

Request for Decision United Townships of Head, Clara & Maria Council

Type of Decision									
Meeting Date	Tuesday, March 20, 2018				Report Date	Friday, March 9, 2018			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	X	Information Only			Type of Meeting	X	Open		Closed
Council Code of Conduct Complaint Investigation Report - #20/03/2018/1101									

Subject:

Review of the Investigative report provided by municipal solicitor responsible for completing Code of Conduct complaints investigation.

RECOMMENDATION:

Council is to receive and debate this report in open session making the code report a public document as is required under *the Municipal Act*, to be publicly disseminated.

Resolution

WHEREAS a Councillor Code of Conduct Report has been received based on Code complaints against fellow Council members as filed by Councillor Villeneuve;

AND WHEREAS it was found that there were no conflict of interest violations based on the *Municipal Conflict of Interest Act*;

AND WHEREAS there was found to be one conflict of interest infraction based on the loose definitions and interpretation of the municipal Code of Conduct policy;

THEREFORE BE IT RESOLVED THAT the Code of Conduct Report and summary be disseminated to the public as required under *the Municipal Act*.

AND FURTHER THAT as per legal counsel, no sanctions be implemented based on the one code infraction and the Code be amended to provide more detailed instructions and guidance to Council members through a newly appointed Integrity Commissioner.

AND FURTHER THAT Council directs staff to make the entire report public including the Summary, Background, Investigation, Analysis, Recommendations and Appendices to be used as an educational tool for Council members, employees and members of the public who may share similar misconceptions as the complainant.

BACKGROUND/EXECUTIVE SUMMARY:

As per the Investigator’s Report dated March 5, 2018...as most of the complaints made within this report have been discussed in open session of Council, the duty to keep information confidential is negated. As such, the report has been concluded and is required to be made available to the public. From the report...

Pursuant to section 223.6(3) of the *Municipal Act*, the Municipality must make this report available to the public.

Options/Discussion:

There are limited options available. Legislation is required to be followed. The Municipal Act requires reports of an Integrity Commissioner as they relate to Council members are to be released to the public.

Although not recommended by legal counsel, Council might discuss the need for sanctions against Councillor Chartrand due to his breach of the Code once an Integrity Commissioner is appointed.

Financial Considerations/Budget Impact:

The invoice for the completion of this investigation and report has not yet been received.

Others Consulted:

Municipal Legal Counsel

Approved and Recommended by the Clerk

Melinda Reith,

Municipal Clerk

M Reith