



Settle down.

FOR IMMEDIATE RELEASE

February 29, 2016.

RE: Court Announces Ruling for Councillor Julia Butler – UPDATE

Grand Forks, BC – The Honourable Mr. Justice Greuell of the British Columbia Supreme Court ruled today in the City’s application to have the office of Councillor Julia Butler declared vacant on the basis that she contravened sections 100 and 101 of the *Community Charter*. In his Reasons for Judgment, Justice Greuell held that, while Councillor Butler “clearly had a direct conflict of interest when she participated in discussion about the [Water Meter] Program before she divested herself of doing business as Eden [Yardcare] in early March, 2015”, she did not have a conflict of interest when she voted on the bylaw. On that basis, Justice Greuell dismissed the City’s application, with costs to Councillor Julia Butler. In a twelve page document, Mr. Justice Greuell provided his rationale for the judgement.

In May of 2015, Grand Forks City Council filed a Petition with the British Columbia Supreme Court to have Councillor Butler’s perceived conflict of interest reviewed. Mr. Justice Greuell ruled today that Councillor Butler will not be removed from office as Councillor for the City of Grand Forks.

While, at paragraph 30 of his Reasons for Judgment, Justice Greuell stated that “In [his] view Ms. Butler quite clearly had a direct conflict of interest when she participated in discussion about the [Water Meter] Program before she divested herself of doing business as Eden [Yardcare] in early March, 2015”, he held at paragraph 32 that he was satisfied that “Ms. Butler’s change in status from operating her own business to taking a position of employment with Arch [Angle] [did] not place her in a conflict with the [Water Meter] Program.” On this basis, Justice Greuell held that the City had not established that, at the time that Councillor Butler voted on the bylaw, she had a conflict of interest, and dismissed the Petition against Councillor Butler, with costs.

In a statement issued earlier today, it was reported that Justice Greuell ruled that Councillor Butler was in a conflict of interest. To be clear, while, at paragraph 30 of his Reasons for Judgment, Justice Greuell found that Councillor Butler “clearly had a direct conflict of interest when she participated in discussion about the [Water Meter] Program” until early March, 2015, Justice Greuell found that Councillor Butler did not have a conflict of interest when she voted on the bylaws, and declined to declare vacant her seat on the City Council.

Mayor Frank Konrad said “The Council accepts the ruling and I am happy we can put this behind us and continue to move forward with the work of the City”.

The City has 30 days to consider whether to appeal Justice Greuell’s decision to the British Columbia Court of Appeal.

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