

Speaking Out

Volume 1 Issue7

JUDGEMENT

As most of you know by now Justice Howland rendered his verdict on the Councillor Downey Conflict of interest charge. In his 8 page judgment Justice Howland dismissed Downey's assertions that I was not an elector, and had no standing to bring the action. He also threw out Downey's attempt to circumvent the rules by submitting a supplementary affidavit the day of the hearing. Reading through the judgment I was most pleased to have won what in effect were attempts by Downey to stop this action with basically untruths.

I quite frankly was doing really well until page 7. At this point Justice Howland seems to have taken a 180 degree turn in his thinking. The end result was that even though the legislation is very specific and the evidence irrefutable Justice Howland decided that a fine levied against the Kiwanis Club and an inspection fee levied under the Orillia bylaw which Glen Wagner had to pay was not money, as well as ignoring the fact that Doug Downey was named on the citation does not constitute a breach of the act.

Justice Howland states "I understand Mr. Tolnai's indignation at the ease and speed with which the Orillia Kiwanis Club obtained the ear of council. The use by Mr. Downey of his position to get Kiwanis Auction specifically exempted may well be seen even by Mr. Downey to have been a political misjudgment."

So to make a long story short every citizen of Orillia and in fact every citizen of Ontario lost. The conflict of interest legislation is nothing more than a joke. Individuals must prosecute politicians with their own resources for misdeeds but the courts don't interpret the legislation as it is written.



So was it worth the effort and money I put into this venture? I believe it was. Downey claimed that he had conceded conflict of interest on 15 occasions in the first two years on council. Well let me tell you I sat in the council chamber a few weeks ago and Downey proclaimed a conflict on three different matters. I believe my efforts have made each and every councillor more aware of their responsibility to the electorate.

The electorate has to make politicians accountable and not just on election day. These people ask, in fact demand our trust so when they break it we need to act.

The final judgment will not be Justice Howlands but the electors of Orillia. If you as electors like the old boys club way of governing then by all means elect Downey to another term. You see Doug has great ambitions of higher office and before this whole incident his name was being passed around as a possible candidate for the PC's. But do remember a tiger can't change his stripes, he can only cover them to try and fool you. In a democracy we deserve the leaders and government we elect. So do your homework and don't waste your vote. Ask questions and challenge candidates after all once chosen you and I are stuck with them for their term.

Jim Tolnai

CONSERVATION

I was astounded to hear Ernie Eves and the PC's jumping on the Conservation band wagon. After years of heaping abuse on people who care and fight for our environment Ernie and company are now talking like they came up with the idea.

Did any of you see the commercial running telling people to change at least one light bulb in their house to the energy efficient mini florescent type? They claim that if every household in Ontario would just change one bulb it would save 400 tons of pollution going into the atmosphere annually. Ernie have you people not been listening until you want to be elected?

As I wrote months ago I took the plunge about 2 years ago and changed every bulb that was possible in my house. This action reduced my hydro bill by \$20 per month. Plus I am saving the environment and I have not had to change one of these bulbs. With the regular bulbs I would probably have had to replace at least once or twice.

Instead of spending \$100 million dollars on renting standby generators Ernie should buy 25,000,000 bulbs and give them away. The immediate effect would be a lower demand on the electrical grid and elimination of 900 tons of pollution. Then tax the incadecent bulbs with a \$3 tax and offer a rebate of \$3 to people who purchase florescent. I guarantee 80% of household would change their bulbs to florescent. The other 20% will follow with peer pressure.

I wonder if anyone knows what lightbulbs are in Garfield Dunlops house Ernie Eves place, or any of the PC members of the legislator. Or in fact any politicians house. What about our own councillors and mayor. If anyone knows let me know so I can pass on the info in the next issue.

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We Get Letters

Mr. Tolnai

Quite by chance I saw a copy of the April 2003 issue of Speaking Out. I am a retired Ontario Hydro employee and for years have been saying exactly what you pointed out in your article. Every time the government changed so did the Darlington Nuclear Station, etc., and then along came Bob Rae and Maurice Strong and everything hit the fan. I was fortunate in being eligible for early parole (oops, retirement) in 1993 but had family members and many good friends whom I left behind to suffer through the next obscenities. Every time I get my Hydro bill I just cringe at what those inept governments have cost all the people in Ontario. The bills show energy used and then they double or triple the actual cost to cover their arrogance and errors. Not pretty. Thanks for "speaking out" and I hope your comments are spread far and near in this potential election year. Let's dump the garbage at Queen's Park that we call "leaders" and try to clean up our government and put some hope in our future.

Sincerely

(Mrs.) S.C. Stevens

Speaking Out

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Mr. Dunlop:

I am writing to you, again, about the ever increasing electrical costs that are being forced upon the citizens of this area and in fact the entire Province.

Now that our children are grown and away from the nest there is just the wife and I living at our residence. We have followed numerous of the "energy saving" guidelines as set out by the consultants. All this was done in an effort to conserve not only energy but my money as well.

It appears that my efforts have been wasted and nobody can/will tell my why. With three less people in our home there is a definite decrease in the amount of power we are using. However - my bills show my consumption is up!

"The problem must be in your house" was the drivel I received when I contacted the Orillia Power Representative so I had the system checked. All appears to be working as it should be on the inside.

Mr. Dunlop my electrical bill to date for **2003** has increased approximately **63.9%**. My pay has not increased anywhere near that amount this year.

In **2001** my electrical bill for the same time period was **\$595.24** and for the same time frame in **2002** was **\$533.10**.

To date for 2003 the invoicing is \$834.19.

Mr. Dunlop your government, and mine seeing as I have voted conservative for over 35 years, were warned about the privatization of our hydro. You and your fellow MPP's chose to ignore the warnings from your constituents. I have written two (2) letters to Premier Eves concerning this situation. Mr. Eves(?) responded to my first letter with numerous platitudes. The second letter has not been responded to with any answers to my questions concerning the results of the Honorable John Baird's review, consolidated clear billing information, and what the present government intends on doing to correct this injustice. Perhaps I am not going to receive any answers from the Premier as he does not have any that are justifiable!

The time is quickly approaching when the cost of the government's electrical

incompetence is going to drive people to making some very tough choices. Do they feed their family or do they pay their electrical bill? I sure hope that comment doesn't bring a smile to your face Mr. Dunlop because that type of action is becoming closer for many people with the receiving of each electrical bill!

Mr. Dunlop my electrical bill to date this year consists of approximately **\$508.00 in electrical usage** and approximately **\$326.00 in applicable charges**. The charges amount to approximately **67%** of my total bill!

My electrical charges are on par with the last nine (9) years but the service (?) charges are just becoming too much to bear!

How can anyone justify charges that are almost equal to and in some instances actual exceed the cost of the product?

The time for a change is quickly approaching Mr. Dunlop! I fully realize that you are only one voice in the House but at present you are the voice that your constituents are counting on and waiting to hear.

Wayne D. Hawkins

180 Westmount Drive South

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ON THE WEB

Speaking out is now available on the WEB. You can now download previous copies to read and pass them on.

I started to publish Speaking Out to let people know the truth of what our elected representatives are really up to.

Unfortunately the whole story always does not get out to us whether by design or accident. This is my attempt to put the facts and truth into the public domain. Please send your comments or letters to us. Jim Tolnai

The Orillia Kiwanis Club

During my battle over Doug Downey's conflict of interest, I became privy to facts which really shocked me. Now I am not anti charity, anti Kiwanis, or anti anything. I tend to call things the way I see them and willing to tell the truth. During the battle members of the Kiwanis Club attached me and my family as being uncaring about charitable work and in fact one person told me to get a life and not just sit on my behind. Doug Downey's partner Doug Lewis wrote a letter (Packet) condemning (activists) people like myself, Maurice Mcmillan, Ted Edmonds, Maud Barlow (named) as instant experts with no responsibility for what they say. So knowing full well that I will again draw fire and will have to put up with some abuse I don't share this information lightly.

Doug Downey in a sworn affidavit claimed that "100% of monies raised by the Kiwanis Auction went to charity." Now I found this statement to be astounding and asked Doug to supply information proving his statement. Of course he refused claiming that he did not have possession of this information. So what to do? I approached Canada Customs and Revenue and they supplied me with the Annual Information Return for 2000 and 2001.

The 2000 return which I was able to download from the net was quite a shock. Now remember Downey claimed 100% of funds went to charity. Here is what I found for 2000. Revenue from Fundraising (Auction) \$41,607. Expenses Fund-raising \$22,256. Over 53% of the money raised went to expenses. Now I have in past years supported the auction believing that a large portion of money generated would be going to charity. In fact anyone who donated say \$1 worth of product for auction (2000) only saw forty-seven cents going to charity. Now I am in business and I venture to guess that most of the Kiwanis members are business people, so I find that these people who in business turn \$1 into \$2 would turn \$1 into forty-seven cents.

So what is going on? Kiwanis members go out asking for donations from business

to be auctioned. Sale items cost the club nothing and still they spend fifty-three cents on expenses from every dollar raised. Why are expenses so high when labour is supposed to be donated and items sold are donated? Downey swore in his affidavit that 100% of funds went to charity. In fact only 47% goes to the community.

In the same return the Kiwanis Club had fixed assets and inventory used in charitable programs of \$256,790. This number will be important when I go to the 2001 return. My question? If all moneys are used for charity why would the club have over 1/4 of a million dollars in assets and where did that money come from to buy them? If you are a charity, holding assets will help no one. Money raised really should be used for the purpose it was solicited for.

Now we come to the 2001 return. On page 4 cash on hand is \$79,707 and fixed assets and inventory used in charitable programs (the \$256,790) is gone. There does not seem to be any accounting in the return as to where this asset got to.

In 2001 funds raised from the auction was \$55,917 with expenses of \$19,339. This means that expenses were 34%. Better than in 2000 but still seems very high for a two day event with donated labour. Again only 66% of revenues actually made it to the community, a far cry from 100% as sworn by Downey.

Because of Downey's affidavit which I did not believe, there was no choice but to check the facts. My findings were a shock because having belonged to organizations as well as supporting my wife's involvement with the Quota Club I am aware of what service clubs are about.

When the Shriners bring thier circus to town or sell Xmas cake they are fund-raising. When the Rotary builds and maintains the train and sells rides that is fund-raising. When the Quota Club makes box lunches and sells them that is fund-raising. All these clubs do good work. They take a product, add value then make a profit. This profit then pays for expenses and the balance goes to the community or charity. The key here is that value has been added.

Excuse me but I do not see any added value when an individual or business donates the product or service and it takes 53% of it's selling price to auction it off. Having been in retail and manufacturing I do know a little bit about costs of doing business. So why would this group have costs amounting to 53% with donated labour, no overhead and presumably no shrinkage?

As I stated earlier I do not write this lightly as I know that bringing this to public attention will unleash an attach. Armed with this knowledge I still feel compelled to ask for answers. The Kiwanis Club needs to explain to their supporters what is going on.

I hope that the Kiwanis Club will now step up to the plate and explain these returns and expenses. Doug Downey under oath stated that (even though he is a director of the club) he did not have access to financial records. If a director does not have access, then who does? Or, was Downey not telling the truth?

Mall Sold

In the first issue of Speaking Out I wrote about how the city was selling 12 acres of prime commercial property on the cheap. I had done a survey of similar properties around the county and found that the one million this property was being sold for was a real deal. It turns out that the Westridge Mall has now been sold.. I wonder if this 12 acres was part of the sale. If it was what was the selling price? If anyone has information please let me know.

For anyone interested in reading the original article you can go to www.speakingout.biz and print previous issues.

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ORILLIA POWER CORP.

Finally the truth is coming out about this councils real reason for making Orillia Power a for profit entity. In their own publication of June (Orillia City Update) three reasons are given The most important seems to be

1. Pay dividends to the shareholder (City of Orillia). This is no more than a tax increase that council does not have to take the blame for. Year in year out profits can increase at will with council claiming no responsibility for the burden on individuals.

2.. Make donations to community projects. Just another tax. Power consumers can now be forced to support financially, pet projects of the people in power. Soldiers Memorial Hospital is being used as an example. But very important is who and how future donations will be chosen and what constitutes a community project . Will the voters be allowed to choose or will the few who hold power decide.

3. Dispose of assets and sell shares. This is the scariest of all. There now is nothing to stop any group of five councillors from selling pieces or all of our Power Corporation. This utility was built on the sweat and hard work of Orillians. In making it a for profit entity council has in fact made it a privately held company controlled by five individuals who can choose as a block to do as they wish.

A few issues ago I wrote an article on the 407 Rip Off. I would suggest if interested read how the PC's built the road with public money, then sold it at will. Since the sale there has been a 250% increase in tolls and 100% increase in value. Do not for a minute believe that the same can not happen to OPC. Remember it only takes five votes. The only retribution for these individuals would be to not vote for them again, but our birth rite will still be gone forever.

The next council must right this wrong. Safeguards must be put in place that will not allow a group of five to dispose of these assets. Remember "POWER CORRUPTS"

(For previous copies of Speaking Out go to www.speakingout.biz where you can print copies for yourself or share with others.)

DITCH

So what constitutes a DITCH. According to Councillor Smith, Gardy, Morano, McLaughlin, and Downey it is a wetland with birds, turtles, frogs, tadpoles etc. These are the councillors who at first voted to bury this wetland. At the subsiquent council meeting McLaughlin and Downey changed their support of filling in this wetland immediately. Councillor Buchana brought a motion which would have not allowed the destruction of this area. Councillor Downey and McLaughlin would not support this motion until it was changed basically leaving the future destruction of this eco-system possible. Smith, Gardy and Morano voted against even this motion. Obviously they feel that wetlands, wildlife have no place in our city.

Just look at how these councillors tried to hoodwink us. They started off calling it a ditch. Ditch, ditch is all I read and heard from these people. My wife and I and everyone else who use that portion of the trail knows better but we were still fed the CRAP. Once we stood up to them McLaughlin and Downey started to back pedal. McLaughlin admitted that until the controversy he had never been down to this area. Yet Mclaughlin voted to fill in the "DITCH". How many councillors who voted for the "FILL" actually knew what they were voting for?

In my last issue I reported how Councillor Downey under oath stated that councillors don't read bylaws before voting on them. They seem to rely on staff to direct their votes. This confirms to at least me that that is exactly what is happening.

Someone called this wetland a "DITCH" which by definition is a dirty smelly place and councillors bought it. Why? Why not take ten minutes and find out? Because they either don't care or they are just there to rubberstamp staffs decisions.

Thanks to all those who wrote letters, phoned coucillors and came out to the council meeting in support of our environment. Without this support these councillors would have destroyed this eco-system without a second thought.
KEEP UP THE VIGILE

DEMOCRACY

Democracy goes hand in hand with FREEDOM. You can not have a democracy without freedom. Look at any country in the world. When freedom of speech, press, association, opposition are curtailed democracy is lost.

With that in mind we find Councillor McLaughlin, Downey, Smith, Gardy and Morano voting without public input to curtail the availability of information to the public. McLaughlin says that making information available to the local press comes back to haunt him and other councillors. He proposes that information should not be released until the day council will deal with issues. How on earth are people to find out what agenda will be dealt with unless the media informs us.

As in the case of the "DITCH" we the people were able to mount a fight to stop these very same councillors from destroying our environment. If the local media had not informed us the wetlands would have been history. A free society needs a well informed and free media. If a politician does not understand how important keeping the electorate informed is in a democracy then he should be run out of office at the very next election. As the editorial in the Packet stated. The electors should remember the councillors who voted for this archaic method of dealing with their PR problems. In Nov. remember McLaughlin, Downey, Smith, Morano and Gardy as the people who don't seem to believe we should be informed.

In a letter to the editor July 17/03 Councillor Downey states that "I do not believe the Packet is the last vestige of democracy in Orillia". Well Mr. Downey there is no freedom anywhere in the world without a free and independent press. I believe Downey and the other councillors who voted to shut down our pipeline to information would love to disseminate information to us via a person like Bagdad Bob who even while bombs were exploding a couple of blocks away was saying Iraq was winning the war and driving the Americans out.

Any politician in a democracy who wants to limit access is an enemy of democracy and freedom.