



MUNICIPALITY *of the*
COUNTY *of* KINGS

MUNICIPAL COUNCIL

Tuesday, December 3, 2024

6:00 p.m.

AGENDA

Video Recording Times Noted in Red

Video is available [here](#)

1. Roll Call **12:24**
2. Approval of Agenda **12:34** Page 1
3. Disclosure of Conflict of Interest Issues **None**
4. Approval of Minutes **14:19**
 - a. October 30, 2024 Special Council Page 2
 - b. November 5, 2024 Council Page 4
5. Business Arising from Minutes **None**
 - a. October 30, 2024 Special Council Page 2
 - b. November 5, 2024 Council Page 4
6. Administration
 - a. Group Benefit Plan - Councillor Coverage **15:24** Page 12
 - b. Renewal of Honourary Crier Appointment **18:41** Page 14
 - c. Code of Conduct Complaint **19:34** Page 20
7. Financial Services
 - a. Growth and Renewal for Infrastructure Development Program (GRID): Municipal and Village Projects **22:08** Page 111
8. Committee of the Whole Recommendations November 19, 2024 **34:26** Page 119
 - a. Provincial Code of Conduct for Elected Municipal Officials
 - b. Repeal of ADMIN-01-012: Policy for the Investigation and Adjudication of Complaints under the Code of Conduct for Elected Municipal Officials
9. Nominating Committee Recommendations November 21, 2024 **36:30** Page 120
 - a. Councillor Appointments to Boards and Committees
 - b. Citizen Appointments to Boards and Committees
10. Other Business **41:35**
11. Comments from the Public **44:23**
12. Closed Session **48:00**
 - a. Approval of Council Closed Session Minutes: October 1 and November 5, 2024
 - b. MGA s. 22 (2) (a) Acquisition, sale, lease, and security of municipal property
 - c. MGA s. 22 (2) (e) Contract negotiations
13. Adjournment

Accommodations are available for this meeting: please submit your request at

www.countyofkings.ca/accommodationsrequest.

**THE MUNICIPALITY OF THE COUNTY OF KINGS
SPECIAL MUNICIPAL COUNCIL
Wednesday, October 30, 2024
DRAFT MINUTES**

Meeting Date and Time A special meeting of Municipal Council was held on Wednesday, October 30, 2024 at 6:00 p.m. in the Council Chambers, Municipal Complex, Coldbrook, Nova Scotia.

1. **Swearing In Ceremony / Declaration of Elected Candidates** Janny Postema, Municipal Clerk, opened the meeting.

The Clerk, in accordance with section 129 (1) *Municipal Elections Act*, noted that the time for applying for a recount expired on October 29 and declared elected the candidates having the largest number of votes.

The Mayor-elect was sworn in by the Clerk and the Councillors-elect were sworn in by the Mayor.

Mayor Corkum and Councillors, in accordance with section 147 *Municipal Elections Act*, read and signed the Oath of Allegiance and of Office. They also signed the Oath Book, which had been signed by Councillors taking the Oath since January 1880.

2. **Code of Conduct for Elected Municipal Officials** The Mayor and Councillors signed the Code of Conduct for Elected Municipal Officials.

Mayor Corkum assumed the Chair.

3. **Roll Call** All members of Council were present, with the exception of Councillor Best who left after being sworn in.

Results for Roll Call

For 9
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	-
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

- Also in attendance were:
- Scott Conrod, Chief Administrative Officer
 - Rob Frost, Deputy Chief Administrative Officer
 - Greg Barr, Director, Finance & IT
 - Brad Carrigan, Director, Engineering & Public Works
 - Trish Javorek, Director, Planning & Inspections
 - Janny Postema, Municipal Clerk/Recording Secretary
 - Haley Hutt, Administrative Assistant/Recording Secretary

4. **Adjournment** On motion of Councillor Lutz and Councillor Allen, there being no further business the meeting adjourned at 6:22 p.m.

Motion Carried.

Results

For 9
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	-
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

Approved by:

 Dave Corkum
 Mayor

 Haley Hutt
 Administrative Assistant/Recording Secretary

Results Legend	
-	Absent
COI	Conflict of interest
For	A vote in favour
Against	A vote in the negative or any Councillor who fails or refuses to vote and who is required to vote by the preceding subsection, shall be deemed as voting in the negative.

**THE MUNICIPALITY OF THE COUNTY OF KINGS
MUNICIPAL COUNCIL
Tuesday, November 5, 2024
DRAFT MINUTES**

**Meeting Date
and Time**

A meeting of Municipal Council was held on Tuesday, November 5, 2024 following a Public Hearing at 7:20 p.m. in the Council Chambers, Municipal Complex, Coldbrook, Nova Scotia.

1. Attendance

All Members of Council were in attendance.

Results for Roll Call

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

Also in attendance were:

- Scott Conrod, Chief Administrative Officer
- Rob Frost, Deputy Chief Administrative Officer
- Greg Barr, Director, Finance & IT
- Brad Carrigan, Director, Engineering & Public Works
- Trish Javorek, Director, Planning & Inspections
- Louis Pearson, Manager, Engineering
- Peri Bowman, Planner
- Janny Postema, Municipal Clerk/Recording Secretary
- Haley Hutt, Administrative Assistant/Recording Secretary

2. [Approval of Agenda](#)

On motion of Councillor MacPherson and Councillor Best, that Municipal Council approve the November 5, 2024 agenda as circulated.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

3. **Disclosure of Conflict of Interest Issues** No Conflict of Interest issues were declared.

4. **Approval of Minutes**

4a. [October 1, 2024](#) On motion of Councillor Lutz and Councillor Allen, that the minutes of the October 1, 2024 Council meeting be approved as circulated.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

5. **Business Arising from Minutes**

5a. [October 1, 2024](#) There was no business arising from the October 1, 2024 minutes.

6. [Selection of Deputy Mayor](#) Janny Postema, Municipal Clerk, presented the Briefing as attached to the November 5, 2024 Council agenda and provided a [presentation](#).

On motion of Councillor Sappington and Councillor Harding, that Municipal Council receive the Briefing on the Selection of Deputy Mayor dated November 5, 2024 for information.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

Term of Office

On motion of Councillor MacPherson and Councillor Harding, that Municipal Council set the term of office for the Deputy Mayor for one year.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

Call for Nominations

Mayor Corkum called for nominations for the position of Deputy Mayor.

Councillor Allen nominated Councillor Lutz.

Councillor Lutz accepted the nomination.

Councillor Gates nominated Councillor Best.

Councillor Best accepted the nomination.

Councillor Hiltz nominated Councillor Peckford.

Councillor Peckford accepted the nomination.

Nominations Close

Mayor Corkum called for further nominations three times. There were no further nominations and the Mayor declared nominations closed.

The three nominees each addressed Council.

The ballots were counted by the Clerk.

No nominee received a majority of the votes on the first vote. The name of the nominee who received the least number of votes was dropped from the ballot and Council voted again with new ballots.

Councillor Peckford received the most votes on the second vote and the Mayor declared him elected to the office of Deputy Mayor for a one-year term.

Appointment of Deputy Mayor

On motion of Councillor Lutz and Councillor Hiltz, that Municipal Council appoint Councillor Peckford to the office of Deputy Mayor for a one-year term.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For

District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

7. [Planning Advisory Committee Recommendations September 10, 2024](#)

7a. **Land Use By-Law Text Amendment (File #24-05)**

Trish Javorek, Director of Planning & Inspections, presented the recommendations as included the November 5, 2024 Council agenda package.

On motion of Councillor MacPherson and Councillor Best, that Municipal Council give Second Reading to the amendment to the text of the Land Use By-law to permit ‘existing uses’ within the Comprehensive Neighbourhood Development (R5) Zone as described in Appendix B of the report dated September 10, 2024.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

On motion of Councillor Gates and Councillor Sappington, that Municipal Council approve the discharge of the Development Agreement registered on August 26, 2008 between Sonia Sylvia Porter of Coldbrook, Nova Scotia and the Municipality of the County of Kings from the lands located at 1386 Lockhart Mountain Road, (PID 55468383) as described in Appendix C of the report dated September 10, 2024.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

7b. **Next Public Hearing** To be determined (no Public Hearing in December).

8. **Administration**

8a. **Councillor Appointments to Nominating Committee** Janny Postema, Municipal Clerk, presented the Briefing as attached to the November 5, 2024 Council agenda and provided a [presentation](#).

On motion of Councillor Allen and Councillor Harding, that Municipal Council receive the Briefing on Councillor Appointments to the Nominating Committee dated November 5, 2024 for information.

Motion Carried.

For 10
Against 0

Results

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

On motion of Councillor Allen and Deputy Mayor Peckford, that Municipal Council authorize the Mayor to appoint three Councillors to the Nominating Committee for a one-year term.

Motion Carried.

For 8
Against 2

Results

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	Against
District 7	Emily Lutz	For
District 8	Christina Sappington	Against
District 9	Peter Allen	For

9. **Engineering & Public Works**

9a. **Contract Award: #24-37 Winter Maintenance Services** Louis Pearson, Manager of Engineering, presented the Request for Decision as attached to the November 5, 2024 Council agenda and provided a [presentation](#).

On motion of Councillor MacPherson and Councillor Allen, that Municipal Council authorize the Chief Administrative Officer to enter Winter Maintenance Services Agreements (Contract 24-37: Winter Maintenance

Services) with the below listed companies for the listed zones between November 15, 2024 to April 30, 2025:

- Rick Balsor Welding to be awarded zones 1-5, 8, 10, 13; and
- IJ Corkum’s Excavating Limited to be awarded zones 6-7, 9, 11-12, and 14.

Motion Carried.

Results

For 9
Against 1

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	Against
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

9b. Engineering Consultant Standing Offers

Louis Pearson, Manager of Engineering, presented the Request for Decision as attached to the November 5, 2024 Council agenda and provided a [presentation](#).

On motion of Councillor Gates and Councillor Best, that Municipal Council approve the following three (3) engineering consultants for future fixed/plant infrastructure design and engineering services, for the period of November 5, 2024 to March 31, 2026:

- CBCL Limited
- Dillon Consulting Limited
- Stantec Consulting Limited

per the related November 5, 2024 Request for Decision.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

On motion of Councillor Best and Councillor Harding, that Municipal Council approve the following three (3) engineering consultants for future linear

infrastructure design and engineering services, for the period of November 5, 2024 to March 31, 2026:

- DesignPoint Engineering & Surveying Ltd.
- Englobe Corp.
- exp Services Inc. & exp Architects Inc.

(proponents listed in alphabetical order)

per the related November 5, 2024 Request for Decision.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

10. **Other Business**

There was no other business to come before Council.

11. **Comments from the Public**

Zachari Crockatt, Ogilvie, asked if more detailed information on the items discussed was available. The Mayor noted that information was available on the Municipal website. A printed agenda package was given to Mr. Crockatt.

Oonagh Proudfoot, Coldbrook, asked questions regarding the processes for the selection of Deputy Mayor and committees appointments. The Municipal Clerk provided responses.

12. **Adjournment and Closed Session**

On motion of Councillor Gates and Councillor Allen, that Council adjourn to move into closed session in accordance with section 22 (2) (h) *Municipal Government Act*: public security.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
Mayor	Dave Corkum	For
District 1	Everett MacPherson	For
District 2	Doug Gates	For
District 3	Robbie Hiltz	For
District 4	Riley Peckford	For
District 5	Tim Harding	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Christina Sappington	For
District 9	Peter Allen	For

Council moved into closed session at 8:38 p.m. and adjourned at 8:50 p.m.

Approved by:

Dave Corkum
Mayor

Janny Postema
Municipal Clerk/Recording Secretary

Results Legend	
-	Absent
COI	Conflict of interest
For	A vote in favour
Against	A vote in the negative or any Councillor who fails or refuses to vote and who is required to vote by the preceding subsection, shall be deemed as voting in the negative.

DRAFT

TO Municipal Council
PREPARED BY Cathy Nichols, Manager of Human Resources
MEETING DATE December 3, 2024
SUBJECT Group Benefit Plan – Councillor Coverage

ORIGIN

- [May 2, 2023 – Municipal Council](#)

RECOMMENDATION

That Municipal Council approve amendments to the Municipality’s Group Benefit Plan to increase coverage for active Council members to 75 years of age for Health (excluding drug coverage) and Dental benefits in accordance with the details contained in the related December 3, 2024 Request for Decision.

INTENT

To communicate information received from the service provider relative to extending the age limit and coverage for active Municipal Councillors over the age of 70.

DISCUSSION

Plan Modifications

Coverage under the present Group Plan has Life Insurance and Health & Dental benefits ceasing at age 70 for active members of Council.

With respect to possible changes to the Municipality’s Group Plan, our insurer has indicated that:

- A plan modification would be limited to age 75 for Health (excluding drug coverage) and Dental benefits.
- Extending beyond 75 would need agreement from the NSFM Health & Benefits Committee.
- Nova Scotia has the Senior Pharmacare drug program which provides drug coverage, at a reasonable cost, to those 65+. Therefore, it is not advisable that the Municipal plan pay for drugs for those between ages 70-75.
- Previously, the extended age coverage would have only applied to those members who had not yet turned 70 years of age prior to the plan modification coming into effect.

Premium Implications

There would not be an immediate material change in premiums associated with Health and Dental benefits as premiums are based on plan usage.

FINANCIAL IMPLICATIONS

- No present-day financial implications

STRATEGIC PLAN ALIGNMENT

	Strong Communities	
	Environmental Stewardship	
	Economic Development	

Request for Decision

	Good Governance	
	Financial Sustainability	
✓	Other	

ALTERNATIVES

- The present-day configuration of benefits remains unaltered.

IMPLEMENTATION

- Contact Benefits provider to have plan changes implemented effective December 1, 2024.

ENGAGEMENT

- None

APPENDICES

- None

APPROVALS

Rob Frost, Deputy Chief Administrative Officer

November 22, 2024

Scott Conrod, Chief Administrative Officer

November 25, 2024

COUNCIL MEETING DATE December 3, 2024

RECOMMENDATION

a.	Renewal of Honourary Crier Appointment	<p>That Municipal Council confirm the reappointment of Lloyd Smith as Honourary Crier for the Municipality of the County of Kings.</p> <p><u>See attached Terms and Protocols of Appointment of a Town Crier</u></p>
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Terms and Protocols of Appointment of a Town Crier

*Derived from documentation and information provided by the **Ancient and Honourable Guild of Town Criers of the United Kingdom**, circa 1979 – The Official and authentic Body of the Fraternity of Town Criers – authors of the Code of Ethics and Conduct of legitimately appointed Town Criers, from which International Town Crier Guilds and Associations have adopted codes, regulations and framework governing the conduct and activities of Members and Associates, specific to World Regions or Authorities.*

Note: **The Ancient and Honourable Guild of Town Criers, Canada**, (Later revised to the **Nova Scotia Guild of Town Criers**) was formed in Nova Scotia in 1979 by the first practicing Canadian town criers in the Twentieth Century (Peter Cox, *Halifax*, Ron Amey, *Yarmouth*, George Green, *Sackville*, Len Atkinson, *Dartmouth* and Lloyd Smith, *Windsor*) following directives and guidance from executive Members of the **Ancient and Honourable Guild of the United Kingdom** during the visit to Nova Scotia in the late nineteen seventies and early eighties by several Executive Members.

Our Nova Scotia and Canadian Membership reviewed our practices with these criers and others while touring in the United Kingdom and other countries attending competitions, gatherings and high level functions. It is reasonable to conclude the directions followed in Nova Scotia by our Guild are well founded and respectable and have become the standard for conduct, pomp and decorum worldwide.

The Role of your Town Crier

Although there are no historic documents of support, it is believed that the authentic Art of Town Crying can be traced to Ancient Greece and Rome when individuals would precede and announce athletes in the Grecian and Roman Games and various combatants or contestants to the large throng in the Coliseum or Arena. There are even records of Town Criers in the Bible. Through the centuries the actual role of the Town Crier (although possibly called by another name) was to deliver news or word of community affairs and interests, even to deliver messages of importance from those of higher status, even from Royalty.

As we advance through time, Town Criers were often a very important source of information, regulation and even law within society. So one would safely conclude that the Town Crier was indeed the original media prior to the advent of newspaper, radio, television, Internet, Social Media or other means of mass communication.

Although the role, requirement and status of the Town Crier has changed with the development of new technologies, there is still nevertheless a very important position for the Town Crier in society. It must be observed that most countries had no criers after the 1800's with the exception of the United Kingdom which, uniquely, is reputed for nurturing and maintaining history and related traditions.

Reintroduction of the Art, Tradition and Fraternity of Town Crying in Halifax, Nova Scotia, Canada and North America

In the early 1970's, London, England native Peter Cox settled in the Halifax / Dartmouth area of Nova Scotia and responded to the call to reintroduce to Nova Scotia, to Canada and even North America, the authentic and colourful art and tradition of Town Crying which was already well respected and maintained in the United Kingdom by the public and Royalty alike.

In accepting the position as Official Town Crier by the Mayor, Council and Administration of Halifax in 1974, Mr. Cox renewed a distinguished role, which had prominence and function in several Nova Scotia communities since the mid eighteenth century, and became the fourth recorded official Town Crier of Halifax.

Upon his appointment Mr. Cox, in an effort to lend legitimacy to this ancient Art, and with full support and encouragement of his Municipal Sponsors, in close alliance with both City and Developers, coordinated the **First International Town Crier Championships** to correspond with the celebration of the opening of the newly refurbished waterfront Historic Properties Project, in conjunction with the Joseph Howe Festival, as an initiative to bring considerable focus on Halifax, Nova Scotia and Canada.

Through an extensive search for attendance at this event through the marketing firm representing Waterfront Developers, and with a wide recruitment effort on the part of Mr. Cox, five Canadian Town Criers, all Nova Scotians, were approached to compete against six attendees from the United Kingdom, one from the United States and one from Bermuda.

Thus began a tradition and Fraternity of officially appointed Town Criers which today boasts numbers believed to be over a thousand men and women who have dedicated themselves to be highly respected *Ambassadors of Good Will* promoting their leading civic authorities and communities at home and around the world.

Appointment of the Town Crier

There are definite procedures to the appointment of a Town Crier. Firstly, because of the unauthorized attempt by some in “costume” to gain notoriety in the position, often with embarrassing results, it is necessary for reasons of legitimacy to receive an appointment from the leading municipal authority such as Mayor, Warden, Councillor, Peer, Reeve, Magistrate or whomever is in the prime position within the jurisdiction where the Crier would serve. Once appointed the Crier would then become responsible to that authority and would agree to appear at functions or on occasions considered to be void of conflict or embarrassment or within the policies of ethics as dictated by local regulations.

Some activities considered to be questionable would be engagements of politics or commercialism. Appearances which fall into the category of “appropriate” would include, weddings, escorting parades, delivery of messages of good will, ship launchings, business openings, funerals, tributes, competitions, inter-community exchanges, Ambassadorial representation, introduction of dignitaries and so on.

Once a community has decided to appoint a Town Crier it then comes to the task of selection. Should an obvious choice of candidate not be clear, a competition is arranged with the cooperation and support of the community and is frequently held in conjunction with another event. It is sometimes necessary to stage a stand alone event to select a crier but in either instance it is important to properly promote the challenge in order to attract a good field of interested and enthusiastic challengers, and of course a well attended audience.

Regalia and Funding

Once the Crier has been selected it then becomes necessary to obtain suitable apparel. In many cases the town crier’s dress would correspond with the more noteworthy events of history within that community. For example, if there were activities recorded from days of founding by French, British or Loyalist Society, then it may be in order to consider fashion of that period. It should be noted that, because the Town Crier upon appointment would be the representative of his or her community, it would be most natural that attractive attire be approved.

Some communities, once conducting research for appropriate dress for their Town Crier, realize that such design and construction can require several thousand dollars. Although this concern is valid it is also true that this investment would be a one time or long term funding and would result in considerable return through public scrutiny and attention. It would therefore seem natural that the community would benefit from ensuring their Town Crier is dressed in attractive and authentic robes. In fact, in competition, Dress and Authenticity are important categories of awards.

It would be worthy of mention that, due to restrictions on budget and limited funds, some major centres, such as cities and municipalities, or various independent sources, may share the cost. Once completed, and due to the process of appointment, the Town Crier's dress then is included in the ranks of a Uniform, due to it's function and purpose, much like that of the uniforms of Firefighters, Police or Military Personnel, rather than a costume, which is actually the garb of actors or animators.

Specific to funding; because a community has followed the process of appointment of an individual who has become committed as representative, there should be some incentive and funding support established within parameters which would allow the Town Crier to be available as required and maintain enthusiasm as one who feels supported and encouraged. It is common knowledge that many Town Criers are left to their own devices and to bear their own expense which, if a community wishes to receive the ultimate in service from their Crier, should be addressed shortly after appointment. As one could expect it would be most disheartening for a Town Crier to come to a conclusion that he or she has been requested to promote and to represent a community which does not provide the proper support or tools for him or her to accomplish the task.

Notes of Interest

As a Town Crier and one who is appointed by a Leading Municipal or Civic Authority, a Town Crier is first and foremost answerable and responsible to be available to his prime sponsor (Leading Municipal Authority – ie: Mayor or Warden Etc.). However a Town Crier may be accepted and appointed in an honorary capacity by other Communities, Jurisdictions or Districts. Should that sponsoring authority then decide to appoint a full time Town Crier then the Honorary Town Crier would step aside.

Further, should a Town Crier, after appointment, be determined incapable of fulfilling the role, or be considered undesirable, it would be within rights of the sponsoring body to withdraw his or her position and require the return of all materials, including uniform (if paid for by that Sponsor), provided for the service. Otherwise, the uniform would become the property of the source of funding

Finally; Due to the Town Crier's position of appointment answerable to the Chair of that Authority, such as Mayor, Warden, Councillor, Magistrate, Peer or Reeve, his position is directly validated by the head of that Authority.

When, through an election or replacement of that Top Authority, the position of the Town Crier is also open for review. Should, after an election, the Authority remain in position, as a formality the Crier would be informed of his or her continuing responsibilities in writing. Should, however, the Head-of-Authority be replaced, then it would be in order for the incoming Authority to decide to reappoint the Town Crier or opt for replacement or complete discontinuation of the post. Should the decision be to continue the position, it would be a gesture of formality to provide a letter to that effect to the incumbent Town Crier.

A Municipality considering the appointment of a Town Crier would be comforted to be aware that an appointed Town Crier would be encouraged to become a member of the existing Guild of Town Criers which subscribes solidly to the code of ethics and conduct of the much larger, valid and credible Provincial and World Organization.

Therefore guidance and mentorship is available to all Officially Appointed Town Criers to ensure a high standard of function, appearance and representation.

*Prepared by Lloyd Smith, Official Town Crier of Windsor (1978)
Honorary Crier of various Annapolis Valley Municipalities
and the Annapolis Valley Apple Blossom Festival
Honorary Lifetime Member, the Ancient and Honourable Guild of Town Criers of the
United Kingdom
Honorary Lifetime, Charter and Founding Member of the Nova Scotia and Canadian
Guilds of Town Criers
Recipient of the Queen Elizabeth 11, Diamond Jubilee Medal for Community Service*

Re Code of Conduct Complaint of Kira Coleman against Coun. Kevin Davison

I am the solicitor for the Municipality of the County of Kings in relation to the above subject. This is to advise that under the Municipality's Code of Conduct Policy ("Policy"):

1. Mr. Dunlop, being the assigned Investigator, has made a finding, in his Investigator's Report issued Oct 11, 2024 ("Report"), of breach of the Code of Conduct ("Code") by former Councillor Davison. Under the Policy, a finding by an Investigator of breach of the Code by a Councillor is not reviewable or appealable to Council and accordingly is final.
2. The Policy requires providing the Report to Council if there is a finding of breach of the Code. This will be done in the agenda package for the next regular meeting of Council, together with a copy of this letter. The Report will consequently be accessible to the public at that time. The publication of the Report in that manner is in effect itself a significant sanction for a breach.
3. While in most situations the Council has the ability under the Policy to provide a sanctions hearing to the Councillor in question and review the Investigator's recommended additional sanctions for a breach and vary them to other sanctions permitted by s. 26 of the Policy, in this case Mr. Davison was not re-elected and will accordingly no longer be subject to Council's authority, nor in a position to engage in future violations which may be deterred by the application of additional sanctions beyond publication of the Report. It would accordingly be a moot exercise, serving no public interest, to undertake such a hearing for a former Councillor before a newly composed Council and to purport to apply the additional recommended sanctions or varied sanctions.

The matter will accordingly be concluded upon receipt of the Report by Council.

Yours truly,

MCINNES
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**REPORT PURSUANT TO THE MUNICIPALITY OF THE COUNTY OF
KINGS CODE OF CONDUCT FOR ELECTED MUNICIPAL OFFICIALS
AND POLICY FOR THE INVESTIGATION AND ADJUDICATION OF
COMPLAINTS UNDER THE CODE OF CONDUCT FOR ELECTED
MUNICIPAL OFFICIALS**

Report prepared by:

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Final Report Issued: October 11, 2024

This is the Report pursuant to the *Code of Conduct for Elected Municipal Officials* (“Code of Conduct”) and *Policy for the Investigation and Adjudication of Complaints under the Code of Conduct for Elected Municipal Officials* (“Policy”) regarding the Complaint outlined below.

Given that the Complaint’s allegations were restricted to whether the Social Media Posts violated the Code and the appropriate corrective action pursuant to the Code and Policy, the Investigator conducted his investigation through email correspondence with the Complainant and Respondent.

As explained below, the reasons that Social Media Posts may been made by Councillor Kevin Davison (“Councillor Davison”) are irrelevant. The crux of the Investigator’s finding is that the Code of Conduct demands that councillors engage in respectful and professional communications with the citizenry, including on social media.

1. Summary and Recommendation

The Investigator considers that this matter should have been concluded in early to mid September, 2024 with a settlement agreement and a written apology that contained an admission that the Social Media Posts violated the Code of Conduct in accordance with the settlement agreement.

Instead the conclusion of this matter was delayed¹ because:

- Councillor Davison did not receive Mr. Lee Coleman (“Mr. Coleman”)’s contact information despite requesting such contact information;
- the versions of the written apology that Councillor Davison provided to the Investigator on October 1 and 4, 2024, respectively, do not satisfy the condition of the settlement agreement that Councillor Davison’s “written apology **shall include an admission that the Social Media Posts violate the Code of Conduct...**” Despite the Investigator’s reminder to Councillor Davison of this condition on two occasions, Councillor Davison failed to provide the Investigator with a compliant written apology.

¹ This delay also increased the Investigators’ work (and thus cost) associated with this Report.

Due to the non-compliant written apology, the Investigator cannot enter into a settlement agreement with Councillor Davison. Therefore, the Investigator recommends that pursuant to section 26 of the Policy, the Council issue a written reprimand that includes the following:

1. The Social Media Posts violate the Code of Conduct.
2. The Social Media Posts are deserving of a written reprimand.
3. The written reprimand constitutes a formal expression of disapproval of the Social Media Posts.
4. A warning that Councillor Davison shall not make any social media posts that violate the Code of Conduct in the future.
5. An expression that although Councillor Davison appears to be apologetic for his Social Media Posts, the Council regrets that Councillor Davison will not admit that his Social Media Posts violate the Code of Conduct pursuant to the settlement agreement.

2. Complaint

On May 6, 2024, the Complainant, Ms. Kira Coleman ("Ms. Coleman") filed a Complaint against Councillor Davison arising out of comments that Councillor Davison levelled at Ms. Coleman's father, Mr. Coleman on social media.

The Complaint² says:

I am writing to file an official complaint against Councilman Kevin Davison. On Friday, May 3, 2024, Councilman Davison made a post on social media (Facebook) regarding the proposed campground information session held on Thursday, May 2, 2024. I have attached screenshots of the thread that followed his post. Councilman Davison was unprofessional, undignified, and just plain rude when he called one of his constituents a "loser" then proceeded to call him aggressive. Davison made the statement "...and Lee, you are the prime example of the aggression I was talking about. You don't scare me, Bro and giving out your address on social media is not bright. I don't get intimidated that easy, pal." Such behavior is uncalled for and is a direct violation of the council's code of conduct. See the Council Members Responsibilities, Interpersonal Behavior and Community Representation document that Davison is subject to. It is my hope that this complaint will be investigated and an appropriate corrective action levied against Councilman Davison. I don't believe Councilman Davison should be allowed to vote on the matter at hand which is the proposed campground, I believe he has made clear his outlook on the matter by arguing with concerned members of the community

² June 17, 2024 Letter from Chief Administrative Officer, Scott Conrod, to Councillor Davison, attaching Complaint, Code of Conduct, and Policy (Tab 1).

and creating a hostile environment in the comments of his social media post. I will attach the screenshots of the thread I'm referring to but I do have the whole post including the comments as well. Thank you for your time, if you have any more questions please feel free to reach out.

3. Social Media Posts

On May 3, 2024, Councillor Davison made several comments on social media³, including those that are the subject of the Complaint. The following comments that are the subject of this Complaint are referred to as the Social Media Posts in this Report:

Lee Coleman Here come the fake profiles. There must be an election coming up! Hahaha. Loser.

Cheryll Kelley YET again, this why I made a post. Bashing Councillors about the decision we must make. And Lee, you are thr prime example of the aggression I was talking about. You don't scare me, bro and giving your address out on a media form is not bright. I don't get intimidated that easy, pal.

Councillor Davison does not dispute that he made these Social Posts, as is evident by his May 7, 2024 apology⁴ and his June 26, 2024 email to the Investigator.⁵

4. Breach of Code of Conduct

a. Code of Conduct – Councillor Davison Breached the Obligation

The Code of Conduct demands that councillors, including Councillor Davison, abide by the following standards:

*Interpersonal Behaviour: Members of Councils shall treat every person, including...**the public with dignity, understanding and respect** and ensure that their work environment is free from discrimination, bullying, and harassment.*

*Community Representation: Members of Council shall observe **a high standard of professionalism** when representing the municipality and **in their dealings with members of the broader community.***

Councillor Davison calling Mr. Coleman a “loser” and suggesting that he is aggressive, in the manner he did, is not treating the public with dignity, understanding, or respect. It also is not observing a high standard of professionalism.

³ See the Social Media Posts attached to the Complaint at Tab 1.

⁴ Unofficial Transcript of May 7, 2024 Meeting (Tab 2).

⁵ Councillor Davison's June 26, 2024 Response to Complaint (Tab 3).

Implicit in the Code of Conduct is the expectation that Councillors, such as Councillor Davison, may disagree with a fellow Councillor or citizen, but such disagreement will **not** be expressed in an undignified or unprofessional manner through personal attacks, such as calling a person a “loser.”

In short, the expectation is that if Councillors disagree with a citizen, they are to express their disagreement in a respectful manner. The importance of disagreeing without being disagreeable has been described by prominent legal thinkers as:

*To my mind, the one definition of civility that seems to encompass all these notions is a deceptively simple one: **it is the ability to disagree without being disagreeable.***

Justice Warren Burger referred to civility as the “lubricant” that prevents lawsuits from turning into combat. In his view, civility operates essentially as the gatekeeper of a just society and a watchdog against the invasion of anarchy:

[W]ithout civility, no private discussion, no public debate, no legislative process, no political campaign, no trial of any case, can serve its purpose or achieve its objective. When [people] shout and shriek or call names, we witness the end of rational thought processes, if not the beginning of blows in combat ...⁶

b. Context and Reason Do Not Excuse Councillor Davison’s Breach

Councillor Davison explains that the motivation for the Social Media Posts was that he believed that the “Lee Coleman” profile was fake and believed that other councillors and staff were being bullied. Ms. Coleman calls this assertion into question and wanted precise evidence of such bullying.⁷ Councillor Davison’s response to this request is:

There were several councillors and staff that were intimidated by some of the residence of Scotts Bay and my comments, that I stand behind were, that I was shocked at how the council team was spoken to, and not one person stepped up to take responsibly for their actions. All meetings are recorded and all statements on the public forum. Sometimes councillors talk off the floor, and it was mentioned

⁶ The *Splendour of the Law* (Toronto: Dundurn Group, 2001), R. R. Sugden, Q.C at pages 92-95.

⁷ Ms. Coleman’s July 24, 2024 Response to Investigators’ July 16, 2024 Email (See Response and Email Correspondence at Tab 4).

on several occasions that there were comments made to some staff who felt scared to even present the case. This sir, is no secret.⁸

Upon reflection, there is no need to further explore the motivation for the Social Media Posts because there is no justification for Councillor Davison's posts. The Code of Conduct demands that, among other things, he meets a high standard of professionalism in his dealings with the public.

c. May 7, 2024 Apology

During a May 7, 2024 Public Hearing, Ms. Coleman read a statement from the spouse of Mr. Coleman, Amanda Dickens. This statement, among other things, outlined the Social Media Posts and indicated that Councillor Davison should be "reprimanded and personally, in [her] opinion removed from Council..."⁹ Ms. Coleman took a similar position regarding Councillor Davison's removal in her correspondence with the Investigator.¹⁰

During the May 7, 2024 Public Hearing very shortly after Ms. Coleman read her statement, Mayor Peter Muttart provided Councillor Davison an opportunity to respond to Ms. Coleman. The following is an unofficial transcript of the exchange:

Peter Muttart: *Councillor Davison would you like to speak now.*

Councillor Davison: *Am I allowed to speak uh openly*

Peter Muttart: *Regarding the previous speaker sure*

Councillor Davison: *Ok thank you um I would just like to uh make a comment on the young lady. I am very sorry that I made that comment. Uh that was my huge mistake um last year when I was running there was somebody uh that was named Lee believe it or not that had uh made a fake profile and uh had bashed me online quite uh quite heavily so um I did I didn't realize that I was uh actually saying that to a community member so I'm going to take full responsibility for that. I do apologize. Um I meant our pay was not that great not not yours. That was my comments but uh the comment that I made um toward toward Lee I don't even know who he is but I I do apologize for that and I do take full responsibility so I'm sorry.¹¹*

⁸ Councillor Davison's August 25, 2024 Email Response to Investigator's August 23, 2024 Email (See Email Response and Email at Tab 5).

⁹ Unofficial Transcript of May 7, 2024 Meeting (Tab 2).

¹⁰ July 15, 2024 Response from Ms. Coleman (Tab 6).

¹¹ Unofficial Transcript of May 7, 2024 Meeting (Tab 2).

Ms. Coleman believes that Councillor Davison never apologized to Mr. Coleman. In her July 15, 2024 correspondence to the Investigator, she indicated that "Councillor Davison's has Never Apologized to My Father...no one has ever in writing or in Person apologized to my Father Lee Coleman for the insults councillor Davison spued on Facebook calling him a loser and provoking violence..."¹²

From the Investigator's perspective, it appears that Councillor Davison intended his public apology to be extended to Mr. Coleman. However, upon reflection, one can see some validity to Ms. Coleman's (and Mr. Coleman's) perspective that Councillor Davison's apology was never directly extended to Mr. Coleman.

5. Appropriate Corrective Action for Breach of Code of Conduct

Given that Councillor Davison apologized, the contents of the Social Media Posts, and the Code of Conduct's wording, there is no dispute that the Social Media Posts violate the Code of Conduct. The real dispute, and the one which the Investigator grappled with most extensively (until the non-compliant apology issue arose in early October, 2024), is the appropriate corrective action.

a. Ms. Coleman's Requested Remedies

In the Complaint, Ms. Coleman is seeking the following remedy:

*It is my hope that this complaint will be investigated and an appropriate corrective action levied against Councilman Davison. **I don't believe Councilman Davison should be allowed to vote on the matter at hand which is the proposed campground...***¹³

Ms. Coleman's requested remedy expanded to Mr. Coleman's removal from office in her July 15, 2024 Response:

***To be allowed to stay in his position**, I believe would be illustration the code of conduct has no meaning and there are no penalties for such behaviour and it is acceptable to insult and bully community members. I also believe his statement shows bias and prejudice against the community...*¹⁴

¹² July 15, 2024 Response from Ms. Coleman (Tab 6).

¹³ Complaint (Tab 1).

¹⁴ July 15, 2024 Response from Ms. Coleman (Tab 6).

The Investigator requested that Ms. Coleman provide "the basis upon which [she] believe[s] that breaking the Code of Conduct should have 'extreme consequences', i.e. Councillor Davison should be dismissed as a councillor."¹⁵ Ms. Coleman considered that Councillor Davison's numerous breaches of the Code of Conduct (many of which were not outlined in the original Complaint) justified Councillor Davison's removal.¹⁶

b. Remedies Limited to Code of Conduct, Policy, and Legislation

The only corrective actions that the Investigator may recommend and the Council may ultimately impose are those outlined in the Code of Conduct and Policy:

i. Code of Conduct

The Code of Conduct says:

*Any reported violation of the Code will be subject to investigation by the Council. Violation of this Code by a Member of Council may constitute a cause for corrective action. **If an investigation finds a Member has breached a provision of the Code, Council may impose corrective action commensurate with the nature and severity of the breach, which may include a formal warning or reprimand to the Member.***

ii. Policy

Section 26 of Policy further limits the corrective actions that an Investigator may recommend to Council to:

If the Investigator determines that a member of Council has breached the Code, he or she may recommend one or more of the following sanctions and/or courses of corrective action:

*a. a **written warning or caution** to the member to refrain from engaging in similar conduct in the future;*

*b. a **written reprimand**;*

¹⁵ Investigators' July 16, 2024 Email (Tab 4).

¹⁶ Ms. Coleman's July 24, 2024 Response to Investigators' July 16, 2024 Email (See Response and Email Correspondence at Tab 4).

c. a request **that the member apologize to the complainant, Council, or any other persons affected by the breach; and**

d. *the withdrawal of the member's appointment to a committee of Council.*

Section 27 of the Policy further reinforces that the "Investigator's primary objective shall be to prevent or deter the continuation or repetition of the conduct or activity that gave rise to the breach of the Code."

c. Limited Legislative Power to Remove Councillor From Office

The Investigator recognizes Ms. Coleman's perspective that Councillor Davison should be removed as a councillor. Even if that was an appropriate corrective action, the Investigator does not have the authority to recommend such a corrective action and the Council does not have the power to impose such a corrective action.

The circumstances in which a Councillor may be removed from their position pursuant to applicable legislation is restricted. The Investigator understands that only s.10(1) of the *Municipal Conflict of Interest Act* provides for the removal:

Where the judge determines that a member has contravened this Act, the judge shall declare the seat of the member vacant and direct that the vacancy be filled in the manner prescribed by law, but if the judge determines that the contravention was committed as a result of inadvertence or a bona fide error in judgment the judge may relieve against such forfeiture of office.

d. Restriction on Voting on Proposed Campground Issue.

Ms. Coleman's request that Councillor Davison not be permitted to vote on the campground issue also cannot be recommended for the following reasons:

First, the Policy does not allow for such a corrective action.

Second, the Mayor ruled on Councillor Davison's eligibility to vote on the campground issue during the May 7, 2024 public meeting. The Mayor engaged in the following exchange with [REDACTED] and ruled that Councillor Davison could vote on the issue:

[REDACTED] *Hello again. Um I'm not sure if this is actually...I'm not sure where to say this in a point of order. Its not actually about this but it is a comment from the public um and to address what Councillor Davison has been discussing so*

[REDACTED]: Yes, just in light of the comments. There's a clear bias that's been shown and we would...the community would request that Councillor Davison is abstained from the vote on um file 2125 this evening

Peter Muttart: Well, my ruling on that is that he can vote. Uh that the comments... the comments that have been made on Facebook, the worst platform in the world, uh didn't have to do with the um credibility or otherwise of any application. It had to do with uh the treatments that some people were receiving... that the Councillor felt some people were receiving, at this table, from the public. That doesn't go to the nub of the application. The issue of Facebook communications uh we have our own regulations around that. We'll deal with it. Uh the issue of a... of a hearing... a public hearing is quite another matter. The substance of that is quite another matter. And none of the emails touched upon that.

[REDACTED] We can respectfully disagree.

Peter Muttart: We certainly can

[REDACTED] Thank you

Peter Muttart: Yes¹⁷

Third, the vote already took place.

6. Investigator's Initial Recommended Corrective Action

Prior to the non-compliant written apology issue arising, the Investigator believed that the settlement agreement proposed on September 4, 2024 was going to resolve this matter and considered that a written reprimand and requested written apology would be appropriate. Councillor Davison's refusal to provide a settlement agreement compliant written apology, however, has caused the Investigator to amend his recommendation to that which is outlined in section 1 of this Report.

The Investigator's reasoning and the events relating to the settlement agreement and non-compliant apologies are outlined below:

¹⁷ Unofficial Transcript of May 7, 2024 Meeting (Tab 2).

a. Difference Between a Warning and Reprimand

Section 26 of the Policy suggests that there is a distinction between a “written warning” and a “reprimand.” This distinction is fine, but, on balance, a cursory review of the legal authorities on the issue indicate that a reprimand is more serious than a written warning:

- For example, in the military context, a “reprimand” has been described as:

*The court must reiterate that a reprimand is a serious penalty in a military context. As expressed in the Oxford Dictionary, it is a formal expression of disapproval regarding the conduct or actions of somebody. On the scale of penalties, it is above a fine regardless of the amount. It reflects the doubt cast on the military member's commitment at the time the offence was committed. It reflects the gravity ascribed to the offence, but also the offender's real hope for rehabilitation.*¹⁸

- In the workplace law context, a “warning” has been described as:

*form of industrial discipline imposed by an employer upon an employee whereby the latter is put on notice that he has committed an act of misconduct, and that he must avoid a repetition in future, or else be subject to further discipline...*¹⁹

The comments made by Councillor Davison, particularly, calling Mr. Coleman a “loser” demands a more serious expression of disapproval, but simultaneously recognizes that Councillor Davison has some hope for real rehabilitation.

b. Request for Written Apology

Section 26 of the Policy also contemplates that the Investigator may recommend that Council request the Councillor to apologize to “any other persons affected by the breach...” The Investigator has a general reservation with recommending that an apology be ordered, because in the words of one labour arbitrator, “an apology ordered is not an apology...”²⁰

¹⁸ R. v. Gardiner 2013 CarswellNat 2802 at para. 21.

¹⁹ J. Sack and E. Poskanzer, *Labour Law Terms, Dictionary of Canadian Labour Law*, (Lancaster House), 157.

²⁰ Ontario (Ministry of Community Safety and Correctional Services) and OPSEU (Ranger) at para. 105.

The Investigator **initially** considered that these general reservations did not apply in these circumstances because:

First, Councillor Davison appears to be genuinely sorry for the Social Media Posts and took steps to apologize. One, however, can understand that from Ms. Coleman's (and Mr. Coleman's) perspective, Mr. Coleman has not received an apology.

Second, in Councillor Davison's August 25, 2024 email to the Investigator, Councillor Davison expressed some frustration with the fact that his apology has not been accepted. A written apology to Mr. Coleman will make it unequivocally clear that he has apologized and thus increase the chances that his apology will be accepted.

Councillor Davison's failure to issue a written apology that is compliant with the settlement agreement which contained the admission that the Social Media Posts breached the Code of Conduct has caused the Investigator to recommend that Council not request Councillor Davison to issue an apology. Rather, in light of Councillor Davison's refusal, the Investigator recommends that the Council express regret that the apology proposed by Councillor Davison did not include an admission that his Social Media Posts breached the Code of Conduct.

c. Settlement Agreement Never Concluded²¹

As explained at the outset, this matter should have concluded shortly after September 4, 2024 with, among other things, a concluded settlement agreement and compliant written apology. Instead, the following took place:

²¹ The Investigator notes that Section 33 of the Policy contemplates that the settlement agreement and Report will be provided to the CAO together: "If the investigator enters into a settlement agreement, he or she shall deliver a copy to the CAO with his or her report."

i. September 4, 2024 Proposed Settlement Agreement²²

On September 4, 2024, the Investigator advised Councillor Davison that the investigation had been concluded²³ and in accordance with section 28 of the Policy²⁴ and attached to this notice a settlement agreement, which, among other things, provides that:

THEREFORE, pursuant to sections 28(b) and 31 of the Policy, Councillor Davison and the Investigator hereby agree to the following corrective actions, which shall be made public:

1. *This Settlement Agreement constitutes a written reprimand for the Social Media Posts.*
2. *Councillor Davison recognizes and agrees that this written reprimand constitutes a formal expression of disapproval of the Social Media Posts.*
3. *Councillor Davison undertakes that he shall not make any social media posts that violate the Code of Conduct in the future.*
4. *Councillor Davison agrees that within 5 days of the date of this Settlement Agreement, noted below, he shall issue a written apology to Mr. Lee Coleman for the Social Media Posts. **The written apology shall include an admission that the Social Media Posts violate the Code of Conduct.** Councillor Davison understand that pursuant to section 30(c) of the Policy that if he does not issue the written apology to Mr. Lee Coleman within the 5-day time frame, this Settlement Agreement is null and void and the matter reverts to the Investigator for further reporting and recommendations to Council.*

ii. Signed Settlement Agreement

Councillor Davison sent the signed Settlement Agreement on Friday, September 6, 2024²⁵, but due to various technical difficulties, the Investigator could not open the signed settlement

²² September 4, 2024 Email (including Section 28 Notice and Settlement Agreement) from Investigator to Councillor Davison (Tab 7).

²³ Due to the non-compliant written apology, the Investigator had to address this issue both in his communications with Councillor Davison and in this Report.

²⁴ Section 28 of the Policy provides:

The Investigator shall not deliver a report to the CAO finding a breach of the Code unless:

- a. *the Investigator has given, via personal service or registered mail, the member of Council found to have breached the Code written notice of the basis for the proposed finding and any recommendation sanction and/or corrective action; and*
- b. *the member of Council has either entered into a settlement agreement, or been given 10 days from receipt of the above-mentioned notice to provide a written response to the proposed finding and any recommended sanction and/or course of corrective action.*

²⁵ Email from Councillor Davison to Investigator (Tab 8).

agreement. After various attempts, the Investigator received the settlement agreement signed by Councillor Davison on September 18, 2024.²⁶

iii. Challenges Associated with Obtaining Mr. Coleman's Contact Information to Deliver Apology

The Investigator believed that Councillor Davison was prepared to issue a written apology in accordance with the settlement agreement. The initial challenge, however, was getting the contact information for Mr. Coleman to issue the apology directly to Mr. Coleman.

After various unsuccessful attempts to obtain Mr. Coleman's email address, on September 17, 2024, Councillor Davison emailed Ms. Coleman:

Good morning, Ms. Coleman.

I am wondering if I could get Lee's email address from you?

Please let me know if you can provide that information.

Ms. Coleman expressed concern to the Investigator regarding how Councillor Davison received her email address. On September 19, 2024, the Investigator responded:

Thank you for your email.

Councillor Davison wishes to apologize to your father and requires his email address. In the context of this process, Councillor Davison would have been provided with your email by me. It appears that he has emailed you requesting your father's email address.

This process is close to completion and I will be forwarding the relevant documentation to the CAO in accordance with the procedure.²⁷

d. Written Apology Issues

Councillor Davison advised the Investigator on October 1, 2024 that Ms. Coleman had not responded to his request for Mr. Coleman's contact information, so it was determined that Councillor Davison provided the written apology to the Investigator.²⁸

²⁶ Email from Councillor Davison to Investigator and Signed Settlement Agreement (Tab 9)

²⁷ September 17 and 19 Email Correspondence between Councillor Davison, Ms. Coleman, and the Investigator (Tab 10).

²⁸ October 1, 2024 Written Apology (Tab 11).

The Investigator is perplexed why Ms. Coleman could not provide Mr. Coleman's contact information to Councillor Davison particularly given that in her July 15, 2024 email to the Investigator, she expressed concern that "Councillor Davison's has Never Apologized to My Father...." The Investigator also considered that given the nature of an apology (i.e. Councillor Davison is apologizing to Mr. Coleman), the Investigator should have limited involvement in the delivery of the apology.

i. Investigator's Concerns with October 1, 2024 Version of Written Apology

On October 1, 2024, Councillor Davison provided the following written apology to the Investigator:

I want to send my sincere apologies to Mr. Lee Coleman and his family, for my lack of judgement on social media, and being unprofessional with my comments against them.

I have apologized publicly and now want to put in writing, that I am truly sorry for my actions.

On October 2, 2024, the Investigator indicated to Councillor Davison that this written apology was not compliant with the settlement agreement:

Thanks for the email, but this apology does not comply with the terms of the Settlement Agreement:

"The written apology shall include an admission that the Social Media Posts violate the Code of Conduct."

Can you please amend and send to me? It also would be preferable if the apology came in a completely separate email (or even better, a letter) with the Re Line saying "Apology."

I am trying to finalize this matter today.²⁹

On October 3, 2024 Councillor Davison emailed the Investigator saying:

I will have to re read the terms and conditions.³⁰

On October 4, 2024, the Investigator sent an email to Councillor Davison that attached the settlement agreement that had been signed by Councillor Davison saying:

²⁹ October 2, 2024 Email from Investigator to Councillor Davison (Tab 11).

³⁰ October 3, 2024 Email from Councillor Davison to the Investigator (Tab 11).

Hi Councillor Davison,

I attach the Settlement Agreement that you signed.

I had understood from your communications throughout this process that you admit that the Social Media Posts violated the Code of Conduct.

If my understanding is correct, please send me a written apology that complies with the Settlement Agreement by 5:00 pm today.

If I do not receive a compliant written apology by then, I will conclude that you do not consider that the Social Media Posts violated the Code of Conduct and early next week will issue my Report reflecting, among other things, that you do not consider that your Social Media Posts violated the Code of Conduct.³¹

ii. October 4, 2024 Written Apology

On October 4, 2024, Councillor Davison sent a written apology saying:

Good morning, Rick.

I hope this letter finds you well. I also hope that Mr. Lee Coleman receives this email as well. I was hoping to speak to Mr. Coleman in person or via phone, but was not able to happen.

I take full responsibility for the social media post against Mr. Coleman. I failed in judgement during a sensitive subject. My message on Facebook was unprofessional and completely inappropriate

I hope Mr. Coleman will accept my deepest apology for the insensitive comments.

In closing, I have learned to be more professional and will not be using social media, unless it is in a manner of maturity and positivity, going forward.

Councillor Kevin Davison

District 8 New Minas Greenwich³²

iii. Investigators' Concerns with October 4th Written Apology

The Investigator recognizes that the October 4th Written Apology has merit as it recognizes and apologizes for Councillor Davison's unprofessional Social Media Posts. The Investigator,

³¹ October 4, 2024 Email From Investigator to Councillor Davison (Tab 11).

³² October 4, 2024 Written Apology (Tab 12).

however, does not consider that the October 4th Written Apology complies with the settlement agreement for the following reasons:

First, the settlement agreement is explicit:

*The written apology **shall include an admission** that the Social Media Posts violate the Code of Conduct.*

Second, the Investigator recognizes that Councillor Davison may have considered that his October 1st Written Apology complied with the settlement agreement. So, out of fairness to Councillor Davison, on October 2, 2024, the Investigator advised Councillor Davison that the October 1st Written Apology did not comply with the settlement agreement and requested that Councillor Davison reissue the written apology. The Investigator went further in his October 4, 2024 email to Councillor Davison and made it abundantly clear that:

I had understood from your communications throughout this process that you admit that the Social Media Posts violated the Code of Conduct.

If my understanding is correct, please send me a written apology that complies with the Settlement Agreement by 5:00 pm today.

Councillor Davison's October 4th Written Apology, although having merit, does not contain any admission that his Social Media Posts violated the Code of Conduct.

Third, the Investigator recognizes the reasonable point of view that the October 4th Written Apology, by admitting that Councillor Davison's Social Media Posts were, among other things, "completely unprofessional and inappropriate" that he thereby admitted to a breach of the Code of Conduct.

This point of view, however, fails to account for the fact that the Investigator made it abundantly clear in his October 2nd and 4th emails what was required and Councillor Davison remained unwilling to admit that he breached the Code of Conduct. If Councillor Davison considers that he breached the Code of Conduct, then it is reasonable to expect that such admission would have been included in his October 4th Written Apology.

Fourth, the Investigator also recognizes the point of view that he could have provided the precise wording he was expecting Councillor Davison to use in the apology. The Investigator rejects this point of view because:

- The settlement agreement articulated the condition of an admission and the Investigator explicitly articulated what was expected in his October 2nd and 4th emails to Councillor Davison.
- If Councillor Davison considered that he breached the Code of Conduct, then, in light of these explicit communications, he would have ensured that his October 4th apology was compliant.
- If the Investigator drafts the apology, then the apology is not truly from Councillor Davison.

This Report is dated October 11, 2024.



Rick Dunlop

TAB 1



MUNICIPALITY of the
COUNTY of **KINGS**

Tel: 902-690-6131
Fax: 902-678-9279
sconrod@countyofkings.ca

June 17, 2024

Kevin Davison, Councillor

Hand Delivered

Dear Councillor Davison,

Our Municipal Clerk received a complaint under the Municipality's Policy for the Investigation and Adjudication of Complaints filed in accordance with the Code of Conduct for Elected Municipal Officials (ADMIN-01-012) from Kira Coleman.

The Municipality's policy requires that the CAO retain an Investigator to investigate and provide a report to Municipal Council. I can advise that Rick M. Dunlop of Stewart McKelvey has been retained. Mr. Dunlop's contact information is as follows:

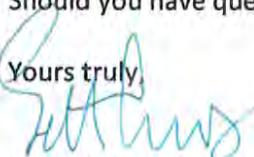
Stewart McKelvey
Queen's Marque
600-1741 Lower Water Street
Halifax, N.S.
B3J 0J2
902.420.3384
rdunlop@stewartmckelvey.com

I have attached for your information the complaint and information shared with the Investigator. I have also attached a copy of Policy ADMIN-01-012 for your review. You may contact the Investigator to ask for procedural information and discuss next steps.

Please note that within ten (10) business days of receiving this package you have the right to provide a written response to the Investigator (by end of business June 28, 2024).

Should you have questions on the above or attached feel free to contact me.

Yours truly,


Scott Conrod
Chief Administrative Officer

c. R. Dunlop

Phone: 902-678-6141 or 1-888-337-2999
Monday - Friday 8:30 a.m. - 4:30 p.m.
inquiry@countyofkings.ca

181 Coldbrook Village Park Drive
Coldbrook, NS B4R 1B9
www.countyofkings.ca

From: Janny Postema
To: Scott Coburn
Subject: FW: Formal Complaint
Date: May 7, 2024 9:11:48 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

From: Janny Postema
Sent: Tuesday, May 7, 2024 9:11 AM
To: 'Kira Coleman' [REDACTED]
Subject: RE: Formal Complaint

Good morning, Ms. Coleman,

Thank you for your complaint under the Municipality's [Policy for the Investigation and Adjudication of Complaints under the Code of Conduct for Elected Municipal Officials](#).

Per section 8 I will forward the complaint to the CAO.

Kind regards,
Janny

Janny Postema (She/Her)

Municipal Clerk
t: (902) 690-6275
f: (902) 678-9279
e: jpostema@countyofoffices.ca
www.countyofoffices.ca
181 Coldbrook Village Park Drive, Coldbrook, Nova Scotia B4R 1B9

From: Kira Coleman [REDACTED]
Sent: Monday, May 6, 2024 11:08 PM
To: Janny Postema <jpostema@countyofoffices.ca>
Subject: Formal Complaint

Ms. Postema,

I am writing to file an official complaint against Councilman Kevin Davison. On Friday, May 3, 2024, Councilman Davison made a post on social media (Facebook) regarding the proposed campground information session held on Thursday, May 2, 2024. I have attached screenshots of the thread that followed his post. Councilman Davison was unprofessional, undignified, and just plain rude when he called one of his constituents a "loser" then proceeded to call him aggressive. Davison made the statement "...and Lee, you are the prime example of the aggression I was talking about. You don't scare me, Bro and giving out your address on social media is not bright. I don't get intimidated that easy, pal." Such behavior is uncalled for and is a direct violation of the council's code of conduct. See the Council Members Responsibilities, Interpersonal Behavior and Community Representation document that Davison is subject to. It is my hope that this complaint will be investigated and an appropriate corrective action levied against Councilman Davison. I don't believe Councilman Davison should be allowed to vote on the matter at hand which is the proposed campground, I believe he has made clear his outlook on the matter by arguing with concerned members of the community and creating a hostile environment in the comments of his social media post. I will attach the screenshots of the thread I'm referring to but I do have the whole post including the comments as well. Thank you for your time, if you have any more questions please feel free to reach out. Respectfully,

Kira Coleman

3:12

LTE 53

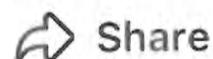
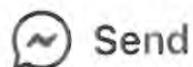
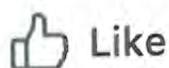


Kevin Davison

2d · 🌐

Last night's council meeting was one of the most mentally draining nights I have had as a Kings County Councillor. I can handle concerns and listen intently. I have to make decisions that no matter which one you make, someone is mad at you. But the thing I hate the worst is when someone attacks the chamber

personally. That drains me more than any peaceful argument. The bullying from members of the community floors me. And to sit back and watch the sweetest people I know, sitting there for shit pay, being bashed about their character, makes my blood boil. I struggle listening to this kind of garbage. If you want to come to a meeting, grow up and state the facts. Don't stand there knowing we can't defend ourselves and bash the council. Councilor Granger should have a damn medal for having to deal with some of these bullies. I know this will get me a slap on the wrist, but we are elected to do a job, not elected for some to look tough and go home feeling like you took us on and won, while we leave angry and some in tears. Thank you to ALL of you that come with respect. 99% of you are mature and have great arguments for the debate.



 Trevor Kennickell and 57 others

7 shares

All comments ▾



Deanna L. Byrne

I watched it for as long as I could. It was absolute insanity. These so called "educated" adults acting like I don't know what. My favorite take away was the

increased use of toothpaste that would harm the ~~moss used for~~ respiratory issues

2:32

LTE 69

  **Kevin Davison**
2d · 



Lee Coleman

If it goes through we all will know that the system is broken you people get paid more money than most make in a year for your part time job,that I pay for and you got the nerve to bash the people that have something to say that you don't want to hear,grow up and open your eyes the people have spoken and the majority don't want this so now what cry some more?one question what is in this for you and the people who's side you are on

1h Like Reply



 Author

Kevin Davison

[Lee Coleman](#) Here come the fake profiles. There must be an election coming up! Hahaha. Loser.

1h Like Reply



Natalie Steele

[Kevin Davison](#) well, I know him and it's definitely not a fake profile- Lee is a voter and a resident. Claiming fake news at a voter isn't the type of politics welcome here.

50m Like Reply



Cheryll Kelley



Write a comment...



3:10 ↗

📶 LTE 54%



Kevin Davison

2d · 🌐



🎤 Author

Kevin Davison

[Cheryll Kelley](#) YET again, this is why I made a post. Bashing Councillors about the decision we must make. And Lee, you are thr prime example of the aggression I

was talking about. You don't scare me, bro and giving your address out on a media form is not bright. I don't get intimidated that easy, pal.

10m Like



Cheryll Kelley

[Kevin Davison](#) you called the guy a loser and your still saying your bullied? Lol

9m Like



Cheryll Kelley

The only bullying being endured is the people who are fighting for the community they live in. This post shows exactly that.

7m Like



 Author

Kevin Davison

[Cheryll Kelley](#) I said, the personal bashing and did you read his



Write a comment...





Kevin Davison

2d · 🌐



Cheryll Kelley

The only bullying being endured is the people who are fighting for the community they live in. This post shows exactly that.

16m Like



Author

Kevin Davison

[Cheryll Kelley](#) I said, the personal bashing and did you read his first???? I will NOT be intimidated as a lot have tried to do. This is the problem. Do you know see this?

14m Like



Keenan Huntley-Hines

[Cheryll Kelley](#) I don't care what it shows about me 😂 you should know me enough to know I don't care who likes me or who don't or what people think about me. You...

what people think about me. you and I have been friends for quite some time.

12m Like



Cheryl Kelley

What I saw is you call a community member who did not bully you a loser.



Kevin Davison limited who can comment on this post.



May 7, 2024 Public Hearing and Council Transcript

KingsCountyNS Youtube video titled "Public Hearing & Council May 7, 2024)
(<https://www.youtube.com/watch?v=5dvM2andgLw>)

57:59 Cara Coleman

CC: Uh my name is Cara Coleman. I'm a lead hand at Eden Valley Poultry. Um I think that there's a conflict between one of the council members and the poultry industry and including my family who lives off of poultry. Uh I am going to read a statement from my mother. My name is Amanda Dickens. I live at 5394 Highway 358. I am the 28 year spouse of Lee Coleman. I would like to address a few things here tonight if I could. After the events on Saturday where Lee was called a fake and a loser after a post had been made on social media in an act of unprofessionalism by a Council member. I want to say that I assure you that it takes more than words to hurt Lee's feelings. Loser and fake won't do it but it should not have happened and needs to be addressed. Lee has worked hard for the past 30 years to provide for his family. He is currently the foreman of a company that has a four year long wait list of clients. Lee has worked in his field for most of his working years from one end of the province to the other. On many projects including many chicken barns in recent years. So many he has lost count. Lee is a go to work and come home to his family kind of guy. A great father, a loyal friend, spouse, co-worker, employee, and great provider and hard worker who keeps to himself. I've watched Lee break his body and spirit to provide for us. Sometimes with wounds that would scare you to your core. But the very next day he got up and went back to work. No matter what he felt like asleep at the super table kind of hard worker. As we work harder for less and less each week and have to...and have less and less at each pay...at the end of each pay. The stress of how things seem to be going in the world have us questioning how things get done, or not done, with all our money goes....where all our money goes. And for what for the Councillor to say, sorry for my language before I say this, uh quote on quote shit pay. Referring to my Facebook post made on Saturday...referring to the Facebook post made on Saturday. It was disrespectful to people like Lee who destroy their bodies every day at work. Blue collar people work extremely hard for the money that they earn. Lee has no luxury of time off at the end of his work week, He needs rest for Monday and the cycle continues. Eat sleep work for pay. He tells it straight as it is. He does not have a lot of time to explain out all the reasons or details or for debates or meetings. He is hardworking...he is a hardworking, intelligent taxpayer in this county who did not deserve the level of disrespect that was given out to him from an elected official. Lee and anyone else that had to endure the disrespect from the Councillor deserves an apology. The Councillor should be reprimanded and personally, in my opinion, removed from Council. As it is our tax money that pays him to what. Bluntly disrespect us. The thought of our home maybe being the only home our children could have the chance at owning someday. We want them to have the community that they feel safe in and want to live in. We also want them to feel confident that the Council members respect what they have to say. After all it is our tax dollars that pay for this abuse. Thank you Mayor.

PM: Thank you. If you just stay for a moment and talk with me.

CC: Yes, I'm nervous.

PM: Did your mother make you aware that I spoke with her today.

CC: Yes she did.

PM: And did your brother make you aware that he met with me today.

CC: Yes

PM: Okay, just wanted to be clear on that.

CC: Yes

PM: Okay thank you. Thanks for your comments.

CC: Thank you

1:05:30 Councillor Davison

PM: Councillor Davison would you like to speak now.

KD: Am I allowed to speak uh openly

PM: Regarding the previous speaker sure

KD: Ok thank you um I would just like to uh make a comment on the young lady. I am very sorry that I made that comment. Uh that was my huge mistake um last year when I was running there was somebody uh that was named Lee believe it or not that had uh made a fake profile and uh had bashed me online quite uh quite heavily so um I did I didn't realize that I was uh actually saying that to a community member so I'm going to take full responsibility for that. I do apologize. Um I meant our pay was not that great not not yours. That was my comments but uh the comment that I made um toward toward Lee I don't even know who he is but I I do apologize for that and I do take full responsibility so I'm sorry.

PM: Thank you Councillor uh and we have policies within our organization that deal with those things so I assure you that this matter is being dealt with.

█: Hello again. Um I'm not sure if this is actually...I'm not sure where to say this in a point of order. Its not actually about this but it is a comment from the public um and to address what Councillor Davison has been discussing so

PM: You're right this is not the place.

■: This is not the time. I'm not entirely sure when that time could be

PM: There is public comment at the end of the Council meeting

■ Its about before the vote actually

PM: Well the Public Hearing is closed so we cannot hear any new material regarding the Scots Bay vote

■ Its not new material

PM: Other material even

■: Yes, just in light of the comments. There's a clear bias that's been shown and we would...the community would request that Councillor Davison is abstained from the vote on um file 2125 this evening

PM: Well, my ruling on that is that he can vote. Uh that the comments... the comments that have been made on Facebook, the worst platform in the world, uh didn't have to do with the um credibility or otherwise of any application. It had to do with uh the treatments that some people were receiving... that the Councillor felt some people were receiving, at this table, from the public. That doesn't go to the nub of the application. The issue of Facebook communications uh we have our own regulations around that. We'll deal with it. Uh the issue of a... of a hearing... a public hearing is quite another matter. The substance of that is quite another matter. And none of the emails touched upon that.

■: We can respectfully disagree.

PM: We certainly can

■: Thank you

PM: Yes

3:30:59 Mayor Peter Muttart

PM: So that's the may they, can they, uh yes. And then there's a should they and then there's a few comments before I begin that analysis. So, I'd ask you to bear with me. Um Councillor Davison's already apologized for...for the exchange of posts on Facebook. I've not heard any apologies coming from any other direction. So, I'd ask you to forgive Councillor Davison. His...His brief release from reality. Uh I don't...I can't look at him when I say that. But we'll be talking about that. Its...Its uh inappropriate unrestraint by the Councillor, yes, but it's not disqualifying as to the issue which we're determining tonight. I did not hear them, but I'm advised that others heard derogatory remarks in this room about persons with disabilities and I sure hope

that's not true. If it were to be true it's unacceptable because we here, in the Municipality, as representatives of the Municipality, pride ourselves in being fully inclusive. I had the opportunity to view, while we're talking about bad behavior, I had the opportunity to view a video published by an individual whom I won't name. Produced inside a half-ton truck while driving down Scots Bay Road and the verbal narrative highlighting the anti-campground signs posted in the road limit while he intersperses maligning comments about the Mayor and the Councillor for the district, and members of Council in general. Again, not necessary. It doesn't influence us one way or another and it's just unseemly. Uh someone was wise enough to see that it was taken down early in the game. So bad behavior has existed throughout this and it's all been totally unnecessary. No matter what direction it was coming from. Uh and last on that note I..I...after that I attended at the invitation of Ms. Steel, and in the company of Councillor Granger, a meeting of a considerable number of residents of the area held at Scots Bay Community Centre. To hear the nature of the concerns at that time. Persons from the community that have expressed support for the project weren't present. It was back to the point of them... of those folks seeming to be not wanting...seeming not to want to be exposed to aggression uh or division. Divisiveness has kept them away other than by uh writing or calling in. Uh at that meeting um again unfortunately inappropriate aggressive comments were directed toward the Councillor. Not necessary. So I'm done with that. We all recognize passion. It's always preferable if it's expressed in a face-based and respectful fashion. I have of course as I know my fellow Councillors have toured the area many times both before and after this application. I have taken the opportunity to read every letter, every email, and every report on this file. As you can appreciate, we've received many letters and other communications on both sides. Generally, the communications that oppose the application list the following or similar concerns and I'm going to try to address each one.....

****This is the end of discussion related to Councillors from Mayor Muttart. It continues with his analysis of reports and concerns received.****



MUNICIPALITY OF THE COUNTY OF KINGS

**Policy for the Investigation and Adjudication of Complaints under
the Code of Conduct for Elected Municipal Officials**

Creation Date: October 2014
Approval Date: February 4, 2015
Revision Date: July 5, 2016

Policy Category: Administration
Next Review Date: February 2018

Interpretation:

1. In this policy:

- a. "business days" do not include Saturdays, Sundays, statutory holidays, and any other days on which the offices of the Municipality are closed;
- b. "CAO" means the Chief Administrative Officer of the Municipality of the County of Kings;
- c. "Clerk" means the Clerk of the Municipality of the County of Kings;
- d. "Code" means the *Municipality of the County of Kings Code of Conduct for Elected Municipal Officials*, as adopted and amended by Council;
- e. "Council" means the Council of the Municipality of the County of Kings;
- f. "Investigator" means a person retained by the CAO to conduct an investigation and deliver a report under this policy who:
 - i. has experience in municipal law, municipal governance, or alternative dispute resolution; and
 - ii. is designated on a list of potential Investigators approved by a resolution of Council

MASTER

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MUNICIPALITY OF THE COUNTY OF KINGS

**Policy for the Investigation and Adjudication of Complaints under
the Code of Conduct for Elected Municipal Officials**

Statement of Purpose:

2. The purpose of this policy is to provide a clear, fair, and unbiased procedure for investigating and adjudicating complaints that members of Council have contravened the Code.

Requirements for a Valid Complaint:

3. A complaint that a member of Council has contravened the Code may be brought by a member of Council or any member of the public.
4. A complaint that a member of Council has contravened the Code shall:
 - a. be in writing;
 - b. be signed by an identifiable individual;
 - c. set out, at a minimum, the following information:
 - i. the name of the member of Council who has allegedly contravened the Code;
 - ii. the provision of the Code allegedly contravened;
 - iii. the facts constituting the alleged contravention, including the date on which the alleged contravention took place;
 - iv. the complainant's contact information;
 - v. the names and contact information of witnesses to the alleged contravention;
 - d. be filed with the Clerk within six months of the date on which the alleged contravention took place.

MASTER

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MUNICIPALITY OF THE COUNTY OF KINGS

**Policy for the Investigation and Adjudication of Complaints under
the Code of Conduct for Elected Municipal Officials**

5. Complaints which do not comply with Section 4 shall not be accepted by the Clerk for further processing and investigation.
6. If the Clerk receives a complaint that does not comply with Section 4, he or she shall give the complainant:
 - a. written notice of the deficiencies; and
 - b. an opportunity to re-submit their complaint in a form or manner which complies with Section 4.
7. Any complaints submitted and any information gathered during the investigation shall be considered confidential unless and until the information is released in the manner(s) prescribed in the Policy.

Preliminary Screening:

8. The Clerk shall forward all complaints which comply with Section 4 to the CAO for a determination as to whether the complaint is, on its face, a complaint with respect to non-compliance with the Code that is not covered by other legislation.
9. If the CAO determines that:
 - a. he or she is unable to determine whether a complaint is, on its face, a complaint with respect to non-compliance with the Code that is not covered by other legislation, he or she shall refer the complaint to external legal counsel for guidance on this issue; or
 - b. it would be inappropriate for him or her to make this determination in a particular case, he or she shall delegate authority to make the determination to an investigator, in which case the investigator shall be fully empowered to review the complaint, make the determination, and deliver any written information required under Section 10 to the complainant.

MASTER

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MUNICIPALITY OF THE COUNTY OF KINGS

**Policy for the Investigation and Adjudication of Complaints under
the Code of Conduct for Elected Municipal Officials**

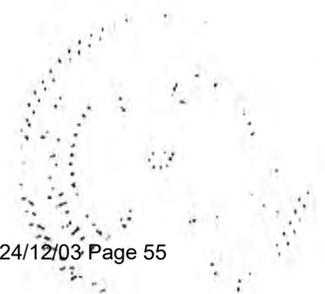
10. If a determination is made that a complaint is not, on its face, a complaint with respect to non-compliance with the Code or is covered by other legislation, he or she shall instruct the Clerk to advise the complainant in writing as follows:
 - a. if the complaint is, on its face, an allegation that a member of Council has engaged in conduct contrary to the *Criminal Code of Canada* or conduct that gives rise to or constitutes an offence under federal, provincial or municipal legislation, the complainant shall be advised that they must pursue the allegation with the appropriate police force, agency or other entity;
 - b. if the complaint is, on its face, an allegation of non-compliance with the *Municipal Conflict of Interest Act*, the complainant shall be given a copy of the statute and advised to review the matter with their own legal counsel;
 - c. in all other cases, the complainant shall be advised that the matter does not fall under the ambit of the Code, together with any additional reasons and/or referrals as the CAO considers appropriate.

11. If a determination is made that a complaint is not, on its face, a complaint with respect to non-compliance with the Code or is covered by other legislation, the CAO shall provide the following information to the member of Council who is the subject of the complaint:
 - a. written confirmation that the complaint is not being forwarded for investigation; and
 - b. a copy of the complaint.

12. The decision of the CAO at the preliminary screening stage as to whether or not the complaint should be forwarded to an investigator is final, and is not subject to any right of appeal, review or reconsideration.

MASTER

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MUNICIPALITY OF THE COUNTY OF KINGS

Policy for the Investigation and Adjudication of Complaints under the Code of Conduct for Elected Municipal Officials

13. The CAO shall report to Council:

- a. the cost of referring the complaint to external legal counsel (pursuant to subsection 9a); or
- b. The cost associated with delegating the authority to make the preliminary determination to an investigator (pursuant to subsection 9b).

Referral to and Investigation by Investigator:

14. If a determination is made that the complaint is, on its face, a complaint with respect to non-compliance with the Code that is not covered by other legislation, the CAO shall:

- a. retain an Investigator to conduct an investigation and provide a report to Council;
- b. via personal service or registered mail, provide the member of Council who is alleged to have breached the Code with:
 - i. copies of the complaint and any other materials filed by the complainant;
 - ii. written notice that an Investigator has been retained, together with the Investigator's contact information;
 - iii. written notice of the deadline by which the member may provide a written response to the complaint; and
 - iv. a copy of this policy;
- c. provide written notice to the complainant that their complaint has been referred to an Investigator, together with the Investigator's contact information and a copy of this policy.

15. The member of Council who is alleged to have breached the Code may, within 10 days of receiving the materials referred to in subsection 14(b), deliver a written response to the complaint to the Investigator.

MASTER

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MUNICIPALITY OF THE COUNTY OF KINGS

**Policy for the Investigation and Adjudication of Complaints under
the Code of Conduct for Elected Municipal Officials**

16. The Investigator shall, via personal service or registered mail, provide the complainant with:
 - a. copies of the response and other materials submitted by the member of Council alleged to have breached the Code; and
 - b. written notice of the deadline by which the complainant may provide a written reply to the above response and other materials.
17. The complainant may, within 10 days of receiving the materials referred to in Section 16, deliver a written reply to the Investigator.
18. The Investigator may, at his or her discretion:
 - a. speak to anyone relevant to the complaint, including but not limited to the complainant, the member of Council alleged to have breached the Code, and any witnesses referred to in the complaint, response or reply;
 - b. take or accept a written statement from anyone relevant to the complaint, including but not limited to the Complainant, the member of Council alleged to have breached the Code, and any witnesses referred to in the complaint, response or reply.
19. If the Investigator speaks to anyone pursuant to subsection 18(a), he or she shall prepare a written summary of their conversation.
20. If the Investigator speaks to and/or takes or accepts a written statement from anyone pursuant to Section 18, he or she shall:
 - a. via personal service or registered mail, provide copies of any such statements and summaries of any such conversations to the complainant and the member of Council alleged to have breached the Code; and

MASTER

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MUNICIPALITY OF THE COUNTY OF KINGS

**Policy for the Investigation and Adjudication of Complaints under
the Code of Conduct for Elected Municipal Officials**

- b. allow the complainant and the member of Council alleged to have breached the Code to provide a written response to any such materials within 10 days of receiving same.
21. The Investigator may, at his or her discretion, extend any of the time periods imposed by Sections 15, 17, and 20(b).
22. If the Investigator is of the opinion that:
- a. a complaint is not, on its face, a complaint with respect to non-compliance with the Code or is covered by other legislation;
 - b. a complaint is frivolous, vexatious, or not in good faith; or
 - c. there are no grounds or insufficient grounds for an investigation,
- he or she shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.

Reports, Recommendations and Settlement Agreements:

23. Within 90 days of being retained by the CAO, the Investigator shall deliver a report to the CAO outlining:
- a. the scope of their investigation;
 - b. a detailed summary of the evidence collected during the course of their investigation;
 - c. if the Investigator decided not to conduct or to terminate an investigation under Section 22, the findings and reasons in support of their decision;
 - d. where applicable, the Investigator's conclusion as to whether the member of Council breached the Code, together with the findings and reasons in support of their conclusion;

MASTER

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MUNICIPALITY OF THE COUNTY OF KINGS

**Policy for the Investigation and Adjudication of Complaints under
the Code of Conduct for Elected Municipal Officials**

- e. if the Investigator concluded that the member of Council breached the Code, either:
 - i. the terms of any settlement agreement reached with the member of Council; or
 - ii. the Investigator's recommendations as to sanction and/or corrective action, together with the reasons for their recommendations; and
 - f. the total cost incurred by the Municipality in retaining the Investigator to investigate the complaint and produce their report.
24. The Investigator shall append copies of the following documents to his or her report:
- a. a copy of the complaint;
 - b. copies of any written submissions or evidence tendered by the complainant and the member of Council during the course of the investigation;
 - c. any summaries prepared pursuant to Sections 18 and 19; and
 - d. any written statements taken or accepted pursuant to Sections 18 and 20.
25. The Investigator shall not lose jurisdiction over the complaint simply by failing to deliver his or her report to the CAO within the 90 day time limit specified by Section 23.
26. If the Investigator determines that a member of Council has breached the Code, he or she may recommend one or more of the following sanctions and/or courses of corrective action:
- a. a written warning or caution to the member to refrain from engaging in similar conduct in the future;
 - b. a written reprimand;

MASTER

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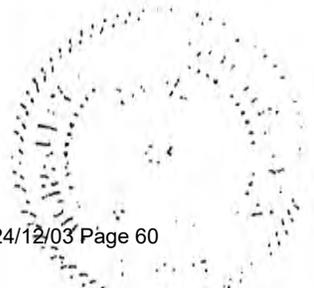


MUNICIPALITY OF THE COUNTY OF KINGS

**Policy for the Investigation and Adjudication of Complaints under
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- c. a request that the member apologize to the complainant, Council, or any other persons affected by the breach; and
 - d. the withdrawal of the member's appointment to a committee of Council.
27. In formulating recommendations for sanctions and/or courses of corrective action, the Investigator's primary objective shall be to prevent or deter the continuation or repetition of the conduct or activity that gave rise to the breach of the Code.
28. The Investigator shall not deliver a report to the CAO finding a breach of the Code unless:
- a. the Investigator has given, via personal service or registered mail, the member of Council found to have breached the Code written notice of the basis for the proposed finding and any recommendation sanction and/or corrective action; and
 - b. the member of Council has either entered into a settlement agreement, or been given 10 days from receipt of the above-mentioned notice to provide a written response to the proposed finding and any recommended sanction and/or course of corrective action.
29. The Investigator may, at his or her discretion, extend the 10 day period imposed by subsection 28(b).
30. The Investigator may, at any point after the completion of his or her investigation and before delivering his or her report to the CAO, enter into a settlement agreement with the member of Council alleged to have breached the Code whereby the member agrees:
- a. that they have breached the Code;
 - b. to a specific sanction and/or to complete a specified course of corrective action by a set date; and

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- c. that if they fail to complete a specified course of corrective action by a set date, the settlement agreement shall be null and void, and the matter shall revert to the Investigator for further reporting and recommendations to Council.
- 31. The Investigator shall not enter into a settlement agreement unless he or she is satisfied that the sanction and/or course of corrective action set out in the settlement agreement will adequately prevent or deter the conduct or activity that gave rise to the breach of the Code.
- 32. The Investigator shall not enter into a settlement agreement which provides that its terms are to remain confidential and/or that the settlement agreement may not be made public.
- 33. If the Investigator enters into a settlement agreement, he or she shall deliver a copy to the CAO with his or her report.
- 34. Upon delivery of the Investigator's report to the CAO, his or her conclusions as to whether the Code was breached are final and are not subject to any right of appeal, review, or reconsideration.
- 35. Upon receipt of the Investigator's report, the CAO shall forward copies of same to the complainant and the member of Council alleged to have breached the Code.

Referral of Investigator's Report, Settlement Agreement and Recommendations to Council:

- 36. If the Investigator concludes that there was a breach of the Code and a settlement agreement is reached as to sanction and/or corrective action, the CAO shall table the Investigator's report and settlement agreement at the next regularly scheduled meeting of Council, and provide Council with a brief report regarding the Investigator's findings.
- 37. If the Investigator concludes that there was a breach of the Code and no settlement agreement was reached with the member who breached the Code, the CAO shall:
 - a. distribute copies of the Investigator's report to all members of Council; and

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- b. ensure that consideration of the Investigator's recommendations regarding sanction and/or corrective action is added as an item to the agenda for the next regularly scheduled meeting of Council that is at least 5 business days after the date on which the CAO distributes copies of the report to the members of Council.
38. The member of Council found to have breached the Code may, no less than 2 business days before the meeting at which Council will consider the Investigator's report and recommendations, deliver written submissions regarding sanction and/or courses of corrective action to the CAO, who shall forthwith deliver copies of same to the other members of Council.
39. The member of Council found to have breached the Code may make oral submissions regarding sanction and/or courses of corrective action at the meeting at which Council considers the Investigator's report and recommendations.
40. The member of Council found to have breached the Code is not entitled to vote on any motions relating to the Investigator's report or the sanctions and/or courses of corrective action flowing from the breach.
41. If the complaint against the member of Council found to have breached the Code was filed by another member of Council, that member is not entitled to vote on any motions relating to the Investigator's report or the sanctions and/or courses of corrective action flowing from the breach.
42. In considering the Investigator's report and recommendations, Council may, subject to the provisions of the Code:
- a. accept the Investigator's recommendations as to sanction and/or corrective action;
 - b. vary the Investigator's recommendations as to sanction and/or corrective action;
or

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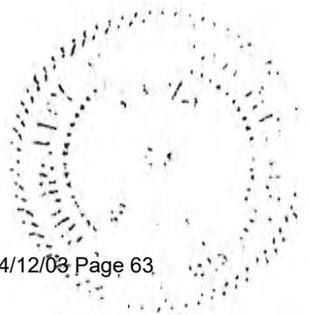
MUNICIPALITY OF THE COUNTY OF KINGS

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- c. reject the Investigator's recommendations, and impose such other sanctions and/or courses of corrective action as it sees fit.
43. A decision by Council to withdraw a member's appointment to a Committee of Council shall not trigger the application of Section 3 of the Municipality's *Councillor and Committee Remuneration Policy*, FIN-05-002.

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MUNICIPALITY OF THE COUNTY OF KINGS CODE OF CONDUCT FOR ELECTED MUNICIPAL OFFICIALS

This Code of Conduct establishes guidelines for the ethical interpersonal conduct of Members of Council. The Council is answerable to the community through democratic process and this Code assists in providing for the good government of the Municipality of the County of Kings.

STANDARDS OF CONDUCT

Members of Council shall uphold the law and at all times:

- (a) seek to advance the common good of the municipality as a whole while conscientiously representing the communities they serve;
- (b) perform the functions of office truly, faithfully, and impartially to the best of their knowledge and ability in accordance with the core values of
Integrity – giving the municipality's interests absolute priority over private individual interests;
Honesty – being truthful and open;
Objectivity – making decisions based on a careful and fair analysis of the facts;
Accountability – being accountable to each other and the public for decisions taken; and,
Leadership – confronting challenges and providing direction on the issues of the day;
- (c) uphold this Code as a means of promoting the standards of behaviour expected of Members of Council and enhancing the credibility and integrity of Council in the broader community.

COUNCIL MEMBER RESPONSIBILITIES

Conduct to be Observed: Members of Council are agents of the public whose primary objective is to address the needs of the citizens. As such, they are entrusted with upholding and adhering to the by-laws of the municipality as well as all applicable provincial and federal laws. As public servants, Members of Council must observe a high standard of morality in the conduct of their official duties and faithfully fulfill the responsibilities of their offices, regardless of their personal or financial interests.

Dedicated Service: All Members of Council shall faithfully work towards developing programs to address the needs of the citizens in the course of their duties. Each shall strive to perform at a level which is expected of those who work in the public's interest.

Respect for Decision-Making Process: All Members of Council recognize the responsibility of the Mayor to accurately communicate the decisions of the Council, even if they disagree with such decisions, such that respect for the decision-making processes of Council is fostered.

Conduct at Meetings: Members of Council shall respect the chair, colleagues, staff, and members of the public present during Council meetings or other proceedings of the municipality. Meetings shall provide an environment for transparent and healthy debate on matters requiring decision-making.

Release of Confidential Information Prohibited: No Member of Council shall disclose or release to any member of the public any confidential information acquired by virtue of his/her office, in either oral or written form except when required by law or authorized by the municipality to do so; nor shall Members of Council use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

Gifts and Benefits: No Member of Council shall show favouritism or bias toward any vendor, contractor, or others doing business with the municipality. Members of Council are prohibited from accepting gifts or favours from any vendor, contractor, or others doing business with the municipality personally, or through a family member or friend, which could give rise to a reasonable suspicion of influence to show favour or disadvantage to any individual or organization.

Use of Public Property: No Member of Council shall request the use of municipal-owned vehicles, equipment, materials, or property for personal convenience or profit, except where such privileges are granted to the general public. Members of Council shall ensure that the business of the municipality is conducted with efficiency and shall avoid waste, abuse, and extravagance in the provision or use of municipal resources.

Financial Integrity: Members of Council shall make decisions that reflect the prudent stewardship of public funds with a focus on accountability and transparency. Members of Council shall act in accordance with FIN-05-008: Business Expense Policy, and FIN-05-020: Hospitality Policy.

Obligations to Citizens: No Member of Council shall grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.

Interpersonal Behaviour: Members of Council shall treat every person, including other Members of Council, corporate employees, individuals providing services on a contract for service, and the public with dignity, understanding, and respect and ensure that their work environment is free from discrimination, bullying, and harassment.

Community Representation: Members of Council shall observe a high standard of professionalism when representing the municipality and in their dealings with members of the broader community.

GOOD GOVERNANCE

Members of Council accept that effective governance of the municipality is critical to ensuring that decisions are taken in the best interests of all stakeholders and to enable the municipality to function as a good corporate citizen.

GOVERNMENT RELATIONSHIPS

Members of Council recognize the importance of working constructively with other levels of government and organizations in Nova Scotia and beyond to achieve the goals of the municipality.

CONFLICT OF INTEREST AVOIDANCE

Members of Council are committed to making decisions impartially and in the best interests of the municipality and recognize the importance of fully observing the requirements of the *Municipal Conflict of Interest Act*, R.S.N.S. 1989, c. 299 with regard to the disclosure and avoidance of conflicts of interest.

REPORTING BREACHES

Persons who have reason to believe that this Code has been breached in any way are encouraged to bring their concerns forward. No adverse action shall be taken against any Member of Council or municipal employee who, acting in good faith, brings forward such information.

CORRECTIVE ACTION

Any reported violation of the Code will be subject to investigation by the Council. Violation of this Code by a Member of Council may constitute a cause for corrective action. If an investigation finds a Member has breached a provision of the Code, Council may impose corrective action commensurate with the nature and severity of the breach, which may include a formal warning or reprimand to the Member.


Councilor Kevin Davison

declare that, as a Member of the Council of the Municipality of the County of Kings, I acknowledge and support this Code of Conduct for Elected Municipal Officials.

Declared this 11th day of July 2023

TAB 2

May 7, 2024 Public Hearing and Council Transcript

KingsCountyNS Youtube video titled "Public Hearing & Council May 7, 2024)

(<https://www.youtube.com/watch?v=5dvM2andgLw>)

57:59 Cara Coleman

CC: Uh my name is Cara Coleman. I'm a lead hand at Eden Valley Poultry. Um I think that there's a conflict between one of the council members and the poultry industry and including my family who lives off of poultry. Uh I am going to read a statement from my mother. My name is Amanda Dickens. I live at 5394 Highway 358. I am the 28 year spouse of Lee Coleman. I would like to address a few things here tonight if I could. After the events on Saturday where Lee was called a fake and a loser after a post had been made on social media in an act of unprofessionalism by a Council member. I want to say that I assure you that it takes more than words to hurt Lee's feelings. Loser and fake won't do it but it should not have happened and needs to be addressed. Lee has worked hard for the past 30 years to provide for his family. He is currently the foreman of a company that has a four year long wait list of clients. Lee has worked in his field for most of his working years from one end of the province to the other. On many projects including many chicken barns in recent years. So many he has lost count. Lee is a go to work and come home to his family kind of guy. A great father, a loyal friend, spouse, co-worker, employee, and great provider and hard worker who keeps to himself. I've watched Lee break his body and spirit to provide for us. Sometimes with wounds that would scare you to your core. But the very next day he got up and went back to work. No matter what he felt like asleep at the super table kind of hard worker. As we work harder for less and less each week and have to...and have less and less at each pay...at the end of each pay. The stress of how things seem to be going in the world have us questioning how things get done, or not done, with all our money goes....where all our money goes. And for what for the Councillor to say, sorry for my language before I say this, uh quote on quote shit pay. Referring to my Facebook post made on Saturday...referring to the Facebook post made on Saturday. It was disrespectful to people like Lee who destroy their bodies every day at work. Blue collar people work extremely hard for the money that they earn. Lee has no luxury of time off at the end of his work week, He needs rest for Monday and the cycle continues. Eat sleep work for pay. He tells it straight as it is. He does not have a lot of time to explain out all the reasons or details or for debates or meetings. He is hardworking...he is a hardworking, intelligent taxpayer in this county who did not deserve the level of disrespect that was given out to him from an elected official. Lee and anyone else that had to endure the disrespect from the Councillor deserves an apology. The Councillor should be reprimanded and personally, in my opinion, removed from Council. As it is our tax money that pays him to what. Bluntly disrespect us. The thought of our home maybe being the only home our children could have the chance at owning someday. We want them to have the community that they feel safe in and want to live in. We also want them to feel confident that the Council members respect what they have to say. After all it is our tax dollars that pay for this abuse. Thank you Mayor.

PM: Thank you. If you just stay for a moment and talk with me.

CC: Yes, I'm nervous.

PM: Did your mother make you aware that I spoke with her today.

CC: Yes she did.

PM: And did your brother make you aware that he met with me today.

CC: Yes

PM: Okay, just wanted to be clear on that.

CC: Yes

PM: Okay thank you. Thanks for your comments.

CC: Thank you

1:05:30 Councillor Davison

PM: Councillor Davison would you like to speak now.

KD: Am I allowed to speak uh openly

PM: Regarding the previous speaker sure

KD: Ok thank you um I would just like to uh make a comment on the young lady. I am very sorry that I made that comment. Uh that was my huge mistake um last year when I was running there was somebody uh that was named Lee believe it or not that had uh made a fake profile and uh had bashed me online quite uh quite heavily so um I did I didn't realize that I was uh actually saying that to a community member so I'm going to take full responsibility for that. I do apologize. Um I meant our pay was not that great not not yours. That was my comments but uh the comment that I made um toward toward Lee I don't even know who he is but I I do apologize for that and I do take full responsibility so I'm sorry.

PM: Thank you Councillor uh and we have policies within our organization that deal with those things so I assure you that this matter is being dealt with.


Hello again. Um I'm not sure if this is actually...I'm not sure where to say this in a point of order. Its not actually about this but it is a comment from the public um and to address what Councillor Davison has been discussing so

PM: You're right this is not the place.

█ This is not the time. I'm not entirely sure when that time could be

PM: There is public comment at the end of the Council meeting

█ Its about before the vote actually

PM: Well the Public Hearing is closed so we cannot hear any new material regarding the Scots Bay vote

█ Its not new material

PM: Other material even

█ Yes, just in light of the comments. There's a clear bias that's been shown and we would...the community would request that Councillor Davison is abstained from the vote on um file 2125 this evening

PM: Well, my ruling on that is that he can vote. Uh that the comments... the comments that have been made on Facebook, the worst platform in the world, uh didn't have to do with the um credibility or otherwise of any application. It had to do with uh the treatments that some people were receiving... that the Councillor felt some people were receiving, at this table, from the public. That doesn't go to the nub of the application. The issue of Facebook communications uh we have our own regulations around that. We'll deal with it. Uh the issue of a... of a hearing... a public hearing is quite another matter. The substance of that is quite another matter. And none of the emails touched upon that.

█ We can respectfully disagree.

PM: We certainly can

█ Thank you

PM: Yes

3:30:59 Mayor Peter Muttart

PM: So that's the may they, can they, uh yes. And then there's a should they and then there's a few comments before I begin that analysis. So, I'd ask you to bear with me. Um Councillor Davison's already apologized for...for the exchange of posts on Facebook. I've not heard any apologies coming from any other direction. So, I'd ask you to forgive Councillor Davison. His...His brief release from reality. Uh I don't...I can't look at him when I say that. But we'll be talking about that. Its...Its uh inappropriate unrestraint by the Councillor, yes, but it's not disqualifying as to the issue which we're determining tonight. I did not hear them, but I'm advised that others heard derogatory remarks in this room about persons with disabilities and I sure hope

that's not true. If it were to be true it's unacceptable because we here, in the Municipality, as representatives of the Municipality, pride ourselves in being fully inclusive. I had the opportunity to view, while we're talking about bad behavior, I had the opportunity to view a video published by an individual whom I won't name. Produced inside a half-ton truck while driving down Scots Bay Road and the verbal narrative highlighting the anti-campground signs posted in the road limit while he intersperses maligning comments about the Mayor and the Councillor for the district, and members of Council in general. Again, not necessary. It doesn't influence us one way or another and it's just unseemly. Uh someone was wise enough to see that it was taken down early in the game. So bad behavior has existed throughout this and it's all been totally unnecessary. No matter what direction it was coming from. Uh and last on that note I..I...after that I attended at the invitation of Ms. Steel, and in the company of Councillor Granger, a meeting of a considerable number of residents of the area held at Scots Bay Community Centre. To hear the nature of the concerns at that time. Persons from the community that have expressed support for the project weren't present. It was back to the point of them... of those folks seeming to be not wanting...seeming not to want to be exposed to aggression uh or division. Divisiveness has kept them away other than by uh writing or calling in. Uh at that meeting um again unfortunately inappropriate aggressive comments were directed toward the Councillor. Not necessary. So I'm done with that. We all recognize passion. It's always preferable if it's expressed in a face-based and respectful fashion. I have of course as I know my fellow Councillors have toured the area many times both before and after this application. I have taken the opportunity to read every letter, every email, and every report on this file. As you can appreciate, we've received many letters and other communications on both sides. Generally, the communications that oppose the application list the following or similar concerns and I'm going to try to address each one.....

****This is the end of discussion related to Councillors from Mayor Muttart. It continues with his analysis of reports and concerns received.****

TAB 3

Rick Dunlop

From: Kevin Davison <councillor.davison@countyofkings.ca>
Sent: Wednesday, June 26, 2024 10:37 AM
To: Rick Dunlop
Subject: Re: Municipality of the County of Kings - Code of Conduct Complaint

This is an external email.

Good Morning, Rick. Thanks for the opportunity in allowing me to send you a response to the complaint. I won't be long winded and am not going to plead for you to take this lightly. I was wrong with my post and apologized to all the parties involved. To be perfectly honest, I could not sit any longer, with this particular case, and watch the other councillors being bullied and spoke down upon, as well as our staff. The things that some community members were saying about these good people, floored me. I have been a paramedic and firefighter for 30 years, and one thing about us, is when we see something or someone getting hurt, we spring into action. In all my years, I have spoke up against this type of rederick. I felt, I could not sit back any longer, and making this post, did go against our strict policies, and I do take full responsibility for that. I am a man that wears my heart on my sleeve, and I was raised to stand up for people, something I have taught my three kids.

I could go on and on, but I know you have a job to do, and will take whatever is coming, after the investigation is complete.

In closing, I publicly apologized for my actions, and my constituents and my coworkers have been behind me since I was elected, and I don't want to ruin the relationship. Again, I'm truly sorry that this is happening, due to my lack of judgement.

Have a great week, sir.

Councillor Kevin Davison
District 8 New Minas Greenwich

From: Rick Dunlop <rdunlop@stewartmckelvey.com>
Sent: Friday, June 21, 2024 6:03 PM
To: Kevin Davison <councillor.davison@countyofkings.ca>
Subject: Municipality of the County of Kings - Code of Conduct Complaint

*** Your attachment(s) were cleaned by Check Point. [Click here](#) to restore the original(s) or contact your system administrator. ***

Dear Councillor Davison,

My name is Rick Dunlop and I have been appointed as the investigator of the attached Complaint.

If you have a written response to this Complaint, I look forward to receiving it by the end of business day on June 28, 2024.

Yours truly,



Rick M. Dunlop*
Partner
He/Him
D: 902.420.3384
C: 902.229.7424
rdunlop@stewartmckelvey.com
stewartmckelvey.com
*Law Corporation

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TAB 4

Rick Dunlop

From: Kira Coleman [REDACTED]
Sent: Wednesday, July 24, 2024 11:45 AM
To: Rick Dunlop
Subject: Re: Response
Attachments: Follow up.pdf

This is an external email.

I had a chance to answer the questions regarding my letter I will tag my letter with the response down below. I accidentally just forwarded it to myself last night and it didn't come through to you my apologies on that. If you could send an email just to verify that you have received it that would be greatly appreciated. Thank you!

On Jul 23, 2024, at 8:48 AM, Kira Coleman [REDACTED] wrote:

Good morning, I have been very busy and haven't had a minute to write up a response. My apologies I will have one to you tomorrow morning. Again my apologies hope you have a great day!
-Kira Coleman

On Jul 16, 2024, at 2:31 PM, Rick Dunlop <rdunlop@stewartmckelvey.com> wrote:

Hi Ms. Coleman,

Thank you for your response. I have a few follow-up questions:

1. In your response, you indicated that the County has not apologized to you, your brother, or mother. I recognize that it may be that you and your family consider that Councillor Davison's offensive comments directed at your father were, by extension, offensive comments directed at you, your brother, and mother. If, however, Councillor Davison made any comments about you, your brother, or mother on social media or in another forum that demand an apology, please provide them to me so that they may be considered.

I want to confirm that Lee Coleman is your father and Councillor Davison said the following about your father in social media posts:

"Lee Coleman Here come the fake profiles. There must be an election coming up! Hahaha. Loser."

"Cheryll Kelley YET again, this why I made a post. Bashing Councillors about the decision we must make. And Lee, you are the prime example of the aggression I was talking about. You don't scare me, bro and giving your address out on a media form is not bright. I don't get intimidated that easy, pal."

2. I understand that you dispute Councillor Davison's statement "...I could not sit any longer, with this particular case, and watch the other councillors being bullied and spoken down to, as well as our staff...the things that some community members were saying about these good people, floored me...". Based upon your review of various documentation and recordings, you believe that only one man from Canning spoke in less than respectful terms to the Councillors and Staff.

Please confirm that you are asking Councillor Davison to provide me, as the investigator (and you), with evidence in support of the above statement.

3. I understand that you consider that Councillor Davison's apologies are "not consequences for actions" and that you believe that breaking the Code of the Conduct should have "extreme consequences", i.e. Councillor Davison should be dismissed as a councillor.

As investigator, one of my duties is to interpret the Code of Conduct and provide a recommendation to Council, including any recommendation relating to a corrective action. With respect to the corrective action you are requesting, it would be helpful if you could provide me with your perspective on the following:

- a. The basis upon which you believe that a breach of the Code of Conduct should result in the removal of Councillor Davison, who has been elected.

As context, the corrective action portion of the Code of Conduct says: "If an investigation finds a Member has breached a provision of the Code, Council may impose corrective action commensurate with the nature and severity of the breach, which may include a formal warning or reprimand to the Member."

- b. As an investigator, I have to consider various perspectives. In this regard, do you have a perspective on one of the counter-arguments to your proposed corrective action, i.e. only a majority of voters should be permitted to remove an elected councillor through a democratically run municipal election?

I ask that you provide me with your response to the above by Tuesday, July 23, 2024. If you require more time, please let me know.

Yours truly,

Rick M. Dunlop*

Partner

He/Him

Stewart McKelvey

D: 902.420.3384

C: 902.229.7424

*Law Corporation

From: Kira Coleman [REDACTED]

Sent: Monday, July 15, 2024 10:39 PM

To: Rick Dunlop <rdunlop@stewartmckelvey.com>

Subject: Response

This is an external email!

Good evening,

I have included my response to councillor Davisons letter. If you could just send me an email back to confirm you have received my email and are able to open my letter that would be great! Thank you in advance.

-Kira Coleman

This e-mail message (including attachments, if any) is confidential and may be privileged. Any unauthorized distribution or disclosure is prohibited. Disclosure to anyone other than the intended recipient does not constitute waiver of privilege. If you have received this e-mail in error, please notify us and delete it and any attachments from your computer system and records.

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<Response.docx>

Mr Dunlop

Follow up to your follow,

1. I believe if you take a moment and read the opening statement again you will find that I said the county has apologized to myself, my mother and my brother but not apologized to my Father Lee Coleman in any form other than third person which is not appropriate.

The Mayor and Mr. Davison in the Public Hearing asked me to apologize for them. (you can review the final consideration video and find this conversation its in video form of public record) This is not appropriate, and they should be apologizing in person or in writing. But a big concern to me is the Mayor and Councillor apologizing but then in the next sentence saying councillor Davison did nothing wrong, if this is the case what exactly were the mayor and councillor apologizing for?

2. You are correct in what I am asking for, I would like to see what he is talking about as in any of the public records available, Councillor Davison is the only person flinging insults. Bullying is not public pressure of the position of councillor, it comes with the position.
3. Councillor Davison breeched his position of public trust when he failed to do his job in an unbiased way. He took information that he obtained as a councillor and turned it into a public conflict for his own personal gain. He aired county business in a public forum with our permission and to insult members of the public. I will also point out that while councillor Davison did win majority of the vote that voted, he did not receive the majority of the voting population in his area.

Councillor Davison has broken A, B, and C of the standards of conduct, Out lined in the Municipal Code of Conduct for Elected Officials. He has broken the Conduct to be Observed, Release of Confidential Information, Gifts and Benefits, Obligation to citizens, Interpersonal Behaviour, and Community Representation. Based on the Code of conducts Definitions he is in Breach of at least Half of them if not more. I will also point out, after calling the community bullies and My father as loser, He proceeded

to vote in favour of the development that caused all this issue with the reasoning and I quote " that the developers are my friends and I don't want to lose friends over this vote" -councillor Davison, which is also against the code of conduct, to vote to the benefit of your friends in the Gifts and Benefits sections.

Please reach out if you have further comments, I suggest you also review the section of the Voting, where this issue is brought up by the public and not addressed and Councillor Davison's reasoning for his Voting.

TAB 5

Rick Dunlop

From: Kevin Davison <councillor.davison@countyofkings.ca>
Sent: Sunday, August 25, 2024 1:09 PM
To: Rick Dunlop
Subject: Re: Municipality of the County of Kings - Code of Conduct Complaint

This is an external email.

Good after, Mr. Dunlop. It is very unfortunate that I have to explain myself to the complainant once again. It was on public forum, and during a full gallery, that I had apologized to the complainants father, and explained, from my seat, that I had thought I was being attacked by a third party or fake account, and that when I found it was a gentleman from the area of Scotts Bay, I quickly saw my mistake and publicly said I was sorry. If Ms. Coleman wants, she can go back to the night of the meeting and hear my apology. Th mayor asked for their apology to me for the misunderstanding and nobody came up to have this resolved, which was disheartening.

There were several councillors and staff that were intimidated by some of the residence of Scotts Bay and my comments, that I stand behind were, that I was shocked at how the council team was spoken to, and not one person stepped up to take responsibly for their actions. All meetings are recorded and all statements on the public forum. Sometimes councillors talk off the floor, and it was mentioned on several occasions that there were comments made to some staff who felt scared to even present the case. This sir, is no secret.

I mad the comment that, I hope I don't upset friends on BOTH SIDES of the argument on the decision we needed to make. There was no bias in any way, shape or form, that swayed my vote.

In closing, the vote was 5 for the campground and 4 against the campground. The public wanted my vote null and void. I am an elected official that has the right to vote. I can't help but feel, this complaint has more to do with, Ms. Coleman wanting me struck from the vote, and less to do with the complaint. I have apologised to staff, councillors, and to Lee for my comments and to this day, nobody has accepted my apology, hence the battle will continue.

I am feeling quite frustrated with what has happened and hope it can come to a resolutions soon.

Councillor Kevin Davison
District 8 New Minas Greenwich

From: Rick Dunlop <rdunlop@stewartmckelvey.com>
Sent: Friday, August 23, 2024 10:41 AM
To: Kevin Davison <councillor.davison@countyofkings.ca>
Subject: FW: Municipality of the County of Kings - Code of Conduct Complaint

*** Your attachment(s) were cleaned by Check Point. [Click here](#) to restore the original(s) or contact your system administrator. ***

Dear Councillor Davison,

I have had the opportunity to communicate through email with Ms. Coleman regarding her complaint. I attach the following correspondence:

1. Ms. Coleman's July 15, 2024 response to your June 26, 2024 email to me (See Response (003).pdf).
2. My email correspondence with Ms. Coleman. (See FW:Response)
3. Included in that email correspondence is a PDF document. (See Follow up.pdf)

I have taken some time to reflect on Ms. Coleman's response and would request that you provide me with your perspective on the following:

1. Ms. Coleman suggests that you did not apologize to her father, Lee Coleman.
2. Ms. Coleman disagrees with your June 26, 2024 email statement to me: "I could not sit any longer, with this particular case, and watch the other councillors being bullied and spoke down upon, as well as our staff. The things that some community members were saying about these good people, floored me."

Can you please provide me with the evidence you have to support your assertion that other councillors (as well as staff) were being bullied and being spoken down to?

3. Ms. Coleman also alleges that you made the statement "the developers are my friends and I don't want to lose friends over this vote..." Do you recall making this statement (or a similar statement)?

You may also respond to other assertions contained in the attached.

I look forward to hearing from you.

Rick M. Dunlop*

Partner
He/Him
Stewart McKelvey
D: 902.420.3384
C: 902.229.7424
*Law Corporation

From: Rick Dunlop
Sent: Monday, July 8, 2024 4:37 PM
To: Kevin Davison <councillor.davison@countyofkings.ca>
Subject: RE: Municipality of the County of Kings - Code of Conduct Complaint

Thank you for your response Councillor Davison.

Rick M. Dunlop*

Partner
He/Him
Stewart McKelvey
D: 902.420.3384
C: 902.229.7424
*Law Corporation

From: Kevin Davison <councillor.davison@countyofkings.ca>
Sent: Wednesday, June 26, 2024 10:37 AM
To: Rick Dunlop <rdunlop@stewartmckelvey.com>
Subject: Re: Municipality of the County of Kings - Code of Conduct Complaint

TAB 6

Rick Dunlop

From: Kira Coleman [REDACTED]
Sent: Monday, July 15, 2024 10:39 PM
To: Rick Dunlop
Subject: Response
Attachments: Response.docx

This is an external email.

Good evening,

I have included my response to councillor Davisons letter. If you could just send me an email back to confirm you have received my email and are able to open my letter that would be great! Thank you in advance.

-Kira Coleman

Dear: Mr. Rick Dunlop

Councillor Davison's has Never Apologized to My father, in Fact, no one from the county has, the county has apologized to myself, my brother and my Mother, but no one has ever in writing or in Person apologized to my Father Lee Coleman for the insults councillor Davison spued on Facebook calling him a loser and provoking violence.

I would also like to address councillor Davison's remarks that members of the community were Bullying him, other councillors an/or staff. I would respectfully ask that I be provided with Dated video clips or written statements of such occurrences. I personally viewed the PAC meeting, First Reading and the Public Hearing of the Development purposal councillor davison speaks of, there was only one man who spoke that was not very friendly. He was from Canning and talking about the Canning issues, thou he used the Scots Bay public Hearing to address the councillors, this had nothing to do with the community members from Scots Bay. So again, I respectful ask for the contexts that he is speaking of so I can better understand how this warranted calling my father a loser, who had never even spoken about the development in question or his rude comments to myself.

I read in Councillor Davison's statement regarding the incident, he agrees he is in the wrong and has broken the strict guidelines of his position. I believe he should have not have been allowed to vote in any county business until this issue was dealt with formally, which was requested several times and ignored, especially since he knew he was breaking the rules and admits doing so. Apologies are not consequences for actions, which I believe breaking the code of conduct should have extreme consequences. I think he should be

dismissed/resign. I cannot see how in anyway this is acceptable behaviour of a councillor in an elected position. Councillor Davison admits he broke the rules and publicly insulted, bullied an innocent community member (my father and myself) to further his own agenda and in his own words "for shit pay", This pay comes from Hard working tax payers Pockets so he basically insulted every Tax payer in kings county. To be allowed to stay in his position, I believe would be illustration the code of conduct has no meaning and there are no penalties for such behaviour and it is acceptable to insult and bully community members. I also believe his statement shows bias and prejudice against the community

The Insults from councillor Davison were unwarranted,unjustifiable, from an elected official and should not be taken lightly. He called a Man a "loser" who contributes most of his adult life to Constructing Buildings that further the economy in Kings County, my father supports his Family and shows up every day. I Myself work as a Lead Hand at Edenvally poultry in the agriculture community. Our family works very hard, and we have never done anything to any county councillors. Councillor Davison basically attack from an elected official position to make a county issue personal. Bullying is not asking someone to follow the MPS or listen to the citizens they have been elected by about a development that will for ever change their homes, Frankly the only person throwing insults and bullying was Councillor Davison.

TAB 7

Rick Dunlop

From: Rick Dunlop
Sent: Wednesday, September 4, 2024 11:01 AM
To: Kevin Davison
Subject: Notice Pursuant to Section 28 of the Policy for the Investigation and Adjudication of Complaints Under the Code of Conduct for Elected Municipal Officials and Proposed Settlement Agreement
Attachments: Section28NoticetoCouncillorDavison 4130-1489-2115 v.1.pdf; SettlementAgreement-CouncillorDavison 4136-2857-0195 v.1.pdf
Importance: High

Dear Councillor Davison,

Please see the attached Notice and proposed Settlement Agreement.

Yours truly,



Rick M. Dunlop*

Partner
He/Him
D: 902.420.3384
C: 902.229.7424
rdunlop@stewartmckelvey.com
stewartmckelvey.com

*Law Corporation



Queen's Marquee, 600-1741 Lower Water Street, P.O. Box 997
Halifax NS B3J 2X2 Canada tel: 902.420.3200 fax: 902.420.1417 stewartmckelvey.com

Rick Dunlop
Direct Dial: 902.420.3384
rdunlop@stewartmckelvey.com

September 4, 2024

Via Electronic Mail

Kevin Davison, Councillor

Dear Councillor Davison:

Re: Notice Pursuant to Section 28 of the Policy for the Investigation and Adjudication of Complaints Under the Code of Conduct for Elected Municipal Officials and Proposed Settlement Agreement

I have concluded my investigation into Ms. Kira Coleman's Complaint and am providing you with this Notice pursuant to Section 28 of the Policy, which provides:

The Investigator shall not deliver a report to the CAO finding a breach of the Code unless:

a. the Investigator has given, via personal service or registered mail, the member of Council found to have breached the Code written notice of the basis for the proposed finding and any recommendation sanction and/or corrective action; and

b. the member of Council has either entered into a settlement agreement, or been given 10 days from receipt of the above-mentioned notice to provide a written response to the proposed finding and any recommended sanction and/or course of corrective action.

I note that I am proceeding on the basis that serving this Notice via email (which is the manner in which we have communicated throughout this investigation) constitutes personal service. Please advise if you require me to have a process server serve you with this Notice.

1. Section 28(a)

a. Breach of Code of Conduct

I have concluded that the following Social Media Posts breached the Code of Conduct:

Lee Coleman Here come the fake profiles. There must be an election coming up! Hahaha. Loser.

*Cheryll Kelley YET again, this why I made a post. Bashing Councillors about the decision we must make. And Lee, **you are thr prime example of the aggression** I was talking about. You don't scare me, bro and giving your address out on a media form is not bright. I don't get intimidated that easy, pal.*

4130-1489-2115

The contents of these Social Media Posts clearly violate the following sections of the Code of Conduct:

*Interpersonal Behaviour: Members of Councils shall treat every person, including...**the public with dignity, understanding and respect** and ensure that their work environment is free from discrimination, bullying, and harassment.*

*Community Representation: Members of Council shall observe **a high standard of professionalism** when representing the municipality and **in their dealings with members of the broader community.***

Calling a citizen a "loser" and accusing that a citizen is engaging in aggression is not treating the public with dignity, understanding and respect. Furthermore, it does not meet the high standard of professionalism.

I understand from the public apology that you issued on May 7, 2024 and our email correspondence that you agree that you did violate the Code of Conduct. **If my understanding is wrong, then please advise immediately as it will cause me to re-evaluate the proposed Settlement Agreement in light of, among other things, section 31 of the Policy.**

b. Recommended Corrective Action

I am recommending the following corrective actions:

i. Written Reprimand

The Social Media Posts demands a corrective action that provides a formal expression of disapproval, but simultaneously recognizes your potential for rehabilitation.

You must recognize, as a Councillor, that although you may disagree with a citizen's views and may express your disagreement with such views, you must express your views in a respectful and professional manner consistent with the Code of Conduct.

Your May 7, 2024 apology reflects your potential for rehabilitation.

ii. Request for a Written Apology

I recognize that you consider that your May 7, 2024 apology is sufficient. However, Ms. Coleman considers that this apology is insufficient as it has not been directed specifically to Mr. Coleman. I can understand why such a conclusion could be drawn.

As is evident by your May 7, 2024 apology and your correspondence to me, you are sorry for your Social Media Posts. You are, however, frustrated that your apology has not been accepted.

In light of the above circumstances, I believe it is appropriate that pursuant to section 26(c) of the Policy that there be a "request that the member apologize to...any other persons affected by the breach..."

Kevin Davison
September 4, 2024
Page 3

My recommendation is that the apology be issued specifically to Mr. Coleman and be in writing. As Investigator, I cannot provide any guarantee that such written apology will be accepted, but I expect that you would agree with me that a written apology directed at Mr. Coleman does increase the chances that such an apology will be accepted.

2. Section 28(b)

In accordance with section 28(b), you may either enter into a Settlement Agreement with the Investigator or take 10 days to provide a written response to this Notice.

You will see that the Settlement Agreement incorporates the corrective actions that I am recommending. It also includes an undertaking that you will not make any social media posts in the future that violate the Code of Conduct.

This undertaking provides me with further satisfaction pursuant section 31 of the Policy which provides:

The Investigator shall not enter into a settlement agreement unless he or she is satisfied that the sanction and/or course of corrective action set out in the settlement agreement will adequately prevent or deter the conduct or activity that gave rise to the breach of the Code.

This Settlement Agreement will also be public.

If you agree to this Settlement Agreement, please date and sign. I will then sign and send you an electronic copy. You must comply with the 5-day timeline to issue a written apology to Mr. Lee Coleman or the Settlement Agreement is null and void. You must provide me with evidence that you complied with these terms of the Settlement Agreement within the 5 day time frame.

I look forward to hearing from you. If, for some reason, you would like to discuss the above with me, you may contact me at 902-420-3384.

Yours truly,



Rick Dunlop*

RMD

*Law Corporation

4130-1489-2115

COUNCILLOR KEVIN DAVISON ("Councillor Davison")

-and-

RICK DUNLOP ("Investigator")

SETTLEMENT AGREEMENT

WHEREAS

1. The Investigator was appointed and conducted an investigation pursuant to the Municipality of the County of Kings' *Policy and Adjudication of the Complaints under the Code of Conduct for Elected Municipal Officials* ("Policy");
2. The Investigator concluded that Councillor Davison breached the Code of Conduct by directing the following comments towards Mr. Lee Coleman on social media ("Social Media Posts"):

Lee Coleman Here come the fake profiles. There must be an election coming up! Hahaha. Loser.

Cheryll Kelley YET again, this why I made a post. Bashing Councillors about the decision we must make. And Lee, you are thr prime example of the aggression I was talking about. You don't scare me, bro and giving your address out on a media form is not bright. I don't get intimated that easy, pal.

3. In particular, the Investigator has concluded that Councillor Davison's Social Media Posts violated the following sections of the Code of Conduct:

Interpersonal Behaviour: Members of Council shall treat every person, including...the public with dignity, understanding and respect and ensure that their work environment is free from discrimination, bullying, and harassment.

Community Representation: Members of Council shall observe a high standard of professionalism when representing the municipality and in their dealings with members of the broader community.

4. Councillor Davison did provide a public apology on May 7, 2024 for the Social Media Posts, but has not provided a written apology to Mr. Lee Coleman;
5. The public apology made by Councillor Davison on May 7, 2024 could be interpreted as not being specifically directed at Mr. Lee Coleman;
6. Councillor Davison agrees that his Social Media Posts violated the Code of Conduct and the Investigator is satisfied that the corrective actions outlined in this Settlement Agreement will prevent or deter Councillor Davison from making social media posts that violate the Code of Conduct in the future;

THEREFORE, pursuant to sections 28(b) and 31 of the Policy, Councillor Davison and the Investigator hereby agree to the following corrective actions, which shall be made public:

1. This Settlement Agreement constitutes a written reprimand for the Social Media Posts.
2. Councillor Davison recognizes and agrees that this written reprimand constitutes a formal expression of disapproval of the Social Media Posts.
3. Councillor Davison undertakes that he shall not make any social media posts that violate the Code of Conduct in the future.
4. Councillor Davison agrees that within 5 days of the date of this Settlement Agreement, noted below, he shall issue a written apology to Mr. Lee Coleman for the Social Media Posts. The written apology shall include an admission that the Social Media Posts violate the Code of Conduct. Councillor Davison understand that pursuant to section 30(c) of the Policy that if he does not issue the written apology to Mr. Lee Coleman within the 5-day time frame, this Settlement Agreement is null and void and the matter reverts to the Investigator for further reporting and recommendations to Council.

AGREED to this ___ day of September, 2024

Councillor Kevin Davison

Investigator Rick Dunlop

TAB 8

Rick Dunlop

From: Kevin Davison <councillor.davison@countyofkings.ca>
Sent: Friday, September 6, 2024 10:53 AM
To: Rick Dunlop
Subject: Re: Notice Pursuant to Section 28 of the Policy for the Investigation and Adjudication of Complaints Under the Code of Conduct for Elected Municipal Officials and Proposed Settlement Agreement

This is an external email.



Councillor Kevin Davison
District 8 New Minas Greenwich

From: Rick Dunlop <rdunlop@stewartmckelvey.com>
Sent: Wednesday, September 4, 2024 11:01 AM
To: Kevin Davison <councillor.davison@countyofkings.ca>
Subject: Notice Pursuant to Section 28 of the Policy for the Investigation and Adjudication of Complaints Under the Code of Conduct for Elected Municipal Officials and Proposed Settlement Agreement

** Your attachment(s) were cleaned by Check Point. [Click here](#) to restore the original(s) or contact your system administrator. **

Dear Councillor Davison,

Please see the attached Notice and proposed Settlement Agreement.

Yours truly,



Rick M. Dunlop*
Partner
He/Him
D: 902.420.3384
C: 902.229.7424
rdunlop@stewartmckelvey.com
stewartmckelvey.com
*Law Corporation

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TAB 9

Rick Dunlop

From: Kevin Davison <councillor.davison@countyofkings.ca>
Sent: Wednesday, September 18, 2024 2:00 PM
To: Rick Dunlop
Subject: Re: Notice Pursuant to Section 28 of the Policy for the Investigation and Adjudication of Complaints Under the Code of Conduct for Elected Municipal Officials and Proposed Settlement Agreement
Attachments: Settlement - K Davison - 2024-09-18.pdf

This is an external email

Here is the PDF signed, Rick.

I will send the written statement as soon as I get a reply from Ms. Coleman.

Councillor Kevin Davison
District 8 New Minas Greenwich

From: Rick Dunlop <rdunlop@stewartmckelvey.com>
Sent: Wednesday, September 4, 2024 11:01 AM
To: Kevin Davison <councillor.davison@countyofkings.ca>
Subject: Notice Pursuant to Section 28 of the Policy for the Investigation and Adjudication of Complaints Under the Code of Conduct for Elected Municipal Officials and Proposed Settlement Agreement

Dear Councillor Davison,

Please see the attached Notice and proposed Settlement Agreement.

Yours truly,



Rick M. Dunlop*
Partner
He/Him
D: 902.420.3384
C: 902.229.7424
rdunlop@stewartmckelvey.com
stewartmckelvey.com
*Law Corporation

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vous avez reçu ce courriel par erreur, veuillez nous aviser et éliminer ce courriel, ainsi que les pièces jointes, de votre système informatique et de vos dossiers.

COUNCILLOR KEVIN DAVISON ("Councillor Davison")

-and-

RICK DUNLOP ("Investigator")

SETTLEMENT AGREEMENT

WHEREAS

1. The Investigator was appointed and conducted an investigation pursuant to the Municipality of the County of Kings' *Policy and Adjudication of the Complaints under the Code of Conduct for Elected Municipal Officials* ("Policy");

2. The Investigator concluded that Councillor Davison breached the Code of Conduct by directing the following comments towards Mr. Lee Coleman on social media ("Social Media Posts"):

Lee Coleman Here come the fake profiles. There must be an election coming up! Hahaha. Loser.

*Cheryll Kelley YET again, this why I made a post. Bashing Councillors about the decision we must make. **And Lee, you are the prime example of the aggression I was talking about.** You don't scare me, bro and giving your address out on a media form is not bright. I don't get intimidated that easy, pal.*

3. In particular, the Investigator has concluded that Councillor Davison's Social Media Posts violated the following sections of the Code of Conduct:

Interpersonal Behaviour: Members of Council shall treat every person, including...the public with dignity, understanding and respect and ensure that their work environment is free from discrimination, bullying, and harassment.

Community Representation: Members of Council shall observe a high standard of professionalism when representing the municipality and in their dealings with members of the broader community.

4. Councillor Davison did provide a public apology on May 7, 2024 for the Social Media Posts, but has not provided a written apology to Mr. Lee Coleman;

5. The public apology made by Councillor Davison on May 7, 2024 could be interpreted as not being specifically directed at Mr. Lee Coleman;

6. Councillor Davison agrees that his Social Media Posts violated the Code of Conduct and the Investigator is satisfied that the corrective actions outlined in this Settlement Agreement will prevent or deter Councillor Davison from making social media posts that violate the Code of Conduct in the future;

- 2 -

4136-2857-0195

THEREFORE, pursuant to sections 28(b) and 31 of the Policy, Councillor Davison and the Investigator hereby agree to the following corrective actions, which shall be made public:

1. This Settlement Agreement constitutes a written reprimand for the Social Media Posts.
2. Councillor Davison recognizes and agrees that this written reprimand constitutes a formal expression of disapproval of the Social Media Posts.
3. Councillor Davison undertakes that he shall not make any social media posts that violate the Code of Conduct in the future.
4. Councillor Davison agrees that within 5 days of the date of this Settlement Agreement, noted below, he shall issue a written apology to Mr. Lee Coleman for the Social Media Posts. The written apology shall include an admission that the Social Media Posts violate the Code of Conduct. Councillor Davison understand that pursuant to section 30(c) of the Policy that if he does not issue the written apology to Mr. Lee Coleman within the 5-day time frame, this Settlement Agreement is null and void and the matter reverts to the Investigator for further reporting and recommendations to Council.

AGREED to this 18 day of September, 2024



Councillor Kevin Davison

Investigator Rick Dunlop
COUNCILLOR KEVIN DAVISON ("Councillor Davison")

-and-

RICK DUNLOP ("Investigator")
SETTLEMENT AGREEMENT

WHEREAS

1. The Investigator was appointed and conducted an investigation pursuant to the Municipality of the County of Kings' *Policy and Adjudication of the Complaints under the Code of Conduct for Elected Municipal Officials* ("Policy");

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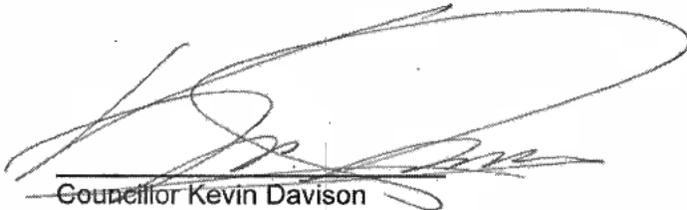
- 2 -

4136-2857-0195

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AGREED to this 18 day of September, 2024



Councillor Kevin Davison

Investigator Rick Dunlop

TAB 10

Rick Dunlop

From: Rick Dunlop
Sent: Thursday, September 19, 2024 2:45 PM
To: Kira Coleman
Subject: Fwd: Email Address

Hi Ms. Coleman,

Thank you for your email.

Councillor Davison wishes to apologize to your father and requires his email address. In the context of this process, Councillor Davison would have been provided with your email by me. It appears that he has emailed you requesting your father's email address.

This process is close to completion and I will be forwarding the relevant documentation to the CAO in accordance with the procedure.

Yours truly,

Rick M. Dunlop*
Partner
Stewart McKelvey

D: 902.420.3384

C: 902.229.7424

*Law Corporation

From: Kira Coleman [REDACTED]
Sent: Tuesday, September 17, 2024 6:28 PM
To: Rick Dunlop <rdunlop@stewartmckelvey.com>
Subject: Fwd: Email Address

This is an external email.

Good evening,

I hope all is going well I just want to touch base on a couple things if that's is ok with you. I was wondering if there is any update on the matters we have been discussing, another thing I would like to ask is how councillor Davison got my email address? Furthermore if Mr. Davison would like to get in contact with Lee Coleman (my father) the mayor was given my parents contact information.

-Kira Coleman

Begin forwarded message:

From: Kevin Davison <councillor.davison@countyofkings.ca>
Date: September 17, 2024 at 11:00:52 AM ADT
To: [REDACTED]
Subject: Email Address

Good morning, Ms. Coleman.

I am wondering if I could get Lee's email address from you?

Please let me know if you can provide that information.

Take care,

Councillor Kevin Davison
District 8 New Minas Greenwich

TAB 11

Rick Dunlop

From: Rick Dunlop
Sent: Friday, October 4, 2024 8:25 AM
To: Kevin Davison
Subject: RE: contact info
Attachments: Settlement - K Davison - 2024-09-18.pdf

Importance: High

Hi Councillor Davison,

I attach the Settlement Agreement that you signed.

I had understood from your communications throughout this process that you admit that the Social Media Posts violated the Code of Conduct.

If my understanding is correct, please send me a written apology that complies with the Settlement Agreement by 5:00 pm today.

If I do not receive a compliant written apology by then, I will conclude that you do not consider that the Social Media Posts violated the Code of Conduct and early next week will issue my Report reflecting, among other things, that you do not consider that your Social Media Posts violated the Code of Conduct.

Yours truly,

Rick M. Dunlop*

Partner
He/Him
Stewart McKelvey
D: 902.420.3384
C: 902.229.7424
*Law Corporation

From: Kevin Davison <councillor.davison@countyofkings.ca>
Sent: Thursday, October 3, 2024 6:03 PM
To: Rick Dunlop <rdunlop@stewartmckelvey.com>
Subject: Re: contact info

This is an external email.

I will have to re read the terms and conditions.

Councillor Kevin Davison
District 8 New Minas Greenwich

From: Rick Dunlop <rdunlop@stewartmckelvey.com>
Sent: Wednesday, October 2, 2024 12:35 PM
To: Kevin Davison <councillor.davison@countyofkings.ca>
Subject: RE: contact info

Hi,

Thanks for the email, but this apology does not comply with the terms of the Settlement Agreement:

"The written apology shall include an admission that the Social Media Posts violate the Code of Conduct."

Can you please amend and send to me? It also would be preferable if the apology came in a completely separate email (or even better, a letter) with the Re Line saying "Apology."

I am trying to finalize this matter today.

Rick M. Dunlop*

Partner
He/Him
Stewart McKelvey
D: 902.420.3384
C: 902.229.7424
*Law Corporation

From: Kevin Davison <councillor.davison@countyofkings.ca>
Sent: Tuesday, October 1, 2024 8:46 PM
To: Rick Dunlop <rdunlop@stewartmckelvey.com>
Subject: Re: contact info

This is an external email.

I want to send my sincere apologies to Mr. Lee Coleman and his family, for my lack of judgement on social media, and being unprofessional with my comments against them.

I have apologized publicly and now want to put in writing, that I am truly sorry for my actions.

Councillor Kevin Davison
District 8 New Minas Greenwich

From: Rick Dunlop <rdunlop@stewartmckelvey.com>
Sent: Tuesday, October 1, 2024 3:58 PM
To: Kevin Davison <councillor.davison@countyofkings.ca>
Subject: RE: contact info

Ok. Please send me your written apology and I will reflect on how best to proceed.

Thanks

Rick M. Dunlop*

Partner
He/Him
Stewart McKelvey
D: 902.420.3384
C: 902.229.7424
*Law Corporation

From: Kevin Davison <councillor.davison@countyofkings.ca>
Sent: Tuesday, October 1, 2024 11:17 AM

To: Rick Dunlop <rdunlop@stewartmckelvey.com>

Subject: contact info

This is an external email.

Good morning, sir.

I have still not received any contact information from Ms. Coleman. I have asked several times for some type of contact, but am now not receiving anything back.

I am running for re-election and would like this behind me. Is there a chance I can send you an email for you to send to them on my behalf? This has definitely been dragging on much longer than I anticipated.

Let me know the next steps from here.

Councillor Kevin Davison
District 8 New Minas Greenwich

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TAB 12

Rick Dunlop

From: Kevin Davison <councillor.davison@countyofkings.ca>
Sent: Friday, October 4, 2024 1:12 PM
To: Rick Dunlop
Subject: Letter of apology

This is an external email.

Good morning, Rick.

I hope this letter finds you well. I also hope that Mr. Lee Coleman receives this email as well. I was hoping to speak to Mr. Coleman in person or via phone, but was not able to happen.

I take full responsibility for the social media post against Mr. Coleman. I failed in judgement during a sensitive subject. My message on Facebook was unprofessional and completely inappropriate

I hope Mr. Coleman will accept my deepest apology for the insensitive comments.

In closing, I have learned to be more professional and will not be using social media, unless it is in a manner of maturity and positivity, going forward.

Councillor Kevin Davison
District 8 New Minas Greenwich

TO	Municipal Council
PREPARED BY	Greg Barr, Director of Finance & IT
MEETING DATE	December 3, 2024
SUBJECT	Growth and Renewal for Infrastructure Development Program (GRID) – Municipal and Village Projects

ORIGIN

- First introduction to Council

RECOMMENDATIONS

That Municipal Council approve the Canning Sewer Lagoon Expansion project for application under the Growth and Renewal for Infrastructure Development Program.

That Municipal Council approve the issuance of letters confirming support to the Village of New Minas, Village of Greenwood, and Village of Canning to accompany their applications for funding under the Growth and Renewal for Infrastructure Development Program, and to identify the Canning Sewer Lagoon Optimization project being advanced by the Municipality of the County of Kings as the priority project application.

INTENT

For Municipal Council to consider approval of the Municipality's application under the Growth and Renewal for Infrastructure Development Program and to provide letters of confirmed support for the applications to be submitted by the Villages of New Minas, Greenwood, and Canning.

DISCUSSION

The [Growth and Renewal for Infrastructure Development Program \(GRID\)](#) is a new funding program of the Nova Scotia Department of Municipal Affairs and Housing (DMAH) that was established as part of the [Service Exchange Agreement](#) between the Province and the Municipalities. The program is application-based, includes \$15M of provincial funds that provides funding for 50% of eligible project costs, and is available to Nova Scotia municipalities and villages. The application submission deadline is December 13, 2024.

GRID has been developed to support investment in priority municipal infrastructure projects that address critical capacity issues, build more accessible and adaptable communities and enable the preservation and expansion of services to support housing. Funding priority will be given to shovel-ready projects.

A resolution of Municipal Council supporting the submission of Municipal projects for funding consideration is required and village applications require confirmed support by the Municipality. The Municipality has received requests for confirmed support from the Villages of New Minas, Greenwood, and Canning. Project summaries for each of these village projects, and the Municipal project being considered for a GRID funding application, are contained in Appendix A.

All three of the village projects align with the eligible project criteria under the GRID program and are recommended to receive confirmed support from the Municipality. However, GRID is a competitive

application program and the Municipality has been asked to identify its project priority. Therefore, although the Village projects would be separate and distinct from the project submitted directly by the Municipality, the recommended motion includes a reference to prioritization of projects.

FINANCIAL IMPLICATIONS

- Financial implications for the Municipality’s application would be as follows:

			Project Cost
Canning Sewer Lagoon Expansion			2,581,850
			Funding Sources
Requested GRID Funding			352,621
ICIP			1,117,590
Capital Reserves			1,111,639
			2,581,850

The anticipated capital reserves funding is within the approved budget for the relevant 24/25 Municipal Capital Budget project sheet (08-3409).

- Direct financial implications of providing the requested Letters of Support cannot be reasonably quantified. All other approved GRID projects reduce the total \$15M of available provincial grant funds.

Financial details of the proposed Village projects can be summarized as follows:

	Village of New Minas	Village of Greenwood	Village of Canning
Project Cost	1,700,000	TBD	7,613
Requested GRID Funding	850,000	50% of Project Cost	3,807

STRATEGIC PLAN ALIGNMENT

✓	Strong Communities	Strategic Focus Area – Critical Infrastructure
	Environmental Stewardship	
✓	Economic Development	Strategic Focus Area – Infrastructure Strategic Project - Examination of required capacity of critical municipal infrastructure to accommodate growth.
	Good Governance	
	Financial Sustainability	
✓	Other	The confirmed support for the Village projects is not directly linked to the Municipality’s Strategic Plan but the related projects may align with several of the Municipality’s strategic priorities

Request for Decision

ALTERNATIVES

- Municipal Council may opt to submit a different project priority.
- Municipal Council may opt to not provide confirmed support to one or more of the Village applications.

IMPLEMENTATION

- Municipal staff to submit the funding application to GRID prior to the December 13, 2024 deadline.
- Mayor to provide the letters of confirmed support to the Villages of New Minas, Greenwood, and Canning.

ENGAGEMENT

- No engagement activity has taken place related to this application and the letters of confirmed support.

APPENDICES

- Appendix A: Project Summaries

APPROVALS

Scott Conrod, Chief Administrative Officer

November 28, 2024

APPENDIX A – PROJECT SUMMARIES

Municipality of the County of Kings – Canning Sewer Lagoon Optimization

Nature of Project (design, construction, etc.)

- Design & construction

General description of project

- The Canning Sewage Treatment Plant (STP) is operated by the Municipality of the County of Kings (Municipality) and consists of two aerated lagoon cells, a sludge holding pond, and two buildings that house the aeration blowers and ultraviolet (UV) disinfection system, respectively. The STP was constructed in 1973 with upgrades to the onsite pump station in 2004 and the aeration system in 2013; a UV system was also added at that time.
- This project is intended to optimize the operation of lagoons at the Canning STP through installation of additional aeration. In the optimized lagoon plan, the two existing cells would be changed to maximize their treatment capacity. This would involve increasing aeration in Cell 1 to convert it from a partial mixing system to a complete mix design and increasing aeration in Cell 2, while maintaining a quiescent zone near the outlet of the lagoon to allow for solids settling. This approach would have increased air requirements, which would require additional diffusers to be added to the lagoon system. The designer has also considered whether additional blowers would be required to provide air. The plan further includes addition of an auger screen upstream of the lagoons and a rerouting of the incoming forcemain.

Overall project budget amount

I.) PROJECT COSTS		
Class Estimate *		Class D <input type="button" value="v"/>
Professional Fees *		\$ 210,000
Materials/Supplies *		\$ 783,000
Contractor *		\$ 619,000
Contingency*		\$420,000
Other (Please Specify) *	PV Solar Array	\$ 300,000
TOTAL ELIGIBLE COSTS		\$ 2,332,000
HST*		\$ 349,800
HST Rebate*		\$ 99,950
TOTAL NET ELIGIBLE COSTS		\$ 2,581,850

Funding amount requested from GRID

- Remaining maximum provincial funding eligible after ICIP funding: \$352,621

All anticipated sources of funding for the project, including funding sources (debt, reserves, general revenues, etc.)

- GRID - \$352,621
- ICIP - \$1,117,590
- Capital Reserves - \$1,111,639

Confirm ability to meet project completion deadline of March 31, 2026

- Confirmed with Director of EPW

General statement of why this project is a priority for the Municipality

- This is a planned optimization of current infrastructure to accommodate expected growth out to 2045 (development in progress and projected population growth)
- This optimized lagoon project can treat an additional amount of wastewater, that is equivalent to a population increase of approximately 1,480 people, for a total population of 2,200 people approximating the projected population in 2045). The Municipality can also consider implementing a regular sampling and monitoring program for the STP influent so that the model can be refined further.
- This is a high-priority project, as outlined in the 2024/25 Municipal Capital Budget. This project will address capacity beyond housing starts presently in the planning stage, i.e., the Municipality fully anticipates additional growth occurring within the related Growth Centre.

General statement of why you feel it will be a funding priority for the Province under GRID

- Priority of application: Only one application is being submitted from the Municipality. This is a First Priority application (a village application may be a Second Priority).
- Critical capacity issue: The project will enable projected growth in housing and population.
- Immediate environmental and/or health and safety issue: This project addresses an immediate environmental issue ensuring the facility operates within the related regulatory approvals.
- Meets accessibility and occupational health and safety requirements: For example, aligns with the Municipality's accessibility plan (buildings will be constructed to meet or exceed regulatory requirements for accessibility and will align with the Municipal Joint Accessibility Plan).
- Considers climate change: This project is designing for 2045 by targeting the ACWWA Wastewater Guidelines 2022, which are currently the newest standards for wastewater. There are also plans to create a Photovoltaic (PV) solar array that will allow for the STP to operate on a net-zero basis (produce as much electricity as it consumes).

- **Village of New Minas – Water Reservoir Refurbishment**

Nature of Project (design, construction, etc.)

- Construction-based

General description of project

- Refurbishment of the Forsythe Water Reservoir to address operational and safety deficiencies, including installation of a new interior liner and exterior coating.

Overall project budget amount

- \$1,700,000

Funding amount requested from GRID

- \$850,000

All anticipated sources of funding for the project, including funding sources from the Village (debt, reserves, general revenues, etc.)

- \$850,000 GRID
- \$425,000 CCBF
- \$425,000 Capital Reserves

Confirm ability to meet project completion deadline of March 31, 2026

- Yes, the deadline for completion of construction is September, 2025.

General statement of why this project is a priority for the Village

- This project has been identified as the top priority for the New Minas Water Commission, and has been advanced from year five to year two of the capital investment plan with approval of the UARB. The longevity of the reservoir is currently compromised. This refurbishment is required for the long-term sustainability of the Utility, and in order for the Village to achieve its goals for expansion and new development.

General statement of why you feel it will be a funding priority for the Province under GRID

- The GRID Program supports investment in priority municipal infrastructure projects that address critical capacity issues, build more accessible and adaptable communities and enable the preservation and expansion of services to support housing. This project meets many of these investment priorities.

Copy of resolution passed by Village Commission that supports the application

- Motion Passed by Village Commission on November 12, 2024:
 THAT the Village Commission approve the Forsythe Water Reservoir Refurbishment as the Village of New Minas' priority for application under the GRID Program.

Village of Greenwood – Sidewalk Construction

Nature of project (design, construction, etc.)

- 1.8m wide sidewalk to meet the latest accessibility standards, currently there is no sidewalk there and many seniors are seen trying to make their way from the Whittington senior's homes to Shoppers Drug Mart.

General description of project

- WSP has been contracted by VOG to update and over see the 2019 plan to build a 1.8m wide sidewalk from Whittington Dr to Bridge St

Overall project budget amount

- To be determined

Funding amount requested from GRID

- 50%

All anticipated sources of funding for the project, including funding sources from the Village (debt, reserves, general revenues, etc.)

- VOG sidewalk reserves, GRID, CCBF

Confirm ability to meet project completion deadline of March 31, 2026

- Work to commence spring 2025 in conjunction with Central Ave paving.

General statement of why this project is a priority for the Village

- Many seniors live on Whittington Dr and Harley Ct. with Central Ave being extremely and increasingly busy, they fear crossing at the crosswalk to get to Shoppers Drug Mart and opt instead to walk along the mud and pothole filled soft shoulder. This is very dangerous for them and for the drivers. Often see them try to maneuver walkers and scooters along there as well.

General statement of why you feel it will be a funding priority for the Province under GRID

- With the new accessibility standards, large population of seniors and large growth in Greenwood

Copy of resolution passed by Village Commission that supports the application

- October 23 Regular VOG Commission meeting the Commission asked Clerk to pursue the application. Official resolution not provided.

Village of Canning – Updated Hydrogeologic Assessment

Nature of project (design, construction, etc.)

- Assessment services

General description of project

- The Canning Village Commission has set this project as a priority for the Canning Water Utility as we require an updated Hydrogeologic Assessment completed to ensure we have the required water infrastructure capability to service proposed new residential buildings. We need to ensure that moving forward we are planning properly for the requirements of our water system to meet the needs for the development of new housing water service as well as fire flows.

Overall project budget amount

- \$7,613 (including non-rebated HST)

Funding amount requested from GRID

- 50%

All anticipated sources of funding for the project, including funding sources from the Village (debt, reserves, general revenues, etc.)

- 50% GRID
- 50% CCBF

Confirm ability to meet project completion deadline of March 31, 2026

- The assessment is anticipated to be completed by March 31, 2025

General statement of why this project is a priority for the Village

- The Canning Village Commission sees this Water Hydrology Assessment to be a top priority to ensure that we know that we will meet all the requirements to ensure that we can meet the increased water supply that will be required with the new residential building development proposed to happen within our Village in the next five years.

General statement of why you feel it will be a funding priority for the Province under GRID

- This is an immediate need to ensure we meet the growing water system requirements. I have confirmed with the Province to ensure it meets the guidelines for funding.

Copy of resolution passed by Village Commission that supports the application

- From Minutes Nov 12, 2024: On Motion/Seconded Resolution: Clare Rivard and Wanda Sheffield, The Commission approves the Hydrology Assessment Report be completed by W G Shaw for \$7300 plus HST as it is a priority for the Village to support the increased water requirements coming with the Village. The Commission also approves the application for funding for this project through GRID funding. All in favor, Motion carried.

Committee Recommendations

COMMITTEE	Committee of the Whole
COMMITTEE MEETING DATE	November 19, 2024
COUNCIL MEETING DATE	December 3, 2024

RECOMMENDATIONS

a.	Provincial Code of Conduct for Elected Municipal Officials	That Municipal Council adopt the model code of conduct as set forth in Schedule “A” to the Regulations, which shall be titled the “Code of Conduct for Elected Officials of the Municipality of the County of Kings” attached to the November 19, 2024, Request for Decision.
b.	Repeal of ADMIN-01-012: Policy for the Investigation and Adjudication of Complaints under the Code of Conduct for Elected Municipal Officials	That Municipal Council provide seven days’ notice, per s.48 (1) <i>Municipal Government Act</i>, to repeal ADMIN-01-012: Policy for the Investigation and Adjudication of Complaints under the Code of Conduct for Elected Municipal Officials.

COMMITTEE	Nominating Committee
COMMITTEE MEETING DATE	November 21, 2024
COUNCIL MEETING DATE	December 3, 2024

RECOMMENDATIONS

a.	Councillor Appointments to Boards & Committees	<p>That Municipal Council approve the 2024-2025 Councillor appointments to Boards and Committees as detailed in the report attached to the December 3, 2024 Council agenda, effective December 1, 2024 for a one-year term ending November 30, 2025, with the appointments to the Police Advisory Board to be conditional on criminal record and background checks.</p> <p><u>List Attached</u></p>
b.	Citizen Appointment to Audit & Finance Committee	<p>That Municipal reappoint Logan Morse as citizen member to the Audit & Finance Committee for a two-year term commencing December 1, 2024.</p>
c.	Citizen Appointments to Diversity Kings County Committee	<p>That Municipal Council appoint James L. Davis and reappoint Tammy Sampson as At-Large citizen members to the Diversity Kings County Committee for a two-year term commencing December 1, 2024.</p>
d.	Citizen Appointment to Joint Accessibility Advisory Committee	<p>That Municipal Council appoint Jason Langille as citizen member to the Joint Accessibility Advisory Committee for a three-year term commencing December 1, 2024.</p>
e.	Citizen Appointment to Planning Advisory Committee	<p>That Municipal Council appoint Erik Deal as citizen member to the Planning Advisory Committee for a two-year term commencing December 1, 2024.</p>

**Annual Councillor Appointments to Boards & Committees
Nominating Committee Recommendations for 2024-2025
UPDATED November 2024**

Committee	Councillor(s) By District Current & Recommended
CANNING SOURCE WATER PROTECTION COMMITTEE	District 1: Councillor MacPherson
GREENWOOD SOURCE WATER PROTECTION COMMITTEE	District 4: Deputy Mayor Peckford
PORT WILLIAMS SOURCE WATER PROTECTION COMMITTEE	District 2: Councillor Gates
SANDY COURT SOURCE WATER PROTECTION COMMITTEE	District 5: Councillor Harding
NEW MINAS SOURCE WATER PROTECTION COMMITTEE	District 8: Councillor Sappington
WOLFFVILLE SOURCE WATER PROTECTION COMMITTEE	District 9: Councillor Allen

Committee:	Recommended Appointee	Recommended Alternate (if required)
ANNAPOLIS VALLEY REGIONAL LIBRARY BOARD (REQ: 1 Council Member & 1 alternate)	COUNCILLOR LUTZ	COUNCILLOR ALLEN
ANNAPOLIS VALLEY TRAILS COALITION BOARD (REQ: 1 Council Member & 1 alternate)	COUNCILLOR BEST	COUNCILLOR HILTZ
FENCES ARBITRATION COMMITTEE (REQ: 1 Council Member as alternate)	COUNCILLOR BEST	COUNCILLOR SAPPINGTON
JOINT ACCESSIBILITY ADVISORY COMMITTEE (REQ: 1 Council Member)	COUNCILLOR HILTZ	-
INTERIM INTERMUNICIPAL SERVICES AGREEMENT BOARD (Interim IMSA) – KINGS TRANSIT / VALLEY WASTE (REQ: Mayor and 1 alternate)	MAYOR CORKUM	COUNCILLOR LUTZ
KENTVILLE WATER COMMISSION (REQ: 1 Council Member)	COUNCILLOR GATES	-
KINGS REGIONAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE (REQ: Mayor and 1 Council Member)	MAYOR CORKUM COUNCILLOR HILTZ	-
LAKE MONITORING COMMITTEE (1 Council Member & 1 alternate)	DEPUTY MAYOR PECKFORD	COUNCILLOR HARDING

COMMITTEE:	Recommended Appointee	Recommended Alternate (if required)
LANDSCAPE OF GRAND-PRÉ INC. Member (1 Council Member & 1 alternate)	COUNCILLOR SAPPINGTON	TBD
LANDSCAPE OF GRAND-PRÉ INC. BOARD (1 Council member to be recommended for appointment)	COUNCILLOR ALLEN	-
REGIONAL SEWER COMMITTEE (1 Council Member & 1 alternate)	COUNCILLOR HARDING	COUNCILLOR MACPHERSON
VALLEY COMMUNITY FIBRE NETWORK (REQ: 1 Council Member)	COUNCILLOR LUTZ	-
VALLEY REGIONAL ENTERPRISE NETWORK LIAISON & OVERSIGHT COMMITTEE (REQ: 1 Council Member)	MAYOR CORKUM	-
No appointments needed at this time See Interim IMSA VALLEY WASTE RESOURCE MANAGEMENT AUTHORITY BOARD (REQ: 1 Council Member & 1 alternate)		
NOMINATING COMMITTEE <u>*Appointments made at November Council meeting</u> (REQ: Mayor, and 3 Councillors)	MAYOR CORKUM DEPUTY MAYOR PECKFORD COUNCILLOR MACPHERSON COUNCILLOR ALLEN	-
ASSET MANAGEMENT COMMITTEE (REQ: 3 Council Members)	COUNCILLOR GATES COUNCILLOR HARDING COUNCILLOR ALLEN	-
AUDIT & FINANCE COMMITTEE (REQ: Mayor, Deputy Mayor and 2 Councillors)	MAYOR CORKUM DEPUTY MAYOR PECKFORD COUNCILLOR MACPHERSON COUNCILLOR LUTZ	-
DIVERSITY KINGS COUNTY (REQ: 2 Council Members)	COUNCILLOR MACPHERSON COUNCILLOR SAPPINGTON	-
KENTVILLE JOINT FIRE SERVICES COMMITTEE (REQ: 3 Council Members)	COUNCILLOR SAPPINGTON COUNCILLOR HILTZ COUNCILLOR BEST	-
No appointments needed at this time See Interim IMSA KINGS TRANSIT AUTHORITY BOARD (REQ: 3 Council Members & 1 Alternate)		
PLANNING ADVISORY COMMITTEE (REQ: 4 Council Members)	COUNCILLOR MACPHERSON COUNCILLOR GATES COUNCILLOR LUTZ DEPUTY MAYOR PECKFORD	-

COMMITTEE:	Area	Recommended Appointments
FIRE SERVICES ADVISORY COMMITTEE REQ: 1 Councillor East & 1 Councillor Central & 1 Councillor West	East	COUNCILLOR ALLEN
	Central	COUNCILLOR GATES
	West	DEPUTY MAYOR PECKFORD
POLICE ADVISORY BOARD REQ: 2 Council Members New Minas RCMP Area & 1 Council Members Kingston RCMP Area	New Minas Area RCMP	COUNCILLOR SAPPINGTON COUNCILLOR BEST
	Kingston Area RCMP	COUNCILLOR HILTZ

COMMITTEE:	Recommended Appointments
KINGS REGIONAL REHABILITATION CENTRE BOARD (4 Councillors)	COUNCILLOR HARDING COUNCILLOR BEST COUNCILLOR ALLEN COUNCILLOR SAPPINGTON