

APPENDIX B

COMPLAINT #5 – ANONYMOUS AGAINST MAYOR CAUL (Received Feb. 17, 2022)

Question for Mayor Caul (Questions in bold italics)

Why did you not apply to Council to ask to share the Gowling document with Mr. Kircher since you claim the document “was indeed useless to our cause”?

This was a huge error on my part. I should have asked Council for their permission to share this information and I didn't. I have apologized to Council publicly, during a Council meeting, months ago and they accepted my apology. In speaking with members of Council, they thought this issue was over and dealt with. Please feel free to check with any Council members to confirm this.

It has been apparent to me through five complaints (so far) that you have personally taken on the task of attempting to replace the RFP mill and also find answers to the questions of 1) details of the transfer to the Boundary Waters; 2) the Forest Audit details of 2019; and other questions you may have had. My question is, why did you not work within Council and the Ad Hoc Committee to find answers to your questions rather than jeopardizing and exposing yourself to Code of Conduct complaints, etc.?

First of all, I invited Mr. Kircher to Council and Executive Committee meetings to share his thoughts on this subject. It is my job as a council member to listen to all sides of an issue and certainly to allow residents, my constituents, of this municipality to have a voice. We represent these taxpayers. When I began a conversation with Mr. Kircher, the ad hoc committee had long been dissolved. I have not been in contact with Mr. Kircher since November 2021, after he made the decision to share the Gowling Draft report with the press and since my apology to Council. Council made it abundantly clear that they did not wish to pursue the issue any further so I have not either. Mr. Kircher continues to press this issue in the newspaper and with emails to Council, however I do not even acknowledge or read any of these emails or letters in the newspaper. I have COMPLETELY backed away from this!

During the last year or so, in my investigations of four previous complaints, I have sought to find the answers to some of the questions you had along the way and found them fairly easy by talking to your CAO, Doug Brown and Mike Willick, notwithstanding going on the Boundary Waters Forest Management Corp. I believe that I mentioned this in my investigation report of complaint number one that I did. It makes me wonder if your working relationship with Mr. Willick made you reluctant to sitting down with him (although it would seem to require several meetings over the last four years). Can you comment on this?

I have never had a negative working relationship with Mr. Willick. Possibly, my concerns and questions made him think that I had an ulterior motive but I did not and do not. I am sorry if he thought differently.

I have talked to Mr. Willick and learned that during his career he has been ‘Deputy’ Minister for several different Provincial Ministries, including MNR. The answer he gave me to the question about how did RFP come out of all of the negotiations with over 90% of the wood rights until 2032 and this is what I was told: “The RFP had The Crossroute Forest (the Fort Frances Forest) and Sapawe Forest (Near Atikokan) had been separate entities for many, many years. These areas were controlled mainly by Resolute Forest Products during that time.” << your quotes. So the Province had an obligation to continue with this arrangement and they chose to extend that arrangement to 2032 plus the fact that RFP apparently gave political contributions to the Liberal Party (how much and over which time period I do not know) and if the Province did not provide RFP with their wood rights, RFP would initiate legal action to sue the government – the Province therefore, had no choice but to make this agreement with RFP. I’m wondering if this arrangement between the Province and RFP – a ‘fait accompli’ – was known to you at any time during the process?

No, I did not know all the information that was in the 2017 Forest License Audit. If I had been privy to that information, I would not have worked so hard to try to lobby, write letters to the ministry, and continue to try to find buyers for the mill before it began the demolition process. I had no idea that all that was left available for a possible new company/industry was the leftover tops and waste left by RFP.

Once the dye was cast, the Boundary Waters Forest Management Corp. was then tasked with trying to find industry that would be able to use the residue forest products (like tops of trees and limbs) and/or provide a new industry to use the excess wood that RFP would provide (albeit a tricking thing to do as there is no guarantee that RFP would have or designate ‘excess wood’ year over year and consistently). Is this your understanding of the current situation BWFMC now finds itself.

After investigating further and asking the questions (that clearly my complainant is upset about) I have a full picture of what the future holds for us here in Fort Frances. I moved on months and months ago. Isn't that what a prudent council member should do? I investigated, I asked questions (obviously some uncomfortable questions), and when Council made it clear they were not interested in further investigation I dropped the issue and moved on with no remorse or upset.

In your report you mention that “the wood fibre that had been historically destined to Fort Frances” was not now available after the creation of the Boundary Waters. Since the wood fibre apparently was not ‘Fort Frances’ wood fibre but the wood fibre of RFP, (MNR is the only issuer of the SFL and RFP had that license historically and the Province – for various reasons – allowed RFP to at least keep the bulk of the wood fibre until 2033) would you have acted differently?

Absolutely! If I had had all the information and a completely clear answer to my questions and understanding, I absolutely would not have, and have not, continued.

Did Council discuss the merits of Mr. Kircher's quest to have the Mill turned into a 'trades college'? If not why not and if so what steps did they take to pursue this initiative?

Mr. Kircher's idea of a "trades' college" was brought by him to the Economic Advisory Committee that had consisted of community partners. This committee was not an executive committee and the idea never went to Council. So the idea never went anywhere. However, Wouldn't this have been a potential great addition/thought to suggest to a new company if the mill had been sold and continued to operate in some capacity in the future? After all, the trades profession is really struggling to find young people to further their education and skills in this area; and maybe this could have been developed right here close to home where students wouldn't have to travel away from home to receive their trades' certification. Just another "pie in the sky" idea that has gone by the wayside and I have discontinued with no animosity.

The fact that the 2017 forest audit had been done and although hidden in the archives of the MNR is not a non-issue in my mind. What significance or changes would there have been had this audit been posted in plain sight for everyone to see?

Once I saw the audit, I learned that "Fort Frances" had been removed from the license and the license had been extended to 2032, instead of the usual five year audit, which would have been required in 2022. I was not aware of that information and neither were Council members who then found out about it.

Last question: Now that the SFL has been awarded to the BWPMC (and with RFP maintaining the bulk of the wood fibre) how is Council moving forward and working with BWPMC?

As I said earlier, Council, including me, is not moving forward at this point. Our consultant on the file is no longer with working for the Town. We are aware of what is available in the forest to any potential business/company and have been in conversation previously but not recently. We are in the process of getting ready to advertise for an in-house Economic Development manager and a Communications manager who, when hired, will be in a position to take on whatever available opportunities are possible to rebuild our economy and employment opportunities for Fort Frances and district residents.