

Tie vote defeats motion to keep integrity commissioner

By Mike Pickford

Orangeville Council may have to find itself a new integrity commissioner after a move to renew Ottawa lawyer Guy Giorno's contract failed at last week's regular meeting.

Mr. Giorno has served as the municipality's integrity commissioner for little more than a year, having been appointed in July 2016. A motion to extend his term for four more years, until July 31, 2021, failed in a tie vote in council chambers, much to the chagrin of at least one member.

Mayor Jeremy Williams voted with councillors Don Kidd and Nick Garisto to nix the motion, with Deputy Mayor Warren Maycock and councillors Sylvia Bradley and Gail Campbell voting to approve staff's recommendation to extend Mr. Giorno's term. Coun. Scott Wilson, who would have served as the tie breaker in this instance and was expected to support the recommendation, was not present at the meeting. In the event of a tie vote, a motion is seen to have failed.

Deputy Mayor Maycock voiced his disbelief shortly after the vote, stating that Mr. Giorno's appointment for four more years was something Council as a whole appeared to agree on during its Aug. 21 meeting, when Coun. Wilson was one of the four members in attendance who voted to extend the term. Mayor Williams, Coun. Garisto and Coun. Campbell were absent from that meeting.

"I think there's got to be a better way of doing this. (Mr. Giorno) is giving us an unbelievable hourly rate. I'm really concerned about that rate," Coun. Kidd told Council, shortly before voting no on an issue he had supported a little over a month ago. "I've said it before and I'll say it again, I think it's too easy for people to sit (and file complaints), and once the integrity commissioner receives a complaint, he or she has no choice but to act. For that reason, I will not be supporting this bylaw."

The turning point for Coun. Kidd may well have come about after he learned the municipality would be billed in the region of \$6,000 for two separate investigations Mr. Giorno had undertaken regarding Coun. Bradley and Coun. Wilson. Perhaps serving as further vindication, Mayor Williams voiced his support of Coun. Kidd's comments, stating that the extension of the current integrity commissioner's contract was a "cost I cannot support".

Under the terms of his existing contract, Mr. Giorno was billing the Town approximately \$100 an hour to look into complaints made by the public.

Sheila Duncan, the Town's communications director, said Wednesday that Coun. Wilson is expected to attend Council's next meeting, on Oct. 16, and would be in a position to have the matter revisited.

Failing reversal of last week's vote, Town Staff will be tasked with finding an appropriate replacement, Clerk Susan Greatrix having told Council that it was "no longer optional" for Ontario municipalities to have an integrity commissioner on its books. Previously, the provincial government had allowed municipalities to retain the services of the provincial Ombudsman rather than foot the bill for an integrity commissioner of their own.

"The Province has said that as of March 1, 2019, municipalities must have an integrity commissioner," Ms. Greatrix told Council.

"If we don't extend Mr. Giorno, then we will have to hire another one."

Orangeville Council's procedural bylaw contains a provision 6.15 which limits reconsideration of a previous vote to either a "member who voted on the prevailing side" or "a member who was absent from the meeting at which the vote was taken." As well, a motion to reconsider "may not be made at the same meeting as the original determination was made."