

**MEETING: THE THIRTEENTH MEETING OF THE FIFTY-FOURTH THUNDER BAY  
POLICE SERVICES BOARD (CLOSED SESSION)**

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**DATE:** JUNE 20, 2023

**TIME:** 10:03 A.M.

**PLACE:** VALHALLA HOTEL & CONFERENCE CENTRE  
1 Valhalla Inn Road, Thunder Bay, ON

**ADMINISTRATOR:** MR. M. MERCER

**PRESENT:**

Ms. D. Baxter  
Mayor K. Boshcoff  
Councillor S. Ch'ng  
Ms. K. Machado  
Mr. M. Mercer

**GUESTS:**

Mr. J. Stephenson, Form Studio Architects

**ATTENDING BY ZOOM:**

Mr. J. Pepper, Principal - RPL Architects

**OFFICIALS:**

Mr. D. Fleury, Chief of Police  
Mr. R. Hughes, Deputy Chief of Police  
Ms. D. Paris, Director – Financial Services &  
Facilities, Thunder Bay Police Service  
Inspector G. Snyder, Thunder Bay Police Service  
Mr. J. Hannam, Secretary – Thunder Bay Police  
Services Board  
Ms. L. Douglas, Assistant to the Secretary - Thunder  
Bay Police Services Board

**ATTENDING BY ZOOM:**

Mr. T. Gervais, Ministry of the Solicitor General  
Mr. D. Jarvis, Fillion Wakely Thorup Angeletti LLP

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1. PRESENTATION

Update - Facility Needs Assessment – Police Headquarters

Mr. J. Stephenson, Principal – Form Studio Architects, and Mr. J. Pepper, Principal - RPL Architects presented a high level overview of the Police Headquarters Facility Needs Assessment Final Report, that had been previously presented to the Board in early 2020.

A confidential overview of potential locations for a new building, including pros and cons for each proposed site, was provided.

Ms. D. Paris, Director – Financial Services & Facilities, Thunder Bay Police Service, also responded to questions. She noted that \$2.4M remains in the budget; it would include hiring a project manager, securing a new site, and then hiring experts to develop a more detailed design.

Administrator M. Mercer asked the Board how they would like to proceed: do they want to move forward acquiring land for a new site? Mr. J. Hannam noted that the decision to acquire a new site would ultimately be made by the City.

MOVED BY: Mr. M. Mercer

# THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION

June 20, 2023

Page 2 of 7

---

With respect to the proposed building project for a new Police Headquarters, and an overview of the building needs assessment and building options having been received, we recommend that the Thunder Bay Police Services Board reaffirm the prior decision of the Board, of April 20, 2021, that a new centralized police headquarters be constructed;

AND THAT this decision be conveyed to the City of Thunder Bay.

CARRIED by the Administrator

At 10:27 a.m., the Board reverted back into Regular Session to continue with the business at hand.

At 11:22 a.m., the Board re-entered Closed Session to discuss the Evergreen a United Neighbourhood funding request.

## 2. PETITIONS AND COMMUNICATIONS

### a) Evergreen a United Neighbourhood – Funding Request

Mayor K. Boshcoff provided his concerns with the Evergreen funding request. He also noted that there are multiple organizations in the same area seeking funding. Discussion followed on the great need for services in the McKellar/Ogden neighbourhood. A concern was raised that this funding request is to cover salaries. The Board recognized that the need is there for funding assistance.

At 11:38 a.m., the Board reverted back into Regular Session to continue with the business at hand.

At 11:55 a.m., the Board re-entered the Closed Session to continue with the business at hand.

#### **PRESENT:**

Ms. D. Baxter  
Mayor K. Boshcoff  
Councillor S. Ch'ng  
Ms. K. Machado  
Mr. M. Mercer

#### **OFFICIALS:**

Mr. D. Fleury, Chief Designate of Police  
Mr. R. Hughes, Deputy Chief of Police  
Inspector G. Snyder, Thunder Bay Police Service  
Mr. J. Hannam, Secretary – Thunder Bay Police  
Services Board  
Ms. L. Douglas, Assistant to the Secretary - Thunder  
Bay Police Services Board

#### **ATTENDING BY ZOOM:**

Mr. T. Gervais, Ministry of the Solicitor  
General  
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Angeletti LLP

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## 3. DISCLOSURES OF INTEREST

## THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION

June 20, 2023

Page 3 of 7

---

There were no disclosures of interest declared at this time.

4. ORGANIZATION AND PERSONNEL

a) SIU Matter 22-OSA-320

Confidential Memorandum to the Thunder Bay Police Services Board from Inspector Gordon Snyder, dated June 14, 2023, relative to an SIU Administrative Report, was provided to the Board for information purposes only.

Inspector G. Snyder, Thunder Bay Police Service, provided an overview of the above noted Memorandum, as well as the legislative requirements on the reporting process.

He noted that body worn video provided evidence for this incident and it was determined that there was no criminal wrongdoing. All policies were followed by the officers involved.

Upon further review of the body cam video regarding the female complainant in this matter, Inspector Snyder advised that adjustments have been made to the Care and Handling of Prisoners policy.

5. UPDATES FROM LEGAL COUNSEL

Mr. D. Jarvis, Filion Wakely Thorup Angeletti LLP, advised that there were no new items or other updates to report on at this time.

His office continues to work on the complicated WSIB/Annual Leave Grievance.

At 12:04 p.m., Mayor K. Boshcoff and Mr. D. Jarvis left the meeting.

6. ORGANIZATION AND PERSONNEL, continued

b) Performance Goals for Chief of Police D. Fleury

Pursuant to the Employment Agreement between Darcy Fleury and the Thunder Bay Police Services Board – Article 1 – Employment Compensation and Benefit/Performance Bonus, the Board will discuss and set the goals and objectives for six (6) month intervals during the first three (3) years of the agreement.

Pursuant to Performance Bonus Term 4.7, “the parties agree that the Performance goals for the first two six (6) month intervals (of the first year of the Term) will be mutually agreed upon by the parties, in writing, no later than June 30, 2023.”

Copies of the 2023/24 Performance Plan from Chief Fleury were distributed separately via email

## THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION

June 20, 2023

Page 4 of 7

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to Members of the Police Services Board on June 19, 2023.

Chief D. Fleury provided an overview of his three main objectives, and included an overview of what can be funded, based on the current Police Service budget.

Chief Fleury will take on the role in respect of Indigenous matters that the Expert Panel recommended be assigned to a new Deputy Chief. Some of the responsibilities of the Police Chief will be shifted to the Deputy Police Chief – Administration, once that position is filled.

Discussion was held relative to the pros and cons of hiring externally versus internally, as well as the benefits of rotating positions. Discussion was also held relative to persons in acting roles applying for the permanent position.

Chief Fleury responded to questions about learning opportunities for the Chief's support staff and how he will assist in developing their careers.

Chief Fleury to provide an updated version of the Performance Plan to the Secretary for further review by the Board.

At 12:30 p.m., Ms. D. Baxter left the meeting.

### 7. CONFIRMATION OF AGENDA

MOVED BY: Mr. M. Mercer

With respect to the Thirteenth Session (Closed) of the Fifty-Fourth Thunder Bay Police Services Board held on June 20, 2023, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED by the Administrator

### 8. CONFIRMATION OF MINUTES

The Minutes of the Eleventh Session (Closed) of the Fifty-Fourth Thunder Bay Police Services Board held on May 23, 2023 were distributed separately with the Closed Session Agenda.

Chief D. Fleury requested a revision to the wording in the SIU Briefing section of the minutes.

MOVED BY: Mr. M. Mercer

Minutes of the Eleventh Session (Closed) of the Fifty-Fourth Thunder Bay Police Services Board, held on May 23, 2023 be confirmed as amended.

## THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION

June 20, 2023

Page 5 of 7

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CARRIED by the Administrator

9. ORGANIZATION AND PERSONNEL, *continued*

c) HRTO Complaint

Inspector G. Snyder provided an overview of HRTO Complaint #2002-50422-I-Chantel Gullaher v Thunder Bay Police Service. The complaint was based on the Service's policies around COVID vaccinations versus religious beliefs. It was noted that the Human Rights Tribunal has accepted the complaint, and that the Service needs to respond by June 23, 2023.

The report was received by the Board.

Inspector G. Snyder left the meeting at 12:50 p.m.

d) Parental Leave Requests

Correspondence to Chief D. Fleury from PC Tim Baxter, dated May 26, 2023, relative to a request for parental leave, as well as a response to PC T. Baxter from Chief of Police Darcy Fleury, dated May 26, 2023, was provided for the Board's information.

Correspondence to Chief D. Fleury from CM Laura Godeski, dated June 6, 2023, relative to a request for maternity leave, as well as a response to CM L. Godeski from Chief of Police Darcy Fleury, dated June 9, 2023, was provided for the Board's information.

10. GENERAL MATTERS

a) Consulting Services – Policing Expertise

Confidential Memorandum to the Thunder Bay Police Services Board from John S. Hannam, Secretary, dated June 12, 2023, relative to a recommendation for consulting services on policing expertise, was provided for the Board's information.

Correspondence from Retired Chief of Police J.P. Levesque relative to a proposal to act as a consultative resource for the Board, was provided for the Board's information.

Mr. J. Hannam, Secretary to the Thunder Bay Police Services Board, provided an overview relative to the above noted and responded to questions.

Chief Fleury provided his concerns with this proposal.

At 12:54 p.m. Chief D. Fleury and Deputy Chief of Police R. Hughes left the meeting.

## THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION

June 20, 2023

Page 6 of 7

---

Board members and Administrator Mercer provided their concerns with this proposal.

Mr. T. Gervais, Police Services Advisor – Ministry of the Solicitor General, commented that the idea of someone with prior experience and inside knowledge of the Service, the community, and all of the players consulting with the Board is good in theory. The Board would benefit from that type of advice; however, another former Chief of Police might be more appropriate.

MOVED BY: Mr. M. Mercer

With respect to the proposal for consulting services from Retired Chief of Police J.P. Levesque, we recommend that the Thunder Bay Police Service accept the proposal;

AND THAT these services be utilized at the Board's discretion and need.

LOST

b) Memorandum – Summary of Approvals by Administrator

Confidential Memorandum to Members of the Thunder Bay Police Services Board from Mr. J. Hannam, Secretary to the Board, dated June 12, 2023, relative to a summary of approvals made by Administrator Malcolm Mercer since the May 23, 2023 Closed Session, was provided for the Board's information.

c) Accounts Update – Approval for Payment of Invoices

Confidential Memorandum from John S. Hannam, Secretary to the Board, to Members of the Thunder Bay Police Services Board, dated June 12, 2023, relative to the invoices processed for payment since the May 23, 2023 Closed Session, was provided for the Board's information.

11. NEW BUSINESS

There was no New Business presented.

At 1:02 p.m., Mr. J. Hannam and Ms. L. Douglas left the meeting.

12. GENERAL MATTERS, *continued*

d) Renewal of Contracts for Administrative Services for the Board

Confidential memorandum to the Thunder Bay Police Services Board from Malcolm Mercer, dated June 12, 2023, relative to the renewal of contracts for Administrative Services for the Board, was provided for the Board's information.

## THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION

June 20, 2023

Page 7 of 7

---

MOVED BY: Mr. M. Mercer

With respect to the contract for administrative services for the Thunder Bay Police Services Board, we recommend that the Board renew the contract with John Hannam, as Secretary, and Linda Douglas, as Assistant to the Secretary, for the period of August 1, 2023 to July 31, 2024.

CARRIED by the Administrator

Mr. J. Hannam and Ms. L. Douglas re-entered the meeting at 1:16 p.m.

### 13. TRACKING OUTSTANDING MATTERS

- Response to Jury Recommendations RE: Mamakwa/McKay Inquest due by **July 9, 2023**.
- Request for Appointment of a Conciliation Officer - Firth
- Ogima Complaint
- Oruitemeka Inquest
- Response to TBPA Grievance RE: Greenshield Benefits

### 14. CONFIRMING BY-LAW

MOVED BY: Mr. M. Mercer

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Administrator and Secretary of the Thunder Bay Police Services Board, sealed and numbered:

1. A By-law to confirm the proceedings of a Closed Session of The Thunder Bay Police Services Board, this 20<sup>th</sup> day of June, 2023.

Explanation: Confirmation of the proceedings and each motion, resolution and other action passed or taken by the Thunder Bay Police Services Board at this meeting is required, adopted, ratified and confirmed as if all such proceedings had been expressly embodied in this By-law.

BY-LAW NUMBER: PC15 – 2023

CARRIED by the Administrator

### 15. ADJOURNMENT

The meeting adjourned at 1:19 p.m.