

Transcript part September 20 2016 item 85 private matter public funds omelai letter

1:54 on audio

Jj: OK I'd like to move up item eight point six. That's the Gammie OMB Miller Thomson letter

AC: Just need a show of hands

JJ: everybody in favour of doing that

CG: and why is that?

MJ: The folks are waiting patiently

JJ: Some people that are..

J: Is that what they're here for?

MJ: I believe so

JJ: I think so but who knows? I'm here for it. So..

AV [un]

JJ {started timer} woops I don't want to do that ... new computer

CG: I need a quick washroom break before we do that

JJ: Ok we'll just call two minutes then for a washroom break

?? [un]

JJ: yeah that's fine

JK: well this is the one where our lawyer.. where did [?? Hear about that]

JJ: this thing is about.. cross examination..

JK: are we asking these questions

JJ: do you know what I found today in my archives in my computer [un] a trifolium and right on the front page it says he's a professional engineer

And he signed it and

JK: holy shit. The engineer society will just love that

JJ: and well my argument is he ... a lot of votes on fraudulent claims

It's all there

JK Isn't that

JJ I'll forward it to you

JK the last person that sent me that link,[un]

JJ no after that

Are you ready? OK we're back in session with council's permission we're moving item 8.6 forward on the agenda Gammie oh six dash 2016

AC moved by councillor gammie seconded by deputy mayor Kirkland that council address

JJ OK So the recommendation is rather vague but I'll let councillor Gammie speak to that.

1:58:00

CG

The issue .. This is my report.. my motion. The issue is my allegation misuse of public funds. And the The issue is not about whether I committed some actionable offence or whether the town wants to sue me or charge me. That is not on the agenda. Somebody can put it on a later agenda. And so I'm only going to talk about I will only talk about the allegation, my allegation of misuse of funds, and would appreciate everyone else to stick to that item as required by the procedural by-law.

If you want to talk about litigation by the town against me, that has to come as a separate matter, properly closed and I will have to declare a conflict of interest. But I'm not declaring a conflict of interest because that's not the item we're discussing. I'm alleging misuse of public funds for private agenda.

This is one of a long list of similar vexatious personal attacks against me and others by staff and council members.

2012 staff complained to professional engineers Ontario about another person of misuse of the term technologist. The complaint was groundless, and it went nowhere.

In 2012 a complaint to professional engineers Ontario by staff and council members resulted in me being charged with 7 counts. The charges were based largely on minutes from 2011 May meeting. I convinced the justice of the peace and JP and the professional engineers lawyers that the minutes were a gross distortion of the facts, and the charges were dropped immediately as groundless.

February or March 2016 another complaint to PEO about me. PEO demanded that I admit transgressions and promise to cease or they would take legal action. I showed PEO that the complaint

by TSBP staff or council member were distortions of the facts , and PEO backed out – no charges, nothing.

All of these used taxpayer resources for private purpose, private vendetta, and all were wrong.

Now this.

Current letter attached and in agenda is clearly a private matter, initiated by a private person or persons for private reasons.

But it was commissioned using town dollars.

The town has no legitimate authority to commission such a letter.

No staff member has legitimate authority to commission such a letter on behalf of the town or as part of their duties.

No member of council has legitimate authority to instruct staff to commission such a letter.

Council gave no permission to request this letter.

Commissioning of this letter is improper and illegal use of public funds for a very private purpose.

The initiative needs to be reversed and prevented from occurring.

The law firm should not be paid for this as the law firm should have known that the initiative was improper and should have refused to execute.

The staff member responsible should be reprimanded.

That's all I have to say.

2:00:54 end cg

2:00:57

JJ: Well I'm going to speak first councillor. This obviously stems from the OMB hearing that cited in the letter that you made as a part of your report

2:01: 15

CG excuse me point of order madam mayor this..

JJ no I ..

CG ... not on the agenda whether I breached something or not

JJ It is actually

CG It is not

JJ well I 'm explaining why this was done and you're going to allow me to explain why this was done whether you like it or not

2:01:54

JJ: We have an indemnification bylaw councillor. If you are sued for what you did, our townspeople have to pay the lawyer to represent you. Our lawyer, to try and avoid being sucked into paying legal fees to defend you for committing a conflict of interest if that's the charge, our lawyers put out a letter to you asking you to stop... don't go any further ... you stepped over the bounds it seems .. prove that you didn't step over the bounds.. I don't know if you've responded to this letter ... because the people don't want to have to pay for your defence.. And I think that's a pretty fair reason to send you that letter.. Because I'll tell you if we did not send that letter on behalf of the people of this town and you continued to represent all kinds of citizens in OMB hearings, because I wouldn't be surprised if it's not the first or the last I mean, that you're going to represent, and he's already cited to you the reasons why you can't represent people according to the Law society of upper Canada. And it's pretty clear that you committed a conflict of interest. I think that even the ruling judge in that OMB case said very clearly that you made a conflict of interest.

2:03 :05

CG: Did not

JJ Councillor Vukovic was there

CG

JJ I'm not asking anybody in the gallery

Cg: please control the gallery

JJ I just want you to tell me yes or no did he say

Av yes

JJ .. he's committing a conflict of interest

AV: yes

JJ: now based on that councillor, there will more than likely be some complaint, at least one if not multiple complaints brought against you. If you are charged by the upper Canada society.. law society, whose gonna defend ya? All the people of this town. And whose gonna pay for that? The taxpayers. So you're darn right we've got a whole block of reasons to send you this letter to say knock it off for the sake of the people of this town.

CG: This is none of the town's business

JJ: well that's too bad it is the town's business

CG: The upper Canada law society has no authority to charge me.

JJ Not according to the lawyers of our town.

CG well the lawyers are wrong

JJ: and I know and you're right

MJ you're always right

JJ: They're always wrong councillor ...

Cg: The lawyers didn't say the upper Canada law society... look in the letter. They didn't say the upper Canada law society ..

JJ ... oh yes they did ... they even cited the rules. They even cited the passages in their rules.

CG: look at the letter...

JJ ... and I'm sure that you looked at it.

CG show me where it says the upper Canada law society..

JJ we all have a copy

JK simultaneous twenty six point one of the law society act ... the act

No person other than licensee in good standing

CG that's the rule

JK yeah

CG show me where it says they can charge me

AV can I say something before you start arguing over there

JJ go ahead ana

2:04:40

AV: Councillor Gammie use reverse psychology in here. An I'm gonna tell you why. Not what he did. As I said reverse psychology. Hee's blaming somebody. Why did they go and ask for legal opinion. And some of us like.. you probably all heard when the [un] go getting the house and went in the top of the roof and roof cave and he sued the owner because roof wasn't safe. That's what sounds here. I was at that OMB hearing, we voted here as a PAC it was in the planning, OK, the vote recommendation went to council and from council went to OMB hearing. OK? And at |OMB hearing they sit and so at that point afterwards THE COUNCIL is going to decide are they gonna take a part in this hearing. And this is done in a closed session. Councillor Gammie was part of that closed session and voted on it one way or another. That is clear conflict right here because he turned around and he was consultant... consultant ... for the people that they appeal ... consultant .... He was cross-examining the other party ... he was cross-examining the witnesses ... the appellant wasn't even allowed to ask question... has to write something and give it to Gammie as a consultant

JJ: as a representative

AV as a representative. And at the e=nd I [un] and here's the [un] which you have to submit one to board, one to opponent, and one for yourself. It's right here.., He knew ins and out from closed session what was happening and he still consulted... one consultant for that person. And that was a pure conflict of interest.

MJ: especially if he got paid.

AV: especially if he got paid. And now he's turning around... he's turning around , and he's blaming staff or any council member that went to lawyer and asked is this right what he's doing under the law society. Now he's turning this if ... ah you should be punished for that because you spending taxpayers money. Are you representing all the taxpayers same way? No because you bought it in a closed session what we going to do and still represent because you were privy... you were privy to closed session. Legal issue. On account of this hearing.

2:07:43

CG: If you think I've broken some rule take it to a proper ..

AV: Well you are not done here.

JJ: alright

AV: so this is my thing on this you claim and blame everybody else. Reverse psychology. It doesn't work councillor Gammie.

2:07:57

JJ: alright

Av: It won't work this time.

JJ: Go ahead Mr. Gammie

CG: If anybody or everybody or any group thinks I've committed an offence then take it to a proper adjudicator but don't take it to this kangaroo court. This kangaroo court has no jurisdiction..

J You brought it here bud..

CG: This kangaroo court ..

CG I did not . I brought the issue of..... I brought the issue of .. please don't interrupt me

MJ {cackling laughter}

JJ: Continue

CG How long do I have to tolerate these interruptions..

JJ probably for the next two years sir

CG: They're against the rules

JJ I would imagine till the next election

AV: Rules? This is a rule?

JJ; No

Cg; point of order. I wasn't finished. I got interrupted. Rudely interrupted. If anybody thinks that I've..

JJ: I know you said that..

CG .. I've broken a rule or law or committed a tort

JJ yep

Cg then let them go through the proper channels and adjudicate it. I challenge you..

JJ: and I think that's happening

Cg I challenge you

JJ it sounds like

JJ But the concern here is Who's gonna pay for it . The good news is as soon as you're found guilty you're going to have to pay all that money back to the town. So really the town oughta be smart and get the most expensive darn lawyer we can find and then you'll have to pay back a whole whack of money but anyway. I think

CG you're trying [un] you have no jurisdiction to do that

JJ we're not doing anything

CG you're saying

JJ were saying to you councillor.. you stepped over the line

CG yeah see

JJ there's two ways you stepped over the line. As being a councillor sitting at this table

CG these are

JJ representing the people

CG these are baseless allegations

JJ you have no right to go and take one side

CG you don't make these allegations to the public

JJ secondly

CG you make them to the proper adjudicators

JJ I'm making them right to you right now. Secondly, you were privy to closed session information and advice from our solicitor. You were privy to that. Only the people in the room were privy to that and you turned around and you helped the other party by representing them.

AV [un]

JJ I think you're ...

AV OMB board

JJ. Gonna be

AV OMB board member told them that you were privy in closed session no right to [un]

JJ we know that so

CG and is there a

JJ I'm not going to

CG Is there a law society section that says you can't do that

JJ yes

CG that you can't use information from closed session

JJ it's right in here. It's in this letter

AV: why are we having closed session if you're going to go outside and tell the opposite party what we were doing?

JJ OK

AV: here's the lawyer, right sitting over there. Is that right?

MJ: [un]

AV: of course not.

JJ: Ana that's.. we get the picture. I'll let councillor Jackson have a word.

CG I'll only make one more comment.

JJ well let councillor Jackson speak, and then have your comment. Even though you have spoken twice

MJ I'll be very brief.

JJ OK. Poor angie she can't keep up with all of this

Ac I'm fine. I'd like to speak as well madam mayor.

JJ: Oh I would love that.

CG; I'll raise a point of order on that

MJ very quick [un]

JJ of course you would.. Councillor Jackson you go ahead.

Ac are you claiming a point of order?

JJ Nope. I'm not. Well if he's claiming a point of order I'm not ruling in his favour, so continue.

MJ so I just have a very..

AC you're not including that in the minutes

JJ: Don't bother

CG I would include that in the minutes

MJ Oh my god

CG the mayor says if councillor gammie

AC you didn't state your point of order you just said I'm declaring a point of order

CG excuse me I have the floor

?? no you don't

Ac no I have the floor I'm trying to decide on procedure

JK you don't have it the mayor has not recognized you

Who did you recognize

2:11: 01

JJ I wasn't recognizing you Craig so stop it

Ac Ok I'm not putting a point of order in. it wasn't properly declared

JJ I'm going to ask for councillor Jackson to make his brief statement

MJ: So my only question that I'm just for my own acknowledgement [un] I guess it is. Our lawyers do not require a resolution or direction of council if there's an identified risk for the town for them to react and protect the town

JJ and give us advice

MJ: is that not their fundamental legal duty? As well as staff? To protect the town and if a situation arises it does not need to come to council to warn us that were getting into a [un] as my boss would say. Is that correct? There's no rule that saufs it has to come to council?

AV: they have full right..

JJ angie.. I'd lke to hear from you and then I'll go to the deputy mayor.

AC: So I would first like to say that it is my job , in my job description, as appointed by you members of council. All of you all five, that I'm responsible for legal for this town. I am jointly responsible with the manager of financial services treasurer. So as that is part of my duty, it is also my duty to protect this town. That means staff, that means members of council, that means members of the public. That means I protect all facets of legal. That is my job. You have given that job to me. You've also given me the job to liaise with the solicitor along jointly with the manager of financial services treasurer. So when something is brought to my attention I may laisse with the solicitor. I have a budget as approved by council and I may work within my budget which I also do. So by bringing this forward, whether I commissioned the letter on my own or whether I had help councillor Gammie, I am protecting you whether you see this or not. Our solicitor identified this as a large risk to both yourself and this town. I brought the mayor in to back me in this decision to send you a letter so that I was protecting this town and yourself . Our indemnification bylaw states that if you act in bad faith you are not protected. So we wanted to let you know that perhaps you've made an error, we all make errors we are not perfect

not one of us. We wanted you to know that in the opinion of our esteemed solicitor, you have made an error. We do not wish to see you make this error again. We do not wish you to place yourself in a liableous? ?[libelous?]? position. We do not wish for the rest of this town to be placed in a liableous ?[libelous?]? position. We do not want to see a litany of litigation against you or this town, whether you believe this or not. So that's my first statement. My second statement is you continue ... over and over and over and over again to make these false claims that some fictitious staff member who you seem to say is me ...

Cg point of order

JJ let her councillor

CG I raise a point of order

JJ you brought this to council

JJ well I am not agreeing with your point of order, so let her finish

Cg state the rule

JJ don't interrupt her

CG state the rule. I've got a point of order..

JJ please continue

CG you're not following the procedure

AC you brought this sir. No I am following procedure. I was recognized by the mayor and I am speaking

CG No the mayor is not following procedure

AC: So if I could continue.

JJ continue please

2:14

Ac so. Now I've totally lost my train of thought. I will go on.

Mj [un}

Ac Peo. So you have made various statements which you made again today about some fictitious staff member making it to be me as you're allegation that I had some vexation against you. You've made that allegation to more than one person using my name in the same context

CG so sue me

AC I'm telling you

CG so so me

Jj stop

Cg no I won't so sue me

AC [yelling] I have not made any complaint to the PEO. I called them after you made comments to members of this council that I made some complaint and that you had some fictitious letter. The PEO tells me no Angie you did not make the complaint in fact you did not even want to be a witness but we dragged you in to be a witness. So you know what sir... You continue to make these rude harassing statements about me you continue. And I love it that you want to bring harassing things into open because it helps me sir.

CG Sue me

AC [yelling] it does not help this town

CG sue me

AC do not sit there and say sue me. You are not a good risk manager. You are to represent this town.

CG: You are making ridiculous allegations

JJ Oh Craig

Ac You know what?

JK quit arguing. Angie has the floor

AC You are making baseless allegations against me and I'm tired of it as an employee of this organization

CG too bad

AC I am tired of it

JJ it's not too bad craig

CG do something about it

JJ Craig

CG there's a second challenge. I challenge..

AC {yelling} I am not here to have a fight with you that is not our purpose. The purpose is to make this town a better place

CG Your allegations are

AC I wish you wouldn't

CG ... baseless, your allegations are

JJ OK

CG baseless

AC no they are not.

CG If they had any basis you would do something about it

JJ oh

AC Sir that's not what I'm all about

Av we don't wanna give

JJ stop

Av we don't wanna give

JJ stop

MJ {neither does the rest[un]}

Jj stop

Ac to make that statement and I will stand and make my statement. Sir. I am not like you. I do not sue people. That is not what I am all about. I want to work in peace and harmony, like all staff do. We ask you to please

CG {un]}

Ac ...we appeal to you please stop

CG bring charges against me

JJ Oh my god

AV {un]}

Cg you're baseless allegations

??Nobody wants that

CG substantiate your baseless allegations against me

Jj nobody wants that

CG let the courts decide whether they have any merit

Ac [un] the people's money. I feel better for the people's money

JJ [ un]law society

Ac I would not do that with the people's money

Cg because your allegations are groundless

JJ OK

Ac no they're not sir

JJ Ok I think everybody's made a point, I think it's been very clear

AC I think that moving forward members of council need to understand that this is the way a member of council is treating staff

JJ yep

AC that's harassing

JK yep

JJ It is absolutely harassing and it's been going on for two years

AC [un] so you need to please stop

Brenda lee Knarr: [un] I am a witness [un]

Cg excuse me ... the public doesn't get to talk here

JJ we have had two years

AV want to go to court. I mean that's his part time job.

AC That's not what staff are about. We're here to protect this municipality. We're here to protect it on your behalf and from people.

JK well thank you angie

Ac So please stop

JK thank you

JJ yeah and you know what

AC On behalf of all staff please stop

JJ something that I would like to

CG I deny every allegation against me

JJ oh of course you would. So I want to make.

CG In this kangaroo court. This is an absolute kangaroo court

AC there's another point of order for any of you because that's a rude statement

JJ I would like to say that..

Ac: He'd be the first to make that point of order against you I'm just pointing that out

JJ I know. But you know what? We all need to try to not lower ourselves to his level. We have to work very hard at it sometimes because I know we're all human and we want to... our knee jerk reaction is to just throttle him. We know that. But we cannot lower ourselves to his level. We just cannot

CG point of order. Point of order disrespectful. Point of order madam mayor.

Jj I'm not disrespecting you at all.

Cg you're slandering me . In kangaroo court

JJ so what I'd like to say publically is I would like to thank Ms. Cathrae for two years of serving our town in the utmost dignity um professionalism

Av [un]

JJ let me finish here. She's done a fantastic job protecting all of us. In the face of being completely and utterly and continually harassed by one member of council for two solid years and you've stood there and you've taken it on the chin and it's.. I can't imagine how it feels angie to sit there and take that kind of a beating time and time again. I certainly know what it's like from a council position and from a position of the mayor's seat, how difficult it is to deal with this kind of a member of council. It's challenging to say the least. Um but thank you. Thank you for everything you've done to serve the people and the town and this council and I'm very sorry

CG once again

JJ I apologize on behalf of council

CG I challenge you to take those allegations to a proper adjudicator

JJ You've spoken

CG And you haven't got the guts to do it

2:19:15

JJ go right ahead

JK so I haven't spoke to this

Ac So could somebody please call a point of order that's {un} [ridiculous?]

Jk yeah

CG you have no right to

Jk and I will call a point of order on that

CG you have no right to say please call

JK yelling] I will call

Ac yelling [un} for harassing

CG I'm the elected member here

Jj deputy mayor

AC [un} and you need to stop

Jk Mr. Gammie

CG unbelievable

JK she does not have the guts

AC No you're unbelievable and I will not back down from you. Welcome. Welcome to someone who isn't afraid of you

CG yes you are. You're afraid to go to the proper authorities because your allegations are groundless

Av [yelling] [un]

JK I called a point of order.

JJ alright. And I'm gonna rule in your favour because you know what I'm telling you. You have shown your true colours tonight sir. You've been showing them all along but oh my god.

CG point of order point of order disrespectful

JJ screaming at the world right now

CG point of order point of order disrespectful

Jj and I'm going to end this because we don't need to belabour it anymore

JK on this point of order could I ask councillor Gammie to apologize to all the members of council

JJ I like it to the public too

AV {un}

JK and it should be the majority of council that accepts the apology. And if it's not a majority

JJ well

JK like I'm getting sick of it. I don't like the controversy. I can understand where Angie's coming from

AV {yelling} I don't accept his apology he doesn't deserve it.

MJ [un] let's all go back to our last thre4e months of ignoring everything he says

JJ I can guarantee you this entire situation will play itself out

MJ it is much easier to ignore him. In one ear and out the other. Let's not let him as the mayor said, drag us all down. We know what he's all about. WE know how he acts. We know where his interests are. Ignore him. Every frikkin word that comes out of his mouth. In one ear and out the other.

AV but I gonna tell you something. I go to other municipalities

MJ I know I know

JJ councillor... come on

AV I go to grey sauble. I go down in chesley. I go down with yur other one. I'm almost embarrassed and because they know

MJ it's unfortunate

AV south Bruce peninsula

MJ very unfortunate

AV and one of the things I see over there and he was a reeve for many years. One most respected fellow in Bruce County he says he never see anything like this. He says it come to the point that our secretary has to leave. She was so harassed that never heard anything. I mean people from outside see this> Aren't you ashamed of yourself.

JJ Ok so listen I think we've all had our little say.. you want to finish something else

JK well just on my point of order you ruled in my favour

JJ we do have a child in the audience and it's like..

JK do I have the right to ask and accept an apology under

JJ yes you do

JK under my point of order

CG no you don't

JK I'm asking a question through the chair to the clerk

AC NO? ok

JK so you ruled in my favour so I want... I started this and I've been trying to sit down and not let him knock us down to a level that councillor gammie seems to want to take us to. So my four questions are simple. Can you please confirm the date on which you were approached by the appellant on which, or on which you approached them in relation to the above hearing and the basis for that? Will you answer that question?

CG what is your authority for doing this?

JK you brought this forward.

CG Is this an examination..

JK this is your report. You brought this. I'm asking a question.

MJ I guess that's a no.

JK So. Is that a yes or a no.

CG You have no authority to ask that.

JK I'm asking as a councillor. We're sitting here, the deputy mayor asking you a question on a report that you brought forward to talk about.

CG so let's be .

JK I'm asking you.

CG are you waiting for me to answer?

JK: Yeah.

CG: If I were to answer....

AV: he would incriminate himself.. Lert him

CG: ... I might be giving the impression that some of these allegations against me have a tiny bit of legitimacy

JJ Alright..

CG so I cannot answer them on that basis.

JK: So number two..

CG: you have no authority..

JK: can you please confirm in full detail

CG: I won't answer any questions..

JK the nature of the advice and services you provided to the appellant. You're not going to answer any of these questions?

CG: No.

JK: Why would you bring this forward in public if you're not gonna answer any of the

CG: because...

JK: questions.

CG: well I can answer that one

AV: remember the rules. Remember the rules.

JK: Anyways I was the last one to speak.

CG: do you want your question answered

JK: I was the last one to speak.

JJ: I ..

JK: if he's not going to answer my questions

JJ: I'd like to know why you would put this in the public forum and then refuse to address it.

CG: I am not refusing to address it..

JJ: you are. the councillor .... The deputy mayor just asked you four questions

CG : what I put forward. What I put forward is an allegation that this was a personal vendetta and a misuse of public funds..

JJ: well you clearly understand, I;m hoping, that...

AV reverse psychology

JJ: ... it's not a personal vendetta

CG: I do not understand that. You asked me why I brought this forward

JJ:OK that's enough.

CG: That's the only reason I brought it forward.

AV: Don't. I wouldn't give him anymore time

2;24:00

CG: you people brought up the stupid allegations

JJ: so what do if it's angle if it's all in favour of accepting this retarded report.

MJ: [un]

JJ: ok lets do it

AV I can tell you what to do with it.

2:24

JJ: well were going to accept this. All in favour?

Av: like this to make it softer.

Jj ok let's get out of this. We're gonna be here all night

JK we have to accept it to have it voted down

MJ: [un] vote it down

Jk: Or do we vote it down. To get it on public record it

JJ... That council address ... we addressed it

JK;OK

AC:no because you're giving yourselves direction to address it. And you'd need another motion to be ..

JJ: Ok I see then we'll defeat it then.

JK: well should we address it by seeking more solicitor advice on this situation

AV: yep

AC: that is my position to tell the town. I would be very careful in the address of it in any public reprimand of staff.. That can be considered as a harassment. And it's open and blatant and you sir want it on the open agenda

Jk yep

Ac: ... and I think we're making a very good case for me and I think that in my opinion whether I protect myself or the town. I think you should not make further reprimand of me in open I think there should be no further but thank you for all of this I really thank you.

JK: So can I make a recommendation then that we forward all things received today and recordings and uh..

AV: Minutes

JK: ... Minutes to our solicitor

JJ: Yes

AC: we don't need to. Why do we need to?

JK: OK if [un]

MJ: got it all

JJ: yeah. It's all on record

JK: OK so

AC: I'm not sure I'm understanding why you would want to do that.

JK: well I'm just wondering if

Av:[un]

Ac not understanding

JK: Well I'm taking out what I might want to do in the future.

AV: that's right

CG: I think maybe I'll send it to the solicitor.

AV: You do not have the authority to have discussion with the solicitor sir.

JJ: already so let's

CG: I'll send anything I want to the solicitor.

JK: So we'll just ...

JJ: we'll defeat this.

JK: we'll just say it's addressed, and we'll defeat it and let's move on.

MJ: whatever happens happens

JK: as long as everything that happens did happen by us defeating this.

CG: I'd like a recorded vote please

AV: I don't want to do this like nothing happened and I would leave the door open ....

JJ: And there has to be a way to respond to this without

AV: exactly

JJ: Angie

AV : don't close the door on this

Angie: Put a new resolution on the table and address it.

JJ: alright. SO what do you suggest ? Based on how you know that council feels?

CG: You have to do this motion first.

You have to deal with this motion first.

JJ: we're making a friendly amendment to this motion.

CG: That's not a friendly amendment.

AV: [un]

CG: that's by no means a friendly amendment.

AC: I would recommend you make it a clean amendment so it's not tied to this recommendation.

JJ: Ok then .

CG: I compliment the clerk

JJ: ..we'll just accept this one ..and write another one

JK: or defeat it

CG: or was that harassment?

JJ: so just accept this and then write a new one

JK: Defeat this and write a ...

AV: no no no

JK: accept it

AC: accept it that you're going to address it

Jj: And we'll write a new one

AC: and you need to pass a resolution that says whatever you wish.

JJ: OK. So let's do one step right now. So all in favour of accepting this?

CG: Recorded vote please.

MJ: What are we doing [un]

JJ: so we're voting in favour of this.

AV: favour of what?

JK: Of accepting.

MJ:[un}

JK: what just happened.

JJ: this whole report that Craig's put up on the table

AV: But then you have recommendation here.

JJ: no the recommendation there is ...

JK: just to accept..

JJ: ... to address it...

Jk; To address..

AV: oh address oK

JJ: that's right

CG: to address the breach of alleged..

JJ: and then..

CG: Address the alleged braeach ..

JJ: [un} give direction

CG: ... of the public trust..

2:27:35

AC: That's not what it says

JJ: That's not what it says though..

AC: It just says address

CG: put the rest..

AC: which is the entire reason why I like more detailed motions but

AV: council address and what we going to do after address that's a different move.

JJ: That's right

CG: My last point in the report is council should address that.

JJ: and we will.

CG: and that's what I put in the report.

JJ: Already. So there you go ang.

JK: do we have another one coming forward?

JJ: Yes

JK: saying that we are going to address this?

JJ: We're gonna tell her how to address it. So we're gonna think about that for a minute. So let's just pass this one.

JJ: are you confused?

AC: members indicate yes in support, no as opposed, Councillor Gammie

CG: Yes

AC: Councillor Vukovic

AV: Yes

AC: Councillor Jackson?

MJ: Yes

AC: Deputy mayor Kirkland?

JK: Yes

AC: Mayor Jackson?

JJ: Yes, thank you that's carried. OK no friendly amendment let's start a new... let's start anew.  
SO...

JK: In addressing this''

JJ: well how do we uh..

CG: How do we address the breach of trust?

JK: Should we forward this to uh

AV: the solicitor..

JK: ... closed session..?

AC: Can't go to closed session.

JJ: NO I don't want to..

AC: Not advertised

JJ: I don't want to deal with anything in closed with this situation. It's brought into open here so.. well let's take advantage of that

CG: Now remember what I did or didn't do is not on the agenda. It's the breach of trust that we're talking about.

JJ: no it's not.. You opened the thing up.

AC: no it's not the entire thing has been opened.

JJ: you just need to learn the rules.

JK: I want to address the harassment

JJ: yep. I do too

CG: unbelievable

JK: the statement of not having the guts to .. just to..

?/ to sue

JK: just the one.. this one instance.

AV: [un]

JK: Challenging council to sue him.

CG: I did not.

JJ: That was angie

AV:: [un]

JK"no he challenged any member of council to ...

Jj: Oh that's true.

CG: I challenged any member of council to go to proper authorities. Get it right.

JK: OK whatever it was. We'll be able to listen to the recording, but it was..

CG: you don't sue over conflict of interest. You don't sue over somebody allegedly taking something out of closed.

JK: I just want to make sure we've addressed all these concerns and the outright, blatant disrespect of me being a councillor, uh, uh, uh and that way that things are being handled by other councillors. I just...

AV: I would like to see our lawyer to proceed.. proceed, uh [un] the the the [un]

JJ: are you talking about the OMB issue?

AV: yep

JJ: so OK

AV: That's what's in front of us.

CG: Not on the agenda.

JJ: angie..

AC: It is on the agenda sir.

JJ: can we..

AV: It's germaine.

AC: it's on here

JJ: You put everything up there

AC:You put the entire thing on the agenda

JJ: so stop trying to muzzle us. Like you did this so... Like I said everybody is crawling over each other to second your motion so. Angie can we as a council make an official complaint then to the upper Canada law society?

AC: If you direct me as such yes. Can you make a conflict of interest..

JJ: .. case against him we certainly can..

AC: No. Council cannot make a conflict of interest

JJ: oh it has to be somebody outside

AC: It has to be an eligible member of the electorate. But can you make a complaint to upper Canada yes.

AV: can we ask our lawyer to do that?

JJ: yeah

AV: yeah?

JJ: Yeah SO WHY DON'T WE MAKE THAT our motion then

JK: so the person..

JJ" But the harassment component

JK could not be a sitting councillor

JJ: no

JK: that we direct to on the conflict of interest?

?? nO

AC: you as councillor cannot make a conflict of interest application

JK: so not as a whole of council..

AC: But an individual council member ..

JK: an individual council..

Ac: on an individual basis.. correct yes that's

JK: OK

AC: the way the legislation reads

OK: so as private citizens, any one of the four of us can do that

AC: Correct. But it's not a decision of council.

JJ: yes.

AV: well can we just uh uh uh..

JJ: OK so now, so then..

JK: seems you can do what you want

JJ: and to address this

JK: you challenged us to do it.

CG: I did

JJ: so we have our lawyer then make a complaint to the upper Canada law society..

JK: challenged me to do it.

JK: that's the idea. And can he look into a harassment issue then? As well?

JJ: this is a good [un] Craig

AC: someone would have to make a harassment complaint formally under our policy

JJ: we can't make a harassment complaint on

AC: and not that I have a baseless... not that I have a baseless claim

AV: has to be the person

MJ: It would be something that she would have to decide to do on her own..

JJ: we can't do that on your behalf eh because we're witnessing this all the time

AC: Anyone can make a claim of harassment under the town's policy

JJ: right

AC: and then there would be an investigation

JJ I think that's what..

AC: And it's very expensive. Ta. And that's the thing. What do you think you'll get out of a harassment claim against this individual

MJ: Stuck with him

AV; [un]

AC: HE'LL CONTINUE TO DO IT. He won't stop. He's just said that because if would stop he would have stopped.

MJ: yeah.

2:32:31

CG: I'm going to say it again ppint of order madam mayor harassment is not on the agenda.

AV deal with this

MJ: [un} can happen any time Craig

JJ: you opened up this whole.. beehive

CG: Harasament is not on the agenda

JJ: it is

JK: You harassed her during this open session

AV: It is germaine to what we are trying to do

CG: I was very deliberate in the report

JJ so that's a goid..point. Unfortunately he's just going to continue to harass everybody

AC: It's not that I have a baseless claim.

JJ: Yeah I know

AC: I have a lot of information that I could use and have a great case. I choose not to because where does it go? It takes the people's money and it goes nowhere because you have to have two willing parties to make it stop. He can't be removed as a member of council due to harassment.

JK; UNDER CONFLICT OF INTEREST HE CAN.

JJ: yes. If he's charged and convicted of conflict of interest of any sort ..

CG: alright bring it on..

JK: You asked me to.

CG: Bring it on

JK: you asked me to

CG: to clear my name. But remember it's going to cost you a fortune.

JK: That's fine

AV : why don't we just ask the lawyers...

MJ: I don't want to waste any more time on this.

JK: I'm not looking for the town to pay.

JJ: OK so let's just put a motion forward then to have the lawyer make a complaint to the upper Canada law society

AV: that's

JJ: because, because if... because that could very clearly lead to definite conflict of interest

AV: yep

JJ: and a conflict of interest could definitely lead to a judges ruling and they're very very clear on what you do with a conflict of interest. OK? Can we do that and we'll get out of this cause it's eight thirty-seven we still have

CG so what's the nature of the complaint to the upper Canada law society?

JJ: that you committed a conflict of interest by taking closed session information on an issue and then representing one of the parties.

AV: I don't think we tell them necessarily what it is . It will be for our solicitor to make the complaint. The solicitor has written a letter that's very [un] and explains this.

JJ: It explains the conflict of interest in that letter. I'm just saying. If we're now giving him permission to go ahead

Ac

JJ to the upper Canada law society.

AC: To me it's not even the conflict of interest. Our solicitor is saying that..

MJ: he doesn't have the authority to represent somebody

AC solicitor, which is contrary to the

MJ: he's not a lawyer

JJ: and that's fine. So there's actually two

AC: that's not a conflict. That's a misrepresentation outside of the law

AV: Proceed with this

AC: yeah

AV: that's all. And council gotta vote on it.

CG: I'm going to have to declare a conflict of interest. It's not on the agenda, but as long as you're putting it...

AV: It's germane, it's germane, you put this on the agenda

CG on illegally..

JJ: OK are you declaring a conflict?

CG: on this motion yeah.

JJ: OK. Then he can't speak to it anymore. So just siyt ther and say nothing.

CG: I can speak to it f I want.

JJ: No you can't. Come back to the table then.

JK: come back to the table.

AV: leave the table

JK: you don't care about other conflict situations.. why don't you vote on this one?

MJ: we wasted half an hour on him. He's bringing us down. We wasted..

2:35:24

AC: he's declared a conflict of interest.

JJ: have you declared a conflict of interest say it for the record.

CG: I declare a conflict of interest on this matter that's not on the agenda

JJ: OK thank you

AV: he's afraid to vote on this one.

JK: I'll call a recorded vote.

AV: Yeah

MJ: I just couldn't bother wasting my time.

?: {un}

MJ: I have better things to do with my time than run around [un]. He's clearly [un].. We got one life to live I'm not gonna waste it chasing stupidity around.

AC: That's not what you need to say.

MJ: It went from being really fun to really crazy. Before Andrew

JJ: Ha ha ha that's funny.

JK: You's won't be falling asleep over there.

JJ: I forgot you were .... Not talking about this Andrew. Oh the poor guy.

AC: [un]

JJ: we were fun... we were fun earlier. We were. Oh my goodness.

CG More fun than sewage treatment.

Andrew (Ross): [un]

JJ: alright guys guress he can't speak

AC: We're still in session here

JJ: I'll let you read this deputy now. I don't know if it's everything that ... you were looking for.

JK: Yeah that's.... that's

JJ: OK I have a motion that's moved by councillor vukovic, seconded by councillor jackson

That Council directs the solicitor to make a complaint with the Upper Canada Law Society on behalf of Council with respect to the matter discussed in the letter sent to Councillor Gammie and dated August 31, 2016 regarding OMB Case No. PL160476.

Are thgere any questions or comments?

AC: Recorded Vote

JK: Recorded viote

JJ: no ther questions or comments? Thyank you

AC: members indicate yes in support, no as opposed, Councillor Gammie has a pecunaiary interest

AC: Councillor Vukovic?

AV: Yes

AC: Councillor Jackson?

MJ: Yes

AC: Deputy mayor Kirkland?

JK: Yes

AC: Mayor Jackson?

JJ: Yes, thank you that's carried. Thank you very much

2:39:20