

Ballard's unpaid leave approved as Provincial campaign continues

By Brock Weir

As the 2014 Provincial Election campaign officially goes into its second week, the three declared candidates have hit the ground running.

For the next several weeks, however, and potentially much longer, the campaign will take Councillor Chris Ballard away from the Council table.

As The Auroran reported last week, the Councillor was due to seek Council's approval for an unpaid leave for the rest of the election campaign. It was a request Councillors consented to.

In his motion, calling for Council to green light the suspension of his pay for the duration of the campaign, he noted Council only needs to provide consent if a particular Councillor intends to be absent from scheduled Council meetings for more than three straight months.

Before approving the motion, however, some Councillors questioned whether this was just a simple docking of pay for the length of the campaign or whether it would be a formal leave of absence.

"In all the other [motions] I have seen lately of candidates who have put their name forward, they all speak to taking a leave of absence from their job," said Councillor Michael Thompson. "Yours doesn't speak to that at all."

Councillor Ballard said that the way forward was recommended by Town Clerk Stephen Huycke as the Municipal Act 2011 doesn't speak specifically to leaves of absence.

"The need to seek a leave of absence wasn't required at this point, only if I was going beyond that three months," said Councillor Ballard.

Added Mr. Huycke: "The Municipal Act is silent on leaves of absence for [Council] and, as such, there is potentially no legislative authority to grant leaves of absence. The Municipal Act does state, however, that a member of Council can lose their seat if they miss more meetings over three consecutive months without prior authorization."

With one member gone from their ranks, at least for the next several weeks, Councillor Thompson also questioned how residents who might come to Councillor Ballard with questions or concerns might be served in his absence. That, said Councillor Thompson, was something to consider in how this unpaid leave would be defined.

"My sense is that if anyone can get through to me, if I can answer their question over the phone, I will," said Councillor Ballard. "Failing that, I will direct them to the appropriate Councillor or staff [member]. The very notion of putting this forward tonight I hoped would draw attention to the fact for the next five weeks anyway I will be pre-occupied."

Should Councillor Ballard be successful in his bid to become Newmarket-Aurora's next Member of Provincial Parliament representing the Liberal party, or Newmarket Councillor Jane Twinney successful in her same bid to take the riding for the Progressive Conservatives, their respective seat on Council will automatically be vacated and there will be a vacancy to be filled.

As the June 12 Provincial Election is so close to the October 27 Municipal Act, the window to hold a by-election to fill this spot will, under the Municipal Act, be too narrow, so appointment will be the route Council will ultimately have to take.

An appointment must be made within 60 days of a vacancy.

Aurora Council was last in this situation when Grace Marsh resigned her seat midway through the 2006 ? 2010 term of Council. With over two years remaining in the term, the Council of the day had the choice of whether to hold a by-election or go forward with an appointment.

Controversially, they opted to go the appointment route, selecting incumbent Councillor and now mayoral candidate John Gallo to fill the vacancy as he came in ninth in the race for eight Council seats.

Looking forward, Aurora Council can theoretically appoint anyone to fill the vacancy, but examples in other municipalities include appointing former members of Council or former members of municipal staff to keep the seat warm.

Coming in ninth place in the 2010 Municipal Election was Stephen Granger, who sought re-election after serving in the previous Council term. He narrowly lost the eighth position to Councillor Paul Pirri.