

MEETING OF THE ELECTION COMPLIANCE AUDIT COMMITTEE OF THE CITY OF GREATER SUDBURY

Boardroom C-11
Tom Davies Square

Monday, January 4, 2016
Commencement: 10:30 a.m.

CAROLINE HALLSWORTH, CITY CLERK, IN THE CHAIR

<u>Present</u>	Charles Cardinal-Wilson, Karen Galipeau, Joseph McColeman, Carolyn Thain
<u>Applicant</u>	Richard Pharand (Agent)
<u>Candidate</u>	Brian Bigger, Jack Siegel (Agent)
<u>Counsel to the Committee</u>	Jody Johnson
<u>Staff</u>	Caroline Hallsworth, Executive Director, Administrative Services/City Clerk; Liana Bacon, Legislative Compliance Co-Ordinator (a.m.), Danielle Wicklander, Legislative Compliance Co-Ordinator (p.m.).

CALL TO ORDER

Caroline Hallsworth called the meeting to order at 10:30 a.m. and introduced the day's proceedings

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None declared.

APPOINTMENT OF COMMITTEE CHAIR AND VICE-CHAIR

Item 1 <u>Appointment of Committee Chair and Vice-Chair</u>	Report dated December 9, 2015 from the Executive Director, Administrative Services/City Clerk regarding Appointment of Chair and Vice-Chair - Election Compliance Audit Committee.
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Nominations were held for the position of Committee Chair:

Karen Galipeau nominated herself for the position of Chair. There being no further nominations, nominations were closed.

Nominations were held for the position of Committee Vice-Chair:

Joseph McColeman nominated himself for the position of Vice-Chair. There being no further nominations, nominations were closed.

APPOINTMENT OF COMMITTEE CHAIR AND VICE-CHAIR (Cont'd)

Item 1
Appointment of
Committee Chair
and Vice-Chair
(cont'd)

The following motion was read:

ECAC2016-01 Cardinal-Wilson/Thain: THAT the Election Compliance Audit Committee appoints Karen Galipeau as Chair and Joseph McColeman as Vice-Chair of the Election Compliance Audit Committee for the term ending November 30, 2018.

CARRIED

KAREN GALIPEAU IN THE CHAIR

PRESENTATIONS

Item 1
Education Session

Jody Johnson, Municipal Law Expert, Aird and Berlis, provided an electronic presentation outlining the statutory roles and responsibilities of an Election Compliance Audit Committee.

Recess

At 11:25 a.m. the Election Compliance Audit Committee recessed.

Reconvene

At 12:05 p.m. the Election Compliance Audit Committee reconvened.

REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Adoption of Election
Compliance Audit
Committee Procedure
By-law 2014-2018
Number One

Report dated December 18, 2015 from the Executive Director, Administrative Services/City Clerk regarding Adoption of Election Compliance Audit Committee Procedure By-law 2014-2018 Number One.

The following motion was presented:

ECAC2016-02 Thain/McColeman: THAT Election Compliance Audit Committee Procedure By-law 2014-2018 Number One, a By-Law of the City of Greater Sudbury Election Compliance Audit Committee to establish procedural rules, be adopted as described in the report from the Executive Director, Administrative Services/City Clerk.

CARRIED

Item R-2
Election Compliance
Audit Application
2014-M1

Report dated December 18, 2015 from the Executive Director, Administrative Services/City Clerk regarding Election Compliance Audit Application 2014-M1: Applicant: Bernard Garner / Candidate: Brian Bigger, Office of the Mayor.

MANAGERS' REPORTS (Cont'd)

Item R-2
Election Compliance
Audit Application
2014-M1 (cont'd)

Chair Galipeau outlined the process to be followed, specifically that the Applicant or their agent, followed by the Candidate or their agent will have ten minutes to address the Committee following which the members of the committee could address questions to the Applicant, Candidate or their agents.

Richard Pharand, agent for the Applicant Bernard Garner, summarized the main points of the application with emphasis on the fundraiser and accuracy of submissions. He also noted a process concern regarding the form of the Candidate's response.

Jack Siegel, agent for the Candidate Brian Bigger, summarized the main points in the written submission of the candidate, including noting those specific paragraphs which respond to the Applicant's questions, with references to the case law and when appointment of an auditor is reasonable.

Recess

At 12:41 p.m. the Election Compliance Audit Committee recessed.

Reconvene

At 1:07 p.m. the Election Compliance Audit Committee reconvened.

Mr. Siegel submitted two documents to the Committee being a TD Canada Trust Statement for the Period of September 30, 2014 to October 31, 2014 and a deposit slip dated October 8, 2014.

The Chair asked if there was any supplementary information.

Mr. Pharand submitted a statement from Philippe Hébert dated January 4, 2015.

The Committee discussed the application and Candidate's response to the same.

The following motion was presented:

ECAC2016-03 McColeman/Thain: THAT the Election Compliance Audit Committee of the City of Greater Sudbury grant Application 2014-M1 as submitted by Applicant Bernard Garner regarding Candidate Brian Bigger for the Office of Mayor;

AND FURTHER THAT PwC (PricewaterhouseCoopers) as the Audit firm retained by the City of Greater Sudbury through a competitive RFP process, be appointed as the Auditor in accordance with the Municipal Elections Act to conduct an audit of the candidate's election campaign finances and prepare a report to this Committee.

MANAGERS' REPORTS (Cont'd)

Item R-2
Election Compliance
Audit Application
2014-M1 (cont'd)

RECORDED VOTE

YEAS

NAYS

Cardinal-Wilson
Galipeau
McColeman
Thain

DEFEATED

ECAC2016-04 Cardinal-Wilson/Thain: THAT the Election Compliance Audit Committee of the City of Greater Sudbury reject Application 2014-M1 as submitted by Applicant Bernard Garner regarding Candidate Brian Bigger for the Office of Mayor

RECORDED VOTE

YEAS

NAYS


Cardinal-Wilson
Galipeau
McColeman
Thain

CARRIED

Adjournment

McColeman/Cardinal-Wilson: THAT this meeting does now adjourn. Time: 1:22 p.m.

CARRIED


Karen Galipeau, Chair


Caroline Hallsworth, Executive Director,
Administrative Services/City Clerk