



## POLICY & PROCEDURE MANUAL

<b>SECTION</b>	COUNCIL RELATED POLICIES	<b>POLICY NUMBER</b>	1-2-5
<b>SUB-SECTION</b>	COUNCIL PROCEDURES	<b>EFFECTIVE DATE</b>	February 11, 2016
<b>SUBJECT</b>	Council Closed Session		
<b>AUTHORITY</b>	Council – February 11, 2016		

### PURPOSE:

To provide clarity on when closed meetings are to be held and to establish the process to be followed by County Council.

### STATEMENT:

This policy covers closed sessions of County Council as defined by Section 239 of the Municipal Act, S.O. 2001, Chapter M.25 as amended and Section 10 of Dufferin County By-Law 2015-24, being a By-law to govern the proceedings of Council and its Committees (Procedural By-law).

### PROCEDURES:

1. Staff considering bringing a report to Council or Committee for Closed Session must advise the Chief Administrative Officer in advance and must consult with the County Clerk to ensure that the subject matter meets the criteria set out in the Municipal Act, S.O. 2001, Section 239.

<b>SUBJECT</b> Council Closed Session	<b>POLICY NUMBER</b> 1-2-5
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2. Closed session items will appear on the public agenda and will be placed on the Council intranet site for the term of council. Senior Management will receive closed session items via email attachment unless it is a sensitive personnel item.
3. Wording on the open session agenda will be as detailed as possible and include the appropriate section of the act to which the item(s) pertains.

Example:

12.	<p><u>CLOSED SESSION</u></p> <p><i>THAT Council move into closed session in accordance with Section 239 (2) (c) (proposed or pending property acquisition or disposition of land) and Section 239 (2) (f) (solicitor-client privilege) (provide any detail that is possible, ie..to consider the purchase of a property.</i></p> <p>12.1 Closed Session Minutes - for information only Council, March 12, 2009 General Government Services, March 23, 2009 Dufferin Oaks/Community Services, March 25, 2009</p> <p>12.2 Section 239 (2) (c) Property- Administration Building</p> <p>12.3 Section 239 (2) (f) Solicitor-Client - letter from Cassels Brock providing a legal opinion</p>
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4. A resolution to go into a closed session should disclose as much information as possible. The reason must meet the criteria as set out in the Act. The general nature of its subject matter and the fact that the meeting is being closed under this specific subsection must be noted.
5. During the closed session meetings, voting is restricted to procedural matters or for giving directions or instructions to officers, employees or agents of the County.
6. The Warden/Chair shall prohibit discussion of any matter that was not disclosed in the resolution authorizing the closed meeting.
7. The Clerk or his/her designate must be present at all closed session meetings and take the minutes. The minutes of the open meeting and the closed session shall reflect the time the closed session commenced and the time the closed session was

<b>SUBJECT</b>	Council Closed Session	<b>POLICY NUMBER</b>	1-2-5
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completed. Once back in the open meeting, the Warden/Chair shall confirm the topics discussed in closed and this shall be recorded in the minutes.

8. Closed session minutes are distributed electronically with the Council Agenda. Council passes a motion to adopt the closed session minutes in open session. The minutes are filed electronically in a secure folder and the hard copy is filed in the County Clerk's Office.