



FOUNDATION DOCUMENT PART I: THE 2012 SALE OF COLLUS SHARES

Commissioner: The Honourable Frank N. Marrocco, Associate Chief Justice, Superior Court of Justice, Ontario

Please note that the statements in this Foundation Document have not been tested for the truth of their contents. The contents may be tested, challenged, supplemented, proven false, or discredited through the evidence called and the submissions made at the Inquiry. It will be for the Commissioner to consider all the evidence before ascribing any weight to anything contained in the Foundation Document

Collingwood Judicial Inquiry Part I:

Foundation Document 1: The Collus Share Sale

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Introduction

1. On February 26, 2018, the Council of the Town of Collingwood voted to request an independent judicial inquiry into the Town's sale of 50% of the shares of Collus (the Collingwood Utility Services Corporation) to PowerStream Inc. in 2012. The Judicial Inquiry was also asked to examine the allocation of the proceeds of that transaction towards the arena at Central Park and Centennial Pool in Collingwood.

Council Resolution Establishing Judicial Inquiry, February 26, 2018, [CJ10008522](#)

Collingwood Judicial Inquiry Terms of Reference, [CJ10008524](#)

The Use of Foundation Documents at the Judicial Inquiry

2. Council's terms of reference describe a two-step process: first, to obtain the records needed to understand the transaction and second, to conduct public hearings, as necessary. The Judicial Inquiry collected over 440,000 records during the first part of the inquiry. Inquiry Counsel conducted searches of the resulting database to identify documents for further review. Those materials were used to create this foundation document.
3. Foundation Document 1 describes the information in the records collected regarding the events leading to the share sale and the commercial relationships following the share sale.
4. Please note that the statements in this Foundation Document have not been tested for the truth of their contents. The contents may be tested, challenged, supplemented, proven false, or discredited through the evidence called and the submissions made at the Inquiry. It will be for the Commissioner to consider all the evidence before ascribing any weight to anything contained in the Foundation Document.

5. Foundation Document 1 gives an overview of the events that gave rise to the Inquiry. It does not describe every detail. The transactions involved thousands of pages of communications, contracts, transcripts, photographs, notes, drawings and financial records. Every document cited below is accompanied by a link to the source document and a unique document identification number. There are also links provided to detailed summaries of certain items or series of events.

6. The Judicial Inquiry will make Foundation Document 1 available to the parties and to the public before hearing evidence from witnesses.

7. Counsel for the Judicial Inquiry will continue to amend Foundation Document 1 whenever Inquiry Counsel thinks it is appropriate.