

## All B.C. communities need to take warning from Penticton

**Posted: Saturday, September 13, 2014 1:36 pm**

Recent developments in Penticton should be of grave concern to all of us.

City employees suing a taxpayer for being critical of them is a clear case of the tail wagging the dog. Most people already believe that is the case. Public servants work for the taxpayers, not the other way around.

It might be a good idea for voters to pay more attention at election time. Check out candidates for qualifications, knowledge and, yes, a backbone.

Everyone deserves to be treated with respect, including public servants, but having a big shot lawyer from Vancouver write a threatening letter to a senior citizen in the hopes of “shutting her up” is a new one, even for me. The situation in Penticton is a warning to us all.

Carol Gran,

Kelowna

## Penticton senior not alone in targeting city hall

**James Miller | Posted: Saturday, September 13, 2014 9:08 pm**

Elvena Slump isn't the only one who thinks local government is conducting too much of the public's business in private.

A non-partisan watchdog group based in Victoria agrees with the Penticton senior, who has been threatened with legal action for criticizing employees at City Hall.

IntegrityBC has reviewed more than three dozen letters to the editor that Slump wrote to the Penticton Herald.

"While some of those letters may get under the skin of some at City Hall," the group says, "many of the concerns she raises are shared by residents in other municipalities across B.C."

Just before the Labour Day weekend, the 75-year-old Slump received a two-page letter from Harper Grey Barristers and Solicitors, a firm of libel lawyers from Vancouver.

The firm advised her that statements in two letters she sent to the mayor and council, and carbon-copied to the Herald, were unfounded. In the letters, Slump was critical of three top officials at City Hall, including CAO Annette Antoniak.

The letter from the law firm said Slump should immediately retract her statements and apologize to all those involved.

She did neither. Instead, she called a press conference to tell the media about the legal threat from the city and hired Penticton lawyer Paul Varga. A fundraiser to help with her expenses will be held Wednesday at The Barking Parrot.

IntegrityBC executive director Dermod Travis notes that at the provincial level, the filing of a defamation suit can only commence if the province's Legal Services Branch provides the administrator with a legal opinion that there's cause for action.

A common theme in many of the letters published by Slump was a need for more openness and transparency. She said city council conducts too much business in camera, or in private.

Travis agrees with Slump, saying it's a problem not only in Penticton, but provincewide.

"Councils should operate from one simple principle: if you don't have anything to hide, don't hide it," Travis said. "If a decision or an expense was authorized, politicians should stand by it. And if it wasn't authorized, then they have even bigger problems."

Mayor Garry Litke said Friday it's unlikely there will be any followup action against Slump, but she has received no such official notice from the city.

"At this time, Mr. (Bryan) Baynham (Harper Grey lawyer) has not advised us this matter is at an end," said Varga.

Founded in 2011 by Vancouver businessman Wayne Crookes, IntegrityBC is run by staff and volunteers. The group has 6,000 supporters.



Elvena Slump

Slump

## The issue is not me, says Elvena Slump

**Posted: Saturday, September 13, 2014 1:38 pm**

According to Mayor Litke (Penticton Western, Sept.12) speaking on the issue of the defamation suit against me: “We’ve invested enough time and energy to let her know that her behaviour is inappropriate, but it’s up to her to decide now whether she wants to change it or not,” he said.

“We’ve got really important issues facing the city right now, and we can’t afford any further distractions of that nature.”

For an unimportant issue; Mayor Litke makes it very clear that the sword of Damocles hangs over my head. He failed to mention this is paid for with unlimited tax dollars.

I am sorry Mr. Mayor but no one can live in those conditions.

The issue is not me. I am not important in this. The issue is free speech; wasted tax dollars and the ability of the taxpayer to hold the people running this city accountable for how our tax dollars are spent.

The approx. \$110,000 wasted on the City/PHA lawsuit would have hired a firefighter. Not content with this bad decision; you threaten me with legal action at any time in the future if I open my mouth. There goes another \$100,000 or perhaps more.

Senior civil servants are not unionized they make decisions that affect everyone in Penticton, they sit on boards and influence city councils without the ability of the public to criticize them for the decisions they make or even know they are responsible for those decisions.

Many taxpayers will remember Dave Stigant, when he was a former principal of Pen-Hi. The Prince Rupert School District had been paying consultant Dave Stigant \$800 per day for work done over several years. Criticism by the public on an issue over banning a Dr. Seuss box was spread far and wide reaching the Vancouver Sun.

Unionized staff goes to work every day; earn their keep; receive few accolades and keep our city running smoothly. They also are dependent and powerless against senior staff decisions. They are not the issue. Taxpayers should have the right to criticise senior staff and hold them accountable for how our hard-earned tax dollars are used.

Elvena Slump

Penticton

## The Barking Parrot hosting a fundraiser for Elvena Slump

Herald staff | Posted: Thursday, September 11, 2014 6:00 pm

A local businessman is speaking out in support of Elvena Slump.

David Prystay, general manager of the Penticton Lakeside Resort, believes recent legal action against the Penticton senior is a violation of freedom of speech and a waste of taxpayers' dollars.

Prystay has organized a Free Elvena night for Wednesday at The Barking Parrot as a chance for the public to offer its support to the 75-year-old woman who is a frequent contributor to letters to the editor in both The Herald and the Penticton Western News.

Earlier this month Slump received a letter from Harper Grey Barristers and Solicitors in Vancouver demanding a retraction and apology to city staff members for statements made in a letter to council members, carbon copied to The Herald (but never published as a letter to the editor.)

Instead Slump held a press conference, hired local attorney Paul Varga and has refused to apology.

"I too was viciously hunted down and persecuted by a City of Penticton councillor back in 2005," said Prystay in why he's supporting Slump.

"I know how Elvena must be feeling after receiving this threatening legal action. Her blood pressure has probably gone up, she's probably not sleeping."

Prystay is referencing a lawyer's letter from a former city councillor, whose name he would not reveal, who took objection to a newspaper advertisement he purchased which was perceived to be mocking the council of the day. Prystay immediately phoned the law firm and he never heard back from them.

"Everybody should have the right to complain against a public body," said Prystay. "Freedom of speech is so important in this country. This WorkSafe BC thing, oh my God, what a crutch. WorkSafe BC is to protect workers from unsafe conditions and should not be used as a vessel to silence free speech and a person's opinion."

He also said many men and women died during wars fighting for the many freedoms Canadians enjoy such as freedom of speech and freedom of the press.

Prystay's announcement comes at the same time that Integrity B.C., an independent watchdog monitoring government in B.C., issued a press release which agreed with many concerns addressed in Slump's letters.

"At best the letter was ill-advised and at worse it was foolhardy for one simple reason – the same one Brian Mulroney learned at the hands of Solange Denis – don't mess with seniors," said IntegrityBC executive director Dermod Travis.

(The case he refers to is an altercation between the prime minister and senior citizen who heckled, "you lied" in 1985.)

Slump, who went on vacation shortly after her announcement, said she's touched by Prystay's generosity and is pleased with the support she's received thus far. She realizes she does have detractors, which is fine, as "everyone is entitled to have an opinion."

Prystay said he will personally invite all of the city councilors to attend and jokes, "They won't need to bring a video camera, the Barking Parrot has plenty of surveillance in place." (He refers to a senior staffers video taping a non-partisan event last week when John Vassilaki announced his candidacy for mayor.)

Free Elvena will be held Sept. 17 from 5 - 6:30 p.m. and offers free hamburgers and music by folk/rock musician Gord McLaren, who is waiving his performer's fee for the event. The evening is free with donations being accepted for Slump's legal defence. Should the city drop the legal action, all money collected will be returned or forwarded to a charity of the donor's choice.



### Fundraiser

Penticton senior Elvena Slump, centre, is flanked by musician Gord McLaren, left and David Prystay, right, as Prystay announced the "Free Elvena" fundraiser, scheduled for Wednesday at The Barking Parrot.

## Integrity BC says City should learn from Brian Mulroney

Special to The Herald | Posted: Friday, September 12, 2014 6:30 am

Penticton city council needs to set down guidelines on the issuance of lawyer's letters following Mayor Garry Litke's arbitrary decision to have one sent to Elvena Slump, age 75, demanding apologies for alleged defamatory comments related to three senior staff at City Hall.

“At best the letter was ill-advised and at worse it was foolhardy for one simple reason – the same one Brian Mulroney learned at the hands of Solange Denis – don't mess with seniors,” said IntegrityBC executive director Dermod Travis.

In 1985, Denis confronted Mulroney on Parliament Hill after then finance minister, Michael Wilson, announced plans to de-index old age pensions. Denis's "you lied" shouted at Mulroney and captured on national television ultimately forced the government to back down from its cuts.

In drafting guidelines, Penticton should consider those at the provincial level where the filing of defamation suits can only be commenced if the province's Legal Services Branch provides the administrator with a legal opinion that there's a cause of action.

IntegrityBC has reviewed nearly three dozen letters to the editor from Slump and while some of those letters may get under the skin of some at city hall, many of the concerns she raises are shared by residents in other municipalities across B.C.

Slump has taken issue with in camera council meetings and the reasons for those closed-door meetings. For many local governments in B.C., in camera meetings have almost become standard operating procedure, with little or no regard to the purpose, length or the number of items under consideration.

In 2011, Toronto's city council – in a city with an operating budget of \$9.6 billion – had 17 in camera meetings. Nineteen items were under consideration at those meetings and all told they lasted less than 17 hours. In 2012, while they considered 24 items, they did so in fewer sessions (13) and in less time. All data that is readily available from the City of Toronto's website.

In Ontario, citizens can also complain to that province's ombudsman if they believe an in camera meeting was improperly held.

Slump has also rightly pointed to another growing problem at city halls in B.C.: secrecy. And it's a trait that breeds distrust among citizens.

“Councils should operate from one simple principle: if you don't have anything to hide, don't hide it,” said Travis. “If a decision or an expense was authorized, politicians should stand by it. And if it wasn't authorized then they have even bigger problems.”

Integrity BC is a not-for-profit organization which serves as a watchdog on government spending. It was founded in 2011 by a prominent Vancouver businessman and presently has more than 6,000 supporters.



Outside organization weighs in on the debate

Elvena Slump is pictured at this month's press conference on the steps of City Hall.