

TOWN OF CALEDON INTEGRITY COMMISSIONER, DAVID G. BOGHOSIAN

Citation: Complaint re: Mayor Groves Complaint re Budget Process Comments – DGB-CaledonICI-2025-004

Date: September 30, 2025

REPORT ON COMPLAINT

Overview

[1] On September 18, 2025, I received a Complaint from Councillor Dave Sheen regarding comments made by Mayor Groves in a letter she wrote to the Caledon Citizen that was published on September 18, 2025 regarding the 2026 Town budget process.

Complaint

[2] The Complaint reads as follows:¹

This formal complaint is submitted concerning Mayor Annette Groves' public statement in her September 18, 2025 media article (letter) in the Caledon Citizen, inaccurately claiming that "Town Council directed staff to prepare the budget for early approval." The actual direction was made solely by the Mayor through Mayoral Decision 2025-02 utilizing strong mayor powers. Despite clear documentary evidence and staff acknowledgments - including the staff budget memo delivered to Council on July 8, 2025, which references the mayoral directive - the Mayor continues to publicly frame key actions as being taken by Council. This pattern appears designed to avoid transparency regarding her use of strong mayor powers.

Factual Background

- On September 18, 2025, Mayor Annette Groves published an article stating that Town Council directed staff to prepare the 2026 budget for early approval (see attached image).
- In reality, a formal Mayoral Decision issued by the Mayor under Part VI.1, Special Powers and Duties of Head of Council, was the sole directive: Mayoral Decision 2025-02, dated May 29, 2025 (attached).

¹ The following is verbatim except for the deletion of the Supporting Documents section in the original Complaint. The relevant documents are addressed below.

- The staff memo delivered to Council on July 8, 2025, directly references the mayoral directive, confirming staff acted upon that decision - not Council direction.
- No Council resolution exists giving similar direction, and meeting records corroborate this absence.
- This is not the first instance where the Mayor has downplayed or mischaracterized her use of strong mayor powers, seemingly disliking when these issues are raised. This repeated pattern risks eroding transparent governance and public trust.

Code of Conduct Provisions Potentially Breached

1. Policy Statement (Page 5):

- Requires members to act with integrity, honesty, and accountability, and to withstand public scrutiny.

2. Section 3: Communications Media Relations Promotion

- 3.1: Members must convey information regarding Council's decisions and actions openly, accurately, and fairly.
- 3.2: Members must accurately communicate Council decisions, regardless of personal disagreement.

3. Section 1: Roles and Obligations

- Requires members to uphold sound management, planning, and accountability, and understand respective statutory obligations.

Reasoning

The Mayor's article misrepresents the source of direction for a core municipal action - the Town's 2026 Budget - contradicting her own mayoral decision and official staff communications. Her statements attribute Council as the directing body, obscuring her sole exercise of statutory authority. This pattern of framing mayoral action as Council decisions is misleading and violates both the spirit and letter of sections requiring honesty, transparency, and accountability. While the Mayor may dislike scrutiny of her use of strong mayor powers, concealing or mischaracterizing such decisions fails the public interest and diminishes confidence in her as Head of Council and in Council's communications.

Request for Action

I respectfully request that the Integrity Commissioner investigate and address this specific instance where Mayor Annette Groves published a demonstrably

misleading article on September 18, 2025, falsely claiming Town Council directed staff in the budget preparation for 2026. This misrepresentation undermines transparency in municipal processes and confuses the public about the lawful role of the mayor and council under strong mayor powers.

In addition to any other penalties or remedies the Integrity Commissioner deems appropriate under the Code of Conduct, I request the following specific corrective actions:

- The Mayor should be required to publicly apologize for publishing this misleading information about the budget process.
- The Mayor should be obligated to provide clear, accurate public communications explaining how the 2026 budget is being prepared under strong mayor powers, and clarify the actual role of Council in the process (proposing amendments etc.), thereby better educating Caledon residents and ensuring future communications conform to the standards of accuracy, honesty, and transparency required by the Code of Conduct.

Relevant Code of Conduct Provisions

[3] Cllr. Sheen identified the following Code of Conduct provisions he felt had been violated by Mayor Groves' statement:

Policy Statement

This Code is designed to provide clear rules and a supplement to the legal requirements within which Members must operate. These rules serve to enhance public confidence that Caledon's Members operate from a basis of integrity, justice and accountability and respect for others.

The Code of Conduct for Council Members and Designated Boards and related policies identify the Town of Caledon's expectations of Members and establishes rules for appropriate conduct to ensure that:

...

- Members shall be committed to performing their functions with integrity, honesty and accountability, and to avoid the improper use of the influence of their office, and conflicts of interest, both real and apparent;

1. Roles and Obligations

1.1 Members must recognize their responsibility to:

- a) Represent the diversity of community views in a fair, respectful and equitable manner, while developing an overall strategy for the future of the Town;
- b) Endeavour to demonstrate sound financial management, planning and accountability; c) Be aware of and understand statutory obligations imposed upon individual Members and Council as a statutory body.

3. Communications/Media Relations/Promotion

3.1 Members shall show respect for the decision-making process of Council and its Designated Boards and their Members. Information concerning adopting policies, procedures and decisions of the Council shall be conveyed openly, accurately and fairly.

3.2 Members shall accurately communicate the decisions of Council and the Designated Boards even if they disagree with the decision.

3.3 At all times, Members will take steps to ensure that their communications and presence in all forms of social media will be fully compliant with the requirements of the Social Media Guidelines for Members of Council and Designated Boards and this Code of Conduct.

3.4 Members may communicate a position that is contrary to that determined by Town Council. In doing so, Members will accurately communicate the decisions of Town Council and refrain from making disparaging comments about other Members or about Council's processes and decisions.

Documents Reviewed

[4] I reviewed the following documents provided by Cllr. Sheen:

Article entitled “Building a Budget for Caledon’s Future: Timely, Strategic, and Community-Focused,” Caledon Citizen, Annette Groves, September 18, 2025

The Town of Caledon is beginning work on the 2026 budget, with a continued focus on meeting the needs of our growing community while remaining competitive and fiscally responsible.

Earlier this year, Town Council directed staff to prepare the budget for early approval—before the start of the new fiscal year. This proactive approach ensures we can move ahead with purchasing the goods and services needed to deliver on our priorities. It helps us stay on schedule with planned projects and secure the best value in a competitive marketplace where many municipalities are seeking similar services.

As we shape the budget, we want to hear from you. Residents and businesses are invited to share their thoughts through a public survey. Your feedback is an important part of the decision-making process and helps guide the investments that shape Caledon's future.

The survey is available at www.haveyoursaycaledon.ca/budget2026 and will remain open until Tuesday, September 30, 2025.

Town Council remains committed to strong fiscal stewardship and long-term sustainability. We're focused on careful planning, making thoughtful investments, and ensuring every tax dollar is used efficiently to support high-quality services for our community. By working together, we can balance today's needs with tomorrow's opportunities.

After the public consultation period ends, Town staff will present a proposed budget to Council later this year.

To learn more about Caledon's budget and finances, visit www.caledon.ca/budget.

Memorandum to Mayor and Members of Council from Sarah Goldrup, Deputy Clerk, Corporate Services dated July 9, 2025 re: Mayor's Assigned 2026 Budget Duties under the Municipal Act

Background

The purpose of this memo is to provide an outline of the Mayor's assigned duties under [Municipal Act section 284.16](#), its associated [Ontario Regulation 530/22 section 7](#), and 2026 Budget procedures.

Mayoral decision [2025-02](#) was issued on May 29, 2025 to direct the Commissioner of Finance & Chief Financial Officer to prepare a staff proposed 2026 budget according to Council approved meeting schedules and time frames. As outlined in the whereas clauses of the mayoral decision, the duties listed below are assigned to the Mayor and cannot be delegated to Council:

- To prepare a proposed budget for the municipality and provide the proposed budget to the council for the council's consideration,
- On or before February 1 of each year,
 - prepare a proposed budget for the municipality that includes the estimates of sums required under subsection 289 (1) or 290 (1) of the *Municipal Act, 2001* as the case may be;
 - provide the proposed budget to each member of council and to the clerk,

- make the proposed budget available to the public.

Procedure By-law subsection 5.3.4 provides that Committee meetings concerning the Town Budget are set annually and will commence as set out in the annual schedule. The *Municipal Act, 2001* requires the Mayor to fulfil her assigned prescribed legislative duties. There are also significant financial stewardship implications for completing the budget prior to the start of the next fiscal year.

2026 Budget Procedures

Mayoral direction 2025-02 directs staff to prepare a proposed budget which generally conforms to the budget process during this term of council. This general conformity includes the proposed budget presentation at the first November 5, 2025 General Committee-Budget meeting. The Mayor may then use the staff prepared budget as the budget she proposes for adoption by the Town of Caledon or amend as she desires before providing to Council in her prescribed *Ontario Regulation 530/22* duties.

Town of Caledon Mayoral Decision 2025-02

To direct the Commissioner of Finance & Chief Financial Officer to prepare a staff proposed 2026 budget according to Council approved meeting schedules and time frames.

Whereas the *Municipal Act, 2001*, section 284.16(2) provides that the head of council shall, in accordance with Ontario Regulation 530/22, prepare a proposed budget for the municipality and provide the proposed budget to the council for the council's consideration; and

Whereas the *Municipal Act, 2001*, section 284.13 specifies where the head of council may delegate their powers and duties; and

Whereas the *Municipal Act, 2001*, section 284.13 does not include, and thereby not allow, preparing a proposed budget for the municipality and providing the proposed budget to the council for the council's consideration as a delegation of the head of council's assigned power and duties under Part V1.1 of the *Municipal Act, 2001*; and

Whereas Ontario Regulation 530/22, Section 7(1) provides the head of council shall, on or before February 1 of each year, (a) prepare a proposed budget for the municipality that includes the estimates of sums required under subsection 289 (1) or 290 (1) of the *Municipal Act*, as the case may be; (b) provide the proposed budget to each member of council and to the clerk; and (c) make the proposed budget available to the public; and

Whereas Ontario Regulation 530/22, Section 7(2) states if the head of council does not propose a budget to council by February 1 in accordance with subsection (1), the council shall prepare and adopt the budget for the municipality; and

Whereas the head of council of the Town of Caledon continues Council's commitment to the financial sustainability of the Town through its fiscal stewardship; and

Whereas responsible fiscal stewardship includes the timely approval of an annual budget prior to the start of the next fiscal year; and

Whereas timely approval of the budget facilitates the commencement of planned work and the procurement of goods and services in a timely manner; and

Whereas the timely procurement of goods and services is a critical factor in meeting planned work timelines and the effective management of costs in securing best pricing and services amid a competitive environment for municipal work; and

Whereas the Town of Caledon's procedure by-law subsection 5.3.4 provides that Committee meetings concerning the Town Budget are set annually and will commence as set out in the annual schedule;

Under the Authority: Part VI.1 (Special Powers and Duties of Head of Council) of the *Municipal Act, 2001*, Section 284.3(a) the Mayor as head of council may in writing, exercise the powers of the municipality to direct municipal employees to undertake research and provide advice to the head of council and the municipality on policies and programs of the municipality or of the head of council as they relate to the powers and duties under this Part, inclusive of Section 284.16(2) regarding the preparation of a proposed budget for council's consideration;

Under the Authority: Part VI.1 (Special Powers and Duties of Head of Council) of the *Municipal Act, 2001*, Section 284.3(b) the Mayor as head of council may in writing, exercise the powers of the municipality to direct municipal employees to carry out duties related to the exercise of the power or performance of the duty, including implementing any decisions made by the head of council under this Part, inclusive of Section 284.16(2) regarding the preparation of a proposed budget for council's consideration;

I, Mayor Annette Groves, direct the Commissioner of Finance & Chief Financial Officer to prepare a staff proposed 2026 Town budget according to Council approved meeting schedules and time frames that generally conform with the budget process in previous years during the current Term of Council.

This Mayoral Decision comes into effect the date it was issued.

Annette Groves, Mayor

Dated: May 29, 2025

Response

[5] In response to Cllr. Sheen's Complaint which I forwarded to her on September 19th, Mayor Groves provided me the following Response the same day:

I am writing in response to the complaint dated September 18, 2025, concerning my comments on the Town of Caledon's 2026 Budget process.

I categorically reject the suggestion that my statements were misleading or in breach of the Code of Conduct.

1. Accurate Reflection of Roles

My remarks highlighted that both the Mayor and Council play roles in the municipal budget process under the strong mayor framework. While the Mayor has statutory responsibility to initiate the draft budget, Council retains the critical responsibility of reviewing, proposing amendments, and ultimately voting on these amendments. This was the same process we followed in last year's budget where Council had the opportunity to propose amendments and voting on those amendments even though it was a Strong Mayor's budget.

Describing this as a "Council" matter reflects that it is not a unilateral process but one where Council remains fully engaged.

2. No Concealment or Misrepresentation

The complaint alleges that I attempted to obscure the use of strong mayor powers. This is not correct. I have been open and transparent in acknowledging these powers and their application. In public communications, it is appropriate to explain the process in terms residents can understand, without resorting to overly legalistic distinctions that may confuse rather than inform. At no point did I misstate the lawful framework or mislead the public.

3. Commitment to Transparency and Accountability

I have consistently acted in good faith to provide residents with accessible, accurate information about the budget process. My intent has been to reassure the community that the process remains accountable, transparent, and inclusive of Council's oversight. To suggest otherwise is unfounded.

4. Complaint Without Merit

The Code of Conduct requires honesty, accountability, and respect for the public interest. My comments met these standards. Framing the process in a way that emphasizes Council's continuing role strengthens, rather than diminishes, public confidence.

Accordingly, I submit that this complaint is without merit and should be dismissed.

Reply

[6] Cllr. Sheen's Reply was as follows:

Thank you for providing Mayor Groves' response dated September 22, 2025. I respectfully submit this reply for your consideration.

Original Complaint Remains Unaddressed

As detailed in my September 19, 2025 complaint, the Mayor's September 18 article specifically stated "**Town Council directed staff to prepare the budget for early approval**" when the documented evidence shows this direction came solely from Mayoral Decision 2025-02. The Mayor's response does not address this central factual allegation, instead attempting to reframe the issue as a broader discussion about budget roles.

Additional Context: Strong Mayor Powers and Public Communication

The Mayor's response raises additional concerns not addressed in my original complaint:

1. **Deliberate Obfuscation:** The Mayor's claim that she provided information "in terms residents can understand, without resorting to overly legalistic distinctions" suggests a deliberate choice to obscure the use of **strong mayor powers**. The distinction between mayoral authority and Council authority under **strong mayor legislation** is not merely "legalistic" - it represents fundamental changes to municipal governance that residents have a right to understand accurately.
2. **Heightened Duty and Available Resources:** As Head of Council with access to professional communications staff, legal staff, clerk staff, and public relations resources, the Mayor has enhanced capacity and responsibility to ensure accuracy in public communications about the Town's or the Council's processes. The apparent failure to utilize these resources to verify the accuracy of her budget process statements makes this error more problematic.

Consistency of Analytical Standards

In your recent investigations documented in Reports 25-001 and 25-002, you established a very rigorous analytical framework emphasizing objective interpretation over subjective intent. Your approach focused on the "**natural interpretation of the words**" used and what a member "**reasonably ought to have known**" regarding how their statements would be received. You consistently applied an **objective standard** - assessing how "**reasonable members of the public**" would interpret statements rather than accepting subjective explanations of intent.

I respectfully submit that the same analytical standards you have established should be applied consistently to evaluate whether the Mayor's public statement accurately reflected the documented source of municipal direction.

Request

As stated in my original complaint, I ask that you investigate this specific factual misrepresentation and apply consistent standards in your analysis, particularly given the fundamental importance of accurate public communication about the exercise of **strong mayor powers in the Town of Caledon**.

Good Faith and Alternative Resolution

I want to emphasize that I am advancing this complaint in good faith and believe the documented facts support my allegations. However, my overarching desire is to improve working relationships on Council and enhance mutual respect among all members. I recognize that formal complaint processes, while necessary to maintain standards, are not always ideal mechanisms for achieving collaborative governance. Should the Mayor be willing to explore alternative dispute resolution approaches that could address the underlying concerns about accurate public communication while fostering better Council relations, I would welcome such discussions.

Mayor Groves' Response to Cllr. Sheen's Reply

[7] I forwarded Cllr. Sheen's Reply to Mayor Groves by email sent on September 26th specifically asking for her position regarding engaging in the informal resolution process. In her Response sent to me on September 28th, Mayor Groves advised that she did not wish to participate in the informal resolution process and was prepared to accept whatever finding I made and penalty imposed.

Findings and Analysis

[8] The key sentence of Mayor Groves submission to the Caledon Citizen that Cllr. Sheen takes issue with is "Earlier this year, *Town Council* directed staff to prepare the budget for early approval" [emphasis added]. I agree with Cllr. Sheen that in light of Mayoral Directive 2025-02 and the July 9th Memorandum from Ms. Goldrup circulated to Members of Council, this statement is, strictly speaking, inaccurate. It was the Mayor who directed staff to prepare the 2026 budget earlier in 2025.

[9] The question then becomes: does this misstatement constitute a transgression in respect of which I can find a breach of the Code of Conduct?

[10] In keeping with my own previous holdings and those of other Integrity Commissioners, statements of general principles in Codes of Conduct generally do not create enforceable

obligations that can ground a finding of a Code of Conduct violation.² The reason why “statements of general principle” are found to be unenforceable is that they are typically too general, vague and lacking in specificity, such that persons subject to the statement of principle cannot readily determine whether their conduct crosses the line of breaching the statement and it leaves too much discretion to the person enforcing the obligation to interpret it in a subjective manner.³ I find these policy rationales for not enforcing statements of general principle apply to the Policy Statement section of Caledon’s Code of Conduct for Members of Council and Local Boards such that the provisions contained in that section do not create enforceable obligations.

[11] I find that s. 1.1 of the Code of Conduct similarly sets out statements of principle that are general, vague and lacking in specificity, such that persons subject to the statement of principle cannot readily determine whether their conduct crosses the line of breaching the statement and it leaves too much discretion to the person enforcing the obligation to interpret it in a subjective manner. For that reason, s. 1.1 of the Code cannot form the basis, standing alone, for a finding that the Code of Conduct has been breached.

[12] Section 3.1 of the Code of Conduct includes the following direction: “Information concerning adopting policies, procedures and decisions of the Council shall be conveyed openly, accurately and fairly.” Given that it was a “Mayoral *Decision*” that directed staff to prepare the budget for early approval, not a Council resolution, I find that the statement the Mayor made in the Caledon Citizen breached section 3.1 of the Code of Conduct, in that it inaccurately conveyed information concerning budget procedures and decisions.

Penalty

[13] I find that, as with the breach found in my Report 25-003, the Mayor’s misstatement regarding who directed staff to prepare the 2026 budget was technical and minor in nature.

[14] In his Complaint, Cllr. Sheen states: “While the Mayor may dislike scrutiny of her use of strong mayor powers, concealing or mischaracterizing such decisions fails the public interest and diminishes confidence in her as Head of Council and in Council’s communications.” It is clear he is implying in this sentence that the Mayor intentionally misrepresented the source of direction to staff regarding the 2026 budget for the purpose of deflecting attention from her use of Strong Mayor Powers. I reject this characterization, and accept Mayor Groves’ explanation that she was attempting to explain the process in terms residents can understand, without resorting to overly legalistic distinctions that may confuse rather than inform. Furthermore, the statement reflects positively on Council, in that it suggests that Council directed staff to prepare the budget early to ensure adequate time for reflection and debate on its content prior to the commencement of the fiscal year to which it relates rather than the Mayor taking credit for this. She could have effectively

² *Greater Vancouver Regional District v. British Columbia (Attorney General)* 309 BCAC 124, [2011 BCCA 345 \(CanLII\)](#), at paras. 45-47; *Wilson (Re)*, 2017 ONMIC 13 (CanLII), <<https://canlii.ca/t/hzv52>>; *Ford (Re)*, 2013 ONMIC 12 (CanLII), <<https://canlii.ca/t/j1vcj>>; *Danko (Re)*, 2024 ONMIC 11 (CanLII) at paras 11 to 15; and *Patterson, Lawrence, Shirton, O’Neill and Metcalfe and Mayor Bentley (Re)*, 2024 ONMIC 15 (CanLII) at para 101.

³ *Beyak et al. (Re)*, 2018 ONMIC 8 at [paras 34 to 37](#).

patted herself on the back by advising the public that she moved up the budget process using Strong Mayor Powers but she did not.

[15] This Complaint, as with the Complaint dealt with in my Report 25-003, was filed with me on the eve of the public release of my Reports 25-001 and 25-002 regarding Code of Conduct complaints against Cllr. Sheen, which I upheld.⁴ Please see my comments in paragraph [16] of Report 25-003 regarding my views of the nature of that Complaint, which, in my opinion, apply equally to the Complaint that is the subject of this Report.

[16] This concludes my investigation.

Respectfully Submitted,



David G. Boghosian,
Integrity Commissioner,
Town of Caledon

⁴ Cllr. Sheen was sent these Reports about a week prior to their public release.