

Councillors puzzled over aspects of new conflict rules



Brad Clements: A provision of the legislation is "ludicrous".

By ANGELA BLACKBURN
The Champion

Municipal councillors elected in November could face new disclosure of interest rules — enough to make some think twice about running, say some current councillors.

"It's not clear at this point what is required by anybody who goes into office November 14," said Ward 2 Councillor John Challinor at town council Monday.

Town clerk Bill Roberts reported on Bill 163, a provincial reform package to replace the 1983 Municipal Conflict of Interest Act with a new one and amend the Municipal Act.

It would require councillors' financial disclosure within 60 days of election, and once a year thereafter — without dollar values, the govern-

ment says — of assets, income sources, interests in property, businesses, stocks, bonds and liabilities like mortgages, to be available for public viewing.

"Somebody could be elected, then find out they don't want to conform and would be forced to resign," said Mr. Challinor.

"It is unclear as to the exact information that is required to be disclosed," reported Mr. Roberts.

"It does something to the democratic process. Essentially, over time, it will constrict the quality of individuals in local government," said Mr. Challinor, adding, "You get what you pay for."

Want to know

"The government has said you don't have to disclose dollar signs but in the legislation it doesn't identify that," said Ward 2 Councillor Brad Clements. "I think all of us would feel better if that should be in the legislation so we can make a decision before October 14 (the cut-off date for potential municipal election candidates)."

"That may have them (potential candidates) thinking twice about whether they want to be in public office," noted Mr. Challinor, adding similar federal changes have required declaration of RRSP (Registered Retirement Savings Plan) investments. "They're doing it at the federal level and people are leaving, good people," he said. "Where and how I make my pension investments is nobody's business but my own and would not affect any judgement I made over the last three years. That is the potential of this legislation."

Mayor Gord Krantz said the new rules could have a big impact in small municipalities. "It may mean people don't want to have anything to do with local government and that starts to concern me," he said.

Mr. Clements labeled as "ludicrous" a requirement for councillors declaring a conflict of interest to leave the room during discussion and voting. They now refrain from debate and voting.

Public trust

"If it's in-camera (closed to the public) I can understand, but at a public meeting you should be entitled to listen to the meeting," he stressed. "To say you can't sit in on a public meeting is ludicrous." He called it "an infringement on the rights of the public."

The reforms aim to increase public trust in local governments and are expected to pass this fall. Both town staff and a local council representative will present concerns to legislative hearings.

Not only would councillors have to verbally declare pecuniary interests but follow up in writing, with the



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written disclosures made public.

Gifts associated with political office would be restricted to protocol ones, any worth over \$200 to be reported. "The confusing aspect of this section would be that a definition of 'incident of protocol or social obligation' has not been provided," said Mr. Roberts.

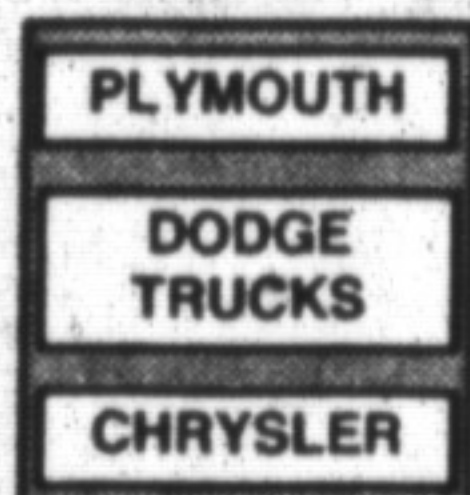
A new provincially-appointed Local Disclosure Commissioner would police the act.

Another change centres on when council can go in-camera, traditionally done on legal, personnel or property matters. Bill 163 provides conditions when meetings may be closed, but they don't appear to apply to police services, library or school boards. "This issue has been a contentious one for Milton council in the past. It is felt that the agencies noted should also be required to hold their meetings in public," reported Mr. Roberts.

Councils may go in-camera but resolutions must be voted on publicly. "There is a very real requirement for the municipality to direct staff in-camera," said Milton chief administrative officer David Hipgrave, noting on staff labour negotiation issues. "It would bypass the whole issue of the negotiation process." The bill also says surplus municipal property must be declared, an appraisal obtained, any sale advertised and a sale report considered publicly. Mr. Roberts called for flexibility on "delicate" property issues and small properties worth less than an appraisal.

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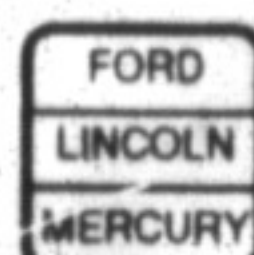
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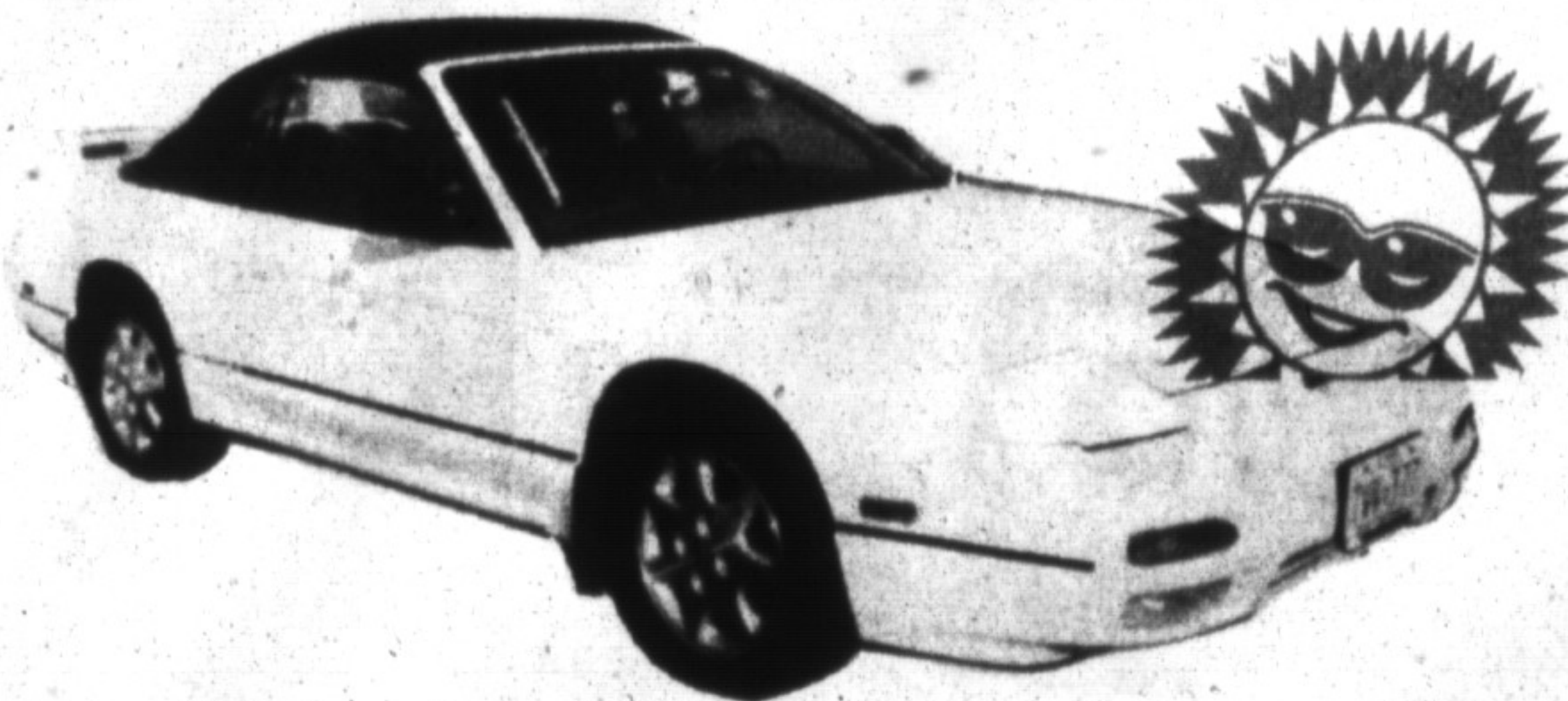
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