

Friends of Muskoka

Compliance Audit Committee Presentation

July 19, 2019

My name is Susan Eplett. I am a Director of Friends of Muskoka and appreciate this opportunity to respond to the questions raised in Mr. Furniss' Application for a Compliance Audit of our third party advertising expenses in last fall's election.

Mr. Furniss is bringing this Application under section 88.35(1) of the Municipal Elections Act, which permits him to request an audit of our campaign finances if he has reasonable grounds to believe we contravened a section of the Act relating to campaign finances. This section of the Act appears on the first page of the Application form, under the heading 'Application by elector', which we have included at Tab 1.

Although Mr. Furniss' reasons in the first and third paragraphs of his Application do not actually relate to our campaign finances, we are happy to address them as well.

1. The first reason for Mr. Furniss' Application relates to whether Friends of Muskoka is eligible to be registered as a third party advertiser.

As you can see from our Form 7 at Tab 2, our registration as a third party advertiser in the Township of Muskoka Lakes was certified by the municipal clerk, Ms Cheryl Mortimer, on July 23, 2018 and according to the Municipal Elections Act section 88.6(14), the Clerk's decision is final. We've included this section of the Act at Tab 3, for your information.

However, if the Committee were to reconsider our registration, both the Municipal Elections Act (section 88.6(4)2) and Ontario's Guide for Third Party Advertisers (page 4) state that a corporation carrying on business in Ontario is eligible to register as a third party advertiser. We've also included these sections at Tab 3.

Friends of Muskoka is a corporation, as you can see from our Articles of Incorporation at Tab 4. All of our operations and activities are in Ontario, including our head office and bank accounts, and we hold meetings of our directors and members in Ontario. So Friends is clearly eligible to be a third party advertiser.

The Application claims that associations are specifically prohibited from registering as a third party advertiser. The Municipal Elections Act does not include this prohibition, and Ontario's Guide to the third party advertising rules says associations that are not corporations are prohibited from registering. We've included this language from the Guide (page 4) in Tab 3. Since Friends of Muskoka is a corporation, this prohibition does not apply to it.

2. The second reason for the Application relates to the source and use of our third party advertising funds, and our bank accounts.

a) I'll begin with the source and use of our funds

Friends of Muskoka fully disclosed all sources of our third party advertising funds in our Form 8. We've included a copy of our Form 8 at Tab 5, and you will see the sources of funds on page 4 under the heading Contributions.

Friends of Muskoka contributed its own funds, and received one cash donation and one in-kind donation. Friends did not take out any loans, and did not do any fundraising.

Friends of Muskoka fully disclosed all of our third party advertising expenditures on pages 2 and 3 of our Form 8 under the Expenses heading.

b) As for our bank account, Friends opened a separate bank account exclusively for our third party advertising. All contributions were deposited into this bank account, and all of our third party advertising expenses were paid from this bank account, in compliance with the third party advertising rules. We have included at Tab 6 a copy of a cancelled cheque showing the account information for this bank account which we opened under the name Friends of Muskoka 3PA Funds (3PA is our abbreviation for third party advertising).

3. The third and fourth paragraphs of the Application relate to the signs that were put up by Friends of Muskoka and the MLA.

We've included at Tab 7 a copy of both sides of this sign.

According to the Municipal Elections Act section 88.5(1), which we've included at Tab 3 for your information, we were required to include 3 pieces of information on each of our third party advertisements: our name; the municipality where we were registered as a third party advertiser; and either our telephone number, mailing address or email address.

The Application states that the required information was absent from our signs. However, our signs said 'Vote to Stop Waterfront Subdivision'. They were not third party advertisements under the Municipal Elections Act, because they did not "promote, support or oppose a candidate or an issue on a ballot". We've included a copy of the definition of third party advertisement at Tab 3. Because our signs were not third party advertisements, they did not require the 3 pieces of information.

There is no prohibition on a registered third party advertiser putting up signs. We were required to comply with municipal sign bylaws for all signs we put up, which we did. In addition, if our signs had been a third party advertisement, they would have needed to have the 3 pieces of information required by the Municipal Elections Act.

The Township's bylaw enforcement officer, Jon Popple, confirmed that our signs were not third party advertisements in his letter to us on September 11, 2018. He was writing to tell us we needed to remove the signs until we obtained a permit and paid a fee for each sign. We complied with his request by removing the signs, and then obtained a permit from the District that allowed us to put them back up along District roads outside of Port Carling and Bala. We've included a copy of Mr. Popple's letter and our sign permit at Tab 8.

The Application asks in paragraph 4 why we did not declare the cost of our signs in our Form 8. The reason is that the signs were not third party advertisements, so we were not required to include their cost in our Form 8.

4. Finally, the Application asks in paragraph 3 about whether we put the required disclosure in our third party advertisements.

This question does not relate to our campaign finances, but I'm happy to answer it if you'd like.

Friends of Muskoka produced a flyer that was a third party advertisement, and it includes the 3 pieces of information required by the Municipal Elections Act. We've provided a copy of the flyer at Tab 9.

Friends of Muskoka also did third party advertising through three automated voter contacts, one for each of the three wards in the Township of Muskoka Lakes. We included the required pieces of information in all of these contacts. A copy of our text is at Tab 10.

Friends of Muskoka also made some Facebook posts that mentioned candidates, and that linked back to our website that contained the required information.

As a final comment, I'd like to mention that these third party advertising rules were new in this election, and Friends of Muskoka worked very hard to comply with them, including making a number of calls to the Township clerk and the Province to clarify what our responsibilities were and ensure we were complying. Our Form 8 discloses all of our campaign finances, and we have receipts and invoices for all of them should the Committee decide to proceed with an audit.

I would be happy to answer any questions you may have. Our Treasurer, Janet Griffin, is also here today to help answer questions of a financial nature.

Friends of Muskoka
Compliance Audit Committee Presentation
July 19, 2019

List of Tabs

- Tab 1: Don Furniss' Application for a Compliance Audit
- Tab 2: Form 7 – Notice of Third Party Registration
- Tab 3: Excerpts from Ontario's Municipal Elections Act and Ontario's 2018 Guide for Third Party Advertisers
- Tab 4: Articles of Incorporation
- Tab 5: Form 8 - Financial Statements Auditors' Report Third Party
- Tab 6: Cancelled Cheque
- Tab 7: Two sides of sign
- Tab 8: John Popple's letter and Sign Permit
- Tab 9: Two sides of third party advertising flyer
- Tab 10: Text of 3 automated voter contacts



**2018 MUNICIPAL ELECTION
APPLICATION FOR A COMPLIANCE AUDIT OF A
REGISTERED THIRD PARTY'S ELECTION CAMPAIGN FINANCES**

to be heard by the **Muskoka Compliance Audit Committee** for a Member Municipality, being the District Municipality of Muskoka, the Town of Bracebridge, the Town of Gravenhurst, the Town of Huntsville, the Township of Georgian Bay, the Township of Lake of Bays, and the Township of Muskoka Lakes.

Contact Information of Applicant

Name:	<i>DON FURNISS</i>
Address:	[REDACTED]
Telephone number:	[REDACTED]
Email address:	[REDACTED]

Registered Third Party (RTP) Information

Name of RTP:	<i>FRIENDS OF MUSKOKA</i>
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Application must be submitted to the Member Municipality where the third party registered.

- | | |
|---|---|
| <input type="checkbox"/> District Municipality of Muskoka | <input type="checkbox"/> Township of Georgian Bay |
| <input type="checkbox"/> Town of Bracebridge | <input type="checkbox"/> Township of Lake of Bays |
| <input type="checkbox"/> Town of Gravenhurst | <input checked="" type="checkbox"/> Township of Muskoka Lakes |
| <input type="checkbox"/> Town of Huntsville | |



Please note that a request for a Compliance Audit for a School Board Trustee must be directed to the Secretary of the applicable School Board.

Application by elector

Subsection 88.35 (1) of the Municipal Elections Act, 1996, (Act) states:
An elector who is entitled to vote in an election in a municipality and believes on reasonable grounds that a registered third party who is registered in relation to the election in the municipality has contravened a provision of this Act relating to campaign finances may apply for a compliance audit of the campaign finances of the registered third party in relation to third party advertisements, even if the registered third party has not filed a financial statement under section 88.29.

Reasons for requesting Compliance Audit (attach additional documentation, if applicable)

SEE ATTACHED PG 3



Deadline for filing Application

Subsection 88.35 (3) of the Municipal Elections Act, 1996, (Act) provides that the Application must be made within 90 days after the latest of the following dates:

1. The filing date under section 88.30 - **June 27, 2019** would be the last day to file a compliance audit request for the December 31, 2018 reporting period (regular campaign period filing deadline is 2:00 p.m. on March 29, 2019).
2. The date the registered third party filed a financial statement, if the statement was filed within 30 days after the applicable filing date under section 88.30 - **July 29, 2019** would be the last day to file a compliance audit request for the December 31, 2018 reporting period (regular campaign period late filing deadline is 2:00 p.m. on April 29, 2019).
3. The supplementary filing date, if any, for the registered third party under section 88.30 - **December 27, 2019** would be the last day to file a compliance audit request for the June 30, 2019 supplementary reporting period (supplementary campaign period filing deadline is 2:00 p.m. on September 27, 2019).
4. The date on which the registered third party's extension, if any, under subsection 88.27 (3) expires - court granted extension.

For more information please contact:

The Clerk in the Member Municipality in which the Compliance Audit is being requested.

Distribution of this Application

Distribution of this Application will be shared with the Clerk of the Member Municipality, the Muskoka Compliance Audit Committee, the Auditor chosen to investigate this Application (if applicable), the Registered Third Party, and the public by way of an open Muskoka Compliance Audit Committee meeting agenda published on the website of the Member Municipality.

Applicant Declaration

I, the undersigned, make Application for a Compliance Audit, and do hereby declare that the information provided in this Application is complete and accurate to the best of my knowledge, that I have read the Application in full, and that I am an elector who is entitled under the *Municipal Elections Act, 1996* to vote in a municipal election (at least 18 years old, a Canadian citizen, and a resident, owner or tenant of land or spouse of owner or tenant).


Signature of Applicant

15/06/2019
Date (dd/mm/yyyy)

Application for a Compliance Audit received by the Clerk for the Township of Muskoka Lakes.


Signature of Clerk or Designate

15/06/19
Date (dd/mm/yyyy)

Personal Information included in this Application is collected under the authority of the Municipal Elections Act, 1996, and will be utilized for the processing of the request for a Compliance Audit of a registered third party's election campaign finances. Any questions regarding the collection of this information should be directed to the Clerk of the member municipality.

Alternate formats of this document are available upon request.

**REASONS FOR APPLICATION OF AUDIT EXPENSES FOR "FRIENDS OF MUSKOKA"
A REGISTERED THIRD PARTY ADVERTISER**

1. Is Friends of Muskoka (FOM) eligible for registered third party status?
While the organization may be incorporated for tax and liability issues, it does not sell goods and services to the general public. It is in fact an association of Muskoka Cottagers opposed to resort developments in Muskoka. It relies on membership fees and donations to fund its objectives. Associations are specifically prohibited from registering as third party advertisers according to Sec 88.6 (4) 2 of the Ontario Municipal Elections Act (OMEA).
2. FOM lists \$4,974 in expenditures plus bank charges, but details on income total \$1,439 of a \$5,034.
 - a.) What are the sources of the additional variance income?
 - b.) Are all the sources and uses of funds recorded in the bank statements and was a separate bank account opened specifically for third party advertising?
3. Section 88.5 (2) 2 of the OMEA requires the name, business address and phone numbers on all advertising materials of registered third parties. This was absent from several signs jointly posted with the Muskoka Lakes Association. I believe the OMEA was also violated on other advertising and robo phone calls.
4. No declaration was made for signage expenses. In fact signs and signage hardware was widely placed throughout the Township of Muskoka Lakes



Notice of Registration - Third Party - Form 7
Municipal Elections Act, 1996 (Section 88.6)

Instruction

This form may only be filed in person or by an agent; it may not be faxed or emailed. It is the responsibility of the person incurring expenses to file a complete and accurate notice. Please print or type information (except signatures).

Box A: Notice of Registration (individuals, corporations and trade unions)

Registration for an individual, corporation or trade union in the following municipality
Township of Muskoka Lakes

Name of individual, corporation or trade union (Registrant)
Friends of Muskoka

Mailing Address (Registrant)

Suite/Unit No. Ste 4400
Street No. 181
Street Name Bay Street

Municipality Toronto
Province ON
Postal Code M5J 2T3

Email Address info@friendsofmuskoka.ca
Telephone No. (including area code)
Telephone No.2 (including area code)

Box B: Designation of an Official Representative (corporations and trade unions)

Name of person signing (Official Representative)

Last Name or Single Name EPLETT
Given Name(s) SUSAN

Mailing Address (Official Representative)

Suite/Unit No.
Street No. 50
Street Name WEYBOURNE CRES

Municipality TORONTO
Province ON
Postal Code M4N 2R5

Email Address susaneplett@rogers.com
Telephone No. (including area code) 416-843-3910
Telephone No.2 (including area code)

Box C: Additional Information (corporations)

Business Name
Friends of Muskoka

Ontario Corporation Number
1059777-5

Names of Principal Officers

Donald Lang, Chairperson of the Board

Laurie Thomson, President

James Paul Richards, Vice-President

Susan Eplett, Secretary

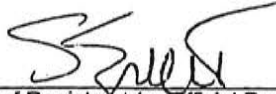
Janet Griffin, Treasurer

Additional names are listed on separate supplementary attachment

Box D: Declaration of Qualification

I, SUSAN EPLETT, the Registrant (or Official Representative of the Registrant), referred to in this notice, do hereby declare that:

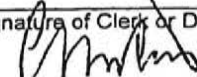
- (1) The information in this notice of registration is, to the best of knowledge and belief, true;
- (2) The Registrant is qualified to be registered as a third party advertiser; and
- (3) I am authorized to sign on behalf of the Registrant (applies only in the case the Registrant is a corporation or trade union)



Signature of Registrant (or Official Representative)

2018/07/23

Date (yyyy/mm/dd)

Date Filed (yyyy/mm/dd)	Time Filed	Initial of Registrant (or Official Representative)	Signature of Clerk or Designate
<u>2018/07/23</u>	<u>10:30 AM</u>	<u>SE</u>	

Certification by Clerk or Designate

I, the undersigned clerk of this municipality, do hereby certify that I have examined the notice of registration of the aforesaid registrant filed with me and am satisfied that the registrant is qualified to incur expenses and that the notice of registration complies with the Act.

Signature of Clerk or Designate



Date Certified (yyyy/mm/dd)

2018/07/23

Municipal Elections Act

Clerk's Decision is Final - Section 88.6 (14)

(14) The clerk's decision to certify or reject a notice of registration is final.

Eligibility for Registration as a Third Party Advertiser - Section 88.6 (4) 2

(4) Only the following persons and entities are eligible to file a notice of registration:

1. An individual who is normally resident in Ontario.
2. A corporation that carries on business in Ontario.
3. A trade union that holds bargaining rights for employees in Ontario.

Mandatory information in third party advertisements – Section 88.5(1)

88.5 (1) No registered third party shall cause a third party advertisement to appear during the restricted period unless the advertisement contains the following information:

1. The name of the registered third party.
2. The municipality where the registered third party is registered.
3. A telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

Meaning of “third party advertisement” – Sections 1(1) and 88.4 (1)

1(1) “third party advertisement” means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing,

(a) a candidate, or

(b) a “yes” or “no” answer to a question referred to in subsection 8 (1), (2) or (3),

88.4 (1) No individual, corporation or trade union shall incur expenses for a third party advertisement that appears during the restricted period for third party advertisements unless the individual, corporation or trade union is a registered third party under section 88.6 when the expenses are incurred and when the advertisement appears.

Ontario's 2018 Guide for Third Party Advertisers

Who can be a third party advertiser (p. 3-4)

Only those who have registered can spend money on third party advertising. The following are eligible to register as a third party advertiser:

- any person who is a resident in Ontario 2018 Guide for third party advertisers
- a corporation carrying on business in Ontario
- a trade union that holds bargaining rights for employees in Ontario.

Who cannot be a third party advertiser (p. 4)

Groups, associations or businesses that are not corporations are not eligible to register and may not spend money on third party advertising in municipal elections.

What is not a third party advertisement? (p. 3)

Activities that do not involve spending money, such as discussions or expressing an opinion about a candidate (or an answer to a question on the ballot) are not considered to be third party advertising. Examples include:

- speaking to friends and neighbours
- posting on social media, such as Twitter, Facebook or Instagram
- sending an email to a group or mailing list.

Advertising about an issue, rather than a candidate or a “yes” or “no” answer to a question on the ballot is not considered third party advertising. For example, signs saying “Support local businesses” or “Keep the waterfront green” would not be third party advertising, even if a candidate has made those issues part of their campaign.

Contribution limits (p. 11)

There is no limit on how much a registered third party (and, if the third party is an individual, their spouse) can contribute to their own advertising campaign.



Certificate of Incorporation

Canada Not-for-profit Corporations Act

Certificat de constitution

*Loi canadienne sur les organisations à but non
lucratif*

Friends of Muskoka

Corporate name / Dénomination de l'organisation

1059777-5

Corporation number / Numéro de
l'organisation

I HEREBY CERTIFY that the above-named
corporation, the articles of incorporation of which
are attached, is incorporated under the *Canada
Not-for-profit Corporations Act*.

JE CERTIFIE que l'organisation susmentionnée,
dont les statuts constitutifs sont joints, est
constituée en vertu de la *Loi canadienne sur les
organisations à but non lucratif*.

Virginie Ethier

Director / Directeur

2018-01-24

Date of Incorporation (YYYY-MM-DD)
Date de constitution (AAAA-MM-JJ)



Form 4001
Articles of Incorporation
Canada Not-for-profit Corporations Act (NFP Act)

Formulaire 4001
Statuts constitutifs
Loi canadienne sur les organisations à but non lucratif (Loi BNL)

- 1 Corporate name
Dénomination de l'organisation
Friends of Muskoka
- 2 The province or territory in Canada where the registered office is situated
La province ou le territoire au Canada où est maintenu le siège
ON
- 3 Minimum and maximum number of directors
Nombres minimal et maximal d'administrateurs
Min. 3 Max. 15
- 4 Statement of the purpose of the corporation
Déclaration d'intention de l'organisation
See attached schedule / Voir l'annexe ci-jointe
- 5 Restrictions on the activities that the corporation may carry on, if any
Limites imposées aux activités de l'organisation, le cas échéant
None
- 6 The classes, or regional or other groups, of members that the corporation is authorized to establish
Les catégories, groupes régionaux ou autres groupes de membres que l'organisation est autorisée à établir
See attached schedule / Voir l'annexe ci-jointe
- 7 Statement regarding the distribution of property remaining on liquidation
Déclaration relative à la répartition du reliquat des biens lors de la liquidation
See attached schedule / Voir l'annexe ci-jointe
- 8 Additional provisions, if any
Dispositions supplémentaires, le cas échéant
See attached schedule / Voir l'annexe ci-jointe
- 9 **Declaration:** I hereby certify that I am an incorporator of the corporation.
Déclaration : J'atteste que je suis un fondateur de l'organisation.

Name(s) - Nom(s)

Original Signed by - Original signé par

Laurie Thomson

Laurie Thomson

Laurie Thomson

A person who makes, or assists in making, a false or misleading statement is guilty of an offence and liable on summary conviction to a fine of not more than \$5,000 or to imprisonment for a term of not more than six months or to both (subsection 262(2) of the NFP Act).

La personne qui fait une déclaration fautive ou trompeuse, ou qui aide une personne à faire une telle déclaration, commet une infraction et encourt, sur déclaration de culpabilité par procédure sommaire, une amende maximale de 5 000 \$ et un emprisonnement maximal de six mois ou l'une de ces peines (paragraphe 262(2) de la Loi BNL).

You are providing information required by the NFP Act. Note that both the NFP Act and the Privacy Act allow this information to be disclosed to the public. It will be stored in personal information bank number IC/PPU-049.

Vous fournissez des renseignements exigés par la Loi BNL. Il est à noter que la Loi BNL et la Loi sur l'accès à l'information permettent que de tels renseignements soient divulgués au public. Ils seront stockés dans la banque de renseignements personnels numéro IC/PPU-049.

Schedule / Annexe
Purpose Of Corporation / Déclaration d'intention de l'organisation

Statement of the purpose of the Corporation:

- (a) to preserve the natural environment and unique character of Muskoka by promoting responsible use and development of its land and lakes; and
- (b) to engage in such other incidental or ancillary activities as may be determined by the board of directors from time to time.

Schedule / Annexe
Directors of the corporation / Administrateurs de l'organisation

Donald Lang 105 Gordon Baker Road, Suite 500, Toronto
ON
M2H 3P8, Canada

Susan Eplett 50 Weybourne Crescent, Toronto ON
M4N 2R5, Canada

Laurie Thomson 89 Binscarth Road, Toronto ON
M4W 1Y3, Canada

Jonas Prince 77 Bloor Street West, Suite 2000, Toronto
ON
M5S 1M2, Canada

V. Frank Pottow 8 Grahampton Lane, Greenwich CT
06930, United States

James Paul Richards 1 Heathbridge Park, Toronto ON
M4G 2Y6, Canada

Jordan Richards 21 Dunlace Drive, Toronto ON
M3A 1A3, Canada

Janet Griffin 63 St. Edmund's Drive, Toronto ON
M4N 2P8, Canada

Schedule / Annexe
Additional Provisions / Dispositions supplémentaires

(a) The Corporation shall carry on its activities without the purpose of pecuniary gain to its members, and any profits or other accretions to the Corporation shall be used in furtherance of its purposes.

(b) The Supporting members of the Corporation are not entitled to vote separately as a class upon a proposal to amend the articles to:

(i) effect an exchange, reclassification or cancellation of all or part of the memberships of the class; or

(ii) create a new class of members having rights equal or superior to those of the class.

(c) The directors may appoint one or more additional directors, who shall hold office for a term expiring not later than the close of the next annual general meeting of members, but the total number of directors so appointed may not exceed one-third of the number of directors elected at the previous annual general meeting of members.

Instructions:

All registrants must complete Boxes A, B, C and D and Schedule 1. All registrants must complete Schedule 2 as appropriate. Registrants who receive contributions or incur expenses in excess of \$10,000 must also attach an Auditor's Report.

All surplus funds (after any refund to the registrant or, if the registrant is an individual, their spouse) shall be paid immediately over to the clerk who was responsible for the conduct of the election.

For the campaign period from

YYYY	MM	DD
2 0 1 8	0 7	2 4

 to

YYYY	MM	DD
2 0 1 8	1 2	3 1

 Initial filing reflecting finances to December 31 (or 45 days after voting day in a by-election)

 Supplementary filing including finances after December 31 (or 45 days after voting day in a by-election)

Box A: Name of Registrant

Name of Registrant (individual, trade union or corporation)

Friends of Muskoka

Official Representative (name of person signing on behalf of trade union or corporation)

Last Name or Single Name

Griffin EPLETT

Given Name(s)

Janet Catherine SUSAN ELIZABETH

Municipality

Township of Muskoka Lakes

Spending Limit - General

\$ 5,837.60

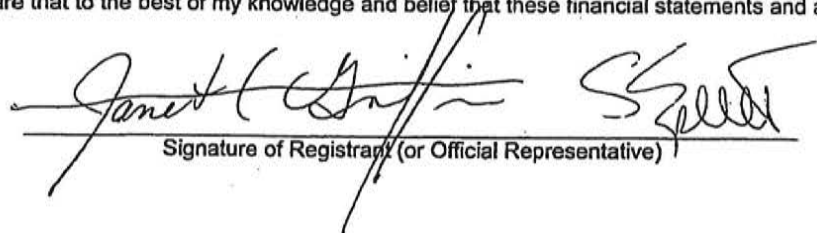
Spending Limit - Parties and Other Expressions of Appreciation

\$ 0.00

Box B: Declaration

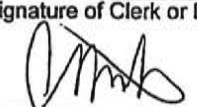
 I, Janet C. Griffin, a registrant (or official representative)

declare that to the best of my knowledge and belief that these financial statements and attached supporting schedules are true and correct.


 Signature of Registrant (or Official Representative)

2019/03/05 2019/03/19

Date (yyyy/mm/dd)

Date Filed (yyyy/mm/dd)	Time Filed	Initial of Registrant, Official Representative or Agent (if filed in person)	Signature of Clerk or Designate
2019/03/19	12:33pm	SE	

Expenses not subject to spending limit

Accounting and audit	+ \$	
Cost of fundraising events/activities (list details in Part IV of Schedule 2)	+ \$	
Office expenses incurred after voting day	+ \$	
Phone and/or internet expenses incurred after voting day	+ \$	
Salaries, benefits, honoraria, professional fees incurred after voting day	+ \$	
Bank charges incurred after voting day	+ \$	60.00
Interest charged on loan after voting day	+ \$	
Expenses related to recount	+ \$	
Expenses related to controverted election	+ \$	
Expenses related to compliance audit	+ \$	
Expenses related to a registrant's disability (provide full details)		
1.	+ \$	
2.	+ \$	
3.	+ \$	
4.	+ \$	
5.	+ \$	
Other (provide full details)		
1.	+ \$	
2.	+ \$	
3.	+ \$	
4.	+ \$	
5.	+ \$	
Total Expenses not subject to spending limits	= \$	60.00 C4
Total Campaign Expenses (C2 + C3 + C4)		= \$ 5,033.81 C5

Box D: Calculation of Surplus or Deficit

Excess (deficiency) of income over expenses (Income minus Total Expenses) (C1 - C5)	+ \$	0.00 D1
If there is a surplus, deduct any refund of registrant's or spouse's contributions to the campaign	- \$	
Surplus (or deficit) for the campaign	= \$	D2

If line D2 shows a surplus, the amount must be paid in trust, at the time the financial statements are filed, to the municipal clerk who was responsible for the conduct of the election.

Table 2: Monetary contributions from corporations or trade unions

Name (legal and carrying on business as)	Full Address	President or Business Manager	Authorized Representative	Date Received	Amount \$ Received	Amount \$ Returned to Contributor or Paid to Clerk
N/A						
					Total	


Additional information is listed on separate supplementary attachment Total 

Table 3: Contributions in goods or services from individuals other than registrant or spouse
 (Note: must also be recorded as expenses in Box C)

Name	Full Address	Description of Goods or Services	Date Received	Value \$	Amount \$ Returned to Contributor or Paid to Clerk
Lisa Grogan Green	133 Mildenhall Road Toronto Ontario M4N 3H4	Bags		238.66	



Name	Full Address	Description of Goods or Services	Date Received	Value \$	Amount \$ Returned to Contributor or Paid to Clerk

Additional information is listed on separate supplementary attachment Total **238.66**

Table 4: Contributions in goods or services from corporations or trade unions
(Note: must also be recorded as expenses in Box C)

Name (legal and carrying on business as)	Full Address	President or Business Manager	Authorized Representative	Description of Goods or Services	Date Received	Value \$	Amount \$ Returned to Contributor or Paid to Clerk
N/A							

Additional information is listed on separate supplementary attachment Total **0**

Total Part II Contributions (Add Totals from Tables 1-4)
(Record in Part I - Summary of Contributions) **\$ 1,438.66**^{1B}

Part III - Contributions from registrant or spouse

Table 1: Contributions in goods or services

Description of Goods or Services	Date Received (yyyy/mm/dd)	Value \$
N/A		

JS

Additional information is listed on separate supplementary attachment

Total

\emptyset



Schedule 2 – Fundraising Events and Activities

Fundraising Event/Activity

Complete a separate schedule for each event or activity held

Additional schedule(s) attached

Description of fundraising event/activity Not applicable

Date of event/activity (yyyy/mm/dd) _____

Part I – Ticket Revenue

Admission charge (per person)

(If there are a range of ticket prices, attach complete breakdown of all ticket sales)

Number of tickets sold

\$ _____ 2A
X _____ 2B

Total Part I (2A X 2B) (include in Part 1 of Schedule 1)

= \$ _____

Part II – Other revenue deemed a contribution

(e.g. revenue from goods sold in excess of fair market value)

Provide details

1. _____	+	\$ _____
2. _____	+	\$ _____
3. _____	+	\$ _____
4. _____	+	\$ _____
5. _____	+	\$ _____

Total Part II (include in Part 1 of Schedule 1)

= \$ _____

Part III – Other revenue not deemed a contribution

(e.g. contributions of \$25 or less; market value of goods or services sold)

Provide details

1. _____	+	\$ _____
2. _____	+	\$ _____
3. _____	+	\$ _____
4. _____	+	\$ _____
5. _____	+	\$ _____

Total Part III (include under Income in Box C)

= \$ _____

Part IV – Expenses related to fundraising event or activity

Provide details

1. _____	+	\$ _____
2. _____	+	\$ _____
3. _____	+	\$ _____
4. _____	+	\$ _____
5. _____	+	\$ _____
6. _____	+	\$ _____
7. _____	+	\$ _____
8. _____	+	\$ _____

Total Part IV (include under Expenses in Box C)

= \$ _____

Auditor's Report

Municipal Elections Act, 1996 (Section 88.25)

A registrant who has received contributions or incurred expenses in excess of \$10,000 must attach an auditor's report.

Professional Designation of Auditor

Municipality

Date (yyyy/mm/dd)

Contact Information

Last Name or Single Name

Given Name(s)

Licence Number

Address

Suite/Unit No.

Street No.

Street Name

Municipality

Province

Postal Code

Telephone No. (including area code)

Email Address

The report must be done in accordance with generally accepted auditing standards and must:

- set out the scope of the examination
- provide an opinion as to the completeness and accuracy of the financial statement and whether it is free of material misstatement

Report is attached

Not Applicable

Personal information, if any, collected on this form is obtained under the authority of sections 88.29 and 95 of the *Municipal Elections Act, 1996*. Under section 88 of the *Municipal Elections Act, 1996* (and despite anything in the *Municipal Freedom of Information and Protection of Privacy Act*) documents and materials filed with or prepared by the clerk or any other election official under the *Municipal Elections Act, 1996* are public records and, until their destruction, may be inspected by any person at the clerk's office at a time when the office is open. Campaign financial statements shall also be made available by the clerk in an electronic format free of charge upon request.

Jeb


FRIENDS OF MUSKOKA 3PA FUNDS

CARE OF LAURIE THOMSON
181 BAY ST SUITE 400
TORONTO, ON M5J 2T3

000005

DATE 2 0 - -
Y Y Y Y M M D D

PAY to _____ \$
order of _____

_____ DOLLARS 
100

TD CANADA TRUST
321 MCGRE AVE. NR. BAYVIEW AVE.
TORONTO, ONT. M4G 3T6

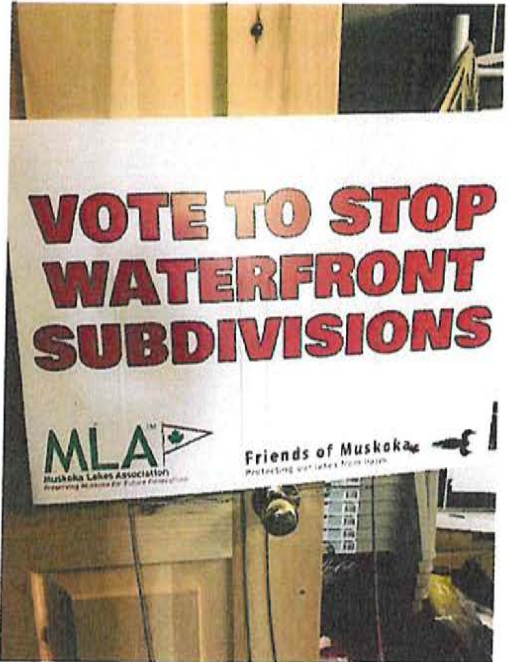
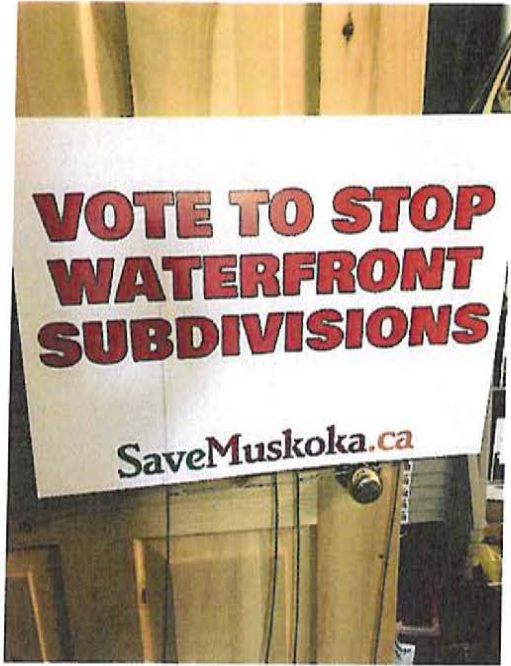
FRIENDS OF MUSKOKA 3PA FUNDS

VOID

RF _____

REC _____

⑈000005⑈ ⑆15952⑈004⑆ 0225⑈5225115⑈





P.O. Box 129, 1 Bailey Street, Port Carling, Ontario, P0B 1J0
tel: 705-765-3156 fax: 705-765-6755 web: www.muskokalakes.ca

September 11, 2018

Muskoka Lakes Association
65 Joseph Street
Port Carling, ON P0B 1J0

Friends of Muskoka
181 Bay Street, Suite 4400
Toronto, ON M5J 2T3

Re: Registered Third Parties Election Signs
Municipal Elections Act, 1996
Township of Muskoka Lakes Election Sign By-law 2018-039 & Sign By-law 2018-30

To whom it may concern,

A complaint has been received by the Township of Muskoka Lakes under the legislation noted above, that signs posted by your organisations do not qualify as "third party advertisement", as they do not promote, support or oppose a candidate, or a "yes" or "no" answer to a question on the ballot".

The Muskoka Lakes Association and the Friends of Muskoka have placed signs saying *Vote to Stop Waterfront Subdivisions* throughout the Township. Both the Muskoka Lakes Association and Friends of Muskoka are registered third parties. These Signs do not promote, support or oppose a candidate, or a question on the ballot.

The *Municipal Elections Act, 1996*, defines "third party advertisement" to mean:

"third party advertisement" means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing,

(a) a candidate, or

(b) a "yes" or "no" answer to a question referred to in subsection 8 (1), (2) or (3),

but does not include an advertisement by or under the direction of a candidate or an advertisement described in subsection (2) or (2.1):

Accordingly, the Signs do not constitute third party advertising, under the *Municipal Elections Act, 1996*.

In addition, the Township's By-law Number 2018-039 regulates election signs in municipal, provincial and federal elections and defines an "Election Sign" to mean: *any temporary notice, device or sign outside of any building that advertises or promotes a candidate in a federal, provincial or municipal election including an election of a local board of commission intended to influence persons to vote for or against any candidate or any question or By-law submitted to the electors under section 8 of the Municipal Elections Act, 1996.*

The *Election Sign By-law* defines a *Third Party Advertisement* to mean a *third party sign* and a *Third Party Sign* to mean an *election sign not installed or erected directly or indirectly by a candidate*. Accordingly, the signs are not *elections signs, third party advertisements, or third party signs*, under the *Election Sign By-law*.

Falling outside of the provisions of the *Election Sign By-law*, the Signs are subject to By-law No. 2018-30, a by-law to prohibit and regulate signs and other advertising devices within the Township. By virtue of section C. 13.1 of the *Sign By-law*, *no person shall erect, locate, display or retain any sign on private or public lands without having obtained a sign permit in accordance with the provisions of this by-law*.

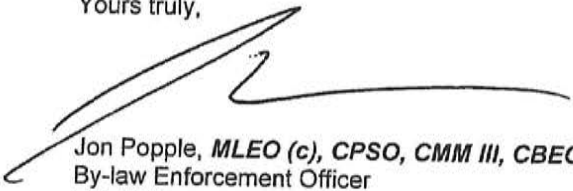
Therefore, I would respectfully request the following action take place:

- 1- All signs placed by the Muskoka Lakes Association and Friends of Muskoka saying *Vote to Stop Waterfront Subdivisions* be removed from all municipal and private property by Wednesday September 12, 2018;
- 2- That prior to placing or erecting any signs on private property by the Muskoka Lakes Association and Friends of Muskoka saying *Vote to Stop Waterfront Subdivisions* or any other sign that does not meet the definition of third party advertising under the *Municipal Elections Act, 1996* and *Election Sign By-law 2018-039*, that a permit be obtained and required fee be paid for the installation of each sign on private property from the Township's Public Works Department (application attached hereto), for signs located on private property adjacent to all roads under the jurisdiction of the township;
- 3- That prior to placing or erecting any signs on private property by the Muskoka Lakes Association and Friends of Muskoka saying *Vote to Stop Waterfront Subdivisions* or any other sign that does not meet the definition of third party advertising under the *Municipal Elections Act, 1996* and *Election Sign By-law 2018-039*, that a permit be obtained and required fee be paid for the installation of each sign on private property from the District of Muskoka for signs located on private property adjacent to all roads under the jurisdiction of the District of Muskoka;
- 4- That prior to placing or erecting any signs on private property by the Muskoka Lakes Association and Friends of Muskoka saying *Vote to Stop Waterfront Subdivisions* or any other sign that does not meet the definition of third party advertising under the *Municipal Elections Act, 1996* and *Election Sign By-law 2018-039*, that a permit be obtained and required fee be paid for the installation of each sign on private property from the Ontario Ministry of Transportation for signs located on private property adjacent to Highway 141.

- 5- That signs saying *Vote to Stop Waterfront Subdivisions* and all other signs not meeting the definition of third party advertising under the *Municipal Elections Act, 1996*, and the Elections Sign by-law are not permitted to be posted on municipal property, including any portion of the boulevard or road allowance within the Township of Muskoka Lakes at any time.

Thank you in advance for your anticipated cooperation with this matter. If you have any additional questions, please contact the undersigned.

Yours truly,



Jon Pople, *MLEO (c), CPSO, CMM III, CBEO*
By-law Enforcement Officer
Ext. 280
jpopple@muskokalakes.ca



Cheryl Mortimer
Clerk
Ext. 211
cmortimer@muskokalakes.ca

- C.c. - Muskoka Lakes Association (via email info@mfa.on.ca)
- Friends of Muskoka (via e-mail info@friendsofmuskoka.ca)
- Roger Young, Director of Public Works
- Mac Wilson, District of Muskoka

Attach: - Township of Muskoka Lakes Sign Permit Application



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

P.O. Box 129, Port Carling, Ontario P0B 1J0
 Website: www.township.muskokalakes.on.ca

Phone: 705-765-3156
 Fax: 705-765-6755

**SCHEDULE "B" BY-LAW NUMBER 99-100
 APPLICATION OF SIGN PERMIT**

PART A: APPLICANT TO COMPLETE:

Name:	Telephone Number:	Residence:	
Address:		Business:	
Roll Number:	Date:		

LOCATION DESCRIPTION:

Municipal Road:	
Lot:	
Concession:	
Ward:	

NATURE OF APPLICATION:

Check One:	Commercial Sign	()
	Advertising Sign	()
	Advertising Device	()
	Private Road Sign	()

**GENERAL DESCRIPTION OF INSTALLATION LOCATION:
 (ATTACH SKETCH IS NECESSARY)**

GENERAL DESCRIPTION OF INSTALLATION:

Size or Area:	Primary Colour:
Method of Support:	
Message Displayed	

SURVEY FOR NAMING A PRIVATE ROAD ATTACHED Yes () No ()

Note: The Municipality is not responsible for maintenance or replacement of approved sign installations should they be removed or fall into disrepair.

SIGNATURE OF APPLICANT: _____

PERMIT

PART B: MUNICIPAL STAFF TO COMPLETE

Permit Issued: ()	Signature: _____
Permit Denied: ()	Title: _____
	Date: _____

INSTRUCTIONS TO APPLICANT: (Conditions of Approval)

Permit Fee: \$	Receipt No.
----------------	-------------

Personal information contained on this form is collected under the authority of the Municipal Act, Section 210 (146)(148)(149), and will be used to determine eligibility of a Sign Permit. Questions about this collection should be directed to the Clerk Administrator, Township of Muskoka Lakes, Box 129, Port Carling, Ontario, P0B 1J0, (Telephone 705-765-3156).



SIGN APPLICATION & PERMIT

TO BE COMPLETED BY APPLICANT

Date: Sept 28, 2018

Name of Applicant: Friends of Muskoka and Muskoka Lakes Association Telephone: (705) 765-5723 (MLA)

Mailing Address: FOM: 181 Bay Street, Suite 4400, Toronto ON; MLA: 65 Joseph Street, 2nd Floor, Box 298 Port Carling ON

Postal Code: FOM:M5J2T3;MLA:P0B1J0 Email: info@friendsofmuskoka.ca; info@mia.on.ca

DIRECTIONAL FINGERBOARDS

Legend: _____ Quantity: _____

Initial Fee \$ _____ Per Sign Annual Fee \$ _____ Per Sign
 (Payable second year) Per Set Per Set

SIGN TYPE

Field Advertising Standard Text Pylon Reader board
 Location Ground Seasonal Electronic
 Special Event Fascia Real Estate

Legend: Vote to Stop Waterfront Subdivisions

Quantity: 120 Size: 18" x 23.5" Initial Fee \$ _____ Per Sign

LOCATION(S)

Muskoka Road # 7, 25, 118, 169, 4, 24, 26, 28, 38

Signature: [Handwritten Signature]

OFFICE USE ONLY

Application Date: Sept 28/18 Fee: N/A HST: _____ Total: _____
 CASH CHEQUE CREDIT CARD DEBIT CARD

Sign Ordered: _____ Sign Erected: _____

Comments: Must be at least 1km apart and not impede driver vision. Install 2 weeks before event and remove no later than 1 week after event.

Print Name: Mac Wilson Signature: [Handwritten Signature]

Office Copy Area Municipality Applicant (after approved) By-Law Officer

Personal Information on this form is collected by The District Municipality of Muskoka under the authority of The Municipal Act, 2001, S.O. 2001, c.25, as amended and any by-laws passed pursuant to it and for the purpose of a Sign Application & Permit and for no other purpose. Applicants are advised that Muskoka may be required to disclose information in this form under the Municipal Freedom of Information and Protection of Privacy Act. Questions should be directed to the Freedom of Information Coordinator, 70 Pine Street, Bracebridge, ON, P1L 1N3. Fees as per current user fee by-law.



**TOMORROW THIS MAY
BE CHANGED FOREVER**

4,000 NEW HOMES WILL DO THAT.

**Unsustainable development is planned for
Muskoka. It doesn't have to be this way.**

VOTE TO SAVE MUSKOKA

Stop Residential Subdivisions on the Waterfront

Developers are trying to build single home and multilevel residential subdivisions at multiple waterfront locations across Muskoka.

Over 100 commercial properties in Muskoka could be turned into residential subdivisions.

Our elected officials must ensure resorts are legitimately commercial and fit with the natural beauty of Muskoka.

Why vote?

- To protect this unique environment
- To stop residential subdivisions on the waterfront
- To preserve Muskoka's natural character for future generations
- To ensure responsible and sustainable development and economic growth

Who can vote?

- A Muskoka property owner AND their spouse
- A person who rents property in Muskoka on Election Day and their spouse
- You can vote in each municipality in Ontario where you own/rent property
- Only Canadian citizens, 18+ years old

How to vote

Voting this year is by telephone or online only. Help is available at your municipal office.

You must be registered on the Voters' List.

Call 1 705 765-3156
vote@muskokalakes.ca

You can vote from
Oct. 12 to 22

Vote for the TML candidates who know the issues and who will fight to preserve the character of Muskoka.

Mayor
Phil Harding



Ward A Councillors
Donelda Hayes
Glenn Zavitz



Ward A District Councillor
Ruth Nishikawa



Ward B Councillors
Susan Mazan
Gord Roberts



Ward B District Councillor
Allen Edwards



Ward C Councillors
Peter Kelley
Barb Bridgeman



Ward C District Councillor
Frank Jaglowitz



savemuskoka.ca



Friends of Muskoka
Protecting our lakes from harm.



MLA
Muskoka Lakes Association

Friends of Muskoka () and the Muskoka Lakes Association () are registered third party advertisers in the Township of Muskoka Lakes

Automated Voter Contact Script for Ward A

"This is Laurie Thomson calling on behalf of the Friends of Muskoka and the Muskoka Lakes Association on 416 901-9117 and info@friendsofmuskoka.ca or info@mfa.on.ca

Muskoka's lakes are under threat from overdevelopment and our politicians are allowing it to happen. If you share our concern about Muskoka's environment and the quality of the water in our lakes, and if you care about protecting the natural character of Muskoka from irresponsible waterfront development, then the candidates in your ward who we believe are willing to fight for you are:

Phil Harding for Mayor
Ruth Nishikawa for District Council
Donelda Hayes and Glenn Zavitz for Township

Council You can vote for all 4.

Voting is online or by telephone

Voting starts today and continues until October 22nd.

Follow the instructions in your voter letter that was

mailed to you. Vote today to save Muskoka's lakes

Visit savemuskoka.ca for information or press 1 if you'd like a member of our team to call you

We are registered third party advertisers in the Township of

Muskoka Lakes. Thank you for listening."

Automated Voter Contact Script for Ward B

"This is Laurie Thomson calling on behalf of the Friends of Muskoka and the Muskoka Lakes Association on 416 901-9117 and info@friendsofmuskoka.ca or info@m1a.on.ca

Muskoka's lakes are under threat from overdevelopment and our politicians are allowing it to happen. If you share our concern about Muskoka's environment and the quality of the water in our lakes, and if you care about protecting the natural character of Muskoka from irresponsible waterfront development, then the candidates in your ward who we believe are willing to fight for you are:

Phil Harding for Mayor
Allen Edwards for District Council
Susan Mazan and Gord Roberts for Township

Council You can vote for all 4.

Voting is online or by telephone

Voting starts today and continues until October 22nd.

Follow the instructions in your voter letter that was

mailed to you. Vote today to save Muskoka's lakes

Visit savemuskoka.ca for information or press 1 if you'd like a member of our team to call you

We are registered third party advertisers in the Township of

Muskoka Lakes. Thank you for listening."

Automated Voter Contact Script for TML Ward C

"This is Laurie Thomson calling on behalf of the Friends of Muskoka and the Muskoka Lakes Association on 416 901-9117 and info@friendsofmuskoka.ca or info@mmla.on.ca

Muskoka's lakes are under threat from overdevelopment and our politicians are allowing it to happen. If you share our concern about Muskoka's environment and the quality of the water in our lakes, and if you care about protecting the natural character of Muskoka from irresponsible waterfront development, then the candidates in your ward who we believe are willing to fight for you are:

Phil Harding for Mayor
Frank Jaglowitz for District Council
Barb Bridgeman and Peter Kelley for Township

Council You can vote for all 4.

Voting is online or by telephone

Voting starts today and continues until October 22nd.

Follow the instructions in your voter letter that was

mailed to you. Vote today to save Muskoka's lakes

Visit savemuskoka.ca for information or press 1 if you'd like a member of our team to call you

We are registered third party advertisers in the Township of

Muskoka Lakes. Thank you for listening."