January 2, 2020

Ms. Donna van Wyck, County Clerk
The Corporation of the County of Bruce
30 Park Street, PO Box 70
Walkerton, Ontario N0G 2V0

Re: Closed Meeting Complaint / Report to Council of the County of Bruce Regarding the Investigation of Closed Sessions of the Bruce County Museum Committee by Amberley Gavel Ltd. (Closed Meeting Investigator) / Closed Sessions Not in Compliance with Section 239 of the Municipal Act, 2002.

Dear Ms. van Wyck:

I respectfully request that the following documents reviewed by the Investigator of the Closed Meeting breach be publicly released,

Bruce County Museum Minutes, Agendas and Reports for:

- Thursday January 3, 2019
- Thursday October 4, 2018
- Thursday July 12, 2018
- Wednesday July 5, 2018
- Thursday May 17, 2018.

Background

Following my submission to the County of a complaint in February 2019 (Attachment 1), an investigation by Closed Meeting Investigator Nigel Bellchamber of Amberley Gavel Ltd. proceeded under Section 239.1 of the Municipal Act to assess whether the Museum Committee complied or did not comply with the provision of the Municipal Act for open meetings and the County’s own procedural by-law. The investigator found that the reasons for closure of the above meetings were not in compliance with Section 239, and that,

‘none of sessions that are the subject of this report proceeded properly with respect to the provision of direction to staff in closed session. There were no records of any resolutions dealt with in closed session providing such direction, although the ensuing open minutes referred to direction being given.’ (Attachment 2: Amberley Gavel Ltd. Report to Bruce County dated December 2, 2019. Page 7.).
Following the release of the report, I wrote by email to you requesting release of the documents relating to the five meetings (Attachment 3), and received on December 10, 2019 the following response from you,

Subject: RE: Closed meeting complaint for the County of Bruce Museum Committee meetings

Ms. Taylor: The report from the Closed Meeting Investigator does not change the status of the Closed Meeting Minutes, therefore the Closed Meeting Minutes will not be released to you.

In accordance with Section 239.2 (12) of the Municipal Act, 2001 the County will be preparing a report and shall pass a resolution stating how it will address the closed meeting investigator’s report.

I find that the refusal to issue the documents cited in the Closed Meeting Investigation to be a very unsatisfactory approach to transparency, integrity and accountability on the part of the County and its staff (Attachment 4: Code of Conduct Policy, Office of the C.A.O June 1, 2017/May 3, 2018). The following text appears on the County website. I understand that this approach to committing to transparency and the law was initiated following another complaint finding breach of the Municipal Act in Council business.

‘There are accessibility and transparency guidelines that all municipalities must follow by law. So we do and that information is archived here. What you should also know is that we’d follow guidelines like these even if it wasn’t mandated. That’s because equal access and ethical behavior are simply the right things to do.’ From, brucecounty.on.ca/government/working-for-you.

Given the occurrence of past breaches, and apparent disregard for process where policy has already been clearly indicated to staff, councilors and public committee members, it would seem that these matters of public interest should now be accessible in the public arena where they belong, and that release would be the logical rectification of the breach. The continuance of a practice of closing meetings improperly on a regular basis, and not releasing minutes once the breach has been advised, substantially decreases the faith in Council and its committees, and in the process of democracy that you are bound to foster and protect.

The matters discussed in these closed meetings, with no publicly accessible minutes of meeting, may be of great importance to many citizens in Saugeen Shores/Southampton due to the fact that the meetings refer to the changes that were planned for the County Museum and its site extension at 254 High Street (purchased by the County in March 2018).

By closing the meetings of discussion regarding this matter, the public was denied its democratic right to hear, and take part in the advancement of issues surrounding this publicly-owned resource that were otherwise to proceed in public. Not only does this contravene the Municipal Act, and betray the trust that the public has in the operations of County and Committee governance, it contradicts the commitment made by the County, its staff and officers to transparency and the upholding of the law.
In summary, this Complaint contains significant questions about the transparency of the process of open meetings in the County, and the documents relating to each meeting should be released.

I am addressing this request to you, and am copying the Councilors and Warden of the County of Bruce through you. Please ensure that this letter is distributed and forms part of the correspondence for the upcoming January 9, 2020 Council Meeting.

Thank you

Yours truly,

Jill Taylor

2 Peel Street

Southampton, Ontario

cc.

Warden Mitch Twolan, Mayor of the Township of Huron-Kinloss

**Mayors and Councillors of the County of Bruce**

Milt McIver, Municipality of Northern Bruce Peninsula.

Robert Buckle, Municipality of South Bruce.

Janice Jackson, Town of South Bruce Peninsula.

Anne Eadie, Municipality of Kincardine.

Chris Peabody, Municipality of Brockton.

Steve Hammel, Municipality of Arran Elderslie.

Luke Charbonneau, Town of Saugeen Shores.

-attachments

Attachment 1: Submission by Jill Taylor, to the County of Bruce, Closed Meeting Complaint February 2019 (Attachment 1).


Attachment 3: Following the release of the report, I wrote by email to you requesting release of the documents relating to the five meetings.