



# SAUGEEN MUNICIPAL AIRPORT

The Saugeen Municipal Airport Commission is disappointed that the Ombudsman found that three items on the Closed Agenda September 27 2021 were not tightly linked to the item that was permissible under the Municipal Act. With the feedback of the Ombudsman's Report the Commission understands how it should break down discussion into specific closed discussion (See example agenda item 2 below) allowing that some of the discussion may remain in open session.

The Commission does agree with the four recommendations set out in the Report and has adopted recommendations 3 & 4 into its open and closed agendas as early as December 15 2021 and May 18<sup>th</sup> of this year. (See examples 1 & 2 below.)

The Commission has experienced that following these best practices (Recommendation 3 & 4) helps to ensure Recommendations 1 & 2 are diligently followed. (See Recommendations below).

The Commission is very pleased with the level of professionalism that has developed over current term – from having no set agenda format and no set minute taker – to a very consistent format with a professional taking minutes, developing her professional skills, paying close attention rules of entering and exiting closed session- the responsibility of all Commissioners – Recommendation 1 & 2.

It should also be noted that historically the at large members of the Commission were not well versed in Municipal policies and procedure. That too has progressed tremendously, with the help of all three municipal Staffs.

Respectfully submitted:

Dan Gieruszak

Chair Saugeen Municipal Airport Commission.



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**Recommendation 1** Members of the Saugeen Municipal Airport Commission should be vigilant in adhering to their individual and collective obligation to ensure compliance with their responsibilities under the Municipal Act, 2001.

**Recommendation 2** The Saugeen Municipal Airport Commission should ensure that no subject is discussed in closed session unless it clearly comes within one of the statutory exceptions to the open meeting requirements.

**Recommendation 3** When proceeding in camera, the Saugeen Municipal Airport Commission should ensure that its resolutions to proceed in camera provide a general description of the issues to be discussed in a way that maximizes the information available to the public while not undermining the reason for excluding the public.

**Recommendation 4** As a best practice, Saugeen Municipal Airport Commission should clearly specify which closed meeting exception it intends to rely on for each individual matter discussed in camera.

## **Example 1: December 15 2021 Open Agenda: Motion to go into closed session. (Recommendation 3)**

**12) IN CAMERA: That the Commissioners of the Saugeen Municipal Airport enter into Closed Session in accordance with Section 239(1) of the Municipal Act in order to address a matter pertaining to:**

- Security of property of the Saugeen Municipal Airport
- **X Personal matters about an identifiable individual, including employees/contractors**
- A proposed or pending acquisition or disposition of land
- Litigation or potential litigation, including matters before administrative tribunals
- Advice that is subject to solicitor/client privilege, including communications necessary for that purpose
- Information explicitly supplied in confidence by Canada, a province or territory or a Crown agency of any of them
- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence which, if disclosed could reasonably be expected to prejudice significantly the competitive position or interfere significantly with contractual or other negotiations of a person, group of persons, or organization
- A trade secret or scientific, technical, commercial, financial information that belongs to Saugeen Municipal Airport and has monetary value or potential monetary value



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- Position, plan, procedure, criteria or instruction to be applied to any negotiation carried on or to be carried on by or on behalf of the Saugeen Municipal Airport
- The meeting is held for the purpose of educating or training the members (Section 239 93.1) of the Act) and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Saugeen Municipal Airport.

**Example 2: May 18 2022 Open Agenda: Motion to go into closed session. (Recommendation 3 & 4).**

**12) IN CAMERA SESSION:** That the Commissioners of the Saugeen Municipal Airport enter into Closed Session in accordance with Section 239(1) of the Municipal Act in order to address a matter pertaining to:

- Security of property of the Saugeen Municipal Airport
- Information explicitly supplied in confidence by Canada, a province or territory or a Crown agency of any of them
- Position, plan, procedure, criteria or instruction to be applied to any negotiation on behalf of the Saugeen Municipal Airport
- A proposed or pending acquisition or disposition of land
- **X Litigation or potential litigation, including matters before administrative tribunals, specifically regarding an incident of trespass on April 23<sup>rd</sup> 2022.**
- **X Advice that is subject to solicitor/client privilege, including communications necessary for that purpose, specifically information pertaining to obligations of Commissioners to contractors, under the Ontario Health and Safety Act.**
- **X Matters about an identifiable individual, including employees/contractors, specifically regarding a Respect in the Workplace complaint.**
- **X Personal matters about an identifiable individual, including employees/contractors, specifically regarding two invoices.**
- Information explicitly supplied in confidence by Canada, a province or territory or a Crown agency of any of them,
- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence which, if disclosed could reasonably be expected to prejudice significantly the competitive position or interfere significantly with contractual or other negotiations of a person, group of persons, or organization,



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- The meeting is held for the purpose of educating or training the members (Section 239 93.1) of the Act) and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Saugeen Municipal Airport.