

# **MUNICIPAL CLOSED MEETING INVESTIGATION PROCEDURE AND APPLICATION FORM**

## **Procedure for Closed Meeting Investigation**

The Municipality 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 Municipality 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 Municipality 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 are conducted in an open public session of Council and/or a Standing Committee of Council.

This procedure applies to all appointed Boards and sub-committees of the Municipality with the exception of the Police Services Board and the Public Library Board.

### **INVESTIGATOR**

The Municipality, by By-law No. 2009-62 appointed 1744960 Ontario Inc., operating as Fournier Consulting Services as the Municipal Closed Session Investigator and as such authorizes Fournier Consulting Services to conduct investigations upon receipt of a complaint to determine compliance with the Act or the Municipal procedure by-law and to report on the result of such investigations.

### **PROCEDURE**

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 shall be submitted on the established Complaint Form (attached). The Complaint Form may be downloaded from the Municipal website or available from the Clerk's Office.

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

Completed complaint forms shall be submitted to:  
Mr. Stephen Fournier, Fournier Consulting Services  
1456 County Road No. 8  
R.R. #1  
Delta, ON  
K0E 1G0  
Telephone: (613) 928-2891

If a complaint is submitted directly to the Clerk, the Clerk shall take all measures to ensure that the envelope remains sealed and its contents remain confidential and immediately forward to the Investigator.

When the Investigator receives a complaint he shall:

1. Assign a file number and record file number on the envelope
2. Log the file number together with the date and time received
3. Provide written acknowledgement of receipt of the complaint to the Complainant within 5 working days.
4. Notify the Municipality of complaint (Optional, and forward the prescribed fee from complainant).

The Investigator will only investigate complaints received on the Complaint Form, duly signed (Optional-and accompanied by prescribed fee).

The Municipality upon request by the Investigator shall provide the following documentation:

- 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 requested.

Inquires only may be submitted by email to [fcs@kingston.net](mailto:fcs@kingston.net)

COMPLAINT FORM  
MUNICIPAL INVESTIGATION

IN ACCORDANCE WITH  
Section 239 of the *Municipal Act 2001*  
(As Amended)

PLEASE FORWARD COMPLETED FORMS, ( *OPTIONAL- TOGETHER WITH CHEQUE IN THE AMOUNT OF \$125.00  
PAYABLE TO THE MUNICIPALITY*) TO:

**Stephen Fournier, Fournier Consulting Services**  
**1456 County Road 8**  
**R.R. #1, Delta, Ontario**  
**K0E 1G0**  
**(613) 928-2891**



