AGENDA - MUSKOKA COMPLIANCE AUDIT COMMITTEE MEETING
Wednesday July 29, 2015

A Muskoka Compliance Audit Committee meeting will be held on Wednesday July 29, 2015 at 9:00 a.m., in the Council Chambers, Municipal Offices, Port Carling, Ontario.

Page

1. Call to Order

2. Disclosure of Interest

3. Consideration of Applications for a Compliance Audit

a. Review Committee Mandate

b. Compliance Audit Applications

2-31

1. Chair to summarize application (per request)
2. Chair to request the Applicant or Applicant's Agent and Candidate or Candidate's Agent identify themselves.
3. Applicant or Applicant's Agent deputation.
4. Candidate or Candidate's Agent deputation
5. Committee to consider Application - resolution of Committee.
6. Committee to consider appointment of auditor, if required - resolutions of Committee.

4. Consideration of Auditor/Legal Reports

5. Closed Session

a. Committee in Closed Session may be held, if required, in accordance with Section 239 (2) and (3.1) of the Municipal Act, 2001.

6. Adjournment

a. Consideration of a resolution to adjourn.

Alan Gill
[redacted]

June 24, 2015

Ms. Cheryl Mortimer
Clerk
Township of Muskoka Lakes
1, Bailey Street
Port Carling, ON
P0B 1J0

Dear Ms. Mortimer,

Request for Complaince Audits, October 27, 2014 Municipal Election

With this letter I am submitting individual documentation requesting Compliance Audits on the reported expenses of the following candidates for office; D. Furniss, R. Brent, J.A. Baranick, G.P. Knight, G. McTaggart, L. Barrick-Spearn. This is all in compliance with The Municipal Election Act 1996.

I have also had each Application Request notarised as that appears to be a requirement on the form and is there for a reason; this was also the opinion of my lawyer.

I understand that the Compliance Audit Committee is made up of three members and one alternate. I believe that one of the members is working for the current Mayor, D. Furniss, as a consultant on certain matters. I am sure that this individual from an integrity standpoint would automatically recuse themselves from this particular audit.

The documentation accompanying each notarised application is as follows:

- Reasons for Requesting Compliance Audit
- Attachments A, B, C, D E
- Letter Ted McMeekin, Minister, Municipal Affairs and Housing.

Yours truly

Alan Gill

OCTOBER 27, 2014 MUNICIPAL ELECTION
APPLICATION REQUESTING COMPLIANCE AUDIT
OF A CANDIDATE'S ELECTION CAMPAIGN FINANCES

to be heard by the **Joint Compliance Audit Committee** for the Town of Bracebridge, The District Municipality of Muskoka, the Township of Georgian Bay, the Town of Gravenhurst, the Town of Huntsville, the Township of Lake of Bays, and the Township of Muskoka Lakes.

Contact Information of Applicant

Name:	ALAN GILL
Address:	[redacted]
Telephone number:	
Email address:	

Candidate Information

Name of Candidate:	D. FURNISS
Office of Candidate: (check one)	☑ Mayor ☐ Ward Councillor ☐ District Councillor

Application must be submitted to the municipality where the candidate ran for office.

- ☐ Town of Bracebridge
- ☐ Town of Gravenhurst
- ☐ District Municipality of Muskoka
- ☐ Township of Georgian Bay
- ☐ Town of Huntsville
- ☐ Township of Lake of Bays
- ☑ Township of Muskoka Lakes

Please note that a request for a compliance audit for a School Board Trustee must be directed to the Secretary of the applicable School Board.

Subsection 81 (1) of the Municipal Elections Act, 1996, (Act) states:

"An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act, relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances."

Reasons for requesting Compliance Audit
(attach additional documentation, if applicable)

Reasons for request are documented in the attached "Reasons for Requesting Compliance Audit, October 27 2014 Municipal Election, Township of Muskoka Lakes Pages 1 and 2." Also attached is background detail on this matter.

Chair to summarize application (per request)

Deadline for filing Application

The application must be made within ninety (90) days after the latest of the filing deadlines:

- June 25, 2015 would be the last day to file a compliance audit request for the December 31, 2014 reporting period (regular campaign period filing deadline is 2:00 p.m. on Friday, March 27, 2015);
- December 24, 2015 would be the last day to file a compliance audit request for the June 30, 2015 supplementary reporting period (supplementary campaign period filing deadline is 2:00 p.m. on September 25, 2015);
- Another deadline as provided for in Subsection 79.1 of the Act (return of surplus for subsequent expenses). if applicable; or
- The expiration of a filing extension pursuant to Subsection 80 (4) (court ordered extension); if any.

For more information please contact:

The Clerk in the municipality in which the Compliance Audit is being requested.

Personal Information included in this Application is collected under the authority of the Municipal Elections Act, 1996, and will be utilized for the processing of the request for a Compliance Audit of a candidate's election campaign finances. Any questions regarding the collection of this information should be directed to the Director of Corporate Services/Clerk @ 705-645-6319 Ext. 243

Recovery of Costs

If the Compliance Audit Committee report indicates that there was no apparent contravention by a candidate and the committee finds that there were no reasonable grounds for the application, the council or local boards is entitled to recover the auditor's costs from the application.

Please note that faxed or emailed Applications will not be accepted.

Sworn before me in the ~~Town~~ City of TORONTO

in the PROVINCE OF ONTARIO

this 24 day of JUNE

2015.

DAVID MREJEN

Commissioner of Oaths for taking Affidavits

David Mrejen
Notary Public
2300 Yonge Street suite 1600
Toronto, Ontario M4P 1E4
416-830-3456

Signature of Applicant

RYAN GILL

Chair to summarize application (per request)

REASONS F0R REQUESTING COMPLIANCE AUDIT
OCTOBER 27, 2014 MINICIPAL ELECTION
TOWNSHIP OF MUSKOKA LAKES

Extracts from The Municipal Elections Act 1996 and Sept 10, 2014 Letter from Ted McMeekin, Minister of Municipal Affairs and Housing

"There is nothing in The Municipal Elections Act, 1996 that would prevent like-minded candidates from campaigning on the same platform or identifying themselves as a group or slate".

However, each candidate MUST keep their campaign finances separate and any joint expenses (for example, signs with two candidates' names on them) MUST be divided between the campaigns".

The website "peopleforprobity.com" was created in May 2014. It has been stated (see Bracebridge Examiner Sept 12, 2014 **Attachment A**) by Mr. Furniss that the advertising website "is a platform for approximately 5 individuals.... who share the same ideals listed there". It was also stated that the site does not belong to a political party but "just a group of like-minded candidates".

In the same article Mr Furniss states that "Nobody is supporting (the website). It is just something that I created and the other individuals who are on it basically subscribe to these philosophies." An alliance was formed among five candidates.

The above comments and pictures clearly identify the named candidates as a group or slate as described in The Municipal Elections Act 1996. By extension this would demand that any expenses related to the running of the website (or other joint beneficial advertising or promotion) must be "divided between the campaigns" (MEA, 1996).

Attachment B (What's Up Muskoka October 8, 2014), at the bottom of the page expressly states "Elect People for Probity candidates" and lists the six individuals on whom this Compliance Audit is requested. This clearly identifies the candidates as a group or slate. The Act, while not prohibiting candidates from campaigning on the same platform or identifying themselves as a group or slate, is clear that each candidate must keep their campaign finances separate and any joint expenses must be divided between

campaigns and reported individually. Attachment B clearly had to be paid for yet several candidates show no expenses for this in their file statements.

2014 Municipal Elections. Financial Statements of Candidates

An examination of the on-line filed accounts of the slate candidates reveals the following in the two major categories that would be expected to show costs for the "peopleforprobity" site; a site from which they received benefit and for paid newspaper promotions.

Candidate	Advertising	Phone and/or Internet Expenses
Furniss, D.	$1683.70	$3344.09
Brent, R.	nil	nil
Baranick, J.A.	nil	nil
Knight, G.P.	$2490.75	nil
McTaggart, G	nil	nil
Barrick-Spearn L	nil	nil

It does not seem reasonable in light of all the evidence provided that in 4 out of 6 cases there are no "shared" costs; have these been absorbed by other candidates; if such is the case then those recorded submissions may well be incorrect.

Candidates have ably demonstrated and defended their knowledge on what a group or slate is then by extension should they not be equally familiar with the formulae for expenses which is in the same section of the Act?

In that no detailed audit is performed on submitted Campaign Finances at the Municipal level and given the above comments it would appear that both the spirit and letter of the Municipal Elections Act, 1996 demands a Compliance Audit on all the above filed statements.

Given the foregoing I am accordingly requesting a Compliance Audit on the Candidate named in this application.

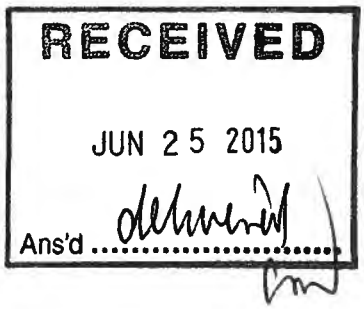
Alan Gill

June 24 2015

Chair to summarize application (per request)

Alan Gill
[redacted]

June 24, 2015



Ms. Cheryl Mortimer
Clerk
Township of Muskoka Lakes
1, Bailey Street
Port Carling, ON
P0B 1J0

Dear Ms. Mortimer,

Request for Complaince Audits, October 27, 2014 Municipal Election

With this letter I am submitting individual documentation requesting Compliance Audits on the reported expenses of the following candidates for office; D. Furniss, R. Brent, J.A. Baranick, G.P. Knight, G. McTaggart, L. Barrick-Spearn. This is all in compliance with The Municipal Election Act 1996.

I have also had each Application Request notarised as that appears to be a requirement on the form and is there for a reason; this was also the opinion of my lawyer.

I understand that the Compliance Audit Committee is made up of three members and one alternate. I believe that one of the members is working for the current Mayor, D. Furniss, as a consultant on certain matters. I am sure that this individual from an integrity standpoint would automatically recuse themselves from this particular audit.

The documentation accompanying each notarised application is as follows:

- Reasons for Requesting Compliance Audit
- Attachments A, B, C, D E
- Letter Ted McMeekin, Minister, Municipal Affairs and Housing.

Yours truly

Alan Gill

OCTOBER 27, 2014 MUNICIPAL ELECTION
APPLICATION REQUESTING COMPLIANCE AUDIT
OF A CANDIDATE'S ELECTION CAMPAIGN FINANCES

to be heard by the **Joint Compliance Audit Committee** for the Town of Bracebridge, The District Municipality of Muskoka, the Township of Georgian Bay, the Town of Gravenhurst, the Town of Huntsville, the Township of Lake of Bays, and the Township of Muskoka Lakes.

Contact Information of Applicant

Name:	ALAN GILL
Address:	[redacted]
Telephone number:	
Email address:	

Candidate Information

Name of Candidate:	G. McTaggart
Office of Candidate: (check one)	☐ Mayor ☑ Ward Councillor ☐ District Councillor

Application must be submitted to the municipality where the candidate ran for office.

☐ Town of Bracebridge	☐ Town of Gravenhurst
☐ District Municipality of Muskoka	☐ Township of Georgian Bay
☐ Town of Huntsville	☐ Township of Lake of Bays
☑ Township of Muskoka Lakes	

Please note that a request for a compliance audit for a School Board Trustee must be directed to the Secretary of the applicable School Board.

Subsection 81 (1) of the Municipal Elections Act, 1996, (Act) states:

"An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act, relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances."

Reasons for requesting Compliance Audit
(attach additional documentation, if applicable)

Reasons for request are documented in the attached "Reasons for Requesting Compliance Audit, October 27 2014 Municipal Election, Township of Muskoka Lakes Pages 1 and 2." Also attached is background detail on this matter

Chair to summarize application (per request)

Deadline for filing Application

The application must be made within ninety (90) days after the latest of the filing deadlines:

- June 25, 2015 would be the last day to file a compliance audit request for the December 31, 2014 reporting period (regular campaign period filing deadline is 2:00 p.m. on Friday, March 27, 2015);
- December 24, 2015 would be the last day to file a compliance audit request for the June 30, 2015 supplementary reporting period (supplementary campaign period filing deadline is 2:00 p.m. on September 25, 2015);
- Another deadline as provided for in Subsection 79.1 of the Act (return of surplus for subsequent expenses). if applicable; or
- The expiration of a filing extension pursuant to Subsection 80 (4) (court ordered extension); if any.

For more information please contact:

The Clerk in the municipality in which the Compliance Audit is being requested.

Personal Information included in this Application is collected under the authority of the Municipal Elections Act, 1996, and will be utilized for the processing of the request for a Compliance Audit of a candidate's election campaign finances. Any questions regarding the collection of this information should be directed to the Director of Corporate Services/Clerk @ 705-645-6319 Ext. 243

Recovery of Costs

If the Compliance Audit Committee report indicates that there was no apparent contravention by a candidate and the committee finds that there were no reasonable grounds for the application, the council or local boards is entitled to recover the auditor's costs from the application.

Please note that faxed or emailed Applications will not be accepted.

Sworn before me in the ~~Town~~ City of Toronto

in the Province of Ontario,

this 24 day of June,

2015.

DAVID MREJEN

Commissioner of Oaths for taking Affidavits

Signature of Applicant

ALAN GILL

David Mrejen
Notary Public
2300 Yonge Street suite 1600
Toronto, Ontario M4P 1E4
416-830-3456

Chair to summarize application (per request)

REASONS F0R REQUESTING COMPLIANCE AUDIT
OCTOBER 27, 2014 MINICIPAL ELECTION
TOWNSHIP OF MUSKOKA LAKES

Extracts from The Municipal Elections Act 1996 and Sept 10, 2014 Letter from Ted McMeekin, Minister of Municipal Affairs and Housing

"There is nothing in The Municipal Elections Act, 1996 that would prevent like-minded candidates from campaigning on the same platform or identifying themselves as a group or slate".

However, each candidate MUST keep their campaign finances separate and any joint expenses (for example, signs with two candidates' names on them) MUST be divided between the campaigns".

The website "peopleforprobity.com" was created in May 2014. It has been stated (see Bracebridge Examiner Sept 12, 2014 **Attachment A**) by Mr. Furniss that the advertising website "is a platform for approximately 5 individuals.... who share the same ideals listed there". It was also stated that the site does not belong to a political party but "just a group of like-minded candidates".

In the same article Mr Furniss states that "Nobody is supporting (the website). It is just something that I created and the other individuals who are on it basically subscribe to these philosophies." An alliance was formed among five candidates.

The above comments and pictures clearly identify the named candidates as a group or slate as described in The Municipal Elections Act 1996. By extension this would demand that any expenses related to the running of the website (or other joint beneficial advertising or promotion) must be "divided between the campaigns" (MEA, 1996).

Attachment B (What's Up Muskoka October 8, 2014), at the bottom of the page expressly states "Elect People for Probity candidates" and lists the six individuals on whom this Compliance Audit is requested. This clearly identifies the candidates as a group or slate. The Act, while not prohibiting candidates from campaigning on the same platform or identifying themselves as a group or slate, is clear that each candidate must keep their campaign finances separate and any joint expenses must be divided between

campaigns and reported individually. Attachment B clearly had to be paid for yet several candidates show no expenses for this in their file statements.

2014 Municipal Elections. Financial Statements of Candidates

An examination of the on-line filed accounts of the slate candidates reveals the following in the two major categories that would be expected to show costs for the "peopleforprobity" site; a site from which they received benefit and for paid newspaper promotions.

Candidate	Advertising	Phone and/or Internet Expenses
Furniss, D.	$1683.70	$3344.09
Brent, R.	nil	nil
Baranick, J.A.	nil	nil
Knight, G.P.	$2490.75	nil
McTaggart, G	nil	nil
Barrick-Spearn L	nil	nil

It does not seem reasonable in light of all the evidence provided that in 4 out of 6 cases there are no "shared" costs; have these been absorbed by other candidates; if such is the case then those recorded submissions may well be incorrect.

Candidates have ably demonstrated and defended their knowledge on what a group or slate is then by extension should they not be equally familiar with the formulae for expenses which is in the same section of the Act?

In that no detailed audit is performed on submitted Campaign Finances at the Municipal level and given the above comments it would appear that both the spirit and letter of the Municipal Elections Act, 1996 demands a Compliance Audit on all the above filed statements.

Given the foregoing I am accordingly requesting a Compliance Audit on the Candidate named in this application.

Alan Gill

June 24 2015

Alan Gill
[redacted]

June 24, 2015

Ms. Cheryl Mortimer
Clerk
Township of Muskoka Lakes
1, Bailey Street
Port Carling, ON
P0B 1J0

Dear Ms. Mortimer,

Request for Complaince Audits, October 27, 2014 Municipal Election

With this letter I am submitting individual documentation requesting Compliance Audits on the reported expenses of the following candidates for office; D. Furniss, R. Brent, J.A. Baranick, G.P. Knight, G. McTaggart, L. Barrick-Spearn. This is all in compliance with The Municipal Election Act 1996.

I have also had each Application Request notarised as that appears to be a requirement on the form and is there for a reason; this was also the opinion of my lawyer.

I understand that the Compliance Audit Committee is made up of three members and one alternate. I believe that one of the members is working for the current Mayor, D. Furniss, as a consultant on certain matters. I am sure that this individual from an integrity standpoint would automatically recuse themselves from this particular audit.

The documentation accompanying each notarised application is as follows:

- Reasons for Requesting Compliance Audit
- Attachments A, B, C, D E
- Letter Ted McMeekin, Minister, Municipal Affairs and Housing.

Yours truly

Alan Gill

OCTOBER 27, 2014 MUNICIPAL ELECTION
APPLICATION REQUESTING COMPLIANCE AUDIT
OF A CANDIDATE'S ELECTION CAMPAIGN FINANCES

to be heard by the **Joint Compliance Audit Committee** for the Town of Bracebridge, The District Municipality of Muskoka, the Township of Georgian Bay, the Town of Gravenhurst, the Town of Huntsville, the Township of Lake of Bays, and the Township of Muskoka Lakes.

Contact Information of Applicant

Name:	ALAN GIBB
Address:	[redacted]
Telephone number:	
Email address:	

Candidate Information

Name of Candidate:	J. A. BARWICK
Office of Candidate: (check one)	☐ Mayor ☑ Ward Councillor ☐ District Councillor

Application must be submitted to the municipality where the candidate ran for office.

☐ Town of Bracebridge
☐ Town of Gravenhurst
☐ District Municipality of Muskoka
☐ Township of Georgian Bay
☐ Town of Huntsville
☐ Township of Lake of Bays
☑ Township of Muskoka Lakes

Please note that a request for a compliance audit for a School Board Trustee must be directed to the Secretary of the applicable School Board.

Subsection 81 (1) of the Municipal Elections Act, 1996, (Act) states:

"An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act, relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances."

Reasons for requesting Compliance Audit
(attach additional documentation, if applicable)

Reasons for request are documented in the attached "Reasons for Requesting Compliance Audit, October 27, 2014 Municipal Election, Township of Muskoka Lakes Pages 1 and 2". Also attached is background detail on this matter

Chair to summarize application (per request)

Deadline for filing Application

The application must be made within ninety (90) days after the latest of the filing deadlines:

- June 25, 2015 would be the last day to file a compliance audit request for the December 31, 2014 reporting period (regular campaign period filing deadline is 2:00 p.m. on Friday, March 27, 2015);
- December 24, 2015 would be the last day to file a compliance audit request for the June 30, 2015 supplementary reporting period (supplementary campaign period filing deadline is 2:00 p.m. on September 25, 2015);
- Another deadline as provided for in Subsection 79.1 of the Act (return of surplus for subsequent expenses). if applicable; or
- The expiration of a filing extension pursuant to Subsection 80 (4) (court ordered extension); if any.

For more information please contact:

The Clerk in the municipality in which the Compliance Audit is being requested.

Personal Information included in this Application is collected under the authority of the Municipal Elections Act, 1996, and will be utilized for the processing of the request for a Compliance Audit of a candidate's election campaign finances. Any questions regarding the collection of this information should be directed to the Director of Corporate Services/Clerk @ 705-645-6319 Ext. 243

Recovery of Costs

If the Compliance Audit Committee report indicates that there was no apparent contravention by a candidate and the committee finds that there were no reasonable grounds for the application, the council or local boards is entitled to recover the auditor's costs from the application.

Please note that faxed or emailed Applications will not be accepted.

Sworn before me in the ~~Town~~ CITY of TORONTO

in the PROVINCE OF ONTARIO

this 27 day of JUNE

2015.

Commissioner of Oaths for taking Affidavits

Signature of Applicant

DAVID MREJEN

David Mrejen
Notary Public
2300 Yonge Street suite 1600
Toronto, Ontario M4P 1E4
416-830-3456

ALAN GILL

Chair to summarize application (per request)

REASONS F0R REQUESTING COMPLIANCE AUDIT
OCTOBER 27, 2014 MINICIPAL ELECTION
TOWNSHIP OF MUSKOKA LAKES

Extracts from The Municipal Elections Act 1996 and Sept 10, 2014 Letter from Ted McMeekin, Minister of Municipal Affairs and Housing

"There is nothing in The Municipal Elections Act, 1996 that would prevent like-minded candidates from campaigning on the same platform or identifying themselves as a group or slate".

However, each candidate MUST keep their campaign finances separate and any joint expenses (for example, signs with two candidates' names on them) MUST be divided between the campaigns".

The website "peopleforprobity.com" was created in May 2014. It has been stated (see Bracebridge Examiner Sept 12, 2014 **Attachment A**) by Mr. Furniss that the advertising website "is a platform for approximately 5 individuals.... who share the same ideals listed there". It was also stated that the site does not belong to a political party but "just a group of like-minded candidates".

In the same article Mr Furniss states that "Nobody is supporting (the website). It is just something that I created and the other individuals who are on it basically subscribe to these philosophies." An alliance was formed among five candidates.

The above comments and pictures clearly identify the named candidates as a group or slate as described in The Municipal Elections Act 1996. By extension this would demand that any expenses related to the running of the website (or other joint beneficial advertising or promotion) must be "divided between the campaigns" (MEA, 1996).

Attachment B (What's Up Muskoka October 8, 2014), at the bottom of the page expressly states "Elect People for Probity candidates" and lists the six individuals on whom this Compliance Audit is requested. This clearly identifies the candidates as a group or slate. The Act, while not prohibiting candidates from campaigning on the same platform or identifying themselves as a group or slate, is clear that each candidate must keep their campaign finances separate and any joint expenses must be divided between

campaigns and reported individually. Attachment B clearly had to be paid for yet several candidates show no expenses for this in their file statements.

2014 Municipal Elections. Financial Statements of Candidates

An examination of the on-line filed accounts of the slate candidates reveals the following in the two major categories that would be expected to show costs for the "peopleforprobity" site; a site from which they received benefit and for paid newspaper promotions.

Candidate	Advertising	Phone and/or Internet Expenses
Furniss, D.	$1683.70	$3344.09
Brent, R.	nil	nil
Baranick, J.A.	nil	nil
Knight, G.P.	$2490.75	nil
McTaggart, G	nil	nil
Barrick-Spearn L	nil	nil

It does not seem reasonable in light of all the evidence provided that in 4 out of 6 cases there are no "shared" costs; have these been absorbed by other candidates; if such is the case then those recorded submissions may well be incorrect.

Candidates have ably demonstrated and defended their knowledge on what a group or slate is then by extension should they not be equally familiar with the formulae for expenses which is in the same section of the Act?

In that no detailed audit is performed on submitted Campaign Finances at the Municipal level and given the above comments it would appear that both the spirit and letter of the Municipal Elections Act, 1996 demands a Compliance Audit on all the above filed statements.

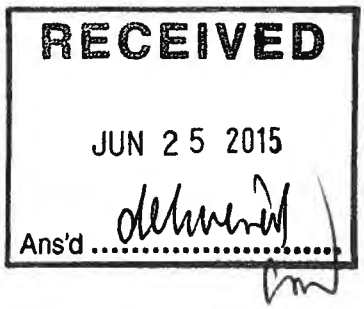
Given the foregoing I am accordingly requesting a Compliance Audit on the Candidate named in this application.

Alan Gill

June 24 2015

Alan Gill
[redacted]

June 24, 2015



Ms. Cheryl Mortimer
Clerk
Township of Muskoka Lakes
1, Bailey Street
Port Carling, ON
P0B 1J0

Dear Ms. Mortimer,

Request for Complaince Audits, October 27, 2014 Municipal Election

With this letter I am submitting individual documentation requesting Compliance Audits on the reported expenses of the following candidates for office; D. Furniss, R. Brent, J.A. Baranick, G.P. Knight, G. McTaggart, L. Barrick-Spearn. This is all in compliance with The Municipal Election Act 1996.

I have also had each Application Request notarised as that appears to be a requirement on the form and is there for a reason; this was also the opinion of my lawyer.

I understand that the Compliance Audit Committee is made up of three members and one alternate. I believe that one of the members is working for the current Mayor, D. Furniss, as a consultant on certain matters. I am sure that this individual from an integrity standpoint would automatically recuse themselves from this particular audit.

The documentation accompanying each notarised application is as follows:

- Reasons for Requesting Compliance Audit
- Attachments A, B, C, D E
- Letter Ted McMeekin, Minister, Municipal Affairs and Housing.

Yours truly

Alan Gill

OCTOBER 27, 2014 MUNICIPAL ELECTION
APPLICATION REQUESTING COMPLIANCE AUDIT
OF A CANDIDATE'S ELECTION CAMPAIGN FINANCES

to be heard by the **Joint Compliance Audit Committee** for the Town of Bracebridge, The District Municipality of Muskoka, the Township of Georgian Bay, the Town of Gravenhurst, the Town of Huntsville, the Township of Lake of Bays, and the Township of Muskoka Lakes.

Contact Information of Applicant

Name:	ALAN GILL
Address:	[redacted]
Telephone number:	
Email address:	

Candidate Information

Name of Candidate:	LINDA BARRICK - SPEARN
Office of Candidate: (check one)	☐ Mayor ☑ Ward Councillor ☐ District Councillor

Application must be submitted to the municipality where the candidate ran for office.

☐ Town of Bracebridge	☐ Town of Gravenhurst
☐ District Municipality of Muskoka	☐ Township of Georgian Bay
☐ Town of Huntsville	☐ Township of Lake of Bays
☑ Township of Muskoka Lakes	

Please note that a request for a compliance audit for a School Board Trustee must be directed to the Secretary of the applicable School Board.

Subsection 81 (1) of the Municipal Elections Act, 1996, (Act) states:

"An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act, relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances."

Reasons for requesting Compliance Audit
(attach additional documentation, if applicable)

Reasons for request are documented in the attached "Reasons for Requesting Compliance Audit, October 27, 2014 Municipal Election, Township of Muskoka Lakes Pages 1 and 2." Also attached is background detail on this matter

Chair to summarize application (per request)

Deadline for filing Application

The application must be made within ninety (90) days after the latest of the filing deadlines:

- June 25, 2015 would be the last day to file a compliance audit request for the December 31, 2014 reporting period (regular campaign period filing deadline is 2:00 p.m. on Friday, March 27, 2015);
- December 24, 2015 would be the last day to file a compliance audit request for the June 30, 2015 supplementary reporting period (supplementary campaign period filing deadline is 2:00 p.m. on September 25, 2015);
- Another deadline as provided for in Subsection 79.1 of the Act (return of surplus for subsequent expenses). if applicable; or
- The expiration of a filing extension pursuant to Subsection 80 (4) (court ordered extension); if any.

For more information please contact:

The Clerk in the municipality in which the Compliance Audit is being requested.

Personal Information included in this Application is collected under the authority of the Municipal Elections Act, 1996, and will be utilized for the processing of the request for a Compliance Audit of a candidate's election campaign finances. Any questions regarding the collection of this information should be directed to the Director of Corporate Services/Clerk @ 705-645-6319 Ext. 243

Recovery of Costs

If the Compliance Audit Committee report indicates that there was no apparent contravention by a candidate and the committee finds that there were no reasonable grounds for the application, the council or local boards is entitled to recover the auditor's costs from the application.

Please note that faxed or emailed Applications will not be accepted.

Sworn before me in the ~~Town~~ CITY of TORONTO

in the PROVINCE OF ONTARIO,

this 24 day of JUNE,

2015.

DAVID MREJEN

Commissioner of Oaths for taking Affidavits

David Mrejen
Notary Public
2300 Yonge Street suite 1600
Toronto, Ontario M4P 1E4
416-830-3456

Signature of Applicant

ALAN GILL.

Chair to summarize application (per request)

REASONS F0R REQUESTING COMPLIANCE AUDIT
OCTOBER 27, 2014 MINICIPAL ELECTION
TOWNSHIP OF MUSKOKA LAKES

Extracts from The Municipal Elections Act 1996 and Sept 10, 2014 Letter from Ted McMeekin, Minister of Municipal Affairs and Housing

"There is nothing in The Municipal Elections Act, 1996 that would prevent like-minded candidates from campaigning on the same platform or identifying themselves as a group or slate".

However, each candidate MUST keep their campaign finances separate and any joint expenses (for example, signs with two candidates' names on them) MUST be divided between the campaigns".

The website "peopleforprobity.com" was created in May 2014. It has been stated (see Bracebridge Examiner Sept 12, 2014 **Attachment A**) by Mr. Furniss that the advertising website "is a platform for approximately 5 individuals.... who share the same ideals listed there". It was also stated that the site does not belong to a political party but "just a group of like-minded candidates".

In the same article Mr Furniss states that "Nobody is supporting (the website). It is just something that I created and the other individuals who are on it basically subscribe to these philosophies." An alliance was formed among five candidates.

The above comments and pictures clearly identify the named candidates as a group or slate as described in The Municipal Elections Act 1996. By extension this would demand that any expenses related to the running of the website (or other joint beneficial advertising or promotion) must be "divided between the campaigns" (MEA, 1996).

Attachment B (What's Up Muskoka October 8, 2014), at the bottom of the page expressly states "Elect People for Probity candidates" and lists the six individuals on whom this Compliance Audit is requested. This clearly identifies the candidates as a group or slate. The Act, while not prohibiting candidates from campaigning on the same platform or identifying themselves as a group or slate, is clear that each candidate must keep their campaign finances separate and any joint expenses must be divided between

campaigns and reported individually. Attachment B clearly had to be paid for yet several candidates show no expenses for this in their file statements.

2014 Municipal Elections. Financial Statements of Candidates

An examination of the on-line filed accounts of the slate candidates reveals the following in the two major categories that would be expected to show costs for the "peopleforprobity" site; a site from which they received benefit and for paid newspaper promotions.

Candidate	Advertising	Phone and/or Internet Expenses
Furniss, D.	$1683.70	$3344.09
Brent, R.	nil	nil
Baranick, J.A.	nil	nil
Knight, G.P.	$2490.75	nil
McTaggart, G	nil	nil
Barrick-Spearn L	nil	nil

It does not seem reasonable in light of all the evidence provided that in 4 out of 6 cases there are no "shared" costs; have these been absorbed by other candidates; if such is the case then those recorded submissions may well be incorrect.

Candidates have ably demonstrated and defended their knowledge on what a group or slate is then by extension should they not be equally familiar with the formulae for expenses which is in the same section of the Act?

In that no detailed audit is performed on submitted Campaign Finances at the Municipal level and given the above comments it would appear that both the spirit and letter of the Municipal Elections Act, 1996 demands a Compliance Audit on all the above filed statements.

Given the foregoing I am accordingly requesting a Compliance Audit on the Candidate named in this application.

Alan Gill

June 24 2015

Alan Gill
[redacted]

June 24, 2015

Ms. Cheryl Mortimer
Clerk
Township of Muskoka Lakes
1, Bailey Street
Port Carling, ON
P0B 1J0

Dear Ms. Mortimer,

Request for Complaince Audits, October 27, 2014 Municipal Election

With this letter I am submitting individual documentation requesting Compliance Audits on the reported expenses of the following candidates for office; D. Furniss, R. Brent, J.A. Baranick, G.P. Knight, G. McTaggart, L. Barrick-Spearn. This is all in compliance with The Municipal Election Act 1996.

I have also had each Application Request notarised as that appears to be a requirement on the form and is there for a reason; this was also the opinion of my lawyer.

I understand that the Compliance Audit Committee is made up of three members and one alternate. I believe that one of the members is working for the current Mayor, D. Furniss, as a consultant on certain matters. I am sure that this individual from an integrity standpoint would automatically recuse themselves from this particular audit.

The documentation accompanying each notarised application is as follows:

- Reasons for Requesting Compliance Audit
- Attachments A, B, C, D E
- Letter Ted McMeekin, Minister, Municipal Affairs and Housing.

Yours truly

Alan Gill

OCTOBER 27, 2014 MUNICIPAL ELECTION
APPLICATION REQUESTING COMPLIANCE AUDIT
OF A CANDIDATE'S ELECTION CAMPAIGN FINANCES

to be heard by the **Joint Compliance Audit Committee** for the Town of Bracebridge, The District Municipality of Muskoka, the Township of Georgian Bay, the Town of Gravenhurst, the Town of Huntsville, the Township of Lake of Bays, and the Township of Muskoka Lakes.

Contact Information of Applicant

Name:	ALAN GILL
Address:	[redacted]
Telephone number:	
Email address:	

Candidate Information

Name of Candidate:	R. BRENT
Office of Candidate: (check one)	☐ Mayor ☐ Ward Councillor ☑ District Councillor

Application must be submitted to the municipality where the candidate ran for office.

☐ Town of Bracebridge	☐ Town of Gravenhurst
☐ District Municipality of Muskoka	☐ Township of Georgian Bay
☐ Town of Huntsville	☐ Township of Lake of Bays
☑ Township of Muskoka Lakes	

Please note that a request for a compliance audit for a School Board Trustee must be directed to the Secretary of the applicable School Board.

Subsection 81 (1) of the Municipal Elections Act, 1996, (Act) states:

"An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act, relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances."

Reasons for requesting Compliance Audit
(attach additional documentation, if applicable)

Reasons for request are documented in the attached "Reasons for Requesting Compliance Audit, October 27, 2014 Municipal Election, Township of Muskoka Lakes Pages 1 and 2." Also attached is background detail on this matter

Chair to summarize application (per request)

Deadline for filing Application

The application must be made within ninety (90) days after the latest of the filing deadlines:

- June 25, 2015 would be the last day to file a compliance audit request for the December 31, 2014 reporting period (regular campaign period filing deadline is 2:00 p.m. on Friday, March 27, 2015);
- December 24, 2015 would be the last day to file a compliance audit request for the June 30, 2015 supplementary reporting period (supplementary campaign period filing deadline is 2:00 p.m. on September 25, 2015);
- Another deadline as provided for in Subsection 79.1 of the Act (return of surplus for subsequent expenses). if applicable; or
- The expiration of a filing extension pursuant to Subsection 80 (4) (court ordered extension); if any.

For more information please contact:

The Clerk in the municipality in which the Compliance Audit is being requested.

Personal Information included in this Application is collected under the authority of the Municipal Elections Act, 1996, and will be utilized for the processing of the request for a Compliance Audit of a candidate's election campaign finances. Any questions regarding the collection of this information should be directed to the Director of Corporate Services/Clerk @ 705-645-6319 Ext. 243

Recovery of Costs

If the Compliance Audit Committee report indicates that there was no apparent contravention by a candidate and the committee finds that there were no reasonable grounds for the application, the council or local boards is entitled to recover the auditor's costs from the application.

Please note that faxed or emailed Applications will not be accepted.

Sworn before me in the ~~Town~~ City of Toronto

in the Province of Ontario

this 24 day of June

2015.

DAVID MREJEN

Commissioner of Oaths for taking Affidavits

David Mrejen
Notary Public
2300 Yonge Street suite 1600
Toronto, Ontario M4P 1E4
416-630-3456

Signature of Applicant

Chair to summarize application (per request)

REASONS F0R REQUESTING COMPLIANCE AUDIT
OCTOBER 27, 2014 MINICIPAL ELECTION
TOWNSHIP OF MUSKOKA LAKES

Extracts from The Municipal Elections Act 1996 and Sept 10, 2014 Letter from Ted McMeekin, Minister of Municipal Affairs and Housing

"There is nothing in The Municipal Elections Act, 1996 that would prevent like-minded candidates from campaigning on the same platform or identifying themselves as a group or slate".

However, each candidate MUST keep their campaign finances separate and any joint expenses (for example, signs with two candidates' names on them) MUST be divided between the campaigns".

The website "peopleforprobity.com" was created in May 2014. It has been stated (see Bracebridge Examiner Sept 12, 2014 **Attachment A**) by Mr. Furniss that the advertising website "is a platform for approximately 5 individuals.... who share the same ideals listed there". It was also stated that the site does not belong to a political party but "just a group of like-minded candidates".

In the same article Mr Furniss states that "Nobody is supporting (the website). It is just something that I created and the other individuals who are on it basically subscribe to these philosophies." An alliance was formed among five candidates.

The above comments and pictures clearly identify the named candidates as a group or slate as described in The Municipal Elections Act 1996. By extension this would demand that any expenses related to the running of the website (or other joint beneficial advertising or promotion) must be "divided between the campaigns" (MEA, 1996).

Attachment B (What's Up Muskoka October 8, 2014), at the bottom of the page expressly states "Elect People for Probity candidates" and lists the six individuals on whom this Compliance Audit is requested. This clearly identifies the candidates as a group or slate. The Act, while not prohibiting candidates from campaigning on the same platform or identifying themselves as a group or slate, is clear that each candidate must keep their campaign finances separate and any joint expenses must be divided between

campaigns and reported individually. Attachment B clearly had to be paid for yet several candidates show no expenses for this in their file statements.

2014 Municipal Elections. Financial Statements of Candidates

An examination of the on-line filed accounts of the slate candidates reveals the following in the two major categories that would be expected to show costs for the "peopleforprobity" site; a site from which they received benefit and for paid newspaper promotions.

Candidate	Advertising	Phone and/or Internet Expenses
Furniss, D.	$1683.70	$3344.09
Brent, R.	nil	nil
Baranick, J.A.	nil	nil
Knight, G.P.	$2490.75	nil
McTaggart, G	nil	nil
Barrick-Spearn L	nil	nil

It does not seem reasonable in light of all the evidence provided that in 4 out of 6 cases there are no "shared" costs; have these been absorbed by other candidates; if such is the case then those recorded submissions may well be incorrect.

Candidates have ably demonstrated and defended their knowledge on what a group or slate is then by extension should they not be equally familiar with the formulae for expenses which is in the same section of the Act?

In that no detailed audit is performed on submitted Campaign Finances at the Municipal level and given the above comments it would appear that both the spirit and letter of the Municipal Elections Act, 1996 demands a Compliance Audit on all the above filed statements.

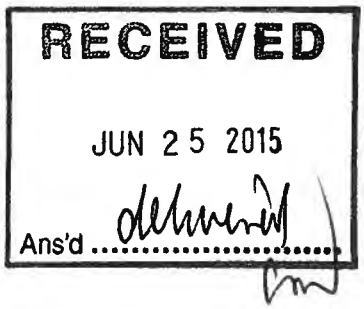
Given the foregoing I am accordingly requesting a Compliance Audit on the Candidate named in this application.

Alan Gill

June 24 2015

Alan Gill
[redacted]

June 24, 2015



Ms. Cheryl Mortimer
Clerk
Township of Muskoka Lakes
1, Bailey Street
Port Carling, ON
P0B 1J0

Dear Ms. Mortimer,

Request for Complaince Audits, October 27, 2014 Municipal Election

With this letter I am submitting individual documentation requesting Compliance Audits on the reported expenses of the following candidates for office; D. Furniss, R. Brent, J.A. Baranick, G.P. Knight, G. McTaggart, L. Barrick-Spearn. This is all in compliance with The Municipal Election Act 1996.

I have also had each Application Request notarised as that appears to be a requirement on the form and is there for a reason; this was also the opinion of my lawyer.

I understand that the Compliance Audit Committee is made up of three members and one alternate. I believe that one of the members is working for the current Mayor, D. Furniss, as a consultant on certain matters. I am sure that this individual from an integrity standpoint would automatically recuse themselves from this particular audit.

The documentation accompanying each notarised application is as follows:

- Reasons for Requesting Compliance Audit
- Attachments A, B, C, D E
- Letter Ted McMeekin, Minister, Municipal Affairs and Housing.

Yours truly

Alan Gill

OCTOBER 27, 2014 MUNICIPAL ELECTION
APPLICATION REQUESTING COMPLIANCE AUDIT
OF A CANDIDATE'S ELECTION CAMPAIGN FINANCES

to be heard by the **Joint Compliance Audit Committee** for the Town of Bracebridge, The District Municipality of Muskoka, the Township of Georgian Bay, the Town of Gravenhurst, the Town of Huntsville, the Township of Lake of Bays, and the Township of Muskoka Lakes.

Contact Information of Applicant

Name:	ALAN GILL
Address:	[redacted]
Telephone number:	
Email address:	

Candidate Information

Name of Candidate:	G. KNIGHT
Office of Candidate: (check one)	☐ Mayor ☐ Ward Councillor ☑ District Councillor

Application must be submitted to the municipality where the candidate ran for office.

☐ Town of Bracebridge	☐ Town of Gravenhurst
☐ District Municipality of Muskoka	☐ Township of Georgian Bay
☐ Town of Huntsville	☐ Township of Lake of Bays
☑ Township of Muskoka Lakes	

Please note that a request for a compliance audit for a School Board Trustee must be directed to the Secretary of the applicable School Board.

Subsection 81 (1) of the Municipal Elections Act, 1996, (Act) states:

"An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act, relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances."

Reasons for requesting Compliance Audit
(attach additional documentation, if applicable)

Reasons for request are documented in the attached "Reasons for Requesting Compliance Audit, October 27 2014 Municipal Election, Township of Muskoka Lakes Pages 1 and 2." Also attached is background detail on this matter

Chair to summarize application (per request)

Deadline for filing Application

The application must be made within ninety (90) days after the latest of the filing deadlines:

- June 25, 2015 would be the last day to file a compliance audit request for the December 31, 2014 reporting period (regular campaign period filing deadline is 2:00 p.m. on Friday, March 27, 2015);
- December 24, 2015 would be the last day to file a compliance audit request for the June 30, 2015 supplementary reporting period (supplementary campaign period filing deadline is 2:00 p.m. on September 25, 2015);
- Another deadline as provided for in Subsection 79.1 of the Act (return of surplus for subsequent expenses). if applicable; or
- The expiration of a filing extension pursuant to Subsection 80 (4) (court ordered extension); if any.

For more information please contact:

The Clerk in the municipality in which the Compliance Audit is being requested.

Personal Information included in this Application is collected under the authority of the Municipal Elections Act, 1996, and will be utilized for the processing of the request for a Compliance Audit of a candidate's election campaign finances. Any questions regarding the collection of this information should be directed to the Director of Corporate Services/Clerk @ 705-645-6319 Ext. 243

Recovery of Costs

If the Compliance Audit Committee report indicates that there was no apparent contravention by a candidate and the committee finds that there were no reasonable grounds for the application, the council or local boards is entitled to recover the auditor's costs from the application.

Please note that faxed or emailed Applications will not be accepted.

Sworn before me in the ~~Town~~ CITY of d.m.
TORONTO
in the PROVINCE OF ONTARIO
this 24 day of JUNE,
2015.

Commissioner of Oaths for taking Affidavits

DAVID MREJEN

David Mrejen
Notary Public
2300 Yonge Street suite 1600
Toronto, Ontario M4P 1E4
416-830-3456

Signature of Applicant

ALAN GILL

Chair to summarize application (per request)

REASONS F0R REQUESTING COMPLIANCE AUDIT
OCTOBER 27, 2014 MINICIPAL ELECTION
TOWNSHIP OF MUSKOKA LAKES

Extracts from The Municipal Elections Act 1996 and Sept 10, 2014 Letter from Ted McMeekin, Minister of Municipal Affairs and Housing

"There is nothing in The Municipal Elections Act, 1996 that would prevent like-minded candidates from campaigning on the same platform or identifying themselves as a group or slate".

However, each candidate MUST keep their campaign finances separate and any joint expenses (for example, signs with two candidates' names on them) MUST be divided between the campaigns".

The website "peopleforprobity.com" was created in May 2014. It has been stated (see Bracebridge Examiner Sept 12, 2014 **Attachment A**) by Mr. Furniss that the advertising website "is a platform for approximately 5 individuals.... who share the same ideals listed there". It was also stated that the site does not belong to a political party but "just a group of like-minded candidates".

In the same article Mr Furniss states that "Nobody is supporting (the website). It is just something that I created and the other individuals who are on it basically subscribe to these philosophies." An alliance was formed among five candidates.

The above comments and pictures clearly identify the named candidates as a group or slate as described in The Municipal Elections Act 1996. By extension this would demand that any expenses related to the running of the website (or other joint beneficial advertising or promotion) must be "divided between the campaigns" (MEA, 1996).

Attachment B (What's Up Muskoka October 8, 2014), at the bottom of the page expressly states "Elect People for Probity candidates" and lists the six individuals on whom this Compliance Audit is requested. This clearly identifies the candidates as a group or slate. The Act, while not prohibiting candidates from campaigning on the same platform or identifying themselves as a group or slate, is clear that each candidate must keep their campaign finances separate and any joint expenses must be divided between

campaigns and reported individually. Attachment B clearly had to be paid for yet several candidates show no expenses for this in their file statements.

2014 Municipal Elections. Financial Statements of Candidates

An examination of the on-line filed accounts of the slate candidates reveals the following in the two major categories that would be expected to show costs for the "peopleforprobity" site; a site from which they received benefit and for paid newspaper promotions.

Candidate	Advertising	Phone and/or Internet Expenses
Furniss, D.	$1683.70	$3344.09
Brent, R.	nil	nil
Baranick, J.A.	nil	nil
Knight, G.P.	$2490.75	nil
McTaggart, G	nil	nil
Barrick-Spearn L	nil	nil

It does not seem reasonable in light of all the evidence provided that in 4 out of 6 cases there are no "shared" costs; have these been absorbed by other candidates; if such is the case then those recorded submissions may well be incorrect.

Candidates have ably demonstrated and defended their knowledge on what a group or slate is then by extension should they not be equally familiar with the formulae for expenses which is in the same section of the Act?

In that no detailed audit is performed on submitted Campaign Finances at the Municipal level and given the above comments it would appear that both the spirit and letter of the Municipal Elections Act, 1996 demands a Compliance Audit on all the above filed statements.

Given the foregoing I am accordingly requesting a Compliance Audit on the Candidate named in this application.

Alan Gill

June 24 2015