



PUBLIC COMMENT

August 18th, 2022 Town of The Blue Mountains [Special Meeting of Council](#)

My name is Jennifer Bisley. I am the Executive Director of The Blue Mountains Attainable Housing Corporation and my comments are related to agenda items F.2.1. and F.2.2., Councillor Hope's Notices of Motion.

First, I would ask Council to be mindful that the Corporation is a related but separate entity to the Town and accordingly, is subject to different legislation, bylaws, and policies.

Our starting point is the Corporations Act – not the Municipal Act. As a municipal services corporation, we are also subject to Ontario Regulation 599/06, the Municipal Conflict of Interest Act and MFIPPA – the Municipal Freedom of Information and Protection of Privacy Act.

The Town has distinct relationships with the Corporation as a member and as a funder.

As member, Council delegates a representative to attend or provide a proxy for annual and general meetings. Individual Council members do not have any special status to direct the corporation and its staff unless they are an authorized representative or a director. However, Council as member may make requests or suggestions for consideration by the Board for its decision and response at anytime.

As funder, each party's obligations are set out in loan and other agreements, and in the case of in-kind support, a Memorandum of Understanding.

With that in mind, I would like to offer the following comments specific to F.2.1

The motion states "*there was no correction made available to the members of the public who attended the Board meeting.*" For clarity, our meetings are not livestreamed and no members of the public were in attendance or had viewed the video recording.

In terms of our process to deal with corrections, the Executive Director would issue a written correction to everyone in attendance and to the Board. This was done on July 12. The written correction must also be provided to anyone who would view the recording. Board director Soever also issued an apology for misspeaking.

Accordingly, from the Housing Corporation's perspective, the record has been corrected and this matter has been dealt with.

With respect to the motion F.2.2 that Council request the recording of the Board meeting through the Town Clerk.

I would like to clarify that the Corporation does not have an issue with members of the public, including individual Council members, viewing recordings. We recognize that under MFIPPA, every person has a right of access to a record or a part of a record in the custody or under the control of an institution unless exempt or for vexatious and frivolous reasons.

Previously, meeting recordings were posted on the website. Following an initial review of our meeting policies and procedures in January, questions about consent regarding the use and disclosure of recordings and the purpose in posting them were raised as there was no policy to provide guidance on those matters.

We are currently working on filling that policy gap to include policies and procedures that would enable us to provide access in a way where control is retained by the Corporation in order to mitigate the risk of recordings being misused.

Our procedure when a request is made to access a video is to explain why they are no longer available on the website and to offer alternatives if appropriate, such as a transcript, which was done in this case. If alternatives are not acceptable, or if the request is overly broad, we ask them to submit a FOI request so we can consider how to provide access in each situation.

In the case of an individual Council member, as was also done in this case, we advise them of a second option to make a request through a Council resolution. It would appear that this is the option being pursued through this resolution.

I hope that helps to provide additional context for those agenda items.