
COUNTY OF WELLINGTON INTEGRITY COMMISSIONER,
GUY GIORNO

Citation: Goyeau v. Duncan, 2021 ONMIC 16

Date: November 30, 2021

REPORT ON COMPLAINT

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THE COMPLAINT

1. This report concludes an inquiry into a complaint about Councillor Jeff Duncan (Respondent).
2. Ms Leah-Anne Goyeau (Complainant) makes numerous allegations that the Respondent contravened sections 1, 2 and 5 of the Code of Conduct - County Councillors.
3. She alleges that the Respondent contravened section 1 of the Code (“Members shall deposit with the Museum Curator all non-perishable gifts of appreciation for disposal or inclusion in the Museum collection”):
 - By arranging for the historic remains of the Station Street Bridge to be gifted to the County, instead of being deposited with the Museum Curator for disposal or inclusion in the Museum collection.
 - By being party to a “private agreement” with two business that allegedly made gifts of time, labour and material that were not deposited with the Museum Curator.
4. She alleges that the Respondent contravened section 2 of the Code (“Members shall not accept hospitality outside functions related to the discharge of their duties as a County Councillor”) by accepting from two businesses gifts of time, labour and material that went toward a monument that bears the Respondent’s name and displays photos from the Respondent’s “private collection.”
5. She alleges that the Respondent contravened section 5 of the Code (“Members shall not use property of the County unless permitted/required by the natural course of their duties”):
 - By using County property, staff, and resources to establish an “interconnected trail network” with “heritage/commemorative signage” that is connected to his home.
 - By using County property, staff, and resources to establish an “interconnected trail network” to provide a benefit to various organizations and initiatives with which Councillor Duncan is involved and that he supports.
 - By using his County email address in connection with what he called a “personally sponsored event”, namely a “Love Local Erin” contest.
 - Through connection to a private tourism business (bed and breakfast) that benefitted from the establishment of a tourism information centre on its private and from a contract to provide temporary lodging during the pandemic.

SUMMARY

6. In this inquiry, my role as Integrity Commissioner is only to determine whether a Council Member has contravened the Code of Conduct.
7. I have no jurisdiction over staff members and it would be improper for me to review the conduct of staff members.
8. An Integrity Commissioner has absolutely no authority over private individuals, private groups, and private businesses. It is not my place to examine their conduct. In this particular case, I have refrained from considering the conduct of the engineering firm, the construction company, the bed and breakfast, the Elora Cataract Trailway Association, Central Counties Tourism, and the individuals identified below as X, Y and Z.
9. Further, I have no role in relation to other public-sector bodies, including the Credit Valley Conservation Authority, the Town of Erin, and Town committees such as the Let's Get Hillsburgh Growing Committee.
10. I understand that the Complainant has issues with, in particular, the Elora Cataract Trailway Association and the Credit Valley Conservation Authority. This report is in no way intended to comment or to take a position on those issues.
11. My jurisdiction does not extend to the time period before the Code of Conduct came into effect. My jurisdiction does not apply before someone's election to County Council.
12. My only role is to determine whether the Code of Conduct was contravened by the Respondent, during the period when the Code was in effect and when the Respondent was a member of County Council. I find that the Code was not contravened.

BACKGROUND

13. The relevant sections of the Code of Conduct read as follows:
 1. Members shall deposit with the Museum Curator all non-perishable gifts of appreciation for disposal or inclusion in the Museum collection.
 2. Members shall not accept hospitality outside functions related to the discharge of their duties as a County Councillor.
 - ...
 5. Members shall not use property of the County unless permitted/required by the natural course of their duties.

14. The Complaint materials are extensive. They total 55 pages, consist of 11 emailed communications from the Complainant, and include 42 photos, screen captures and images. This report merely summarizes the Complaint allegations. I have reviewed and considered all the materials provided by the Complainant.

15. The Complainant is a resident of the Town of Erin and previously served on the Town's Heritage Committee.

16. The Respondent currently serves as the Ward 9 County Councillor, having been elected in 2018. Ward 9 consists of the Town of Erin. He currently serves on the Economic Development Committee and Roads Committee of County Council. Until 2020 he served on the Social Services Committee.

17. As a County Councillor, the Respondent serves on the Board of Directors of Business Centre Guelph-Wellington.

18. Previously the Respondent served three terms as a Town Councillor in Erin.¹ During his third term on Town Council, he sat on the Town's Environment & Sustainability Advisory Committee, and on the Board of Management of the Village of Erin Business Improvement Area. During his second term, he represented the Town on the Board of Directors of the Hills of Headwaters Tourism Association.

19. The Respondent was a member of the Town's Committee of Adjustment from 1997 to 2016, serving as Chair during the last ten years of that period. (Two portions of his committee service, 2000 to 2006 and 2014 to 2016, overlapped with his time on Town Council.)

20. The Respondent served on the Town's Heritage Committee from 2001 to 2007, and 2014 to 2020, and chaired the committee from 2003 to 2007. He is presently a member of the Town's Let's Get Hillsburgh Growing Committee, serving initially from 2005 to 2006, and continuously since 2014.

21. Independently of his service as a Town Councillor and as County Councillor, the Respondent served from 2017 to 2021 on the Board of Central Counties Tourism Zone 6 Regional Tourism Organization. This was a volunteer position for which he applied.

22. The Respondent is extensively involved in initiatives to preserve and promote the community's heritage and local history. This activity includes but is not limited to initiatives associated with the Heritage Committee.

23. The following efforts of the Respondent were independent of his service on the Town of Erin Heritage Committee: In 2007, he travelled to Vimy, France, at his own

¹ Mr. Duncan served on the Town of Erin Council during the 2000-2003, 2003-2006, and 2014-2018 terms.

expense, to participate in the rededication of the Canadian National Vimy Memorial and the 90th anniversary event, and laid wreaths on behalf and under the direction of Wellington County, the Town of Erin and the Royal Canadian Legion Branch 442 Erin. He also honoured fallen Canadians resting in cemeteries and honoured at memorials in France, Belgium, and England. In 2011, at this own expense, he travelled to Italy with veterans and their families on a “Keeping the Memory Alive” tour; he retraced the Canadian soldiers’ liberation and battle route and visited many Commonwealth cemeteries and memorials. In 2017, he was an organiser of a Vimy Ridge service and open house at the Erin Cenotaph, to mark the centenary of the Battle of Vimy Ridge. More generally, he has been a liaison between the Royal Canadian Legion and the community to promote the service of veterans and the sacrifice of those killed and wounded. From 2016 to 2019, he was one of two principal organizers of annual Doors Open events in the Town of Erin. He has volunteered as the story-teller (tour leader) of several Heritage Walking Tours of Erin Village. In 2017, as a Canada 150 project, he coordinated the researching, creation and erection of a formal commemoration of Erin’s reeves and mayors from 1841 to present day. In January 2018, with two other people, he organized and spoke at a public memorial service to commemorate the 100th anniversary of the death of Lieutenant-Colonel John McCrae. He was also a main organiser of a small poetry reading on the same day at the Erin Cenotaph. In November 2018, again with two others, he organized a memorial service at the Colonel John McCrae Birthplace & Memorial Gardens. In June 2019, he was one of three principal organizers of a large event (including a memorial service and a parade) in Guelph to commemorate the 75th Anniversary of the D-Day landings. The Respondent was the parade marshal and a speaker. In November 2019, at the request of the Wellington County Historical Society, he co-presented a lecture on Wellington County during the Great War (World War I).

24. The following additional activities of the Respondent were undertaken in his role as a Heritage Committee member and chair: He completed a heritage listing of all buildings (more than 600) in the Town of Erin that were constructed before 1930. He led the successful effort to preserve the Town’s first permanent house (1833) and Pennsylvania-style barn (1845), both located in Crewsons Corners, and later received formal recognition from the Ontario Heritage Trust for his work on project.² He led preparation and publication of the *Downtown Erin Heritage Walking Trail* map and brochure and, a year later, led preparation of publication of the *Hillsburg(h) Heritage Walking Trail* map and brochure. He promoted and directed two World War I education and open house evenings. He wrote numerous articles and delivered many presentations on local history and heritage. He initiated a five-year partnership with the *Erin Advocate* to publish monthly articles written by members of the Heritage Committee. He coordinated repatriation of the 1901 date stone from the former Brisbane school, S.S No. 16, and managed, researched and promoted the associated official event. He co-ordinated,

² The recognition certificate states, “The Heritage Community Recognition Program celebrates community volunteers for significant contributions to heritage conservation in their communities.”

researched, fundraised for, worked on, and promoted the restoration and creation of interpretive signage at the God's Acre Pioneer Cemetery in Hillsburgh. He organized the Town's participation in the 2017 "Treasures of the County" exhibit at the Wellington County Museum and Archives. He was extensively involved in the multi-year restoration and designation project that culminated in formal heritage designation of the Stanley Park Gates and Arch. He coordinated the updating and printing, and assisted with distribution, of the Erin Village Mill history brochure. He coordinated restoration of the cairn and bell of the former Greenock School, S.S. No.8. He prepared and participated in a five- or six-episode radio series: *We Aren't Boring ... Local Erin History*.

Station Street Bridge

25. According to the Town of Erin, its Station Street Bridge has needed significant repair and possible replacement since at least 1973. Station Street runs across an earthen dam with associated water inlet and outlet. In 2011, an outlet pipe within the earthen dam failed; emergency repairs were completed the next year. A condition of approval of the emergency repairs was that the Town would develop a permanent solution for both the dam and the bridge above (as the bridge was nearing the end of its design life).

26. An environmental assessment of rehabilitation of the bridge and dam was completed in 2016. Based on the EA, the Town selected an option that involved keeping and repairing the earthen dam while replacing the bridge with a new structure. On February 2, 2018, the provincial Minister of Environment and Climate Change formally approved the project.

27. Accompanying the environmental assessment was a Cultural Heritage Evaluation and Heritage Impact Assessment. According to the evaluation and assessment, the Station Street Bridge "was determined to retain cultural heritage value ... Its heritage significance centres on its artistic merit, historical and contextual value, location on the Hillsburgh Dam, its early construction date and associations with Gooderham and Worts as well as general historic settlement in the region."

28. From a heritage perspective, retention of the bridge was preferred. If the Town determined that the bridge would not be retained, then the Cultural Heritage Evaluation and Heritage Impact Assessment recommended two alternatives: salvaging elements of the heritage bridge for incorporation into the new structure or for future conservation work or displays; and fully documenting and recording the heritage bridge.

29. In May 2019, the Town of Erin Heritage Committee, chaired by the Respondent, agreed to support a commemoration that involved the erection, someplace nearby, of salvaged pieces of the heritage bridge and interpretive panels.

30. Finding a suitable area for a local commemoration was a challenge, as there was no Town-owned property of sufficient size close to the bridge location. Barbour Field is large but located 2.8 km away. Hillsburgh Historical Park on Main Street is closer (about 550 m away) but was considered too small to host sections of the heritage bridge.

31. As a result, the Town considered locating the commemorative area on County property. The Wellington County Museum and Archives is more than 30 km away: too far for a local commemoration. On the other hand, the Hillsburgh Branch of Wellington County Library is located at 9 Station Street, about 170 m from the bridge site. The library grounds were quickly identified as a suitable location for the commemorative area.

32. The Respondent sketched a proposed commemorative heritage interpretive area of 625 square feet (58 m²). The interpretive area would include four railing sections of the heritage bridge secured upright in the ground, with a double-sided heritage sign erected in the middle.

33. The Respondent wrote to and then appeared before County Council's Information, Heritage and Seniors Committee, which also functions as the Library Board, to propose placing the commemorative area on the library grounds. His proposal expressly recommended that:

a Memorandum of Understanding (MOU) letter be done with County and Town staff acknowledging the salvaged bridge pieces, heritage signage and related items are owned by the Town and are not the County's responsibility and the costs associated with the commemorative area are the Town's.³

34. On June 10, 2020, the committee (Library Board) adopted the following resolution:

That the request for the placement of a Commemorative Heritage Interpretive Area at the Hillsburgh Library, found in the letter by Councillor Jeff Duncan dated June 2, 2020, be endorsed; and

That County staff be directed to deal with Town of Erin staff to develop the details of its location, design, cost and ongoing maintenance; and report progress, as necessary, to the Library Board.

35. This development was reported to County Council, which on June 25 approved the committee's minutes.

36. The Respondent resigned from the Town's Heritage Committee effective July 31, 2020, but offered to complete the volunteer work of drafting the text of the interpretive sign, provided the Town's Director of Infrastructure Services agreed with him doing so. The Respondent drafted the text of two signs, and presented the drafts to the County and

³ In quoting from documents in an inquiry report, my practice is to edit punctuation and capitalization for consistency and to correct immaterial typographical and textual errors.

Town staffs. Subject to minor corrections, the Respondent's drafts were approved. The signs, as erected, appear below.



TOWN OF ERIN

HILLSBURGH MILL POND

THE FOUNDATION OF A COMMUNITY



The community of Hillsburgh that is now a part of the present day Town of Erin within the County of Wellington is situated about one hour north-west of Toronto. It is within an area that is the headwaters of two important central Ontario river systems being the Grand River and the Credit River. The Hillsburgh Mill Pond is situated at the starting point of the West Branch of the Credit River. This branch of the river meets the main Credit River in Belfountain at the cataracts within the Forks of the Credit River Provincial Park and flows south into Lake Ontario at Port Credit. The Hillsburgh Mill Pond was established to take advantage of the Credit River headwaters area that took millenniums to evolve.

The pre-European history of the area is a rich tapestry of a variety of Indigenous cultures including the Algonquians and Iroquoians. In approximately 1300-1649 this area was inhabited by the Five Nations Iroquoians, in particular the Seneca and then by the later part of the 17th Century the Ojibway (an Algonquian band). They regularly travelled through this area and claimed the land. This band became known as the Mississaugas and today the Hillsburgh Mill Pond is within the traditional territory of the Mississaugas of the Credit First Nation. The Mississaugas had a rich trading history and were in part based in the Credit River watershed.

Lands including the Town of Erin area were acquired by the British from the Mississaugas in 1818 in the Ajetance Purchase. The first survey of Erin Township was undertaken in 1819 and the first Europeans settled various parts of the Township in 1820. The early settlers were the children of British Loyalists and soldiers who had served with the British during the then recently concluded War of 1812. They settled here with recent immigrants from Scotland and Ireland who made up the majority of the local immigrants along with a lower number from England.



Map of Hillsburgh 1906
Wellington County Museum & Archives A1985

William How was Hillsburgh's first European settler in 1821. The earliest European settlement and development of Hillsburgh was due to its abundant water resources and the tapping of them for economic initiatives. The first mill was built adjacent to the Station Street Dam area in the 1830's. During 1846-1851 the original Station Street Bridge and Dam area was constructed to create a Hillsburgh Mill Pond that in turn created power to run the mills in the area.

The very influential Toronto Gooderham and Worts families and the Gooderham & Worts firm was a major driver in the development of Hillsburgh. By the mid 1800's they had a distillery empire that was reported to be the largest in the British Empire. Part of this empire stretched along portions of the Credit River valley area and included the Hillsburgh Mill Pond and surrounding acreage (approximately 100 acres) that they purchased in 1851. They constructed a larger mill dam creating the larger upper (Hillsburgh) and lower (Ainsworth) mill ponds. The mill's products were then sent overland to Oakville via Trafalgar Road and then along Lake Ontario to the final destination being the expansive distillery complex in Toronto (York). This distillery complex in Toronto is now the site of the "Distillery District" one of Canada's major historic, cultural and tourism areas.

To enable better transport of the locally produced goods from the Station Street bridge, dam and Mill Pond area the Gooderham & Worts firm invested heavily and influenced the route of the new Credit Valley Railway. The Credit Valley Railway officially opened in 1879 and a train station was built in Hillsburgh immediately adjacent to the dam and mill pond area on lands owned by the Gooderham & Worts families. This rail corridor is now

a part of the Trans-Canada Trailway being locally known and operated as the Elora to Catawact Trailway owned by the Grand and Credit Valley Conservation Authorities. This is located steps away from here on the other side of the library.

In 1891 the mill pond area was sold to the Awrey family. They were successful millers as well, taking advantage of the water power provided by the Hillsburgh Mill Pond and dam. They built three expansive homes for the time that are still standing today. One of these heritage homes on two acres (9 Station Street) was purchased by the County of Wellington in 2016 as well as the 30 acre upper Hillsburgh mill pond lands. These lands then were developed into an award winning Library that officially opened in 2018 and forms an integral part of the 14 branch County Library system.

During the early 1900's traditional mill power from water started to decline from new transportation and industrial innovations. At this same time recreation and leisure activities increased, especially among the upper classes of society. A group of very influential bankers, merchants, politicians and industrialists formed the Caledon Mountain Trout Club and purchased the upper mill pond area around the dam. From 1902 till 1946 this was an exclusive private recreation area for the elite of Canadian society. In keeping with the transformation of the area from an industrial water provider to a recreation area the Guelph Fishing Club owned and operated the upper mill pond lands from 1946 till 1998. During the late 1990's several unsuccessful initiatives tried to secure the Mill Pond for public ownership and recreational use.

The Hillsburgh Mill Pond is older than Canada has been a nation. Today it has a renewed use and provides a new foundation for the community. It is now publicly owned by the County of Wellington and the opportunities for it's potential are limitless.



Hillsburgh Train Station 1910
Wellington County Museum & Archives PH10854
Gooderham & Worts Distillery District
Toronto 1896 by A.Hider J. Duncan Private Collection



Hillsburgh Mill Pond Looking South 1902
Wellington County Museum & Archives PH31952a



TOWN OF ERIN

STATION STREET BRIDGE & DAM

THE FOUNDATION OF A COMMUNITY



The old Station Street bridge was a small engineering marvel. The existing railing sections here are from the old Station Street Bridge constructed in 1917. They were a part of the bridge that was located where the new bridge is now over the spillway of the Hillsburgh mill Pond. The 1917 bridge replaced an earlier bridge built between 1877 and 1890 by George Gooderham of the Gooderham & Worts distilling company. The Station Street bridge was the second oldest bridge and the oldest bridge of its type within the Town of Erin. With the Town being located at the headwaters area of two major rivers systems it owns 50 bridges of varying sizes.

Up until the 1890's, timber truss bridges were the most common bridge type built in southern Ontario. Stone and wrought iron materials were also employed but due to higher costs and a lack of skilled craftsmen, these structures were generally restricted to larger towns. By the 1890's, steel and concrete were becoming the two materials of choice as they were less expensive and more durable than wood or wrought iron. The use of concrete in constructing bridges was introduced at the beginning of the 1900's, and by the 1930's, it was challenging steel only bridges as the predominate type of bridge construction.

The 1917 Station Street bridge was a single span, solid concrete slab bridge carrying two narrow lanes of Station Street traffic over the spillway separating the upper Hillsburgh Mill Pond from the lower Ainsworth Pond. The bridge had a total deck length of 5.2metres with a 6.0 metre wide asphalt surface. It was a rigid frame, poured in place concrete deck with concrete abutments. The unique concrete railing system featured concrete posts connected by concrete railings, separated by concrete decorative spindles. A round "sphere" once adorned each of the four endposts.



Station Street Road & Dam
Looking North 1907
Wellington County Museum & Archives PH36458

A concrete stop log control structure was located on the upper or north side of the bridge with a spillway that ran towards the lower pond. The new bridge/dam structure employs this same design almost in the same location.

The bridge was constructed by Charles Henry Smith a local stone mason and bridge maker. He and his brother William constructed bridges and culverts in addition to hundreds of foundations for barns, cisterns and foundations for houses throughout Erin, Eramosa and Garrafusa Townships. The Station Street bridge was reputedly the first bridge constructed by Charles Smith. Another Town of Erin landmark they constructed is the Ontario Heritage Act Designated Stanley Park Arch & Gates located on Main Street at the north end of the village of Erin.

The building of the Station Street bridge and spillway in 1917 was not just a small engineering marvel, it was also an economic and local political feat. 1917 marked a highpoint of The Great War that had been raging for three years already. It's all encompassing impact upon Canadian society reached all levels and communities. For the former Township of Erin and the community of Hillsburgh to take on and proceed with arguably it's largest infrastructure project during this time is a testament to the leadership of long serving Reeve Alexander McKinnon and the support of the local population.

The Station Street Bridge and Dam and the resulting Hillsburgh Mill Pond are significant cultural heritage elements for the community of Hillsburgh and the Town of Erin. The Mill Pond is arguably the most visible identifying feature of the Hillsburgh community. It was a driving force behind the economic development and settlement of the area. We hope the new bridge and dam infrastructure will be a positive opportunity for the future of our community and have a similar 100 year plus lifespan.



Station Street Bridge 2018
RCCAO Photo



A. McKinnon Reeve
Embossed on the Bridge Railing
J. Duncan Private Collection

Thank You Commemorative & Interpretive Area Supporters

Bronte Construction

County of Wellington

County of Wellington Library Board

Town of Erin

Town of Erin Heritage Committee

Triton Engineering Services Ltd.

37. Each sign includes three photographs (six photos in total). One photograph on each sign is from the Respondent's private collection. The photos that he contributed are a 1986 photograph of Toronto's Gooderham & Worts Distillery District, and an undated photograph showing the words "A. McKinnon Reeve" embossed on a railing of the heritage bridge.⁴ Beneath each photo, in small print, appears the credit: "J. Duncan Private Collection."

38. The construction company and engineering firm that were working on the bridge replacement project agreed to donate the time and resources need to move the salvaged sections of the heritage bridge and erect them (with signage) in a gravelled commemorative area.

39. The Respondent arranged for the signs to be printed at a cost of \$226.98, and he was reimbursed this amount by the engineering firm. The printing company designed and laid out the text on each sign.

40. A gravel path connects Station Street to the commemorative area. This path is the basis of one of the Complainant's allegations. The Respondent states that he had nothing to do with the path.

41. The new Station Street Bridge and the commemorative heritage interpretive area were officially opened December 18, 2020.

Elora Cataract Trailway

42. Incorporated in February 1871 by Act of the Legislature, the Credit Valley Railway Company was established to build a rail line from Toronto to Orangeville.⁵ In March 1872, the Legislature permitted the company to build a branch line from the vicinity of Belfountain to Fergus, Elora, and Salem.⁶ Twelve months later, the company was authorized to extend another line through Ayr to Woodstock and St. Thomas.⁷

43. As actually constructed in 1879, the branch line stopped in Elora and did not continue to Salem. Further, the branch started, not in Belfountain, but in Cataract (then also known as Church's Falls), some 4 km away. Today, the hamlets of Belfountain and Cataract are on opposite sides of Forks of the Credit Provincial Park, and both are located in what is now the Town of Caledon.

⁴ During the early 20th century, Alexander McKinnon served several terms as Reeve of Erin Township, and he held office when the original bridge was built in 1917.

⁵ *Act to Incorporate the Credit Valley Railway Company*, S.O. 1870-71, c. 38.

⁶ *Act to amend the Act passed in the thirty-fourth year of Her present Majesty's reign, chaptered thirty-eight, and intituled "An Act to incorporate the Credit Valley Railway Company," and to extend the powers conferred upon the said Company*, S.O. 1871-72, c. 47.

⁷ *Act to amend several Acts relating to the Credit Valley Railway Company*, S.O. 1873, c. 80.

44. In 1883, the Credit Valley Railway was absorbed into the Canadian Pacific Railway network (being leased by a CPR subsidiary, the Ontario and Quebec Railway). As of 2021, most of the old Credit Valley Railway lines remain in use (including by CPR and GO Transit). The notable exception is the Cataract to Elora branch line, which was abandoned in 1987.

45. In 1993, the Grand River Conservation Authority and Credit Valley Conservation Authority acquired the railway right of way, which is now maintained as the Elora Cataract Trailway. The Grand River Conservation Authority owns the section between Elora and 6th Line in the Town of Erin. The Credit Valley Conservation Authority owns the portion from 6th Line in Erin to Cataract. A community group known as the Elora Cataract Trailway Association helps “to protect, improve, and promote” the Trailway, but ownership remains with the two Conservation Authorities.

46. The Elora Cataract Trailway is 46 km long, and it can be accessed at many different points. One trailhead is in Hillsburgh, on Station Street, just south of the library. A public parking lot and picnic area, located where Hillsburgh Station once stood, serve trail users. While Station Street intersects the Trailway, the Station Street sidewalk does not. Instead, the sidewalk stops just after the library.

47. Relevant to this inquiry is the physical connection between County property and the Elora Cataract Trailway.

48. A mulch path alongside the Upper Mill Pond runs behind and beside the Hillsburgh Branch of the Wellington County Library. The Complainant drew my attention to a map in a 2019 County publication, *Wellington Walks: Your guide to over 40 trails in Wellington County*, that shows the path (solid green line) in relation to the Trailway (broken green line).

Hillsburgh Library



49. According to the County publication, the path is 250 m in length, intended for walking, and consists primarily of mulch. *Wellington Walks* also explains that the path “allows users to experience the Hillsburgh Dam waterbody ... [and] also provides access to the Elora Cataract Trail and allows residents to utilize the Hillsburgh Library grounds.”

50. The map and description appear in the 5th edition of *Wellington Walks*, which is dated 2019 but, as far as I can tell, was not posted on the County website until September 2020. The previous (2013) edition of *Wellington Walks* did not include the Hillsburgh library path.

51. While the 2019 map (posted in 2020) shows that the library path is connected to the Elora Cataract Trailway, and states that the path “provides access” to the Trailway, it seems that in 2019 and 2020 the mulch did not continue all the way to the Trailway. Instead, as described to me, the mulch “peters out ... [and] a public worn trampled path that is just smooth dirt goes through a vegetated area and up an incline and ‘Ts’ into the actual limestone trailway of the [Elora Cataract Trailway].”

52. Further, while the 2019 (2020) map shows that the library path is also connected to Station Street, it seems that this connection, too, did not exist until late 2020.

53. The Complainant notes that, when the commemorative area was installed in 2020, a gravel path connected it to Station Street. Subsequently, around April 2021, what the Complainant describes as a “mysterious groomed trail” linked the mulch path to the Elora Cataract Trailway. The Respondent’s role in the interconnection of the paths and the Trailway became an issue in this inquiry.

Other Properties

54. On the other side of Station Street, across from the gravel path leading to the commemorative area, is a private residence, owned by an individual whom I refer to in this report as X.

55. A bed and breakfast establishment is located south of the Trailway. In this report, I refer to its owner as Y.

56. The Respondent lives in a heritage home in downtown Hillsburgh.

57. The Complainant submits that X, Y, and the Respondent have all benefitted from the commemorative area, gravel path, and groomed path.

Love Local Erin

58. In February 2021, the Respondent launched a contest called “Love Local Erin.” The initiative offered the opportunity to win gift cards as an incentive for people to shop and support local businesses.

59. To sign up for the contest and be entered for the gift card draw, an individual was required to email the Respondent, by February 14, with name and the subject line “Love Local Erin.”

60. Advertisements stated that the Respondent was organizing this initiative as a “private citizen and not a councillor,” but the Respondent’s email address was used to receive contest registrations.

PROCESS FOLLOWED

61. In operating under the Code, I follow a process that ensures fairness to both the individual bringing a Complaint (Complainant) and the Council Member responding to the Complaint (Respondent).

62. The Complainant contacted me by telephone on May 14; I explained the inquiry process and sent her a copy of the complaint form.

63. On May 20, the Complainant submitted the first set of allegations, with supporting information. She sent additional grounds of complaint and additional material on May 25 and May 26.

64. On May 28, I issued a Notice of Inquiry and sent it to both parties. The Notice of Inquiry identified the issues that were the subject of the inquiry, and it listed allegations that for various reasons would not be considered.

65. I declined to inquire into the allegation that, during the 2018 municipal campaign, the Respondent used the “All Roads Lead to Erin” exhibit to receive local media coverage in contravention of the use of County property provision of the Code of Conduct. I also declined to inquire into the allegation that one of Mr. Duncan’s election signs was on Credit Valley Conservation Authority property for a period of time during the 2018 municipal election campaign. These allegations relate to events that occurred before the Code of Conduct took effect in January 2019 and before the Respondent was elected to County Council.

66. I declined to inquire into the allegation that the Respondent used the title of “County Councillor” as a sponsor of the Feast of Hops beer event. While I am concerned that reference to an official position with the County is placed above what appears to be a

political campaign logo from Mr. Duncan's 2018 election campaign (see below), I exercised my discretion not to inquire into this allegation because I believed the resources expended in inquiring would be disproportionate to the significance of the matter.



67. I declined to inquire into the allegation that the Respondent holds office hours at the Hillsburgh Fire Hall. It was not clear that this fact, if proved, would amount to a contravention of the Code.

68. I declined to inquire into the allegation that the Respondent has planted trees, has watered plants, and has installed decorative signage, lights and flowers on County property. First, the Complainant did not allege that the Respondent lacked permission; she merely speculated that he lacked permission. Second, it was not clear that these facts, if proved, would amount to a contravention of the Code. Third, I believe that the resources expended on inquiry into this issue would be disproportionate to its significance.

69. I declined to inquire into the concern that the County's Planning Department was used to produce the Downtown Erin Heritage Walking Trail brochure and the Hillsburg(h) Heritage Walking Trail brochure. They were published in July 2016 and August 2016, respectively, years before the Code of Conduct came into effect and years before the Respondent was elected to County Council.

70. I declined to inquire into the subsequent allegation about the impact of the dam rehabilitation on the local turtle population, because no specific contravention of the Code of Conduct was alleged.

71. I declined to inquire into the Respondent's role, if any, in the temporary accommodation contract between the bed and breakfast and East Wellington Community Services, because no specific allegation is made – just a statement that the Complainant "has questions" about the situation.

72. I received additional emails from the Complainant providing more information and photographic evidence on June 2, June 13 (two emails), June 17, June 18, and June 23 (three emails). These materials and allegations were added to the Complaint. In total, the Complaint materials are 55 pages in length, and include 11 emailed communications from the Complainant, as well as 42 photos, screen captures and images.

73. Based on the additional material and new allegations, I issued an Updated Notice of Inquiry.

74. Meanwhile, on June 6, I received the initial Response, which was as extensive as the Complaint and included 12 attachments. Given the time it took to review the volume of material that the Respondent had to provide to address the allegations, not until July 24 was I able to share the Response with the Complainant, in a consolidated format.

75. The Complainant provided Reply submissions by email on July 24 and twice on July 26.

76. On July 29, the Respondent responded to the additional Complaint allegations and materials.

77. The Complainant made additional Reply submissions on August 3 and August 20.

78. On August 9, under subsection 223.3(3) of the *Municipal Act*, I issued a delegation to a lawyer who works with me, authorizing him to conduct interviews and conduct a site visit. He interviewed the Complainant on August 11, and on August 13 he conducted a site visit (in Hillsburgh) and interviewed the Respondent. He also interviewed additional witnesses.

79. Each party had (and used) the opportunity to respond to the other's submissions and evidence. Each party had and used the opportunity to provide information and evidence and to address all the issues in this inquiry.

80. For obvious reasons, it is impossible to compress into this written report all the information and all the arguments that the parties made. I confirm, however, that all the material I received was reviewed and has been carefully considered.

81. More importantly, the process was procedurally fair and each party had the opportunity to make two written submissions to me and comment on the other party's submissions in this proceeding.

POSITIONS OF THE PARTIES

Complainant's Position

82. The following summary cannot possibly condense the 11 emails and 55 pages that contain the Complainant's allegations. It is merely an overview.

83. The Complainant alleges that the Respondent used or is using County resources to establish an "interconnected trail network" with "heritage/commemorative signage" that is connected to his home. Specifically, it is alleged that the "integrated network" may provide the Respondent a personal benefit, and will also provide a benefit to other organizations or initiatives with which the Respondent is involved or supports. including the Elora Cataract Trailway Association, the Central Counties Tourism Board, the Let's Get Hillsburgh Growing Committee, the Town of Erin Heritage Committee, and the Credit Valley Conservation Authority.

84. According to the Complainant:

I believe Councillor Duncan is using County property, staff and resources to support broader initiatives he's involved with including the Let's Get Hillsburgh Growing Committee, the [Credit Valley Conservation Authority] / [Elora Cataract Trailway Association], the Central Counties Tourism Board and the Town of Erin Heritage Committee. The overarching purpose to create an interconnected trail network to boost tourism and development in Hillsburgh. The integrated network and heritage/commemorative signage involves his home, County property and the [Elora Cataract Trailway]. Councillor Duncan has a bronze plaque he created in front of his home that loosely associates its historical significance to the former railway station (currently the [Elora Cataract Trailway] trailhead). This is all part of his Heritage Walking Tour with the Town of Erin Heritage Committee and Doors Open that commences at the [Elora Cataract Trailway] trailhead.

85. The Complainant points out that the plaque installed in 2020 on the new bridge is bronze. Many years ago, a heritage plaque was erected outside of the Respondent's home; it is also bronze and, in her opinion, looks similar. The Complaint suspects that the same company produced both bronze plaques.

86. She further alleges:

I believe that Councillor Duncan entered a private agreement or utilized the agreement between the Hillsburgh Snow Roamers (HSR) to create a groomed trail on the County's property that seamlessly connected the monument and signage on County property to the [Elora Cataract Trailway] / [Credit Valley Conservation Authority] property. The HSR are under a licensing agreement with the [Credit Valley Conservation Authority] to groom and maintain the section of the [Elora Cataract Trailway] owned by the [Credit Valley Conservation Authority]. They are also advertised on the [Let's Get Hillsburgh Growing] Committee Facebook page.

The maintenance and grooming agreement ended April 30th, 2021. Under the agreement, the HSR are responsible for ensuring the trail is restored to good condition at the end of the season. Therefore, the grooming on library property, in exchange for the limestone and gravel provided by the County, could be perceived as a tit-for-tat agreement. I further suspect the groomer may be [company name redacted]. I have asked the [Credit Valley Conservation Authority] to make that information transparent, but they have not responded.

87. The Complainant states that the Respondent asked the County's Director of Planning and Development to furnish materials and to connect the Elora Cataract Trailway to the mulch path at the County library in Hillsburgh.

88. The Complainant notes that the Station Street sidewalk stops after the library driveway and does not continue to the Elora Cataract Trailway. She explains that a gravel connector from the sidewalk to the commemorative area, a mulch path along the water, and the connection of the mulch path to the Trailway, now provide "seamless" pedestrian access from Station Street to the Trailway.

89. The Complainant alleges that the Respondent is using his position surreptitiously to benefit the Elora Cataract Trailway Association. In her words:

I believe that Councillor Duncan is disguising the [Elora Cataract Trailway Association] under the umbrella of the [Let's Get Hillsburgh Growing Committee] and is using County, Town and Committee resources to carry out the functions of the [Elora Cataract Trailway Association] through the Town of Erin and his role as County Councillor.

90. She further states: "I'm not exactly sure what Councillor Duncan's role is with the [Credit Valley Conservation Authority] / [Elora Cataract Trailway Association], but I believe he may be part of a hidden executive/Board Member and is using County resources to support initiatives of the [Elora Cataract Trailway Association]."

91. The Complainant has been unable to obtain information about the composition of the Elora Cataract Trailway Association which, as I have explained, is a private community organization. As she explains:

A photo of Councillor Duncan previously viewed on May 15th, 2021 in front of a [Credit Valley Conservation Authority] tent as part of a tree planting initiative at Woolen Mills in the Town of Erin in 2016 organized by the ECTA has been recently removed from the ECTA's website as at May 19th, 2021 @ 4:15 pm. A photo of Z – the man who responded to the election sign inquiry – has also been removed from the ECTA's website, but can still be seen in this photo wearing a hat and denim shirt [URL redacted]

I have made several inquiries to the [Credit Valley Conservation Authority] and the ECTA to know who their Executive is without response. I'm simply told they are "just a group of volunteers."

92. In the above passage, I have substituted Z for the name of an identified representative of the Elora Cataract Trailway Association. According to the Complainant, the Elora Cataract Trailway Association subsequently removed Z's photograph from its website. She contacted the Credit Valley Conservation Authority to ask:

Who the ECTA are and why the photos of Councillor Duncan and Z had been removed from the ECTA website (within a couple of days following my complaint to the County HR Department, Warden Linton and my contact with Integrity Commissioner).

93. The Credit Valley Conservation Authority replied, in part, as follows:

As a result of your recent requests for information, the ECTA has indicated to [Credit Valley Conservation Authority] that their volunteer members are uncomfortable with the unfounded and unexplained allegations being made about them and as such have requested that any past newsletters that contain personal contact information be removed from public websites and social media pages. Your recent inquiries about the legitimacy of the ECTA, the integrity of their actions and your requests that they identify specific individuals has created fear and personal safety concerns. The ECTA members do not understand the intent of or the goal of your investigation of them.

94. The Complainant states further that the monument and paths benefit a private individual, whom I will refer to as X, as well as the Respondent:

I would further like to address the monument and gravel path installed on County property and the alignment of that path X. The lower pond referred to as X's pond in the interpretive signage was not named by X himself, but by Councillor Duncan. X now has an interconnected path to ski on from his property, across Station Street directly to the interpretive signage that has his name on it. In addition, X donates significantly to the [Credit Valley Conservation Authority] (who owns the [Elora Cataract Trailway]).

I question whether this path in its precise location on County property wasn't put there intentionally to in part honour X as a major benefactor to the [Credit Valley Conservation Authority]. Furthermore, Councillor Duncan lives on the other side of the pond and I question whether it was put there to provide a 'view' of it across the pond from his backyard.

95. According to the Complainant, X is the administrator of a community group that advocated for the preservation of the Hillsburgh Pond.

96. The Complaint states that the Respondent contravened section 1 of the Code by arranging for the historic remains of the Station Street Bridge to be gifted to the County, instead of being deposited with the Museum Curator for disposal or inclusion in the Museum collection.

97. The Complainant submits that the Respondent was party to a "private agreement" with the engineering firm and the construction company under which the companies made

a gift of “the time, labour and material costs involved with the salvation, storage, installation, purchasing commemorative signage, posts and the landscaping costs (a gravel path leading to the monument) ... through Councillor Duncan.”

98. In her words:

The time, labour and material costs involved with the salvation, storage, installation, purchasing commemorative signage, posts and the landscaping costs (a gravel path leading to the monument) were gifted/donated by [the engineering firm] and [the construction company] through Councillor Duncan. The verbiage on the signage was created by Councillor Duncan and his name appears twice in reference to photo contributions from his “private collection.”

The monument preservation, the trail leading up to it and the signage on County property were never a part of the original agreement between the Town/County in the rehabilitation of the Station Street bridge (owned by the Town) and the dam (owned by the County). The preservation, installation of the monument and signage was not voted on by the Town of Erin Heritage Committee formally through their minutes, nor approved by County or Town Councils. The costs of preserving the remnants were not considered or approved by the Town or the County in the initial decision to move forward on the construction despite the option being presented in the [Cultural Heritage Evaluation]. This was a private agreement between Councillor Duncan and [the engineering firm]. No charitable tax receipt was issued to [the engineering firm] by either the Town of Erin, The Town’s Heritage Committee or the County for the donation provided. This was confirmed with [an official of the engineering firm], on May 17, 2021 who stated he passed off the project to Councillor Duncan and wrote off the expenses.

99. She further states that the gift, by the engineering firm and the construction company, of time, labour and material, went toward a monument that bears the Respondent’s name and photo contributions from his “private collection.”

100. The Complainant also alleges that the Respondent used his County email address in connection with what he called a “personally sponsored event”, namely a “Love Local Erin” contest in February 2021. She notes that the Respondent told the *Wellington Advertiser* that he was acting as a “private citizen and not a councillor” in sponsoring the Love Local Erin contest

101. According to the Complainant, a bed and breakfast business has benefitted from the installation of a Tourism Information Centre on its private property, as well as an agreement to provide temporary lodging to individuals in need during the COVID-19 Pandemic through an agreement with East Wellington Community Services. She states that East Wellington Community Services is funded, in part, by the County of Wellington and the Town of Erin. She alleges a series of connections between Y (owner of the bed and breakfast business) and the Respondent, and asks whether the Respondent is a silent partner in the bed and breakfast.

102. The Complainant states that the Respondent is connected to the bed and breakfast in several ways. Both the bed and breakfast and the Respondent's home participated in Doors Open, and both properties are part of the Hillsburgh Walking Tour. The Respondent and Y were both active in the Let's Get Hillsburgh Growing Committee. Both the Respondent and Y have been photographed at Elora Cataract Trailway Association events. The Complainant mentions that one link from the Town of Erin website points to a photo of Y standing by a Elora Cataract Trailway Association sign.

103. The Complainant also points out that the bed and breakfast "markets itself as being steps from the [Elora Cataract Trailway] and heavily promotes cycling events on the [Elora Cataract Trailway] including one on the Hillsburgh library property as well as marketing the library for retreats and other events."

104. For example, the Complainant notes that the bed and breakfast used its Facebook page to promote a charity event, called Tanya's Ride for Brain Injury, that kicked off from the library. The Complainant further mentions that the Town's clerk provided musical entertainment at this charity event.

105. Additional evidence provided by the Complainant includes: photographic proof that Y attended a Central Counties Tourism Symposium in 2018, a photo of a Let's Get Hillsburgh Growing sign affixed to a tree on the bed and breakfast property, and an aerial photo showing the proximity of the bed and breakfast to the Trailway and the pond.

106. The Complainant suggested that I should conduct additional investigation into the Respondent's assets. For example, she wrote to me, "you may also want to inquire whether Councillor Duncan owns the Century Church Theatre" in Hillsburgh. The basis for her suggestion was that both the Century Church Theatre and the Respondent's home appear on the Heritage Walking Tour map, both participated in Doors Open, and the signage on the theatre "looks similar to the wood carved Town signs."

107. The Complainant invited me to examine the building's ownership because, as she explains, "The church is privately owned, but I [the Complainant] am unable to determine its owner."

108. The Complainant believes that the Respondent has failed to separate the many roles he plays within the community:

The lines are not clear, but what is clear is that Councillor Duncan seems to wear many hats and seems to have his hand in many pots that involve County, Town and [Credit Valley Conservation Authority] properties and resources. He also seems to assume roles beyond that of a politician through his volunteerism that raises many questions about who is making the decisions and whether those decisions and actions are being mandated through councils or being done unilaterally through side-bar agreements with multiple organizations, volunteers and committees.

Respondent's Position

109. The Respondent acknowledges that he is an enthusiastic heritage advocate who believes that the best way to engage the public on heritage matters is through education and by treating heritage as a shared resource of the community. He provided details of his significant community involvement and volunteering in the areas of heritage and history to demonstrate that his interest is broad, ongoing, and not isolated, and that it is not motivated by personal, financial gain as the Complainant would characterize it.

110. While this particular project was located in Hillsburgh, the community where the Respondent lives, he points out that his active involvement in history and heritage preservation extends throughout the County, and has also included events and activities in the City of Guelph and the so-called "Headwaters" tourism area.

111. Regarding the Station Street Bridge commemorative area, the Respondent explains in detail that he undertook all actions as part of his duties as a County Councillor in support of legitimate heritage goals. While he prepared a report for the Library Board and spoke to the report at a meeting, the design work, project financing, ownership, maintenance and Trailway connection decision-making were carried out by staff pursuant to Library Board and Council-approved recommendations.

112. He rejects the suggestion that he was part of any "private agreement" with the engineering firm concerning remnants of the historic bridge. The engineering firm first reached out to him concerning the report of the Cultural Heritage Evaluation and Heritage Impact Assessment. The Respondent says that his role was to help facilitate the approval in principle and to draft the wording and coordinate the ordering of the commemorative signage, all efforts that he feels were part of his "natural Councillor duties."

113. It was not the Respondent's intention that the commemoration project would impose a cost on the County. His letter to the Library Board expressly stated, "costs associated with the commemorative area are the Town's."

114. The Respondent stresses that the engineering firm and construction company worked on the project for the Town of Erin. They did not work for County Council. Further, they are not County Councillors and, consequently, are not subject to the Code of Conduct. The engineering firm and construction company were under no obligation to deposit the historic remnants with the County Museum.

115. Further, the Respondent notes that the Station Street historic railings, pedestal and signage are owned by the Town of Erin. Items belonging to the Town are not subject to the Code of Conduct rule on gifts to the County.

116. He also notes that the remnants of the historic bridge were not a gift to him personally.

117. The Respondent states categorically that he has no business relationship with the bed and breakfast or any other local business except that of his spouse. (Her business is service-based not property-based.)

118. The Respondent has no connection to the Credit Valley Conservation Authority or the Elora Cataract Trailway Association.

119. In response to the allegation of violation of section 5 of the Code through use of a County email address in the “Love Local Erin” contest, the Respondent believes that support for this type of initiative occurs in the natural course of his duties. He points out that the Code does not define the phrase “natural course of a Councillor’s duties” and this reflects the fact that this determination is left to the interpretation and discretion of Councillors based on the particular circumstances. In his written submissions, he points out that although the promotional material stated that it was not a County event, he clearly identified and held himself out as a County Councillor, suggesting his participation arose from his responsibilities as Ward 9 Councillor. He explains that he called the initiative “personal” simply to distinguish it from a County corporate initiative, and not to indicate that it was outside his role as a Councillor.

120. The Respondent states that the historic significance of his home is not a personal benefit to him. It is a “shared history” with the community.

121. The bronze plaque outside his home was erected in 2001, before the Town’s Heritage Committee and the Let’s Get Hillsburgh Growing Committee existed. The plaque was endorsed by the Ontario Heritage Foundation (now Ontario Heritage Trust) and the County of Wellington Historical Society and the Respondent paid for it personally.

122. As for the alleged similarity between his plaque and the plaque on the new bridge, the Respondent points out that bronze heritage signs are standard in Ontario and, in fact, North America. He also notes that his bronze sign and the bridge bronze sign are different colours. Further, he did not design the plaque on the bridge, decide its style or material, select the production company, or order the sign.

123. The maps of the Hillsburgh and Downtown Erin walking tours were published years before his election to County Council. The Respondent argues that distributing the brochures, now that he is a County Councillor, is in the natural course of his duties.

124. The Respondent has no personal or business relationship with X and states that the gravel path to the monument was not designed with the goal of benefitting X, whose home is on the other side of Station Street. As for X’s name on the text of the commemorative area plaque, the Respondent explains that the reference is based on geographic accuracy (X’s name is, in fact, the name of a pond) and not intended as a political reward.

125. Contrary to the allegation of the Complainant, the commemorative area cannot be seen from the Respondent's property.

FINDINGS OF FACT

126. Findings of fact appear in the Background section of this report, and below. Findings are made based on the standard of balance of probabilities.

127. I find that the Respondent's property does not abut or connect to the Station Street Bridge commemorative area or to the new gravel path or the groomed path.

128. I find as a fact that the engineering firm first contacted the Respondent to discuss a possible commemoration consistent with the Cultural Heritage Evaluation recommendation.

129. I find that the Respondent has no interest in any property except his own, and no interest in any business affected by the bridge, the dam, the commemorative area, the paths, or the Elora Cataract Trailway.

130. I find that the resources, labour, and bridge remnants used to construct the commemorative area and adjoining paths were not gifts to the County and were not gifts to the Respondent. If they were gifts at all, then they were gifts to the Town of Erin.

131. I find that the Respondent was not party to an agreement with the engineering firm or the construction firm.

132. I find that the Respondent did not direct or request the grooming of a path to connect the library property to the Elora Cataract Trailway.

133. I find, in the circumstances of this inquiry, that the fact that an individual was photographed with another individual, or photographed beside a sign, or photographed at an event, is not a reasonable basis to conclude that someone possesses a financial interest in an organization or activity or that someone belongs to an organization.

134. I find that the following coincidences, either individually or collectively, do not justify suspicion that the Respondent has an undisclosed private interest: the fact that two properties both participated in Doors Open; the fact that two properties both appear on the walking tour map; the fact that two people were both active in the Let's Get Hillsburgh Growing Committee; that fact that two signs contain shamrocks.

135. I find that the shamrock is used as a logo by the Town of Erin and by many entities within the Town. The fact that two or more individuals or entities within the Town of Erin use a shamrock logo is unremarkable.

136. I find that the Respondent did not request, dictate, or direct the expenditure of County funds, resources, or staff labour.

137. I find that there is no “interconnected trail network” connected to the Respondent’s home.

138. I find that the “Love Local Erin” contest fell within the Respondent’s role as a County Councillor.

ISSUES AND ANALYSIS

139. I have considered the following issues:

- A. Did the Respondent contravene section 1 of the Code by failing to ensure that the historic remains of the Station Street Bridge were deposited with the Museum Curator for disposal or inclusion in the Museum collection?
- B. Did the Respondent contravene section 2 of the Code by accepting hospitality unrelated to official duties?
- C. Did the Respondent contravene section 5 of the Code by using County property other than in the natural course of duties as a Council Member?

A. DID THE RESPONDENT CONTRAVENE SECTION 1 BY FAILING TO DEPOSIT WITH THE MUSEUM CURATOR?

140. No.

141. There was no gift to the County and no gift to the Respondent. Consequently, there was nothing to deposit with the Museum Curator.

B. DID THE RESPONDENT CONTRAVENE SECTION 2 BY ACCEPTING HOSPITALITY UNRELATED TO OFFICIAL DUTIES?

142. No.

143. There is no indication that the Respondent received hospitality at all.

144. A Councillor does not have a personal interest in the erection of a commemoration or monument merely because a commemorative sign includes a photo from a Councillor’s personal collection and names the Councillor in the photo credit.

C. DID THE RESPONDENT CONTRAVENE SECTION 5 BY USING COUNTY PROPERTY OTHER THAN IN THE NATURAL COURSE OF DUTIES?

145. No.

146. There is no evidence that the Respondent used County labour, funding or materials.

147. I cannot find that the “Love Local Erin” initiative was outside the scope of the natural course of the Respondent’s duties.

CONCLUSION

148. I find no contravention of the Code of Conduct.

CONTENT

149. Subsection 223.6(2) of the *Municipal Act* states that I may disclose in this report such matters as in my opinion are necessary for the purposes of the report. All the content of this report is, in my opinion, necessary.

Respectfully submitted,



Guy Giorno
Integrity Commissioner
County of Wellington

November 30, 2021