



**ADR**  
CHAMBERS

Integrity Commissioner Office  
for the Town of Orangeville

CHARLES A. HARNICK  
Integrity Commissioner  
Town of Orangeville  
integrity@adr.ca

April 18, 2022

Sent by email to:

Mayor Sandy Brown	<a href="mailto:sbrown@orangeville.ca">sbrown@orangeville.ca</a>
Councillor Todd Taylor	<a href="mailto:ttaylor@orangeville.ca">ttaylor@orangeville.ca</a>
Councillor Grant Peters	<a href="mailto:gpeters@orangeville.ca">gpeters@orangeville.ca</a>
Councillor Lisa Post	<a href="mailto:lpost@orangeville.ca">lpost@orangeville.ca</a>
Councillor Debbie Sherwood	<a href="mailto:dsherwood@orangeville.ca">dsherwood@orangeville.ca</a>
Councillor Joe Andrews	<a href="mailto:jandrews@orangeville.ca">jandrews@orangeville.ca</a>

cc: Tracy Macdonald, Assistant Clerk [tmacdonald@orangeville.ca](mailto:tmacdonald@orangeville.ca)

**Re: Final Report - Complaint IC- 15872-1221 (Complainant/Mayor Sandy Brown, and Councillors Taylor, Peters, Post, Sherwood, Andrews)**

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Dear Mayor Brown and Councillors:

I wish to advise I have now completed my investigation with respect to the subject of the above referenced Complaint and I am enclosing a copy of my final report on this matter.

I also wish to remind you of your obligation to maintain the confidentiality of the complaint process, including but not limited to the confidentiality of the complaint, responses, replies and other communication until the final report is delivered to Council in accordance with section 22 of the Complaint Protocol under the Code of Conduct for Council, Local Boards and Committees.

Yours very truly,

Charles A. Harnick  
Integrity Commissioner, Town of Orangeville



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April 18, 2022

Sent by email to:

Complainant

Mayor Sandy Brown

[sbrown@orangeville.ca](mailto:sbrown@orangeville.ca)

Councillor Todd Taylor

[ttaylor@orangeville.ca](mailto:ttaylor@orangeville.ca)

Councillor Grant Peters

[gpeters@orangeville.ca](mailto:gpeters@orangeville.ca)

Councillor Lisa Post

[lpost@orangeville.ca](mailto:lpost@orangeville.ca)

Councillor Debbie Sherwood

[dsherwood@orangeville.ca](mailto:dsherwood@orangeville.ca)

Councillor Joe Andrews

[jandrews@orangeville.ca](mailto:jandrews@orangeville.ca)

**Re: Final Report - Complaint IC- 15872-1221 (Complainant/Mayor Sandy Brown,  
and Councillors Taylor, Peters, Post, Sherwood, Andrews)**

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Dear Complainant, Mayor Brown and Councillors:

### Introduction

1. On November 22, 2021 the complainant attended before Orangeville Council (the "Council") on the Microsoft® Teams videoconference platform to make submissions, described procedurally as a delegation. Prior to that date the complainant submitted a letter to Council in anticipation of this delegation.
2. Mayor Brown took issue with the contents of the complainant's verbal submissions to Council on November 22, 2021 and terminated the complainant's

delegation, preventing her from completing her submissions in the 5 minute time frame she was allotted and to which she was entitled.

3. No member of Council rose on a point of order to challenge the Mayor's actions at this meeting. As a result, the complainant filed a complaint against Councillors Taylor, Peters, Post, Sherwood and Andrews who were present as well as Mayor Brown.
4. I have had the benefit of receiving and reviewing the written complaint, responses from the Mayor and Councillors Sherwood, Post, Taylor and Andrews. No response was received from Councillor Peters. A written reply by the complainant to the responses has also been received and reviewed. I have interviewed the complainant and Mayor Brown. Following these interviews and my review of the materials filed, I determined there was no need to conduct additional interviews.

#### **Facts**

5. The complainant followed all proper procedures to arrange for a delegation to Orangeville Council and the Municipal Clerk allowed the delegation.
6. The complainant provided a letter including the content of her delegation in advance, to the Town Clerk, which was included in the public record for the Council meeting scheduled for November 22, 2021.
7. The Mayor and all Councillors received the complainant's letter in advance of the Council meeting on November 22, 2021 as part of their meeting package allowing them to be prepared for the Council meeting.
8. The contents of the complainant's letter were controversial in that the letter challenged Council on its Covid 19 vaccination policy passed on September 27, 2021 and made allegations that Council breached various laws.
9. On November 22, 2021, the complainant attended at the Council meeting on the Microsoft® Teams videoconference platform and proceeded to read her letter to Council. The Mayor stopped her a few minutes into her delegation. In an aggressive manner he told her she was done and that her delegation was finished.
10. As stated in paragraph 3 above, no member of Council intervened.

## Analysis

11. The complainant alleges that sections 5 (3.2), 12.2, 14.2 and 14.3 of the Town of Orangeville's Code of Conduct for Council, Local Boards and Committees (the "Code") have been breached. The sections are reproduced as follows:

### **5. Responsibilities of Members of Committees and Local Boards.**

3.2 Members will conduct their dealings with each other in ways that maintain public confidence in the office to which they have been elected or appointed, are open and honest, focus on issues rather than personalities, and avoid aggressive, offensive or abusive conduct.

### **12. Conduct at Meetings of Council**

12.2 During meetings, members shall conduct themselves with decorum. Respect for delegations and fellow members and staff requires that all members show courtesy and not distract from the business of the Council or Committee during presentations and when other members have the floor.

### **14. Respect for Others**

14.2 Members shall treat every person, including other members, the public, staff and volunteers, with dignity, understanding and respect.

14.3 All members have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation. All members shall ensure that their work environment is free from discrimination and personal and sexual harassment.

12. In my interview with Mayor Brown he readily acknowledged to me that in hindsight, he should have handled the interaction with the complainant differently and permitted the complainant to complete her 5 minutes of submissions for her delegation.

13. The Mayor further acknowledged that he and Council had very strong feelings about the correctness of the Town's Covid 19 vaccination policy and the need for Council to do its part to keep the community as safe as possible. To be challenged with allegations that he and Council had acted criminally and contrary to a myriad of other laws in passing the Covid 19 vaccine policy, caused his reaction to the complainant. The Mayor also acknowledges, again in hindsight, that the complainant was entitled to express her opinion regardless of whether or not he agreed with the complainant.
14. I therefore find that the Mayor has breached section 12.2 of the Code in not showing respect or courtesy for the complainant's delegation and not conducting himself with decorum. The Mayor has also breached section 14.2 of the Code by not treating the complainant with respect based on a difference of opinion and by aggressively interrupting the complainant's delegation and not permitting her to complete the 5 minutes of her submissions to which she was entitled.
15. I find the Mayor has not breached section 14.3 of the Code as I do not believe the Mayor's conduct during this extremely short interaction (although not respectful) amounted to abuse, bullying or intimidation.
16. I also find that there was no breach of Section 5 (3.2) of the Code, as alleged by the complainant as this section deals with how members treat each other and is therefore not applicable.
17. As noted, the interaction between the complainant and the Mayor happened very quickly. It was unexpected and of extremely short duration. I accept the position of the Councillors that they were caught off guard and to quote Councillor Taylor, in his response, "The exchange between Brown and [the complainant] happened very quickly. I was caught off guard by the aggressive behavior exhibited – anyone who watched would have been equally surprised by the behavior of both individuals".
18. I therefore find no fault on behalf of the Councillors in attendance at the meeting on November 22, 2022. In my interview with the complainant, she stated that "The Councillors were honest and forthcoming" and she accepts that they are committed to being more vigilant in the future.

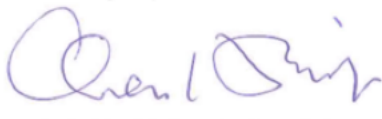
**Penalty**

19. In my discussion with the Mayor he acknowledged he should have proceeded differently and permitted the complainant to complete her delegation.

20. I believe the Mayor is apologetic for his actions at the Council meeting on November 22, 2021. What was most important to the Mayor was keeping the community safe. The Mayor felt very strongly of the need for the Covid 19 vaccination policy and was wrongly intolerant of any opinion to the contrary.

21. I am of the opinion that, in accordance with section 18.2 of the Corporate Procedure, Complaint Protocol under the Code of Conduct, the Mayor's contraventions were committed through an error in judgement made in good faith. The Mayor is apologetic for his behaviour and I would therefore recommend no penalty in the circumstances.

April 18, 2022



Charles Harnick  
Integrity Commissioner, Town of Orangeville

**Addendum to Final Report – Complaint IC- 15872-1221  
April 18, 2022**

1. Councillor Sherwood responded to the Draft Report sent to her to indicate that the reference to the “Zoom videoconferencing platform” made in paragraphs 1 and 9 in the Draft Report is incorrect as the council meeting was conducted using the Microsoft® Teams communications platform. This change has been made in paragraphs 1 and 9 of the final Report.

2. Mayor Brown responded to the Draft Report sent to him and indicated the following:

“I have reviewed your report. Thank you for your thorough investigation of this event. I acknowledge that my actions were not in keeping with established protocol and will take this as a learning experience.”

3. No other parties to the complaint delivered a response to the Draft Report and no further changes shall be made to the Draft Report other than the change indicated in paragraph 1 of this Addendum.