



Subject: Alternate County Council Position

Report Number: CS 22-31

Department: Corporate Services Department

Submitted by: Donna Wilson, Acting Clerk

Meeting Type: Council Meeting

Meeting Date: Monday, November 21, 2022

RECOMMENDATION

THAT Council receives Report CS 22-31 Alternate County Council Position as information;

AND THAT Council appoint _____ as the Alternate County Council Position for the term of Council;

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

BACKGROUND

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.

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/she be absent or unable to fulfil those duties.

Following the 2018 Municipal Election and the passing of the new legislation set out above, 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. In October of 2019 Council decided to appoint Dave Beres as an Alternate for County Council through By-Law 4351. That appointment is effective until December 31, 2022.

County Council's procedural by-law allows an Alternate to attend in the place of a member and requests municipalities make every effort to provide 48 hours notice prior to the Alternate attending meetings. In addition if no Alternate has been appointed and the Municipality becomes aware that the County Council member will be unable to attend County Council for more than one month then they can then appoint a Council member from Tillsonburg as the Alternate. An excerpt from Oxford County's Procedural By-law is attached for your reference.

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

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.

Following the last Municipal Election in 2018 all Municipalities in Oxford County except the Township of Norwich appointed an Alternate Member of County Council. A recent poll of Oxford County Municipal Clerks revealed that all 8 Municipal Clerks were recommending that Council Appoint an Alternate for this term of Council.

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 four year Council term.

Option 1: Alternate County Council Position

THAT Council receives Report CS 22-31 Alternate County Council Position as information.

Option 2: To Appoint a Deputy Mayor

THAT Council receives Report CS 22-31 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.

FINANCIAL IMPACT/FUNDING SOURCE

N/A

CORPORATE GOALS

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

Goal - The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information and opportunities to shape municipal initiatives.

Strategic Direction - Increase opportunities and promotion for public engagement in municipal initiatives.

Strategic Project – N/A

ATTACHMENTS

CS 22-31

Oxford County Procedure Excerpt