

	<b>Report Title</b>	Alternate County Council Position
	<b>Report No.</b>	CLK 19-25
	<b>Author</b>	Donna Wilson, Town Clerk
	<b>Meeting Type</b>	Council Meeting
	<b>Council Date</b>	October 15, 2019
	<b>Attachments</b>	County Council Procedural By-Law Excerpt Section 3.6

## RECOMMENDATION

THAT Council receives report CLK 19-25, Alternate County Council Position as information;

AND THAT Council appoint \_\_\_\_\_ as an Alternate Member of County Council for the remainder of the Council term;

AND THAT a By-Law be brought forward for Council consideration.

## BACKGROUND

At the Council meeting of January 8, 2018, Council passed the following resolution:

*“THAT Council receives Report CL 18-01, Alternate Member of the Upper-Tier Council; AND THAT Council endorses Option 2.”*

Option 2 was chosen to appoint an alternate member for the upper-tier Council and a by-law was brought forward at the January 22, 2018 Council Meeting to appoint Dave Beres for the remainder of the council term until December 1, 2018. It should be noted that during the eleven months there was no occasion in which the alternate member was required.

At the first meeting of the new Council on December 10, 2018, Staff provided Council with Report CLK 18-35, Alternate County Council Position. At that time Council chose to wait to see if the other lower tier municipalities in Oxford County were appointing Alternate County Council Members prior to making this decision.

Section 268 of the Municipal Act sets out the Temporary replacement of a member of the upper-tier council. This is not a requirement but an option for municipalities of a lower tier.

*268 (1) Subject to subsection (2), 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. 2017, c. 10, Sched. 1, s. 31.*

The limitations to the legislation is that only one alternate member can be appointed during the term of council and you cannot appointment an alternate member to act in place of an alternate member who has been appointed. However, if the seat of the member who has been appointed as an alternate member becomes vacant, then council may appoint another of its members as an alternate member for the remainder of the council term.

## **DISCUSSION**

There is no requirement in the Municipal Act to appoint an Alternate Member for the Upper Tier Council for a municipality. The Act allows municipalities to appoint an alternate member of Council to act in the place of the County Councillor should he be absent or unable to fulfil those duties.

Part 11 of Tillsonburg Procedural By-Law 4173, describes a process to appoint an Alternate Member for County Council.

In 2017, Council opted to appoint a member of Council as an Alternate Member of County Council and an appointment By-Law was passed in January 2017. At that time one name was brought forward and a motion was passed in favour of appointing the Deputy Mayor Dave Beres.

On March 14, 2018 Oxford County Council approved changes to their Procedural By-law to incorporate changes to Council composition, including temporary replacement of a member of upper-tier Council.

An excerpt from Oxford County Council Procedural By-Law 5852-2016 is attached for your information.

The change to their by-law allowed for an alternate member to be appointed in the absence of a member except for the warden position.

If Council decides to appoint an Alternate Member for County Council the following process is set out in Procedural By-Law 4173.

In accordance with Part 11, the CAO, shall be selected as the person to draw a name from a ballot box in event of a **tied vote**. Each Councillor shall have a nomination form which requires both the signature of the nominator and a seconder. The nomination forms shall be provided to the Town Clerk immediately after the announcement of the election. If more than one member of Council has been nominated then an open vote shall take place. The Town Clerk shall call the names of the members of Council in alphabetical order according to surnames and each member shall verbally indicate the nominee of their choice. The Clerk shall announce the results of the vote. If only one member of Council has been nominated, a resolution shall be passed and a by-law brought forward for Council's consideration.



Council has two options, to simply receive the report as information and do nothing or to appoint an Alternate Member of County Council for the remainder of the four year Council term.

#### Option 1: Alternate County Council Position

THAT Council receives Report CLK 19-25 Alternate County Council Position as information.

#### Option 2: To Appoint a Deputy Mayor

THAT Council receives Report CLK 19-25 Alternate County Council Position;

AND THAT Council appoint \_\_\_\_\_ as an Alternate Member of County Council for the remainder of the Council term;

AND THAT a By-Law be brought forward for Council consideration.

### **CONSULTATION/COMMUNICATION**

Oxford County Municipalities have been polled regarding Alternate appointments to the upper tier. The following chart represents their appointments and method.

Municipality	Appointment	Method
Township of Blandford Blenheim	Councillor	Councillor with the highest # of votes in election.
Township of East Zorra-Tavistock	Deputy Mayor	Appointment of Deputy Mayor in accordance with Procedural By-Law
Town of Ingersoll	Deputy Mayor	Elected Deputy Mayor
Township of Norwich	No appointment	Council decided not to elect an alternate
Township of South West Oxford	Councillor	Council appointment – nomination process
Town of Tillsonburg	To be determined	
City of Woodstock	Councillor	Council nomination/election
Zorra Township	Councillor	Councillor with the highest # of votes in election.

### **FINANCIAL IMPACT/FUNDING SOURCE**

There is no compensation allotted for an alternate member of County Council by the County. In accordance with the Council Expense policy, mileage could be charged for attending meetings in Woodstock.

### **COMMUNITY STRATEGIC PLAN (CSP) IMPACT**

#### Section 1 – Excellence in Local Government

#### 1.3 Demonstrate Accountability – Citizens are aware of Council's actions.





## Report Approval Details

Document Title:	CLK 19-25 Alternate County Council Position.docx
Attachments:	- CLK 19-25 County By-Law Excerpt 3.6.docx
Final Approval Date:	Sep 24, 2019

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to be 'RS' with a long horizontal stroke extending to the right.

**Ron Shaw - Sep 24, 2019 - 11:48 AM**

