

COUNCIL MINUTES

TOWNSHIP OF COCKBURN ISLAND COUNCIL MEETING

5:00 PM, Wednesday, July 10<sup>th</sup>, 2024

On-line only by ZOOM LINK <https://us02web.zoom.us/j/84944196668>

(same link every regular meeting)

PRESENT BY ZOOM

Mayor: Brenda Jones  
Councillors: Lee Chappell  
Jeff House  
Simon Lacombe  
Scott Stewart

Clerk: Brent St. Denis  
Public Works: Alex Nicolson  
Absent: Nil

(a number of ratepayers observed the meeting)

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5:15 PM

**Call to Order**

**Adopt Agenda**

**Declarations** of any pecuniary interest

**Delegations** – none

Resolution # 24-07-01

Moved: S Stewart

Seconded: J House

That the July 10<sup>th</sup>, 2024 Council meeting agenda be adopted as amended to include the acquisition of a SPOT X satellite messaging communicator for Public Works

CARRIED

**Public Works Committee meeting** – Council and available Public Works crew

Resolution # 24-07-02

Moved: S Lacombe

Seconded: L Chappell

That the we enter into Committee of the Whole so that an informal discussion with staff can be held regarding Public Works and related matters.

Time – 5:17 PM

CARRIED

Council Member Lee Chappell chaired the PW session. Items raised during the Public Works Committee of the Whole included;

- Reports of bears at the landfill and in the hamlet area. Ratepayers should be on the alert.
- Dock “E” is ready for lifting in

- Water truck ready for calcium application
- Culverts are being cleaned at numerous locations
- Beavers on 10<sup>th</sup> and 12<sup>th</sup>.
- Grading in the hamlet area has been done as well as the 10<sup>th</sup> and 20<sup>th</sup> to the First Nation reserve. On 7<sup>th</sup> and 8<sup>th</sup> now with 9<sup>th</sup> next
- Ditching on D St. and several other locations including by the Nelson house and near Williamson's
- Brush hog seal has blown
- Water well at McLeod House needs refitting
- McLeod house fridge is in
- New Dock House sign is up

Resolution # 24-07-03

Moved: S Lacombe

Seconded: L Chappell

That the Committee of the Whole be adjourned and that we return to the regular meeting of Council.

Time – 5:35 PM

CARRIED

Resolution # 24-07-04

Moved: S Stewart

Seconded: S Lacombe

That the minutes of the June 12<sup>th</sup>, 2024 regular meeting be adopted.

CARRIED

### Action Items

**Zoning By-law** – consider first and second reading of the current draft. Authorize release for public comment including that it be posted on the township website. Over the period between Second and Third/Final readings amendments and corrections can be made. The Clerk will distribute excerpts of a few clauses needing clarification by Council

Resolution # 24-07-05

Moved: S Stewart

Seconded: J House

That Be It Resolved that By-law #2024-05 being a by-law to adopt a new Zoning By-law be read a first and second time, and that this bylaw be posted on the township's website and be made available in electronic form to persons who request it.

CARRIED

**Consider Draft Landfill Policy** - see proposal in Council package. (a copy of the initial draft by Lee is pasted at the end of these minutes).

Resolution # 24-07-06  
Moved: J House  
Seconded: S Stewart

That the Council determines as follows as it concerns a proposed Landfill Policy;

- Delete diapers
- Amend to “shingles and drywall”
- Amend to dimensional lumber
- No batteries
- No paint

And further that we obtain a quote for a sign for display at the landfill

CARRIED

**Medical Building Update** – review latest information. Council member Chappell conducted a “walk-through” with the contractor to review work yet to be done.

(Council member Stewart did not participate in discussions or voting on the following matter).

Resolution # 24-07-07  
Moved: L Chappell  
Seconded: J House

That the Council agrees as follows as it concerns the new Medical Building;

- Building is still incomplete even though some deficiencies have been resolved
- Completion not likely by the end of this week as confirmed by the contractor

CARRIED

**Review 2024-25 Municipal Insurance Quote** – amount quoted is within the budget

Resolution # 24-07-08  
Moved: S Stewart  
Seconded: L Chappell

That Council determines as follows as it concerns the quote for 2024-2025 municipal insurance submitted by MIS Insurance (\$24,318 plus PST);

- Add drivers Scott Stewart, Jeff House and Patrick Plotts
- Add new medical building to property list

CARRIED

**Authorize Purchase of SPOT Satellite Messaging for PW**

Resolution # 24-07-09  
Moved: L Chappell  
Seconded: S Lacombe

That Council determines as follows as it concerns the acquisition of one satellite-based messaging service for the Public Works crew for use on the job and emergencies (SPOT Satellite);

- Plan Basic
- Cost - \$11.95/mo USD plus setup/activation fees and unit purchase price apprx. \$300 CDN + HST

CARRIED

### **Financial Report**

- a) Disbursements and NCU VISA, (cheques #1162 to #1171)
- b) Northern Credit Union Bank Statements as of July 7, 2024

Dock Account 101	\$11,465.56
Heritage Account 102	\$37,018.56
Operating Account 100	\$168,352.93

**TOTAL ALL 3 ACCOUNTS** \$216,837.05

Resolution # 2024-07-

Moved:

Seconded:

That the Treasurer's report on bank balances and cheque disbursements (#1162 to # 1171) and the township's VISA card statement be hereby received.

CARRIED

### **Council Members' Concerns**

- Council Member Lacombe inquired about the weather station at it seems the delivery is slow.(The Clerk-Treasurer will check on the shipping arrival date).
- Council Member House suggested that a tender be issued this year inviting bids for the scraping and painting in 2025 of the Hall and Church exteriors including window and door trim. He added that this project should be raised with the Heritage Committee Chair (Dwight Phillips).
- Council Member Stewart mentioned that the big rock at the end of the be removed.
- Council member Chappell requested that his **statement** of this date about the late fall 2023 gravel deliveries and pricing, which he read aloud at Council, be included in the minutes of the meeting. It is pasted below at the end of the minutes as **Addendum One** along with a short summary of Council Member Stewart's reply.
- Mayor Jones also read aloud a **statement** about the late fall gravel deliveries. It is pasted below as **Addendum Two** to the minutes.

### **Clerk's Report**

- a) Income Statement – depending upon journaling transactions to June 30 a mid-year Income Statement will soon be available
- b) The provincial ORNGE Helipad grant has been increased from the usual \$3500 per year to \$5000. The Clerk will sign and return the annual agreement. A copy will be provided for Council review.

### **Adjournment**

Resolution # 2024-07-10

Moved: L Chappell

Seconded: S Lacombe

That this meeting be now adjourned and that Council meet again Saturday morning August 3<sup>rd</sup> at 9:30 AM in the island Community Hall with Zoom available for members of Council and observers.

CARRIED

Time – 7:07 PM

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**Addendum One – Statement read into the record by Council Member Chappell  
on the subject of the fall 2023 gravel deliveries and pricing**

July 10, 2024 – Cockburn Island Council Meeting.

**Statement of Facts surrounding the unauthorized sale and delivery of municipal owned gravel by Scott Stewart, Councilor, Cockburn Island. Statement read during July 10<sup>th</sup> Municipal Council Meeting.**

I would like to take this opportunity to formally express my concerns and disappointment over actions by a fellow council member Scott Stewart for I what I believe violates code of conduct, ethical behavior and does not align with our role as council members as per the Municipality Act, specifically not acting in the best interest of the municipality as noted under the Accountability & Transparency section of the Act.

The referenced code of conduct I refer to was developed in 2018 by previous council in which Scott Stewart was a part of however was never resolved nor enacted. As per the Municipal Act, all municipalities must establish and enact such policy therefore it will be the responsibility of this council to finalize and put forth in a motion to ensure it is in place as soon as possible to provide future clarity on expectations of behavior by council members.

Although not formalized it is generally expected by all rate payers that council members work in an ethical way and serving the best interest of the municipality as a priority.

Scott Stewart has added incredible value to Cockburn Island in many ways over the past years however because of his actions last fall and this spring surrounding the unauthorized delivery and sale of screened gravel without formal council approval further exasperated by not telling the truth surrounding the issue, I feel it is my duty to report the facts and answer questions I have received from several rate payers. Failure to accept accountability and responsibility of his actions also warrants this public disclosure

In 2022 excess screened gravel was produced during the construction of the 12<sup>th</sup> & 15<sup>th</sup> intersection. The intent of the excess gravel was for future road maintenance and grading. The cost of this stock pile is shared between Cockburn Island Logging and the municipality where CIL owns the base pit run material while the municipality owns the value add for the screening.

1. Fall 2022 – New council voted in
2. Jan 2023 - Council develops a Municipal Asset Sale Policy as previous municipal inventory was sold without general public knowledge so this policy was developed to make it fair to everyone to have an opportunity to purchase.
3. Mar 2023 - Council passed Resolution #2023-04 – Asset Sale Policy
4. Summer 2023 – Informal conversation by Scott Stewart with council proposing we consider selling the screened gravel to rate payers. At that time, I expressed my concerns that the gravel was intended for the roads and the cost of replacement would be prohibitive in the future. No further conversations were held.
5. Aug 21, 2023 – Scott Stewart emails our Municipal Clerk (Brent St Denis) directly asking what council will charge for screened gravel, Brents responded that Council will need to be consulted.
6. Sept 5, 2023 – I closed my camp and left the Island until summer 2024

7. Sept, 2023 – After I left the island Jeff & Scott were hired by Cockburn Island Logging to run heavy equipment to finish the break wall project, specifically the parking lot & deliver both screened and pit run gravel on Municipal roads as per the approved budget.
8. Sept, 2023 -In my absence there was a Council drive around with remaining council members to review the road maintenance progress. While not present at that drive around, I was informed this spring that the conversation in that vehicle included screened gravel sale. It is very clear that any Council decision must be passed formally as a resolution within a formal council meeting.
9. Nov 2, 2023 - Email from Brent to council in regards to the break wall costs and requests a list of who got screened gravel and what price are we charging.
10. Nov 3, 2023 - Scott responds to Brent email telling him that rate payers were told same price as pit run \$175.08 per load + GST
11. Nov 4, 2023 - Both The mayor and myself email council asking why rate payers are being quoted screened gravel since we never had a motion and resolution to sell. No response from Scott. I personally had no idea screened gravel had all ready in fact been delivered
12. Nov 21, 2023 – After hearing from a rate payer that screened gravel was delivered to several properties, I requested the issue to be raised the concern of selling gravel without formal council approval. During this time there was no clear list of who received the gravel.
13. Nov 22, 2023 - Council Meeting: Motion forwarded to vote on sale of screened gravel. Resolution moved by Jeff House & seconded by Scott Stewart. Having just heard about the unauthorized sale & delivery of gravel prior I was very upset that the issue wasn't discussed and I abstained from the vote. In hind sight I should have expressed my concerns and stopped the motion. No motion was put forth of the price of screened gravel at this time.
14. Fall, 2023 - Invoices sent to screened gravel recipients as per price Scott Stewart communicated at the same price as the pit run.
15. Dec 2023 – No council Meeting
16. Jan 8, 2024 - After reflecting over the holiday season and being quite uncomfortable about the situation I called Jeff & Scott together to discuss the concern of screened gravel delivery and subsequent pricing given without formal council motion and resolution. I also expressed concern over council members being hired by a contractor that had been awarded by council without consideration to Conflict of Interest. I requested a list of who received screened gravel from Scott. Not received. **During that discussion Scott Stewart was very clear that all screened gravel was ordered directly from CIL and he only delivered... I specifically asked how anyone knew that screened gravel was for sale and who told them.** No response to that question. I was quite upset and said I needed time to consider options and path forward.
17. Jan 2024 – Council held a closed meeting to discuss my concerns. I considered to put forth a motion to revoke screened gravel resolution however believed it would not be fair to everyone not included in the already delivered screened gravel. Consideration was also given to maintaining cohesion within council.
18. After persistent emails a draft list of screened gravel was provided. The list is as follows.

2 loads – Jason Stewart

1 load – Sam Stewart

1 load – Jeff House  
2 loads – NCC  
6 loads – Phil & Gaston Fortier  
1 load – John Beany.

Note: Fortier, Beany and assumed NCC are all Scott Stewarts paid projects.

All loads were delivered by Scott Stewart in the CIL rental rock truck used for the break wall minus the load to Jeff House and one load to Jason Stewart which was delivered by a CIL employee.

I expressed my concern that this list is very “Stewart” based and has a very self-serving perception to it. If given the opportunity or known about the delivery of screened gravel I’ve been told other rate payers would have taken advantage of the opportunity if only they known screened gravel was being delivered; especially at the same price as the pit run!

**To be clear, none of these people are assumed to be implicated and no wrong doing in the unauthorized deliver and sale of gravel.**

19. Feb 7, 2024 – On my request a motion & resolution was passed for Municipal Council Conflict of Interest.
20. April 10, 2024 -Motion and resolution to adjust screened gravel to 1.5x pit run price. Second invoices sent out for increased cost of screened gravel.

To be honest after this sequence of events it was still very hard for me to accept the fact that the actions by Scott were marginalized. This was further aggravated when I arrived on the Island this May 2024 and was approached by several people asking for answers on why and how screened gravel was delivered before the resolution to sell was passed. They also expressed their concern that those that did receive screened gravel were “Stewart” based and were quite upset.

To exasperate the issue, I discovered that Scott didn’t tell me the entire truth during my conversation with him and Jeff in Jan 2024 where he specifically told me that all non-municipal requests for screened gravel went through CIL. I discovered that this was in fact not true for at least one instance of a delivery to one of his projects.

Now quite upset, in May 2024 I approached Scott on the Island to confront him about the lie and finally received his admission of guilt. I also informed him that I believe the reason for him delivering gravel without consent is because we both knew last Fall that there would be no gravel truck available for delivery of screened gravel this year due to mechanical issues and CIL barge not running and therefore would delay his projects for concrete. I expressed my concerns that I found his actions deceitful, self-serving and violating our role as council for Cockburn Island as he was not acting in the best interest of the community. Nobody that I talked to was aware that screened gravel was being sold & delivered. I also informed him that he was not following Municipal Asset Sale Policy and violates any code of conduct whether formalized or not.

The two primary reasons I ran for council was first to contribute to the Island I love and send summers here. I believed my experience and knowledge in construction, contracts and management could help support the various municipal projects that needed to be completed.

The second reason I ran was that several people asked me to ensure council transparency and ethical behavior as they felt this was not done by previous councils extending several years back.

I feel the unauthorized sale and delivery of screened gravel orchestrated by Scott Stewart completely crosses the line for honesty, integrity and transparency as a council member and after the lies and unwillingness to accept responsibility or accountability I believe it is my duty to report the facts.

After my confrontation with Scott, I felt that I could no longer work with dishonesty within the council and requested that Scott Stewart provide a formal written public apology or I had to resign. There has been no response from Scott to that request.

Upon further consideration I felt that that decision would fail those that voted for me so decided that I will remain on council until my term ends to ensure during this time that all actions by council are done with integrity and transparency and held accountable for their actions.

As I mentioned earlier Scott Stewart has provided exceptional value to this Island and I'm sure he will continue to do that but hopefully now he understands that there is no place on council for self-serving actions, deceit and lies. I hope that we can continue to work together in a productive way that serves the community that we both signed up for with good intentions however accepting responsibility and being held accountable for your actions is imperative especially in a voted in public office role.

I request that this statement be included in the formal Council Minutes and I will be putting a motion forward next month to propose we engage with an ethics commissioner to review these facts, investigate, and to make recommendations.

Lee Chappell

Councilor, Cockburn Island

(Council Member Stewart responded briefly essentially disagreeing with the claims adding that "everyone is entitled to their opinion". And "folks needed gravel and I was given a delivery list by Cockburn Island Logging". He expressed the view that the situation was being blown out of proportion.)

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**Addendum Two – Statement read into the record by Mayor Brenda Jones  
on the subject of the fall gravel deliveries and pricing**

