
TOWNSHIP OF BROCK INTEGRITY COMMISSIONER, GUY GIORNO

Citation: Campbell v. Schummer, 2020 ONMIC 8

Date: August 3, 2020

REPORT ON COMPLAINT

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THE COMPLAINT

1. This report concludes an inquiry into a complaint about certain social media posts of Councillor Walter Schummer (Respondent).
2. Councillor Lynn Campbell (Complainant) alleges that the Respondent's posts contravened sections 5.0 and 6.0 of the Code of Conduct for Municipal Councillors, Schedule "A" to By-law Number 2843-2019-AP.

SUMMARY

3. I find that the Respondent's social media posts did not contravene Code section 5.0 (Confidential Information). The posts may have been inspired by what happened in closed session, but the Respondent did not release confidential information.
4. I also find that the Respondent's social media posts did not breach section 6.0 (Use of Personal Websites/Social Media & Printed Communications).
5. The Code of Conduct must be interpreted in light of the fact that the Township of Brock is a democracy. The Code does not prevent one politician from disagreeing with the positions of other politicians. Disagreement is part of the democratic process, and lies outside the Integrity Commissioner's jurisdiction under the Code unless conduct is discriminatory, derogatory or demeaning. Ultimately, I cannot find, on a balance of probabilities, that the Respondent's comments rise to the level to permit a finding of breach of the Code.
6. As Integrity Commissioner, I lack authority under the Code to police the accuracy and truth of political statements. It is not my place to referee disputes over facts, such as the disagreement about whether renovating the Sunderland Memorial Arena will or will not cost as much as building a new arena.
7. I did not consider the Township's Social Media Policy because it expressly does not apply to political comments and personal comments by Council Members.
8. Finally, I do not agree that a Member is forced to express public support for a Council decision with which the Member disagrees. The right of dissent is a fundamental democratic principle which neither the *Municipal Act* nor the Code takes away.

BACKGROUND AND PARTIES' POSITIONS

9. The Complainant alleges that the Respondent has a long-standing pattern of Facebook posts that contravene the Council Code of Conduct and Township Social Media Policy. However, I am only able to consider the specific comments that were attached to the Complaint.

10. The Complainant and Respondent both provided evidence related to the context and meaning of the online comments, and both made extensive submissions. Even though only a summary of the evidence and submissions appears in this report, I have taken into account everything they the provided to me.

11. Appendices 1 through 4 reproduce the online and emailed comments that are the subject of the Complaint.

The “Tears Of Joy” Post (Appendix 1)

12. On August 13, 2019, the Respondent posted on Facebook that the Complainant had been “moved to tears (of joy)” after reading a report on Township operations reviews, but he “was not quite so emotionally affected.”

13. . The Complainant alleges that this comment was derogatory and condescending, and reflects a pattern of “talk[ing] down to and mak[ing] fun of women.” The Complaint material alleges that the Respondent “never ridicules males.”

14. The Respondent submitted that the “tears of joy” and “emotionally affected” remarks were part of a broader post in which he stated his surprise that the Complainant was “moved to tears (of joy)”. He notes that that these were her own words, and were made in an open session of Council that was recorded and available online. The Respondent submits it is not derogatory to state that he was not as “emotionally affected”.

15. The Respondent also rejects the claim that his social media comments never ridicule males. He submits that his posts are criticism and not ridicule, and submits that he has criticized male Council Members on many occasions. He provides what he describes as a “small sample” of his posts in which he has criticized male Council Members.

16. In reply, the Complainant acknowledges making the “tears” comment but believes the comments were taken out of context and that the Complainant’s post was designed to make her “look silly”. She provided samples of comments from other female Councillors and citizens who criticized the Respondent on social media for posts they felt were demeaning.

The “Bag of Cash” Cartoon (Appendix 2)

17. In a August 15 news release entitled “Sunderland Subdivision LPAT Appeal Settled,” the Township announced that it had reached a settlement with Kaitlin Properties and Jay Yerema-Weafer in relation to Ms Yerema-Weafer’s appeal of Kaitlin’s phase 2 development in Sunderland Meadows. The settlement included a \$576,000 contribution from Kaitlin Properties to the Sunderland Lions Club to support expansion of Sunderland Memorial Arena.

18. The next day, August 16, the Respondent posted on Facebook a cartoon graphic of a man holding a moneybag with a dollar sign on it and a caption reading: “Planning problems? What planning problems? There’s no problem a bag of cash can’t solve (or hide.)”

19. The Complainant alleges that this post refers to a legal matter that was dealt with at an in-camera meeting, during which the Mayor reminded Council not to comment on social media since public communication was to be left to a press release. She submits that the post contravenes section 5.0 of the Code, which prohibits a Member from releasing any information that is subject to the confidentiality provisions of the Code, unless specifically authorized to do so by Council or by law.

20. The Respondent submits that the graphic was found online and that his post was intended to be a “very general piece of advice I found that appears to apply more and more nowadays in so many ways and places.” He also states that it was posted in reply to a commenter who asked about specific activity within the Township. He states the graphic was “not intended to speak to any specific matter whether it is of a Township issue or not.” For his part, the Respondent submits that he personally saw the graphic as commentary on the failure of individuals to “do financial planning when they appear to have ample cash.”

21. Even if the Complainant’s interpretation is accepted, the Respondent says that he did not release confidential information and, therefore, there was no breach of the Code. The Respondent notes that the Township issued a press release on August 15 announcing a settlement of the issue in question and, as a result, the information could not reasonably be considered to be confidential, even if it is accepted that his cartoon graphic relates to the substance of the in-camera meeting.

22. In reply, the Complainant maintains that that the cartoon was a direct reference to information revealed at an in-camera meeting. She states that the posting of the cartoon was contemporaneous with the Mayor informing Council of an anticipated settlement of the matter. She also notes that the content of the graphic cartoon relates to the subject matter of in-camera discussion, which was related to an agreement to have the developer donate to the renovation of the Sunderland Memorial Arena.

The Sunderland Arena Post (Appendix 3)

23. On August 20, 2019, the *Brock Citizen* published an article by Metroland reporter Moya Dillon. It ran beneath the headline, “Settlement reached in Sunderland subdivision controversy: Appeal withdrawn following donation toward Lions arena expansion.” The news story was prompted by the Township’s August 15 announcement.

24. On August 24, the Respondent posted a link to the news story, along with his own commentary.

25. The Respondent edited his post once. He removed the last sentence, reading, “Also, If the project does not go forward what will happen to the Kaitlin contribution and amount?” The text of the Respondent’s original post is reproduced at Appendix 3A, and the text of the edited post is Appendix 3B.

26. The Complainant alleges that the August 24 post quoted a lawyer’s statement and other information from a closed session of Council. She further alleges that the post contained factual errors, for example, that a new arena could be built for the same cost as the Sunderland arena expansion project, which the Complainant says is objectively untrue. The Complainant claims that the Respondent follows a pattern of “misinforming the public in exhibits... [and acting] as if he thinks that his opinions are facts.” She suggests that, because the Respondent is an accountant, his comments about numbers will carry more weight even when they are inaccurate.

27. The Respondent does not accept the presence of “factual errors” in what he posted. Specifically, he states that the Complainant misquoted him, since he never used the phrase “same cost.” Instead, he mentioned “concern in many areas of The Township about whether spending over \$7 Million on expanding an arena is a wise use of money vs. building a new one for competitive amounts.”

28. In reply, the Complainant maintains that a new arena could be built for a “competitive amount” and points to estimates from municipal officials that it would be “double the cost to build a new one”. She therefore submits that the Respondent’s comments were misleading.

29. The Complainant adds a new argument in her reply submissions, stating that Council members are “supposed to support council decisions, such as the Sunderland Lions initiated arena project partnership” and that “[e]ven if individual councillors are opposed, we are supposed to publicly support the group decision and not constantly post negative things on Facebook.” She states that she could not understand why the Respondent was so opposed to the project when she thought it would provide so much benefit to the community.

The “Never Quote Me” Exchange (Appendix 4)

30. On August 20, the Complainant emailed the Respondent and asked:

Please NEVER quote me, use my name, or covertly refer to me by one of your previous nicknames for me (I.e. zucchini casserole councillor) on Facebook or any other form of social media or print media or verbally.

31. On August 21, the Respondent replied that he had never referred to the Complainant by that nickname. According to him, he had suggested that a committee of Council could be referred to as the “Quick and Cheesy Parmesan Zucchini Crisp Committee.”

32. The Respondent also took the position that:

Anyone has the right to quote what a member of Council says in open session. Such a right has its base not only in a free and democratic society but also under our Country’s Charter of Rights and Freedoms. The quote was accurate and was simply stated since it was quite surprising to hear a Member of Council be “moved to tears” about a consultant’s report which was confirmed by the numerous chuckles I heard at the time....

Members of Council are held by the public and one another to what they say and feel. You, and any member of Council or the public are free to quote me on anything I say in the Council Chamber and I expect that when I’m sitting there and speaking to any issue affecting The Township and its residents. If it were not for the sorry state of our local press media I suspect you may also have been quoted by the press as well.”

33. In reply, the Complainant stated that she did not have evidence of the Respondent calling her the “Zucchini Casserole Councillor” because she reported the comments to Facebook and they were subsequently removed. She submits that it was still inappropriate to refer to an official Township-appointed committee with a mocking nickname.

PROCESS FOLLOWED

34. In operating under the Code, I follow a process that ensures fairness to both the individual bringing a Complaint and the Council Member responding to the Complaint. This process is based on the Code of Conduct Complaint Procedure that was adopted by Council.

35. The Complaint was submitted August 26. The Response was received September 25. The Complainant replied October 14. The Respondent replied further, with the final reply submitted October 31. The parties also sent me various emails, and I interviewed each party by telephone.

36. The parties have had extensive opportunity to address each other's submissions and to address all the issues in this proceeding.

37. The Complainant invited me to interview another Council Member who was said to have had similar experiences with the Respondent in past. I declined to do so because I did not think this was fair or relevant. Evidence that a respondent has engaged in similar conduct in past is highly prejudicial, and the unfairness usually outweighs any probative value. In Canada, the general rule is that such evidence should not be considered except in extraordinary circumstances. I therefore did not inquire about other people's experiences with the Respondent's social media activity.

38. While I conduct a fair and balanced process that allows both parties to be heard, I also mindful of the fact that the financial impact of code of conduct complaints and integrity commissioner investigations falls entirely on the municipal tax base. Integrity commissioners and codes of conduct have been mandated by the Province without any corresponding provincial funding.

39. Consequently, I conduct a full and fair process that at the same time is efficient and reasonable taking into account the circumstances of each case.

40. In this case, the Complaint involves online posts and a few emails. The documentary evidence is right in front of me and the parties. It is therefore unnecessary to interview other witnesses about what happened, when the record of social media posts is clear.

41. What I did do, deliberately, was to pause the proceeding, under section 5.1 of the Complaint Procedure, which states:

If at any time, following the receipt of a Complaint or during the investigation process, the Integrity Commissioner believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the Complainant and the member agree, efforts may be made to achieve an informal resolution. The formal Complaint will be held in abeyance during such time.

42. As the Integrity Commissioner for more than 30 Ontario municipalities, my experience is that by far the largest category of code of conduct complaints consists of complaints by elected officials against other elected officials. Whenever there is the chance to pursue a mutually agreed outcome, I take it.

43. In this case, I paused the proceeding to give the parties an ample opportunity to explore the prospect of a resolution. The pause was similarly intended to allow the parties to consider the matter with the benefit of distance from the actual events. In this respect the pause was deliberate, as often the passage of time makes an intractable difference possible to resolve.

44. I note that a pause carries no additional cost to the Township. My practice is always to give the parties necessary time to resolve matters without the issuance of an investigation report, if they are willing and this is feasible. Only when I was satisfied that this would not be possible would process resume.

45. By that point, however, Ontario was gripped by the COVID-19 pandemic and in a state of emergency. Even though this is not strictly permitted by Ontario Regulation 73/20, I decided to suspend further action on this file until the Province and the Township had reached an appropriate state of recovery. (O. Reg. 73/20 gives certain statutory officials the power to extend deadlines and suspend proceedings, but integrity commissioners conducting code of conduct investigations have been excluded.)

46. In June, I again inquired about the prospect of settlement. No resolution was possible, and I undertook to complete this report to Council as quickly as possible.

FINDINGS OF FACT

47. Each party has had, and has used, the opportunity to comment on everything at issue in this proceeding. I have taken all the information the parties provided into account, even that which is not reproduced in this report.

48. Many of the relevant facts appear above, beneath the heading “Background and Parties’ Positions.”

49. The texts of the relevant posts and email exchange appear in the Appendices.

50. I make the following additional findings of fact, based on the standard of a balance of probabilities.

51. I find as a fact that the Respondent posted the “Bag of Cash” cartoon on Facebook, and did so the day after the Township issued the news release to announce settlement of the Sunderland appeal.

52. I find as a fact that the “Bag of Cash” posting was most likely a reference to the Sunderland settlement with Kaitlin Properties.

53. I find as a fact that the Complainant did state that she was “moved to tears” upon reading the consultant’s operational report.

54. I am unable make a finding on whether the Respondent referred to the Complainant as the “Zucchini Casserole Councillor.”

ISSUES AND ANALYSIS

55. I have considered the following issues:

- A. Is the Respondent subject to the Township's Social Media Policy?
- B. Do I have jurisdiction over whether the Respondent posted a factual inaccuracy?
- C. Is a Council Member prevented from criticizing a Council decision the Member did not support?
- D. Did the Respondent release confidential information contrary to section 5.0 of the Code?
- E. Did the Respondent's posts contravene Code section 6.0 (Use of Personal Websites/Social Media & Printed Communications)?

A. Is the Respondent subject to the Township's Social Media Policy?

56. No.

57. Section 3.1 of the Social Media Policy expressly states that, "This policy does not apply to the Township of Brook's elected officials when they use social media networks for political, campaign or personal purposes."

B. Do I have jurisdiction over whether the Respondent posted a factual inaccuracy?

58. No.

59. The Complainant believes that the Respondent's comments, particularly in relation to costs of the Sunderland Memorial Area, are not entirely factual. The Respondent maintains that the Complainant misunderstood his statements.

60. I find that much of what Councillor Campbell considers to be false is in reality just an expression of Councillor Schummer's opinion, not a factual claim. Expression of political opinion lies outside an Integrity Commissioner's purview. It is not for me to pronounce it true or false. Instead, a statement of opinion is subject to being tested through political debate: *Miles v. Fortini*, 2018 ONMIC 22, at para. 49.

61. Even if it were the case that the Respondent misstated a fact – I stress that I make no such finding – the Code does not specifically set any particular standard for accuracy in statements of Council Members. Consequently, the Code does not give me jurisdiction, as Integrity Commissioner, to police the accuracy and truth of political statements.

62. On previous occasions I have expressed significant doubt that Integrity Commissioners are in any position to investigate and rule on whether a politician has misstated a fact: *Re Maika*, 2018 ONMIC 11. It seems far more appropriate for factual claims and opinions about facts to be tested through political debate. For example, on the subject of the Arena (and several other matters), Councillor Campbell has articulately explained her disagreement with Councillor Schummer. In other words, she has shown she is able to utilize the tools of political debate to rebut and to challenge content with which she disagrees.

63. As was observed in *Re Maika*, at para. 139:

In my view, utilizing the tools of political debate to respond to inaccuracies and exaggerations in political debate is far more appropriate than having Integrity Commissioners police the truth of political speech.¹

64. Another point specifically raised by the Complainant is the Respondent's credibility as an accountant. The Code does not authorize me to impose a higher standard of conduct on a particular politician whose profession or background provides a higher degree of credibility with the public. Members of regulated professions –for example, accountants, health care providers, and lawyers – may be subject to professional standards, but that is a separate matter and nothing that allows an Integrity Commissioner to intervene.

C. Is a Council Member prohibited from criticizing a Council decision the Member did not support?

65. No.

66. Councillor Campbell takes the position that a Council Member in the minority must publicly support the decision of the majority:

Also, aren't all members of council supposed to support council decisions, such as the Sunderland Lions initiated arena project partnership with the municipality? Yes, we are! Even if individual councillors are opposed, we are supposed to publicly support the group decision and not constantly post negative things on Facebook. This project was approved in principle by council, as confirmed by our Clerk Becky Jamieson. There has been extensive financial investment in drawings and a motion was passed by council to apply for federal provincial funding and the application is now being prepared.

67. With great respect to the Complainant, I suggest that public support for group decisions cannot be forced on anyone. Canada is a democracy. Ontario is a democracy. The Township of Brock is a democracy. In a democracy, the will of the

¹Maika (Re), 2018 ONMIC 11 at para 139.

majority prevails, but a minority always has the right to dissent and to explain the reason for its dissent.

68. This principle has been explained in a number of Integrity Commissioner reports. I adopt the following observation from *Miles v. Fortini*, 2018 ONMIC 22, at paragraphs 72 to 75:

Brampton is a democracy. The minority always has the right to dissent from majority decisions. Rule No. 10(1) cannot be interpreted as removing the right to dissent.

What Rule No. 10(1) requires is that the majority decision be accurately communicated. This does not prevent criticism of a decision. It merely requires that the criticism depict the decision accurately. I find that this occurred.

A Council Member is always entitled to explain why he or she voted a particular way. This is not a privilege conferred by the Code; it is a basic democratic right. I find that this is what Councillor Fortini did.

The commentary to Rule No. 10(1) states that, "A member should refrain from making disparaging comments about Members of Council and Council's processes and decisions." This commentary must be interpreted in light of the right to dissent and the right to explain one's vote.

D. Did the Respondent release confidential information contrary to section 5.0 of the Code?

69. No.

70. I find as a fact that the "bags of money" cartoon likely was posted in relation to the settlement with Kaitlin Properties.

71. However, the settlement was announced by the Township the day before the cartoon was posted.

72. Consequently, anything contained in the August 15 news release was no longer confidential. I agree that any portions of the closed session discussion that were not revealed in the Township news release remained confidential, but everything announced on August 15 was no longer subject to section 5.0 of the Code.

73. More importantly, the August 16 "bags of money" post did not reveal any information of the Township.

74. I am prepared to accept that the "bags of money" post was probably a criticism of the agreement with Kaitlin properties. However, the "bags of money" post was worded

in such a way that it criticized without revealing any information. This, the Code permitted the Respondent to do.

75. Section 5.0 prohibits the release of confidential information, including information about what occurred in closed session. Section 5.0 does not prohibit dissent from a decision taken in closed session. If a Member finds a way to criticize in camera deliberation without revealing the confidential content of that deliberation, this is permitted under the Code.

76. Neither the text nor the cartoon image of the Respondent's August 16 post communicated any specific, confidential information about the agreement, or whether or not an agreement was indeed concluded at an in-camera session of Council.

77. Councillor Schummer found a way to express criticism of what transpired without breaching confidentiality. In doing so he remained compliant with the Code.

78. Similarly, I find that nothing confidential was released in the Respondent's August 24 post.

79. He wrote, "Many thanks to The Township solicitor for his work as well doing the negotiations on behalf of Council."

80. I find as a fact that the involvement and name of the lawyer, Quinto Annibale, had previously been reported in several news stories. The Respondent's post did not even name the lawyer: it just alluded to the existence and involvement of a lawyer, which were not confidential facts as they could have been assumed in any event.

81. He also wrote, "While not stated in the press release, the Sunderland Arena Project Proposal remains that... a proposal. Council has not yet 'green lighted' the project."

82. I find as a fact that this sentence did not breach confidentiality. The fact that a decision is less final, less firm, and less certain than suggested by an official announcement cannot be considered confidential information.

E. Did the Respondent's posts contravene Code section 6.0 (Use of Personal Websites/Social Media & Printed Communications)?

83. No.

84. I have already addressed the alleged factual inaccuracies and the allegation related to lack of public support for a Council decision.

85. Based on the "Tears of Joy" post and the "Never Quote Me" email exchange, the Complainant alleges that the Respondent's comments were demeaning or derogatory, and part of a pattern of conduct directed toward women.

86. Section 6.0 of the Code states, in part, as follows:

It is the duty of a member of Council to serve the best interests of the Corporation as opposed to an individual. Accordingly, while Councillor communications, printed or otherwise, is not the property of the Township of Brock, if Councillors are representing themselves as a Councillor, it is appropriate that the following standards be in effect to maintain integrity as a spokesperson of the Corporation:

- Access to municipal documents (agendas, minutes, by-laws, staff reports) shall be referred to the Township of Brock and/or its Website, as this website remains the principal means of electronic communication from the municipality on the world wide web;
- Inappropriate content shall not be posted on an individual website/social media outlet which shall include the following:
 - Disclosure of confidential information (either through in-camera meetings or oral/written communications from other members of Council and staff);
 - Discriminatory language including discriminatory, derogatory portrayal of individuals or groups, demeaning language, or anything that could be deemed inappropriate;
 - Personal opinions or comments of Township staff or other elected officials (individually or collectively);
 - Commercial endorsements or solicitations;
 - Promotion of illegal activities;
 - Information which may compromise the safety and security of the public, public systems, members of Council, and staff;
 - Content that violates a legal ownership interest of any other party; and,
 - Statements that could be interpreted as slanderous or libelous.

(Emphasis added)

87. I understand and appreciate the Complainant's concern that the several of the comments by the Respondent are "derogatory" or "demeaning" and exploit gender stereotypes. It is clear from the language of section 6 that discriminatory language and comments can be a violation of the Code and lead to a recommendation of sanction.

88. At the same time, I note that what concerns Councillor Campbell most is Councillor Schummer's use of a direct quotation of Councillor Campbell. There is agreement that Councillor Schummer quoted words that were spoken. The disagreement is whether he quoted the words fairly, respectfully, and in context.

89. The Respondent denies ill intent, and stresses that he was quoting words actually used: in other words, he was stating the fact of what occurred. It is difficult for an Integrity Commissioner to look behind statements of fact to discern whether one

politician was improperly motivated in referencing a public comment by another politician.

90. Other Integrity Commissioner have shown similar caution. As former Brampton Integrity Commissioner Donald Cameron noted in 2012:

I cannot and will not be a referee of free speech in a political arena provided it stays within the bounds ... of the Code.²

91. Subsequently, Mr. Randy Pepper, the delegate of Integrity Commissioner Cameron, expanded on the same principal by stating:

Freedom of expression is a fundamental right in Canada so the Code must be interpreted in a manner consistent with this fundamental right. Based on the law set out below, I cannot find that the Code should be interpreted to appoint the Integrity Commissioner as a speech referee in the political arena.³

92. The threshold for limiting political speech must be high. The bar cannot be set to prohibit criticism of another politician's policies or record. Being able to contradict or take issue with another politician's record is an important aspect of democracy: *Gerrits v. Currie*, 2020 ONMIC 6, at paras. 45-48

93. The relevant passage of section 6.0 is, "Discriminatory language including discriminatory, derogatory portrayal of individuals or groups, demeaning language, or anything that could be deemed inappropriate." I cannot find that the posts of the Respondent reached that level. Consequently, I cannot clearly find that the Respondent breached section 6.0 of the Code.

RECOMMENDATION

94. While I have not found a clear breach of the Code, I do believe this particular situation offers an opportunity for all Council Members to reflect on the possible impacts, including unintended impacts, of what they post on social media and say about other individuals. Language may be hurtful or insensitive without rising to a level that contravenes the Code. Council may wish to consider whether it wishes to participate in sensitivity training that includes content on appropriate and respectful use of social media.

² City of Brampton, Report No. BIC-030-192 (December 4, 2012), Integrity Commissioner Donald Cameron, at p. 3.

³ City of Brampton, Report No. BIC-32-1112 (December 18, 2012), Randy Pepper, Delegate of the Integrity Commissioner, at pp. 2.

CONTENT

95. Subsection 223.6(2) of the *Municipal Act* states that I may disclose in this report such matters as in my opinion are necessary for the purposes of the report. All the content of this report is, in my opinion, necessary.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Guy Glorno". The signature is fluid and cursive, with a prominent initial "G" and a long, sweeping tail.

Guy Glorno
Integrity Commissioner
August 3, 2020

APPENDIX 1: AUGUST 13 FACEBOOK POST

Walter Schummer - Ward 3 Councillor

August 13, 2019 ·

Council officially received the report from our consultant and interim CAO regarding operations reviews. While a number of changes and recommendations in the review have already been implemented some will still be discussed at upcoming meetings. While some of my Council colleagues including Councillor Campbell were “moved to tears (of joy)” by the report I must admit I was not quite so emotionally affected. I do appreciate the work that was done and I echo the thanks from our Mayor to the many people, including members of the public, who were interviewed as part of the process in developing this report. Two of the recommendations in the report were enacted last night including the commencement of the search for a new permanent CAO and a new and improved website (more on those in separate posts). This is one report that is not sitting on a shelf collecting dust. More of its recommendations will be discussed, debated, and likely implemented in the coming months. You can find the report on The Township website.

Cindy Ouellette

Sorry, not sorry, Walter Schummer - Ward 3 Councillor, but I really take offense to this totally unnecessary and demeaning commentary regarding Councillor Lynn Campbell! And I quote from your post: “While *some* of my Council colleagues including Councillor Campbell were “moved to tears (of joy)” by the report I must admit I was not quite so emotionally affected.”

I was actually quite shocked to read that such a haranguing comment about your fellow Councillor, who is a woman, could actually be made! I certainly didn't miss it and found it extremely derogatory!

Bravo to Councillor Lynn Campbell for being the passionate, hard-working, community representative that she is! That is why she was elected!

To infer her as “emotionally affected” is an insult not only to her but every other woman out there in politics that has had to fight against chauvinistic commentary crap such as this! You owe Councillor Lynn Campbell an apology!

Truly disappointing!

Walter Schummer - Ward 3 Councillor

I thought when someone claimed to be “moved to tears (of joy)” it's an emotional experience. If I'm wrong then I apologize. It's simply a quote as to what was said at the meeting about a consultant's report. Much as how I stated what The Mayor said. Then again.....

Lynn Campbell

Thank you Cindy Ouellette

Lynn Campbell

Debbie Bath-Hadden

Katie Koopman

Walter Schummer Your small town chauvinism shows. Quotation marks around describing a woman's personal response to the good work she and her colleagues do is passé. Men would do well to show as much honesty and heart in any level of office.

Walter Schummer - Ward 3 Councillor

It's called a quote. When quoting someone you place what was said in quotation marks. I also acknowledged our Mayor's thank-you remarks but did not quote her word for word so left The Mayor's comments out of quotation marks. These were things taught to me down in the big city where I went to school many years ago.

Cindy Ouellette

VERY condescending Walter Schummer - Ward 3 Councillor...

Katie Koopman

Walter Schummer - Ward 3 Councillor Big City also teaches sourcing your quote. So if it's an actual quote, great. However, your remark following the quote, is still obviously old school.

Lynn Campbell

Walter Schummer - Ward 3 Councillor & Cindy Ouellette I am a journalist, educated in the big city, and still working in the field. There in the big city I learned how to write the facts properly without weaving in personal opinions and innuendoes. Just saying...

Cindy Ouellette

"While some of my Council colleagues including Councillor Campbell were "moved to tears (of joy)" by the report I must admit I was not quite so emotionally affected." Why *some* of my Council colleagues and then go on to *target* Councillor Campbell specifically; associating her with being "emotionally affected" by the decision? Who were the other colleagues that were also moved and not listed by hearing the results? Totally unnecessary! And I believe you still owe Councillor Lynn Campbell a FORMAL apology!

Walter Schummer - Ward 3 Councillor

actually she was the only one who claimed to be so moved. I guess that's why it stood out.

Cindy Ouellette

Walter Schummer - Ward 3 Councillor So it appears you were trying to hide your singling out of Councillor Lynn Campbell by insinuating *some* of the other colleagues?

Walter Schummer - Ward 3 Councillor

Actually I can't say whether any other members of Council were emotionally impacted by the report or not. Councillor Campbell was the only one who stated she was. Perhaps other members had emotional reactions but did not state it on the record.

APPENDIX 2: AUGUST 16 FACEBOOK POST

Walter Schummer - Ward 3 Councillor

August 16, 2019 ·

Planning Problems ?

What Planning Problems ?

There's no problem
a bag of cash
can't solve (or hide)



APPENDIX 3A: AUGUST 24 FACEBOOK POST - ORIGINAL

Walter Schummer - Ward 3 Councillor

August 24, 2019 at 11:16 AM

Many thanks to The Township solicitor for his work as well doing the negotiations on behalf of Council. While not stated in the press release, the Sunderland Arena Project Proposal remains that... a proposal. Council has not yet "green lighted" the project. Many issues have yet to be resolved for the proposal including whether The Township will receive any higher level government funding. Also, the Kaitlin contribution is tied to the future phase 2 and 3 of the Sunderland subdivision. The timing of those phases are very much linked to further development of local water and wastewater infrastructure by The Region which could be very far down the road. Funding for the possible arena project is also tied to Development Charges/Community Benefit Charges which are not only also tied to building in Brock down the road but also to the changes being brought in by The Province. Lastly, there is the concern in many areas of The Township about whether spending over \$7 Million on expanding an arena is a wise use of money vs. building a new one for competitive amounts. Also, If the project does not go forward what will happen to the Kaitlin contribution and amount?

Settlement reached in Sunderland subdivision controversy

Appeal withdrawn following donation toward Lions arena expansion

NEWS Aug 20, 2019 by Moya Dillon Brock Citizen



Brock Township Mayor Debbie Bath-Hadden - Bill Hodgins/Metroland file photo

SUNDERLAND – The settlement of a long-standing planning dispute will result in a funding boost for the Sunderland Lions Club’s planned arena expansion.

The Township of Brock announced on Aug. 15 that a settlement had been reached between the Township, Kaitlin Properties, and resident Jay Yerema-Weafer, who had filed an appeal of the developer’s planned phase 2 development of their Sunderland Meadows subdivision.

The appeal took issue with a zoning bylaw passed by the previous Township council. It allowed the developer to amend their site plan for phase two of the development, which resulted in smaller lot sizes and an additional 61 homes added to the project.

“Because it was increasing density, residents thought council should have enacted a section 37 clause, which would have required the developer to provide payment to cover services for those residents, but the council of the day didn’t feel that was warranted,” said Brock Township Mayor Debbie Bath-Hadden.

She said that when the new council took their seats in December 2018, they immediately investigated the matter to see if there was a way they could reverse it.

“The new members of council were extremely proactive in looking at this file,” she said. “We wanted to see if there was anything we could do as a new council to remove the appeal, or if we could change the decision of the previous council. But we were advised if we were to move forward with any changes to what the previous council had put in place, we wouldn’t be successful.”

Undeterred, Bath-Hadden took her concerns directly to the developer, and negotiations commenced between the Township, Kaitlin and Yerema-Weafer. Talks eventually led to the announcement that Kaitlin Properties will be donating \$576,000 to the Sunderland Lions Club to help fund their Sunderland Memorial Arena expansion project, which will be tied to the commencement of their phase two plans.

Yerema-Weafer withdrew her appeal in response to the settlement.

“They indicated right from day one, when they came to Sunderland, that it was their intention to work with and see how they could enhance the community,” Bath-Hadden said of the developers.

“I’m delighted with the outcome and delighted for the Lions Club, this is a huge donation towards their arena project. It’s a win, and for a small community like Sunderland it’s a substantial win.”

by Moya Dillon

Moya Dillon is a reporter for the Metroland Media Group’s Durham Region Division.

APPENDIX 3B: AUGUST 24 FACEBOOK POST - EDITED

Walter Schummer - Ward 3 Councillor

August 24, 2019 at 11:16 AM

Many thanks to The Township solicitor for his work as well doing the negotiations on behalf of Council. While not stated in the press release, the Sunderland Arena Project Proposal remains that... a proposal. Council has not yet "green lighted" the project. Many issues have yet to be resolved for the proposal including whether The Township will receive any higher level government funding. Also, the Kaitlin contribution is tied to the future phase 2 and 3 of the Sunderland subdivision. The timing of those phases are very much linked to further development of local water and wastewater infrastructure by The Region which could be very far down the road. Funding for the possible arena project is also tied to Development Charges/Community Benefit Charges which are not only also tied to building in Brock down the road but also to the changes being brought in by The Province. Lastly, there is the concern in many areas of The Township about whether spending over \$7 Million on expanding an arena is a wise use of money vs. building a new one for competitive amounts.

[News article excluded]

APPENDIX 4: AUGUST 20-21 EMAIL EXCHANGE

From: Lynn Campbell <lcampbell@townshipofbrock.ca>

Sent: Tuesday, August 20, 2019 12:06 PM

To: Walter Schummer <wschummer@townshipofbrock.ca>; Council <council@townshipofbrock.ca>; Garth Johns <gjohs@townshipofbrock.ca>; Becky Jamieson <bjamieson@townshipofbrock.ca>

Subject: Facebook

Dear Councillor Schummer

Please NEVER quote me, use my name, or covertly refer to me by one of your previous nicknames for me (i.e. zucchini casserole councillor) on Facebook or any other form of social media or print media or verbally -Thank you, LYNN CAMPBELL

RE: Facebook

Walter Schummer

Wed 8/21/2019 7:06 AM

To: Lynn Campbell <lcampbell@townshipofbrock.ca>; Council <council@townshipofbrock.ca>; Garth Johns <gjohs@townshipofbrock.ca >; Becky Jamieson <bjamieson@townshipofbrock.ca >

Councillor Campbell,

Thanks for the email. Firstly, I never referred to you with that term. I did refer to the lack of discussion about the BARF Committee and lack of meetings and discussions back on October 14, 2015 where I mentioned that perhaps the committee could be named the "Quick and Cheesy Parmesan Zucchini Crisp Committee" but that is another story.

I believe anyone has the right to quote what a member of Council says in open session. Such a right has its base not only in a free and democratic society but also under our Country's Charter of Rights and Freedoms. The quote was accurate and was simply stated since it was quite surprising to hear a member of Council be "moved to tears" about a consultant's report which was confirmed by the numerous chuckles I heard at the time. I would have said the same if Councillor Jubb or Regional Councillor Smith had said the same thing. I also stated, not as a direct quote word for word, about The Mayor thanking those who took part in the process. While the two are certainly confirming what was said at an open meeting they convey two separate views by members of Council. I did not criticize you for saying the phrase but simply said I was not so "moved" by the report.

Members of Council are held by the public and one another to what they say and feel. You, and any member of Council or the public, are free to quote me on anything I say in the Council Chamber and I expect that when I'm sitting there and speaking to any issue

affecting The Township and its residents. If it were not for the sorry state of our local press media I suspect you may also have been quoted by the press as well.

Again, the session was open and it is a matter of record and video. I apologize that I cannot promise to not quote you or any member of Council on what is said. I would fully expect you to quote me if I stated something you disagreed with or agree with in Council. Doing so, I feel, would set a very dangerous precedent.

Thanks and I hope this explains my thoughts on the subject. I expect you are not going to agree with much of what I have said but that too is your right.

Regards,

Walter Schummer