



ONTARIO'S WATCHDOG  
CHIEN DE GARDE DE L'ONTARIO

March 4, 2014

Chair Janice Wing  
Niagara District Airport Commission  
486 Niagara Stone Road  
Niagara-on-the Lake, ON L0S 1J0

Dear Ms. Wing,

**Re: Closed Meeting Complaint**

I am writing further to our discussion on March 4, 2014 regarding the outcome of our review of a complaint that the Niagara District Airport Commission (the Commission) may have held a secret closed meeting to discuss a response to a Freedom of Information request that was before the Commission.

The complainant provided our Office with a copy of a letter addressed to the Office of the Information and Privacy Commissioner from Chair Wing, confirming that the Commission had “formally approved accepting St. Catharines’ legal assistance in this matter.” The complainant questioned when the Commission reached this decision, as the complainant did not see it in the minutes of open meetings posted on its website.

In reviewing this complaint, our Office spoke with you and the Airport Manager, and obtained and reviewed the relevant meeting documents, as well as the Commission’s Procedure By-Law.

You explained to our Office that the Freedom of Information request referenced was discussed at a special public meeting on December 19, 2013. You and the Airport Manager advised us that notice of the special meeting was posted (by the Airport Manager) on the airport’s website at approximately 11:00 a.m. on December 17, 2013. The Commission’s Procedure By-Law requires that public notice of all special meetings be posted on the airport’s website “at least 48 hours in advance of the meeting.”

Bell Trinity Square  
483 Bay Street, 10<sup>th</sup> Floor, South Tower, Toronto, ON M5G 2C9  
483, rue Bay, 10<sup>e</sup> étage, Tour sud, Toronto (Ontario) M5G 2C9  
Tel./Tél. : 416-586-3300  
Facsimile/Télécopieur : 416-586-3485 TTY/ATS : 1-866-411-4211  
[www.ombudsman.on.ca](http://www.ombudsman.on.ca)

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The minutes of the December 19, 2013 meeting, which were posted on the airport website the week of January 13, 2014, state:

Chairman Janice Wing gave an update on the status of the IPC [Information and Privacy Commissioner] files and the new Freedom of Information request.  
...Moved by Gary Murphy, seconded by John Ventresca that the IPC matter and requests concerning Freedom of Information be outsourced on an interim basis to the City of St. Catharines.

Given that the matter in question was discussed at a public meeting for which notice was provided, we will not be reviewing the complaint further.

You agreed to include this letter on the agenda for the next public Commission meeting, to be held on March 13, 2014.

Thank you for your cooperation with our review.

Sincerely,

Yvonne Heggie  
Early Resolution Officer  
Open Meeting Law Enforcement Team