

Type of Decision									
Meeting Date	Friday, October 5, 2012				Report Date	Wednesday, September-26-12			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	x	Information Only			Type of Meeting	X	Open		Closed
REPORT TITLE									
Unresolved Issues Report – 21/09/12/1103									

Subject: A number of “housekeeping” issues which have gone unresolved and require some attention prior to year end.

RECOMMENDATION: In order to increase the likelihood that the next two years pass smoothly, it is recommended that Council make decisions concerning the following issues so that they can be truly left in the past. Staff requires direction from Council on the following unresolved issues:

1. Workplace Harassment and mediation;
2. Outstanding invoice;
3. Integrity Commissioner.
4. Clerk's 6 month Performance Appraisal Review.
5. Recommencement of weekly discussion sessions to attempt to resolve interpersonal conflicts that continues to exist.

BACKGROUND/EXECUTIVE SUMMARY:

Staff and the members of this Council have to work together for nearly two more years. The tensions and divisions within this Council and amongst Council and staff have not mysteriously disappeared. They are simply lying under the surface to rear their heads again.

There have been comments made and actions taken at recent Council meetings indicative of continued distrust and lack of a willingness of members to cooperate. Other members are starting to be overly cautious with their statements during debate for fear of being misinterpreted or misquoted. This is hampering constructive debate which is required to make decisions. It is obvious that tensions remain.

All five members of Council have to be on board to effectively run a municipality. Although they are not required to agree on all topics (and in fact shouldn't) they do need to be capable of constructive debate, discussion and collaboration.

They need to be able to work towards a consensus or an alternative to the options presented. Although each member of Council will have their own agenda, their own paradigms, and their own baggage, without attempting to have fruitful discussion concerning the items of importance to the municipality and with a hope of collaboration; the next two years will be wasted.

It is feared that each issue set upon the table will be received by some with the same divisive and pre-determined mind set. To a certain extent this is already evident.

Staff needs to be able to bring items of importance to the table without fear of having the issues dismissed or having a foregone conclusion due to pre-existing mindsets and personal conflicts.

The following issues and proposed motions each require a decision of Council and are the result of a review of the Clerk's personal goals for 2012; the recommendations agreed to in Bonenberg's reports by resolution and various tabled motions within the Council meeting file. With year-end approaching, some of these issues need to be settled.

1. At the meeting on September 26 the Clerk asked Shelley TerMarsch if Valley EFAP could help to work with us in an attempt to resolve some of our issues. Shelly offered to hold a meeting between herself, her associate and us. In order to make positive steps towards working together constructively for the next two years, I invite Reeve Stewart to participate with me in a mediation session with Valley EFAP staff to attempt to resolve obvious problems so that Council and the administration can work effectively together for the benefit of the municipality. Can I go ahead and arrange a meeting?

BE IT RESOLVED THAT THE Council of the United Townships of Head, Clara & Maria does hereby authorize the Clerk to arrange mediation sessions between the Clerk and Reeve Stewart to be arranged immediately.

2. We are coming to year end and have an outstanding invoice for Reeve Stewart relating to legal fees from 2011. Council at its meeting of December 16, 2011 with resolution # 16/12/11/001- A authorized staff to invoice Reeve Stewart for the legal costs attributed to her during the Form 4 issue. This invoice remains unpaid. As per discussion between our Treasurer and Auditor, staff requires Council direction as this was specifically a decision of Council which has not been complied with and not simply an unpaid invoice which we as administrators have the tools to deal with. The auditor has asked how we want to deal with it. As it is a decision of Council, it should remain a decision of Council.

There are basically two options, the option of attaching amounts owing to the tax roll or writing the amount off as uncollectable. How does Council wish to proceed?

BE IT RESOLVED THAT THE Council of the United Townships of Head, Clara & Maria does hereby agree to:

- _____ attach the amounts owing from the unpaid invoice to the tax roll as legislation allows.
 - _____ write the amounts of as uncollectable.
3. From the meeting of Friday, December 2, 2011 is the motion to appoint an integrity commissioner. How does Council wish to proceed with this motion?

BE IT RESOLVED THAT THE Council of the United Townships of Head, Clara & Maria does hereby agree to withdraw motion # 02/12/11/012 considering appointing an Integrity Commissioner for Head, Clara & Maria.

4. Upon reviewing Bonenberg's recommendations it was noted that a follow up to the Clerk's performance appraisal was to occur in September. Based on the lack of recommendations following the initial 360, it is recommended that this wait until December. Ultimately this is Council's decision. Is another assessment required at this time or should it simply wait until regular PAs are scheduled in December? Can we set a date for all 5 members of Council to participate in the PA in December?

BE IT RESOLVED THAT THE Council of the United Townships of Head, Clara & Maria does hereby agree to postpone the 6 month PA review and set a date for the Clerk's performance appraisal for early December specifically December ____, 2012.

5. Upon Bonenberg's recommendations for mediation and/or arbitration Council originally agreed to meet weekly for discussion sessions to work through interpersonal conflicts. After the first meeting ended with public accusations the meetings were dropped.

Staff was tasked by Resolution # 09/03/12/011 with working to implement Mr. Bonenberg's recommendations and is now put in a position whereby this issue has to be brought back to the table for further Council direction or remains as an incomplete task for 2012.

Council members do not need to be friends. Staff do not need to be friends with Council members; in fact to retain objectivity that relationship should remain somewhat distant. What is required however is a respectful workplace in order for business to be conducted effectively. With tensions and challenges obviously still existing, is it Council's position that these meetings resume?

BE IT RESOLVED THAT THE Council of the United Townships of Head, Clara & Maria does hereby agree to resume informal group discussions to attempt to resolve existing issues that may be derailing constructive Council collaboration and set the first such session to be held on _____.

Others Consulted: Noella LeBreton, Treasurer; Peter Harrington, Municipal Auditor.

Approved and Recommended by the Clerk

Melinda Reith,
Municipal Clerk

Melinda Reith