



Affidavit #1 of Andrew Young
December 19, 2025

No. 2512336
Victoria Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

**RE: THE VILLAGE OF SAYWARD IN THE MATTER OF SECTION 129 OF THE
COMMUNITY CHARTER, SBC 2003, C. 26**

1. I, Andrew Young, MCIP, RPP, Chief Administrative Officer and Corporate Officer ("CAO"), of the Village of Sayward ("Village"), 652 H'Kusam Way, PO Box 29, Sayward, British Columbia V0P 1R0, have personal knowledge of the facts and matters referred to by me. *swear that I*
2. I make this Affidavit in response to Councillor Scott Burchett's and Councillor Susan Poulsen's Affidavits respectively sworn December 5 and December 8, 2025, and Councillor Burchett's and Councillor Poulsen's Response to Petition dated December 8, 2025 all of which were filed in these proceedings.
3. I also make this Affidavit in support of the Village's application under sections 129(4) and 129(5) of the *Community Charter*, SBC 2003, c. 26 that the quorum for Village Council be reduced from three Councillors to two Councillors, being Councillors Debbie Coates and Jason Johnson, who may vote and discuss on whether to pass a resolution to:
 - (a) resume consideration of a motion of censure and related sanctions ("Motion of Censure and Related Sanctions") against Village Councillors Susan Poulsen and Scott Burchett (together, the "Two Councillors") for their respective possible contraventions of section 117 of the *Community Charter*, SBC 2003, c. 26, sections 2(b), 3, 4, 17, 19, 25 and 26 and possibly section 10 of the Village's *Code of Conduct Bylaw No. 442, 2018* ("**Code of Conduct**") and section 21(7) of the Village's *Council Procedure Bylaw No. 416, 2015* ("**Council Procedure Bylaw**"), and possibly also under the new *Code of Conduct Bylaw* adopted on January 21, 2025, and in relation to:
 - (i) the Two Councilors' possible unauthorized disclosure to third parties of information and documents received in confidence and information and documents discussed during closed Village Council meetings; and
 - (ii) the Two Councillors' likely disrespectful behaviour towards Keir Gervais, (now former) Chief Administrative Officer of the Village;

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- (b) possibly commence court proceedings against at least one of the Two Councillors and Village staff for possible misconduct and possibly against John France for possible wilful misconduct in assisting in such possible wilful misconduct.
- 4. On Monday, August 18, 2025 I commenced my employment as the Village's CAO and Corporate Officer.
- 5. In response to the entirety of the Response to Petition, and in specific response to paragraph 18 of Part 4 and paragraph 48 of Part 5 of the Response to Petition, and paragraph 20 of Councillor Burchett's Affidavit, sworn December 5, 2025 and paragraph 13 of the Affidavit of Councillor Poulsen's Affidavit, sworn December 8, 2025, Village Council has not made any decisions and cannot do so unless and until the Supreme Court issues an order to reduce Village Council quorum so that Councillors Coates and Johnson may discuss and vote on whether to:
 - (a) resume consideration of a Motion of Censure and Related Sanctions against the Two Councillors for their respective possible contraventions of *Community Charter* section 117 and sections 2(b), 3, 4, 17, 19, 25 and 26 and possibly section 10 of the *Code of Conduct* and section 21(7) of the *Council Procedure Bylaw* and possibly also under the new *Code of Conduct Bylaw* adopted on January 21, 2025, and in relation to:
 - (i) the Two Councillors' possible unauthorized disclosure to third parties of information and documents received in confidence and information and documents discussed during closed Village Council meetings; and
 - (ii) the Two Councillors' likely disrespectful behaviour towards Keir Gervais, (now former) Chief Administrative Officer of the Village, ("together, the "Order that Village Council May Proceed to Consider a Censure Motion");and
 - (b) possibly commence court proceedings against at least one of the Two Councillors and Village staff for possible wilful misconduct and possibly against John France for possible wilful misconduct in assisting in such possible wilful misconduct, ("Order that Village Council May Consider Commencing Court Proceedings"),

(the "Village Application to Reduce Quorum").
- 6. On October 14, 2025 I sent to each of Councillor Susan Poulsen, Councillor Burchett and the Village's Chief Financial Officer my October 14, 2025 letter and an email with a link to a sharefolder which contains copies of the Village's filed Petition dated October 14, 2025, the filed Affidavit of Mayor Baker, sworn October 7, 2025 and the filed Affidavit # 1 of John Thomas, sworn October 3, 2025. Attached and marked as **Exhibit "A"** to this my Affidavit are copies of my October

- 14, 2025 emails with attached October 14, 2025 letters, Councillor Poulsen's October 30, 2025 reply email with attached letter and Village legal counsel's October 31, 2025 email to Councillor Poulsen which I was blind copied on.
7. On October 18, 2025 John France was served with the Petition and Affidavit of Mayor Baker, sworn October 7, 2025 and Affidavit of John Thomas' Affidavit #1, sworn October 3, 2025. Attached and marked as **Exhibit "B"** to this my Affidavit is a copy of the Affidavit of Service of Amy MacDonald, sworn October 24, 2025.
 8. In response to paragraphs 24, 37 to 42, 43, 46, 47, 48 and 50 of Part 5 of the Response to Petition, and paragraph 24 of the Affidavit of Councillor Burchett, sworn December 5, 2025 and paragraph 16 of the Affidavit of Councillor Poulsen, sworn December 8, 2025, I asked Mayor Baker to declare on December 16, 2025 and during a special *in camera*/closed Village Council meeting as he did during the September 30, 2025 *in camera*/closed Village Council meeting through the statements at paragraphs 13 of 15 of his draft Affidavit presented to Village Council on September 30, 2025 that Mayor Baker has a conflict of interest on the basis of having another interest in the matter, being a reasonable apprehension of bias or disqualifying bias, and in relation to the sought Order that Village Council May Proceed to Consider a Censure Motion and Order that Village Council May Consider Commencing Court Proceedings (together, the "Two Sought Orders").
 9. In further response to paragraphs 24, 37 to 42, 43, 46, 47, 48 and 50 of Part 5 of the Response to Petition, and paragraph 24 of the Affidavit of Councillor Burchett, sworn December 5, 2025 and paragraphs 14, 15, 16, 18 of the Affidavit of Councillor Poulsen, sworn December 8, 2025, on December 16, 2025 Mayor Baker declared a conflict and left the room. I sought that Village Council do a rise and report of the excerpts of the resolutions passed, minutes of and agenda for the June 3, September 30 and October 7, 2025 Village Council *in camera*/closed meetings which related to Village Application to Reduce Quorum. Councillor Burchett and Councillor Poulsen refused to attend the December 16, 2025 *in camera*/closed meeting. A quorum of Village Council members was not present. I determined and Councillors Johnson and Coates agreed that Village Council cannot pass a resolution to do a rise and report of the resolutions, minutes or agenda for the June 3, September 30 and October 7, 2025 Village Council *in camera*/closed meetings as a result of the declared conflict of Mayor Baker and Councillors Burchett and Poulsen refusing to attend the December 16, 2025 *in camera* Council meeting.
 10. In response to paragraph 43 of Part 5 of the Response to Petition, Nathalie Baker, legal counsel for Councillor Burchett and Councillor Poulsen received on November 19, 2025 certified and draft copies of the resolutions passed on June 3 and September 30, 2025 during Village Council *in camera*/closed meetings. Attached and marked as **Exhibit "C"** to this my Affidavit is a copy of October 20, 2025 and December 2, 2025 email correspondence between Village legal counsel and Nathalie Baker, which I was blind copied on. Prior to Village legal counsel's sending of each of her reply emails to Nathalie Baker's emails I reviewed draft reply emails

and approved the final draft reply emails before Village legal counsel sent the finalized and approved reply emails to Ms. Baker.

11. In further response to paragraph 43 of Part 5 of the Response to Petition and paragraphs 18 and 23 of Councillor Poulsen's Affidavit, sworn December 8, 2025 and paragraphs 15 and 26 of Councillor Burchett's Affidavit, sworn December 5, 2025 and as revealed in Exhibit "C" to this my Affidavit:

- (a) on November 19, 2025 each of Councillors Burchett and Poulsen were provided through their legal counsel, Nathalie Baker, with draft and certified copies of resolutions passed during the June 3 and September 30, 2025 closed/*in camera* Village Council meetings together with the draft Petition and draft Affidavit of Mayor Baker and draft Affidavit of John Thomas;
- (b) on November 27, 2025 each of Councillors Burchett and Poulsen were provided through their legal counsel, Nathalie Baker, with copies of redacted agenda for the June 3 and September 30, 2025 *in camera*/closed Village Council meetings; and
- (c) on November 24, 2025, Village legal counsel informed Nathalie Baker that:

Unless and until Village Council does a rise and report of the adopted resolutions passed during the June 3, August 8 and September 30, 2025 *in camera* Village Council meetings that relate to *Re: The Village of Sayward in the Matter of Section 129 of the Community Charter, SBC 2003, c. 26, SCBC, Victoria Registry No. 2512336* (and Village Council adopts the minutes which relate to such resolutions), the Village's position is that the draft resolutions and redacted agenda and minutes provided to Councillors Burchett and Poulsen, through their legal counsel being [Nathalie Baker], cannot be made public.

12. In further response to paragraphs 15, 16, 17, 18 and 19 of Councillor Burchett's Affidavit, sworn December 5, 2025 and paragraphs 8, 9, 10 and 11 of Councillor Poulsen's Affidavit, sworn December 8, 2025 and paragraph 35 of Part 5 of the Response to Petition:

- (a) Councillors Burchett and Poulsen were provided an opportunity to review the redacted *in camera*/closed Village Council meeting agenda at the Village's office prior to the scheduled *in camera*/closed Council meetings; and
- (b) for example, if Councillor Burchett and Councillor Poulsen chose not to review at the Village's office the redacted *in camera*/closed meeting Village agenda for whatever reason, including Councillor Burchett's assertion on September 30, 2025 to me that he was too busy working (in his fishing guide work with his own company and / or as a yacht broker with another company), I offered to read the *in camera*/closed Village Council meeting agenda at the outset of the *in camera*/closed Village Council meeting which is what occurred on September 30, 2025.

13. As a further example and in further response to paragraphs 15, 16, 17, 18 and 19 of Councillor Burchett's Affidavit, sworn December 5, 2025 and paragraphs 8, 9, 10 and 11 of Councillor Poulsen's Affidavit, sworn December 8, 2025 and paragraph 35 of Part 5 of the Response to Petition, please see **Exhibit "D"** attached to this my Affidavit which are copies of my emails to Councillor Burchett and Councillor Poulsen about reviewing redacted Village Council agenda for the September 30, 2025 and October 7, 2025 *in camera*/closed meetings and Councillor Burchett's and Councillor Poulsen's respective replies, if any.
14. In response to paragraph 8 of the Affidavit of Councillor Poulsen, sworn December 8, 2025 and paragraph 16 of the Affidavit of Councillor Burchett, sworn December 5, 2025 before the September 30, 2025 *in camera*/closed Village Council meeting could proceed:
- (a) Councillor Burchett asserted that he had not been able to review the *in camera*/closed agenda. In response to my informing Village Council on September 30, 2025 that I sent an email on September 29, 2025 to advise Councillors Burchett and Poulsen that a Special In Camera Council meeting had been called and that a redacted copy of the agenda for the Sept 30, 2025 *in camera*/closed meeting was available to review in person at the Village Office, Councillor Burchett stated "some people have to work you know and may not be available, and that [he] did not have to explain [his] whereabouts to [me]". I offered to read the September 30, 2025 *in camera*/closed agenda aloud to Councillor Burchett and to Councillor Poulsen in the meeting in light of the fact that they had not made an appointment with the CAO to review in person or via Teams the *in camera*/closed meeting agenda prior to the *in camera*/closed meeting. All Council members are aware that arrangements can be made to view *in camera*/closed meeting materials via Teams prior to Council meetings. Both Councillors Coates and Johnson have viewed *in camera*/closed meeting materials via Teams when they have been out of town and unable to attend in person. Councillor Burchett objected and became disruptive; he then pulled out his cell phone and began recording the meeting and was acting in an aggressive manner. Councillor Burchett refused to comply in spite of repeated directions from the meeting Chair Councillor Johnson to stop recording the meeting on Councillor Burchett's cell phone. Eventually, Councillor Burchett put his cell phone in his pocket and told the Council members that he had turned it off. Councillor Coates and I both expressed concern that the cell phone might still be in record mode. Councillor Johnson suggested that Councillor Burchett show him that the cell phone was switched off or that staff take custody of the cell phone, at which point Councillor Burchett stated that he did not trust the Village with confidential information and his cell phone. Councillor Johnson then suggested that Councillor Burchett remove the cell phone from the room which Councillor Burchett refused to do. After these objections and concerns had been raised by other Council members Councillor Burchett stated that he was no longer

recording the meeting which enabled Chair Johnson to call the meeting back to order based on the Councillor Burchett's word;

- (b) Councillor Burchett then stated that Mayor Baker and Councillor Coates were both in a conflict of interest. Councillor Burchett then left the meeting at 7:27 pm; and
- (c) Councillor Poulsen then stated she was not sure why she is unable to see the redacted agenda. Councillor Poulsen stated that Council members had been allowed to see redacted agendas in the past. Councillor Poulsen then stated she was unable to attend the Council meeting in person or see the in camera/closed meeting agenda before the meeting because she was out of town in Osyoos. Councillor Poulsen then left the meeting at 7:30 pm.

15. In further response to paragraphs 15, 16, 17, 18 and 19 of Councillor Burchett's Affidavit, sworn December 5, 2025 and paragraph 8, 9, 10, 11 of Councillor Poulsen's Affidavit, sworn December 8, 2025 and paragraph 35 of Part 5 of the Response to Petition, I have provided to Councillor Burchett and Councillor Poulsen redacted agenda for Village Council *in camera*/closed meetings related to the Village Application to Reduce Quorum and a workplace investigation for the following reasons:

Section 147 of the *Community Charter* states "A bylaw under section 146 may establish the position of Chief Administrative Officer of the municipality, whose powers, duties, and functions include the following... c) advising and informing the Council on the operations and affairs of the municipality.

Bylaw 488 – Appointment of Officers Bylaw No. 488, 2022", Schedule A – Powers, Duties, and Functions of the Chief Administrative Officer (CAO) states under "Legal Advice and Proceedings" "a) obtain legal advice b) authorize lawyers to defend or conduct any action or proceeding in a court of law or before any tribunal, board, or any person, for or on behalf of the municipality" AND under the "Council" section, "e) "Provide advice and recommendation to Council on any matter within Council's jurisdiction and f) report on any matter of importance to the municipal Council.

Section 100(2) of the Community Charter reads "If a council member attending a meeting considers that the member is not entitled to participate in the discussion of a matter, or to vote on a question in respect of a matter, because the member has a) a direct or indirect pecuniary interest in the matter, or b) another interest in the matter that constitutes a conflict of interest, the member must declare this and state in general terms the reason why the member considers this to be the case."

Councillor Burchett and Councillor Poulsen have both previously declared conflict of interests on this [workplace investigation].

The Petition and supporting Affidavits of Mayor Mark Baker and John Thomas and Exhibits attached to those Affidavits reference actions of Councillors Burchett and Poulsen potentially acting in ways contrary to their duties to Council.

Section 15(4) of Bylaw 512, Code of Conduct Bylaw states "A Council member is not entitled to review Confidential Information, including a privileged legal opinion, CAO's report to Council or Staff's report to Council, or any resolutions passed during

an in camera Council meeting which has not been released to the public on a subject matter about which a Council member has declared a conflict of interest.”

Within the Petition and supporting Affidavits of Mayor Mark Baker and John Thomas and Exhibits attached to those Affidavits there is also personal information, as defined in the Freedom of Information and Protection of Privacy Act (“FIPPA”).

Section 30 of FIPPA requires the Village to protect personal information in its custody and control by making reasonable securities arrangements against such risks such as unauthorized use and disclosure.

Section 25.1 of FIPPA also prohibits Village staff and its Council members from using, collecting or disclosing personal information except as authorized under FIPPA.

It is my advice to Council as per the delegated authority that Council ought to maintain the approach it has taken thus far (re. Conflict of Interest). It is in this vein as the Village of Sayward’s CAO supporting all of Council that the CAO suggests each member of Council consider whether they have an interest in this matter that warrants a new declaration of or the continuation of a declaration of Conflict of Interest in this specific investigation.

It is the CAO’s strongest recommendation that Councillor Burchett and Councillor Poulsen both declare a conflict of interest on this matter.

Further, pursuant to sections 116(2)(c) and 132(1) of the *Community Charter*, the Mayor is responsible for presiding at Council meetings when in attendance and the Mayor or the member presiding at a Council meeting must preserve order ... accordingly the CAO recommends that the Mayor NOT ALLOW the meeting to continue with either Councillor Poulsen or Councillor Burchett in attendance.

16. In response to paragraph 20 of Councillor Burchett’s Affidavit, sworn December 5, 2025 and paragraphs 12 and 13 of the Affidavit of Councillor Poulsen’s Affidavit, sworn December 8, 2025, I prepared the agenda for and took minutes of the October 7, 2025 *in camera*/closed Village Council meeting. There is no merit to Councillor Burchett’s or Councillor Poulsen’s assertions (with emphasis added) “that the matter that was on the agenda for the October 7, 2025 meeting that Mayor Baker and the CAO did not want [Councillor Burchett and Councillor Poulsen] to know about was this [Village Application to Reduce Council Quorum] and the plan to go ahead with the censure motion and to consider starting additional proceedings against [Councillor Burchett and Poulsen] and others”.
17. In further response to paragraph 20 of Councillor Burchett’s Affidavit, sworn December 5, 2025 and paragraph 13 of the Affidavit of Councillor Poulsen’s Affidavit, sworn December 8, 2025:
 - (a) Councillor Poulsen declared a conflict of interest and recused herself from the October 7, 2025 *in camera*/closed meeting at 8:24 pm. She exited the Teams link and did not return to the meeting;
 - (b) Councillor Burchett refused to recuse himself from the October 7, 2025 *in camera*/closed meeting and stated at approximately 8:27 pm that he would start recording the meeting if he is harassed;

- (c) the meeting was at a standstill; I told Mayor Baker and the Council members that I was leaving the Council Chambers to sort out their next steps. I then went to my office to call the Village's employment solicitor to let him know there was a delay in the meeting and that we could not bring him into the meeting via a Teams link until the impasse was sorted out. Mayor Baker then joined me in my office and told me that he had recessed the meeting and it was scheduled to resume at 8:35 pm. During the recess Councillor Johnson arrived in my office and some minutes later Councillor Coates arrived. I told them that I could not have them all in my office due to quorum concerns and asked them to leave. They did so. Mayor Baker and I then continued the telephone call with the employment solicitor. Our telephone call with the solicitor ended shortly before 9:00 pm;
 - (d) Mayor Baker recalled the meeting to order at 9:02 pm; and
 - (e) the *in camera*/closed meeting was adjourned at 9:02 pm.
18. In response to paragraph 27 of and Exhibit "D" to Councillor Burchett's Affidavit, I prepared the October 17, 2025 Memo for Information/Fact Sheet titled "what is a quorum" to help address misstatements on Facebook about what a quorum is and "what happens if the court approves the request to reduce the Village Council quorum".
19. In response to the entire Response to Petition and in specific response to paragraphs 18, 19 and 20 of Part 4 and paragraph 29 of Part 5 of the Response to Petition, as the Village's CAO, I seek that the Village proceed with the Village's Application to Reduce Quorum under *Community Charter* section 129 as a result of:
- (a) reviewing the statements within John France's Affidavit, sworn September 24, 2025, and filed in *Mark Baker v. John France*, SCBC, Duncan Registry No. S22667. John France's September 24, 2025 Affidavit reveals that Councillor Burchett provided to John France information that the Village received in confidence and discussed during Village closed Council meetings: see paragraphs 59 and 64 and Exhibit "L" to John France's Affidavit - documents that Councillor Burchett emailed to John France;
 - (b) reviewing restored and deleted emails of Councillor Burchett and Councillor Poulsen and former and current Village staff that are referenced in John Thomas' Affidavit #1, sworn October 3, 2025 and which reveal that Councillors Poulsen and Councillor Burchett were:
 - (i) behaving disrespectfully towards Keir Gervais;
 - (ii) disclosing information to John France that the Village received in confidence and discussed during Village *in camera*/closed Council meetings; and

- (iii) discussing with John France what steps to take against the Village, which in turn caused time and resources to be diverted away from business of the Village;
- (c) Councillor Burchett's statement to me shortly after 9:00 am on Tuesday, August 19, 2025 that "he refused to be part of Council's Dumpster Fire". Councillor Burchett made that statement the first time I met Councillor Burchett after I commenced my employment as Village CAO;
- (d) Village staff being unable to seek that:
 - (i) Village Council pass resolutions to adopt minutes of Village Council meetings, including the June 3, September 30, and October 7, 2025 *in camera*/closed Village Council meetings; or
 - (ii) Village Council pass resolutions to do a rise and report of the excerpts of the June 3, September 30 and October 7, 2025 *in camera* Village Council meetings which relate to the Village Application to Reduce Quorum,

as a result of the declared conflict of interest of Mayor Baker and Councillor Burchett's and Councillor Poulsen's conflicts of interest and disqualifying bias and Councillor Burchett's and Councillor Poulson's refusal to attend at an *in camera*/closed meeting Village Council meeting whereat such resolutions may be considered and voted upon for passing;
- (e) Councillor Burchett's continued refusal to take the training recommended by Brian Carruthers of BD Carruthers and Associates, the Municipal Advisor engaged by the Ministry of Municipal Affairs;
- (f) Councillor Burchett's disrespectful and disruptive behaviour at recent Village Council meetings; and in this regard please see:
 - (i) **Exhibit "E"** attached to this my Affidavit which is a copy of Councillor Coates' letter to Mayor Baker and me about Councillor Burchett's behaviour at a September 30, 2025 Village Council meeting; and
 - (ii) **Exhibit "F"** attached to this my Affidavit which is a copy of a member of the public's December 17, 2025 letter to Mayor Baker and me about Councillor Burchett's behaviour at the December 16, 2025 open Village Council meeting and with redactions made in accordance with the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165 ("**FIPPA**");
- (g) Councillor Burchett's inappropriate and unfounded comments directed to Village staff during an open Village Council meeting on October 21, 2025 whereat Councillor Burchett alleged the Village's Office Administrator was in

a conflict of interest in preparing or handling *in camera*/closed Village Council meeting minutes and agenda due to a relationship with a Village Council member. (The Village's Office Administrator was in attendance at the open Village Council meeting on October 21, 2025). In response, I stated to Village Council members that it is the responsibility of the Village's CAO/Corporate Officer to prepare minutes and agenda of Village Council *in camera*/closed meetings;

- (h) Councillor Burchett's repeated assertions within open and closed Village Council meetings that Mayor Baker is in a conflict in making decisions on any matters that are related to Councillor Burchett's behaviour;
- (i) Mayor Baker being a witness to Councillor Burchett's disrespectful behaviour towards Keir Gervais and both of Councillor Burchett's and Councillor Poulsen's breaches of confidentiality and it would be preferable for Mayor Baker to be a witness rather than an adjudicator of whether to proceed with consideration of a motion of censure and related sanctions against each of Councillor Poulsen and Councillor Burchett;
- (j) other than sections 129(4), 129(5) and 129(6) of the *Community Charter* there are no current legislative tools that the Province has delegated to the Village, a local government, to help Village staff and Village Council deal with this situation. The Village must obtain an Order that Village Council May Proceed to Consider a Censure Motion and/or an Order that Village Council May Consider Commencing Court Proceedings. It is expected that Village Council would not sit idly by when a Village Council member has acted contrary to their own statutory obligations. Village Council has an obligation to regulate a Village Councillor's misconduct when there is a substantial falling away from the expected standard;
- (k) the only in house enforcement tool available to the Village is consideration of issuance of a motion of censure and related sanctions against each of Councillor Poulsen and Councillor Burchett. However, given at least the perception of Mayor Baker having a reasonable apprehension of bias or having another interest in this matter that constitutes a conflict of interest or disqualifying bias, which assertions have also been made by Nathalie Baker, now legal counsel for Councillor Burchett and also Councillor Poulsen, an application to Supreme Court to reduce Village Council quorum is necessary; and
- (l) the untenable position that all of the above places on Village staff and Village Council, including with respect to:
 - (i) fulfilling the Village's purpose under section 7 of the *Community Charter* including attending to the business of the Village and providing responsible governance;

- (ii) seeking to adhere to the Village's obligations under section 33 of *FIPPA*;
- (iii) seeking to facilitate the recommendations within Brian Carruthers, Municipal Advisor's July 16, 2024 report to the Ministry of Municipal Affairs and the Village that all Village Councillors, including Councillor Burchett, receive training in governance processes and procedures, elected official roles, legal responsibilities and about a respectful workplace; and
- (iv) seeking to retain and keep talented Village staff members and reduce the risk of yet more Village staff members leaving the Village as a result of Councillor Burchett's and Councillor Poulsen's disrespectful behaviour towards Village staff.

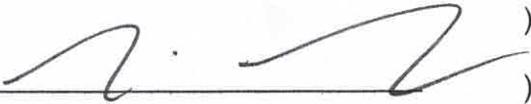
20. The untenable situation is further exacerbated:

- (a) since each of Councillors Burchett, Poulsen and John France have a bias and possible direct and pecuniary interest in whether the Supreme Court issues the Two Sought Orders in the Village Application to Reduce Quorum;
- (b) since Councillor Burchett and Councillor Poulsen have not shown any remorse, are unapologetic and have not taken responsibility for their disrespectful behaviour or disclosure of confidential information to John France;
- (c) and to add insult to injury, Councillor Burchett has sought Village Council to indemnify him for his legal fees related to censure allegations and the quorum hearing. Attached and marked as **Exhibit "G"** to this my Affidavit is a copy of Councillor Burchett's October 16, 2025 email to me to seek to place indemnification for himself on the October 21, 2025 regular/open Village Council meeting agenda and my October 17, 2025 reply email to Councillor Burchett's October 17, 2025 email to me.

21. In further response to the entirety of the Response to Petition and in specific response to paragraphs 29, 43, 44, 48 and 50 of Part 5 of the Response to Petition, unlike other provisions within the *Community Charter*, such as section 111 (Application to court for declaration of disqualification), section 129 of the *Community Charter* does not specifically state that Village Council must pass a resolution before proceeding with an application under *Community Charter* section 129(4). If Village Council was required to pass a resolution before commencing an application under *Community Charter* section 129 and seeking the Supreme Court to issue the sought orders within the Village's Application to Reduce Quorum, the Village would be prevented from commencing the Village Application to Reduce

Quorum as a result of Mayor Baker's declared conflict of interest and Councillor Burchett and Councillor Poulsen each having a conflict of interest or disqualifying bias.

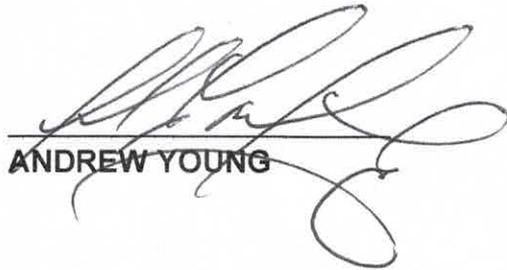
SWORN BEFORE ME at Vancouver ,)
British Columbia, in the Province of British)
Columbia, this 19th day of December, 2025)

)

A Commissioner for Taking Affidavits)
in the Province of British Columbia)

D. LAMBIER)
A Commissioner for taking Affidavits)
within British Columbia)

Print Name, Address and Contact Number)


ANDREW YOUNG

Rede Shawn