

CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN

| SUBJECT: | MUNICIPAL CLOSED MEETING INVESTIGATION | | | |
|--------------------------|---|-------------------|------------------------------|----------------|
| TYPE: | ADMINISTRATION | | POLICY NO. ADM-002-01 | |
| DATE: | REVIEW DATE: | FREQUENCY: | REL. BY-LAW: | PAGE #: |
| Feb 8, 2008 | July 7, 2008 | As Required | 08-297 | 1 of 7 |
| Revisions | | | | |
| Jul 7, 2008 Re-formatted | | | | |
| Feb 8, 2008 New Policy | | | | |
| | | | | |

I. Policy Statement:

The Corporation of the Township of South Algonquin is committed to ensuring that any request for an investigation under Section 239 of the *Municipal Act, 2001* as amended (the Act) are dealt with in a fair, open and expeditious manner.

The Corporation of the Township of South Algonquin commits to full co-operation including the provision of all information requested by the Municipal Closed Meeting Investigator (Investigator), either written or through interviews, to assist the Municipal Investigator in his/her investigations.

The Corporation of the Township of South Algonquin commits to including any report received from the Investigator related to an investigation under the Act, on a public agenda and that consideration of such reports is conducted in an open public session of Council or a Standing Committee of Council.

This policy applies to all appointed Boards and sub-committees of the municipality with the exception of the Police Services Board and the Public Library Board where they exist.

This policy shall be posted on the municipal website and available from the Clerk's Department, Hwy. 60 Madawaska, Ontario or by contacting the Clerk's Department at 613-637-2650 or through e-mail to southalgonquin@xplornet.com.

II. Background:

The Corporation of the Township of South Algonquin will be retaining the services of the Provincial Ombudsman as the Municipal Closed Meeting Investigator and authorizes him/her to conduct investigations upon receipt of a complaint in respect of meetings or parts of meetings that are closed to the public. The investigator will determine compliance with the Act or the Municipal procedure by-law and will report on the results of such investigations.

| | |
|---|---------------------------------|
| SUBJECT: MUNICIPAL CLOSED MEETING INVESTIGATION | POLICY NO: ADM-002-01 |
| DATE OF ISSUE/REVIEW DATE: July 7, 2008 | Page 2 of 7 |

III. Complaints Procedures:

Members of the public, including corporations, may submit complaints to the Investigator relating to compliance with the Act or the Municipal Procedure By-law for meetings or part of meetings that are closed to the public.

All complaints will be treated as confidential, unless authorization is given by the complainant to release his/her identity.

The Complaint Form may be downloaded from the Municipal website southalgonquin@xplornet.com or can be obtained from the Clerk's Department, together with an envelope addressed to the Investigator and identified as a Complaint under Section 239 of the Act and a copy of this policy.

Complaints may be submitted on the Complaint form or otherwise in writing either:

- By delivery to the municipal Clerk in a sealed envelope clearly identified as a Complaint under Section 239 of the *Municipal Act*

Or

- By mail directly to: Office of the Ombudsman Ontario
Bell Trinity Square
483 Bay Street, South Tower, 10th Floor
TORONTO, Ontario M5G 2C9

Inquires only may be submitted by e-mail to info@ombudsman.on.ca or by telephone at 1-800-263-1830 during regular office hours Monday to Friday, 9:00 am – 4:30 pm (EST).

All Complaints must contain the following information:

- Name of Municipality
- Complainant's name, mailing address, telephone number and e-mail address (if applicable)
- Date of Closed Meeting under consideration
- Nature and Background of the particular occurrence
- Any activities undertaken (if any) to resolve the concern
- Any other relevant information
- Original signature

When complaints are submitted directly to the Clerk, the Clerk shall undertake the following:

- Take all measures to ensure the envelope remains sealed and its contents remain confidential;
- Assign a file number and record the file number on the envelope;
- Log the file number together with the date and time received;
- Forward, forthwith to the Municipal Investigator by regular mail.

| | |
|---|---------------------------------|
| SUBJECT: MUNICIPAL CLOSED MEETING INVESTIGATION | POLICY NO: ADM-002-01 |
| DATE OF ISSUE/REVIEW DATE: July 7, 2008 | Page 3 of 7 |

For all complaints the municipality shall supply forthwith the following or any other information or documentation as requested by the Investigator related to the complaint:

- Certified copy of Notice of Meeting
- Certified copy of Agenda
- Certified copy of Minutes of Meeting
- Relevant Resolutions
- Municipal contact list
- Other relevant information as required.

| | |
|---|---------------------------------|
| SUBJECT: MUNICIPAL CLOSED MEETING INVESTIGATION | POLICY NO: ADM-002-01 |
| DATE OF ISSUE/REVIEW DATE: July 7, 2008 | Page 4 of 7 |

APPENDIX "A"

**COMPLAINT INTAKE FORM
MUNICIPAL INVESTIGATION**

IN ACCORDANCE WITH

Section 239 of the Municipal Act, 2001 (as amended)

PLEASE FORWARD COMPLETED FORMS TO:

Office of the Ombudsman of Ontario
Bell Trinity Square
483 Bay Street, South Tower, 10th Floor
TORONTO, Ontario M5G 2C9

FAX: 416-586-3485 or 1-866-863-2560

| | |
|---|---------------------------------|
| SUBJECT: MUNICIPAL CLOSED MEETING INVESTIGATION | POLICY NO: ADM-002-01 |
| DATE OF ISSUE/REVIEW DATE: July 7, 2008 | Page 5 of 7 |

COMPLAINT FORM MUNICIPAL INVESTIGATION
Section 239 – Municipal Act, 2001
(As Amended)

| | | | |
|--|-------------|--|-------------|
| COMPLAINANT'S NAME | | | |
| ADDRESS | | | |
| TELEPHONE | HOME | | WORK |
| E-MAIL | | | |
| FAX: NO | | | |
| Please indicate the best method and time to contact your for information: | | | |
| | | | |

PLEASE NOTE: PERSONAL INFORMATION IS COLLECTED UNDER THE AUTHORITY OF SECTION 239 OF THE MUNICIPAL ACT, 2001 (AS AMENDED) AND WILL BE USED BY THE MUNICIPAL INVESTIGATOR TO CARRY OUT AN INVESTIGATION UNDER THE ACT.

| | |
|-------------------------------|--|
| NAME OF MUNICIPALITY | |
| ADDRESS | |
| DATE OF CLOSED MEETING | |
| MUNICIPAL CONTACT NAME | |
| TELEPHONE | |

1. Who have you dealt with in this organization with respect to your complaint?

2. Please summarize the matter you are complaining about and include any relevant dates.

| | |
|---|---------------------------------|
| SUBJECT: MUNICIPAL CLOSED MEETING INVESTIGATION | POLICY NO: ADM-002-01 |
| DATE OF ISSUE/REVIEW DATE: July 7, 2008 | Page 6 of 7 |

-
-
3. Summarize what steps you have taken to try and resolve your complaint including any grievance, appeals and/or requests for reconsideration you have submitted and what response you received.

4. If you have received a final decision on an appeal or request for review or reconsideration of your complaint, please indicate what the result was and why you feel this was unfair.

5. Describe the result or outcome which you would like to see for the matter you are complaining about.

6. If you consider the matter urgent, please explain why.

| | |
|---|---------------------------------|
| SUBJECT: MUNICIPAL CLOSED MEETING INVESTIGATION | POLICY NO: ADM-002-01 |
| DATE OF ISSUE/REVIEW DATE: July 7, 2008 | Page 7 of 7 |

(Signature of Complainant)

(Date)