**THE TRUTH BEHIND THE SANCTIONS**

**The Back Story**

In early 2019, in our commitment to transparent and accountable decision-making, Councillors Crystal Kissel, Kevin Hanson and I challenged the process used to hire then-CAO Al Hoggan. We hired a lawyer – at great personal expense – to obtain advice on how to deal with our concerns and wrote a letter to the editor of Rocky View Weekly to make residents aware of our concerns.

**The Sanctions and their Impacts**

In July of 2019, we were severely sanctioned for questioning the CAO hiring process – for taking a stand we believed was in the residents’ best Interest. Initially, we were sanctioned by the CAO. However, this was quickly followed by sanctions from the majority on council – McKylor, Schule, Gautreau, Boehlke, Henn and Kamachi. They alleged that we had shared a confidential document with the public and that our letter to the editor was disrespectful and discourteous.

The sanctions removed us from all boards, suspended our travel privileges and ability to represent the County, slashed our salaries by 30% and eliminated access to any Staff member other than the CAO. While the council majority stated that the sanctions allowed us to continue to do our jobs, I can honestly say they did not.

**Did we share Confidential Information with the Public?**

No.

The Municipal Government Act affords Councillors the latitude to retain expert advice to fulfill their fiduciary duties. The document ***remained confidential*** under solicitor-client legal privilege. Further, the document was delivered to the Judge sealed, protecting it from being included in the public record.

**Successful Legal Challenge**

Believing that the sanctions were an extreme over-reaction by the majority on council, we challenged the sanctions in court. The Alberta Court of Queen's Bench ruled that **the sanctions were irrational and unlawful**. Further, the courts also concluded that the investigator who assessed the majority’s claims had a reasonable apprehension of bias. As a result, **the judge “set aside” the sanctions**, the equivalent of concluding they should never have been imposed.

**The appeal**

In response to the judge’s ruling, in July 2020, the council majority chose to appeal the court’s decision. Since then, despite numerous attempts on our part to find a mediated solution and to stop the appeal altogether, the majority has chosen to forge ahead.

What does this mean to you?

Our legal bills are close to $150,000 – paid out of our own pockets and $21,000 in donations from supportive residents. Unlike the three of us, the six have never been financially responsible for any of their decisions. Furthermore, **the appeal is not covered by the County’s legal insurance.** This means it is being paid for by your tax dollars.

An appeal that will not be heard until spring of 2022, long after the election and on sanctions that have long since expired.

**Standing up to Bullying**

In our opinion, the sanctions were a bully tactic aimed at silencing three vocal critics on many issues, not just the CAO hiring process. We have always acknowledged that six beats three – that’s democracy. However, for the majority, being on the winning side wasn’t enough. They needed to take it further. Why?

**Will history repeat itself?**

Do I believe the Code of Conduct was weaponized? Absolutely.

Does the Code of Conduct need to be reviewed? Most definitely.

It was clear from early on that bullying, disrespect and verbal abuse were common behaviours. Had we been more pro-active and challenged these behaviours earlier, it may not have escalated to the level it did.

Once elected, I will use this experience to help create a safe workplace – one that fosters and encourages robust and thoughtful debate while respecting differing viewpoints.