
Municipal Closed Meeting Investigator Procedure under Section 239 of the *Municipal Act, 2001, as amended*

Policy Statement

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

The municipality 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 investigations.

In accordance with Section 239.2(11) of the *Municipal Act, 2001* the Township of Springwater shall ensure that any reports received from the closed meeting investigator by the municipality are made available to the public.

This policy shall be posted on the municipal website and available from the Clerk’s Department, Township of Springwater, or by contacting the Clerk’s Department at (705) 728-4784 ext. 2015 or through e-mail to info@springwater.ca.

This policy applies to all closed meeting investigations undertaken in accordance with Section 239.1 and 239.2 of the Municipal Act, 2001.

Background

Through By-law 2007-123 the municipality has appointed JGM Consulting as a Municipal Closed Meeting Investigator and authorized him to conduct investigations upon receipt of a complaint in respect of meetings or part of meetings that are closed to the public to determine compliance with the Act or the Municipal Procedure By-law and to report on the results of such investigations.

Procedures - Request for Investigation

Prior to submitting a request for investigation, members of the public, including corporations, are encouraged to discuss their concerns or inquiries with the Clerk.

Members of the public, including corporations, may submit requests 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.

The identity of the requestor will be treated as confidential by the municipality and the Investigator, unless authorization is given by the requestor to release his or her identity.

Request forms may be downloaded from the municipality's website or are available from the Clerk's Department.

Requests may be submitted on the Request Form or otherwise in writing, ensuring the required information is provided:

To the Clerk in a sealed envelope clearly identified as a Closed Meeting Complaint under Section 239 of the *Municipal Act*

John Daly, Director of Corporate Services/Clerk
Corporation of the Township of Springwater
2231 Nursery Road
Minesing, ON L0L 1Y2

OR

By mail directly to:
John Maddox, JGM Consulting,
Municipal Closed Meeting Investigator
99 Edgevalley Road, Unit #42
London, ON N5Y 5N1

All complaints must contain:

- The name of the municipality
- Requestor's name, mailing address, telephone number and e-mail address
- 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
- Direction with respect to release of identity
- Original signature

When requests are submitted directly to the Clerk, the Clerk shall enact the following procedures:

- Ensure that the requests remain confidential
- Assign a file number and record a file number on the envelope
- Log the file number together with the date and time received
- Forward the request to the Municipal Investigator by regular mail forthwith

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

- Certified copy of Notice of Meeting
- Certified copy of the agenda
- Certified copy of the Minutes of meeting
- Relevant resolutions
- Municipal contact list
- other

Timeframe

The Investigator will commence his investigation within two weeks of receipt of a request.

**REQUEST FORM FOR
MUNICIPAL CLOSED MEETING INVESTIGATION**
Section 239 – *Municipal Act 2001, as amended*

Requestor's Name			
Address			
Telephone	Home		Work
E-mail			

Do you consent to having your identity revealed during the investigation? Yes [] No []

Notice with respect to the Collection of Personal Information
(Municipal Freedom of Information and Protection of Privacy Act)

Personal information is collected under the authority of Section 239.2 of the *Municipal Act 2001*, as amended, and will be used by the Municipal Investigator and the municipality to carry out an investigation under the *Act*.

Name of Municipality	
Date of Closed Meeting	
Municipal Contact Name	
Telephone	

Background	Please provide as much information as possible to explain the nature and background of the particular occurrence. (ie) timing, municipal contact, municipal explanation.

Action	
a. Have you approached municipal staff to resolve this matter? Yes [] No []	
If yes, who?	Date of contact:
b. Other activities that the requestor has undertaken to resolve the matter:	

Any other information deemed relevant by the requestor

_____ Date

_____ Signature of Requestor