



# COUNTY OF WELLINGTON

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## COMMITTEE REPORT

**To:** Chair and Members of the Administration, Finance and Human Resources Committee  
**From:** Donna Bryce, County Clerk  
**Date:** Tuesday, November 29, 2022  
**Subject:** **Re-Appointment of Integrity Commissioner**

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### Background:

The purpose of this report is to re-appoint Guy Giorno, Partner, Fasken Martineau as the County's Integrity Commissioner (IC) for a four-year term commencing on January 1, 2023.

Mr. Giorno was appointed as the first County IC in 2019 as a result of provincial legislation requiring municipalities to have a code of conduct and access to an IC.

### Duties of an Integrity Commissioner

The legislation authorizes a municipality to appoint an IC who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the following:

- Application of the code of conduct for members
- Application of any procedures, rules and policies of the municipality and local boards governing the ethical behavior of members
- Application of the Municipal Conflict of Interest Act to members
- Requests from members for advice respecting their obligations under the code of conduct applicable to the member
- Requests from members for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board governing the ethical behavior of members
- Requests from members for advice respecting their obligations under the Municipal Conflict of Interest Act
- The provision of educational information to members regarding the code of conduct and the Municipal Conflict of Interest Act.

ICs have powers to conduct inquiries about whether members have contravened the Municipal Conflict of Interest Act (MCIA):

- An elector or a person demonstrably acting in the public interest could apply to the Commissioner for an inquiry
- Upon completion of an inquiry, a Commissioner may bring the matter to court
- Costs of applying to a judge to be paid by the respective municipality
- IC can conduct inquiry as he/she considers necessary, includes public meetings, can elect to exercise powers under the Public Inquiries Act, 2009.

## **Appointment**

Mr. Giorno practices public law with an emphasis on accountability and ethics laws. He has significant experience in public sector ethics, conflict of interest, codes of conduct, accountability legislation, lobbyist registration law and election and election finance law.

Staff are recommending that Mr. Giorno be re-appointed as the IC for the County for a 4-year term at an hourly rate of \$325 per hour, plus mileage and expenses, without a retainer. Services provided by any junior lawyer or professional employee of Mr. Giorno's firm will be at an hourly rate of \$225.00.

## **Recommendation:**

That Guy Giorno, Partner, Fasken Martineau be re-appointed as the County's Integrity Commissioner effective January 1, 2023 for a four-year term; and

That the Warden and Clerk be authorized to enter into an agreement with Mr. Giorno; and

That the appropriate by-law be presented to Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Donna Bryce', with a stylized flourish at the end.

Donna Bryce  
County Clerk