

Overview:

The *Modernizing Ontario's Municipal Legislation Act, 2017* made amendments to the Municipal Act, that required municipalities to establish codes of conduct for members of council and of its local boards. Municipalities are also required to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality.

Previously, Council passed By-law 2018-53 to adopt a Code of Conduct for Council and participated in a joint RFP process to hire an Integrity Commissioner in 2018. At that time, Council, along with the other Township's within the County, retained Robert Swayze as the Integrity Commissioner.

On January 7, 2020, Council passed the following Resolution:

Resolution Number 14-2020

Moved by: Deputy Mayor Moher

Seconded by: Councillor Watt

That the report to Council, dated December 16, 2019 regarding the Integrity Commissioner be received and that, if at any time, the County decides to terminate the contract with Robert Swayze for the services of Integrity Commissioner:

- That the Township is in support of the termination of the contract;
 - That staff be requested to notify the County of Peterborough and provide any required notification to Robert Swayze;
 - That the Township participate in any joint Request for Proposal (RFP) for the services of an Integrity Commissioner.
- Carried

Conclusion:

On February 5, 2020, County Council passed a Resolution to provide Robert Swayze with notice of termination of the contract with him as the Integrity Commissioner. Further, on February 19, 2020, County Council passed a By-law to appoint Aird & Berlis LLP as the Integrity Commissioner for the Corporation of the County for an interim basis while a new joint RFP process for an Integrity Commissioner is undertaken. Discussions also took place regarding Aird & Berlis taking on this interim role for other municipalities within the County, should they require this service.

With the termination of the contract with Robert Swayze, the Township currently does not have Integrity Commissioner. During the new joint RFP for this service, it is recommended that Aird & Berlis LLP be appointed as the Integrity Commissioner on an interim basis. It would also be recommended that By-law 2018-53 be amended so that any complaints be submitted to the Clerk and then forwarded to Aird & Berlis; this will be in line with the change the County made to their process. Once a new Integrity Commissioner is selected, the Code of Conduct will be further reviewed by the new Integrity Commissioner and possibly changed at that time.

Recommendation:

That the [Report Number] report, dated March 27, 2020 regarding Appointment of an Integrity Commissioner be received and that the necessary by-laws be passed at the appropriate time during the meeting to appoint Aird & Berlis LLP as the Integrity Commissioner and that the Code of Conduct be amended to change the complaint process.

Financial Impact: Aird & Berlis LLP is not requiring a retainer fee, however there are fees for any services rendered.

Strategic Plan Applicability: N/A

Sustainability Plan Applicability: N/A

Report Approval Details

Document Title:	Appointment of an Integrity Commissioner.docx
Attachments:	<ul style="list-style-type: none">- 2018-53 - Code of Conduct for Members of Council - Reduced File Size.pdf- 2020-20 - To appoint an Integrity Commissioner.docx- 2020-XX - To amend 2018-53 - Code of Conduct for Council Members.docx
Final Approval Date:	Apr 1, 2020

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig