

## Closed Meetings Procedure

**Approved by:** County Council

**Date Approved:** November 22, 2016

**Replaces:**

**Endorsed by:** CS83-16; CC149-16

**Last Modified Date:** November 2016

**Scheduled for Review by:** 2021

**Procedure Number:** G-GEN-002-005

**Parent Policy:** G-GEN-002

**Author:** Clerk's Department

### References and Related Documents

- The Municipal Act, 2001
- Procedural By-law 4876-14
- Agendas, Meetings and Resolutions Policy: G-GEN-002
- Closed Meeting Investigator Procedure: G-GEN-002-006

### Purpose

This procedure defines when closed meetings are to be held and the processes to be followed. Grey County supports the principles of open and accountable governance. There are circumstances, however, where it is necessary to hold a closed meeting.

### Scope

The procedure applies to Council, its committees, sub committees and task forces of the County of Grey.

### Procedure

#### *Agenda*

Agendas will list any closed meeting items and the general subject matter of the closed meeting item.

If a closed meeting item arises after the agenda has been prepared, the item will either be placed on the next agenda or, if time sensitive, can be dealt with if agreed to by two-third's majority of the members. This is in accordance with the Procedural By-Law (Section 2.1).

## *Staff Reports*

Staff who are considering labelling a report “confidential”, and therefore to be considered a closed meeting matter, should seek advice from the Clerk’s Office to ensure that the subject matter meets the criteria for a closed meeting discussion.

Where possible, staff reports should be drafted for consideration in the open portion of the meeting with confidential information referenced as a confidential addendum to the report. It is recognized that at times the entire report will be confidential.

## *Resolution to go Into a Closed Meeting*

A resolution to go into a closed meeting should voluntarily disclose as much information in the resolution as possible. The reason must meet the criteria as set out in the Municipal Act 2001 as amended. The resolution must include the following:

- Notation that the meeting is going into closed session under Section 239 of the Municipal Act
- A description of the subject matter to be discussed and the fact that the meeting is being closed under the specific subsection.

Council, or its committees, may choose to remain in an open meeting to discuss items allowed under Section 239. The exception is for any ongoing investigation regarding Grey County by the Ombudsman which will be dealt with in a closed meeting of County Council.

It is important to provide as much information as possible about the subject matter to be discussed to provide transparency and accountability to the public.

## *Discussion and Voting*

Voting during closed meetings is restricted to procedural matters or for giving directions or instructions to officers, employees or agents of the municipality or committee of either of them or persons retained by or under a contract with the municipality.

Formal motions are required where voting is permitted.

The Warden/Chair will prohibit discussion of any matter that was not disclosed in the resolution authorizing the closed meeting.

## *Minutes*

Closed meeting minutes are taken by the Clerk, Deputy Clerk or Recording Secretary.

The minutes of the open meeting and closed meeting will reflect the time the closed meeting commenced and the time the closed meeting was completed. Once back in the open meeting, the Warden/Chair will confirm that the Council/Committee discussed only those matters identified in the resolution to go into a closed meeting and that this will be recorded in the minutes.

### *Approval of Closed Meeting Minutes*

Closed meeting minutes will be approved at the next regular meeting.

### *Circulation of Closed Meeting Minutes and Background Reports*

Closed meeting minutes and background reports will be circulated to the members electronically using a secure council website.

Recipients will not copy, forward or in any way share the confidential information.

All closed meeting minutes and background reports will be held by the Clerk/Director of Council Services in a secure location.

### *Responsibilities*

The Clerk's Office is responsible for the administration and maintenance of this procedure.