



## TOWN OF KENTVILLE KENTVILLE TOWN COUNCIL Special Meeting Minutes: March 9, 2020

### 1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 1:00 p.m.

### PRESENT

Chief Administrative Office (CAO) Kelly Rice reported that all members of Council were present except Councillor Cathy Maxwell: Mayor Sandra Snow, Deputy Mayor Craig Gerrard, Councillor John Andrew, Councillor Eric Bolland, Councillor Cate Savage and Councillor Lynn Pulsifer.

Staff in attendance included Chief Administrative Officer Kelly Rice, Solicitor Geoff Muttart, and Recording Secretary Jennifer West.

### REGRETS

Councillor Cathy Maxwell

### DECLARATIONS OF CONFLICT OF INTEREST

None.

Note: "Points from Discussion" below show various comments made by individual councillors during debate. They do not necessarily represent the opinion of the group, nor do they always reflect accurate information.

### 2. APPROVAL OF THE AGENDA

**It was moved that the agenda of March 9, 2020 be approved.**

As advised by the Solicitor, Mayor and Deputy Mayor relinquished the position of Chair and Councillor Savage agreed to step into the position and chair the meeting.

### MOTION CARRIED

It was moved by Councillor Lynn Pulsifer and seconded by Councillor Eric Bolland  
**That Councillor Savage be appointed as chair of today's meeting**

### MOTION CARRIED

Councillors who voted in favour of this motion: *Andrew, Bolland, Gerrard, Pulsifer, Savage and Snow*

### 4. NEW BUSINESS

#### (a) Chief Administrative Officer Report on Code of Conduct

Chair Savage gave an overview that, based on a motion from the January 13, 2020 Council Advisory Committee meeting, the CAO was directed to investigate whether policy statement G16 was applied to two reports of Code of Conduct issues.

CAO Rice presented her report on the process followed under the Code of Conduct for several breaches that were investigated against several Councillors, and the process of addressing each report was described in detail.

Report Available

- Points of Discussion:
  - Note that Code of Conduct breaches have been brought to Council by Councillors and not by the public.
  - Two members of Council have forwarded complaints against Councillor Andrew; however, Code of Conduct issues have happened during Council meetings in a public forum without complaints.
  - Councillor Andrew recounted conversations and apologies to other Councillors that seemed to indicate issues were resolved.
  - Concerns that Councillor Maxwell is absent and does not have the opportunity to defend her actions, however this meeting is about the process and not about defending actions.
  - Solicitor Muttart recommends that Council define the next steps for this report. The Code of Conduct policy has created problems for the Town of Kentville and the policy and process need to be discussed.
  - Suggestion to have a special council meeting to review the Code of Conduct policy, with part of the session to include an in-camera meeting to review the legal information which was part of the CAOs report.
  - Recommend that Council receive the report and schedule a Special Council meeting to review the Code of Conduct policy and process, as was supposed to happen in January.

It was moved by Councillor Lynn Pulsifer and seconded by Councillor Eric Bolland

**That Council receive the report**

**MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Pulsifer, Savage and Snow*

- Points of Discussion:
  - The legal opinions that helped to shape this report can be discussed in-camera.

It was moved by Mayor Sandra Snow, and was seconded by Councillor Lynn Pulsifer

**That Council proceed to a closed session at 1:35pm**

**MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Pulsifer, Savage and Snow*

It was moved by Councillor Eric Bolland and seconded by Councillor Lynn Pulsifer

**That Council return to open session at 2:18 pm**

**MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Pulsifer, Savage and Snow*

- Points of Discussion:
  - Suggestion that the report is helpful to create a better Code of Conduct
  - Suggest a special meeting to improve the code of conduct in the next 60 days
  - Discussion about how to move forward as a team for the benefit of the Town.

It was moved by Councillor Eric Bolland and seconded by Councillor Lynn Pulsifer

**That Council have a special meeting to review and improve Policy Statement G16 Code of Conduct within the next 60 days.**

**MOTION CARRIED**

*Councillors who voted in favour of this motion: Andrew, Bolland, Gerrard, Pulsifer, Savage and Snow*

• **Points of Discussion**

- The independent review of implementation of the code will be helpful to improving the process.
- The policy is not effective, could Council repeal this motion until the special council meeting?
- If NSFM is developing a draft Code of Conduct, would like to see Council be fully engaged in development of this policy. It was Council's direction that staff and legal would provide a first draft for Council review in 60 days.
- There is a draft policy that could be used as a starting point for discussion.
- Encourage council to act in accordance with the code until a new code is developed.

**(b) Code of Conduct Breach Report – Submission by Councillor Savage**

CAO Rice presented the report submitted by Councillor Savage about a Facebook post written by Councillor Andrew on his social media page regarding a decision of Council. CAO Rice read the comment which caused the concern. After the post was released, Mayor Snow had corresponded with Councillor Andrew, who preferred to discuss the issue in public forum.

*Report Available*

• **Points of Discussion**

- Considering the reports about the Code of Conduct policy, some portions of the policy can be interpreted differently.

*Recommendation that the Facebook Post regarding this matter be removed, and that Councillor Andrew make an apology to Council.*

- Councillor Andrew stated he would be willing to remove the post.
- Complaints were circulated to Council over email on February 5.

**(b) Code of Conduct Breach Report – Submission by Councillor Maxwell**

CAO Rice presented the report on behalf of Councillor Maxwell, also concerned about the Facebook post written by Councillor Andrew on his social media page regarding a decision of Council. CAO Rice outlined the actions taken regarding this matter. Councillor Maxwell also expressed negative comments about the Mayor which were in contravention the Code of Conduct. The report recommended that Councillor Maxwell should make a public apology about comments made in this breach report.

*Report Available*

• **Points of Discussion**

- The Facebook post in question has been dealt with, however the matter of Councillor Maxwell's comments remains unresolved.

## **5. ADJOURNMENT**

It was moved by Councillor Eric Bolland and seconded by Councillor Cate Savage  
**That the March 9, 2020 meeting of Council be adjourned at 2:50 p.m.**

**MOTION CARRIED**