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March 12, 2025

SENT BY EMAIL TO: john.lang1410@gmail.com

John Lang
372 Little Silver Lake road
Maberly ON

Dear Mr. Lang:

**RE: Request for Investigation – Councillors Kerr, Thomas, Pierman, Hallam, Baker and
Dobbie- Preliminary Review
Our file No. 29235-48**

The Integrity Commissioner conducted a preliminary review of your Complaint in advance of advising the named Councillors that your Complaint had been received.

During the preliminary review, we assume that the facts as set out in the Complaint are true. We do this not for purposes of finding a breach, but to test the merit of the Complaint. In other words, if the alleged behaviour in fact occurred, would that amount to a breach of the Code of Conduct? If the behaviour would constitute a breach, we undertake a full investigation to determine whether the allegations are true. If the behaviour, even if true, would not constitute a breach there is no reason to undertake a full investigation.

We do not assume as true inferences or assumptions within the Complaint as to whether behaviour is or is not a breach; interpretation of the Code of Conduct is the purview of the Integrity Commissioner.

Preliminary Review

Council Minutes

The allegations that the minutes of the November 26, 2024 budget meeting were incorrect and incomplete is not a matter that can form the basis of a complaint under the Code of Conduct. Staff prepare minutes - the Integrity Commissioner has no jurisdiction to consider any complaints against staff.

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The decision of Council to approve the minutes is a decision of the majority of Council. The Code of Conduct addresses the behaviour of individual members of Council and their ethical obligations as set out in the Code of Conduct.

There is no basis in the Code of Conduct to find that the named members of Council acted in breach of the Code of Conduct because they voted in favour of approving the minutes. The Integrity Commissioner has no jurisdiction to dictate to Council what its minutes must contain, or whether they are accurate. This is a decision of Council, and it does not engage any ethical obligations of an individual member of Council under the Code of Conduct. As you have not alleged any behaviour of any individual member of Council that engages the Code of Conduct, this complaint is dismissed.

This is the final decision of the Integrity Commissioner. No report will be sent to Council as the preliminary review resulted in a decision not to conduct an investigation.

Sincerely,

Cunningham, Swan, Carty, Little & Bonham LLP



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