
From: Tanya Leopold <TLeopold@westhants.ca>
Sent: September 28, 2018 10:33 PM
To: Office of the Legislative Counsel
Subject: Bill 55, Special Legislation re: Region of Windsor and West Hants Municipality Act

Dear Chair of Law Amendments Committee,

I am writing to express my opposition to Bill 55 relating to Special Legislation re: Region of Windsor and West Hants Municipality Act.

In the interest of full disclosure I would like to point out that I am a Councillor in the Municipality of the District of West Hants. Please know that this submission does not represent the position of my council. It represents the position of myself, a resident of West Hants and an elector in the Province of Nova Scotia.

This area of the province has been seen many attempts and variations of collaboration in governance. Admittedly, the journey to a palatable form of collaboration in Windsor and West Hants has been arduous. At times there have been periods of discontent with the governing municipal "councils of the day". There was a disintegration of joint council activities between Windsor and West Hants. Finally, and most notably, there was a citizen driven movement to stimulate change to local governance. The journey to a collaborative approach in governance has certainly been unique and complicated for Windsor and West Hants.

To provide some background, the desire to unite these two communities was launched years ago by a group of concerned citizens known as ARC, Avon Region Citizen's Coalition. Notably, at the time of the ARC uprising, there was a position of discontent with, or at least prolonged discussions on, the delivery of fire protection within Windsor and West Hants. Further to that was the appearance of general displeasure with the councils of the day. As such, an application was made by ARC to the NS Utility and Review Board for amalgamation of Windsor and West Hants. (Note that the Town of Windsor later joined this application. West Hants declined joining the application). With the use of a mechanism provided in the Municipal Government Act, these two groups used a petition to garner support for a change in government structure.

These petitions were left at local businesses, or were circulated outside of busy shopping stores. In some cases ARC members knocked on the doors of citizens and presented a document intended to change the governance structure using the disguise of addressing inadequate fire protection along with fostering an opposition to the "council of the day".

I have spoke to many citizens about the lack of details offered at the time signatures were requested. Approaching people in areas of congestion and busyness led to rushed decisions and pressure to sign so they could continue running their errands. Many citizens were not explained the impact or the intended use of the petition and are now most regretful that their signatures exist on the petition.

I also call in to question the validity of the petition given there is a lack of representation from citizens on the petition. Upon reviewing the unredacted version of the ARC petitions it was evident to me that 7 out of 10 districts in West Hants were grossly underrepresented. If one were to look at these petitions

you will see that, by and large, Hantsport, Falmouth and Three Mile Plains were targeted for their signatures but not so much in the more rural areas. I am talking about the vicinities of Walton, Cameron Lake, Vaughns, Woodville, Mosherville, etc. This concerns me greatly because I feel it speaks to the lack of thought for your most rural citizens and it serves to validate the grave concerns that rural residents feel towards the idea of regional government. Rural citizens were not engaged on the single most important instigator of regional government in this region.

The issue has been debated extensively at the municipal level. It is obvious that the Council of Town of Windsor has consistently and unanimously supported amalgamation and/or regional governance. With my knowledge of the affairs of the West Hants Council I can tell you this has not been the case in West Hants Council. For years the issue has been under heated debate and discussion. The UARB process was extended for lengthy periods which complicated, and sometimes, superseded the intention of the process which was to work together. Nevertheless, Bill 55 is before you after these two councils motioned for special legislation to permit a regional government for Windsor and West Hants.

As part of my duties as Councillor I have attended information sessions offered by the Dept. of Municipal Affairs. Recognizing the challenges in being the first units to pursue a regional governance structure of this nature, I continue to be apprehensive. Respecting the expertise and professionalism of staff I have found the details of the proposed process (specifically the financial support offered by the province for the new Regional Government) to be very vague. For a process which requires a lot of trust between parties, this lack of information is challenging. As seen by the background provided the units involved struggle with trust. Further to that is the building of trust between province and municipal levels. I did not find 3 information sessions to be sufficient time to repair trust issues that have existed between Windsor and West Hants for over 50 years. In my opinion, with the lack of details from the DMA, it compromised trust building between province and municipalities.

If nothing else, I hope it is recognized that there lies an issue within the wording of the Municipal Government Act, itself. This should be of critical importance to this committee and also to the Department of Municipal Affairs. This clause enables a small sample of residents (only 10% of a municipal unit's population) to create significant upset with provision of governance. Undoubtedly, this clause of the MGA has contributed to the division and frustration of collaboration efforts. If nothing else, this written submission should be used in consideration of modernizing the legislative terms of this act. Serious consideration should be given to the minimum percentage of citizens that can request change (minimum number of signatures on a petition). I would argue that additional parameters should be included to ensure fair representation in all geographic areas within a municipal unit.

I trust that you have a better understanding of my opposition to Bill 55. Firstly, the origins of this process do not lend themselves well to acceptance. Secondly, insufficient time has been spent repairing trust between parties involved. Lastly, there was insufficient time to digest the information required to support the legislation. It was my belief that municipal modernization was intended to be cause for jubilation. My level of uncertainty and apprehension is inhibiting this. Our last information meeting immediately prior to first reading was anything but jubilant.

This bill could be amended to include a plebiscite to ensure that fair representation of citizen support has been offered. This bill could be tabled while DMA offers support to build trust between councils and trust within the community. Or this bill could be dropped citing a lack of confidence in the remaining process after legislation is passed.

Respectfully,

Tanya Leopold
Councillor, Municipality of the District of West Hants and
Concerned Citizen of West Hants