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## Memorandum to the Members of Council

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From: Fernando Lamanna  
Position: Deputy CAO & Municipal Clerk  
Title / Subject: Appointment of an Alternate Member of Regional Council  
Date of Meeting: Monday, June 9, 2025  
Report Number: 2025-GG-012

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This memorandum is to outline the provision of the Municipal Act, 2001 (the Act) as it relates to appointing an alternate member to Regional Council.

There are two sections of the Act that deal with an alternate member, Section 267 that references 'vacancy', and Section 268 that references 'temporary replacement'.

At the Council Meeting held on October 23, 2023, Council passed Resolution # C-2023-237:

WHEREAS Section 268 of the Municipal Act, S.O. 2001, as amended, permits the Council of a lower-tier municipality to appoint one of its members as an alternate to act in the place of the Mayor or Regional Councillor who are unable to attend a meeting of Regional Council; and

WHEREAS The Council of the Township of Brock deems it prudent to make such an appointment

BE IT THEREFORE RESOLVED THAT as per Section 268(1) of the Municipal Act, the Township of Brock, hereby appoints Councillor Cria Pettingill as the alternate member to Durham Regional Council, to act in place of the Mayor and/or Regional Councillor, when either is unable to attend a meeting of Regional Council for any reason.

In discussions with the Regional Clerk, he advised that Councillor Pettingill's appointment under Section 268 is a 'temporary appointment' when the Mayor or Regional Councillor are unable to attend a Regional Council meeting. Additionally, the interpretation taken, is that the alternate appointed would ONLY be able to attend Regional Council meetings and not any committee meetings.

The Regional Clerk suggested that, in the case of the vacancy of the mayor's seat, Brock, if so chooses, may wish to appoint an alternate member under Section 267.

Section 267(2) reads as follows:

*If the offices of a person who is a member of council of both a local municipality and its upper-tier municipality become vacant and the vacancies will not be filled for a period exceeding one month, the local council may appoint one of its members as an alternate member of the upper-tier council until the vacancies are filled permanently.*

The alternate member appointed under Section 267, would then be permitted to attend all committee of the whole meetings and any committees to which former Mayor Schummer was part of. In the month of June that includes 4 meetings and 3\* meetings in September.

The appointment of an alternate under Section 267 is not a requirement, however, Brock does forfeit any voting rights for that seat. Additionally, the appointment of an alternate can also take place at a future council meeting.

\* the number of meetings that the alternative member would attend in September and potentially into October and later, may depend on the upcoming by-election.