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INTEGRITY COMMISSIONER REPORT

TO: Council, Town of Wasaga Beach
FROM: Robert Swayze, Integrity Commissioner, *pro tem*
SUBJECT: Final report of the Integrity Commissioner
DATE: April 17, 2018

RECOMMENDATION

That the report of the Integrity Commissioner dated April 17, 2018 be received.

BACKGROUND

My term as Integrity Commissioner expired on December 17, 2017 and it was informally extended to enable the issuance of an RFP by Simcoe County to appoint an Integrity Commissioner for the County as well as for all of its constituent municipalities. I was not the successful proponent on that RFP and this final report will set out my activities during calendar 2017 and the cost thereof.

I wish to express my appreciation to all members of Council and staff for the cooperation and respect shown to me during my challenging tenure as Integrity Commissioner for the Town of Wasaga Beach.

ACTIVITIES

The year began with my appearance before Council on January 24th to present a public report, including my recommendations on a complaint filed in 2016 by a staff member against the Deputy Mayor. I had eight additional complaints, during the year, all from members of the public. Seven of them were dismissed by me by confidential Emails to the complainants and without a report to Council. One of these complaints alleged a lack of diligence by a Councillor at a conference, three related to the positions taken by members of Council on the sale of Wasaga Distribution and three others alleged inappropriate use of social media. During the year, I also advised a member of staff which avoided a complaint against a member of Council.

A substantial amount of my time was spent on preparing two information reports to Council on a dispute that developed between the Mayor and Councillor Bray over her compliance with decisions and directions made by the Mayor at meetings under the Procedural By-law. I advised Council in both reports that I do not have jurisdiction over the conduct of meetings under the By-law. My intent in writing both reports was to attempt to diffuse the situation so that Council can conduct its business without the rancour which had developed at several meetings.

COST OF LEGAL FEES

The total time docketed by me in 2017 was 99.3 hours, which translates into \$27,804.00 at the rate of \$280 per hour. This amount does not include HST. In addition my agreement provided for an annual retainer of \$3,000.00 which was also paid.

At the request of staff, I have reviewed my dockets and the costs can be broken down as follows:

- Completion of the complaint against the Deputy Mayor and seven additional complaints (including related advice to Councillors) – 65%
- Administrative time consulting with staff and the Ontario Ombudsman – 6%
- Procedural By-law reports and advising members of Council – 29%

Respectfully Submitted,



Robert Swayze
Integrity Commissioner