

**Subject: RE:****Date:** Tue, 26 Jul 2005 10:27:58 -0700**From:** "Ernie Crist" <ernie\_crist@dnv.org>**To:** "Brian Platts" <bplatts@shaw.ca>**CC:** "James Ridge" <James\_Ridge@dnv.org>, "Mayor and Council - DNV" <Council@dnv.org>, "Senior Management Committee" <managecomm@dnv.org>, <fonvca@fonvca.org>

Dear Mr Platts.

Thank you - you hit the nail on the head. Here is my theory about this curious scenario. When I, along with some members of the public, brought to the attention of District Mayor Don Bell and Council and District staff that a District property adjacent to a Car dealership on Marine Drive was leased to a private company far below market value and that, in my opinion and in the opinion of some members of the public, this constituted an unwarranted subsidy. The District had two options, one was to revise the lease agreement in line with the going market and the other was to continue with this below market lease. The District chose to do the latter because, as one District Director told me at the time, "we cannot kick out this company because she has been leasing this property for a long time".

My response was that we are supposed to receive the highest possible return for all District lease properties and since this was clearly not the case, we should either adjust the lease and or put the property ON THE MARKET especially since an adjacent car dealership was interested in this property and was willing to pay the going market price for it. IT WAS THEN BROUGHT TO MY ATTENTION VIA AN RCMP INVESTIGATION REPORT, THAT, ALTHOUGH THE INVESTIGATION FOUND NO EVIDENCE OF ALLEGATIONS BY A PERSON OR PERSONS UNKNOWN TO ME OF HAVING EITHER RECEIVED OR SOUGHT ANY FAVOURABLE TRANSACTION FROM A DEALERSHIP WHEN I PURCHASED A CAR, AS HAD BEEN ALLEGED, THE INVESTIGATION DID SHOW THAT I HAD ACTED IN VIOLATION OF (other) DISTRICT POLICIES AND PROCEDURES in connection with this issue.

I VEHEMENTLY DENY THIS. HOWEVER, I believe the charges of violating District policies and procedure stem from my efforts to address the issue of an existing lease arrangement by the District to a private company. However, not only did I not violate any District policy but, on the contrary, I brought to the attention of both Mayor Bell and Council that, in my opinion and the opinion of other District residents the existing lease to the company in question constituted a subsidy and I did merely my duty as an elected official in pointing this out. I believe that bringing this matter forward and requesting clarification and subsequent action was used as the reason for the charges of violating policies and procedures.

It is my opinion, these charges were conveyed to the RCMP in an effort to divert attention from the fact that the District is continuing to subsidise this private company via a below market lease.

In plain English, I believe an attempt was made to divert attention away from the real issue. Indeed, when I asked the District CAO whether he was aware of any violation on my part, he stated he had absolutely no knowledge to that effect. Indeed, when I asked him to put this in writing he agreed to do so. As you know the CAO has now changed his mind claiming he cannot oblige since he has no knowledge about the matter and/or he has no jurisdiction in the matter.

I can only assume that his change of mind has to do with protecting those who have made these frivolous charges in the first place and that to reveal the names, could put the District into a possible legal jeopardy. I believe the car dealership had its reputation severely damaged and might well seek restitution from the person or persons unknown who made these frivolous charges. I also believe that it is an attempt to protect the District against adverse publicity against what

I and other District residents believe to be a subsidy of a District owned property to a private company.

Yours truly,

Ernie Crist

From: Brian Platts [<mailto:bplatts@shaw.ca>]  
 Sent: Monday, July 25, 2005 9:45 PM  
 To: Ernie Crist  
 Cc: James Ridge; Mayor and Council - DNV; Senior Management Committee; fonvca@fonvca.org; mmillerchip@nsnews.com; cagebc@yahoo.com  
 Subject: Re:

Dear Councillor Crist,

For me to say that the whole situation surrounding the bogus accusations made against you has been unusual, is simply not adequate. Let me see if I've got this straight ... there was the well-publicized but anonymous accusation made that you accepted a favorable car lease arrangement in exchange for some sort of political favour. While there was absolutely no substance to the accusation, the RCMP investigation that cleared you had also indicated that you somehow violated District policies and procedures. In the attempt to get to the bottom of the matter you asked the Superintendent for clarification, but he responded that it is not the RCMP's mandate to investigate violations of municipal policy. If that is indeed the case, one wonders, then why was it part of the report? When you queried the District's CAO, he responded that he was not privy to the findings of the police investigation including the so-called breach of policy, however in order to determine such a breach, the RCMP must have obtained some evidence from the District even though the Superintendent says that this would not be in the mandate of the police. After this run-around you could be excused for feeling like you have just found yourself in an episode of The Twilight Zone. It's hard to know what to make of this whole mess other than you deserve some answers from somebody.

Sincerely,  
 Brian Platts

Ernie Crist wrote:

Mr Ridge;

You must have some knowledge about this, after all, the investigation was conducted during your tenure was it not?

Surely, somebody on your staff must have made a statement to that effect or are you telling me that a non District staffer and/or politician can make statements to the RCMP about alleged violations of District policy or procedure without your knowledge, if indeed that is what happened?

How can we ever verify the veracity of charges that I have violated procedure and/or policy if nobody owns up to having made such charges at a time when the charges have been put on paper? That is to say, if

the accusers are too cowardly to come forward and state so in this yet one more District of North Vancouver politically motivated scandal, character assassination and quite frankly harassment of an elected official?

How indeed, can we pursue this matter further and make the culprits accountable when the culprits and those who know the truth hide behind a veil of lies, double talk, deception and just plain yellow bellied cowardness? Why am I not allowed to face my accusers?

Ernie Crist.

-----Original Message-----

From: James Ridge  
 Sent: Monday, July 25, 2005 4:20 PM  
 To: Ernie Crist; Mayor and Council - DNV; Senior Management Committee  
 Cc: 'fonvca@fonvca.org'  
 Subject: RE:

Coun Crist  
 I am not privy to the findings of the investigation, including those findings that gave rise to Supt Tomlinson's comments about possible breaches of District policy. Therefore I can't comment on the legitimacy of his observations in the letter.  
 James Ridge  
 CAO

-----Original Message-----

From: Ernie Crist  
 Sent: Friday, July 22, 2005 9:19 PM  
 To: James Ridge; Mayor and Council - DNV; Senior Management Committee  
 Cc: fonvca@fonvca.org  
 Subject: FW:

Mr Ridge;

As you can see from the email below, the matter of my Jetta purchase at Capilano Volkswagen is taking on a new twist. The original investigation, I believe, was prompted by a one time District employee who in turn was encouraged to act in this fashion by a member of District Council. According to the RCMP report, the investigation determined that there was no impropriety on my part.

The report did state however, that I had violated District procedure and policies. When I enquired about the specifics of this charge, I was told by the RCMP that this is not within their jurisdiction. I then asked if this is so, why mention it in the first place? ....a reasonable

question one would think.

However, in light of this, I am now asking you as the District  
 CAO to either confirm or deny that I violated District policy when I  
 brought to the attention of both Mayor and Council, including the now Mayor  
 Harris as well as District Staff, that "GO WEST CAMPER" received and  
 continues to receive a lease from the District which is clearly below  
 market and can only be described as a subsidy by the District to a private  
 company.

I would appreciate your response. Specifically, I am asking for  
 your assistance in answering my question how, in my capacity as an  
 elected official sworn to uphold the interests of the public and  
 bringing this matter to the attention of both Mayor and Council and Senior  
 Staff, was a violation of District procedure and/or policies and or  
 alternatively confirm that there was no violation of policy and that to bring  
 such matters to the attention of Mayor and Council and staff, as I  
 have done, is in line with the duties of an elected official.

Thank you,  
 Yours truly,

Ernie Crist

-----Original Message-----

From: Ernie Crist  
 Sent: Friday, July 22, 2005 7:58 PM  
 To: 'Gord TOMLINSON'  
 Cc: James Ridge; Mayor and Council - DNV  
 Subject: RE:

Dear Superintendent Tomlinson:

With respect - if this is so, than no mention to this effect  
 should have been made in the final report sent to me following the  
 investigation. However, in the report it did state that although the results of  
 the investigation showed no wrong doing on my part, the  
 investigation did show that I had violated existing Council policies and  
 procedures.

Yours truly,

Ernie Crist.

-----Original Message-----

From: Gord TOMLINSON [<mailto:gord.tomlinson@rcmp-grc.gc.ca>]  
 Sent: Friday, July 22, 2005 2:30 PM  
 To: Ernie Crist  
 Subject: Re:

Councillor Crist

It is not the mandate of the RCMP to investigate breeches of policies or procedures of Council.

Gord

(G.G. Tomlinson), Supt  
 Officer In Charge North Vancouver Det  
 147 East 14th Street  
 North Vancouver, BC V7L 2N4  
 Ph. 604-983-7400 Fax: 983-7434 Pager: 604-667-5405  
 email: [gord.tomlinson@rcmp-grc.gc.ca](mailto:gord.tomlinson@rcmp-grc.gc.ca)

"Ernie Crist" <[ernie\\_crist@dnv.org](mailto:ernie_crist@dnv.org)>  
 <[mailto:ernie\\_crist@dnv.org](mailto:ernie_crist@dnv.org)> 07/22/05 01:59PM >>>

Dear Superintendent Tomlinson:

You may recall that some time ago I requested clarification of a statement made by the Burnaby RCMP concerning allegations against me in connection with the purchase of a Volkswagen Jetta at a North Vancouver Car Dealership. Following the completion of the investigation, you sent a letter stating that the investigation showed that there was no substance to the charges. However, your letter also stated that, notwithstanding these findings, the investigation did show that I had violated Council policies and procedures.

The allegations apparently relate to a land lease agreement between the District of North Vancouver and a private company located in the vicinity of the Capilano Volkswagen Car Dealership on Marine Drive in North Vancouver.

This is the story. The District of North Vancouver, in clear violation of the Municipal Charter and in clear violation of principles of good governance, has and continues to extend a favourable land lease agreement to the owners of this private company. To put it in plain English, the District of North Vancouver has not only provided an unjustified subsidy to this private company but has refused to correct this situation even though it has been brought to the attention of both Council and Senor Staff on several occasions by various community activists and myself.

When I raised this matter with staff I was told that "we cannot kick those people out because they have been with us for many years". My position, in line with my duty, is that giving favourable treatment to any private firm is contrary to the Municipal Charter and is also in violation of our oath of office.

The fact that a private business has been leasing a District property for a long time is irrelevant and so indeed is that Capilano Volkswagen also wants to lease or buy this property. The issue is not who wants the property but who will pay maximum Dollars to the District taxpayers. The fact that the District management and Council violated this basic principle can only prove they are not fully cognizant of the parameters of their duties and/or there is corruption. We do not have the right to give anybody a reduced rate and, if we do, we must provide a defensible rationale and do so in public.

For me to point this out, as I have done, is not a violation of policies and procedures by any stretch of the imagination. I have raised this issue along with other citizens at both the Council and Senior Management level. I have been stonewalled and in fact harassed. The same is true for other citizens.


Buying a car at a dealership, while insisting that a property adjacent to this dealership be leased to whomsoever is willing to pay the highest price, is not a crime. It is not as if I had suggested that we should lease or sell this property including to Capilano Volkswagen at a reduced or subsidised rate as is being done now with the private business in question. Insisting, as I have, that this subsidy end one way or another, is completely in line with my responsibilities as an elected representative in what appears to be a totally un-businesslike environment.

In light of this, I request that this matter be investigated and that, in any case, my name be cleared from the allegation that I had violated any policy and/or procedure. I am looking forward to your early response.

Thank you.  
Yours truly,

Ernie Crist, Councillor  
District of North Vancouver.

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