

October 30, 2019

SRD Board Passes Censure Motions

Campbell River, BC - The SRD Board of Directors held a Censure hearing for Electoral Area B (Cortes Island) Director Noba Anderson on October 24, 2019.

Censure is a quasi-judicial authority that the Board of Directors is given to protect governance and procedural fairness should a bylaw or code of conduct be contravened or a breach of the Local Government Act occur. The Board may apply a range of penalties to an elected official as long as they do not fetter or limit the ability of the elected official to govern their constituents.

In this case, Electoral Area B Director Noba Anderson was called into question for releasing information distributed and discussed at in-camera meetings and deemed by the Board to be confidential. This is in violation of the Community Charter, SRD Bylaw No. 330 (Director Code of Conduct Bylaw 2018) and the Directors Oath of Office. Director Anderson and her legal representation were given the opportunity to speak to and respond to the allegations and censure motions.

At the conclusion of the hearing the SRD Board of Directors deemed that there was sufficient evidence to conclude that Director Anderson released 2 in-camera legal opinions and an investigation report (known as the Peterson Report) without the Boards authority. With this decision debated the SRD Board of Directors passed the attached motions of Censure that the Board felt were measured and relevant.

“We respect that this process has been complex, lengthy and challenging for Directors, staff and the public, but believe that this process shows that the Board takes its responsibilities in regards to governance and confidentiality seriously,” says Strathcona Regional District Chair Michele Babchuk. “With the Censure process now concluded, the Board intends to look toward getting back to its regular business and serving all the constituents of the Regional District.”

Due to the sensitivity of the confidential in-camera reports, the Board is not able to comment further on their content at this time.

The Strathcona Regional District is a partnership of four electoral areas and five municipalities providing services to approximately 44,000 residents.

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Attached - Censure Motions

Censure motions adopted by the Board on October 24, 2019

Abram/Unger: SRD 951/19

THAT the Board disapproves of Director Anderson's conduct in revealing confidential and privileged information, specifically the February 18, 2019 report by Creative Solutions Risk Management Consulting and the February 19, 2019 and March 14, 2019 legal opinions prepared for the Regional District by Kathryn Stuart of Stuart, McDannold and Stewart, contrary to the Community Charter and the Director Code of Conduct Bylaw 2018; and

THAT Director Anderson be directed to comply with s.117 of the Community Charter and the Director Code of Conduct Bylaw 2018 in the future; and

THAT, for the remainder of her current term of office, Director Anderson be excluded from being appointed to any select committees established by the Board or any public hearing delegations established by the Board except for public hearing delegations established to consider matters affecting Electoral Area B; and

THAT, for the remainder of her current term of office, Director Anderson be excluded from being designated, nominated or appointed by the Regional Board to any external organization or agency to represent the interests of the Regional District; and

THAT Director Anderson be required to issue a written apology to the Board acknowledging her transgressions against the Community Charter and the Director Code of Conduct Bylaw 2018 with respect to maintaining confidentiality; and

THAT Director Anderson be required to take additional training for elected officials regarding the rules of confidentiality associated with her position as a Director of the Regional District.

CARRIED