	4
<b>11</b> 154:19	95:3	23 75:9	<b>2019</b> 1:22	<b>4</b> 3:3 77:9
<b>115</b>	122:18	76:17	<b>209</b> 160:3	156:11,13
135:2,14	124:15	85:22	<b>22nd</b> 70:3	157:14
139:19	142:25	92:24	<b>23rd</b> 1:22	<b>4:40</b>
	146:25	93:12,25	<b>24th</b>	139:15
	156:12	98:4,10	155:25	
		103:5	<b>26th</b> 70:3	
		105:5,23	<b>27th</b>	
		107:10		

<b>40</b> 4:3 59:18 <b>41125</b> 83:2 <hr/> 5 <b>5</b> 3:6 47:25 83:11 139:1 <b>5:30</b> 139:11 166:11 <b>50</b> 95:7,23 157:16,19 ,23,25 158:1,2,1 0,14 159:7,14, 15,16,18, 23 <hr/> 6 <b>60</b> 4:4 <b>6th</b> 143:4 <hr/> 7 <b>7:59</b> 113:7 <hr/> 8 <b>80</b> 4:5 75:2 <b>81</b> 82:19 <b>82</b> 85:8,9 <b>83</b> 85:8 <b>85</b> 93:4,10 <b>87</b> 74:21 75:1 <hr/> 9 <b>9:53</b> 113:17 119:12 <b>92</b> 92:23 93:4,11 <b>97</b> 1:18	<hr/> A <b>able</b> 6:18 8:16 15:4 24:1 26:12 28:23 30:13,24 34:8 37:8 54:18 60:8 68:3 70:1 94:17 147:6 <b>absolutely</b> 19:5 138:6 <b>acceptable</b> 124:7 125:4 <b>accomplish</b> 12:1 <b>achieve</b> 18:14 <b>acquisitio</b> <b>ns</b> 124:19 <b>acronym</b> 30:16 <b>acronyms</b> 24:24 25:1,11 <b>across</b> 47:6,8 81:19 95:14 <b>act</b> 7:20 8:13,16,1 9 11:8,9,17 24:13 124:22 <b>acting</b> 26:21 <b>action</b> 20:11,15, 22,25 21:8,10,1	3,25 22:2 94:7 <b>actually</b> 33:19 48:16 58:15 75:1 96:16 149:3 <b>add</b> 125:4 <b>added</b> 20:25 123:15 124:24 <b>adding</b> 124:6 <b>address</b> 36:17 72:15 93:9 94:17 157:16 <b>addressed</b> 36:18 102:7 151:19 152:1 <b>addresses</b> 59:14 <b>administra</b> <b>te</b> 28:14 <b>administra</b> <b>tion</b> 109:1 <b>advantage</b> 90:21 <b>adversaria</b> <b>l</b> 126:19 127:8 129:14 <b>advice</b> 18:9 35:6 37:25 38:23 115:20 <b>advised</b>	149:18 150:16 152:21 155:1 162:8 <b>affect</b> 66:12 <b>affordable</b> 15:1 <b>afternoon</b> 5:13,17,1 9 77:9 103:18 127:2,24 128:5 131:11,24 166:6 <b>agenda</b> 15:18 20:12 24:22 <b>agendas</b> 20:18 108:20 <b>aging</b> 109:3 <b>AGM</b> 104:21 <b>ago</b> 39:2 66:17 114:3 116:12 118:10 159:4 <b>AGP</b> 39:4 63:12,13, 17,19,23 64:5,16,1 9,21,22,2 5 65:11,15, 25 66:11 67:1,11,1 7 68:18 69:20 71:23 72:14 73:15,17 75:3,4,10	,16 76:2,22 77:4 78:19 79:7,18 82:13 83:9 84:2,3,5, 15,18,23 85:12,14 87:1,4,11 88:3,21 89:3,25 90:2,6,14 91:2,6,22 ,23,25 93:14,18 94:4,16 96:15 128:6,10, 11,20,25 129:2,3 130:2 <b>AGP's</b> 66:9 75:14 82:25 92:5,13 94:7 <b>agreed</b> 108:2,7 121:3 150:15 <b>agreement</b> 18:14 152:19 154:24 <b>agricultur</b> <b>al</b> 67:4 <b>ahead</b> 5:4 125:17 126:11 130:23 154:18 <b>ALE71</b> 132:6 <b>Alectra</b> 2:7 <b>all-</b>
--	---	--	--	--



<b>encompassing</b>	147:14	16:14	<b>approval</b>	87:11
129:24	150:17	17:21	110:13	<b>arrive</b>
<b>Almas</b> 7:22	152:22	21:20	<b>approved</b>	88:25
<b>alone</b> 11:4	153:14	29:20	10:3,10,1	<b>aspects</b>
<b>already</b>	155:1,7	42:1,10	1	127:19
52:18	157:14	53:8	<b>approving</b>	128:2
67:12,22	162:9,11,14	66:24,25	10:6	129:11
105:1	164:4,15	67:6 68:8	<b>approximat</b>	<b>ass</b> 60:23
150:22	<b>annual</b>	79:12	<b>ely</b> 92:5	<b>assess</b>
153:10	104:22	116:2	<b>April</b> 1:22	158:1
159:1	124:17	125:6	43:12,23,	<b>assets</b>
<b>already."</b>	<b>answer</b>	138:13	24 45:8	100:21
104:10	14:3	149:22	47:19	101:1
<b>am</b> 71:18	28:21	<b>apologize</b>	<b>area</b> 8:13	<b>assist</b>
80:2	34:8 51:1	64:17	11:3,4	23:23
91:13	94:12	153:9	18:21,22	38:1
92:8,16	99:18	154:19	21:8	67:13,14
107:22	134:7	157:10	38:23	68:2
126:8	138:5,19	<b>appear</b>	45:20	69:19
129:20	144:14	20:17	49:20,23,	84:5
137:18	153:11	128:1	25	94:13,17
143:18	<b>answering</b>	<b>APPEARANCE</b>	50:5,10,1	145:6
158:7	26:5	<b>S</b> 2:1	6 51:8	147:7
159:11	<b>answers</b>	<b>appears</b>	63:16	<b>assistance</b>
<b>Amaizeingl</b>	28:23	84:10	66:12	35:6
<b>y</b>	42:6	128:18	67:3,4	38:22
63:14,17,	121:16,19	<b>appointmen</b>	73:5	81:23
18	124:8	<b>ts</b> 32:5	124:5	88:13,17
<b>amazingly</b>	127:3	<b>appreciate</b>	<b>areas</b>	<b>assistant</b>
78:14	138:1	121:7	48:11	99:6
86:9	150:21	<b>approach</b>	49:15	119:22
<b>amicable</b>	163:19	7:13	97:18	<b>assisted</b>
22:21	<b>anybody</b>	11:22	104:12	127:25
<b>AMO</b> 8:3	38:7 57:6	115:13,15	120:9	128:11
30:4,15	139:4	,21	150:8,9	<b>assisting</b>
<b>among</b> 11:1	142:3	127:19,25	<b>arena</b> 77:5	140:11
150:7	153:2	128:16	<b>argue</b>	<b>Associate</b>
<b>amount</b>	154:14	129:13,24	95:19	1:7 2:4
92:11,15,	155:12	130:2,6,8	<b>argument</b>	<b>Associatio</b>
18,20	<b>anymore</b>	<b>approached</b>	128:7,10	<b>n</b> 8:3
95:5	102:5	125:8	<b>arises</b>	30:20
<b>analyse</b>	<b>anyone</b>	128:20	127:12	86:16
157:19	22:8 27:7	<b>appropriat</b>	<b>arrange</b>	104:22
159:23	46:3	<b>e</b> 12:14	71:23	<b>assumed</b>
<b>analysis</b>	149:17	46:20	<b>arranged</b>	53:17
	152:9	84:13	13:20	<b>assuming</b>
	<b>anything</b>	148:5		

44:3	58:22	153:18	<b>beginning</b>	<b>s</b> 67:2
<b>assumption</b>	<b>August</b>	154:20	8:2 28:4	<b>benefit</b>
127:18	30:6	164:18,21	37:2	54:18
<b>attached</b>	<b>author</b>	<b>away</b> 11:21	54:25	67:2
83:17	44:1	16:22	114:24	<b>benefits</b>
<b>attaching</b>	<b>authored</b>	18:2	132:20	95:10
83:9	81:14	68:22	<b>behalf</b>	<b>Bentz</b>
<b>attachment</b>	82:13	105:11	65:14	132:13,15
60:2 61:4	133:23	143:1	68:18,24	133:7
83:16	<b>authorizat</b>		71:23	134:23
110:1	<b>ion</b>	<hr/> B <hr/>	73:24	135:16
112:9	<b>available</b>	<b>background</b>	90:13	136:5,11
<b>attachments</b> 59:23	30:8 39:9	5:21 6:20	94:7	137:9
<b>attempting</b>	149:19	95:18	142:13	<b>best</b>
65:22	150:20	147:6	<b>behind</b>	106:22
72:15	155:2	<b>Bain</b> 2:8	9:13	130:12
90:1	<b>average</b>	<b>balance</b>	84:18	148:12
158:7	24:8 47:9	126:16,19	94:4	<b>better</b>
<b>attend</b>	49:12	<b>ballroom</b>	<b>believe</b>	35:15
7:17,25	105:18	88:5	10:10	36:2 50:8
13:20,23,	<b>avoiding</b>	<b>bang</b> 79:25	14:3 19:4	51:15,20,
24 30:4	94:14	<b>bank</b> 12:21	22:20	25
72:19	<b>await</b>	<b>bare</b>	28:6	52:8,11,1
73:22	138:14	9:19,22	30:12	5 125:13
<b>attendance</b>	<b>aware</b>	<b>base</b>	35:14	126:23
30:9	22:12,13	123:10	36:19	151:10
31:12	32:11	<b>basically</b>	45:25	158:24
163:10	57:9	35:21	48:17	<b>beyond</b>
<b>attended</b>	63:21	<b>basis</b>	56:6 74:8	128:25
7:24 8:6	64:5	58:21	76:17,22	<b>bill</b> 12:21
23:3 86:6	65:25	95:15	77:16	35:2
89:18	66:5	107:24	78:12	125:10
104:20	67:10,24	<b>Bay</b> 124:18	79:25	<b>billing</b>
154:9	82:13	<b>became</b>	100:4	140:7
<b>attending</b>	84:14,19	6:16	107:11	<b>binder</b>
8:3,9	92:12	45:11	109:25	24:21
30:1 32:9	108:14,17	159:19	110:19	25:4,5,11
124:17	109:20	<b>become</b>	119:9	,14
<b>attention</b>	122:3	36:15	131:15	114:25
39:6 50:9	133:6	96:10	151:18,20	<b>bit</b> 15:20
61:7 76:1	134:22	138:11	155:10	20:17
87:2,5	138:10,11	<b>becoming</b>	158:10	41:11
93:8	140:10,14	115:3	162:10	52:19
132:6	,21,22,23	<b>begin</b> 5:20	163:2	63:5
<b>audience</b>	141:1,10	60:2	<b>believed</b>	67:16
	142:8		49:22	74:2
	143:21		<b>Belina</b> 2:8	77:24
			<b>benefactor</b>	

90:11,13	<b>boards</b>	115:5,18	41:16	105:10
119:23	108:23	118:10,23	42:18	<b>brother</b>
130:23	<b>Bonwick</b>	132:13,16	63:1	40:23
161:21	2:10	133:6,14	74:23	52:20
<b>bo</b> 30:11	39:3,16	134:1,13,18	76:7,12	66:8,20
<b>board</b>	40:18	135:16,25	77:21	67:7 80:6
23:8,10	41:22	136:5,11	79:14	90:24
26:5,13,1	42:11	137:8	82:21	115:12
9 27:8,19	52:20	140:1,11	83:4	<b>brothers</b>
84:19	54:23,25	<b>Bonwick's</b>	85:5,17,2	88:12
103:19,21	55:2,21	63:19,23	1 90:17	<b>brother's</b>
108:11	57:11,22	64:11	91:9 93:1	90:13
110:10,12	58:10,11	65:14	97:4	<b>brought</b>
,13,17	59:12	80:17	103:14	44:4
111:9	60:3,8,14	88:16	113:11	93:15
112:4,12,	62:11	131:25	114:20	112:22
20,23	63:7	<b>book</b> 11:17	119:15	122:6
113:6,18	64:5,9,16	<b>booked</b>	131:4,21	156:18
114:5	,22 65:11	32:5	132:8	<b>budget</b>
116:14	68:6,8,17	<b>bottom</b>	136:25	36:25
118:11,25	,24 69:24	61:5 63:4	139:23	61:15,17,
119:4,7,9	70:6,22	103:17	140:19	18 113:22
121:17,25	72:18	108:10	142:6,17,	114:17,23
124:12,16	73:21	113:8	22 148:22	,24,25
125:6	74:4 75:4	<b>box</b> 50:23	151:4,15	115:2,3,6
135:5,9	76:16	100:14	153:7	,13,16,19
141:3,9	77:7,14,1	116:20	155:22	,22
144:2,4,6	8	118:7	158:21	116:1,22
,9,14,17,	79:18,23	<b>break</b> 5:12	160:5	120:19
24 145:25	80:8,24	53:1,24	161:14	124:2
146:6,11	81:8	139:1,19	<b>briefing</b>	<b>budgetary</b>
147:1	83:8,18	<b>breakdown</b>	75:5	61:13
149:1	84:2,8,11	51:21	82:24	<b>budgets</b>
150:1,12	,15,23	<b>Breedon</b>	<b>bring</b>	114:24
153:17,18	85:10,25	2:19	18:10	116:24
,24,25	86:6	<b>Brian</b>	33:9	<b>build</b>
154:10,12	87:18	59:16	50:8,9,11	38:18
155:11	88:1,23	60:10	59:16	40:6
156:19,21	89:2,7,20	62:7	76:1	<b>building</b>
161:23	,25 91:5	132:13,15	87:2,4	58:3
163:8,23	94:20,25	134:23	93:7	109:1
164:25	97:9,12	<b>brief</b> 6:13	94:21	<b>burden</b>
165:3,4	98:1	11:5 21:7	123:6,12	102:6
<b>Board-</b>	103:19,25	25:17	125:5	124:25
<b>reporting</b>	104:3	33:17	127:21	<b>business</b>
135:7	108:11,13	35:20	129:3	23:21,25
<b>boardroom</b>	,16	<b>bringing</b>	138:15	27:11
27:21	109:5,15	12:10,12		
149:10	110:8	102:2		
	113:16			
	114:16			

68:10	43:8,16	142:1	36:13	<b>chief</b> 1:7
69:5	46:12,18	<b>certainly</b>	<b>challenges</b>	20:4
83:8,10,1	47:3 50:2	9:20	23:23	151:8
9	51:14	11:19	35:1	<b>children</b>
109:18,19	54:9	25:21	65:23,25	8:17
116:25	97:16	38:23	66:6,9	<b>Cindy</b>
147:3	104:10	46:13	67:11,12	71:9,12,1
150:2	108:21	50:11	84:6	3,19 72:5
<b>businesses</b>	120:6	99:9	132:25	<b>circumstan</b>
68:13,18,	<b>CAOs</b> 30:7	108:7	<b>chambers</b>	<b>ce</b> 69:4
25	<b>CAO's</b>	116:3	1:17	<b>circumstan</b>
<b>busy</b> 24:9	40:22	126:25	23:25	<b>ces</b> 77:2
<b>buyer</b>	<b>carried</b>	137:13	105:15	<b>city</b> 23:15
141:6	130:17	144:22	<b>chance</b>	<b>clarificat</b>
	<b>carry</b>	147:16	86:11	<b>ion</b> 19:13
	130:17,23	152:12	90:20	70:17
<hr/> C <hr/>	<b>carrying</b>	157:21	138:23	94:23
<b>camera</b>	98:19	163:2	<b>change</b>	96:5
9:17	<b>case</b> 15:22	<b>Certificat</b>	50:17	139:7
112:11,18	16:12	<b>e</b> 3:13	62:14	<b>clarify</b>
122:12,13	17:13,14	<b>Certified</b>	<b>changed</b>	134:7
160:8,25	18:11,13	166:14	50:20	137:17
161:1,4,6	19:1,21	<b>cetera</b>	62:10	<b>clarifying</b>
,22 162:3	29:5,12	127:4	<b>changes</b>	39:12
<b>cameras</b>	30:12	130:5	60:12	40:20,22
9:12	34:10,12	<b>chain</b> 63:5	62:5,13,1	41:6,13
<b>campaign</b>	88:14	76:10	8,19,22	42:12
60:10	134:8,9	79:10	81:8	<b>classic</b>
102:24	<b>cases</b>	93:12	119:22	128:4
115:15	15:17	108:10	120:1	<b>clean</b>
116:5	<b>catch</b>	110:10	140:9	140:6
118:17	86:23	140:10	<b>charges</b>	<b>clear</b> 47:2
<b>campaigned</b>	<b>cause</b>	<b>chair</b>	98:19	51:19
62:8	51:20	101:11	<b>chat</b> 39:9	96:10
<b>CAO</b>	<b>caused</b>	120:2	<b>chat."</b>	113:23
12:3,15	132:25	150:1	103:21	123:12
14:12	<b>CCed</b>	<b>chaired</b>	<b>CHEC</b>	124:1
20:23	151:19,21	61:16	124:20	138:4
21:4	<b>cell</b> 39:13	<b>chairperso</b>	<b>checking</b>	146:4
23:20	<b>centre</b>	<b>n</b>	108:19	<b>clerk</b> 7:22
28:11,13,	83:8,10,1	<b>chairs</b>	<b>Chenoweth</b>	8:23 9:1
25 29:23	5,19	60:11	2:16	10:2
33:9	<b>CEO</b>	<b>challenge</b>	125:23	11:7,18
37:7,18,2	117:4,8,2	67:17	126:5,12,	18:22
0 38:19	3 132:16	124:25	24 127:1	108:21
39:12	141:5	<b>challenged</b>	130:19	161:3,25
40:6,20,2				
1 41:6,13				
42:12				

<b>client</b> 63:19,21, 23 64:10,13 126:18	6:21 7:1,5,7 23:18,22 26:24 35:1 45:21 63:16 65:18 67:22 69:15,18 73:8 82:16 90:8 98:18 100:10 102:2 105:17 108:22 109:10 117:15 120:18 123:4,9 125:8 141:21 145:6 152:6,15 156:2,8 163:24	106:1,15 107:15 110:12,13 ,14,17 111:5 112:12,23 113:17,24 117:3,8,1 3,19 118:2 120:2,14 121:2,24, 25 122:21 124:5 125:1,14 133:17 134:3,18 141:3 143:23 147:14 150:1,12 151:8,24 152:5,25 154:2 156:1,11, 22 157:19,21 158:2,19 159:24 160:9 162:24 163:3,8 165:9	<b>coming</b> 6:16 18:1 24:2 32:3 38:15 46:12,15 50:15 56:11,14, 16 62:16 66:20 68:12,24 79:6 97:23 98:3,9 100:1 124:22 130:6 144:23  <b>commence</b> 133:4,17 134:17,19  <b>commencing</b> 5:1  <b>comment</b> 41:1 50:23 53:7 93:23 114:23 116:1 130:13 133:23 138:13,18 150:1  <b>comments</b> 33:10 54:14,19 67:19 99:7 102:18 130:21  <b>commission</b> 129:9 130:9 138:14  <b>commissioner</b> 11:15 138:25  <b>commission</b>	<b>s</b> 127:6  <b>committee</b> 23:11 132:22  <b>committees</b> 108:24  <b>common</b> 99:10  <b>communicat</b> <b>e</b> 14:8,16,2 0 29:1 38:4 55:8  <b>communicat</b> <b>ed</b> 164:12  <b>communicat</b> <b>ing</b> 12:9 14:10 58:18 106:25 108:21 115:5  <b>communicat</b> <b>ion</b> 7:6 28:15,18 31:2,5 32:8 35:15 36:3,9 37:4,5,13 ,20 38:3 48:8 50:8 52:15 84:11 101:13 135:6 136:10  <b>communicat</b> <b>ions</b> 57:11 58:11,12, 17  <b>communicat</b> <b>or</b> 58:18  <b>community</b> 12:17,20, 23
<b>close</b> 116:23				
<b>closed</b> 9:13 61:17 161:4				
<b>closely</b> 46:18 135:5 141:9 146:6,11				
<b>closer</b> 126:22				
<b>closing</b> 67:18				
<b>closure</b> 67:23				
<b>co</b> 151:25				
<b>co-</b>				
<b>campaign</b> 60:10				
<b>cognizant</b> 95:3				
<b>collaborat</b> <b>ively</b> 38:20				
<b>collecting</b> 92:10				
<b>collection</b> 94:8				
<b>collective</b> <b>ly</b> 73:9 107:14				
<b>collector</b> 92:9 93:23				
<b>Collingwoo</b> <b>d</b> 1:2,16,19 2:18 5:21	<b>Collingwoo</b> <b>d's</b> 135:19 136:1  <b>Collus</b> 2:21 23:8 24:14 25:6,9 26:1,5,9, 10 27:4 92:2,13,1 9 95:8,24 96:3,25 99:1,22 100:19,22 ,25 101:2,8,1 0,16 102:15 104:19 105:3,12, 24	<b>colour</b> 83:13  <b>comes</b> 16:22,23 18:17 92:15  <b>comfort</b> 37:24 142:14  <b>comfortabl</b> <b>e</b> 19:16 32:25 33:3,22,2 4 50:19 66:16 73:17		

13:5,19 30:2 41:1 73:1 118:16 125:8,14 128:12 129:6  <b>companies</b> 125:1 156:8  <b>company</b> 39:4 57:11 64:19,21 66:21 69:7 79:20 106:8 117:5 142:1 154:3 156:12,13 ,14  <b>company's</b> 141:4  <b>compare</b> 106:12  <b>Compenso</b> 57:11 58:11 59:4  <b>Compenso's</b> 140:2  <b>competing</b> 27:3  <b>compiling</b> 73:6  <b>complaints</b> 72:15 79:6  <b>complete</b> 165:21,22  <b>completed</b> 21:25 48:14 54:1	<b>completion</b> 36:20  <b>compliance</b> 73:4,5  <b>comply</b> 124:22  <b>con</b> 87:1  <b>concept</b> 107:23 111:12 157:16 159:18  <b>concern</b> 14:25 34:9 38:15 73:5 125:25 126:7 127:22 129:21 130:11,16  <b>concerned</b> 9:4 67:17 128:24  <b>concerns</b> 12:11 33:10 38:16 67:19 126:16,17 127:11  <b>conclude</b> 133:14  <b>conduct</b> 39:13 40:20,22 41:6,13 42:12 46:4  <b>conducting</b> 40:4  <b>conference</b> 30:5 89:14,16, 18 95:4	<b>conference</b> s 86:16  <b>conferring</b> 122:18  <b>confidence</b> 9:18,21 107:2,12 121:8 147:5  <b>confidence</b> ." 106:24  <b>confident</b> 11:19 33:4 92:8,9  <b>confidenti</b> <b>al</b> 107:24 121:11 122:14  <b>conflict</b> 7:11,18 8:10,12,1 4,16,19 9:1,5 11:8,16,2 3  <b>conflicts</b> 7:13,16 8:21  <b>confused</b> 158:24  <b>connected</b> 13:18 23:15 117:15  <b>connecting</b> 12:14  <b>connection</b> 122:6  <b>connection</b> s 13:4  <b>conscious</b> 128:8 130:18  <b>consensus</b>	16:13 17:15,16 148:10,12 149:16  <b>consent</b> 15:18  <b>consi</b> 105:23  <b>consider</b> 27:1  <b>considerat</b> <b>ion</b> 98:7 130:15 145:17 146:16  <b>considered</b> 101:20 105:23 106:2 116:22  <b>considerin</b> <b>g</b> 8:20 106:5  <b>consistent</b> 112:14  <b>consolidat</b> <b>e</b> 156:7  <b>conspirato</b> <b>rial</b> 95:20 128:19  <b>consulate</b> 23:16  <b>consult</b> 9:1 11:7 34:16  <b>consultant</b> 141:5 163:9,12, 13  <b>contact</b> 12:25 23:18 134:23 135:9,25	<b>contacted</b> 12:22 13:1  <b>contacting</b> 51:12  <b>contacts</b> 34:24 140:24  <b>CONTENTS</b> 3:1  <b>context</b> 7:24 14:15,19 15:11,14 133:13 136:19 143:25  <b>continue</b> 79:22 124:21  <b>continued</b> 40:16 53:22 61:3 78:24 80:15 96:22 125:19 129:13 130:25 138:5 139:17  <b>contract</b> 49:16 63:9  <b>control</b> 97:15 104:9 120:5  <b>conversati</b> <b>on</b> 8:23 11:18 26:7 27:7 31:22 36:2 37:3 41:19 44:15 45:6
--	--	--	---	---

48:3,4,6,	,24	,21	82:3,12	120:23
8 65:5	20:3,8,19	50:2,7	83:21,24	121:5,13,
67:7	,23	51:10	84:4,9,17	15
85:9,21	21:1,11,1	52:1,6,14	,25 85:19	122:2,23
87:2 88:1	8,22	53:4,5,12	86:7	123:2,16,
91:2	22:11,16,	54:5,8,11	87:7,13,1	22 124:14
102:12	20 23:2	,16,21	6,20,24	131:14
103:2,3,5	24:9,16,2	55:2,6,10	88:4,11,1	132:3
,7,8	0	,14,17,23	4,19,24	133:9,18,
118:16,21	25:8,12,1	56:1,6,10	89:5,12,1	22
122:11	9	,16,20	7,22	134:4,11,
125:5	26:3,14,1	57:1,4,8,	90:1,7,15	20,25
141:16	8,23	13,16,19,	,22	135:3,11
146:25	27:5,8,14	23	91:1,7,16	136:3,7,1
164:6,22	,18	58:1,7,12	,24	3,16
<b>conversati</b>	28:2,6,13	,17,23	92:2,7,15	137:1,10,
<b>ons</b> 7:21	,20	59:2,6,9,	,21 93:19	16,20,24
11:2 12:3	29:3,9,13	25	94:1,5,9,	138:2,6,2
16:11	,19,24	60:4,7,17	15 97:25	0 139:18
23:14	30:17,20	,21 61:25	98:5,12	140:13,21
32:10	31:4,8,16	62:4,12,2	99:5,15,1	141:8
35:11	,20	1	9 100:4,8	142:8
103:6	32:1,21,2	63:14,20,	101:3,9,2	143:6,24
137:22	4 33:12	24	4	144:7,12,
141:10	34:1,3,15	64:7,12,1	102:16,22	16,22
142:4	,19,23	8,23	103:4,23	145:15
146:22	35:7,14,1	65:2,4,13	104:18	146:3,24
<b>conversion</b>	9,24	66:2,10,1	105:6,25	147:15,21
118:13	36:4,7,12	5,23 67:9	106:4,17	,24
<b>Cooper</b>	,24	68:15,20	107:3,7,1	148:9,18,
2:12 3:5	37:6,12,1	69:1,8,12	1	24
5:6,8,11,	7,23	,14	108:1,5,1	149:5,9,1
18,19,25	38:6,9,12	70:7,12,1	7	3,21,25
6:4,7,10,	,17	6,19,23	109:7,13,	150:19
15 7:3,15	39:17,23	71:1,5,13	20,25	151:12,17
8:1,11,22	40:3,24	,17,25	110:4,19,	152:11
9:2,6,11,	41:8,18,2	72:3,10,1	23	153:1,5,1
18,25	4	3,20,23	111:2,10,	7,22
10:9,16,1	42:4,7,14	73:14	13,19,24	154:2,5,9
9 11:13	43:1,7,17	74:6,8,11	112:3,8,1	,13,15
12:2,9,19	,20,24	,15,19	6,25	155:3,10,
13:7,12,1	44:2,8,21	75:12,15,	114:10,15	13,17
5,21,25	,25	19,23	,22	156:17,23
14:10,17,	45:4,10,1	76:20,25	115:7,14,	157:2,6,2
22	4,19,25	77:3,16,2	23 116:18	0
15:15,25	46:6,9	3 78:3,9	117:6,10,	158:5,15
16:5,15,2	47:1,11,1	79:2,8,11	14,21,24	159:13,25
4 17:6,18	5,18	,21	118:4,8,1	160:15,19
18:5,16	48:2,16,2	80:7,20	5	161:2,9,2
19:3,8,12	0,23	81:1,6,11	119:1,5,8	0
	49:4,8,13	,16,18	,21	162:5,10,

16,21	88:10,23	20:5,12,1	20,25	<b>couple</b>
163:1,7,2	91:24	3,18	165:8	91:21
1	106:17	21:2,7,15	<b>councillor</b>	114:7
164:5,9,1	117:6,21,	,16 22:19	5:23	<b>course</b>
6,21	24 166:14	23:10,24	15:13	95:2
165:2,10	<b>corrected</b>	24:13	19:25	129:24
<b>coordinati</b>	80:18	25:24	22:9	<b>Court</b>
<b>ng</b> 83:19	<b>correction</b>	27:1,25	136:23	161:17
<b>copied</b>	80:2	28:10,16,	153:23	<b>cover</b>
76:17	<b>correction</b>	18,20,23	<b>councillor</b>	45:13
97:8	<b>s</b> 80:21	29:1,8	<b>s</b>	<b>covered</b>
132:12	<b>correspond</b>	30:8 32:3	19:2,14,2	62:8
135:17	<b>ence</b>	35:16	2 20:7,9	<b>CPS2000</b>
140:10	133:7	36:3,9,14	22:6,14	151:1
141:14	138:9,11	,20 40:25	29:18	<b>CPS6996_00</b>
145:1	<b>cost</b> 99:20	41:2,23	<b>councillor</b>	<b>01</b> 113:4
146:8	100:12	46:13	<b>'s</b> 22:3	<b>CPUSB</b>
152:1	102:2	49:18,20,	<b>Councilor</b>	24:14
<b>copies</b>	105:9,20	22,23	51:12	<b>crack</b>
83:11	120:10	50:5,14,1	<b>Council's</b>	59:15
165:8	144:23	5,18	51:16,21,	<b>create</b>
<b>copy</b> 7:20	<b>costs</b>	2 52:16	25	120:17
48:14,19,	97:19	54:24	52:8,12	156:7
22	104:12	56:9,15	<b>counsel</b>	<b>creating</b>
54:2,3,14	105:5,10	61:11	2:3,5,10,	95:19
59:17	113:19	93:15	14	<b>credit</b>
83:8	<b>council</b>	95:7	32:16,17	133:14
140:2	1:17 5:22	97:13	95:2,13	<b>criteria</b>
151:6	6:2,16,24	102:23	96:6	78:15
152:8,10	7:8,9 8:3	104:7	122:18	<b>cross</b> 90:4
164:24	9:8	105:9	127:7,9,1	<b>cross-</b>
<b>corporatio</b>	10:3,6,7,	108:20	4 128:18	<b>examinati</b>
<b>n</b> 2:8,22	20,21,22	114:1	129:11	<b>on</b> 166:9
27:10	11:1	119:23	130:14	<b>cross-</b>
28:14	14:8,11,1	120:3	<b>counsellor</b>	<b>examine</b>
102:1	5,20,23,2	121:8,17	61:14	127:12
117:20,23	4	122:6,7	<b>counsel's</b>	129:17
123:4	15:4,6,10	124:2	107:17	<b>cross-</b>
150:3	,11,14,23	141:20,21	130:4,12	<b>examine</b>
<b>Corporatio</b>	,24	148:6,13	<b>country</b>	128:3
<b>ns</b> 27:4	16:12,16,	149:18	95:14	<b>Culture</b>
<b>correct</b>	18	150:15	<b>county</b>	106:7
5:25	17:14,19,	154:17,25	23:10,13	<b>Cunningham</b>
6:4,11	20	159:19	26:6 99:8	20:4
24:15	18:1,4,6,	160:9,14	105:15,18	
29:19	10,13,18,	162:8,20,	108:25	
54:5,16,2	19,25	25	109:2	
1 87:19	19:21	163:14,15		
		,18,20		
		164:4,13,		



<b>curiosity</b> 138:25	115:20 150:10	101:16 122:15 157:11	147:3	10:14,18
<b>curious</b> 39:11 40:19	<b>dealing</b> 34:13 95:23 133:10	<b>delegating</b> 36:14	<b>deputy</b> 6:2 46:14 61:16	<b>different</b> 26:6 41:11 46:13
<b>customers</b> 26:23	<b>Dean</b> 101:10 135:5	<b>delivered</b> 80:24 160:12 163:14	<b>derived</b> 65:8	52:22 82:8 90:11 91:12 96:17 106:7 136:22 163:15
<b>cut</b> 71:4 125:11	<b>debentures</b> 98:20 115:9	<b>depart</b> 40:5	<b>describe</b> 31:2 150:15 156:4	<b>described</b> 18:13 20:1,16 35:13 65:24 90:20
<b>cuttings</b> 23:7	<b>debt</b> 19:18 91:23,25 92:6,13 93:14,17 97:15 98:18 99:2 100:13 102:3,4 104:8 115:8 120:5,16 130:5	<b>department</b> 12:3,15 14:11 15:3,13 17:20 19:15 20:1 29:14,15 34:5 40:5 49:24 51:13 61:12 97:17 98:6,21 99:6,23 104:11 105:19 106:8 113:23 115:20 116:19,23 117:8,18 118:1 120:7 123:6 141:24	<b>describes</b> 85:9 140:1 155:25	<b>differentl</b> <b>y</b> 37:22 104:19 117:1
<hr/> D <hr/>				
<b>daily</b> 95:15			<b>describing</b> 16:11 17:25 115:11	<b>difficult</b> 144:8
<b>Dar</b> 76:22			<b>Detail</b> n 4:2	<b>difficulty</b> 65:15 145:19
<b>Daryl</b> 76:16,19			<b>detail</b> 59:10 95:2 141:11	<b>dinner</b> 77:11
<b>date</b> 10:4 66:5 70:9 156:24			<b>details</b> 27:15 44:10 59:4,6 95:18 112:19 122:4	<b>direct</b> 146:25 161:17 165:21,23
<b>dated</b> 43:12 59:13	<b>debts</b> 113:19			<b>directed</b> 46:1,8 53:7 121:2 134:2,18
<b>dates</b> 95:5	<b>December</b> 36:15 59:13 134:24 135:10			<b>direction</b> 15:16,23 17:22 18:4 19:9 51:16,21, 25 52:9,12 101:5 114:2,4 116:13 118:24 121:4 123:18 133:4,17 134:17
<b>David</b> 145:24 150:6	<b>decide</b> 13:22			
<b>day</b> 65:10 87:12 89:13 110:11 112:23 119:18 127:23 132:1,14 139:1 140:8	<b>decision</b> 111:18,22 112:2 123:11 125:15 147:8 164:12,19	<b>department</b> s 86:18 98:14,22 99:20,21 102:1,8 103:9 116:24 123:3	<b>determine</b> 112:4 161:3	
<b>days</b> 61:17 127:23	<b>decisions</b> 14:9,16	<b>depend</b> 161:3	<b>developing</b> 126:8 127:22	
<b>day-to-day</b> 12:21	<b>definitely</b> 27:23 36:25 84:10	<b>depended</b>	<b>differ</b> 10:7	
<b>deal</b> 64:3			<b>difference</b>	

<b>directions</b>	56:25	110:16	135:2,14	14 165:9
14:21	86:5	111:5	136:12,17	<b>door</b> 9:13
15:10	109:18	122:5,16	139:20,21	30:13,24
<b>directly</b>	112:20	123:25	142:20	<b>Dorchak</b>
22:10,15	121:25	124:16	151:1,11	76:16,19,
24:3	132:21	125:5	155:20	24
29:18	133:13	147:16,25	160:3	77:7,19
34:14	145:2	148:10,20	<b>documents</b>	79:18
45:5	152:18	149:2,8,1	39:19,21	<b>dot</b> 83:9
51:13	154:12	2,23	84:10	<b>double-</b>
54:2	162:3	150:14,21	114:11	<b>sided</b>
151:25	<b>discusses</b>	158:8,13,	136:8	24:25
162:20	39:4	16,17	137:2,11	<b>downs</b>
<b>director</b>	82:24	<b>discussion</b>	138:9	101:1
24:13	97:7	<b>s</b> 10:24	155:18	<b>downtown</b>
25:15	135:15	25:1 26:8	158:6,17	6:17
26:1,4,22	143:2	30:25	159:2,8	<b>draft</b>
27:4	160:8	41:5,12	<b>dollars</b>	60:11,15,
71:11	<b>discussing</b>	46:3	92:21	20 61:9
73:22,24	36:23	137:19	98:15,17	62:3,11,2
74:2	37:16	147:11	100:13	0 97:11
133:3,16	40:21	164:2	102:3	98:6
141:3,25	41:4	<b>distributi</b>	<b>don't</b>	99:3,7,14
143:10	49:19	<b>on</b> 104:21	102:12	101:22,25
145:24	53:8 70:5	125:1	110:12,23	102:17
<b>directors</b>	84:15	<b>document</b>	111:10,19	104:2,4,1
112:12	108:11,15	33:15	,22,24,25	6 106:19
141:4	113:6	39:1,24	<b>done</b> 11:12	107:6,9
145:13	147:20	42:21,25	16:22	108:12,20
<b>directorsh</b>	148:11	43:6,12	19:7 25:3	109:24
<b>ip</b> 24:18	<b>discussion</b>	44:18,19	36:17	120:21,24
<b>dis</b> 77:7	10:21	52:7	45:16	121:22
<b>discomfort</b>	11:1 14:2	59:12	46:10	123:19
35:11	16:6	62:24	86:15	131:7
<b>discuss</b>	17:11,13	74:21	96:24	137:11
26:14	18:7,12	75:8	98:16	138:8
34:22	21:2	82:19	115:6	143:16
41:22	27:9,13,1	83:1,17	121:12	145:5
55:22	5,17	85:2	123:8	150:25
85:24	30:14	92:23	134:12,13	151:7
89:3	35:18	93:7 97:2	,14,16	<b>drafted</b>
135:21	36:6 38:8	103:11	145:18	70:18,22
136:1,6	43:15,19	110:7	146:17	97:23
145:23	44:6,9,11	112:22	149:19	99:11
150:14	46:5	113:3	150:17	100:1
<b>discussed</b>	47:23	114:13	152:22	<b>drafting</b>
9:16	48:25	125:21	153:15	98:3,9
48:10	49:5,7	126:17,18	155:2,6	
	50:12,14	131:19	159:10	
	77:11	132:5	162:9,11,	

<b>draw</b> 95:6	140:22	75:14	55:9,11	40:19
96:2	<b>early</b>	128:11	59:12,13	42:11
101:25	55:21	<b>either</b>	60:3,6,8,	<b>emails</b>
<b>driving</b>	114:1	12:14	23 63:4,7	103:19
95:20	143:21	18:17,25	65:10	108:19
<b>Dunc</b> 59:16	166:6	38:13	67:18	140:14
60:10	<b>earning</b>	64:19	69:23	<b>email's</b>
62:6	73:18	96:4	71:7	119:12
<b>during</b>	<b>east</b> 63:15	151:23	73:20	<b>e-mails</b>
6:24,25	73:7	<b>elderly</b>	76:10,17	97:7,8
9:8 10:20	<b>easy</b> 59:20	55:19	77:6,15	<b>emotions</b>
11:13,24	<b>economic</b>	<b>elected</b>	79:10,23	135:20
12:5	67:1	6:6,9	80:5,10	<b>empathized</b>
14:7,23	<b>economical</b>	36:15	83:6,9	68:1
18:24	<b>ly</b> 66:12	56:20	85:25	<b>employ</b>
19:14,20	<b>economist</b>	97:13	89:4	69:20
22:18	124:19	104:8	97:11,22	<b>employed</b>
24:12	<b>Ed</b> 27:20	120:4	102:21	33:1
25:23	77:8 80:4	122:7	103:17	71:20
26:25	93:12	135:18	108:10	<b>employees</b>
27:25	114:4	<b>election</b>	109:23	68:1
28:10	116:13	98:13	110:5,8,1	73:17
29:7,23	118:11,23	<b>electric</b>	0 113:16	<b>employer</b>
33:8	,24 120:2	156:9	114:8,13	81:22
41:23	124:6	<b>Electrical</b>	116:11	<b>employers</b>
47:22	143:2,13	104:21	119:18,24	23:21
54:23	145:5	<b>electricit</b>	121:22	30:1
56:9,14	<b>EDA</b> 104:21	<b>y</b> 107:20	131:24	<b>employment</b>
57:10	<b>edited</b>	124:18	132:1,12	6:15
59:4 67:8	59:22	<b>else</b> 21:20	133:12	67:3,19
69:6	<b>education</b>	38:7	134:16	69:15
112:12	6:13	42:10	135:15,17	<b>en</b> 78:15
120:19	<b>Edwards</b>	57:6	137:6,8	<b>encourage</b>
135:18	153:23	106:12	140:10,23	156:7
162:8	154:8	139:4	,24	<b>encouraged</b>
<b>duty</b> 69:15	155:9	142:3,15	141:12	30:4
<b>dying</b>	<b>Edwin</b> 2:16	149:22	143:11,24	<b>encouragem</b>
69:18	<b>effect</b>	153:2	,25 144:1	<b>ent</b>
<hr/>	<b>effective</b>	154:14,20	145:2	55:7,9,13
<b>earlier</b>	32:16	155:12	146:8	74:3
11:14	<b>efficiency</b>	165:17	<b>e-mail</b>	<b>encourages</b>
18:6	120:17	<b>elsewhere</b>	15:5	156:8
29:14	<b>efforts</b>	50:19	17:19	<b>energy</b>
30:21		<b>email</b>	93:12	107:20
122:21		18:18	97:24	
126:14		39:2,4,7,	<b>emailed</b>	
129:22		15 40:2,8	89:7	
131:24			104:3	
			156:17	
			<b>emailing</b>	

124:22	130:5	<b>example</b>	150:2	8:25 66:1
<b>engage</b>	<b>ev</b> 148:10	15:12	<b>expert</b>	<b>fact</b> 88:21
43:14	<b>evaluate</b>	19:14,23	158:3	117:17
88:7	152:6	128:4	<b>explain</b>	128:8
143:14	<b>evaluation</b>	<b>excellent</b>	10:17	129:3
<b>engagement</b>	43:9	47:10	34:2	148:3
143:16	45:18	128:14	47:24	152:21
<b>engaging</b>	46:19	141:18	99:18	<b>factual</b>
43:19	47:5	<b>exchange</b>	<b>explained</b>	86:8
<b>engineerin</b>	53:25	97:7,8	71:9	88:20
<b>g</b> 117:11	123:1	110:8	152:17	<b>fair</b> 7:5
<b>enhanced</b>	<b>evaluation</b>	<b>Excuse</b>	154:23	106:13
60:13	<b>s</b> 46:10	146:25	<b>explaining</b>	<b>Fairmont</b>
<b>ensure</b>	<b>evening</b>	<b>executive</b>	107:13	83:19
62:7	85:25	119:21	<b>explanatio</b>	<b>Fairmont.c</b>
<b>entered</b>	<b>event</b> 99:9	133:3,16	<b>n</b> 79:20	<b>om</b> 83:7
93:7	<b>events</b>	141:25	<b>explanatio</b>	<b>fairs</b>
<b>environmen</b>	12:20	151:8	<b>ns</b> 33:5	23:24
<b>t</b>	23:14	<b>exhibit</b>	<b>explore</b>	<b>fall</b>
31:13,19	<b>everybody'</b>	4:2	120:10	161:24
33:10	<b>s</b> 96:10	40:8,11,1	<b>exploring</b>	<b>fallen</b>
65:19,20	<b>everything</b>	4 60:23	129:11	94:4
71:16,18,	46:16	61:1	<b>express</b>	<b>familiar</b>
21	62:8	80:10,13	125:24	97:24
72:6,25	148:16	<b>Exhibits</b>	126:7	115:3
80:25	<b>evidence</b>	3:3 4:1	<b>expressed</b>	133:18
81:10,13,	31:12,18	<b>existed</b>	126:15,17	150:8
21 82:10	32:15	126:16	127:11	<b>families</b>
<b>environmen</b>	53:10	<b>expect</b>	129:22	67:21,24
<b>tal</b> 72:14	93:7	141:4	148:8	<b>family</b>
78:15,20	127:12	151:23	<b>expressing</b>	6:19 8:14
<b>Erling</b>	<b>ex</b> 77:25	154:13	129:20	55:3,18,2
143:10	79:20	<b>expectatio</b>	<b>extending</b>	2 56:22
145:4	<b>exact</b>	<b>n</b> 140:16	95:5	65:6
150:25	52:16	141:2		67:15,21
157:7	<b>exactly</b>	<b>expectatio</b>		<b>fault</b>
<b>error</b> 93:6	66:4	<b>ns</b> 113:24	<b>face-to-</b>	70:14
<b>escalator</b>	101:15	<b>expected</b>	<b>face</b>	<b>favour</b>
86:22	<b>examinatio</b>	142:2	102:20	21:4
<b>estimate</b>	<b>n</b>	156:6	<b>facilitato</b>	<b>FD</b> 129:23
22:24	165:21,23	<b>expenditur</b>	<b>r</b> 72:24	<b>February</b>
145:11	<b>Examinatio</b>	<b>e</b> 61:12	<b>facilities</b>	70:3 75:9
<b>estimation</b>	<b>n-in-</b>	<b>experience</b>	106:9,10	76:16
141:19	<b>chief</b> 3:6	31:18	<b>facing</b>	79:17
<b>et</b> 127:4	5:16	67:22		132:13
		147:5		

133:8	27:10	105:13	21:15	139:20,21
134:1,2,2	<b>figure</b>	<b>fiscally</b>	86:18	142:20
2 135:12	93:8	7:6	<b>format</b>	155:17,20
143:2,4,2	166:9	<b>five</b>	61:20	158:6,17
1 144:7	<b>file</b> 77:12	47:7,25	<b>former</b>	160:3
145:4	157:9	83:11	19:15	<b>frame</b> 85:9
146:9	<b>final</b>	<b>floor</b>	20:1,3	<b>Frank</b> 1:7
154:16	153:15	30:12,24	29:14	5:3,10
155:25	<b>finance</b>	<b>flow-</b>	<b>forth</b>	40:9
<b>federal</b>	98:20	<b>throughs</b>	30:11	52:21
95:16	<b>finances</b>	60:12	32:9 48:8	53:2,6,16
<b>fee</b> 143:18	122:9	<b>focus</b> 28:9	<b>forty</b>	60:24
145:10	124:4	69:14	59:18	78:1,5
<b>feel</b> 19:15	158:18	73:16	<b>forward</b>	80:11
31:1	<b>financial</b>	78:19	12:10,12	91:11,14
33:24	65:7,17	82:4,5,7,	21:17,25	94:24
82:14	105:13	14,15	48:12	96:7,19
<b>feel-good</b>	158:18	90:7	80:4	122:17,24
129:4	<b>finding</b>	96:6,17	94:22	123:14,17
<b>feeling</b>	98:14	98:13,16	115:15	124:10
50:18	130:4	102:9	121:20	125:16
<b>feels</b>	<b>fine</b> 42:7	104:22,23	122:6	126:3,10,
18:19	139:7,12	108:18,19	123:6	21
<b>feet</b> 67:25	151:17	157:22	124:16	130:10,22
<b>felt</b> 16:16	<b>fire</b> 20:4	<b>focused</b>	144:19	138:16,22
18:19	<b>first</b>	36:18	156:18	139:2,9
26:3	11:14	95:22	158:11,14	165:13,16
30:10	12:5	128:18	159:15	,19,25
31:5	14:18	130:14	<b>forwards</b>	166:4,7
32:16	17:2 18:3	<b>focusing</b>	145:9	<b>Frederick</b>
33:3,22	30:12	65:9	<b>foundation</b>	2:16
37:7	32:19	95:10	39:23	125:23
46:15	42:21	<b>folks</b> 61:8	52:7	126:5,12,
47:19	43:4,11,1	<b>follow-up</b>	74:21	24 127:1
60:12	4 54:25	10:22	82:19	130:19
66:15,18	59:15	16:17	85:2	<b>free</b> 39:10
69:15,18	114:8	18:20	92:23	<b>frequently</b>
72:23	127:10	44:15	93:6 97:2	31:6
86:13	133:12	<b>form</b> 13:11	110:7	<b>friend</b>
117:15	136:9	42:23	114:11,13	129:8
123:2	137:10	45:18,23	125:21	<b>friends</b>
126:18	148:1	46:8,22,2	126:16	109:12,14
<b>fewer</b>	152:12	5	131:19	,15
101:4	<b>first-hand</b>	48:13,24	135:2,14	<b>front</b>
<b>fiduciary</b>	67:25	53:25	136:8,12,	148:3
25:21	<b>fiscal</b>	<b>formal</b>	17	<b>frustratio</b>
26:19		16:8	137:2,11	<b>n</b> 49:23
			138:9	

50:1	149:2,4	<b>giving</b>	86:9	<b>har</b> 144:8
<b>Fryer</b> 2:14	<b>gathered</b>	19:9	124:22	<b>hate</b> 125:6
<b>Fuhre</b>	18:17	37:23	<b>grew</b>	<b>haven't</b>
119:19	19:11	68:8	109:8,9	105:8
121:22	<b>gathering</b>	108:16	<b>grip</b> 98:20	<b>haven't</b>
131:7,8	148:1	118:24	<b>groceries</b>	133:22
<b>Fuhre's</b>	<b>general</b>	<b>glad</b> 138:7	12:22	149:23
119:19	11:10,24	<b>Global</b>	<b>ground</b>	151:20
<b>fulfil</b>	23:16	143:3	58:15	158:25
141:20	25:13	<b>gone</b> 14:3	<b>Group</b>	<b>having</b>
<b>full</b> 61:11	53:9	16:22	124:20	7:21
88:5	115:12	21:15	<b>guess</b>	10:21
93:15	116:1	61:18	50:15	27:7
95:13,17	118:6	86:22	78:18	32:2,10
114:25	122:12	89:14,15	83:22	35:1 36:1
156:11	<b>generally</b>	128:24	116:6	41:12
<b>full-page</b>	28:4 34:5	<b>goodness</b>	163:11	46:17
24:25	41:20	34:25	<b>guessing</b>	47:3 48:3
<b>full-time</b>	118:22	125:9	36:1	50:25
24:8	147:19	<b>Gosh</b> 55:17	156:19	51:19
<b>fully</b> 66:5	<b>George</b>	<b>governance</b>	<b>guest</b>	52:11
67:23	2:12	23:11	83:11	66:6
84:19	53:14	<b>government</b>	<hr/>	118:13
129:2	<b>Georgian</b>	75:7,20	<b>half</b> 95:22	123:24,25
130:8	124:18	81:22	<hr/>	124:5,22
<b>fun</b> 90:2	<b>getting</b>	84:13	<b>hall</b> 1:16	133:7
<b>function</b>	72:24	85:11,15	72:7	138:8
28:25	78:11	90:2	<b>hand</b> 96:6	145:17
29:4	81:19,20	143:3	<b>handle</b>	146:16,21
<b>funding</b>	96:10,11	150:9	78:11	147:11
75:4,11,1	102:14	156:6	<b>handwritin</b>	<b>hazard</b>
4 90:3	105:23	<b>graduating</b>	<b>g</b> 42:23	83:22
94:16	110:17	6:21	44:24	<b>head</b> 12:15
95:16	153:3	<b>graphs</b>	<b>handwritte</b>	14:11
<b>fundraisin</b>	<b>given</b> 14:3	105:14	<b>n</b>	15:3,13
<b>g</b> 75:6	22:23	<b>great</b>	44:14,23	19:15
<b>fur</b> 16:17	24:21	150:10	54:14	20:1
<b>future</b>	44:12	<b>greater</b>	<b>happen</b>	29:14,15
116:25	45:24	26:7,8	17:9 24:4	117:9
156:10	53:11	120:17	86:19	141:24
<hr/>	54:3,14	<b>greatest</b>	112:24	<b>heads</b> 12:4
<b>G</b>	104:9	128:17	<b>happened</b>	17:20
<b>Gajos</b> 2:21	127:9	129:8	17:8	40:5
<b>games</b> 77:5	163:20	<b>green</b>	112:7	49:24
<b>Garbutt</b>	164:20	63:15,17,	159:3	51:13
	<b>gives</b>	19 78:15		97:17
	115:19			98:6,21
				99:6

104:11	<b>helpful</b>	<b>Honour</b>	<b>hopeful</b>	124:6
105:19	17:24	40:12	129:23	131:13,16
113:23	<b>helping</b>	53:13,15	<b>hopefully</b>	134:22
115:20	60:17	78:10	28:21	135:4,8
116:19,23	141:5	94:20	126:25	140:2,3,5
117:18	<b>hence</b>	123:3	<b>hoping</b>	,8,11,16
118:1	69:19	124:9	37:21	141:8,15,
120:8	105:21	125:23,25	<b>hospital</b>	19,24
<b>health</b>	127:9	126:6,13,	56:3	142:9,14
49:17	<b>Herhalt</b>	25	<b>hosted</b>	143:2,13,
<b>hear</b> 14:18	143:3,5,1	127:1,22	23:24	22 144:1
107:17	1,12	128:15	<b>Houghton</b>	145:5,9,2
138:14	<b>Heritage</b>	129:7,21	2:16	4
<b>heard</b>	77:11	130:20	27:20	146:5,11,
130:1	<b>herself</b>	131:14	32:17,18	22 147:11
148:15	28:16,18	138:21,24	33:1,22	148:24
<b>hearing</b>	<b>he's</b> 40:19	<b>HONOURABLE</b>	34:3,7,14	150:25
32:23	76:22	5:3,10	,17 35:5	151:7
95:5	79:19	40:9	77:15,19	152:20
137:18	83:8	52:21	83:7,12,1	153:13
138:18	114:18	53:2,6,16	8	154:25
<b>heavy</b> 23:2	118:21	60:24	84:2,4,12	160:8,13
<b>he'd</b> 34:8	141:25	78:1,5	,15,20,23	162:8
<b>held</b> 1:15	<b>hesitation</b>	80:11	85:10,12,	<b>Houghton's</b>
9:20	73:23	91:11,14	14 87:11	107:25
<b>he'll</b>	<b>Hi</b> 63:10	94:24	93:13	120:21
83:14	119:25	96:7,19	97:9,11	145:11
<b>hello</b>	<b>hibry</b>	122:17,24	98:1,3,9	160:18
58:1,5	150:3	123:14,17	99:3,14,2	<b>hour</b> 5:11
<b>help</b> 11:11	<b>high</b> 6:20	124:10	3,25	<b>hours</b>
12:1 30:3	41:24	125:16	100:18,23	95:3,22
37:10	<b>higher</b>	126:3,10,	101:11,22	127:2
42:10	145:11	21	102:10,13	<b>house</b>
68:5,9,19	<b>highly</b>	130:10,22	,25	162:15
,25 69:5	150:3	138:16,22	103:3,8,1	<b>household</b>
73:3	<b>history</b>	139:2,9	9,21	105:16
77:24	6:14	165:13,16	104:3,16	<b>housing</b>
84:2,3	<b>hockey</b>	,19,25	105:2,4,1	15:1
90:1 99:1	77:5	166:4,7	9,20	<b>how's</b>
120:16	<b>Hogg</b> 27:22	<b>Hood</b>	106:20	41:25
121:24	<b>hold</b> 122:9	71:10,12,	107:1,13	<b>HR</b> 45:20
142:25	<b>Holding</b>	13,19,24	108:11,12	46:1,23
152:5,25	154:3	72:5	,15	47:2
153:3	<b>home</b> 56:3	<b>hope</b> 17:24	109:6,14,	48:17,22
<b>helped</b>		36:20	24	54:3,6
75:4		69:25	110:5,9	<b>huge</b> 73:1
		165:22	117:4,22	<b>Hurontario</b>
		<b>hoped</b>	121:1	
		126:20	123:15,25	

1:18	103:25	132:17	10:6,10,1	72:16
57:19	124:21	133:18	5,25 11:5	73:6,12
<b>hydro</b> 35:2	159:9,24	137:24	110:15	79:4
65:18	165:20	138:3,7	111:3,9	<b>industries</b>
84:18	<b>identified</b>	141:10	<b>include</b>	23:19,21
92:2,14,1	13:6	142:8,24	124:2	73:6
7	<b>identifyin</b>	144:11	<b>included</b>	95:16
104:23,24	<b>g</b> 7:13	148:16	10:13	<b>industry</b>
107:20	<b>I'll</b> 5:12	151:19	21:12	63:15
125:10	18:8,9	152:24	25:22	65:16
149:6	32:14	154:16,18	62:1	67:17
<b>hydroelect</b>	53:3	,22 155:5	124:3	69:17,21
<b>ricity</b>	67:16	156:19	<b>including</b>	72:25
24:23	73:7 93:7	158:23,24	99:21	73:3,18
150:7	96:8	159:2,21,	105:19	75:25
<b>Hydro-</b>	116:18,21	25	116:19	81:22
<b>related</b>	123:4,6	161:16,25	124:7	82:4,7,15
34:23	130:14	162:1	156:5	90:9
	146:4	163:11,17	<b>income</b>	95:11,17
<hr/>	<b>I'm</b> 35:22	164:7,8,2	65:7	104:24
<b>I</b>	39:6,9,10	1 165:12	68:11	124:18
<b>I'm</b> 76:14	44:3	<b>immediatel</b>	105:16	150:7
<b>I'd</b> 101:21	45:15	<b>y</b> 61:10	<b>incomes</b>	<b>info</b> 86:23
102:9	46:21	<b>impact</b>	65:6	<b>inform</b>
106:4	48:3	31:21	<b>increase</b>	147:20
<b>I'm</b> 103:10	50:25	67:20	102:4	<b>informal</b>
109:20	52:6,25	73:1,8	<b>independen</b>	16:11
<b>I'd</b> 5:20	53:6 60:1	78:14	<b>t</b> 145:24	17:11,13
15:19	62:15,16	100:12	159:6	30:10
20:16	66:2,4,15	<b>important</b>	<b>indicate</b>	32:10
24:5 25:3	77:23	69:19	45:9	86:24
38:23	78:12	73:22	110:14	<b>informally</b>
40:17	92:18	81:18,25	124:11	32:9
61:6 64:2	93:22	82:9	<b>indicated</b>	<b>informatio</b>
68:21	94:11,21,	125:15	81:13	<b>n</b> 9:16
70:20	22	<b>improves</b>	<b>indicating</b>	10:13
87:7	95:1,3,6,	126:25	73:21	11:20
96:23	25	<b>inaugural</b>	<b>individual</b>	13:14
112:8	96:4,16	59:24	19:1,22	14:6
116:4	99:7,19,2	60:15	20:6,9	16:16,21
119:12	4 101:18	61:24	22:3,5,9,	17:23
123:5	114:23	62:3	14 67:20	18:1,3,10
132:6	115:25	102:23	<b>individual</b>	,17,21
139:20	117:16	116:4	<b>s</b> 153:13	19:11
146:13	122:3	<b>Inc</b> 57:12	<b>industrial</b>	20:6 22:4
149:25	123:20	58:11	63:16	23:18
151:1	127:22	<b>in-camera</b>		25:14
154:5	128:8,24	9:9,11		67:1 68:9
<b>idea</b> 53:9	130:18			



80:18	6,25	156:13,14	<b>involve</b>	22:2
81:3	128:17,22	<b>interested</b>	28:12	151:24
86:8,9	129:10	12:13	128:1	161:4
87:1,4,8,	130:12,14	69:7	145:23	<b>items</b>
18,21	137:4	137:18	146:23	20:11,16,
88:17,20	159:9	<b>interests</b>	147:9	22,25
104:9	<b>inquisitor</b>	27:3	153:21	21:10,12,
117:17	<b>ial</b>	69:11	<b>involved</b>	14,22
122:13	129:15	109:18,19	11:2 23:4	36:16,17,
124:6	<b>inroad</b>	<b>interfere</b>	45:15	23 37:25
137:22	84:12	94:10	75:13	44:9
141:14	<b>insight</b>	<b>interrupt</b>	82:2,10	122:14
147:1,7	121:16,18	137:14	91:5	<b>I've</b> 12:25
148:1,4,1	<b>instance</b>	139:8	145:16	14:3
3 155:4	29:17	<b>interrupti</b>	146:15	55:11
161:18	70:25	<b>ng</b> 138:4	147:8	86:15,17
166:8	<b>instructin</b>	<b>interview</b>	148:20	93:3 96:1
<b>informed</b>	<b>g</b> 101:7	45:5	149:1	127:2,11,
125:15	<b>instructio</b>	<b>intricacie</b>	164:2	23 129:22
148:1	<b>n</b> 15:13	<b>s</b> 34:4	<b>involvemen</b>	151:25
<b>in-house</b>	17:4	<b>introduced</b>	<b>t</b> 145:21	153:10
162:12	<b>instructio</b>	159:16,18	146:1,15,	154:22
<b>initial</b>	<b>ns</b>	<b>introducto</b>	20	158:16
159:14	14:9,16,2	<b>ry</b>	<b>involving</b>	<hr/> J <hr/>
<b>initials</b>	1 15:10	85:11,14,	145:12	<b>January</b>
47:13,14,	19:2,4	20	<b>isn't</b> 53:7	36:16
17	108:16	<b>investigat</b>	122:25	39:3
<b>initiate</b>	<b>integrity</b>	<b>e</b> 129:2	163:14	40:23
132:20	11:15	160:10	<b>issue</b>	42:13
<b>initiated</b>	<b>intended</b>	<b>investigat</b>	34:13	45:8
133:1	46:16	<b>es</b> 127:19	<b>issued</b>	47:19
<b>initiating</b>	<b>intention</b>	<b>investigat</b>	153:16	63:8 65:9
133:15	88:2 89:3	<b>ion</b> 128:2	162:24	66:4
<b>innovation</b>	121:10	<b>investigat</b>	<b>issues</b>	68:14,15,
105:8	<b>interest</b>	<b>ive</b> 127:8	21:9,21	22
<b>innovative</b>	7:11,14,1	130:8	34:17	98:4,10
102:3	6,18	<b>invited</b>	72:14	103:18
122:9	8:5,10,13	56:22	94:18	105:5,22
<b>input</b>	,15,16,19	73:12	<b>it's</b>	107:10
120:19	,21 9:1,5	<b>inviting</b>	103:17	108:15
150:11	11:8,17,2	23:17	106:6	110:9,11
<b>inquiries</b>	3 26:21	37:15	109:8	113:5,16
127:6,17	106:22	<b>invoice</b>	<b>it'd</b>	119:12,17
<b>inquiry</b>	107:19	84:19,21	126:22	121:23
1:3 2:3,4	132:17,19		<b>item</b> 14:24	131:10,18
127:7,9,1	135:22		20:24	135:12,16
			21:24	,24
				136:6,10
				137:6

140:1,12	<b>Justice</b>	9	62:2,9,15	1,25
141:2	1:7	34:2,11,1	,23	92:4,12,2
143:1		6,21	63:3,18,2	0,22
154:17	<hr/> K <hr/>	35:4,10,1	2	93:3,22
<b>Japan</b>	<b>Kate</b> 2:3	7,22,25	64:2,8,15	94:3,6,11
23:15,16	3:6	36:5,10,2	,20,24	96:16,22,
<b>job</b> 11:12	5:5,14,16	2	65:3,9,24	23 97:6
23:24	,17,20	37:1,10,1	66:7,13,1	98:2,8,24
24:8	6:1,5,8,1	4,19	7 67:5	99:12,17,
128:14	2,23	38:2,7,10	68:4,17,2	24
<b>jobs</b> 67:3	7:10,23	,14,25	1	100:5,15
69:21	8:8,18,24	39:20,25	69:3,9,13	101:6,21
82:5,16,1	9:3,7,15,	40:7,16,1	,23	102:9,19
7 90:7,8	22	7	70:10,13,	103:1,10,
128:13	10:5,12,1	41:3,10,2	18,21,25	16,24
<b>John</b> 2:4	7 11:6,21	0	71:3,7,15	104:25
73:25	12:5,16	42:2,5,9,	,22	105:22
143:3,5	13:3,10,1	15,20	72:1,8,11	106:2,13,
157:8	3,18,22	43:3,10,1	,18,21	18
<b>Jonathan</b>	14:7,14,1	8,22,25	73:10,20	107:5,8,2
143:10	9 15:8,19	44:5,16,2	74:7,10,1	2 108:3,9
157:7	16:2,10,2	2	3,17,20,2	109:4,11,
<b>Jonathans</b>	0,25	45:1,7,12	5	17,22
157:8	17:7,25	,17,22	75:13,17,	110:2,6,2
<b>journal</b>	18:11,24	46:2,7,21	21	1,25
13:12,14	19:6,10,2	47:6,12,1	76:4,9,14	111:8,11,
<b>journals</b>	0,25	6,22	,23	17,21
31:9	20:5,15,2	48:13,18,	77:1,6,17	112:1,6,1
<b>judge</b>	1,24	21,24	78:4,7,24	0,21
141:15	21:9,14,2	49:6,9,15	,25	113:2,13
<b>judgement</b>	0	,25	79:5,9,16	114:12,16
146:19	22:1,13,1	50:3,22	,22	115:4,10,
<b>judgment</b>	7,22	51:23	80:9,15,1	17 116:10
145:21	24:7,11,1	52:3,10,1	6,23	117:2,7,1
<b>Judicial</b>	7	8,24	81:4,7,12	2,16,22,2
1:3 95:2	25:4,10,1	53:22,23	,17,24	5
<b>July</b>	3,23	54:6,10,1	82:6,18,2	118:5,9,2
30:6,7	26:11,16,	2,17,22	3 83:6,23	0
165:7	20,25	55:4,8,12	84:1,7,14	119:3,6,1
<b>jump</b> 116:8	27:6,12,1	,16,20,24	,22	1,17,24
<b>jumping</b>	6,24	56:4,8,13	85:1,7,23	120:25
154:18	28:3,9,17	,18,24	87:3,10,1	121:6,14,
<b>June</b> 30:6	,24	57:2,6,9,	4,17,22,2	21
160:10	29:6,11,1	14,17,21,	5	125:19,20
165:6,7	6,21	25	88:8,12,1	130:25
	30:15,18,	58:4,9,14	6,22	131:1,6,1
	22	,20,24	89:1,6,15	7,23
	31:6,11,1	59:3,8,11	,19,23	132:5,10
	7,24	60:1,5,14	90:4,10,1	133:11,20
	32:13,22	,19,22	9,23	,25
	33:8,14,1	61:3,4	91:4,13,2	134:6,15,

21	<b>kicking</b>	2,15,18,2	136:4	95:15,18
135:1,8,1	107:16,18	2	154:8,11	98:7
3	108:8	158:10,13	<b>learned</b>	<b>level</b>
136:4,9,1	<b>Kim</b> 29:22	159:7,22	8:12	41:25
4	<b>kindly</b>	160:11	136:10	95:17
137:5,14,	119:25	162:9,17,	<b>learning</b>	135:22
17,21,25	<b>kinds</b>	20,24	137:8	142:14
138:3	10:13	163:2,16	<b>least</b>	<b>levels</b>
139:17,18	34:21	164:3	71:19	97:20
,25	<b>KMPG</b>	165:9	72:5	104:13
140:15,25	163:21	<b>KPMG's</b>	78:12	120:12
141:22	<b>knew</b> 67:12	163:17	147:2	<b>liaison</b>
142:19,24	74:12	164:14,20	<b>leave</b>	12:17
143:9	75:24	,24	157:9	<b>likelihood</b>
144:5,11,	87:8		<b>leaving</b>	34:19
13,21,25	109:7	<hr/>	17:1 48:9	<b>likely</b>
146:13	153:15	<b>L</b>	<b>lengthy</b>	27:21
147:10,18	154:8	<b>lack</b> 67:19	23:13	34:6
,22	155:6	<b>language</b>	48:4	110:4
148:7,14,	<b>knock</b>	99:25	<b>less</b> 96:1	114:22
19	30:13,24	<b>larger</b>	100:12	115:2
149:4,7,1	<b>knowledge</b>	156:7	<b>Let's</b> 76:4	124:12
1,15,22	22:8	<b>last</b> 31:12	<b>letter</b>	165:3,4
150:13,23	31:22,25	32:15	70:1,8,11	<b>limit</b>
151:6	84:3,22	42:22	,15,17,20	145:12
152:2,17	106:11	76:10	75:25	<b>line</b> 47:7
153:2,9,2	109:11	95:3	82:14	69:24
0,25	147:3,5,6	131:25	83:20	101:12
154:3,7,1	150:11	<b>lasted</b>	100:3	<b>lines</b>
1,14,22	<b>knowledgea</b>	57:3	101:7	19:18
155:5,12,	<b>ble</b> 34:4	149:12	102:17	<b>link</b> 95:25
15,19,24	150:4,7	<b>last-</b>	107:1	<b>list</b> 3:3
156:20,25	<b>known</b>	<b>minute</b>	131:15	4:1 8:14
157:4,13,	146:2	32:6	143:16	20:11,15,
24	<b>KPMG</b> 96:25	<b>later</b> 10:4	151:19	22,25
158:12,23	143:3,7,8	39:5 86:3	152:3,4,9	21:10,13
159:17	,10,22	89:9,10	,10,23	22:2
160:2,7,1	144:18	128:7,9	154:21,23	25:11
7,24	145:6	136:4	<b>letter?"</b>	115:10
161:7,11,	149:20	<b>LDCs</b>	104:16	<b>listed</b>
16	151:7	124:20,21	<b>letterhead</b>	49:16
162:1,7,1	152:4,24	,25 156:7	82:25	122:14
3,19,23	153:4,13	<b>lead</b> 7:9	83:1	161:5
163:5,11	155:8	127:10	87:12,23	<b>listened</b>
164:1,7,1	156:1,16,	143:3	88:18	127:2
1,18,23	21	<b>learn</b> 8:8	<b>letters</b>	<b>listening</b>
165:5,12,	157:3,5,1			
15,18,22				
166:2,6				
<b>keen</b> 36:14				

95:1	150:2	5:3,10	36:1 50:9	<b>mayor's</b>
<b>literature</b>	<b>lower</b>	40:9	73:8	7:19 24:3
102:24	105:17	52:21	74:17	56:23
116:5	113:19	53:2,6,16	101:3	<b>McDowell</b>
118:17	<b>lunch</b>	60:24	117:1	2:18
<b>little</b>	113:1	78:1,5	120:3	138:24
15:20	166:5	80:11	128:7,9	139:6,12
20:17		91:11,14	133:14	<b>McFadden</b>
36:19	<hr/> M <hr/>	94:24	137:14	27:20
41:11	<b>main</b> 24:3	96:7,19	138:16	145:24
52:19	<b>Mainly</b>	122:17,24	152:15	146:1
59:14	21:22	123:14,17	155:25	147:4,12
63:5	<b>maintainin</b>	124:10	165:19	148:25
77:24	<b>g</b> 156:11	125:16	<b>maybe</b> 14:4	150:6
90:11	<b>majority</b>	126:3,10,21	30:7	152:20
96:9	156:13	130:10,22	51:16,20	153:12
119:23	<b>manage</b>	138:16,22	53:3	154:25
123:12	151:22	139:2,9	59:16	<b>McGrann</b>
139:5	<b>management</b>	165:13,16	126:21,22	2:3 3:6
161:21	23:12	,19,25	154:17	5:5,14,16
<b>Lloyd</b>	<b>manager</b>	166:4,7	159:10	,17,20
61:17	<b>managing</b>	<b>Marron</b>	<b>mayor</b>	6:1,5,8,1
<b>local</b>	143:10	2:12	6:2,6,9,1	2,23
68:9,13,2	<b>manner</b>	53:8,14,1	7,24	7:10,23
4 75:25	46:1,23	7 137:23	7:1,12	8:8,18,24
125:1	47:2	138:17	11:10,24	9:3,7,15,
161:23	48:17,22	<b>Mather</b> 2:4	12:6	22
<b>locally</b>	54:3,7	<b>matter</b>	22:23	10:5,12,1
23:19	76:22	13:17	24:12	7 11:6,21
<b>long</b> 21:3	<b>managing</b>	14:5,12	25:7 27:3	12:5,16
33:23	143:10	35:3	33:11	13:3,10,1
48:5	<b>manner</b>	46:14	38:19	3,18,22
57:3,5	46:11	95:14,23	41:21	14:7,14,1
149:12,14	67:14	96:6,15	45:11	9 15:8,19
<b>longer</b>	126:8	111:3	46:12,14,	16:2,10,2
21:5 96:9	<b>manufactur</b>	127:20	18 55:1	0,25
130:23	<b>ing</b> 63:15	128:6	56:21	17:7,25
139:5,10	69:17	129:12	61:16	18:11,24
<b>lose</b> 82:17	<b>March</b> 70:3	130:2	67:8	19:6,10,2
<b>lost</b> 52:24	75:9	162:6	104:20	0,25
<b>lot</b> 41:1	79:24	<b>matters</b>	119:23	20:5,15,2
65:23	85:22	55:18,22	136:20	1,24
67:16	86:1	128:2	141:3	21:9,14,2
78:17	<b>marching</b>	129:18	145:15	0
115:1	71:10	130:1,13	<b>mayoral</b>	22:1,13,1
116:9	<b>mark</b> 60:22	140:17	68:23	7,22
136:21	<b>Marrocco</b>	<b>may</b> 12:11	<b>mayors</b>	24:7,11,1
	1:7	23:25	95:13	7
			105:9	25:4,10,1
				3,23

26:11,16, 20,25 27:6,12,1 6,24 28:3,9,17 ,24 29:6,11,1 6,21 30:15,18, 22 31:6,11,1 7,24 32:13,22 33:8,14,1 9 34:2,11,1 6,21 35:4,10,1 7,22,25 36:5,10,2 2 37:1,10,1 4,19 38:2,7,10 ,14,25 39:20,25 40:7,16,1 7 41:3,10,2 0 42:2,5,9, 15,20 43:3,10,1 8,22,25 44:5,16,2 2 45:1,7,12 ,17,22 46:2,7,21 47:6,12,1 6,22 48:13,18, 21,24 49:6,9,15 ,25 50:3,22 51:23 52:3,10,1 8,24 53:22,23 54:6,10,1	2,17,22 55:4,8,12 ,16,20,24 56:4,8,13 ,18,24 57:2,6,9, 14,17,21, 25 58:4,9,14 ,20,24 59:3,8,11 60:1,5,14 ,19,22 61:3,4 62:2,9,15 ,23 63:3,18,2 2 64:2,8,15 ,20,24 65:3,9,24 66:7,13,1 7 67:5 68:4,17,2 1 69:3,9,13 ,23 70:10,13, 18,21,25 71:3,7,15 ,22 72:1,8,11 ,18,21 73:10,20 74:7,10,1 3,17,20,2 5 75:13,17, 21 76:4,9,14 ,23 77:1,6,17 78:4,7,24 ,25 79:5,9,16 ,22 80:9,15,1 6,23 81:4,7,12 ,17,24 82:6,18,2	3 83:6,23 84:1,7,14 ,22 85:1,7,23 87:3,10,1 4,17,22,2 5 88:8,12,1 6,22 89:1,6,15 ,19,23 90:4,10,1 9,23 91:4,13,2 1,25 92:4,12,2 0,22 93:3,22 94:3,6,11 96:16,22, 23 97:6 98:2,8,24 99:12,17, 24 100:5,15 101:6,21 102:9,19 103:1,10, 16,24 104:25 105:22 106:2,13, 18 107:5,8,2 2 108:3,9 109:4,11, 17,22 110:2,6,2 1,25 111:8,11, 17,21 112:1,6,1 0,21 113:2,13 114:12,16 115:4,10, 17 116:10 117:2,7,1 2,16,22,2 5 118:5,9,2	0 119:3,6,1 1,17,24 120:25 121:6,14, 21 125:19,20 130:25 131:1,6,1 7,23 132:5,10 133:11,20 ,25 134:6,15, 21 135:1,8,1 3 136:4,9,1 4 137:5,14, 17,21,25 138:3 139:17,18 ,25 140:15,25 141:22 142:19,24 143:9 144:5,11, 13,21,25 146:13 147:10,18 ,22 148:7,14, 19 149:4,7,1 1,15,22 150:13,23 151:6 152:2,17 153:2,9,2 0,25 154:3,7,1 1,14,22 155:5,12, 15,19,24 156:20,25 157:4,13, 24 158:12,23 159:17	160:2,7,1 7,24 161:7,11, 16 162:1,7,1 3,19,23 163:5,11 164:1,7,1 1,18,23 165:5,12, 15,18,20, 22 166:2,6 <b>mean</b> 9:24 26:17 36:10 37:5 39:25 43:23 58:15 71:4 79:1 136:22 <b>meant</b> 9:10 45:13 <b>measures</b> 94:8 <b>media</b> 59:1 <b>meet</b> 23:5 31:7 56:5 57:21 66:8 77:2 86:13 88:2 135:21 <b>meeting</b> 9:10,12 10:20 13:2,16,2 0 14:11,20, 23 15:11,14, 24 18:18 23:4,14 24:25 27:25 41:2 45:2 48:6 49:2 50:4
--	--	--	---	--

51:3,6	154:10,12	135:18	126:22	,14,19,23
52:4,12	<b>member</b>	<b>mergers</b>	<b>Mike</b>	11:5
56:9 70:2	12:18	124:19	153:23	24:22
71:23	13:6,19	<b>message</b>	<b>million</b>	53:3
72:2,4,7,	14:23	61:23	92:21	104:1
9,12,19,2	15:23	72:24	<b>mind</b> 10:14	110:12,14
2	16:22	80:17,24	32:7	112:11,17
73:12,23	17:11	81:8,14,1	33:20	113:5
77:18	18:2	9,20	35:9	138:23
78:15,20,	46:13	98:25	75:24	144:10
22 83:22	108:24	100:6,16,	90:5	161:5,12
85:11,14,	119:3	24 101:23	92:16	<b>misunderst</b>
20,24	153:23	102:14	104:24	<b>ood</b> 53:11
86:4,10,2	163:23	107:9,18	125:13	<b>mixed</b>
0 88:18	164:25	113:21,25	<b>minimum</b>	135:20
89:2,4,11	165:1,3	114:17,18	9:19,23	<b>MOE</b>
,20 90:21	<b>members</b>	115:19,25	73:18	71:14,15
103:19,21	10:22	120:22	<b>minister</b>	80:3,19
104:22	11:1	122:10	65:19	<b>Monday</b>
108:12,20	12:17	131:13,15	71:17,20	95:4
110:11,18	30:8 32:3	<b>messages</b>	72:6,25	<b>money</b>
112:7	50:18	98:6	74:16	61:20
113:6,7,1	51:12	<b>met</b> 71:19	81:21	102:4
4,18	56:22	76:23	85:21,24	118:19
121:25	65:6	77:3,4	86:2,4,14	<b>month</b>
122:12	121:16	86:2 89:8	,19 87:5	55:25
132:23	122:7	90:19	88:2,3	<b>months</b>
154:17	164:13,19	109:15,16	89:8	132:24
156:19	165:8	110:12	90:20	<b>morning</b>
165:4	<b>memory</b>	<b>M-hm</b> 59:25	<b>ministers</b>	39:10
<b>meetings</b>	40:2,4	79:21	86:18	63:11
9:8,17,20	62:18,19	87:13	<b>ministry</b>	65:12
,23	121:24	90:22	65:19,20	103:20
10:2,15	158:8	122:23	71:15	113:7,14,
12:12	<b>mention</b>	153:1	80:25	17,21
13:23	7:23	161:20	81:10,13	115:19
14:15	90:23	<b>Mi</b> 83:11	82:9	122:1
19:1	91:5	<b>mic</b> 126:2	<b>minor</b> 62:5	<b>motion</b>
23:3,4,8,	<b>mentioned</b>	<b>Michael</b>	131:9	17:22
9,10,11,1	11:6 22:1	2:7	140:9	<b>move</b> 18:22
2 27:23	30:15,21,	<b>micro</b>	<b>minority</b>	85:2
32:6	22 33:23	124:4	156:14	111:9
40:25	35:15	151:22	<b>minute</b>	121:20
61:18	68:10	<b>micro-</b>	5:12 78:2	125:24
75:6	91:22	<b>manage</b>	<b>minutes</b>	126:7
86:18	140:22	154:16	9:20,23	155:24
109:1	<b>mentions</b>	<b>microphone</b>	10:7,8,11	156:9
112:12,23	118:10			
124:3,17				
144:2,9				

<b>moved</b>	161:23	<b>noted</b>	<b>October</b>	94:11
21:16	<b>municipali</b>	10:11	116:6	100:15
154:23	<b>ty's</b>	<b>notes</b> 13:9	<b>odour</b>	101:19,21
<b>mover</b>	106:21	44:15,23	78:18,19	113:2
15:16,21	<b>mutual</b>	45:2,5	79:8	118:20
16:8	109:18	49:2 51:6	<b>offer</b> 74:5	119:11
<b>moving</b>	<b>myse</b> 78:13	75:5	97:20	133:20
21:24	<b>myself</b>	82:24	104:13	138:1
143:1	23:20	83:14	120:11	140:25
144:18	35:15	87:11,17	121:16	141:22
158:11,14	36:9 40:4	96:1	<b>office</b>	148:14
159:15	62:7	145:10	7:19,20	154:7
165:14	78:13	<b>nothing</b>	24:3,5	157:24
<b>Muncaster</b>	119:22	16:8	32:9	161:7
27:20	121:8	95:11,21	37:16	162:1
100:18	122:7	116:1	38:13	<b>old</b> 65:21
101:11,12	125:7	136:18	48:7,10	<b>one-on-one</b>
105:2,4,2	146:4	<b>np</b> 2:18,21	56:5,11,1	58:21
1	148:25	<b>nursing</b>	4,17,19,2	<b>ongoing</b>
131:13,16	150:5	56:3	1,23	21:25
135:6		<b>nutshell</b>	74:1,16	160:22
141:9,16,	<hr/> N <hr/>	79:19	135:19	<b>Ontario</b>
23 142:3	<b>narrative</b>	<hr/> O <hr/>	<b>Officer</b>	1:19 7:20
145:10,14	95:21	<b>OBCA</b>	151:8	8:4 30:21
146:6,12,	<b>nec</b> 115:7	117:19	<b>offices</b>	75:7,20
14,22	<b>necessaril</b>	<b>obligation</b>	30:11,23,	81:21
147:4,11	<b>y</b> 34:10	129:10	25	84:13
148:25	106:15	<b>obligation</b>	57:15,18,	86:16
150:2	107:14	<b>s</b> 25:25	22 58:6	<b>op</b> 86:12
152:19	124:15	<b>observatio</b>	<b>official</b>	152:13
153:13	<b>negatives</b>	<b>n</b> 128:1	86:17	<b>open</b> 31:5
154:24	100:21	<b>obstacle</b>	<b>Oh</b> 78:3,7	32:8 36:9
<b>municipal</b>	<b>neighbourh</b>	49:17	137:20	37:4,5,12
7:20	<b>ood</b> 72:16	<b>obtain</b>	<b>okay</b> 5:14	,20
8:12,16,1	73:9 79:3	75:3,10,1	14:14	38:3,24
9 11:8,17	<b>network</b>	4	15:19	112:17
97:15	30:7	<b>occasion</b>	16:10,20	<b>operating</b>
104:8	<b>Newly</b>	18:7 56:7	19:20	106:9
120:5	56:20	99:9	34:11	<b>operation</b>
136:22	<b>none</b> 130:5	<b>occasions</b>	38:25	123:7
<b>Municipali</b>	<b>nor</b> 108:18	126:15	43:3,10	<b>Operator</b>
<b>ties</b> 8:4	152:1	129:22	44:16	161:17
30:21	<b>note</b> 18:23	<b>o'clock</b>	47:1 58:4	<b>opinion</b>
86:16	45:8	113:14	64:2	158:3
<b>municipali</b>	49:14		70:13	<b>oppor</b>
<b>ty</b> 12:13			74:17	121:18
30:1,3			79:5 87:3	
33:2			91:16	
147:25				

<b>opportune</b> 52:25	156:3,10, 22	<b>overall</b> 45:18	84:21	<b>parents</b> 8:17
<b>opportunit</b> <b>ies</b> 97:18	157:13,14 ,21	47:20	128:13,14	55:19
99:1,21	<b>oral</b>	48:12	<b>Pam</b> 27:22	109:3
100:11	129:25	<b>oversee</b> 106:9	<b>papers</b> 44:12	<b>park</b> 72:17
101:5,10, 17,19	<b>order</b> 15:22	<b>overseeing</b> 106:10	<b>paragraph</b> 61:7	73:7,12
102:3	87:1	<b>overview</b> 48:10	74:21	79:4
104:11	94:22	<b>overwhelmi</b> <b>ng</b> 32:12	75:1,2	106:7
105:7,20	95:9	<b>owed</b> 92:10	82:19,23	<b>parks</b> 106:10
106:5	106:6	<b>owned</b> 117:14	85:3,9,25	123:5
111:15	127:20	142:1	89:6	<b>participan</b> <b>t</b> 127:15
119:10	166:9	<b>ownership</b> 118:2	92:23	<b>participat</b> <b>ed</b> 89:18
120:8,11, 15 122:22	<b>orders</b> 71:10	145:7	93:4,5,10 ,11	<b>participat</b> <b>es</b> 61:15
123:11,18 ,23	<b>orientatio</b> <b>n</b> 25:7	152:7	97:1,6	<b>particular</b> 11:3
129:16	<b>others</b> 49:24	156:12	100:16	18:20
158:19	51:13	<hr/>	106:19	21:24
160:10,20 ,22	53:10	<hr/>	110:7	67:20
<b>opportunit</b> <b>y</b> 7:16	56:11	<b>P</b>	122:21	69:4 76:2
86:13,17	58:18	<b>p.m</b> 5:1	132:18	97:10
88:6,9	62:6	53:19,20	135:2,14, 15	98:11
121:9	81:21	91:18,19	139:19,21 ,25	116:3
127:9,13	99:11	119:18	142:20	127:14,18 ,23
129:17	149:1	121:23	143:2	129:12
130:13	<b>other's</b> 30:25	139:14,15	145:1,3	130:11
137:12	32:9	166:11	150:23	141:10
<b>opposed</b> 32:18	<b>otherwise</b> 17:9	<b>Pa</b> 27:22	152:12	150:9
49:11	<b>outlines</b> 156:10	<b>page</b> 3:2	155:20,25	162:3
<b>opt</b> 124:12	<b>outset</b> 159:14	4:2 42:22	156:4	<b>particular</b> <b>s</b> 14:5
<b>option</b> 135:23	<b>outside</b> 18:25	43:11	160:3,7	<b>parties</b> 84:13
147:13	34:17	44:17	<b>paragraphs</b> 85:8	148:11
153:14	100:14	47:7 61:6	104:25	<b>partner</b> 160:20,21
155:1,7	116:20	63:4	125:21	<b>partners</b> 158:19
157:23,25	118:7	76:14	142:25	160:23
162:9	<b>outstandin</b> <b>g</b>	106:19	<b>parallel</b> 96:2	<b>partnershi</b> <b>p</b>
164:3,14	93:14,17	<b>pages</b> 42:21	<b>paraphrase</b> 32:14	159:16,18
<b>options</b> 145:8		43:4 44:1	<b>Pardon</b> 107:7	
150:16		96:1	144:21	
152:7,13, 21		<b>paid</b> 64:22,25	<b>parent</b> 64:19,21	
		69:10		



,23	22 148:22	43:8,9,15	161:22	125:22
<b>pass</b>	151:4,15	44:6	<b>pertinent</b>	126:2
80:2,23	153:7	46:4,9,18	81:3	131:9
<b>passed</b>	155:22	,24	<b>phone</b> 24:6	137:16
10:3	157:6	47:3,20,2	58:25	142:20
80:18	158:21	3 53:25	102:20	145:1
81:2,9	160:5	<b>performed</b>	<b>phonetic</b>	151:11,13
<b>past</b> 98:16	161:14	147:14	74:1 86:9	152:3
<b>Patrick</b>	<b>pay</b> 12:21	<b>perhaps</b>	149:10	<b>pleased</b>
2:21	102:3	7:7 24:23	<b>phrase</b>	59:18
<b>Paul</b> 2:10	115:8	96:4	35:23	152:4
39:3,16	125:10	101:15	62:17	<b>Plus</b> 109:2
41:22	<b>paying</b>	141:15	122:4	<b>PM</b> 77:9
52:20	35:1	142:9,11,	<b>pick</b> 83:14	<b>point</b>
54:23	94:4,14	14 149:18	<b>piece</b>	26:25
55:2 60:7	<b>people</b>	<b>period</b>	158:18	65:16
65:14	7:4,7	19:21	<b>Pine</b> 15:2	69:6 82:3
75:4	13:5 24:2	21:7	<b>planning</b>	85:19
76:16	37:15	22:19	96:17	86:14
79:18,25	41:1	29:23	139:1	89:23
80:8	69:20	45:13	<b>plant</b>	90:5,12
84:11	73:16	47:20	65:21	94:22
94:20,25	82:1	57:10	68:3	112:3
<b>pause</b>	86:12	59:5	<b>platform</b>	130:11
25:17	90:8	63:25	98:13	132:11,15
33:17	118:16	64:3	<b>play</b> 111:6	134:1
41:16	128:12	67:24	127:7,15	138:7
42:18	129:5	71:21	<b>please</b>	142:9
63:1	130:3	75:9	6:14	160:1
74:23	<b>people's</b>	157:8	33:14	165:7
76:7,12	108:19	<b>permission</b>	34:2	<b>pointed</b>
77:21	<b>per</b> 45:6	80:3	39:13	152:14
79:14	86:11	<b>person</b>	40:8	<b>points</b>
82:21	<b>percent</b>	12:24,25	43:11	10:1
83:4	95:7,23	14:2 15:7	60:23	<b>Police</b>
85:5,17	156:12	16:6 23:5	63:10	23:9
90:17	157:16,19	29:1 37:8	76:10	<b>policies</b>
91:9 93:1	,23,25	55:16,18,	78:10	124:23
97:4	158:2,10,	21,25	80:10	<b>policy</b>
103:14	14	58:25	82:19	150:9
113:11	159:7,14,	66:14,20	83:2,10	<b>popped</b>
114:20	15,16,18,	<b>personal</b>	85:3	57:24
119:15	23	13:8,9	92:23	<b>popping</b>
131:4,21	<b>perfect</b>	55:18	99:17	58:5
132:8	50:24	109:2	103:17	<b>posit</b>
136:25	108:2	<b>personnel</b>	113:3	76:21
139:23	<b>performanc</b>	<b>pertain</b>		
140:19	<b>e</b>			
142:6,17,				

<b>position</b>	121:25	162:20	83:20	47:9
46:17	128:13	163:16	87:11	<b>progresses</b>
49:16	133:17	<b>presentati</b>	<b>prior</b>	138:18
71:18	134:3	<b>on</b> 120:20	148:2	<b>project</b>
76:21	143:23	156:1,16,	153:15	17:12
143:7	147:14	21	<b>private</b>	84:8
<b>positions</b>	151:8	157:1,5,1	9:13	90:25
24:18	152:5	5	106:8	<b>promised</b>
104:21	154:4	160:8,11,	<b>privately</b>	89:21
<b>positive</b>	156:11	14,18,24	123:8	<b>promptly</b>
46:11	157:19	161:1	<b>privy</b>	15:5 34:9
49:14	158:2	162:8	141:14	36:18
86:3 89:9	159:24	163:3,13,	<b>pro</b> 28:22	<b>proof</b>
128:11	<b>Power's</b>	14,15	<b>probably</b>	141:16
129:4	141:3	<b>presentati</b>	53:9	<b>properly</b>
130:5	<b>PowerStrea</b>	<b>ons</b> 44:11	115:1,23	59:21
<b>positives</b>	<b>m</b> 2:21	105:15	<b>problems</b>	94:21
100:20	132:16	156:2	130:5	159:12
<b>possession</b>	134:23	163:1,8	<b>proceed</b>	<b>property</b>
163:22	135:10,25	<b>presented</b>	111:3	92:3,6
<b>possible</b>	140:3,12	121:9	<b>proceeded</b>	111:4
41:5,11	<b>PowerStrea</b>	148:6	110:15	161:23
70:21,23,	<b>m's</b>	<b>presenters</b>	<b>proceeding</b>	162:6
24 83:13	135:22	124:19	126:9	<b>proposal</b>
<b>post-</b>	<b>practice</b>	<b>presenting</b>	<b>proceeds</b>	140:2,12
<b>briefing</b>	99:10	148:2	161:22	145:5,9
77:12	<b>practices</b>	<b>preserve</b>	<b>process</b>	150:25
<b>potential</b>	127:17	128:12	5:13	151:7
7:11,13,1	143:4	<b>president</b>	10:5,7	152:5
6 8:20,25	<b>preferred</b>	117:4,8,2	21:3	<b>protect</b>
9:5 11:22	32:17	3 132:16	36:20	94:7
111:15	<b>preparatio</b>	141:4	61:15,19	<b>proudly</b>
135:19	<b>n</b> 159:9	142:1	94:21	120:4
136:1	<b>prepare</b>	<b>pressures</b>	95:8	<b>provide</b>
141:6	24:19	65:21	111:7	6:12
<b>pothole</b>	88:9	<b>previous</b>	115:2	15:13,15,
15:1	<b>prepared</b>	105:9	129:15	23 17:4
<b>power</b>	89:1	145:16	132:21	18:4
24:14	150:22	146:16	133:1,15	19:2,3
26:1	162:17	<b>previously</b>	135:7	28:23
92:13	<b>prepares</b>	105:9	144:17	42:6
95:8	123:19	<b>print</b>	<b>product</b>	48:14,19
96:3,25	<b>preparing</b>	83:11,13	164:3,14,	59:20
110:12,14	23:13	<b>printed</b>	20,24	66:10
,17	<b>present</b>	44:13,20	<b>progress</b>	96:5
112:12,23	127:25	60:9		114:2
113:17				148:12
117:8				

<b>provided</b>	<b>pull</b> 113:3	128:16	47:25	36:16
11:20	131:1	<b>questions</b>	<b>ranking</b>	121:12
15:10	161:10	7:11	47:25	150:18
24:19	<b>pulled</b>	10:22,23	<b>rather</b>	<b>realize</b>
44:12	137:3	11:2	51:13	31:21
48:17,22	148:4	19:18,22	<b>re</b> 6:8	<b>really</b>
54:2	149:2	22:15	98:17	98:16
62:11	<b>purchase</b>	28:22	113:22	<b>reason</b>
81:9 86:8	95:12	33:9	114:17	62:15
87:20	<b>purpose</b>	34:17	115:19	91:4
88:17	46:3	35:12	<b>reach</b>	<b>reasons</b>
121:19	72:12	91:22	17:14,16	108:6
148:6	<b>pursuing</b>	93:16	34:7	<b>Rec</b> 106:7
150:11	135:22	96:11,15	84:12	123:5
155:8	<b>putting</b>	114:7	88:7	<b>recall</b>
165:4,8	140:11	121:17	141:5	21:11,23
<b>provides</b>		127:3	<b>reached</b>	24:22
95:17		128:5,25	136:5	27:5
<b>providing</b>	<hr/> Q <hr/>	129:3	149:16	28:3,7
23:17	<b>quality</b>	132:11	152:19	32:4
38:23	127:11	137:25	154:24	33:6,12
60:15	<b>quantum</b>	145:12	<b>reaching</b>	35:8,18
66:16,25	92:5,13	146:14	32:25	36:1,5,22
147:7	<b>quarter</b>	149:17	33:22,24	40:24
<b>province</b>	103:18	150:22	38:21	41:4,9,18
76:1	<b>question</b>	159:3	58:19	42:14
95:14	8:25	163:19	143:22	43:13,18
124:23	11:22	<b>quickly</b>	<b>reacting</b>	44:10
<b>provincial</b>	19:5,13,1	156:9	35:22	48:2,3,5,
75:19	7 22:2	<b>quite</b> 8:15	62:16	23
95:16	27:7	23:12	117:16	49:13,18
156:6	33:6,21	26:13	<b>reaction</b>	51:3,24
<b>prudent</b>	34:9,12	90:13	31:18	52:2,14,1
7:5 92:9	41:11	114:25	32:23	6
105:13	68:22	146:5	136:15	56:7,8,10
112:5	70:14	<hr/> R <hr/>	137:7	,13
122:8	82:8	<b>radio</b> 58:2	<b>reading</b>	57:1,4
<b>public</b>	90:11	<b>raised</b>	52:6	58:7
12:4,11	93:20	111:12	59:20	60:3,5,21
23:9	94:12	135:20	63:24	62:13,21
34:5,13,1	124:8	138:7	84:9	69:2
8	127:10	<b>raising</b>	133:12	70:7,8,10
58:13,19	131:18,25	145:12	136:15	,15,19
61:20	134:7	<b>ran</b> 16:1,3	159:8	71:1,5,19
75:3,10,1	147:20	<b>random</b>	<b>reads</b>	,22
4 117:10	158:25	88:4	97:12	72:1,3,4,
127:6	<b>questionin</b>	<b>ranked</b>	<b>ready</b>	20 74:4,7
141:25	g 127:4			75:23
				80:7,16

83:23,24	25:6	<b>recording</b>	34:8	54:23,24
84:25	34:24	27:22	<b>regarding</b>	109:5
85:20,21	65:10	<b>records</b>	7:15 8:13	141:19
89:5,10,1	67:18	13:4,11	13:17	<b>relative</b>
3,19,22	87:18	<b>recreation</b>	40:4 86:9	45:2
92:4,7,11	88:22	106:9	98:13	<b>relayed</b>
93:16	109:23	<b>reduce</b>	101:25	53:14
103:4	133:3	97:19	111:4	<b>relevance</b>
105:12	143:11	98:17	<b>Regardless</b>	95:6
107:3	146:7	99:1	140:25	<b>relevant</b>
109:23	163:7,15	104:12	<b>regional</b>	12:18
110:2,9,1	<b>receiving</b>	120:16	156:8	13:6
6,23	39:15	<b>reducing</b>	<b>REGISTRAR</b>	<b>relied</b>
111:10,13	40:2	100:13	40:11	12:2
,17,19,22	60:3,6	<b>reduction</b>	126:1	<b>relieve</b>
,25	67:18	120:10	<b>regular</b>	14:5
112:1,18	90:2	<b>refer</b> 7:21	10:7,15,2	<b>rellection</b>
115:24	110:3	73:7 93:5	0	159:6
118:15	114:8,14	107:17	<b>regularly</b>	<b>rely</b> 8:16
119:1	130:20	161:19	12:20	11:11,25
132:4	133:16	<b>reference</b>	116:8	<b>relying</b>
134:4,9,2	<b>recently</b>	11:7 75:8	146:12	145:20
5	93:13	110:10	<b>regulation</b>	146:19
135:4,11	159:2	143:17	<b>s</b> 78:20	<b>remember</b>
144:8	<b>recessing</b>	160:19	<b>relate</b>	27:6,13,1
146:24	53:19	<b>referenced</b>	122:11	4,16,24
147:15,19	91:18	76:18	<b>related</b>	32:20
148:15,17	139:14	136:18	12:7 95:7	37:3
,25	166:11	<b>referencin</b>	<b>relating</b>	38:10
149:13,21	<b>recognize</b>	<b>g</b> 25:5	15:17	39:15,17
155:13	42:24	<b>referred</b>	<b>relation</b>	41:7,14
156:19,24	43:1,5	11:14	13:1	44:6 46:7
,25	120:18	29:14	<b>relations</b>	51:7
157:20,22	<b>recollect</b>	<b>referring</b>	58:13,19	52:4,10,1
,23,25	56:2	32:1	<b>relationsh</b>	3 56:24
158:7,8,1	160:1	44:18	<b>ip</b> 22:18	57:2 58:5
5 160:23	162:16	77:14	29:22	61:23
161:5	<b>recollecti</b>	103:22	32:2	62:2,10
162:7	<b>on</b> 86:10	118:22	38:18	70:5
163:23,24	159:6,22	<b>reflect</b>	40:6	74:10,11
164:5,10,	161:8	48:25	41:21	75:10
11 165:11	<b>recommend</b>	51:7	49:18,20,	77:17
<b>recalled</b>	77:10	<b>refresh</b>	22	80:5
114:14	<b>record</b>	121:24	50:5,14	81:5,7,12
<b>receive</b>	13:14	<b>regard</b>	51:9,11	85:13
24:6	22:9		52:16,20	87:14
54:20	110:13			89:24
146:10	112:17			
164:13				
<b>received</b>				

99:13	107:21	80:21	120:18	26:19
100:6	121:9,12	<b>request</b>	141:21	27:10
102:12,13	135:4	81:25	<b>resolution</b>	97:19
,19	140:17	82:10	67:13	104:12
106:25	141:5	100:3,17,	<b>resolve</b>	105:13
110:21	142:2,10	25 101:22	35:3	120:9
111:1,8,1	144:17	102:10,20	<b>resource</b>	<b>responsibl</b>
1 112:6	149:19	104:14	11:16	<b>e 7:6</b>
114:8	150:17,20	105:2	38:5	20:21
118:9,13,	153:16	106:23	<b>resources</b>	28:15
21,22	155:2,8	114:6	8:20 9:3	<b>rest 55:3</b>
131:12	160:12	116:15,16	11:11,25	<b>result</b>
132:2	163:17,20	117:18	<b>respect</b>	120:6
144:5,15	,22	118:1,5,6	9:7 10:12	130:6
146:21	<b>reported</b>	,12 121:1	12:7	133:2
147:10,23	26:13	122:19	22:21	<b>resulting</b>
148:7,19	54:9	<b>requesting</b>	28:17	164:3
149:7,11,	89:20	70:2	51:8 92:6	<b>results</b>
17,23	105:20	102:13	93:17	133:15
156:15,20	135:9	122:20	117:2,12,	<b>resuming</b>
157:4	142:10,12	<b>requests</b>	25 126:8	53:20
158:13	144:1,3,1	20:6	127:6,24	91:19
160:13,18	4 145:25	22:4,6,10	128:6,17,	139:15
,25	146:5	75:16,18	20	<b>retail</b>
162:2,4,1	<b>reporting</b>	82:2	129:8,16,	6:17
3	135:7	104:4	22 150:10	<b>retain</b>
<b>remind</b>	144:6	124:12	<b>respected</b>	121:7
118:17	146:12	<b>required</b>	150:3	<b>retained</b>
<b>reorientat</b>	<b>reports</b>	24:13	<b>respects</b>	121:1
<b>e 142:25</b>	12:3	80:21	126:19	<b>retainer</b>
<b>repeat</b>	133:19	94:2	<b>respond</b>	152:8,10,
5:12	143:12	<b>requires</b>	16:19	23
14:18	162:24	80:1	<b>responding</b>	<b>retention</b>
125:7	<b>represent</b>	<b>reserves</b>	131:8	69:19
146:4	7:4 49:3	102:4	<b>responds</b>	<b>retired</b>
150:4	<b>representa</b>	<b>residence</b>	140:5	20:4
164:17	<b>tive</b>	105:17	<b>response</b>	<b>retrieve</b>
<b>repeating</b>	157:11	<b>resident</b>	15:6 22:2	47:4
117:17	<b>representa</b>	12:13	<b>responsibi</b>	<b>return</b>
<b>replies</b>	<b>tives</b>	24:4 34:6	<b>lities</b>	61:13,19
103:25	73:11	<b>residential</b>	7:1 12:1	<b>review</b>
140:8	85:12,15	1 72:16	25:15,25	20:14
<b>report</b>	<b>representi</b>	73:9 79:3	65:17	43:8,9,15
14:13	<b>ng 7:8</b>	<b>residents</b>	<b>responsibi</b>	44:6
17:20	99:8	26:24	<b>lity</b>	45:13,15,
21:6 54:7	118:18	34:25	25:22	
89:11	125:7	108:22		
93:15	<b>reque</b>			
101:11				

16	41:21	10:9,16,1	43:1,7,17	74:6,8,11
46:4,5,24	46:12	9 11:13	,20,24	,15,19
47:3,23	72:21,24	12:2,9,19	44:2,8,21	75:12,15,
61:12	119:20,22	13:7,12,1	,25	19,23
63:12	127:7,8,1	5,21,25	45:4,10,1	76:20,25
65:11	5	14:10,17,	4,19,25	77:3,9,16
98:14	<b>roles</b>	22	46:6,9	,23
106:23	25:14	15:15,25	47:1,11,1	78:3,9
107:24	39:12	16:5,15,2	5,18	79:2,8,21
119:25	40:22	4 17:6,18	48:2,16,2	80:7,20
121:7	41:6,13	18:5,16	0,23	81:1,6,11
131:8,9	42:12	19:3,8,12	49:4,8,13	,16,18
145:7	<b>room</b>	,24	,21	82:3,12
156:3,22	86:12,21	20:3,8,19	50:2,7	83:21,24
<b>reviewed</b>	88:5	,23	51:10	84:4,9,17
10:3	<b>rule</b> 40:21	21:1,11,1	52:1,6,14	,25 85:19
48:11	<b>rules</b>	8,22	53:5,12	86:7
114:13	40:20	22:11,16,	54:5,8,11	87:7,13,1
140:9	127:16	20 23:2	,16,21	6,20,24
144:9	<b>run</b> 16:3,4	24:9,16,2	55:2,6,10	88:4,11,1
158:6,9	<b>running</b>	0	,14,17,23	4,19,24
<b>reviewing</b>	82:4,7	25:8,12,1	56:1,6,10	89:5,12,1
10:6 62:7	108:19	9	,16,20	7,22
99:20	<b>Ryan</b> 2:19	26:3,14,1	57:1,4,8,	90:1,7,15
114:10	<hr/> S <hr/>	8,23	13,16,19,	,22
<b>revise</b>	<b>safety</b>	27:5,8,14	23	91:1,7,16
120:22	49:17	,18	58:1,7,12	,24
<b>revisions</b>	<b>said."</b>	28:2,6,13	,17,23	92:2,7,15
131:9	102:11	,20	59:2,6,9,	,21 93:19
<b>RFP</b> 159:19	<b>sale</b>	29:3,9,13	25	94:1,5,9,
<b>ribbon</b>	95:9,24	,19,24	60:4,7,17	15 97:25
23:7	107:15,16	30:17,20	,21 61:25	98:5,12
<b>Rick</b> 61:16	135:19	31:4,8,16	62:4,12,2	99:5,15,1
<b>road</b> 29:25	136:1,6	,20	1	9 100:4,8
30:23	141:7	32:1,21,2	63:10,14,	101:3,9,2
149:10	157:17,19	4 33:12	20,24	4
<b>roads</b> 34:6	159:7	34:1,3,15	64:7,12,1	102:16,22
<b>role</b>	<b>Sandra</b>	,19,23	8,23	103:4,23
7:4,12	2:12 3:5	35:7,14,1	65:2,4,13	104:18
11:23	5:6,8,19,	9,24	66:2,10,1	105:6,25
12:7,10	25	36:4,7,12	5,23 67:9	106:4,17
24:12	6:4,7,10,	,24	68:15,20	107:3,7,1
25:25	15 7:3,15	37:6,12,1	69:1,8,12	1
26:3,4,9	8:1,11,22	7,23	,14	108:1,5,1
27:3,4	9:2,6,11,	38:6,9,12	70:7,12,1	7
28:11	18,25	,17	6,19,23	109:7,13,
40:22		39:17,23	71:1,5,13	20,25
		40:3,24	,17,25	110:4,19,
		41:8,18,2	72:3,10,1	23
		4	3,20,23	111:2,10,
		42:4,7,14	73:14	13,19,24

112:3,8,1 6,25 114:10,15 ,22 115:7,14, 23 116:18 117:6,10, 14,21,24 118:4,8,1 5 119:1,5,8 ,21 120:23 121:5,13, 15 122:2,23 123:2,16, 22 124:14 131:14 132:3 133:9,18, 22 134:4,11, 20,25 135:3,11 136:3,7,1 3,16 137:1,10, 16,20,24 138:2,6,2 0 140:13,21 141:8 142:8 143:6,24 144:7,12, 16,22 146:3,24 147:15,21 ,24 148:9,18, 24 149:5,9,1 3,21,25 150:19 151:12,17 152:11 153:1,5,1 7,22 154:2,5,9 ,13,15	155:3,10, 13,17 156:17,23 157:2,6,2 0 158:5,15 159:13,25 160:15,19 161:2,9,2 0 162:5,10, 16,21 163:1,7,2 1 164:5,9,1 6,21 165:2,10 <b>Sandy</b> 20:4 <b>Sarah</b> 7:22 <b>sat</b> 127:23 <b>satisfacto</b> <b>ry</b> 47:9,13,2 1 48:1,12 49:11 <b>satisfied</b> 8:15 14:2 <b>save</b> 98:17 102:3 <b>saving</b> 98:14 <b>savings</b> 98:23 99:20 100:12 102:2 105:10,20 <b>saw</b> 12:16 114:13 118:2 152:9 163:12 <b>schedule</b> 148:3 <b>scheduled</b> 77:8	132:23 <b>school</b> 6:19,21 <b>screen</b> 33:20 39:1 103:12 109:23 <b>scroll</b> 42:23 43:11 44:17 50:22 61:5 63:3,5 76:10 79:9,23 103:16,24 104:1 106:18 113:7 120:1 151:10,12 ,20 152:2 161:17,21 <b>scrolled</b> 77:24 78:6 <b>scuttlebut</b> <b>t</b> 78:17 79:1 <b>se</b> 45:6 <b>second</b> 18:22 33:21 39:2 43:4 60:2 61:6 66:17 69:24 76:10 79:17 132:17 137:15 151:2 <b>second-er</b> 15:16,22 16:9 <b>second-</b>	<b>guess</b> 163:9 <b>secondly</b> 124:17 <b>secret</b> 126:14 <b>secretary</b> 27:22 <b>section</b> 140:7 <b>sector</b> 147:4 <b>security</b> 161:22 <b>seeing</b> 24:2 88:6 <b>seem</b> 96:3 <b>seemed</b> 49:21 <b>seems</b> 93:5 <b>seen</b> 121:6 128:16 151:18 152:16 163:21 <b>sell</b> 156:9 158:2 <b>selling</b> 100:21 101:1 156:12,13 ,14 <b>send</b> 70:1,8,11 ,15,16 75:15 131:15 <b>sending</b> 7:8 75:25 80:5,8 97:11 <b>sends</b> 79:23 113:25 <b>sense</b>	108:2,7 122:19 124:1 151:10 <b>sent</b> 15:6 18:2 60:8 75:17 121:22 131:7,12 132:13 135:16 137:6,8 140:2 145:5 150:25 151:7 156:1,16 <b>separately</b> 147:12 <b>September</b> 67:23 92:24 93:12,25 116:6 <b>serious</b> 116:23 <b>serve</b> 27:2 <b>served</b> 5:23 6:2 <b>service</b> 33:23 73:18 97:21 98:19 120:12 <b>service."</b> 104:13 <b>services</b> 23:9 24:14 26:1 135:20 136:2 143:4 156:3 <b>session</b> 9:14
--	---	---	---	---

111:9	90:9	18:12	<b>somebody</b>	<b>sources</b>
112:17	<b>siblings</b>	63:12	142:15	8:20
161:4	56:11	65:12	<b>somehow</b>	<b>space</b>
<b>sessions</b>	59:10	67:10	96:2	23:25
7:17,24,2	65:6	73:15	<b>someone</b>	59:19
5 8:9	68:10,12	84:16	12:22	<b>speak</b> 11:4
<b>several</b>	<b>sides</b>	127:21	18:21	12:23
158:6	127:20	128:25	25:6 33:1	24:6
<b>sh</b> 95:7	<b>sidewalks</b>	<b>situations</b>	45:23	37:9,24
<b>sha</b> 147:8	34:7	65:7	81:14	45:22
<b>share</b>	<b>sign</b>	<b>skip</b>	133:12	46:23
95:7,11,1	107:15	150:19	142:10	47:2
2,23 96:2	<b>signed</b>	<b>slide</b>	150:9	65:13
108:7	152:10	156:1,2,2	<b>sorry</b>	66:20
130:11,16	<b>Simcoe</b>	1 157:15	14:17	77:8
157:16,19	26:6 99:8	163:13,14	26:12	86:13
159:7	105:18	,15	31:16	87:25
<b>shared</b>	109:1,2	<b>slides</b>	35:24	89:2
60:9	<b>similar</b>	156:5	36:8	123:5
162:24	97:20	157:14	39:24	126:1
<b>shareholde</b>	99:1	<b>slight</b>	52:25	141:6
<b>r</b> 145:22	104:13	73:23	71:3	142:13
146:20,23	120:12,15	<b>slower</b>	74:25	<b>speakers</b>
147:9	122:22	36:19	76:5 78:7	8:5
152:6	123:11,23	<b>slowly</b>	81:6	<b>speaking</b>
<b>shares</b>	<b>simply</b>	69:18	105:7	23:22
108:12	129:20	79:10	106:3	24:1
<b>she'd</b>	<b>single</b>	<b>small</b>	114:10	29:15
79:11	15:12	109:8	122:4	33:4
<b>sheet</b>	56:9	<b>smaller</b>	124:1	37:17
54:15,19	151:24	124:25	126:5	51:1
<b>Shelley</b>	<b>Sir</b> 126:1	<b>smell</b> 79:6	134:14	52:11,13
119:19,25	<b>sister</b>	<b>snowplow</b>	137:20,24	53:7
<b>shifting</b>	23:15	123:7	138:3,25	73:14
96:17	59:14	<b>so-and-so</b>	139:7	78:13
<b>shipyards</b>	60:18	13:16	140:9	102:24
67:23	<b>sit</b> 24:24	<b>social</b>	144:21	103:2
<b>shortly</b>	<b>sitting</b>	85:22	149:3	115:21
159:20	63:22	<b>solicitor</b>	153:18	118:10
<b>should've</b>	64:16,18,	137:12,19	154:1,22	141:23
95:22	20 95:1	<b>solution</b>	157:3	<b>special</b>
<b>shut</b> 69:21	<b>situated</b>	15:5	161:21	127:7
73:1	19:19	<b>solutions</b>	164:16	129:10
<b>shutting</b>	20:12	118:7	<b>sort</b> 25:3	<b>specific</b>
	<b>situation</b>	130:4	95:20	8:13
			122:16	18:22
			<b>sounds</b>	21:12
			24:7	23:21
			37:1,15	24:21



28:8 42:1 94:18 100:3,17 104:4 105:1 111:23 121:1 122:20 143:7 157:11,22 159:15 165:24 <b>specifically</b> 24:23 25:20 27:9 33:7 51:5,23 92:19 94:19 99:25 100:24 102:10 105:10 <b>specifics</b> 110:24 111:20,25 144:9 147:16,19 148:15 154:6 <b>speech</b> 59:24 60:15 61:24 62:3 <b>spelling</b> 80:1,17,2 1 <b>spend</b> 22:23 61:21 <b>spending</b> 58:5 69:10 97:14 104:8 120:4 122:8	<b>spent</b> 6:18 55:21 <b>spoke</b> 111:14 114:3 115:11 116:7,12 124:19,20 142:15 143:13 <b>spoken</b> 118:6,23 <b>spouse</b> 8:17 <b>staff</b> 7:8 10:23 11:2 12:3,8,10 ,18,24,25 13:6,16,1 9 14:4,9,16 ,21 15:7,10,2 3 16:6,13,2 2 17:11,16 18:2,8,14 ,15 19:2,22 20:7 22:4,10,1 5,18 23:5 28:14,16, 18,21 29:1,18 32:3 40:5 41:21 49:24 94:10 100:10 105:16 122:5 160:16 163:3 <b>stage</b> 147:25 <b>stand</b>	30:19 <b>standards</b> 47:7,25 78:16 <b>start</b> 32:14 46:11 139:3 143:14 <b>started</b> 110:10 113:7 <b>starting</b> 115:2 <b>starts</b> 61:7,8 92:24 104:7 150:24 152:24 <b>stated</b> 25:20 112:18 <b>statement</b> 52:17 97:12 98:3,9,10 99:14 100:9 102:18 116:3 <b>statements</b> 98:6 99:7,10 130:15 <b>station</b> 58:2 <b>stay</b> 122:14 <b>step</b> 18:15 123:24 151:23 <b>stepping</b> 11:21 68:22 <b>steps</b> 13:4	17:17 73:3 88:9 94:13 156:6 <b>Stewart</b> 149:10 <b>stop</b> 53:3 79:11,16 165:20 <b>story</b> 10:1 127:20 128:10,12 129:2,3,4 <b>strategic</b> 152:7,13 158:19 160:10,20 ,21,22,23 <b>stream</b> 95:8 96:3 <b>street</b> 1:18 15:2 24:3 57:20 <b>strengthen</b> 50:11 <b>strengths</b> 30:3 <b>strictest</b> 106:24 107:2 <b>strike</b> 128:6 <b>strikes</b> 128:9 129:7 <b>strong</b> 55:11 122:10 128:7,10 135:6 <b>strongly</b> 37:7 <b>struggle</b> 67:24	<b>stuck</b> 129:15 <b>style</b> 127:4 <b>subject</b> 63:8 113:19 159:19 <b>submission</b> 129:1 <b>submit</b> 152:4 <b>substandard</b> d 47:8 49:11 <b>substantia</b> l 58:6 <b>success</b> 68:3 <b>successful</b> 90:2 94:16 129:4,9 <b>suggest</b> 12:24 96:5 119:25 161:24 <b>suggested</b> 51:15 107:13 108:5 141:12 149:17 <b>suggesting</b> 12:12 157:22,25 <b>suggestion</b> 50:9,17,2 1 107:25 108:4 <b>suggestion</b> s 7:7 12:11 100:11
---	---	--	---	--

<b>suggests</b>		128:14	114:1	<b>they'd</b>
35:25	<hr/> T <hr/>	<b>taxpayer</b>	116:21	36:14
62:17	<b>table</b> 3:1	115:9	<b>terminolog</b>	<b>they're</b>
102:11	10:21	<b>taxpayers</b>	y 78:18	95:19
<b>summary</b>	16:18	26:24	<b>terms</b> 95:6	152:25
6:13	17:21	98:15,17	122:12	161:12
48:25	<b>tactical</b>	100:12	124:2	<b>third</b>
49:1,7	145:12	102:6	143:17	44:17
83:9	<b>taking</b>	118:19	<b>test</b> 92:5	100:16
<b>Sunday</b>	10:6	125:7	<b>tested</b>	<b>thoughts</b>
103:17	33:20	<b>telephone</b>	136:18	49:1
<b>supply</b>	123:23	55:13,15	<b>testify</b>	<b>three-page</b>
34:8	133:14	<b>televised</b>	5:11	42:21
<b>support</b>	<b>talk</b> 53:10	40:25	<b>testimony</b>	<b>throughout</b>
61:11	79:2	<b>template</b>	129:25	5:13
75:16,25	96:24	45:20	<b>text</b>	109:2
76:2	110:20	46:25	133:19,21	<b>tie</b> 115:16
95:15	156:5	47:4	<b>thank</b> 5:14	<b>tied</b>
<b>supportive</b>	<b>talked</b>	<b>ten</b> 5:12	34:25	123:22
55:3,5	17:3	53:3	43:5	<b>till</b> 47:19
76:3	160:21	91:15	53:12,16	139:3,11
94:16	<b>talking</b>	113:14	70:17	<b>Timothy</b>
114:5	5:21	138:23	77:13	2:14
116:15	16:21	<b>tenants</b>	78:10	<b>tires</b>
118:12,25	31:25	73:11	91:16	107:17,18
119:7,10	37:2,11	<b>tenure</b>	94:25	108:8
<b>supposed</b>	44:19	28:5	125:9	<b>TOC</b> 83:2
28:25	51:7	104:20	126:12	<b>TOC0034211</b>
72:2	53:24	<b>term</b> 6:24	130:20	4:4 61:1
<b>sure</b> 45:16	84:23	8:2 9:8	138:20	<b>TOC0037574</b>
49:9	87:8	11:25	151:13,18	4:3 40:14
54:13	104:15,17	12:6 14:8	<b>Thanks</b>	<b>TOC0040918</b>
66:2,4,15	114:18	18:25	139:7	4:5 80:13
71:18	116:16	19:14	<b>theory</b>	<b>TOC34211</b>
77:23	117:19	24:13	95:20	59:12
92:16,18	134:16	25:24	129:12	<b>TOC34212</b>
94:11	<b>tardy</b>	27:1,25	<b>there's</b>	61:5
101:18	84:18	28:11	107:18	<b>TOC37574</b>
115:18	<b>tasks</b>	29:8 37:3	<b>there's</b>	33:15
153:11	36:13	41:23	16:8	39:2
<b>suspect</b>	<b>tax</b>	45:11	47:7,12	<b>TOC37580</b>
145:19	92:3,6,9	54:24,25	80:1	62:24
146:18	93:23,24	55:22	113:8	<b>TOC38100</b>
<b>Sworn</b> 3:5	94:2,7	56:9,15	127:13	
5:8	<b>taxes</b>	67:8	128:10,19	
<b>system</b>	94:4,14,1	68:23	129:9,10	
61:13	8 102:5	69:6		
		106:15		

103:12	<b>topic</b> 7:18	72:7	19:16	159:21,25
<b>TOC38162</b>	14:1,25	92:10	<b>treasury</b>	162:2
112:22	41:22	93:14,17	49:17	<b>turn</b> 9:4
113:15	52:23	98:18	<b>treated</b>	33:15
<b>TOC38164</b>	96:18	100:10	9:17	39:1
119:13	112:19	102:2	121:8	42:15
<b>TOC38169</b>	122:5,14,	106:15	<b>Tried</b>	52:19
131:2	15 162:3	109:8	140:6	61:6
<b>TOC40917</b>	<b>topics</b>	115:6	<b>trigger</b>	82:18
76:5	34:22	117:15	40:1	96:23
<b>TOC40918</b>	35:5 41:2	119:20	<b>triggered</b>	112:21
76:5	115:11	122:9	40:4	113:15
<b>TOC41126</b>	<b>Toronto</b>	123:3,9	<b>trip</b> 29:25	125:20
83:17	23:16	141:24	30:23	126:4
<b>TOC512155</b>	<b>totally</b>	142:2	<b>trouble</b>	132:6
42:16	92:16	147:13,20	50:25	142:19
<b>TOC516351</b>	<b>touch</b> 35:3	151:24	127:18	160:2
161:12	<b>touched</b>	152:6,9,1	<b>troubling</b>	<b>turned</b>
<b>today</b>	52:19	5,20,25	128:21	86:22
10:10	124:20	153:3	<b>true</b> 138:7	<b>turning</b>
19:18	<b>touches</b>	154:20	<b>trust</b>	5:5 6:23
30:13	152:13	163:23	106:21	11:23
44:10	<b>touching</b>	164:4	<b>truth</b>	28:9
51:2,17	125:14	165:8	127:21	54:22
52:1,5,7	<b>tour</b> 77:4	<b>Town's</b>	129:1,11,	109:22
61:8	<b>tourism</b>	106:7	18	<b>tweak</b>
63:23,24	69:16	118:2	<b>try</b> 43:13	158:7
64:4,10,1	<b>towards</b>	124:4	50:7	<b>two-way</b>
6,18,20	28:4 37:2	<b>track</b>	68:13,19,	31:5
80:20	<b>town</b>	20:6,10	25 139:5	<b>type</b> 114:4
92:9	1:2,16	21:4	<b>trying</b>	116:13
130:1	2:18	22:4,6,9	30:2 38:4	<b>typewritte</b>
133:13	5:22,23	29:20	46:21	<b>n</b> 42:22
143:19	6:2 7:1	52:25	68:9	44:1,11
150:10	12:8	<b>training</b>	69:4,19	<hr/>
<b>tomorrow</b>	19:19	24:18,21	71:23	<b>understand</b>
63:11	22:18	25:3	75:3,10	6:25 12:6
93:9	23:22	<b>transcript</b>	93:22	15:9,20
103:20	25:7	3:13	95:6,25	17:1,10
143:20	28:10	31:15	96:2	20:16
165:23	31:14	126:23	98:20	22:24,25
<b>top</b> 43:11	33:23	<b>transfer</b>	130:3	24:11
45:7 47:6	45:20,21	95:9	144:11	25:24
59:23	57:15	<b>transparen</b>	148:16	28:11,19
79:10	65:17	<b>cy</b> 81:25	155:5	29:3
108:10	67:14	<b>traveling</b>	158:24	37:11
152:3	69:16,18	143:18		40:18
		<b>Treasurer</b>		

42:10	94:1	<b>utility</b>	106:11	29:4,12,1
46:22	<b>undertake</b>	23:9	123:9	7 32:4
52:4	100:19,25	24:14	125:3	38:15
58:10	101:7	26:1	<b>varied</b>	108:17,18
64:4,15	105:3,4	104:23	112:25	125:6
66:19,22	121:2	116:19	113:1	140:21,23
68:4,5	<b>undertaken</b>	133:5	<b>various</b>	159:14
82:6	134:3	135:19	8:4 23:20	162:11,14
90:10	<b>underwent</b>	136:1	30:1	<b>waste</b>
93:23	95:8	145:7	102:1	23:12
94:3	<b>Unfortunat</b>	152:7	108:23	<b>wastewater</b>
101:22	<b>ely</b>	156:2,8,1	<b>versa</b> 37:9	92:3,17
104:5	132:22	0	<b>versus</b>	<b>watch</b>
115:18	<b>unless</b>	<b>utmost</b>	95:10	69:21
118:20	15:17	84:20	<b>vibrant</b>	82:17
144:13	144:9	<hr/> V <hr/>	69:16	90:9
148:16	<b>unlike</b>	<b>valuation</b>	<b>vice</b> 37:9	<b>water</b>
149:15	123:3	96:24	<b>view</b> 117:7	24:23
150:13	<b>unsatisfac</b>	100:19,25	126:15	92:3,17
155:6	<b>tory</b> 47:8	101:8,17	148:8	125:10
159:1,17,	<b>upcoming</b>	102:14	<b>views</b>	149:6
21 162:2	23:14	105:3,5,1	31:13	<b>Watson</b> 2:7
<b>understand</b>	<b>updates</b>	1,24	<b>visit</b>	<b>ways</b>
<b>ing</b>	144:19	106:1,16	23:20	98:14,22
7:3,12	146:7,11	110:13,17	56:21,25	105:8
9:9,16	<b>upgrade</b>	111:5,12,	<b>volunteeri</b>	116:21
28:25	65:21	14,16,18	<b>ng</b> 6:19	122:8,9
29:7,10	<b>upon</b> 5:1	112:4,20	<b>vote</b> 15:24	<b>we're</b>
30:2	48:9	121:2,11,	17:3,15	103:8
51:1,16,2	53:19,20	12,24	18:3,6	109:12
0,25	91:18,19	122:3,20	21:15	<b>we've</b>
52:8,12	139:14,15	123:13,20	<hr/> W <hr/>	105:1
64:10,21	166:11	124:5,13	<b>wage</b> 73:19	<b>weak</b> 51:12
66:8,11	<b>ups</b> 101:1	125:14	<b>waiting</b>	<b>weakness</b>
78:11,12,	<b>urgency</b>	133:4,17	163:18	49:16,20
14 94:21	76:2	134:3,12,	<b>walk</b>	50:6,10,1
106:14	<b>useful</b>	13,17,19	30:14,24	6 51:8
107:23	130:8	145:18	<b>walking</b>	<b>we'd</b> 22:24
112:11,15	<b>utilities</b>	146:1,16	24:4	139:3
117:3,20	2:7	150:16	<b>warden</b>	161:9
127:5	<b>usually</b>	152:13,21	99:8	<b>week</b> 22:23
159:11	13:20	153:14	<b>wasn't</b>	31:9,10,1
<b>understood</b>	15:4	155:1,7	9:25 14:2	2 32:15
10:18	55:17	162:9	21:3	70:2
26:4 32:7	<b>Utility</b>	<b>valuations</b>		108:25
51:22	132:22	123:24		133:1
63:25	<b>value</b>	147:13		
64:13				
66:19				
82:10				

<b>weeks</b>	99:13	51:4,19,2	25 68:13	<b>works</b>
114:3	104:5	4 52:11	73:2	34:5,18
116:12	121:19	54:2,10,1	89:25	71:20
118:10	127:24	3,18	90:13	117:11
<b>welcomings</b>	130:3	120:7	91:6	141:24,25
23:8	134:9	<b>Wingrove's</b>	115:5	<b>works."</b>
<b>we'll</b>	141:1	53:24	121:11	104:1
5:5,11	159:21,23	<b>witness</b>	130:4	<b>workshop</b>
16:7	164:2,13,	5:6	140:3	7:24
38:25	19,25	127:10,13	141:9	<b>workshops</b>
39:4 53:3	<b>whole</b>	,14	143:23	7:17 8:5
79:10	50:23	130:13	146:11	<b>Works-type</b>
96:9,12	<b>wholly</b>	165:21	149:19	34:13
129:15	142:1	<b>witnesses</b>	150:17	<b>world</b>
130:17	<b>Who's</b>	128:3	153:15	107:20
138:19,22	71:12	<b>wonder</b>	155:1,6	108:8
<b>Wendy</b>	<b>whose</b>	52:22	163:12	150:3
166:18	26:20	125:24	164:3,14,	<b>would've</b>
<b>we're</b> 85:8	<b>Wilkinson</b>	126:6	165:9	78:19,21
93:4	74:16	<b>wondered</b>	<b>worked</b>	80:22
114:23,24	85:22,24	163:16	6:17 64:1	81:2
117:19	86:2,5	<b>wondering</b>	71:13	82:12
126:9	88:2,3	96:4	90:8	84:11
137:21	89:3,8	103:20	129:5	86:7,20
143:1	90:20	152:24	135:5	89:13,15
144:18	<b>Wilkinson'</b>	163:17	146:5	101:16
159:20	<b>s</b> 73:25	164:7,8	<b>workforce</b>	112:20
165:5	74:16	<b>Woodworth</b>	6:22	115:1
<b>we've</b> 17:3	87:5	166:18	<b>working</b>	144:14,16
23:24	<b>William</b>	<b>words."</b>	22:18	,17,19
52:18	2:18	104:17	29:22	148:9
121:6	138:24	<b>work</b>	31:13,19	149:9
127:3	139:6,12	6:13,24	33:10	<b>write</b> 75:5
128:16,24	<b>Wingrove</b>	8:21	40:5	79:24
130:1,17	29:22	11:10,24	49:17,19,	93:12
133:13	31:3,12	16:23	22 50:4	95:15
<b>whatever</b>	32:15	17:1 19:6	51:8,10,1	100:2,6,2
14:24	33:9,25	22:23	1 52:15	3 101:7
33:5	34:10	24:8,19	68:6	102:13
<b>Whenever</b>	35:11	26:22	84:2,3,5,	107:1
116:5	36:2,13	36:14	7	119:25
<b>whether</b>	37:8	38:20	90:5,14,2	<b>writes</b>
8:25	43:15	46:17	4	63:9
14:25	44:3 45:3	49:10	128:12,13	69:24
15:1 27:2	47:24	58:10	141:18	77:7
48:21	48:9,15,1	59:4,7,10	<b>workload</b>	106:20
49:10	9,22	64:1,5,9,	22:25	113:20
54:13	49:1,19	14,16,22,	23:3	114:16

115:18	146:15			
116:10	150:15			
132:16	152:17,18			
152:4	154:23			
<b>written</b>	159:22			
47:7	164:23			
79:18				
120:2				
<b>wrong</b>				
128:22				
<b>wrote</b>				
107:6,9				
121:10				
145:14				
146:14				
<hr/>				
Y				
<hr/>				
<b>yesterday</b>				
143:13				
<b>yet</b> 21:15				
<b>you're</b>				
104:17				
<b>You've</b>				
104:9				
<b>you'll</b>				
44:14				
165:21				
<b>yours</b>				
44:24				
<b>yourself</b>				
12:16				
36:3				
77:14				
85:12				
90:12,14				
94:23				
105:24				
153:12				
<b>you've</b>				
11:6 13:5				
35:12				
49:16				
53:11				
65:24				
118:1				
120:1,25				
122:20				