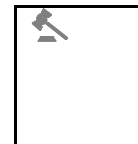


MINUTES OF THE BOARD MEETING OF THE MOTOR VEHICLE DEALERS
COMPENSATION FUND BOARD OF TRUSTEES, HELD AT 10:00 AM ON THURSDAY
FEBRUARY 5, 2009 AT THE HOLIDAY INN SELECT IN THE BENNETT ROOM



IN ATTENDANCE:

REGRETS:

J. Kenny	(Chair)
A. Silverstein	(Vice-Chair)
J. Wade	(Sec. Treasurer)
P. Raby	(Member)
P. Eatson	(Member)
J. Holmes	(Member)
C. Finlay	(Member)
P. Silverman	(Member)
C. Poultney	(Member)
L. Halbert	(Staff)
Y. Hallitt	(Staff)
C. Singh	(Staff)
J. Ross	(Staff)
D. Sanderson	(Guest)
D. Miller	(Guest)
T. Lee	(Guest)
E. Calicchia	(Guest)

NOTICE TO READER: For the purposes of these public minutes, reference to legal advice provided to the Board of Trustees and claim's identifying information has been removed, unless the claim has been appealed to LAT.

The meeting was regularly constituted and called to order by J. Kenny at 10:00am

1. **Minutes from December 10, 2008:**

The Board reviewed the minutes and a motion was made to accept as is. (msc)

2. **Compensation Fund Audit:**

The board welcomed D. Sanderson and D. Miller from McGovern Hurley Cunningham who presented their findings after the audit of financial statements for the year ended Oct 31, 2008. They said that it is a clean report and that there were no concerns. The statements were accepted as presented. (msc).

A motion was made to reappoint McGovern Hurley as auditors for 2009.

3. **Financials:**

C. Singh presented the financial statements for the last 2 months ending December 31/08. The board accepted the financials statements as presented.

4. **Investment Management:**

E. Calicchia and T. Lee of Scotia Cassels presented an update on the performance of the portfolio. As previously discussed, they provided a revised investment guideline for the board to consider.

There was discussion about the direction being provided by the investment managers and it was

noted that they really did not recommend any substantive change. Therefore a motion was accepted to investigate the issues involved to change from Scotia Cassels to UBS or RBC with H. Amad. C. Singh and J. Wade will provide an update for the Mar 4/09 meeting after his discussion with H. Amad.

5. **Strategic Planning:**

The board decided to revisit H2 Central Marketing's report until OMVIC has finalized who their consultant will be.

6. **Governance:**

The board reviewed the report from Paladin Management Consulting and discussed the options provided. A motion was accepted to participate in 'Best Practices in Board Governance'.

7. **Administrative Update:**

- Fleetwood Auto LAT hearing was completed and the dealer has been revoked
- Focus Fine Cars-dealer went bankrupt Jan 21/09, the fund will be receiving claims regarding warranty non-submissions, deposits, liens not being paid on trades, etc.
- Ministerial appointments for consumer representatives are expected after April 1/09, we have already supplied the Minister with all information required for a our current consumer representatives
- Manufacturers extended warranties – a legal opinion was obtained, the board discussed it
- Nominations for resumes have been received, closing date is Feb 13/09
- Collections - are now filing judgments on a regular basis and are in more contact with staff
- Customer service survey's- only issue identified is time to get response from board
- Expense Claims - per diems will now be done via OMVIC payroll, however board will continue to submit out of pocket expenses in the normal course

8. **Claims:**

The board deferred 1 claim, denied 1 claim and paid 12 claims in the amount of \$59,706.97

9. **Legislation Review**

L. Halbert presented to the board the act and regulations for items relating to the compensation fund from the MVDA 2002. This will be an ongoing agenda item.

The meeting was adjourned at 5:00 pm

Next meeting is scheduled for March 4, 2009