

Gogama Local Services Board
Monthly Board Meeting – July 19, 2018
Gogama Community Centre at 7:00 PM

MINUTES

The Board would like to advise that the format used in the preparation of these minutes is not the Board's regular format. Historically, the Board has opted to maintain a "summary of events" format.

For the purposes of providing an accurate recounting of the meeting, the Board has decided to allow a transcription format to be used.

Please be advised that the question/answer portion of this meeting are not available as most of that portion was inaudible and could not be confirmed as accurate.

1. Call meeting to order and Roll Call

The Chairperson called the meeting to order at 7:25 PM, Andre Jodouin presiding.

Present

Absent with Regrets

Andre Jodouin – Chairperson
Gilles Veronneau – Vice Chairperson
Rachelle Minarik – Board Member
Daniel Mantha – Board Member
Paul Derkacz – Board Member
Christine Bedard – Secretary

Special Guests;

Mr. Peter Doucet – Board Legal Counsel
Mr. Art Booth – Assistant Deputy Fire Marshal – OFMEM
Edward Benson – Fire Chief

2. Declaration of conflict of interest – As the meeting progresses.

3. Acceptance of agenda

The Chairperson asked for a motion to approve the agenda.

The motion to approve the agenda was moved by Paul Derkacz and seconded by Daniel Mantha.

Motion Carried

4. Introductions

The Chairperson turned the floor over to Fire Protection Services Portfolio Board Member, Rachelle Minarik. Rachelle Minarik will chair the remainder of the meeting.

Rachelle Minarik thanked the Chairperson for the introduction and proceeded to state that the reason for the evening's meeting.

Ms. Minarik introduced the Board members as well as Mr. Peter Doucet, present as the Board's Legal Counsel and Mr. Art Booth, Assistant Deputy Fire Marshal for the Province of Ontario, representing the Office of the Fire Marshal and Emergency Management (OFMEM).

Ms. Minarik went on to further advise members of the public present at the meeting that the meeting being held this evening was to address the Board's concerns regarding Mr. Edward Benson, in his position as Fire Chief of the Gogama Fire Department, as well as to hear Mr. Benson's answers to the Board's concerns.

5. Letter from the Board to Fire Chief, Edward Benson

Ms. Minarik turned the floor over to Mr. Peter Doucet, Board Legal Counsel.

Mr. Doucet addressed Mr. Benson advising him that he was in receipt of a letter from Mr. Ted Tichinoff, on Mr. Benson's behalf to which he had responded earlier that day. Mr. Doucet advised that Mr. Tichinoff's letter has been received by his office after hours the day before and had been reviewed earlier that morning.

Q. Is it your intention to have Mr. Tichinoff present here at the meeting tonight Sir?

A. No.

Q. Do you wish for the opportunity to have him here or consult with him before the Local Services Board proceeds?

A. No, he has advised me that there is no need to have him here.

Mr. Doucet continued, stating to Mr. Benson that what Mr. Tichinoff has advised in this letter was that he was retained only for the purposes of responding to the letter that Mr. Benson was sent on July 4, 2018 and for no other reason.

Q. Is that correct?

A. Yes.

Mr. Doucet then addressed the members of the public present at the meeting stating that there were discussions that needed to be heard and that he had observed some comments having been said on social media and that it was unfortunate that in these situations, being normal that emotions run high in times like these, especially in small communities where everyone knows each other. Mr. Doucet went on to say that he encourages everyone tonight to be respectful of one another. He reminds everyone that regardless of some differences of opinion that people may have over this topic that everyone will continue to be neighbors and would ask everyone to be neighborly towards one another. He would ask that, as everyone is given the floor, that they give everyone the opportunity to speak and to please respect the directions of Mrs. Minarik, who is chairing the meeting, as he doesn't imagine anyone would want to be here till the wee hours of the morning.

Mr. Doucet stated that the Local Services Board provided a letter to Mr. Benson on July 4, 2018 and invited him to come to the meeting to address areas of concern. If anyone present would like a copy or would like to review it, one would be entitled to do so. Mr. Doucet invited Mr. Benson to address the issues in the letter at this time if he wished to do so.

Mr. Benson started by saying that some of the issues in the letter had to do with the Gogama Fire Protection Team. As members of the public voiced they could not hear Mr. Benson clearly, the microphone was brought to Mr. Benson who then continued by stating; Numerous issues outlined in the letter such as Letters of Patent and Incorporation etc., he would not be answering to any of those as they related to the corporation directly. Mr. Benson stated that the President of the Gogama Fire Protection Team is Mr. Serge Cloutier, Vice President is Mrs. Magda Benson and six directors. He stated he has “no say on how the corporation goes so any inquiries that have to do with finances or anything else would have to go to the corporation”.

Mr. Benson stated that he thought the Board was going to be asking him “about these one at a time” but was willing to go through the list.

On item three, “Refusal to provide information”, refused to provide names of GFPT members with license classification and GFPT board members;

Mr. Benson; “The Board of Directors, I believe is available online and should be posted by now. I don’t remember ever being requested that. I have told Rachelle on numerous occasions that Serge is the President, so if you have any concerns, that’s who you should be addressing is Serge. But as far as current list of members, I don’t recall that either, but the license numbers of the fire fighters for insurance purposes, that was sent to you on renewal in September, and that list would have been our standard list, I believe there was fifteen members, and that would be the people that I would expect to assign to operate the vehicles. Now, over the last few days, there have been a flurry of emails, and I work 15-16 hour days so I don’t jump at the opportunity to spend another hour doing paperwork but I have responded to a few and there’s still confusion on what exactly is required. The members of the Fire Department, for insurance purposes, which is our insurance policies, we paid for them, we took them out and we paid for them. They are for vehicles which we paid one hundred percent, from purchasing, to maintenance to all licensing, to the insurance, the accidental death policy is also ours so I’m not sure what it is, the insurance company was always happy with what I gave them before so I’m not sure what has been the last three or four days has been all about. I would be happy to provide the Board with a full list of full time fire fighters, we have a number of probation fire fighters, the eight that I put on the list are the eight that are certified to operate the vehicles, the emergency vehicles, by the department, and that’s the numbers that you ended up with. So that information has been provided.”

Mr. Benson went on to address item four, “Posts on social media relating to accidents” but does digress to include several other social media issues as outlined by the Board as concerns then goes into the concern outlined by the Board as “Insubordination” and “Unauthorized Activity” and addressed the lack of required insurance for the Fireworks held on Canada Day.

Mr. Benson; “Yes, absolutely, there are three administrators that post to the Gogama Fire Department page. We will continue to do so, it’s long practice by every Fire Department as far as I know from Timmins, Sudbury, Kapuskasing, Foleyet, Chapleau, this whole area certainly, the use of social media as a learning tool. We have an extensive policy as to never leave identifying marks on the vehicles such as plates. We never show blood or any kind of biological matter or anything and if there’s ever anything more than minor injuries, we make absolutely certain that the family have been contacted. You’ll never see us posting about a death or anything within a few days of the accident. So, this won’t happen. Where “you have been making unprofessional comments on social media relating to the alleged

theft of batteries from the second fire hall” well, first of all, it’s not an alleged theft, it is a theft, and yes, I apologize for the language I used in my post that night but as a fire chief, other than my fire fighters, the most important tool I have is my equipment. When some low life member of society decides to steal the batteries out of the emergency vehicles and thinks it’s a cool idea I think you can understand that, as fire chief, I would be pretty upset. So, I apologize for the comments but not the post itself. “Making social media attacks against an LSB member, bookkeeper or member of the board and had to be cautioned by the Police” this is an absolute falsehood. On my personal page, I did make some pretty bad statements about the rental of the hall, if everyone recalls at the eleventh hour, the Board decided that my employer couldn’t use the hall even though the license and proper insurance was in place. I certainly was not cautioned by the O.P.P., I was notified by the O.P.P. that a report had been filed, by the way, that’s the third report filed by this Board, with no legal standing whatsoever against me and I still don’t have handcuffs and I still don’t have been warned or have cautioned or anything so that’s a falsehood. “Payment of invoices”. All invoices have been paid, again, I have personal knowledge of that but if you have a problem with that, speak to the Board of the corporation. “Insubordination”, you have stated in an email that you refuse to collect registered mail delivered to you by the LSB. Absolutely, I have never gotten anything of any import from the LSB then following a phone call at night, I get a notice to pick up a registered letter from the post office. I leave home, quite regularly, at 4:30 in the morning, get home at 7:30 – 8:00 o’clock at night, and to pick up a registered letter, I would have to take an hour off work at night to come to Gogama and go to the post office and sign for it. So, as I’ve said, if there was ever anything of import, absolutely, I would be happy to pick it up, but there never has been and everybody knows how to use a computer, everybody knows how to pick up the phone. I don’t know where this relationship got so strained that you can’t bother to phone anymore but that’s the point exactly, it’s an absolute waste for taxpayers money, it’s a biggest waste, why would you pay to register a letter when I can pick up a regular mail, you can email getting proof that I got it so that is true that I refuse to pick up registered mail so you can pick up the phone and call me to tell me you are sending me a letter and I can pick it up. “Unauthorized Activity”. Improperly making use of your fire chief uniform and use of vehicles including attending meetings, including meetings of CN derailment and using registered emergency vehicles in part of the blockade at the CN rail crossing. Well, number one, that’s an outright lie as there was never a blockade. If there’s anyone in this room that thinks that we didn’t do the appropriate thing during the CN, trying to get them to clean up and get them to remove the oil, which they did remove about 25 tons of contaminated sediment and 1.2 million liters of oily water, they should speak now or at some point. This is ridiculous, this is what I do. I work with the citizens of Gogama, the Board did not say to CN “Oh yes, it’s fine, things are fine”, so somebody had to step in. My authority allowed me the uh, to access the property, and that’s what I did and that’s what was really going on and we were able to adjust. It says, “since you took it upon yourself to advertise the Canada Day and host the Canada Day event on LSB property without obtaining the consent of the LSB and obtaining proper insurance requiring the LSB to take out extra insurance to at additional costs to citizens”, we’ve been advertising these fireworks since I came to Gogama, but certainly the last eight consecutive years. These are domestic fireworks and not cannons or blocks, there’s no extra insurance required, it’s for the citizens of Gogama, I’ve never had to ask the LSB for permission before. Again, this is something we do for the community, we raise the money, we do all the work, we have a free BBQ that same day, for only the citizens of Gogama, I mean, how can I be being sanctioned for doing something for the town because that’s what I do. I don’t just fight fires, there’s an awful lot of, there’s a

big fire prevention week that goes on that week. It's our biggest day for Fire Prevention program."

Mr. Benson goes on to speak to and address item 9(c),

Mr. Benson; "You placed an unauthorized call to the Board's insurance provider requesting insurance slips instead of having insurance slips sent to you by the Board. The insurance is renewed in October and by February, we did not have insurance slips for the vehicles, I didn't think it was a big deal, I didn't know if I got them and lost them or if they had been sent to me. Those vehicles have got to have the slips in them no matter if we would never be stopped and they have to go on the highway and its part of your documentation when you're doing your circle check. So, yes, I called the insurance provider and got our insurance slips for the vehicles. Again, none of this, any personal gain for Mike Benson.

Mr. Benson goes on to speak to and address item 9(d),

Mr. Benson; "You have placed numerous unauthorized calls to the Board's utility provider, Superior Propane requesting the cessation of delivery of propane to the second fire hall building. Absolutely not true, not whatsoever. I've asked the Board many, twice at least, to Rachelle, to halt our propane delivery because we use an awful lot of propane for a place that's built R30 with three feet of blown insulation in the attic and we just did not believe that we were using that much propane so we wanted to stop the delivery and the way we did that was at a meeting we decided that anybody that sees the propane guy in town, ask him not to fill the tank because we want to keep track of it and that's what happened, there was no phone call, not one phone call made to Superior Propane by anybody in this department, certainly not myself, I asked and there's nobody that, uh, by the way, since February 7th, where the fire hall would normally get a bill for eight, nine, eleven hundred dollars per month, the gauge on the tank right now is at 76% so that's how much propane we actually use."

Mr. Benson; "Unlawful obstruction of an official, this one struck me, you unlawfully refused the Fire Protection Specialist, Dale Moore, of the OFEM access to a locked room at the main building occupied by the fire department and owned by the LSB the key, you told an LSB Board member and the inspector to kick the door in requiring the inspector Moore to admonish you and remind you of the penalties for obstructing the inspection and then suddenly be available to open the door and grant access. I have an email here, and I searched my emails, I was told that this inspection was going to be on the 11th and 12th. I was inconvenienced and waited all day on the 11th and until 1 o'clock on the 12th without any phone call or nothing. I wasn't there to unlock doors. I made myself available in case there was any questions, I thought the questions would be fire related. In any event, this building, it's the LSB asking for this inspection, the LSB has keys, for I don't know, a fifteen-year-old lawnmower, tractor lawnmower that they never use. They have keys for sheds that they never never use and sets of spare keys. I don't believe for one second that they don't have keys for that room. I believe that's just another way used to inconvenience me. The LSB requested the inspection, it's their building, it's up to them to ensure access and not when the fellow is standing there. It should have been the night before, I should have been notified that the inspection schedule had been changed, I was never notified.

Mr. Doucet; "Mr. Benson, can you hear me okay without a mike?"

Mr. Benson; "Yeah".

Mr. Doucet; "Ladies and Gentlemen, can you hear me okay without a mike"?

The Public; "Yes".

Mr. Doucet; "I got a letter from Mr. Tichinoff yesterday that denied outright that you made any of these comments to Mr. Moore. Denied the comments about "kick the door in", and I would like you to address a couple of comments sir, because Mr. Booth is here from the office of the Fire Marshal, who is aware of all of those discussions, has spoken to Mr. Moore who can't be here today, and I'm going to ask him to speak to it when you're done.

Firstly, who put the lock on the door of the room in question?"

Mr. Benson; "To my knowledge, it would have been the LSB Board back in 1987, it certainly hasn't been changed."

Mr. Doucet; "Okay, and to your knowledge, inside the fire department, the day that Mr. Moore was here, which was June the 26th, who had keys?"

Mr. Benson; "Uh, that would have been myself."

Mr. Doucet; "Okay. Did you speak to Mr. Moore that day?"

Mr. Benson; "Uh, very briefly when he got to the fire hall."

Mr. Doucet; "Okay. Did he ask for access to the room that was locked?"

Mr. Benson; "What he said was, I'm very sorry for the inconvenience Mike, but they couldn't find their keys, and I assured him that was ok, that I had spoken to my boss and was able to get away."

Mr. Doucet; "Did he ask for the key to the room that was locked?"

Mr. Benson; "Uh, no he did not."

Mr. Doucet; "Did he ask for it to be opened?"

Mr. Benson; "Yes he did."

Mr. Doucet; "Why was it locked?"

Mr. Benson; "Because there's personal information in there."

Mr. Doucet; "Personal information personal to whom?"

Mr. Benson; "Uh, to the fire fighters, that's all their training records in there, and it's supposed to be locked."

Mr. Doucet; "Right, but to an official from the office of the Fire Marshal, surely they are allowed to see those things, yes?"

Mr. Benson; "Oh, absolutely. I didn't say he couldn't go in the room, I said I couldn't leave work, lose roughly \$150.00 dollars to come and unlock a door that I know the owner of the building has keys to."

Mr. Doucet; "In fairness sir, I think you said they "ought" to have keys, but did you enquire of the Local Services Board, did you pick up the phone which you said was so easy to do, and just call them and say Hey do you folks have a key to this room?"

Mr. Benson; "This would all been solved if they had the inspection on the 11th or 12th, or notified me of the date of inspection."

Mr. Doucet; "Maybe, (Mr. Benson interjected "I would have made myself available.") maybe it's the office of the Fire Marshal that determined when an inspection took place sir, is that possible?"

Mr. Benson; "Well certainly, the Board requested it, the Board would have known if they had changed the date."

Mr. Doucet; "You're assuming that, but when did you learn of the inspection sir?"

Mr. Benson; "Pardon me?"

Mr. Doucet; "When did you learn of the inspection?"

Mr. Benson; "Uh, when Mr., Inspector Moore was standing at the door trying to get in the office."

Mr. Doucet; "So, my question still is, did you pick up the phone and call the LSB and say Hey Folks, do you have a key to the locked room?"

Mr. Benson; "Um, Rachelle Minarik called me from the fire hall asking for the key. I said, you folks have to have it, the key, to the building, it's your building, you have keys for everything else."

Mr. Doucet; "And her answer to you was what?"

Mr. Benson; "We can't find it."

Mr. Doucet; "So, it looks like they didn't have a key."

Mr. Benson; "Yeah, I would say. And I was not sarcastic at all when I told Rachelle to just kick the door in, I never said that to Dale Moore."

Mr. Doucet; "But you made the comment sir, "Just kick the door in"."

Mr. Benson; "Yes, it's much cheaper for me to fix the door than to lose three hours wage."

Mr. Doucet; "And what was Inspector Moore's comment when that was conveyed to him?"

Mr. Benson; "He said "we're not gonna kick..." Rachelle told me, "we're not gonna kick the door in, we don't do that for inspections."

Mr. Doucet; "And did he also indicate that if the door wasn't opened that there may be charges?"

Mr. Benson; "No."

Mr. Doucet; "He didn't?"

Mr. Benson; "No sir."

At this time, Mr. Mike Cooper, fire fighter, stood up and said;

Mike Cooper; "Excuse me, I'd like to say something. Like Rachelle said at the beginning, let's be respectful and let Mr. Benson finish his comment before you break into his comment.

Mr. Doucet; "I think I am but ..."

Mike Cooper; "No you're not."

Mr. Doucet; "No problem."

Inaudible comment from Mike Cooper due to noise and clapping from some members of the public.

Mr. Doucet; "So, you made the comment"

A random member of the public, standing at the back of the room shouted:

"We're not on trial here."

Rachelle Minarik addressed the room;

Rachelle Minarik; "Okay everybody, calm down, we have to continue with this."

Random members of the public still talking, all comments inaudible.

Rachelle Minarik gave the floor back to Mr. Doucet.

Mr. Doucet; "And just so I'm clear sir, there was no discussion with Mr. Moore saying if the door is not opened there might be charges?"

Mr. Benson; "Absolutely not."

Mr. Doucet; "Did the door get opened?"

Mr. Benson; "Yes. My boss came across the yard while I was on the phone with Rachelle, I was ready to leave the yard with a load of fuel which was why I lost substantial wages, and I told him the

situation and he said "Just go". I called Rachelle and told her I was on my way, I just had to move my truck out of the way."

Mr. Doucet; "And I'm curious sir, when you say at the beginning of your comments that you're not going to speak to anything that you believe involves what you call the corporation."

Mr. Benson; "Yes."

Mr. Doucet; "When I got the letter from Mr. Tichinoff, one of the comments that concerned me the most was his suggestion that the Local Services Board had really no authority over what you do as Fire Chief, or over what the corporation does or how it conducts itself. Do you share that view?"

Mr. Benson; "Yes I do. I have an agreement with the Local Services Board, and that's what we follow, that's what we've been following all along."

Mr. Doucet; "Have you reviewed this Fire Prevention & Protection Act which is the statute that governs what it is that this particular fire department does and what you do?"

Mr. Benson; "Um, have I reviewed the entire Act? No, certainly not."

Mr. Doucet; "Because unfortunately, Mr. Tichinoff did not reply to me when I emailed him back this morning but I reminded him that he and his client should take a peek at section 3 of the Fire Protection & Prevention Act and also section 6 and if you'll indulge me, because the sections are brief, I think it's important that everybody understand how a volunteer fire department like this is governed, and it's not, respectfully, self-governed by a corporation that it creates for itself. So, here is what the Act says, this is section 3, "The Fire Marshal, a Services Board, established to provide services in a territory that is without municipal organization, and that would be the Gogama Local Services Board, may enter into agreements to provide fire protection services to a territory without municipal organization, and to govern the provision of these services. That agreement may provide for the appointment of a community safety officer or a community fire safety team or the establishment of a fire department." So that's how, if I may call it a fire department, gets in. It's an agreement between the Fire Marshal and the Local Services Board. They set the terms. The statute goes on to provide, in section 6, "That that same Board, in consultation with the office of the Fire Marshal, appoints the Fire Chief. Do you agree with me?"

Mr. Benson; "No."

Mr. Doucet; "You don't. How do you think the Fire Chief gets appointed?"

Mr. Benson; "I think the Fire Chief is uh, probably recommended by, well, in our case, elected by the fire department and assumes the role appointed by the Fire Marshal's office."

Mr. Doucet; "So referring to the same agreement that I just spoke about, it is agreed upon between the Local Services Board and the office of the Fire Marshal, section 6 of the same act, sub 4 says "If a fire department is established in a territory without municipal organization as referred to in subsection 3, sub 2, the agreement provides for the appointment of a Fire Chief." Not the corporation, but again, in the same agreement, the Local Services Board and

the office of the Fire Marshal. Do you not feel that you are accountable to the Local Services Board?

Mr. Benson; "Absolutely, I always have been, I haven't had problems with any other Boards. Very minor, very easy to fix problems. This year, it's a personal problem. This has nothing to do with my duties as Fire Chief, I perform my duties of Fire Chief very well. I am very well accepted by my teammates, by law enforcement, by EMS so we're doing our job, I'm doing my job."

Mr. Doucet; "So, why then, when Paul Rokeby, the auditor, the accountant, nice little accounting guy from Timmins who has been doing the audit for years, and has had cooperation from the fire department in the past, why suddenly is he told "We won't give you any information, we won't cooperate?" Why did that happen?"

Mr. Benson; "Again, that was raised and dealt with at an executive meeting but I will tell you..."

Mr. Doucet; "You remember that Board, don't you?"

Mr. Benson; "Yes."

Mr. Doucet; "Tell us about the decision and why it was made."

Mr. Benson; "Um."

Mr. Doucet; "Why was the auditor told "You can't have access to that information? What was the concern?"

Mr. Benson; "Uh, um, I believe one of the concerns was that any monies that the fire department has through the corporation is not made through the boundaries of the town of Gogama meaning anything that this Board, is all made on the highway. We got a grand total last year from the Local Services Board, from tax dollars, was \$2600.00. For eleven years, the taxes have been \$43.00 per household because the fire department picks up the slack and we continue to pick up the slack. None of those monies that we make outside of the Hamlet of Gogama are any concern of the Board."

Mr. Doucet; "So, was that why the auditor was refused access to the information so that he couldn't see it?"

Mr. Benson; "The auditor has all of the information, of any financial interaction between the fire department and the Gogama Local Services Board which is, we provide receipts for the \$2600.00 of the money we spent, and they provide us with a cheque, months and months later for \$2600.00."

Mr. Doucet; "But the auditor asked for much more than that didn't he sir?"

Mr. Benson; "The auditor never spoke to me, in December, Chairman Jodouin wrote me an email, I'm sorry, I didn't bring it up, but uh, something about our GST relationship, we want to continue our GST relationship so he needed to see the books. We don't need to continue our GST relationship, we can get our own GST number, and we'll file our GST."

Mr. Doucet; "But in the past, sir, the auditors of the Local Services Board were always granted access to the books and records of the fire department corporation correct?"

Mr. Benson; "True."

Mr. Doucet; "This is the first year they were denied."

Mr. Benson; "Yes."

Mr. Doucet; "Why were they denied?"

Mr. Benson; "You'll have to speak to the Board."

Mr. Doucet; "Well, you're a member of the Board sir, so I'm asking you, with respect."

Mr. Benson; "I don't speak for the Board, do you speak for the Barr Association?"

Mr. Doucet; "Yes sir, as a matter of fact, if I'm asked questions about what they do, I will, because I have nothing to hide. So, I think your fellow citizens would be curious to know why the monies that come into the fire department aren't being shared with the auditor so the public can know what's going on? Do you not think that it gives an air of suspicion when suddenly, after years of cooperating they're told "no you can't see what we're doing"?"

Mr. Benson; "It's only looking suspicion if folks are spreading rumors that there's money missing and stuff. I assure you, our uh, um we have never had any problems with auditors or bookkeepers. The Board's bookkeeper was our bookkeeper for years. Never had any problems with her, she didn't have any problems with us, not ever, not one dime missing, there's no money missing now."

Mr. Doucet; "Sounds like all the more reason ..."

Mr. Benson; "There's no money missing now, I'm only one signer."

Mr. Doucet; "Sounds like all the more reason to give the auditor what he asks.."

A member of the public spoke loudly over top of both Mr. Benson and Mr. Doucet, rendering the rest of the statement inaudible.

Mr. Benson; "It's none of your business."

Mr. Doucet; "So, It's none of their business..."

Mr. Benson; "That's right."

Mr. Doucet; "For all these years, it's been okay and suddenly it's not the corporation's business."

Several members of the public commenced talking all at once, allowing for only portions of random statements to be heard.

Christine Cloutier; "They've made it a personal vendetta... This is not about fire fighters ... this is a personal vendetta."

Mr. Doucet; "So, I'm curious ma'am, how is it a personal vendetta when for years, the auditor of the Local Services Board gets full and unrestricted access then suddenly they're told they can't have access. How is that a personal vendetta? Is the auditor part of the vendetta?"

Christine Cloutier; "You only know part of the story, only part of the story, it's a personal vendetta."

Mr. Doucet; "No, I'm just curious, how is the auditor part of that?"

Mr. Benson ; "We are not required to provide it so we will not provide it."

Mr. Doucet; "Okay, so again, you don't think that you are accountable to the community?"

Mr. Benson; "I'm accountable as Fire Chief, to the elected body of the community. I'm accountable as a member of the corporation, to the corporation."

Mr. Doucet; "And you don't think those two hats are difficult to wear in different ways?"

Mr. Benson; "No, never have been and I don't find them now. I would like to clarify a little bit, this Local Services Board, well, I shouldn't say "they" because they don't do anything, the citizens of Gogama provide us with \$2600.00 to run the fire department and it costs us roughly, 40, 50, 60 thousand dollars a year to run. We have to buy new equipment, and if we were to put that down to the taxpayers, it would be substantial, substantial tax raises and since I've been Chief since 2005, we have said we will not raise taxes unless it's absolutely absolutely necessary. You look at other townships, similar to Gogama they pay \$700, \$800 dollars per year in taxes for their fire department and fire protection, actual fire protection. What we get for \$43.00 per household is actual fire protection, very professional, very well treated."

Mr. Doucet; "It sounds excellent. And that makes me so curious as to why you wouldn't want to share that with the auditors so they can share with the citizens and the ministry who provides funding and everybody else, because the moment you say "I'm not gonna show you", you do understand sir, after years of letting the auditor have access, when you suddenly say "no you can't see it", of course it makes people say "why?" If it's as wonderful as they say, I'd think you'd want to put it on the front page to the newspaper."

Mr. Benson; "Truth be told, we didn't get it put in the budget and nobody looks at it anyways. Nobody in this town is concerned about the money missing in the fire department or any place else. Their taxes are staying very low, uh, this corporation is legally accountable just like any other corporation."

Mr. Doucet; "Who is it accountable to sir?"

Mr. Benson; "I believe the Government of Canada, the and all the laws that apply to northern corporations."

Mr. Doucet; "Have you sent the Government any audited financial statements?"

Mr. Benson; "Not yet, no."

Mr. Doucet; "You've done a lot of posting on Facebook sir, you certainly like to put information out there, why wouldn't you let the auditor have access to your financials so those could be put on Facebook too?"

Mr. Benson; "The corporation decided not to."

Mr. Doucet; "I see. You told me about rumors sir, because I'm curious, after you got the letter of July 4 that you've been discussing, you decided to call a meeting on July the 11th at the fire hall."

Mr. Benson; "That was actually my Deputy Chief that decided to do that but yes, I will reply we did that."

Mr. Doucet; "Prior to that meeting sir, did you or anyone on your behalf, tell citizens of the community that the Local Services Board was going to shut down the fire department? That their banks were going to call them about their mortgages because they would lose their insurance and they might lose their houses?"

An unidentified member of the public stated; "The people of the public did that."

Mr. Benson; "Yeah, the people of Gogama did that. No, we uh, we uh, didn't do that."

Mr. Doucet; "You didn't?"

Mr. Benson "At the meeting, at the meeting, there was a discussion and it was incited, there was a little bit of showing off there, and I happen to know about LSBs way overstepped their boundaries like Foleyet who lost their fire department and when the Chairman of the LSB called the insurance company, it was gonna cost them \$7000.00 a year without the fire protection, \$7000.00 a year to protect a \$100,000.00 home. I did make that clear."

Mr. Doucet; "That's pretty alarming isn't it, because the firstly, the LSB has never suggested that they had any plans to make any changes in the fire department except for perhaps your position as Chief is that correct?"

Mr. Benson; "Uh never?"

Mr. Doucet; "Since you got the letter July 4 sir, there has never been any suggestion that anyone was going to shut down the fire department, in fact, the only issue has been to address your defiance of the authority of the Local Services Board, your refusal to comply to the audit, your refusal to comply with Mr. Moore, your refusal to respect the chain of authority, your refusal to account. That's only been the issue, it's just you. No one has ever said they were going to shut down the fire department."

Mr. Benson; "You're talking about rumors, uh, yes, absolutely."

Mr. Doucet; "No, but sir, I'm not talking about rumors."

Mr. Benson's comment was given before Mr. Doucet could finish speaking so the comment is inaudible.

Mr. Doucet; "So, you've been told, directly by the members of this Board, that they're going to shut down the whole fire department?"

Mr. Benson; "No."

Mr. Doucet; "But you let that float? So, let's be clear tonight, that's not true. Let's be clear tonight that that's a fabrication. Let's be clear tonight that that's been started for purposes to detract from the real issue, which is your conduct sir. We're just here about the things that have been set out for you, where instead of doing something as simple as calling the Local Services Board and say "Hey, I can't find the insurance slips for the vehicles that the Local Services Board own, could I please get a copy?". Something as simple as stopping the Superior Propane delivery guy and saying "Shut off the propane", to a building that is owned by whom?"

Mr. Benson; "It's owned by the Local Services Board, but I will tell you, it's the first time they have admitted to owning it, uh, it's always "No, it's yours, it's yours." We paid 100% for that building. We built it, we paid for it, we pay the uh, we pay the heating and hydro, everything."

Mr. Doucet; "But, it's a bit like a tenant in a house that pays the rent and pays utilities and suddenly calls up one day to shut off the power and not tell the owner of the building."

Mr. Benson; "A tenant that builds the house..."

Mr. Doucet; "But they own it correct sir? They own the vehicles. Don't you understand that that might request a bit of compliance and curtesy?"

Mr. Benson; "That's not even similar. We bought them, we got the safety check, we pay for the \$2000.00 a year to, uh, for your licensing. By the way, again I have to be proactive, and say the license renewal for the uh, the three rescue vehicles, I had to go get without a renewal form, which is no big deal, because, if, they were never given to me, to re-license them, and they hadn't been re-licensed so I took it upon myself to go ahead and do that because, once again, something very important to the fire department was either ripped up when it was picked up at the post office, or just thrown out in the garbage."

Mr. Doucet; "Now, are you seriously, you seriously don't suggest that someone deliberately ripped up the renewal document? That's just nonsense isn't it?"

Mr. Benson; "If the Board didn't receive those documents for those vehicles, it's probably the first case of that ever happening in the Province of Ontario. The Government wants their money."

Mr. Doucet; "So when that happened sir, I presume that, you must have picked up the phone, like you said was the best way, and called the Local Services Board and say "Hey folks, we're missing the renewal forms, could you take care of that?"."

Mr. Benson; "No, by that point, uh, by that point the uh, the relationship was so bitter that there was very little communication. Like I said, I work long hours, I have no time for little games, I do my job, and you just stated that this was part of my actions as a Fire Chief."

Mr. Doucet; "Yes sir."

Mr. Benson; "If that's what this was about, my actions as a Fire Chief, this meeting would have been about three minutes long. I do my job, I do my job very well. I have...."

Mr. Benson's statement was interrupted by noise from the public and was inaudible.

Mr. Doucet; "Except sir, to whom to you think you are accountable?"

Mr. Benson's response was inaudible as members of the public said several things all at the same time, rendering everything inaudible.

Mr. Doucet; "And who is the elected body of the citizens of Gogama? When did you run to be elected as Fire Chief, I'm curious?"

Mr. Benson; "Umm, the last time would have been 2017?" (Mr. Benson was conferring with other members of the fire department sitting to each side of him).

Mr. Doucet; "You ran to be elected as Fire Chief?"

Mr. Benson; "Yes."

Mr. Doucet; "There was an election for Fire Chief?"

Mr. Benson; "Yes."

Mr. Doucet; "And who voted you in as Fire Chief?"

Mr. Benson; "Uh, (Mr. Benson and some members of the public and fire fighters laughed).

Mr. Doucet; "Besides members of the corporation I mean."

Mr. Benson; "Yes."

Mr. Doucet; "But again sir, according to the law, according to the Fire Prevention and Protection Act, the corporation you've created does not get to elect who is Fire Chief, that gets done in the agreement between the Local Services Board and the Office of the Fire Marshal. So, you say you are responsible to the citizens but, respectfully sir, none of these people voted you in as Fire Chief. You are put there by the Local Services Board to whom you must be accountable, for simple things like financial records, ownerships of vehicles, who supplies utilities, cooperating with a Fire Marshal Inspector, not allowing rumors to be spread that people are going to lose their houses. You think that's responsible, with respect sir?"

Christine Cloutier; "He never said anyone would lose their house, that's far-fetched."

Mr. Doucet; "No, you let it float. Do you know how many people came here after your July 11 meeting, worried about losing their houses because of what was said at the fire hall that night?"

Christine Cloutier; "How many came?"

Mr. Doucet; "Why didn't you quash the rumor? Just say "No, that's nonsense, that could never happen"."

Christine Cloutier; "Answer my question, how many came to ask?"

Mr. Doucet; "I can tell you ma'am, ..."

Mr. Doucet's statement was cut off by Christine Cloutier whose comment was inaudible and was followed by Mr. Benson's comment;

Mr. Benson; "Talking about spreading rumors...(rest of statement is inaudible due to noise from Christine Cloutier and several other members of the public).

Mr. Doucet; "So, you don't believe that anyone came to ask if there was any truth to this statement, nobody?"

Mr. Benson; "Nope. Again, this is an attempt at a vendetta against me. I am well respected by these folks here, those are the citizens of Gogama, those are supposed to be recognizing me."

Mr. Doucet; "And how do you account to the citizens of Gogama except through their elected body? If you refuse to cooperate with their elected body, how do you cooperate with the citizens of Gogama when you're in a war with their elected body?"

Mr. Benson; "I wouldn't term it as a war, I would determine it as a personal vendetta being carried out about myself, with myself, uh, making everything absolutely impossible for me to function as a Chief of probably since...October of this year."

Christine Cloutier; "President of the corporation, Serge Cloutier, how many times has Mrs. Minarik gotten in touch for you, with you about any matters?"

Serge Cloutier; "None, none whatsoever."

Mr. Benson; "None whatsoever, and he's the President of the corporation in charge of any financial matters."

Mr. Doucet; "But when she communicates with you sir, surely you pass those along to the President of the corporation?"

Mr. Benson; "Absolutely, absolutely I do. We had a meeting when they asked for the Letters Patent, and because the attitude of these folks, we decided no. That they could pay the \$92 bucks."

Mr. Doucet; "Right, go get it online, spend taxpayer's money and go get it online."

Mr. Benson; "Well, or send me a registered letter costing about the same..."

Mr. Benson's statement was rendered inaudible due to the noise level from some people in attendance.

Mr. Doucet; "But sir, it would have been so much easier to just scan one and send it to them wouldn't it?"

Mr. Benson; "It would have been much easier for them."

Christine Cloutier; "Mrs. Minarik, the portfolio holder, it would be your duty to contact the president of our corporation and not Chief Benson."

Mr. Doucet; "I'm sorry, under the statute that governs the creation of this fire department, which clearly says that's something that is determined between the office of the Fire Marshal and the Local Services Board, respectfully, this corporation doesn't exist in this statute. It's not acknowledged in this statute. The Fire Chief is extensively, the person who heads the fire department, so when the Local Services Board is supposed to deal with its fire department, you suggest that they talk to someone other than its Fire Chief?"

Mr. Benson; "The only interaction that we should be having with financials is what our agreement says. We ask for \$2600.00 of our money to be reimbursed for money that we spent and they write us a cheque for \$2600.00. That's the only thing financial interaction that we have and that's the only paperwork they are required to have."

Mr. Doucet; "According to you."

Mr. Benson; "Yes according to me, because that's the only monies that they would have any interest in, is the monies that we're asking them for."

Mr. Doucet; "And you're aware that the Ministry of Northern Development & Mines has indicated that now, because of special notes that have had to be put in the financial statements of the Local Services Board, relating to the refusal of the fire department to open its books, that their funding may be in jeopardy."

Mr. Benson; "I would seriously question why the LSB, knowing that we were not going to take part in the audit, knowing that their bookkeeper had not done our books up until, up to September, uh, for this year, I got them back with nothing being done, why would they file with us as their Fire Protection Services, we are a contractor, for financial purposes, the same as OCWA is, same as Gord Hotchkiss is. They don't want to audit OCWA's books, they don't want to audit Gord's books, why would they want ours? All of our financial interaction with them, they have all the paperwork for."

Mr. Doucet; "Because, historically sir, the fire department has always cooperated until this year when you decided, like something as simple as the Letters Patent, you decided to say "No."."

Mr. Benson; "Before they filed, they knew months and months that were not going to participate."

Mr. Doucet; "That you wouldn't cooperate. But do you think that changes the requirement of the Ministry of Northern Development & Mines, or the requirements of the Office of the Fire

Marshal simply because you choose to say "No."? Do you think it changes the law just because you choose to say "No."?"

Mr. Benson; "I don't believe it was a requirement to file the Fire Department's paperwork with the LSB's paperwork."

Mr. Doucet; "I understand that that is your firmly held belief sir."

Mr. Benson; "Yes that is my belief."

Mr. Doucet; "I also understand that it is your firmly held belief that you are not accountable to the Local Services Board."

Mr. Benson; "Absolutely I am. To a degree."

Mr. Doucet; "Thank you sir, I have no further questions. I appreciate you answering them for me. Anything else you'd like to add?"

Mr. Benson; "Well your honor."

Mr. Doucet; "No, not your honor, don't do that to me, that's way above my paygrade. And if I was your honor, I would have been done by 4:30."

Mr. Benson; "I would like to add that the fire department certainly was initially formed through volunteers, with the assistance of the Gogama Local Services Board. At least since I've been Chief, it's been a very small, fine agreement that has kept our fire department growing and allowing us to become the department that we are today. We are so close to being self-sustaining that it's not funny, taxpayers should be seriously happy about that when they look at all of that equipment sitting there and knowing that they only pay \$2600.00 a year for it. The fire department makes no money on anything they do in town. We fight fires and nobody gets paid. We do medical calls and nobody gets paid. We do public education and prevention and nobody gets paid. We are here for the citizens of Gogama. This Board has made it, through their trivial um, for a lack of better words, means, has made it impossible to have a reasonable relationship. I tried the email thing, I tried the mail thing, I tried the phone thing, none of it works. One simple question turns into fifteen other questions, often times not related to the item we were discussing. So, I would really like to have a better relationship with the Board, but the circumstances are that its extremely extremely difficult. They have to understand that I work long hours and I can't just answer an email ping and immediately reply to it. That's not possible. Sometimes I go weeks without opening my email, I'll do that. I'm that busy. This is not a paid position, so I just want to reiterate that although, yes, we do recognize the authority of the Local Services Board, I work for the citizens of Gogama and I make sure that they are very well looked after, very well protected, and they have trained professional folks looking after them."

Mr. Doucet; "And how do you have that good relationship sir, if you won't send them something as simple as a copy of your corporate documents, let the auditor have a peek at the books so they can report, refuse to pick up a letter, lock a door and refuse to open it for an inspector and make a comment like "Well, kick it in.", how do you have a good relationship when you interact that way? How?"

Mr. Benson; "I don't know how many times you are going to ask me about and make the comment about unlocking the door and that's a pretty good symptom of what the Board's been doing to me, since October. They just don't notify me and tell me it's late. I got a bill for insurance for our vehicles from 2016. I got it in February of this year with a note on it saying there would be a late payment fee if it wasn't paid. But at the same time, admitting that I was never sent that invoice. Very strange. But that's what's been going on since this Board has took over in October.

Mr. Doucet; "Well, it's a 2016 bill sir, they weren't around then. In fact, you were on the Board back then weren't you?"

Mr. Benson; "Nope, I was there in 2017."

Mr. Doucet; "But in 2016? That wasn't this Board, they weren't there in 2016, guess it's someone else's fault then."

Mr. Benson; "I guess so. It certainly wasn't mine, I get the invoices, the corporation is notified and a cheque is written. So that's uh, yep, I believe I'm good with that. Thank you for allowing me to explain myself."

Mr. Doucet; "Okay. Thank you kindly."

Mr. Doucet then turned the floor back over to Rachelle Minarik who, in turn, turned the floor to Mr. Art Booth, Assistant Deputy Fire Marshal for the Province of Ontario.

Mr. Booth addressed members of the public stating he would like to clarify a few points in regards to the Fire Chief and his role.

Mr. Booth; "Regardless of the fire department electing the Fire Chief, the Fire Marshal's office does not recognize the election of any Fire Chief. The appointment of the Fire Chief is specific to the Fire Marshal and is exclusive to the Fire Marshal so regardless of whether or not the fire department elected the Fire Chief, it does not stem from that decision. How you chose your Fire Chief, in the Act and in the agreement, it allows for fire services from the Fire Marshal and the Fire Marshal himself. It's really simple, and we appreciate that you may have held an election, but it means nothing in the eyes of the law. From that perspective, that's what we're talking about. Your agreement with the Local Services Board clearly identifies how a Fire Department is formed and it's formed as per the Act, in conjunction with the Local Services Board. If the agreement that is signed currently with the Local Services Board and the Fire Marshal's office, if it ceases to exist, at any point in time, then the second that it ceases to exist, so does your fire department. The title of "Fire Department" only exists because of that agreement. There's no question of why or how your fire department exists. Because you've chosen to use of title for the incorporation, means nothing in the legislation. So, the fire department exists in Gogama because of the fact that they, the Gogama Local Services Board, have an agreement that is signed with the Fire Marshal. You have a Fire Chief, because the Fire Chief is appointed by the Fire Marshal, and its appointment comes by recommendation of the Local Services Board so the dis-appointment should also happen the same way. So, those are things that are in place, in the agreement between the Local Services Board and the Fire Marshal. There was, you had,

an agreement that was in place but currently is expired, between the Local Services Board and the Gogama Fire Department. The protection about the act in regards to some of the components in regards to the corporation, the corporation isn't included in the agreement between the two parties. Whatever is in that agreement, my suggestion is that, as a fire department, should live by the terms of that agreement. Whatever they happen to be, you signed an agreement, you signed it in good faith, and that needs to carry on. Now, your suggestion that you didn't have a conversation with Dale Moore, Dale is not with us tonight, but it's contrary to what Dale says. There was a conversation that did take place between them and if you would like to speak to it, I would be happy to make that arrangement.

Mike Cooper; "Members of the fire department recommend Mike Benson as Chief. His name was put to the Local Services Board as being a full-time paid Chief. The Local Services Board recommended to the OFM that, yes, we want that person representing our private company. The department has decided. You twist words.

Dale Dean; "The members of the fire department recommend that Mike Benson be put in place as Chief. His name was brought forward to the Local Services Board and the Local Services Board brought it forward along with a recommendation, yes or no, correct?"

Mr. Booth; "Well, we're asking questions..."

Mr. Dean cut off Mr. Booth. Mr. Booth was unable to finish his statement.

Dale Dean; "Correct?"

Mr. Booth attempted to answer but was cut off again by Mr. Dean.

Dale Dean; "They were voted in by the community, now, you are the Fire Marshal, now it's not just her, she has to listen to the community, does she have to ask you if they want him in the community, who's going to take his place? Who do we want as Fire Chief? Isn't that something we are supposed to answer? Cause if it is, we can do that right now.

Mike Cooper; "We are the people of the town, the council speaks for the town, but we are the town. So, shouldn't we have a say in who is, like, should we not have a say in who is the Chief?"

Mr. Booth; "I believe everybody has a say, and you've elected, the town has elected this Board."

Some comments were being made by members of the fire department, but were inaudible. The Secretary was unable to hear through everyone talking over each other and the recorder was unable to filter out the noise enough to hear the comments. The next statement was made by either Dale Dean or Mike Cooper or both.

"I'm sorry but uh, Trudeau was elected but I don't agree with him, you know? What I'm trying to say is you don't have to agree with everything they say. Yes, they were elected but now they're making all the wrong decisions. Shouldn't we have a say now?"

Mr. Booth; "I think everybody has a say, but not you exclusively as a fire department."

"It should be up to the town, ask the town now."

Mr. Booth; "The wording in the act says the community has the opportunity. We have an agreement with the Board. In that agreement with the Board, it identifies that the community can make that recommendation, so, it's reasonable, from my perspective, that we are working with the Board. It's an elected body of your community. So, that's who we are looking to for that recommendation. That's what it says.

Dale Dean; "Ok."

Mr. Booth gave the floor back to Rachelle Minarik who announced that the Board would now be opening the floor to the members of the public to ask their questions.

6. Deputations or Delegations or Discussions from the floor

Various members of the public present asked questions of the Board, to Mr. Doucet and to Mr. Booth. Members of the public were very unruly, as were members of the fire department. Most questions asked were inaudible due to the noise emanating from the public and despite the efforts of Mrs. Minarik and Mr. Doucet, order was unable to be restored within the proceedings. The question/answer period went on for approximately 1 hour and 23 minutes at which time, the Board decided not to continue with any further questions or comments or to proceed with the rest of the agenda that contained regular board business.

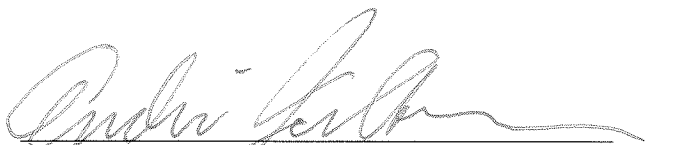
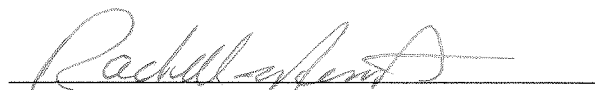
7. Adjournment

Rachelle Minarik asked the Board for a motion to adjourn the meeting.

The motion to adjourn the meeting at 10:13 PM was moved by Gilles Veronneau and seconded by Daniel Mantha.



Christine Bedard
Secretary


Andre Jodouin
Chairperson
Rachelle Minarik
Presiding Chairperson