

COUNCILLOR MATT ESTABROOKS' STATEMENT ON RECOMMENDED APPOINTEES TO THE TANTRAMAR CLIMATE CHANGE ADVISORY COMMITTEE, JUNE 13, 2023

Estabrooks was responding to the following motion:

MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR JOSH GOGUEN THAT COUNCIL APPROVE THE FOLLOWING AS MEMBERS OF THE TANTRAMAR CLIMATE CHANGE ADVISORY COMMITTEE; MIKKO MCGREGOR CORSON FOR A TWO (2) YEAR TERM BEGINNING JUNE 14, 2023 AND ENDING DECEMBER 31, 2024; DAN MATTHEWS FOR A THREE (3) YEAR TERM BEGINNING JUNE 14, 2023 AND ENDING DECEMBER 31, 2025; AND, SABINE DIETZ FOR A THREE (3) YEAR TERM BEGINNING JUNE 14, 2023 AND ENDING DECEMBER 31, 2025.

Councillor Estabrooks: I cannot support this motion as written for several reasons. I'll try not to be too long, but no promises.

Mayor Black: OK.

Councillor Estabrooks: This motion as written does not conform to the Climate Change Advisory Committee's own terms of reference which were approved by council on October 12, 2021. The motion calls for the appointment of three new replacement members in two terms with a length of two and three years each. The resignations requiring these replacements were communicated to council by the committee chair via an e-mail on May 26th after we asked for them at the May 23rd Committee of the Whole meeting. These are 2022 for two members and as of April 3rd, 2023 for one. The CCAC terms of reference on the resignation section reads: "Any resignation from the committee shall be tendered in writing to the chair who will advise council through the CAO...." which we got, "and when approved by council, replacement appointees shall serve the remainder of the term of the member who they are replacing." So that's a discrepancy in the length of the terms. Given this condition in the terms of reference, I feel this motion must be rewritten to identify the correct appointment dates and term lengths for the proposed replacement members. The CCAC is not a roundtable or an ad hoc committee, but is an official committee of council and as such, it is our responsibility to ensure the policy is followed. I would ask that this motion be referred back to staff to work with the CCAC and then re-submit with terms that align with the terms of reference document um to the resignation dates as supplied to council via the chair. That's one comment.

Councillor Estabrooks: The next comment is in our May 23rd Committee of the Whole meeting, electoral words were used to designate where the proposed replacement CCAC members live within Tantramar. Electoral wards as we all know are simply that, electoral boundaries and should not be used as regional identifiers for CCAC committee members. Our council has recently dealt with some public misinterpretation between our electoral wards and our tax boundaries, so I'm asking that we refrain from referencing electoral wards in any other context other than for municipal election purposes.

Councillor Estabrooks: Thirdly, I have been approached by some very environmentally conscious and concerned constituents who were disappointed to discover publicly during the May 23rd Committee of the Whole meeting that replacement individuals to fill these CCAC resignation spots had already been selected by the committee. They feel a public call of interest should have gone out across Tantramar prior to these recommendations coming forward. While researching this for them, I discovered that there is not a recruitment process in our current CCAC terms of reference, but I would recommend that one be added upon the next review. I am asking to have the process that was used to identify these current recommended committee members --- replacement members --- documented in writing to council so that we have transparency with the current process and for our record going forward.

Councillor Estabrooks: And finally, I feel that given that the CCAC is an official committee of council comprised of members appointed by council, with its purpose being to make recommendations to council, then its members should be selected with due diligence to avoid any potential or perceived conflicts of interest. In my opinion, it could be interpreted as a potential conflict of interest if any appointed member of the CCAC committee or someone connected to them, as per conflict of interest policies, actively works or earns a living in the environmental and climate change adaptation and mitigation sector. As an official committee of council, the same standards would apply to the appointed members of the CCAC as they do to us as elected officials. As an example to help illustrate my concern in as simple a form as I can, I would offer this scenario. What if Tantramar had a council-appointed Road Paving Advisory Committee and accepted recommendations from them while some of those council-approved committee members were employees of either Costin Paving or Miller Industries or somebody. Would that be an OK situation or would that be a potential conflict of interest? I realize it seems a blatantly simple example, but it effectively illustrates just where my concern lies with some of the current CCAC members and some of the new recommended members. Yes, in my example, both companies are private corporations, which is different from non-profit groups, but the fact remains that the individuals still draw pay cheques from the organization they work for, non-profit based or not. Conflict of interest policy does apply to non-profit employees and organizations. If council appoints people to this committee and any of their recommendations to council are accepted ending up benefiting their partner businesses or the organizations they directly work for, meaning we approve spending taxpayers' money for their projects, I do not see how that would be not considered a conflict of interest situation. All that said, I would suggest that appointed members of the CCAC not be individuals who make a living working in the areas of climate change adaptation and mitigation for their own protection as well as ours. Their expertise in these fields would be much better utilized and they would be better insulated from COI concerns, conflict of interest concerns, if they were used as arms-length resources for the CCAC to draw on, i.e. members of the Mayor's Roundtable on Climate Change and not be officially appointed members of the Climate Change Advisory Committee.

Mayor Black: Really quickly, just going back to your first point, were you looking to make a motion to delay this motion or to send it back to staff? Were you looking to make that motion?

Councillor Estabrooks: Yes, I would prefer to send this motion back to staff.

Town Clerk Donna Beal then explains that the motion on the floor to appoint new members to the CCAC has been moved and seconded, but not voted on. She advises that Councillor Estabrooks could bring his motion forward, but there would be no debate on it and it would be voted on first. "If it does not pass, then we go back to the original motion. If it does pass, then we're done and move on."

Mayor Black then asks Councillor Estabrooks to formulate his motion.

Councillor Estabrooks: I move that the motion as proposed...be returned to staff for research and another recommendation.

Councillor Hicks seconds the Estabrooks motion.

Here is the official record of the vote:

#23-125 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BARRY HICKS THAT THE PREVIOUS MOTION AS PROPOSED REGARDING THE RECOMMENDED APPOINTMENTS TO THE TANTRAMAR CLIMATE CHANGE ADVISORY COMMITTEE BE RETURNED TO STAFF FOR ADDITIONAL RESEARCH AND RECOMMENDATIONS. AYE VOTES RECORDED BY MAYOR ANDREW BLACK, DEPUTY MAYOR GREG MARTIN AND COUNCILLORS ALLISON BUTCHER, MATT ESTABROOKS, BARRY HICKS AND DEBBIE WIGGINS-COLWELL. NAY VOTES RECORDED BY COUNCILLORS JOSH GOGUEN AND MICHAEL TOWER. MOTION CARRIED.