

Subject: FW:**Date:** Sat, 12 Jun 2004 22:47:01 -0700**From:** "Ernie Crist" <ernie_crist@dnv.org>**To:** "Mayor and Council - DNV" <Council@dnv.org>, "James Ridge" <James_Ridge@dnv.org>**CC:** "Senior Management Committee" <managecomm@dnv.org>, "FONVCA (E-mail)" <fonvca@fonvca.org>, <Cagebc@yahoo.com>

> A MESSAGE FROM ERNIE CRIST

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> In the evening of Friday June 11, 2004, I received, via fax, a copy of a resolution to be dealt with at the closed meeting of Council on Monday June 14, 2004, (this coming Monday) on the subject of "Censure of Council Member", proposed by Maureen McKeon Holmes, Acting Mayor of the District of North Vancouver.

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> The "Recommendations" of the Acting Mayor as printed are:

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> That Councilor Crist be formally censured by Council for his serious breach of Council's Code of Ethics and Section 117(1) of the Community Charter "Duty to Respect Confidentiality" with respect to his discussion of contents of confidential documents in the media and potentially compromising the Integrity of the municipality's business and the security of the Corporation, as reported in the June 10, 2003 North Shore Outlook".

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> In the "Summary", of the report Acting Mayor McKeon Holmes states:

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> "Councillor Crist's actions are in direct violation of Council's Code of Ethics and Section 117(1) of the Community Charter, with respect to maintaining confidentiality of documents and issues discussed during Special Meetings of Council, and could put the interest of the municipality in jeopardy".

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> "In my opinion" continues the Acting Mayor, "this is an extremely serious violation of a Council member's responsibility to protect the public interest, and, unfortunately, this is not Cllr. Crist's first breach of the Code of Ethics regarding release of in Camera information. On January 20th, 2003 Council censured Councillor Crist for releasing confidential information to the public and the media". (Yes, I did release information regarding the Canlan and Northlands fiasco previously).

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I have the following response to Acting Mayor McKeon Holmes' threat of censure of Councillor Crist dated June 11, 2004. - I notice that her motion had to be faxed twice since the first time the date was wrong.

> As for the censure motion itself, I have the following to say:

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> On Wednesday Morning, June, 9, 2004 which is two days after the Council meeting, when this issue was debated, albeit in a peculiar fashion, I received a call from the OUTLOOK informing me that they were in possession of a copy of the District Audit conducted by Grant Thornton, a company which had conducted audits for the District for the last few years. I expressed my surprise that the OUTLOOK would have a copy.

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> Notwithstanding, I was asked to comment on some of the concerns I had expressed in public during the previous Monday Council debate. The item had been part of a public agenda in the form of a staff recommendation that the same auditor be hired for 2005. The veracity of this may be determined by viewing the debate on tape.

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> I repeated my concerns that this report should have come to Council for debate BEFORE a staff recommendation that Grant Thornton be hired to also conduct the 2005 audit for the District. We should NOT hire the same company without going to tender first and we should NOT commit to hiring this company without having released the audit to the public first and/or without having discussed any of the issues such as District land leases, for instance, which are of concern to me.

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> The matter of land leases has been criticized by members of the public previously including by Dr. Corry Kost, an outstanding community activist, and Mr. John Hunter, a

well known and successful business and community activist. Please keep in mind that to release such an audit to the public and do so before a decision to hire an auditor is standard procedure in all municipalities. Indeed to make a decision to hire the same company BEFORE such an important document goes to the public, may even be illegal - it is certainly against the Code of Ethics and good government conduct in general.>

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> Notwithstanding, my concerns, Council voted in favor of the motion to proceed with Councillor Harris, Acting Mayor McKeon Holmes and Councillor Walton in public voting in favor to hire Grant Thornton for 2005 without the audit being released to the public first. Neither was there any debate on any of the other issues I wanted to raise including how our Infrastructure Reserve Fund had been spent.

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> The issue is especially sensitive since Grant Thornton failed to discover the Northlands fraud (still not resolved), and was forced to resign as auditor of the Hollyburn Country Club after failing to discover a large defalcation (that occurred many years while Grant Thornton was the Club's auditor).

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> I did not discuss any security issues with the reporter of the OUTLOOK nor did I comment on any other issues mentioned in the OUTLOOK other than to say that in previous years, it was found that there had been theft of property from a District workplace and when I had brought this to the attention of the then Council in Camera I was accused by mayor Bell of being "anti staff" in public.

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> So much for my revealing confidential information to the public and so much for having divulged information which might jeopardize the security of the District. It is my opinion that the District security has been jeopardized as a result of poor governance and for a long time, but certainly not because I divulged information the public was entitled to. Indeed, it is my opinion that I have merely carried out my duty to the people who have elected me.

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> Ernie Crist

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