

MEETING: THE SECOND SESSION OF THE FIFTY-FIFTH THUNDER BAY POLICE SERVICES BOARD (CLOSED SESSION)

DATE: DECEMBER 19, 2023

TIME: 9:02 A.M.

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

CHAIR: MS. K. MACHADO

PRESENT:

Mr. W. Bahlheda
Mayor K. Boshcoff
Ms. D. Baxter
Ms. K. Machado
Mr. M. Mercer

OFFICIALS:

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

ATTENDING BY ZOOM:

Councillor K. Etreni

ATTENDING BY ZOOM:

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

1. DISCLOSURES OF INTEREST

There were no disclosures of interest declared at this time.

2. CONFIRMATION OF AGENDA

A review of recent incidents of missing persons in Thunder Bay was added under New Business.

MOVED BY: Councillor K. Etreni

SECONDED BY: Mayor K. Boshcoff

With respect to the Second Session (Closed) of the Fifty-Fifth Thunder Bay Police Services Board held on December 19, 2023, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

3. CONFIRMATION OF MINUTES

Minutes of the Twenty-First Session (Special Closed) of the Fifty-Fourth Thunder Bay Police Services Board held on November 7, 2023, and the Minutes of the Twenty-Third Session (Closed) of the Fifty-Fourth Thunder Bay Police Services Board held on November 21, 2023, to be confirmed.

THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION
December 19, 2023

Page 2 of 7

MOVED BY: Mayor K. Boshcoff
SECONDED BY: Councillor K. Etreni

Minutes of the Twenty-First Session (Special Closed) of the Fifty-Fourth Thunder Bay Police Services Board held on November 7, 2023, and the Minutes of the Twenty-Third Session (Closed) of the Fifty-Fourth Thunder Bay Police Services Board held on November 21, 2023, be confirmed.

CARRIED

4. UPDATES FROM LEGAL COUNSEL

Mr. D. Jarvis, Filion Wakely Thorup Angeletti LLP, provided an update on the outstanding grievances.

An overview of the Thunder Bay Police Association/Dimini grievance was provided. To date, it has not been resolved.

The Jason Firth grievance has been resolved and a settlement was reached. An overview of the outstanding implementation of items was provided.

An arbitration date of February 21, 2024 has been set for the Allison Scott grievance. There are no settlement discussions scheduled.

The WSIB annual leave grievance and the Thunder Bay Senior Officers Association grievance against Georjann Morriseau are still outstanding and will be discussed at the Labour Relations Committee meeting being held later today.

An overview of the Human Rights Tribunal applications received to date was provided.

5. ORGANIZATION AND PERSONNEL

a) Approval of New Hire

Report No. 36/23 (Police) from Acting Chief of Police Ryan Hughes, relative to seeking approval for the hiring of a Director of Corporate Communications, was provided for the Board's information.

Chief D. Fleury and Deputy Chief R. Hughes provided an overview of the competition and interviews/quality of candidates leading up to this recommendation. They also responded to questions about the recommended candidate.

It was noted that a communication strategist is a current priority for the Police Service.

THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION
December 19, 2023

Page 3 of 7

Concerns about the recommended candidate were discussed at length. Strengths of the recommended candidate were provided.

MOVED BY: Councillor K. Etreni
SECONDED BY: Ms. D. Baxter

With respect to Report No. 36/23 (Police) from Acting Chief of Police Ryan Hughes, we approve the hiring of Tracie Smith as the Director of Corporate Communications, with a start date of January 15, 2024;

AND THAT the Acting Chief of Police be authorized to execute the contract.

CARRIED

6. REPORTS OF COMMITTEES

Labour Relations Committee

Mr. W. Bahlheda, Chair, provided a confidential overview relative to the activities of the Labour Relations Committee.

An overview of the Committee's informal meeting with the Thunder Bay Police Association was provided. Feedback from the Police Association about this meeting was positive.

At 9:58 a.m., Inspector G. Snyder entered the meeting. Mr. D. Jarvis left the meeting.

7. GENERAL MATTERS

a) Beau Aaron Baker Inquest

Verdict Explanation and Recommendations relative to the Inquest into the death of Beau Aaron Baker, was distributed separately with the Regular Session Agenda for the Board's information.

On behalf of the Thunder Bay Police Service, Inspector G. Snyder provided a verbal confidential response to the Inquest's recommendations directed to police services. The operational component of the Police Service's response was deemed confidential.

Inspect Snyder left the meeting at 10:02 a.m.

b) Community Safety & Well Being Committee Representative

Confidential Memorandum to the Thunder Bay Police Services Board from John S. Hannam, Secretary, dated December 13, 2023, relative to the appointment to the Community Safety &

THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION
December 19, 2023

Page 4 of 7

Well Being Committee, as well as an application to serve on the Community Safety & Well Being Committee, was provided for the Board's information.

Mr. J. Hannam, Secretary to the Thunder Bay Police Services Board, reported that only one application had been received in spite of additional efforts to recruit.

Discussion was held about the applicant and his representation on the Committee on behalf of the Police Services Board.

Board members recommended that the applicant meet with Chief Fleury to discuss the areas that need to be focused on as an appointed representative of the Board. The applicant will need to focus on the Board's Strategic Plan and goals. Regular reporting back to the Board on the activities of the Community Safety & Well Being Committee will be required.

Concerns about the length of the term were discussed, but the term of the appointment was not changed. It was suggested that a letter of engagement be crafted, which would include regular reporting back to the Board. Secretary Hannam will follow up on a letter of engagement.

MOVED BY: Ms. D. Baxter
SECONDED BY: Councillor K. Etreni

With respect to appointment to the City of Thunder Bay's Community Safety & Well Being Committee, we recommend that the Thunder Bay Police Services Board appoints Mr. Jason Veltri to represent the Board on the Committee for a period ending November 30, 2026, or until a replacement is named thereafter.

CARRIED

8. ORGANIZATION AND PERSONNEL, *continued*

b) Update on the 2nd Deputy Chief of Police Position

Letter of Engagement to Mr. John Hannam from Tanya Todorovic, Partner - Odgers Berndtson, dated November 13, 2023, relative to the recruitment of a second Deputy Chief of Police, was provided for the Board's information at the November 21, 2023 Closed Session of the Board.

The job description was distributed to the Board on November 24, 2023.

Mr. J. Hannam provided an update on the search for the new Deputy Chief of Police position. He reported that the Governance Committee has met with Odgers Berndtson, the recruiters. He is waiting for more feedback on the position description. It was noted that the job descriptions for the Chief of Police and the Deputy Chief of Police have to be updated in order to align with the new Administrative position.

THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION
December 19, 2023

Page 5 of 7

Administrator M. Mercer reminded Board members that this position was a recommendation from the Expert Panel's Final Report.

9. GENERAL MATTERS

a) Missing Person Investigation

Chief D. Fleury provided a confidential update on circumstances leading up to the death of missing teen Mackenzie Moonias. The investigation is ongoing.

On behalf of the City of Thunder Bay, Mayor K. Boshcoff will offer condolences to the family. Chief Fleury will arrange for the Mayor to meet with the family.

Chair K. Machado will offer condolences on behalf of the Police Services Board at the onset of the public session.

10. RECESS

At 10:25 a.m., it was the consensus of the Board to recess Closed Session in order to move into Regular Session. The meeting would reconvene after the Regular Session.

11. RESUMPTION

At 12:23 p.m., the Board re-entered the Closed Session to continue with the business at hand. All five (5) Board members, Administrator Mercer, Chief Fleury, Deputy Chief Hughes, Mr. Hannam, Ms. Douglas, and Mr. T. Gervais (via Zoom) were present.

12. GENERAL MATTERS, continued

a) Missing Person Investigation, continued

Discussion on the Mackenzie Moonias death continued. Chief Fleury responded to questions about the investigation.

The language in the media release regarding the status of the missing person investigation was discussed. Improvements to communication with the public were also discussed.

Updates to the Police Service's website regarding missing persons were discussed.

13. ORGANIZATION AND PERSONNEL, continued

c) Chantal Gullaher v. Thunder Bay Police Services Board

THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION
December 19, 2023

Page 6 of 7

Chief D. Fleury provided an overview relative to the above noted file and responded to questions.

Deputy Chief R. Hughes left the meeting at 12:45 p.m.

d) 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.”

The 2023/2024 Performance Plan Objectives were provided for the Board’s information and were approved at the June 26, 2023 Special Closed Session of the Board. A chart on the current results of the Chief’s 2023/24 Performance Plan, was distributed separately to Board Members only.

Chief Fleury provided a high level overview of the highlights of his activities since he was sworn in as Chief of Police in May, 2023, and responded to questions.

Board members commented on the positive feedback they have received from the community about Chief Fleury.

Chief D. Fleury left meeting at 1:08 p.m.

Performance Objectives were further discussed by the Board, as well as the \$10,000 bonus based on the first six months of the Chief’s performance.

It was noted that a better process to assess performance and accomplishments and to provide constructive feedback is needed for the Board.

MOVED BY: Ms. D. Baxter
SECONDED BY: Mayor K. Boshcoff

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 has determined that Chief Darcy Fleury has achieved the Performance Goals for the first six (6) month interval of his Employment Contract, and recommends that a bonus

THUNDER BAY POLICE SERVICES BOARD

CLOSED SESSION
December 19, 2023

Page 7 of 7

payment, in the amount of \$10,000.00, less applicable statutory deductions, be issued as soon as is deemed possible.

CARRIED

e) Dimini Grievance

Administrator M. Mercer provided a verbal update relative to the above noted file.

14. NEW BUSINESS

There was no New Business presented.

15. TRACKING OUTSTANDING MATTERS - None

16. CONFIRMING BY-LAW

MOVED BY: Mayor K. Boshcoff
SECONDED BY: Ms. D. Baxter

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Chair 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 19th day of December, 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: PC30 – 2023

CARRIED

17. ADJOURNMENT

The meeting adjourned at 1:07 p.m.