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Orono Weekly Times

Gord Robinson and Charlie Trim - A Shining Example of "Clueless in Democracy"

It has been over three years since the 2006 election took place. Why has the audit you promised us on the election finances, of your old boss, John Mutton not happened yet? We think it's important that your voting public understand the real cause for delay - your actions. Ever since we got the ok for the audit you have blocked the investigation at every turn. Now the voters want some answers:

(1) Facts: Both Jim Abernethy and John Mutton had audit requests in 2007. Jim Abernethy's was ok'd by council, tendered to Durham auditors, and an auditor was selected a few weeks later by council. John Mutton's was ok'd by council, and Gord Robinson immediately suggested the Toronto Firm of Horn Almand CA's, get the job. Council appointed the firm immediately without any tender process.

- Why was the audit of your former boss treated much differently than the new Mayor's?
- Gord - Even though this was the first day Mutton's issue ever appeared before council, you had this firm's recommendation right at your finger tips? How was that possible? And why no tender?
- It looks like you lied to your voters Gord! This firm was only a two-person firm that specializes in charities, taken right off their website, but the paper quotes you as saying it was "large and experienced." How come when we pointed out the real credentials of the firm from their web site to you, you did nothing, not even respond?
- This was a Toronto firm but you had a list of Durham firms in your hands from Abernethy's audit
- why did you not shop local? Local business owners want to know why you sent this audit to Toronto instead of giving us a chance to keep our taxpayer dollars locally spent!

(2) Facts: In November 2007 the audit report was delivered to council. The auditor admitted his entire audit investigation was ONLY talks with the municipal clerk, the town lawyer, and John Mutton and his agent. That's it. No evidence, no testing. Never contacted us once. The report was later described as the most obviously biased and grossly negligent and ridiculous report ever written by an auditor. You accepted it without question, review or challenge. We hired our own auditor, who provided you with a presentation and handout showing where the errors and omissions were. You did nothing. - Since then, we've sent enormous amounts of evidence to your office - the Vaughan, Hamilton, and Toronto reports, court documents, auditor reports - every single one firmly showed we were right and where the auditor had screwed up - then we asked you to look into this. Not one response was ever received from you. We sent you dozens of letters and thousands of pages of evidence. You never responded to a single one.

- What legal or moral right do you have to vote on any issue, and intentionally ignore any and all evidence that doesn't agree with what you want? Why did you **intentionally** and totally ignore our rights?

- This is just like the incinerator. Thousands of voters have made it clear they don't want the incinerator in Clarington. They send evidence, make presentations, speak to council - there is no confusion which way the voters have told you to cast your vote. You've totally ignored all this work and evidence, you're not even responded to their letters or concerns, and you obviously don't care what Voters want even when we give you **clear** directions on how you are to vote in order to represent our **decision**. The Voters demand an answer: what right in a democratic country do you, a public servant and elected official, **have to totally ignore us? Why for example on the incinerator issue, do you not vote the way your constituents tell you to vote?** Why are you completely ignoring democracy in Clarington?

- Mr Robinson specifically - why did you change your incinerator vote? Does it have something to do with the rumour that your old boss, John Mutton, was working for the company with the leading incinerator bid? Is there truth to that rumour, Gord? It certainly would explain your behaviour on both the incinerator vote and your trying to prevent his audit from happening!

(3) Facts: There was a number of council meetings where you publicly made us out to be deadbeats because we wouldn't pay the fees YOU charged us in error. Since you would do nothing for us, not even respond, we sent the audit report and a complaint to the Chartered Accountants Society who laid very serious charges against YOUR "large and experienced auditor. We sent their charges to you. You did nothing. We sent you another letter of why we were disputing the fees, you did not respond, except to publicly direct staff to use a collection company to try to get the audit fees from us. The auditor refunded his fees, and pleaded guilty in December 2008. In the "agreed statement of facts" he admitted he did not understand the elections act, he had not done a proper audit, and that errors were found but he had omitted these on his report to council. We sent you this information. You did nothing. We sent requests in January and February asking when the replacement audit would be done. You did nothing, not even respond. This is now almost six months since the original audit was thrown out, and you have done nothing. This has cost us thousands of dollars in fighting **your** errors. When we suggested a refund since it was actually **your mistakes** we were fixing, you did nothing, not even respond.

- Where's our apology for the trouble and money **your mistakes** have caused us?
- Where's our apology for your ignorant behaviour shown by your decision to consistently ignore every document we ever sent, now that we've been proven right and you've been proven wrong?
- **your** actions have dragged this issue out for almost three years. **You** are still ignoring every letter we send you on the subject. Why are **You** doing everything you can to prevent a proper audit of your old boss and friend?
- Why don't you refund the voters the money you wasted **from your own pockets** and take responsibilities for your actions?

(4) Facts: One of our original audit issues was whether taxpayer money, was used to support the former Mayor's re-election campaign. We sent you campaign contribution requests someone sent from Town faxes, and campaign brochures using the Town's email address, and asked how the old Castle hotel under major renovation could be the Mayor's campaign office for six months when town knew it was not certified for occupancy. Also, Elections Canada's definition of an election expense says anything that is a paid distribution during a campaign that features the name, picture, and opinions of any candidate during an election period is an election expense, regardless of who paid to distribute it or why. Every Mayor's Corner column printed during 2006 and paid for with taxpayer money met this definition. We sent you this plus the City of Toronto rules saying Toronto can't do a Mayor's Corner type article during an election because it would be illegal support of a candidate. That's very strong evidence. We just want the auditor to determine if taxpayer money was used to support the ex-Mayor's re-election bid - which would be illegal. This determination wouldn't take an auditor long to make. Your auditor did look at this - or maybe the voting public is not yet aware that one of the charges the auditor pleaded guilty to is the fact that he **didn't** look at the possible misuse of public money, because in his hearing he swears: "At the advice of the City Solicitor, I did not, in detail review or address this material." He was **instructed** to ignore the issue of possible public money misuse?

-The Elections Act doesn't allow any limitations to be put on an auditor, for obvious integrity reasons. We, the voters, demand to know why any limitation was put on the audit of your old boss and friend? We want to know if/when/why council gave those directions to the lawyer, and under what authority. We want to know if/when/why the lawyer advised the auditor to not do a proper audit under the elections Act, what exactly those directions were, and under what authority.

- The Elections Act says everything related to an election has to be completely out in the open, for the public to believe in the integrity of the process and their elected officials. The omission was only detected by the public at trial, it was completely covered up until then. What are the full details of this attempt to hide information from the voters and what else is hidden? **Did you know this audit report was fraudulent and incomplete when you accepted it?**

- Why, as our elected representatives, are you two not on the front line of investigating possible misuses of public money instead of what looks like paying a lawyer \$400 per hour to do everything possible to subvert a legal investigation?
- This stinks of cover-up. We demand some answers to protect the integrity of the election process and to have any hope in restoring our faith in your integrity - which the evidence right now indicates is properly lost.

(5) Facts: Charlie, in a recent news story you were quoted as stating council does not want a new audit because they think this has gone on long enough, and that council has spent thousands of dollars on this. Sadly, this can't be the truth. The auditor refunded his fee to the municipality when he was charged by his society. You did not incur any tender costs, since you didn't tender this audit. The only money council could have spent on this is the money they have spent on the lawyer to prevent any real audit.

- Why are **you** attempting to use your delaying tactics to prevent another audit? Why have you done everything you could to drag this on?
- Why didn't **you** take that refund you got-back last fall and hire a new auditor like the law says you have to?
- Did **you** pay a lawyer \$400 per hour to advise the prior auditor to not do a proper audit?
- Why are **you** running up taxpayers' legal bills to prevent a real audit from happening?

If you had bothered to read any of our letters, you would find **we** were the ones telling **you** to hurry up. You hired an incompetent auditor. **We** pointed it out to **you**, **you** did nothing. **You** accepted a piece of junk disguised as an audit report without actually looking at it in an unbiased fashion (and evidence suggests council may have known it was incomplete and fraudulent). **We** pointed it out to **you** - **you** did nothing. We spent thousands pointing out your error - **you** did nothing. **We** had the CA Society Investigate - you **did nothing**. **WE proved to YOU** that the auditor avoided looking at the issue of the use of public money on the town's lawyer's advice and left that fact out of the audit report - **you** did nothing. **We** sent the guilty plea of the auditor to **you** - **you** did nothing. **We** got the town the refund of the original audit fee - **you** did nothing. **We** sent you the CA Society report showing where the known errors were and the potential errors that needed to be looked into - **you** did nothing. **WE** sent two letters to you reminding an audit had to be done - **you** did nothing. **You** ignored every letter we ever sent. Every single delay is caused by **your** actions and mistakes - **we** have done nothing but fix them. Now you have the gall to stand up and say publicly this has gone on too long so you've decided not to finish this - I guess we'll have to fix that mistaken belief as well. You will finish the audit that was agreed in 2006 - we want to know whether there's anything there and the law gives us the right to check. All your delaying actions and the CA Society statement that errors **do** exist just make us even more determined that we want to see what's happened. Stop wasting the taxpayers' money! Take the money you got back from the first audit, and use it to hire a replacement auditor so we can actually be done with this once and for all before the next election - or are you implying that you feel that the auditor may find something the town may need to run up more legal fees on, hmm?

If you want to keep delaying the investigation, and waste more taxpayer money - ok - you're on. One of the top lawyers in Canada for these issues, Eric Gillespie, has reviewed our case and agreed to take us on. This is the same lawyer who forced Hamilton into action leading to Mayor Di'lanni's conviction, and he forced Vaughan into the audit of Linda Jackson that led to her charges. So we go to court, they order you and the rest of council to do your job, and the lawyers take home a few more tens of thousands of Clarington taxpayer money. We have a constitutional and democratic right to investigate any candidate's donations and expenses during an election - whether you like us investigating your old friend or not. You desperately need to take a course in ethics and grow up at the same time.

Meanwhile, you should step down - your actions indicate you're not interested in acting in the best interest of the voters of Clarington. We can't let you keep behaving in such an unethical manner. We, the voters, certainly won't allow you to be re-elected - if we want someone who won't listen, respond or even care - there's lots of candidates who will do that. You stopped listening and turned on us, the voters, so you can't be surprised when the voters seek revenge and turn on you.

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