



FOUNDATION DOCUMENT

PART II: FUNDING THE RECREATIONAL FACILITIES AT CENTRAL PARK AND HERITAGE PARK

Chapter 11: Deputy Mayor Lloyd Denies Paul Bonwick Has Connection to Sprung; Sprung Denies Paul Bonwick's Connection to Sprung; Sprung, BLT and Green Leaf Work to Provide Responses to Sole Source Concerns; WGD Questions the Town's Use of its Report; The Town Receives and Responds to Questions; The Town Re-Engages with the YMCA

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

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

Chapter 11: Deputy Mayor Lloyd Denies Paul Bonwick Has Connection to Sprung; Sprung Denies Paul Bonwick's Connection to Sprung; Sprung, BLT and Green Leaf Work to Provide Responses to Sole Source Concerns; WGD Questions the Town's Use of its Report; The Town Receives and Responds to Questions; The Town Re-Engages with the YMCA

11.1 Deputy Mayor Rick Lloyd Receives Questions asking for the Sprung Contract, the Names of the Other Companies Staff Researched, and if there is any Connection between "Council, Staff and Sprung"; A Rally is Planned

612. On September 6, 2012, Steve Berman sent an email to Mayor Sandra Cooper, Council and Ed Houghton with the subject, "Pool, Rink", which included a list of comments from the public about Council's recreational facilities decision. Some commenters said that the vote should be rescinded.

Email chain including Steve Berman, Sandra Cooper, Sandy Cunningham, Rick Lloyd, Mike Edwards, Kevin Lloyd, Keith Hull, Joe Gardhouse, Ian Chadwick, Dale West, Ed Houghton, and Sara Almas, September 6, 2012, [TOC0549094](#)

613. On Friday September 7, 2012, Deputy Mayor Rick Lloyd advised Councillor Sandy Cunningham "Seems there is a YMCA RALLY planed for Monday night in front of town hall."

Email chain including Sandy Cunningham and Rick Lloyd, September 7, 2012, [TOC0211224](#)

614. On September 14, 2012, Steve Berman wrote to Deputy Mayor Lloyd, thanking him for his time the previous day and writing:

Further to our conversation about appealing the critics of councils decision, I've gone through all of the emails, facebook messages, postings ect , and come up with a short list of questions that I think will go a long way towards the gap between the public and council.

1. Will you give me a copy of the contract with sprung?

This will be able to answer all the questions about timing, that the contract is a done deal and unbreakable, that the penalty for breaking it would cost the taxpayer WAY to much, the warrantee ect, ect.

2. Will you give me just the names of the other companies town staff researched?

As you said, this was not done as a tender, so just the names and nothing else, would be ok to share. This will silence the people that think you didn't look at other options, the critics of sole sourcing, and will let the people see the same information that led staff to their decision.

3. Will you tell me of any connection between council, staff and Sprung, including anyone who lobbied for Sprung?

This way you can get rid of all the conspiracy theorists that think people are profiting from this. yourself, Sandra, Paul Bonwick ect ect....

Email from Steve Berman to Rick Lloyd, September 14, 2012, [CPS0009347_00001](#)

615. On September 15, 2012, at 10:49 am Steve Berman followed up with Deputy Mayor Lloyd about his questions. Deputy Mayor Lloyd forwarded both emails to Acting CAO Ed Houghton, writing "?". Mr. Houghton replied to Deputy Mayor Lloyd at 11:03 am, writing:

Well we can give them the contract but quite frankly it has nothing to do with them.

We can give them many names of other companies.

No relationship with Sprung.

No relationship with EB. We think he has been bad to us.

Your choice...Maybe he can answer if he has a conflict with his wife being a Y employee. His conflict for using this as a kick off for a Council position. Does he have other conflicts. Will he be responsible for libelous comments such as a private citizen being named in his email. Etc. Etc.

Email from Steve Berman to Rick Lloyd, September 15, 2012, [TOC0215313](#)

Email chain including Steve Berman, Rick Lloyd, and Ed Houghton, September 14 and 15, 2012, [CPS0009347_00001](#)

616. Deputy Mayor Lloyd replied to Ed Houghton: "I agree."

Email chain including Steve Berman, Rick Lloyd and Ed Houghton, September 14 and 15, 2012, [CPS0003705](#)

617. Deputy Mayor Rick Lloyd replied to Steve Berman at 1:42 pm on September 15, 2012, advising that there would be a presentation "on Monday night" that would "answer

most questions.” Mr. Berman replied at 2:14 PM, “...Can Friends of Central Park deputize since Recreation Facility Development is now on the agenda in order to offer equal air time to the public?” Deputy Mayor Lloyd responded at 2:16 PM, “No, it will be presented”.

Email chain including Rick Lloyd and Steve Berman, September 15, 2012, [TOC0215351](#)

618. Deputy Mayor Rick Lloyd sent another email at 2:19 pm replying to Steve Berman’s first September 15, 2012 email, writing, “Webb site will be launched that will address most concerns. Watch for the Webb Site Launch information Monday night.” Mr. Berman responded, asking if council ever considered the \$13.5 to \$15.5 million to build a brick and mortar arena and pool at Central Park as Phase 1 of the Community Recreational Facility. Deputy Mayor Lloyd replied at 3:28 pm, “Steve wait until the web site is up....Your question leaves me puzzled. Council as you are aware has voted for the Sprung buildings.”

Email chain including Rick Lloyd and Steve Berman, September 15, 2012, [TOC0215369](#)

619. Meanwhile, Steve Berman, Brian Saunderson, Geoff Moran, Dr. Mike Lewin and Claire Tucker-Reid exchanged emails on September 15, 2012, discussing the pool project, the YMCA, and a planned rally. They also discussed potential “ethical issues” posed by “...The interconnections between Bonwick-Compensco-Environment Network-Collus-Greenleaf-Peter Dunbar-Abby Stec-Pretty River-Ed Houghton etc...” These exchanges are included in [Summary Document 2-5](#).

Email from Mike Lewin to Brian Saunderson, Geoff Moran, Claire Tucker-Reid, Keith Hull and Steve Berman, September 15, 2012, [TOC0215269.0001](#)

Email from Steve Berman to Mike Lewin, Brian Saunderson, Geoff Moran, Claire Tucker-Reid, and Keith Hull, Reply to all from Claire Tucker-Reid, September 15, 2012, [TOC0215275.0001](#)

Email from Brian Saunderson to Steve Berman, Claire Tucker-Reid and Michael Lewin, copy to Geoff Moran and Keith Hull, September 15, 2012, [TOC0215346.0001](#)

[Summary Document 2-5](#): Council, Staff, and Public Discussions Related to the Town’s Recreational Facilities, chapter 1.9

11.2 Deputy Mayor Rick Lloyd Denies Paul Bonwick has Sprung Connection

620. On September 6, 2012, Councillor Dale West emailed Deputy Mayor Rick Lloyd, asking, "Is there a connection with paul bonwick in this that I haven't heard about?" Deputy Mayor Lloyd forwarded Councillor West's email to Paul Bonwick with the comment, "FYI." Mr. Bonwick replied to Deputy Mayor Lloyd, "Lol...not that I am aware of...I don't think he works in Town much anymore but I did hear that he was running for the liberals again."

Email chain including Dale West, Rick Lloyd, and Paul Bonwick, September 6 and 7, 2012, [TOC0210652.0001](#)

621. Meanwhile, Deputy Mayor Lloyd replied to Councillor West and said simply "No not that I know." He replied to Councillor West again later that evening, writing, "more bullshit." Councillor West responded, "Yep but it looks like that is the next thing we are about to hear." Deputy Mayor Lloyd responded:

...

Hehehehhehe

This is laughable, I haven't seen Bonwick doing any work in Collingwood as I think he is out of the country most times.

...

Nasty small thinking people that didn't get their own way with Central Park so now they will do anything to discredit this Council.

Email chain including Dale West and Rick Lloyd, September 6 and 7, 2012, [TOC0210640.0001](#)

Email chain including Dale West and Rick Lloyd, September 6 and 7, 2012, [TOC0210682.0001](#)

622. On September 7, 2012, Paul Bonwick wrote to Deputy Mayor Lloyd, "You should give Ian the scoop on a potential new player on the casino front today. New issue for them to focus on..." Deputy Mayor Lloyd responded, "Will Do LOL."

Email chain including Paul Bonwick and Rick Lloyd, September 7, 2012, [TOC0210892.0001](#)

11.3 Acting CAO Ed Houghton Asks Sprung's Tom Lloyd if Paul Bonwick "Benefitted from Council's Decision to Purchase from Sprung"; Tom Lloyd Advises "There is Absolutely No Relationship Between Paul Bonwick and Sprung"; Tom Lloyd Tells Steve Berman that Sprung Has Not Paid Fees to "Insiders"

623. On September 7, 2012, Ed Houghton sent Tom Lloyd of Sprung an email, writing:

I have a sensitive and confidential question to ask you. Earlier today I heard a rumour that the Mayor's brother (Paul Bonwick) benefited from Council's decision to purchase from Sprung. Can you tell me if he has been paid by Sprung for his alleged involvement.

Email chain including Ed Houghton and Tom Lloyd, September 7, 2012, [TOC0211157.0001](#)

624. Tom Lloyd responded to Ed Houghton that day: "There is absolutely no relationship between Paul Bonwick and Sprung. There has being no payments of any type made to Paul Bonwick by Sprung."

Email chain including Ed Houghton and Tom Lloyd, September 7, 2012, [TOC0211157.0001](#)

625. On September 17, 2012, Steve Berman sent an email to Sprung representatives asking questions about the company's interaction with the Town of Collingwood. Tom Lloyd responded to the questions, noting that "Sprung has not or will not be paying any type of fee to insiders, or anyone in the Collingwood area."

Email chain including Tom Lloyd, Dave MacNeil and Steve Berman, September 17, 2012, [CJI0006661](#)

11.4 Councillor Keith Hull Responds to Questions about Abby Stec, Paul Bonwick and Conflicts of Interest

626. On September 15, 2012, a member of the public emailed Councillor Keith Hull, asking:

I heard abby stec was the one that put the town onto sprung - she also works for bonwick. Any chance there was a deal cut between sprung and bonwicks consulting company. If sprung did cut a check to bonwicks company would the mayor have to declare a conflict of interest?...on the collus deal did the mayor declare any conflict of interest if her brother was the consulting company.

Email chain including Members of the Public, Mike Lewin and Keith Hull, September 13 and 15, 2012, [TOC0215360.0001](#)

627. Councillor Keith Hull replied that he had heard the same about Abby Stec but had no proof. He explained that he thought Deputy Mayor Lloyd had met with Sprung in the spring at a conference, and that Sprung was in contact with the Pretty River Academy. In response to the questions about conflict of interest, he wrote:

The Mayor never declared a conflict with regards to COLLUS. However, I don't believe she has to with regards to her brother. Believe it or not I am confident the Municipal Act only states a conflict if the person is a parent, spouse or child but NOT a sibling. A definite loop hole. The Mayor does declare a conflict during the budget when we are discussing PRC wages as her husband Ken works for the department.

Email chain including Members of the Public, Mike Lewin and Keith Hull, September 13 and 15, 2012, [TOC0215370.0001](#)

11.5 The FOCP Requests Documents, Including Budgets and the WGD Report; Staff Discuss and Respond to Document Request

628. PRCAC member Paul Cadieux made a document request on behalf of the FOCP by letter to Sara Almas dated August 30, 2012. Mr. Cadieux's document request included the budget worksheets that staff used to develop the deficits for the pool structure and the new arena, and a copy of the WGD report. Mr. Cadieux followed up with Ms. Almas by email on September 7, 2012. Ms. Almas responded, providing some information, and advised that "...the additional information and spreadsheets on the operating costs..." would follow.

Letter from Paul Cadieux to Sara Almas, August 30, 2012, [TOC0219909](#)

Email chain including Paul Cadieux, Sara Almas, Marta Proctor, Dave McNalty, Ed Houghton, Marjory Leonard and Larry Irwin, September 7 - 11, 2012, [TOC0212693](#)

629. Sara Almas emailed the EMC, Dave McNalty, and Marta Proctor on September 11, 2012, asking for "...the appropriate WGD and Operating Budgets to forward to Paul Cadieux..." On September 13, 2012, Mr. McNalty sent Ms. Almas documents, writing,

Please see the attached files which include WGD's report and proposed site layouts for a Pre-Eng Steel arena, as well as the building budget from WGD and our own spreadsheet showing the development of the budget numbers provided from WGD to those depicted in Staff Report EMC 2012-01.

Not sure if we need to provide all of it in order to satisfy the request. Note that the Reference column on the second page of our spreadsheet indicates the source of the 2nd Floor Mezzanine/Lounge estimate – either from the WGD budget (formatted XXXXX) or the Sprung budget (formatted XX-XXX). We may or may not want to remove this column (or page).

Email chain and attachments including Paul Cadieux, Sara Almas, Marta Proctor, Dave McNalty, Ed Houghton, Marjory Leonard, and Larry Irwin, September 7 and 13, 2012, [TOC0218067](#), [TOC0218068](#), [TOC0218069](#), [TOC0218070](#), [TOC0218071](#), [TOC0218072](#), and [TOC0218073](#)

630. On September 20, 2012, Sara Almas asked Ed Houghton if she could send Paul Cadieux the information from Dave McNalty. Mr. Houghton replied, “I have no issue sending the first part and excluding the second part. I'm not sure exactly what that is but if Dave has mentioned possibly not sending maybe we should.” Ms. Almas asked to sit in on a call between Mr. Houghton and Ms. Proctor to discuss.

Email chain including Paul Cadieux, Sara Almas, Dave McNalty, Ed Houghton, Marjory Leonard, Marta Proctor, Larry Irwin, September 7-20, 2012, [TOC0218103](#)

631. On September 20, 2012, Sara Almas sent a draft response to Paul Cadieux’s document request to Ed Houghton, the EMC, and Dave McNalty for review and comment. Ms. Almas’ draft indicated that everything that Mr. Cadieux requested should be attached, apart from “the handwritten detailed matrix, as it is with Ed’s files he kept for his discussions with various concerned stakeholders”, which she said would be provided later. She also advised that she was still waiting for confirmation on the release of the Sprung Contract.

Email chain including Sara Almas, Ed Houghton, Marjory Leonard, Larry Irwin and Dave McNalty, September 20 and 21, 2012, [TOC0218761](#)

632. Ed Houghton replied to Sara Almas’ email: “My only question is with the EMC 2012-01 document that Dave prepared. It includes such things as radiant flooring, green roof, etc. Was this included in the Sprung contract and if not why was it included in the steel fabrication building.” Dave McNalty replied “Those items were the recommended upgrades that were included in the text of the WGD report. They were presented as options, however some of them may have been required to get the Pre-Eng building to a

LEED Silver level.” Mr. Houghton acknowledged that Mr. McNalty’s explanation made sense and he wanted it indicated in the document before it was sent to Mr. Cadieux.

Email chain and attachments including Sara Almas, Ed Houghton, Marjory Leonard, Larry Irwin and Dave McNalty, September 20 and 21, 2012, [TOC0218774](#)

633. Shortly thereafter, Dave McNalty circulated two documents and explained:

In the attached pdf, I have added a comment regarding the Recommended Upgrades (As may be required for LEED Silver certification level). Is that enough?

Also attached is an updated version of the comparisons between the three options (\$35 MM Project, Pre-Eng Steel and Architectural Membrane). This may be related to the follow up request from Cadieux for the comparison template - however, I am sure that Ed would like to review this in detail to determine if it will be provided in this form.

I also have a version of the spreadsheet that matches the actual BLT contract (\$38,593.09 over staff report numbers), whereas this one matches the staff report. I have not included here to avoid confusion.

Email chain and attachments including Sara Almas, Ed Houghton, Marjory Leonard, Larry Irwin and Dave McNalty, September 20 and 21, 2012, [TOC0218802](#), [TOC0218803](#), and [TOC0218804](#)

634. Ed Houghton replied “I would add (As may be required for LEED Silver certification level similar to Sprung Membrane Building). I think what Cadieux is asking for is the matrix that looks at other fabric buildings in comparison to Sprung.” Sara Almas responded “Do we have a matrix that compared other fabric structures? Did you do this Marjory?” Dave McNalty replied “I never made anything for this comparison because I never found anything to compare to – even on the basis of R-Value alone”.

Email chain including Dave McNalty, Ed Houghton, Sara Almas, Marjory Leonard and Larry Irwin, September 21 and 22, 2012, [TOC0219330](#)

635. At 4:07 pm on September 22, 2012, Sara Almas emailed “Paul” at an email address for the “Friends of Collingwood Central Park Project”, with a copy to all Town Councillors and the EMC. She said:

...The one item missing is the handwritten detailed matrix, as it is with Ed’s files he kept for his discussions with various concerned stakeholders. I have contacted Ed (and copied him on the attached), and he has confirmed that he will provide once

he is back in the office early next week. I am just awaiting confirmation on the release of the Sprung Contract – and will have that additional information to you this week.

The operating information and calculations for the year-round pool were based on industry standards and data that was provided by our Parks, Recreation and Culture Director.

Email chain including Sara Almas, Friends of Collingwood Central Park Project, Town Councillors, Ed Houghton, Marjory Leonard, Larry Irwin, Dave McNalty, Marta Proctor, September 22, 2012, [TOC0549169](#)

636. Paul Cadieux responded at 5:10 pm on September 22, 2012, thanking Sara Almas and writing “...I look forward to receiving the other requested documents. I do note that the WGD report, site plan options and preliminary budgets all relate to the new area. When will be documents relating to the pool be provided?”

Email chain including Sara Almas, Friends of Collingwood Central Park Project, Town Councillors, Ed Houghton, Marjory Leonard, Larry Irwin, Dave McNalty and Marta Proctor, September 22, 2012, [TOC0219379](#)

637. Sara Almas responded, advising that the additional information would be provided in hard copy and advising “Further to your inquiry about the WGD Report being specific to the arena; please note the WGD was not retained to review options for the pool. Council’s resolution with respect to the pool was specific to considering covering the existing outdoor pool with a fabric structure.” Paul Cadieux confirmed that the information would be picked up from Town Hall.

Email chain including Sara Almas, Friends of Collingwood Central Park Project, Town Councillors, Ed Houghton, Marjory Leonard, Larry Irwin, Dave McNalty and Marta Proctor, September 22 and 24, 2012, [TOC0219938.0001](#)

638. On September 24, 2012, Sara Almas sent Paul Cadieux’s information requests to Councillor Ian Chadwick, Mayor Cooper and Ed Houghton, and confirmed that Mr. Cadieux was a member of the PRCAC. Councillor Chadwick forwarded Ms. Almas’ email to Deputy Mayor Rick Lloyd and Councillor Kevin Lloyd. Mayor Cooper replied to Clerk Sara Almas, stating that a great amount of time was spent on the information request and she wondered if it could be shared with the public.

Email chain including Sara Almas, Friends of Collingwood Central Park Project, Town Councillors, Ed Houghton, Marjory Leonard, Larry Irwin, Dave McNalty and Marta Proctor September 22 and 24, 2012, [TOC0549184](#)

Letter from Paul Cadieux to Sara Almas, August 30, 2012, [TOC0219909](#)

Email chain and attachment including Sara Almas, Friends of Collingwood Central Park Project, Town Councillors, Ed Houghton, Marjory Leonard, Larry Irwin, Dave McNalty and Marta Proctor, September 22 and 24, 2012, [TOC0219908](#) and [TOC0219909](#)

639. Paul Cadieux responded to Sara Almas at 7:45 pm on September 24, 2012, asking for the contract that the Town signed with Sprung. Ed Houghton responded shortly thereafter, explaining “The agreement is with BLT who is the exclusive licensed installer of Sprung structures in Ontario and I believe eastern Canada. As you have heard previously, this is a turn key facility that when complete we simply add skaters and swimmers.”

Email chain including Paul Cadieux, Sara Almas, Town Councillors, Ed Houghton, Marjory Leonard, Larry Irwin, Dave McNalty and Marta Proctor, September 22 and 24, 2012, [TOC0220299](#)

11.6 Green Leaf Consults Sprung and BLT about Responding to Sole-Sourcing Concerns from the Public; Sprung Sends Acting CAO Ed Houghton Documents Identifying Competitor Membrane Companies; Green Leaf Sends Ed Houghton Information about Cold Weather Sprung Structures and a Sprung Pool

640. On September 5, 2012, Abby Stec of Green Leaf emailed “Tom, Dave and Dave”, writing:

... There are several interest groups that are stirring the pot about the sole sourcing method we followed.

Can you please put some bullet points together that clearly indicate why Sprung is in a league of its own and that there is really no company to compare to it. It is very important that we put this to bed ASAP...

Email chain including Abby Stec, Tom Lloyd, Justin Cavanaugh, Dave Barrow and “Dave”, June 22, 2011, September 4, 5, 2012, [CJI0007188](#)

641. Dave Barrow replied to Abby Stec on September 5, 2012, writing “I will send you the comparisons this morning regarding other structures. I will also look to see if we have or can get some testimonials.” Later that day, Ms. Stec replied to Mr. Barrow: “...It would also be a huge help if something about Sprung could be highlighted on the home page of

your site...” She then emailed David MacNeil, Tom Lloyd, Mark Watts, Dave Barrow, and Paul Bonwick, requesting a five minute conference call. Tom Lloyd and Mark Watts confirmed their availability.

Email chain including Abby Stec, Tom Lloyd, Justin Cavanaugh, Dave Barrow and “Dave”, June 22, 2011, September 4-5, 2012, [CJI0007188](#)

Email chain including Abby Stec, David MacNeil, Mark Watts, Dave Barrow and Paul Bonwick September 5, 2012, [CJI0007125](#)

642. On September 6, 2012, Tom Lloyd sent Ed Houghton a two-page document that Mr. Lloyd said “speaks to the local membrane competitions, Craigleith and Innisfil Creeks.” The attached document identified “The other major membrane players in Eastern Canada are MegaDome, Britespan and Calhoun Super Structures” and included a paragraph providing information and critiques of each manufacturer, along with promotional information about Sprung. Mr. Lloyd advised that he would try to send a few other documents as well.

Email and attachment from Tom Lloyd to Ed Houghton, September 6, 2012, [TOC0210568](#) and [TOC0210569](#)

643. On September 9, 2012, Abby Stec sent documents to Ed Houghton’s gmail account, writing:

I have attached the Kearn pool enclosure doc and a template of a small card that I can attach to the front. Please let me know if the text is suitable. I tried to keep it simple and pertinent.

I could also have the cold weather references printed (attached also) but the buildings in my opinion are ugly and may cause more harm than good. Your call.

...Call me if you want to discuss the options.

Email and attachments from Abby Stec to Ed Houghton, September 9, 2012, [TOC0211882.0001](#), [TOC0211882.0001.0001](#), [TOC0211882.0001.0002](#), and [TOC0211882.0001.0003](#)

644. Abby Stec’s email attached a 12 page “Project Report” about the Kearns Oquirrh Pool Fitness Center in Utah and a document titled “Proof of Performance Cold Weather Applications” that included examples of Sprung structures in cold weather climates.

Email and attachments from Abby Stec to Ed Houghton, September 9, 2012, [TOC0211882.0001](#), [TOC0211882.0001.0001](#), [TOC0211882.0001.0002](#), and [TOC0211882.0001.0003](#)

645. On September 17, 2012, Sprung's Tom Lloyd sent Ed Houghton and Dave MacNeil a revised spreadsheet, writing "...The competitors that sell membrane structures in Ontario are highlighted in red. To the best of our knowledge, and the folks we hire for competitive info, none have an existing structure as wide as Collingwood requires." Mr. Houghton indicated that he had questions. Mr. Lloyd responded, "...there is NO competitor to Sprung. Who else has proven insulated buildings? No one!!..."

Email chain including Tom Lloyd, Ed Houghton, and Dave MacNeil, September 17-22, 2012, [CJ10007523](#)

11.7 Councillor Keith Hull Submits Questions About Council's August 27, 2012 Recreation Decisions to the Town, Including Questions about the Lack of an RFQ and How the Construction Would be Funded; Council Discusses Scheduling a Public Meeting about the Use of the Collus Funds

646. Councillor Keith Hull prepared a list of questions dated September 10, 2012 regarding Council's August 27, 2012 decision to proceed with Sprung for the arena and pool, and the process that led to that decision. Councillor Hull's list included questions about the anticipated operating costs for the pool, why an RFQ was not used, if there were plans for including the new arena in a phased development in Central Park, why the public was not consulted more about the arena and pool, and whether the Town had fully explored partnership options with the YMCA.

Questions submitted by Keith Hull, September 10, 2012, [TOC0512809](#)

647. Council discussed possible dates for a public meeting about the allocation of the Collus funds at the September 10, 2012 Council meeting. The meeting minutes recorded that Sara Almas would send out proposed dates for an open house to discuss the allocations of Collus funds with the public.

Council Minutes, September 10, 2012 [CJ10008108](#)

648. As part of the discussion, Ed Houghton said that Marjory Leonard was going to put together information about the penalties associated with paying off the Town's debt, stating that it is possible that the "penalty sort of negates any kind of opportunity".

Transcript of Council Meeting, September 10, 2012, [CJI0011237](#)

649. Later, Councillor Keith Hull said:

I'll be honest and frank. I'm a little confused. The staff report two weeks ago clearly indicated that in order to proceed with the two motions the \$8 million was suggested from the sale be allocated to those motions and that's what you voted for. I'm not sure what the point of going to the public is.

Transcript of Council Meeting, September 10, 2012, [CJI0011237](#)

650. Mayor Cooper interjected as Mr. Hull spoke, which led to the following exchange:

Mayor Cooper: Ms. Leonard, could you just clarify –

Councillor Hull: Okay. I'm not finished. Like you keep interrupting.

Mayor Cooper: No, no. Just on that point if you could clarify then the eight million.

Ms. Leonard: Through you, your worship, we just specified that it was potential funds available for that but we also indicated that it would be contingent on public meetings and public opinions as to whether or not that funding went there.

Mayor Cooper: Okay. Councillor Hull?

Councillor Hull: I appreciate that, but that certainly is not the perception in the public. The public's perception is that two weeks ago there was a presentation in which eight supported moving forward. Fine. The animals are out of the barn. I get it. But to now go to the public and host a public meeting and say well, here are all the options that we possibly could look at using the \$8 million for I think is just misleading the public down the wrong path.

If the public comes back and strongly says that we'd like to put four million here, two million here, two million here, does that mean that you as a group are going to turn around and say we're still moving forward with the two motions that we passed two weeks ago and therefore now we'll have to raise taxes by four million to make up? And I'm making up numbers here, I acknowledge that, but I just ...

I think if you're going to have a public meeting it should be clearly stated here are the two motions. The staff report included funding from these options, A, B, C. This was one of them and it was supported. The staff report was supported by council. So that people aren't under the illusion that they can come to this meeting with

ideas about we should put it here, we should put it here, we should put it here because that is clearly not the public perception.

Transcript of Council Meeting, September 10, 2012, [CJI0011237](#)

651. After Councillor Hull spoke, Deputy Mayor Lloyd stated that Councillor Hull was “right” and that there was “a lot of misinformation that’s out there”. Deputy Mayor continued that, “the animal’s out of the barn and that’s where we’re going. But the actual funding has not been totally determined just as the treasurer said. There’s a significant amount of money here that I think the public should have the opportunity to wade in and discuss it”. Councillor West and Councillor Cunningham said they were under no misconception that, in voting for the Sprung Structures, that the use of the Collus funds was subject to public input. Councillor Hull responded that he understood, but the issue was public perception.

Transcript of Council Meeting, September 10, 2012, [CJI0011237](#)

652. On September 12, 2012, the Enterprise Bulletin posted an article “Keith Hull’s 20 Questions.”

Email from Eric Fagen to EMC, Colin Macdonald, Sarah Griffiths, Ed Houghton, Paul Bonwick, Ed Chatten and PowerStream Corporate Communication, September 13, 2012, [TOC0213896.0001](#)

653. The EMC drafted a memo dated September 13, 2012 providing information about the Town of Collingwood Recreational Facilities in response to Councillor Hull’s questions. On September 14, 2012, Ed Houghton sent a revised draft to Mayor Sandra Cooper, Deputy Mayor Lloyd and the EMC indicating he had made several changes.

Email and attachment from Ed Houghton to Sandra Cooper, Rick Lloyd, Sara Almas, Larry Irwin and Marjory Leonard, September 14, 2012, [TOC0214826](#) and [TOC0214827](#)

654. Ed Houghton provided a further revised copy of the memo to the Mayor and Deputy Mayor on September 17, 2012. The memo included the following explanations:

- In response to a question about why Council did not form a second committee to “pursue all funding and fundraising options”: “There are no funding opportunities at this time.”

- In response to a question about why the project estimate did not include a contingency fee: “The new recreation facility buildings do not have a contingency because they are “turn-key” facilities and will be delivered completed by the manufacture. However, there is \$700,000.00 set aside for site preparation and hard surfacing of the sites themselves.”
- In response to questions about the meaning of Mr. Houghton’s statements that the use of the Collus proceeds for the Sprung structures was to be confirmed by the public: “A public meeting in regard to the use of the COLLUS funds is currently being scheduled. This may involve two meetings and incorporating choices recommended by Council.”
- In response to questions about why an RFQ was not issued for the project: “The technology being used for the new recreation facilities is the patented Sprung technology, which is unlike any other on the market to date. To the best of our knowledge through considerable review, Sprung is the only technology that has not experienced a collapse...Sprung was advised that they were in a competitive process, competing against traditional methods and construction practices...they were advised that the traditional methods would be favoured.”
- In response to questions about why staff was prepared to proceed without an engineering report from a pool consultant: “The Centennial Pool underwent a review and renovation in the past 2-3 years. At that time, the piping and deck were replaced for 1.3 Million dollars. The existing tank, which was also inspected by Sprung, is considered to be in good shape and not in need of replacement. A third independent peer review is being sought.”

Email and attachment from Ed Houghton to Sandra Cooper, Rick Lloyd, Sara Almas, Marjory Leonard and Larry Irwin, September 17, 2012, [TOC0215829](#) and [TOC0215830](#)

655. Marjory Leonard responded to Ed Houghton's September 17, 2012 email providing the revised memo, “Sounds good to me”. Mayor Sandra Cooper replied with thanks, and advised, “These Q and A’s will be provided to council and the public from my office.” She replied a second time later on September 17, 2012: “Ed: Thank you for reviewing and providing a response to Councillor Hull’s questions. To your team, the answers have been well investigated for the correct response”.

Email chain including Marjory Leonard, Ed Houghton, Sandra Cooper, Rick Lloyd, Sara Almas and Larry Irwin, September 17, 2012, [TOC0215843](#)

Email chain including Ed Houghton, Sandra Cooper, Rick Lloyd, Sara Almas, Marjory Leonard and Larry Irwin, September 17, 2012, [TOC0215899](#)

Email chain including Ed Houghton, Sandra Cooper, Rick Lloyd, Sara Almas, Marjory Leonard and Larry Irwin, September 17, 2012, [TOC0216271](#)

656. On September 18, 2012, Councillor Hull wrote to the EMC and said:

...

After the majority had left last evening the Mayor handed me a copy of a Draft Memo written by the Executive Management Team responding to my 20 questions.

I want to thank the Executive Management Team for taking the time to reply to each of my 20 questions. The majority of my questions have been satisfactorily answered. Others we will simply have to agree to disagree and move forward.

I hope that the Town and the YMCA will be able to partner in some form moving with regards to the operation of the Centennial Pool. If I can assist in facilitating dialogue between the two parties I would make myself available.

Email from Keith Hull to Ed Houghton, Sara Almas, Marjory Leonard and Larry Irwin, September 18, 2012, [TOC0549139](#)

657. In a blog post dated May 10, 2013, Steve Berman stated that "...the Town of Collingwood's executive management team provided Councillor Keith Hull with the answers to his 20 questions" a week after Councillor Hull submitted his questions.

"A Look at Keith Hull's 20 Questions – 8 Months Later", May 10, 2013, [CJ10006640](#)

11.8 Ed Houghton asks Tom Lloyd to Confirm there are No Other Direct Sprung Competitors; Tom Lloyd Provides Information about Sprung to Ed Houghton

658. On September 12, 2012, Ed Houghton emailed Sprung's Tom Lloyd, writing "The media is now saying there are other direct competitors. Please confirm this false ASAP." Mr. Lloyd responded, writing:

...Sprung is a patented technology and therefore NO other membrane competitor can come close to our product. They also can't come compete in the energy savings, environmental friendliness and LEED credits.

Email chain including Ed Houghton, Dave MacNeil and Tom Lloyd, September 12, 2012, [TOC0213949](#)

659. Ed Houghton responded, asking "...How many other membrane companies are there? Are there any that are insulated?" Tom Lloyd replied on September 13, 2012, writing:

Further to the info below, there are about 10 membrane manufacturers in Canada. Most are designed for farm buildings, household garages and small cold storage buildings. NONE insulate from the manufacturer. If they say they do it's an aftermarket addition that is installed by their resellers. None of their websites even mention insulation as an option...

Email chain including Ed Houghton, Dave MacNeil and Tom Lloyd, September 12, 2012, [TOC0213949](#)

660. Tom Lloyd's email reply to Ed Houghton went on to provide information about "The three major membrane players in Eastern Canada", MegaDome, Britespan Building Systems, and Calhoun Super Structures.

Email chain including Ed Houghton, Dave MacNeil and Tom Lloyd, September 12, 2012, [TOC0213949](#)

11.9 Steven Berman Publishes an Open Letter and Suggests that Sprung had Competitors; Sprung Provides Ed Houghton with a Spreadsheet Comparing Sprung to its Competitors

661. On September 21, 2012, Steve Berman circulated an "open letter" to the Auditor General, copying a number of other recipients including the FOCP, Town Council, Marta Proctor, Ed Houghton, W5, the Ombudsman of Ontario, McLean's Magazine, Kellie Leitch, Jim Wilson, CTV National News, CTV, Collingwood Connection, CBC News, and 97.7 The Beach. The letter's subject line was, "Please Help the Town of Collingwood."

Email chain including Steve Berman, Ed Houghton, Mark Watts, Dave Barrow, Friends of Central Park, Town Councillors, Marta Proctor, Ed Houghton, W5, the Ombudsman of Ontario, Matt McLean, McLean's Magazine, Kellie Leitch, Jim Wilson, the Information and Privacy Commissioner of Ontario, Ian MacLennan, Ian Adams, CTV National News, CTV, Collingwood Connection, CBC News, 97.7 The Beach, September 21, 2012, [CJI0007147](#)

662. Steve Berman's letter noted that Town signed the contract with Sprung very shortly after Council's vote to proceed with Sprung. He indicated that he had been contacted by another company that advised they could "...meet the same 'unique' qualities cited in Sprung", and that they would participate in a bid. He included questions that he said Council was avoiding answering. He wrote

...We need to know why the town decided to sole source a contract worth millions of dollars of our money without our consultation.

Please help us get these questions answered, before money is spent and ground has been broken.

Email chain and attachment including Steve Berman, Ed Houghton, Mark Watts, Dave Barrow, Friends of Central Park, Town Councillors, Marta Proctor, Ed Houghton, W5, the Ombudsman of Ontario, Matt McLean, McLean's Magazine, Kellie Leitch, Jim Wilson, the Information and Privacy Commissioner of Ontario, Ian MacLennan, Ian Adams, CTV National News, CTV, Collingwood Connection, CBC News, 97.7 The Beach, September 21, 2012, [CJ10007147](#) and [CJ10007147 0001](#)

663. Ed Houghton forwarded Steve Berman's letter to Mark Watts and Dave Barrow on September 21, 2012, writing "This is one of the three people we have been dealing with. You can see how widespread his email is sent and I believe that he is challenging your patent." Mr. Barrow responded to Mr. Houghton "Were calling you." Mr. Barrow also forwarded the email chain to Tom Lloyd and Paul Waddell.

Email chain and attachment including Steve Berman, Ed Houghton, Mark Watts, Dave Barrow, Friends of Central Park, Town Councillors, Marta Proctor, Ed Houghton, W5, the Ombudsman of Ontario, Matt McLean, McLean's Magazine, Kellie Leitch, Jim Wilson, the Information and Privacy Commissioner of Ontario, Ian MacLennan, Ian Adams, CTV National News, CTV, Collingwood Connection, CBC News, 97.7 The Beach, September 21, 2012, [CJ10007147](#) and [CJ10007147 0001](#)

Email chain including Tom Lloyd, Dave Barrow, Mark Watt and Dave MacNeil, September 21-22, 2012, [CJ10007521](#)

Email chain including Paul Waddell, Dave Barrow and Mark Watts, September 21, 2012, [CJ10007519](#)

664. BLT's Paul Waddell forwarded the email chain containing Steve Berman's open letter to Dave Barrow and Mark Watts, writing:

This is not good at all.

We had better cover ourselves very quickly and prepare to address the cost implications of abandoning ship.

We will obviously get Ed what he needs this weekend but.....

Read it over and over. As concrete as we can make our deal with the town, the reality is the town blew it in the eyes of the taxpayer. The second we release this contract the shit storm will become a hurricane.

The mayor had better meet with you and Ed at the same time. No way they can spin out of this.

Email chain including Paul Waddell, Dave Barrow and Mark Watts, September 21, 2012, [CJI0007519](#)

665. Tom Lloyd of Sprung sent an email to Dave Barrow, Mark Watts, and Dave MacNeil with several attachments at 7:58 pm on September 21, 2012, writing:

Further to our discussion please see the following:

Energy study

Patents

Independent engineer reference

Insulation LEED info

LEED Silver Sprung Report

I will send more info soon.

Email chain and attachments including Tom Lloyd, Dave Barrow, Mark Watts and Dave MacNeil, September 21, 2012, [CJI0007520](#), [CJI0007520 0001](#), [CJI0007520 0002](#), [CJI0007520 0003](#), [CJI0007520 0004](#), [CJI0007520 0005](#), and [CJI0007520 0006](#)

666. A meeting between Ed Houghton, Paul Bonwick, and Abby Stec at Mr. Houghton's house was scheduled for September 22, 2012.

Invitation Acceptance, Ed Houghton, "Meeting with Paul & Abby", September 21, 2012, [TOC0219110](#), [TOC0219110.0001](#)

667. On September 22, 2012, Tom Lloyd sent an email to Dave Barrow, Mark Watts, and Dave MacNeil of Sprung with the subject line "Why Sprung for Town of Collingwood." In his email, Mr. Lloyd said that Sprung had no competitors with respect to their guarantee, time in the business, insulation, air tight seal, Leed Silver certified buildings, and number of references. Mr. Lloyd attached a guarantee certificate to his email and wrote, "...Attached is the guarantee you can put in the contract if you want... Please let me know if you need anything else. Forward to Ed if you think it will help him. Good luck tomorrow."

Email chain and attachments including Tom Lloyd, Dave Barrow, Mark Watt and Dave MacNeil, September 21-22, 2012, [CJI0007521](#), [CJI0007521 0001](#), and [CJI0007521 0002](#)

668. On September 24, 2012, Mark Watts sent Ed Houghton an email with the subject line “Sprung’s Notes on the Competitors.” He wrote “Please find attached a re-formatted copy of what Tom had previously sent you regarding the competition of Sprung. The hard copy you received was loaded with typos; please reprint this copy for your records.” The attached file, which was called “Copy of Collingwood Competitive Research.xls” contained a chart with “Membrane Competition Spread Sheet.”

Email and attachment from Mark Watts to Ed Houghton, September 24, 2012, [TOC0219564](#) and [TOC0219565](#)

669. The Membrane Competition Spread Sheet included information about Sprung Instant Structures and eight other companies: Big Top, Calhoun Super Structures, Yeadon Air Supported Structures, Megadome, Norseman (CMG Building Sales), Rubb, and Bright Span Structures.

Membrane Competition Spread Sheet, September 24, 2012, [TOC0219565](#)

670. On September 28, 2012, at 8:41 am, Steve Berman emailed CAO Ed Houghton and Marta Proctor, asking for contact information for each of the 8 companies listed on the Membrane Competition Spread Sheets: Sprung, Big Top, Calhoun, Yeadon, Megadome, Norseman, Bright Span and Rubb.

Email chain including Steve Berman, Ed Houghton, Rick Lloyd and Sandra Cooper, September 28, 2012, [TOC0222238](#)

671. Ed Houghton forwarded Steve Berman’s email to Mayor Sandra Cooper and Deputy Mayor Rick Lloyd, writing, “This is getting beyond ridiculous. When do we get to move on and not have to answer all of these questions? Every time we give them information, they use it against us and give me more work. I need direction on this?” Deputy Mayor Lloyd responded,

I think I would reply to Mr. Berman with the Fact this project is moving forward and that as we appreciate his interest the Town has answered all the questions necessary and look forward to the completion of these projects.

Staff Time is very important as we move forward with the operations of Municipality

Email chain including Steve Berman, Ed Houghton, Rick Lloyd and Sandra Cooper, September 28, 2012, [TOC022238](#)

672. On September 28, 2012, at 10:06 am, Steve Berman emailed Mayor Sandra Cooper, asking her "...who is in the 'executive management team' that provided answers to Councillor Hull's 20 questions?" At 10:59 am, Mayor Cooper responded to Mr. Berman, copying Ed Houghton. She said:

Staff time is very important as we move forward with the operation of entire municipality.

The answers to your ongoing questions are the following:

Your email this morning at 8:41 to Mr Houghton for the contact information of companies listed as Membrane Competition can be found on each of their websites.

Your next question this morning at 10:06 asking the names of the executive management team for the Town of Collingwood.

They are Mr. Ed Houghton, Acting CAO, Ms. Leonard, Treasurer, Ms. Almas, Clerk, Mr. Irwin, Director of I.T.

Other staff members providing input to Councillor Hull's three pages of questions were Ms Proctor, Director of PRC, Mr McNaty, Facilities, Fleet and Purchasing.

Email chain including Sandra Cooper, Steve Berman, Ed Houghton, and Rick Lloyd, September 28, 2012, [TOC022342](#)

673. Mayor Cooper forwarded her email to Deputy Mayor Rick Lloyd with the comment "fyi."

Email chain including Sandra Cooper, Steve Berman, Ed Houghton, and Rick Lloyd, September 28, 2012, [TOC022342](#)

674. Steve Berman replied to Mayor Sandra Cooper's email, writing, "...Would you please reconsider my request and have someone email me the 8 names, 1 for each company contacted, so that I may speak to the same person staff spoke to in each case." Mayor Cooper replied, "Steve: You have my reply." She forwarded her email to Deputy Mayor Rick Lloyd.

Email chain including Steve Berman, Sandra Cooper and Rick Lloyd, September 28, 2012, [TOC022390](#)

11.10 WGD Questions the Town's Use of WGD Report at the August 27, 2012 Council Meeting; The Town Further Clarifies its Use of WGD's Work Product

675. On September 7, 2012, Richard Dabrus of WGD emailed Marta Proctor:

I've been made aware of a couple of issues on how our recent work has been used in the staff report to Council on August 27th. On page 71 it states that we knew we were in competition. This statement is wrong and puts our work in a negative context, as having a vested interest.

We don't.

We need to talk about this, as it is damaging to our firm's reputation.

Email from Richard Dabrus to Marta Proctor, September 7, 2012, [TOC0211206](#)

676. Marta Proctor forwarded Richard Dabrus's email to Acting CAO Ed Houghton on September 8, 2012.

Email chain including Richard Dabrus, Marta Proctor and Ed Houghton, September 8, 2012, [TOC0211295](#)

677. Ed Houghton replied to Richard Dabrus on September 8, 2012, writing:

... Ms. Proctor has forwarded your email for me to respond. I can reassure you that in no way were you or your firm's reputation put into question. The presentation that was made by our Treasurer was very respectful of the work that was done by your firm on behalf of the Steering Committee and the work completed at the request of Mr. McNalty. I believe the word competition meant that we were looking at different types of structures and your firm was aware that we were getting prices on other types of structures and your firm provided us the estimated numbers on the steel fabricated building. It did not mean however that you were in a competitive bidding process because we well know that you were providing budget numbers or estimates as our Central Park Project architect and not firm numbers as we may have gotten from a construction contractor. I trust that you accept this explanation and I thank you for your email.

Email chain including Richard Dabrus, Marta Proctor, Ed Houghton and Dave McNalty, September 7 and 8, 2012, [TOC0211387](#)

678. On October 5, 2012, Joe MacDonald of the Parks, Recreation and Culture Advisory Committee sent a copy of the WGD Report to the other members of the PRCAC, Councillor Dale West, Councillor Keith Hull, and Marta Proctor, writing "fyi report that compares the bubble to bricks."

Email chain and attachment including Joe MacDonald to Dale West, Keith Hull, Marta Proctor and PRCAC Members, October 5, 2012, [TOC0225878](#) and [TOC0225879](#)

679. In response to Joe MacDonald's distribution of the WGD Report, Ed Houghton sent Dave McNalty an excerpt of the WGD Report, writing "this is what WGD Architects said when they compared a Steel Fabricated Building to a Sprung structure. Can you help with the errors in their comments? Once again this is time sensitive."

Email chain including Ed Houghton and Dave McNalty, October 5, 2012, [TOC0226053.0001](#)

680. Dave McNalty provided a memo to Ed Houghton on October 8, 2012.

Mr. McNalty's memo explained that WGD initially referenced an un-insulated membrane system and that, "The alternative insulated architectural membrane structure, such as supplied by Sprung, was introduced to WGD and many of their comments were retracted." The memo went on to state that WGD acknowledged that Sprung's insulation may be superior to a typical pre-engineered steel structure. It also highlighted the design and construction timelines:

WGD provided a typical schedule for the design and construction of a pre-engineered steel arena which illustrates an inherent issue with traditional construction techniques. The project would include a 7 to 8 month design period followed by 10 to 12 months for procurement and physical construction. A design-build option to construct an insulated architectural membrane arena may be completed from beginning to end with a 8 to 9 month time frame.

Report on Central Park New Arena Options, August 17, 2012, [TOC0201266](#)

Email and attachments from Dave McNalty to Ed Houghton, October 8, 2012, [TOC0226261.0001](#), [TOC0226261.0001.0001](#), [TOC0226261.0001.0002](#), [TOC0226261.0001.0003](#), and [TOC0226261.0001.0004](#)

681. Also in October 2012, Dr. Mike Lewin sent Council a series of questions about the Town Staff's use of WGD's work product and the Town's decision to work with BLT, including the sole source nature of that decision. Councillor Ian Chadwick and Ed Houghton provided lengthy responses to these questions. Mr. McNalty's memo and the responses to Dr. Lewin's questions are described in further detail in [Summary Document 2-4](#).

WGD [Summary Document 2-4](#): WGD's Interaction with Collingwood Staff, Council and Residents (July-October 2012), chapter 1.10

11.11 The Town Discusses Adding a Therapeutic Pool; Councillor Kevin Lloyd Asks Questions About YMCA Funding; The Town Re-Engages with the YMCA

682. Mayor Cooper advised Council that there was going to be a meeting on September 12, 2012 "...with Rob Armstrong and two others from the Simcoe-Muskoka YMCA. Also in attendance are the PRC council reps." She promised to keep Council informed of the discussion.

Email chain including Sandra Cooper, Town Councillors, Ed Houghton, Marta Proctor and Paul Bonwick, September 11, 2012, [TOC0213239.0001](#)

683. The next day, on September 12, 2012, Deputy Mayor Rick Lloyd sent Ed Houghton an email with the subject "Y" and asked "Done your meeting yet???" Mr. Houghton replied "Yes." Deputy Mayor Lloyd replied "lol their loss!" Mr. Houghton responded "I'm not sure."

Email chain including Ed Houghton and Rick Lloyd, September 12, 2012, [TOC0213552](#)

684. On September 13, 2012, a person forwarded Councillor Keith Hull an email chain including a letter Dr. Mike Lewin had written to "the physicians", and asked if the facts in the email were correct. Dr. Lewin's letter indicated that:

...The Y made a presentation to the mayor to re-iterate what they are willing to commit to, with hard numbers, both of building & operating costs...Facility that wouldn't cost much more to build, the Y would cover the operating costs, kick in close to \$1 million and would ask the town to only lend them the \$, would not have to take on any of the hassles of construction...Apparently the mayor rejected the proposal, told the Y that the sole purpose of the meeting was to offer the Y the opportunity to run the Centennial Pool. For obvious reasons the Y declined.

...The Y is going to go public with its offer, with its numbers no later than Monday...our focus is going to be to pressure the town into re-thinking the pool while letting them know that we will back the new rink and the Eddie Bush reno...

Email chain including Members of the Public, Michael Lewin, and Keith Hull, September 13, 2012, [TOC0215360.0001](#)

685. Also in his letter, Dr. Mike Lewin asked the recipients to help get people to "...march/rally from the YMCA to the Town Hall Monday at 4pm..." and to consider

signing a letter asking Council to reconsider their decision about the pool. This email is referenced in [Summary Document 2-5](#).

Email chain including Members of the Public, Michael Lewin, and Keith Hull, September 13, 2012, [TOC0215360.0001](#)

[Summary Document 2-5](#): Council, Staff, and Public Discussions Related to the Town's Recreational Facilities, chapter 1.10

686. Councillor Keith Hull replied to the person on September 15, 2012:

For the most part the facts are correct. I would want to confirm some of the financial numbers.

...this past Wednesday Rob Armstrong, CEO of the YMCA flanked by two Board members made a proposal to the Mayor, Acting CAO, Director of PRC, myself and Councillor West. I was under the impression that when the meeting adjourned there was an understanding that both the Town and YMCA would cooperatively look at options. Later that day Rob Armstrong was called back to Town Hall to meet with the Mayor and Deputy Mayor. The DM informed Mr. Armstrong that the Town was only interested in the Y operating the Centennial Pool and that no other option was to be considered at this time. I got this direct from Rob Armstrong. Rob ended the meeting and agreed to take these instructions back to his Board for consideration.

Email chain including Members of the Public, Mike Lewin, and Keith Hull, September 13, 2012, [TOC0215360.0001](#)

687. On September 17, 2012, Marta Proctor emailed Ed Houghton and wrote:

...Also, I just had a brief conversation with Rob Armstrong about the information they are trying to prepare in response to Friday's meeting. Nothing new or significant was discussed, but let me know if you want a quick update.

Email from Marta Proctor to Ed Houghton, September 17, 2012, [TOC0215881](#)

688. At the September 17, 2012 Town Planning and Development meeting, Mayor Sandra Cooper and Ed Houghton reviewed the decision-making process involved in Central Park and Centennial Park. According to the minutes of that meeting:

....

Acting CAO Houghton reviewed the project and analysis undertaken. Mr. Houghton acknowledged the work undertaken by the steering committee and the

recommendations and concerns, reviewing the costs of the various options considered and the financial position of the Town.

Councillor Hull stressed the need for a warm water therapeutic pool and to have a shovel-ready project should funding become available. Councillor Hull inquired to whether there would be any further discussions to be made with the YMCA. Acting CAO Houghton has committed to further discussions with the YMCA, noting that together with Marta Proctor...they will be discussing the potential of a therapeutic pool for the community in the upcoming weeks.

Planning and Development Minutes, September 17, 2012, [TOC0000661](#), p 1

689. The following day, Councillor Kevin Lloyd emailed Marta Proctor with a copy to Sandra Cooper, Town Councillors, Rick Lloyd, Ed Houghton, Sara Almas, Marjory Leonard and Larry Irwin, asking Ms. Proctor to:

...ask the Chair of the Steering Committee what date he was first informed of the Y's inability to support their original proposal to partner with Collingwood to build a new 25 meter pool at the original location. Also, I would like to know when the PRCAC was made aware.

If, the Chair was aware in advance of Council, I would like an explanation as to why Council was not informed at that time...

If possible, I would also like you to inquire when the Y made their decision

Email chain including Kevin Lloyd, Marta Proctor, Ed Houghton, Sandra Cooper, Rick Lloyd, Sara Almas, Marjory Leonard, Larry Irwin and Town Councillors, September 18, 2012, [TOC0217068](#)

690. On September 19, 2012, Councillor Kevin Lloyd forwarded Ed Houghton, Marta Proctor, Mayor Sandra Cooper, Marjory Leonard, Sara Almas, Larry Irwin and Town Councillors an email chain dated June 12, 2012 in which Council members discussed the Town's financial commitment to the renovation of the YMCA pool. In the June 12 email chain, Deputy Mayor Rick Lloyd had asked what the Town's financial commitment to the YMCA was, because a conversation with Penny Skelton and Brian Saunderson had left him with the impression that the YMCA believed the Town was paying the full cost of the pool expansion. Councillor Lloyd wrote:

Further to yesterday's inquiry, as to when the Chair may have discussed the "game changing details" concerning financing/partnership with the Y and the proposed pool, these comments below, shed more light on my concern.

It is clear to me, that the Chair likely knew well in advance of the March 5th report, and appears to have had discussions with the Y long before the Y's, clear cut, decision was communicated to Council in June. It begs the questions.

If the chair had prior knowledge, why was Council not made aware of this information immediately?

Why did the CPSC recommendation (Mar. 5) not clearly delineate these facts?

Why was there only a camouflaged, one liner, reference on page 13?

Why would the Chair and committee even entertain the idea that Collingwood tax payers would finance the entire project, and not have discussed or gained approval from Council? They were a Committee of Collingwood Council, not a committee of the YMCA!

...

Email chain including Kevin Lloyd, Ed Houghton, Marta Proctor, Sandra Cooper, Marjory Leonard, Sara Almas, Larry Irwin, Town Councillors, June 12, 2012, September 19, 2012, [TOC0217499](#)

691. On September 26, 2012, Ed Houghton and Marta Proctor met with representatives of the YMCA, including CEO Rob Armstrong and Vice President Karen Pulla. Mr. Houghton emailed Council and Department Heads after the meeting, advising that the meeting was to discuss plans for moving forward with the new pool and discuss partnership options. Mr. Houghton reported that "Overall the meeting was very positive and we agreed that reviewing the options and the financial implications is a priority." The email then went on to say:

During this meeting Ed also presented an idea that would help to meet the broader aquatic needs of our Community. The idea was to add a warm water therapeutic pool to the Heritage project. This preliminary idea is based on recent input from various stakeholders such as Dr. Moran but to also provide the YMCA the feeling that our pool project can be a value-added solution to their membership. This idea has been discussed with Sprung and they have shown great willingness in assisting with the associated costs which ultimately will showcase our facility and their product to Ontario and Eastern Canada. I have attached a very draft plan of the pool enclosure that includes the Therapy Pool.

Based on today's positive meeting, we will continue to work with the YMCA staff to detail an operating framework for the partnership that could then be presented to Council and the YMCA Board for consideration and approval.

Email from Ed Houghton to Town Councillors, Department Heads, September 26, 2012, [TOC0514439](#)

692. Councillor Ian Chadwick responded to Ed Houghton's email, asking "We will, of course, put the administration out for RFP, right?" Councillor Kevin Lloyd replied to the group "In light of the most recent accusations, I believe this is the most prudent course of action."

Email chain including Ed Houghton, Town Councillors, Town Department Heads, September 26, 2012, [TOC0514436](#)

11.12 Council Distributes a Newsletter Promoting Sprung Decision

693. In late September and early October 2012, Councillor Ian Chadwick drafted a newsletter entitled "Why Sprung" which provided information about Sprung structures and potential sources of funding for the structures. The "Why Sprung" newsletter included a message from Mayor Sandra Cooper, which stated, among other things, that:

This summer, council and staff assessed what might be possible: intense study, discussion and analysis took place for about 45 days. When all of the analysis was done, the current proposal was presented to council and approved as the best options for our community.

"Why Sprung" Flyer, undated, [TOC0227338](#)

Email and attachment from Ian Chadwick to Ed Houghton, Sandra Cooper and Kevin Lloyd, September 29, 2012, [TOC0222704](#) and [TOC0222705](#)

Email and attachment from Ian Chadwick to Ed Houghton, Kevin Lloyd and Rick Lloyd, October 10, 2012, [TOC0227337](#) and [TOC0227338](#)

694. The "Why Sprung" newsletter stated that "the life expectancy of the building is 60+ years" and stated, "There are more than 12,000+ structures in 93+ countries, with no collapses. All other manufacturers have had collapses." The newsletter also said that Sprung structures were "...built to a LEED silver certified standard."

"Why Sprung" Flyer, undated, [TOC0227338](#)

695. In a section titled “Where will the money come from? Not from raising your taxes!” the “Why Sprung” newsletter explained:

The Town has the following funds available:

Reserve: \$ 1,500,000,

From the County, our portion of Poplar Sideroad
construction 2010 \$ 1,300,000

Collus-PowerStream Partnership funds (use to be
confirmed by public) \$ 8,000,000

Development Charges for Heritage Park
parking/landscaping \$ 88,000

Development Charges for Central Park
arena enclosure \$ 821,488

Total Available (potentially): \$11,709,488

The new facilities can be financed without raising taxes or adding to the town’s debt. The treasurer has confirmed that by adding another \$35 million to the town’s debt, taxes for the average home would rise by more than 10% to cover the financing. After the 20 year debenture, that debt would have cost taxpayers over \$49 million for capital and interest.

“Why Sprung” Flyer, undated, [TOC0227338](#)

696. The “Why Sprung” Flyer was distributed to Town residents with the Collus hydro bills.

“Why Sprung” Flyer, undated, [TOC0227338](#)

Email and attachment from Ian Chadwick to Ed Houghton, Sandra Cooper and Kevin Lloyd, September 29, 2012, [TOC0222704](#) and [TOC0222705](#)

Email and attachment from Ian Chadwick to Ed Houghton, Kevin Lloyd and Rick Lloyd, October 10, 2012, [TOC0227337](#) and [TOC0227338](#)

Email chain including Steve Berman and Sara Almas, January 10, 2013, [TOC0549485](#)

[Summary Document 2-5](#): Council, Staff, and Public Discussions Related to the Town’s Recreational Facilities, chapter 1.12

11.13 The FOCP Plan a Public Meeting About Collingwood's "Future Recreation Facilities"

697. On October 1, 2012, Brian Saunderson emailed Central Park Steering Committee members Larry Young, Terry Geddes, Don Paul, Claire Tucker-Reid, Rob Armstrong, and Geoff Moran, PRCAC Chair Penny Skelton and Marta Proctor to advise them of an upcoming FOCP public meeting "...to allow the public to voice their opinions and questions about Council's recent decision on our future recreation facilities."

Email from Brian Saunderson to Larry Young, Terry Geddes, Don Paul, Claire Tucker-Reid, Rob Armstrong, Geoff Moran, Penny Skelton and Marta Proctor, October 1, 2012, [TOC0223120](#)

11.14 Certain PRCAC Members Take Issue with the Accuracy of the Minutes of their Meeting Regarding Council's Recreation Facility Decision

698. On October 10, 2012, Town Committee Secretary Monica Gal sent the minutes from the September 11 and September 19, 2012 PRCAC meetings to the PRCAC members for their review and comment. Certain PRCAC members replied that the minutes did not accurately reflect the committee's disappointment about the Town's decision about the new arena and Centennial pool, including disappointment due to "a lack of transparency".

Email chain including Paul Cadieux, Monica Gal, Catherine Campbell, Dale West, George Christie, George Dickson, Pieter Huyssen, Joanne Pearson, Joe Macdonald, Karen Ciotti, Keith Hull, Mandy Long, Marta Proctor, Matt Wells, Norah MacLean, Penny Skelton, Peter de Vries, October 10, 2012, [TOC0227646](#)

Email chain including Joe MacDonald, Monica Gal, Catherine Campbell, Dale West, George Christie, George Dickson, Pieter Huyssen, Joanne Pearson, Paul Cadieux, Karen Ciotti, Keith Hull, Mandy Long, Marta Proctor, Matt Wells, Norah MacLean, Penny Skelton, Peter de Vries, October 10, 2012, [TOC0227658](#)

Email chain including Brian Saunderson, Joe MacDonald, Monica Gal, Catherine Campbell, Dale West, George Christie, George Dickson, Pieter Huyssen, Joanne Pearson, Paul Cadieux, Karen Ciotti, Keith Hull, Mandy Long, Marta Proctor, Matt Wells, Norah MacLean, Penny Skelton, Peter de Vries, October 10, 2012, [TOC0227674](#)

699. Marta Proctor forwarded PRCAC responses to Ed Houghton. He replied on October 11, 2012:

I have no issue if the minutes read their significant concern over the lack of communication with PRCAC. I do have a concern with Saunderson's accusation of the sanitization of the minutes. I also never admitted that Christie's pen knife would cut the sample. I didn't want him to attempt to deface something which was not mine.

Revise the Staff Report if necessary.

Email chain including Ed Houghton, Sara Almas, Larry Irwin, Marjory Leonard, Joe MacDonald, Monica Gal, Catherine Campbell, Dale West, George Christie, George Dickson, Pieter Huyssen, Joanne Pearson, Paul Cadieux, Karen Ciotti, Keith Hull, Mandy Long, Marta Proctor, Matt Wells, Norah MacLean, Penny Skelton, Peter de Vries, October 10-11, 2012, [TOC0227743](#)

700. On October 11, 2012, Marta Proctor sent the PRCAC a draft Staff Report regarding the therapeutic pool. She also addressed the draft minutes from the prior meetings, writing:

Thank you for your feedback...I am concerned with the implication that we have tried to water down or sanitize the minutes. As always, the recorded minutes are intended to capture the general ideas and points of discussion, not every specific comment...Given the expressed concerns, we will delay approval until we have a chance to discuss and adjust at next week's meeting, after which, they will then be forwarded to Council.

Email chain including Marta Proctor, Joe MacDonald, Monica Gal, Catherine Campbell, Dale West, George Christie, George Dickson, Pieter Huyssen, Karen Ciotti, Keith Hull, Mandy Long, Matt Water, Paul Cadieux, Penny Skelton, Peter de Vries, Ed Houghton, Sara Almas, Larry Irwin and Marjory Leonard, October 10-11, 2012, [TOC0227876](#)

701. On October 31, 2012, Monica Gal sent revised Minutes for the October 17th, 2012 PRCAC meeting to the PRCAC for approval. Several members replied with approval. On November 1, 2012, Joe MacDonald advised that he would be resigning from the PRCAC effective immediately, explaining:

There are two main reasons for my departure, the first is the simple fact that the largest decision ever made about recreation in Collingwood was done without any input from our committee, which speaks volumes about the current councils respect for our committee. ...

The second reason is the loss of trust with our current chair, which I expressed at our last meeting

Email chain including Marta Proctor, Joe MacDonald, Monica Gal, Catherine Campbell, Dale West, George Christie, George Dickson, Pieter Huyssen, Karen Ciotti, Keith Hull, Mandy Long, Matt Water, Paul Cadieux, Penny Skelton, Peter de Vries, October 31, 2012, [TOC0237674](#)

Email chain including Marta Proctor, Joe MacDonald, Monica Gal, Catherine Campbell, Dale West, George Christie, George Dickson, Pieter Huyssen, Karen Ciotti, Keith Hull, Mandy Long, Matt Water, Paul Cadieux, Penny Skelton, Peter de Vries, October 31, 2012, [TOC0237932](#)

Email chain including Marta Proctor, Joe MacDonald, Monica Gal, Catherine Campbell, Dale West, George Christie, George Dickson, Pieter Huyssen, Karen Ciotti, Keith Hull, Mandy Long, Matt Water, Paul Cadieux, Penny Skelton, Peter de Vries, October 31, 2012, [TOC0237990](#)

Email chain including Marta Proctor, Joe MacDonald, Monica Gal, Catherine Campbell, Dale West, George Christie, George Dickson, Pieter Huyssen, Karen Ciotti, Keith Hull, Mandy Long, Matt Water, Paul Cadieux, Penny Skelton, Peter de Vries, October 31, 2012, [TOC0238004](#)

Email chain including Marta Proctor, Joe MacDonald, Sara Almas, Sandra Cooper, Keith Hull, Dale West, Monica Gal, Catherine Campbell, Dale West, George Christie, George Dickson, Pieter Huyssen, Karen Ciotti, Keith Hull, Mandy Long, Matt Water, Paul Cadieux, Penny Skelton and Peter de Vries, October 31-November 1, 2012, [TOC0238245](#)

Email chain including Marta Proctor, Ed Houghton, Joe MacDonald, Sara Almas, Sandra Cooper, Keith Hull, Dale West, Monica Gal, Catherine Campbell, George Christie, George Dickson, Pieter Huyssen, Karen Ciotti, Keith Hull, Mandy Long, Matt Water, Paul Cadieux, Penny Skelton and Peter de Vries, October 31-November 1, 2012, [TOC0238247](#)

702. On November 2, 2012, Marta Proctor sent Sara Almas a draft email reporting that three PRCAC members had resigned. The final version of Ms. Proctor's email was sent out to Council on the same day.

Email chain including Marta Proctor, Sara Almas, Mandy Long, Penny Skelton and George Dickson, November 2, 2012, [TOC0239303](#)

Email chain including Marta Proctor, Town Councillors, Ed Houghton, Sara Almas, Marjory Leonard, Larry Irwin, Mandy Long and Penny Skelton, November 2, 2012, [TOC0239338](#)