



“When You Talk - We Listen!”



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

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APPEARANCES

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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 (1) of the councillors during that
15 term 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 (1) time there was an -- there
11 were action items in a list and where they -- where
12 they were situated would be on a Council agenda from
13 time 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 (1) 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 move forward?

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

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

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

25 MS. KATE MCGRANN: You mentioned the

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

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

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

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

15 MS. SANDRA COOPER: Yes.

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

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

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

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

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

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

23 We've hosted job fairs in the council
24 chambers here when business may not have a space to be
25 able to do that. And that's -- as I say, speaking

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

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

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

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

15 MS. SANDRA COOPER: Yes.

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

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

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

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

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

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

11 MS. SANDRA COOPER: Yes.

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

15

16 (BRIEF PAUSE)

17

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

22 MS. KATE MCGRANN: During the 2010 to
23 2014 Council term, what did you understand your --
24 your role, your responsibilities, your obligations as
25 a director of Collus Power, Collus Utility Services to

1 be?

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

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

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

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

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

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

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

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

24 MS. KATE MCGRANN: At any point during
25 the 2010 to 2014 Council term, did you consider

1 whether you were -- you were being asked to serve
2 competing interests in your role as a mayor and in
3 your role as a director of Collus Corporations?

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

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

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

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

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

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

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

23 MS. KATE MCGRANN: Do you remember
24 when during the 2010 to 2014 Council term that meeting
25 took place?

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

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

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

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

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

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

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

23 MS. KATE MCGRANN: Was it your
24 understanding that the CAO was supposed to function as
25 the person through which Council and staff communicate

1 with each other?

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

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

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

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

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

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

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

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

23 MS. SANDRA COOPER: Well, as I say, we
24 did -- well, we went on a road trip with -- within the
25 municipality attending the various employers in our

1 community trying to get an understanding of their
2 strengths or how the municipality could help out.

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

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

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

16 MS. SANDRA COOPER: Yes.

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

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

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

25 Do you feel that -- well, how would you

1 describe the communication as between you and Ms.
2 Wingrove?

3 MS. SANDRA COOPER: I thought we had
4 an open two (2) way communication. That's how I felt.

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

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

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

15 MS. SANDRA COOPER: Yes, sorry.

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

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

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

25 MS. SANDRA COOPER: She was referring

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

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

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

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

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

20 MS. SANDRA COOPER: Yes.

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

23 MS. SANDRA COOPER: Well, I can say
24 that it was very comfortable. And -- and reaching out
25 to Mr. Houghton, he was someone that had been employed

1 by the municipality for many years.

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

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

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

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

15

16 (BRIEF PAUSE)

17

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

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

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

1 MS. KATE MCGRANN: Please explain why.

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

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

14 MS. SANDRA COOPER: Yes.

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

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

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

22 MS. SANDRA COOPER: Hydro-related in
23 that some of those contacts I had received from some
24 residents were a very few -- thank goodness --
25 residents of Collingwood and having challenges paying

1 their hydro bill. And so I would ask him who would
2 they get in touch with to resolve their matter.

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

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

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

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

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

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

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

23 MS. SANDRA COOPER: Sorry.

24 MS. KATE MCGRANN: It suggests to me
25 that you may be guessing. Do you recall having a

1 conversation with Ms. Wingrove about better
2 communication with yourself and Council?

3 MS. SANDRA COOPER: Yes.

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

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

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

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

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

23 MS. SANDRA COOPER: Well, I can say
24 one (1) definitely was budget.

25 MS. KATE MCGRANN: It sounds like

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

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

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

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

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

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

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

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

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

5 MS. SANDRA COOPER: Yes.

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

8 MS. SANDRA COOPER: No.

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

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

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

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

24 MS. KATE MCGRANN: Okay. Now we'll
25 turn to the document that I had up on the screen a

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

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

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

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

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

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

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

24 MS. KATE MCGRANN: What do you mean
25 when you say it came back to you? Did it trigger a

1 memory of receiving the -- the email?

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

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

8 THE HONOURABLE FRANK MARROCCO: Yes.
9 Yes.

10 THE REGISTRAR: Exhibit 37,
11 Your Honour.

12

13 --- EXHIBIT NO. 37: TOC0037574

14

15 CONTINUED BY MS. KATE MCGRANN:

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

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

23 MS. SANDRA COOPER: I don't recall
24 that. Again, all Council meetings were televised, and
25 a lot of people in the community made comment to me in

1 many topics of a Council meeting.

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

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

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

14

15 (BRIEF PAUSE)

16

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

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

23 MS. SANDRA COOPER: I think on a high
24 level. How -- you know, how's it going? And that
25 would be it. It wouldn't be anything specific.

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

3 MS. SANDRA COOPER: Yes.

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

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

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

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

14 MS. KATE MCGRANN: Could we turn to
15 POC512155.

16

17 (BRIEF PAUSE)

18

19 MS. KATE MCGRANN: This is a
20 three-page document. The first two (2) pages are
21 typewritten and -- and the last page, if we could
22 scroll down to it, is a -- a form with handwriting.

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

25 MS. SANDRA COOPER: Yes. I recognize

1 all of it.

2 MS. KATE MCGRANN: Okay. Could we
3 look at the first two (2) pages for a second.

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

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

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

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

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

16 MS. SANDRA COOPER: Yes.

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

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

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

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

24 MS. KATE MCGRANN: Do you know who the
25 author of the two (2) typewritten pages was?

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

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

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

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

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

20 MS. SANDRA COOPER: Yes.

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

24 MS. SANDRA COOPER: Yes, it is.

25 MS. KATE MCGRANN: When did you make

1 these notes relative to the meeting you had with
2 Ms. Wingrove?

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

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

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

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

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

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

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

21 MS. KATE MCGRANN: Did you speak to
22 someone and ask them for a form like this and you were
23 given one (1) or --

24 MS. SANDRA COOPER: I believe the
25 HR manager had directed me where I could get that.

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

5 MS. SANDRA COOPER: I had not.

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

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

14 And so coming new into that, I felt
15 that I wanted to -- to do everything that was intended
16 for my position, and one (1) of those was having to
17 work closely with the CAO as the mayor that the
18 performance evaluation would be something that would
19 be appropriate.

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

25 MS. SANDRA COOPER: Okay. To be

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

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

10 MS. SANDRA COOPER: Yes.

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

14 MS. SANDRA COOPER: Yes.

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

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

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

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

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

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

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

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

19 MS. SANDRA COOPER: No.

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

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

23 MS. KATE MCGRANN: Does this form
24 reflect a summary of your discussion with
25 Ms. Wingrove? A summary of your thoughts after the

1 meeting with her? Both? What do these notes
2 represent?

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

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

7 MS. SANDRA COOPER: Yes.

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

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

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

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

24 MS. KATE MCGRANN: An area of
25 frustration for who?

1 MS. SANDRA COOPER: For the CAO.

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

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

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

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

24 So I -- I'm having trouble
25 understanding which of that answer was you speaking to

1 me normally in your day to day and how much of it was
2 what you recall out of the meeting you had with
3 Ms. Wingrove.

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

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

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

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

25 MS. SANDRA COOPER: When I read today,

1 yes. From then, I don't recall.

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

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

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

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

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

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

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

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

4 MS. SANDRA COOPER: Yes.

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

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

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

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

17

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

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

20

21 CONTINUED BY MS. KATE MCGRANN:

22 MS. KATE MCGRANN: Before we took the
23 break we had been talking about Ms. Wingrove's
24 performance evaluation and the form that you
25 completed. I think you told me that you hadn't

1 provided a copy of it to Ms. Wingrove directly but you
2 thought you had given a copy of it to the HR manager;
3 is that right?

4 MS. SANDRA COOPER: That is correct.

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

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

9 MS. KATE MCGRANN: Ms. Wingrove?

10 MS. SANDRA COOPER: Yes.

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

15 MS. SANDRA COOPER: That is correct.

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

20 MS. SANDRA COOPER: Correct.

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

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

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

5 MS. SANDRA COOPER: Words of
6 encouragement.

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

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

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

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

15 MS. KATE MCGRANN: In person?

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

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

22 MS. SANDRA COOPER: Yes.

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

25 MS. SANDRA COOPER: How often would I

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 MS. SANDRA COOPER: No.

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

12 MS. SANDRA COOPER: Yes.

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

15 MS. SANDRA COOPER: Yes.

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

18 MS. SANDRA COOPER: On Hurontario
19 Street.

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

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

24 MS. KATE MCGRANN: You --

25 MS. SANDRA COOPER: Only to say hello

1 as being at the radio station they were in the same
2 building.

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

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

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

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

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

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

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

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

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

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

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

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

7 MS. KATE MCGRANN: Why not?

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

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

14 "First crack, take a look at it and
15 maybe bring Duncan Brian in on this
16 one (1). Once you have a copy you
17 are pleased with read it forty (40)
18 times and let me space it out for
19 you to provide easy reading. It
20 will also need to be properly
21 edited."

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

24 MS. SANDRA COOPER: M-hm.

25 MS. KATE MCGRANN: I'm going to take

1 you to that attachment in a second, but to begin with,
2 do you recall receiving this email from Mr. Bonwick?

3 MS. SANDRA COOPER: Yes, I do.

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

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

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

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

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

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

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

23 THE HONOURABLE FRANK MARROCCO: Yes.

24

25 --- EXHIBIT NO. 38: TOC0034211

1 CONTINUED BY MS. KATE MCGRANN

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

7 This draft says:

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

21 Do you remember if this message made
22 its way into your inaugural speech?

23 MS. SANDRA COOPER: Yes, it -- it
24 would have been included.

25 MS. KATE MCGRANN: Do you remember --

1 did you use this draft as your inaugural speech?

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

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

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

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

19 MS. SANDRA COOPER: I don't recall
20 what those changes would be.

21 MS. KATE MCGRANN: Could we look at
22 Document TOC37580?

23

24

(BRIEF PAUSE)

25

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

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

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

11 What is AGP, do you know?

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

16 MS. KATE MCGRANN: Was Amazingly Green
17 or AGP a client of Mr. Bonwick's?

18 MS. SANDRA COOPER: I was not made
19 aware that they were a client.

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

22 MS. SANDRA COOPER: From reading today
23 and also from that period of time, I understood they
24 worked -- they did work together.

25 MS. KATE MCGRANN: Okay. So I'd like

1 to deal with one (1) period of time at a time, if we
2 could. I understand you to be saying today you're
3 aware that AGP did work with Mr. Bonwick, is that
4 right?

5 MS. SANDRA COOPER: Yes.

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

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

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

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

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

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

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

25 MS. SANDRA COOPER: No.

1 MS. KATE MCGRANN: Why not?

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

7 MS. KATE MCGRANN: Focusing on January
8 19th, 2011, the day that you received this email, why
9 did you think Mr. Bonwick wanted to review the AGP
10 situation with you the next morning?

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

22 MS. KATE MCGRANN: So you've described
23 to me challenges that you were aware that AGP was
24 facing at this time. Is that right?

25 MS. SANDRA COOPER: I'm not sure if

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

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

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

11 MS. KATE MCGRANN: Why was he the
12 person doing that?

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

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

21 MS. SANDRA COOPER: Well, I didn't
22 think anything of it. I would -- I didn't think
23 anything of it. He was providing me with some
24 information about AGP, how they were economic
25 benefactors or benefit the -- how they benefit the

1 area, both with jobs and employment, and in the
2 agricultural area as well.

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

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

13 My family had been through -- there --
14 I'll just back up a bit. There had been a lot of
15 challenge and I was concerned of the industry, AGP
16 closing, or I was receiving -- had received one (1)
17 email and other comments of concerns of lack of
18 employment, and in particular how it would impact
19 individual families. My family and I had been through
20 this already, this experience, with the Collingwood
21 shipyards and the closure, 19 September of 1986, fully
22 aware of how families struggle through that period of
23 time to get back on their feet and knowing first-hand
24 what those employees are going through. I empathized
25 with them and I wanted to assist in a way that I was

1 able to, to keep that plant to be a success.

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

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

13 MS. SANDRA COOPER: In January 2011,
14 no.

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

18 MS. SANDRA COOPER: No.

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

24 MS. SANDRA COOPER: Not that I can
25 recall, no.

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

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

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

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

11 MS. KATE MCGRANN: Why not?

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

21 MS. KATE MCGRANN: In this email, the
22 second one (1), Mr. Bonwick writes:

23 "It is their hope that you will be
24 able to send the letter out this
25 week requesting a meeting for

1 February 26th -- 22nd, or March 2 or
2 3."

3 Do you remember discussing this with
4 Mr. Bonwick?

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

8 MS. KATE MCGRANN: Do you recall if
9 you did send the letter out?

10 MS. SANDRA COOPER: Yes.

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

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

16 MS. KATE MCGRANN: Who drafted it?

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

19 MS. KATE MCGRANN: Is it possible that
20 it was drafted by Mr. Bonwick?

21 MS. SANDRA COOPER: It's possible.
22 It's possible but --

23 MS. KATE MCGRANN: In what instance --

24 MS. SANDRA COOPER: -- I don't recall
25 right now.

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

3 MS. SANDRA COOPER: I don't recall at
4 this time.

5 MS. KATE MCGRANN: This email goes on
6 to say:

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

10 Who's Cindy Hood?

11 MS. SANDRA COOPER: Cindy Hood worked
12 for MOE.

13 MS. KATE MCGRANN: Is MOE the Ministry
14 of the Environment?

15 MS. SANDRA COOPER: Minister of
16 Environment. I am not sure of what her position was
17 but I had met Cindy Hood at least one (1) that I
18 recall. She works -- she was employed by Minister of
19 Environment at that period in time.

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

23 MS. SANDRA COOPER: Yes.

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

1 MS. SANDRA COOPER: I don't recall who
2 all was at that meeting, but I do recall there was
3 Cindy Hood and there -- there was one (1) or at least
4 one (1) other from the Minister of Environment in that
5 meeting, and it was in town hall.

6 MS. KATE MCGRANN: And you were at
7 that meeting?

8 MS. SANDRA COOPER: Yes, I was.

9 MS. KATE MCGRANN: What was the
10 purpose of that meeting?

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

16 MS. KATE MCGRANN: Did Mr. Bonwick
17 attend that meeting?

18 MS. SANDRA COOPER: I don't recall

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

21 MS. SANDRA COOPER: I felt that my
22 role was a facilitator and getting a message to the
23 Minister of Environment that that industry would have
24 a huge impact on our community if it were to be shut
25 down and that if they could work -- work with the

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

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

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

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

23 "I will call John Wilkinson's
24 office and ask him to give the
25 director a bit of encouragement."

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

3 MS. SANDRA COOPER: No.

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

5 MS. SANDRA COOPER: I don't believe he
6 did.

7 MS. KATE MCGRANN: Do you remember?

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

10 MS. KATE MCGRANN: But you didn't ask
11 him to?

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

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

16 MS. SANDRA COOPER: Yes.

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

19

20 (BRIEF PAUSE)

21

22 MS. KATE MCGRANN: Sorry, I asked for
23 paragraph 87 but I actually need you to look at
24 paragraph 80. Here is says,

25 "AGP was trying to obtain public

1 funding. While Bonwick helped AGP
2 write briefing notes to be used in
3 fund-raising meetings with the
4 Ontario government."

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

9 MS. SANDRA COOPER: Yes.

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

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

14 MS. KATE MCGRANN: You sent some
15 requests to who?

16 MS. SANDRA COOPER: To the provincial
17 -- the Ontario government.

18 MS. KATE MCGRANN: And who asked you
19 to do that?

20 MS. SANDRA COOPER: I don't recall who
21 asked. I knew that in my mind that there was a need
22 to support a local industry and sending a letter to
23 the province to bring to their attention that there is
24 an urgency for support for -- for AGP in particular
25 that I was supportive of that.

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

3

4 (BRIEF PAUSE)

5

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

8

9 (BRIEF PAUSE)

10

11 MS. KATE MCGRANN: Up the page. I'm
12 looking for -- yeah, that one (1) right there.
13 So, Paul Bonwick to Darrel Dorchuk (phonetic) on
14 February 28th, 2011. You're not copied on this email,
15 but I believe that you're referenced in it.

16 Do you know Darrell Dorchuk is?

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

20 MS. KATE MCGRANN: Have you met Mr.
21 Dorchuk?

22 MS. SANDRA COOPER: Yes.

23 MS. KATE MCGRANN: In what
24 circumstances did you meet him?

25 MS. SANDRA COOPER: I met him at -- I

1 met him at AGP on a tour there. I met him in the
2 arena hockey games.

3 MS. KATE MCGRANN: In this email, Mr.
4 Bonwick writes to distribution -- Mr. Dorchuk:

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

10 And he says, "Thank you." Do you know
11 if Mr. Bonwick is referring to yourself and Mr.
12 Houghton in that email?

13 MS. SANDRA COOPER: I believe he is.

14 MS. KATE MCGRANN: Do you remember
15 what you would be meeting with Mr. Bonwick, Mr.
16 Dorchuk, and Mr. Houghton about at this time?

17

18 (BRIEF PAUSE)

19

20 MS. KATE MCGRANN: I'm not sure if you
21 scrolled if it would help a little bit. However, I
22 would ex --

23 THE HONOURABLE FRANK MARROCCO: Well,
24 just -- just a minute.

25 MS. SANDRA COOPER: Oh.

1 MS. KATE MCGRANN: You can --

2 THE HONOURABLE FRANK MARROCCO: How do
3 you want it scrolled?

4 MS. KATE MCGRANN: Oh, sorry, to see
5 further up?

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

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

20

21 CONTINUED BY MS. KATE MCGRANN:

22 MS. KATE MCGRANN: The word that you
23 used, scuttlebutt, what does that mean?

24 MS. SANDRA COOPER: Talk in that
25 residential neighbourhood next to our nearing the

1 industrial park.

2 MS. KATE MCGRANN: Okay. So, there
3 were a set of complaints about the smell coming from
4 AGP?

5 MS. SANDRA COOPER: Yes, the odour.

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

10

11 (BRIEF PAUSE)

12

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

18 MS. SANDRA COOPER: M-hm.

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

22 "Paul, I believe this is bang on.
23 There's some spelling which requires
24 correction if I am the pass this
25 along to MOE. Do I have permission

1 to forward to Ed?

2 Do you remember sending this email to
3 your brother?

4 MS. SANDRA COOPER: Yes, I recall
5 sending to Paul Bonwick.

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

8 THE HONOURABLE FRANK MARROCCO: Yes.

9

10 EXHIBIT NO. 39: TOC0040918

11

12 CONTINUED BY MS. KATE MCGRANN:

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

17 MS. SANDRA COOPER: I would say today,
18 if there were spelling reque -- corrections required,
19 that I would've made them.

20 MS. KATE MCGRANN: Did you pass the
21 message that Mr. Bonwick delivered to you on to the
22 ministry of the environment?

23 MS. SANDRA COOPER: I would have in --
24 I -- I would've passed that along because there was
25 information there pertinent for -- for them.

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

3 MS. SANDRA COOPER: Sorry, yes.

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

8 MS. SANDRA COOPER: No.

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

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

14 MS. KATE MCGRANN: Why not?

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

21 MS. KATE MCGRANN: Was the
22 transparency of the request also important to you?
23 Did you think that the people who you were making
24 requests of should know who was involved?

25 MS. SANDRA COOPER: My point -- my

1 focus was on keeping that industry running and keeping
2 jobs. That was my -- my focus.

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

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

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

17

18 (BRIEF PAUSE)

19

20 MS. KATE MCGRANN: So this paragraph
21 discusses a set of briefing notes that were made, one
22 (1) made on your letterhead one (1) on AGP's
23 letterhead. And I will take you to the document
24 itself. Look at TOC 41125, please.

25

1 (BRIEF PAUSE)

2

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

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

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

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

20 MS. KATE MCGRANN: Do you recall?

21 MS. SANDRA COOPER: I don't recall at
22 -- right at this time.

23 MS. KATE MCGRANN: You told us that
24 Mr. Bonwick was working to help AGP. Was Mr. Houghton
25 also working help AGP, to your knowledge?

1 MS. SANDRA COOPER: Mr. Houghton would
2 have been working to -- to assist AGP in their
3 challenges, as well.

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

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

11 MS. KATE MCGRANN: Were you aware that
12 Mr. Bonwick and Mr. Houghton were discussing the AGP
13 situation at this time?

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

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

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

23 MS. KATE MCGRANN: Could we go back to
24 the foundation document and just move on to the next
25 paragraph, please?

1 (BRIEF PAUSE)

2

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

9 Do you remember going to an
10 introductory meeting with Mr. Houghton about AGP with
11 government representatives at this time?

12

13 (BRIEF PAUSE)

14

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

19 MS. KATE MCGRANN: So -- and you
20 discuss a meeting with Minister Wilkinson in the next
21 paragraph. You email Mr. Bonwick on the evening of
22 March 1st and say:

23 "We met with Minister Wilkinson. I
24 will call later; positive.

25 So, is that meeting with Minister

1 Wilkinson something that you had discussed with Mr.
2 Bonwick before you attended?

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

11 And I've done that at other
12 conferences, Association of Municipalities of Ontario,
13 where I've not had an opportunity to have official
14 formal meetings with ministers or their departments.

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

21 But I -- I needed to have the
22 information about AGP in order to have a con --
23 conversation to bring it to his attention.

24 MS. KATE MCGRANN: Okay. So you
25 needed to have the information about AGP to bring to

1 Minister Wilkinson's attention. You just told me
2 that, right?

3 MS. SANDRA COOPER: I'd -- I'd have to
4 have some information that I knew what I was talking
5 about, yes.

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

9 MS. SANDRA COOPER: M-hm.

10 MS. KATE MCGRANN: Do you remember
11 that?

12 MS. SANDRA COOPER: Yes.

13 MS. KATE MCGRANN: Those notes came
14 from information that you received from Mr. Bonwick,
15 correct?

16 MS. SANDRA COOPER: He provided me
17 with information, yes.

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

20 MS. SANDRA COOPER: Yes.

21 MS. KATE MCGRANN: Did you speak with
22 Mr. Bonwick before this conversation you had with
23 Minister Wilkinson about your intention to meet with
24 Minister Wilkinson about AGP?

25 MS. SANDRA COOPER: It was a random --

1 in the same room -- or the same full room, ballroom at
2 the same time and seeing that as an opportunity to
3 reach out and engage with -- with him.

4 MS. KATE MCGRANN: It was an
5 opportunity that you had taken steps to prepare for,
6 correct?

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

8 MS. KATE MCGRANN: With your brothers
9 assistance?

10 MS. SANDRA COOPER: -- in case I
11 didn't see him.

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

15 MS. SANDRA COOPER: The -- the
16 information came from -- it was factual information
17 that was a fact for AGP.

18 MS. KATE MCGRANN: Which you received
19 from Mr. Bonwick, correct?

20 MS. SANDRA COOPER: Well, it -- it did
21 -- it did arrive through him, yes.

22 MS. KATE MCGRANN: So you prepared for
23 this meeting. Did you speak with Mr. Bonwick about
24 your intention to discuss AGP with Mr. Wilkinson
25 before this meeting that you email him about here?

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

2 MS. KATE MCGRANN: In this paragraph,
3 you have emailed Mr. Bonwick saying:

4 "We met with Minister Wilkinson. I
5 will call later; positive."

6 Do you recall if you called later to
7 report back of the meeting?

8 MS. SANDRA COOPER: I would have -- I
9 I don't recall. I know that the next day I would've
10 gone back into the conference.

11 MS. KATE MCGRANN: What would've gone
12 back into the conference?

13 MS. SANDRA COOPER: I would have
14 participated further in a conference that I attended.

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

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

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

22 MS. SANDRA COOPER: Attempting to help
23 AGP be successful in receiving fun -- government
24 funding.

25 MS. KATE MCGRANN: Did it cross your

1 mind at this point in time that he might be working
2 for AGP?

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

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

11 MS. SANDRA COOPER: No.

12

13 (BRIEF PAUSE)

14

15 MS. KATE MCGRANN: When you met with
16 Minister Wilkinson you described that it was a chance
17 meeting that you took advantage of?

18 MS. SANDRA COOPER: M-hm.

19 MS. KATE MCGRANN: Did you mention to
20 him that you were working with your brother on this
21 project?

22 MS. SANDRA COOPER: No. My
23 conversation would have been about AGP.

24

25 MS. KATE MCGRANN: Is there any reason

1 that you didn't mention that Mr. Bonwick was involved
2 in your -- in your work with AGP?

3 MS. SANDRA COOPER: No.

4

5 (BRIEF PAUSE)

6

7 THE HONOURABLE FRANK MARROCCO: Are you
8 going on to something different?

9 MS. KATE MCGRANN: I am, yes.

10 THE HONOURABLE FRANK MARROCCO: Take
11 ten (10).

12 MS. SANDRA COOPER: Okay. Thank you.

13

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

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

16

17 CONTINUED BY MS. KATE MCGRANN:

18 MS. KATE MCGRANN: A couple more
19 questions about AGP, I think that you mentioned that
20 AGP was in debt, is that right?

21 MS. SANDRA COOPER: That's correct.

22 MS. KATE MCGRANN: Who was AGP in debt
23 to?

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

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

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

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

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

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

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

18 MS. SANDRA COOPER: A million dollars.

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

22

23 (BRIEF PAUSE)

24

25 MS. KATE MCGRANN: So I've asked for

1 paragraph 92, we're looking at paragraph 85. This is
2 the paragraph that I would like to refer to. It seems
3 that there is a numbering error in the foundation
4 document that's been entered into evidence, I'll bring
5 this to your attention and we will figure out how to
6 address this tomorrow.

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

13 Do you recall being asked questions
14 about an outstanding debt to the Town with respect to
15 AGP at this time?

16 MS. SANDRA COOPER: Yes, it would have
17 been about that time that that question did come to
18 me.

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

23 MS. SANDRA COOPER: I understood that
24 there was a back tax that was required.

25 MS. KATE MCGRANN: Did you understand

1 that AGP had fallen behind in paying its taxes?

2 MS. SANDRA COOPER: Yes.

3 MS. KATE MCGRANN: Did you take any
4 action on AGP's behalf to protect it from tax
5 collection measures?

6 MS. SANDRA COOPER: I did not
7 interfere with staff on that, no.

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

10 Did you take any steps to -- to assist
11 them in avoiding paying back taxes?

12 MS. SANDRA COOPER: I would say that I
13 was supportive of successful funding to AGP and that
14 would assist them to be able to address their many
15 issues. Specific to their back taxes? No, not
16 specifically to one (1) or another.

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

21 THE HONOURABLE FRANK MARROCCO: Yes.

22 MR. PAUL BONWICK: Thank you.

23 I'm sitting here listening to the
24 Judicial Council going to detail over the course of
25 the last 2 1/2 hours, and I'm -- I'm cognizant of the

1 conference call that took place on Monday about
2 extending the hearing dates and the amount of time and
3 I -- I'm trying to draw relevance in terms of what the
4 Council is doing related to the sh -- 50 percent share
5 of Collus Power stream, the process that it underwent
6 in order to go through that sale, transfer, the
7 benefits that come out of that, versus focussing on an
8 industry that had nothing to do with the share --
9 share purchase.

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

16 I would argue that they're creating
17 some sort of conspiratorial theory here, driving a
18 narrative that has nothing to do with the two and a
19 half (2 1/2) hours that we should've been focussed on
20 in dealing with the -- the matter of the 50 percent
21 share sale of Collus.

22 And I'm -- I'm trying to link it and
23 I've got no less than 12 pages of notes and I keep
24 trying to draw a parallel back somehow to the share of
25 Collus Power stream and I -- I just can't seem to get

1 there and I'm wondering if perhaps either a) you could
2 provide some clarification on that or suggest to
3 counsel that focus on the matter at hand.

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

9 So that's as far as we'll take it right
10 now.

11 Are -- are you -- do you have further
12 questions about this AGP matter?

13 MS. KATE MCGRANN: I'm actually
14 planning on shifting focus right now to a different
15 topic.

16 THE HONOURABLE FRANK MARROCCO: All
17 right.

18

19 CONTINUED BY MS. KATE MCGRANN:

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

23 If you could.

24

25 (BRIEF PAUSE)

1 MS. KATE MCGRANN: Paragraph 139
2 discusses an exchange of e-mails that you were not
3 copied on. It's an exchange of e-mails between Mr.
4 Houghton and Mr. Bonwick.

5 I would like to look at this particular
6 e-mail in which Mr. Houghton is sending a draft
7 statement to Mr. Bonwick and it reads as follows:

8 "As you know, my Council has elected to
9 get our spending and our municipal debt under control.
10 I have asked our CAO and our department heads to look
11 for opportunities within their areas of responsibility
12 to reduce costs and still offer similar levels of
13 service."

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

17 MS. SANDRA COOPER: Not as it is from
18 between Mr. Houghton and Mr. Bonwick.

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

22 MS. SANDRA COOPER: From time to time,
23 department heads would draft messages, statements,
24 letters for my consideration.

25 MS. KATE MCGRANN: Do you know why Mr.

1 Houghton was drafting a statement as if it was coming
2 from you on January 30th, 2011, this statement in
3 particular?

4 MS. SANDRA COOPER: This would have
5 been regarding my election platform, which was a focus
6 on review of departments and finding ways of saving
7 taxpayers dollars, and not always the way things were
8 done in the past, we wanted to really have a focus on
9 how we can save taxpayers dollars and re -- reduce the
10 debt for the Town of Collingwood, cutting the -- the
11 service charges for those -- the carrying charges for
12 those debentures and trying to get a grip on finance.

13 And so, department heads, to have a
14 look at all departments and -- and look at ways of
15 savings.

16 MS. KATE MCGRANN: If you look at this
17 message, it goes on to say, "I would like to ask that
18 Collus looks for similar opportunities to help reduce
19 our debt."

20 Did you ask Mr. Houghton to draft this
21 for you?

22 MS. SANDRA COOPER: I could have.
23 Again, department heads and my assistant would often
24 draft comments, statements, as well as if I'm
25 representing the County of Simcoe, the warden at an

1 event or at -- on occasion and certainly there as
2 well, it was common practice that statements be
3 drafted by others.

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

7 MS. SANDRA COOPER: Yes, I would have
8 in so many words.

9 MS. KATE MCGRANN: Can you please
10 explain that answer to me?

11 MS. SANDRA COOPER: So I'm looking at
12 all departments and reviewing some cost savings or
13 some opportunities in all departments, including
14 Collus, and I would have said same goes with you, Mr.
15 Houghton, in your department.

16 MS. KATE MCGRANN: I'm looking
17 specifically at the language that Mr. Houghton has
18 drafted here as if it's coming from you.

19 Did he do this? Did he write this
20 letter at your specific request?

21 MS. SANDRA COOPER: I believe he did.

22 MS. KATE MCGRANN: What do you
23 remember about asking him to write this message for
24 you?

25 MS. SANDRA COOPER: That it was

1 something that I -- I wanted to make a -- a statement
2 to -- to staff for the Town of Collingwood, looking at
3 opportunities, looking at suggestions that there could
4 be cost savings and less of an impact on the taxpayers
5 dollars and looking at reducing the debt and looking
6 outside of the box.

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

9 "My specific request would be for
10 Mr. Houghton and Mr. Muncaster to
11 undertake a valuation of Collus and
12 to look at the positives and
13 negatives of selling the assets of
14 Collus."

15 When you asked Mr. Houghton to write
16 this message for you, did you ask him to specifically
17 put in this request to undertake an evaluation of
18 Collus and to look at the ups and downs of selling the
19 assets of Collus?

20 MS. SANDRA COOPER: It may have been
21 in fewer words, but it would have been that -- that
22 direction, looking at -- looking at opportunities.

23 MS. KATE MCGRANN: Did you ask him to
24 write a letter instructing him to undertake an
25 evaluation of Collus?

1 MS. SANDRA COOPER: In so many words,
2 looking at opportunities for Collus and Mr. Dean
3 Muncaster was the Chair and Mr. Houghton did report to
4 Mr. Muncaster. There was always that line of
5 communication between the two (2) of them, and it
6 would have been in so many words.

7 Perhaps not exactly those words, but
8 definitely I would've said, you know, even Collus has
9 to look at some opportunities there too. Valuation,
10 I'm not sure if I would have said that, but looking at
11 opportunities, that would be something that, okay, I -
12 - I would think that would be considered as well.

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

16 MS. SANDRA COOPER: I would have asked
17 that he draw something, draft something up regarding
18 the various departments under the Corporation of the
19 Town of Collingwood in cost savings, bringing down the
20 debt, innovative opportunities to save dollars. Pay
21 down the debt, put money in reserves, not increase our
22 taxes anymore.

23 We had a burden to the taxpayers and
24 that needed to be addressed. That is what I would
25 have said in all departments.

1 MS. KATE MCGRANN: I'd like to focus
2 specifically on your request to Mr. Houghton. You
3 have said, "I would have said." That suggests to me
4 that you don't remember the conversation. Do you
5 remember requesting Mr. Houghton, asking him to write
6 a message from you to him, about getting a valuation
7 of Collus?

8 MS. SANDRA COOPER: I would have asked
9 him. I -- I asked him to draft up a -- a letter for
10 me or comments, a statement.

11 MS. KATE MCGRANN: And do you remember
12 if you made that request face-to-face, over the phone,
13 an email?

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

18 MS. KATE MCGRANN: Tell me about the
19 conversation. Tell me about speaking with Mr.
20 Houghton. Where did that conversation take place?

21 MS. SANDRA COOPER: I don't recall
22 where -- where in 2011 that conversation would have
23 taken place. However, there were conversations that I
24 did have with a conversation with Mr. -- a
25 conversation with Mr. Houghton, that we're looking at

1 all departments.

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

5

6 (BRIEF PAUSE)

7

8 MS. KATE MCGRANN: Can you scroll to
9 the bottom of the email please? So it's Sunday,
10 January 30th, at quarter to four in the afternoon, Mr.
11 Houghton emails Mr. Bonwick, "We have a board meeting
12 tomorrow morning and I was wondering if we could
13 chat." Do you know what board meeting Mr. Houghton is
14 referring to there?

15 MS. SANDRA COOPER: No.

16 MS. KATE MCGRANN: Can you scroll up?
17 Mr. Bonwick replies, "Good idea. I will call you in a
18 few minutes, if that works." And then if you scroll
19 up further. This is the draft that we were looking
20 at. Mr. Houghton has emailed it to Mr. Bonwick.
21 There are some very specific requests in this draft
22 that I would like to understand whether they come from
23 you or not.

24 So. starts off with:

25 "My Council was elected to get our

1 spending and our municipal debt in
2 control."

3 You've given us information about that
4 already." You say:

5 "I've asked our CAO and our
6 department heads to look for
7 opportunities within their areas of
8 responsibility to reduce costs and
9 still offer similar levels of
10 service."

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

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

22 MS. KATE MCGRANN: Two (2) paragraphs
23 down, and we've looked at this already once. By
24 specific request, would be from Mr. Houghton and Mr.
25 Muncaster is to undertake a valuation of Collus? Did

1 you want Mr. Houghton and Mr. Muncaster to undertake e
2 a valuation costs as of January 30th, 2011?

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

11 When I looked at many graphs and many
12 presentations at the county and here in these chambers
13 from staff and looking at the household income of the
14 residence in Collingwood, it was lower than the
15 average for Simcoe County. So, I was asking all
16 department heads, including Mr. Houghton, to look at
17 opportunities for cost savings. Mr. Houghton reported
18 to Mr. Muncaster, so hence, the two (2) together.

19 MS. KATE MCGRANN: By January 30th,
20 2011, have you consi -- had you considered getting a
21 valuation of Collus? You, yourself?

22 MS. SANDRA COOPER: No in those words,
23 a valuation of Collus.

24 MS. KATE MCGRANN: Have you considered
25 -- sorry.

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

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

14 MS. SANDRA COOPER: Correct.

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

22 Do you remember communicating to Mr.
23 Houghton that you wanted him to write this letter and
24 say it had to be kept in the strictest confidence?

25 MS. SANDRA COOPER: I don't recall

1 that.

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

4 MS. SANDRA COOPER: Pardon me?

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

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

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

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

25 MS. KATE MCGRANN: But it was his

1 suggestion that you agree to?

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

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

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

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

20 Looking at the various boards and
21 committees that I was a member of, as well as every
22 other week and more than that, going to the County of
23 Simcoe administration building for meetings there and
24 throughout Simcoe County. Plus my personal time with
25 my parents and my -- aging parents.

1 MS. KATE MCGRANN: What did you know
2 about the relationship between Mr. Bonwick and Mr.
3 Houghton at this time?

4 MS. SANDRA COOPER: I knew they knew
5 one (1) another. It's a small town. We all grew up
6 in this -- well not we all, some of us grew up in
7 Collingwood and would know of one (1) another.

8 MS. KATE MCGRANN: To your knowledge,
9 we're they friends?

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

14 MS. KATE MCGRANN: You know if they
15 ever discussed mutual business interests or one (1) of
16 their business interests with the other?

17 MS. SANDRA COOPER: I'm not aware of
18 that.

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

22 MS. SANDRA COOPER: I believe I did.
23 Not in this -- not in this attachment thought.

24 MS. KATE MCGRANN: How do you recall
25 receiving it?

1 MS. SANDRA COOPER: Likely would have
2 been an email from Mr. Houghton.

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

12 Do you recall if there was a discussion
13 of getting a valuation of Collus Power at this board
14 meeting?

15 MS. SANDRA COOPER: I believe there was
16 some talk of that.

17 MS. KATE MCGRANN: What do you remember
18 about that?

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

21 MS. KATE MCGRANN: Tell me what you do
22 remember?

23 MS. SANDRA COOPER: Well, that we did
24 proceed in camera on the matter of personnel or
25 property. Property. And was regarding to looking at

1 a valuation of -- of Collus and some discussion about,
2 you know, how -- how would that play out, how the
3 process would be.

4 Do you remember who asks that the board
5 move into an in camera session?

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

7 MS. KATE MCGRANN: Do you remember who
8 raised the concept of the valuation?

9 MS. SANDRA COOPER: No, I don't recall
10 that. I, just I know that we spoke of valuation as
11 there could be potential for opportunities and we
12 needed to have a valuation.

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

15 MS. SANDRA COOPER: I don't recall the
16 specifics.

17 MS. KATE MCGRANN: Do you -- do you
18 recall the decision was made but you don't recall
19 something specific about it?

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

22 MS. KATE MCGRANN: But you recall that
23 a decision was made?

24 MS. SANDRA COOPER: At some point, the
25 board had, did determine that a valuation, yes, would

1 be -- would be prudent.

2 MS. KATE MCGRANN: Do you remember if
3 that happened at this meeting?

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

6 MS. KATE MCGRANN: It's my
7 understanding that no minutes were taken of in camera
8 meetings of the Collus Power Board of Directors during
9 this time.

10 Is that consistent with your
11 understanding?

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

17 MS. KATE MCGRANN: Could we turn to
18 document TOC38162. While that's being brought up,
19 what time of day to the Collus Power board meetings
20 happen?

21 MS. SANDRA COOPER: It varied. Often
22 times it would be over lunch but it varied.

23 MS. KATE MCGRANN: Okay. Before we go
24 to this document then, can you please pull
25 CPS6996_0001.

1 These are the minutes of the January
2 31st, 2011 board meeting. We were discussing this
3 meeting started at 7:59 in the morning on. Can we
4 scroll to the bottom to see if there's done time.

5

6

7 (BRIEF PAUSE)

8

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

11 Can we turn to TOC38162. This is an
12 email from Mr. Bonwick to you on January 31st, 2011 at
13 9:53 in the morning so just before the Collus Power
14 board meeting ended.

15 Subject is debts and lower costs and he
16 writes:

17 "Good morning. I got your message
18 re budget. You will need to be very
19 clear with department heads on your
20 expectations. Same goes for Collus.
21 It also sends a message through
22 early in your term that your Council
23 will provide direction. When I
24 spoke to you a few weeks ago about
25 this type of direction, Ed thought

1 his board would be supportive of the
2 request. See you here at 1:30."

3 So I have a couple of questions about
4 this email. First of all do you remember receiving
5 it?

6 MS. SANDRA COOPER: Sorry. Reviewing
7 the foundation documents, yes.

8 MS. KATE MCGRANN: So when you
9 reviewed the foundation document you saw this email
10 and you recalled receiving it?

11 MS. SANDRA COOPER: Yes.

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

15

16 (BRIEF PAUSE)

17

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

22 So it was a lot of -- so it would've been probably
23 starting -- likely starting the budget process of
24 becoming familiar with -- with the budget.

25 MS. KATE MCGRANN: Were you

1 communicating with Mr. Bonwick about the work to be
2 done on the town budget at this time?

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

6 MS. KATE MCGRANN: When you list those
7 things are you describing topics that you spoke about
8 with your brother or that's just more your general
9 approach to the budget at time.

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

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

19 MS. SANDRA COOPER: It probably was
20 just -- I don't know what -- I can't recall what the
21 message was about other than, you know what, I'm going
22 over the budget. It was a general comment. Nothing
23 that I was looking for inaugural -- anything in
24 particular in that statement. It was certainly
25 something that I'd made it at my inaugural. It was

1 part of my campaign literature. Whenever in
2 September, October of the -- I guess September of the
3 year before, it was something that I spoke about
4 regularly and so -- this - this did not jump out at me
5 at all. I had a lot of other things happening.

6 MS. KATE MCGRANN: When he writes at
7 the end of this email:

8 "When I spoke to you a few weeks ago
9 about this type of direction, Ed
10 thought his board would be
11 supportive of the request."

12 What request is he talking about, do
13 you know?

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

23 MS. KATE MCGRANN: With respect to
24 Collus, it's my understanding that at this time, Mr.
25 Houghton was the president and the CEO of that

1 company, is that right?

2 MS. SANDRA COOPER: That is correct.

3 MS. KATE MCGRANN: Did you view the
4 president and CEO of Collus Power as a department
5 head?

6 MS. SANDRA COOPER: With the public
7 works and engineering, yes.

8 MS. KATE MCGRANN: With respect to
9 Collus?

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

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

17 MS. SANDRA COOPER: Correct.

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

20 MS. SANDRA COOPER: Correct.

21 MS. KATE MCGRANN: But with respect to
22 this request that you've made of department heads
23 because of the Town's ownership of Collus, you saw it
24 as the same thing?

25 MS. SANDRA COOPER: Yes.

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

4 MS. SANDRA COOPER: Yes.

5 MS. KATE MCGRANN: Do you remember Mr.
6 Bonwick mentions here speaking to you a few weeks ago
7 and saying that Ed thought his board would be
8 supportive of the request.

9 Do you remember having that conversation
10 with him?

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

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

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

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

1 MS. SANDRA COOPER: Yes.

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

4 MS. SANDRA COOPER: Would -- I -- I
5 would believe that the board would -- the board would
6 be supportive of looking at opportunities, yes.

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

10

11 (BRIEF PAUSE)

12

13 MS. KATE MCGRANN: So it's January
14 31st, same day. It's now 1:00 p.m. This is an email
15 from you to Shelley Fuhre. What was Shelley Fuhre's
16 role with the Town at this time?

17 MS. SANDRA COOPER: She was executive
18 assistant to myself and some times that role changes a
19 little bit but to mayor and Council.

20 MS. KATE MCGRANN: In this email you
21 write, "Hi Shelley, kindly review and suggest any
22 changes." And then if we can scroll down. You've
23 written to Collus, Chair and Ed.

24 "As you may know our new Council is
25 proudly elected to get our spending

1 and municipal debt under control.
2 As a result, I have asked our CAO
3 Ms. Wingrove and our departments to
4 look for opportunities within their
5 areas of responsibility to explore
6 cost reduction opportunities and
7 still offer similar levels of
8 service."

9 You go to say,

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

17 Did you take Mr. Houghton's draft and
18 revise it to come up with this -- this message?

19 MS. SANDRA COOPER: I would have used
20 his draft.

21 MS. KATE MCGRANN: We see that you've
22 retained the specific request that Mr. Houghton be
23 directed to undertake an evaluation of Collus.

24 You agreed that that was a -- a good
25 direction to go in?

1 MS. SANDRA COOPER: Yes.

2 MS. KATE MCGRANN: And we've seen that
3 you retain -- you say, I would appreciate this review
4 being treated with confidence until myself and Council
5 have had an opportunity to be presented with a report.

6 Was it your intention when you wrote
7 this to keep the valuation confidential until the work
8 was done and evaluation report was ready?

9 MS. SANDRA COOPER: Yes.

10 MS. KATE MCGRANN: Why was that?

11 MS. SANDRA COOPER: It would then
12 offer some insight and some answers that if members of
13 Council or the board would have questions, then there
14 would be some oppor -- there would be some insight
15 there and some answers provided. And then whether to
16 move -- move forward with it or not.

17 MS. KATE MCGRANN: Does looking at
18 this draft email that you have sent to Ms. Fuhre at
19 1:00 p.m on January 31st in which you asked for a
20 valuation of Collus help refresh your memory about
21 what was discussed at the Collus Power board meeting
22 that morning.

23 MS. SANDRA COOPER: Again, it would
24 have been valuation but I -- I'm not aware of the
25 details. It would have been -- sorry for that phrase,

1 the topic of discussion that staff would -- staff
2 brought forward a connection with what Council --
3 members of Council and -- any myself had been elected
4 on and it was prudent spending and ways to --
5 innovative ways to get hold of the Town finances and
6 so that was a strong message that was over and over
7 again. It would relate to that in conversation -- or
8 into -- in general terms at the in camera meeting.

9 What is to be in camera information has
10 to stay on topic with confidential items listed and
11 not go off topic. But it would have -- definitely it
12 would have been a discussion of some sort.

13 THE HONOURABLE FRANK MARROCCO: While
14 the two (2) counsel are conferring, why -- why did the
15 request -- did you have any sense of why you had to be
16 specific in requesting evaluation? You've said in the
17 earlier paragraph that you want Collus to look for
18 similar opportunities.

19 MS. SANDRA COOPER: M-hm.

20 THE HONOURABLE FRANK MARROCCO: Why --
21 isn't that enough? Why do you have to ask them to do
22 a evaluation?

23 MS. SANDRA COOPER: I felt that, Your
24 Honour, that not unlike departments within the Town of
25 Collingwood -- within the corporation and I'll say

1 another one (1) I'd -- I did speak about Parks and Rec
2 but I'll -- I'll also bring forward another department
3 and that would be snowplow operation and looking at
4 should that be done privately or should it be done
5 still through the Town of Collingwood and to get the
6 value on that before you can -- that you need to base
7 your decision on. So for me it was similar
8 opportunities but also being a little more clear and
9 then bring valuation in to that

10 THE HONOURABLE FRANK MARROCCO: But I
11 thought Mr. Houghton added that? I thought your --

12 MS. SANDRA COOPER: -- yes.

13 THE HONOURABLE FRANK MARROCCO: I
14 thought your direction was, look for opportunities and
15 then he prepares a draft but in the draft he has you
16 asking for evaluation and I'm -- I'm -- do you know
17 why that was?

18 MS. SANDRA COOPER: It was tied in to
19 similar opportunities and I think it taking it one (1)
20 step further, looking at valuations and having --
21 having had a discussion with Mr. Houghton that it
22 would have made -- sorry, it made sense to be clear to
23 include that, other terms of Council in other budget
24 meetings. It was never included in part of the
25 looking at a micro of the Town's finances and this is

1 an area that look at evaluation of Collus and having
2 that information. That was -- Ed Houghton adding
3 that, including that and to me it -- I was acceptable
4 to that. I don't know if that answers your question,
5 Your Honour.

6 THE HONOURABLE FRANK MARROCCO: It
7 does in a way. Did he indicate to you that without
8 you making the requests the board would not likely opt
9 for valuation?

10 MS. SANDRA COOPER: No, not
11 necessarily because two (2) things. It would have to
12 come forward to the board and then have a discussion
13 and secondly, attending the annual meetings for the
14 electricity industry for Georgian Bay, many times the
15 presenters spoke of mergers, acquisitions, LDCs spoke,
16 the CHEC Group spoke. All touched on this idea of
17 how can the LDCs continue with the Green Energy Act
18 coming in and having to comply with some things --
19 some policies that the province would have in place
20 and with those -- with that added burden, it would be
21 a challenge for smaller LDCs, local distribution
22 companies, and Collus being one (1) of those.

23 So looking at what is the value of it
24 was to me it -- it was acceptable to add that and it
25 would bring further conversation and discussion to the

1 Board. It wasn't any -- anything -- again, I hate to
2 repeat myself -- but representing the taxpayers of
3 Collingwood, being in the community, being approached
4 by some very few -- thank goodness -- saying you know,
5 I can't pay my hydro bill. What do I do? My water
6 might be cut off. What do I do?

7 So all -- keeping all those things in
8 my mind, how can we -- how can we make things better
9 in our community? And touching on valuation of Collus
10 and making an informed decision was important.

11 THE HONOURABLE FRANK MARROCCO: Go
12 ahead.

13

14 CONTINUED BY MS. KATE MCGRANN:

15 MS. KATE MCGRANN: Could we turn to
16 paragraphs 141 and 142 of the Foundation Document,
17 please?

18 MR. FREDERICK CHENOWETH: Your Honour,
19 I wonder before we move on if I might express a
20 concern that I have, Your Honour.

21 THE REGISTRAR: Sir, could you speak
22 into your mic, please.

23 THE HONOURABLE FRANK MARROCCO: Got to
24 turn it on.

25 MR. FREDERICK CHENOWETH: Yes. Sorry.

1 And that I wonder, Your Honour, if
2 before we move further, I might express a concern that
3 I am developing with respect to the manner in which
4 we're proceeding.

5 THE HONOURABLE FRANK MARROCCO: Go
6 ahead.

7 MR. FREDERICK CHENOWETH: Yes. Thank
8 you, Your Honour.

9 It -- it's no secret that on earlier
10 occasions, I have expressed the view that I had
11 concerns about the balance that existed in Foundation
12 Document 1, and I had expressed concerns that my
13 client and I felt that the document that, in many
14 respects, was adversarial and did not have the balance
15 that I hoped it might have.

16 THE HONOURABLE FRANK MARROCCO: Maybe
17 -- maybe if you get closer to the microphone, it'd be
18 better so we can get it all on the transcript.

19 MR. FREDERICK CHENOWETH: Yes.
20 Certainly, Your Honour. Hopefully that improves it.

21 MR. FREDERICK CHENOWETH: Your Honour,
22 I've listened for a number of hours this afternoon
23 through the questions, and the answers we've got to
24 the questioning style, et cetera.

25 And it's my understanding that with

1 respect to public inquiries and commissions that the
2 Inquiry counsel has a special role to play. It's not
3 an adversarial role. It's an investigative role. And
4 hence, Inquiry counsel is given the opportunity to
5 question the witness first; to lead the witness, and
6 I've expressed some concerns about that in the quality
7 of the evidence that arises from it; to cross-examine
8 the witness, before there's an opportunity for even
9 counsel for that particular witness or that particular
10 participant to play any role.

11 Those are the rules of the inquiry.
12 That's the practices of inquiries. And I have no
13 particular trouble with that, on the assumption that
14 the approach that's taken investigates all aspects of
15 the matter and all sides of the story in order to
16 bring out the truth of the situation.

17 I'm developing a concern, Your Honour,
18 in the day -- the days I've sat here and in particular
19 this afternoon with respect to whether or not the
20 inquiry will be assisted by the present approach,
21 which in my observation does not appear to involve an
22 investigation of all aspects of the matters that the
23 witnesses are being cross-examined on.

24 I think a classic example of that this
25 afternoon is the questions that have been asked with

1 respect to the AGP matter. It would strike me that a
2 strong argument can be made and may be made at later
3 times -- and I'm -- and I'm conscious of the fact that
4 it may be at later times -- but it strikes me that
5 there's a strong argument that the AGP story and the
6 efforts of those who assisted AGP is a very positive
7 story of people in this community working to preserve
8 jobs, working to get power paid for, working to get
9 taxes paid, and doing an excellent job to do that.

10 My own thought, Your Honour, is that
11 the questioning approach that we've seen from -- and I
12 say this with the greatest of respect -- from Inquiry
13 counsel has only focussed on what appears to be a -- a
14 conspiratorial thought that -- that there's something
15 going on with respect to the way AGP was approached
16 that -- that is troubling in some way. Now that could
17 be right. It could be wrong. And this inquiry will
18 find out.

19 But I'm concerned that we've now gone
20 beyond the AGP situation without asking the questions
21 that, in my submission, would get to the truth and
22 fully investigate the AGP story. Where are the
23 questions that bring out the fact that the AGP story
24 is a very positive, feel-good, successful story on
25 which a number of named people worked on in this

1 community?

2 It strikes me, Your Honour, with the
3 greatest of respect to -- to my friend, that if we are
4 going to have a successful commission here, there's
5 a -- there's a -- a special obligation on Inquiry
6 counsel to get to the truth by exploring all aspects
7 of the matter and not just one (1) particular theory.

8 If that approach is -- is continued,
9 this is going to be an adversarial and not an
10 inquisitorial process, and we'll be -- we'll be stuck
11 with respect to the -- to only opportunities to
12 cross-examine and -- and the opportunity to get to
13 the -- to the truth of a number of these matters won't
14 be had.

15 So I -- I am simply expressing that as
16 a concern to Your Honour at this time, and -- and I --
17 I've expressed it at earlier occasions with respect to
18 the FD 1, and I was hopeful that we might see a more
19 all-encompassing approach through the course of the
20 oral testimony.

21 The matters we've heard today, the
22 approach to -- to the AGP matter, the approach to
23 whether or not people are trying to get on with the --
24 with Council's work of -- of finding solutions to
25 their debt problems, et cetera in a positive way, none

1 of that is coming out as a result of the approach
2 that -- that is being taken, and it's my thought that
3 it's not a fully investigative approach that's useful
4 to this commission.

5 THE HONOURABLE FRANK MARROCCO: At
6 this particular point, I don't share your concern. I
7 think Inquiry counsel's doing their best to give the
8 witness an opportunity to comment on the matters that
9 Inquiry counsel have focussed on. And so I'll take
10 your statements into consideration, but I don't -- I
11 don't share the concern right now.

12 So we'll carry on as we've carried on,
13 but I'm conscious of what you're saying.

14 MR. FREDERICK CHENOWETH: Very good,
15 Your Honour. I want to thank you for receiving my
16 comments.

17 THE HONOURABLE FRANK MARROCCO: Go
18 ahead. Carry on for a bit longer.

19

20 CONTINUED BY MS. KATE MCGRANN:

21 MS. KATE MCGRANN: If we could pull up
22 TOC38169.

23

24 (BRIEF PAUSE)

25

1 MS. KATE MCGRANN: Before we had been
2 looking at a draft that you sent to Ms. Fuhre, and you
3 asked her to review. Here we see Ms. Fuhre responding
4 to you with some minor visions. "Please review,"
5 that's at January -- January 31 at 1:40 in the
6 afternoon.

7 Do you remember if you sent this
8 message on to Mr. Muncaster and Mr. Houghton?

9 MS. SANDRA COOPER: Your Honour, I
10 believe that I did send this message -- this letter
11 out to Mr. Muncaster and Mr. Houghton.

12 MS. KATE MCGRANN: And one (1) more
13 question about January 31st, if we could go to
14 paragraph 142 of the Foundation Document.

15

16 (BRIEF PAUSE)

17

18 MS. KATE MCGRANN: We have looked at
19 this email earlier this afternoon. I just have one
20 (1) last question for you about it. In Mr. Bonwick's
21 email to you on this day, he says to you, "See you
22 here at 1:30." Do you remember what that was about?

23 MS. SANDRA COOPER: No. I -- I don't
24 recall.

25 MS. KATE MCGRANN: The next document

1 I'd like to turn your attention to is ALE71.

2

3

(BRIEF PAUSE)

4

5

MS. KATE MCGRANN: Now, before I ask
6 you any questions about this, I want to point out that
7 you're not copied on this email. This is an email
8 from Mr. Bonwick to Brian Bentz sent on February 1st,
9 2011, so the next day.

10

At this point in time. Brian Bentz is
11 President and CEO of PowerStream. Mr. Bonwick writes,
12 in the interest of time -- I'm looking at the second
13 paragraph here:

14

"In the interest of time, I had to
15 initiate the beginning of the
16 process we discussed.

17

18

Unfortunately, the next committee
meeting is not scheduled for another
19 two (2) months, which would have
20 caused some timing challenges if the
21 process was not initiated this week.

22

23

24

25

As a result, the chairperson and
executive director have now received
direction to commence evaluation of
the utility."

1 Were you aware that Mr. Bonwick was
2 having this kind of correspondence with Mr. Bentz in
3 February of 2011?

4 MS. SANDRA COOPER: No. I had many
5 other things that I was dealing with.

6 MS. KATE MCGRANN: Can you see how
7 someone who is reading this email for the first time
8 in the context of what we've discussed so far today
9 may conclude that Mr. Bonwick is -- is taking credit
10 for initiating a process that results in the
11 chairperson and the executive director of receiving
12 direction to commence evaluation of Collus Power?

13 MS. SANDRA COOPER: I'm very familiar
14 with reports that are taken out of text.

15 MS. KATE MCGRANN: Okay. Do you think
16 that this is being taken out of text?

17 MS. SANDRA COOPER: It's -- I haven't
18 authored it. I -- I couldn't comment one (1) way or
19 the other.

20 MS. KATE MCGRANN: Did you tell
21 Mr. Bonwick at any point before February 1st, 2011 or
22 on February 1st, 2011 that you had directed that an
23 evaluation be undertaken of Collus Power?

24 MS. SANDRA COOPER: I don't recall
25 that I did.

1 MS. KATE MCGRANN: I just want to ask
2 you one (1) question to clarify your answer. Is it
3 the case that you know that you didn't tell him? Or
4 is it the case that you can't recall whether or not
5 you did tell him?

6 MS. SANDRA COOPER: I hadn't told --
7 did not tell him that an evaluation had been done. I
8 did not tell Mr. Bonwick an evaluation had been not
9 done -- had been done. Sorry.

10 MS. KATE MCGRANN: And just because
11 you said "had been done" and this email is talking
12 about a direction to commence evaluation, did you tell
13 Mr. Bonwick that Collus had been directed to commence
14 evaluation?

15 MS. SANDRA COOPER: No.

16 MS. KATE MCGRANN: At this time,
17 February 1st, 2011, were you aware that Mr. Houghton
18 had been in contact with Brian Bentz at PowerStream in
19 December of 2010?

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

21 MS. KATE MCGRANN: Can we go to
22 paragraph 115 of the Foundation Document?

23 MS. SANDRA COOPER: Can I just say, as
24 I -- I don't recall. However, Mr. Houghton did report
25 to the Board, and he also worked closely with Mr. Dean

1 Muncaster. So there was strong communication between
2 them and also reporting -- a Board-reporting process.

3 MS. KATE MCGRANN: And Mr. Houghton
4 reported to the Board that he had been in contact with
5 PowerStream in December 2010?

6 MS. SANDRA COOPER: And I don't recall
7 from 2010, January 2011, or February.

8 MS. KATE MCGRANN: Can we look at
9 paragraph 115 -- 115 of the Foundation Document?

10 This paragraph discusses an email that
11 Mr. Bonwick sent to Mr. Bentz on January 10th of 2011
12 -- you're not copied on this email -- in which he says
13 that -- he mentions during the time he was in elected
14 office, the potential sale of Collingwood's utility
15 services had been raised with mixed emotions, and he
16 says that he would like to meet and discuss
17 PowerStream's level of interest in pursuing such an
18 option.

19 Did you know in January of 2011 that
20 Mr. Bonwick had been in contact with PowerStream to
21 discuss the potential sale of Collingwood's utility
22 services?

23 MS. SANDRA COOPER: No. No.

24 MS. KATE MCGRANN: Did you later learn
25 that Mr. Bonwick had reached out to Mr. Bentz in

1 January of 2011 to discuss that kind of a sale?

2 MS. SANDRA COOPER: I had read the
3 Foundation Documents and found that to be so.

4 MS. KATE MCGRANN: The first time that
5 you learned about the January communication from
6 Mr. Bonwick to Mr. Bentz is when you read the
7 Foundation Document?

8 MS. SANDRA COOPER: Yes.

9 MS. KATE MCGRANN: What was your
10 reaction to reading that?

11 MS. SANDRA COOPER: I read the
12 Foundation Document and what I had also read that
13 nothing had been tested. And we just referenced to
14 about things being taken out of context.

15 And again, as -- as the mayor, and I
16 put my all into it, that I was doing a lot of
17 different things. So, I mean, he was a municipal
18 councillor.

19

20 (BRIEF PAUSE)

21

22 MS. SANDRA COOPER: And you know, I --
23 I read it through the Foundation Documents, and that's
24 what -- what I -- I read until things are pulled
25 together from the inquiry.

1 MS. KATE MCGRANN: So we can see that
2 this -- this email was sent on January 10th, 2011, and
3 it says what it says. What was your reaction to
4 learning that Mr. Bonwick sent this email to
5 Mr. Bentz?

6 MS. SANDRA COOPER: The first
7 go around was the -- the draft Foundation Documents,
8 and my solicitor and I had an opportunity to read
9 through. And certainly --

10 MS. KATE MCGRANN: May I interrupt you
11 for one (1) second --

12 MS. SANDRA COOPER: Please.

13 MS. KATE MCGRANN: -- only to clarify
14 that I am not interested in hearing about any
15 discussions that you had with your solicitor.

16 MS. SANDRA COOPER: Oh, sorry.

17 MS. KATE MCGRANN: We're not looking
18 for information about conversations that you had with
19 Mr. Marron --

20 MS. SANDRA COOPER: I'm sorry.

21 MS. KATE MCGRANN: -- or any questions
22 you asked him or any answers he gave you. Okay?

23 MS. SANDRA COOPER: Yes.

24 MS. KATE MCGRANN: I'm sorry for
25 interrupting, but I wanted that to be clear before you

1 continued your answer.

2 MS. SANDRA COOPER: Absolutely. I --
3 I'm glad you raised that point. How true.

4 And so in having a read of the draft
5 Foundation documents, there were some correspondence
6 that I was not aware of at the time of -- of the
7 correspondence, but have been come -- become aware of
8 since then.

9 Do I have anything to -- to comment
10 about them? I will await to hear what the commission
11 will bring from this.

12 THE HONOURABLE FRANK MARROCCO: It may
13 also be that Mr. Marron will have one (1) or two (2)
14 things to comment about them as the hearing
15 progresses, but we can -- we'll just take your answer
16 at that for now.

17 MS. SANDRA COOPER: Thank you,
18 Your Honour.

19 THE HONOURABLE FRANK MARROCCO: We'll
20 take ten (10) minutes, just give you a chance to --

21 MR. WILLIAM MCDOWELL: Your Honour --
22 sorry -- Commissioner, just out of curiosity, when
23 were you planning to break for the day? At 5 or --

24 THE HONOURABLE FRANK MARROCCO: Well,
25 I thought we'd -- we didn't start till 1:00, and

1 that's on me, not on anybody else. But I thought we
2 might go a little longer and try to make up for --

3 MR. WILLIAM MCDOWELL: No. That's
4 fine. Just for clarification. Thanks. Sorry to
5 interrupt you.

6 THE HONOURABLE FRANK MARROCCO: I
7 don't know. How much longer? Well, I was thinking
8 till 5:30 or something like that.

9 MR. WILLIAM MCDOWELL: That's fine.

10

11 --- Upon recessing at 3:17 p.m.

12 --- Upon resuming at 4:40 p.m.

13

14 CONTINUED BY MS. KATE MCGRANN:

15 MS. KATE MCGRANN: Ms. Cooper, before
16 the break, we were looking at paragraph 115 of the
17 foundation document. I'd now like to look at
18 paragraph 127 of the foundation document.

19

20 (BRIEF PAUSE)

21

22 MS. KATE MCGRANN: This paragraph
23 describes that Mr. Bonwick, on January 19th, 2011,
24 sent Mr. Houghton a copy of Compensio's proposal to do
25 work for PowerStream and asked Mr. Houghton to take a

1 look.

2 Mr. Houghton responds:

3 "Had a look. Tried to clean up the
4 billing section."

5 And the next day Mr. Houghton replies,
6 "Sorry, I reviewed and made a few minor changes." So,
7 you're not copied on this email chain. Were you aware
8 that Mr. Houghton was assisting Mr. Bonwick in putting
9 together his proposal to PowerStream in January 2011?

10 MS. SANDRA COOPER: No, I was not. I
11 was not aware of -- of the emails or -- or that.

12 MS. KATE MCGRANN: At that time, would
13 it have been your expectation that Mr. Houghton would
14 report on matters like this?

15

16 (BRIEF PAUSE)

17

18 MS. SANDRA COOPER: I wasn't aware of
19 -- as you had mentioned earlier, not aware of the
20 email, and that's -- I wasn't aware of it or the
21 contacts of this email.

22 MS. KATE MCGRANN: Okay. Regardless
23 of whether you were aware or not, would it have been
24 your expectation in January of 2011 -- you're the
25 mayor, you're a director on Collus Power's Board of

1 Directors, would you expect that company's president
2 and CEO to report if he was helping a consultant reach
3 out to a potential buyer to speak about a potential
4 sale?

5 MS. SANDRA COOPER: Mr. Houghton did
6 work closely with the board, and with Mr. Muncaster in
7 particular. I'm not aware of conversations that they
8 would have had in any detail, such as what's being
9 suggested in this email.

10 Again, I -- I -- this -- had not been
11 copied, was not privy of any of this information, and
12 so I would judge it that perhaps Mr. Houghton had a
13 conversation with Mr. Muncaster. I have no proof of
14 that.

15 I know they had good, excellent working
16 relationship. And Mr. Houghton, in my estimation of
17 being on Council, that he was always there to fulfil
18 the needs of Council and the residents of Collingwood.

19 MS. KATE MCGRANN: Okay. And other
20 than speaking with Mr. Muncaster about this -- Mr.
21 Houghton works for the town as a department head, the
22 Executive Director of Public Works. He's the
23 president and CEO of a company wholly owned by the
24 town. Would you have expected him to report back to
25 anybody else other than Mr. Muncaster about

1 conversations like this?

2

3 (BRIEF PAUSE)

4

5 MS. SANDRA COOPER: I'm not aware of
6 at any point in time. Perhaps he did -- Mr. Houghton
7 did report to someone. He hadn't reported it to me.
8 Perhaps it -- it was -- yeah, the -- it hadn't been
9 reported to me.

10 And again, I can't speak on behalf of
11 Mr. Houghton. Perhaps he had a comfort level and that
12 he spoke to somebody else about it. I don't know.

13

14 (BRIEF PAUSE)

15

16 MS. KATE MCGRANN: Can we turn to
17 paragraph 144 of the foundation document, please?

18

19 (BRIEF PAUSE)

20

21 MS. KATE MCGRANN: So I'm just going
22 to use these two (2) paragraphs to help reorientate
23 some time. We're moving away from January into
24 February. Paragraph 144 discusses an Ed Houghton call
25 to John Herhalt, Global Head, KPMG, Government

1 Services practices on February 6th, 2011.

2 Do you know who John Herhalt is?

3 MS. SANDRA COOPER: He -- yes. He is
4 with KPMG. I didn't know his specific position, but
5 his is with KPMG, or was at that time.

6 MS. KATE MCGRANN: And we see here
7 that Jonathan Erling, a managing director at KPMG,
8 received an email from Mr. Herhalt in which Mr.
9 Herhalt reports:

10 "I spoke to Ed Houghton yesterday,
11 and they want to engage us and start
12 very soon. Can you put together a
13 draft engagement letter and put
14 together terms of reference? Set
15 the fee 30,000. I am travelling
16 today. Will give you a call
17 tomorrow."

18 Were you aware in early February of
19 2011 that Mr. Houghton was reaching out to KPMG to ask
20 them to do some work for Collus Power?

21 MS. SANDRA COOPER: I was not email --
22 I was not a part of the email context at all with this
23 -- with this email. However, Mr. Houghton reported to
24 the board at -- the board meetings, and that would
25 have been something that he would have reported to the

1 board.

2 MS. KATE MCGRANN: Do you remember him
3 reporting about this to the board?

4 MS. SANDRA COOPER: It was February
5 2011. And it's har -- it's difficult to recall
6 specifics of board meetings unless I reviewed some
7 minutes.

8 MS. KATE MCGRANN: I'm just trying to--

9 MS. SANDRA COOPER: Yeah. Yeah.

10 MS. KATE MCGRANN: -- understand your
11 answer, that he would've reported the board. Why are
12 you saying that, because you remember?

13 MS. SANDRA COOPER: It would've been
14 the process. It would've been a report to the board
15 saying that, you know, we're KPMG, we're moving
16 forward with this. There would've been updates from
17 time to time. And this would have --

18 MS. KATE MCGRANN: Pardon me, sorry.

19 MS. SANDRA COOPER: And certainly,
20 with a cost in it, would have been coming back to the
21 board.

22 MS. KATE MCGRANN: Can we look at
23 paragraph 146, please? So, you're not copied on this
24 email, but you are -- you're discussed in this
25 paragraph. So this paragraph says:

1 "On February 14th, 2011, Mr. Erling
2 sent Ed Houghton a draft proposal
3 for KPMG to assist Collingwood in
4 review its utility ownership
5 options."

6 Mr. Houghton forwards the proposal to
7 Mr. Muncaster. Mr. Muncaster notes that the fee
8 estimate is higher than Mr. Houghton's authorization
9 limit, raising the tactical questions of involving
10 other directors.

11 Mr. Muncaster also wrote:

12 "Because Mayor Cooper has been
13 involved in the previous
14 consideration of having this
15 evaluation done, that should not be
16 a difficulty. And I would suspect
17 that we will be relying on her
18 judgement about the involvement of
19 the shareholder."

20 He goes on to discuss when to involved
21 independent director David McFadden. If Mr. Houghton
22 had reported back to the board about KPMG's
23 involvement in the valuation, would Mr. McFadden have
24 known about it?

25 MS. SANDRA COOPER: Yes. And I -- I

1 want it to be clear that -- I'll -- I'll repeat myself
2 in that Mr. Houghton worked and reported quite -- very
3 closely with Mr. Muncaster and we, as the board,
4 received updates from time to time.

5 I was not copied on this email at the
6 time, from February 2011. And again, there would be
7 from time to time -- well, we would receive as the
8 board updates, Mr. Houghton did work closely and
9 reporting to Mr. Muncaster regularly.

10 MS. KATE MCGRANN: I'd like to ask you
11 some questions about what Mr. Muncaster wrote about
12 your involvement where he says you've been involved in
13 the previous consideration of having this valuation
14 done. And he goes on the say:

15 "I would suspect that we will be
16 relying on her judgement about the
17 involvement of the shareholder."

18 Do you remember having any
19 conversations with Mr. Muncaster or Mr. Houghton about
20 when or how to involve the shareholder?

21 MS. SANDRA COOPER: I don't recall a
22 direct conversation with the two (2) of them. Excuse
23 me. However, the information would come to the board.

24 And, as well, we had -- or at least for
25 my part, I depended on the knowledge in this business

1 sector with Mr. Muncaster, with Mr. McFadden. I had
2 confidence with their experience and knowledge,
3 background knowledge, that they would be able to
4 assist in providing me with information to -- to make
5 a decision when do you involved the sha -- such as
6 when do you involve the -- the shareholder.

7 MS. KATE MCGRANN: Do you remember
8 having discussions with Mr. Houghton or Mr. Muncaster
9 or Mr. McFadden together, separately about when the
10 town should be told that evaluations and option
11 analysis was being performed of Collus Power?

12 MS. SANDRA COOPER: I don't recall the
13 specifics; however, this discussion certainly would
14 have taken place.

15 MS. KATE MCGRANN: And you say you
16 don't recall the specifics. Do you generally recall
17 discussing the question of when to inform the town?

18 MS. SANDRA COOPER: Yes.

19 MS. KATE MCGRANN: What do you
20 remember about it?

21 MS. SANDRA COOPER: There was a
22 discussion of at what stage should the municipality be
23 informed, and so gathering the information first,
24 prior to presenting. And then I don't have the
25 schedule in front of me, but I know in fact after

1 that, there was -- when the information was all pulled
2 together, that that would be the appropriate time that
3 it be provided and presented to Council.

4 MS. KATE MCGRANN: Do you remember who
5 expressed that view?

6 MS. SANDRA COOPER: We would've had a
7 discussion and come to us a consensus on that and ev -
8 - that all parties discussing it would have come to a
9 consensus that -- the best time to provide the
10 information to Council.

11 MS. KATE MCGRANN: Okay. And I -- I
12 have heard you say that you don't recall specifics.
13 I'm just trying to understand everything that you do
14 recall about this.

15 MS. SANDRA COOPER: Yeah.

16 MS. KATE MCGRANN: Do you remember who
17 was involved in this discussion?

18

19 (BRIEF PAUSE)

20

21 MS. SANDRA COOPER: Mr. Houghton, Mr.
22 Muncaster, Mr. McFadden, myself. And I can't recall
23 others on the board, if they were involved in that
24 discussion. Mr. Garbutt pulled in to that discussion.
25 Actually, he wouldn't have been, sorry.

1 MS. KATE MCGRANN: Not Mr. Garut?

2 MS. SANDRA COOPER: No. He was on the
3 water, not the hydro.

4 MS. KATE MCGRANN: Do you remember
5 where the discussion took place?

6 MS. SANDRA COOPER: It would've been
7 at the boardroom at Stewart Road (phonetic).

8 MS. KATE MCGRANN: Do you remember how
9 long the discussion lasted?

10 MS. SANDRA COOPER: I don't recall how
11 long.

12 MS. KATE MCGRANN: And I understand
13 that you said that you reached consensus. Do you
14 remember if anyone asked any questions or suggested
15 that perhaps Council should be advised before the
16 report is available that this work was being done by
17 KPMG?

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

19 MS. KATE MCGRANN: Anything else that
20 you remember about that discussion that I haven't
21 asked you about?

22 MS. SANDRA COOPER: I just -- I'd like
23 to comment though again. The Collus board chair, Mr.
24 Muncaster, was -- had a lot of experience in business
25 corporation world, hibry -- highly respected and was

1 very knowledgeable. And I don't like to repeat
2 myself.

3 And, also, Mr. David McFadden, very
4 knowledgeable in the hydroelectricity industry, among
5 other areas as well and -- and very familiar with both
6 government policy in particular areas and someone that
7 I still today have a great deal of respect for in his
8 knowledge and input that he provided with -- with the
9 Collus Board.

10 MS. KATE MCGRANN: And I understand
11 you to be saying that the discuss -- in the discussion
12 that you've describe to us you all agreed that Council
13 shouldn't be advised about the valuation and options
14 analysis until after the work was done and the report
15 was ready?

16 MS. SANDRA COOPER: Well, yeah, skip -
17 - have the report available, and -- and then have
18 further discussion and -- and have those answers
19 already prepared to questions.

20 MS. KATE MCGRANN: In this paragraph
21 that were looking at, it starts by saying that Mr.
22 Erling sent Mr. Houghton a draft proposal. It is at
23 CPS2000. I'd like to take a look at the document with
24 you for a second.

25

1 (BRIEF PAUSE)

2

3 MS. KATE MCGRANN: This is a copy of
4 the draft proposal that KPMG sent to Mr. Houghton,
5 Chief Executive Officer Collus Power.

6 Did you ever see -- and if you'd like
7 to scroll through it to get a better sense of it,
8 please us know, but did you ever see this document?

9 MS. SANDRA COOPER: Would you scroll
10 through it, please? Thank you.

11

12 (BRIEF PAUSE)

13

14 MS. SANDRA COOPER: That's fine.
15 Thank you. I don't believe that I had seen the
16 letter; it's not addressed to me. I'm not CCed on it,
17 I believe we. And we haven't scroll down to that
18 part. However, I have not been CCed on it.

19 And again, I my -- I don't micro manage
20 either. I don't expect every -- every step of every
21 single item in the town or Collus to be -- come back
22 to me directly. So this would -- I've not co -- been
23 copied on this, nor is -- nor is it addressed to me.

24 MS. KATE MCGRANN: Could you scroll
25 back up to the top of the letter, please? So, in this

1 letter, KPMG rights that it's pleased to submit a
2 proposal to help you, Collus Power, and your
3 shareholder, the town of Collingwood, evaluate the
4 strategic options for ownership of your utility.

5 You didn't see a copy of this retainer
6 letter. Do you know if anyone from the town saw a
7 copy of this retainer letter before it was signed?

8 MS. SANDRA COOPER: I -- I don't know
9 that. It certainly -- I think the first paragraph
10 touches on evaluation of strategic op -- options is
11 something that was pointed out a number of times, but
12 I don't know who from the town of Collingwood may have
13 seen it.

14 MS. KATE MCGRANN: You've explained to
15 us that you have -- you've discussed and -- and
16 reached an agreement with Mr. Muncaster and Mr.
17 Houghton and Mr. McFadden that the town will be
18 advised of the fact of this evaluation and options
19 analysis until it's done.

20 This is the retainer letter that --
21 that starts it off. I'm just wondering KPMG is saying
22 that they're doing this to help Collus and the town.

23 MS. SANDRA COOPER: M-hm.

24 MS. KATE MCGRANN: Did anybody else
25 from the town know that they were getting this help

1 from KPMG?

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

3

4 (BRIEF PAUSE)

5

6 MS. KATE MCGRANN: I apologize if --
7 if I've asked this to you already, but I do want to
8 make sure that I know the answer.

9 Other than yourself, Mr. McFadden, Mr.
10 Muncaster, Mr. Houghton, and the individuals at KPMG
11 who are doing the valuation and option analysis, who
12 knew that this work was being done prior to the final
13 -- or the report being issued?

14 MS. SANDRA COOPER: The Board would be
15 aware of that. Sorry, the -- the Board was aware of
16 it.

17 MS. KATE MCGRANN: And who -- who did
18 that involve?

19 MS. SANDRA COOPER: There was also
20 Councillor Mike Edwards at the time, was a member of
21 the Board.

22 MS. KATE MCGRANN: And which board was
23 that, sorry?

24 MS. SANDRA COOPER: The Collus --

25 MS. KATE MCGRANN: Holding company or

1 Power?

2 MS. SANDRA COOPER: I'd have to go
3 back through and see specifics of that.

4 MS. KATE MCGRANN: Okay. So Mr.
5 Edwards knew, and how he learn of this?

6 MS. SANDRA COOPER: Well, he attended
7 Board meetings.

8 MS. KATE MCGRANN: Did you learn of it
9 because it was discussed at Board meetings?

10 MS. SANDRA COOPER: I would expect.

11 MS. KATE MCGRANN: So anybody else?

12 MS. SANDRA COOPER: Again, I don't,
13 and I did not micro-manage, so I'm -- on February --
14 there was a Council meeting in January -- no, maybe
15 not, no. I'm go -- I'm jumping a -- a year ahead, so
16 I apologize for that. Between '11 and '12 -- I don't
17 know who else from the Town was -- was aware of the
18 letter.

19 MS. KATE MCGRANN: I'm sorry, you were
20 talking from the letter. I know you've explained to
21 us that you reached an agreement with Mr. Muncaster,
22 Mr. McFadden, Mr. Houghton, that Council would not be
23 advised of the valuation and option analysis work
24 until it was done and the report was available, right?

25 MS. SANDRA COOPER: Yes. You want to

1 take information to them.

2 MS. KATE MCGRANN: So I'm trying to
3 understand who knew that this work was being done, the
4 -- the option -- the option analysis and valuation,
5 before KPMG provided a report? I think you said Mr.
6 Edwards.

7 MS. SANDRA COOPER: I believe the
8 Board.

9 MS. KATE MCGRANN: Anybody else?

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

11 MS. KATE MCGRANN: Look back -- what
12 would you look at -- you were going to --

13 MS. SANDRA COOPER: Foundation
14 Documents, and to see if I could find something.

15 MS. KATE MCGRANN: If we could go to
16 paragraph 165 of the Foundation Document.

17

18 (BRIEF PAUSE)

19

20 MS. KATE MCGRANN: And this is
21 February to April 23, 2019 May 24th, 2011. This
22 paragraph describes a slide presentation that KPMG
23 sent to Collus. The slide presentations is called
24 Collingwood Utility Services Review Options.

25 This paragraph goes on to describe the

1 slides, including that -- they talk about the
2 Provincial Government being expected to take steps to
3 encourage LDCs to consolidate and create larger
4 regional utility companies. It encourages Collingwood
5 to move quickly if it wants to sell its electric
6 utility, and it outlines options for the future of
7 Collus Power, four (4) of them. (1) maintaining full
8 ownership; (2) selling 100 percent of the company;
9 (3) selling a majority interest in the company; (4)
10 selling a minority interest in the company.

11 Do you remember, did you look at this
12 presentation when KPMG sent it over?

13 MS. SANDRA COOPER: I was not emailed
14 it, however, it would have been brought forward at a
15 Board meeting, I'm -- I'm guessing. I don't recall.

16 MS. KATE MCGRANN: Do you remember if
17 KPMG ever made a slide presentation to the Board about
18 its review options for Collus?

19 MS. SANDRA COOPER: Yes. I just -- I
20 don't recall the date.

21 MS. KATE MCGRANN: Do you recall who
22 made the presentation?

23 MS. SANDRA COOPER: It would have been
24 -- sorry, it was KPMG.

25 MS. KATE MCGRANN: Do you remember who

1 from KPMG made the presentation?

2 MS. SANDRA COOPER: I pause because
3 Jonathan Erling was there for -- one (1) of -- one (1)
4 of the three (3) John, Jonathans, were there for a
5 period of time and had to leave that file, and so
6 another one (1) of them came in, so I apologize for
7 not being so specific, but definitely it was a
8 representative of KPMG.

9 MS. KATE MCGRANN: The options
10 analysis slides look at four (4) options, and we just
11 went through them. In this slide presentation, KPMG
12 doesn't address the concept of a 50 percent share
13 sale.

14 Do you know if KPMG was ever asked to
15 analyse a 50 percent share sale by Collus Power?

16 MS. SANDRA COOPER: I don't recall
17 that. Looking at options for Collus was certainly the
18 focus, and I don't recall specific to KPMG suggesting
19 50 percent as an option. I don't recall that.

20 MS. KATE MCGRANN: Okay. You don't
21 recall them suggesting 50 percent as an option, but do
22 you know if -- if they were ever asked to assess 50
23 percent if Collus Power wanted to sell 50 percent,
24 would you give us your expert opinion on that? Were
25 they asked to do that?

1 MS. SANDRA COOPER: Since that time I
2 have reviewed several -- several Foundation Documents,
3 so I am attempting to recall something to tweak my
4 memory in that, and I don't recall how the discussion
5 began but there -- there was -- it was reviewed to
6 look at 50 percent as well, and KPMG, I believe, did
7 look at that moving forward.

8 MS. KATE MCGRANN: Can you tell me
9 what you do remember about that discussion and KPMG
10 looking at 50 percent moving forward?

11 MS. SANDRA COOPER: I don't recall the
12 discussion at the time, but as I've read some of the
13 Foundation Documents, the discussion was around the
14 finances -- financial piece as well, looking at
15 strategic partners, opportunities for -- for Collus.

16

17 (BRIEF PAUSE)

18

19 MS. KATE MCGRANN: I'm -- I'm
20 confused. I'm trying to think of a better way to ask
21 you this question in a way that I haven't asked it of
22 you already, but -- and I understand that you have
23 looked at a number of documents recently. I'm asking
24 you about -- questions about things that happened a
25 number of years ago.

1 I think that you're saying that you
2 don't have an independent recollection -- recollection
3 of KPMG being asked to look at a 50 percent share sale
4 back in 2011, but after reading documents in
5 preparation for the Inquiry, you have an idea that
6 maybe that was done.

7 Am I -- am I understanding you
8 properly?

9 MS. SANDRA COOPER: Well, at the
10 initial outset it was -- 50 percent was not specific,
11 however, moving forward 50 percent was -- the 50
12 percent partnership was introduced.

13 MS. KATE MCGRANN: I understand that
14 the concept of a 50 percent partnership was introduced
15 to Council and it became the subject of an RFP, and
16 we're going to -- were' going to look to that shortly.
17 I'm just trying to understand whether you're saying to
18 me that you've got a recollection that KPMG was asked
19 to analyse whether a 50 percent partnership was a good
20 idea for Collus Power.

21 MS. SANDRA COOPER: I'm trying to
22 recollect and I don't at this point.

23 MS. KATE MCGRANN: If we could turn to
24 paragraph 209 of the Foundation Document.

25

1 (BRIEF PAUSE)

2

3 MS. KATE MCGRANN: This paragraph
4 discusses an in camera presentation that Mr. Houghton
5 made to Council about a study that Collus was doing to
6 investigate strategic opportunities. It's a June
7 27th, 2011, presentations, so it's after KPMG has
8 delivered its report.

9 Do you remember Mr. Houghton making
10 this presentation to Council?

11 MS. SANDRA COOPER: Yes, I do, and
12 there were other staff there as well, yes.

13 MS. KATE MCGRANN: So what do you
14 remember about Mr. Houghton's presentation?

15 MS. SANDRA COOPER: The reference of
16 strategic opportunities, strategic partner --
17 strategic partner was talked about from there and
18 ongoing, and here saying strategic opportunities, and
19 -- and I recall strategic partners.

20 MS. KATE MCGRANN: This presentation
21 was made in camera. Do you remember why the
22 presentation was made in camera?

23 MS. SANDRA COOPER: Well, that's where
24 I depend on the Clerk to determine what would be in
25 camera item and if it was to be in closed session, and

1 I don't recall -- it would be listed on the minutes of
2 why -- why it is in camera.

3 MS. KATE MCGRANN: Okay. But you
4 don't have a recollection?

5 MS. SANDRA COOPER: Well, we'd have to
6 pull that out and I could agree with it.

7 MS. KATE MCGRANN: Well, we can take a
8 look at the minutes. They're at TOC516351.

9

10 (BRIEF PAUSE)

11

12 MS. KATE MCGRANN: I'm going to ask
13 you to direct the Court Operator to scroll up and down
14 so that you can see the information that you want to
15 refer to.

16 MS. SANDRA COOPER: M-hm. So just to
17 scroll up a little bit there; scroll down, sorry. So
18 proceeds in camera to pertain -- I would say security
19 of the property -- of the municipality or local board.
20 I would -- it would fall under that, I would suggest,
21 but I'm not the Clerk.

22 MS. KATE MCGRANN: Okay. And I'm
23 just trying to understand if you remember why this
24 particular topic was discussed in camera. If you
25 don't remember --

1 MS. SANDRA COOPER: Well, it would
2 have been a property matter.

3 MS. KATE MCGRANN: Do you recall if
4 during his presentation Mr. Houghton advised Council
5 that KPMG had done a valuation and an option analysis?

6 MS. SANDRA COOPER: I believe he did.
7 It wasn't an -- it was an analysis that was not done
8 in-house.

9 MS. KATE MCGRANN: Do You remember him
10 saying that it was an analysis that wasn't done in-
11 house?

12 MS. SANDRA COOPER: If I recollect
13 that he had said that it was KPMG had -- had prepared
14 this.

15 MS. KATE MCGRANN: Do you know why
16 KPMG didn't present directly to Council?

17 MS. SANDRA COOPER: No, I don't. I
18 didn't give -- didn't give it a thought.

19 MS. KATE MCGRANN: Do you know if the
20 reports that KPMG issued to Collus were shared with
21 Council?

22 MS. SANDRA COOPER: The presentations
23 -- I believe that KPMG certainly, along with some
24 staff at Collus, would have put a presentation
25 together.

1 MS. KATE MCGRANN: Well, we know that
2 on --

3 MS. SANDRA COOPER: We received
4 presentations at our board, Collus Board, and I
5 wouldn't second-guess why the consultant wouldn't be
6 in attendance.

7 MS. KATE MCGRANN: Well, I guess I'm
8 thinking the consultant did the work. We saw that the
9 consultant put together a slide presentation. That
10 slide presentation isn't delivered to Council.
11 Council received a different slide presentation. So I
12 wondered why KPMG didn't present -- you don't know.
13 I'm now wondering was KPMG's report, the thing you
14 were waiting for, and so that you could tell Council
15 and they could get answers to their questions in the
16 report -- was it given to Council?

17 MS. SANDRA COOPER: I had seen a KPMG
18 report and I did have that in my possession. I don't
19 recall if it was as a Board member or for the Town of
20 Collingwood. I don't recall which. I did have a -- I
21 don't have it now, but I did at that time.

22 MS. KATE MCGRANN: Were you ever
23 involved in any discussions about whether or not to
24 give the KPMG work product resulting from the option
25 analysis and valuation to Town Council?

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

3 MS. KATE MCGRANN: I'm just wondering
4 if there was -- I'm wondering if there was one (1) or
5 not.

6 MS. SANDRA COOPER: I don't -- I don't
7 know. I don't recall.

8 MS. KATE MCGRANN: Do you recall if a
9 decision was ever made or communicated to you about
10 whether or not the members of Council should receive
11 KPMG's work product from option and valuation
12 analysis?

13 MS. SANDRA COOPER: Sorry, could you
14 repeat that?

15 MS. KATE MCGRANN: Were you aware was
16 a decision ever made about whether or not the members
17 of Council should be given KPMG's work product?

18 MS. SANDRA COOPER: I -- I'm not aware
19 of that conversation.

20 MS. KATE MCGRANN: And you say you've
21 got a copy of KPMG's work product, but you don't know
22 whether you have it as a Board member or as a Council
23 member?

24 MS. SANDRA COOPER: At that time I
25 would have had it and likely as a Board member. It

1 likely was provided to me at a Board meeting.

2 MS. KATE MCGRANN: We're looking at
3 June 27th, 2011. Right now do you know if at any
4 point between June 27th, 2011, and July 31st, 2012,
5 the members of Town Council were provided with copies
6 of the work that KPMG had done for Collus?

7 MS. SANDRA COOPER: I -- I can't
8 recall.

9 MS. KATE MCGRANN: I'm looking at --

10 THE HONOURABLE FRANK MARROCCO: Are
11 you moving --

12 MS. KATE MCGRANN: -- the --

13 THE HONOURABLE FRANK MARROCCO: -- on
14 to something else?

15 MS. KATE MCGRANN: Yeah.

16 THE HONOURABLE FRANK MARROCCO: We may
17 as well stop. Do you have any idea, Ms. McGrann, when
18 you'll complete direct examination of the witness?

19 MS. KATE MCGRANN: I hope to complete
20 the direct examination tomorrow. Can I be more
21 specific than that? I would like --

22 THE HONOURABLE FRANK MARROCCO: Before
23 or --

24 MS. KATE MCGRANN: I would like to say
25 --

1 THE HONOURABLE FRANK MARROCCO: --

2 after lunch?

3 MS. KATE MCGRANN: By early afternoon.

4 THE HONOURABLE FRANK MARROCCO: All
5 right. That's just for your information, so you can
6 figure out the order of your cross-examination.

7

8 --- Upon recessing at 5:30 p.m.

9

10

11 Certified Correct,

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13

14 _____

15 Wendy Woodworth, Ms.

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