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**Date:** November 9, 2018  
**To:** Mayor and Council  
**Author:** Jennifer Astrologo, Director of Corporate Services  
**RE:** Policy to Appoint an Alternate to Essex County Council  
**Report No.:** CS-2018-22

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## **AIM**

To provide Council with information regarding the opportunity to appoint an Alternate to attend Essex County Council meetings, in the place of either of the current representatives should they be unable to attend.

## **BACKGROUND**

Amongst several changes that were included in the amendments to the *Municipal Act, 2001*, (the “*Act*”) is the inclusion of Section 268: Temporary replacement, member of upper-tier council. Section 268 provides that,

“... the council of a local municipality **may** appoint one of its members as an alternate member of the upper-tier council, to act in place of a person who is a member of the councils of the local municipality and its upper-tier municipality, when the person is unable to attend a meeting of the upper-tier council for any reason.” (**emphasis added**)

The appointment is not mandatory, but is at the option of each lower-tier municipality. The appointment of an Alternate is for the full term of Council and in accordance with the *Act*. However, the Alternate cannot act as the alternate for the Warden of the County.

The County has demonstrated its support and acknowledgement of the power conferred upon its lower-tier municipalities by passing By-law 40-2018 to ensure the consistent treatment of Alternates appointed in accordance with Section 268.

## **DISCUSSION**

The Mayor and Deputy Mayor are the Town's representatives at County Council and if either of them cannot attend a meeting, there is currently no mechanism to replace them for that particular meeting.

The benefits of appointing an Alternate include:

- Ensuring representation from the Town at County Council Meetings; and
- Additional experience at the County Council level for the Alternate.

The drawbacks of appointing an Alternate is the additional work for the Alternate to become familiar with the procedures and business at the County level.

If Council wishes to appoint an Alternate, it must decide on the process in which it selects the Alternate. In this regard, there are two options available: 1) Call for Nominations, or 2) Appointment by Votes.

Both options bear similarities to those contained in the Council Vacancy Policy. Under the Option 1, Council would receive nominations from Council members at an open meeting of Council and a vote would be conducted to elect the Alternate. Upon the election of an Alternate, Council would pass a motion appointing that member as the Alternate for the term of Council.

Under Option 2, the Councillor that received the highest number of votes in the regular municipal election would be given the first right of refusal to be appointed as the Alternate. If refused, the Councillor with the next highest number of votes shall be offered the opportunity to act as the Alternate, and so on until the position is accepted or the list of Councillor is exhausted. The necessary by-law shall be prepared for adoption as soon as possible after the position is accepted. If no one accepts the appointment, no Alternate shall be appointed.

Based on the foregoing, if Council wishes to appoint an Alternate Member to attend County Council Meetings when the Mayor or Deputy Mayor cannot attend, it is recommended that Council select Option 2 as the method for choosing the County Council Alternate.

## **LINK TO STRATEGIC PLAN**

No direct link to the strategic plan.

## **FINANCIAL CONSIDERATIONS**

There are no direct financial considerations for the Town. Any costs associated with an Alternate attending a County Council meeting, will be borne by the County of Essex.

## **CONSULTATIONS**

Essex County Clerks

## RECOMMENDATION

That Council receives Staff Report CS-22-2018, entitled, "Policy to Appoint an Alternate to Essex County Council" for information;

And That Council adopts the Corporate Services Policy entitled, Appointment of an Alternate to County Council;

And That Council directs the Clerk commence the process to appoint the Alternate immediately following the Inaugural Meeting so that the necessary by-law can be passed at the December 10, 2018 Regular Meeting of Council.

*Jennifer Astrologo*

Jennifer Astrologo, B.H.K. (hons), LL.B  
Director of Corporate Services/Clerk

*Peggy Van Mierlo-West*

Peggy Van Mierlo-West, C.E.T.  
Chief Administrative Officer