



BY EMAIL

August 4, 2026

Council for the Township of Adjala-Tosorontio
c/o Scott W. Anderson, Mayor
7855 30th Sideroad
Alliston ON L9R 1V1

Dear Members of Council for the Township of Adjala-Tosorontio:

Re: Closed meeting complaints

My Office received two complaints that a quorum of council for the Township of Adjala-Tosorontio (the “Township”) held illegal meetings in mid to late 2024 to retain legal representation for two proceedings before the Human Rights Tribunal of Ontario that were ongoing at the time. One complaint specifically alleged that the meeting to retain legal representation took place by e-mail.

We found no evidence that either of these meetings took place. Accordingly, I have determined that council for the Township did not contravene the open meeting requirements in the *Municipal Act, 2001*.

Ombudsman’s role and authority

The *Municipal Act, 2001* (the “Act”)¹ gives anyone the right to request an investigation into whether a municipality or local board has complied with the Act in closing a meeting to the public. Municipalities may appoint their own investigator, but the Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own. The Ombudsman is the closed meeting investigator for the Township of Adjala-Tosorontio.

Our Office has investigated hundreds of closed meetings. To assist municipal councils, staff, and the public, we have developed an online digest of open meeting cases. This searchable repository was created to provide easy access to the Ombudsman’s decisions on, and interpretations of, the open meeting rules. Council members and staff can consult the digest to inform their discussions and decisions on whether certain matters can or should be discussed in closed session, as well as issues related to open

¹ SO 2001, c 25.

meeting procedures. Summaries of the Ombudsman's previous decisions can be found in the digest: www.ombudsman.on.ca/en/info-public-bodies-and-officials/municipal-government/municipal-meeting-digest.

The Ontario Ombudsman also has the authority to conduct impartial reviews and investigations of hundreds of public sector bodies. This includes municipalities, local boards, and municipally-controlled corporations, as well as provincial government organizations, publicly funded universities, and school boards. In addition, the Ombudsman's mandate includes reviewing complaints about the services provided by children's aid societies and residential licensees, and the provision of French language services under the *French Language Services Act*. Read more about the bodies within our jurisdiction here: www.ombudsman.on.ca/en/make-complaint/what-we-can-help-you/organizations-you-can-complain-about.

Review

My Office spoke with the Township's Clerk, CAO, Human Resources Generalist, and a member of council. We obtained and reviewed email correspondence relating to the retention of legal representation for one of the proceedings raised by the complaints. We were also provided with the Township's indemnification by-law for members of council.

Township staff explained to my Office that in both cases, the matters were referred to the Township's retained legal representative. Township staff explained that this was consistent with their longstanding practice of referring legal matters directly to one of the two solicitors they have historically relied on, without needing to seek council approval. They explained that, accordingly, council did not meet to discuss legal representation.

The Township's Human Resources Generalist confirmed to my Office that she did not identify any email in 2024 where members of council collectively discussed selecting or retaining legal representation with respect to the two proceedings.

In this case, there is no evidence that a quorum of council gathered, by e-mail or otherwise, to discuss, select, or approve legal representation in the two proceedings raised by the complaints to my Office. The evidence reviewed indicates that this matter was dealt with directly by staff according to established procedures and retainers, rather than by council.

Conclusion

My review has determined that Council for the Township of Adjala-Tosorontio did not contravene the *Municipal Act, 2001*. I would like to thank the Township for its co-operation during my review. The Clerk has confirmed that this letter will be included as correspondence at an upcoming council meeting.

Sincerely,



Barbara Finlay
Acting Ombudsman of Ontario

Cc: Robin Reid, Clerk, Township of Adjala-Tosorontio

Cette lettre est aussi disponible en français