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February 17, 2026

**BY E-MAIL: [clerk@gananoque.ca](mailto:clerk@gananoque.ca)**

Council Members – Town of Gananoque  
c/o Penny Kelly, Clerk  
Town Hall, 30 King Street East  
P.O. Box 100  
Gananoque, ON K7G 2T6

Dear Ms. Kelly:

**RE: Town of Gananoque – Complaint against Councillor Koiner  
Our File No. 16418-177**

### **Introduction**

This public report of our investigation is being provided to Council in accordance with Section 223.6(2) of the *Municipal Act*. We note that Section 223.6(3) of the *Municipal Act* requires that Council make the report public. The Clerk should identify on the agenda for the next open session Council meeting that this report will be discussed. Staff should consider whether it is appropriate to place the full report on the agenda in advance of Council deciding how the report should be made public.

Should Council desire, the Integrity Commissioner is prepared to attend at the open session meeting to present the report and answer any questions from Council.

At the meeting, Council must first receive the report for information. The only decision Council is afforded under the *Municipal Act* is to decide how the report will be made public, and whether to adopt any recommendations made by the Integrity Commissioner. Council does not have the authority under the *Municipal Act* to debate the findings of the report, only the recommendations.

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The Integrity Commissioner has included only the information in this report that is necessary to understand the findings. In making decisions about what information to include, the Integrity Commissioner is guided by the duties set out in the *Municipal Act*. Members of Council are also reminded that Council has assigned to the Integrity Commissioner the duty to conduct investigations in response to complaints under the Code of Conduct, and that the Integrity Commissioner is bound by the statutory framework to undertake a thorough process in an independent manner. The findings of this report represent the Integrity Commissioner's final decision in this matter.

### **Complaint:**

It was alleged that Councillor Koiner (the "Member") attended the Visitor's Center in the Town of Gananoque frequently over the course of the summer months in 2025. During these visits, it is alleged that the Member criticized the performance of municipal employees, as well as indicating to them how they should go about fulfilling assigned tasks.

It was further alleged that on October 14, 2025, the Member approached municipal employees engaged in the task of brush clearance across the street from her residence. At this time, the Member reportedly yelled at staff about the way they were doing their assigned tasks. The Member allegedly returned subsequently to speak aggressively to staff, shortly after.

In a subsequent phone call, the Member reportedly spoke with staff about the same issue and criticized a senior manager. The nature of the comments to staff were alleged to have disclosed confidential information.

### **Timeline of Investigation:**

- November 14, 2025 complaint received
- November 17, 2025 preliminary review conducted
- November 17, 2025 request additional details from complainant
- November 20, 2025, complaint package sent to Member
- December 2, 2025, request for extension by Member
- December 11, 2025, response from Member received
- January and February 2026, interview witnesses

### **Findings/Analysis:**

#### ***Visitor's Center***

After interviewing staff at the Visitor's Centre, there is no evidence to support the allegation that the Member was critical to staff or that she directed them in their duties. All staff

interviewed spoke very positively about their interactions with the Member and found her to be complimentary of their work.

### ***Vegetation Clearing***

On October 14, 2025, Town staff were clearing vegetation from a storm water pond. The pond had not been maintained in some time and the Ministry of the Environment, Conservation and Parks directed the Town to clear the vegetation around and within the pond. No notice of this work was provided to Council or residents as it was considered routine maintenance and there is no practice or policy in the Town to provide notice of this type of work.

The staff involved in the vegetation clearing were interviewed as part of this investigation. Some staff had notes made at the time and those notes were considered as part of the investigation.

The Member denied yelling at staff and described her interaction as respectful and polite. The Member did acknowledge that she was upset and discouraged that the vegetation was being removed and that ecological habitat was being destroyed.

Both the Member and staff agreed that at no time did the Member use inappropriate language and her words and demeanor were not disparaging of staff.

Based on the detailed recollection of staff and the consistent recall of a number of those present at the time of the incident, where the Member's recollection and staff's differ the Integrity Commissioner prefers the recollection of staff.

The Member attended the work site to speak with staff to understand what was happening. The Member's presence on the site resulted in work being stopped to make sure that it was a safe environment. Staff did not believe that the Member deliberately placed herself in the work area to stop the work and at no time did the Member tell staff to stop what they were doing.

Staff characterized the Member's behaviour as "hot" and "elevated" during her interactions with them and found it "intense". Staff reported that the Member was yelling about them killing the ecosystem. Staff had the impression from the Member's words and body language that she was upset about the work and also about not being told in advance of the work.

The Member did ask staff why the vegetation was being removed and when advised of the direction of the Ministry she enquired as to whether this was a result of bad management. Staff interpreted her comments to mean that the pond had not been actively maintained over time; this was not interpreted as a negative comment about staff.

### ***Disclosure of Confidential Information***

The Member did not have a phone call with staff as alleged. During the in-person exchange with staff, the Member did not disclose any confidential information.

### **Code of Conduct:**

The following provisions of the Code of Conduct are engaged in this investigation:

#### 2. Purpose

The purpose and intent of the Council Code of Conduct is to establish standards of conduct for Members of Council, Local Boards and Advisory Panel Members in the individual conduct of their official duties. These standards will help protect and maintain the Town of Gananoque's reputation and integrity.

Maintaining a high quality of public administration and governance can be achieved in part by encouraging high standards of conduct on the part of Town officials. The public is entitled to expect the highest standards of conduct from members that are elected or appointed to serve their local government.

#### 8. Discrimination and Harassment

All members have a duty to treat members of the public, one another and staff with respect and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment. The *Ontario Human Rights Code* applies and, where applicable, the Town's *Workplace Violence & Workplace Harassment Policy*.

#### 11. Conduct Respecting Staff

...

Members should not:

...

- Use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intent of interfering in staff's duties.

### **Conclusion:**

The Integrity Commissioner finds that the Member acted appropriately when speaking with staff in the Visitor's Centre – there was no breach of the Code of Conduct.

The Integrity Commissioner finds that the Member did not disclose any confidential information – there was no breach of the Code of Conduct.

In assessing conduct, the Integrity Commissioner is guided by section 2, the Purpose of the Code. Council expects the highest standards from its members and on October 14, 2025 the Member's behaviour fell below the expected standard. The Member was upset that a natural area near her home was being eliminated and her reaction was not appropriate.

The Member's actions were not discriminatory or harassing, but her behaviour did not respect staff and their work. Yelling at staff and questioning their actions is not respectful and staff should not be expected to be subject to that behaviour from a member of Council. A number of staff interviewed commented that this type of incident happens all the time with members of the public; it is not unusual. It should not be behaviour expected of a member of Council. The actions of the Member breached section 8.

The Integrity Commissioner also considered whether the Member's behavior breached section 11. There was no evidence that the Member commanded or threatened staff or that her intent was to interfere with the work. Staff did not believe that the Member intentionally caused them to stop work. While there was an element of the encounter that suggested the Member expected to be notified of work that impacted her view, that was more of an impression, rather than an express statement from the Member that she deserved preferential treatment as a member of Council. In the circumstances, the Integrity Commissioner is satisfied that section 11 was not breached.

### **Recommendations:**

The Member's behaviour on October 14, 2025 fell below the high standard that the Code of Conduct expects of Councillors. Staff doing their jobs should not be expected to face yelling from members of Council. In mitigation of the behaviour, it is important to note that the Councillor did not use inappropriate language and was not directing staff inappropriately. It appears that the Member's emotions ruled the day when she witnessed the removal of trees and vegetation and her reaction crossed the line.

In all the circumstances, the Integrity Commissioner recommends that Council issue a reprimand to demonstrate that this is not behaviour that it condones, and further that Council require that the Councillor apologize to the staff present.

This concludes our investigation and report in this matter.

Sincerely,

**Cunningham, Swan, Carty, Little & Bonham LLP**

A handwritten signature in black ink, appearing to read 'Tony E. Fleming', with several horizontal strokes extending to the right.

Tony E. Fleming,  
Senior Counsel  
Anthony Fleming Professional Corporation