

THE CORPORATION OF THE TOWNSHIP OF JOCELYN

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Treasurer Deputy Clerk response to Integrity Commissioners preliminary report to Council.

Since 2019 every Municipality in Ontario must have an Integrity Commissioner. Jocelyn Township currently uses Ironside, our Integrity Commissioner is Antoinette Blunt. Ironside charges Jocelyn Township \$250.00/hr. In Ms. Blunt's preliminary report she estimates that her investigation should not exceed \$15,000.00, as this is just an estimate the investigation could exceed that amount. I asked Antoinette after her presentation if any of her invoices between June and August 2023 (totaling \$3,107.50 see attached) were related to the present complaint. She responded that she would have to check, she has since told me that they are not related to the current complaint.

Ironside's September 30, 2023 invoice (\$1,765.63 see attached); I have to assume that is related to the current complaint. I asked Antoinette after her presentation about her legal fees that were not included in the September invoice; she has since sent her November 18, 2023 invoice (total \$3,729.00 see attached). How much of that is legal fees from September, I am not sure as it mentions other things and spans to November. I have tried to make it clear to her that we really need more detailed billing. Our Township has been invoiced \$5,494.63 from September to November; I am unsure if that total is included in her total estimate of \$15,000.00 to complete her present investigation. As your Treasurer it is part of my duties to be concerned about needless spending; and I certainly believe much of the above represents needless spending. I find it quite acceptable that I am not given the names of people that call the Integrity Commissioner; however, we are paying Ironside to deal with matters that seldom rise to the level of a formal complaint. If we had more details on the calls she gets, we could publish that information on our website and avoid needless calls in the future dealing with the same issues and avoid invoices to us.

Our Integrity Commissioner's duties can be found on our Township website. I find it difficult to believe that our Integrity Commissioner adhered to point #4 of our Code of Conduct below as she did not have any conversations with the respondents named in the complaint or any Officers of our Township prior to her launching an inquiry. When all is said and done; the most severe penalty that Ms. Blunt can recommend is 90 days without pay. It should be noted that none of our present Councillors or the Reeve get paid.

The Corporation of the Township of Jocelyn

By-law No. 2019-1417

Appendix "A" Complaint Protocol for Code of Conduct (Council and Local Boards)

Application:

This process applies to members of The Corporation of the Township of Jocelyn Council and its local boards as defined in section 223.1 of the *Municipal Act* (members).

Integrity Commissioner

The Corporation of the Township of Jocelyn Integrity Commissioner shall be responsible for the provision of services as established by Council which will include the following:

1. To provide written and oral advice to members and staff concerning the interpretation of and compliance with the Code of Conduct for Council and Local Boards governing the ethical behaviour of the members (the "Code");
2. To provide Council and its local boards with specific and general opinions and advice on the interpretation of the Code, including revisions thereto;
3. To conduct inquiries into a request made by Council, a local board, a member, a member of Township staff or any person demonstrably acting in the public interest into whether a member has contravened any application provision of the Code;
4. To attempt to settle any complaint between the complainant and the member before commencing an inquiry.

I am going to give my take on each one of the four points raised in the current complaint by **non-resident** Phyllis Mackay. I should note that the complaint Ms. Blunt initially asked me to post did not adhere to the Municipal act because she published the name of the person under investigation. I will use the unrevised complaint because we all know who the complaint is about anyway.

Clive's comments highlighted in yellow:

The Complainant has alleged that Reeve Henderson:

- a. Has "*demonstrated inappropriate conduct*" ... "*with respect to unacceptable actions exhibited in open meeting, the lack of decorum and respect.*" (See letter to A. Blunt dated August 30, 2023).

I have read all the accompanying documents filed with the Formal Complaint. The only thing I see that may be construed as unacceptable is a quote from Mark to a Soo Today reporter that he allegedly said:

The reeve, in an interview with Soo Today stated "he doesn't live in the realm of whining and crying."

If Mark said this and it is deemed inappropriate conduct; I am sure he would be willing to apologize to anyone he offended.

- b. Had a “real or apparent” conflict of interest on July 21, 2023, when appointing his brother as an officer of the Corporation.”

At the July 11/2023 Council Meeting; Council consisted of Greg Gilbertson, Albert Crowder and Mark Henderson. It was moved by Albert and seconded by Greg to appoint Clive Henderson. It was my understanding that because my position is Pro Bono; no conflict exists. Do Councillors have a conflict if they vote for family members being appointed to our volunteer Recreation Committee or Volunteer Fire Department? If this is a “conflict” then Council can revoke my appointment.

- c. “Refused to answer questions posed by the public on July 21, 2023.”

It is noted in the July 21, 2023 minutes that delegates were asked to send questions by email to the office. I attended that meeting as did Sarah Cormier from MMAH. Not answering questions is not against our code of conduct. Though I should note that our Integrity Commissioner routinely refuses to answer my questions.

The Complainant has alleged that Reeve Henderson and councillors:

- a. “Did not abide by their own Hiring Policy By-law which states very clearly that positions for staff and vacant council positions are to be advertised.”

Our hiring policy deals exclusively with paid employees of the Township. We did advertise for our current Office Administrator and are interviewing more candidates which we advertised for as part of our succession planning. Council had very clear direction from our Township Lawyer that the appointment of Jason Kennedy and Nelson Soares followed the Municipal Act.

Clive Henderson
Treasurer Deputy Clerk Pro Bono