



MUNICIPAL CLOSED MEETING INVESTIGATION POLICY/PROCEDURES

POLICY STATEMENT

The Corporation of the Town of Kirkland Lake shall ensure that requests for investigations submitted 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 Town of Kirkland Lake shall provide the information requested by the Municipal Closed Session Investigator (Investigator), either written or through interviews, to assist the Municipal Investigator in his/her investigations.

The Corporation of the Town of Kirkland Lake shall ensure any report received from the Investigator related to an investigation under the Act, is placed on a public agenda and that consideration of such reports is conducted in an open public session 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.

This policy shall be posted on the municipal website and available from the Clerk's Department, 3 Kirkland Street, Kirkland Lake or by contacting the Clerk's Department at 705-567-9361 or through e-mail to clerk@tkl.ca.

BACKGROUND

Through Council Resolution dated December 7, 2010, the Corporation of the Town of Kirkland Lake has appointed **Rick Emms** as a Municipal Closed Session Investigator and has authorized his 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.

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 at all times.

Complaints may be submitted on the established Complaint Form or via written request. The Complaint Form may be downloaded from the Municipal website or can be obtained from the Clerk's Department, together with an envelope addressed to the Investigator which the

Municipality has appointed under Section 239 of the Act. All complaints must contain the following information:

1. Name of Municipality
2. Complainant's name, mailing address, telephone number and e-mail address (if applicable)
3. Date of Closed Meeting under consideration
4. Nature and Background of the particular occurrence
5. Any activities undertaken (if any) to resolve the concern
6. Any other relevant information
7. Original signature
8. A certified cheque or money order made payable to the Town of Kirkland Lake for \$50.00. The complainant will be reimbursed the \$50.00 if the investigator finds that the item should have been addressed in a public meeting.

Complaints may be submitted to:

1. By mail directly to: Rick Emms
340 Lakeshore Drive #706
North Bay, ON P1A 3N7

OR

2. By delivery to the Municipal Clerk in a sealed envelope clearly identified as a Complaint under Section 239 of the Act.

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

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

Complainants will be notified within thirty (30) days of the receipt of their complaint by the Complaints Investigator.

For all complaints the municipality shall supply forthwith 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 Agenda
- Certified copy of Minutes of Meeting
- Relevant Resolutions
- Municipal contact list
- Other relevant information as required



KIRKLAND LAKE
THE RIGHT ENVIRONMENT

COMPLAINT INTAKE FORM
MUNICIPAL INVESTIGATION

IN ACCORDANCE WITH
Section 239 of the Municipal Act 2001 (as amended)

PLEASE FORWARD COMPLETED FORMS TO:

Rick Emms
Closed Meeting Investigator
340 Lakeshore Drive #340
North Bay, ON P1A 3N7

OR

Jo Ann Ducharme, Clerk
Town of Kirkland Lake
3 Kirkland Street
Kirkland Lake, ON P2N 3P4

