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March 24, 2023

SENT BY EMAIL TO: rongervais@sglawfirm.ca

Mayor Ron Gervais
City of Pembroke
1 Pembroke Street East
Pembroke, Ontario
K8A 3J5

Dear Mayor Gervais:

**RE: MCIA and Code of Conduct Advice
Our File No. 33136-12**

Further to our conversation of March 20, 2023 and our summary email of the same date, this letter will confirm our opinion on the matter of your proposal to purchase a portion of a municipal road allowance from the City.

We understand that you made an application to the City to purchase a portion of the road allowance adjacent to a vacant piece of land you own on the Indian River. The City requested that you obtain a survey, which you did. Your suggested purchase price was \$1,000. You advised that this amount is consistent with other small parcels of remnant lands that the City has sold to residents recently.

We further understand that when this matter came before Council you declared a pecuniary interest and were not present at the debate of Council. We are not aware of any attempt to influence staff or Councillors on this issue and as such it is our opinion that you have not breached the *Municipal Conflict of Interest Act*.

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We also considered the relevant sections of the Code of Conduct and do not believe that your actions constitute a contravene of any applicable provisions of the City's Code of Conduct. It is not a conflict or unethical for a member of Council to make an offer to purchase City owned land. You did not attempt to circumvent any established policies (we are advised that there are no policies) and your interactions with staff were not inappropriate. We are also not aware of any behaviour or interaction with staff that was intended to confer any undue benefit on yourself.

In all the circumstances we are satisfied that your behaviour as disclosed to us is compliant with the Code of Conduct.

Should there be additional facts that we are not aware of please let us know as that may change our opinion. Please also contact us if circumstances change or if you have further questions.

Sincerely,

Cunningham, Swan, Carty, Little & Bonham LLP



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