

Court File No.: 27226/16

ONTARIO
SUPERIOR COURT OF JUSTICE
(Proceeding commenced in the District of Algoma)

BETWEEN:

TAMARA LIDDLE, GERRY LIDDLE

Applicants

CORPORATION OF THE MUNICIPALITY OF WAWA

Respondent

RESPONDENT'S RESPONDING APPLICATION RECORD

Dated: June 27, 2016

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AND
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Applicants

- and -

CORPORATION OF THE MUNICIPALITY OF WAWA

Respondent

RESPONDING AFFIDAVIT OF RON RODY

I, RON RODY, of the Municipality of Wawa, in the Province of Ontario, make oath and say as follows:

- 1) I am the Mayor of the Municipality of Wawa ("Wawa"). I was elected to this position in 2014. Before becoming Mayor, I served Wawa as a Councillor for 14 years. As such, I have knowledge of the matters hereinafter deposed to in this Affidavit. Unless I indicate to the contrary those facts are within my personal knowledge and are true. Where I have indicated that I have obtained the information from other sources I verily believe those facts to be true.
- 2) I am originally from Cobalt, Ontario. I came to Wawa in 1970 to teach at St. Joseph's School. Before retiring from teaching, I served as principal of that school for 21 years and 3 months.
- 3) In addition to my service as Mayor and as a Councillor of Wawa, I have been

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involved in many area organizations throughout the over 45 years I've spent in the community.

BACKGROUND

4) In order to assess the veracity of the allegations in the Liddles' Application and the accompanying letter, personally executed by Tamara Liddle, one needs to understand the context and motivation of the Liddles. This is set out to best of my knowledge in the paragraphs which follow.

1. Wawa's Search for a New CAO

5) An Executive Committee ("Committee") was formed via Resolution No. RC12255 on November 20, 2012. This Committee acted as liaison between Council and Senior Management Staff and also was involved in the process to search for a replacement for the CAO who left Wawa earlier that year.

6) I was part of the Committee from its inception until April 11, 2013.

7) The Committee hired a Toronto consulting firm to assist with the search for a replacement CAO.

8) This search took 17 months.

9) As part of the search process there were two rounds of applicants of whom around 10-12 were interviewed.

10) During the first round an applicant was selected, but declined at the last minute due to having received a new position with a salary increase in his community.

11) In the second round the Toronto firm contacted Chris Wray—then Muskoka Lakes Township's CAO and Wawa's former CAO—who expressed interest in returning to

Wawa as CAO, Clerk-Treasurer.

- 12) Mr. Wray and another applicant were interviewed. The other applicant was offered the job, but turned it down. Mr. Wray was then offered the job.
 - 13) Contract negotiations took place between Mr. Wray and the Committee. It was agreed that Mr. Wray would be offered a contract on terms similar, but not identical to, the contract he previously had as CAO, with an increase in his severance package if he was let go and a yearly CPI increase to his salary.
 - 14) All other terms of the contract were to remain essentially the same as they had been in Mr. Wray's previous contract.
 - 15) After all terms were agreed to between Mr. Wray and the Committee these terms were taken to Council and approved in open Council.
 - 16) To draft an agreement incorporating these agreed to terms as efficiently and cost effectively as possible Mr. Wray and Wawa agreed to use the same law firm, namely Wishart Law Firm LLP ("Wishart"), which has served as Wawa's legal counsel for many years.
 - 17) Both Mr. Wray and Wawa each waived any conflict regarding the use of Wishart. A copy of these waivers is attached as **Exhibit "1"**.
 - 18) A contract was agreed to and a by-law to rehire Mr. Wray was passed on April 22, 2014. A copy of this by-law is attached as **Exhibit "2"**.
- 2. The "Facebook Lawsuit"**
- 19) In 2010, Wawa's municipal computer system was hacked. I understand a number of documents were removed from Wawa's servers including personal information

belonging to employees and Council members.

- 20) Some of these documents were published on a Facebook page administered by an individual using the alias "Manny Issues".
- 21) An investigator was hired to determine who was making these postings. Ultimately Facebook had to be ordered to reveal the IP addresses involved with that alias. This involved legal proceedings in California.
- 22) As work was being done to uncover the true identity of the alias' and the persons responsible for the hacking, the Facebook posts continued. In addition to these posts a social media smear campaign began which was designed to smear its targets: then Mayor Linda Nowicki, the CAO, Wawa staff, and councillors.
- 23) Eventually, in 2013, the perpetrator of the hacking, Facebook posts, and smear campaign was identified.
- 24) I understand that litigation between Wawa and the perpetrator settled in 2014 after Minutes of Settlement were executed in which they agreed, *inter alia*, to pay costs, return Wawa's stolen documents, delete all copies of these documents they had made, and cease the smear campaign.
- 25) The successful resolution of this matter was four years in the making. It resulted from the considerable efforts of Wishart, the total bill for which included legal fees to Wishart of approximately \$96,000.

3. Outstanding Tax Arrears Owed by the Liddles

26. Councillor Tamara Liddle and her husband Gerry have owned a property located at 120 Pinewood Drive in Wawa since 1997. A copy of the parcel register for this

property is attached as **Exhibit "3"**.

27. Taxes for this property have been in arrears for a number of years. As of June 21, 2016 there is an outstanding balance on the Liddles' account of \$70,074.64. Of this outstanding balance, the combined interest and arrears on amounts dating back more than 3 years is \$20,782.40. A copy of the Liddles' tax account for their 120 Pinewood Drive property is attached as **Exhibit "4"**.

28. On November 2, 2015, the Liddles made a tax payment of \$500. This is the most recent payment they have made on their outstanding balance.

4. Gerry Liddle's Attempts to Influence the Registration of the Tax Arrears

29. On October 26, 2015, I received a letter from Gerry Liddle requesting Council to give assistance to he and his wife regarding the impending registration of tax arrears on their property located at 120 Pinewood Drive in Wawa. A copy of Mr. Liddle's October 26, 2015 letter is attached as **Exhibit "5"**.

30. Given Mrs. Liddle's role as a Councillor, in order to ensure it appropriately responded to Mr. Liddle's letter Council sought advice from Wishart. The advice received from Steven Shoemaker, an associate at Wishart, was that normal procedures should be followed and, despite Mrs. Liddle being a Councillor, no special privilege should be extended to the Liddles with respect to the above-noted tax issue. A copy of Mr. Shoemaker's opinion letter to Council dated November 10, 2015 is attached as **Exhibit "6"**.

31. Before receiving Mr. Liddle's letter, I had no knowledge that he and his wife were in tax arrears because this information does not normally come before Mayor and

Council. Instead, all that Mayor and Council see are the roll numbers and, if the requisite period is over, tax registration automatically is commenced by staff of the Municipality.

32. Like any other members of the community, the Liddles were free to attempt to arrange a payment plan with the Treasurer during the first three years of arrears to get caught up.

33. During year three and four, once the arrears are registered, property owners have to pay the full amount owing or Wawa staff will negotiate a payment plan known as an extension agreement approved by By-Law and bring it to Council for approval.

34. Once the fourth year is over, if the arrears remain outstanding and no payment plan has been entered into, Wawa may sell the property or otherwise take possession of it.

35. In addition to the Liddle's property there were 24 other local properties that had tax arrears in excess of three years that had been identified by staff at the same time for registration of tax arrears.

36. The Liddle's received the same treatment as all the owners of these other properties.

37. On November 12, 2015, I received another letter from Mr. Liddle, this time requesting that Mr. Wray be suspended on the basis of a number of allegations made against him by Mr. Liddle. A copy of Mr. Liddle's November 12, 2015 letter is attached as **Exhibit "7"**.

38. I did not share the letter with Councillors Morrison, Chiasson and Besner. Rather, I telephone called Councillor Chiasson, and spoke separately to Councillors Besner and

Morrison advising Mr. Liddle had sent a letter to Council Members. I informed Councillor Chiasson via telephone, and Councillors Besner and Morrison that the letter would be forwarded to legal counsel for advice.

39. Around this time, I became aware that Mr. Liddle had met with Mr. Wray on November 1, 2015. I understand that the outcome of this meeting was that Mr. Wray reiterated that the Liddles would be treated exactly the same as all other members of the community with respect to the registration of tax arrears.

40. I believe that Mr. Liddle's allegations and request to suspend Mr. Wray contained in his November 12, 2015 letter was a reprisal for Mr. Wray not extending the Liddle's the special treatment Mr. Liddle requested during their November 1, 2015 meeting and an attempt to extort accedence to this request.

THE HARASSMENT COMPLAINT AND INVESTIGATION

41. On November 14, 2015, Mr. Wray submitted a letter of complaint to me, as Mayor, regarding Workplace Harassment allegations against the Liddles. Mr. Wray's complaint related to the conduct of Gerry Liddle and Councillor Liddle as participants in his harassment and their interference with his duties as Wawa's CAO, Clerk-Treasurer thereby resulting in a poisoned work environment.

42. I received further letters of complaint from Mr. Wray on November 20, 28 and December 3, 2015 detailing further specific allegations of harassment that transpired after his initial letter of complaint. Council also received a letter from legal counsel for Mr. Wray identifying concerns of his client and indicating that an investigation ought to take place. This letter is attached to the material filed by the Applicants.

43. Council met and passed a resolution to have the complaints of both Mr. Liddle and Mr. Wray investigated by an independent third party, Norpro Security and Investigations ("Norpro"). Bob Kates, Director of Investigations with Norpro began his investigation on December 15, 2015. Attached as **Exhibit "8"** is a copy of the Resolution #IC16002 of Wawa dated February 1, 2016 confirming the hiring of Norpro as an independent third party licensed investigatory. Attached as **Exhibit "9"** is a copy of the Resolution of Wawa #IC16003 dated February 1, 2016 confirming the financial relationship with Paliare Roland Rosenberg Rothstein LLP, legal counsel for Mr. Wray.

44. I am informed by Mr. Kates and verily believe that the Liddles refused to participate in the investigation, have not provided substantiating information or specifics to Mr. Kates and have not provided information to him with respect to the accusations made in their complaint letter.

45. Mr. Kates attended before Council at its June 17th, 2016 meeting. At that meeting Mr. Kates sought to give Council copies of his report and review his findings with Council.

46. Notwithstanding that Mr. Kates' report directly dealt with the complaint made by the Liddles against Mr. Wray which, as noted above, I believe arises out of the Municipality's enforcement of the Liddle's tax arrears, and Mr. Wray's harassment complaints against Liddles, Councillor Liddle did not declare a conflict of interest and refused to leave the meeting. As a result, the remaining non-conflicted councillors unanimously voted to adjourn the meeting to allow Council time to consider how best to proceed with receiving and considering Norpro's report.

47. On June 20, 2016, the Liddles filed the within application ("Application") with the Ontario Superior Court of Justice and served a copy of this application on Wawa.

RESPONSE TO THE APPLICATION AND LETTER

48. As detailed below, the Liddles' Application and the accompanying letter to Council (the "Letter") contains a number of inaccurate, false and defamatory allegations. To respond to these allegations, I have been authorized by Council to release in-camera information. A copy of the resolution dated June 21, 2016 so authorizing me is attached as **Exhibit "10"**.

49. The task of responding to the majority of the Liddles' allegations is nearly impossible given they are completely bald statements that are unsupported by any particulars. Nevertheless, in the following paragraphs I have endeavored to do so to the best of my knowledge and ability. What follows is a detailed description and response to each of the inaccurate and false accusations in the Liddles' Application and accompanying letter from Councillor Liddle to Council dated June 17, 2016 ("Letter"). For ease of reference in responding to Councillor Liddle's Letter I have attempted, to the greatest extent possible, to group my responses under the same headings used by Councillor Liddle therein.

1. The Application's Allegations

50. In paragraph 1 of the Application, the Liddles request the Court to make a decision on behalf of Municipal Council. This is not within the Court's jurisdiction.

51. The Liddles also erroneously advise the Court that on December 10, 2015, Council

voted three to two in favour of removing Wishart as Wawa's legal counsel. This is incorrect. In fact, the vote referred to was on a last-minute motion made by Councillor Liddle to simply add, as an item, the *issue* of using new counsel "to deal with the CAO/Clerk-Treasurer" to the agenda of the special in-camera meeting held that same day.

52. Under paragraph 1.10.1 of Wawa's By-Law No. 2462-11: *Procedural Matters Relating to Council and Committees* (the "*Procedural By-Law*") no item may be added to the agenda of a special meeting unless all Councillors are present and unanimously consent to the addition. A copy of the Procedural By-Law as noted in Exhibit 2.

53. Because two Councillors voted against adding the issue of new counsel as an item to the agenda for the December 10, 2015 meeting and, therefore, unanimous consent was not achieved, the agenda amendment Councillor Liddle requested was defeated. A copy of the minutes from the December 10, 2015 special in-camera meeting are attached as **Exhibit "11"**.

54. Thus, the allegation that Council voted to remove Wishart as Wawa's legal counsel is factually incorrect. Such a vote never happened. In fact, the only vote that did happen was a vote to defeat Councillor Liddle's motion to add the issue of using "New Legal Counsel to deal with the CAO/Clerk-Treasurer" as an agenda item to the December 10, 2015 in-camera special meeting. Throughout the investigation process, Council has met with and given direction to Wishart to proceed with various steps including, significantly instructions to oppose the within application as demonstrated in Exhibit 7.

55. For this reason, all of the four paragraphs under item #2, being the "Grounds for the Application" are, likewise, factually incorrect.

56. Regarding the fourth paragraph under item #2 specifically, it is alleged that Gord Acton, Senior Business Partner of Wishart, attempted to subvert, prevent and interfere in an investigation to which he and his firm are an accused and is therefore in a conflict of interest. This is factually incorrect. It has been Councillor Liddle's own conduct, including her refusal to declare a conflict of interest and leave meetings in which she has a clear conflict of interest, including the meeting of June 17, 2016, and not any action by Wishart or Mr. Wray which is subverting, preventing or interfering with the investigation, and Council's consideration of its results.

The Letter's Allegations

57. Although Councillor Liddles' Letter is dated June 17, 2016, and is addressed to Council, I did not receive this letter as a member of Council until, June 21 at 12:23 PM. I saw it for the first-time through its inclusion in the Application which I received on Monday, June 20, 2016

58. The Letter is not a sworn affidavit.

Heading # 1: Norpro Investigation

59. As a preliminary comment, I note that, had Councillor Liddle wished Council to vote on removing Wishart as counsel, she, as a Councillor, could at any time have put that as an agenda item for a regular Council meeting. She has been advised about, and provided with a copy of the *Procedural By-Law* on a number of occasions, but has failed to put this issue forward as an agenda item for Council's consideration.

60. With respect to Norpro's investigation specifically, as I mentioned above, this investigation was authorized by Council to ensure the complaints of both Mr. Wray and of the Liddles were investigated by an independent third party. The investigation was completed by Mr. Bob Kates, a licensed private investigator with Norpro and the former Deputy Chief of Police in the City of Sault Ste. Marie. Council wished and intended that the investigation be complete, fair and impartial. A copy of the Curriculum Vitae of Mr. Kates is attached hereto as **Exhibit "12"**.

61. Likewise, I understand that Mr. Kates made in excess of 34 attempts to obtain specifics of the complaints from the Liddles. The Liddles refused to participate in Norpro's investigation and no "substantial evidence" has been produced by the Liddles in respect of their complaints.

62. Councillor Liddle alleges that Mr. Wray and Wishart were significantly motivated to obstruct the investigation because of the very serious and criminal nature of the allegations against them. As can be seen from Mr. Liddle's complaint letter (Exhibit "5") he makes no criminal or serious allegations against Wishart, merely an allegation that Wishart acted in a conflict of interest by representing both Mr. Wray and Wawa on the issue of Mr. Wray's new contract.

63. As I explained above, both Mr. Wray and Wawa waived any conflict with respect to their each being represented by Wishart in the drafting of Mr. Wray's new contract. All the terms of this contract had been agreed to and reviewed by Council. Wishart's role was limited to just incorporating those terms into a properly drafted employment contract.

64. Further, Councillor Liddle's Letter makes no mention of the fact that this information was provided to her and all other councillors in an in-camera meeting on December 10, 2015. Further, in January of 2016, at a Special Council meeting, Paul Cassan, an associate at Wishart, again reviewed the contract with Council. All Councillors were present for that Special Council meeting except for Councillor Morrison.

65. Similarly, Councillor Liddle's Letter fails to disclose that in that same in-camera meeting she and the other councilors were provided with a document brief including copies of waivers of conflict from both Mr. Wray and Wawa. These waivers have been previously cited at Exhibit 1.

66. I do not believe Wishart is in a conflict vis-à-vis the harassment complaint of Mr. Wray or the complaints by Mr. Liddle. Although Wishart did act on behalf of both Mr. Wray and Wawa with respect to formalizing the agreed terms of Mr. Wray's new contract, as noted above, both parties waived any conflict that would otherwise result therefrom. This waiver was specific to Mr. Wray's new contract. It does not continue to any subsequent matters.

67. Councillor Liddle alleges that she was denied independent legal advice regarding Norpro's investigation. This is untrue. Councillor Liddle was invited to speak to Wishart for legal advice. She refused to do so, instead requesting Council pay the cost for her to engage another law firm to provide her legal advice. Council denied this request, which I conveyed to Councillor Liddle in a letter dated April 8, 2016, a copy of which is attached as **Exhibit "13"**. Nevertheless, I urged Councillor Liddle to obtain independent legal

counsel if she believed it necessary to do so. I understood that the investigation was delayed significantly to provide the Liddles an opportunity to consult counsel. I understand that they had indicated to Mr. Kates that their lawyer was busy in Toronto, that their lawyer was in the UK and that their lawyer was too busy at that point to assist with their answers. On June 17th, Tamara Liddle indicated that she did not yet have legal advice. It is difficult to know, in light of these conflicting statements, whether or not the Liddles have received legal advice.

68. In addition, Councillor Liddle alleges that Councillor Morrison was also denied funding for independent legal counsel in respect of the complaints between Mr. Wray and the Liddles. Councillor Morrison is not involved in the investigation of these complaints. There is no reason why he should require such legal advice. In fact, I discussed my April 8, 2016 letter with Councillor Morrison and believe he satisfied himself that he did not need independent legal counsel. Moreover, Councillor Morrison indicated to me that he also spoke to Mr. Wray at a municipal conference known as Good Roads and continues to be satisfied he does not need independent legal counsel. Councillor Morrison never made another such request.

69. Further, Councillor Liddle alleges that I received personal legal advice from Wishart at the expense of Wawa taxpayers. This is incorrect. Wishart has never acted for me personally.

70. With respect to the issue of the Algoma Public Health Board matter that Councillor Liddle refers to on page 3 of her letter it is true that I contacted Wishart for legal advice. However, I sought this advice in my capacity as Wawa's Mayor and CEO

given that I was the Municipal representative on the Algoma Public Health Board. Mr. Wray had absolutely nothing to do with the legal advice Wishart gave me regarding this matter. Moreover, this matter is completely irrelevant to Council's decision not to pay for the Liddles' independent legal counsel on the harassment investigation.

71. Again on page 3 of her Letter Councillor Liddle suggests the Mr. Wray's above noted harassment complaint was "false". I have reviewed a copy of Mr. Kates' report and confirm that, although the report has not yet been produced to Council, his findings do verify the truth of Mr. Wray's allegations of harassment by Councillor Liddle and her husband. Put differently, Mr. Kates' findings confirm that the Liddles did, in fact, harass Mr. Wray and others as had been alleged.

72. Next (on page 3 of her Letter,) Councillor Liddle states that the allegations set out in her Letter are "extremely serious" as they "involve criminal intent". There are no specifics to this allegation with respect to criminal intent and I do not understand that assertion. To reiterate, Wawa retained the services of Norpro, a licensed third party investigator, to ensure a proper investigation was conducted into the allegations of both the Liddles and Mr. Wray—an investigation Mr. Liddle and Councillor Liddle refused to participate in.

73. As I mentioned above, it was Councillor Liddle herself who acted to obstruct presentation of Mr. Kates' report on June 17, 2016 by refusing to declare her conflict of interest and leave the meeting.

74. I believe this Application is simply a further delay tactic to avoid the investigation report being presented to Council and Council being permitted to act on the report's

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findings and recommendations.

75. Towards the bottom on page 3 of her Letter, Councillor Liddle goes on to make veiled allegations of criminal activity on behalf of Mr. Wray and suggests that Council should terminate his employment for cause. Again, this is a continuation of the Liddles' harassment of Mr. Wray and no specifics of Mr. Wray's alleged criminal activity have ever been produced.

76. Ms. Liddle closes the discussion of her suggestion that Council terminate Mr. Wray's employment for cause by asserting that independent legal counsel be obtained by Wawa to assist with this. Councillor Liddle explains that she has already consulted with "a number of qualified legal specialists and the Ministry of Municipal Affairs."

Heading # 2: Replacement of Wishart Law Firm

77. On page 4 of her letter Councillor Liddle makes a number of unfounded allegations that I find particularly troubling. For instance, there is not and has never been any suggestion on behalf of the Wawa or Council that Wishart was ever involved in a conspiracy to defraud the taxpayers of Wawa through the payment of excessive and unwarranted legal fees. This is entirely fabricated by the Liddles.

78. As discussed in detail above, the conflict between Wishart acting for both Mr. Wray and Wawa respecting the drafting of his new contract was in fact known and waived by both the Mr. Wray and Wawa so as this drafting could be done as efficiently and cost effectively as possible. The documents evidencing this were produced to Council on December 10, 2015 and have been received and reviewed by Councillor Liddle personally. Notwithstanding her Letter, Councillor Liddle knows full well that

the conflict was waived and that Wishart acted properly in its limited role with respect to Mr. Wray's new contract.

79. In the second last paragraph before heading #3 on page 4, Councillor Liddle concocts an allegation that Wishart charged Wawa in excess of \$1 million in legal fees to assist in the resolution of the Facebook lawsuit (set out above). This is entirely untrue. As I mentioned above, Wishart's fees totaled approximately \$96,000. Although Councillor Liddle styles this as a "failed" lawsuit, nothing could be further from the truth. To the contrary, it was, in fact, highly successful in identifying the individual behind the hacking of Wawa's servers and smear campaign against its staff and elected officials. It was through Wishart's efforts that Wawa was able to settle the litigation against these individuals and secure the return of its stolen documents.

Heading # 3: Temporary Committee of Council – tasked to recommend new lawyers

80. The issue addressed under this heading is especially concerning because Councillor Liddle has not put the issue of creating a "Temporary Committee of Council tasked to recommend new lawyers" to Council for consideration. Further, in consulting outside parties, including the Ministry of Municipal Affairs (MMAH) and various law firms on Wawa's behalf without authorization from Council, she is acting well outside the scope of her authority as an individual councillor.

81. Contrary to Councillor Liddle's assertions, I spoke to our Ministry of Municipal Affairs and Housing representative, Kathy Horgan, and verily believe it to be true that the Ministry of Municipal Affairs and Housing does not recommend law firms, although they would provide a list of law firms practicing in the Municipal Law area.

Heading # 4: Suspension of CAO/Clerk-Treasurer Chris Wray pending Disciplinary Review

82. Councillor Liddle’s discussion under this heading is more or less a repetition of the complaint letter put forward by her husband.

The fact is that the Liddle’s owe significant tax arrears. They have attempted, by threatening Mr. Wray, to avoid the registration of a tax arrears certificate on the property and have created the unsubstantiated complaint against Mr. Wray as what appears to be a diversion tactic to avoid enforcement of their arrears.

83. Notwithstanding the retention of a third party licensed private investigator, the Liddles refused to provide any specifics of their complaint to Mr. Kates.

84. The allegations of manipulation, fraud, abuse of power, breach of trust, obstruction of justice, and conspiracy against Mr. Wray are, of course, extremely concerning to me and, I believe to all Wawa’s councillors, however, no specifics have ever been put forward by the Liddles, notwithstanding numerous opportunities for them to do so.

85. Simply put, there are no specifics in the paragraphs under this heading other than Councillor Liddle’s “belief” and conjecture.

86. For example, the bottom of page 5, Ms. Liddle suggests that Mr. Wray has filed a “false harassment claim”. As I previously stated above, this is incorrect. Mr. Wray’s harassment claim has been substantiated through Norpro’s independent investigation—the presentation of which has been blocked by Councillor Liddle’s own actions.

87. Councillor Liddle states, in the fourth paragraph of page 6, that Mr. Wray and his legal Counsel, Paliare Roland Rosenberg Rothstein LLP (“Paliare”), wrote to Wawa

stating that "all investigations into his conduct were [to be] immediately terminated."

This letter, which is in fact attached to the application, belies her statement.

88. The second paragraph on page 2 of Paliare's letter in fact states, "we expect that both the Liddle complaint and the Wray complaint will be dealt with expeditiously by Council." Accordingly, Councillor Liddle's statement is plainly wrong. Mr. Wray and his lawyer were actually attempting to facilitate, not frustrate, the investigation. I note that Mr. Wray did in fact, participate in the interviews with the Mr. Kates and produced numerous documents to him in support of his complaints against the Liddles.

89. In the sixth paragraph on page 6, Ms. Liddle again fabricates information. As I previously stated, at in-camera meetings in December 2015 and January 2016, the full particulars of Mr. Wray's employment contract with the Municipality were produced to this Council. Councillor Liddle knows full well that Mr. Wray's salary is \$139,000.00 per year, not \$156,000, \$300,000.00 nor \$400,000.00 as alleged. These allegations are patently false. It is noteworthy that Mr. Wray's initial salary was \$139,000.00. His current salary is \$143,354.00. The 2015 "Sunshine List" shows Mr. Wray's salary as \$151,907.95. I believe this is higher because of certain overtime payments made to Mr. Wray from Indigenous and Northern Affairs Canada (INAC) as a result of the evacuation of Kashechewan. A copy of the excerpt from the 2015 "Sunshine List" is attached as **Exhibit "14"**.

90. Attached hereto as **Exhibit "15"** are notes of meetings that Mr. Wray attended on behalf of the Municipality in 2014 and 2015 as well as expense claims detailing specific expenses of Mr. Wray and recaptures the expenses on behalf of Mr. Wray. It can be seen

from these documents that in 2014, from his return, the net expense claims for Mr. Wray were \$12,549.64 and the next expense claims for the period January to October 2015 were \$16,235.78. These numbers do not reflect at all, the significant value that Wawa has received as a result of Mr. Wray's efforts in attending these meetings, including the continuation of the Provincial Government's Power Dam Compensation Payment Plan which alone provides Wawa an income in excess \$2 million dollars per year. Had it not been for Mr. Wray's efforts, I believe the Provincial government's proposed clawback of the Power Dam Compensation Plan would not have been cancelled. This alone would have reduced Wawa's income by \$550,000.00 yearly. This is but a single example of which many are available, whereby Mr. Wray's efforts on behalf of Wawa have, and continue to yield, significant returns for the community.

91. Continuing on to the bottom of page 6 of Councillor Liddle's Letter, the severance clause of Mr. Wray's contract is not one million dollars as Councillor Liddle alleges. As I've attempted to make clear throughout my affidavit, Councillor Liddle knows this allegation is false because she attended the meeting where the documents relating to Mr. Wray's new contract were produced and discussed by Council. This allegation is patently false and misleading.

92. Further, contrary to Councillor Liddle's allegation on page 7 of her Letter, she has not been excluded from "municipal business" and provides no particulars to support this allegation. It is difficult to respond in a vacuum, however, "municipal business" has only been conducted in the course of meetings to which she has been invited.

Again, on page 7 it is important to note that Wawa has not suspended the Strategic Plan

Implementation Committee as Councillor Liddle alleges. However, it is true that Mr. Liddle has attempted to use the Strategic Plan Implementation Committee for personal gain by attempting to deal with a rebuilding of the Wawa Goose Project and attempting to obtain engineering information and the piloting of that project for his own personal benefit.

Heading # 5: Conduct of Mayor Ron Rody

93. It is, unfortunately, impossible for me to respond to the allegations Councillor Liddle makes under this heading because, as with all of Councillor Liddle's other allegations, no particulars are provided. I can say, however, that I have and will always declare a conflict of interest whenever one arises. In short, I do not understand the allegations and am not in a "general conflict" if such a thing exists.

Heading # 6: Outside Investigators

94. It is ironic that, under heading, #6, Councillor Liddle asks for "outside investigation" yet when Wawa retained Norpro as an independent third party licensed investigator, she chose not to participate in Mr. Kates' investigation or provide any particulars of her husband's complaint to him.

Heading # 7: Application to Superior Court

95. The Liddles' Application appears to have been brought for the predominant purpose of extorting Wawa, Mr. Wray, and Wishart.

96. With respect to Mr. Wray, when the Liddles' arrears came up for registration, Mr. Liddle met with Mr. Wray on November 1, 2016 and made a veiled threat that if Mr. Wray registered the tax arrears certificate against the Liddle's property, that he would see

Mr. Wray fired.

97. When the arrears certificate was registered, Mr. Liddle appears to have followed through with his threat and issued a complaint letter against Mr. Wray absent any particulars. I understand from the investigation report that Mr. Liddle spoke to other local individuals about his intent to have Mr. Wray fired and seems to be taking steps to attempt to follow through with that threat.

98. In addition, on June 16th, 2016, at 12:32 p.m., Councillor Liddle made another extortive statement that she would "at least try one more time to negotiate a terms (sic) of agreement before proceeding to the OPP Anti-Racketeering Division, the Ombudsman and the Superior Court of Justice." I attach a copy of Councillor Liddle's email and my response thereto as **Exhibit "16"**.

99. It seems that Councillor Liddle is threatening that if Wawa continues with enforcement of her and her husband's unpaid taxes, that she will attempt to have criminal charges pressed against Mr. Wray and possibly others as well.

100. Similarly, at the bottom of page 8 and again at the bottom of page 9, extortive statements are made to the effect that "should Wishart recuse themselves voluntarily, we will withdraw the application". And "should Council decide to adopt the proposed resolution to remove Wishart on its own, my husband and I will withdraw the application." These statement evince the Liddles' intent to use the civil and the criminal process to extort Municipal Council as well as our legal counsel.

The Liddles' unsupported and fabricated statements in the Application and accompanying Letter, which I as I noted above, is executed by Tamara Liddle personally,

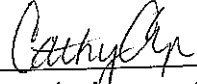
are defamatory. They are clearly false and appear to be designed to damage and cause irreparable harm to my reputation and those of Wishart, Gord Acton, Paul Cassan and Mr. Wray.

101. I make this affidavit in response to the Liddles' Application and for no improper purpose.

SWORN BEFORE ME
at the Municipality of Wawa
in the District of Algoma,
this 27th day of June, 2016

)
)
)
)

RON RODY



A Commissioner, etc.

Catherine Cyr, a Commissioner. etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

THIS IS EXHIBIT 1 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016



Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

Shawna Koivisto

SCANNED
NOV 16 2015

From: Paul Cassan
Sent: December-11-13 11:48 AM
To: Shawna Koivisto
Subject: Fwd: Wawa

For file. And can u put this contact info into my contacts for Chris Wray?

J. Paul R. Cassan
Lawyer

Wishart Law Firm LLP
Phone: (705) 949-6700 ext. 230 | Fax: (705) 949-2465
www.wishartlaw.com | Mailing Address

Sent from my iPhone

Begin forwarded message:

From: wolverine northern <northernwolverine@hotmail.com>
Date: December 10, 2013 at 9:12:49 PM EST
To: "pcassan@wishartlaw.com" <pcassan@wishartlaw.com>
Subject: Wawa

Paul

The last copy of my contract that was excuted in Wawa will be forwarded via my other email.

~~This email will also serve notice to all with respect to the review of a potential employment agreement between the Municipality of Wawa and myself. I am hereby waiving both parties' and confidentially so that you can represent myself and the municipality.~~

~~This email address may be used for any confidential issues related to this matter.~~

Chris

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Linda Hurdle

From: Paul Cassan
Sent: Monday, November 16, 2015 10:52 AM
To: Linda Hurdle
Subject: FW: Round four
Attachments: CAO Agree-Wawa Dec 1 2013.docx

From: Paul Cassan
Sent: December-10-13 11:57 AM
To: Tim Harmar <THarmar@wishartlaw.com>
Subject: FW: Round four

Tim – attached is a contract for Chris Wray to move back to the CAO position for Wawa. I need you to look at it, review it with me and then prepare a report for Chris and for Wawa's Council about the contract. I need to present it to them no later than Friday morning.

Lets' chat about it at lunch time.

Paul Cassan
Lawyer



Wishart Law Firm LLP
Phone: (705) 949-6700 ext. 230 | Fax: (705) 949-2465
www.wishartlaw.com | [Mailing Address](#)

From: Linda Nowicki [<mailto:lnowicki@shawbiz.ca>]
Sent: Monday, December 02, 2013 6:28 AM
To: Paul Cassan
Cc: Yvan Besner
Subject: FW: Round four

Hello Paul:

We have attached the agreement negotiated with Chris Wray to return as our CAO and request that you provide us with any advice.

We have notified council members as to whether they are agreeable to having your represent both parties and will follow up by Wednesday on this aspect.

Linda and Yvan

From: Chris Wray [<mailto:cwray@wawa.cc>]
Sent: December-01-13 1:11 PM

To: Linda Nowicki; ybesner@wawa.cc
Subject: RE: Round four

Linda and Yvan:

I am attaching the revised document. While it is not perfect in terms of format I think we can address that later. I think it fairly reflects our last discussion.

Referring to that discussion and your last document, please note the following:

1. There was some concern noted regarding Section 3.03 and time away from the Municipality. Notwithstanding the agreement with Dubreuilville, I don't see time away from Wawa as any different than it was prior to my departure. Having said that the purpose was to take advantage of working remotely to the benefit of Wawa. We know that there will be a bit of a re-organization once we get a Treasurer and this should provide for an Acting CAO during my absence.
2. I have changed Article 5.04 (viii) so that it reflects proper reporting to Mayor and Council.
3. Article 6.01 has been removed and the other Articles re-numbered.
4. Article 6.03 has been changed per your request
5. The title of Article 7.07 has been changed.
6. Article 9.03 has been changed as per our discussion to make it consistent with changes to other non-union staff.
7. Article 10.01 has been changed to reflect credited service as opposed to uninterrupted. This is consistent with the removal of Article 6.01.

I did have a chance to speak with Paul Cassan this week regarding the GLP matter and during that discussion we chatted about a review of a potential contract. He said that he can act for both the Municipality and myself provided we waive privilege (in other words he would freely discuss what each party says). I am happy to go with this as both parties are of equal mind here.

This is just the next step. If you have questions please let me know

Chris

From: Linda Nowicki
Sent: Tuesday, November 26, 2013 11:33 AM
To: Chris Wray
Subject: Round four

Can we make a date for tomorrow evening or tonight after nine o'clock after our NWMO meeting at 3 Maple?

Linda

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

THIS IS EXHIBIT 2 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016

Cathy Cyr

Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

**THE CORPORATION OF THE
MUNICIPALITY OF WAWA**

BY-LAW NO. 2462-11

BEING A BY-LAW to adopt Municipality of Wawa Policy No. GG-003: Proceedings of Council and Committees.

WHEREAS Section 238 of the *Municipal Act*, S.O. 2001, Chapter 25, as amended from time to time, provides that every Council and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS the Council of the Corporation of the Municipality of Wawa deems it necessary to make revisions to Policy No. GG-003: Proceedings of Council and Committees to reflect changes related to meeting format;

NOWHEREFORE the Council of the Corporation of the Municipality of Wawa enacts as follows:

1. **THAT** By-Law No. 2102-08 be and is hereby repealed.
2. **THAT** Policy No. GG-003 herein attached as Schedule "A" to this By-Law and forming an integral part of this By-Law, be adopted as Municipality Policy on Procedural Matters Relating to Council and Committees.
3. **THAT** the Mayor and Clerk be and are hereby authorized to sign this By-Law and to affix the corporate seal thereto.
4. **THAT** this By-Law is enacted upon the third and final reading hereof.

READ a first and second time this 19th day of April, 2011.

LINDA NOWICKI, MAYOR

CHRIS WRAY, CLERK

READ a third time and finally passed this 3rd day of May, 2011.

LINDA NOWICKI, MAYOR

CHRIS WRAY, CLERK



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Policy Section: General Government & Administration	Policy No. GG-003
Effective Date: May 3, 2011	Enacted By: By-Law No. 2462-11

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Section A

Preamble

- 1.0.0 This Policy shall apply to the Municipality of Wawa or its successors.
- 2.0.0 This policy is being developed and presented as a matter of Public record according to **Section 238, Municipal Act, S.O. 2001, Chapter 25**. It is therefore a legislative requirement.

Section B

Policy Statement

- 1.0.0 The Municipality of Wawa shall maintain¹ a policy in regards to the following:
 - 1.1.0 The proceedings of Council and Committees for the calling, place and proceedings of Meetings.
 - 1.2.0 Procedures to be followed if a Member has a direct or indirect pecuniary interest in a matter.
 - 1.3.0 Provisions where certain records shall not be disclosed if the subject matter being considered related to certain prescribed issues.
 - 1.4.0 Setting regulations pertaining to open Public Meetings, Closed Meetings and conduct at Meetings.

¹ Municipal Act; Section 238



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Section C

Definitions

The following definitions shall be used when referring to this policy:

- 1.0.0 **"Clerk"** means the Clerk of the Municipality of Wawa or his/her successor or designate.
- 2.0.0 **"Municipality"** means the Corporation of the Municipality of Wawa or its successors.
- 3.0.0 **"In-Camera"** shall refer to a Meeting of the Council of the Corporation of the Municipality of Wawa closed to the Public to discuss certain items and subject matters as set out in this policy.
- 4.0.0 **"Committee"** means any Committee, Local Board, or similar entity comprised of all Members appointed by the Council of the Municipality, but does not include a Library Board, Police Services Board or Local Board as defined.
- 5.0.0 **"Council"** means the Council of the Corporation of the Municipality of Wawa or its successors.
- 6.0.0 **"Mayor"** shall mean the Head of Council or his/her successor.
- 7.0.0 **"Deputy Mayor"** shall mean a Member of the Council appointed by Resolution or By-Law who may act in the Mayor's place and stead, during the Mayor's absence through illness, etc., and, while so acting, such Member has and may exercise all the rights, powers and authority of the Head of Council. This position shall also be referred to as Deputy Head of Council.



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- 8.0.0 **"Head of Council"** shall mean the Mayor of the Municipality.
- 9.0.0 **"Local Board"** means a Local Board as defined in the *Municipal Act, 2001*,
- 10.0.0 **"Member"** means a Member of the Council of the Corporation of the Municipality of Wawa or a Member of a Committee (whichever the context indicates).
- 11.0.0 **"Two-Thirds Vote"** means the affirmative vote of two-thirds (2/3) of the Members present at a Meeting.
- 12.0.0 **"Meeting"** means any Regular, Special, Committee or other Meeting of Council, Committee, or Local Board.
- 13.0.0 **"Adjournment"** shall mean the temporary discontinuation of a Meeting or portion of a Meeting with the intent of returning to finish the subject matter on the Agenda.
- 14.0.0 **"Close"** when referred to in the context of a Meeting, shall refer to final act prior to the completion of a Meeting.
- 15.0.0 **"Point of Order"** shall be an appeal by a Member of the Council made to the Head of Council when the member notices or objects to the proceedings of the meeting. Such objection must be due to the fact that the proceedings are at variance with the governing by-law, the approved procedures of the meeting or on a procedure to deal with a previous decision. The point of order halts proceedings while the Head of Council (presiding member) rules whether or not it is valid.



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16.0.0 **"Point of Privilege"** shall be an appeal by a Member of the Council made to the Head of Council (presiding member) with respect to a situation that affects the comfort, convenience, integrity, rights or privileges of a meeting or of an individual member (ie. noise, inadequate ventilation, introduction of a confidential subject in the presence of guests, etc.). The member of Council may raise a point of privilege which permits him/her to interrupt pending business to make an urgent statement, request or Motion. However, if a Motion is made, it must be seconded. The Motion may also concern the reputation of a member, group of members, or the members as a whole.

If the matter is complex and cannot be taken care of informally, the Head of Council rules as to whether it is admitted as a question of privilege and whether it requires consideration before the pending business is resumed.

A point of privilege may be used to seek permission of the meeting to present a Motion of an urgent nature.

17.0.0 **"Presiding Officer"** shall mean the Mayor or Head of Council.

18.0.0 **"Core Service Areas"** shall refer to the main business areas defined in the organizational chart of the Municipality of Wawa.



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Section D

Regulations

Part I – Operational Procedures

1.0.0 Council Meetings

1.1.0 Meetings of Council

1.1.1 Notice of all meetings² shall be given through the availability of meeting agendas, this by-law, and the municipal website.

1.2.0 Inaugural Meeting of Council

1.2.1 The Inaugural Meeting of the Council³ of the Corporation of the Municipality of Wawa shall be held on the first Tuesday of December following a regular election. Such Meeting is to be held at 7:00 P.M. in the afternoon.

1.2.2 No business shall be proceeded with at the first Meeting until after all the Members who present themselves for that purpose have made the declarations of office.

² Municipal Act, 2001; Section 238 (2.1)
³ Municipal Act, 2001; Section 230



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1.3.0 Regular Meetings of Council

1.3.1 Subsequent Meetings of the Council shall be held on the first (1st) and third Tuesday of each month at 7:00 P.M. in the afternoon, except during the months of July, August and December wherein meetings will be held on the second Tuesday only.

1.3.2 Council may, by Resolution, direct other than noted in Section 1.3.1, in which case such notice shall be posted at the Municipal Office, and on the Municipal website advising of such change. If time permits, notice may be posted with the local media advising of such change.

1.4.0 Location of Meetings

1.4.1 Regular Meetings⁴ of the Council will be held in the Council Chambers of the Municipality located at 40 Broadway Ave, Wawa, Ontario or in such other location as determined by the Council.

1.5.0 Cancellation and Rescheduling of Meetings

1.5.1 The Council at its discretion at a preceding Regular Meeting may cancel or reschedule Regular Meetings of the Council.

1.5.2 The Head of Council may cancel any meeting if notice has been given that a quorum will not be available to conduct a meeting.

1.6.0 Regular Council Meeting Agenda

1.6.1 The Clerk shall be responsible for preparing the Regular Council Meeting Agenda prior to being distributed to Council Members. Such Agenda shall be reviewed with the Head of Council prior to distribution.

⁴ Municipal Act, 2001; Section 236 (1)



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1.6.2 The Clerk shall make available electronically, an Agenda and a copy of all applicable reports, Motions or items on the Agenda to each Member at least three (3) days prior to the Meeting at which same are to be considered.

1.6.3 Paper copies of the Agenda or any item that is to be considered may be provided upon reasonable notice from any Member.

1.7.0 Quorum

1.7.1 A quorum of Council⁵ shall be a majority of the total Members (5) thereof that is three (3) Members, unless a two-thirds majority shall be required by statute or by-law.

1.7.2 A quorum of any of the Committees appointed by Council shall be a majority of its Members.

1.8.0 Closing Hour (Curfew)

1.8.1 The Council of the Corporation of the Municipality of Wawa shall not remain in session later than ten-thirty in the afternoon (10:30 P.M.) unless so determined by a vote of two-thirds of the Members present.

1.9.0 Calling of a Special Meeting

1.9.1 A Special Meeting of the Council may be called by the Mayor⁶ on a specific item or items identified in the calling of the Meeting.

1.9.2 A Special Meeting of the Council may be called by the majority of Council⁷ Members, upon receipt of a petition by the Clerk, on a specific item or items identified in the calling of the Meeting.

⁵ Municipal Act, 2001; Section 237 (1)

⁶ Municipal Act, 2001; Section 240 (a)



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1.9.3 Unless otherwise specified in the notice or petition mentioned in Section 1.10.1 or Section 1.10.2 above, a Special Meeting shall be held in the Council Chambers at the Municipal Offices.

1.10.0 Agenda – Special Meeting

1.10.1 The Agenda of a Special Council Meeting is limited to the topic(s) listed on the Agenda of the Meeting. No other items shall be added to the Agenda of a Special Meeting, unless all Members of Council are present and grant unanimous consent.

1.11.0 Notice of Special Meeting

1.11.1 In ordinary circumstances, a notice of a Special Meeting will be delivered to all Council Members orally, in writing, via email or telephone, at least forty-eight (48) hours prior to holding the Meeting.

1.12.0 Waiving of Written Notice

1.12.1 In an emergency or unusual circumstance, as determined by the Mayor, the requirements of forty-eight (48) hours notice may be waived and notice may be given orally, in writing, via email or telephone as the circumstances may require. When such action is taken as required it shall be duly confirmed as proper procedure on the Agenda of the Meeting concerned. Attempts must be made to reach all Council Members and a record of all such attempts shall be kept and made available to Council Members if requested.

1.13.0 Order of Business

1.13.1 The business before the Council shall be dealt with in the following order:

⁷ Municipal Act, 2001; Section 240 (b)



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- a) **Call to Order and Note the Members Present**
The Mayor shall call the meeting to order after first checking to ensure the presence of the Clerk or designate and the presence of Council Members. At this time, all guests are welcomed.
- b) **Presentations**
Pre-prepared presentations are made at this time. Such presentations might include the recognition of departing Council or staff members or other public dignitaries.
- c) **Review of Addendum / Approval of Agenda**
A Motion approving the agenda and any matters of addendum is presented for consideration of the Council.
- d) **Announcements, Giving of Notice and Schedule of Meetings**
Announcements by the Mayor or Council are to be made at this time. In addition, this section is also used for the "giving of notice" under the provisions of the *Municipal Act, 2001* or notification to the public of upcoming meetings. This section of the agenda is not to be used for debate or public statements by individual Council Members.
- e) **Declaration of Pecuniary Interest and the General Nature Thereof**
Prior to moving into the business of the meeting any member having a pecuniary interest to declare shall make that declaration and the reason for the declaration.⁸

⁸ Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50



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g) Consent Agenda

A consent agenda is placed before the Council for items that do not need any discussion or debate either because they are routine procedures or have already received unanimous consent. Council adopts all of these items together without discussion or individual Motions. Items may be removed from the consent agenda at the request of any member. Items not removed are adopted without debate. Removed items may be taken up immediately after the consent agenda or placed later on the agenda.

h) Delegations

All Delegations shall be made under this heading. This allows visitors to make their presentations early in the meeting and avoids interested persons sitting through the entire meeting waiting for a Delegation.

i) Public Meetings – Planning Act

At this point if the municipality is considering a matter of a Public Meeting under the *Planning Act*, such as a zoning application, the Council shall adjourn the Meeting and conduct the Public Meeting. At the conclusion of the Public Meeting, the Regular Meeting of Council shall continue. Separate Minutes are to be kept for all Public Meetings under the Planning Act.

j) Informational Reports

Reports made by the Mayor, Council or Staff that are of an informational nature only (not requiring action) shall be reported on under this heading. Such reports may be verbal or written and shall be received via Resolution.

k) Closed Meeting Report

Items arising from the previous Closed Meetings are reported on with any recommendations being presented for consideration.



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l) New Business

New Business shall contain any business that requires a decision of Mayor and Council and which is not detailed under any other heading. This could include Committee Recommendations and Staff Recommendations.

m) Notice of Motion

A member of Council may provide Notice of a Motion that he / she intends to bring an issue forward at a future meeting. Such notice must include the subject matter of the Motion and background. All items contained under Notice of Motion shall remain there until such time as they are disposed of.

Motions required for other general business or by-laws are not listed in this area.

n) Consideration of By-laws

All by-laws for consideration are presented during this section of the Meeting. Such consideration shall include all first, second and third readings.

o) In-Camera Session (Closed Meeting)

Normally, if necessary, Council may move to a Closed Meeting subject to the requirements of this procedural by-law and governing legislation. There may be a need to discuss an item In-Camera and immediately come out of In-Camera to deal with the issue in open Council.

p) Close of Meeting



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1.14.0 Access to Meetings and Minutes of Council Meetings

1.15.1 Access to Meetings and Minutes of Meetings of the Council shall be in accordance with the *Municipal Act, 2001*⁹, and the *Municipal Freedom of Information and Protection of Privacy Act*.

1.15.0 Open Meetings of Council

1.15.1 Except as provided in this section, all meetings shall be open to the public¹⁰.

1.16.0 In-Camera (Closed) Portion of Meetings of Council

1.16.1 Any portion of a Council Meeting that proceeds to an "In-Camera" or Closed session shall be considered a separate meeting. "In-Camera" Meetings shall be held and conducted under the process as dictated in this policy and according to the *Municipal Act, 2001*¹¹.

1.16.2 The Minutes of an Open Meeting of the Council shall record the movement to an In-Camera session but not the deliberations.

1.17.0 Exclusion of Persons

1.17.1 The Head of Council or other Presiding Officer may expel¹² any person for improper conduct at a Meeting.

⁹ Municipal Act, 2001; Section 253 (1)

¹⁰ Municipal Act, 2001; Section 239 (1)

¹¹ Municipal Act, 2001; Section 239

¹² Municipal Act, 2001; Section 241 (2)



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1.18.0 Investigator

1.18.1 A person may request that an investigation¹³ of whether a municipality or local board has complied with the Closed Meeting provisions of this by-law.

1.18.2 Any investigation referred to in 1.19.1 above shall be in accordance with the *Municipal Act 2001* on such matters.

1.20.0 Minutes of Meetings

1.20.0 Account of Proceedings

1.20.1 The Clerk¹⁴ shall keep a full and correct record of the proceedings of every Meeting and ensure that the Minutes when confirmed are signed by the Mayor or Presiding Member and the Clerk.

1.20.2 A separate¹⁵ Agenda and Minutes must be maintained for In-Camera meetings.

1.21.0 Confirmation of Minutes

1.21.1 The Minutes of Meetings shall be confirmed as accurate at the next Regular Meeting of the Council.

1.21.2 The proceedings of Council shall be confirmed through a confirmatory by-law presented at each Meeting.

¹³ Municipal Act, 2001; Section 239.1

¹⁴ Municipal Act Section 228 (1)

¹⁵ Municipal Act, 2001; Section 239 (7)



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1.22.0 Record of Council Member Attendance

1.22.1 Attendance of Council Members shall be recorded in the Minutes of all Regular, Special and Closed Meetings of the Council.

1.23.0 Voting by Head of Council or Presiding Officer – Equality of Votes

1.23.1 Except as otherwise provided, every member of a council shall have one vote¹⁶.

1.23.2 The Mayor or Presiding Officer shall vote on all questions with the remainder of Council Members.

Part II – Rules of Order

2.0.0 Rules of Order

2.1.0 Presiding Officer

2.1.1 The Head¹⁷ of Council, except where otherwise provided, shall preside at all meetings of the council.

2.2.0 Absence of Presiding Officer¹⁸

2.2.1 In the absence of the Mayor, the Deputy Mayor shall preside. In the absence of both the Mayor and Deputy Mayor, the Clerk shall call the Meeting to order and a Presiding Officer shall be chosen by the Members of Council to preside over the Meeting with such appointment being made by Resolution.

¹⁶ Municipal Act, 2001; Section 243

¹⁷ Municipal Act, 2001; Section 241

¹⁸ Municipal Act, 2001; Section 242



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2.2.2 In the absence of the Mayor, the Deputy Mayor shall have all the powers and discharge the duties of the Head of Council as defined by the *Municipal Act, 2001*. The position of Deputy Mayor shall not carry with it any special or specific duties except when acting in the absence of the Mayor.

2.2.3 The position of Deputy Mayor shall be held by a Member of Council (except the Mayor). The Deputy Mayor shall be selected from among the Members of Council for the Municipality of Wawa. The selection of the Deputy Mayor shall be made on an annual basis at the first Council Meeting of each calendar year through an open nomination and voting process conducted by Council.

2.3.0 Point of Order

2.3.1 Any Member may at any time rise on a Point of Order, interrupting a speaker if necessary, to point out a breach of rules.

2.3.2 The Presiding Officer shall decide whether the point is well taken and shall state the applicable rule without comment.

2.3.3 The ruling of the Presiding Officer shall be final and binding subject only to appeal to the Council.

2.3.4 An appeal to the Council will be by verbal Motion duly Seconded and requires a majority vote to overturn the Presiding Officer's ruling. The appeal Motion is not debatable and the result of the vote is final and binding.



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2.4.0 Privilege

- 2.4.1 Questions of Privilege may be raised in the course of debate, but not so as to interrupt a speaker who has the floor. Such questions usually have to do with the rights or interests of the Council as a whole or of a Member personally and arise if in the course of debate it appears that those rights or interests are adversely affected.
- 2.4.2 The Presiding Officer shall rule whether the question is properly one of privilege and admissible.
- 2.4.3 The ruling of the Presiding Officer shall be final and binding subject only to appeal to the Council.
- 2.4.4 An appeal to the Council will be by verbal Motion duly Seconded and requires a majority vote to overturn the Presiding Officer's ruling. The appeal Motion is not debatable and the result of the vote is final and binding.

2.5.0 Recording of Votes¹⁹

- 2.5.1 If a member present at a meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his or her vote openly and the Clerk shall record each vote.
- 2.5.2 A failure to vote under 2.5.1 above, by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.

¹⁹ Municipal Act Section 246



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2.6.0 Participation by Members

- 2.6.1 A Member prior to speaking to any questions or Motion shall address the Presiding Officer. The Member shall confine himself or herself to the question in debate and shall avoid all discourteous language and references to personalities.
- 2.6.2 A Member called to order for breach of proper decorum is expected to comply at once with any directive given by the Presiding Officer, withdrawing any offensive words or apologizing for any inadvertent infringement of the rules. If he/she does not do so, the Member may be suspended from the Meeting.
- 2.6.3 When two or more Members wish to speak at the same time, the Presiding Officer shall name the Members who are to speak and the order in which they are to speak.
- 2.6.4 Members shall not be interrupted while speaking except they may be called to order by a Member for transgression of the rules of the Council, in which case all Members shall be silent until the Point of Order has been decided by the Presiding Officer.
- 2.6.5 Any Member may require the Motion under discussion to be read for his/her information at any time in the course of debate, provided that no such request shall be made so as to interrupt a Member speaking to the question.
- 2.6.6 The Head of Council may state the relevant facts, including his or her position on any matter before the Council and may debate any question before Council without vacating the Chair.
- 2.6.7 The Head of Council may address the Council between proceedings on any matter which the Head of Council deems necessary to the business of the municipality without vacating the Chair.



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2.7.0 Motions

2.7.1 Any proposition made to the Council is called a Motion; when it is stated or propounded to the Council for acceptance or rejection it is a Question; and when it is adopted it becomes a Resolution.

2.7.2 After a Motion is read by the Presiding Officer or Clerk, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time before the vote is taken with the consent of the Mover and Seconder and with the concurrence of a majority of those Members present.

2.7.3 Any Member may appeal to the Presiding Officer to have a Motion divided. If in the opinion of the Presiding Officer, the Motion under consideration contains two or more distinct propositions, he/she may grant the request and direct the Members consider and vote on the proposition as separate items.

The Presiding Officer's ruling shall be final subject only to appeal to the Council in which case a majority vote is required.

2.7.4 *Appendix I* sets out the order of precedence of Motions, from the highest rank at the top of the list to the lowest at the bottom. The order shall prevail during Meetings of the Council and its Committees.

2.7.5 No Motion or amendment shall be debated or put to a vote unless the same is in writing and Seconded, except as set out in Section 2.7.4 above.

2.7.6 A Motion to adjourn or close the Meeting shall be in order, except when a Member is speaking or a vote is being taken.

2.7.7 A Motion to Table is not debatable. A Motion to Table with a condition attached is debatable.



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- 2.7.8 When a Question has been tabled, it shall not be taken up at the same Meeting, except by a vote of two-thirds of the Members present.
- 2.7.9 After a Motion is made and Seconded, a Motion to amend may be made, as well as a Motion to amend the amendment. Only two such amendments may be entertained at the same time. One of the amendments must be disposed of before any new amendments can be entertained.
- 2.7.10 All Questions shall be put in the order in which they are Moved, except that amendments shall be put before the Motion, the last amendment first and so on. After the Presiding Officer has put a Question to vote there shall be no further debate. Every Member present, when a Question is put, shall vote thereon unless prevented by Statute, Act, or a declared Conflict of Interest.
- 2.7.11 Failure to signal a vote by hand or voice shall be deemed to be a vote in the negative unless Statute, Act, or a declared Conflict of Interest prevents the Member from voting on the Motion.
- 2.7.12 The Presiding Officer at a Committee Meeting shall vote with the other Members on all Questions and, when there is an equality of vote, the Question shall be deemed to be negative.
- 2.7.13 Every Member has the right to speak twice on the same Question except that the Mover of the Motion may respond to questions on the Motion at the direction of the Presiding Officer. No Member may hold the floor for more than five (5) minutes at one time.
- 2.7.14 Any Question, once decided by the Council, at a Regular Meeting shall not be reconsidered at that Meeting.



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A Question may be reconsidered at a later Meeting provided any Member shall give written notice for reconsideration. The Question for reconsideration shall be decided by simple majority vote.

If the reconsideration of the Question should be decided in the negative, it shall not be reconsidered again for twelve (12) months unless this rule is suspended by a vote of two-thirds of the Members present.

2.7.15 No principle or main Motion, other than matters contained within the presiding agenda or of courtesy, shall be given consideration at any Regular Meeting of Council unless a notice of the proposer's intention to introduce such Motion has been given in writing to the Clerk. Such notice shall be given to the Clerk at least five (5) days before the Meeting for insertion on the Agenda.

This rule may be suspended by a vote of two-thirds of the Members present.

2.7.16 A Motion in respect to a matter which is beyond the jurisdiction of the Council shall not be in order.

2.8.0 By-Laws

2.8.1 Every by-law which requires first and second reading only shall be introduced by a Motion for leave specifying the title of the by-law or by-laws and the Motion shall be in the following words:

*"That the following by-laws be introduced, and read first and second time."
(By-laws listed)"*

2.8.2 Every by-law which requires third reading only shall be presented by a Motion specifying the number of the by-law or by-laws and the Motion shall be in the following words:

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*"That the following by-law(s) having been read a first and second time be now read a third time and finally passed, and that the Mayor and Clerk be AUTHORIZED to sign and seal the same notwithstanding any contrary provision of the Council.
(By-laws listed)"*

2.8.3 Every by-law which requires first, second and third reading at the same meeting shall be presented by a Motion specifying the number of the by-law or by-laws and the Motion shall be in the following words:

*"That the following by-law(s) having been read a first and second time be now read a third time and finally passed, and that the Mayor and Clerk be AUTHORIZED to sign and seal the same notwithstanding any contrary provision of the Council."
(By-laws listed)"*

2.8.4 Notwithstanding anything herein contained, upon the request any member of Council that a by-law be considered separately, it shall, without debate, be removed from the Motion and introduced by a separate Motion as the next item of business.

2.8.5 Every by-law shall receive three readings and all such readings may take place at the same meeting of Council.

2.8.6 By-laws that are considered to be of a substantive nature or that may have considerable public interest (such as a by-law enforceable by the *Provincial Offences Act*) may receive a third reading at a subsequent meeting.

2.8.7 No debate or comment on a by-law may be made until the third reading thereof.



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2.8.8 No by-law shall pass any reading unless by the affirmative vote of a majority of members of the Council present or the majority required by-for that by-law

2.8.9 Upon passage, by-laws shall be numbered, signed by the Head of Council or presiding officer and the Clerk and embossed with the seal of the Corporation.

2.8.10 Any proposed by-law may be referred to a Committee, or Officer of the Corporation or the Public for review and comment, including the Legal Counsel for the Corporation.

Part III – Committees

3.0.0 Committees

3.1.0 Definitions

3.2.0 Standing Committees

3.2.1 A Standing Committee shall be one that is appointed in order to have available a cohesive body to which may be referred questions which may arise from time to time in defined areas of the Council's interests or to which may be assigned a continuing responsibility in those areas. It may be required by Statute, Municipality Policy, or Council Motion and will function for a period coinciding with the current term of office of the Head of Council.

3.3.0 Ad Hoc Committee

3.3.1 An *Ad Hoc* Committee shall be one established to perform a specific mandated function. It exists only as long as may be necessary to discharge that function.



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3.4.0 Sub-Committee

3.4.1 A Sub-Committee shall be a division of an *Ad Hoc* or Standing Committee appointed by the Chairperson of the Committee to deal with an aspect of the Committee's concerns. This Sub-Committee shall be responsible to and report to the body appointing it.

3.5.0 Formation of Committees

3.5.1 A Committee, whether Standing or *Ad Hoc* shall be established by by-law of the Corporation.

3.5.2 The Mayor, in consultation with the Clerk, shall be responsible for recommending to Council the number and types of Standing Committees in addition to those established by Statute or Municipality Policy.

3.5.3 Council may establish such *Ad Hoc* Committees, as it considers expedient.

3.6.0 Committee Mandates

3.6.1 Each Committee established by the Council, shall be given a written mandate approved by by-law of the Corporation. Any alteration of the mandate must be approved by an amendment of the original by-law of the Corporation.

3.7.0 Committee Membership

3.7.1 The Members of all Committees, other than those of a statutory nature, shall be appointed by the Mayor and confirmed by the Council.

3.7.2 The Mayor shall be ex-officio of all Standing and *Ad Hoc* Committees.



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3.7.3 Unless otherwise directed by Council, any *Ad Hoc* or Standing Committee shall consist of a minimum of one (1) Member of Council, excluding ex-officio Members and at least one non-voting Secretary / Resource person.

3.8.0 Public Access to Committee Meetings²⁰

3.8.1 Committees of the Corporation, as appointed through by-law, shall generally be governed by the contents and direction of this procedural by-law. Such governance shall strictly include applicability to the sections respecting "open" and "closed" meetings.

3.9.1.1 Committee Procedures

3.9.1 The first Meeting of a Committee will be called by the Secretary / Resource Person.

3.9.2 At the first Meeting of the Committee, the order of business shall be:

- a) To elect a Committee Chairperson
- b) To receive the mandate of the Committee according to the Corporation by-law regarding the Committee.
- c) To proceed with the Committee business.

3.9.3 The business before the Committee shall be dealt with in the following order:

- a) Call to order and Note the Members Present
- b) Review of Addendum / Approval of Agenda
- c) Announcements / Deputations
- d) Declaration of Pecuniary Interest and the General Nature Thereof
- e) Approval of Minutes

²⁰ Municipal Act Section 239



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- f) Old Business
- g) New Business
- h) In-Camera Session
- i) Meeting Close

- 3.9.4 The Secretary / Resource person shall prepare the Agenda and shall give notice of Meetings together with Agendas and all matters so far as known that are to be brought before the Committee at such Meeting. Such notice shall be delivered to each Member of the said Committee at least three (3) days prior to the Meeting. The Secretary / Resource person may review the Agenda with the Chairperson of the Committee prior to final distribution.
- 3.9.5 A majority of the Voting Members constituting any Committee shall be a Quorum.
- 3.9.6 Motions may be presented either verbally or in writing. If verbally, that fact shall be so recorded.
- 3.9.7 After a Motion has been read or stated by the Mover and Seconder, or by the Presiding Officer, it shall be deemed to be in possession of the Committee, but may be withdrawn by the Mover and the Seconder at any time before decision or amendment.
- 3.9.8 No Notice of Motion shall be required to introduce new matters by Motion at any Committee Meeting, but new matters shall only be so introduced with the approval of the majority of the Members present, expressed by a show of hands.
- 3.9.9 When a Motion is under debate, no other Motion shall be received except for the following purposes and according to the following order of priority:



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- a) The previous Question²¹
- b) To postpone to a definite date
- c) To refer to any Member or Group of Members of the Committee or to Staff, for any purpose.
- d) To amend

3.9.10 Recorded Votes shall not be permitted at Committee Meetings.

3.9.11 All recommendations of Committees shall be reported to the Council of the Corporation in writing which may be through the Minutes of the Committee.

3.9.12 The Rules of Order applicable to Council Meetings, as far as possible, and not changed for the purpose of Committee Meetings, shall apply to Committee Meetings. Although the Rules of Order as set out in this procedure should generally be followed; the Chairperson shall have the power to modify the Rules to enable the Committee to effectively fulfill its function.

3.9.13 Minutes of transactions of every Committee shall be maintained and at each Meeting of the Committee the Minutes or Record of transaction of the previous Meeting shall be submitted for confirmation or amendment and, after approval, shall be signed by the Committee Chairperson and Secretary / Resource Person. The approved Minutes or Record of Transaction shall be submitted to the Council of the Corporation for information.

3.9.14 All Committee Meetings of the Council shall be open to the public except as identified in Section 3.8.1.

²¹ Not debatable



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3.10.0 Corporate Planning Committee

3.10.1 A Corporate Planning Committee consisting of the Mayor and Members of Council shall be established as a Standing Committee.

3.10.2 The mandate of the Corporate Planning Committee shall be to study, discuss and report to Council on matters affecting the Municipality of Wawa including but not limited to:

- Community Services including but not limited to Tourism and Recreation
- Corporate Services including but not limited to Strategic Planning, General Government, Treasury, Building Services, Fire Services, Economic and Community Development and Land Use Planning.
- Infrastructure Services, including but not limited to Water and Sewer, Waste Disposal and general Public Works.
- Information Technology and Innovation

3.10.3 Matters may come before the Committee as directed by Council or referred to it by the Clerk, Mayor or Committee Chairperson.

3.10.4 Matters relating to the establishment or maintenance of Municipal Policy shall not be referred to the Corporate Planning Committee.

3.11.0 Policy Committee

3.11.1 A Policy Committee consisting of the Mayor and Members of Council shall be established as a Standing Committee.



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3.11.2 The mandate of the Policy Committee shall be to study, discuss and report to Council on matters of new Municipal Policy and the maintenance of existing Municipal Policy in all service areas of the Municipality.

3.11.3 Matters may come before the Committee as directed by Council or referred to it by the Clerk, Mayor or Committee Chairperson.

3.11.4 Matters that would more properly be dealt with by the Corporate Planning Committee shall not be referred to the Policy Committee.

Part IV – Conflict of Interest

4.0.0 Conflict of Interest

4.1.1 Each Member of the Council or of any Committee, Local Board or Policy Group shall be responsible for acquainting himself or herself with the requirements contained in the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50* or its successor.

Part V – General Provisions

5.0.0 General Provisions

5.1.1 No amendments, alterations or additions to this By-Law shall be made unless due notice, in writing, setting forth the proposed amendment, alteration or addition, shall have been given at a Regular Meeting of Council previous to that at which the same comes up for consideration.

5.1.2 Any changes made in numbering or content to any Act referred to in this By-Law at any time after the By-Law has been passed shall be considered as written into the present By-Law using the revised number and/or content.



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- 5.1.3 All Points of Order, or procedure, not covered by this By-Law shall be decided in accordance with *Kerr and King*, insofar as they are applicable. The most current version in print at the time of question shall be referenced.
- 5.1.4 The rules and regulations contained in this By-Law shall be observed in all proceedings of Council and shall be the rules and regulations for the order and dispatch of the business of Council and its Committees except where any statute or legislative regulation otherwise provides.



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**Appendix I
Order of Precedence for Motions**

Motions	Amendments	Written Motions	Debatable	Vote Required	Reference
Fix Time of Next Meeting	Yes	Yes	Yes	Majority	
Close or Adjourn	No	No	No	Majority	
Register Complaint – Question of Privilege	No	No	No	None	
Appeal a Ruling of Presiding Officer	No	No	No	Majority	
Move to In-Camera Session	No	No	No	Majority	
In-Camera report to Council	No	No	No	Majority	
Suspend the Rules	No	Yes	No	2/3 Majority	
Withdraw a Motion	No	No	No	Majority	
Lay on or Take from the Table	No	No	Only with attached condition	Majority	
Refer to Committee or Commit to	No	No	No	Majority	
Amend	Yes	Yes	Yes	Majority	
Divide a Motion	No	No	No	Presiding Officer Rules	
Main Motion	Yes	Yes	Yes	Majority	
Reconsider First Time	No	Yes	Yes	Majority	
Reconsider Second or Subsequent Times	No	Yes	Yes	2/3 Majority	
Kill Motion	No	No	Yes	Majority	
Rescind	Yes	Yes	Yes	Majority	
Enforce Rules – Point of Order	No	No	No	None	
Request for Information – Point of Information	No	No	No	None	



**The Corporation of the Municipality of Wawa
Policy Manual**

64

POLICY TITLE: Proceedings of Council and Committees	SUBJECT: Procedural Matters Relating to Council and Committees
Policy Section: General Government & Administration	Policy No. GG-003
Effective Date: May 3, 2011	Enacted By: By-Law No. 2462-11

Section E

Policy Adoption and Review Guidelines

Date of Adoption by Council	By-Law No.	Motion No.	Date of Most Recent Review by Council	Date of Next Review by Council
June 20, 1995	1004-95	-	June 20, 1995	July 13, 1999
July 27, 1999	1262-99	334-99	July 13, 1999	July 31, 2000
January 16, 2001	1373-00	RC01006	December 2001	December 2004
December 21, 2004	1732-04	RC04566	February 2004	January 2007
June 27, 2007	2027-07	SP07019	June 2007	March 2008
March 4, 2008	2102-08	RC08062	March 2008	February 2011
March 22, 2011	2462-11	RC11137	May 2011	February 2014

Section F

References to Other Policies or By-Laws

Policy Title	Policy Section	Policy Number

THIS IS EXHIBIT 3 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016

Cathy Cyr

Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.



PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 1 OF 3
 PREPARED FOR JEROME
 ON 2010/06/23 AT 11:40:28

LAND
 REGISTRY
 OFFICE #1

31189-0889 (L7)

REGISTERED IN ACCORDANCE WITH THE LAND TITLES ACT - SUBJECT TO RESERVATIONS IN CHOWN CHART *

PROPERTY DESCRIPTION: PCL 5376 SEC AVE; PT LOCATION CA 85 MCMURRAY PT 1-3 1R1265; 8/7 L758067; MICHIPICOTEN

PROPERTY REMARKS:
 RECENTLY
 FIRST CONVERSION FROM BOOK
 ABSOLUTE

RECENTLY
 FIRST CONVERSION FROM BOOK

CAPACITY SHARE
 JOHN
 JOHN

ENL CREATION DATE:
 2006/03/20

REG. NO.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CLASS/ CURR
** 3118907		INCLUDES ALL EGRESS TYPES AND DELETED INSTRUMENTS SINCE: 2006/03/17 **				
L758067	1984/01/27	TRANSFER EASEMENT			GREAT LAKES POWER CORPORATION LIMITED	C
1R1265	1971/10/06	PLAN REFERENCE			LIDDLE, THOMAS GERALD LIDDLE, TAMARA LYNN	C
L720863	1986/11/01	TRANSFER	\$50,000	*** COMPLETELY DELETED ***	ROYAL BANK OF CANADA	C
L7216065	1997/12/30	CHARGE		*** COMPLETELY DELETED ***		
A115138	2007/04/17	LITEN		HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF FINANCE		
A115140	2007/04/17	LITEN		*** COMPLETELY DELETED ***		
A126797	2007/11/20	DISCHARGE INTEREST		HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF FINANCE		
A126799	2007/11/20	DISCHARGE INTEREST		*** COMPLETELY DELETED ***		
A127146	2007/12/05	CHARGE	\$239,020	*** COMPLETELY DELETED ***	ROYAL BANK OF CANADA	C

NOTE: ADDITIONAL PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
 NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

LAND REGISTRY OFFICE #1
 PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER
 PAGE 2 OF 3
 PREPARED FOR JCS/GRNA
 ON 2016/06/21 AT 14:49:188



31169-0689 (LTY)
 * CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CHRY CHRD
AL28391	2007/12/14 REMARKS: RE: LTR18085	DISCH OF CHARGE		LIDDLE, THOMAS GERALD *** COMPLETELY DELETED *** ROYAL BANK OF CANADA		
AL55944	2009/07/03 REMARKS: TRANSFER OF EASEMENTS, SEE SCHEDULE DOCUMENT	ASP. (GENERAL)		*** DELETED AGAINST THIS PROPERTY *** GREAT LAKES POWER LIMITED DELETED 2018/11/27 FROM PIN 31169-0689 AS PIN NOT FOUND IN ANY PART OF DOCUMENT	GREAT LAKES POWER DISTRIBUTION INC.	
AL42390	2009/11/10 REMARKS: ENCLISE TAX ACT	LIEF	\$129,933	HER MAJESTY THE QUEEN IN RIGHT OF CANADA AS REPRESENTED BY THE MINISTER OF NATIONAL REVENUE		C
AL42351	2009/11/10 REMARKS: INCOME TAX ACT	LIEF	\$12,172	HER MAJESTY THE QUEEN IN RIGHT OF CANADA AS REPRESENTED BY THE MINISTER OF NATIONAL REVENUE		C
AL154842	2015/12/14 REMARKS: TAX AMENDS	CERTIFICATE		THE CORPORATION OF THE MUNICIPALITY OF NAPA		C

NOTE: ADDITIONAL PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
 NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

THIS IS EXHIBIT 4 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016

Cathy Cyr

Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

69

MUNICIPALITY OF WAWA
TAX ACCOUNT HARDCOPY

PT4510
Page: 1

Date: 21-Jun-2016 Time: 11:17 am

Roll: 5776 000 00300401.0000
Balance as of: 21-Jun-2016

ACTIVE

120 PINWOOD DR
LIDDLE, THOMAS GERALD LIDDLE, TAMARA LYNN

LIDDLE, THOMAS GERALD
LIDDLE, TAMARA LYNN
PO BOX 1505 STN MAIN
WAWA ON P05 1K0

Phase In Value: 614000
Calculate Penalty: Y
Cur Val Assmnt Portn: 614000
Cur Val Assmnt Total: 614000
Property Code: 301
LOT SIZE KEY: AC
LOT SIZE: 24.70
High School: 00
Public School: 01
Seperate School: 01

French Public: 01
French Seperate: 01
Unit Class: RU

Legal Description
LOC CK85 PT PCL 5528 AWS RP : 1R1265 PART 1 TO 3:

14,612.00 Total 2016 Levy

TAXES ON ACCOUNT					
	Current	1 Yr Arrear	2 Yr Arrear	3+ Yr Arrear	Total
Amount	14,612.00	16,307.08	14,281.85	18,539.52	63,740.45
Interest	336.10	2,014.49	1,740.72	2,242.88	6,334.19
Total	14,948.10	18,321.57	16,022.57	20,782.40	70,074.64
Un-Applied:					0.00
Balances:					70,074.64

ASSESSMENT YEAR 2016

Class Description	Category Description	Src	Effective Date	End Date	Gross Value
RESFARM TX: FULL	English - Public	A	01-Jan-2016	31-Dec-2016	-125,000
RESFARM TX: FULL	English - Public	O	01-Jan-2016	31-Dec-2016	614,000

NO LOCAL IMPROVEMENTS

HISTORY AS OF JUN. 21, 2016

Date	Description	Amount
Dec. 31, 2015	Balance Forward	60,358.36
Jan. 01, 2016	Interest	722.01
Jan. 21, 2016	Real Tax Fees	887.05
Feb. 01, 2016	Interest	722.01
Feb. 02, 2016	Tax Levies	8,962.28
Mar. 01, 2016	Interest	722.01
Mar. 01, 2016	Penalty	56.02
Apr. 03, 2016	Interest	722.01
Apr. 03, 2016	Penalty	56.02
May. 02, 2016	Interest	722.01
May. 02, 2016	Penalty	112.03
Jun. 02, 2016	Interest	722.01
Jun. 02, 2016	Penalty	112.03
Jun. 06, 2016	Tax Levies	9,384.89
Jun. 15, 2016	Tax Levies	-14,186.10

THIS IS EXHIBIT 5 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016

Cathy Cyr

Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

Gerry Liddle

120 Pinewood Drive, PO Box 1505, Wawa, ON P0S 1K0 Ph. 705-856-2001 cell: 705-852-1087 email: gliddle@shaw.ca

October 26, 2015

The Corporation of the Municipality of Wawa
P.O. Box 500,
40 Broadway Avenue
Wawa, ON P0S 1K0

Attention: MAYOR AND COUNCIL*

Ron Rody, Mayor
Yvan Besner, Councillor
Bill Chaisson, Councillor
Matthew Morrison, Councillor

c.c. Chris Wray, CAO

*NOTE: Excluding Councillor Tamara Liddle, due to possible conflict of interest

Re: URGENT & CONFIDENTIAL - Property Tax Matter (Roll #5776 000 00330401)

I am writing to request the Municipality cease the tax registration process against our property on Pinewood Drive. A deadline of November 6th applies.

We request a reasonable extension of time, (90 – 120 days – see below) based on the following facts and circumstances;

1. We were not given adequate notice by Municipal staff that these steps were being taken, nor made aware of the various current options available.
2. The consequence of these actions can cause irreversible damage to our property value and equity investment in our property.
3. Our annual property taxes have nearly tripled in 10 years (\$6,814. in 2003 to \$18,214. in 2013).
4. Incorrect assessment information was applied by MPAC and a review/appeal process is on-going with MPAC and the ARB (Assessment Review Board). A decision which will result in a substantial reduction in assessment and required adjustment in taxes (including penalties & interest) owing is expected shortly, however the timetable is beyond our control.
5. We have made a total of \$40,517.58 in payments to the Municipality over the last two years, and continue to make payments in good faith.
6. We are committed long-term residents and ratepayers of the community, and continue to make investments into our property.

We understand other ratepayers in Wawa (estimated 30% and growing) face a variety of property tax issues and the complex matters related to tax arrears are to be reviewed by Council in the coming months.

I am available to meet at your earliest convenience to discuss and resolve these issues and look forward to hearing from you.

Yours truly,

Gerry Liddle

THIS IS EXHIBIT 6 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016

Catherine Cyr

Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.



390 Bay Street, Suite 500
Sault Ste. Marie, Ontario
Canada P6A 1X2
Tel. 705.949.6700
Fax 705.949.2465

www.wishartlaw.com

November 10, 2015

Council of The Corporation of the
Municipality of Wawa
Box 500
40 Broadway Avenue
Wawa ON P0S 1K0

Dear Council:

Re: Section 373(1) of the Municipal Act, 2001
Our File No.: 3056-240

The Wishart Law Firm LLP is counsel to the Municipality of the
Municipality of Wawa ("Municipality").

On November 4, 2015, the Municipality asked me to opine in respect of a
letter received by Council of the Municipality ("Council") dated October
26, 2015 ("Request Letter").

THE REQUEST LETTER

In the Request Letter, the local resident property owner ("taxpayer")
requests that Council pass a motion to not proceed with the registration of a
tax arrears certificate as against Roll #577600000330401 ("Request
Letter").

SECTION 373(1) – MUNICIPAL ACT

I have reviewed and examined the Request Letter and the relevant
legislation, being the Municipal Act, 2001 ("Act") and in particular, Section
373(1) of the Act, which provides for the registration of tax arrears
certificate as follows:

Where any part of tax arrears is owing with respect to land
in a Municipality on January 1 in the third year following
that in which the real property taxes become owing, *the
Treasurer of the Municipality, unless otherwise directed by
the Municipality, may prepare and register a tax arrears
certificate against the title to that land [emphasis added by
author].*

DOCUMENTS CONSIDERED

I have also made further investigations by examining and reviewing the
following:

1. Any relevant case law in respect of the relevant sections of the Act;
2. The Tax Collection Policy of the Municipality, which of note, provides that:

The mandate of the Treasury/Tax Department is to ensure the prompt, effective and efficient collection of taxes by the various procedures and means available to it through many forms of legislation.

3. The legislative history of the Act which was comprehensively rewritten in 2001, including but not limited to the following legislative history materials available from the Legislative Assembly of Ontario database:
 - a. Statements of the Minister and other MPPs regarding the Act;
 - b. Transcripts of the debate regarding the Act;
 - c. Committee transcripts regarding the Act;
 - i. All of which are collectively referred to as the "Hansard Materials;"

I express no opinion as to the laws of any jurisdiction except Ontario. Based upon and subject to the foregoing, I am of the opinion that there are two directly competing issues involved in Council's considerations of the Request Letter. The competing issues are the legal risk given the duties of the Treasurer and the precedent risk of Council directing the Treasurer not to register a tax arrears certificate, especially in this given fact situation.

LEGAL RISK

From a purely legal perspective, it is clear from the Act that the Treasurer has numerous statutory duties and that the primary objective of the Treasurer is to collect the taxes due and owing to the Municipality.

Specifically, pursuant to Section 286(1) of the Act, the Treasurer's responsibilities are as following:

A Municipality shall appoint a Treasurer who is responsible for handling all of the financial affairs of the Municipality on behalf of and in the manner directed by the council of the Municipality, including,

Wishart
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Fax 705.949.2465

www.wishartlaw.com

- (a) *Collecting money payable to the Municipality and issuing receipts for those payments [emphasis added by author];*
- (b) Depositing all money received on behalf of the Municipality in a financial institution designated by the Municipality;
- (c) Paying all debts of the Municipality and other expenditures authorized by the Municipality;
- (d) Maintaining accurate records and accounts of the financial affairs of the Municipality;
- (e) Providing the council with such information with respect to the financial affairs of the Municipality as it requires or requests;
- (f) Ensuring investments of the Municipality are made in compliance with the regulations made under section 418.

The vast majority of monies collected by a Municipality would stem from property taxes.

TREASURER DISCRETION GENERALLY

It is also clear from the Act that in numerous instances, the Treasurer has discretion in respect of the powers provided to him pursuant to his position. In other instances, such as the Treasurer's actions after registration of a tax arrears certificate, that it is mandatory that the Treasurer shall take certain actions.¹

DISCRETION IN RESPECT OF SECTION 373(1)

Section 373(1) provides that the Treasurer has the discretion to prepare and register tax arrears certificate against the title to that land. The discretionary nature of this power is clear from the permissive use of the word "may" rather than "shall."

In my opinion, given plain meaning rule of statutory interpretation, it is clear that the Treasurer has the discretion to register a tax arrears certificate or not register a tax certificate, meaning that the Treasurer (subject to what is written below), can decide not to register a tax certificate as requested in the Request Letter.

¹ For example, there are numerous mandatory "shall" provisions in respect of the Treasurer from Sections 374 to 379 of the Act, among other sections which are not relevant to this opinion.

QUESTION TO BE ANSWERED

Given that the Treasurer has discretion to register or not register based upon the permissive may of Section 373(1), the question to be answered is:

Does Council have the power to direct the Treasurer in a manner that eliminates the Treasurer's discretion?

The question posed by the Municipality is not whether Council can require the Treasurer to register a tax certificate, as this is commonly done by the Municipality and there is no dispute, even in accordance with 373(1), whether this is permissible.

The question posed by the Municipality is whether Council can require the Treasurer to not register a tax certificate (which the Treasurer is seeking to register in accordance with 373(1)). It seem clear upon first reading of Section 373(1) that the Municipality has the conditional "unless" power to direct the Treasurer. Further, given that Municipalities commonly direct Treasurer to register tax certificates, the reverse must also be true.

However, I believe there is an important ambiguity that must be considered in 373(1). Unfortunately, there is no relevant case law that I discovered which might help direct this opinion.

HANSARD FINDINGS

It is clear from the Hansard Materials in respect of the legislative history of the Act that Parts VIII to XI specifically deal with municipal taxation, tax collection and the sale of land for tax arrears.

As provided for in the Explanatory Note within the Hansard Materials I reviewed, the general scheme for the sale of land for tax arrears in the repealed Municipal Tax Sales Act has been incorporated into Part XI.

Given the general scheme of the XI, which includes 373(1), it is arguably ambiguous as to whether the conditional "unless" clause permits Council to direct the Treasurer not to register a tax certificate that the Treasurer otherwise wants to register.

Policy wise it is difficult to reconcile the Treasurer's duties regarding revenue collection in Section 286(1) with the idea that the Council could keep the Treasurer from registering a tax certificate that a Treasurer wants to register. Of course, without the benefit of case law or any legislative history on point, one can only speculate as to what the legislature intended with the conditional "unless."

Given that the predominant duty of the Treasurer is to collect revenues of the Municipality, it would seem inconsistent with the spirit and intent of the Act, public policy and the duties of the Treasurer to allow Council to direct a Treasurer not to register a tax certificate that the Treasurer is intending to register.

OTHER RELEVANT CONSIDERATIONS

Payment Plan

I am advised that the taxpayer in question is already subject to a Payment Plan, which has not been complied with to date and there remains \$59,156.10 in arrears pursuant to this Plan.

MPAC Appeal

The taxpayer also notes in his Request Letter that he has appeal his assessment with MPAC, which if successful would reduce his taxes.

However, the MPAC appeal process should not form the basis of any Council consideration in respect of the Request Letter.

The process for appealing your assessment value through MPAC is done pursuant to the Assessment Act.

If a taxpayer disputes his assessment value, the taxpayer must still pay the invoiced property taxes to the Municipality.

If the taxpayer is ultimately successful pursuant to the Assessment Act process, the taxpayer will receive a rebate of their already paid taxes or an adjustment on their next year's tax invoice.

In summary, the duties and discretion of the Treasurer and the direction of Council pursuant to the Municipal Act should not be blurred with the appeal processes provided for in the Assessment Act.

PRECEDENT RISK

My opinion is that legally, there is a potential ambiguity of the conditional "unless" used in 373(1) and as such there is some legal risk in Council accepting the Request Letter, although given the lack of legislative clarity of case law, the risk is relatively minor in my opinion. Oppositely however, I believe there is a grave precedent setting risk to Council accepting the Request Letter on the basis provided and directing Treasurer to not register the tax arrears certificate.

Even if the reading of the "unless" condition noted above in 373(1) permits Council to direct that a Treasurer as requested in the Request Letter, Councillors take office with the duty to do what is best for the Municipality as a whole, not what is best for any individual taxpayer.

Council must consider the potential precedent setting risk of accepting the Request Letter. First, on what basis would Council be accepting this Request Letter? What consideration would be given to the fact the taxpayer is already on an agreed to payment plan? What would keep other taxpayers in a similar position from requesting the same treatment from Council? If the Request Letter is accepted, on what basis would future taxpayer requests be accepted or denied?

Property in question is owned by a Councillor

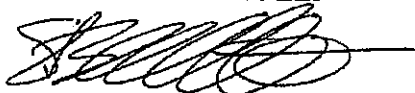
In addition, the property set out in the Request Letter is owned by a current Councillor and the Request Letter was submitted to Council by the Councillor's spouse.

As such, each of the concerns noted above is heightened given that the other taxpayers of the Municipality may very well see the acceptance of the Request Letter as Council favouring a Councillor. The precedent setting risk to collecting tax revenues could be grave if other taxpayers make similar requests.

CONCLUSION

To summarize, the above opinion sets out the legal analysis of Section 373(1) as it relates to the Request Letter. However, the above opinion also sets out, given the lack of authority in respect of Section 373(1), the precedent setting risks of Council accepting the Request Letter. My opinion is that it would ultimately be problematic, more so as a precedent setting risk, to accept the Request Letter.

Yours very truly,
WISHART LAW FIRM LLP



STEVEN G. SHOEMAKER
Telephone Ext: 243
Email: sshoemaker@wishartlaw.com
SGS:ER

THIS IS EXHIBIT 7 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016



Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

Gerry Liddle

120 Pinewood Drive, PO Box 1505, Wawa, ON P0S 1K0 . Ph. 705-856-2001 cell: 705-852-1087 email: gliddle@wawa.ca

November 12, 2015

The Corporation of the Municipality of Wawa
PO Box 500,
40 Broadway Avenue
Wawa, ON P0S 1K0

Attention:

PRIVATE AND CONFIDENTIAL TO MAYOR AND COUNCIL

NOT FOR DISCLOSURE TO CAO CHRIS WRAY

**RE: REQUEST FOR SUSPENSION OF CAO CHRIS WRAY PENDING FORMAL
INDEPENDENT INVESTIGATION - 'ABUSE OF POWER' AND OTHER
ALLEGATIONS AND CONFLICT OF INTEREST (SEE BELOW)**

I am in receipt of your letter dated November 12, 2015.

I am writing to ask that a formal investigation (the "Investigation") be made into the conduct of CAO Chris Wray, in the circumstances leading up to the closed session meeting and allegations contained herein along with evidence of 'abuse of power' and Mr. Wray's deliberate providing of false and misleading information to members of Council and the public in certain matters.

**PLEASE DO NOT PROVIDE MR. WRAY WITH A COPY OF THIS
COMMUNICATION.**

Given the seriousness of the allegations and in the interest of the public, I request that Mr. Wray be suspended immediately and without pay, so that a full and proper investigation can take place.

I believe Mr. Wray has intentionally and maliciously abused his position in an attempt to silence criticism (and potential further investigation) by Councilor Tamara Liddle, myself and others of his activities as CAO, including concern over his salary, circumstances of his employment contract, absence from the workplace over the last 12 months (approx. 75% of the time), extensive travel activities and expenses, corporate credit card use, and concern expressed over his disclosure of information to the public and Mr. Wray's failure to ensure transparency and accountability and effectively manage the municipal finances and organization needs.

I met in a 1 hour meeting with Mr. Wray on November 1st and discussed my concerns as a ratepayer and Chairman of the Strategic Plan Implementation Committee, and believe Mr. Wray viewed my expression of concern as

'harassment'. In leaving the meeting I feared that Mr. Wray would likely abuse his power and role as CAO in various efforts against me personally.

All matters of conflict-of-interest of Council and CAO related to the above allegations and conduct of Mr. Wray (which Mr. Wray advised and participated in), I am also requesting be fully investigated by an impartial and independent authority.

I understand that the Municipality's lawyer Mr. Paul Cassan also represented Mr. Wray during his employment contract negotiations with the Municipality and may have a personal relationship with Mr. Wray. I trust the Municipality has not, nor will not, engage Mr. Cassan in any regard to these matters due to the very obvious conflict. I would also ask that the requested investigation examine fully the events surrounding Mr. Wray's employment contract and Mr. Cassan's involvement, potential conflicts as well as potential breaches of public trust.

As you know, my wife Tamara Liddle, as a member of Municipal Council, declared a pecuniary interest in certain personal matters related to taxation. In advance she sought advice from Paul Prosperi of the Ministry of Municipal Affairs and Housing in Sudbury. She was advised by him that she was not in a conflict of interest in dealing with matters where the public shares in the interest, including the Municipality's general taxation policies and practices as they relate to all ratepayers.

I attended the open meeting of Council (corporate planning and policy) this week and was witness to the discussion of Council in regard to tax arrears and the clear directive given to Mr. Wray to temporarily stop all precipitous tax actions, including registrations against 50 local ratepayers until Council had an opportunity to further discuss the complex matters involved. Yet, in a closed session following the public meeting, a decision was made to proceed with actions obviously affecting all ratepayers (contrary to the public proceedings). I allege Mr. Wray deliberately manipulated the meeting so as to exclude Councillor Liddle in matters affecting the general public and to which she had no conflict. I ask that these circumstances and the information provided by Mr. Wray in the closed meeting, also be investigated as it relates to the above allegations.

I further request that the Municipality temporarily cease all tax registrations, including ours, until the issues contained herein can be properly investigated and presented to Council, and the public, as the case may be. Tax registration is a very serious and irreversible step that can have the consequence of permanently damaging property values, displacing ratepayers from their homes and decreasing the tax base of the community. The tax registration step should not be taken without proper notice and dialogue, where possible, with the ratepayer. It is a matter of public record during the meeting of November 10th, that Council agreed to cease these steps until an open and transparent public debate had taken place. In the event that a tax registration is issued against my property, and it is later

determined through an investigation that the action was precipitous, I may consider legal action against the Municipality to recover damages.

I was also advised by Doreen Pavlic in a telephone conversation on or about the 15th of October, that prior to any tax registration step, I would be able to enter into a payment plan with the Municipality. However, this no longer appears to be the case, according to the letter signed by you, Mayor Ron Rody. Please explain why.

As you know, once a Tax Registration is issued, any and all opportunities for any taxpayer to enter into a payment plan is lost and only the full amount of tax arrears can be paid.

I have had the opportunity to review the Municipal Policy Manual (only made public in the last few days by Mr. Wray) and reviewed the Tax Collection Policy (1998) as well as the other related policies including the Delegation of Authority by Council policy. It is my interpretation of these policies that the CAO does not have authority, without certain disclosure to Council, to independently take tax registration steps against ratepayers. When I enquired of Mr. Wray to explain the policies he refused to answer and I believe proceeded to influence Council, behind closed doors and using false and misleading information, to issue a tax registration against my wife and I.

Given the circumstances, please also advise what assistance the Municipality is able to provide Councilor Liddle or myself, as Committee Chairman, for independent legal advice.

I believe Mr. Wray has deliberately abused his role in a vendetta against myself and my wife, as a Municipal Councilor, in order to attempt to silence criticism. You are aware of concerns expressed in writing to you by Councilor Liddle.

I trust you would agree, as Mayor, and in safeguarding the public trust, that if these allegations are found to be supported after a thorough investigation that Mr. Wray's employment must be immediately terminated for cause, in addition to potential criminal charges.

Yours truly,

Gerry Liddle

THIS IS EXHIBIT 8 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016



Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

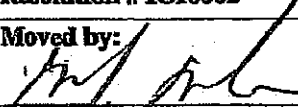


The Corporation of the Municipality of Wawa

COMMITTEE OF THE WHOLE
IN-CAMERA

RESOLUTION

Monday, February 1, 2016

Resolution # IC16802	Meeting Order: 2
Moved by: 	

WHEREAS Mr. Gerry Liddle filed a complaint of improper conduct against Mr. Chris Wray, CAO / Clerk-Treasurer for the Municipality of Wawa;

AND WHEREAS it appears that the above noted complaint was partially based on information that Mr. Liddle apparently received from Councillor Tamara Liddle arising out of in-camera (closed) meetings of the Municipality of Wawa;

AND WHEREAS Mr. Chris Wray, has filed a workplace harassment complaint against both Mr. Gerry Liddle and Councillor Tamara Liddle;

AND WHEREAS the Municipality of Wawa has retained the services of NorPro Investigations in the above noted matters;

AND WHEREAS it is a contravention of the Municipal Code of Conduct to release information with respect to information arising out of in-camera (closed) meetings of the Municipality of Wawa;

AND WHEREAS Wishart Law Firm, counsel for the Municipality of Wawa has provided advice with respect to the above noted matters;

NOWHEREFORE BE IT RESOLVED that the Municipality of Wawa agrees to permit the applicable interviewees to speak to the NorPro investigator about the events that occurred in the in-camera (closed) meetings of the Municipality of Wawa related to the above noted complaints only, thereby alleviating the requirements of the Municipal Code of Conduct;



The Corporation of the Municipality of Wawa

COMMITTEE OF THE WHOLE
IN-CAMERA

RESOLUTION

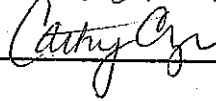
Page 2

AND FURTHER BE IT RESOLVED that the Municipality of Wawa also agrees to permit the release of any solicitor / client privileged information received from Wishart Law Firm at the in-camera (closed) meetings of the Municipality of Wawa for the purposes only of the NorPro Investigation.

	MAYOR AND COUNCIL	YES	NO
<input type="checkbox"/> CARRIED	Ron Rody	X	
<input type="checkbox"/> DEFEATED	Yvan Besner	X	
<input type="checkbox"/> TABLED	Bill Chlason	X	
<input checked="" type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Tamara Liddle	X	
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Matthew Morrison	X	
<input type="checkbox"/> WITHDRAWN			

<i>R Rody</i>	<i>Doreen Liddle</i>
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THIS IS EXHIBIT 9 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016



Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.



The Corporation of the Municipality of Wawa

COMMITTEE OF THE WHOLE
IN-CAMERA

RESOLUTION

Monday, February 1, 2016

Resolution # IC16003	Meeting Order: 3
Moved by: <i>[Signature]</i>	[Redacted]

WHEREAS Mr. Gerry Liddle filed a complaint of improper conduct against Mr. Chris Wray, CAO / Clerk-Treasurer for the Municipality of Wawa;

AND WHEREAS Mr. Chris Wray, has filed a workplace harassment complaint against both Mr. Gerry Liddle and Councilor Tamara Liddle;

AND WHEREAS Wishart Law Firm has advised the Municipality of Wawa that the indemnification clause in the contract between the Municipality of Wawa and Chris Wray is applicable in the above noted matters;

AND WHEREAS Wishart Law Firm and Mr. Wray's legal counsel have agreed to the release of an initial retainer of \$5,000;

AND WHEREAS further advances may be required by Mr. Wray's legal counsel as required;

AND WHEREAS Wishart Law Firm and Mr. Wray's legal counsel have agreed to clawback provisions of the release of any retainer / fees to Mr. Wray's legal counsel;

NOWHEREFORE BE IT RESOLVED that the Municipality of Wawa agree to an initial release of a \$5,000 retainer fee to Paliare Roland Rosenberg Rothstein LLP;

AND FURTHER that additional releases to Paliare Roland Rosenberg Rothstein LLP shall be as approved by Wishart Law Firm and reported to Mayor and Council;

AND FURTHER that the release of all monies to Paliare Roland Rosenberg Rothstein LLP be on the following basis:



The Corporation of the Municipality of Wawa

COMMITTEE OF THE WHOLE
IN-CAMERA

RESOLUTION


Page 2

1. If the investigation determines that the allegations against Mr. Wray made by Mr. Liddle are correct, and that Mr. Wray has participated in malfeasance as alleged, the Municipality will be entitled to a 100% clawback of the legal fees advanced on behalf of Mr. Wray.
2. If the investigation determines that the allegations against Mr. Wray are correct and the allegations against Mr. Liddle / Councillor Liddle are correct, the Municipality will be entitled to a 50% clawback of the legal fees advanced on behalf of Mr. Wray.
3. If the investigation determines that the allegations against Mr. Wray are not correct and the allegations against Mr. Liddle / Councillor Liddle are correct, the Municipality will not be entitled to any clawback of the legal fees advanced on behalf of Mr. Wray.

	MAYOR AND COUNCIL	YES	NO
<input type="checkbox"/> CARRIED			
<input type="checkbox"/> DEFEATED	Ron Rody	X	
<input type="checkbox"/> TABLED	Yvan Besner	X	
<input checked="" type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Bill Chiasson	X	
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Tamara Liddle		X
<input type="checkbox"/> WITHDRAWN	Matthew Morrison	X	

<i>R Rody</i>	<i>Doreen Larkin</i>
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THIS IS EXHIBIT 10 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016



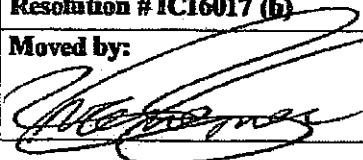
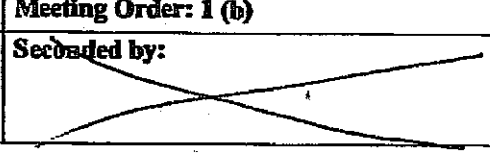
Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.



The Corporation of the Municipality of Wawa

~~SPECIAL COUNCIL MEETING~~
IN-CAMERA MEETING
RESOLUTION

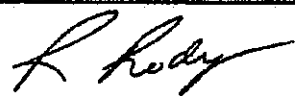

Tuesday, June 21, 2016

Resolution # IC16017 (b)	Meeting Order: 1 (b)
Moved by: 	Seconded by: 

RESOLVED THAT the Council of the Corporation of the Municipality of Wawa does hereby authorize the following:

1. To permit Mayor Rody to release In-Camera information necessary to respond to the application brought by Tamara and Gerry Liddle bearing Court File No. 27226/16.
2. To permit Mayor Rody to execute an affidavit substantially in the form as discussed at the In-Camera meeting of June 21, 2016.
3. To direct Wishart Law Firm to file a motion striking the claim of Tamara and Gerry Liddle bearing Court File No 27226/16.

	MAYOR AND COUNCIL	YES	NO
<input type="checkbox"/> CARRIED	Ron Rody		
<input type="checkbox"/> DEFEATED	Yvan Besner		
<input type="checkbox"/> TABLED	Bill Chiasson		
<input type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Tamara Liddle		
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Matthew Morrison		
<input type="checkbox"/> WITHDRAWN			

	
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The Corporation of the
Municipality of Wawa

In-Camera Council Meeting

Tuesday, June 21, 2016

Council Chambers

6:00 PM

MINUTES

(1) CALL TO ORDER & NOTE MEMBERS PRESENT

The meeting was called to order at 7:47 p.m., and Mayor Rody welcomed everyone to the meeting.

Present:

His Worship Mayor Ron Rody, Chair

Councillors:

Yvan Besner, Bill Chiasson, Tamara Liddle, Matthew Morrison

Staff:

Paul Cassan, Clerk Pro Tempore (Wishart Law Firm)

Public: None.

News Media: None.

Guest: None.

Absent: None.

(2) REVIEW OF ADDENDUM & APPROVAL OF AGENDA

2.1 Approval of Agenda

Moved by: B. Chiasson R. IC16017

RESOLVED THAT the Committee of the Whole does hereby adopt the Agenda for Committee of the Whole, In-Camera, meeting held on Tuesday, June 21, 2016, as presented.

CARRIED.

(3) ANNOUNCEMENTS

None.

(4) DECLARATION OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

4.1 Council Members

Council Members agree that Councillor Liddle is in conflict of interest.

(5) APPROVAL OF MINUTES

None.

MINUTES
In-Camera Council - Tuesday, June 21, 2016

(6) OLD BUSINESS

None.

(7) NEW BUSINESS

7.1 Superior Court of Justice - Notice of Application, Removal of Legal Counsel

Councillor Liddle denied that she is suing the Municipality.

Council members agree the Notice of Application places Councillor Liddle in conflict of interest.

Councillor Liddle left the meeting without declaring a conflict of interest at 7:57 p.m.

Moved by: Y. Besner R. Verbal

RESOLVED THAT the Committee does hereby suspend the rules of procedure to permit the Committee to remain in session beyond the 10:30 p.m. closing hour (curfew).

CARRIED.

Moved by: Y. Besner R. IC16017 (b)

RESOLVED THAT the Council of The Corporation of the Municipality of Wawa does hereby authorize the following:

- 1. To permit Mayor Rody to release In-Camera information necessary to respond to the Application brought by Tamara and Gerry Liddle bearing Court File No. 27226/16.
- 2. To permit Mayor Rody to execute an Affidavit substantially in the form as discussed at the In-Camera meeting of June 21, 2016.
- 3. To direct Wishart Law Firm to file a motion striking the claim of Tamara and Gerry Liddle bearing Court File No. 27226/16.

CARRIED.

(8) CLOSE OF MEETING

8.1 Close of Meeting

Moved by: B. Chiasson R. IC16018

RESOLVED THAT the Committee of the Whole, In-Camera, meeting close at 10:30 p.m.

CARRIED.

PAUL CASSAN,
CLERK PRO TEMPORE

RON RODY, MAYOR

THIS IS EXHIBIT 11 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016



Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

95



The Corporation of the
Municipality of Wawa
In-Camera Council Meeting
Thursday, December 10, 2015
Council Chambers
11:00 PM

MINUTES

(1) CALL TO ORDER & NOTE MEMBERS PRESENT

The meeting was called to order at 11:20 a.m., and Mayor Rody welcomed everyone to the meeting.

Present:
His Worship Mayor Ron Rody, Chair

Councillors:
Yvan Besner, Bill Chiasson, Tamara Liddle, Matthew Morrison

Staff:
Cathy Cyr, Deputy Clerk (left at 12:00 p.m.)
Gord Acton, Legal Counsel, Clerk Pro Tempore (arrived at 11:55 a.m.)

Public: None.
News Media: None.
Guest: None.
Absent: None.

(2) REVIEW OF ADDENDUM & APPROVAL OF AGENDA

2.1 Approval of Agenda

Moved by: Y. Besner R. IC15068

RESOLVED THAT the Committee of the Whole does hereby adopt the Agenda for Committee of the Whole, In-Camera, meeting held on Tuesday, December 10, 2016, as presented.

Councillor Liddle wished to add an additional item.

Moved by: T. Liddle R. Verbal

RESOLVED THAT the Committee of the Whole does hereby adopt the Agenda for Committee of the Whole, In-Camera, meeting held on Tuesday, December 10, 2016, as amended.

MINUTES
In-Camera Council - Thursday, December 10, 2015

Amendment:

Add New Item -- Legal Issue: Legal Counsel, Request Use of New Legal Counsel to deal with CAO/Clerk-Treasurer.

RECORDED & INDEXED		
MAYOR AND COUNCIL	YES	NO
Ron Rody		✓
Yvan Besner		✓
Bill Chiasson	✓	
Tamara Liddle	✓	
Matthew Morrison	✓	

DEFEATED.

Moved by: Y. Besner

R. IC15068

RESOLVED THAT the Committee of the Whole does hereby adopt the Agenda for Committee of the Whole, In-Camera, meeting held on Tuesday, December 10, 2016, as presented.

CARRIED.

(3) **ANNOUNCEMENTS**

None.

(4) **DECLARATION OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None.

(5) **APPROVAL OF MINUTES**

None.

(6) **OLD BUSINESS**

None.

(7) **NEW BUSINESS**

7.1 Letter of Complaint - G. Liddle
Clerk Pro Tempore arrived at 11:55 a.m.
The Deputy Clerk left the meeting at 12:00 p.m.

7.2 Workplace Complaint - C. Wray

7.3 Legal Counsel - Workplace Complaint

MINUTES
In-Camera Council - Thursday, December 10, 2015

(8) CLOSE OF MEETING

8.1 Close of Meeting

Moved by: M. Morrison

R. IC15069

RESOLVED THAT the Committee of the Whole, In-Camera, meeting close at 1:16 p.m.

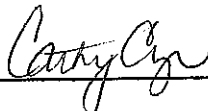
CARRIED.

**CATHY CYR,
DEPUTY CLERK**

**GORDON ACTON,
CLERK PRO TEMPORE**

RON RODY, MAYOR

THIS IS EXHIBIT 12 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016



Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.



NORPRO COMPANY

725 Queen Street East, Suite 1
Sault Ste. Marie, ON P6A 2A9
Tel. 705-949-3277
Fax. 705-949-3250

November 18, 2015

Wishart Law Firm
390 Bay Street
Suite 500
Sault Ste. Marie, ON P6A 1X2

Attention: Mr. J. Paul R. Cassan

Dear Mr. Cassan

I want to thank you for your interest in Norpro Company in providing Investigative Services to one of your clients.

I am very pleased to provide you with some information about Norpro Company and to also provide you with a quote for our Services.

Scope of Services:

- Complete a full investigation into a complaint from an individual against a Municipal employee.
- Complete a parallel Bill 168 Workplace Violence Investigation made by the Municipal employee.

Both would include a full investigation and final report with findings and recommendations.

NORPRO will provide:

- A licenced Private Investigator to conduct the investigation.
- A full and complete report at the completion of the investigation and updates should they be required.

Rate:

The rate for this investigation would be \$ 95.00 per hour plus any additional expenses that may be incurred including but not limited to travel (\$0.55 per km), accommodations, meals (\$55.00 per day), phone calls, clerical support (\$25.00 per hour) etc.

Retainer:

A retainer of \$3,000.00 made payable to Norpro Company would be required to begin this investigation.

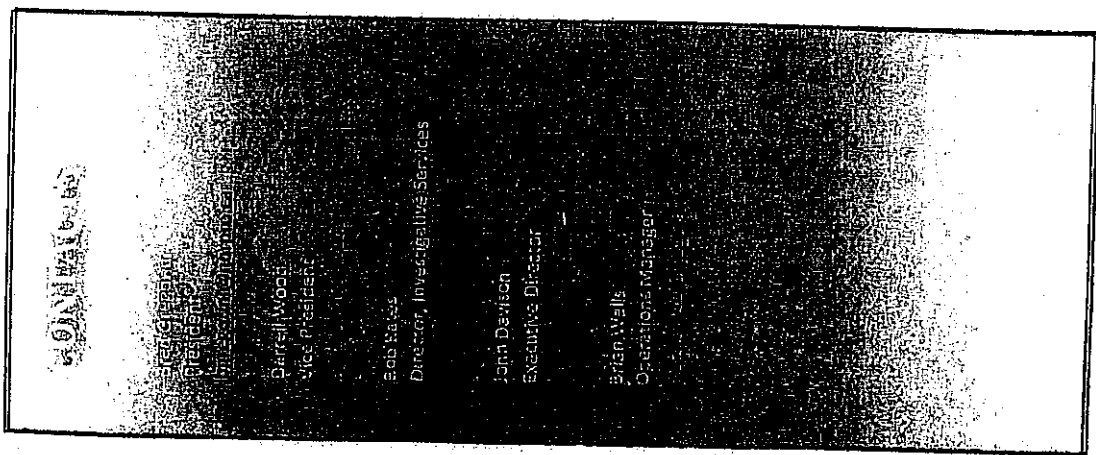
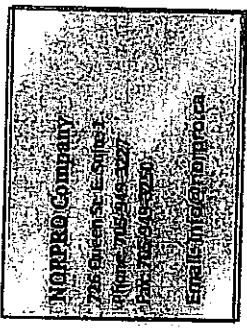
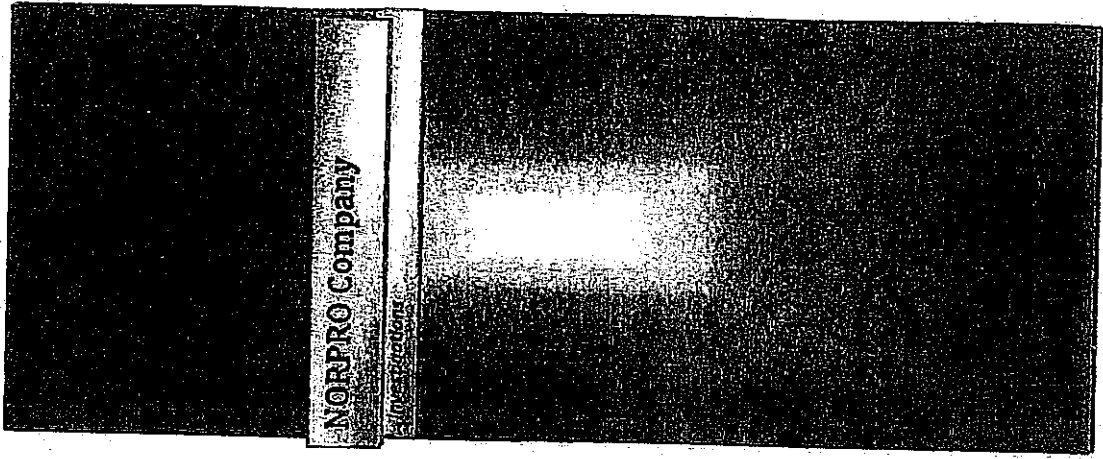
SECURITY GUARDS * INVESTIGATIONS * PATROL SERVICES * ALARM RESPONSE * PROCESS SERVICE

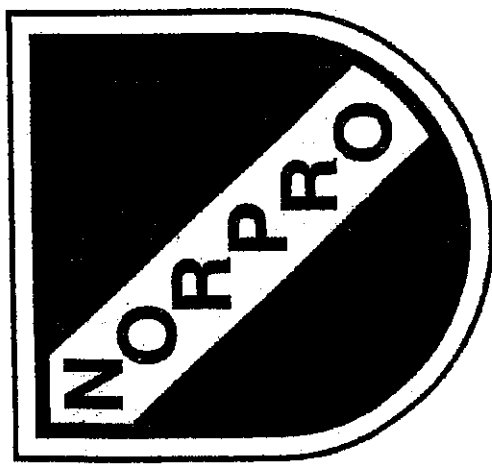
Should you require any further information please do not hesitate to contact me.

Yours truly,



Bob Kates
Director of Investigative Services
NORPRO Company
726 Queen Street East
Sault Ste. Marie, ON P6A 2A9
Office 705-949-3227 Ext 8
Fax 705-949-3250
Cell 705-946-9790
Email bkates@norpro.ca





NORPRO Company has successfully been in business for over 30 years with a present staff of 60+ employees. Our strongest competitive advantage, we feel, is our lengthy experience not only in the security industry but, also, the strong police background that our Company brings to the table. Your account will be handled and supervised directly by Bob Kates, Director of Investigative Services for NORPRO Company. Bob is the retired Deputy Chief of Police for the Sault Ste. Marie Police Service.

Most of our investigators are graduates of the Police Foundation program at Sault College or have previous Police Experience with the Sault Ste. Marie Police Service or the Ontario Provincial Police. As such, our investigators are well versed in all aspects of the law as it

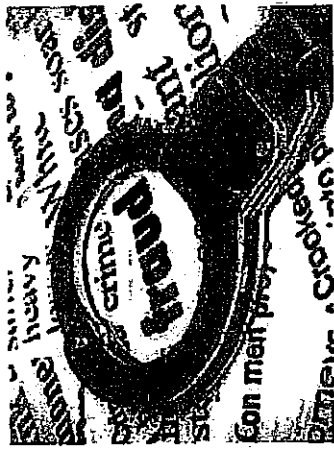
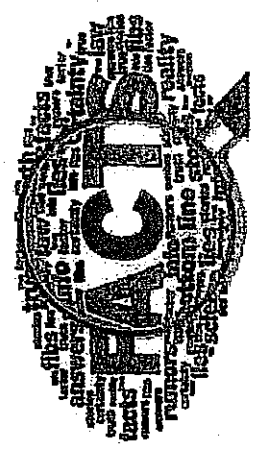
pertains to the Criminal Code of Canada, Ontario Human Rights Code and the Trespass to Property Act. All of our investigators are well versed with the Personal Information Protection and Electronics Documents Act (PIPEDA). As a vendor it is imperative that you have our assurance that we are familiar with and will abide by the Act and the protocol we have developed for the handling of personal information that you provide to us about your policyholders and/or claimants.

We specialize in the following:

- > Insurance Fraud
- > WSIB Claims
- > Background Investigations
- > Legal & Criminal Investigations
- > Person to Locate
- > Screening Tenants
- > Workplace Violence or Harassment Investigation and Risk Assessment

NORPRO Company is a licensed Agency in the Province of Ontario. Training Standards of all NORPRO investigators emulate those required by the Ministry. It should also be noted that NORPRO Company is a licensed agency by the Ministry to administer the training requirements for investigators.

NORPRO Company currently carries \$5,000,000.00 in Liability Insurance as well as \$50,000.00 in Employee Dishonesty.



DEPUTY CHIEF ROBERT DAVID KATES (Ret.)



Robert Kates is a retired Deputy Chief of Police from the Sault Ste. Marie Police Service and has 40 years of policing experience with 20 years as Deputy Chief in Charge of Operations.

Deputy Chief Kates first began his policing career with the Toronto Police Service but returned to Sault Ste. Marie, his hometown in 1974. During his career he performed duties in Patrol, Morality, Intelligence and Criminal Investigation. As the Superintendent in Administration he was responsible for the overall management and command of Finance, Audit, Human Resources, Community Services, Public Complaints and Media. Promoted to Deputy Chief in

1994 he was responsible for the overall command of Patrol, Investigations, Forensic, Fraud, Professional Standards and Intelligence.

In 2011 and 2012 for a period of thirteen months he became the interim Chief of Police for the Wawa Police Service.

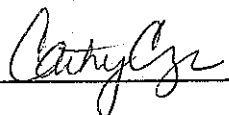
Robert Kates holds Certificates in Criminal Justice and Administration from both the FBI National Academy and the FBI LEEDA - Law Enforcement Executive Development Association both in Quantico, Virginia. He has also attended many courses and training sessions at the Canadian Police College, Ontario Police College, Toronto Police College, Emergency Preparedness College, and the Federal Bureau of Investigation and has Certificates in General and Advanced Police Studies from Western University.

Robert Kates has been very active in the community and currently sits on the Board of Directors for the Children's Aid Society of Algoma, Sault Ste Marie PUC Inc. and the Sault College Police Foundations & Protective Services Advisory Board. He is a member of the Ontario Association of Chiefs of Police and internationally is a member of the FBI National Academy Associates and the FBI Law Enforcement Executive Development Association. He was also a member of the Security Team for the 1996 Summer Olympic Games in Atlanta and was part of the Ontario Association of Chiefs of Police seven-day Mission to Israel in 2005.

Robert Kates has received a number of awards including the Police Exemplary medal and 40 year bar, the 2013 Queen Elizabeth II Diamond Jubilee medal and the Ontario Certified Municipal Management Institute - CMM III Police Executive Accreditation.

Robert Kates is now Director of Investigative Services at NORPRO Company and is President of K2 Consulting in Sault Ste. Marie.

THIS IS EXHIBIT 13 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016



Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.



File No.

April 8, 2016

**Ms. Tamara Liddle
120 Pinewood Drive
PO Box 1505
Wawa, ON P0S 1K0**

Dear Ms. Liddle:

Council considered your request for independent legal counsel. Council decided not to approve your request.

As a member of Council, we have access to legal counsel through our municipal firm, Wishart Law Firm. Any legal action against a municipal councillor acting in good faith to perform his or her duties will be supported by Council through Wishart Law Firm.

Past practice by the municipality has been for councillors to raise their concerns with the Mayor in his/her capacity as the CEO or to deal with the CAO. In either case, the next step would be to contact our legal firm (Wishart Law) and notify them that they can expect a call from a councillor. The other members of Council would then be notified. This allows for an open process that keeps Council informed and able to manage the situation.

Councillors expressed their desire to see this current situation come to a resolution. Council is concerned about and takes very seriously the allegations you have made against Mr Wray and his complaints of harassment against you. It is committed to ensuring that a full, complete and fair investigation take place and to this end it has retained the services of a private investigation firm, as you know.

Council understands that you have not provided the investigator with the particulars of your complaint nor have you participated in interviews to assist him with his investigation.

Council wants to ensure a complete and fair investigation. However it is also important that the investigation proceed. As such you are being provided with an opportunity to participate in the investigation at this time. That said, the investigation will proceed whether or not you choose to participate.

Sincerely,

Mayor Ron Rody



P.O. BOX 500, 40 BROADWAY AVENUE, WAWA, ONTARIO, P0S 1K0
Telephone: (705) 856-2244, Fax: (705) 856-2120, Website: www.wawa.cc



THIS IS EXHIBIT 14 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016



Catherine Cyr, a Commissioner, etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

Last name	First name	Salary Paid	Employer	Job title
Wray	Curtis	\$115,346.22	City of London	Firefighter 1st Class
Wray	Timothy Daryl Alan	\$100,271.89	Regional Municipality of Durham	Police - Constable
Wray	Norman	\$116,778.86	Regional Municipality of York - Police Services	Sergeant
Welsh	Wray	\$103,627.44	City of Ottawa	Supervisor, Roads and Parks Maintenance
Brimmer	Wray K.	\$108,730.25	City of Brantford	Fire Captain
Wray	Terrence	\$117,017.78	City of Toronto - Police Service	Detective
Wray	Chris	\$151,907.95	Municipality of Wawa	Chief Accounting Officer / Clerk-Treasurer
Wilson	Wray W.	\$103,017.42	Township of Howick	Public Works Coordinator and Chief Building Official

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THIS IS EXHIBIT 15 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016

Cathy Cyr

Catherine Cyr, a Commissioner. etc.
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

Note Comment - 2014

- 1 Mileage Muskoka - Wawa return to discuss Year End and Budget matters.
Pre-employment
- 2 Regular AMCTO Spring Zone 7 Meeting.
- 3 AMCTO AGM.
- 4 Dubreuilville per contract. SSMIC Board Mtg
- 5 Seminar put on by Wishart on the new CASL Legislation. Registration was free.
- 6 Meetings re MIPC, OPP Costing Committee and Regina Chiefs Forum
- 7 Annual AMO Conference and meetign with MPAC re Wawa issues
- 8 OPP Regional Costing Meeting with other CAO's
- 9 LAS Risk Management Forum & OEB Hearing.
Some costs were daved due to attendance at OEB Hearing
- 10 Regular ADMA Fall Meeting
- 11 MMAH Planning Conference in Sudbury. Participated on panel. AMCTO Zone on behalf of
AMCTO and then OPP Costing Committee in Toronto
- 12 AMCTO Zone 7 Fall Meeting
- 13 LAS Investment Basics - Orillia
- 14 ROMA and AMCTO Board Meetings
- 15 AMCTO Management Committee
- 16 Northeast Treasurers Forum - Sudbury
- 17 ROMA Board Mtg and AMCTO Management Committee
- 18 AMCTO Zones 4 & 5 on behalf of AMCTO
- 19 AMCTO & AMO Board. Also OPP Regional Costing Meeting
- 20 LAS Board Meeting - Toronto
- 21 SSMIC Board Meeting

Chris Wray
Expenses - 2014

Date	Reason	Claim Amount	Reimbursed				Total	Net Claim	% Reimbursement	ROMA Per Diem	Board	Type	Notes
			AMCTO	ROMA	AMRO	LAS							
14-Mar-14	2012, 2013, 2014 Year End / Dubreuilville	993.30					993.30	0.00%				1	
29-Apr-14	AMCTO - Zone 7	1,049.39					1,049.39	0.00%				2	
6-Jun-14	AMCTO Annual & Board	2,362.83					2,362.83	0.00%				3	
13-Jun-14	Dubreuilville / SSMIC	223.11					223.11	0.00%				4	
10-Jul-14	CASI Seminar	35.00					35.00	0.00%				5	
16-Jul-14	MPC / OPP / NSFCF	675.72					675.72	0.00%				6	
7-Aug-14	MPAC & AMO Conference	1,262.11					1,262.11	0.00%				7	
2-Sep-14	OPP Regional Costing Mtg	163.70					163.70	56.33%				8	
8-Sep-14	LAS Risk Mgmt / OEB Hearing	2,097.05					2,097.05	0.00%				9	
19-Sep-14	ADMA Fall Meeting	394.67					394.67	0.00%				10	
22-Sep-14	MNAH Planning / AMCTO / OPP Comm	2,928.29					2,928.29	98.31%				11	
1-Oct-14	AMCTO Zone 7	757.31					757.31	0.00%				12	
8-Oct-14	Investment Basics	424.25					424.25	0.00%				13	
18-Oct-14	ROMA & AMCTO	1,588.63					1,588.63	90.91%	75.00			14	
30-Oct-14	AMCTO Mgmt Comm	1,016.98					1,016.98	81.77%				15	
4-Nov-14	Northeast Treasurers	628.50					628.50	0.00%				16	
12-Nov-14	ROMA Bd / AMCTO Mgmt Comm	1,088.63					1,088.63	78.33%				17	
19-Nov-14	AMCTO Zones 4 & 5	1,877.13					1,877.13	96.62%				18	
25-Nov-14	AMCTO / AMO / OPP	1,179.86					1,179.86	63.69%				19	
4-Dec-14	LAS Board	976.98					976.98	102.27%				20	
15-Dec-14	SSMIC Mtg	475.23					475.23	0.00%				21	
Totals		22,198.67	5,421.05	3,727.12	320.45	999.12	1,181.29	12,549.03	43.47%	225.00			

Chris Wray
Expenses - 2015

Date	Reasons	Claim Amount	Refund			Personal	Total	Net Claim	% Recepture	ROMA Per Diem	Type		Notes
			AMCTO	ROMA	AMO						LAS	Board	
7-Jan-15	MIPC Mtg (AMMO Blue Box Ctte)	1,721.75			1,108.73		1,108.73	64.4%				1	
21-Jan-15	Dubreuilville	82.14						0.0%				2	
22-Jan-15	AMCTO Mgmt Mtg / AMO / DPP	2,140.37	718.09		874.72		1,592.81	74.4%	75.00			3	
11-Feb-15	Mtg MOE	259.63					259.63	0.0%				4	
21-Feb-15	OGRA / ROMA & AMCTO Board	3,056.78	204.17	1,273.61		11.30	1,489.08	48.7%	75.00			5	
11-Mar-15	Dubreuilville	82.14					82.14	0.0%				6	
15-Mar-15	Meet Calam Rossi	244.53					244.53	0.0%				7	
23-Mar-15	AMP Forum / Leadership Forum/ AMO Bd	2,916.37	451.49	1,211.00			1,662.49	58.0%	75.00			8	
1-Apr-15	ROMA Board	1,259.59					1,315.68	104.5%	75.00			9	
10-Apr-15	ADMA Spring Mtg	289.24					289.24	0.0%				10	
15-Apr-15	AMCTO Clerks Forum	1,182.58					1,182.58	0.0%				11	
20-Apr-15	AMCTO Zone 9 & Mgmt Comm	2,725.74	2,383.20				2,383.20	87.3%				12	
29-Apr-15	AMCTO Zone 6	2,055.44	1,832.99				1,832.99	89.2%				13	
5-May-15	FONCOM 2015	636.73					636.73	0.0%				14	
13-May-15	AMCTO Zone 7	1,025.94					1,025.94	0.0%				15	
20-May-15	AMCTO Zone 8	469.48					469.48	134.0%				16	
28-May-15	LAS / AMCTO / OPP& Int Ont	1,910.03	932.75		952.28	107.35	975.48	46.8%	75.00			17	
5-Jun-15	AMCTO AGM / ROMA Bd	2,179.37	2,253.47	869.13			3,239.33	114.8%	75.00			18	
15-Jun-15	LGMA & AMO	2,815.80					103.14	0.0%				19	
30-Jun-15	SSMIC Board Mtg	103.14					103.14	0.0%				20	
9-Jul-15	Mtg Kresin etc on Landfill	456.04					456.04	0.0%				21	
6-Aug-15	AMCTO ONWARD Mtg	1,078.48	261.66				261.66	24.3%				22	
12-Aug-15	AMO Conference	4,101.32		1,736.96			1,736.96	42.4%	150.00			23	
13-Sep-15	OMTRA / OIHRA CONF	1,394.24	821.14				821.14	56.9%				24	
22-Sep-15	IMEOA / AMCTO Board	1,214.32	1,139.20				1,139.20	93.8%				25	
29-Sep-15	OPP / Risk Mgmt Forum / LAS Board	1,598.66			617.90	140.91	936.20	58.6%	75.00			26	
6-Oct-15	AMCTO / ROMA Board	2,460.37	952.82	1,041.00			2,144.73	87.2%	75.00			27	
14-Oct-15	AMCTO Zone 1	1,056.76	1,151.05				1,151.05	108.9%				28	
16-Oct-15	CLAIR - JAPAN	1,254.14	1,094.16				1,094.16	87.2%				29	
28-Oct-15	AMCTO / Privacy Seminar	575.94	453.13				453.13	78.7%				30	
Totals		42,253.06	15,288.29	4,617.72	5,911.27	1,576.19	259.56	27,847.03	65.9%	750.00			

THIS IS EXHIBIT 16 TO THE AFFIDAVIT OF
RON RODY
SWORN BEFORE ME THIS 27th DAY OF JUNE, 2016



Catherine Cyr, a Commissioner. etc.,
for the Province of Ontario while being
Deputy Clerk of the Corporation of
the Municipality of Wawa.

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Ron Rody

From: Ron Rody
Sent: June-16-16 9:33 PM
To: 'TAMARA LIDDLE'
Subject: RE: Meeting

Councillor Liddle,

The investigator which had been engaged by council has been available to you and Jerry in order that you provide any information, allegations, evidence or information you deem important in respect of the allegation of Jerry as contained in his letters. I trust that you have taken the opportunity to meet with the investigator and fully layout for him any allegations and concerns that you have.

I have no idea what you mean when you say you would like to sit down with me and try and "negotiate a terms of agreement before proceeding to the OPP Anti racketeering division" If you have information which is of a criminal nature then that is not something I could possibly "negotiate". I take your invitation to do so as an invitation to interfere with a criminal matter which is completely inappropriate. If you have evidence of a criminal matter you should immediately go to the police.

Mayor Rody

From: TAMARA LIDDLE [<mailto:liddlet@shaw.ca>]
Sent: June-16-16 12:32 PM
To: Ron Rody
Subject: Meeting

Dear Mayor Rody,

In an effort to neutralize the upcoming steps that will publicize the last 7 months of feuding, I would like to offer the opportunity to sit down with you to discuss how these issues will unfold, and what options we have as a community going forward.

As an elected official I believe it is my duty to at least try one more time to negotiate a terms of agreement before proceeding to the OPP Anti racketeering division, the Ombudsman and the Superior Court Justice.

I had great respect for you and want to believe the last several months are a product of extreme stress and reacting to a situation rather than being proactive and resolving the issues.

Gerry and I have been forced into a corner with no options but to fight for our rights and the rights of the community.

It is not our first choice to publicly disclose sensitive information or details that outline the level of deception and control that is within the Municipality, however, my commitment is to the town first, and if there is no resolve concerning Mr. Wray. So be it.

We will be left with no other choice.

I await your response up until 3 pm after which point, I will be issuing and distributing my allegations to the authorities.

regards,

Tamara Liddle