

From: Robert Gauthier [REDACTED]
Sent: March 6, 2024 4:57 PM
To: Office of the Legislative Counsel
Cc: michellethompsonmla@gmail.com; Premier; Minister, DMA; ca@zachchurhill.com
Subject: Bill 407 - Antigonish Consolidation Act

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Legislative Counsel Office
Law Amendments Committee

RE: Bill 407 - Antigonish Consolidation Act

6 March 2024

To Whom It May Concern,

My name is Robert Gauthier.

I am a resident of the Municipality of the County of Antigonish, Nova Scotia.

I am writing this letter to express my concerns regarding this legislation, and to propose amendments to Bill 407 - Antigonish Consolidation Act.

My concerns regarding Bill 407 have to do with the process and the lack of information provided to the residents of both the Town and County of Antigonish rather than the issue of consolidation itself. I currently am neither in favor of, or against consolidation. I have not been provided with enough information by the Town of Antigonish, the Municipality of the County of Antigonish, or the Province of Nova Scotia with which to make an informed opinion regarding the matter. Many residents of Antigonish would say the same.

This consolidation, from my observations as a mere resident of the Municipality of the County of Antigonish, appears to have been a process with a predetermined outcome from the beginning.

No one serving on the councils for either the Town or County of Antigonish ran on a platform of consolidation. Not a single one of them.

The first notice that I received of this process was from a facebook post that I happened to stumble across one evening. At that time it was being referred to as amalgamation.

My household has still not received a single piece of literature with any sort of notice that this process was being considered, explored, or was to go through. I find that to be unusual. For example, every time there is a bulk trash pickup day in the Municipality of the County of Antigonish, we receive brightly coloured notices in our mailboxes at least a few weeks before the actual day of the pickup. Yet the act of consolidating or amalgamating two municipal units, or in this case dissolving one outright doesn't even warrant a single sheet of paper to be sent out? If public engagement was my role in either municipality I, personally, would be sending out multiple dedicated notices to the households of my municipality over a long period of time from the very moment the discussion was first being had.

The concern I have with this process would be that the "community engagement sessions" held by Antigonish Town and County were not well advertised. I was unable to attend any of them to learn any of the information provided first hand because I didn't know of them until I already had a full schedule. Almost zero notice. I have learned that many other community members have expressed similar sentiments regarding information, proper notice, and the lack thereof. Of note also is that this process began during the height of COVID-19. Many people were afraid to attend large gatherings. A further concern of the "engagement sessions" would be that from the statements of those few who were able to attend, it was less a conversation and more a briefing regarding a predetermined outcome.

Another concern, and question that I have is why has it been deemed necessary to bypass the existing legislation, the Municipal Government Act, with this special legislation? More specifically, why the councils of Antigonish Town and County as well as the Nova Scotia Legislature feel it is appropriate to deny the residents of the Town of Antigonish, and the Municipality of the County of Antigonish their right to both have the Nova Scotia Utility and Review Board study, and administer this proposed consolidation, as is their function under the Municipal Government Act, and to exercise their direct right to voice either their approval or rejection of this issue by holding a plebiscite. It concerns me greatly that this matter, consolidation, has been raised in the past and that we were able to exercise our right to vote back then, but now we are being denied that right. Again, this feels like it was always a predetermined outcome.

My final concern is that of a complete lack of information regarding the future of the new consolidated Antigonish municipal unit should this process of consolidation go through. As I stated previously, I am not for or against consolidation. There may be many benefits to combining into one municipal unit. But what are those benefits, and what are the risks? I don't know, and anyone who asks is not given that information. There has been zero information provided in regards to taxation, utilities, public services, or infrastructure. No studies. No cost-benefits analysis. We as the residents of Antigonish have been provided no plan at all for how things will proceed should this come to pass. I, for one, do not value a "By the seat of our pants" approach to the governance of a municipal unit. How are things going to look in 5 years? 10 years? We don't expect everything to be carved in stone, but the residents of both Antigonish Town and County deserve to know that their government has at least a loose outline of what the plan might be. Personally, I try to deal with years in my plans, I would expect a government to be planning in decades at the very least.

A personal example to take note of is my own home. I live on the fringes of the Town of Antigonish in the Municipality of the County of Antigonish. The town/county line is within a short walking distance. Close enough that my community uses "Antigonish" on our letter correspondence. There has been zero information provided to anyone regarding how our taxes are going to be calculated in the future. If my home was half a kilometer up the road my taxes would be different. Am I going to be taxed at the same rate as someone in a more rural community, or is that town line going to be removed and suddenly my home is in the urban area getting taxed at the urban rate? These questions need to be answered before consolidation, not after.

We the residents of both the Town and County of Antigonish as a whole should have received as much information about this process and its cost, benefits, and a five year vision for the government at a minimum, as possible before this was to even be considered to be passed into law. We the residents of Antigonish Town and County have received nothing, and our demands for both a vote, and the necessary information with which to make an informed opinion, or decision have fallen on responses of "Just trust us, we know what's best for you" from our elected representatives. That is scary to this constituent considering the climate of the first part of this decade.

My first request would be for Bill 407 - Antigonish Consolidation Act to be deferred as this matter currently continues before the Nova Scotia Court of Appeal.

If Bill 407 - Antigonish Consolidation Act is not to be deferred until after the Nova Scotia Court of Appeal renders its judgement on this matter. Then I humbly request that it be withdrawn completely due to the concerns I have presented above. I cannot see how you, as our elected representatives, could take it upon yourselves to bypass the Municipal Government Act when so many of the residents of both Antigonish Town and County have expressed how little information that has been shared regarding this process and their overwhelming desire to decide this matter via plebiscite. It is completely unacceptable in my opinion to bypass the existing structure put in place via the Municipal Government Act. Bypassing existing legislation is an abuse of the established process.

If you have no intention of withdrawing this legislation, then I propose that the following amendments be made to Bill 407 - Antigonish Consolidation Act.

1.) That an independent and thorough study of the consolidation of the municipal units, the Town of Antigonish and the Municipality of the County of Antigonish, be conducted to determine the effects of said consolidation on the residents of both municipal units.

2.) That at a reasonable time after the thorough independent study is completed, and tabled for public review, that binding plebiscites be held, one in the Town of Antigonish, and one in the Municipality of the County of Antigonish. To allow the residents of both the Town of Antigonish and the Municipality of the County of Antigonish the time to be informed and to express their desire regarding this issue. The plebiscites for both the Town of Antigonish and the Municipality of the County of Antigonish shall be held on one day conducted by a returning officer according to the conduct for a Special Election as laid out in the Municipal Elections Act, and not a new process created for this issue. The cost for the plebiscites should be borne jointly by the Municipality of the County of Antigonish, and the Town of

Antigonish.

3.) That consolidation shall only move forward if the plebiscites find that a majority of residents of the Municipality of the County of Antigonish, and the Town of Antigonish approve of said consolidation.

4.) That a transition committee to oversee the consolidation be independently appointed, and then administered by the Nova Scotia Utility and Review Board to ensure impartiality, and the restoration of public trust in Antigonish.

5.) That, to prevent any appearance of a conflict of interest and to restore public trust, no member of the consolidation transition committee shall be permitted to stand for election in the first municipal election for the new Antigonish consolidated municipality.

A final personal note.

It was not until this issue arose that I found myself being particularly politically engaged. I have voted in every election since I became of the age of majority. Beyond that I have kept to myself, and followed the law. I am what you might call a member of the semi-silent majority. I'll write a letter if something really gets under my skin. I feel the need to express that a lot of people in Antigonish are extremely displeased with this process, but they themselves don't have the time to do anything other than be shocked and disappointed. A lot of that silent majority are silent because they believe that the process has been rigged from the beginning against them, because that's what life has taught them. This issue of consolidation is angering a lot of people who once had faith that there were processes in place to protect them. Laws to ensure that elected representatives don't forget that they are not leaders, they are representatives. Elected by their constituents to represent them and administer the government. Ethically, I believe that you as our representatives have a duty to ensure that major changes to our structure of governance are done with the permission of a majority of the electorate. No campaign was run on this issue at either the municipal or the provincial level during the last elections. Bypassing the will of your constituents via special legislation does not taste very good to this constituent.

Thank you for your time, and your consideration on these matters.

Sincerely,

Robert Gauthier
Antigonish, Nova Scotia

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