

Comments District of Sooke on Social Media  
February 22, 2016

I'd like to take a few moments to talk about social media and the comments that have been made over the past couple of months.

There are very few things we can control in our lives, we certainly cannot control world events, economics, and with technology today, we cannot control social media. But my integrity is one of the few things in life that I do have control of. I have worked hard all my life, in my personal life with family and friends, in my professional career as a Probation Officer, Officer of the Court, Peace Officer, and in my role as a Councillor for the people of Sooke. I strive for due process, fairness, kindness, compassion and honesty, and I tell the whole story even if it doesn't go in my favour. I take responsibility for when I make mistakes; I own up to them, I don't try to hide them under the carpet and hope it will go away.

As a Councillor, my role is always to do what the citizens of Sooke want. It's hard to find the balance sometimes between special interest groups and the quiet majority. When there have been decisions that have been high profile in the community, and I have taken a position to not support a motion, I can spend hours crafting my reasons to ensure that the community understands my thinking, what I considered and why I did not support the matter. I believe that this commitment to due process and fairness is why I was elected to a second term, not only re-elected but topping the polls with 56% of the vote. I also believe I am respectful to all of the citizens of Sooke, regardless of whether they support me or not.

So I am at quite a loss that after 4 years of serving as a Councillor that all of a sudden my integrity has been called into question on social media; is it personal? is it political? or is it just because people who post don't actually fully understand the issue? I am taken aback by the meanness and negativity that has transpired on many social media sites, inaccuracy in articles and comments that encourage and promote more innuendo. Posts that don't give the whole story, people being selective of what they post distorting the truth.

Mayor Tait and I have had a number of discussions on this. What does one do? How does one respond? How do you correct the misinformation and things that are incorrect? You worry responding will just create more questions, some you can answer and some you cannot. Some people say "don't say anything" and others, "you have to say something."

So as Mayor Tait once commented, I am going to take a leap of faith. Provide information to hopefully give context, some things I cannot comment about because the law says I cannot.

Firstly, the transparency of the hiring of the CAO. A hiring committee was struck with Councillor Pearson, Councillor Kasper and myself as the Chair. As the Chair my only responsibility was to lead the process and between August and November I would say that I spent at least somewhere between 35 and 40 hours over and above my full time employment and council duties. There is no extra pay for sitting on this committee. The CAO posting was

posted in two career Ad sections, in the Times Colonist and the Vancouver Sun and was also posted on four internet sites, Workopolis, Indeed, Civic Info BC and of course the District of Sooke website.

There are only two pieces of legislation that guides municipalities, the Local Government Act and the Community Charter. So, to be clear, I did not hire the CAO, the hiring committee did not hire the CAO, Council hired the CAO. I am not sure if everyone is aware, given the posts on social media, that the way Council works is one person, one vote. So again, for the record, Council hired Ms Sullivan.

After the hiring of the CAO, social media reported a story on the Standards of Conduct of the BC Public Service Agency which had oversight for municipalities. This is totally incorrect. The BC Public Service Agency is an arm of the Provincial Government to oversee the some 30,000 employees that work for the Provincial Government. This agency has absolutely no role or responsibility with municipal governments.

District of Sooke staffing. There can be no discussion here. In 1993, the Province of BC brought in the Freedom of Information and Protection of Privacy Act which outlines what information can be disclosed and what cannot be disclosed. There has been a huge push on social media demanding that Council or Staff release information that relates to personal information that is clearly protected under this legislation. Section 74.1 outlines the Privacy Protection Offences and under section 74.1 (5) (c) it reads:

- (5) A person who commits an offence under this section is liable
  - (c) in the case of a corporation, to a fine of up to \$500 000.

Should anyone with the District of Sooke, Council or Staff, provide any information to anyone, the District of Sooke faces a \$500,000 penalty – that is \$500,000 of tax payers money. On top of that, the person whose personal information was divulged could sue the District of Sooke as well.

Finally, the District of Sooke Procedural By-law. This procedural by-law was last amended in 2009 (long before I was elected) and stands as the legislation that sets out exactly how the business of Council is to be conducted in its meetings. Social media has been vicious towards me on my positions that 1) speakers must speak to items on the agenda only, including agendas of the Committee of the Whole and 2) vague applications to speak as a delegation require clarity to ensure that the topic is under the jurisdiction of the Council.

Starting with the second one first. It is very clear in the procedural by-law that all matters coming before Council must be within the jurisdiction of the Council. It is incumbent of the Chair of the meeting to ensure that this rule is followed. To not do so is violation of our procedures by-law. For anyone to suggest that Council should continue to allow delegations or individuals to speak because it is best practice, raises two serious concerns 1) best practice is not applied to law, the law is the law, whether we agree with it or not and 2) not following the rules of the District's procedural by-law is not a best practice but a wrong practice. To also

allege that the District does not refuse delegations is also incorrect. As Acting Mayor I signed a letter to an applicant refusing them to appear as a delegation in mid-January. The decision to refuse the delegation came from the Corporate Officer's desk.

Now on the former, that speakers must speak to items on the agenda only, today Lidstone and Company, the District's lawyers, confirmed my position on this to be correct, that individuals can only speak to those items on the agenda of all committees of Council and that includes both Regular Council meetings and Committee of the Whole.

I hope this helps provide better context and clarity to the community of Sooke. As a Council we want to make sure that rules are applied fairly and appropriately.