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CHAMBERS

Integrity Commissioner Office
for the Town of Kearney

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August 10, 2026

SENT BY EMAIL TO:

Kearney Clerk/CAO

AND TO:

Councillor Keven Beaucage

AND TO:

Township of Kearney Council
c/o Mayor Cheryl Philip

RE: IC-35851-0226
Code of Conduct Complaint (Clerk/CAO re: Beaucage)

INTRODUCTION

This is my report concerning a complaint (the “Complaint”) initiated by the Clerk/CAO for the Town of Kearney (the “Complainant”) about the conduct of Councillor Keven Beaucage (“Councillor Beaucage” or the “Respondent”) under the Town of Kearney (“Town”) Council Code of Conduct (the “Code”). As Integrity Commissioner for the Town, I carry out statutory duties under section 223.3 of the *Municipal Act, 2001*, including the application of the Code. This report is intended to give Council and the public a sufficient account of the process, evidence, findings, and recommended penalty while avoiding unnecessary disclosure of confidential personnel, closed session, or third-party information.

The Complainant alleges that the Respondent exhibited a persistent pattern of harassment, disrespect, and undermining of authority directed towards her, as well as breaches of confidentiality.

Public disclosure note: This report has been prepared for consideration by Council in public session. It includes the information I consider necessary for Council to understand the complaint, the process followed, the findings made, and the penalty recommendation. Where the evidence involved identifiable third parties, personnel matters, closed-session information, or other information that should remain confidential, I have summarized the relevant facts only to the extent necessary to explain my reasoning and have removed the names of individuals or generalized identifying information where appropriate. The Respondent received an unredacted and non-generalized draft of the report to review prior to this final public version being produced for Council.

DETERMINATION

For the reasons set out below, I find that Councillor Beaucage contravened sections 10 (Improper Influence), 14 (Conduct Respecting Staff), and 16 (Discreditable Conduct). The evidence does not support findings under the other sections the Complainant cited, and I am not making a separate finding under section 17 (Failure to Adhere to Council Policies and Procedures) for the reasons explained herein.

PROCESS

The processing of this Complaint involved a deferred initial intake, a secondary filing following the conclusion of an independent human resources investigation, and a thorough exchange of evidence and witness interviews. The timeline of the inquiry is unusual, so I have highlighted the key dates below:

- **January 16, 2025:** The Complainant initially filed a formal Code of Conduct complaint against Councillor Beaucage, alleging discrimination and belittling conduct related to a December 2024 performance review and medical leave.
- **January 22, 2025:** I issued a letter to the Complainant declining to open an inquiry at that time. Because the Town had already engaged a third-party workplace investigator to review these allegations under the municipality's Workplace Harassment and Violence Policy, I deferred consideration of the matter to avoid interfering with the concurrent statutory process. The Complainant was advised

she could re-file her complaint after the conclusion of the independent investigation.

- **February 24, 2026:** Several months after the conclusion of the third-party investigation, the Complainant emailed my office to re-file her complaint, alleging that Councillor Beaucage's conduct had escalated into a continuous pattern of harassment and subversion. She felt that things had not improved since the third-party investigator rendered her findings, and she wished to pursue an additional avenue through the Code of Conduct to seek relief. For the record, the third-party investigator found that Councillor Beaucage discriminated against the Complainant by directly linking negative performance appraisal ratings to protected personal grounds.
- **March 10, 2026:** I emailed the Complainant requesting clarification and further details on the numerous, wide-ranging allegations she had raised.
- **April 13, 2026:** The Complainant provided written clarification outlining the specific incidents and dates comprising her allegations.
- **April 29, 2026:** I conducted an initial fact-finding interview with the Complainant to further clarify the parameters of her complaint before issuing formal notice.
- **May 13, 2026:** I formally opened the inquiry and sent a Notice of Inquiry letter, alongside a synthesized Summary of Allegations, to Councillor Beaucage. Councillor Beaucage was requested to provide a written response by May 23, 2026.
- **May 29, 2026 – June 17, 2026:** Councillor Beaucage provided her written responses and supporting documentation.
- **June 10, 2026:** The Complainant provided a written reply to the initial explanations submitted by Councillor Beaucage.
- **July 2, 2026:** The Complainant confirmed her position that the findings of discrimination identified by the third-party workplace investigation should be formally considered within the Code of Conduct framework.
- **July 8–9, 2026:** Councillor Beaucage provided an additional written response specifically addressing the inclusion of the discrimination findings and summarizing her perspective on the workplace investigation. This was provided to the Complainant. She did not provide a Reply to this additional material.

Witness Interviews

I conducted a series of interviews with the primary parties and relevant municipal staff:

- **April 29, 2026:** The Complainant
- **June 16, 2026:** Councillor Keven Beaucage (Respondent)
- **June 18, 2026:** Mayor Cheryl Philip
- **July 23, 2026:** The Fire Chief
- **July 23, 2026:** The Public Works Superintendent
- **July 24, 2026:** The Treasurer

Offer of Mediation

In July 2026, prioritizing a forward-looking resolution ahead of the Nomination Day moratorium period,¹ I proposed voluntary mediation to both parties. Councillor Beaucage expressed a willingness to participate, but this offer went unanswered by the Complainant, who noted that she required additional time to consider it. After unanswered follow-up and several weeks of waiting, I determined to proceed with my inquiry rather than leave it in abeyance pending her answer. My view was that mediation could be entered into at any stage up to the point of publication of my final report. The Complainant later confirmed that she was uncomfortable with the idea of mediating with Councillor Beaucage. There is no requirement or expectation that the parties agree to participate in that process as it is entirely voluntary.

Evidentiary Standard

I have applied the civil *balance of probabilities* standard of proof.

CODE SECTIONS CITED

The Complainant alleged contraventions of the following Code sections by Councillor Beaucage:

Section 7 – Confidential Information

No Member shall disclose or release [...] by any means to any member of the public, any confidential information acquired by virtue of their office [...] except when required by law or authorized by Council to do so. Nor shall

¹ Pursuant to section 223.4(7) of the *Municipal Act, 2001*

Members use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

In accordance with the Town of Kearney's Procedural By-law a matter that has been discussed at an in-camera (closed) meeting remains confidential. No Member shall disclose or release [...] the content of such matter, or the substance of deliberations, of the in-camera meeting until the Council or committee discusses the information at a meeting that is open to the public or releases the information to the public. [...]

Section 10 – Improper Influence

No Member shall use the influence of their office for any purpose other than for the exercise of their official duties. [...]

Section 12 - Conduct Regarding Current & Prospective Employment

No Member shall allow the prospect of his or her future employment or employment of an immediate family member [...] to detrimentally affect the performance of his or her duties to the Municipality.

Section 13 – Conduct at Council and Committee Meetings

Members shall conduct themselves with decorum and in a civil and respectful manner at Council and committee/local board meetings in accordance with the provisions of the Town's current Procedure By-Law.

Section 14 – Conduct Respecting Staff

Under the direction of the Clerk - Administrator (Clerk/CAO), Staff serve the Council as a whole, and the combined interests of all Members as evidenced through the decisions of Council. Members have no individual capacity to direct employees to carry out particular functions. Members shall be respectful of the role of Staff to provide advice based on political neutrality and objectivity and without undue influence from any individual member or a faction of Council.

Accordingly, no Member shall maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of Staff, and all Members shall show respect for the professional capacities of Staff.

[...] Nor shall any Member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any Staff member with the intent of interfering with that person's duties.

Section 16 – Discreditable Conduct

All Members have a duty to treat members of the public, one another, and Staff appropriately and without discrimination, abuse, bullying or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment. All Members shall abide by the provisions of the *Ontario Human Rights Code*, the Town's Violence and Harassment Policy, as well as the *Occupational Health and Safety Act* (or "OHSA").

Section 17 – Failure to Adhere to Council Policies and Procedures

[...] Members are required to observe the terms of all by-laws, policies and procedures established by the Town of Kearney.

BACKGROUND

I reiterate that this matter proceeds against the backdrop of a previous harassment and discrimination claim made by the Complainant against Councillor Beaucage, which concluded with a report to Council sometime in 2025. I was provided with an Executive Summary of findings from the third-party investigator, who concluded that Councillor Beaucage discriminated against the Complainant in relation to workplace matters. The report stopped short of finding personal harassment had occurred, but the investigator explicitly warned Council that Councillor Beaucage's "needlessly aggressive" and repetitive public questioning had an undermining effect on the Complainant, which, if continued, would likely rise to the level of workplace harassment. The Parties agreed that Council accepted the findings and recommendations. These matters were previously considered in-camera but are an essential reference point for the present matter.

The Complainant alleges that Councillor Beaucage's continuous public criticism regarding minor administrative issues constitutes a course of vexatious conduct and workplace harassment, violating sections 16 and 17 of the Code, which mandate adherence to the *Ontario Human Rights Code* and the Town's Violence and Harassment Policy. While the Complainant asks that I subsume the third-party investigation findings into my own, I must note that I have not been furnished with the full report, the same evidence that the third-party investigator considered, nor with any transcripts of

interviews the investigator conducted. I am accordingly treating the investigator's conclusions, per the Executive Summary, as a starting point for my own consideration of this matter rather than discrete issues to be relitigated for parallel findings by my Office. While it is a fact that the Code requires, under sections 16 and 17, that Members comply with the law and policies of Council, I am not prepared to re-evaluate or duplicate the investigator's work, particularly since Council already accepted and dealt with it. That process was carried out under the OHSA, and I defer to it. In my view, it is more appropriate for my Office to treat the investigator's findings as a baseline against which Councillor Beaucage's subsequent conduct, as reported, should be measured.

The propriety of treating a prior, independent workplace investigation as an established baseline, rather than re-opening the underlying fact, is supported by *Employees v. Noel*, [2025 ONMIC 7](#) (City of Dryden). In *Noel*, the IC determined that when an independent investigator has already rendered formal findings of harassment under a municipality's workplace policy, the IC does not need to duplicate or re-evaluate those same facts to resolve the overlapping harassment sections of the Code.

CREDIBILITY OF WITNESSES

Generally speaking, 'credibility' is a shorthand for whether a witness' evidence presents as truthful and believable. It speaks to the weight their evidence should carry – highly credible witnesses are thoroughly believable, and their information matches up well with other verifiable evidence. When a witness' information doesn't match up well with other verifiable evidence or recollections, it becomes less credible.

There are no automatic rules for what makes a witness "credible," but several factors are commonly important. In my experience, the most important is whether the witness's description is consistent with other reliable evidence. Credibility also depends on the reliability of memory, the clarity and consistency of recollection, and whether the witness appears to have any reason to deceive or mislead. Some witnesses may also have heightened credibility because of their role, responsibilities, or direct access to relevant information.

I have addressed the credibility of witnesses as it relates to their evidence on each issue.

ANALYSIS AND FINDINGS

The analysis below addresses ten issues raised by the Complainant against Councillor Beaucage: (1) involvement in operational (HR) matters; (2) negative comments to an employee (the Public Works Superintendent); (3) the Complainant's delegation of

authority; (4) cell phone bills; (5) a debate about the Complainant's title; (6) "absence" versus "regrets"; (7) surveillance and negative comments; (8) conflicts of interest and undue influence; (9) breach of confidentiality; and (10) Legion email. I address below which, if any, support findings under the Code.

Issue One: Involvement in Operational (HR) matters

The Complainant asserted that Councillor Beaucage bypassed her to independently investigate complaints from a former Town employee. She claimed that Councillor Beaucage approached the Fire Chief who was the relevant Supervisor and subjected him to questioning about his handling of the issue. She also asked for his opinion of the Complainant's conduct towards staff while implying she had an issue with how the Complainant conducts herself as CAO and called for the Fire Chief to answer questions before Council regarding HR matters rightfully under the CAO's direct authority. The Complainant further asserted that Councillor Beaucage violated confidentiality by showing a private email to the Fire Chief regarding these matters, which is addressed later in this report.

Councillor Beaucage gave evidence that the former employee approached her with concerns, and she felt it was her duty to hear the employee's side of the story and ask questions to ensure staff were not overstepping their authority in how they were dealing with sensitive HR matters. She denied showing a confidential email to the Fire Chief.

The Fire Chief gave evidence that he was directed to attend a Council meeting which took place on or around March 6, 2025. During an in-camera session, he was questioned at length about his handling of a sensitive personnel matter. He described Councillor Beaucage's actions as "definitely ... overstepping," and said that her questions and tone "come across as accusatory, not clarifying". He opined that this was not proper Council business. While he acknowledged that he reports to Council respecting his fire safety related duties, HR issues are properly under the charge of the CAO.

The Fire Chief further described a meeting on or around March 24 or 25, 2025, recalling that Councillor Beaucage came to the Fire Hall to directly question him about the Complainant's handling of the situation, explicitly asking him if the Complainant "treats everybody this way" regarding an email she had helped the Fire Chief write to the former employee in question. Councillor Beaucage acknowledged that her questions were "more for Nicole than him" and that Council backed him "100%". He again found her tone accusatory and was left with the impression that Councillor Beaucage was "trying to build a case against Nicole ... for maybe even termination". However, he denied that

Councillor Beaucage showed him a confidential email – she showed him a copy of an email thread to which he was already a party.

Mayor Philip confirmed that while the Fire Chief reports to Council concerning *Fire Protection and Prevention Act* matters, municipal councils often insert a CAO into the operational matrix so that they do not have to deal with the day-to-day management issues of running a fire hall. The Fire Chief reports to Council over public safety issues and to the CAO concerning personnel matters.

In their white paper “[The Evolving Role of City Managers and the Chief Administrative Officer](#)”, Michael Fenn and David Siegel wrote:

The position of chief administrative officer as the head of the administrative apparatus of the local government is a variant on the city manager model that has been in use in some U.S. cities since the early part of the 20th century.

[...] The mayor and council sit atop the organization chart as the political heads of the local government unit. [...] The CAO is the sole employee who reports directly to council, and as such, he or she is head of the public service, accountable for the operation of the administrative apparatus of municipal government.

In practice, the model can become more complicated because certain officials, such as the municipal solicitor, sometimes need direct access to council to carry out their duties. The CAO does not interfere with the ability of certain staff members to report directly to council on purely professional matters. However, the CAO still serves as the administrative supervisor of all department heads and is frequently consulted on how to handle the advice provided by specialized officials.

This aligns with Mayor Philip’s, the Fire Chief’s, and the Complainant’s interpretations of their respective roles and functions.

Credibility

I find all three credible in their reporting of this issue. The Complainant’s evidence aligns with the recollections of independent third-party witnesses, who also came across as credible and reliable. The Fire Chief read from his contemporaneous notes of his interactions with Councillor Beaucage and provided a detailed account of their discussions. Councillor Beaucage acknowledged her role and provided what she

considered a reasonable explanation for her actions. She did not deny it but rather justified it.

Analysis and Findings

I am concerned by this conduct. In my view, Councillor Beaucage's actions contravened **sections 10, 14 and 16** of the Code.

Section 10: Councillor Beaucage appears to have blended her former role as a union official with her current role as a Councillor; but she is not a personal advocate for the rights of employees who take issue with decisions of their managers. She has no personal authority or responsibility as a Member of Council to personally interfere in a personnel matter, to interject herself into the management of an employee issue, or to question other staff about whether the Complainant handles elements of her job correctly. These are unambiguously operational matters and Councillor Beaucage does not have an operational role. While the Fire Chief does indeed report to Council as a collective oversight body, it is questionable whether that reporting duty extends to specific HR matters involving individual employees or ex-employees, particularly under a CAO system where Council has delegated authority to the CAO for the oversight of day-to-day Town operations. At the very least, there is tension between the roles of Council, the CAO, and the Fire Chief in this scenario, which the Mayor, CAO, and Fire Chief all recognize. Council might wish to evaluate its practices in this regard.

Section 14: This section clearly states that Staff act under the direction of the Clerk/CAO, serving Council as a whole, and that Members have no authority to direct them. It additionally requires Members to be respectful of staff's roles and prohibits Members from maliciously or falsely injuring the professional or ethical reputation, or [...] practice of Staff. In my view, it was accordingly inappropriate for Councillor Beaucage to personally subject the Fire Chief to questioning over his and the Complainant's handling of an HR matter.

This administrative boundary and the statutory independence of municipal department heads was reinforced in *Anderson v. Meadows*, [2022 ONMIC 5](#) (Township of Adjala-Tosorontio). In that case, the Integrity Commissioner Giorno evaluated the *Fire Protection and Prevention Act, 1997* alongside local municipal fire by-laws, and determined that decisions regarding the operations, administration, and service delivery of the fire department belong strictly to the Fire Chief, not to individual Council Members. He concluded that a Council Member's attempt to challenge the Fire Chief on operational decisions constituted interference and contravened the Township's Code.

In parallel, Councillor Beaucage's decision to bypass the CAO and directly confront the Fire Chief regarding an operational matter was not a legitimate exercise of her function. I am alarmed that Councillor Beaucage would not let the issue drop after already questioning the Fire Chief at a Council Meeting. The Fire Chief had a clear impression that Councillor Beaucage's purpose in continuing to question him was to "build a case against" The Complainant. I accept his evidence on point, and I am inclined to agree with his assessment given the overall picture this investigation paints. I find this to be inappropriate interference by a Member of Council into a staff issue, as well as compelling evidence of an attempt to undermine the Complainant amongst the Town's senior staff (which is a pattern repeated throughout this case). I wish to be clear that while the Complainant reports to Council, it is inaccurate to suggest this means she reports to Councillor Beaucage – and nor does the Fire Chief.

Section 16: The *Occupational Health and Safety Act*, which is directly referenced in this section, defines harassment as "engaging in a course of vexatious comment or conduct against a worker in a workplace [...] that is known or ought reasonably to be known to be unwelcome." While I have no authority to directly apply *OHSA*, the Code also directly prohibits the same conduct. The *OHSA* definition is instructive. In my view, this conduct, weighed against the historical background and together with the other findings in this report, establishes a course of conduct that meets the section 16 threshold.

Issue Two: Negative comments to Town Employee

The Complainant alleged that Councillor Beaucage made a snarky, baseless accusation about her to a newly hired employee, the Public Works Superintendent. Reportedly, the employee had spoken with a familial relation of Councillor Beaucage's, who is a Town employee, and jokingly commented about the possibility of Councillor Beaucage giving him a tough time at the next Council meeting (which would be his first). Councillor Beaucage later approached him and accused the Complainant of suggesting that to him.

Councillor Beaucage did not recall saying something like that to the Public Works Superintendent, claiming that she only remembered "...asking him why he would ask that question [about her giving him a tough time]". However, in her written Response, she revealed that she did in fact harbour suspicions of the Complainant being behind the employee's initial question to her family member, writing: "This comment indicates to me that the Complainant has given her opinion of me to [him]".

The Public Works Superintendent stated that sometime in July 2025, he jokingly told a Town employee personally connected to Councillor Beaucage that he heard Councillor Beaucage asks a lot of questions, which he advised he already knew as a long-time

resident of the region. A few days later, he was approached by Councillor Beaucage, who inquired about his comment and asked: “Oh, did Nicole tell you that?”. He replied that the Complainant had not spoken to him about it at all. He noted the interaction was awkward, and he felt a clear “negative vibe”. He had the impression that Councillor Beaucage went “right to Nicole” to make a baseless accusation about her. He noted that he reports to the Complainant.

Credibility

I find the Complainant to be credible in her reporting of these issues. Though she was not present for the exchange, her presentation of it aligns with how the Public Works Superintendent recalled the story. The Public Works Superintendent also came across as credible and forthright in his recollections. Councillor Beaucage is less credible on this point, based on her inability to recall certain condemning details of her discussion with him, despite also indicating her suspicions of the Complainant in her written Response.

Analysis and Findings

In my view, Councillor Beaucage’s actions in this instance contravened **section 14** of the Code. There is simply no reason for Councillor Beaucage to approach a new senior employee and, having jumped to an unfounded conclusion, cast a negative aspersion against the Complainant – which undermined her position contrary to the Code. Councillor Beaucage is entitled to harbour suspicions about other individuals, but she is not entitled to act upon them in this manner. These actions contribute to a toxic work environment and to a finding of harassment under **section 16** of the Code.

Issue Three: Challenging the Complainant’s delegation of authority

The Complainant alleged that Councillor Beaucage significantly disrupted a Council meeting by challenging her statutory right to delegate her Clerk duties for the Council meeting to the Treasurer while on leave. She said this cost the Town \$1,000 in legal fees to resolve and formed another example of the ongoing harassment and undermining she says she experienced from Councillor Beaucage. The Complainant described that she delegated her Clerk duties to the Treasurer while the Deputy Clerk maintained her usual duties – which Councillor Beaucage publicly challenged during the Council meeting. Councillor Beaucage also sought an outside opinion from a parliamentary expert about whether the Complainant had the right to delegate her duties, or whether Council was required to appoint a temporary replacement. The Town later obtained a legal opinion that disagreed with Councillor Beaucage’s position.

In a collateral incident, on August 5, 2025, Councillor Beaucage requested an in-camera session to discuss an “identifiable individual” and requested that the Treasurer clerk the meeting, despite having previously challenged the Complainant’s delegation of duties, as noted above. She also requested that the Town solicitor take on the role. The entire idea of a closed meeting and a change in Clerk was vetoed by Mayor Philip, according to email records.

Councillor Beaucage asserted she was acting on advice from a municipal expert, who advised her that a Council resolution should formally appoint an Acting Clerk to protect the legality of municipal decisions. She disagreed that she did anything wrong and was simply trying to protect the municipality based on advice she received from a credible source. In both her interview and written Response, Councillor Beaucage stated that she questioned why the Deputy Clerk was not stepping into the Clerk’s role but denied directly asking the Deputy Clerk about it. According to Councillor Beaucage, it was Mayor Philip who addressed the Deputy Clerk about whether she had been asked to take on the duty, to which the Deputy Clerk indicated “no”.

Mayor Philip gave evidence that she did not view Councillor Beaucage’s challenge as spiteful; rather, she simply wanted to ensure a \$290,000 municipal machinery purchase being approved at the meeting was legally binding given that the Clerk was not present and had delegated her duties without direct Council approval. She recalled addressing Councillor Beaucage’s concern about the Deputy Clerk being bypassed and said the Deputy Clerk had a union grievance process available to her if she had an issue but also observed that the Deputy Clerk was not seemingly upset about it.

The Treasurer recalled the dispute and confirmed that Councillor Beaucage directly addressed the Deputy Clerk about whether the Complainant had asked her to clerk the meeting. The Treasurer corroborated that this public questioning left the Deputy Clerk visibly uncomfortable – which the Deputy Clerk acknowledged directly to the Treasurer the following day. The Treasurer also reported that Councillor Beaucage would not let the issue drop and kept going on about it which appeared to visibly frustrate several people in her view. The Treasurer finally proposed that she would draft a motion for Council to approve the delegation to address Councillor Beaucage’s concern. To the best of her recollection, everyone voted for that motion except Councillor Beaucage.

Credibility

I find the witnesses credible in their reporting of the facts, which are generally agreed upon. I am concerned that Councillor Beaucage’s motive is weakened by the broader pattern of conduct described in this report. I accept that she was concerned about the legal

issue of the delegation, but I also find that her concern was informed by a mistrust of the Complainant that appears demonstrated throughout the evidence, which damages the reliability of her motivation.

Analysis and Findings

In my view, Councillor Beaucage's actions in this instance contribute to a finding under **section 16** of the Code. Although she may have relied on advice (that later proved inconsistent with Council's legal advice), her conduct formed part of a broader pattern of challenging the Complainant's decisions – in this instance by publicly suggesting that the Complainant was acting incorrectly, in a manner that undermined the Complainant's authority and expertise as Clerk and CAO. While Councillor Beaucage may have had a good-faith reason for seeking the independent expert opinion on this governance matter, her actions remain concerning because they fit a wider pattern of repeated and excessive criticism of the Complainant across numerous issues – something the third-party investigator previously reported.

It is additionally possible that these actions violate section 13 of the Code (covering council meeting decorum), but I consider myself constrained in my ability to singularly consider any Council Member's behaviour during a Council meeting. In *Moore v Maika*, [2018 ONMIC 7](#) (CanLII), the Township of Madawaska Valley's Integrity Commissioner found that the behaviour and decorum of Councillors during formal meetings falls squarely within the rules and enforcement mechanisms of the municipality's Procedural By-law, which is managed by the Chair or Mayor. I have routinely applied that precedent in my own work. In this matter, Mayor Philip stated that she did not take issue with Councillor Beaucage's actions because she thought she was acting with a good faith motive. I do not share that view entirely, but nor do I believe I have the authority to make a direct finding under section 13 of the Code concerning how Councillor Beaucage specifically conducted herself at the meeting.

Issue Four: Singling out the Complainant's cell phone bill

The Complainant alleged that Councillor Beaucage highlighted her cell phone bill to argue for issuing staff phones rather than reimbursing their use of personal cell phones, leaving her feeling unfairly targeted for scrutiny. She said numerous Town staff are in the same position – they use their own cell phones for Town business, and the Town reimburses them, but Councillor Beaucage focused only on her cell phone payment as the example of why the Town should change policies, while saying nothing about any other staff.

Councillor Beaucage indicated that she raised the Complainant's cell phone reimbursement strictly as a budget issue, advocating that all management staff should be issued Town phones rather than using personal devices, citing past municipal liability issues with deleted records.

The Treasurer reported that Councillor Beaucage seemingly singled out the Complainant's cell phone reimbursement for public scrutiny, but ignored similar expenses submitted by other management staff, including herself, noting that several managers use their personal phones for work. She stated that she and another senior staff member receive a \$30 per month honorarium, while the Complainant receives a higher amount as stipulated in her employment contract and commensurate with the demands of her role. Employees are also required to provide their actual bills to prove they are paying for the service. The Treasurer views this as more cost effective than Town-supplied phones.

Credibility

I find the witnesses to be credible in their reporting of the facts. The differences expressed by the witnesses are interpretive. Councillor Beaucage's seeming blind spot (automatic negative assumptions and positioning towards the Complainant) remains a concern that impacts the reliability of her self-reported motives.

Analysis and Findings

If this were a standalone issue, I would probably dismiss it. Unfortunately, it is not – it appears to be part of a broader pattern of conduct that fairly contributes to a **section 16** violation (harassment) when considered in the aggregate.

As with Issue Three, I will not address section 13, as I am leaving decorum matters to the Mayor unless Council requests otherwise.

Issue Five: Debate about the Complainant's title

The Complainant reported that Councillor Beaucage wasted up to 45 minutes in a public meeting aggressively debating her title (arguing she was a "Clerk Administrator", not the CAO), which the Complainant found dehumanizing.

Councillor Beaucage asserted that this issue was a brief discussion, not 45 minutes, which she raised strictly out of concern for municipal liability, questioning whether

documents signed as “CAO” were legally valid if the appointment bylaw said, “Clerk Administrator”.

Mayor Philip testified that the title debate was a technicality and that Council ultimately resolved the ambiguity by passing a new bylaw officially naming the Complainant CAO to put the argument to rest.

Credibility

I again find the witnesses to be credible in their reporting of the facts. The differences expressed by the witnesses are interpretive.

Analysis and Findings

Councillor Beaucage probably had a valid reason to point out the potential legal issue with the Complainant’s title, but I do not believe it warranted the level of scrutiny and discussion it apparently received. Nonetheless, the formal title of a statutory officer on legal documents is not a trifling matter – in my view, it was a good governance issue within Council’s remit.

There could very well be a problem with *how* this discussion unfolded, but I decline to address it as it falls within the scope of section 13 (decorum), which I presently lack the direct authority from Council to address.

Issue Six: “Absent” versus “Regrets”

The Complainant claimed that Councillor Beaucage routinely weaponized meeting procedures to embarrass her and wasted up to 20 minutes debating the use of the word “absent” versus “regrets” in draft minutes – which the Public Works Superintendent also reported to me without prompting. Councillor Beaucage then allegedly accused the Complainant of misadvising Council about a six-month procedural delay for reconsideration, because the Minutes had already been voted on and adopted.

Councillor Beaucage stated that being declared “absent” in the Minutes misleads the public into thinking she simply failed to show up, whereas “regrets” shows she provided notice, so it was a matter of accuracy. She testified that she stopped submitting questions to staff in advance because she felt she was not getting the same answers as other councillors, and believes public questioning ensures transparency for the ratepayers.

Mayor Philip opined that both parties needlessly escalated the “absent” vs. “regrets” issue, noting it was a minor error that the Complainant could have easily fixed rather than strictly enforcing a six-month procedural delay to formally revisit it as a “reconsideration” of a Council decision (which in this case, was the decision to accept the Minutes as is, including the word “absent” instead of “regrets”).

The Public Works Superintendent corroborated that Council spent 20 minutes arguing about the difference between the two terms. He expressed that Councillor Beaucage receives Agenda packages a week in advance but routinely refuses to deal with minor issues like this ahead of meetings, instead bringing them to the Council table. He claimed that Councillor Beaucage often expends significant meeting time on issues like this, and it is obvious that Councillor Beaucage is “trying to go at” the Complainant.

The Complainant responded to a draft of this report to advise that she had not received “regrets”, the Procedure By-law did not offer specific guidance on point (though it does now), and the issue was that Council passed the Minutes and thus the rules required a formal reconsideration process.

Credibility

As above, I find the witnesses to be credible in their reporting of the facts. Again, the differences expressed are interpretive.

Analysis and Findings

Councillor Beaucage was within her rights to assert that she gave “regrets” rather than being simply *absent*. Section 10.3 of the Town’s Procedure By-law states that meeting Minutes will record, “the names of members of Council who are absent, recorded using ‘Regrets’” (I was informed after an earlier draft of this report that this was a recent by-law amendment because of this issue specifically). In any event, an elected official’s public image is an important element of her role. In a spirit of cooperation, I would have hoped everyone could work together to fix the problem in the simplest and quickest way; but a spirit of cooperation seems clearly lacking.

I am declining to find that this instance contributed to the violations. It is an interpretive dispute. I agree with Mayor Philip that all involved could have handled this issue more constructively.

Issue Seven: Questioning of Work-From-Home, Subsequent Comments

The Complainant alleged that on February 4, 2026, her last day of work prior to a scheduled vacation, Councillor Beaucage sent an extensive email at 8:27 a.m., challenging her professional opinion on the six-month waiting period for reconsideration of the Minutes related to the “absent” versus “regrets” issue. At 4:07 p.m., because the Complainant had not yet responded, Councillor Beaucage emailed the Mayor (copying the Complainant) asking: “I haven’t heard from Nicole yet, do you know if she is working from home? I didn’t see her car or truck at the office when I went by today”. The Complainant responded expressing distress over Councillor Beaucage’s earlier emails, noting that her vehicle was indeed at the office that day and that she felt Councillor Beaucage was actively monitoring her movements. She also expressed her concern over what she perceived as Councillor Beaucage’s aggression and the fact that Council was not addressing it.

Furthermore, at the Council meeting which shortly followed at 6:00 p.m., Councillor Beaucage publicly stated in open session: “After the email I received from the Clerk at 5:03 p.m. today, I will not be making any further comments.” The Complainant asserted this was a calculated public swipe designed to falsely insinuate to the public that staff had silenced her.

Councillor Beaucage maintained that she sent the initial email about the Complainant’s whereabouts strictly out of operational concern. She stated that she was waiting for a time-sensitive response regarding the upcoming agenda and simply noticed, when driving past the municipal office, that the Complainant’s car was not in the parking lot. She denied “monitoring” the Complainant and argued that her email was entirely respectful. Regarding her comment at the Council table, Councillor Beaucage explained that she received a highly defensive, copied email from the Complainant right before the meeting accusing her of “aggressive conduct”. She stated she chose to withdraw from further discussion at the meeting to de-escalate her own frustration and avoid further conflict.

Mayor Philip advised that some Members of Council and the public have sought information from her about the Complainant’s whereabouts – i.e., whether she is working from home or in Office. The Mayor stated that the Complainant has an approved arrangement to work from home on certain days, but Council Members have sought clearer and more current information about the arrangement, which she has attempted to clarify herself. She opined that Councillor Beaucage’s inquiry was not a personal attack but a reflection of this operational circumstance.

Credibility

The witnesses are credible in their reporting of the factual details, but their accounts differ sharply on interpretation. I do not find there to be any credibility issues.

Analysis and Findings

I do not find that Councillor Beaucage violated the Code in this case.

As a governing body, Council collectively has a legitimate interest in the attendance, availability, and scheduling of its sole employee, the CAO. Matters intended for imminent Council meetings are legitimate operational concerns, particularly if they have not been addressed (which is not to suggest that the Complainant failed to do her job – I deliberately offer no opinion on that – but simply that Councillor Beaucage is entitled to consider it urgent and to make inquiries). It is already established that this issue was one fraught with tension, just as the relationship between the Parties is generally. Given the context of the prior workplace findings, Councillor Beaucage’s questioning of the Clerk/CAO’s whereabouts was understandably sensitive. However, in the full context of the imminent operational issue and the Complainant’s expected absence for vacation, I do not believe Councillor Beaucage’s email to the Mayor and the Complainant was objectively offensive, harassing, or discriminatory. The context matters.

Councillor Beaucage’s statement at the public meeting, announcing she would not speak “after the email I received from the Clerk”, was probably an unnecessary escalation to the conflict, but it was more likely a heat-of-the-moment reaction to a blistering response she had just received from the Complainant. It was not an ideal way to handle it, but I decline to find it a Code violation because it was clearly a reaction to a mutual conflict situation. For reasons already stated, I will not address it as a decorum issue.

Issue Eight: Conflict of interest and undue influence

The Complainant expressed that Councillor Beaucage routinely has conflicts of interest or unduly uses her influence concerning union matters. One example was her insertion into the employment matter involving the Fire Chief and unionized employee-related issues, discussed under Issue One above. She also reported that on October 17, 2024, in a closed Council meeting regarding a labour relations matter, things became heated and Councillor Beaucage loudly declared that she will “always be on the side of the union,” and stormed out of a meeting. The Complainant asserts that Councillor Beaucage’s close connection to unionized Town staff shows bias, a conflict of interest, and the undue use of her influence as a Council Member.

Councillor Beaucage denied storming out or yelling. She stated that she packed up and left because the discussion was inappropriate and not on the Agenda. She claimed that her exact words were that she would “stand behind our dedicated union employees,” which is a philosophical stance. She also stated that she actively recuses herself from all union discussions regarding her family member.

Mayor Philip confirmed that Councillor Beaucage was frustrated in that meeting but corroborated that she manages potential bias and conflicts of interest by consistently recusing herself from union matters where a personal connection could reasonably arise.

Credibility

As above, I find the witnesses to be credible in their reporting of the facts. Again, the differences expressed are interpretive.

Analysis and Findings

I do not find a Code breach regarding this allegation. My role is not to judge political stances of Members of Council; if a Member is definitively “pro-Union,” that is a stance they are entitled to take. All Members are expected to approach issues before Council with an open mind capable of persuasion, but they are not required to disavow deeply held political beliefs. A Member being deeply aligned with the labour movement is not something I am prepared to investigate under the Code unless there is clearer evidence of a direct Code violation. It is sufficient that Councillor Beaucage declares her interests appropriately and mitigates issues as required.

This Office has repeatedly stated it will not intervene in political commentary by Members of Council. We have routinely endorsed the following comment from *Linton v. Kitras*, [2020 ONMIC 1](#) from the Township of Centre Wellington’s Integrity Commissioner:

68. ... I wish to comment briefly on the role of municipal councillors.

69. Centre Wellington is a democracy. Council Members are elected to office. The democratic nature of the office means that Council Members have political and representational roles in addition to their legislative (law-making) role. ... The Municipal Act confirms that a role of the Council is “to represent the public”.

70. ... As part of the political process, a Council Member is entitled to form views, to hold views, to express views and, once in office, to give effect to

those views. ... Provided that a Council Member proceeds lawfully and in a manner consistent with the Municipal Act, the Code and other legislation and by-laws, nothing prevents a Council Member from taking, defending and seeking to implement a position would alter the status quo. Indeed, the Courts have clearly stated that as an elected representative of the public a municipal councillor is entitled to take “an open leadership role” on an issue. 71. ... I adopt the following observation from *Farr v. Murphy*, 2017 ONMIC 19 (at para. 39):

... As long as the conduct is lawful and inside the ethical boundaries of the Code of Conduct, individual political judgements are beyond the purview of an Integrity Commissioner. Subject to the law and rules of ethics, accountability for the exercise of political judgment resides in the political process, not in an Integrity Commissioner investigation. ...

78. Other Integrity Commissioners have held that they have no jurisdiction over political speech as long as it complies with the Code. As former Brampton Integrity Commissioner Donald Cameron noted in 2012:²

I cannot and will not be a referee of free speech in a political arena provided it stays within the bounds ... of the Code.

Expressing support for organized labour is a position a Council Member is entitled to take. I do not find there is sufficient evidence to support that Councillor Beaucage improperly uses her influence to assist the union as an entity, or that she does anything to clearly benefit a personally connected employee. Those complaints are not supported. The evidence also showed no attempt by the Respondent to leverage municipal duties for personal or prospective financial benefit for herself or any other individual.

Issue Nine: Breaches of Confidentiality

The Complainant alleged three breaches of confidentiality by Councillor Beaucage under Section 7 of the Code: (1) disclosure of the existence of a prior workplace investigation during a closed session; (2) disclosure of closed-session salary-related information to a former municipal official; and (3) disclosure of confidential correspondence to the Fire Chief regarding a personnel matter. The Complainant acknowledged, however that there was no evidence to support her second point regarding the former municipal official.

² City of Brampton, Report No. BIC-030-192 (December 4, 2012)

Councillor Beaucage denied all three allegations. She did not recall mentioning the workplace investigation at the November 20 meeting, denied leaking salary information to the former municipal official, and noted that the Fire Chief was already a party to the email she discussed with him.

The Fire Chief gave evidence that the email Councillor Beaucage referenced was one he had co-authored and was already copied on – so she did not show him a confidential document to which he was not privy.

The Treasurer testified that Councillor Beaucage mentioned the workplace investigation once but could not confirm at which specific meeting it happened. She recalled one meeting where Councillor Beaucage blurted out, “I don’t want to get a harassment complaint against me again”.

The Public Works Superintendent did not recall the workplace investigation being mentioned by Councillor Beaucage at all.

Credibility

The witnesses appeared forthright and credible in their recollections. Their differing accounts appeared to stem from the passage of time, the offhand nature of certain comments, and the fact that some claims (such as the leak to the former municipal official) were based on hearsay or lacking in direct evidence.

Analysis and Findings

I do not find that Councillor Beaucage breached Section 7 of the Code.

Evidence confirms that the Fire Chief was already a party to the correspondence in question; therefore, no confidential information was improperly disclosed.

The allegation about a salary-related leak to a former municipal official relies entirely on uncorroborated hearsay. I received no evidence that corroborates this claim, and the Complainant herself acknowledged that she has no direct proof of that disclosure. It cannot be substantiated on a balance of probabilities.

Regarding the November 20, 2025 meeting, the evidence falls short of proving that Councillor Beaucage deliberately disclosed confidential details of an in-camera workplace matter to staff. The Treasurer’s recollection suggests, at most, an offhand, defensive remark made by Councillor Beaucage, while the Public Works Superintendent

had no recollection of it being raised at all. This does not meet the threshold to establish a breach of confidentiality under Section 7.

Issue Ten: The Legion Email

The Complainant alleged that Councillor Beaucage sent an unprofessional, rude, and non-factual email to the Town on behalf of the local Royal Canadian Legion branch on October 15, 2025, regarding the installation of veterans' memorial banners. The Complainant expressed concern that Councillor Beaucage was inappropriately criticizing staff for delays and attempting to use her position to exert pressure on municipal operations.

Councillor Beaucage acknowledged drafting the October 15 email but maintained she did so entirely in her private capacity as the Treasurer of the Kearney Legion, reflecting the unanimous frustrations of the Legion's membership. The email was addressed generally to the "Mayor and Deputy Mayor," from the Legion's general email address (info.kearneylegion@bellnet.ca), and signed collectively by "Royal Canadian Legion, H. White Memorial Branch #276". Councillor Beaucage purposefully did not sign the letter.

Credibility

I have no concerns about credibility, with the same caveats as previously stated.

Analysis and Findings

I do not find that Councillor Beaucage breached the Code of Conduct, specifically Sections 10 and 14, regarding this incident.

Members of Council do not forfeit their rights to participate in community organizations, hold executive roles within them, or advocate for their interests simply by taking municipal office. The critical boundary established by the Code is whether a Member leverages the status and influence of their elected office to improperly advance those private interests.

In this instance, the evidence demonstrates that Councillor Beaucage operated strictly within her capacity as a Legion member. The email originated from the Legion's general account, was addressed generally to the Town's leadership (rather than targeting specific staff members), and was signed on behalf of the organization as a whole. Councillor Beaucage deliberately refrained from attaching her name or title (as Councillor) to the correspondence, and so did not attempt to use the weight of her elected position to gain

leverage for the Legion. The correspondence was a standard communication from a private community organization to the Town.

Collateral Issue re: Legion Email

The Complainant raised a collateral issue regarding the November 20, 2025 closed session, where staff questioned the authorship of the Legion email. Councillor Beaucage admitted to writing the email while specifically directing a remark at the CAO, stating she knew the Complainant was “itching to know whether or not it was me” [that had sent the email].

Councillor Beaucage admitted that she made the comment, explaining that a community volunteer and Legion member had already informed her the Complainant was trying to find out who authored the email. She was simply stating a fact as she understood it to be true.

The email was plainly a point of friction between the Legion and the Town, which I suspect the broader conflict between the Parties contributed to. I am not prepared to make a specific Code finding on this issue. In my view, it forms part of the wider dispute but is not sufficiently serious to warrant Code consideration either individually or as part of the identified pattern of issues.

FINDINGS

I find that the Respondent contravened sections 10, 14, and 16 of the Code across issues 1-4, as noted above. The evidence also engages section 17 insofar as adherence to Council policies is mandated, but I am not making a separate section 17 finding because I consider it too self-referential and redundant to enforce in that manner. It is unnecessary to find that a Member violated a section of the Code strictly as a result of violating another section of the Code.

The remaining Code provisions cited by the Complainant (sections 7, 12, and 13) were not established by the evidence in this case.

CONCLUSION AND RECOMMENDATION

Councillor Beaucage contravened sections 10, 14, and 16 of the Code. Upon receiving a report from an Integrity Commissioner finding that a Member of Council violated the Code, section 223.4(5) of the *Municipal Act, 2001* permits Council to impose either of the following penalties:

- a) A reprimand;
- b) Suspension of the remuneration paid to the Member for a period of up to 90 days.

As I have noted in other jurisdictions, including in *Jordan re Charrois* (Town of Grimsby), several factors can be reasonably considered when determining appropriate sanctions:

- a. Sanctions are normally progressive in their severity;
- b. The councillor's experience;
- c. The flagrancy of the behaviour;
- d. Whether the councillor made any acknowledgement of wrongdoing, remorse, or regret.

Insofar as I am aware, Councillor Beaucage does not have a long tenure on Council, but is reportedly no stranger to municipal politics, having served in the Town's public service for many years. I am unsure of the genesis of the conflict between her and the Complainant but am satisfied that her contribution to it has crossed the line more than once, even after a formal complaint was filed against her and after receiving a formal report regarding same that found discrimination and warned about an escalation towards harassment. She has not indicated any remorse, although when she offered an apology to the Complainant about the discrimination incident as a mandated part of settling that matter, I understand that the Complainant declined to receive it on the basis that it was a "forced apology". The Complainant is not completely without fault either, as the Mayor opined, and appears at times to have escalated the issues instead of defusing them. However, that only partly mitigates Councillor Beaucage's actions. I no authority to address the Complainant's part in contributing to this dispute apart from accounting for the fact that she plays one.

In view of these considerations, **I recommend a suspension of Councillor Beaucage's remuneration for a period not exceeding 15 days.** In my view, that sanction is proportionate because the proven conduct was serious and repeated, however the Respondent's later written comments acknowledge the boundaries clarified by this report and support a penalty below the statutory maximum. However, the decision belongs to Council, which may adopt my recommendation, vary it, apply the other statutory penalty, or decline to apply one if it so chooses.

COUNCILLOR REVIEW AND COMMENTS

While not formally mandated by the Town's Code, ordinary practice dictates that an Integrity Commissioner should not issue a report finding a violation of the Code of Conduct on the part of any Member unless the Member has had an opportunity to

comment to the Integrity Commissioner in writing on any preliminary or proposed findings.

An advance draft of this report was provided to Councillor Beaucage on July 30, 2026, and she was offered one week to respond. She responded as follows:

Dear Mr. Maynard,

I want to express my sincere appreciation for the draft investigation report you provided. Your analysis, investigation, and findings were thorough and clearly articulated. I recognize through this process the areas where, as a member of council, I should not interfere, and I appreciate the clarity you have brought to these boundaries.

I found your report highly informative and helpful in guiding my understanding of the responsibilities and limitations of my role. The guidance you shared will support me in ensuring that my conduct continues to align with the expectations of council and the community.

Thank you again for your work throughout this process.

I consider Councillor Beaucage's remarks an appropriate reflection of her acceptance of these findings and her commitment to learning from this experience to avoid future incidents.

Concluding Remarks

I thank the Parties for their participation in this matter, which my Office now considers to be concluded.

A handwritten signature in black ink, appearing to read 'M. Maynard', with a horizontal line extending to the right.

Michael L. Maynard
Integrity Commissioner