Subject: RE: May 10, 2004: Regular Council Meeting
   Date: Wed, 12 May 2004 20:29:26 -0700
  From: "Ernie Crist" <ernie_crist@dnv.org>
    To: "Shana Burrows" <Shana_Burrows@dnv.org>
   CC: "Mayor and Council - DNV" <Council@dnv.org>, "Senior Management Committee" <managecomm@dnv.org>,
        "FONVCA (E-mail)" <fonvca@fonvca.org>

Ms Burrows:

Did the Mayor's extensive comments at the open meeting of May 10 on the issue of
establishing a committee to investigate Councillor Crist constitute a "debate",
especially since he had raised and reported on the matter at a previous open meeting of
Council already or is he allowed to speak twice on the same subject while I may not? As
it is he spoke on May 3 the first time and on May 10 the second time while I was only
allowed to speak on May 3. The question, in other words, is, did the Mayor's raising of
this issue on two occasions in public constitute a violation of democratic procedure
and, if so, is this an infringement of my rights in the face of the most serious
allegations reminiscent of an erstwhile show trial.

Furthermore, to be precise, during the meeting I was not asking to debate the matter per
se since I had already made my statement on a previous occasion but to raise a point of
order and seek clarification. This was in response to the Mayor's lengthy speech and what
I considered to be a one sided debate. However, when I attempted to seek clarification,
I was unable to do so since I was interrupted by the Mayor.

Indeed this brings me to my second question. Did the Mayor's interruptions, clearly
geared to deprive me of an opportunity to either comment and/or raise questions,
constitute a violation of procedure or policy? Following my query related to this matter
you responded quickly that there will be no debate on In Camera Minutes and I was held
to this policy but the Mayor was not. In other words where does it say that the Mayor can
do that which I may not and where does it say that he may do so extensively and in a
manner which to my mind clearly constitutes an attack.

The question is this - does all this constitute a violation of procedure by the Mayor? As
of this moment it does so in my book? Please clarify. Please be aware that anything you
state in your capacity as acting Clerk may be used as evidence in a court of law
notwithstanding any opinion provided by any other member of District staff.

Thank you,

Ernie Crist

> -----Original Message-----
> From: Shana Burrows
> Sent: May 12, 2004 9:14 AM
> To: Mayor and Council - DNV
> Cc: Nathalie Valdes
> Subject: RE: May 10, 2004: Regular Council Meeting
>
> The minutes will be prepared in the usual manner and will note the time that Councillor
Crist left the meeting. "Councillor Crist left the meeting at 8:52 p.m. and did not
return prior to adjournment"
>
> A transcript of the Release of Decision item will be prepared by Nathalie Valdes at
Councillor Crist's request and will be charged to his monthly secretarial services
account.
>
> The procedure bylaw states "when an item dealt with at a closed meeting is no longer
confidential in the opinion of the Mayor or as resolved by Council, the minutes for that
item shall be received without debate in a Council meeting".
>
> Shana Burrows
> Deputy Clerk
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>            -----Original Message-----
>       From:   Nathalie Valdes
>       Sent:   May 11, 2004 12:38 PM
>       To:     Shana Burrows
>       Cc:     Ernie Crist
>       Subject:        May 10, 2004:  Regular Council Meeting
>       Importance:     High
>
>       Councillor Crist is requesting the following:
>
> *     to have the phrase added on to the Minutes of last night's meeting:
>
>                "Councillor Ernie Crist left the Council meeting in protest since the
Mayor repeatedly did not allow Councillor Crist to respond to the charges the Mayor
indicated."
>
> *     a transcript of what the Mayor said and his (Councillor Crist's) reply.
>
> *     would like some clarification as to the procedure of releasing Special Closed
Meeting decisions.  Will the Mayor just read out the decision(s)?  Or is he allowed to
start discussing the issue?
>
>
>       Per Councillor Crist
>       May 11, 2004
>       12:30 p.m.
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>
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