

To:	Warden Hicks and Members of Grey County Council
Committee Date:	April 25, 2019
Subject / Report No:	CCR-CW-06-19
Title:	Recommendation to Appoint a Member of Council to Act in Place of the Warden in the Absence of the Warden and Deputy Warden During a Municipal Emergency
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Reviewed by:	Heather Morrison, Michael Letourneau
Lower Tier(s) Affected:	All
Status:	Recommendation adopted by Committee as presented as per Resolution CW100-19;

Recommendation

That Report CCR-CW-06-19 regarding the appointment of members of Council to act in the absence of the Warden and Deputy Warden during an emergency be received; and

That the following members of Grey County Council be appointed as alternate Warden, prioritized as indicated, to act in the absence of the Warden and Deputy Warden during an emergency:

2nd Alternate:

3rd Alternate:

4th Alternate:

And that a by-law be brought forward for Council's consideration.

Executive Summary

Under the *Emergency Management and Civil Protection Act*, R.S.O. 1990 (EMCPA), only the head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary provided they are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area.

Grey County currently relies on the Procedural By-law which permits the Deputy Warden to act in place of the Warden where the Warden is unavailable. It has also been Grey County's practice to rely on other

past Wardens on council to act in place of the Warden or Deputy Warden should they be unavailable. Until recently, there were several past Wardens sitting on County Council. With the recent change in Council members the County is currently in a position where the one past Warden sitting on Council is the Deputy Warden, leaving the County with only one (1) alternate head of council.

Staff recommends maintaining a roster of a minimum of four (4) alternates to the Warden in the event of a municipal emergency situation.

Background and Discussion

The need for alternates during an emergency situation may arise out of a variety of circumstances, including several council members attending out of town conferences, being on vacation at the same times, and being impacted by the emergency themselves. Further, when an emergency situation occurs, there may not be time to convene an emergency council meeting to appoint an alternate to the Warden nor even sufficient numbers of Councillors available to have a quorum.

This report recommends the following method for appointing and prioritizing Councillors to act as alternates to the Warden under the EMCPA in order of prioritization:

- The Deputy Warden, as defined in the Procedural By-law for Grey County; and
- The current members of Council who are also past Grey County Wardens, with the most recent past Warden available being prioritized.

If the total of the above-noted methods provides less than 4 alternates to the Warden, the following method shall be used to appoint a sufficient number from among the current members of Council. The appointments will last throughout the Term of Council.

- Interested members of Council will consent to let their names stand, and the required number of names from those submitted will be drawn from a hat during a Council meeting, by the Clerk. Their prioritized order will be determined by the order in which the names are selected.

It is recognized that the number of past Wardens will likely increase throughout the Term. If, as the Term progresses, more than a total of four (4) alternates become available, the members of Council who were selected to act, and were prioritized in the order described above will continue to be listed within the County's emergency plan as alternates, but those lower than fourth (4th) in priority may attend the relevant annual training and exercise sessions at their own discretion.

For those Councillors selected to take on this additional responsibility, it will involve the following time commitments throughout the Council Term:

- One training session (approximately ½ day) annually;
- One emergency exercise session (approximately ½ day) annually;

and could involve:

- acting in the place of the Warden during a municipal emergency situation, filling the role and taking on the responsibilities assigned to the Warden under the Grey County Emergency Management Plan, where each of the Warden, Deputy Warden, and the other prioritized

alternates are all absent, refuses to act or the office is vacant until such time as the Warden, Deputy Warden or a prioritized alternate is available to act.

Legal and Legislated Requirements

The Grey County Emergency Management Plan outlines the roles and responsibilities of the Grey County Warden during an emergency situation, and that Plan is established by by-law, under the authority of the EMCPA. The by-law to appoint a member of Council to act in place of the Warden in the absence of the Warden and Deputy Warden during a municipal emergency is guided by the County's Procedural By-law as well as Provincial Acts and regulations, including the *Municipal Act* and the EMCPA, and the common law.

Financial and Resource Implications

There are no staffing or Information Technology implications related to this report. There are very minimal costs related to mileage and per diems for designated alternate members and these are included in the existing Council operating budget.

Relevant Consultation

- Internal (Kim Wingrove, Heather Morrison, Michael Letourneau)
- External (Wellington County, Bruce County, Dufferin County, Simcoe County and Grey County member municipalities)

Appendices and Attachments

[Draft By-law](#)