



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: January 28, 2020

Report Number: CS-2020-05

Subject: Appointment of an Alternate Member to Essex County Council

Recommendations

It is recommended:

That Report No. CS-2020-05 entitled “Appointment of an Alternate Member to Essex County Council” **be received**;

And that the draft policy entitled, “Appointment of an Alternate Member to County Council” **be approved** should Council wish to appoint an Alternate to Essex County Council;

And further that the Clerk **be directed** to commence the process to appoint an Alternate Member to County Council and prepare the approval by-law.

Background

Bill 68, *Modernizing Ontario’s Municipal Legislation Act, 2017*, which received Royal Assent May 30, 2017, amended the *Municipal Act, 2001*, *Municipal Conflict of Interest Act* and the *Municipal Elections Act*. Among other changes to the *Municipal Act, 2001* (Act), which were previously reported to Council under Corporate Services Report 2017-26 and CS-2020-02, is the addition 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.”

The appointment is not mandatory; it is at the option of each lower-tier municipality. In accordance with the Act, the appointment of an Alternate Member is for the full term of Council and the Alternate cannot act as the head of council of the upper-tier council (Warden).

The County of Essex (County) has demonstrated its support and acknowledgement of the power conferred upon its lower-tier municipalities under Section 268 by passing By-law 40-2018 to ensure the consistent treatment of Alternate Members appointed in accordance with Section 268. Attached as **Appendix 1** is a copy of County By-law No. 40-2018.

Comments

The Mayor and Deputy Mayor are the Town's representatives on County Council. If either 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 challenge of appointing an Alternate Member is the additional work for the Alternate to become familiar with the procedures and business at the County level.

To date, all of the area municipalities have appointed an Alternate Member to County Council, save and except the Town of Tecumseh and Municipality of Leamington. According to the County Clerk, the following summarizes the number of times Alternate Members have attended a County Council meeting due to their respective representative being on vacation, or in one instance when a member who had been ill for a while knew in advance they would not be able to attend. An Alternate Member has not attended a meeting last minute due to an unexpected absence.

- Town of Kingsville – Alternate has attended once
- Town of LaSalle – Alternate has attended four times
- Town of Lakeshore – Alternate has attended once
- Town of Essex – Alternate has attended two times
- Town of Amherstburg – Alternate has attended once

To appoint an Alternate Member, Council should decide on a process by which an Alternate Member is to be selected. In this regard, there are two suggested options which bear similarities to the Council Vacancy Policy: 1) Call for Nominations, or 2) Appointment by Votes.

Under Option 1, Council would receive nominations from amongst the Members of Council at an open meeting and a vote would be conducted to elect the Alternate Member. Following the

election of an Alternate, Council would pass a by-law appointing that member as the Alternate for the term of Council. A sample by-law is attached as **Appendix 2**.

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 Member. If that Member refuses or declines, the Councillor with the next highest number of votes would be offered the opportunity to act as the Alternate, and so on until the position is accepted or the list of Councillors is exhausted. The necessary by-law would then be prepared for adoption as soon as possible after the position is accepted. If there are no Councillors willing to accept the appointment, then no Alternate would be appointed.

In the event Council wishes to appoint an Alternate Member, Option 2 is the recommended process for the appointment. The draft Policy attached as **Appendix 3**, if approved, would fully described the process to appoint an Alternate Member to attend County Council Meetings when the Mayor or Deputy Mayor cannot attend.

Consultations

County of Essex

Financial Implications

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. The compensation for an Alternate Member to attend a County Council meeting is \$582.73 plus mileage per meeting.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	County of Essex By-Law 40-2018 Alternate Member of Essex County Council
2	Sample By-Law – Appointment of an Alternate Member to County Council
3	Draft Policy - Appointment of an Alternate Member to Essex County Council