



The Corporation of
THE TOWNSHIP OF MELANCTHON
R.R. # 6, Shelburne, Ontario, L0N 1S9

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WHY DO MUNICIPAL COUNCILS AND LOCAL BOARDS HAVE MEETINGS OR PORTIONS OF MEETINGS THAT ARE CLOSED TO THE PUBLIC?

Municipal councils, local boards and their committees must meet behind closed doors on occasion to deal with some matters. For example, if a municipality is being sued or if council is considering purchasing a piece of land or if council must deal with a labour relations issue then it is appropriate that it be able to do so at a closed meeting. The purpose of such a closed meeting is to receive information or give direction.

Local government in Ontario must be transparent and accountable. To this end, the Province has set the rules for a council, local board or a committee to go into a closed meeting. These rules are found in section 239 of the *Municipal Act, 2001, as amended*. They must be strictly followed.

The permitted reasons for going into a closed meeting are:

- ✓ The security of property of the municipality or local board;
- ✓ Personal matters about an identifiable individual, including employees;
- ✓ A proposed or pending acquisition or disposition of land;
- ✓ Labour relations or employee negotiations;
- ✓ Litigation or potential litigation
- ✓ Advice that is subject to solicitor-client privilege;
- ✓ A matter authorized by another provincial statute;
- ✓ If the subject matter relates to a request under the *Municipal Freedom of Information and Protection of Privacy Act*;
- ✓ The meeting is held for educating and training and no member discusses or deals with a matter in a way that materially advances the business or decision-making of the council or local board.

That is the entire list. Thus, for example, there is no specific authority to undertake strategic planning at a closed meeting. Only those aspects of a strategic planning process that might fall within the closed meeting list can be dealt with at a properly called closed meeting. All other matters relating to the strategic plan must be deliberated by council or a committee at an open meeting.

Before council, a local board or a committee begins the closed meeting, it must pass a resolution at a public meeting indicating that a closed meeting is being held and what the general nature of the matter to be considered is. A closed meeting shall not be held by council, a local board or committee before this resolution is passed.

Any person has the right to request an investigation as to whether the municipality, local board or committee complied with the closed meeting rules established by the Province or the Procedure By-law of the municipality or local board. A request must be in writing and should be directed to the municipal clerk unless there is provision for it to be sent directly to the municipality's Investigator.

If you have any questions about these closed meeting rules, contact the municipal Clerk:

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