

The following is the letter Councillor Belanger requested be read at the recent Special Council Meeting.

After a show of hands, the majority of council voted NOT to hear this or any letters from the public.

Dear Honorable Mayor Bifulchi,

Deputy Mayor Bray,

Councillors Belanger, Foster, Watson, Kinney, Wells,

Cc: Dina Lundy, Town Clerk

I am writing to express the highest level of concern with Leadership and Council's inclusion of the updates to the Indemnification Policy in the agenda for the upcoming Special Meeting of Council scheduled for March 26th.

First and foremost, Bill 187 was intended to provide council a means of addressing emergency measures in an appropriate situation deemed an emergency. Updating the Indemnification Policy as set out in the agenda dated March 12, 2020 is by no means a pressing or urgent matter. On the contrary, it is a complex and serious matter impacting every resident of Wasaga Beach. In addition, due to the implications of the Canadian Charter of Rights, and past precedent, proper protocol of public consultation, review and feedback is justified.

In addition, with the new measures and procedures outlined in Bill 187, the public has not had adequate time to be properly informed or familiarized with the new process and procedure changes as well as changes in the meeting format over-all from in-person to remote. Thus, many will find it difficult to submit feedback or questions.

But even more importantly, to address an issue of this critical nature and scope, in the context of a declared Province-wide State of Emergency is not only an abuse of circumstance, but further, it is morally and ethically wrong. Our residents are concerned for their health, safety and livelihood of their families and loved ones at this critical time, and do not need the added stress of our leadership imposing "surprise measures and tactics" in a last-minute, Special Meeting and effort to expedite and take advantage of these policy updates.

On the matter of the proposed changes themselves, there are additional concerns on several fronts that need to be addressed and clarified:

- The issue of statute of limitations for complaints and lawsuits
- The issue of providing a totally independent and unbiased committee for review of each case. Having our CAO, one of the highest paid town employees and a town compensated lawyer is by no means objective.
- A mechanism and defined process for repayment of taxpayer funds in the case of a failed action
- Council's awareness that similar policies and actions have been challenged and dismissed in other municipalities by the courts, with defined precedent
- A plaintiff who's legal costs are subsidized by the town has a distinct unfair legal advantage in a civil action against a resident defendant who is forced to fund their own defense. Our premise of law is based on "Fair trial". This policy outs that right at question.

In closing, I sincerely hope Council reconsiders addressing this matter on next Thursday's agenda, and further, reconsiders a further objective independent legal review the proposed updates to the Indemnification Policy itself. Your council ran on a platform of Uniting a divided town. This effort only serves to further divide (divide) and erode the confidence in your leadership's mandate to work in the interest of taxpayers.

Respectfully,

John C. Sare

Cc: Doug Ford, Premier of Ontario