

# THE REVIEW

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## **Wanted: Town Documents Jolicoeur offers reward for records**

**By Richard Mahoney**

**HAWKESBURY** — The town of Hawkesbury's inability to provide documents sought by St-Eustache businessman Jean Jolicoeur is "troubling," says the Information and Privacy Commissioner of Ontario.

In an October 19 ruling, arbitrator Catherine Corban dismissed an appeal by Jolicoeur, who has maintained the documents he seeks are vital to the lawsuit he has launched against the municipality.

While Corban concludes the town conducted "reasonable research" in trying to locate the papers Jolicoeur wants, she reiterates that it is "troubling" that such records, some of which are considered "permanent," cannot be produced.

**Troubling, page 2.**

## “Troubling” inability to produce documents

**From page 1.**

Jolicoeur went public a year ago with his allegations that the town has lost documents that were pertinent to his suit, in which he alleges that actions by town officials prevented him from developing a Main Street property in the 1990s. The town has maintained that while certain documents could not be found, there was no wrongdoing on the part of the municipality.

Jolicoeur filed his appeal, saying that the town had disregarded its own regulations governing the recording of destroyed documents.

He and his wife, Huguette, are willing to pay \$5,000 to anyone who can produce two records – the original copies of September 3, 1993 construction permits and minutes of a September 8, 1992 land use advisory committee meeting. These are among the documents classified by the town as being “non-destroyed but unfindable.” The town has said that several land use committee meeting minutes covering 1991 to 1993 cannot be located.

Corban observes that there is convincing evidence that there ought to be other land use committee meeting minutes for the contentious period of October 22, 1991 to November 8, 1993. Other pertinent documents must exist, she says. Jolicoeur has a copy of the building permit; thus an original must be somewhere, she writes in her order.

“Permanent” documents are stored in the town hall, but again they cannot be found.

The arbitrator notes that the town has detailed its search.

“It seems to me troubling that the town is incapable of finding a certain number of documents produced over a long period of time and which are considered “permanent,” despite a certain number of intensive searches,” Corban writes. “This incapacity puts in question the integrity of the access to information process.”

But, there is no indication of any bad faith on the part of the municipality, she adds.