

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE TOWN OF GIBBONS HELD ON WEDNESDAY, APRIL 10, 2024, AT 4807 – 50<sup>th</sup> AVENUE IN COUNCIL CHAMBERS**

**Council Present:** Mayor Dan Deck  
Councillor Loraine Berry  
Councillor Amber Harris  
Councillor Willis Kozak  
Councillor Jay Millante  
Councillor Norm Sandahl  
Councillor Dale Yushchyshyn

**Council Absent:** Councillor Jay Millante

**Staff Present:** Chris Pinault - Recording Secretary

**Staff Absent:**

As there was a quorum present, Mayor Deck called the meeting to order at 2:00 pm.

**3.0 ADOPTION OF THE AGENDA**

Councillor Yushchyshyn moved to accept the agenda as presented.

<b>24.135</b>	<b>MOTION CARRIED</b>
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**4.0 BUSINESS**

Councillor Berry moved that Council move to Closed Session as per *Section 197 (2)* of the *Municipal Government Act* concerning the following items at 2:00 pm.

<b>24.136</b>	<b>MOTION CARRIED</b>
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Councillor Harris arrived at 2:04 pm.

Councillor Harris left the meeting at 2:31 pm.

Councillor Harris returned to the meeting at 2:41 pm.

Councillor Kozak moved that Council revert to normal seating at 2:43 pm.

<b>24.137</b>	<b>MOTION CARRIED</b>
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**4.1 COUNCIL CODE OF CONDUCT**

Councillor Yushchyshyn moved that Council recess this meeting until Monday, April 15, 2024, at 2:30 pm.

<b>24.138</b>	<b>MOTION CARRIED</b>
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Councillor Millante arrived on April 15, 2024, at 2:30 pm.

Councillor Yushchyshyn moved that Council return to Closed Session as per *Section 197 (2)* of the *Municipal Government Act* at 2:30 pm.

Councillor Harris left the meeting at 2:44 pm.

Mayor Deck called a recess at 3:48 pm.

Mayor Deck called the meeting back to order at 3:58 pm.

Councillor Berry left the meet at 4:32 pm.

Councillor Berry returned to the meeting at 4:35 pm.

Mayor Deck left the meeting at 4:37 pm.

Mayor Deck returned to the meeting at 4:40 pm.

Councillor Yushchyshyn left the meeting at 4:52 pm.

Councillor Yushchyshyn left the meeting at 4:53 pm.

Councillor Kozak left the meeting at 4:55 pm.

Councillor Kozak returned to the meeting at 4:56 pm.

Councillor Millante left the meeting at 4:57 pm

Councillor Millante returned to the meeting at 4:58 pm

Councillor Yushchyshyn moved that Council revert to normal seating at 5:18 pm.

<b>24.139</b>	<b>MOTION CARRIED</b>
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Councillor Sandahl moved that Council extend Council meeting until 6:30 pm.

<b>24.140</b>	<b>MOTION CARRIED</b>
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Councillor Kozak moved that Council move to Closed Session as per *Section 197 (2)* of the *Municipal Government Act* concerning the following items at 5:19 pm.

<b>24.141</b>	<b>MOTION CARRIED</b>
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Mayor Deck left the meeting at 5:33 pm.

Mayor Deck returned to the meeting at 5:34 pm.

Councillor Yushchyshyn left the meeting at 5:43 pm.

Councillor Yushchyshyn returned to the meeting at 5:45 pm.

Councillor Kozak moved that Council revert to open session at 5:46 pm.

<b>24.142</b>	<b>MOTION CARRIED</b>
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Mayor Deck called a recess at 5:47 pm until Councillor Harris returns to the meeting.

Councillor Harris returned to the meeting at 6:00 pm.

Mayor Deck called the meeting back to order at 6:00 pm.

Councillor Harris recused herself due to pecuniary interest.

Councillor Harris left the meeting at 6:00 pm.

Councillor Millante moved the following:

**BE IT RESOLVED AS FOLLOWS:**

- 1. Council accepts the findings of the independent investigator, MNP LLP, (the Investigator);**
- 2. Council considers the complaint made to be valid and finds Councillor Harris breached Section 5 Respectful Interactions with Councillors, Staff, and the Public of the Council Code of Conduct Bylaw by acting disrespectfully:**
  - a. Towards a senior employee in Council meetings over an extended period of time;**
  - b. In comments made about a senior employee's contract and related duties;**

- c. Towards a senior employee by disclaiming her personal responsibility for her unauthorized use of the Town credit card; and
  - d. Towards a senior employee by suggesting the lateness of the annual audit was the result of employee wrongdoing, without evidence;
- 3. That Council imposes the following sanctions on Councillor Harris for breaching the Code of Conduct Bylaw:
  - a. Effective immediately, Councillor Harris is removed from all council committees and other bodies to which she has been appointed by Council, she is no longer eligible to receive any remuneration associated with those appointments, and she will not be eligible for appointment to any further council committees or other bodies for the remainder of her term of office;
  - b. Effective immediately, Councillor Harris will direct any requests for information about the operation or administration of the Town to the Mayor, in writing, and refrain from having any contact with any staff within Town Administration, including the Chief Administrative Officer, in her capacity as a Town Councillor;
  - c. The Mayor, on behalf of Council, shall issue a letter of reprimand to Councillor Harris and ensure the letter of reprimand is made available to the public by publishing it on the Town's website as soon as is practicable;
- 4. The Mayor, on behalf of Council, shall issue notice in writing to the two senior employees of Council's decision on the complaint;
- 5. The Mayor, on behalf of Council, shall ensure that a copy of the Investigator's "Summary of Investigation Results" is made available to the public by publishing it on the Town's website as soon as is practicable, but all other proceedings of the Investigator, including the Investigator's Report, remain confidential and shall not be released publicly.

<b>24.143</b>	<b>MOTION CARRIED</b>
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## 5.0 ADJOURNMENT

There being no further business Mayor Deck adjourned the meeting at 6:04 pm.

[ORIGINAL COPY IS SIGNED]

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Mayor, Dan Deck