



**Cunningham Swan**

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**CONFIDENTIAL**

December 2, 2025

SENT BY EMAIL TO: [rzanussi@ramara.ca](mailto:rzanussi@ramara.ca)

Township of Ramara  
c/o Rebecca Zanussi, Executive Assistant  
2297 Hwy 12  
P.O. Box 130  
Brechtin, ON  
L0K 1B0

Dear Council:

**RE: Code of Conduct Complaint – Final Report**  
**Our File No. 37629-28**

Please be advised that our Investigation under the Code of Conduct is now complete. We attach the final report herewith and the report should now be circulated to members of the Council.

This investigation is hereby closed.

Sincerely,

**Cunningham, Swan, Carty, Little & Bonham LLP**

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Dear Council:

**RE: Code of Conduct Complaint – Final Report – Councillor Sherri Bell  
Our File No. 37629-28**

This public report of our investigation is being provided to Council in accordance with Section 223.6(1) of the *Municipal Act*. We note that Section 223.6(3) of the *Municipal Act* requires that Council make the report public. The Clerk should identify on the agenda for the next open session Council meeting that this report will be discussed. Staff should consider whether it is appropriate to place the full report on the agenda in advance of Council deciding how the report should otherwise be made public.

Should Council desire, the Integrity Commissioner is prepared to attend virtually at the open session meeting to present the report and answer any questions from Council.

At the meeting, Council must first receive the report for information. The only decision Council is afforded under the *Municipal Act* is to decide how the report will be made public, and whether to adopt any recommendations made by the Integrity Commissioner. Council does not have the authority to alter the findings of the report, only consider the recommendations.

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The Integrity Commissioner has included only the information in this report that is necessary to understand the findings. In making decisions about what information to include, the Integrity Commissioner is guided by the duties set out in the *Municipal Act*. Members of Council are also reminded that Council has assigned to the Integrity Commissioner the duty to conduct investigations in response to complaints under the Code of Conduct, and that the Integrity Commissioner is bound by the statutory framework to undertake a thorough process in an independent manner. The findings of this report represent the Integrity Commissioner's final decision in this matter.

### **Timeline of Investigation**

The key dates and events during the course of this investigation are as follows:

- September 15, 2025, complaint received
- October 7, 2025, clarify complaint with complainant
- October 8, 2025, conduct preliminary review
- October 9, 2025, send complaint package to Member
- November 21, 2025, response from Member received.

### **Complaint Overview**

A Complaint was received on September 15, 2025. The Complaint alleged breaches of the Code of Conduct by Councillor Sherri Bell (the "Member").

The complaint was clarified by the Integrity Commissioner by adding to the original complaint a summary intended to clarify the nature of the complaint and modify which sections of the Code of Conduct were at issue. The package provided to the Member also included a letter written by the Member to the Minister of Municipal Affairs and Housing dated May 30, 2025, and a resolution of Council related to sewer and water systems. The complaint package confirmed that one of the allegations had been dismissed, and advised the Member that no response was needed for that aspect of the complaint.

The Member was made aware that the allegation the Integrity Commissioner was investigating was that the Member had misrepresented Council's decision on water and sewer rates to the Minister in her letter of May 30, 2025, and her advocacy before the Minister was disrespectful of the decision of Council.

### **Code of Conduct**

The following provisions of the Code of Conduct are relevant to our findings in this investigation:

- 5.9 Council as a whole has the authority to approve budget, policy or processes, including the Terms of Reference and procedures for committees. Authority to

represent or act on behalf of Council, including through a committee, can only be delegated by Council or through law.

#### 5.13 Members of Council:

a) May not impugn or malign a debate or decision or otherwise erode the authority of Council;

6.1 Members shall accurately and adequately communicate the decisions of Council and Local Boards such that respect for the decision and decision-making process is fostered.

21.1 A number of the provisions of this Code of Conduct incorporate policies and procedures adopted by Council. More generally, Members are required to observe the terms of all policies and procedures established by Township Council.

### **Investigation Process**

In conducting the investigation, the Integrity Commissioner reviewed the complaint materials and the written submissions of the Member. There was no need to interview any witnesses in this instance, other than to seek clarification from the complainant.

### **Findings/Analysis**

In this investigation, we find that the Member did present a view of the water and sewer system and user fees to the Minister that was not consistent with Council's decision expressed in Resolution #114.24. The Member was clear in her submission to the Minister that she disagreed with Council. She wrote:

“This approach [the fees that place a, “disproportionate financial burden being placed on residents of the Village of Brechin”] disregards distinct cost structures and infrastructure differences. As a result, Brechin and Lagoon City consumers are now the only community in Ramara to be subsidizing five other drinking water systems *and* being asked to finance capital improvements in Bayshore—while receiving no reciprocal investment. These decisions were made without transparent process or affordability analysis, further exacerbating the imbalance.”

The letter did not purport to reflect the Township or Council's position on this issue.

The complaint alleged that the letter and the attempt to have a personal delegation to the Minister created confusion and interfered with Council's ability to advocate to the Minister.

While confusion was no doubt created (especially on the part of staff who were not aware of the request made by the Member and therefore were confused when the Minister's office

refused a delegation request that the Town had not made) this is not sufficient to engage the provisions of the Code of Conduct listed above. The Code does not restrict the ability of members of Council to advocate for issues, it only imposes limits on the manner in which they advocate.

It is the restriction on the manner in which a member of Council may advocate for issues that the Integrity Commissioner must balance against the Member's freedom of expression. The Code of Conduct provisions listed above do restrict a member of Council's freedom of expression – the restriction is that members must not impugn or malign decisions of Council and foster respect for the decision-making process. The Integrity Commissioner finds that this is a reasonable limit that does not prevent meaningful advocacy or impair a members' political expression. The restriction is proportionate and does allow for political dissent.

The Integrity Commissioner finds that the Member's letter to the Minister and attempt to obtain a delegation was not a breach of the Code of Conduct. Members of Council are entitled to express themselves and represent their constituents, even where that expression opposes a Council directive, provided the expression is respectful of the decision and the decision-making process.

We have no evidence before us that the Member was disrespectful of Council or its decisions. The message to the Minister was unquestionably contrary to Council's resolved position on the sewer and water system, but disagreement in and of itself is not a breach of the Code of Conduct. The words, "impugn or malign" in section 5.13(a) must be read as imputing a threshold requiring disrespect for the decision, and disrespect which could lead to a wider lack of respect for the decision-making process. The Member did not include inappropriate rhetoric or inappropriate comments that were disrespectful of Council and its decisions in the letter to the Minister in this instance.

Members of Council are entitled to disagree with one another and with decisions of the majority – provided that they do so respectfully.

### **Recommendation**

The Integrity Commissioner recommends no penalty or Sanction given the finding that there was no breach of the Code of Conduct.

Based on the various investigations we have conducted for the Township, we anticipate that this decision may create uncertainty about the ability of councillors to criticize past decisions of Council. In order to provide guidance to Council we therefore will take this opportunity to contextualize this finding.

This decision should not be read as allowing an unfettered right to criticize Council decisions. While members of Council have a right to disagree with a Council decision, that disagreement must be respectful and must not call into question the integrity of the decision-making process.

The Code of Conduct does not contain a hard and fast rule about disagreeing with decisions of Council: sometimes disagreement will breach the Code, other times it will not. This all depends on how the disagreement is expressed, including whether it is done in a respectful manner, and the degree to which the decision is criticized. In this case, the letter to the Minister did not cross the line. However, if the letter to the Minister had been worded differently, it might have breached the Code of Conduct.

Just as what is expected of Councillors under the Code of Conduct is contextual, the standard applied by the Chair during a meeting under the Procedural By-law is also contextual and follows a different standard than what is set out in the Code of Conduct. Preserving order and decorum and determining whether debate has strayed beyond the subject under consideration are matters within the jurisdiction of the Chair under the Procedural By-law and are matters that are not subject to the same limitations as found under the Code of Conduct.

Our decision in this report should not be read as giving any member of Council the right to disregard the direction of the Chair to end debate or rule on points of order simply because they disagree with Council. The right to disagree (respectfully) does not confer on any member of Council the right to ignore the rules of debate, the Procedural By-law or a decision of the Chair. The right to disagree (respectfully) does not confer on any member of Council the right to be disruptive or advance a position that is not relevant to the matter before Council. The Chair is obligated to keep Council focused and to ensure the business of Council is dealt with efficiently, which includes the right to limit debate.

Sincerely,

**Cunningham, Swan, Carty, Little & Bonham LLP**



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