

DELEGATION TO COUNCIL

JUNE 7, 2022

DOUG OWENS

—

The Role of Municipal Government

Transparency and the public trust

- The Municipal Act is a legislative framework for municipalities that recognizes municipalities as responsible local governments with a broad range of powers – balancing local autonomy and flexibility with requirements for improved accountability and transparency of municipal operations
- Council meetings must be open to the public and business conducted in a transparent and accountable way
- Central parts of council decision making – including deliberation and voting – take place there - It is paramount that council meetings be properly called and organized, and that proper procedures are followed

CAO – Role and Duties

Maintaining a culture of integrity

- As head of the public services, this role comes with significant responsibility, education and experience to maintain a culture of integrity
- Obligated to provide the best information and advice to Council
- Must operate independently, advising Council and carrying out Council's direction while remaining unaffected by political influence*
- The CAO has the ultimate responsibility for the accuracy of information presented to Council and has a responsibility to provide impartial advice to Council
- The CAO is responsible for leading and fostering a *“culture rooted in the highest ethical standards”**

Source: **Transparency and The Public Trust (Collingwood Judicial Inquiry) Associate Chief Justice Frank Marrocco Commissioner*

Transparency and Accountability

Public Participation

- Show of hands of anyone on council or working with council in context of the issue of STRs, who has a STR in Ontario
- Show of hands for anyone with one degree of separation/has family or friends with STRs in Ontario and explain that relationship to the delegation

Proof of Bias

April 2022 Special Council Meeting

- Elana informed Doug Owens that he is to monitor social media and the Township website to learn about Council Meetings
- Clip is proof CAO personally called Nina:
<https://youtube.com/clip/Ugkx2RI5oFejBlvyOx1V3a4e3QqLi0hQnSp>
- Implied benefits of STRs is given 1:52 seconds (6:42 – 8:34) whereas challenges of STRs are given 39 seconds (8:39-9:18)
- CAO continues to refer to short term renters as families which points to a softening of the issue
- A clear example of bias in this clip sounds like an advertisement to rent a cottage in Douro-Dummer vs other areas in the province:

https://youtube.com/clip/UgkxP_70fq2Whg5WE6Ev5mGPfdwue3uXHDAL

- “Why Rent Short Term” slide is CAO selling in STRs, clip indicates promotion of STRs over hotel stays:

<https://youtube.com/clip/UgkxS0NkNF-6cqcCbOSIMh01wJsQcMd1J5y3>

Proof Bias Continued...

August 2021 Council Meeting

- Delegation presented August 3, 2021 to Council
- Resolution for Next Steps entailed:
 - Doug Owens' recommendation for council to obtain opinion letter from Aird & Berlis LLP was accepted – 10 months later only now Aird & Berlis engaged as per Doug prompting
 - Purpose of retaining counsel was to review current by-law along with existing provisions and how they relate to STRs
 - Also discussed risk of grandfathering inadvertently STR uses for similar counsel review
 - Motion was carried (*Moved by: Councillor Watson Seconded by: Councillor Watt*) that staff proceed with sending warning letters to those currently in contravention of the Township's Zoning Regulations after receiving legal counsel, and further that staff move forward with a public process to address short term rentals in the township and report back to Council soon

Next Steps

April 2022 Special Council Meeting

- CAO bias: treats one side different than the other
- CAO excludes one side from April 2022 Special Meeting
- CAO clearly favors STRs (see previous clips)
- CAO did not follow through with Next Steps from August 2021 Council Meeting

Delegation Requesting:

- Requesting removal of CAO from STR file and that all related matters be supervised by town clerk
- Requesting Minister of Municipal Affairs and Ontario Ombudsman conduct an informed review – supervise and review all polls taken, intake of information, emails and surveys requires oversight
- Proper time given to review by all interested parties and the resulting digest of the opinion of Aird & Berlis
- That the draft County Plan remove the words " economic benefit" and urging instead a County wide approach respecting the sensitive lake ecology First Nations views and rights of shoreline residents to their quiet enjoyment and reflecting STR's are commercial uses

- IN SUMMARY -

Elana as CAO you have endeavoured to manipulate Council exclude myself and Mr Whetung from any input , failed to retain legal counsel in a timely manner following Aug4/21 resolution of Council and at this very late date are now engaging counsel arising from my inquiries. We need proper analysis from Aird Berlis of our current bylaw and circulation of such opinion to all interested parties to then address next steps for Council. This matter cannot be railroaded through by you as the Township CAO. You have eroded the public trust. You have overstepped your role as CAO in failing to present a balanced viewpoint to Council .

THANK YOU
