

City of Red Deer

Council Code of Conduct Complaint Investigation

C-01-2021

SAGE Analytics Inc.



SAGE INVESTIGATION REPORT
CITY OF RED DEER
COMPLAINT C-01-2021

July 5, 2021

Mayor and Council
City of Red Deer
Box 5008, 4914 - 48 Avenue
Red Deer, Alberta, Canada T4N 3T4

Email: Michelle.Baer@reddeer.ca

Re: C-01-2021 Council Code of Conduct Complaint Investigation

Dear Council,

The City of Red Deer received a formal council code of conduct complaint #C-01-2021. SAGE Analytics Inc. (SAGE) was contracted to investigate this matter. The investigation has concluded, and the findings are provided in the following report. We trust that council will find the investigation process to be thorough and fair, and that the findings will be helpful.

The cooperation and input received throughout the project was appreciated. There was a general willingness for officials to conclude the process, turn the page, and put this matter behind them in order to focus on other important governance demands.

Thank you for the opportunity to serve the City of Red Deer. We remain available to respond to any questions and to present the report to council.

Respectfully,



Shari-Anne Doolaeye, MPA, Q.Med, Q.Arb, CLGM
President, SAGE Analytics Inc.
Edmonton, Alberta

Disclaimer:

This complaint investigation report is prepared strictly for the City of Red Deer municipal council. SAGE Analytics Inc. takes no responsibility for any unauthorized or third-party use of the report or its contents.



1. EXECUTIVE SUMMARY

[City of Red Deer](#) council members are required to comply with their Council Code of Conduct Bylaw [No. 3608/2018](#). This bylaw preamble states that “the public is entitled to expect the highest standards of conduct from the Members of Council that it elects to council for the City of Red Deer.” It establishes a common understanding of acceptable standards of conduct “consistent with the principles of transparent and accountable government.”

The bylaw establishes formal and informal complaint procedures as well as sanctions that may be imposed by the council if a council member is found to have breached the code of conduct.

A formal code of conduct complaint (C-01-2021) was received by the city on April 15, 2021 (dated March 25, 2021). The complainant, Mayor Tara Veer alleged that the respondent council member, Councillor Buck Buchanan breached the council code of conduct through his January 2021 social media activity and his prior conduct. The complainant alleged that **the respondent’s actions** caused city council to lose leadership credibility and frustrated the **city’s** pandemic response efforts.

The allegations referenced a catalyzing incident on January 27, 2021 where the respondent **made a social media post on that day stating**, “Good job, Glenn – any **AHS yet??**” The complainant stated that this post appeared to show support for an event at a sports lounge in the region that was open in contravention to Alberta Health Services (AHS) restrictions. The council code of conduct bylaw 3608/2018 sections 4.1(d), 7.1, 7.2, and 7.3 were specifically referenced in the complaint.

The respondent denied all allegations. He stated that his January 27, 2021 Facebook post was intended to show support for business. He stated that he was not encouraging anyone to break the law or contravene AHS directives during the pandemic. He stated that he had nothing but respect for AHS, and that he knew that they were the enforcement authority that would be required to show up at the sports lounge event.

The Facebook post generated a swift and emotion-filled public reaction with polarized local opinions. Most public responses called for accountability. Other responses applauded the push for freedom from government health restrictions.

The parties made an effort to resolve the matter through an “Informal Complaint **Process**” in February 2021. The complainant requested that the respondent issue an apology and remove the post. The respondent stated that an apology would

ring hollow, **and that he didn't remove the post because he didn't know how to** take it down. Resolution at the informal complaint process was not successful.

A review committee of three council members reviewed the complaint (C-01-2021) in April 2021 and recommended that it proceed to a formal investigation. This was the first formal council code of conduct complaint received by the City of Red Deer.

SAGE Analytics Inc. (SAGE) was contracted by the city on May 12, 2021 to investigate C-01-2021 and report the findings to council.

SAGE is a municipal consulting firm with expertise in governance evaluation, dispute resolution, and council code of conduct complaint investigations. Every investigation is considered on its own merit and evidence to determine if a bylaw breach occurred or not, based on a balance of probabilities.

The SAGE investigation team conducted an independent council code of conduct complaint investigation of C-01-2021. The process included interviews and follow up with both parties, witness interviews, a review of related correspondence received by the city, document review, analysis, and report writing.

The investigation into council code of conduct complaint C-01-2021 is complete and the detailed findings are provided to Red Deer City Council within this SAGE Investigation Report. The findings show that the respondent breached three of the four sections referenced in the council code of conduct bylaw 3608/2018.

SAGE determined that the respondent did not breach the council code of conduct bylaw s. 7.3. This bylaw section specifically refers to encouraging disobedience of "any bylaw, policy or procedure *of the Municipality* in responding to a member of the public." **Councillor Buchanan's** actions related to the Facebook post for a business event in another community was not specifically related to the City of Red Deer bylaws, policies, and procedures.

SAGE determined that the respondent breached the council code of conduct bylaw s. 7.1. **Councillor Buchanan's** Facebook post was seen as applauding a local business that was acting in contravention to health restrictions in place at the time. His stated efforts to show support for business were misplaced.

SAGE determined that the respondent breached the council code of conduct bylaw s. 7.2. His actions were disrespectful to the local pandemic response efforts and increased a division in the community between individuals in favour and opposed to health restrictions.

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SAGE determined that Councillor Buchanan breached the council code of conduct bylaw s. 4.1(d). **The city's reputation was damaged**, and **the city's** pandemic response efforts were negatively impacted by his actions in his private affairs, such as through his January 27, 2021 Facebook post. He also demonstrated a pattern of conduct where he made negative comments that did not promote public confidence in **the city's pandemic response efforts**.

SAGE recommends that Red Deer Council impose sanctions on Councillor Buchanan for breaching s. 4.1(d), s. 7.1, and s. 7.2. of the council code of conduct bylaw 3608/2018. The following sanctions are recommended in accordance with s. 20.4.

That Councillor Buchanan:

1. Be required to provide a public apology to Red Deer council, staff, residents, and businesses for his actions and social media post on January 27, 2021 which caused increased confusion and division in the community during a time of crisis; And that this apology be provided to the satisfaction of council, during a public portion of a council meeting. (Apology 1)
2. Be required to arrange an in-person meeting with the AHS Central Zone Medical Director, or designate to offer a personal apology to Alberta Health Services for any harm caused by his public comments during the pandemic response. (Apology 2)
3. Be suspended from all council committees and all deputy mayor rotation duties until sincere apologies are provided.
4. That Councillor Buck Buchanan receive a reduced council compensation pay corresponding to a reduction in council committee duties.

Respectfully submitted,

Shari-Anne Doolaege, MPA, Q.Med, Q.Arb, CLGM
President, SAGE Analytics Inc.
Edmonton, Alberta

July 5, 2021

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INVESTIGATION REPORT
Council Code of Conduct Complaint
C-01-2021

City of Red Deer, Alberta

July 5, 2021

2. BACKGROUND

The City of Red Deer has a [population](#) of 101,002 (2019) and is located along the Queen Elizabeth II Highway, between Calgary and Edmonton. The city is governed by a nine-member council (one mayor and eight councillors). These elected officials collectively govern the City of Red Deer to ensure that meaningful local services are provided and that the welfare and interests of citizens are protected. The current council members were elected in October 2017 to serve until the October 2021 general municipal election.

The city received a formal council code of conduct complaint on April 15, 2021 alleging that an elected official breached Bylaw 3608/2018. Social media activity from January 2021 was referenced as a catalyzing incident as well as prior **conduct. The complainant alleged that the respondent's actions caused city council to lose leadership credibility and frustrated the city's** pandemic response efforts.

The respondent denied all allegations and expressed the intention to show support for business, and that there was no intention to encourage anyone to contravene any health restrictions.

Informal complaint resolution efforts between the parties were not successful.

The city had declared a State of Local Emergency (SOLE) and was coordinating a local pandemic response effort during the relevant events.

This was the first council code of conduct complaint received by the city since Bylaw 3608/2018 came into effect.

A municipal council code of conduct is a governance accountability tool that establishes acceptable standards of conduct for elected officials. Allegations of misconduct by elected officials need to be taken seriously and investigated objectively to hear all sides of an issue, review factual evidence, and to determine whether an allegation has merit or not.

The complaint process provides a means for members of council and the public to hold an elected official to account if they feel that an elected official breached the council code of conduct. The investigation process is balanced with procedural fairness and allows **the respondent's position to be heard and considered.**

The external, independent investigation findings are based on an objective review of the facts, documents, and comments provided by the parties and witnesses.

3. INVESTIGATION PROCESS

3.1. Jurisdiction

The Alberta *Municipal Government Act* ([MGA](#)) requires municipal councils to establish a code of conduct, as follows:

Bylaws — codes of conduct

146.1(1) A council must, by bylaw, establish a code of conduct governing the conduct of councillors.

The related *Code of Conduct for Elected Officials Regulation* describes a framework for what must be included within the code of conduct bylaw, including: the minimum topics to be included, a complaint system, reference to other bylaws, sanctions for breaching the code of conduct, and a regular review period for the bylaw.

Red Deer City Council complied with this legislation by passing the [Council Code of Conduct Bylaw No. 3608/2018](#) on July 23, 2018. This bylaw is based on principles and values of transparency and accountability where the public is entitled to expect the highest standards of conduct from the members of council. The code of conduct *"ensures that members of council share a common understanding of acceptable conduct extending beyond the direction provided through legislative provisions governing the conduct of Members of Council."*

Red Deer Council discussed a council code of conduct complaint (C-01-2021) during a closed portion of the [May 4, 2021 special council meeting](#). Upon return to an open portion of the meeting council passed a resolution to initiate an independent investigation, as follows:

2. BUSINESS ARISING FROM IN CAMERA

Moved by Councillor Frank Wong, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer having considered the In Camera report from Legal & Legislative Services dated May 4, 2021, hereby:

Appoints a third party independent investigator in accordance with Code of Conduct Bylaw 3608/2018 to investigate and report on a complaint dated April 15, 2021. Council delegates to the City Manager the authority to select an Investigator.

Directs Administration to enter into a contract for services with the third party investigator based on terms satisfactory to the City Solicitor.

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IN FAVOUR: Deputy Mayor Michael Dawe, Councillor Vesna Higham,
Councillor Lawrence Lee, Councillor Frank Wong,
Councillor Dianne Wyntjes

ABSENT: Mayor Tara Veer, Councillor Buck Buchanan, Councillor
Ken Johnston

MOTION CARRIED

City administration invited proposals and subsequently contracted SAGE Analytics Inc. (SAGE) on May 12, 2021 to investigate the council code of conduct complaint and report to council in accordance with Bylaw 3608/2018.

SAGE is a municipal consulting firm with ~20 associates across a broad range of subject matter disciplines. SAGE has expertise in governance evaluation and council code of conduct complaint investigations, and dispute resolution.

SAGE President, Shari-Anne Doolaeye has a background in municipal management and a **master's** degree in public administration (MPA). She also has tribunal experience and is a qualified arbitrator (Q.Arb), qualified mediator (Q.Med), and trained investigator.

3.2. Confidentiality

Bylaw 3608/2018 s. 19.1 states that the investigation proceedings are confidential, and that the council and the respondent member are provided with the results of the investigation:

(f) In all other cases, the Reviewer will refer the complaint to the Investigator. The Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;

(g) If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide Council and the Member who is **the subject of the complaint, the results of the Investigator's** investigation;

The protection of the complainant and other persons is also required:

s. 20.3 No Council Member shall:

(a) undertake any act of reprisal or threaten reprisal against a complainant or any other person;

(b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.

3.3. Reviewer Stage

Bylaw 3608/2018 requires complaints to be addressed to a Reviewer who would determine if the complaint would move forward to a formal investigation stage.

2.1 (i) **“Reviewer” means the Mayor, or at the Mayor’s discretion, the Mayor and two Members, none of whom are the subject of or are implicated in the complaint. Members would be selected on a rotation by the Mayor or Deputy Mayor.**

19.1 (b) All complaints shall be addressed to the Reviewer.

19.1 (e) Upon receipt of a complaint under this Bylaw, the Reviewer shall review the complaint and decide whether to proceed to investigate the complaint or not. If the Reviewer is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Reviewer may choose not to investigate and may dispose of the complaint in a summary manner. In that event, the complainant and Council, if **Council is not the Investigator, shall be notified of the Reviewer’s decision;**

A Review Committee was established to review the complaint, consisting of the following council members:

- Councillor Michael Dawe
- Councillor Tanya Handley
- Councillor Frank Wong

The review committee determined that the complaint was not frivolous or vexatious and recommended that an investigation be conducted.

3.4. Evidence

The following evidence and documents were reviewed by the SAGE investigation team during the complaint investigation process.

1. Council Code of Conduct [Bylaw 3608/2018](#) (10 pages)
2. Procedure [Bylaw 3358/2006](#) (27 pages)
3. Face Coverings in Indoor Public Places and Public Vehicles [Bylaw 3656/2020](#) (7 pages)
4. City pandemic response efforts: <https://www.reddeer.ca/whats-happening/covid-19/general-information-about-covid-19/what-is-the-city-doing/>
5. Formal Complaint dated March 25, 2021 (5 pages)
 - a. This included supporting documentation (34 pages)
 - i. Emails from community members
 - ii. Social media screenshots
 - iii. January 29, 2021 statement from the mayor: <https://secure.reddeer.ca/whats-happening/news-room/news-archive/2021-news-archive/january-2021-news-archive/mayor-veer-addresses-recent-social-media-post-by-councillor-buchanan-with-prelim.html>
 - iv. Copy of bylaw 3608/2018
 - v. Copy of a Microsoft Teams Meeting calendar item
 - b. The city used April 15, 2021 as the official date of receipt for the formal complaint, which included supporting documentation.
6. Response statement from the Respondent dated June 1, 2021 (11 Pages)
 - a. This included supporting documentation (2 pages)
 - i. January 29, 2021 statement from the mayor: <https://secure.reddeer.ca/whats-happening/news-room/news-archive/2021-news-archive/january-2021-news-archive/mayor-veer-addresses-recent-social-media-post-by-councillor-buchanan-with-prelim.html>

ii. January 30, 2021 news article:

Red Deer city councillor criticized for Facebook comment
<https://www.reddeeradvocate.com/news/red-deer-city-councillor-criticized-for-facebook-comment/>

7. Witness comments from City of Red Deer council members.
8. Discussions with various city officials, and AHS.
9. Various email correspondence and telephone conversations.

Documents were accessed by or provided to the investigator in electronic format. Related interviews were conducted by telephone or remote means to respect social distancing protocols in place during the investigation process.

3.5. Reporting

The SAGE Investigation Report was provided in electronic format to the City Solicitor for the City of Red Deer for distribution to city council.

The investigator reported to the complainant and the respondent to inform both parties that the investigation report was complete.

City Council has the authority to take action, if any, after considering the findings of the council code of conduct complaint investigation, as per Bylaw 3608/2018, s. 20.

4. PARTY POSITIONS

The parties in this investigation include:

- Mayor Tara Veer, (complainant)
- Councillor Buck Buchanan (respondent)

The party positions are summarized below.

4.1. Complainant Position

The complainant alleged that Councillor Buck Buchanan violated the City of Red Deer Council Code of Conduct Bylaw 3608/2018 when he made a social media post on January 27, 2021 that showed support for a business that was open in contravention to provincial health orders that were in effect as part of the pandemic response.

The complainant stated that this was a 'catalyzing incident' that needed to be formally addressed. She described a pattern of conduct regarding Councillor Buchanan that **challenged council's moral and ethical authority to govern** the community and caused council to lose leadership credibility with staff. She referenced the context of concerns leading up to his Facebook post:

"...while the focus of the Informal Code discussion was the Facebook live post, the context of concerns raised by citizens of other comments/actions Councillor Buchanan had taken over the past year that caused some frustration in the local pandemic response was also important and relevant to the incident in question."

A copy of the full complaint and supporting documents are included in an appendix to this report.

The complainant referenced a catalyzing incident from January 27, 2021 during a Facebook live event at a Sylvan Lake restaurant business, where Councillor Buchanan publicly posted the following statement (The "post" or "Facebook post"):

"Good job, Glenn – any AHS yet??"

Bylaw 3608/2018 sections 4.1(d), 7.1, 7.2, and 7.3 were specifically referenced in the complaint, along with the oath of office for councillors:

4. Representing the Municipality 4.1 Members shall:

(d) arrange their private affairs and conduct themselves in a manner that promotes public confidence.

7. Adherence to Policies, Procedures and Bylaws

7.1 Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.

7.2 Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.

7.3 A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

Oath of Office:

"I, _____, swear that I will diligently, faithfully and to the best of my ability execute according to the law the office of Councillor of the City of Red Deer. So help me God."

Red Deer citizens reacted strongly to the post. The mayor and council members were tagged in subsequent social media posts asking for the comments to be addressed. Some called for **Councillor Buchanan's** resignation (example shown):



Mayor Veer sent a text message to Councillor Buchanan advising and requesting that he take the post down. This message (as shown) reads:

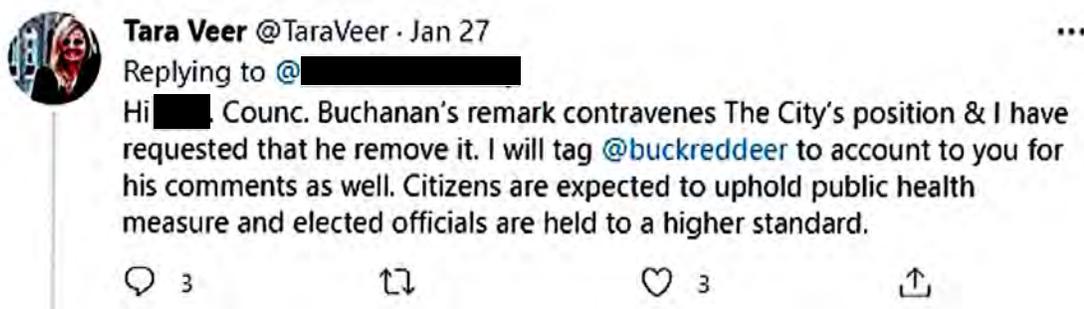
"Hi Buck. I strongly advise and request you immediately remove your post condoning disregard of the AHS regulations. It is beginning to get social media notice and undermines The City's response. Feel free to call me if you'd like to discuss further. **Tara"**



The mayor then called Councillor Buchanan and left a voicemail requesting that he return her call as soon as possible.

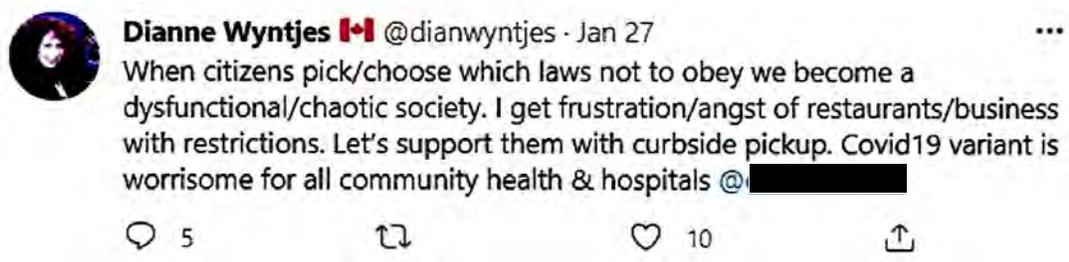
The mayor responded on social media (Twitter) with the following comment:

"Hi Tara. Counc. Buchanan's remark contravenes The City's position & I have requested that he remove it. I will tag @buckreddeer to account to you for his comments as well. Citizens are expected to uphold public health measure [sic] and elected officials are held to a higher standard."



A fellow Councillor, Dianne Wyntjes also commented on the Twitter discussion that day, as shown:

“When citizens pick/choose which laws not to obey we become a dysfunctional/chaotic society. I get frustration/angst of restaurants/business with restrictions. Let's support them with curbside pickup. Covid-19 variant is worrisome for all community health and hospitals”



The complainant described the response received from Councillor Buchanan, stating that he was only wishing people well, as follows:

Councillor Buchanan **returned the Mayor's call. He indicated that he was** supporting business and did not see what the issue was. The Mayor further outlined the citizen concerns, advised and requested that he remove his Facebook live post and asked Councillor Buchanan to read the thread that a citizen initiated on Twitter and respond. Councillor Buchanan replied with the following:

"Thanks [redacted] - would appear people think I am advocating for people to contravene the Law nothing could be further from the truth, only wishing people well in trying to get things back to normal – whatever normal may be."

The city's social media accounts subsequently fielded citizen inquiries regarding this matter, and the Office of the Mayor received emails, and phone calls from citizens and the media looking for comment about how the city/mayor/council intended to respond to the post.

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The mayor conferred with the deputy mayor and city manager, and it was determined that the mayor would provide a preliminary official statement rather than responding to individual media outlets and citizen inquiries on an ad hoc basis at that stage. Consideration was given to the demand for comment generated through various communication mediums and the procedural sensitivities of a potential code of conduct matter. Councillor Buchanan had indicated that he would not be responding to media requests.

On January 29, 2021, the mayor informed Councillor Buchanan by phone call and all of Council through a confidential email (shown below), prior to releasing the statement, that the inquiries had necessitated a response. By phone, the **mayor informed Councillor Buchanan that** "that the matter would unfortunately, but necessarily, be proceeding to an Informal Code of Conduct review."

The mayor requested that members of council not weigh in on the issue by email but rather allow the established process to occur and determine next steps, in the interest of procedural fairness. The following email was sent to council:

Good afternoon Council,

Councillor Buchanan and I have spoken on the phone just now and he is aware of this email to Council and of the process that I want to make you aware of out of professional courtesy and relational respect.

The City has received numerous public inquiries, media requests and formal complaints about Council's/The City's intended response to Councillor Buchanan's social media comment on Wednesday night. I have conferred with Deputy Johnston and we will be initiating an informal review of this incident.

Furthermore, I have conferred with the City Manager as I need to provide a response to staff to respond to local and provincial media, public inquiries and the formal complaints received before close of business. I will be issuing a statement shortly to indicate that we will be addressing the issue, we are committed to public health orders, and that we will be initiating a formal process to address concerns raised. While this is a challenging position to be in, it is imperative that we comment officially today to uphold the leadership credibility of The City and our Council. Councillor Buchanan and Deputy Johnston are also aware of and agreement of the necessity to issue a statement.

In the interest of procedural fairness, I request that we not weigh on this issue by email but rather allow the established process to occur and determine next steps. As always, you're welcome to call me if you have any questions or concerns.

MTV

A Statement from the Mayor¹ was issued on January 29, 2021 at 4:43 p.m.

The statement reads as follows:

Mayor Veer addresses recent social media post by Councillor Buchanan with preliminary statement

January 29, 2021 4:43 PM

(Red Deer, Alberta)

"On Wednesday, January 27, 2021, Councillor Buchanan responded to a citizen's social media post related to public health orders and business openings.

As elected officials, we have a responsibility to our citizens, our community and the public we serve to uphold the law and to respect public health orders, regardless of our personal positions.

Councillor Buchanan's comments are not in alignment with The City of Red Deer's pandemic response. His comments are not in alignment with The Province of Alberta's mandated public health orders. As elected officials, we are held to higher standards, and at a time when citizens and businesses are expected to abide by provincial law, elected officials must also share information and act in ways that honour and respect these expectations.

Upon reading Councillor Buchanan's comments, I immediately contacted him to request his post be removed as his remarks directly contravene The City's duty to fulfill provincial health orders. At this time a formal

¹ January 29, 2021 Statement from the Mayor as provided, and also accessed from: <https://secure.reddeer.ca/whats-happening/news-room/news-archive/2021-news-archive/january-2021-news-archive/mayor-veer-addresses-recent-social-media-post-by-councillor-buchanan-with-prelim.html>

review of this incident has been initiated to ensure accountability, transparency and responsible government.

The formal review will respect due process and will adhere to all City of Red Deer and City Council procedures, policies and bylaws in fulfilling our duty to the public.

At this time, it is imperative our citizens know that City Council and The City of Red Deer are committed to upholding all public health orders and ensuring we prioritize public safety, while at the same time doing everything we can to support our local businesses, and entrepreneurs across all sectors, who are struggling amidst the continuing pandemic. We are acutely aware and sensitive to the many challenges of the pandemic and associated public health orders. Like you, we look forward to a time when we no longer have to contend with Covid-19 and its many impacts.”

For more information, please contact:

Corporate Communications
The City of Red Deer

The mayor initiated an informal council code of conduct complaint process. Bylaw 3608/2018 s. 17 reads as follows:

17. Informal Complaint Process

17.1 Any Member who has identified or witnessed conduct by another Member that the Member reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:

- (a) advising the Member that the conduct violates this Bylaw and encouraging the Member to stop; and
- (b) requesting the Mayor to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, the person may request the assistance of the Deputy Mayor.

17.2 Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

The mayor was implicated in the matter, as the complainant, and accordingly, the Deputy Mayor, Councillor Ken Johnston (at that time) assisted with informal discussions with the parties in their attempt to resolve the issue (s.17.1(b)).

Meetings were held in a virtual format on February 1 and February 10, 2021. These meetings were articulated as being 'informal discussions' under the code of conduct and in the general spirit of the oath of office for council members.

The parties were not successful in resolving issues through the informal complaint process. The informal discussions concluded with the following summary points:

1. The mayor "requesting and encouraging Councillor Buchanan to apologize for his comments. She noted that Councillor Buchanan could have expressed that he advocates for the safe re-opening of businesses without encouraging or appearing to encourage the violation of public health orders, and that an apology could allow him to communicate this message."
2. The deputy mayor "appealed to Councillor Buchanan to spare our community and Council colleagues of the difficulty of having to address a Formal Code of Conduct and preempt it by apologizing voluntarily."
3. Councillor Buchanan "indicated that he wrote the comment in support of business and was not encouraging the violation of public health orders; that he had a lot of public support for his comment; that he did not take down **his post after the Mayor's initial** request because he did not know how to; and he declined to apologize because he would not say sorry for something he is not sorry for. He also stated that any apology would ring hollow because he had already apologized for his out of country travel during the pandemic in the spring."

Next steps were discussed at a subsequent meeting held on March 18, 2021, quoted as follows:

Next Steps and Recommendation for Formal Code of Conduct Review:

The Mayor, Deputy and Councillor Buchanan met again via Teams on March 18, 2021. The purpose of the first part of the meeting was to discuss the informal summary, and identify any additions and/or

corrections that needed to be made. Once general agreement on the summary was arrived at, The Mayor and Deputy then proceeded to outline for Councillor Buchanan their debrief on the matter and identified recommended next steps arising from the Informal process.

In the discussion, both the Mayor and Deputy Mayor let Councillor **Buchanan know that they both agreed that Councillor Buchanan's post**, whether intended or not, undermines or appears to encourage the **undermining of the Provincial Government's public health orders in the** context of the Facebook live post.

Councillor Buchanan, through Council's Informal Code of Conduct provisions, twice definitively declined the option to offer a voluntary apology to resolve the matter. Mayor and Deputy verbally provided Councillor Buchanan their rationale to recommend that it is in the interest of the public and The City of Red Deer for the matter to proceed as a Formal complaint.

Both the Mayor and the Deputy indicated that their preference continued to be for Councillor Buchanan to offer an apology to resolve the matter and pre-empt the necessity of the Formal complaint from proceeding. The meeting then concluded with a short discussion of potential next steps in process, approximate timelines, and a final request for Councillor Buchanan to voluntarily apologize.

This summary is submitted for information and to form the foundation of the recommended next step.

Sincerely,

Mayor Tara Veer
City of Red Deer
Date: 03/25/21

4.2. Respondent Position

The respondent, Councillor Buck Buchanan provided the following response to the code of conduct complaint C-01-2021:

Statement of S.H.(Buck) Buchanan

June 1st, 2021 @ 1000

Address: [REDACTED]

Phone: (403) [REDACTED]

Offence Date: 27 January 2021 @ approx. 1900hrs

Code of Conduct Offence:

"Good Job, Glen - any AHS Yet?"

Context: Glen Carritt is an ex-Fireman and the writer met Glen in late 1998 or early 1999 while I was stationed in Innisfail with the RCMP. I have known Glen since that time. Presently to the Writers knowledge he has an [REDACTED] Company which deals with [REDACTED] [REDACTED], I think it is called [REDACTED].

Glen was also an Innisfail Town Councillor so we met @ various functions in our duties as Councillors. In January of this year Mr. Carritt supported a Lady trying to re-open her small business in Innisfail called Bladez 2 Fadez.

The Complainant Mayor Veer has indicated that on the night in question Mr. Carritt "had indicated his intent to re-open His business".

The business in question is Hockey Central Sports Lounge and is located in Sylvan Lake. This is NOT Mr. Carritt's business and to my knowledge he was only there supporting the Owner.

On my Phone video's will pop up which show Mr. Carritt and what he is doing and in this case, I saw same and sent the above noted message.

I was attending a First Responders AA Meeting that night, during the meeting Mayor Veer must have called however I did not see the call and when I left the meeting a message was on my phone from her.

I called Mayor Veer and she advised someone had taken some kind of picture of what I had said and indicated that I was telling people to contravene AHS directives.

Mayor Veer was advised this was not the case, she was directing myself to take this thing "down" and she was advised "I did not know how". I did put out a message shortly after this which said "Thanks Tara – would appear people think I am advocating for people to contravene the Law nothing could be further from the truth, only wishing people well in trying to get things back to normal – whatever normal may be" meaning I was supporting Small Business.

The complainant states that on January 28th she issued a Statement from the Mayor's Office regarding same this was on the 29th of January (see attached).

Several Municipal Leaders from around the Province were supporting Opening (small businesses) - Restaurants @ that time and we had a couple of Restaurants in Red Deer who had Opened. The Province announced also on the 29th of January that Restaurants would/could Open.

On the 30th of January there was an article in the Red Deer advocate stating "Buchanan criticized for Facebook comment" (see attached)

On the 1st of February Mayor Veer Councillor Johnston (Deputy Mayor for January) and myself had a discussion as to what was going to happen, we adjourned that meeting and the next meeting was held on the 10th of February, it was suggested that "all I had to do was read this (3) three line apology and this issue would go away. I had no intention of issuing an apology, as I felt I already had said what happened, and that an apology would be very shallow.

As was stated in the Complaint from Mayor Veer there had been an issue during the "masking issue."

[Four paragraphs of content not shown from this section of the **Respondent's** statement at the discretion of the Investigator.]

SAGE INVESTIGATION REPORT
CITY OF RED DEER
COMPLAINT C-01-2021

In March of 2020 the Writer was in Arizona for a Family Wedding and the media contacted same and as COVID was very new @ that time and all Flights were booked up the Writer did not know what he was going to do, it was made to appear that I did "not care" and a Formal Apology was issued.

On March 18th I sent out a message to all of Council asking "what decision had been made".

I believe it was on the 24th of March I received a message advising that this complaint was going to a Formal Process.

Councillor Higham called me on a Wednesday night, I asked how she was doing and she advised not very well, I asked what is the issue and she advised she had been appointed as (1) one of the Reviewers for this Process.

I again had wondered how this had happened as we were doing these appointments alphabetically so Lee was the Deputy in February, Wong was March, Wyntjes was April, Myself in May, Dawe in June, Handley in July, and then Higham, so Councillor Wyntjes had made a comment and was mentioned in the complaint and I was the accused so that meant Wong, Handley and Higham. The writer asked what had happened to Councillor Dawe and was immediately advised another ERROR had occurred in this complaint and that Councillor Dawe had been overlooked. The writer has still not been advised by Councillor Wong or Handley that they were Reviewers and [this] is supposed to be done.

This complaint became Official on the 15th of April and this brings us up to today.

I had an Interview with the Sage people on the 27th May some three months after the offence date in my opinion and this was the first time anyone had taken the time to ask what my "Intent Was". So what was My Intent, I was saying "Good for You Glenn for supporting Small Business, as AHS has jurisdiction over this type of matter and having had to seize licenses in the past (mostly liquor) the Writer knew how popular this would be with people, and apparently AHS had been there that night and wished the People well.

During the interviews with Mayor Veer & Councillor Johnston - Mayor Veer indicated that I was still mad over something that happened (10) ten years ago. I can only assume she is talking about my first Legal Opinion

wherein someone (now believed to be Mayor Veer- Councillor Veer at the time) complained about a Conflict of Interest - the Legal Opinion @ that time by (Chapman, Riebeek) indicated the Writer had done nothing wrong (involving a City Contract).

A second Legal Opinion was obtained in 2013 again by Mayor Veer wherein she advised the Writer (just before Operational Budget- in January) that he was on the Crime Prevention Board, again she was told NO I was not and as it turned out the Provincial Registries Branch had made a mistake.

I was also told during these Interviews with Councillor Johnston and Mayor Veer by Mayor Veer that we were going to get the "gloves off" and I would assume that is why this complaint went to the Formal Process.

The writer also breakfasts on Thursday mornings with a half a dozen local Businessmen and during one of the breakfasts shortly after this happened a couple of the Businessmen advised "who speaks for us Buck" "aren't You supposed to speak for small business?"

Presently the Writer sits on Mental Health Boards with the Province and has done so since 2016 (my second appointment) so again this would make no sense for the Writer to be telling people to disregard Provincial directions when I am telling People they have to follow direction under Section 38 and 39 of the Mental Health Act.

In 2018 the Writer did not attend a Retreat as I was having trouble seeing the value in our Retreats the writer was instrumental in initiating Retreats in my first term 2007-2010. I felt they had deteriorated to quasi information session it was hard to see the Retreats get to this point. Apparently it was determined at this Retreat that Mayor Veer and Councillor Higham were going to have a tough conversation with myself.

Councillor Higham had a lengthy discussion with myself @ the FCM Conference in Halifax May 2018 and to date the writer is still waiting for Mayor Veer maybe this Code of Conduct is the Complainants way of "taking the gloves off," and having a "tough conversation".

S.H. (Buck) Buchanan

4.3. Verification of Details

The investigation included a verification of various statements made by the parties and other individuals/organizations referenced. The following clarification was provided.

4.3.1. Sports lounge ownership

The respondent, within their response statement, provided the following correction/clarification to the complaint regarding the ownership of the sports lounge:

The Complainant Mayor Veer has indicated that on the night in question Mr. Carritt "had indicated his intent to re-open His business".

The business in question is Hockey Central Sports Lounge and is located in Sylvan Lake. This is NOT Mr. Carritt's business and to my knowledge he was only there supporting the Owner.

The complainant acknowledged this point of clarification, as follows:

Regarding the sports lounge ownership, I am fine with the correction if factually warranted. When I summarized the issue, I understood that he was the owner; however, it is likely not an essential fact to the substance of the complaint summary. Deputy Johnston may have a different perspective as he reviewed the complaint before it was signed.

Councillor Johnston served as deputy mayor during the informal complaint process discussions. He stated that he was not able to confirm the sports lounge ownership.

4.3.2. Gloves off

The respondent suggested that the complaint was a way of getting the gloves off and having a tough conversation with him. The complainant provided the following comment in response:

I have no recollection of saying anything during the informal complaint process discussions that could possibly be construed with the intention Councillor Buchanan is alleging. The tone of these discussions was always relational. I was intentional and methodical in the language I used, and I was clear in three separate meetings that I was looking to resolve the matter through the informal process. Escalation is not my style or

preference. In our meetings, Councillor Buchanan made comments about his intentions if Deputy Johnston and I pursued the matter further, and I responded that he was free to respond as he saw fit; however, Deputy Johnston and I would need to act in the interest of the public, The City, and Council. Deputy Johnston can attest to the fair tone that I very deliberately established in all of our meetings, as he was present for all discussions with Councillor Buchanan. As noted in the summary of rationale for why the matter proceeded to a formal summary of the complaints received, Councillor Buchanan rejected multiple requests and appeals from Deputy Johnston and myself to resolve the matter at the informal stage of the process and pre-empt the necessity of a formal process by offering an apology.

Councillor Ken Johnston was also asked to **verify the 'gloves off' comments** since he was present during the informal complaint process. He provided the following comments:

I have no recollection of either of these things being discussed during the informal complaint process interviews.

'Getting the gloves off' is not an expression that I can recall Mayor Veer ever using. These are strong words, and it would have resonated with me if someone said that.

4.3.3. Retreats

The respondent referenced a 2018 council retreat and a determination **"that Mayor Veer and Councillor Higham were going to have a tough conversation with myself."**

The complainant, Mayor Veer, provided the following comment regarding council retreats:

Council has had workshops and retreats for many years. Council has a retreat policy that sets the foundation for the scope of our retreats. The list of retreat topics are compiled over time in response to issues that Council members raise throughout the year. As a general practice, relational check-ins are often on our retreat agendas as they are among our few opportunities to connect with our colleagues on a relational level.

There was some relational tension on Council and a 'relational check in' was on **Council's list of discussion items on the retreat agenda.** Councillor Buchanan chose not to attend the retreat he references, and Council discussed our relationships with each other. It did, however, make it difficult to have a member of Council absent, especially when there were relational matters involving Councillor Buchanan that needed to be discussed. It was subsequently agreed that members of Council would have one-on-one conversations with each other, if necessary. Councillor Higham indicated she would have a conversation with Councillor Buchanan. It is not clear to me why Councillor Buchanan is under the **impression that there is an outstanding "tough conversation" between us** from three or four years ago. He has not raised this with me personally to discuss further, although we have had other direct conversations on challenging matters since that time.

Councillor Vesna Higham was invited to comment on the reference to council retreats as she was referenced within the response statement. She provided the following comments:

At the 2018 Council retreat referenced by Councillor Buchanan (during **which, to my recollection, he wasn't present**), **I recall a Council discussion** about the need for each of us to elevate our conduct with each other in words and actions. **Councillor Buchanan's name was raised by another** Councillor during this discussion, but he was certainly not the focus of this conversation. The discussion generally focused on elevating our collective decorum and that we all ought to be more considerate and respectful of each other.

I have no recollection whatsoever of a situation alleged by Councillor **Buchanan that during this or any other retreat, "it was determined that** Mayor Veer and Councillor Higham were going to have a tough conversation with **[Councillor Buchanan]."** **To my knowledge, no one has** ever been delegated this type of assignment, neither then nor at any time **that I'm aware of. This approach has simply never been the practice of** any Council retreat I've ever attended.

What did come out of Council retreats such as this was a general consensus that we should first approach any member of Council we might have an issue with, in order to directly and personally discuss our issues with that individual in a private manner.

I did have a lengthy, heartfelt conversation with Councillor Buchanan during the 2018 Halifax conference respecting his frosty relationship with Mayor Veer. Noting that he repeatedly took what I perceived to be a disrespectful tone towards Mayor Veer in Council emails and private discussions, I was genuinely hoping to play some role in perhaps brokering a little peace among my colleagues.

However, I became disheartened over time by the continued tone of disrespect toward Mayor Veer, sensing that if Councillor Buchanan had a desire to improve this relationship, he might have made an effort following the Halifax conference to restrain his negative tone, at least for a time being. This was not the case, however, and it quickly came to seem a futile aspiration to try and broker peace.

Over time, I forgot many of the details of my Halifax conversation with **Councillor Buchanan as Council's workload increased and his negative** tone toward Mayor Veer continued, so I became resigned to the fact that these two were not going to reconcile their differences – with or without my influence.

4.3.4. Legal opinions

The respondent referenced tension between the parties over historical legal opinions. The complainant provided the following comment.

Councillor Buchanan raised and referenced historical legal opinions during the informal complaint process discussions between Councillor Buchanan, Deputy Johnston and me. In response, I stated that previous legal matters pertaining to Councillor Buchanan were not relevant to the discussion in question. I further commented that I did not initiate **The City's requests for these historical legal opinions, as alleged by Councillor Buchanan.**

Councillor Ken Johnston was asked to verify the comments regarding legal opinions as he was present, as deputy mayor, during the informal complaint process. He provided the following comments:

I do not recall any discussion related to legal opinions or that Mayor Veer made any indication that Councillor Buchanan was **'still mad' about** historical matters. Councillor Buchanan was provided with a copy of the notes of every meeting.

4.3.5. Reviewer process

The respondent referenced an error in the selection of council members as reviewers at the beginning of the formal complaint investigation process.

Interview comments and a review of documents confirmed that the review committee was selected through a rotation of council members, as described in Bylaw 3608/2018 s. 2.1(i).

(i) "Reviewer" means the Mayor, or at the Mayor's discretion, the Mayor and two Members, none of whom are the subject of or are implicated in the complaint. Members would be selected on a rotation by the Mayor or Deputy Mayor.

The rotation of members was based on the order of **councillor's names** within the deputy mayor rotation².

The following aspects were noted regarding the reviewer selection process:

1. **The 'Reviewer' role is to** determine whether a formal complaint should be investigated or not.
2. Councillor Dianne Wyntjes was within the rotation to participate in the review committee. She was not selected as her name was included within the complaint.
3. Councillor Michael Dawe was missed during the initial committee selection. Councillor Buchanan questioned this process in an April 1, 2021 email to council.
4. A correction was made to include Councillor Dawe on the review committee, replacing Councillor Higham.
5. The review committee consisted of the following council members:
 - Councillor Michael Dawe
 - Councillor Tanya Handley
 - Councillor Frank Wong
6. The selection and correction of review committee members **'inflamed the issue'** according to one council member.

² Procedure Bylaw 3358/2006, s.10. Accessed from: <https://www.reddeer.ca/media/reddeerca/city-government/bylaws/Procedure-Bylaw-3358-2006.pdf>

Councillor Higham provided the following comments regarding the reference to a phone conversation she had with Councillor Buchanan regarding the reviewer process:

On Tuesday April 6, 2021, I received an email from Administration advising that Councillors Handley, Wong, and I had been appointed as Reviewers in a Code of Conduct review of a formal complaint filed against Councillor Buchanan. In the email, we were advised that our first pressing responsibility was to advise Councillor Buchanan that we were assigned to review a formal Code of Conduct complaint against him.

Later that evening, I called Councillor Buchanan advising him of the foregoing. In passing I let him know that I took no pleasure in this assignment but felt duty-bound to fulfill the assignment.

4.3.6. Approach

The respondent implied that the complaint was motivated by historical tension and a poor relationship between the parties.

The complainant provided the following comments regarding her approach to the complaint:

It is highly disingenuous for there to be any implication of bad faith or vindictiveness in the compiling of the formal complaint summary. There were complaints received regarding Councillor **Buchanan's** public comment from both the public and City Management. The complaint was filed after careful consideration, receiving advice, allowing time to pass for sober second thought, and after several attempts were made to resolve the public and staff complaints with Councillor Buchanan through an informal process. The rationale for the shift from an informal to a formal complaint is fully outlined in the summary, which Councillor Buchanan has received a copy of and which can be available to Council, if necessary. City Management was very clear in expressed concern to me that Council would lose our leadership credibility if we did not address Councillor **Buchanan's conduct on the matter in question and in the context of our local pandemic response**. Furthermore, Deputy Johnston was present for all three of the informal meetings with Councillor Buchanan and was consulted prior to the finalization of all written statements and summaries. Deputy Johnston and I explicitly indicated to Councillor Buchanan in each

of our meetings that our strong preference was for him to resolve the matter by offering an apology and to avoid the necessity of any formal process.

4.3.7. AHS

The response statement included a reference to Alberta Health Services (AHS) attending the sports lounge on January 27, 2021, as follows:

"...and apparently AHS had been there that night and wished the People well."

SAGE invited AHS to comment on this **portion of the respondent's** statement. The following comment was received from an AHS official:

As discussed, I have followed up with the public health inspector who was there that evening, confirmed that they were illegally open for dine-in service, verbally ordered them closed for dine-in, and served a written order stating the same the next day. This was communicated politely and cordially, but this could not have been misinterpreted for anything other than non-compliance and closure.

AHS officials provided a link to AHS restaurant inspection reports: [Restaurant Inspections · Alberta Health Services \(microsoftcrmpportals.com\)](https://ephisahs.microsoftcrmpportals.com/facilitydetails/?id=053c1bed-2cf4-e811-a976-000d3af497c0).

SAGE verified that AHS conducted an inspection of the Hockey Central Sports Lounge Inc. and issued closure orders on January 27, 2021 and January 28, 2021. Subsequent violations were cited:

<https://ephisahs.microsoftcrmpportals.com/facilitydetails/?id=053c1bed-2cf4-e811-a976-000d3af497c0>

AHS officials chose not to submit any comment in regard to the initiating Facebook post referencing AHS: "**Good job, Glenn – any AHS yet??**"

5. WITNESS COMMENTS

Witness comments from council members and the public were received as part of the complaint investigation process related to Councillor Buchanan and his January 27, 2021 social media post. Comments have been aggregated, randomized, and anonymized.

5.1. Council comments

The following comments were provided during interviews with Red Deer city council members. This does not include comments from the complainant, respondent, and one council member who was unavailable during the process.

1. As a council, we often disagree on things, but need not be disagreeable.
2. As council members, we are compelled and held to a higher standard. The principle of being a public servant is not illustrated in this example.
3. Both sides were emailing the city on this issue, both in support and against **Councillor Buchanan's actions.**
4. Citizens need to expect that their elected officials will comply with the law. A councillor is not an ordinary citizen. They took an oath to uphold the law. They do not have license or discretion of which laws to obey. When elected, they voluntarily take on the requirements of the position.
5. Councillor Buchanan appears to have a subcurrent of animosity towards **Mayor Veer. Perhaps he didn't apologize because the mayor suggested** he consider it. However, he did issue a public apology regarding comments he made when he was in Arizona, which the Mayor likely recommended to him at the time as well, and he apologized then. Why he dug down on this issue is hard to understand.
6. Councillor Buchanan is a good person who loves his family and community. He is a strong Councillor in many ways, particularly being hard working, very engaged in community, and unafraid to publicly speak his mind. On this particular issue, however, I believe that he *unnecessarily* carried it too far: firstly by posting the comment in the public realm, but secondly by not resolving the matter quickly with a public statement to clarify his intent.

7. **Councillor Buchanan's Facebook post** was the straw that broke the **camel's** back. Things reached a tipping point. At the start of the pandemic, he raised public concern when he provided an insensitive, casual public statement **during his Arizona trip. He gave the impression that "I'm going to do what I want." This didn't sit well with the public** and then council hears about it. He **gave a 'sorry, not sorry' non-apology** regarding his Arizona trip comments, which just made things worse.
8. **Councillor Buchanan's post showed that he was supporting business. Several** emails were received from the community that supported his efforts.
9. Councillors are rightfully held to a high ethical standard of conduct. The words we speak, even on social media, are relied upon by our public for a greater degree of decorum and officiality. In the context of the ongoing pandemic, people naturally look to their leaders for strength and direction - they rely on the words we speak. This social media post instigated upset in our community because it appeared by those words, in that context, that Councillor Buchanan condoned public defiance of the law.
10. Councillors have a greater standard at play and take an oath of office. They are legislative participants making laws and are also a party to the law. That whole fidelity piece was damaged. We need our law makers to be examples of the law.
11. Everyone has a different style. Councillor Buchanan likes to move on things quickly. I can have it out with him, and we can agree to disagree.
12. Government-to-government coordination is important. We are trying to work with our provincial colleagues. It has been a battle, a struggle to get through covid. We need to keep personal strong opinions private.
13. He crossed the line in his post when he asked if AHS had showed up yet. Naming the health authority was inappropriate for an elected official. It was like asking if the police have showed up yet.
14. I am concerned that he has given the public the perception of a divided Council that does not work effectively in the public interest.
15. I appealed to Councillor Buchanan to please apologize to the public so this can be satisfactorily resolved. He felt that an apology was not warranted.
16. I believe Councillor Buchanan when he states that his comment was intended to support business. However, with a binding Provincial Health **Order in place, it's certainly challenging to support a business breaching that**

Health Order, without appearing yourself to generally support breaching the Order. My view is that when a City Councillor swears an oath of office to uphold and defend the best interests of the community, that of necessity includes not encouraging or supporting individuals to break the law.

17. **I don't know why he took such a strong** position on this issue or why he thought it to be so important to him that he would go to the wall defending it.
18. I felt like I had been gut-punched, frankly. **So many of us hadn't seen family** members and were dealing with social isolation. Just reacting as a citizen would, seeing this post took my breath away.
19. I have known Councillor Buchanan for several years. You can't work with someone for that long and not form a bond. This was a hurtful experience.
20. I hope this complaint is only dealing with the issue at hand and is not piling on past issues.
21. I reached out to Councillor Buchanan after he made the Facebook post. You have to be careful about what you say online these days.
22. I received resident feedback **where they didn't think it was right how the** mayor handled the situation with the statement to the press.
23. I think that part of the reason Councillor Buchanan was elected was due to his enforcement background and his support for people's personal rights.
24. I was not surprised to see the strong public reaction to this social media comment. There was an opportunity to deal with this in-house, to get it cleared up. Professional advice was received from the city communications team.
25. if I had to vote on it again, I would vote not to proceed on this complaint. I regretted it for days following.
26. In my view, this was not a mistake of grave, irreversible impact; it was in my opinion a lack of good judgment in the moment, both to post the comment in the first place and to not issue a public statement to apologize, or at the very least, clarify after that. I accept that Councillor Buchanan believed his Facebook comment was strictly meant to support business. What is hard to understand is why he allowed it to go from informal review to formal complaint by not issuing a public response.
27. Investigations are costly. In a time of angst, as leaders, we need to manage wisely. How much are we spending on less than 10 words?

28. **It appeared to many that Councillor Buchanan's Facebook post seemed to be giving the AHS-restrictions-offending business a high-five, as if to say to this business "good for you for going against AHS. Has AHS been in contact with you folks yet?"**
29. It is as if Councillor Buchanan believes that nothing will be enforced; that there are no consequences.
30. **It's not my role to judge a colleague for his or her personal perspective on any issue. It's the prerogative of each Councillor to have and express views** – and the very reason Councillors are elected. However, there are arguably times when a Councillor would do well to refrain from airing personal views in the public square, particularly when those views contradict the law.
31. Last spring, Councillor Buchanan struggled to acknowledge that our community should be in a State of Local Emergency owing to the Covid pandemic, and later resigned his appointment to the Emergency Management Committee, being replaced by another member of Council.
32. One level of government should not criticize another level of government.
33. People forget that we are all just normal people elected to council positions. You know the effort you are putting in. We get put under the microscope. Issues trigger an emotional response.
34. Regarding the support and opposition received from the public, this code of conduct matter is a rule of law issue, not a court of public opinion.
35. **Saying that he didn't know how to take down a Facebook post is a weak response.** If I was in that situation and did not know how, I would find out how to do it. There had to be someone that could have helped him.
36. Social media training is needed for all of council. Who has never said anything wrong on social media?
37. Tension was high in the community at the time. The November 2020 mask bylaw was **divisive, and the city received over 1,000 related emails. People's responses were extreme.** Then everyone got through Christmas without seeing family. Businesses remained closed in January 2021. The **'temperature' of the city was high. And then we get this off-the-cuff Facebook post from Councillor Buchanan. I thought, "Seriously! We don't need this right now. Come on."** The post fuelled the tension in the community.

38. The city has a great communications team and strategy. Now they are dealing with reputational risk **because of Councillor Buchanan's actions.**
39. The code of conduct bylaw needs greater clarity on the roles of officials during the complaint review process. There should be a time period to submit a complaint.
40. **The comment 'Good job, Glen. Any AHS yet?' came** across as sarcastic, cheeky, challenging, and inciteful.
41. The Facebook event showed that this group intended to raise awareness of the event. It was intentional and pre-planned with a circle of supporters. **Councillor Buchanan's social media post** shows that he knew about this event.
42. The Mayor and Council received several emails on the very day of Councillor **Buchanan's Facebook post. A number of these emails called for Councillor Buchanan's removal from Council, though all citizen emails received on this matter called upon the City to respond in some formal manner.**
43. The mayor asked him to remove his Facebook post. I also asked him to take **it down. He said that he didn't know how to. This was less than 10 words.** The post received 2 likes and was viewed by 430 people. Someone took a screenshot and posted it on Twitter.
44. The public becomes aware when there is a formal complaint, and they are **left wondering "what is going on there?"**
45. The public looks to leaders who are calm. How you manage conflict is an important part as a leader. The public **doesn't want to know our internal laundry.**
46. The related emails received by the city are representative of public opinion. **The public wants action regarding Councillor Buchanan's conduct.**
47. The reputation of council is damaged. It is hard to measure qualitative impact on this body.
48. The reputation of the city was brought into the spotlight. **It didn't have to be.** There is damage, like a slow burn in this community.
49. There is a definite disconnect between his position in office and the approach and position that he took through his Facebook post.

50. There is a pattern, and something needs to be done. We need to keep things professional. You need to think before you hit send. He should know this after the number of years in public office. How many times do you just **let it go as "Buck being Buck?"**
51. There was a movement in central Alberta to defy health restrictions.
52. There was a significant effort to resolve the matter through the informal complaint process. Councillor Buchanan was encouraged to apologize. He did not apologize. It is his nature to double-down in an effort to be right. Particularly since Mayor Veer was involved, he would not apologize.
53. There was good compliance with health restrictions in the community overall. Some people were concerned that their liberty was impacted. Some businesses remained open in defiance, and some complied after a warning. Most fines are thrown out. There are no consequences.
54. This has been hurtful. I truly wish it had been resolved at the informal complaint stage.
55. This issue was unnecessary. It takes time and attention away from the work we are supposed to do for the community. We go down this rabbit hole, and it creates bad blood. Councillor Buchanan may not have intended to make things harder in his casual communication, but it was not professional behaviour for an elected official.
56. This occurred at a time when we are coming out of a pandemic, with several changes in the community, key staff recruitment, and important social issues to address. The community is under enough stress right now. Why bring something silly like this forward? Why waste time and taxpayer money to deal with this? There were lots of attempts to pull this back and dampen this conduct issue. There were multiple comments from fellow council members encouraging Councillor Buchanan to apologize. Do we really want to air our dirty laundry in public through a formal complaint investigation? As a council, we encouraged him to take the opportunity to apologize, to step back and away from the whole deal, particularly given the stress that this community is under.
57. This should have been dealt with sooner, rather than letting time pass since the occurrence.
58. To my knowledge, Councillor Buchanan was encouraged to apologize **publicly as part of the informal complaint process. It's personally hard to**

witness this matter come to a formal complaint process when it might have been so easily resolved with a public apology during the informal review stage.

59. **To my knowledge, not all public responses to Councillor Buchanan’s post** were negative. I understand that a number of people supported his stance, **given the negative impact the pandemic was having on businesses, people’s** livelihoods, and their mental health. However, every email I received from the public (and most of the social media responses), reflected surprise and offence by the implication of this post, since it appeared to support an open breach of the Health Order – which, despite the objection of many Albertans at the time, was nevertheless the law of the land.
60. Trust was broken with citizens. This occurred at a time when the public was reacting to officials travelling during the pandemic.
61. We need compassion to uphold the institution of government. As an ambassador of the community there is no place for **the attitude to ‘go to the ends of the earth to show I am right.’**
62. We need to have a united front as elected officials, especially on this social [health] issue. It is a lot more serious than our normal course of business. When the public finds a matter disgraceful, emails start rolling in and we all get lumped together as a council.
63. We need to improve the code of conduct process. Some council members had not seen the complaint until after the investigation process was voted **on. There needs to be another step in there without resorting to using a ‘big stick’ through a formal complaint** investigation. We need to try to find win-win situations.
64. We should look to other conflict resolution processes, and they are shared with all of Council during the process, rather than solely going to the review committee.
65. We should put aside personal interests, so it is not portrayed as a decision of council. We need to be aware of our individual perspective vs council perspective.
66. With the oath we swear to serve our public to the best of our abilities comes the responsibility of knowing that our words and actions have consequences – **particularly when we share those words or actions publicly. That’s a** delicate, fine line to walk, because as Councillors we stand accountable for

every opinion expressed in the public realm – whether in a formal Council meeting or in other informal settings like social media.

67. Without a doubt this entire process takes a toll on all of Council, both in terms of reputation, as well as the time and energy that could have been diverted to other worthy endeavours in our community.
68. You can stand up for business in a way that is not sarcastic. Through his social media post, Councillor Buchanan appeared to be mocking AHS regulations.

5.2. Public comments

The following public comments were received through emails sent to city officials. These accompanied the complaint as supporting documents and were provided to the investigator.

1. Thank you for your statements condemning Councillor Buck Buchanan's social media comments promoting breaking Provincial Health Guidelines. Thank you for your service during these uncertain times and I hope that you continue to promote saving lives in Red Deer.
2. Mayor Veer and City Council; Councillor Buchanan's **Facebook remarks, supporting a central Alberta restaurants' defiance of public health orders**, are unconscionable. I fully support Mayor Veer in taking action to order a formal review. What kind of society will we have if business (or individuals) decide which law is justified, and which is not, which to obey, and which to defy? It is unbelievable that one of our City Councillors would support a business in defying the law. **Councillor Buchanan's remarks are unacceptable** for someone in an elected leadership position. He is disrespectful of everyone who has struggled with the pandemic: the businesses who comply with public health orders; AHS staff, physicians, first responders and others who put themselves at risk; people who became ill with, or lost their lives, to COVID; those with medical treatments delayed due to the unprecedented pressure on health care; and, in fact, each one of us, as we have all experienced loss during this time. I will be watching for the results of the formal investigation. Thank you,
3. Dear Mayor Veer; I first would like to sincerely thank you for holding Councillor Buchanan accountable for his recent comments on social media, and look forward to read the outcome of your formal review of the incident.

In your statement, posted January 29 at 4:43pm, I couldn't help but feel confused and frankly frustrated while reading the following sentence:

"...while at the same time doing everything we can to support our local businesses, and entrepreneurs across all sectors, who are struggling amidst the continuing pandemic."

I am a local business owner, and between March of 2020 to present day, we have received one piece of communications from The City of Red Deer, and that was in regard to the city wide mask mandate. Can you please tell me **what "doing everything you can to support local businesses and entrepreneurs across all sectors" means to you and your team? As a person on the receiving end of your support, "everything you can" has been almost nothing - the silence is deafening.** I do understand your administration is under an insurmountable amount of pressure and stress, and I thank you for your time in reading my email. Thank you,

4. **Good evening, I'm emailing this evening to express my sincere displeasure** with council member Buck Buchanan. Early today Hockey Central in Sylvan Lake defied provincial guidelines and reopened to the public. During a **Facebook Live post. Councillor Buchanan commented. "Good Job Glenn-any AHS yet??** Screenshot below. As a member of the hospitality industry I sympathize with everyone struggling right now, but cannot forgive a councillor or business blatantly defying these guidelines. I hope AHS takes action swiftly, and I hope Councillor Buchanan is shown the door for actively promoting activities that have severe health implications to so many and will set our province back even farther than it currently is. Thank you for your time, Kind regards
5. Dear Mayor Tara Veer, I am writing to ask that you please look into the comment by Buck Buchanan encouraging the Owner of Hockey Central, in Sylvan Lake, to blatantly defy the provincial health ordinance. He should no longer be permitted to be a member of city council here in Red Deer. Actively encouraging others to defy these rules at a time when our Covid numbers are just beginning to go down but also at a time when the new variant has been identified in Alberta, is amoral and should be illegal. The city of Red Deer has had enough poor publicity of late, and as more places open and publicly defy the public health ordinance (**like Mom's Diner in WestPark**, with others like One Eleven, planning to open shortly), we are likely to see even more, poor, publicity. We do not need a council member

who encourages such behaviour and puts lives at risk. Thank you for your time, Sincerely,

6. Good Evening, I saw a public social media post today where someone from Innisfail is broadcasting about being at an open restaurant against AHS orders. On the live stream, there is a comment from Red Deer Councillor Buck Buchanan, which was very disheartening to see. I'm wondering what the Council's viewpoint is on this topic, and if there are any repercussions on speaking out on a public forum in support of going against AHS policies? thank you for your time
7. Dear Ms Veer; Please take all facts into account regarding Mr Buchanan's posts on the internet, before any virtue signaling takes place by the rest of council. I believe the Banff (area?) mayor had been also trying to get restaurants etc opened up and speaking out about oppression of freedom. It's not about being held to a higher standard. It is lack of global consistency and gaslighting to the public. No science behind why ten people are allowed at outdoor gatherings. Why not eleven? Etc. Politicians, medical directors, etc can travel, get a slap on the wrist, perhaps, and still receive full government pensions and their pay whether it is a severance, etc. Large box stores are allowed to open and have large numbers of people not social distancing. Yet other small business owners such as Hockey Central are not allowed to open even though they are respecting the virus. The latter does not have the luxury of a government job to afford paying for her son's medical expenses. We are not in this altogether. There seems to be rules for me but not for ye. Double standards. Any support from the City of Red Deer to it's constituents (neighbouring) seems to be a good thing. The peripheral communities put a lot of money into Red Deers local coffers via their tax dollars spent on goods and services when in the City. God bless Mr Buchanan for encouraging freedom. It's here until it's not. We are dangerously close to that point. [neighbouring community resident] *A first generation Canadian who values freedom of speech *Please kindly cc Mr Buchanan
8. To the Men and Women Acting as Mayor and Council Members; I wanted to express my appreciation and gratitude for a People elected man, known as Councillor Buchanan, for standing up, on the side of the People. It is time for all of our Elected men and women to find the courage to stand up for the very People who have elected them. With the deepest of gratitude, thank you Mr. Buchanan for your courage in standing up for, We The People. The businesses, who are trying to provide food, heat, water and

other essentials not only for their families, but to the families who rely on them for employment, all deserve to be open, without restrictions. All Businesses are Essential. Thank you for recognizing that. You are reflecting the Will of the People. The People won't forget. We stand beside you. Have you ever wondered how countries like Germany ever became communist in the first place? How did the People ever agree to such atrocities? How could they not see what was happening as their rights were slowly being eroded? Wonder no more. We are in these very times, where each and every day, it becomes more and more obvious to anyone paying half attention, our country is turning into a communist regime. People are willingly giving up their own rights, along with the free-will and rights of others along with it, and they don't even realize it. All under the guise of a public health crisis. In which, those with eyes to see, recognize the falseness of it, and the hidden agendas lurking behind. We are in a battle for our Freedoms and Rights. I hope all other elected by the People, Councillors and Mayor start paying more attention and start standing beside the People whom have elected you. If not, you will find yourselves standing with fewer and fewer, while the People stand with those, who stood for them. Remember, what is done to us, is also done to you. Your own Rights and Freedoms are being stripped each and every moment you allow this to continue. Once you have served the purpose of sacrificing the Rights and Freedoms of all the men and women, you will no longer be required, and will find yourselves among the common folk with the same rights and freedoms you helped take away. I am reminded of a current saying: "Imagine a war in which the majority of one side didn't know they were at war, ridiculed those that did, and were blindly obedient to their enemy." This is war of good and evil, whether you are "seeing it' or not, doesn't mean it isn't truth, or happening at this very moment. Anyone who claims to be a man or woman of God, needs to very seriously engage with God and take a hard look at the world around you. We are in unprecedented times with entire governments resigning. Why? When People of Italy decided to open up restaurants against the imposed restrictions, the restrictions were lifted. So is this about a virus or control? The moment the people stood up, suddenly the virus wasn't an issue in opening. So what is going on?

9. You stick to your guns re Buchanan. He needs to be removed from office. I used to admire him as a policeman but not anymore. Sticking up for restaurants that are opening in total disregard for anyone's safety or health rules. Small population of those who think only of themselves. Lots of

businesses closed it's no ones fault and govt just trying to protect us. You keep up good work.

10. Great Job Buck and Glen:) I wish more elected officials had the courage to do what you did. "The only thing necessary for the triumph of evil is for good men to do nothing." - Edmund Burke. Kind Regards
11. Dear Buck, I appreciate you standing with Glenn Carritt. Keep on standing for freedom. I am absolutely appalled at the lack of dialogue going on in our governments. We have so many specialists, highly qualified people speaking out against masking, and lockdowns and now we have to add quarantine camps. No one is allowed to have a dissenting voice to the government narrative from city to provincial to federal. This is tyranny. Why are we having to follow this narrative put out by the governments who are supposed to be working for the people. Do we not pay their wages. We are having our freedoms removed by those who are supposed to work for us. The governments have put themselves in a position that does not rightfully belong to them. I am so impressed with you Buck and all the people like you nation wide who are bravely standing up against this. The censorship worldwide including from our own mayor is appalling, disturbing, terrifying! Government should be the place of open discourse not muzzling. There are way too many discrepancies in the government narrative to trust them. What is the point of having city governments if all you Do is follow the province right or wrong!!! Politically correct has to dissolve and discourse needs to return!! Do not retract, do not resign!!! You have so much support Buck. Thank you,

6. COMMUNITY IMPACT

Local officials described **how Councillor Buchanan's** actions and Facebook post impacted the community. Staff were not provided with a copy of the complaint.

6.1. Local businesses

1. **Councillor Buchanan felt for businesses. I don't think that he was generally** telling them to break the law, just giving them a pat on the back, as if to **say, "I understand your position." The law is the law. It is hard to take that** position when in leadership as an elected official.
2. There was mixed public reaction to the January 27 social media incident. Based on comments, a lot of people that supported Glen Carritt saw an ally in Buck Buchanan. Some people supported his comments, and some felt it was not appropriate.

6.2. Compliance and enforcement

1. His actions reinforced a division in the community between those who want things locked down and those that want freedoms.
2. The masking debate in November 2020 was particularly polarizing. The community just got through this and then the post was like throwing fuel on the fire.
3. The November 2020 masking bylaw³ was in place. This included a penalty for violation; however, the city placed a strong emphasis on education. There was good overall compliance. Enforcement statistics showed that few violation tickets were issued.
 - a. Bylaw and peace officers issued one violation ticket in 2020 and four in 2021.
 - b. To date, 16 violation tickets have been issued related to protests.

³ Face Coverings in Indoor Public Places and Public Vehicles Bylaw 3656/2020. Accessed from: <https://www.reddeer.ca/media/reddeerca/city-government/bylaws/Face-Coverings-in-Indoor-Places-and-Public-Vehicles-Bylaw.pdf>

4. Enforcement of health regulations is referred to city RCMP and Community Peace Officers (CPOs). **The post sounded like he was saying, "I hope my own administration doesn't show up."**
5. It may not have been intentional, but his actions put staff in a more dangerous position. It made staff jobs harder, especially enforcement personnel who already have dangerous jobs. If CPOs are going out to enforce the *Health Act*, people are already mad about restrictions, and then here is a councillor bolstering their argument. This added additional steps to the work we were doing. We had to answer more questions from the public.
6. We were getting pushback from the public and his comments were **inflammatory. We don't need our own people setting us up to fail.**
7. The city saw an increase in angry emails and protests around that time. People were fighting with store owners.

6.3. Emergency management

1. Officials were meeting regularly, working 16+ hours a day, and laying off a significant number of staff. These social media comments were in poor taste and were disrespectful **to the city's efforts.**
2. This behaviour was contrary to what we needed and was damaging to the **city's** response efforts. It was disrespectful to people working in that response.
3. This showed a lack of respect for the overall research and guidance for the pandemic response.
4. The city was redeclaring a State of Local Emergency (SOLE) on a weekly **basis. I don't know the details, but** suddenly Councillor Buchanan was not on the committee anymore.
5. He threw doctors and teachers under the bus in a November 24, 2020 news interview. If an employee said these types of things, they would be fired. There is a different standard for elected officials. There is little recourse.
6. His actions undermined the expertise of all three levels of government that were guiding the pandemic response, as well as the health system, and the doctors and nurses who put themselves at particular risk.

7. His actions put our city reputation and response at risk. He sowed seeds of doubt in the minds of the public.
8. As community leaders, we take our jobs seriously, especially in a time of crisis. We need to verify facts, and **don't speak to our personal opinions**. Councillor Buchanan did not profess to be an expert, but he did profess his opinions widely to the media. He has an audience, but there is a line.
9. We often say, **"That's just Buck."** He runs his mouth.
10. It is impactful when someone has a consistent pattern of behaviour. It starts to get accepted as just how things are around here.
11. Councillors have a duty to promote public confidence. He undermined the public confidence in the 1,500 people that come to work for the city every day. As a government employee, I have never been disrespected more than this before.

7. INVESTIGATION FINDINGS

The investigation findings objectively consider the totality of the evidence and determine if a breach of the council code of conduct bylaw occurred or not. The burden of proof rests on the complainant to prove their allegations through the complaint investigation process.

The standard of proof for this complaint investigation is 'on a balance of probabilities' which differs from the standard of proof of '**beyond a reasonable doubt**' required in a criminal investigation.

The evidence provided was analyzed and weighed in alignment with the City of Red Deer Council Code of Conduct Bylaw 3608/2018 to determine the investigation findings. The following bylaw sections were specifically referenced in the complaint:

4. Representing the Municipality; 4.1(d)

7. Adherence to Policies, Procedures and Bylaws; 7.1, 7.2, and 7.3

The SAGE investigation findings provide an objective determination of whether or not the respondent breached each of these sections, based on a balance of probabilities. The findings consider the context of the situation and specifically refer to the catalyzing incident of the respondent's January 27, 2021 Facebook live post stating, "Good job, Glenn – **any AHS yet??**"

7.1. Upholding the Law

The complainant alleged that the respondent breached the code of conduct when he posted support online for a restaurant business that was open in contravention to health restrictions.

Bylaw 3608/2018 s. 7.1 reads as follows:

7.1 Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.

The respondent denied the allegation, stating that he was 'just wishing people well' and was not encouraging anyone to break the law. He stated that he was **showing support for business by posting, "Good job, Glenn..." and was not** encouraging anyone to break the law or contravene AHS directives. He asked, **"...any AHS yet??" as he knew that enforcement personnel had to show up at this event. He described it like asking, "Have the cops showed up yet?"** if someone was having a house party. He knew that AHS was the enforcement body that would be addressing the event referenced in his Facebook post and that it was necessary for AHS to respond.

Councillor Buchanan stated that he has nothing but respect for AHS and under no means was he encouraging anyone to contravene AHS directions. He stated that he may not agree with everything AHS does, but he never intended to 'throw a stone' at that organization.

Witness comments primarily showed concern over the post where, "It appeared by those words, in that context, that Councillor Buchanan condoned public defiance of the law." Some public comments showed support for Councillor Buchanan to **"Keep on standing for freedom."**

Despite the number of comments in support or against Councillor Buchanan's stance and Facebook post, the independent investigator has the responsibility to reach a determination on this code of conduct matter. This is 'not a court of public opinion' as noted by one official.

The evidence shows that Councillor Buchanan publicly showed support for an event held at a restaurant/sports lounge business in a neighbouring community that was illegally open in contravention to health restrictions during a pandemic lockdown.

Evidence showed that the January 27, 2021 Facebook post was described as 'giving a high-five' to this illegal activity. This action did not uphold the law when the law was being challenged.

'Uphold' is defined by Merriam-Webster⁴ as follows:

"to continue to declare to be true or proper despite opposition or objections."

Municipalities are partners in governance, law-making, and enforcement. Cooperation and encouragement for civil obedience are expected in an effort to maintain peace and order in society. The code of conduct underscores the importance for elected officials to uphold and encourage broad civil obedience as a standard of conduct.

The evidence supports the allegation that Councillor Buchanan breached Bylaw 3608/2018 s. 7.1.

SAGE finds that Councillor Buchanan breached s. 7.1 of the Council Code of Conduct Bylaw regarding upholding the law.

⁴ <https://www.merriam-webster.com/thesaurus/uphold>

7.2. Respect for the Municipality

The complainant alleged that the respondent breached the code of conduct when he posted support online for a restaurant business that was open in contravention to health restrictions, as this post disrespected the city's **pandemic response** efforts. The complainant also expressed concern with the **respondent's actions** leading up to the post that **challenged council's moral and ethical authority to** govern the community and caused council to lose some leadership credibility with staff.

Bylaw 3608/2018 s. 7.2 reads as follows:

7.2 Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.

The respondent denied the allegation. He described his friendly intent as saying, "Good for You Glenn for supporting Small Business."

The respondent stated that he had no intention of going against anything in the City of Red Deer. He pointed to examples of officials in other communities that showed similar support for restaurants that had remained open around that time.

The respondent stated **that he was not the 'techy-type' and did not know how to** take down the Facebook post. He stated that the mayor directed **him** "to take this **thing "down" and she was advised "I did not know how"."**

He stated that he, "Put out a message shortly after this which said, "Thanks Tara – would appear people think I am advocating for people to contravene the Law nothing could be further from the truth, only wishing people well in trying to get things back to normal – **whatever normal may be" meaning I was supporting** Small Business."

Council member comments showed an effort to uphold a high standard of conduct for fellow elected officials. Councillor **Buchanan's** post was described as the **'tipping point' in a pattern of conduct** where he quietly or openly expressed his opposition to the **city's pandemic response efforts**. Council members expressed the need to keep personal strong opinions private and to support government-to-government efforts to coordinate the pandemic response.

Staff comments showed that **Councillor Buchanan's** behaviour was "damaging to **the city's response efforts" and "disrespectful to people working in that response."**

Witness comments from the public showed polarized support and opposition related **to Councillor Buchanan's actions**. The range of comments included, "We do not need a council member who encourages such behaviour and puts lives at risk." This was contrasted with, "I wish more elected officials had the courage to do what you did."

The evidence shows that **Councillor Buchanan's intent to show support for** business in this way – through the public Facebook post – had a significantly **negative impact to the community and the city's** ongoing pandemic response. A division was clear, and **the 'temperature' was high** in the community at the time due to the **city's pandemic response** efforts. This Facebook post was reported to **'fan the flames'** and **'reinforce the division' between those in favour and opposed** to health restrictions.

The Facebook post was reported to undermine **public confidence in the city's pandemic response**. **Local enforcement efforts were reported to be made "more difficult" and "more dangerous"** when responding to acts of civil disobedience and local defiance of health restrictions.

Evidence shows that Councillor Buchanan's **actions** did not respect the policies and procedures that the City of Red Deer was attempting to enforce. Showing public support in any way for any business to open illegally, even in a neighbouring **community, was contrary to the city's pandemic response**, community messaging, and local enforcement efforts. This sent a conflicting message to Red Deer residents and businesses.

Evidence shows that Councillor Buchanan demonstrated a pattern of conduct that **did not promote public confidence related to the city's pandemic response efforts**, such as through the Facebook post, and a November 2020 news interview. **Negative comments regarding the city's pandemic response efforts, such as asking, "Where is the emergency?" were concerning to local officials and were counter-productive** during a globally-recognized public health crisis.

Councillor Buchanan referenced an issue related to the city masking bylaw, which he voted against in November 2020. The council voting pattern was never in question during this investigation. It is always a council member's individual right to cast a dissenting or supporting vote.

Evidence shows that council as a whole made an effort to [support local businesses](#) during the pandemic, along with additional support programs from senior government. Councillor Buchanan was not the only council member who wanted to support businesses at that time. He did not face an either-or situation where a Facebook post was of utmost importance to either voice his support for business or not.

Evidence shows that the complaint was made in good faith, and was not vexatious, spiteful, or made in revenge. The parties and witnesses were sincere. The investigator agreed with the previous **'good faith'** determination by the council review committee. The complaint allegations were deserving of consideration and the respondent deserved an opportunity to know and respond to the allegations through an independent investigation process.

Business support is one of the many important challenges that municipal officials are called to respond to. Creative policy thinking is needed as a means of municipal executive entrepreneurship to effect positive change in the face of growing external environmental challenges.⁵

Councillor Buchanan referenced actions by public officials in other jurisdictions who showed support for restaurants that were similarly open in contravention to health restrictions. This does not provide any justification for Councillor Buchanan's actions. An apparent indiscretion by one official does not open the door or condone similar actions of another official. Every elected official is individually accountable to the public for their own actions.

A peaceful and orderly society benefits from leaders who refrain from stepping over the line to achieve the **'lowest common denominator' by repeating** questionable conduct they may have observed. The honour and burden of public office calls for officials to strive to maintain a high standard of conduct that can be modeled to colleagues and constituents. The standard of conduct for municipal elected officials is specified and tested through a respective council code of conduct bylaw.

⁵ Deslatte, A. (2020). *8. Revisiting Bureaucratic Entrepreneurialism in the Age of Urban Austerity: Framing Issues, Taking Risks, and Building Collaborative Capacity*. Springer International Publishing. Reference to **municipal executive entrepreneurship** accessed from: <https://www.springerprofessional.de/en/revisiting-bureaucratic-entrepreneurialism-in-the-age-of-urban-a/16692342>

Stating **that he 'did not know how' to take down the Facebook post was not seen** as a reasonable excuse. Councillor Buchanan is resourceful, and he had access to an entire city communications department. He could have found a way, or called for backup, to request someone to help him remove the post if he wanted to.

There was little attempt for swift action by Councillor Buchanan after he was made aware that the post stirred up public concern. An immediate course correction could have averted this entire process. The six-word post could have amounted to 'a lack of good judgment in the moment' and could have come and gone, like a flash in the pan.

It was within Councillor Buchanan's **reach to** immediately issue an apology within the ongoing Facebook live thread, or on his own Facebook page. Additionally, he could have reached out to a friend, family member, or tech support to learn how to delete the Facebook post.

The public and local media did act swiftly. The post was captured in screenshots and promptly began to circulate in other social media formats, such as Twitter, **and the mayor's office began receiving related phone calls and emails.**

The evidence supports the allegation that Councillor Buchanan breached Bylaw 3608/2018 s. 7.2.

SAGE finds that Councillor Buchanan breached s. 7.2 of the Council Code of Conduct regarding respect for the municipality.

7.3. Encourage Obedience of Municipal Bylaws

The complainant alleged that the respondent breached the code of conduct when he posted support online for a restaurant business that was open in contravention to health restrictions, as well as through a pattern of negative comments **regarding the city's pandemic response.**

Bylaw 3608/2018 s. 7.3 reads as follows:

7.3 A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

The respondent denied the allegation and questioned how a six-word post about a business in another community could imply that he was going against anything in his municipality.

Documentary evidence shows that Councillor **Buchanan's** Facebook post and the context of his actions leading up to the post undermined public confidence in the city and made **the job 'harder'** for city officials who were responsible for coordinating the local pandemic response. His public comments were picked up by media and social media and triggered an increased emotional public reaction. This consumed city management and communications resources who had to deal with **'damage control' efforts following Councillor Buchanan's** casual media comments, such as his January 27, 2021 Facebook post.

The evidence provided, related to the January 27, 2021 Facebook post, does not show that the respondent acted to "...encourage disobedience of any bylaw, policy or procedure *of the Municipality* in responding to a member of the public..." as specified in Bylaw 3608/2018 s.7.3. Interpreted literally, this bylaw section specifically refers to a bylaw, policy or procedure *of the Municipality*.

Councillor **Buchanan's Facebook post refers to a business event in another** community. Although his actions undermined public confidence in the city, no evidence was provided to support the allegation that he encouraged disobedience of any City of Red Deer bylaw, policy or procedure in his response to a member of the public.

The evidence provided does not support the allegation that Councillor Buchanan breached Bylaw 3608/2018 s. 7.3.

SAGE finds that Councillor Buchanan did not breach s. 7.3 of the Council Code of Conduct regarding obedience of municipal bylaws.

7.4. Private Affairs

The complainant alleged that the respondent breached the code of conduct in his private affairs when he posted the January 27, 2021 Facebook live message where he publicly showed support for a business that was open in contravention to AHS restrictions.

The complainant **described this as a 'catalyzing incident'** along with a pattern of conduct by the respondent in the context leading up to the post that challenged **council's moral and ethical authority to govern the community and caused council** to lose some leadership credibility with staff.

Bylaw 3608/2018 s.4.1(d) reads as follows:

4. Representing the Municipality

4.1 Members shall:

(d) arrange their private affairs and conduct themselves in a manner that promotes public confidence.

The complainant stated that some members of the public perceived Councillor Buchanan's **actions** as encouraging the violation of public health orders, even if this was not his intent. The complainant referenced the need to uphold the spirit of the oath of office for councillors. The complainant referenced the responsibility to address the code of conduct matter and stated that the complaint would have been withdrawn if Councillor Buchanan had issued an apology.

The respondent denied the allegation and emphasized that he had no intention to encourage contravention of anything. He stated that he refused to provide an apology that was prewritten for him, as that apology would be very shallow. He referenced a formal apology he made in March 2020 near the start of the pandemic regarding travel. He stated that, "it was made to appear that I did "not care"" when he had difficulty booking a flight home.

Evidence shows that Councillor Buchanan recognized public concern over his March 2020 comments and that he made an effort to apologize. This was **interpreted by some as a 'non-apology' that just made things worse.**

Witness comments indicate that Councillor Buchanan's **actions** in his January 2021 Facebook post and the context leading up to this event caused reputational risk to the city and damaged the reputation of the council **where** "The reputation of the city was brought into the spotlight." Officials stated that prior to and including the

January post, "His actions put our city reputation and response at risk. He sowed seeds of doubt in the minds of the public."

Comments from members of the public included both glowing support: "**God** bless Mr. Buchanan for encouraging freedom." As well as demands for public accountability: "He should no longer be permitted to be a member of city council here in Red Deer... The city of Red Deer has had enough poor publicity of late, ... we are likely to see even more, poor, publicity. We do not need a council member who encourages such behaviour and puts lives at risk."

Evidence shows that the business, Hockey Central Sports Lounge Inc. was the subject of AHS inspections and related closure orders at that time. Councillor **Buchanan was aware that AHS 'apparently' attended the business on the evening of January 27, 2021.**

Words matter. Whether in the council chambers or not, the public is attentive to comments made by council members as they are respected community leaders.

The number of words related to the post is irrelevant. Rather, the intention and **impact of the message is considered. Councillor Buchanan's desire to show** support for businesses was clear. The impact of his post is also clear where it had a significantly negative impact that undermined public confidence in the municipality at both the governance and operational levels.

Evidence shows that Councillor Buchanan did not make a typo or accidentally publicize the post. He was familiar with the social media format and belonged to **the Facebook group. He was 'among friends' in a sense, in his private life and** had some familiarity with the audience.

Evidence shows that Councillor Buchanan showed support for a business that was illegally open and was hosting an online event to broadcast their defiance of health restrictions. Councillor Buchanan participated in the online rally of support when he chose to comment in the Facebook feed: "**Good job, Glenn – any AHS yet??**" His participation and stated support for that online event during a time of a public health crisis showed poor discretion and a misdirected effort to support business. Councillor Buchanan's **actions in his private** affairs – the Facebook live post – was reckless and unbecoming of an elected official.

Fellow councillors provided a **form of 'sober second thought'** for Councillor Buchanan and recommended that he provide a formal apology for the January 2021 post. Administration and city communications provided similar advice and recommendations. He refused to apologize for his actions and suggested that an apology would appear shallow.

To date, Councillor Buchanan has refused to apologize for the January 27, 2021 Facebook post. This left some of his council colleagues confused about his intentions: **"I don't know why he took such a strong** position on this issue or why he thought it to be so important to him that he would go to the wall defending it."

Refusing to apologize or take down the post reflected a degree of stubbornness that compounded local concern and consumed time, energy, and resources of city officials.

Councillor Buchanan was reported to have a 'frosty' relationship with the mayor. One council member suggested that he may have refused to apologize since the mayor was the one asking him to.

The evidence shows that the request and advice to apologize and remove the post was broadly supported by council and city management. The request and recommendation were not only coming from the mayor. As the leader of council and the city, she has the responsibility as official spokesperson.

During the investigation, officials questioned the limited recourse for elected officials if they are found to breach the council code of conduct. Councillor Buchanan also questioned the enforceability of the council code of conduct.

Elected officials are held to a high standard of conduct at the intersection of their concurrent roles in personal and public life. The honour and burden of public office requires a high degree of social accountability. The public scrutinizes the private affairs of public officials and always holds them accountable to a high standard of conduct.

The evidence shows that Councillor Buchanan breached s. 4.1(d) through his conduct in his private affairs through the January 2021 Facebook post. This was part of a pattern of conduct that had a negative impact **on the city's** pandemic response efforts and caused reputational harm to the City of Red Deer, city council, and staff.

The evidence supports the allegation that Councillor Buchanan breached Bylaw 3608/2018 s. 4.1(d).

SAGE finds that Councillor Buchanan breached s. 4.1(d) of the Council Code of Conduct when his private affairs caused reputational damage to the city, city council, and staff.

8. RECOMMENDATIONS

1. That Red Deer City Council pass a resolution to receive and consider the SAGE Investigation Report C-01-2021 regarding the code of conduct complaint involving Councillor Buck Buchanan.
2. That Red Deer City Council pass a resolution to accept the SAGE Investigation Report C-01-2021 regarding the code of conduct complaint involving Councillor Buck Buchanan.
3. That Red Deer City Council impose the following sanctions on Councillor Buchanan in accordance with the Council Code of Conduct Bylaw No. 3608/2018 s. 20.4 for breaching s. 4.1(d), s. 7.1 and s. 7.2:
 - 3.1. That Councillor Buck Buchanan be required to provide a public apology to Red Deer council, staff, residents, and businesses for his actions and social media post on January 27, 2021 which caused increased confusion and division in the community during a time of crisis; And that this apology be provided to the satisfaction of council, during a public portion of a council meeting. (Apology 1)
 - 3.2. That Councillor Buck Buchanan be required to arrange an in-person meeting with the AHS Central Zone Medical Director, or designate to offer a personal apology to Alberta Health Services for any harm caused by his public comments during the pandemic response. (Apology 2)
 - 3.3. That Councillor Buck Buchanan be suspended from all council committees and all deputy mayor rotation duties until sincere apologies are provided.
 - 3.4. That Councillor Buck Buchanan receive a reduced council compensation pay corresponding to a reduction in council committee duties.

9. APPENDIX

9.1. Complaint



OFFICE OF THE MAYOR

DATE: March 25, 2021
TO: Councillor Buchanan
CC: Deputy Johnston
FROM: Mayor Tara Veer
SUBJECT: Summary of Informal Code of Conduct Discussion and Next Steps

Summary of Issues and Informal Code of Conduct Discussion:

On January 27, 2021, a business owner posted a Facebook live in which he indicated his intent to re-open his business in contravention to the Provincial Government's public health orders in effect at that time. During the Facebook live, Councillor Buck Buchanan publically posted the following statement, "Good job, Glenn - any AHS yet?" (see attached).

Citizens took immediate snaps of the post from Councillor Buchanan and tagged the Mayor and Council members on subsequent social media posts asking for the Mayor/Council/The City to address Councillor Buchanan's comment. Some posts called for the resignation of Councillor Buchanan. Upon reviewing the citizen posts, Mayor Veer immediately texted Councillor Buchanan advising and requesting that he take the post down (see attached). When he did not reply immediately, the Mayor called him and left a voicemail requesting Councillor Buchanan to return her call as soon as possible.

The Mayor then responded to social media posts with the following:

"Hi [REDACTED] Counc. Buchanan's remark contravenes The City's position & I have requested that he remove it. I will tag @buckforreddeer to account to you for his comments as well. Citizens are expected to uphold public health measure [sic] and elected officials are held to a higher standard." (see attached).

Councillor Dianne Wyntjes also posted on the initial thread with the following comment: "When citizens pick/choose which laws to obey we become a dysfunctional/chaotic society. I get frustration/angst of restaurants/business with restrictions. Let's support them with curbside pickup. Covid 19 variant is worrisome for all community health & hospitals @ [REDACTED]" (see attached).

Councillor Buchanan returned the Mayor's call. He indicated that he was supporting business and did not see what the issue was. The Mayor further outlined the citizen concerns, advised and requested that he remove his Facebook live post and asked Councillor Buchanan to read the thread that a citizen initiated on Twitter and respond. Councillor Buchanan replied with the following: "Thanks [REDACTED] - would appear people think I am advocating for people to contravene the Law nothing could be further from the truth, only wishing people well in trying to get things back to normal - whatever normal may be." (see attached).

The City of Red Deer's social media accounts subsequently fielded citizen inquiries regarding this matter. The Office of the Mayor also began to receive emails and phone calls from citizens,

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as well as from local and provincial media looking for comment regarding how The City/Mayor/Council intended to respond to Councillor Buchanan's comment.

On January 28, 2021, given the demand for Mayor/Council/City comment that was generated through various communication mediums as well as the procedural sensitivities of a potential matter involving the conduct of a Council member, it was determined that the Mayor would provide a preliminary official statement rather than responding to individual media outlets and citizen inquiries on an ad hoc basis at that stage. The Mayor made this decision after conferring with the Deputy Mayor and the City Manager. Councillor Buchanan indicated to the Mayor that he would not be responding to media requests (see attached). Mayor Veer informed Councillor Buchanan by phone call and Council by email prior to the statement release that inquiries had necessitated a response (see attached). During the phone call with Councillor Buchanan, the Mayor also informed him that she had conferred with the Deputy and that the matter would unfortunately, but necessarily, be proceeding to an Informal Code of Conduct review.

Councillor Buchanan, Deputy Johnston and Mayor Veer convened via Teams on February 1, 2021 and February 10, 2021. Over the course of the two Informal Code of Conduct discussions, both the Mayor and Deputy articulated that the discussion constituted an "Informal" discussion under the Code of Conduct and in the general spirit of the Oath of Office that members of Council take. Specifically referenced in the meetings were the following noted provisions:

Code of Conduct:

4. Representing the Municipality 4.1 Members shall:

(d) arrange their private affairs and conduct themselves in a manner that promotes public confidence.

7. Adherence to Policies, Procedures and Bylaws

7.1 Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.

7.2 Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.

7.3 A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

Oath of Office:

"I, _____, swear that I will diligently, faithfully and to the best of my ability execute according to the law the office of Councillor of the City of Red Deer. So help me God."

Over the discussion, the follow points were made attributed to the noted parties:

Mayor Veer:

- The discussion at this stage was under the Informal Code of Conduct provisions and Deputy Johnston was invited as the Code allows for.
- The Mayor indicated that while neither Deputy Johnston nor she welcomed the necessity of addressing a conduct matter with Councillor Buchanan, they had a responsibility to the public to follow up on the issue.
- There were multiple complaints received on the matter by email, online, and later by phone, calling for a Mayoral/Council/City response. Some of the comments called for Councillor Buchanan's resignation or for him to be removed from office.

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- There were also messages received in support of business re-openings from pandemic health restrictions and supporting Councillor Buchanan's comments.
- The Mayor explained that Councillor Buchanan's or Council's support in general for businesses was not at issue, but whether the Facebook live comment encouraged, or appeared to encourage, the defiance of public health orders. She indicated that all members of Council strongly support local businesses and safe re-opening of the economy.
- The respective Code provisions were referenced (see attached).
- The Mayor referenced that even if Councillor Buchanan did not intend to encourage the violation of public health orders, for some members of the public it was received/perceived as though he did. She again emphasized that there is a way to express concern for and advocate for local businesses without undermining public health orders.
- The Mayor also referenced that while the focus of the Informal Code discussion was the Facebook live post, the context of concerns raised by citizens of other comments/actions Councillor Buchanan had taken over the past year that caused some frustration in the local pandemic response was also important and relevant to the incident in question. Previous matters of expressed public and/or City staff (through the City Manager) concern brought to the attention of the Mayor were dealt with through means other than the Code of Conduct, such as but not limited to, one on one conversations with Councillor Buchanan and the Mayor, and Councillor Buchanan, the Mayor and City Manager. The above resulted in various follow-ups and actions to respond to/address identified concerns.
- The Mayor concluded by requesting and encouraging Councillor Buchanan to apologize. She noted that Councillor Buchanan could have expressed that he advocates for the safe re-opening of businesses without encouraging or appearing to encourage the violation of public health orders, and that an apology could allow him to communicate this message.

Deputy Johnston:

- Deputy Johnston affirmed that what is at issue is not the level of support for local businesses, as all members of Council support business. He emphasized that what is at issue is that members of Council are bound by the Code of Conduct.
- Deputy further raised that the Oath of Office compels elected officials to a higher standard of expectation and behaviour.
- Deputy Johnston also mentioned that whether or not Councillor Buchanan intended to encourage the breach of public health orders, it was received by many members of the public, especially frontline healthcare workers, health vulnerable citizens and businesses complying with public health, as an affront to public health regulations.
- Deputy noted that the conduct of other elected officials in the province is not what is at issue, but the conduct of Councillor Buchanan is all Red Deer Council members are bound by The City of Red Deer's Code of Conduct.
- Deputy appealed to Councillor Buchanan to spare our community and Council colleagues of the difficulty of having to address a Formal Code of Conduct and pre-empt it by apologizing voluntarily.

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Councillor Buchanan:

- Councillor Buchanan indicated that he wrote the comment in support of business and was not encouraging the violation of public health orders.
- Councillor Buchanan noted that he had a lot of public support for his comment.
- He indicated that he did not take down his post after the Mayor's initial request because he did not know how to.
- When presented with the option of apologizing on his own accord in both the initial meeting and in the subsequent follow up meeting, Councillor Buchanan declined to apologize because he would not say sorry for something he is not sorry for. He also stated that any apology would ring hollow because he had already apologized for his out of country travel during the pandemic in the spring.
- Councillor Buchanan also indicated he had referred the matter to a legal connection and determined that there was no merit to a review of the matter by The City.
- He indicated that other elected officials had violated public health orders by going to restaurants and his comment was not out of order when compared to other public officials.
- Councillor Buchanan also indicated that The City receives complaints all the time, and that he did not see what the issue was with the citizen complaints referenced.
- He then indicated that a member of the public indicated they could file a complaint against the Mayor and City Manager about their masking and touching the podium during a press conference if that would help Councillor Buchanan.
- Councillor Buchanan frequently referenced and questioned who the "Reviewer" and "Investigator" were (both Mayor and Deputy indicated on more than one occasion in response that it was neither as the complaint was Informal at that stage).

When the February 10, 2021 meeting concluded, the Mayor and Deputy indicated they would: debrief, summarize the meeting, and reach out to Councillor Buchanan to discuss next steps.

Next Steps and Recommendation for Formal Code of Conduct Review:

The Mayor, Deputy and Councillor Buchanan met again via Teams on March 18, 2021. The purpose of the first part of the meeting was to discuss the informal summary, and identify any additions and/or corrections that needed to be made. Once general agreement on the summary was arrived at, The Mayor and Deputy then proceeded to outline for Councillor Buchanan their debrief on the matter and identified recommended next steps arising from the Informal process.

In the discussion, both the Mayor and Deputy Mayor let Councillor Buchanan know that they both agreed that Councillor Buchanan's post, whether intended or not, undermines or appears to encourage the undermining of the Provincial Government's public health orders in the context of the Facebook live post.

Councillor Buchanan, through Council's Informal Code of Conduct provisions, twice definitively declined the option to offer a voluntary apology to resolve the matter. Mayor and Deputy verbally provided Councillor Buchanan their rationale to recommend that it is in the interest of the public and The City of Red Deer for the matter to proceed as a Formal complaint.

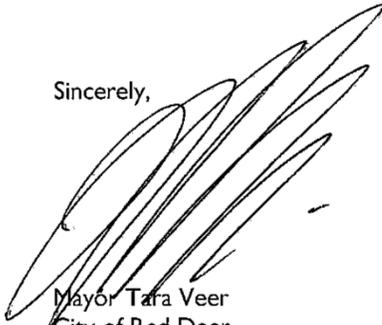
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Both the Mayor and the Deputy indicated that their preference continued to be for Councillor Buchanan to offer an apology to resolve the matter and pre-empt the necessity of the Formal complaint from proceeding. The meeting then concluded with a short discussion of potential next steps in process, approximate timelines, and a final request for Councillor Buchanan to voluntarily apologize.

This summary is submitted for information and to form the foundation of the recommended next step.

Sincerely,



Mayor Tara Veer
City of Red Deer

Date: 03/25/21

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9.2. Response

Statement of S.H.(Buck) Buchanan
(DOB:08OCT57)
June 1st, 2021 @ 1000
Address: [REDACTED]
Phone: (403) [REDACTED]

Offence Date: 27 January 2021 @ approx. 1900hrs
Code of Conduct Offence:
"Good Job, Glen- any AHS Yet?"

Context: Glen Carritt is an ex-Fireman and the writer met Glen in late 1998 or early 1999 while I was stationed in Innisfail with the RCMP. I have known Glen since that time presently to the Writers knowledge he has an [REDACTED] Company which deals with [REDACTED] I think it is called [REDACTED]

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Glen was also an Innisfail Town Councillor so we met @ various functions in our duties as Councillors. In January of this year Mr. Carritt supported a Lady trying to re-open her small business in Innisfail called Bladez 2 Fadez.

The Complainant Mayor Veer has indicated that on the night in question Mr. Carritt "had indicated his intent to re-open His business".

The business in question is Hockey Central Sports Lounge and is located in Sylvan Lake. This is NOT Mr. Carritt's business and to my knowledge he was only there supporting the Owner.

On my Phone video's will pop up which show Mr. Carritt and what he is doing and in this case, I saw same and sent the above noted message.

I was attending a First Responders AA Meeting that night, during the meeting Mayor Veer must have

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called however I did not see the call and when I left the meeting a message was on my phone from her.

I called Mayor Veer and she advised someone had taken some kind of picture of what I had said and indicated that I was telling people to contravene AHS directives.

Mayor Veer was advised this was not the case, she was directing myself to take this thing "down" and she was advised "I did not know how". I did put out a message shortly after this which said "Thanks Tara – would appear people think I am advocating for people to contravene the Law nothing could be further from the truth, only wishing people well in trying to get things back to normal- whatever normal may be" meaning I was supporting Small Business.

The complainant states that on January 28th she issued a Statement from the Mayors Office regarding same this was on the 29th of January (see attached).

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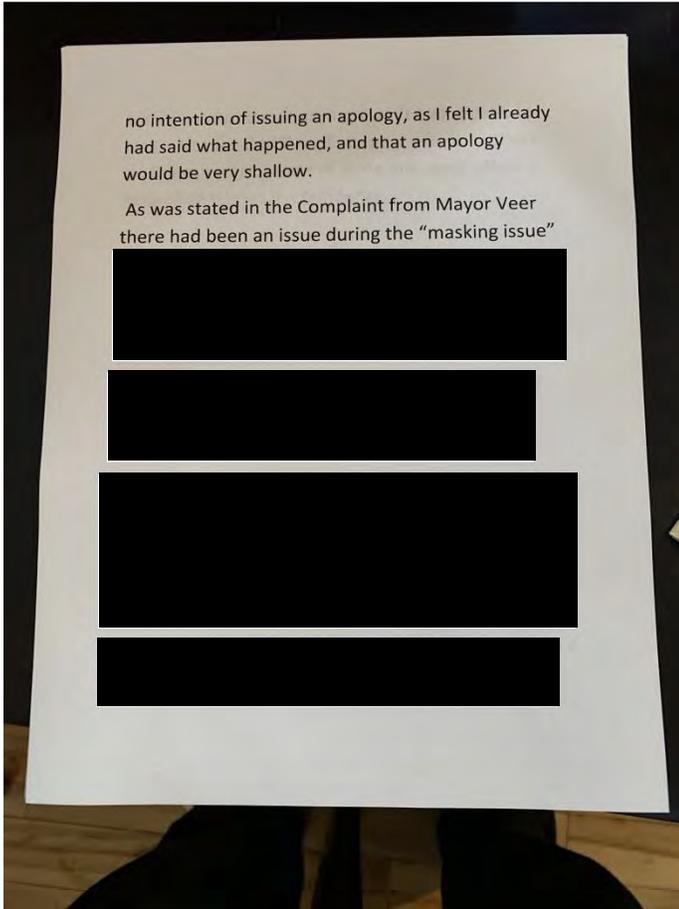
Several Municipal Leaders from around the Province were supporting Opening (small businesses) - Restaurants @ that time and we had a couple of Restaurants in Red Deer who had Opened, the Province announced also on the 29th of January that Restaurants would/could Open.

On the 30th of January there was an article in the Red Deer advocate stating "Buchanan criticized for Facebook comment" (see attached)

On the 1st of February Mayor Veer Councillor Johnston (Deputy Mayor for January) and myself had a discussion as to what was going to happen, we adjourned that meeting and the next meeting was held on the 10th of February, it was suggested that "all I had to do was read this (3) three line apology and this issue would go away. I had

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no intention of issuing an apology, as I felt I already had said what happened, and that an apology would be very shallow.

As was stated in the Complaint from Mayor Veer there had been an issue during the "masking issue"

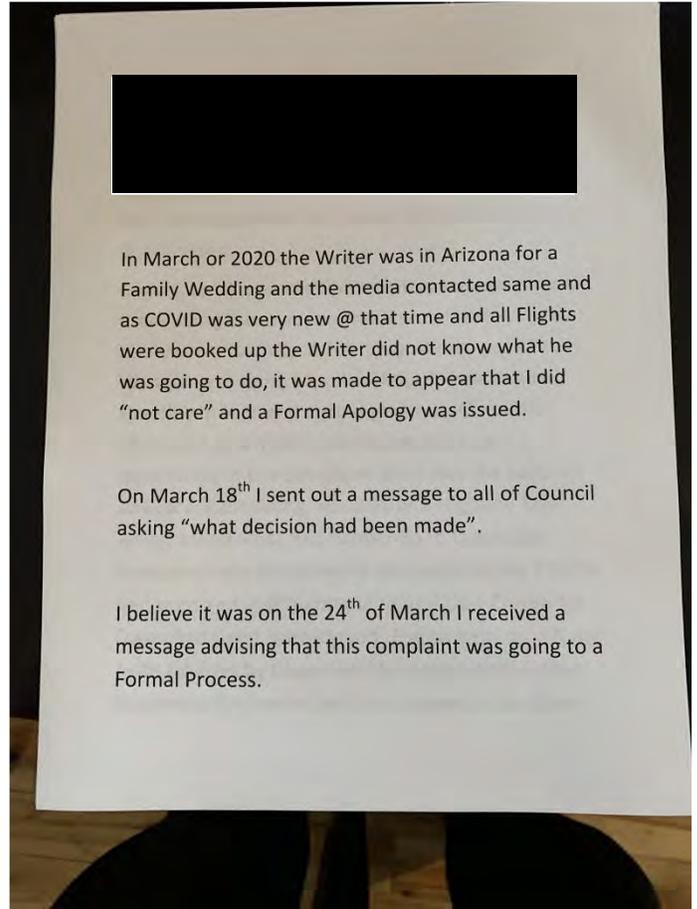
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

In March or 2020 the Writer was in Arizona for a Family Wedding and the media contacted same and as COVID was very new @ that time and all Flights were booked up the Writer did not know what he was going to do, it was made to appear that I did "not care" and a Formal Apology was issued.

On March 18th I sent out a message to all of Council asking "what decision had been made".

I believe it was on the 24th of March I received a message advising that this complaint was going to a Formal Process.

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Councillor Higham called me on a Wednesday night, I asked how she was doing and she advised not very well, I asked what is the issue and she advised she had been appointed as (1) one of the Reviewers for this Process.

I again had wondered how this had happened as we were doing these appointments alphabetically so Lee was the Deputy in February, Wong was March, Wyntjes was April, Myself in May, Dawe in June, Handley in July, and then Higham, so Councillor Wyntjes had a made a comment and was mentioned in the complaint and I was the accused so that meant Wong, Handley and Higham. The writer asked what had happened to Councillor Dawe and was immediately advised another ERROR had occurred in this complaint and that Councillor Dawe had been over-looked. The writer has still not been advised by Councillor Wong or Handley that they were Reviewers and is supposed to be done.

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This complaint became Official on the 15th of April and this brings us up to today.

I had an Interview with the Sage people on the 27th May some three months after the offence date in my opinion and this was the first time anyone had taken the time to ask what my "Intent Was". So what was My Intent, I was saying "Good for You Glenn for supporting Small Business, as AHS has jurisdiction over this type of matter and having had to seize licenses in the past (mostly liquor) the Writer knew how popular this would be with people, and apparently AHS had been there that night and wished the People well.

During the interviews with Mayor Veer & Councillor Johnston – Mayor Veer indicated that I was still mad over something that happened (10) ten years ago I can only assume she is talking about my first Legal Opinion wherein someone (now believed to be Mayor Veer- Councillor Veer at the time) complained about a Conflict of Interest - the Legal

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Opinion @ that time by (Chapman, Riebeek) indicated the Writer had done nothing wrong (involving a City Contract).

A second Legal Opinion was obtained in 2013 again by Mayor Veer wherein she advised the Writer (just before Operational Budget- in January) that he was on the Crime Prevention Board, again she was told NO I was not and as it turned out the Provincial Registries Branch had made a mistake.

I was also told during these Interviews with Councillor Johnston and Mayor Veer by Mayor Veer that we were going to get the "gloves off" and I would assume that is why this complaint went to the Formal Process.

The writer also breakfasts on Thursday mornings with a half a dozen local Business Men and during one of the breakfasts shortly after this happened a couple of the Business men advised "who speaks for

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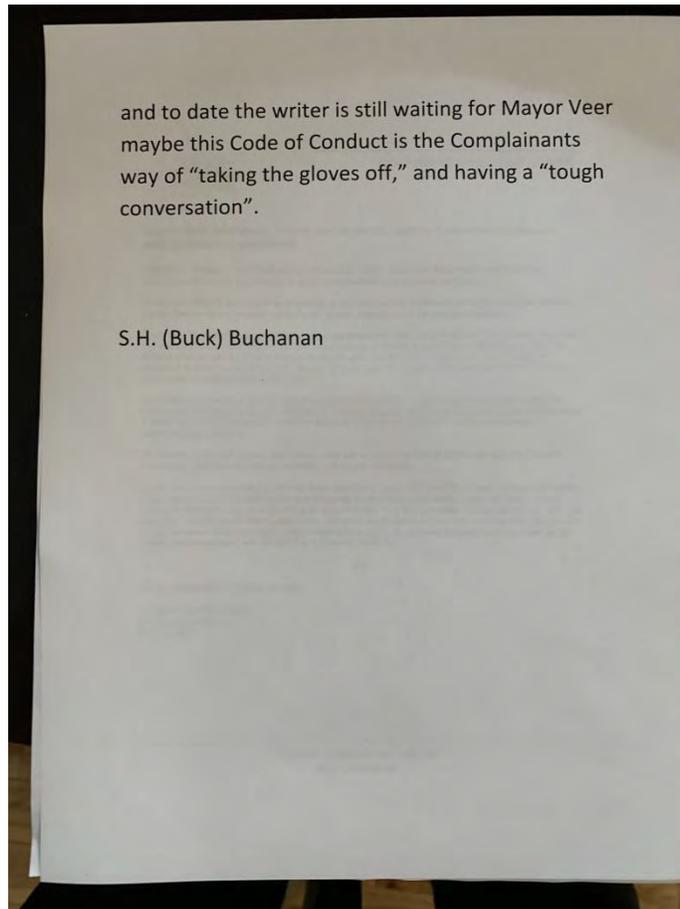
us Buck" "aren't You supposed to speak for small business?"

Presently the Writer sits on Mental Health Boards with the Province and has done so since 2016 (my second appointment) so again this would make no sense for the Writer to be telling people to disregard Provincial directions when I am telling People they have to follow direction under Section 38 and 39 of the Mental Health Act.

In 2018 the Writer did not attend a Retreat as I was having trouble seeing the value in our Retreats the writer was instrumental in initiating Retreats in my first term 2007-2010. I felt they had deteriorated to quasi information session it was hard to see the Retreats get to this point. Apparently it was determined at this Retreat that Mayor Veer and Councillor Higham were going to have a tough conversation with myself.

Councillor Higham had a lengthy discussion with myself @ the FCM Conference in Halifax May 2018

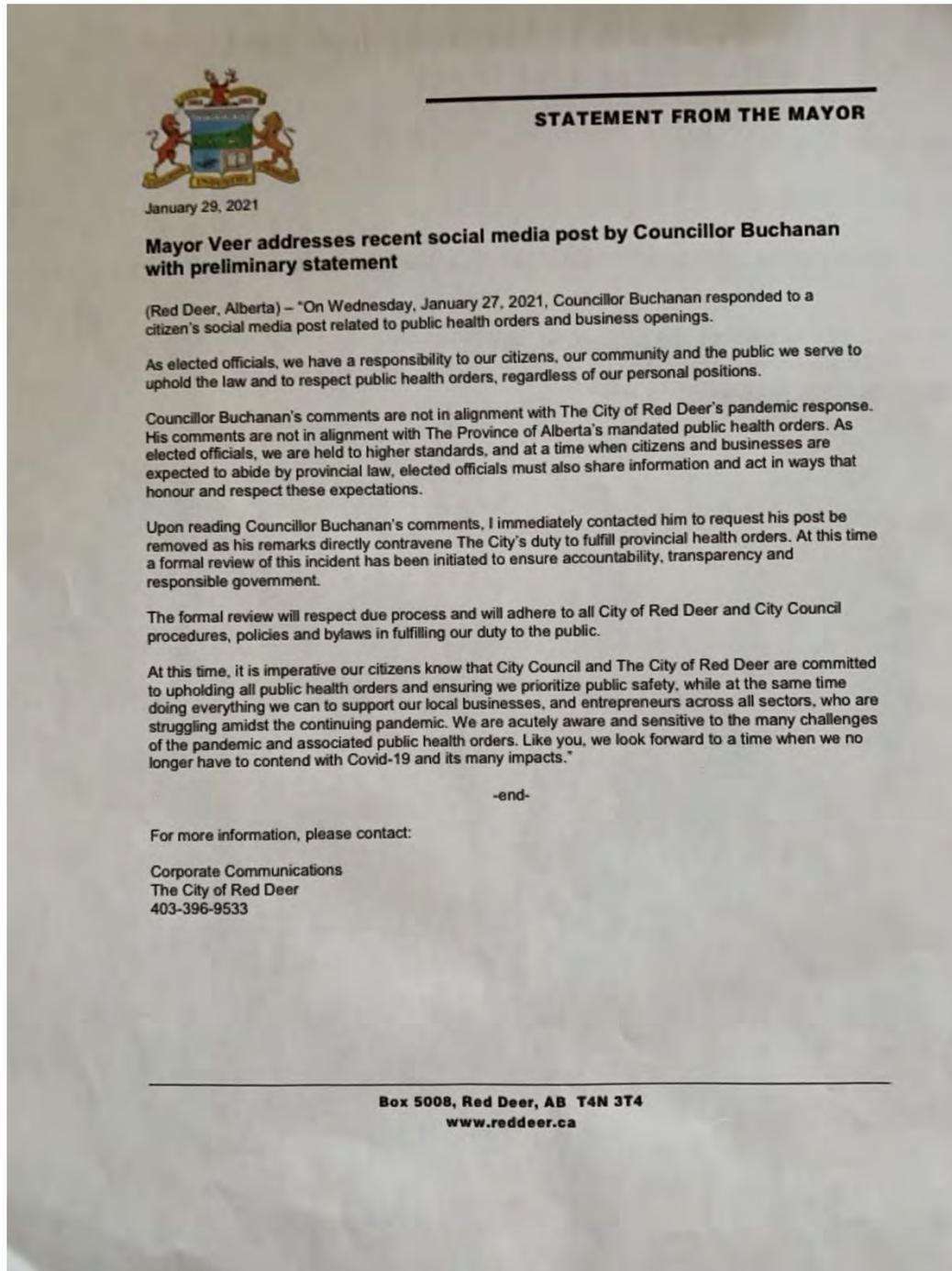
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Response page 12: News article; January 30, 2021



Response page 13: Statement from the Mayor; January 29, 2021

9.3. Complaint Supporting Documents

Tara Veer

From: Buck Buchanan
Sent: January 28, 2021 6:26 PM
To: Tara Veer
Subject: Fwd: [External] Media request

For your info got this haven't responded and I also have another I will send you.

Would appear the Mayor and Reeve in Bonnyville went and ate @ a restaurant.

I was also told @ my Indigenous Training this morning that the Province was going to change this for Restaurants and Gyms

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: January 28, 2021 at 4:27:46 PM MST
To: Buck Buchanan <Buck.Buchanan@reddeer.ca>
Subject: [External] Media request

Buck,

I hope you're well.

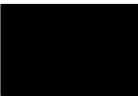
I see that the Mayor has tagged you on Twitter after someone (a local nurse) pointed out your comments on Glenn Carritt's video last night. You said "Good job Glenn." Therefore, due diligence urges me to at least broach the subject with you.

Mayor Veer wrote this in response to that person: Hi [REDACTED] Counc. Buchanan's remark contravenes The City's position & I have requested that he remove it. I will tag @buckreddeer to account to you for his comments as well. Citizens are expected to uphold all public health measures & elected officials are held to a higher standard.

You can see her tweet here: <https://twitter.com/TaraVeer/status/1354626442731032577>

My question to you is: Do you wish to comment on why you are supporting Mr. Carritt when he is known to be encouraging people and businesses to go against public health orders? What is your message to nurses and doctors in Red Deer who are trying to stem the tide of this pandemic? And how do you respond to the mayor's comments?

Thank you,



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Tara Veer

From: Buck Buchanan
Sent: January 28, 2021 6:27 PM
To: Tara Veer
Subject: Fwd: [External] [REDACTED] question about your social media posts

This was from last night didn't respond to it either

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: January 27, 2021 at 10:29:16 PM MST
To: Buck Buchanan <Buck.Buchanan@reddeer.ca>
Cc: [REDACTED]
Subject: [External] [REDACTED] question about your social media posts

Hi Buck,

I'm an online journalist with [REDACTED] in Edmonton. Some people made us aware of this social media post (https://twitter.com/buck_rd/status/1354635209702952965). We saw your tweet to the mayor tonight explaining that you are not encouraging people to defy public health orders. Can you explain what your post means and why you were asking if there was any sign of AHS?

Would you be able to provide a statement to us explaining the post and also what your stance is on public health orders?

Please "reply all" as I've cced a couple of colleagues in the event you reply when I am not at work.

Thanks so much.

[REDACTED]

SAGE INVESTIGATION REPORT
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Tara Veer

From: Tara Veer
Sent: January 29, 2021 4:27 PM
To: City Council
Subject: Confidential
Importance: High

Good afternoon Council,

Councillor Buchanan and I have spoken on the phone just now and he is aware of this email to Council and of the process that I want to make you aware of out of professional courtesy and relational respect.

The City has received numerous public inquiries, media requests and formal complaints about Council's/The City's intended response to Councillor Buchanan's social media comment on Wednesday night. I have conferred with Deputy Johnston and we will be initiating an informal review of this incident.

Furthermore, I have conferred with the City Manager as I need to provide a response to staff to respond to local and provincial media, public inquiries and the formal complaints received before close of business. I will be issuing a statement shortly to indicate that we will be addressing the issue, we are committed to public health orders, and that we will be initiating a formal process to address concerns raised. While this is a challenging position to be in, it is imperative that we comment officially today to uphold the leadership credibility of The City and our Council. Councillor Buchanan and Deputy Johnston are also aware of and agreement of the necessity to issue a statement.

In the interest of procedural fairness, I request that we not weigh on this issue by email but rather allow the established process to occur and determine next steps. As always, you're welcome to call me if you have any questions or concerns.

MTV

Katie Nault

From: [REDACTED]
Sent: January 31, 2021 11:23 PM
To: MayorMailbox
Subject: [External] Social Media Comments
Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for your statements condemning Councilor Buck Buchanan's social media comments promoting breaking Provincial Health Guidelines. Thank you for your service during these uncertain times and I hope that you continue to promote saving lives in Red Deer.

Sincerely,
[REDACTED]

SAGE INVESTIGATION REPORT
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Katie Nault

From: [REDACTED]
Sent: January 31, 2021 10:53 AM
To: MayorMailbox
Subject: [External] Councillor Buchanan's Facebook remarks

Follow Up Flag: Follow up
Flag Status: Flagged

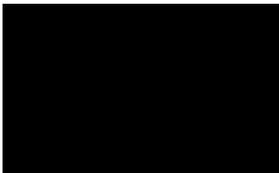
Mayor Veer and City Council

Councillor Buchanan's Facebook remarks, supporting a central Alberta restaurants' defiance of public health orders, are unconscionable. I fully support Mayor Veer in taking action to order a formal review. What kind of society will we have if business (or individuals) decide which law is justified, and which is not, which to obey, and which to defy? It is unbelievable that one of our City Councillors would support a business in defying the law.

Councillor Buchanan's remarks are unacceptable for someone in an elected leadership position. He is disrespectful of everyone who has struggled with the pandemic: the businesses who comply with public health orders; AHS staff, physicians, first responders and others who put themselves at risk; people who became ill with, or lost their lives, to COVID; those with medical treatments delayed due to the unprecedented pressure on health care; and, in fact, each one of us, as we have all experienced loss during this time.

I will be watching for the results of the formal investigation.

Thank you,



SAGE INVESTIGATION REPORT
CITY OF RED DEER
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Katie Nault

From: [REDACTED]
Sent: January 29, 2021 7:51 PM
To: MayorMailbox
Subject: [External] Local Business Support

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor Veer

I first would like to sincerely thank you for holding Councillor Buchanan accountable for his recent comments on social media, and look forward to read the outcome of your formal review of the incident.

In your statement, posted January 29 at 4:43pm, I couldn't help but feel confused and frankly frustrated while reading the following sentence:

"...while at the same time doing everything we can to support our local businesses, and entrepreneurs across all sectors, who are struggling amidst the continuing pandemic."

I am a local business owner, and between March of 2020 to present day, we have received *one* piece of communications from The City of Red Deer, and that was in regard to the city wide mask mandate.

Can you please tell me what "doing everything you can to support local businesses and entrepreneurs across all sectors" means to you and your team? As a person on the receiving end of your support, "everything you can" has been almost nothing - the silence is deafening.

I do understand your administration is under an insurmountable amount of pressure and stress, and I thank you for your time in reading my email.

Thank you

[REDACTED]

--
[REDACTED]

Katie Nault

From: [REDACTED]
Sent: January 27, 2021 6:26 PM
To: City Council
Subject: [External] Councillor Buchanan

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening,

I'm emailing this evening to express my sincere displeasure with council member Buck Buchanan.

Early today Hockey Central in Sylvan Lake defied provincial guidelines and reopened to the public.

During a Facebook Live post, Councillor Buchanan commented, "Good Job Glenn-any AHS yet?? Screenshot below.

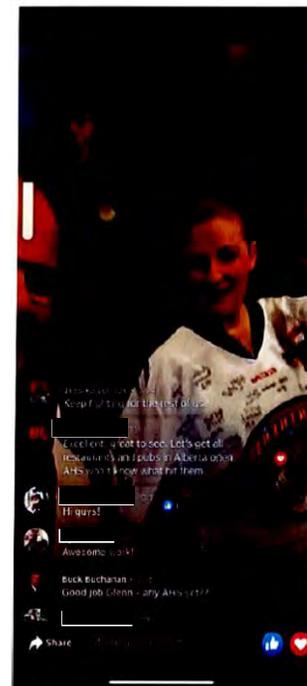
As a member of the hospitality industry I sympathize with everyone struggling right now, but cannot forgive a councillor or business blatantly defying these guidelines.

I hope AHS takes action swiftly, and I hope Councillor Buchanan is shown the door for actively promoting activities that have sever health implications to so many and will set our province back even farther than it currently is.

Thank you for your time,

Kind regards

[REDACTED]



Sent from my iPhone

SAGE INVESTIGATION REPORT
CITY OF RED DEER
COMPLAINT C-01-2021

Katie Nault

From: [REDACTED]
Sent: January 27, 2021 8:24 PM
To: MayorMailbox
Subject: [External] Buck Buchanan

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor Tara Veer,

I am writing to ask that you please look into the comment by Buck Buchanan encouraging the Owner of Hockey Central, in Sylvan Lake, to blatantly defy the provincial health ordinance. He should no longer be permitted to be a member of city council here in Red Deer. Actively encouraging others to defy these rules at a time when our Covid numbers are just beginning to go down but also at a time when the new variant has been identified in Alberta, is amoral and should be illegal.

The city of Red Deer has had enough poor publicity of late, and as more places open and publicly defy the public health ordinance (like Mom's Diner in WestPark, with others like One Eleven, planning to open shortly), we are likely to see even more, poor, publicity. We do not need a council member who encourages such behaviour and puts lives at risk.

Thank you for your time,

Sincerely,

[REDACTED]

Katie Nault

From: [REDACTED]
Sent: January 27, 2021 8:06 PM
To: City Council
Subject: [External] A Red Deer City Councillor's comments on a post
Attachments: IMG_8347.jpeg

Follow Up Flag: Follow up
Flag Status: Flagged

Good Evening,

I saw a public social media post today where someone from Innisfail is broadcasting about being at an open restaurant against AHS orders.

On the live stream, there is a comment from Red Deer Councillor Buck Buchanan, which was very disheartening to see.

I'm wondering what the Council's viewpoint is on this topic, and if there are any repercussions on speaking out on a public forum in support of going against AHS policies?

thank you for your time

SAGE INVESTIGATION REPORT
CITY OF RED DEER
COMPLAINT C-01-2021

Katie Nault

From: [REDACTED]
Sent: February 01, 2021 4:57 AM
To: MayorMailbox
Subject: [External] Media Posts

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms Veer

Please take all facts into account regarding Mr Buchanan's posts on the internet, before any virtue signalling takes place by the rest of council

I believe the Banff (area?) mayor had been also trying to get restaurants etc opened up and speaking out about oppression of freedom

It's not about being held to a higher standard. It is lack of global consistency and gaslighting to the public. No science behind why ten people are allowed at outdoor gatherings. Why not eleven? Etc

Politicians, medical directors, etc can travel, get a slap on the wrist, perhaps, and still receive full government pensions and their pay whether it is a severance, etc

Large box stores are allowed to open and have large numbers of people not social distancing. Yet other small business owners such as Hockey Central are not allowed to open even though they are respecting the virus

The latter does not have the luxury of a government job to afford paying for her son's medical expenses

We are not in this altogether. There seems to be rules for me but not for ye. Double standards

Any support from the City of Red Deer to it's constituents (neighbouring) seems to be a good thing. The peripheral communities put a lot of money into Red Deers local coffers via their tax dollars spent on goods and services when in the City

God bless Mr Buchanan for encouraging freedom. It's here until it's not. We are dangerously close to that point.

[REDACTED]

*A first generation Canadian who values freedom of speech *Please kindly cc Mr Buchanan

Sent from my iPhone

SAGE INVESTIGATION REPORT
CITY OF RED DEER
COMPLAINT C-01-2021

Katie Nault

From: [REDACTED]
Sent: January 30, 2021 8:10 PM
To: Buck Buchanan; MayorMailbox; Tanya Handley; Michael Dawe; Vesna Higham; Ken Johnston; Lawrence Lee; Frank Wong; Dianne Wyntjes
Cc: City Manager; reddeer south
Subject: [External] Standing with Councillor Buchanan

Follow Up Flag: Follow up
Flag Status: Flagged

To the Men and Women Acting as Mayor and Council Members,

I wanted to express my appreciation and gratitude for a People elected man, known as Councillor Buchanan, for standing up, on the side of the People. It is time for all of our Elected men and women to find the courage to stand up for the very People who have elected them. With the deepest of gratitude, thank you Mr. Buchanan for your courage in standing up for, We The People. The businesses, who are trying to provide food, heat, water and other essentials not only for their families, but to the families who rely on them for employment, all deserve to be open, without restrictions. All Businesses are Essential. Thank you for recognizing that. You are reflecting the Will of the People. The People won't forget. We stand beside you.

Have you ever wondered how countries like Germany ever became communist in the first place? How did the People ever agree to such atrocities? How could they not see what was happening as their rights were slowly being eroded? Wonder no more. We are in these very times, where each and every day, it becomes more and more obvious to anyone paying half attention, our country is turning into a communist regime. People are willingly giving up their own rights, along with the free-will and rights of others along with it, and they don't even realize it. All under the guise of a public health crisis. In which, those with eyes to see, recognize the falseness of it, and the hidden agendas lurking behind. We are in a battle for our Freedoms and Rights. I hope all other elected by the People, Councillors and Mayor start paying more attention and start standing beside the People whom have elected you. If not, you will find yourselves standing with fewer and fewer, while the People stand with those, who stood for them. Remember, what is done to us, is also done to you. Your own Rights and Freedoms are being stripped each and every moment you allow this to continue. Once you have served the purpose of sacrificing the Rights and Freedoms of all the men and women, you will no longer be required, and will find yourselves among the common folk with the same rights and freedoms you helped take away.

I am reminded of a current saying: "Imagine a war in which the majority of one side didn't know they were at war, ridiculed those that did, and were blindly obedient to their enemy." This is war of good and evil, whether you are "seeing it" or not, doesn't mean it isn't truth, or happening at this very moment. Anyone who claims to be a man or woman of God, needs to very seriously engage with God and take a hard look at the world around you. We are in unprecedented times with entire governments resigning. Why? When People of Italy decided to open up restaurants against the imposed restrictions, the restrictions were lifted. So is this about a virus or control? The moment the people stood up, suddenly the virus wasn't an issue in opening. So what is going on?

SAGE INVESTIGATION REPORT
CITY OF RED DEER
COMPLAINT C-01-2021

Katie Nault

From: [REDACTED]
Sent: January 30, 2021 12:44 PM
To: MayorMailbox
Subject: [External] Thanks Tara

Follow Up Flag: Follow up
Flag Status: Flagged

You stick to your guns re Buchanan. He needs to be removed from office. I used to admire him as a policeman but not anymore. Sticking up for restaurants that are opening in total disregard for anyone's safety or health rules. Small population of those who think only of themselves. Lots of businesses closed it's no ones fault and govt just trying to protect us. You keep up good work.

Sent from my iPad

Katie Nault

From: [REDACTED]
Sent: January 30, 2021 9:09 AM
To: Buck Buchanan; [REDACTED]
Cc: City Council; City Manager; MayorMailbox; Stephan, Mr. Jason (UCP)
Subject: [External] A Man Of Courage

Follow Up Flag: Follow up
Flag Status: Flagged

Great Job Buck and Glen;) I wish more elected officials had the courage to do what you did.

"The only thing necessary for the triumph of evil is for good men to do nothing."- Edmund Burke

Kind Regards,

[REDACTED]

SAGE INVESTIGATION REPORT
CITY OF RED DEER
COMPLAINT C-01-2021

Katie Nault

From: [REDACTED]
Sent: January 30, 2021 8:49 AM
To: Buck Buchanan
Cc: Dianne Wynthjes; Frank Wong; Lawrence Lee; Ken Johnston; Tanya Handley; Vesna Higham; Michael Dawe; MayorMailbox; City Manager
Subject: [External] Dialogue in the "free world"
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Buck,
 I appreciate you standing with Glenn Carritt. Keep on standing for freedom.
 I am absolutely appalled at the lack of dialogue going on in our governments. We have so many specialists, highly qualified people speaking out against masking, and lockdowns and now we have to add quarantine camps. No one is allowed to have a dissenting voice to the government narrative from city to provincial to federal. This is tyranny. Why are we having to follow this narrative put out by the governments who are supposed to be working for the people. Do we not pay their wages. We are having our freedoms removed by those who are supposed to work for us. The governments have put themselves in a position that does not rightfully belong to them.
 I am so impressed with you Buck and all the people like you nation wide who are bravely standing up against this. The censorship worldwide including from our own mayor is appalling, disturbing, terrifying! Government should be the place of open discourse not muzzling.
 There are way too many discrepancies in the government narrative to trust them. What is the point of having city governments if all you do is follow the province right or wrong!!!
 Politically correct has to dissolve and discourse needs to return!!! Do not retract, do not resign!!! You have so much support Buck.
 Thank you [REDACTED]

Sent from my iPhone

Tweet

@TaraVeer what's your thought on city counsellors condoning the blatant disregard for health regulations?



Tara Veer @TaraVeer · Jan 27
 Replying to @ [REDACTED]
 Hi [REDACTED] Counc. Buchanan's remark contravenes The City's position & I have requested that he remove it. I will tag @buckreddeer to account to you for his comments as well. Citizens are expected to uphold public health measure and elected officials are held to a higher standard.
 [REDACTED] Jan 27
 Tara, he already issued an insincere apology last year. No more chances... he needs to resign. @buck_rd
 Show replies



30 62 331
 [REDACTED] Jan 28
 How's the letter of resignation coming @buck_rd ? You've demonstrated a gross lack of leadership, not just once, but multiple times. I expect more from an elected official.
 [REDACTED] Jan 27
 Replying to @TaraVeer @buck_rd and 4 others
 Removing the post is not sufficient. He was in Arizona, made insensitive comments early in the pandemic plus the anti-mask rhetoric and interview with @rdnewsNOW spewing misinformation about the PCR test and cases... that's more than 3 strikes. He's out. He needs to resign.

Retweeted [REDACTED] Jan 27
 Replying to @buck_rd @TaraVeer and 5 others
 Seriously, Buck? The longer people and businesses contravene the law, the longer it takes to get back to normal. You shouldn't be congratulating this flagrant disregard for health regulations if you don't want people to misinterpret YOUR words. Feel free to resign.
 [REDACTED] Jan 27
 restaurants and pubs in Alberta open. AHS won't know what hit them.
 [REDACTED] 0:15
 Hi guys!
 [REDACTED] 0:15
 Awesome work!
 Buck Buchanan · 0:16
 Good job Glenn - any AHS yet??
 [REDACTED] 0:29

SAGE INVESTIGATION REPORT
CITY OF RED DEER
COMPLAINT C-01-2021

[Redacted] - Jan 27
A city councillor (@buck_rd) is congratulating and supporting a #covidiot at a restaurant breaching restrictions on a public platform. @TaraVeer @Ken4Council @dianwyntjes @foontong #resign

restaurants and pubs in Alberta open. AHS won't know what hit them.

Hi guys!

Awesome work!

Buck Buchanan - 0:16
Good job Glenn - any AHS yet??

5 4 15

Dianne Wyntjes @dianwyntjes - Jan 27
When citizens pick/choose which laws not to obey we become a dysfunctional/chaotic society. I get frustration/angst of restaurants/business with restrictions. Let's support them with curbside pickup. Covid19 variant is worrisome for all community health & hospitals @ [Redacted]

5 10

[Redacted] - Jan 29
Replying to @TaraVeer [Redacted] and 5 others
If you can't stand up for the people, you should step down. Have you missed a pay check? No. These families are trying to pay their bills and feed their families. And they need all the well wishes and support they can get.

1 6

[Redacted] - Jan 29
This restaurant couldn't RESPONSIBLY serve patrons through curbside pickup/take-out/delivery to pay their bills without violation of health orders? Wildcat actions only appeal to other lawless individuals with absolutely no consideration for the welfare of the community.

1

[Redacted] - Jan 27
Replying to @TaraVeer @buck_rd and 4 others
Removing the post is not sufficient. He was in Arizona, made insensitive comments early in the pandemic plus the anti-mask rhetoric and interview with @rdnewsNOW spewing misinformation about the PCR test and cases... that's more than 3 strikes. He's out. He needs to resign.

1 1 9

Show replies

Buck Buchanan @buck_rd - Jan 27
Replying to @TaraVeer @ [Redacted] and 4 others
Thanks Tara - would appear people think I am advocating for people to contravene the Law nothing could be further from the truth, only wishing people well in trying to get things back to normal - whatever normal may be.

15 3 14

[Redacted] - Jan 27
Strike 5 Councilman...I wonder how many til you're out..

1 6

Show replies

January 2021 News Archive

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STATEMENT FROM THE MAYOR

Mayor Veer addresses recent social media post by Councillor Buchanan with preliminary statement

January 29, 2021 4:43 PM

(Red Deer, Alberta)

"On Wednesday, January 27, 2021, Councillor Buchanan responded to a citizen's social media post related to public health orders and business openings.

As elected officials, we have a responsibility to our citizens, our community and the public we serve to uphold the law and to respect public health orders, regardless of our personal positions.

Councillor Buchanan's comments are not in alignment with The City of Red Deer's pandemic response. His comments are not in alignment with The Province of Alberta's mandated public health orders. As elected officials, we are held to higher standards, and at a time when citizens and businesses are expected to abide by provincial law, elected officials must also share information and act in ways that honour and respect these expectations.

Upon reading Councillor Buchanan's comments, I immediately contacted him to request his post be removed as his remarks directly contravene The City's duty to fulfill provincial health orders. At this time a formal review of this incident has been initiated to ensure accountability, transparency and responsible government.

The formal review will respect due process and will adhere to all City of Red Deer and City Council procedures,

<https://reddeer.ca/whats-happening/news-room/news-archive/2021-news-archive/january-...> 2021/03/18

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January 2021 News Archive: Mayor Veer addresses recent social media post by Council... Page 2 of 2

policies and bylaws in fulfilling our duty to the public.

At this time, it is imperative our citizens know that City Council and The City of Red Deer are committed to upholding all public health orders and ensuring we prioritize public safety, while at the same time doing everything we can to support our local businesses, and entrepreneurs across all sectors, who are struggling amidst the continuing pandemic. We are acutely aware and sensitive to the many challenges of the pandemic and associated public health orders. Like you, we look forward to a time when we no longer have to contend with Covid-19 and its many impacts."

For more information, please contact:

Corporate Communications
The City of Red Deer

- end -

[<< Back to News Article List \(/whats-happening/news-room/news-archive/2021-news-archive/january-2021-news-archive/#d.en.803646\)](#)

<https://reddeer.ca/whats-happening/news-room/news-archive/2021-news-archive/january-...> 2021/03/18

SAGE INVESTIGATION REPORT
CITY OF RED DEER
COMPLAINT C-01-2021

Katie Nault

Subject: Confidential Meeting
Location: Microsoft Teams Meeting
Start: Mon 2021/02/01 11:00 AM
End: Mon 2021/02/01 12:00 PM
Recurrence: (none)
Meeting Status: Meeting organizer
Organizer: MayorMailbox
Required Attendees: Ken Johnston; Buck Buchanan; Tara Veer

Good Evening,

Agenda materials will be provided Monday morning prior to this meeting.

Thank you,

Katie Nault
Senior Executive Assistant
Office of the Mayor
The City of Red Deer
P: 403-342-8279 C: 403-350-6404 F: 403-346-6195
katie.nault@reddeer.ca

Microsoft Teams meeting

Join on your computer or mobile app
[Click here to join the meeting](#)

[Learn More](#) | [Meeting options](#)

Katie Nault

Subject: Confidential Meeting
Location: Microsoft Teams Meeting
Start: Wed 2021/02/10 3:00 PM
End: Wed 2021/02/10 3:45 PM
Recurrence: (none)
Meeting Status: Meeting organizer
Organizer: MayorMailbox
Required Attendees: Tara Veer; Buck Buchanan; Ken Johnston

Microsoft Teams meeting

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9.3.1. Bylaw 3608/2018

BYLAW NO. 3608/2018

A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL

WHEREAS, pursuant to section 146.1(1) of the *Municipal Government Act*, a council must, by bylaw, establish a code of conduct governing the conduct of Members of Council;

AND WHEREAS, pursuant to section 153 of the *Municipal Government Act*, Members of Council have a duty to adhere to the code of conduct established by the council;

AND WHEREAS the public is entitled to expect the highest standards of conduct from the Members of Council that it elects to council for the City of Red Deer;

AND WHEREAS the establishment of a code of conduct for members of council is consistent with the principles of transparent and accountable government;

AND WHEREAS a code of conduct ensures that members of council share a common understanding of acceptable conduct extending beyond the direction provided through legislative provisions governing the conduct of Members of Council;

NOW THEREFORE the Council of the City of Red Deer, in the Province of Alberta, duly assembled, enacts as follows:

1. Short Title

1.1 This Bylaw may be referred to as the "Council Code of Conduct Bylaw".

2. Definitions

2.1 In this Bylaw, words have the meanings set out in the Act, except that:

- (a) "**Act**" means the *Municipal Government Act*, R.S.A. 2000, c. M-26, and associated regulations, as amended;
- (b) "**Administration**" means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the City Manager;
- (c) "**City Manager**" means the chief administrative officer of the Municipality, or their delegate;
- (d) "**FOIP**" means the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, any associated regulations, and any amendments or successor legislation;
- (e) "**In Camera**" means a meeting, or a portion of a meeting, which is closed to the public in accordance with the Act;

- (f) **"Investigator"** means Council or the individual or body established by Council to investigate and report on complaints;
- (g) **"Member"** means a member of Council and includes a councillor or the Mayor;
- (h) **"Municipality"** means the municipal corporation of the City of Red Deer; and
- (i) **"Reviewer"** means the Mayor, or at the Mayor's discretion, the Mayor and two Members, none of whom are the subject of or are implicated in the complaint. Members would be selected on a rotation by the Mayor or Deputy Mayor.

3. Purpose and Application

- 3.1 The purpose of this Bylaw is to establish standards for the ethical conduct of Members relating to their roles and obligations as representatives of the Municipality and a procedure for the investigation and enforcement of those standards.

4. Representing the Municipality

4.1 Members shall:

- (a) act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;
- (b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;
- (c) conduct themselves in a professional manner and make every effort to participate in the meetings of Council, committees of Council and other bodies to which they are appointed by Council, as well as Deputy Mayor duties; and
- (d) arrange their private affairs and conduct themselves in a manner that promotes public confidence.

5. Communicating on Behalf of the Municipality

- 5.1 Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor it is the Deputy Mayor or Acting Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.
- 5.2 A Member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the will or official position of Council as a whole, even if the Member personally disagrees with Council's position.
- 5.3 A Member must not claim to speak on behalf of Council unless authorized to do so.

- 5.4 No Member shall make a statement when they know that statement is false.
- 5.5 No Member shall make a statement with the intent to mislead Council or members of the public.
- 6. Respecting the Decision-Making Process**
- 6.1 Decision-making authority lies with Council, and not with any individual Member. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present. No Member shall, unless authorized by Council, attempt to bind the Municipality or give direction to employees in Administration, agents, contractors, consultants or other service providers or prospective vendors to the Municipality.
- 6.2 Members shall conduct and convey Council business in an open and transparent manner other than for those matters which, by law, are authorized to be dealt with In Camera. This allows the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- 6.3 Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.
- 7. Adherence to Policies, Procedures and Bylaws**
- 7.1 Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.
- 7.2 Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.
- 7.3 A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.
- 8. Respectful Interactions with Council Members, Staff, the Public and Others**
- 8.1 Council members will establish and model a respectful workplace where they will not speak disrespectfully about the organization, other members of Council, the City Manager or employees of The City.
- 8.2 Members shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.

- 8.3 Members shall treat one another, employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, bullying or intimidation.
- 8.4 No Member shall use indecent, abusive, or insulting words or phrases toward another Member, any employee of the Municipality or any member of the public.
- 8.5 No Member shall speak in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.
- 8.6 Members shall respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective. Members shall respect that employees are entitled to carry out their work free from pressure or undue influence from any Member or group of Members.
- 8.7 Members must not:
- (a) involve themselves in matters of Administration, which fall within the jurisdiction of the City Manager;
 - (b) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or
 - (c) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.
- 9. Confidential Information**
- 9.1 Members must not disclose matters that were discussed In Camera at a Council or Council committee meeting until the matter is discussed at a meeting held in public.
- 9.2 In the course of their duties, Members may also become privy to confidential information received outside of an In Camera meeting. Members must not:
- (a) disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council;
 - (b) access or attempt to gain access to confidential information held by the Municipality unless it is needed for the performance of the Member's duties and then only through appropriate channels; or
 - (c) use confidential information for personal benefit or for the benefit of any other individual or organization.

- 9.3 Confidential information includes information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under FOIP or any other legislation, or any other information that pertains to the business of the Municipality, and is generally considered to be of a confidential nature, including but not limited to information concerning:
- (a) the security of the property of the Municipality;
 - (b) a proposed or pending acquisition or disposition of land or other property;
 - (c) a tender that has or will be issued but has not been awarded;
 - (d) contract negotiations;
 - (e) employment and labour relations;
 - (f) draft documents and legal documents, including reports, policies, bylaws and resolutions, that have not been the subject matter of deliberation in a meeting open to the public;
 - (g) law enforcement matters;
 - (h) litigation or potential litigation, including matters before administrative tribunals; and
 - (i) advice that is subject to solicitor-client privilege.

10. Conflicts of Interest

- 10.1 Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.
- 10.2 Members are expected to carry out their duties free from improper influence and must not act or appear to be acting in order to gain financial benefits for themselves, family, friends or associates, business or otherwise.
- 10.3 Members shall approach decision-making with an open mind that is capable of persuasion.

11. Improper Use of Influence

- 11.1 No Member shall use their position as a Member for their own private gain, or for that of persons or organizations that the member is personally associated with.
- 11.2 No Member shall act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a committee of Council or any other body

established by Council.

- 11.3 Members shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 11.4 Members shall refrain from using their positions to assist any person to obtain employment with the Municipality. The only exception to this is for the City Manager, who is Council's sole employee. Members may provide a reference for a person who is or has been employed by the Municipality in the role of City Manager at their discretion. Members are ineligible to apply or be considered for any position with the Municipality while they hold their elected position and for one year after leaving office.

12. Use of Municipal Assets and Services

- 12.1 Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member, subject to the following limited exceptions:
 - (a) municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a Member for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges; and
 - (b) electronic communication devices, including but not limited to desktop computers, laptops, tablets and smartphones, which are supplied by the Municipality to a Member, may be used by the Member for personal use, provided that the use is not offensive or inappropriate.

13. Orientation and Other Training Attendance

- 13.1 Every Member of Council must attend the orientation training offered by the Municipality following a municipal election, unless doing so is not practically possible.
- 13.2 Every Member of Council must attend retreats and workshops organized at the direction of Council for the benefit of Members of Council throughout the Council term, unless doing so is not practically possible.

14. Remuneration and Expenses

- 14.1 Members are stewards of public resources and shall avoid waste and abuse in the use of public resources.
- 14.2 Members shall be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies and procedures regarding claims for remuneration and expenses.

15. Gifts and Hospitality

- 15.1 Members shall not accept gifts, hospitality or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.
- 15.2 Members may accept hospitality, gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation. Council members will file a disclosure with the Legislative Services Manager for all accepted gifts, discounts, or hospitality valued at greater than \$50.
- 15.3 Gifts received by a Member on behalf of the Municipality as a matter of official protocol which have significance or historical value for the Municipality shall be left with the Municipality when the Member ceases to hold office.

16. Election Campaigns

- 16.1 No Member shall use any facilities, equipment, supplies, services, municipal logo or other resources of the Municipality for any election campaign or campaign-related activity.

17. Informal Complaint Process

- 17.1 Any Member who has identified or witnessed conduct by another Member that the Member reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by:
 - (a) advising the Member that the conduct violates this Bylaw and encouraging the Member to stop; and
 - (b) requesting the Mayor to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, the person may request the assistance of the Deputy Mayor.
- 17.2 Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

18. Formal Complaint Process

- 18.1 Any Member who has identified or witnessed conduct by another Member that the Member reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:
 - (a) All complaints shall be made in writing and shall be dated and signed by an identifiable individual;

- (b) All complaints shall be addressed to the Reviewer;
- (c) The complaint must set out reasonable grounds for the allegation that the Member has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation;
- (d) If the facts, as reported, include the name of one or more Members who are alleged to be responsible for the breach of this Bylaw, the Member or Members concerned shall receive a copy of the complaint submitted to the Reviewer;
- (e) Upon receipt of a complaint under this Bylaw, the Reviewer shall review the complaint and decide whether to proceed to investigate the complaint or not. If the Reviewer is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Reviewer may choose not to investigate and may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Reviewer's decision;
- (f) In all other cases, the Reviewer will refer the complaint to the Investigator. The Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;
- (g) If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide Council and the Member who is the subject of the complaint, the results of the Investigator's investigation;
- (h) A Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed.

19. Public Complaints

- 19.1 Members of the public who have identified or witnessed conduct by a Member that they reasonably believe, in good faith, is in contravention of this Bylaw may address their concerns by:
 - (a) providing a written complaint, dated and signed by an identifiable individual;
 - (b) delivering the complaint to the Mayor or the Deputy Mayor;
 - (c) the complaint should set out a detailed description of the facts, as they are known, giving rise to the concern;
 - (d) If the facts, as reported, include the name of one or more Members who are alleged to be responsible for the breach of this Bylaw, the Member or Members concerned

shall receive a copy of the complaint submitted to the Reviewer;

- (e) Upon receipt of a complaint under this Bylaw, the Reviewer shall review the complaint and decide whether to proceed to investigate the complaint or not. If the Reviewer is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Reviewer may choose not to investigate and may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Reviewer's decision;
- (f) In all other cases, the Reviewer will refer the complaint to the Investigator. The Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;
- (g) If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide Council and the Member who is the subject of the complaint, the results of the Investigator's investigation;
- (h) A Member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed.

20. Compliance and Enforcement

20.1 Members shall uphold the letter and the spirit and intent of this Bylaw.

20.2 Members are expected to co-operate and comply with the application and enforcement of this Bylaw.

20.3 No Member shall:

- (a) undertake any act of reprisal or threaten reprisal against a complainant or any other person;
- (b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.

20.4 Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:

- (a) a letter of reprimand addressed to the Member;
- (b) requesting the Member to issue a letter of apology;
- (c) publication of a letter of reprimand or request for apology and the Member's response;

- (d) suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
- (e) suspension or removal from some or all Council committees and bodies to which council has the right to appoint members;
- (f) reduction or suspension of remuneration as defined in section 275.1 of the Act corresponding to a reduction in duties; or
- (g) any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction is not contrary to the Act.

21. Review

21.1 This Bylaw shall be brought forward for review at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Members.

READ A FIRST TIME IN OPEN COUNCIL this 9 day of July 2018.
READ A SECOND TIME IN OPEN COUNCIL this 23 day of July 2018.
READ A THIRD TIME IN OPEN COUNCIL this 23 day of July 2018.
AND SIGNED BY THE MAYOR AND CITY CLERK this 23 day of July 2018.

"Frank Wong"

DEPUTY MAYOR

"Samantha Rodwell"

DEPUTY CITY CLERK