



Administrative Report

Office of the Director of Council & Community Services/Clerk

To: Warden McNamara and Members of County Council

**From: Mary Birch
Director of Council & Community Services/Clerk**

Date: Wednesday, July 17, 2019

Subject: Request for Absence from County Council

Report #: 2019-0717-CCS-R004-MB

Purpose

To seek approval of Essex County Council for an extended absence by Amherstburg Mayor Aldo DiCarlo from Essex County Council meetings, due to illness.

Background

Section 259(1) of the *Municipal Act, 2001*, as amended, describes circumstances which result in the seat of a member of Council being declared vacant.

Section 259 (1) states: "The office of a member of council of a municipality becomes vacant if the member,

(c) is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council";

Further, Section 259(1.1) (3) speaks to dual vacancies.

"(3) Dual vacancies – If one of the offices of a person who is a member of council of both a local municipality and its upper-tier municipality becomes vacant under this section, the other office also become vacant."

Discussion

Mayor DiCarlo has advised that he is not currently able to attend County Council meetings due to illness and will be absent until such time as his attending physician deems him fit to return.

Mayor DiCarlo has been absent from Essex County Council meetings for the months of May and June.

Amherstburg Council adopted a resolution at their June 24th meeting approving a leave for Mayor DiCarlo for a 3 month period.

In addition, Amherstburg Council has appointed Councillor Michael Prue as Amherstburg's Alternate on County Council.

Financial Implications

In accordance with Section 25.8 of the County Procedure By-law 41-2018, County Councillors are paid an annual base salary, divided into monthly payments and that salary constitutes remuneration for all duties, responsibilities, attendance at all community/social events and attendance at regular and special County Council meetings. As such, when members of County Council are absent from County Council meetings, they continue to receive their salary as their duties include so much more than just physically attending the meetings.

Section 25.9 of Procedure By-law 41-2018, indicates that for attendance at External Board and Committee meetings, members of County Council are paid an additional meeting stipend. When members of County Council are absent from External Board and Committee meetings, they do not receive a meeting stipend.

Alternate members of County Council also receive a meeting stipend in accordance with the Procedure By-law, for any meetings of Essex County Council they attend in the absence of an elected member. Additional funds were included in the 2019 Council Services Budget to cover compensation for Alternate Members of County Council, which was new in 2019.

Recommendation

That, in accordance with Section 259 (1)(c) of the *Municipal Act, 2001*, as amended, Essex County Council approve a medical leave of absence for Mayor Aldo DiCarlo from Essex County Council meetings until such time as the attending physician deems him fit to return.

Respectfully Submitted

Mary Birch

Originally Signed by

Mary Birch Director of Council & Community Services/Clerk

Concurred With,

Robert Maisonville

Originally Signed by

Robert Maisonville, Chief Administrative Officer