



Probity Municipal Consulting

Specializing in Small Rural & Northern Communities
236407 Wendigo Lake Rd, PO Box 171,
Englehart, ON P0J 1H0

**THE CORPORATION OF THE TOWNSHIP OF NAIRN AND HYMAN
INTEGRITY COMMISSIONER'S REPORT ON THE MATTER OF A COMPLAINT
AGAINST COUNCIL AS A WHOLE
Chris Wray, AMCT**

**Peer Reviewed by Cassandra Child
Edited by Mary Wray**

Issued: February 16, 2026

**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

BACKGROUND

- {1} This report arises from a formal complaint submitted by Councillor Wayne Austin concerning the conduct of Members of Council during the Special Council Meeting held July 15, 2025.
- {2} The complaint alleges procedural irregularities and potential breaches of the Township's Code of Conduct arising from Council's consideration of a proposed Shared Fire Administration arrangement.
- {3} The role of the Integrity Commissioner is not to determine whether Council made a wise policy decision, nor to evaluate the merits of the Shared Fire Administration proposal.
- {4} The statutory mandate is confined to determining whether the conduct of any Member contravened the Township's Code of Conduct.
- {5} It is fundamental to the accountability framework that this Office distinguish between (i) disagreement with governance choices or meeting sequencing, and (ii) ethical misconduct.
- {6} Not every perceived procedural deficiency constitutes misconduct by Members of Council.
- {7} Findings of breach require evidence that establishes, on a balance of probabilities, conduct that meaningfully departs from the standards required by the Code.

EXECUTIVE SUMMARY

- {8} I was appointed as the Integrity Commissioner for the Township of Nairn and Hyman on December 16, 2022.
- {9} As Integrity Commissioner, my duties fall under section 223.3 (1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (the "Act").
- {10} Members of the public, staff, and members of Council can apply to the Office of the Integrity Commissioner with a complaint about the potential misconduct of Members of Council or potential pecuniary interest breaches Members of Council may have exposed themselves to, based on Provincial legislation and the municipality's internal policies/procedures.
- {11} I am to apply the Township's Code of Conduct for Members of Council (the "Code") to any complaints I receive and report my findings to Council.
- {12} On December 1, 2025, Councillor Austin submitted a complaint pertaining to the July 15, 2025 Open and Closed Meeting of Council. In his complaint, he alleged that:
 - i. No proper agenda or notice was posted;
 - ii. Council entered closed session without adequate disclosure;
 - iii. Certain Members appeared to have prior familiarity with the proposal;
 - iv. A non-member attended closed session improperly;
 - v. Undeclared conflicts of interest may have existed;
 - vi. Confidential information may have been disclosed.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

-
- {13} The documentary record, including the Closed Session Minutes of July 15, 2025 and related submissions, was reviewed.
 - {14} After careful review of the record and application of the relevant legislative and Code framework, I find that no Member breached the Code of Conduct.
 - {15} No violation of the Municipal Conflict of Interest Act has been established.
 - {16} No improper disclosure of confidential information has been proven.
 - {17} While governance practices may benefit from refinement, the evidentiary threshold for misconduct has not been met.
 - {18} Governance recommendations are provided prospectively.
 - {19} The complaint is dismissed in full.

LEGISLATIVE FRAMEWORK & RELEVANT CODE RULES

- {20} The investigation considered the following legislation and municipal policies:
 - (i) Municipal Act, 2001, S.O. 2001, c. 25;
 - (ii) Township of Nairn and Hyman Integrity Commissioner Protocol;
 - (iii) Township of Nairn and Hyman Code of Conduct.
- {21} *Section 223.1 of the Municipal Act, 2001 S.O. 2001 c. 25* speaks to the requirement every municipality has in the Province of Ontario to adopt a code of conduct¹.
- {22} *Section 223.3 (1) of the Municipal Act, 2001 S.O. 2001 c. 25* speaks to the requirement which authorizes municipalities to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality.²
- {23} The Township of Nairn and Hyman has an adopted *Integrity Commissioner Protocol Policy* which sets out the framework for the Office of the Integrity Commissioner and

¹ Section 223.2 (1) A municipality shall establish codes of conduct for members of the Council of the municipal and of its local boards. 2017, c.10, Sched. 1, s. 18.

² 223.3 (1) Without limiting sections 9, 10 and 11, those actions authorize the municipality to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the following:

1. The application of the code of conduct for members of Council and the code of conduct for members of local boards.
2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of Council and of local boards.
3. The application of sections 5, 5.1, 5.2 and 5.3 of the Municipal Conflict of Interest Act to members of Council and of local boards.
4. Requests from members of Council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
5. Requests from members of Council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality of the local boards, as the case may be, governing the ethical behaviour of members.
6. Requests from members of Council and of local boards for advice respecting their obligations under the Municipal Conflict of Interest Act.
7. The provision of educational information to members of Council, members of local boards, the municipality and the public about the municipality's codes of conduct for members of Council and members of local boards and about the Municipal Conflict of Interest Act.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

- reflects policy surrounding the potential breaches of the Council *Code of Conduct* and alleged contraventions of *section 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act*.
- {24} The Integrity Commissioner is appointed pursuant to section 223.3 of the Municipal Act, 2001.
 - {25} The Commissioner’s jurisdiction extends to investigating and reporting on alleged contraventions of the Code of Conduct by Members of Council.
 - {26} The Integrity Commissioner does not invalidate Council resolutions or reverse Council decisions.
 - {27} The Integrity Commissioner does not substitute policy judgment for Council’s elected decision-making role.
 - {28} The investigation therefore focuses strictly on Member conduct and whether the Code standard has been breached.

PROCEDURAL FAIRNESS

- {29} Investigations conducted by an Integrity Commissioner are subject to the duty of procedural fairness.
- {30} The content of the duty is flexible and proportionate to the statutory framework and potential consequences.
- {31} The Municipal Act authorizes sanctions for Code breaches, including reprimand or suspension of remuneration.
- {32} Procedural fairness in this context requires that persons affected know the substance of the allegations, have a meaningful opportunity to respond, and receive reasoned conclusions grounded in the record.
- {33} Councillor Austin was provided an opportunity to elaborate on the complaint and clarify concerns.
- {34} Members referenced in the complaint were notified of the substance of the allegations.
- {35} Members were afforded an opportunity to respond and provide context.
- {36} Documentary materials were reviewed, including the Closed Session Minutes of July 15, 2025
- {37} I am satisfied that procedural fairness requirements were met.

STANDARD OF REVIEW

- {38} Should this report be subject to judicial review, the applicable standard is reasonableness.
- {39} The Code of Conduct constitutes the Integrity Commissioner’s “home instrument” and is entitled to deference when interpreted and applied.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

- {40} A reviewing court will consider whether the reasoning is transparent, justified, intelligible, and grounded in the evidentiary record.
- {41} This report identifies the governing framework, sets out the factual record, analyzes the allegations, and provides coherent reasons for its conclusions.

INDEPENDENCE AND ABSENCE OF BIAS

- {42} The test for bias is whether a reasonable and informed person would conclude that there exists a reasonable apprehension of bias.
- {43} The Integrity Commissioner did not participate in the July 15, 2025 meeting.
- {44} Compensation is fixed and not outcome-dependent.
- {45} The Integrity Commissioner has no pecuniary interest in the Shared Fire Administration proposal or related inter-municipal arrangements.
- {46} The investigation was conducted independently and without direction from any Member.
- {47} Findings are based solely on the evidentiary record.
- {48} There is no reasonable apprehension of bias.

STANDING OF THE COMPLAINANT

- {49} Councillor Austin declared a pecuniary interest at the July 15 Closed Meeting and exited appropriately.
- {50} Filing a complaint under section 223.4 of the Municipal Act is not participation in Council decision-making.
- {51} The Municipal Conflict of Interest Act regulates financial interests in deliberation and voting; it does not prohibit a Member from invoking statutory accountability mechanisms.
- {52} Filing a complaint does not create financial gain or loss.
- {53} There is no statutory doctrine extending a declared pecuniary interest into a subsequent complaint process.
- {54} Councillor Austin therefore had standing to file the complaint.

COMPLAINT FORMAT AND PROCEDURAL COMPLIANCE

- {55} The Township's Code of Conduct complaint procedure requires that formal complaints be submitted using the prescribed complaint form approved by the Integrity Commissioner.
- {56} The prescribed form is not a mere administrative preference; it exists to ensure clarity of allegations, sworn affirmation, and consistent investigative intake.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

-
- {57} The complaint submitted by Councillor Austin was not filed using the prescribed complaint form.
 - {58} Instead, it was submitted in an alternative written format.
 - {59} This is not the first instance in which Councillor Austin has submitted a complaint outside the prescribed format.
 - {60} While the substance of the complaint was sufficiently clear to permit investigation in this instance, deviation from prescribed filing requirements creates avoidable procedural uncertainty and increases investigative intake workload.
 - {61} The Integrity Commissioner retains discretion to accept or decline complaints not submitted in proper form.
 - {62} In this instance, given the seriousness of the allegations and in the interest of resolving the matter on its merits, the complaint was accepted notwithstanding its non-compliant format.
 - {63} Prospectively, complaints that are not submitted using the prescribed complaint form will be returned to the complainant for proper formatting prior to investigation.
 - {64} This direction applies equally to all complainants and is intended to protect procedural fairness for all parties.
 - {65} This determination is procedural in nature and does not affect the substantive conclusions in this report.

INVESTIGATION TIMELINE AND PROCEDURAL IMPACT

- {66} It is appropriate to address the timeline of this investigation and the factors that contributed to delay in completing the report.
- {67} Because the complaint was not submitted in the prescribed sworn format, additional preliminary work was required to understand the context, depth, and precise scope of the complaint.
- {68} Specifically, intake clarification was required to: identify the distinct allegations being advanced, determine which Code provisions were engaged, and ensure that the complaint could be analyzed in a structured manner consistent with procedural fairness.
- {69} The prescribed complaint form exists in part to avoid this intake ambiguity by prompting complainants to particularize allegations and confirm sworn affirmation.
- {70} When complaints are submitted outside the prescribed form, the investigative intake phase necessarily requires additional contextual inquiry and clarification.
- {71} In this matter, further communication was required to ensure the allegations were sufficiently framed to permit Member responses and fair assessment.
- {72} In addition, arranging interview times with Members presented logistical difficulty.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

- {73} Coordinating mutually available times contributed to delay in finalizing the evidentiary record.
- {74} These factors collectively extended the time required to complete the investigation and prepare this report.
- {75} The delay did not affect the independence, fairness, or integrity of the investigation, and the conclusions set out below are based solely on the evidentiary record and applicable legal framework.

SCOPE AND LIMITATIONS

- {76} This investigation is confined to determining whether Member conduct breached the Code of Conduct.
- {77} This report does not constitute a review of the policy merits of the Shared Fire Administration proposal.
- {78} This report does not determine the validity or enforceability of any agreement or proposed agreement.
- {79} This report does not constitute a procedural audit of staff conduct unless Member conduct is implicated.
- {80} The burden of proof rests with the complainant.
- {81} Allegations must be established on a balance of probabilities.
- {82} Speculation, inference unsupported by evidence, or dissatisfaction with meeting sequencing cannot meet the evidentiary threshold for misconduct.

FACTUAL BACKGROUND

- {83} Council convened a Special Council Meeting on July 15, 2025.
- {84} Council entered closed session at 3:02 p.m.
- {85} The Closed Session Minutes record that statutory exemptions were cited prior to entry into closed session.
- {86} The subject matter related to a Shared Fire Administration proposal and related governance considerations.
- {87} The CAO of the Town of Espanola attended to provide information and presentation.
- {88} As the subject matter became sufficiently clear, Councillor Austin declared a pecuniary interest.
- {89} That declaration was recorded and Councillor Austin exited the meeting room.
- {90} The visiting CAO withdrew during deliberation.
- {91} Council deliberated and passed a resolution authorizing the Mayor and CAO to enter into an agreement.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

- {92} Council returned to open session at 5:23 p.m.
- {93} The minutes are treated as the contemporaneous documentary record for purposes of this investigation.

LEGISLATIVE AND CODE FRAMEWORK

- {94} Section 239 of the Municipal Act governs closed meetings.
- {95} The Municipal Act requires Council to state by resolution the fact of holding a closed meeting and the general nature of the matter to be considered.
- {96} The Act does not require disclosure of confidential detail prior to closed session entry; rather, it requires sufficient general description to satisfy public accountability without compromising confidentiality.
- {97} The Municipal Conflict of Interest Act requires a Member to declare a direct or indirect pecuniary interest and refrain from participation before, during or after the matter is considered.
- {98} A pecuniary interest must involve a financial gain or loss; political disagreement or reputational concern does not constitute a pecuniary interest.
- {99} The Township Code of Conduct requires ethical conduct and compliance with statutory obligations.
- {100} Section 1.2 requires Members to act with integrity and in a manner that promotes public confidence.
- {101} Section 4 requires compliance with the Declaration of Office.
- {102} Section 5 requires compliance with applicable legislation and procedures.
- {103} Section 10.2 prohibits disclosure of confidential information obtained in closed session.
- {104} Section 13 prohibits improper use of influence for private advantage.
- {105} The Code must be interpreted purposively and applied carefully so that it does not become a vehicle for converting governance disagreement into misconduct findings absent evidence.

INVESTIGATIVE AND EVIDENTIARY APPROACH

- {106} Each allegation is analyzed by: (i) identifying the relevant legal or Code provision, (ii) assessing the evidence in support of the allegation, (iii) weighing that evidence against the record, and (iv) determining whether the threshold for breach is met.
- {107} Findings must be evidence-based.
- {108} Documentary records, particularly contemporaneous minutes, carry significant weight.
- {109} Where a complaint asserts improper motive or improper action, evidence must rise above inference and speculation.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

- {110} The analysis below applies the balance of probabilities standard consistently across allegations.

ANALYSIS OF ALLEGATIONS

Agenda and Notice

- {111} Councillor Austin alleges that no proper agenda or notice was posted prior to the Special Meeting.
- {112} This allegation potentially engages Section 5 of the Code (compliance with procedures) if it can be shown that a Member knowingly caused or directed non-compliance.
- {113} The Code regulates Member conduct; agenda preparation and posting are generally administrative tasks carried out under the procedural by-law and Clerk/CAO oversight.
- {114} To substantiate Member misconduct in this context, evidence would need to establish more than the absence of notice; it would need to demonstrate Member direction, influence, or intentional circumvention.
- {115} The record before this Office does not include documentary proof that any Member instructed staff not to post an agenda or notice.
- {116} No Member statement indicates intentional concealment.
- {117} No communication record was produced demonstrating a deliberate attempt to prevent notice.
- {118} While Councillor Austin's concern may support governance improvement (for example, strengthening notice practices for special meetings), that is distinct from establishing misconduct by Members.
- {119} On a balance of probabilities, the evidence does not establish a breach of the Code in relation to notice and agenda posting.

Entry into Closed Session Without Adequate Disclosure

- {120} Councillor Austin alleges that Members entered closed session without adequate disclosure of subject matter.
- {121} This allegation engages section 239 of the Municipal Act and, potentially, Sections 4 and 5 of the Code if Members acted dishonestly or contrary to statutory requirements.
- {122} The Closed Session Minutes reflect that statutory exemptions were cited and that the closed session was entered formally.
- {123} The Act requires disclosure of the "general nature" of the matter, not a detailed briefing of Members or public prior to entry.
- {124} Councillor Austin's concern is largely about sequencing and perceived lack of advance context.
- {125} Sequencing concerns may raise governance questions, but they do not, without evidence of bad faith or deception, constitute misconduct.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

- {126} There is no evidence that Members misrepresented the purpose of closed session.
- {127} There is no evidence that Members intended to deprive Councillor Austin of lawful participation.
- {128} Importantly, once the topic became clear, Councillor Austin declared a pecuniary interest and exited, and that was respected.
- {129} On a balance of probabilities, no breach of the Code is established regarding closed session entry.

Presence of a Non-Member in Closed Session

- {130} Councillor Austin questions the presence of the CAO of the Town of Espanola in closed session.
- {131} Closed session may include staff or other persons where their presence is necessary for consideration of the matter.
- {132} The minutes indicate the visiting CAO attended to present information and later withdrew during deliberation.
- {133} There is no evidence that the presenter participated in decision-making.
- {134} There is no evidence that the presenter remained present during Council deliberations.
- {135} As such, the presence of the presenter, as described in the minutes, is consistent with permissible closed session practice.
- {136} This allegation is not substantiated as misconduct.

Unequal Access to Information / Prior Familiarity

- {137} Councillor Austin asserts that certain Members appeared to have prior familiarity with the proposal.
- {138} This allegation engages Section 13 (improper influence) only if evidence supports selective briefing for improper purposes or private advantage.
- {139} The record indicates that regional discussions about shared fire administration concepts had occurred.
- {140} Prior awareness of a general governance concept is not, by itself, evidence of improper conduct.
- {141} To substantiate this allegation, evidence would need to establish that confidential information was selectively distributed to some Members and withheld from others, or that prior knowledge was acquired improperly.
- {142} The record contains no documentary evidence of selective distribution of confidential information.
- {143} No Member acknowledged receiving confidential briefing denied to other Members.
- {144} No evidence establishes private advantage, financial or otherwise.
- {145} The allegation rests primarily on inference based on perceived preparedness.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

{146} Inference alone is insufficient to meet the balance of probabilities standard.

{147} This allegation is not substantiated.

Undeclared Conflicts of Interest

{148} Councillor Austin suggests that other Members may have had undeclared conflicts of interest.

{149} The Municipal Conflict of Interest Act is engaged only where a Member has a pecuniary interest.

{150} A pecuniary interest requires financial gain or loss.

{151} Policy preference, political alignment, or governance philosophy does not constitute a pecuniary interest.

{152} The record contains no evidence that any other Member had a direct or indirect financial interest in the proposal.

{153} No evidence identifies any Member with financial stake in an agreement or related outcome.

{154} On a balance of probabilities, no MCI Act contravention is established.

{155} Accordingly, no Code breach grounded in conflict of interest is established.

Disclosure of Confidential Information

{156} Councillor Austin alleges that information appeared to circulate publicly following the meeting.

{157} Section 10.2 prohibits disclosure of confidential information obtained in closed session.

{158} The allegation requires proof that a Member disclosed confidential deliberations.

{159} The mere fact that information becomes known publicly is not proof of breach, particularly where multiple municipalities are engaged and parallel discussions may be occurring.

{160} The record contains no witness evidence identifying a Member as the source of disclosure.

{161} The record contains no documentary evidence establishing disclosure of in-camera deliberations.

{162} As the allegation is not supported by evidence that meets the balance of probabilities standard, no breach is established.

Integrity and Public Confidence

{163} Section 1.2 requires Members to act with integrity and in a manner that promotes public confidence.

{164} This provision must be applied carefully so that it does not become a generalized “fairness” clause replacing the evidentiary burden required for misconduct findings.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

- {165} The July 15 meeting progressed from presentation to authorization within one closed session.
- {166} Councillor Austin's concern is that such sequencing can create public perception issues.
- {167} It is reasonable to recognize that perception concerns can arise in governance matters, especially those involving structural change.
- {168} However, Section 1.2 breach requires more than perception; it requires evidence of conduct inconsistent with integrity obligations.
- {169} There is no evidence of dishonesty, concealment, or bad faith.
- {170} There is no evidence of reckless disregard for statutory requirements.
- {171} There is no evidence of personal gain.
- {172} The minutes support that statutory mechanics were followed and that Councillor Austin's conflict declaration was respected.
- {173} On a balance of probabilities, the conduct alleged does not meet the threshold for a Section 1.2 breach.

EVIDENTIARY WEIGHING

- {174} The Closed Session Minutes are contemporaneous documentary evidence and carry significant weight.
- {175} Councillor Austin's concerns were sincerely expressed, and the investigation treats them as such.
- {176} However, sincerity does not substitute for evidence capable of grounding misconduct findings.
- {177} Several allegations depend on inference about what Members may have known or intended.
- {178} Where allegations turn on motive or improper conduct, evidence must rise above speculation.
- {179} On each allegation, the evidentiary threshold has not been satisfied on a balance of probabilities.

FORMAL FINDINGS

- {180} With respect to notice and agenda publication, there is no evidence that any Member knowingly or recklessly directed non-compliance; no breach of Section 5 is established.
- {181} With respect to entry into closed session, the record reflects statutory compliance and no evidence of concealment or bad faith; no breach is established.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

- {182} With respect to non-member attendance, the presenter's presence for information purposes and withdrawal during deliberation is consistent with permissible practice; no breach is established.
- {183} With respect to unequal access to information, no evidence establishes selective confidential disclosure or improper influence; no breach of Section 13 is established.
- {184} With respect to conflicts of interest, no evidence establishes pecuniary interests for any other Member; no MCIA or Code breach is established.
- {185} With respect to confidentiality, no evidence establishes Member disclosure of in-camera deliberations; no breach of Section 10.2 is established.
- {186} With respect to integrity and public confidence, governance concerns do not meet the evidentiary threshold for Section 1.2 breach; no breach is established.
- {187} I therefore find that no Member of Council contravened the Township Code of Conduct in relation to the July 15, 2025 Special Council Meeting.

SANCTIONS ANALYSIS

- {188} Sanctions under section 223.4 of the Municipal Act are available only upon a finding of breach.
- {189} As no breach has been established, no sanction is available.
- {190} In any event, the record contains no evidence of personal enrichment, intentional concealment, or improper influence that would support sanction even if a technical breach were present.

GOVERNANCE RECOMMENDATIONS (PROSPECTIVE ONLY)

- {191} Although no misconduct is found, the July 15 matter highlights opportunities for governance improvement that may reduce future perception concerns.
- {192} Council should consider adopting a formal Meeting checklist to confirm minimum notice steps, agenda identification, and closed session resolution wording.
- {193} Council should consider implementing a standard confidentiality acknowledgement for third parties attending closed session, confirming that attendance is limited to information provisions and that the confidentiality obligations applicable under section 239 of the Municipal Act and the Township's Code of Conduct are understood and respected.
- {194} Where feasible, providing Members with general subject context prior to closed session entry may reduce confusion and support orderly governance.
- {195} For major structural or inter-municipal initiatives, Council may consider receiving presentations for information and deferring authorization to a subsequent meeting unless urgency is demonstrated.
- {196} Council Members are reminded that complaints must be submitted using the prescribed form under the Code of Conduct.



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN**

Issued: February 16, 2026

- {197} Periodic refresher education on the Municipal Conflict of Interest Act is advisable.
- {198} Annual reaffirmation of confidentiality obligations under Section 10.2 is recommended.
- {199} These recommendations are prospective and do not imply misconduct.

PUBLIC INTEREST AND TRANSPARENCY

- {200} Municipal governance requires both democratic decision-making and ethical accountability.
- {201} The Code of Conduct exists to preserve public trust in municipal institutions.
- {202} Accountability mechanisms function properly when complaints are investigated independently and findings are evidence-based.
- {203} The dismissal of a complaint does not diminish the legitimacy of raising concerns; it reflects that the legal threshold for misconduct has not been met.
- {204} Transparent, reasoned reporting supports institutional confidence regardless of outcome.

CONCLUSION

- {205} The complaint filed by Councillor Wayne Austin has been carefully considered.
- {206} The investigation was conducted in accordance with procedural fairness.
- {207} The statutory and Code framework has been correctly identified and applied.
- {208} The evidentiary record does not establish, on a balance of probabilities, that any Member contravened the Code of Conduct.
- {209} The complaint is dismissed in full.
- {210} Governance recommendations are provided prospectively in the interest of institutional clarity.
- {211} This concludes the investigation of the July 15, 2025 Special Council Meeting.
- {212} Respectfully submitted on the 16th day of February, 2026.

-30-



Chris Wray, AMCT, Investigator

Probity Municipal Consulting
236407 Wendigo Lake Rd, PO Box
171
Englehart, ON POJ 1H0
Page | 14

Tel: 705-914-0551
Email: chris@pmc.associates
[@pmcprobity](https://www.pmcprobity.com)



*Specializing in Small Rural &
Northern Communities*



**REPORT ON THE MATTER OF A COMPLAINT AGAINST
THE COUNCIL OF THE TOWNSHIP OF NAIRN & HYMAN
Issued: February 16, 2026**

Probity Municipal Consulting

Probity Municipal Consulting
236407 Wendigo Lake Rd, PO Box
171
Englehart, ON P0J 1H0
Page | 15

Tel: 705-914-0551
Email: chris@pmc.associates
[@pmc_probity](https://www.instagram.com/pmc_probity)



**Specializing in Small Rural &
Northern Communities**

