

## **TRANSCRIPT OF RESPONSES TO SANCTIONS FROM COUNCILLORS HANSON, KISSEL, & WRIGHT**

### ***Hanson***

I'm feeling a little beat up here. I did have some apprehension about who we appointed as our official investigator. In terms of the breach of confidentiality, in providing a paid-for and retained lawyer, we did our due diligence. I asked specifically if this was within the purview of client-lawyer relationship and I gave him a copy of the Councillor Code of Conduct. We since have another opinion that this is not outside normal client-lawyer privilege. I have also discussed with multiple unpaid lawyers as well for a third and fourth opinion and they all seem to be lining up. So, it would appear that our investigator has a slightly different interpretation. Like engineering, when you talk to two different lawyers you'll get two different opinions. So, I'm going to go with safety in numbers.

In terms of the letter to the editor of the Rocky View Weekly, basically it is my right to present my opinion at least to the public and not allowing that is basically preventing me from suggesting alternative motivations as to why councillors acted as they did. I have to hold my colleagues here accountable in public to what they are doing. That's called being a politician.

I think that the Code of Conduct is being taken out of context in terms of a political comment. As a politician you have to be expected to be open to scrutiny both by the public as well as your colleagues. That's what makes for good governance. Heated exchanges are common in politics at all levels, allegations of improper motivations are constantly leveled by politicians against one another. It's a fundamental part of how we hold our political representatives accountable for their actions. You only need to look at the criticisms that are put forward by the minority parties at any level of Canadian government to see that criticism of the majority is commonplace. If the majority could impose sanctions every time a minority put forward an opinion which the majority found distasteful or, perhaps closer to the bone, inconvenient or which brought into question its motivation our democratic process would be fundamentally undermined. This truly would result in a tyranny of the majority.

Respect for individual differences and opinions is a requirement of the Code of Conduct. But, by placing these sanctions on me, I am not able to do my job properly and represent my residents, 6,000 of them that pay my salary. Basically I'm being sanctioned for my opinion on how and why a process of council was abused. I saw that as a flaw in the decision-making process and I still do.

The Code of Conduct is there to encourage the smooth operation of Rocky View County's political process. It was forced upon us to change it to provincial standards. Basically, I feel that at this point it has been weaponized and is being used to hinder a contrarian and minority opinion.

Those are my comments. Part of the 30% is to represent my constituents and to make up for an allowance that the federal government used to have for travel within your own division. So,

it's not just council work. This is overly heavy-handed and the punishment is no where aligned to what is the perceived crimes were.

**Wright**

Thank you for allowing me to speak and exercise my right under Sec 2(b) of the Charter and respond to these sanctions.

I believe that this entire exercise is a gross abuse of power and that it is essential for the new Minister of Municipal Affairs to immediately launch an investigation into the dubious practices of some of my "esteemed" colleagues.

We are here today because some of us believed in our duty to the residents of Rocky View County as it is defined in section 153 (a) of the MGA. "to consider the welfare and interests of the municipality as a whole."

We felt that significant portions of the process used to hire the current CAO were arbitrary and undertaken independent of Council as a whole.

To attempt to fulfill our duties under section 153 (a), we sought independent legal counsel, at our own personal expense. The result of that consultation was a letter to the Minister of Municipal Affairs written by our lawyer. Municipal Affairs responded by stating it would be best practice for Rocky View's council to adopt a CAO hiring policy as soon as possible. Following their sage advice, the three of us brought forward a notice of motion to create a CAO hiring policy.

Unfortunately, on the day our notice of motion was to be introduced, the motion was arbitrarily removed from the agenda in an unprecedented manner. Not to mention that all debate was arbitrarily ended in an unprecedented manner that was in clear violation of Sec. 31 of the Procedures Bylaw. Both of these speak to the previously mentioned abuse of power. In order to inform the residents of Rocky View what had happened, the three of us wrote an opinion piece and submitted it to Rocky View Weekly who, in turn, published it.

In response to our getting this information to our residents and sharing our opinion, we sit here today deplatformed and silenced and having impending sanctions imposed upon us, or actually current sanctions. Sanctions over and above the ones already arbitrarily imposed on us. The cumulative effect of those sanctions is to fundamentally impede the ability for us to do our jobs – something that is prohibited under the MGA.

Under the current sanctions, the three of us were unable to communicate or meet with the CAO or any staff without supervision. And our access to the building has been restricted. It doesn't seem to me that anything has changed.

The culmination of these abuses of power targeting the three of us through these arbitrary decisions to supervise access to staff and restrict our access to the building are neither fair nor democratic. All that we have done is attempt to fulfil our responsibilities as councillors under the MGA and represent our resident while exercising our right to freedom of expression, as guaranteed under the Canadian Charter of Rights & Freedoms.

Thank you.

**Wright** (in response to second sanctioning motion)

Exactly my same comments as before. The only thing is what's different with #3 than what's here now?

**Kissel**

The first thing I would like to mention is the front page article in last week's Rocky View Weekly. I want to commend Ben Sherick of the very thorough job he did on his article. While this Council has hired a law firm to investigate all formal complaints, this will now give the residents of Rocky View that feel that they have been directly affected by a comment or poor behaviour of a councillor or a process to have their concerns addressed.

At the same time, I have huge concerns on the process that has occurred in the past few weeks with this investigator. I have been served with a letter from Reynolds Mirth Richards & Farmer, the letter stated the complaints and also stated that no reply was required. This concerned myself and two others that were also served with complaints. So we personally hired a lawyer to address the accusations. We received a copy of the findings of the investigation. Everyone needs to understand that at no time have I ever met with the investigator or been asked any questions, or actually allowed to defend myself. Our lawyer worked with the three of us and filed a letter of rebuttal to the findings of Sean Ward's report. And we are here today to understand those findings. When I asked if the investigator was going to be present at a meeting to allow us to ask questions, I was simply told no – there was simply no need.

So, how does an investigation happen with a conclusion reached without ever speaking to the accused? We have simply been tarred and feathered without any ability to defend ourselves. We had to spend thousands of dollars of our own money to address the complaints that were brought forward by our own Council. Once again, in true fashion, not following protocol or process, in that there never has been a conversation between the accused and the persons that have filed the complaints or the council. The Reeve and Deputy Reeve's job is to help build consensus and to mediate issues with council. Given that both of them chose not to do that or to have another council member or mediator come in to address the issues is a problem for me. A formal complaint to the investigator should only happen if mediation has failed, and if a consensus could not be reached. The basis of the Code of Conduct is to help a council member understand where they went wrong and how to correct the behaviour. It was never intended to punish a councillor in order to silence them or interfere with their legislative duties.

The only thing when I was campaigning that I was told – you candidates are all the same – good for one year and then you turn into sheep. I ran because I felt the residents had lost their voice

and were no longer treated with the respect that the shareholders of Rocky View County should receive. I ran on transparency and honesty and that has not changed for me. I will not become a sheep. I will speak up when needed and I will fight for what is right.

What is happening here today is not right. I took a stand along with my colleagues on what we believed was a flawed process in the hiring of the CAO. At that time, we personally hired a lawyer to write to the Minister of Municipal Affairs asking him to address our concerns. We received a letter back from the Minister with the recommendation that we initiate a process of creating a CAO hiring bylaw or policy. This is the same motion that was voted off the agenda two weeks ago, and our Reeve announced that the motion was redundant because he had already suggested to Mr. Hoggan to have the document drafted. So, the process was already in motion. Once again, this needed to be a motion of all council, not a direction of one councillor. This council hides behind the in camera process, the threat of confidentiality, and yet nothing we do here is a secret.

I have yet to totally understand why a motion that was removed from the agenda and a letter to the editor would result in legal bills for both the residents of Rocky View and myself. This could not have been handled any worse by our two leaders. A true leader would never play the victim and a victim will never be a leader.

For all the above reasons, I would like to bring forward a motion arising, asking Administration to contact the Minister of Municipal Affairs and requesting a mediator intervene and work with all of council. Hopefully, this intervention will help council move forward in a cohesive and positive manner.