
From: Ron MacGillivray [REDACTED]
Sent: February 29, 2024 10:33 AM
To: Office of the Legislative Counsel
Subject: Amalgamation

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To whom this may concern:

I would like to share a few thoughts on the amalgamation that is happening in Antigonish. This can only be a good thing for our community as a whole as there was far too much duplication taking place. Being a large commercial tax payer in both the town and county, as well as being involved in the construction of buildings in both, I find it confusing as to which government is in charge of what. I've been a strong advocate of amalgamation for years as there is too much overlap. I must say that I'm so proud that the two governments are finally coming together as one. Now our community can flourish and experience more growth without all the bickering back and forth.

RonMacGillivray

President of MacGillivray Group of Companies

Sent from my iPhone

March 1, 2024

Office of the Legislative Counsel
Barrington Street, Halifax NS
B3J 2X1

RE: Bill NO. 407 - Antigonish Consolidation Act

To the members of Standing Committee on Law Amendments;

I wholeheartedly support the consolidation of Antigonish Town and County as I firmly believe it is the most advantageous path for our community's future. The outdated ideology of Town vs County should no longer hold a place in the discourse of the Antigonish Community.

The current inefficiencies stemming from maintaining two separate municipal units for a relatively small population have become increasingly apparent over time. Thankfully, we have seen a shift in our councils' mindset away from the divisive "us vs. them" mentality. Therefore, now is the opportune moment to unite and consolidate our resources. ***I see absolutely no advantages to the status quo of two municipal units for a population of less than 20,000.*** Conversely the disadvantages of two municipal units will eventually tip the scales, with one or both units finding themselves in dire circumstances, and amalgamation will occur, then the negative consequences of waiting will come home to roost. The fallout in this scenario will put the residents of our community at a disadvantage, one which can be avoided.

Our elected councils bear the responsibility of making decisions for the greater good, and it is essential that we place our trust in their judgment. With thorough investigation, careful consideration, and inclusive public consultations, both municipal units have reached a consensus in favour of consolidation. This is an administrative move aimed at reducing expenses and enhancing operational efficiency. Similar decisions are routinely made across the province without resorting to plebiscites.

I urge the Province of Nova Scotia to honour the wishes of these units and pass the necessary legislation.

To reiterate, I express my unwavering support for the consolidation of Antigonish Town and County, firmly believing it is in the best interest of our community's ongoing progress. Our elected representatives have diligently assessed the situation and engaged the public in this decision-making process, and it is crucial that their efforts are respected and acted upon.

Ashley Bouchie
Harbour Centre, Antigonish County Nova Scotia

March 1, 2024

Reema Fuller
Antigonish, NS
[REDACTED]

The Hon. Brad Johns
Chair, Standing Committee on Law Amendments
Email: Legc.office@novascotia.ca

RE: Bill 407 - A written submission in support of the Antigonish Consolidation Act

Dear Min. Johns and Members of the Standing Committee on Law Amendments:

I am writing today in **support of Bill 407**, the Antigonish Consolidation Act.

I wholeheartedly support the consolidation of Antigonish Town and County as I firmly believe it is the most advantageous path for our community's future. I congratulate the Municipal Leaders and Officials in the Town of Antigonish and the Municipality of the County of Antigonish for their vision and resolve to inspire this Bill, and I commend your government for moving the legislation forward.

16 years ago, my husband and I moved here from Toronto and chose to make Antigonish our new home. We are proud to now be raising our two young children here. We serve on multiple volunteer boards, have worked hard to contribute to our community's vitality, and are optimistic about the future. Our home is located in what is known as the "fringe" region - accessing a combination of municipal services from both Town and County. We spend our time on a daily basis floating between the Town and the County, both physically and virtually, for a variety of everyday needs including work, shopping, schools, sports, recreation, leisure, volunteering, community events, cultural events, and more.

Antigonish is our home - not the Town, not the County, but the "Community of Antigonish" - and we want our children to thrive here and have access to opportunities close to home.

Thriving communities of the future will not come from small, under-resourced, and insulated municipalities. Rather, they will come from those who can think big, collaborate, and work together. Our Municipal Leaders understand this and they have put forward a vision for something bigger. They have inspired a move away from the "us vs. them" mentality of the past. They have led a process with thorough investigation and careful consideration and consultation, in favour of consolidation. The current inefficiencies stemming from maintaining two separate municipal units for a relatively small population are increasingly apparent. Now is the time to unite, modernize, build on the community's strengths, and create new opportunities for a new world.

To close, I express my unwavering support for the consolidation of Antigonish Town and County and for Bill 407, firmly believing it is in the best interest of our community's ongoing progress.

Let us seize this moment to come together, refine and streamline our operations, and work towards a more efficient and prosperous future.

Sincerely,
Reema Fuller

Cc:

Hon. John Lohr, Minister of Municipal Affairs and Housing

Hon. Michelle Thompson, MLA Antigonish

Hon. Zach Churchill, Leader of the Opposition

Mayor Laurie Boucher, Town of Antigonish

Warden Owen McCarron, Municipality of the County of Antigonish

March 1, 2024

The Honourable Brad Johns
Chair, Standing Committee on Law Amendments
Email: legc.office@novascotia.ca

Dear Minister Johns & Members of the Standing Committee on Law Amendments:

Re: Bill 407: Antigonish Consolidation Act

I write to you today as a resident of the Municipality of the County of Antigonish in support of Bill 407: Antigonish Consolidation Act. I want to thank you in advance for reading this submission.

In October 2021, when the councils of the Town and County of Antigonish voted to explore consolidation, I was one of thousands of residents who were excited to learn more about what this could mean for our communities. I don't have to tell you that the world we live in is much more complex than it was 20 years ago, and the expectations placed on municipal governments have changed significantly. As someone who works in the health and non-profit sector, I see regularly how municipal governments are looked at to solve social, health and economic challenges and I can tell you, in Antigonish, they are quick to answer the call but as times change, we need to examine how we will be best served to support our communities in the future, and residents believe consolidation is the answer.

Since October 2021, both Town and County Councils have worked with residents and businesses to explore what consolidation could do for our communities. They have engaged, they have asked questions, they have shared information and finances. They have listened. They've been consistently communicating with our communities, and I can tell you, they have our support.

As a mother of young children, when I think of where I want to see our rural community in 20 or 50 years, I want to see families, food security, social support like recreation centers and daycares that can meet the needs of the population. I want to see young parents able to thrive in rural communities because they have the support and services they need. I want to see functioning regional health facilities, with high tech medical equipment. That's my vision for our future.

All of this is achieved through innovative and informed decision making, through community engagement and partnerships. Consolidation has the potential to bring incredible change for Antigonish. We could cut through some of that red tape and pool resources to build recreation centers that house pools, rinks, places to gather, collaborative health centers, daycares even! We could develop tourism and economic development strategies that support long term sustainability. Coordinated initiatives for recreation programming and more opportunities for community funding to support projects aimed at tackling food insecurity, social isolation, and health equity. We may think health, wellness and social services are provincial responsibilities, but municipalities have a huge role to play and consolidated they are stronger and more equipped to understand and meet the needs of our communities. Our two municipalities are

collaborating already. Equip them with an efficient and effective system to enhance that collaboration and cooperation.

As you discuss Bill 407: Antigonish Consolidation Act, you have an opportunity right now to be visionaries. Consolidation can support economic growth and put a real coordinated effort into community development. Our municipal leaders have shown tremendous leadership over the past two and a half years and have earned the respect of so many in our community. I only hope as members of the Committee discuss this Bill, they can demonstrate the same leadership and courage. Change presents challenges, yet within those challenges lie opportunities. Be the leaders who seize these opportunities and drive positive change, rather than merely just reacting to it.

I strongly encourage you to pass Bill 407.

With kindness,

A handwritten signature in cursive script, appearing to read 'Sarah MacDonald', written in dark ink.

Sarah MacDonald
St. Joseph's Nova Scotia

From: Brendan Doyle [REDACTED]
Sent: March 2, 2024 [REDACTED]
To: Office of the Legislative Counsel
Subject: Town and County of Antigonish Consolidation

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Honorable Brad Johns
Chair of Standing Committee
Law Amendments
Members of Committee

Thank you for the opportunity to speak on this issue

Firstly, I am a resident of Antigonish, a wonderful community which I have been fortunate to live, make a living, bring up my children and my grandchildren

I am in full support of the two municipal units consolidating and forming one stronger municipality. We are in a unique position at this time where both municipal units are working together, which has not always been the case.

If this does not happen now, I believe the opportunity will be lost.

I hear a lot of people stating that tax rates will rise under consolidation, I fear that without it we will see a situation where that will happen

Consolidation will provide a number of efficiencies as well as an opportunity for growth throughout Antigonish

I congratulate the leadership of both councils for standing together amongst criticism and outright personal attacks that I personally believe are disgraceful

I believe in one Antigonish – A stronger Antigonish

Sincerely
Brendan Doyle
Antigonish NS

From: Oldgroupie Louise Ewing [REDACTED]
Sent: March 2, 2024 11:44 PM
To: Office of the Legislative Counsel
Subject: Town and County of Antigonish

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Here is my presentation/argument to Law Amendments.

Please find attached my emails to ALL members of the legislature with my email to Mr. Houston attached to it.

Please take special interest in the fact that only one member has responded to me and not from my region of the province.

I have it on good authority that the ELECTED members for Antigonish were playing on their phones in session instead of paying attention to the discussion of the issue at hand while Houston was strolling the gallery and congratulating certain members. There is also proof that these members and Mr Houston were buddies at the Antigonish farmers market today. If that isn't sleeping with the sheep I don't know what more evidence is required that this whole process is corrupt and I'm going to see to it that these people are investigated for criminal activity. They are taking the wording of the Municipal Act to their own extreme interpretation and it's an abuse of power. The Act is archaic and they are using that to their personal advantage.

----- Forwarded message -----

From: Oldgroupie Louise Ewing <[REDACTED]>
Date: Fri, Feb 23, 2024, 10:27 AM
Subject: Town and County of Antigonish
To: <office@liberal.ns.ca>, <feedback@nsndp.ca>, <info@pcparty.ns.ca>, <m1a@esmithmccrossinm1a.com>

To all legislature members and particularly current MLAs.

I am reaching out to you today to draw attention to our flawed system which you will be faced with when session begins later this month. It is simply ludicrous that the lives of so many can be scrutinized and thrown into chaos by the unsupported decision of so few - now including you!! It's undemocratic.

I am forwarding you this unanswered email I sent to Tim Houston on February 2nd, 2024 with the expectation you will agree that we, the voting citizens, have a right to FREE access to ALL information and a right to a plebiscite so we can decide OUR own fate as indicated by the majority of officially polled residents of Antigonish Town and County. When I say "majority" in that email I am referring to we the "people" of the communities.

Since I sent Mr. Houston the email, I have been informed by other concerned citizens that some of you have blocked your email addresses to us and all other means of communication mostly remain unanswered and the odd reply that has been received is stated in a "wishy-washy", "public school style", is ill informed and without thought.

Bring on the election!!!

Cheers

Dear Mr Houston

It is my opinion - and my opinions are strong and I state them with conviction based on personal research - that the residents of the subject municipalities are being dealt a huge miscarriage of democratic rights.

How can so many people's lives and livelihoods be decided by a handful of individuals? Yes they were elected to represent us but in order to represent, the representer must act in accordance with the instructions/directions of the represented who entrusted him/her/them to do so.

REPRESENT; verb - be

entitled or appointed to act or speak for (someone), especially in an official capacity.

Being a politician is not unlike being a Power of Attorney - these councils are only using the "Power" part of that.

So - now the people have to pay tens of thousands of dollars to be represented against the persons they elected - and pay - to represent them.

You yourself have expressed opposition to the motion - "any change in governance must start with the people" - if this application by the subject municipalities is allowed to proceed then you and/or your government - consisting of people chosen to act and speak on behalf of a wider group - will be subject to dire ridicule and possibly similar repercussions, in my opinion.

I trust you will think with your own knowledgeable mind and as a democratically designated representative of the people, will act in favor of the majority.

Best Regards,
Louise Ewing

From: Wayne Chisholm [REDACTED]
Sent: March 3, 2024 9:10 AM
To: Office of the Legislative Counsel
Subject: Town & County of Antigonish

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Hi,

I would like to express my support for the consolidation of Antigonish Town and County. I believe that this is in the best interest of our community moving forward.

Town and County Councils have been voted in to make decisions on behalf of their constituents and we must trust in their decisions. They have asked for the two municipal units to be consolidated and I fully support that.

The challenges communities like Antigonish are facing are much better faced together rather than apart. We are currently one community with two governing bodies with boundaries that most people don't know they are crossing.

In the grand scheme of things, both units are small and must strive to benefit from economies of scale. The only way our community is going to be successful into the future is if there is harmony and alignment between the two units and that is not guaranteed. Having one unit make decisions in the best interest of all is the way to successfully move forward.

I see garbage trucks and snowplows driving past my house to get to areas of the County. Half of some street have their garbage collected by the town and the other half by the county on the same days of the week. This is the definition of inefficient.

The Town and County of Antigonish have an interesting history. For decades residents have said, "why can't they just get along?" It is time for Antigonish to be represented by one council. Our community deserves to be represented by a council looking out for the betterment of everyone, not just a specific portion of the population.

Currently, the Town and County have a good relationship with many shared priorities and initiatives however that has not always been the case. This willingness to work together will only take us so far. When the people change, and it will, so will the alignment. Antigonish needs one municipal council making decisions in the best interest of the whole community.

The decision to consolidate was not taken lightly. It was an historical moment for our community and the province. Consolidation is forward thinking, and I know change is hard but I believe it is the option for future generations.

Thank you for your consideration,

Wayne & Lynn Chisholm
Sent from my iPhone

From: debbie fougere [REDACTED]
Sent: March 3, 2024 10:01 AM
To: Office of the Legislative Counsel
Subject: Antigonish amalgamation

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Not for it and not against, let us have our municipal elections and let the mayor and councilors run on this platform. 4500 signed a petition, MLA's have ignored their community, there is an appeal in the court system, what else needs to be said ??

From: Mike Moeller [REDACTED]
Sent: March 3, 2024 10:39 AM
To: Office of the Legislative Counsel; Michelle Thompson; Premier;
gregmorrow4gt@gmail.com; ca@zachchurchill.com; Claudia Chender
Subject: Listen to the Antigonish Residents

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To all MLA's of Nova Scotia and the Law Amendments Committee

I am writing to express my disappointment in the special legislation that is before the Law Amendments Committee now.

Almost 78% of Antigonish County and Town residents want a vote on this matter (plebiscite). The governments of Antigonish and the Province clearly are ignoring the very people who had them elected.

Please defeat this legislation or withdraw it.

The Councils were never elected to to amalgamate the town and county. The dissolution of the Town and consolidation were never on any council members campaign.

Let the residents decide.

Over 70% said they would **not be voting** for Michelle Thompson and Greg Morrow and the Conservatives, if this is forced on us. People have good memories and will not forget if you allow this to happen.

Thanking you

Mike Moeller

Antigonish, NS
[REDACTED]

March 3, 2024

Dear Committee Members:

My name is Alan Bond. I am the former Municipal Clerk/Treasurer of the Municipality of the County of Antigonish and served in that role for 31 years from 1983 to 2014.

As a Municipal Administrator I learned at an early stage in my career that administrators are not lawyers or politicians. Having said that, it is not my intention to provide my opinion on matters before the court or policy decisions made by the Town and County Councils regarding the process that has resulted in the Antigonish Consolidation Act before the Provincial Legislature. The courts will decide on the legal issues and residents will ultimately decide on whether or not the consolidation process approved by both councils has been in their best interest.

From my experience, I feel consolidation would be of tremendous benefit to the long-term viability of the Antigonish community. It will make better use of limited tax dollars and help Antigonish meet the challenges of an ever-changing role that Municipal Governments face. It will, in my opinion, result in better decision making, more efficient use of human resources and more cost-effective delivery of services.

The opportunity to engage other levels of government in funding of infrastructure and other related community projects will definitely be enhanced. There will be less duplication of services and undoubtedly some economies of scale and yes, there will be growing pains.

Revising Municipal polling districts, managing transition costs, developing a new administrative structure, preparing for the election of a new council and eventually the preparation of budgets and tax rates will be a daunting task. However, I am confident if consolidation is the end result of this process, in whatever form it takes, residents will remain engaged and continue to provide their support in the development and growth of our community.

Thank you for the opportunity to present my views on the Antigonish Consolidation Act.

Kind regards,

Alan J. Bond

March 3, 2024

Honourable Brad Johns, Chair
Standing Committee on Law Amendments
Via Email: Legc.office@novascotia.ca

RE: Support for Bill 407, the Antigonish Consolidation Act

Dear Minister Johns and Committee members,

Please consider this my written submission to the Law Amendments Committee regarding An Act to Consolidate Antigonish.

I was the Warden for the Municipality of the County of Antigonish from 1994-2012. One of the most commonly asked questions during my tenure as an elected official was, "why can't the Town and County just get along?".

When I was first elected, the relationship between the Town and County of Antigonish couldn't have been further apart. Every decision was made in silos and there was next to no collaboration. It resulted in delayed infrastructure projects and programming, along with an overall disconnect in priorities for Antigonish residents.

It was frustrating. Not only that: it was unnecessary. Take the Antigonish Skatepark, for example. The fruition of the project took over 25 years, all due to the division between the Town and the County. It took a partnership with St. FX for things to come together.

Rather than duplication, we should focus on collaboration. We've learned this through authentic experiences of both municipalities joining forces for a greater goal.

Just look at the Antigonish Town & County Library. This project is a huge success story for our community. But there is a councillor from each municipality on the board and a member from each administration overseeing the facilities and attending meetings. This is unnecessary duplication. Also, when issues came up during construction it meant having to share all information twice, getting consensus from two councils instead of one. Inevitably, the process was jeopardized and slowed.

In Antigonish, we're one community that collectively holds the same values. County residents work in the Town. Town residents work in the County. We all use the same sidewalks, same parking lots, and same roads. County residents go to town for banking, for their appointments, and to eat at restaurants. Town residents come to the County for school, groceries, beaches and more. We all want our community to be great and prosper.

I have said it before and will say it again: Antigonish is one community of people that live together with shared cultures and rely on each other for our social and economic well-being. The current political boundaries between the Town and County don't affect our sense of belonging to the greater Antigonish community. As a community, we have progressed despite this artificial boundary, not because of it.

Times are becoming more challenging for everyone, and municipalities are no different. With increased demands on municipalities, we need to work together. Town and County Councils seem to get that. We're no longer seeing the Town-County division. Instead, we're seeing proactive collaboration.

A lot of time has been spent repairing our relationship. When I served as Warden, there were no joint council meetings. Our councils were working independently. Now, they happen quarterly, allowing town and county councillors to be in the same room, hear the same presentation and information, and have open conversations.

It's easy to debate why consolidation is important when both councils get along and are trying to make decisions together. We need to be taking politics out of it and thinking about what is best for our children and our community, today and in the future.

Our residents deserve the advantages associated with having one strong, united local government. A government that will be able to spend its time and resources fighting for and delivering better services to residents. One local government will be able to give residents the best services possible for their tax dollars and deliver them efficiently.

Today, the foresight of Town and County Councils has presented our community with a distinctive and historic opportunity for generations to come.

It is an opportunity we are not likely to get again. And it's why I feel consolidation is an obvious choice.

Herbert J. Delorey
Former Warden, 1994-2012
Municipality of the County of Antigonish

March 3, 2024

Law Amendments Committee
Government of Nova Scotia

I am writing in support of the passing of the Antigonish Consolidation Act.

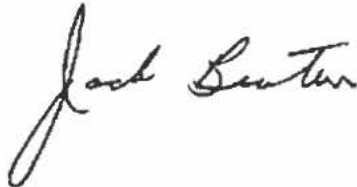
Almost all issues that face our community are not enclosed within the boundaries of either the town or county. Issues related to land use, water and sewer services, economic development or the effects of climate change, all required focused, unified municipal leadership.

The two councils that currently exist work hard to cooperate and to deal with issues, but this takes extra time, extra effort and an extra commitment to cooperation. We don't know if future town and county councils will have the same commitment to cooperation and problem solving.

A consolidated Antigonish municipal government will not only provide enhanced local leadership, but will also provide other communities in Nova Scotia with a model to follow as they address the need to reform local government.

Although there has been some vocal opposition to consolidation, I know there is strong support for consolidation and for the passing of the Antigonish Consolidation Act.

Jack Beaton
Lower South River
Antigonish County, NS

A handwritten signature in cursive script that reads "Jack Beaton". The signature is written in dark ink and is positioned below the typed name and address.

From: emilie chiasson [REDACTED]
Sent: March 3, 2024 6:33 PM
To: Office of the Legislative Counsel
Subject: Antigonish Consolidation

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To members of the Law Amendments Committee:

I would like to express my support for the consolidation of Antigonish Town and County. I believe that this is in the best interest of our community moving forward.

Town and County Councils have been voted in to make decisions on behalf of their constituents and we must trust in their decisions. They have asked for the two municipal units to be consolidated and I fully support that.

The challenges communities like Antigonish are facing are much better faced together rather than apart. We are currently one community with two governing bodies with boundaries that most people don't know they are crossing.

In the grand scheme of things, both units are small and must strive to benefit from economies of scale. The only way our community is going to be successful into the future is if there is harmony and alignment between the two units and that is not guaranteed. Having one unit make decisions in the best interest of all is the way to successfully move forward.

I see garbage trucks and snowplows driving past my house to get to areas of the County. Half of some street have their garbage collected by the town and the other half by the county on the same days of the week. This is the definition of inefficient.

The Town and County of Antigonish have an interesting history. For decades residents have said, "why can't they just get along?" It is time for Antigonish to be represented by one council. Our community deserves to be represented by a council looking out for the betterment of everyone, not just a specific portion of the population.

Currently, the Town and County have a good relationship with many shared priorities and initiatives however that has not always been the case. This willingness to work together will only take us so far. When the people change, and it will, so will the alignment. Antigonish needs one municipal council making decisions in the best interest of the whole community.

The decision to consolidate was not taken lightly. It was an historical moment for our community and the province. Consolidation is forward thinking, and I know change is hard but I believe it is the option for future generations.

Thank you for your consideration,
Emilie Chiasson

From: [REDACTED]
Sent: March 3, 2024 1:46 PM
To: Office of the Legislative Counsel
Subject: Antigonish Town and County Consolidation

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To members of the Law Amendments Committee;

I am writing to provide my support for the consolidation of two municipal units – the Town of Antigonish and the Municipality of the County of Antigonish. Both councils recently voted for Consolidation of the municipal units on TWO separate occasions. We elected our councils to make decisions and we need to support them accordingly.

Antigonish Town and County have been considered one unit in many respects for many years by many of its residents. We enjoy sharing services, our medical facilities, our educational services and recreational services. There are no distinct boundaries we cross. Many residents of the town enjoy recreational facilities in the County and vice versa including summer residences along the County coastline. We are presently one community but with two separate governing bodies.

There is a positive energy in the area. Growth in the fringe area and throughout the County is very healthy. The introduction of EverWind's Green Hydrogen and Ammonia project provides the Antigonish area, as a bedroom community, with many more growth opportunities. We need to be well positioned to grow with this new industry. Consolidation will prepare us to better manage industrial and institutional growth into the future.

There has been some opposition along the way. However, for the most part, opposition was not against consolidation but questioned the process. In my conversations with residents, they overwhelmingly support consolidation but have not voiced their opinions unless asked. Their general comment when asked has been, "it needs to happen now. We are one community; it's time we're governed by one municipal unit."

We need to look to the future and do what is best for our children and grandchildren. Consolidation is forward thinking for generations to come. The Town and County of Antigonish needs one municipal council making decisions in the best interest of the whole community.

I support consolidation. We are one community; it's time we're governed as one municipal unit.

Thank you for your consideration and allowing me an opportunity to express my opinion.

Angus M. Macquarrie,

Doctor's Brook, NS B2G 2L1

From: Norman Mattie [REDACTED]
Sent: March 3, 2024 2:33 PM
To: Office of the Legislative Counsel; gregmorrow4gt@gmail.com
Cc: Owen McCarron
Subject: Consolidation Act

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NS Law Amendment Committee

Dear committee Members

I am writing a letter of support for the proposed Consolidation of the Town And County of Antigonish. We live in a small community that boundaries are pretty much invisible. We are at a time in history that we need to be considering the younger generations so that our communities will be inviting and sustainable for the next generation.

Having said that I strongly believe a consolidated government will provide much more efficient services and opportunities for the future. We are one people and are really one community and the local government should reflect that. We missed this opportunity 20 years ago when the annexation and amalgamation issue was before us. Let's not miss the opportunity to be leaders in this community this time. The Premier has stated that we need to be Innovative to grow our Province. Well this is our opportunity in our community to show leadership and innovation. I hope you look favourably on this decision to consolidate our community!

Yours truly,

Norman Mattie

Mattie Settlement Antigonish County

From: Brendan Brothers [REDACTED]
Sent: March 3, 2024 4:25 PM
To: Office of the Legislative Counsel
Cc: Brendan Brothers
Subject: Letter in support of Antigonish amalgamation

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The Hon. Brad Johns
Chair, Standing Committee on Law Amendments
The Province of Nova Scotia

Dear Sir,

I am writing you today in support of the proposed amalgamation between the Municipality of the County of Antigonish and the Town of Antigonish. I am a 25 year resident of the County and over the years have interacted with the County Council and Staff as a resident, small business owner and finally as a community volunteer.

In my opinion Antigonish County is a great place to live and raise a family and is a well run municipal unit. While not versed in the mechanism that has led to these current discussions, I am familiar with some of the animus and inefficiencies that has existed between the two municipalities in the past and concur with their current councils' desire to unite; I'm optimistic that the combined entities could deliver the benefits of scale as well as a more cohesive service offering.

I supported former Warden Herb Delorey's position on amalgamation twenty years ago and I support Warden Owen McCarron's position on amalgamation today. I have full trust and confidence that Warden McCarron and County Council have the best interests of Antigonish County at heart and would not be proceeding with amalgamation if they did not feel strongly that it was a positive step forward for the people of Antigonish.

Sincerely,
Brendan Brothers
Lochaber, Antigonish County, N.S.

From: Edith Kennedy-Farrell - [REDACTED]
Sent: March 3, 2024 5:48 PM
To: Office of the Legislative Counsel
Subject: Consolidation Antigonish

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Sent from my iPhone

Good Evening,

I have been following the debates and Antigonish is near and dear to my heart and I support consolidation.

Edith Kennedy-Farrell

From: Pamela Chisholm [REDACTED]
Sent: March 3, 2024 5:49 PM
To: Office of the Legislative Counsel
Subject: Consolidation Vote in Antigonish Town and County

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Re: Bill 407

It is most unfortunate that 9 councillors in the town and county of Antigonish have voted for consolidation without true or sincere consultation with residents. This vote has removed our democratic rights. We feel very strongly that there should have been much more information presented about the pros and cons of this irreversible decision. The community consultation sessions were light and avoided pertinent information. It is imperative that a vote be held on this critical issue affecting all residents of the town and county of Antigonish.

We are Antigonishers by choice, having retired here and purchasing a home in town 14 years ago. We have also been recreational property owners in Antigonish county for 50+ years. We have been heavily involved in volunteer work in this town, since retirement, as our way of giving back to this community. All people of the town and county of Antigonish deserve recognition, information and a vote!

Respectfully,
Shaun and Pamela Chisholm

Sent from my iPad

From: Alma Farrell [REDACTED]
Sent: March 3, 2024 6:02 PM
To: Office of the Legislative Counsel
Subject: Antigonish Town and County Special Legislation

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Good day-

We are writing to express our support for the amalgamation/consolidation of the Town and County of Antigonish. As citizens of what is commonly called the "fringe" area of Antigonish, we receive services from both the Town and County of Antigonish- ie sewer and water from the county and electricity from the town.

It only makes sense to us, from what we have heard, to combine the two. We can only improve service and have more resources (when combined) to improve the quality of life of people living in Antigonish. There is much duplication presently.

We are also expressing our displeasure in how certain people/groups are attacking anyone who expresses support of the merger. It is very difficult to express one's thoughts when you will be attacked on social media over it. Therefore, we believe that people haven't been expressing their thoughts for this reason.

We are ones who do believe that we have voted for people to make decisions on our behalf- in the best interest of all.

We all live in Antigonish, therefore why can't we work together for the betterment of all citizens of Antigonish? Please allow the special legislation to go forward.

Thank you for your time in considering our opinion.

Greg and Alma Farrell
Sent from my iPhone

March 3, 2024

Dear Law Amendments Committee Members:

RE: Antigonish Town and County Consolidation

I am writing to express my support for the consolidation of Antigonish Town and County, which I believe will best serve Town and County residents.

Understandably, this consolidation has been a divisive issue within our community. Change breeds fear and it is often our first instinct to reject that which challenges the status quo. However, if we turn our minds to the possibilities and benefits of consolidation, it is clear to see the respective democratically elected officials acted in the best interests their constituents when they voted in favour of consolidation.

The current fragmented service delivery to our community under two governing bodies demonstrates absurd inefficiencies. For example, garbage and snow plow services provided to one side of a street by the County and the other side by the Town. Consolidation will remove these inefficiencies by pooling administrative resources and service resources, i.e. waste management, policing, infrastructure and housing to benefit all residents.

Across our province, we have watched as municipalities waited to merge until it was the only remedy. The Town and County have made the sound and proactive decision to merge now instead of waiting until a financial crisis deems a merger the only available remedy. They made this decision as the democratically elected officials on behalf of their constituents.

It is time to set aside our differences and act as one entity to ensure the future of our great community.

Sincerely,

D.A. Kennedy

From: Andrew Murray [REDACTED]
Sent: March 3, 2024 6:45 PM
To: Office of the Legislative Counsel
Subject: CONSOLIDATION OF THE MUNICIPALITIES OF THE COUNTY AND TOWN OF ANTIGONISH

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Every person alive ,at some point, has had to make an important consequential decision. Sometimes these decisions are split second, spur of the moment out of necessity but sometimes we have the luxury of time to deeply consider the options before us.

During a decision-making process it is often beneficial to get sound advice and to research as fully as possible. In this past year exploring consolidation I was fortunate enough to be surrounded with 242 years of combined municipal experience in the Warden, Mayor and my fellow town and county councillors.

With this knowledge I felt reassured that we all benefit from coming together as one municipal unit and as a community. With seeking experience, research and wisdom I also reached out to someone close to me who experienced the dissolution of the Town of Hantsport into Windsor /West Hants on July 1st, 2015.

Having resided in Hantsport for 66 years and being a Councillor herself for three consecutive terms I wanted to ask her what changes she had seen in the last eight years in her town:

" No changes. But I mean that in a good way. Hantsport is still Hantsport, we are the same community, nothing has changed but if we want to walk somewhere we have new sidewalks and we drive on freshly paved roads. People were nervous starting out but never a better decision. Hantsport also has a new fire hall."

Hantsport has a smaller population than Antigonish and consolidated for different reasons. That being said ,it's a fair assessment in my opinion of how consolidation should work.

I believe consolidation will work in our Town and County .I attended all but two community consolidation meetings ,all online information sessions and spent hours reading and listening to discover the pros and cons to make this difficult decision and at the end of the day I found there were more pros than cons to consolidation. This is forward thinking ,logical and I honestly feel this is in the best interest of both the Town and County. We, as elected officials have a responsibility to follow what we believe is in the best interests of our constituents and our Town.

Our late Majesty Queen Elizabeth the Second when asked during the platinum jubilee about her experiences with hundreds of world leaders over seventy years she replied:

" It has sometimes been observed that what leaders do for the people of today is government and politics .What they do for the people of tomorrow is statesmanship."

Let us cultivate statesmanship for our future generations in the Municipality of Antigonish.

Sincerely,
Councillor Andrew Murray,
Town of Antigonish

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March 3, 2024

To members of the Law Amendments Committee,

Growing up on a dairy farm in the county of Antigonish, it became very apparent that becoming efficient was the only way that we could grow and move forward. I was the son of an immigrant that landed in the country in 1952 with very few possessions.

After being raised in the farming environment, I applied these skills in my businesses in Truro in 2005 and then expanded my operations to Antigonish in 2010. I now have other interests outside of the province. My wife and I are both from the county of Antigonish and still own property there. As a result, we have taken a keen interest in the progress of consolidation in town and county of Antigonish.

My business name is Harmony Grove Home Sales and we sell the mini home and modular home product across Nova Scotia. We also do developments of subdivisions in Truro and Antigonish County. Kent Homes is our supplier.

Like any business we are looking for efficiencies throughout our organization and always trying to improve and remain competitive. I really do feel strongly that by consolidating the town and county of Antigonish you can't help but make things more efficient. For these reasons I support the consolidation for the sustainability and growth of the Antigonish Town and county.

Thanks,

Raymond Rieksts

From: Linda Wood [REDACTED]
Sent: March 3, 2024 7:53 PM
To: Office of the Legislative Counsel
Subject: Law Amendments re: Bill 407

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To Premier Houston, and all MLA's of Nova Scotia and the Law Amendments Committee

In regard to the Antigonish town and county consolidation, please be aware how your voters feel as we will remember and respond on election day.

All that the residents down here really wanted, was to wait until after our municipal elections this fall, and allow those running to run with consolidation in their platform! And of course information, how it will affect us, pros and cons! We may have well embraced it.... but if it passes in this manner, it will be a sore spot for years to come.

Look at the poll... almost 78% against the process used!! Not necessarily against consolidation itself. This whole process has been so disrespectful to us in every way, we want a vote.

Please pause this legislature until we, the residents, get more information and a plebiscite.

Respect democracy!

Thank you,

Linda & Larry Wood

Residents of District 9 , Antigonish County

From: juanita mcewan [REDACTED]
Sent: March 3, 2024 8:03 PM
To: Office of the Legislative Counsel
Subject: Let Antigonish decide

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To all MLA's of Nova Scotia and the Law Amendments Committee

I am writing to express my disappointment in the special legislation that is before the Law Amendments Committee now.

Almost 78% of Antigonish County and Town residents want a vote on this matter (plebiscite). The governments of Antigonish and the Province clearly are ignoring the very people who had them elected.

Please defeat this legislation or withdraw it.

The Councils were never elected to to amalgamate the town and county. The dissolution of the Town and consolidation were never on any council members campaign.

Let the residents decide.

Over 70% said they would not be voting for Michelle Thompson and Greg Morrow and the Conservatives, if this is forced on us. People have good memories and will not forget if you allow this to happen.

Thanking you

Juanita MCEWAN

From: Lisa Smith [REDACTED]
Sent: March 3, 2024 8:26 PM
To: Office of the Legislative Counsel

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As I sit here and write this email I am thinking of our forefathers who had fought for ALL of us to have the right to democracy not just NINE people.

When I vote for someone I assume they are going to follow the rules, regulations and policies set out in law not go through the back door of the laws to pass something already written and passed by the legislation. To introduce SPECIAL legislation is wrong and sneaky. I understand the Provincial Government wants to have municipalities and towns amalgamate so they don't have to deal with so many. Tim if you feel so strongly about not giving the people of the Town of Antigonish and The County a vote you have the majority change the MGA to reflect how the Tories feel . I know you won't do it because Pictou Co would run you out of Town.

I wish you or Lohr were at some of the information sessions held you would be concerned too. Not one counselor could answer any of my questions and one didn't even know what a boundary was. That is what is voting and you wonder why we have concerns.

No one has any idea how much it is going to cost. Legal costs to transfer assets, wage parody(if any) severance packages, pension, benefits etc. They should of been made to do a 5 year strategic plan for residents to view then vote on. Know it's like pin the tail on the donkey. Going in blindfolded and see where they end up pretty scary.

We are entitled to a vote and should have one. Why the rush?

Lisa MacGillivray
Antigonish County

From: karen bennett [REDACTED]
Sent: March 3, 2024 8:28 PM
To: Office of the Legislative Counsel
Subject: Antigonish Consolidation

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Let the residents decide.

Over 70% said they would not be voting for Michelle Thompson and Greg Morrow and the Conservatives, if this is forced on us. People have good memories and will not forget if you allow this to happen.

Thanking you

This is an email that I sent to the email provided by Terry. Please send a short email to Legc.office@novascotia.ca before 1pm tomorrow. I suspect that there will be council members and the warden and mayor speaking also.

To all MLA's of Nova Scotia and the Law Amendments Committee

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Over 70% said they would not be voting for Michelle Thompson and Greg Morrow and the Conservatives, if this is forced on us. People have good memories and will not forget if you allow this to happen.

Thanking you

Rod & Karen Bennett
Antigonish County



From: [REDACTED]
Sent: [REDACTED]
To: Office of the Legislative Counsel
Subject: Support for the Amalgamation of Antigonish Town & County

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Law Amendments Committee -

We have been informed that your committee will be meeting tomorrow and we would like to forward to you an email that we sent to Minister Lohr last week stating our position on the matter of amalgamation of Antigonish town and county. For your consideration.

Thank you,

Michèle Ashby / Tim Hinds

[REDACTED]
Havre Boucher NS
B0H 1P0

[REDACTED]

Dear Minister Lohr -

In light of the ongoing, vocal protestations in the media of the "Let Antigonish Decide" organization, we felt it incumbent upon ourselves to, once again, express our support for the amalgamation of Antigonish Town & County.

We feel that the voices of those who support amalgamation are being lost in the strident sea of protest.

We fully support amalgamation because we feel it will benefit both sides financially and - simply makes sense. It will lessen the duplication of services experienced within the two currently, and further strengthen our

municipalities. The councils have shown that they work well together and should be allowed to do so.

From the start of this process, we have felt entirely comfortable with what the town and county have been doing. We felt well informed through the information sessions that were given.

The matter went through the appeal process and Justice Timothy Gabriel ruled in favour the the Town and County.

We would like to see the amalgamation proceed and hope it will do so expeditiously!

sincerely,

Michèle Ashby / Tim Hinds

[REDACTED]
Havre Boucher NS
B0H 1P0

[REDACTED]

From: Margie Layes [REDACTED]
Sent: March 3, 2024 8:44 PM
To: Office of the Legislative Counsel
Subject: Bill #407 Antigonish Consolidation Act
Attachments: Office of the Legislative Counsel—Law Amendments Committee.pdf

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Law Amendments Committee

Office of the Legislative Counsel
CIBC Building
802-1809 Barrington Street
PO Box 1116
Halifax NS B3J 2X1

Re: Bill #407, Antigonish Consolidation Act

Attention: Committee Members

Chair, Hon. Brad Johns, PC

Vice Chair, Dave Ritcey, PC

Hon. Pat Dunn, PC

Hon. Steve Craig, PC

Melissa Sheehy-Richard, PC

Lorelei Nicoll, Liberal

Braedon Clark, Liberal

Gary Burrill, NDP

Lisa Lachance, NDP

Members of the Law Amendments Committee,

For your consideration, I would like to bring to your attention the fact that the actions of the Office of the Mayor of the Municipality of the Town of Antigonish and the Office of the Warden of the County of Antigonish to request "Special Legislation" to consolidate the two municipalities is in the Court of Appeals. The Special

Legislation, the creation of Bill #407 to consolidate the Municipality of the Town of Antigonish and the Municipality of the County of Antigonish is based on the request from these two offices. Whether this request for Special Legislation is lawful has yet to be determined. The action of those two Councils circumvents legitimate legislation in the Municipal Government Act for amalgamation of municipalities. The two Municipal Councils circumvented existing, established pathways within the Municipal Government Act and instead made the request for the Special Legislation to create this Bill #407 now before you. I believe this was deliberate and malicious. The office of the Mayor of the Town of Antigonish and the Office of the Warden of the County of Antigonish conspired to remove the rights of the constituents of this community to have a voice and vote on their future. In doing this, they violated the democratic rights of the residents of Antigonish Town and violated the democratic rights of the residents of Antigonish County to participate in any meaningful way in the exploration, let alone request for consolidation of the two municipal units. None of the Municipal Council members were elected with a mandate to pursue consolidation and there was no mention of consolidation at the last Municipal election. As it stands, the residents have no respect at all for the Mayor of the Town of Antigonish or the Warden of County of Antigonish. Neither will ever be re-elected for any office in Antigonish as the people despise those two for their actions in meetings, mistreatment of honest inquiry, and disregard for requests for information. Any path forward should not include Owen McCarron or Laurie Boucher. The legality of the request from the office of those two Municipal Councils, for the Legislature introducing this Bill, Bill #407 Antigonish Consolidation Act, remains in question. Please give this your full consideration.

Please help to undo this injustice by recommending a plebiscite or a vote of the people of Antigonish Town and Antigonish County be included as part of Bill #407, Antigonish Consolidation Act. Bring back the voice of the people into this process. The residents did not initiate this request to consolidate. It was created in the council chambers of the Mayor of the Town of Antigonish and council chambers of the Warden of the County of Antigonish and far from the having the will of the residents as part of the plan. The Pictou County residents got to vote—Antigonish residents deserve the same respect. Why are the residents of Antigonish County or Antigonish Town any different from those of its neighboring County? They are not. The people of Antigonish Town and the people of Antigonish County deserve the same rights as those granted to the people of Pictou County. The people deserve the right to have a voice and to vote. Please consider amending this Bill #407 to include a vote or plebiscite.

In addition to the noted need for people to have a voice and vote, if the Committee would please consider to require a detailed study prior to a vote of the people into the advantages and disadvantages of joining together the two Municipal units. It would be wonderful to have a meaningful investigative look into what the details of such a merger would mean with all relevant facts available for people to make a decision. Would this not be in the best interest for everyone? This has not happened and yet here we are with this Bill #407 on the table.

Thank you for your consideration!

Sincerely,

Margaret Layes

Antigonish, Nova Scotia
Canada B2G 2K9

Oceanside, California


Law Amendments Committee

Office of the Legislative Counsel
CIBC Building
802-1809 Barrington Street
PO Box 1116
Halifax NS B3J 2X1

Re: Bill #407, Antigonish Consolidation Act

Attention: Committee Members

Chair, Hon. Brad Johns, PC
Vice Chair, Dave Ritcey, PC
Hon. Pat Dunn, PC
Hon. Steve Craig, PC
Melissa Sheehy-Richard, PC
Lorelei Nicoll, Liberal
Braedon Clark, Liberal
Gary Burrill, NDP
Lisa Lachance, NDP

Members of the Law Amendments Committee,

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Thank you for your consideration!

Sincerely,

Margaret Layes

Antigonish, Nova Scotia
Canada B2G 2K9



From: Joanie Macdonald [REDACTED]
Sent: March 3, 2024 8:49 PM
To: Office of the Legislative Counsel
Subject: Consolidation

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Law Amendments Committee
Reference Bill No. 407: Antigonish Consolidation Act

As I am unable to attend in person, I am submitting my concerns with the process of consolidation in Antigonish for review and consideration.

First, I would like to say, I am neither for nor against amalgamation/Consolidation in Antigonish, but I'm very much against the process to push consolidation through without a plebiscite.

As the leader of the opposition and the MLA for Pictou, The Premier spoke against consolidation in his riding, arguing very strongly "Change to our governance structure should start with the people, what the people want". We the people in Antigonish would appreciate the same respect. The Premier stated in his speech at the Town hall meeting February 29th 2024 that Pictou was a different situation, that the counsellors didn't vote to consolidate, but in Antigonish, the town and county voted to move ahead with the process. The town voted 4 to 3 and the county 5 to 4 in favour of consolidation. We had two counsellors that couldn't vote because of a conflict. These two counsellors represent many people of Antigonish yet could not vote, therefore losing the vote by one in the town, and one in the county. In 2020 the counsellors did not run a campaign for consolidation.

In February 2024, 22% of poll voters said they got enough information on consolidation and only 19.2% will vote Tory in the next election and 12.5% saying they don't need a vote. The people wanting a vote increased to 75.8%, an increase of over 5% from March 2023 done by a professional poll.

If Consolidation is so great, why the rush to move this motion forward when 75% of people want a plebiscite? Let us wait until the election in October 2024 and let the people vote.

I am asking you today to reconsider and let Antigonish hold a plebiscite. I will not support a government that does not allow the democratic process of giving everyone a vote on such an important matter. Keep democracy in our town.

Thank you for your time and consideration.

Sincerely
Joanie Macdonald
Antigonish county

From: Brena Hiltz <[REDACTED]>
Sent: March 3, 2024 5:09 PM
To: Office of the Legislative Counsel
Subject: Antigonish Deserves a Vote

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My name is Brena Hiltz, I moved to Antigonish 22 years ago as a freshman at StFX. Now I am a homeowner, a stay at home mom to three daughters and my husband owns a small business. Antigonish is our home, our community - I am proud to live in a small, diverse community where we know our neighbors and our kids can play in our backyards with very little concerns. Our community grows quickly in the fall with the students arriving and then again in the summer with the Highland games. Our community has rallied and fundraised for numerous Syrian families that we have welcomed - including the famous Peace by Chocolate.

This all changed when in the middle of the covid pandemic the word "amalgamation" has spoken, it was brought up years before but the communities voted it down but this time it was introduced in a way that got around us being able to vote. Petitions were brought to councils only to be pushed aside. Councillors that did not campaign on the "merger" would now be the soul deciders on such an important topic. I have sent numerous emails to my mayor and councillors with questions and concerns but have I only ever heard from those who voted against it - my mayor has not once acknowledged my concerns. Once their vote happened I started to email not only my councillors and mayor but also my MLA Michelle Thompkins and Tim Houston as well as Zach Churchill and Kendra Coombs. I have emailed over 10 times to the last four and have only ever heard from Zach and Kendra - my own elected MLA, who when campaigning asked me to trust her to be our voice at the peoples house, cant even be bothered to listen to us!!!

We deserve a vote, we deserve to be heard - dont push this through, allow us our municipal vote this october and allow us to elect those who will hear and listen to us - over 77% of a survey are against this and over 65% will no reelect the conservatives. Allow our voices to be heard because right now it seems no one is listening to us

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From: Marlene garth [REDACTED]
Sent: March 3, 2024 9:55 PM
To: Office of the Legislative Counsel
Subject: Amalgamation

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March 3, 2024

Please be advised that my husband and I are not in favour of amalgamation in the County of Antigonish.

As we were not given a voting privilege, we will not be voting for Michelle Thompson, Greg Morrow or Premier Houston. I hope this amalgamation does not get passed.

Garth & Marlene Stewart

(902)234-3176

Sent from my iPhone

From: Bonnie McIsaac [REDACTED]
Sent: March 3, 2024 10:01 PM
To: Office of the Legislative Counsel
Subject: Proposed amalgamation of Antigonish town and county

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To all concerned members:

I would like to bring to your attention mine and many other Antigonish constituents disappointment with our local and provincial government representatives who are going against a majority of Antigonish town and county voters wishes regarding possible amalgamation of the town and county.

We need to be more informed about the reasons the members feel this is a good thing for the area - so far little has been shared. They well know that a large majority of the people here want to have a vote on this and are completely ignoring us.

I hope you will take our rights into consideration before anything goes further. I am not alone in saying that these folks will not have my vote going forward.

Thank you

Bonnie McIsaac
Antigonish, NS

From: Tony VanDenHeuvel [REDACTED]
Sent: March 3, 2024 10:33 PM
To: Office of the Legislative Counsel
Subject: Antigonish Bill

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Good Evening

I'm writing tonight as a concerned citizen of Antigonish.

I, along with many other are very concerned about the proposed legislation before the committee regarding the forced consolidation of the town and the county.

This has been an issue that the two municipal governments tried to sneak through during covid.

I was the person who started the Facebook group that has turned into what is now "Let Antigonish Decide"

I did so because I wanted more information on the consolidation and I felt like residents deserved a vote on the matter.

As our Premier said when he was in opposition when his adopted home of Pictou County was going through a their consolidation process.

"Any change in government should come from the will of the people"

Well, 74 percent of people surveyed in the town and county of Antigonish have spoken, and 74 percent of the people want a vote on the matter.

In my many emails I sent to both councils one of the things I constantly said was

"A vote no now doesn't mean a vote no forever"

The Facebook group was created almost two years ago, had the councils stopped forcing this upon us then and decided to educate the people on the issue we could have made a informed choice during the November 2024 municipal election with a plebiscite.

But they forged ahead and tried to force this on us.

You have a choice in the law amendments, you can pull the bill back or you can stop it altogether.

If you want to give people any hope or belief that a government truly listens to its people you will stop this right now. You are the last hurdle.

If you continue with the bill, you may as well forgo any further elections. Municipal or Provincial and hold auctions for the governance of the people.

That is how we people who want a vote feel.

Private wealthy people and interest groups who have the ear and pocket of council members are running the show and the elected people are just puppets on a string who do their bidding for them.

Thankfully in Antigonish we have some very strong people with strong character that still remember who they represent and who elected them that are fighting diligently for us.

But it's hard to compete with wealthy donors who infiltrated the councils and MLA offices.

My ask is simple.

Pull the bill, postpone the consolidation until we get a chance to vote on a new council in November and then let them bring forward a Plebisite and once and for all

Let Antigonish Decide

You're our last hope at democracy.

I hope you take your oath to uphold it very serious and you let us do what a younger Tim Houston wanted for his constituents in Pictou County.

"Any change in governance must come from the will of the people"

Thank you for your time

Tony VanDenHeuvel

Sent from my iPhone

From: sharon boudreau <[REDACTED]>
Sent: March 4, 2024 7:18 AM
To: Office of the Legislative Counsel
Subject: Antigonish County and Town ! Concerned residents!

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To all the MLA's of Nova Scotia, and the Law Amendments Committee:

I am writing to express my disappointment in the special legislation before the law amendments committee now. Almost 78% of Antigonish County and Town residents want a vote on this matter (plebiscite) . The Governments , councillors , mayor , warden, of Antigonish and the Province are clearly ignoring the very people who voted them in! Please defeat this unjust legislation or withdraw it !

The councils were never elected to amalgamate the county or town , this was never on any of the councils campaign ! Let the residents decide!

Over 70% said they will not be voting for Hon Michelle Thompson or Hon Greg Morrow , and the Conservatives, if this is forced on us ! People as myself do have a good memory and will not forget if you allow this very unjust non democratic sham to happen!

Sharon Boudreau
9028677223

Thank you

Sent from my iPhone

From: Heather Mac Pherson [REDACTED]
Sent: March 4, 2024 7:35 AM
To: Office of the Legislative Counsel
Subject: Revised: Law Amendment Committee Re: Consolidation of Antigonish

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Dear Committee Members,

I am unable to attend in person, but I wanted to speak about the people of Antigonish being excluded from voting. The Consolidation issue wasn't brought up during Municipal elections, but it was done secretly during a global pandemic. Many people, including me, only heard about it from a Facebook group, and by that time it sounded like a done deal! The people of Antigonish Town and County wanted a plebiscite on the issue, but NINE people took away our democratic right to vote...TWICE!

I know how important cooperation is in a community, since my great uncle, Dr. Hugh MacPherson, and two double cousins, on my mom's side, were Dr. Moses Coady and Fr. Jimmy Tompkins, of the Antigonish Movement. However by forcing the Town and County to Consolidate, I am afraid this forced Amalgamation will backfire and divide the Town and County, even further. People want to have "a say" in how their lives are to be governed, otherwise we no longer live in a democracy.

My dad was a WWII Infantry soldier (8th Infantry Brigade/ Queen's Own Rifles (1943-1945), who continued to serve with the North Novas for clean up, then transitioned to the Air Force, where he got an honorable discharge in 1954, for mental wounds. After the war, dad took over the ancestral farm, in Upper South River, Antigonish Co., that has been in our family since 1802. My mother was an elementary school teacher, and volunteered in both the Town and County of Antigonish...as did I, so working with town residents isn't an issue. My MacPherson ancestors came from Scotland in 1802, and settled in Antigonish Co., while my Coady ancestors came from Ireland, in 1830, and settled in Margaree Forks, to escape persecution and starvation. The importance of being able to vote for one's future pathway and good of our community, was instilled on me, and my brother, at a young age. Canada was, (and hopefully still is) the land of the free; and, that freedom came with a price, paid for, by the deaths of so many young soldiers. Growing up, we heard how the Antigonish Movement instilled in people the dream to be "Masters of their own destiny", but you cannot force people to comply, by taking away our right to vote.

Amalgamation or Annexation came up over 20 years ago, and people were allowed to vote then, and the issue was quashed: "The Nova Scotia Utility and Review Board has rejected a proposal for the two municipalities to become one, saying there's not enough public support for a merger. In fact, the board said in a decision released Monday that an amalgamation process could lead to more fighting" CBC October 30, 2006).

Nine people took away our right to vote, for our future and that of future generations. More than nine people built this town and county and more than nine people pay taxes. Please, allow the people of Antigonish Town and Country to be Masters of Their OWN Destiny...LET US VOTE!

Thank You,

Heather MacPherson
Upper South River
Antigonish Co., NS
B0H 1X0

Andrew Whidden

Resident & Business Owner in the Town of Antigonish
[REDACTED]

04-Mar-2024

Office of the Legislative Counsel for Nova Scotia

legc.office@novascotia.ca

To the Legislative Counsel of Nova Scotia,

I am writing to express my support for a consolidated Town and County of Antigonish. I am strongly in favour of consolidation as I believe it offers the best path forward to a stronger future for all residents. My opinion is motivated by a desire to see Antigonish thrive and grow, and to see more services to be made available to more residents and with greater efficiency.

Antigonish Town operates as the downtown core for its surrounding communities. The county relies heavily on the town for access to essential services and the businesses in the town are dependent on the customers and staff who travel in from the county. Likewise, many local businesses in town are owned and operated by county residents and vice versa. This symbiotic interdependence has resulted in a very fluid border between county and town and a shared identity as "Antigonisher" by residents on either side of that border.

A united Antigonish would be able to more strategically plan its growth. Services would be rolled out by need and not hindered by these imaginary lines. Municipal snow plow operators and garbage collectors would no longer stop part way down a road simply because the remaining 15 feet are not in their municipality. Programs, such as those designed to promote Antigonish to tourists or doctors, won't be burdened by the redundancy of two administrations. A combined government is more focused and more lean.

For Antigonish Town and County, the decision to move forward with consolidation is one which will have a profound impact on our future. United, the broader Antigonish community can better harness its potential and plant the seeds for a prosperous future. In short - Antigonish Town and County are stronger together.

Sincerely,



Andrew Whidden

From: Paulette Cameron [REDACTED]
Sent: March 4, 2024 9:19 AM
To: Office of the Legislative Counsel
Subject: Re: Bill 407 Legislation to consolidate Antigonish Town and County

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Thank you for the opportunity to express my opinion on this matter.

The legislation put forward to consolidate the Town and County of Antigonish needs to be studied further and a plebiscite also be included. I do not feel that the 9 councillors who voted to move forward on this matter are representing the interests and priorities of their constituents or their fellow councillors. Two surveys that have been carried out by Mainstreet Research showed that those polled, 75.8 % , feel they should be given a vote on the matter . The results are being ignored by the very people we voted in those positions.

The concerns of residents have not been addressed through presentations. A lot of questions have not be answered by the councillors who are pushing to have consolidation occur before the fall election date. The citizens of the Town and County deserve to be heard on the matter . We want the opportunity to ask questions, know the advantages and disadvantages of such a merger and vote on the outcome.

Thank you for your time,

Paulette Cameron,
Resident

Sent from Yahoo Mail for iPad

From: Mouse [REDACTED]
Sent: March 4, 2024 9:33 AM
To: Office of the Legislative Counsel
Subject: Bill 407

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Good morning

I am neither for or against amalgamation. Let us have our municipal elections in the fall and have the mayor and councilors run on this platform. Over 4500 residents signed a petition. Our MLAs have ignored their community they serve. There is an appeal in the court system. What is the rush with this. We do not believe we have been adequately informed to move forward before the next election.

Respectfully

Debbie Bowie

Resident of the town of Antigonish

From: Yvonne Sampson [REDACTED]
Sent: March 4, 2024 10: [REDACTED]
To: Office of the Legislative Counsel
Subject: Law amendments committee

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Good morning,

I am writing to express my opposition to passing the new bill that would allow the mayor Laurie Boucher and the Warden Owen McCarron to force amalgamation on the residents of the town and county of Antigonish against the wishes of us, the people.

Please either throw this bill out or defeat it so that it does not get passed.

Come the next election we the people will not forget what these 2 are trying to do. We will all campaign against them getting any votes at that time. As well we will also remember the Tories if they allow this to happen.

Sincerely

Yvonne Sampson
Havre Boucher
Antigonish County

Sent from my iPad

From: gen macneil [REDACTED]
Sent: March 4, 2024 10:22 AM
To: Office of the Legislative Counsel
Subject: Fw: To: Law Amendments Committee and all MLA's of Nova Scotia

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This communication is to indicate my disappointment regarding the special legislation that is before the Law Amendments Committee - Bill 407.

Antigonish town and county councils were not elected to decide whether there should be amalgamation, consolidation or a merger.

This topic was introduced during a pandemic. "Information sessions" were organized during times that would not likely be convenient for many to attend. There was information that was lacking, inaccurate, misleading and all sessions were not the same. Residents of town and county had many questions but lacked answers. The majority of the people wanted a vote but that was refused. Council members only were permitted to vote but not all were included as there was a "possible perceived " conflict of interest which could result in a fine as well if those members voted.

The process that has been unfolding is one that we would not have believed would happen in this country. Our military troops have been, and continue to be, deployed to many parts of the world to assist with injustices. How can this unjust process be allowed to be pushed through by a few individuals?

This should not be what you want to be remembered for.

Over 75% of the people want a vote.

Let the people vote.

Let Antigonish Decide!

Keep democracy alive for the people. Include a study and plebiscite in Bill 407.

In appreciation for the opportunity to present by email.

Genevieve MacNeil
Lakevale, Antigonish County

(A)

Good afternoon. Thank you Mr Chairman for the opportunity to present here today. As a lifelong resident of both the Town and County of Antigonish I am here to continue to ask that my voice be heard.

Initially I ask, as the matter continues before the Court of Appeal, that this Bill be deferred until Court processes are complete.

Continuing,

After the vote to explore consolidation Community Engagement Sessions began. On October 11, 2022 in a CBC Mainstreet interview the Mayor stated that the purpose of the 17 engagement sessions was to find out "if there was something we were missing". When asked about total attendance at these sessions, the Mayor responded "a conservative estimate would be about 1200 people". When pressed as to how this number represented the voting population, her response was "that would be about 6%". Admitting this was not a very high number, the Mayor concluded **"I see that as people agreeing with what we said or not being engaged"**.

please note
this number
includes all
feedback
including
calls
emails.
Actual
Attendee
at mtg
was 504

There is significant evidence to contradict her conclusion. In addition to the 900 people attending 11 grassroots town hall meetings, there are 4200 names on a petition representing 25% of the voting population, there are two significant polls with greater than 75% wanting a vote and we have the very words of Justice Gabriel "that although they were unsuccessful in their Application, their views were shared by a portion of the affected population, and apparently not a trivial portion, either."

Collectively, these facts make it clear the Mayor's conclusion was unfounded and erroneous. People are engaged and they are not in agreement.

There have been two votes by Council and two polls conducted by the people. It is noted that Council support for consolidation is at best a minimal majority, decided by only one vote by both councils. On the contrary both polls shows overwhelming support for a vote.

Faults with the process were seemingly recognized by the Mayor when, in an October 31, 2022 CBC interview, she was asked about the process used and the community objection to that process. The Mayor stated "Yeah, so we did discuss this and both councils agreed on the process that was chosen. Of course, if I could go back and change things, I'm sure the Warden and I would do that".

Some suggest that residents responded emotionally, as noted in a testimonial by a former town employee. Described as "the drama that unfolded" it continues, stating the "decision (of consolidation) was always going to be highly emotional and controversial".

When voices are not heard, acknowledged for the truth of their messages and then twisted into a position of opposition of content rather than of process, emotions can run

high. I would suggest that many communities in this province, indeed this country would like to have their residents as engaged in their community as the residents of Antigonish have demonstrated in their effort to be part of this decision.

OP-EDs in favour of consolidation were written by several councillors as well as a joint opinion piece by a former mayor and warden, introduced by Minister Lohr on the 2nd reading of the Bill. While providing opinion, none of these provided any evidence of studies describing the risks and rewards of consolidation.

The residents of Antigonish have not felt heard. The 2024 poll reports only 22% felt they had received sufficient information. The *What We Heard Report*, the engagement summary report states "In general, we heard that there was an underlying lack of confidence in the overall process, the municipal leaders and the relationship between the Town and County". With this decided lack of confidence I ask that a study and plebiscite be included before any merger is considered.

It is never too late to change things. I ask you listen again to the October 31, 2022 words of the Mayor, "if I could go back and change things, I'm sure the Warden and I would do that." Do not accept that the engagement sessions attended by 6% of the population provide sufficient evidence of support for the process.

Additionally, please consider the following amendments.

Section 6 (1)

As stated, the *What We Heard Report* describes the residents as having an "underlying lack of confidence in the overall process, the municipal leaders and the relationship between the Town and County". With this lack of confidence and trust in present municipal leaders, I ask for a delay in the appointment of transition team members until after a municipal election is held, allowing residents of Antigonish to elect a Council they have confidence in. Supported by the people, this elected council could move forward with the transition to one consolidated municipality.

It is a conflict of interest to have individuals involved in the design of a new governance structure and then put their name forward for a position in that structure. If the transition team is implemented before the municipal election, I ask that persons on the transition team not be allowed to offer their names as candidates in the October 2024 Municipal Election. It has already been publicly announced that a transition team member is seeking the position of Mayor.

Section 6 (3) With both Town and County Councils demonstrating a propensity to vote as a block on the consolidation issue, I ask that members of the Transition team not be permitted to participate in the nominations and election of alternate members.

Section 7 (1) The MGA does not outline many procedures for meetings. I ask for the inclusion that all Transition Team meeting schedules require public posting, be open to the public and that minutes of all meetings be recorded and posted in a timely manner.

Section 12 (1) The limitations of time should not remove the participation of residents in the NSUARB process of municipal boundaries determination. I ask this committee to ensure that boundary recommendations be subject to the usual practice of public review. With a heightened interest in the 2024 municipal election, the districts have a profound effect on prospective councillors. To allow for a thoughtful consideration of candidacy, there is an immediacy to the designation of districts. I ask this committee to consider a timely date for completion of UARB recommendations

Section 12 (2) & (3)

Original consolidation presentations were for Regionalization with an elected mayor. All engagement sessions spoke to this being fact. Regionalization was thwarted by the financial implication of RCMP funding formulas. With the confirmation that Regionalization would change existing RCMP Service contracts, resulting in an additional \$1,000,000.00 cost, a decision was made that the model of regionalization would change to the present proposal. It was emphasized that all other parameters of the proposed Regionalization would remain the same, including the election of councillors by the ward system and the election of mayor by a vote of the people.

Returning to the previous argument that a conflict of interest exists when a declared candidate for the mayoral position serves on the very transition team that will be vested with the responsibility of determining the method of election of said position, I ask for it to be stated in the Act that the position of Mayor will be an elected position and not one to be determined by the Transition Committee.

In conclusion, I want to stress to this Committee that I am not opposed to consolidation. In a spring 2022 interview with The Halifax Herald, I was very clear that I had no position on consolidation because there was very limited information available on the rewards and risks of such a change in governance structure. I stand by that position today.

I believe that any decision on consolidation can only be made after a thorough study of the risks and benefits are conducted. Consolidation will impact us today and into the future. This should not and cannot be a decision of Councils alone. The voice of the people, my voice, needs to be heard either through a plebiscite or as a platform issue in the October 2024 municipal election.

Respectfully I ask again that Bill No.407: Antigonish Consolidation Act be delayed until the Court process has concluded, and failing that, that a study and a plebiscite, alone or in conjunction with the 2024 Municipal election, be incorporated into the Act and that the provisions of the Act not be implemented until such time that such a study and plebiscite occur.

Law Amendments Committee – List of Documents

A. Presentation 4 March 2024 – Anne-Marie Long

B. Presentation to County Council 10 May 2022

**C. Request to Reconsider Process to Town & County Councils
24 April 2022**

D. OIPC Letter & Review Report 22-09-2023

Notice of Review 31 August 2023

**E. Structural Change in NS Municipalities Document
FOIPOP - 3 pages of emails**

A

Law Amendments Committee Presentation: 4 March 2024 Anne-Marie Long

Good afternoon and thank you for allowing me to present my issues with Bill 407.

I live in rural Antigonish County. I'm a retired CPA, since April 2009, after 36 years with the Canada Revenue Agency. I returned to Nova Scotia after managing the International Tax Transfer Pricing Division in Toronto, and during the last 14 years of my career in Halifax, I managed the Litigation unit for Atlantic Canada and then was Chief of Appeals for Atlantic Canada. In both of these roles I worked closely with the federal DOJ. While in Toronto, I taught first year and advanced tax law at Ryerson University for the Accounting Association for 10 years. I am one of the 3 litigants on this issue.

- A. My first request from this Law Amendments Committee is that the proposed legislation in Bill 407 be amended to require an independent study overseen by the UARB, before any Act to consolidate Antigonish town and county takes effect.**

My rationale for asking for a study is because there has been no work done by either of the two Antigonish Municipal units, or Municipal Affairs (DMAH) to determine whether a merger of the two is in the best interests of the affected population. I've given some details herein as to my attempts to acquire relevant information and the failure of the Engagement sessions to do so. These sessions were conducted by the municipal units and facilitated by the consultants engaged to do so and report back. I've included information obtained via FOIPOP that demonstrates that Municipal Affairs, was the author of the process recommended to accomplish a merger by effectively circumventing the legislative authority of the Municipal Government Act (MGA). Mark Peck, no longer with Municipal Affairs, was the initial person to promote this merger without a study or a plebiscite when creating a regional municipality.

- 1. I've included herein a copy of my presentation made to Antigonish County Council on 10 May 2022 looking for information and stating facts:**
 - i) the process being imposed as compared to ones given as examples;
 - ii) requesting information identifying the strengths, opportunities, weaknesses, opportunities, and threats/risks of a merger with the town;
 - iii) Windsor-West Hants amalgamation request was from the citizens; and
 - iv) whether the Province would help with costs given the financial strengths of the county and town.

After that meeting, I was quite taken aback to learn of the deficiency in knowledge of the relevant parts of the MGA, demonstrated by the Mayor, the Warden and most of the councillors, regarding mergers of municipalities. I have a definite competency concern regarding elected

officials who do not know the legislation they administer and upon which they vote.

2. **I've included a copy of my formal request, on 24 April 2022, to the town and county councillors, to reconsider the process taking place for the consolidation of the two municipalities. I was clear that I was not against consolidation of the town & county at that time, and I'm still not because there has not been factual information provided by Municipal Affairs, or the municipal units, that would allow a reasonable evaluation to be made.** Like the majority of other affected citizens, I want facts and a vote. The affected people have been and are still feeling robbed of facts and a vote to decide whether there should be a merger creating a significant change in how we are governed. I expressed concern that taxpayer frustration with some of the current councillors, based on the process underway at the time, could leave us after the next election with unskilled, yet "untainted" elected councillors to carry on the merged entity. I also commented as to my respect and contentment, at that time, with the current Warden & Mayor and my pleasure with the degree of cooperation between the town & county councils.
3. **I've made comments on the "What We Heard Report", prepared by consultants hired by the town and county councils, and used to report on the engagement session results. It was published literally a few hours before the councils voted on a resolution to ask the province for special legislation to consolidate the two units. The report did not and was not intended to provide substantive information upon which a merger could be evaluated.** The councillors had no time to absorb this 44 page report, from *Brighter Community Planning and Consulting*, before voting. The report said that 840 people attended the mostly "kiosk" style "Engagement Sessions" that were held during the thick of COVID. On page 12 of that report, the consultants said that *"many of the comments received were strongly in favour of a plebiscite"*. When reporting on "public confidence" the consultants said, on page 35, that *"... many of the comments received showed a lack of confidence in the process, the municipal leaders and the relationship between the Town and County."* The Mayor & Warden pushed for a vote asking the province for legislation before the final report was available for reading by the councillors.
Summary containing feedback on the report
4. **FOIPOP Information and Issues: In pursuit of understanding what happened, I applied to (FOIPOP), the Freedom of Information and Protection of Privacy Act for information regarding meetings among Municipal Affairs, the Mayor, Warden, their deputies, and their CAOs. It was not forthcoming and I resorted to the Office of the Information and Privacy Commissioner (OIPC) on 26 August 2023 for assistance. Those communications are included herein, being her 31 August 2023 "Notice of Review" and her "Review Report" of 22 September 2023 on the deemed refusal by DMAH. She gave DMAH until 15 September 2023 to provide**

the required materials. Although there were significant redactions to the documents, I am including a few pages of that information that were sent to me on 15 September 2023.

I have attached to this submission a thread of emails that starts on page 29 (see the # on the top right corner of the page) and concludes on page 27 because the latest email is on the first page. These emails are between Glenn Horne, County CAO, and Nick Barr, DMAH Director of Governance & Advisory Services and copied in the emails were Town CAO, Jeff Lawrence, and DMAH Ross MacDonald. Glenn Horne was asking for a draft "inforgraph" to be used to differentiate processes for a legislated amalgamation from a consolidation process. (See 12 September 2021). Nick Barr speaks to using the word consolidation v. amalgamation opined to have "a very negative connotation to many residents." While speaking to this voluntary process, he states clearly that "... the fact that this process will not require any applications to the UARB to determine whether consolidation is in the best interests of the two communities...". He presumes that the respective councils would have already made that determination. If anyone did so for Antigonish, it was not shared with our elected councillors. Nick Barr continued, "If you really need a way to distinguish between consolidation and amalgamation for the purposes of explaining things to Council, I'd be inclined to talk about the mandatory vs voluntary aspect noted above, the fact that the UARB will not be involved (other than for electoral boundary purposes), and the two communities will make their own decisions about what the new combined municipality will look like rather than having a third party make those decisions."

Glenn Horne, as part of his 13 September 2021 response said, "We can draft something ourselves if necessary based on our understanding of the processes. However, I thought it would have greater standing and avoid some criticism from opponents if it came from DMAH, as the authority on municipal reform and a neutral party in our ongoing discussions." And on that same evening they issued a press release about voting to explore consolidation. During a subsequent Joint Council Meeting, between the 2 municipal units the following week in September 2021, Mark Peck was clear in advising the councillors that the public did not need to vote on a merger and he discouraged allowing a vote to the people.

I've included the document called "**Structural Change in Nova Scotia Municipalities**", drafted by DMAH to accommodate this "back door" approach to municipal mergers. At that time of this document, in September 2021, and until the fall of 2022, the plan was to consolidate to form a regional municipality that would be governed under Part 17 of the Municipal Government Act (MGA) after a consolidation. Without a discussion with elected councillors the MGA...

Warden and their CAOs issued a press release in September 2022, that the town would be dissolved and acquired by the county. This same document was submitted by Glenn Horne as part of his affidavit in the legal challenge heard by Justice Timothy Gabriel on 7 July 2023.

This document explains *The Special Legislation Approach* in the right sided column. It says step1 is for municipalities to approach the province to request special legislation to consolidate into a single regional government by passing a resolution. And this leads us to where we are today, with the municipal units indeed asking the provincial government to create legislation to effect a merger, a major change in governance, with no study and no voice from the people. Step 2 says the government will consider the request and, if appropriate, pass the special legislation. Given that Part XVII of the MGA is highly political, in terms of process, once a study is done to determine what's in the best interests of the affected population, and a positive plebiscite result is achieved, the rest of the process is simple, in that the DMAH Minister can then ask the Governor-in-Council to ask the government to create the regional municipality. The simplicity of Part XVII is not explained on the document prepared by DMAH; however, the cumbersome rules of Part XVI are emphasized, keeping in mind that it was a regional municipality under consideration at that time for the merged units. With solid reasons, I question the neutrality of Municipal Affairs in this whole process.

Windsor-West Hants has been consistently used as the model for a modern, consolidation approach instead of using the MGA to amalgamate. Deliberately omitted from every discussion was the fact that these two municipal units did not fit within the requirements of Part XVII to form a regional municipality, as confirmed in Hansard 27 September 2018, where at page 947 it states "*The situation is unique because the regional government will consist of only Windsor and West Hants. Typically, under the Municipal Government Act, the regional government would be formed from all the municipalities in a particular county. In this case, only Windsor and West Hants wish to consolidate, which requires a separate piece of legislation to allow this process to proceed. This legislation will address transitional matters and will offer the voluntary consolidation of these two municipalities.*"

All of this is to make my point that DMAH in their rush to accomplish municipal reform have created a new process, outside of the legislated provisions of the MGA, that effectively circumvents the legislated requirements of the MGA under Parts XVI & XVII. When looking at the history of Part XVII it is noteworthy that when Municipal Affairs requested amendments to the MGA to create Part XVII, enacted in 1998, they did not have either a study or a plebiscite in their draft legislation. It was the sober, second look by the Law Amendments Committee who added both of those provisions in this highly political process.

To allow municipal units to consolidate and change the form of governance without an independently ordered study to determine what's in the best interests of the affected population, and without a vote from the people is, in my humble opinion, an abuse of process.

- B. My second request from this Law Amendments Committee is that the proposed legislation in Bill 407 be amended to include a plebiscite after an independent study is performed to determine what is in the best interests of the affected population.
- C. My third request is that no legislation to accomplish a merger of the 2 units in Antigonish be considered until our appeal of Justice Timothy Gabriel's 5 December 2023 decision has been heard by the Court of Appeal.

I could find no evidence that DMAH have attempted, in recent years and prior to this consolidation plan, to submit draft legislation, applicable to all municipalities, to the Law Amendments Committee to create structural change in Nova Scotia. I believe, especially in majority governments, that there needs to be legislated safeguards to protect the people being governed to ensure that a select few are not permitted to change our governance without those safeguards.

- 5. **Bill 407.** I am recommending amendments to Bill 407 as articulated below. I suggest Clause 3 of this bill be deleted and replaced with the following:

3(1) This act shall take effect only if, in plebiscites held in the Town of Antigonish and in the Municipality of the County of Antigonish, a majority of those who vote in both municipalities vote "yes" to the following question:

Do you agree that the Town of Antigonish be dissolved, and that its inhabitants become residents of the Municipality of the County of Antigonish?

(2) The plebiscites shall be held on the same day, shall be carried out as closely as possible to the manner provided for the conduct of a special election pursuant to the *Municipal Elections Act*, and the returning officer appointed pursuant to that Act shall conduct the plebiscites. The cost of the plebiscites shall be borne by the respective municipalities.

(3) If the question is approved by the votes of both municipalities, on the Dissolution Date, the Town is dissolved and the inhabitants of the Town become residents of the Consolidated Municipality.

There would need to be another amendment to put the Dissolution Date, say 8 months from the plebiscite date.

Role of the Coordinator: If this government insists on implementing Bill 407, I want to see it amended to have a member of the UARB as Coordinator. There has been a significant erosion in public trust in our Antigonish municipal leaders, and, increasingly, discontent has reached the provincial level. A coordinator from the UARB would help ensure that matters on which there is no agreement, as between the participants from each municipal unit, are dealt with by someone with municipal experience, expertise and impartiality. If the MGA process as currently instituted was to be observed, it would be the UARB, a body independent of government, making those decisions. While I'm concerned with a judgement that I am somehow impugning the fairness and impartiality of whomever the selected coordinator may be, it stands to reason that he or she may tend to be influenced by the priorities of this majority government, particularly where that person may want to secure such work in the future. We already see other jurisdictions waiting to see what happens in Antigonish to follow suite. Shelbourne comes to mind immediately.

Another concern is that the draft Bill 407 provides for the current Mayor, Warden and their Deputies to form part of the Transition Committee. Further, the draft legislation in ss 12(3) says that they will determine whether a mayor led municipality will be chosen. This should be decided by the UARB or the government before the Transition Committee is formed. **Additionally, none of the municipal members of the committee should be eligible for election in the first term after formation of the consolidated unit unless they have been first elected in the October 2024 municipal election or an earlier specific election for Antigonish.** We have already had our Warden Owen McCaron stating on XFM98.9 radio on Wednesday, 28 March 2024 that he intends to run for Mayor of the consolidated unit. The current state of public confidence and trust in our current Antigonish leaders is very low. We need to rebuild public trust in our specific municipal governments and everyone should be concerned about the democratic decline in our institutions that result from treating the public as being incapable of understanding issues.

"Without fact there is no truth. Without truth, there is no trust." Maria Reesa
(2021 Nobel Peace Prize)

Submitted by :

Anne-Marie Long, CPA (Retired)



5

Town & County Consolidation: Presentation to County Council 10 May 2022

Anne-Marie Long

To try and give some context to my concerns about the process being used, my interpretation about how the Warden defines due diligence, and the timeline to date, on the consolidation discussions, I am presenting my findings in a chronological fashion.

The Sept 13/21, Committee of the Whole Meeting Minutes of The County of Antigonish (County Minutes) reflected the Warden's introduction to the Councillors, "to the discussion regarding consideration of consolidating the County & Town of Antigonish". Each of the Councillors are recorded as asking questions and one specifically referred to whether the taxpayers would have a final say; another stressed the possibility of a plebiscite; and my Councillor "clarified the ability of the Municipality to back out of the process if it chose to". The Minutes also reflect that the Councillors were told during this meeting that discussions had already taken place with the Dept of Municipal Affairs. The Minutes also reflect the carried resolution: "The Committee recommends that the Town of Antigonish and the Municipality of the County of Antigonish work with the Department of Municipal Affairs to explore consolidation of the two municipal units."

The Town & County joint press release on September 13, 2021, stated that they had voted to gather the information needed to consider consolidating the two municipal units into one regional government. It spoke to the "exploration phase" involving ***"assessing if residents, businesses, and communities would be better served by combining efforts on all municipal services ..."***. It also said that there was still a lot that they needed to determine and investigate further. Our Warden said that ***"We are committed to doing our due diligence by engaging the community and keeping them informed on the process as we assess this opportunity further."***

The Sept 28/21 County Minutes reflect that Council had met with Municipal Affairs and a steering committee was formed and terms of reference presented for it.

The Oct 26/21 Minutes referred to a debrief process on the Queens Consolidation, cost savings identified (savings were not identified in the Minutes), and the amount of work done by their Public Works Dept, as opposed to using external contractors. It is important to note that the Queens merger was a 1996 amalgamation under the Municipal Government Act and it was not a modern-day consolidation as being considered currently for the town and county. For later reference I want to emphasize that Queens became more profitable after the merger. They have said that having their own in-house heavy equipment and trades people in Public Works, contributed significantly to their success over the 26 years since their merger.

At the Nov 9/21 Council Meeting, the CAO presented council with one recommendation, from the RFP group of bids, that he and presumably the office staff reviewed. A resolution was carried to engage *Brighter Community Planning Consulting* for the bid price of \$142,628.75 (incl HST).

At the Nov 30/21 meeting, the CAO announced that the provincial gov't was providing \$150K in funding, and that kickoff meetings were to start later in the week with the consultants.

Minutes of the joint council meeting on January 20/22, are not available on the county website or at *antigonish.ca*, nor are the Jan 25th or any other Minutes of the Steering Committee. The February 8th Minutes have no definite information on the merger progress. A draft of the "updated Guiding Principles" was provided for review at the March 8/22 meeting.

What has happened since?

Shortly after mid-March 2022, we had delivered to our homes, a glossy two-sided page: *"Invitation to join the Consolidation Discussion"*. It had a community engagement schedule for "drop in" styled meetings and a letter on the reverse side basically telling us that the councils would make a consolidation decision on our behalf, after those of us with an interest in our future took part in the process, by the on-line website, in person, by phone or email. We were told that: *"Consolidation may be a more efficient use of existing resources to provide a high level of service to residents living in our communities. Many of the issues facing our communities, such as climate change, economic development, infrastructure planning, accessibility and housing, require or would benefit significantly from a regional approach."*

So, I went on-line on March 25/22, and visited *antigonish.ca* and printed out the FAQs and other material to read. I found nothing informative as to any identified benefits for the county to join the town. I continued to monitor the site for updates and there were none forthcoming for quite a while. The information, and lack thereof, made me more curious because it said that the Council reps would gather and assess information on the Windsor-West Hants (2020 Consolidation) and the Liverpool-Queens (1996 Amalgamation) mergers. I think that a reasonable person could presume that the facts of the pros and cons of these mergers, and the relative financial costs/benefits, would have been available and presented on the website and in the planned kiosk-style sessions. A reasonable person would also expect that the strengths, weaknesses, opportunities and threats/risks would have been identified.

You said that you wanted public input that would be used to help the Councils understand the values and issues that are important to residents. You have been told loudly and clearly at information sessions, to date, that the people want:

1. To know the identified pros and cons, benefits/risks and related costs of the previous mergers and how we would mitigate the cons and risks;
2. And that we, the taxpayers/constituents want to vote on this issue of consolidation.

I have to wonder about the *"Guiding Principles for Consolidating Antigonish Town & County"*. For example, what do you mean with respect to # 3 that says: *"Communicate regularly about progress and decisions"*; and that the communication will be frequent, transparent, and inclusive? Until many complaints about the inability of the Warden, Mayor and councillors to answer questions on the facts identified in the mergers reviewed, and the form and substance of the new regional municipality, there was nothing in print. To date, there is still nothing on the benefits and/or risks with their respective financial implications.

Then, in May 2022, the website contained a document, prepared by the hired consultants, called: *"Community Engagement Liaison Project Exploring Consolidation with the Town & County of Antigonish"*. It contains a January 2022 date on the front page, and it should have been put on the website and distributed much earlier than in May. So, in reading that document I made some interesting observations about their analysis. There is an absolute lie on page 2 with respect to the 2001-2006 Antigonish Annexation request. There was not "limited support" from the county residents. The County voted 84% to amalgamate with the town in an act of retaliation for the town wanting to annex far more land than they may have wanted for their specific objectives. And an important part that is missing from the piece, is that after the UARB recommended an amalgamation, the town took the issue to court. They were not successful; however, the UARB backed off on the merger.

To combine all the 1990's amalgamations on page 3 and not speak to the costly items in the HRM merger, for example, is an absolute disservice to the reader who wants to understand the pros and cons. It speaks of the success of the 1996 Liverpool/Queens amalgamation, guided jointly by the town and county, as opposed to the "appointed coordinators" for HRM and CBRM. Where is the consultants', or the Council's Steering Committee, analysis that explains to us why a "friendly" amalgamation, with town & county direct participation, under the UARB rules, (*where the rules are more clearly defined*), is considered inferior to a Consolidation? In a consolidation procedure, you don't get to create the substance of the regional municipality until a Transition Committee is trusted to accomplish the merger, after a favourable consolidation vote is held. If Queens didn't need a UARB "appointed coordinator", why would we? Why was there a failure to draw on your available expertise to tell us how you differentiate between the two models of a "friendly" amalgamation and a consolidation?

It seems from the information on the Windsor/Hants consolidation, that the citizens were quite engaged at the early stages of the process. It seems that another flame was ignited between the town & county, in 2015, with a decision by West Hants to drop the Windsor Fire service and create their own fire dept. The town & county tensions rose and in 2016 a citizens' group applied to the UARB for an amalgamation of the two municipalities, citing a "dysfunctional" relationship between the two local governments. The town supported it and West Hants did not. Abraham Zebian was a West Hants councillor and may have also been the Warden. The citizens were able to elect their representatives in the 2016 municipal election. Then, in 2017, the application for amalgamation was adjourned and an MOU was created to reflect the desire of the two municipalities to work together collaboratively, to strengthen their communities. It took another year for the two municipalities to agree on a process for merging, based on their collaborative efforts for the good of all their residents. In October 2018, the Province passed Bill 55 creating the Windsor-West Hants Regional Municipality effective April 1, 2020. On April 1/21, per CBC News report, the first Mayor of the regional municipality, Abraham Zebian, said that the consolidation had been a success, although he admitted that it would be years before the benefits can be properly measured. He admitted that it will take at least a few years to formally assess the merger. Then Municipal Affairs Minister, Brendan Maguire, agreed with Zebian in its success, and said, "Really, it's about financial stability and just having a path forward."

The information provided (see also the "*Latimer Report*") states that the elected officials in Windsor/Hants canvassed their communities prior to the 2016 municipal elections, and there was lots of interest in the structure of local government in the area. They took their time and were able to get the public and businesses to buy into the merger and to do it under a consolidation approach after they had identified all the issues and costs and that they could work together harmoniously.

What is the rush for us to do this now? There is no established level of trust or confidence that this process is good for the county at this time. We have been pushed into a process being driven by the Mayor, the Warden, their deputies and the CAOs.

The county taxpayers want to know whether a consolidation would be beneficial to us. We want due diligence applied to identifying our strengths, weaknesses, opportunities and threats or risks, and their financial effects, in each of our municipalities.

Within our strengths, we want you to identify what are we doing well and do we have a competitive advantage in one or more areas? What makes us stronger than the town and how will they also benefit? What do we have that is valuable? What draws people and business to

come to or stay in the county? For example, the types of questions to which I'd like answers for the county (and the town):

- . In the county we have lots of space for residential and business expansion, at a significantly lower commercial assessment rate than the town. Have we costed/projected our ability to increase developmental plans and our projected incremental tax base over the next X years, based on the data of the past X years.

- . In the county we have our own garbage & recycling pickups and it's far less costly than having a contracted service. Given that we keep the profits, what is our financial advantage to this practice?

- . The current age of our infrastructure, overall, should be in good shape. Is it? Part of a transition to a merger should be a review of all physical inventory and the state of all linear infrastructure including all water & sewer lines, roads and sidewalks, etc. What are the projected costs to maintain, upgrade over the next few years?

- . Capped assessments, that are a way of retaining people where they are. What is the forecast on this issue with respect to the provincial government?

What are our weaknesses in the county? What could we be doing better and to save dollars? Do we struggle with obtaining timely resources of any type? Are we lacking assets of any type? Are we lacking funding to cover needed projects? Etc. For example:

- . By contracting out to third party businesses for sewer and water, what are we losing in speed of response time for service, profits that could be ours, etc, by acquiring heavy equipment, employing our own trades people, mechanics, and a project manager? Queens saw their reliance on their own Public Works staff as a distinct advantage for timeliness and retained profits. Hants also saw having a robust Public Works Department as a distinct advantage. What will it cost to have unionized wage parity with the town?

What unique opportunities do we have in the county that we could use to benefit the county, and perhaps the town and region, that we are not developing? Do we have access to materials, land, etc that could be employed to our advantage, for example, for additional sewage treatment?

- . We have a well field in Lower South River that has significant excess capacity according to our Warden (April 18/22 Chronicle Herald). He says that it could end the issue of summer water shortage in the town, if it were piped into the town system to complement the existing source at James River. Why not develop/expand the water piping to serve the county residents in the fringe areas of the town? Putting our fringe residents on county water should free up capacity in the town to address their summer shortages. What would this cost?

What are our exposable risks/threats? Can any identified risks be controlled?

For example, are there any government regulations that prevent us from utilizing any of our land? Are our water sources at risk for any reason, eg contaminants?

- . The Warden is quoted as "suggesting that the county needs access to the town's water and sewer facilities, as their biggest growth is in the fringe area." (May 4/22 Reporter). What is stopping the county from being self-reliant given our resources and space?

- . In the new glossy FAQs on the website and distributed at the municipally scheduled "meet & greets", the page on *Water, Electricity and Energy Leadership* says: "The Town has a water supply that draws its supply from the James River watershed and is distributed to Town

Residents and some County users. There are approximately 1,600 connections to the Town's water utility. The County water utility provides water in the fringe area surrounding the Town and to Lower South River, St Andrews and St Josephs. In 2020 the County amalgamated all of its water systems into one utility and harmonized rates for all 1,640 water utility customers."

. Jeff Lawrence, CAO for the town, said that the existing sewer treatment plant, is owned by the town but also used by many county residents on the fringe of Antigonish. He said that it was only pushed to its capacity during heavy rain. That problem, he said, could be handled by a stormwater diversion project. (April 18/22 Chronicle Herald).

. Is there a good reason why the county has to use the town water and deplete its resources? Does the town own the property at the James River watershed? Is there any reason why the county can't be self sufficient for water and what would be the cost?

. What are our financial risks with respect to fire service with our current assessments/levies, and to the county's coverage in protective services in a merged organization?

. After a taxpayer raised the issue of change to Hants Region in policing costs, from a 70/30 split with the feds, to a 90/10 split, there was concern expressed about this quite significant additional cost. Can we afford to absorb that cost? Have we costed having our own police force as we used to have? What other additional costs or savings did Hants Region experience.

. Given our financial strength, is the province agreeable to funding a merger? What would be our expected contribution to the costs?

The items stated above are not, by any stretch of the imagination, a full list of the issues to be considered in a S.W.O.T. assessment. It's a very short example to demonstrate what we and you need to know, from both municipalities, before deciding on a merger.

in the May 4/22 *Guysborough Journal*, the Mayor said that "We are going to continue down this road" (on consolidation) and she added that "the "Guiding Principles" established by both Councils when they agreed to explore a possible consolidation, did not include having residents vote on whether to become one municipality". The article also said that "When it comes to the councils' decision not to opt for a plebiscite, officials have pointed to the potential divisiveness created, along with the history of such votes garnering low voter turnout." Well, the town & county residents are absolutely united on wanting a vote, and I want to note that 45% of the eligible voters voted in the 2006 plebiscite. Have you given any thought to the turnout for the election of municipal councillors and for the Mayor, in her initial election? Near the end of the article in the paper, it said, "Getting back to the plebiscite debate, Boucher noted that both councils-by consensus- agreed not to conduct one." With respect to these statements that the councillors were complicit in not allowing a vote to the taxpayers, where is this agreement in any of the recorded Minutes? I suggest that there has been a huge gap in the message that was heard and understood by the Councillors, and what was intended by the people delivering the message. Even reading "between the lines" in all the printed promotional material, other than the Mayor's statements to the press, at the outset in the Sept 14/21 release, "Boucher downplayed the likelihood of holding a plebiscite on the matter, ..." does not indicate that there was never an intention of permitting a plebiscite. Additionally, the County's Sept 13, 2021 Minutes do not reflect that when Councillor Brophy

stressed "the importance of consultation, including the possibility of a plebiscite, ..." , anyone said that there could be no plebiscite.

Finally, the May 4/22 issue of The Reporter speaks to the Mayor and the Warden feeling that the process is being undermined by 2 councillors not supporting a consolidation. Is this viewed as a greater abuse to the process than the 2 councillors who have said that they are voting for consolidation regardless of what their constituents want? I expect that it may be difficult for some people to deal with the conflict and controversy surrounding this priority to accomplish a consolidation. At the same time, it is unprofessional and beneath the dignity of the Office of both the Warden and the Mayor to publicly accuse councillors of undermining the process in what many of us consider to much of a rush to consolidation. These councillors have been elected by their constituents and we expect them to tell us the truth in their discussions with us. No decision to consolidate has been made by the council, yet, and until then, I want to remind you that the councillors voted to approve a resolution to explore consolidation, and many of them are doing so by going through that process with their constituents. I do believe that when councillors are given the information they should have before they vote on a finite issue, that, once the resolution is carried, they are expected to uphold the decision of the whole council with dignity, despite their personal opinions. So, please, do not rush to put this issue to a vote because you simply have not yet done the work that needs to happen before anyone should be making a decision.

The bottom line is that the majority of taxpayers from the town and county, who have participated in the process to date, have been unified in overwhelmingly stating that they want to vote on this issue. It has been expressed by some elected officials that the constituents are not well-enough informed to make this decision. Given that the elected officials have not produced any factual information to show that the county will be better served and in a better financial position from consolidation, or alternatively, refute that we won't be in a worse financial position, I respectfully state, that the elected officials have not earned the moral right to make this consolidation decision. They must provide us with the facts and figures to support the reasons for a merger. If we are to use Windsor/Hants as a model, the people started the process and were informed about the issues before they elected their council to deal with the issues. It took them 2 years to explore the issues and get answers to their questions, including financial impacts, and to test their ability to compromise in finding solutions, before agreeing to trust their elected officials without holding a plebiscite. I suggest that you show some good faith, slam the brakes on this process and start feeding us the relevant information. We deserve fairness and full transparency.

To quote from an October 9, 2019 document about the Windsor/West Hants Consolidation Restructuring Model:

"The process needed to have the community's understanding and trust. ...the community would need to believe that the key merger issues had been addressed thoughtfully and transparently and that, where necessary, reasonable compromises had been achieved.

We recognize more residents of these municipalities will be drawn into the discussions. They will have their own learning curves as they increasingly become engaged; they will want information and they will want reassurance. And we need to listen. That's the way it should be when you're breaking new ground, following a new path. We will not have

done a good job unless those who live in what will be the new regional municipality recognize that we have acted in their best interests."

5

Proposed Consolidation of Antigonish Town & County Consolidation

Anne-Marie Long

Sun, 24 Apr 2022,
22:39

to omccarron, mmacllan, dfmacdonald, hdstewart, sbrophy, rdeveau, jdunbar, gmattie, h
mcnamara, bmacfarlane, mayor, wcornier, dmacinnis, scameron, amurray, mfarrell, dro
berts

Dear Warden, Mayor and Councillors:

This is my formal request that both town and county Councils reconsider the process taking place for the proposed consolidation of both municipalities; and after providing timely and relevant information to all the taxpayers, that you hold a plebiscite vote under S.53 of the Municipal Government Act of NS on this issue.

I must convey my absolute disappointment in the process chosen to date. I have had the utmost respect for both our current Warden and Mayor and most of the councillors who have served over the past years. I've been truly content and pleased with the degree of cooperation between the town and county Councils under Owen and Laurie. Actually, I believe that during my time since I returned to NS in 1994, Owen, you have been the best Warden the county has had. I also dare to say that until these past few weeks, both our Warden and the Mayor enjoyed good public reputations that were respectively well earned.

I've been retired since early 2009 and prior to that I was an executive manager and a professional accountant for many years. And before that, I was president of a union with 4000 members. I have a good understanding of people and behaviours. I also understand government operations and the desire and need for change. I have worked with consultants who gave advice; however, they did not drive the change and we, the executives, made the decisions.

By now you must know that the dissatisfaction and disappointment in the process towards consolidation, being expressed by many, is due to the methodology being used and failure to propose a plebiscite. Since yesterday, after information was distributed at the Farmer's Market, over 400 people have joined a Facebook page looking for a plebiscite.

It seems that the consultants, with the support of Municipal Affairs and their financial contribution, have given one way to get this done and you've totally accepted that advice. The website and open forum meetings should have been used to provide information on the determined advantages and disadvantages of a merger. That should have happened prior to a plebiscite vote to enable people to become informed and to observe what is in it for them. Yes, you've scheduled meetings across both municipalities; however, they are totally controlled in this kiosk style manner. Anyone in

a leadership role should know that many people will not go to a microphone and ask questions; yet, by attending an open forum meeting where there is perhaps an informed speaker and a Q&A session, people can hear the questions and answers that provide much information to the uninformed.

Make no mistake in presuming I was against a merger. I fully supported the exploration of a merger of the town and county. What has me hitting the Internet, websites and writing letters and posts is the apparent sudden rush to have this decided before, or early in, the summer; also, because I consider this process to be an abuse of power and an absolute failure to trust, that if you have given out sufficient information to enable people to make the decision, the ones who do vote will know that they have your respect.

While I believe that there has been a major error in judgement in the way this process has been handled, I believe that there is time for "redemption". With the delay in sessions due to unfortunate illnesses, it is possible to restructure the remaining meetings to be "open forum" style, with yourselves and the consultants answering questions. And you should offer a plebiscite. Quite frankly an apology for the process to date would also go a long way to getting people onside to listen.

My biggest concern is actually what happens if you continue with this process and get only a council approved vote to continue with the consolidation. The fact is that, after a consolidation decision, we will need a strong, experienced person as mayor and we will need some solid, experienced councillors to help the mayor. If you continue destroying the trust, that you've earned by your past work, we may end up with someone as mayor who is unskilled yet untainted, simply due to taxpayer frustration with the council members who voted for consolidation. (*Dare I say, remember how Donald Trump got elected.*) Solid leaders should also know that many people react emotionally and when faced with a stumbling block, such as feeling robbed of a vote in this decision, they are unable to separate the past good from the one current issue. That's reality and when it happens we all lose.

Respectfully,
Anne Marie Long
Tracadie



Office of the Information
& Privacy Commissioner
Nova Scotia

D

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Website: <https://olpc.novascotia.ca>

September 22, 2023

Anne-Marie Long

[REDACTED]
Monastery NS B0E 1W0

Email: [REDACTED]

//via email//

Dear Anne-Marie Long:

**RE: Review Report 23-09 / OIPC File 23-00433 / Municipal Affairs and Housing
File 2023-00315-MAH**

Enclosed please find a copy of my review report issued on September 22, 2023, concerning the above-noted request for review.

Two copies of this letter and a hard copy of the review report will follow by mail. Please acknowledge receipt by signing one of the letters and returning it to my office at your earliest convenience.

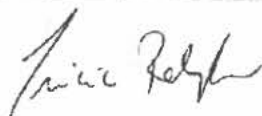
Pursuant to section 40 of the *Freedom of Information and Protection of Privacy Act (FOIPOP)*, the Department of Municipal Affairs and Housing (public body) must make a decision with regard to the recommendation contained in this report and give written notice of that decision to the Information and Privacy Commissioner and to you, as the applicant, within 30 days of receiving this report. In accordance with section 41 of *FOIPOP*, you can appeal the public body's decision to the Nova Scotia Supreme Court. An appeal must be made within 30 days after receiving the public body's response to the recommendation contained in the report.

Alternatively, if the public body does not give a written decision within 30 days of receiving this report, it is deemed to have refused to follow my recommendation. In this case, your appeal to the Nova Scotia Supreme Court must be made within 30 days of when the decision was due, i.e., the deemed refusal date.

A copy of the review report will be posted on the OIPC NS website, <https://oipc.novascotia.ca>, the week of September 25, 2023. This is to ensure that all parties and the public understand what the Information and Privacy Commissioner decided in the review.

Should you decide to appeal the public body's decision to the Supreme Court of Nova Scotia, please notify our office as required by section 7.20(4) of the *Nova Scotia Civil Procedure Rules*. We would appreciate being notified of the appeal as soon as possible.

Yours truly,



Tricia Ralph
Information and Privacy Commissioner for Nova Scotia

Enclosure

I acknowledge receipt of Review Report 23-09.

Signature: _____

Date: _____



Office of the Information and Privacy Commissioner for Nova Scotia
Report of the Commissioner (Review Officer)
Tricia Ralph

REVIEW REPORT 23-09

September 22, 2023

Department of Municipal Affairs and Housing

Summary: The Department of Municipal Affairs and Housing (public body) did not issue a decision to the applicant in response to an access to information request within the legislated time period required by the *Freedom of Information and Protection of Privacy Act (FOIPOP)*. The delay was caused by the public body failing to meet its legislated duty to assist the applicant without an authorized or legitimate reason to do so. The applicant appealed to the Office of the Information and Privacy Commissioner. The Commissioner finds that because the public body did not respond to the applicant within its legislated deadlines, it is in contravention of s. 7 of *FOIPOP*. She recommends that the public body issue a decision to the applicant by October 13, 2023.

INTRODUCTION:

[1] On February 17, 2023, the applicant submitted an application for access to records (access request) held by the Department of Municipal Affairs and Housing (public body) under the *Freedom of Information and Protection of Privacy Act (FOIPOP)* for records related to a proposed consolidation of Antigonish Town and County. Section 7(2) of *FOIPOP* required the public body to issue a decision in response to the request within 30 days after the application was received unless an authorized time extension was taken.

[2] The public body did not and still has not issued a decision to the applicant within the deadlines set out in *FOIPOP*. The applicant has been waiting approximately seven months for a decision to be made by the public body, well outside the statutory deadline for response. The applicant has not received any records in response to her access request.

[3] The applicant filed a review request with the Office of the Information and Privacy Commissioner (OIPC) about the public body's failure to respond to her access to information request.

ISSUE:

[4] Did the public body meet its duty to assist the applicant by responding without delay as required by s. 7 of the *Freedom of Information and Protection of Privacy Act*?

DISCUSSION:
Burden of Proof

[5] With respect to the duty to assist set out in s. 7, *FOIPOP* is silent as to who bears the burden of proof. Therefore, the parties must each submit arguments and evidence in support of their positions. However, it is the public body who failed to make a decision in this case and who is in the best position to discharge the burden of proof.

Did the public body meet its duty to assist the applicant by responding without delay as required by s. 7 of the *Freedom of Information and Protection of Privacy Act*?

[6] For the reasons set out below, I find that the public body is in contravention of s. 7 of *FOIPOP* in that it has failed to respond to the applicant's access request within the deadlines set out therein.

[7] Section 7(1) requires public bodies to respond to access requests openly, accurately, completely and without delay. Section 7(2) requires public bodies to respond to access requests within 30 days unless an authorized time extension has been taken by the public body or granted by the OIPC under s. 9 of *FOIPOP*. Section 7(3) states that when a public body fails to respond to an applicant within the statutory time period, it is deemed to have refused access to the requested records. A failure by a public body to give an applicant a written decision within the statutory deadline is, under s. 7(3) of *FOIPOP*, deemed to be a refusal to give access to the records. This circumstance is regularly referred to as "deemed refusal".

[8] On February 17, 2023, the applicant made an access request to the public body. She included a request for a fee waiver with it. The public body corresponded with the applicant to clarify her request. An updated scope was agreed upon on February 21, 2023. The public body told the applicant that it's due date for response became March 24, 2023, unless an authorized time extension was taken.

[9] The public body collected approximately 800 pages of records in response to the applicant's access request. It provided them to Information Access and Privacy Services (IAP Services)¹ on March 2 and 7, 2023. Under s. 44 of *FOIPOP*, a public body can delegate its duties under *FOIPOP* to an officer of the public body. While it is not clear to me if IAP Services was formally delegated the duties of the public body under *FOIPOP*, it acted in that capacity. IAP Services was the only contact the applicant had for her *FOIPOP* request.

[10] On March 16, 2023, IAP Services notified the applicant that it was extending the time to respond for an additional 30 days under s. 9(1)(b) of *FOIPOP*. This section allows public bodies to take a 30-day time extension when an applicant requests a large volume of records and

¹ Information Access and Privacy (IAP) Services was formed April 1, 2015 by centralizing information access and privacy staff from across several government departments into one centralized service at the Department of Service Nova Scotia and Internal Services (now called the Department of Service Nova Scotia). The mandate for this group is to provide information access and privacy policies, practices, services and resources for government. This information was obtained from an Information Access and Privacy Services pamphlet prepared for the 2018 Reverse Trade Show.

meeting the time limit would unreasonably interfere with the operations of the public body. IAP Services issued a new deadline for response of April 24, 2023.

[11] The supporting documentation provided to this office indicates that on April 18, 2023, IAP Services recommended to the public body that it charge the applicant fees for processing her access request.

[12] On April 20, 2023, IAP Services sent the applicant a fee estimate. When a public body issues a fee estimate, the public body is allowed to "stop the clock" or pause its deadline for response until the applicant either (1) pays a fee deposit or (2) the public body grants a fee waiver. Thus, the clock was stopped on April 20, 2023, four days before the public body's April 24, 2023, response deadline.

[13] On April 26, 2023, the applicant provided IAP Services with written rationale for why she believed she met the criteria set out in s. 11(7) of *FOIPOP* to warrant the public body granting a fee waiver. From the supporting documentation provided to this office, IAP Services appears to have waited almost two months before notifying the public body that the applicant had requested a fee waiver and supplied an argument for why she should be granted one. The public body's representations to me state that it was "notified of the fee waiver request on June 21, 2023." The supporting documentation supplied by the public body also supports that IAP Services waited two months to tell the public body. Once it was told, the public body made a decision to grant the fee waiver within 9 days, on June 30, 2023. During this two-month gap, the applicant followed up several times with IAP Services asking what the status of her request was. She repeatedly reminded IAP Services that she needed the responsive records for a July 7, 2023, court date. Ultimately, more than two months passed before the public body issued a decision to granting a fee waiver. The public body decided to grant the applicant's request for a fee waiver and told IAP Services this on June 30, 2023. On July 5, 2023, IAP Services informed the applicant that the public body granted a fee waiver.

[14] *FOIPOP* is silent on the amount of time a public body is allowed to take when considering whether to waive fees. The OIPC is of the view that this lack of response time deadlines is problematic and has recommended that *FOIPOP* be amended to impose such deadlines, but no amendments have been made.² This review demonstrates why the lack of time deadlines with respect to fee waiver requests is problematic. In this case, more than two months were taken for this step. In my view, this is too long. It is inconsistent with the purpose of *FOIPOP* to allow public bodies to hold up access to information for unspecified periods of time while considering whether to waive fees.

[15] In any event, the clock resumed in early July. The deadline for response came and passed, but the public body did not issue a decision to the applicant, nor did it request an additional time extension from the OIPC. In terms of why it did not request an additional time extension from the OIPC in an effort to avoid a deemed refusal, the public body explained that once the clock

² Office of the Information and Privacy Commissioner for Nova Scotia, *Accountability for the Digital Age, Modernizing Nova Scotia's Access and Privacy Laws* (June 2017), online: <https://oipc.novascotia.ca/sites/default/files/publications/annual-reports/Accountability%20for%20the%20Digital%20Age%20%28June%202017%29%20.pdf>, recommendation 5.

resumed by the granting of the fee waiver in early July, it only had four days left to respond by its response deadline. The public body said this did not leave it enough time to make a time extension request to the OIPC on the basis that it needed an extension to conduct consultations or because the volume was high and would unreasonably interfere with the operations of the public body. I cannot accept this argument. Firstly, the applicant's access request identified that she was seeking third party information so it should have been clear that consultations might be needed in this case when she filed her access request on February 17, 2023.³ Secondly, in its representations, the public body noted that it had collected the approximately 800 pages of responsive records and provided them to IAP Services on March 2 and 7, 2023. The public body should have realized shortly thereafter that consultations were required. The public body had more than enough time to request a time extension from the OIPC before getting itself into a deemed refusal situation.

[16] When IAP Services told the applicant on July 5, 2023 that the fee waiver had been granted, it did not tell the applicant when the records would be issued, stating only that the records would be processed and provided to the applicant "as soon as possible". On July 18, 2023, the applicant followed up by email asking for a more specific date and was told by IAP Services that a rough estimate for the applicant getting her records would be about three weeks. Those three weeks came and went. The applicant asked IAP Services multiple times what the status was. She was repeatedly told that it would take longer for various reasons (none of which would have authorized it to not meet its response deadline). By August 26, 2023, the applicant had still not been given a concrete date by which the public body would respond to her access request, and so she filed a request for review of the public body's actions.

[17] In addition to the above, despite being aware that consultations were needed at least by June 30, 2023, IAP Services did not send out its consultation letters to third parties until September 2023, more than two months later. Some consultation notices were sent on September 7, 2023. The public body said in its representations that it expected that all consultation notices would be sent by September 12, 2023. I do not know for certain if that was done. Regardless, this is way too long to take to send out consultation notification letters. As set out above, the public body should have been aware that the records might require consult at the time she made her access request given the nature of her request. It had a second opportunity to catch this once it had collected the records in early March. Furthermore, the public body's representations to me stated that by June 30, 2023, it thought it did not have enough time to request a time extension for consultations from the OIPC. This implies that certainly by June 30, 2023, it was fully aware that it thought consultations would be needed. Despite this, the public body still waited more than two months before it even sent out the consultation letters. I have not been given any legitimate explanation that would rationalize this unacceptable delay. Finally, as an aside, I will also note that it is not clear why consultations were required in this case and whether any would qualify as mandatory consultations within the meaning of s. 22 of *FOIPOP*. With deemed refusals, I do not have the benefit of reviewing the responsive records. It is not apparent from the consultation notices that the public body supplied to this office why the consultations were needed. Finally, the public body's representations do not rationalize why consultations were required. Since the issue in this review is deemed refusal, I will not get into it except to remind

³ Not all third party information will trigger a third party consult requirement.

IAP Services and the public body that they should be following the *OIPC's Guidelines*⁴ on third party notice when conducting consultations with third parties.

[18] Overall, the public body's representations and its supporting documentation lead me to believe that the primary reason for the delay in this case was a lack of communication between the public body and IAP Services. An example of this is the two months IAP Services appears to have waited to inform the public body of the applicant's fee waiver request from April 26, 2023 to June 21, 2023. Thus, two months of delay likely would have been prevented if IAP Services had informed the public body in a timely manner.

[19] *FOIPOP* requires that the *head* of a public body comply with the duties set out in the legislation. In this case, that is the Minister of Municipal Affairs and Housing. The Minister is authorized to delegate his powers and duties. However, as an OIPC adjudicator in Alberta has stated, "...if the head delegates her duty and authority to employees who lack sufficient authority, time, and experience to fulfil those duties, the result may be a failure to comply with mandatory duties under the FOIP Act."⁵ In my view, that is what happened in this case. No matter how you slice it, the public body has not complied with its mandatory duty to make every reasonable effort to respond to the applicant openly, accurately, completely, and without delay as required by s. 7 of *FOIPOP*. The delays were preventable, inexcusable, and unreasonable.

[20] I find that the public body has failed in its s. 7 duty to assist obligations. In reviews where deemed refusal is at issue, the only remedy is for the public body to issue a decision to the applicant. I have made that recommendation below.

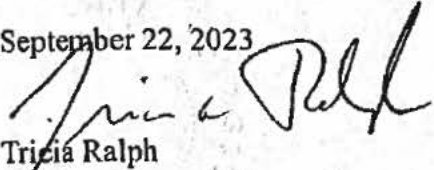
FINDING & RECOMMENDATION:

[21] I find that the public body is in contravention of s. 7 of *FOIPOP* in that it has failed to respond to the applicant openly, accurately, completely, and without delay.

[22] I recommend that:

1. The public body issue a decision in response to the applicant's access request, along with a copy of the records,⁶ by October 13, 2023, and provide the OIPC with a copy of the decision letter sent to the applicant.

September 22, 2023


Tricia Ralph
Information and Privacy Commissioner for Nova Scotia

OIPC File: 23-00433

⁴ Office of the Information and Privacy Commissioner for Nova Scotia (March 2019), online: <https://oipc.novascotia.ca/sites/default/files/publications/18-00192%20Duty%20to%20Assist%20-%20Third%20Party%20Notice%20Guide%20%282019%20March%29.pdf>.

⁵ *AB Order F2018-10, Alberta Health (Re)*, 2018 CanLII 7385 (AB OIPC), at para. 22.

⁶ Per s. 8(1)(a)(i) of *FOIPOP*.



Office of the Information & Privacy Commissioner

Nova Scotia

Mary Kennedy
Intake Manager/Investigator
502-5657 Spring Garden Road
PO Box 181 Halifax, NS B3J 2M4

Email: Mary.Kennedy@novascotia.ca
Tel: (902) 424-1532
Fax: (902) 424-8303
<https://oipc.novascotia.ca>

August 31, 2023

Applicant:
Anne-Marie Long
Sent via email

///and///

Public Body:
Crystal McGraw
Manager, Access Program
Information Access and Privacy Services
Sent via email

Dear Ann-Marie Long and Crystal McGraw:

NOTICE OF REVIEW

Public Body: Department of Municipal Affairs and Housing (public body)
OIPC File: 23-00433
Public Body File: 2023-00315-MAH

The Office of the Information and Privacy Commissioner (OIPC) received the attached Request for Review under the *Freedom of Information and Protection of Privacy Act (FOIPOP)*.

Background

Based on the information we have before us at this point:

- On February 17, 2023, the applicant submitted an access to information request ["access request"] to the public body under s. 6 of *FOIPOP*.
- Section 7 of *FOIPOP* imposes a duty on public bodies to make every reasonable effort to assist the applicant and to respond without delay to the applicant openly, accurately and completely.
- Section 7(2) of *FOIPOP* requires that a public body respond to an access request within 30 days after receiving the access request when the applicant has met the requirements of s. 6(1)(b) and

(c) to specify the subject-matter of the record requested with sufficient particulars to enable an individual familiar with the subject-matter to identify the record and to pay any required fee.

- The public body issued a fee estimate on April 20, 2023.
- On April 26, 2023, the applicant requested a fee waiver from the public body.
- After multiple follow-ups by the applicant, on July 5, 2023, the public body notified the applicant that the fees were waived.
- After multiple follow-ups by the applicant, the public body advised the applicant that the file was still being reviewed for severing and to confirm what parts of the records will need to be sent for consultation.
- On August 28, 2023, the applicant asked the Information and Privacy Commissioner to conduct a review under s. 32 of *FOIPOP* of the public body's failure to issue a decision.
- The applicant informed the OIPC that they have not received a decision in response to this access request.
- The public body confirmed no decision was issued.
- Section 7(3) of *FOIPOP* provides that when a public body fails to respond to an access request within the statutory timelines, it is deemed to have refused access to the requested records.

There are two possible outcomes to this review, each is discussed below in detail:

- A. **Informal Resolution** – If the public body has failed to respond to this access request within the statutory timelines, the public body issues a decision to the applicant within 15 days and the file will be closed; or
- B. **Public Review Report** – If the public body has failed to respond to this access request within the statutory timelines and a decision is not issued in 15 days, this file moves to review with the Information and Privacy Commissioner and a public review report will be issued.

Outcome A – Informal Resolution – Decision issued within 15 days

If the public body has failed to respond to this access request within the statutory timelines and the public body issues a decision to the applicant within 15 days of receipt of this letter, we will consider the matter resolved and this file will be closed. If the file is closed informally, we do not require anything from either party.

Please ensure that I am copied on the decision letter to the applicant.

If the applicant takes issue with the decision that is issued, they will need to file a new appeal.

Outcome B – Public Review Report issued after 15 days

If the public body has failed to respond to this access request within the statutory timelines, this letter serves as the Notice of Public Review Report. Should the public body fail to issue a decision within 15 days of receipt of this Notice, under section 39 of *FOIPOP* the Information and Privacy Commissioner will complete the review of this matter and issue a public written report.

In addition to any representations it wishes to submit (see below for more details on providing representations), the public body is required by s. 22 of the Regulations to provide the OIPC with the following documents within 15 days of receipt of this letter.

1. The applicant's access request to the public body.
2. The applicant's access request to the public body.

3. Documentation of the processing timeline for processing this access request, including the date(s) and reason(s) for any on hold time(s) and time extension(s).
4. All communications to/from the applicant and the public body; all communications to/from any affected third parties and the public body; and all communications regarding the processing of this access request.

This is your only opportunity to submit information (in addition to what the public body is required to provide, listed above), make statements, and provide relevant evidence regarding the delay on this access request. Any submissions you make are considered representations and they will be before the Commissioner at the review stage.

The procedures for submitting representations are set out below.

1. Deadline to Respond

The deadline to provide the required materials and representations on this matter is **September 15, 2023**.

2. The Relevant Provisions

The following provisions of the *Freedom of Information and Protection of Privacy Act* are under consideration in this review: s. 7 (duty to assist).

A complete copy of the statutory provisions can be found at:

<https://nslegislature.ca/sites/default/files/legc/statutes/freedom%20of%20information%20and%20protection%20of%20privacy.pdf>

3. Issue

will be forwarding the following issue to the Information and Privacy Commissioner for consideration:

Did the public body meet its duty to assist the applicant by responding without delay as required by s. 7 of the *Freedom of Information and Protection of Privacy Act*?

While completing the review, the Information and Privacy Commissioner may amend, add or remove issues under review. If this happens, you will be notified.

4. Burden of Proof

With respect to the duty to assist set out in s. 7, *FOIPOP* is silent as to who bears the burden of proof. Therefore, the parties must each submit arguments and evidence in support of their positions. However, it is the public body who failed to make a decision in this case and who is in the best position to discharge the burden of proof.

5. Parties to the Review

All persons receiving this Notice of Public Review Report are parties to the review with the following procedural rights:

- the right to make written representations;

- the right to receive a copy of the review report;
- the right to receive a copy of the public body's decision in response to the Information and Privacy Commissioner's review report recommendations; and
- may have standing to appeal the public body's decision to the Nova Scotia Supreme Court.

6. Representations and Your Right to Make Them

Representations are your opportunity to provide your evidence, written thoughts and legal arguments that explain why the Commissioner should decide in your favour.

The following persons are entitled by s. 37(2) of *FOIPOP* to make representations to the Information and Privacy Commissioner in a review:

- a) the person who applied for the review;
- b) a third party or applicant who was entitled to notice pursuant to *FOIPOP*;
- c) the head of the public body whose decision is the subject of the review; and
- d) any other person the Information and Privacy Commissioner considers appropriate.

At this time, the following individuals are entitled to be parties to the review process:

- a) the applicant, and
- b) the public body.

While completing the review, the Information and Privacy Commissioner may determine that others should be entitled to standing (see s. 37(2)(d)). Should this be the case, they will be provided with a Notice of Public Review Report, and you will be informed of the decision.

7. Review Report to be Publicly Issued

The Information and Privacy Commissioner's review reports are publicly issued. She may quote from your representations. If you intend to include information in your representations that cannot be shared with other review parties and the public, you will need to contact me prior to submitting your representations and make a request outlining the rationale for requesting an *in-camera* submission. If, following your request, you are granted permission by the Commissioner to submit all or part of your representations in private, you will receive additional guidance on how best to organize and submit them. Please keep the timelines in mind, additional time will not be granted for requesting and submitting *in-camera* submissions.

8. Procedures for Submitting Representations

In accordance with s. 37 of *FOIPOP*, the Commissioner has determined that all representations are to be made in writing.

All information already provided by the parties will be considered by the Information and Privacy Commissioner as she completes the review and may be addressed in her report.

If you wish to make written representations, you must deliver them by the due date found in item 1 above. Representations can be mailed, faxed or emailed to my attention; my contact information is below. If you are sending representations by mail, you must consider the deadline and leave enough time for it to be received by the deadline.

Mary Kennedy
Intake Manager/Investigator
Email: Mary.Kennedy@novascotia.ca
Fax: 902-424-8303
Mail: PO Box 181 Halifax, NS B3J 2M4

Please note that if required materials and representations are not provided by the due date found in item 1 above the file will move forward, and a review report will be issued without them.

Please contact me directly with any questions about this review or to request to provide in-camera (private) representations.

Sincerely,

A handwritten signature in black ink, appearing to read 'MKennedy', written in a cursive style.

Mary Kennedy
Intake Manager/Investigator

Attachment

⑤



Open Houses

— *Source: International Labour Office, 1990.*

From: Glenn Horne
To: Barr, Nick; MacDonald, Ross
Cc: Jeff Lawrence; Peck, Mark A
Subject: RE: Information Poster
Date: September 13, 2021 8:43:36 AM
Attachments: image002.jpg
 image003.jpg
 image004.jpg

Good morning, Nick –

Thanks for your email. I understand the differences and origin – our Council will understand it as well through our conversations. However, the lived experience of our residents and local media is a relatively hostile and combative amalgamation process in 2006. To the point that even though we are consistently using the word consolidation, we are seeing to work amalgamation pop up organically because it is what they know. And with that comes all the perspectives and feelings of 2006 – all things we want to avoid this time.

That's why we feel it is important to provide a simple, clear graphic or one-page explanation of the differences between the two (ie: amalgamation is a specific process with the NSUARB that has been found to be ineffective in similar circumstances vs consolidation which is a process based on partnership and respect between two municipalities and deals directly with the province).

Otherwise, we will have the negative experiences of 2006 colour the work we are trying to do today.

We can draft something ourselves if necessary based on our understanding of the processes.

However, I thought it would have greater standing and avoid some criticism from opponents if it came from DMAH, as the authority on municipal reform and a neutral party in our ongoing discussions.

We will know tonight, one way or another, if we are moving forward with discussions of consolidation. We will also be issuing a public statement tonight based on the outcome of the meeting. That means we will need to "clear the air" on amalgamation vs consolidation quickly in the next few days if we hope to avoid comparisons to 2006.

I hope this has made my request more clear. Please feel free to give me a call if you'd like to discuss further (902.870.9315).

Cheers,

Glenn



Glenn Horne | Chief Administrative Officer
 Municipality of the County of Antigonish | 902.863.1117
 285 Beech Hill Road, Beech Hill, NS | B2G 0B4
www.antigonishcounty.ns.ca | @AntigonishCo | facebook
Honour Yesterday, Act Today, Inspire Tomorrow

From: Barr, Nick <Nick.Barr@novascotia.ca>

Sent: September 12, 2021 4:13 PM

To: Glenn Horne <glenn.horne@antigonishcounty.ns.ca>; MacDonald, Ross <Ross.MacDonald@novascotia.ca>

Cc: Jeff Lawrence <jlawrence@townofantigonish.ca>; Barr, Nick <Nick.Barr@novascotia.ca>; Peck, Mark A <Mark.Peck@novascotia.ca>

Subject: RE: Information Poster

Glenn,

The truth is that we started to use the word "consolidation" because, to your point, the word

"amalgamation" has a very negative connotation for many residents.

That said, my advice is not to get too caught up in a debate over terminology, but focus on process. The fact that this will be a voluntary process where you folks determine what the new municipality will look like is the key difference between today and what you folks went through in 2005/06.

Part and parcel with the above is the fact that this process will not require any applications to the UARB to determine whether consolidation is in the best interests of the two communities; assuming you go forward, your respective councils will have already made that determination.

If you really need a way to distinguish between consolidation and amalgamation for the purposes of explaining things to Council, I'd be inclined to talk about the mandatory vs voluntary aspect noted above, the fact that the UARB will not be involved (other than for electoral boundary purposes), and the two communities will make their own decisions about what the new combined municipality will look like rather than having a third party make those decisions.

Does this make sense? Does it work for your purposes?

Thanks,

Nick


Department of Municipal
Affairs and Housing

Nicolas A. Barr, B.Sc., J.D.
Director, Governance & Advisory Services

Maritime Centre, Floor 8 North, 1505 Barrington Street
PO Box 216, Halifax, NS B3J 2M4
☎ (902) 424-4656
✉ Nick.Barr@novascotia.ca

From: Glenn Horne <glenn.horne@antigonishcounty.ns.ca>

Sent: September 12, 2021 11:57 AM

To: Barr, Nick <Nick.Barr@novascotia.ca>; MacDonald, Ross <Ross.MacDonald@novascotia.ca>

Cc: Jeff Lawrence <jlawrence@townofantigonish.ca>; Barr, Nick <Nick.Barr@novascotia.ca>

Subject: Re: Information Poster

Good morning, Ross & Nick -

We have identified the need to clearly distinguish between amalgamation and consolidation as we prepare our early communications. This will be important for Council, media and the community, particularly because our previous experience with this was through amalgamation and this process is intended to be very different.

Whether it's the draft infographic you've shared or something else, it would be helpful if you could provide us with a simple resource that can be publicly shared to clearly explain the difference.

Thanks!

Glenn

Glenn Horne

CAO

Municipality of the County of Antigonish

From: Barr, Nick <Nick.Barr@novascotia.ca>

Sent: Wednesday, September 8, 2021, 4:57 p.m.

To: Glenn Horne; MacDonald, Ross

Cc: Jeff Lawrence; Barr, Nick


Subject: RE: Information Poster

Hey Folks!

I just wanted to send a quick message to confirm that we're fine with the information poster being made public as part of the agenda package so long as it's made clear that the document is a work in progress/draft. We certainly don't want anyone to be left with the impression that we're hiding anything from the public.

Thanks,

Nick


Department of Municipal
Affairs and Housing

Nicolas A. Barr, B.Sc., J.D.
Director, Governance & Advisory Services

Maritime Centre, Floor 8 North, 1505 Barrington Street
PO Box 216, Halifax, NS B3J 2M4
☎ (902) 424-4656
✉ Nick.Barr@novascotia.ca

From: Glenn Horne <glenn.horne@antigonishcounty.ns.ca>

Sent: September 8, 2021 1:58 PM

To: MacDonald, Ross <Ross.MacDonald@novascotia.ca>

Cc: Barr, Nick <Nick.Barr@novascotia.ca>; Jeff Lawrence <jlawrence@townofantigonish.ca>

Subject: RE: Information Poster

Thanks, Ross. Antigonish had a plebiscite too in 2006. That is the origin of the question – we expect some will feel it is a normal part of the process and expect it be done again.

Cheers,

Glenn

Glenn Horne | Chief Administrative Officer
Municipality of the County of Antigonish | 902.863.1117
285 Beech Hill Road, Beech Hill, NS | B2G 0B4
www.antigonishcounty.ns.ca | @AntigonishCo | facebook
Honour Yesterday. Act Today. Inspire Tomorrow

From: MacDonald, Ross <Ross.MacDonald@novascotia.ca>

Sent: September 8, 2021 1:22 PM

To: Glenn Horne <glenn.horne@antigonishcounty.ns.ca>

Cc: Barr, Nick <Nick.Barr@novascotia.ca>; Jeff Lawrence <jlawrence@townofantigonish.ca>

Subject: RE: Information Poster

Hi Glenn – I am going to double check on this but I believe the only plebiscite was in Pictou County in 2015. I will confirm.

Meanwhile – given that you will be providing a package to council for the 13th – I have added a draft note on the attached information poster. Can we ask that you use this version?

Much appreciated,

Ross

From: Glenn Horne <glenn.horne@antigonishcounty.ns.ca>

Sent: September 8, 2021 12:58 PM

To: MacDonald, Ross <Ross.MacDonald@novascotia.ca>

Cc: Barr, Nick <Nick.Barr@novascotia.ca>; Jeff Lawrence <jlawrence@townofantigonish.ca>

From: Marian Munoz [REDACTED]
Sent: March 4, 2024 10:37 AM
To: Office of the Legislative Counsel; michellethompsonmla@gmail.com; Premier
Subject: Consolidation of Antigonish Town and County

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

Exercise caution when opening attachments or clicking on links / Faites preuve de prudence si vous ouvrez une pièce jointe ou cliquez sur un lien

To all MLA's of Nova Scotia and the Law Amendments Committee,

I am writing to express my disappointment in the special legislation that is before the Law Amendments Committee now, concerning Bill 407, the Antigonish Consolidation Act.

An overwhelming majority of Antigonish County and Town residents want a vote on this matter (plebiscite). The governments of Antigonish Town, County and the Province of Nova Scotia are ignoring the very people who had them elected, and not one of these governments ran on the issue of consolidation.

Please defeat this legislation or withdraw it. Provide the people with the facts of consolidation, and let the residents decide! To this point, all we have been told (repeatedly) is that now is the time to consolidate, it will be good for us, we will have one voice in Antigonish. Other than reassurances that there will be no immediate changes regarding services, taxes, boundaries, utilities, etcetera, we are told that our questions will be answered once the consolidation is complete. We have had no clear demonstration of due diligence having been done.

If we, the people of Antigonish, are provided with a clear, concise plan laid out for consolidation, addressing the pros and cons, we may actually vote to proceed with the consolidation! However, without the facts, we cannot say if we are either for or against consolidation. We have two councils who have pushed this through with only an extremely slim majority vote, and again, done this without providing the full scope of the issue to the people.

This is a sad time for democracy in Antigonish and Nova Scotia.

Over 70% said they would not be voting for Michelle Thompson and Greg Morrow and the Conservatives, if this is forced upon us.

Marian Maguire-Muñoz
Maryvale, NS
902-863-4419

From: mbgrant1 [REDACTED]
Sent: March 4, 2024 10:41 AM
To: Office of the Legislative Counsel
Subject: FW: Antigonish

You don't often get email from [REDACTED] [Learn why this is important](#)

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: mbgrant1 [REDACTED]
Date: 2024-03-04 10:08 a.m. (GMT-04:00)
To: Legc.office@novascotis.ca
Subject: Antigonish

Good Morning:

I am emailing to express my disappointment in the special legislation that is before the Law Amendments Committed now.

I cannot understand why the rush, why is the Mayor and Warden in such a hurry to get this done. As a tax paying citizen in the county of Antigonish I feel we deserve more respect from the people that were trusted to look after our county and town.

WHY not do it the democratic way let the people have a say. How can these people be trusted to move forward with our livelihood.

WE DO DESERVE RESPECT AND HONESTY!

Sincerely

MB Grant

Sent from my Bell Samsung device over Canada's largest network.

From: Audrey MacDonald [REDACTED]
Sent: March 4, 2024 11:27 AM
To: Office of the Legislative Counsel
Subject: Antigonish Merger Legislation

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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Members of the Law Amendment Committee:

While I am neither for nor against the proposed merger of the municipalities of the town and county of Antigonish, I request a delay in bringing this bill to a third reading (or simply not passing the legislation) until either one of two events occurs:

1. A plebiscite allowing the citizens of these municipalities to have their voices heard on the governance of their municipalities, or; 2. Waiting until the municipal elections in the fall so that current and prospective municipal candidates can run on this issue.

Additionally, as the process that has been followed to get us to this point has been seriously flawed, in my opinion, I am requesting that a study of this prospective merger — covering all possible implications — be conducted with full transparency. At this point, as a resident of the area, I feel both transparency and meaningful engagement has been sadly lacking.

Finally, if the decision to proceed with a merger is deemed favorable, by a majority of the affected residents rather than the individuals who currently — and incorrectly — suggest they are speaking for all of us, I suggest the group to lead the change be an objective group. Much trust has been lost with the mayor, warden, and their deputies. Therefore, acceptance of the proposed new governance model is possibly more likely under the leadership of individuals who have not been involved in working toward this forced merger.

I implore you to return the decision on a merger of the Antigonish municipalities to the residents of Antigonish town and county.

Audrey MacDonald
Antigonish

Sent from my iPhone

From: Cynthia Henderson [REDACTED]
Sent: March 4, 2024 11:21 AM
To: Office of the Legislative Counsel
Subject: Bill 407

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**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Good morning,

I respectfully ask that Bill 407 be tabled until the residents of Antigonish Town and County are given a voice in the consolidation process.

We are not necessarily opposed to a uniting of the Town and County but the Machiavellian way it has proceeded.

The residents have requested information on the proposed consolidation and been ignored. We have requested input via a plebiscite and been ignored. We have requested meaningful consultation and have been ignored.

If Bill 407 moves forward into legislation without our input, we will not be ignored in the voting booths, both municipal and provincial. There are several polls that back this statement up.

Please at least hit "pause" on third reading of this legislation until after the 2024 municipal elections in October so we may have a say.

Respectfully

Cynthia Henderson

From: Wendy Chisholm [REDACTED]
Sent: March 4, 2024 11:09 AM
To: Office of the Legislative Counsel
Subject: Law Ammendments

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Dear Minister Johns,

I write today in support of the legislation to consolidate the Town and County of Antigonish.

As a life long resident of the Municipality of the county of Antigonish I feel that consolidation is the right thing for our community. While we are fortunate that at the moment both units work together this was not always the case and may not be the case in the future we if do not consolidate.

I believe that as a consolidated unit we will be in a position to grow and thrive.

Thank you,

Wendy Juurlink

From: A Angus Mac Isaac [REDACTED]
Sent: March 4, 2024 11:41 AM
To: Office of the Legislative Counsel
Subject: Antigonish Legislation

[You don't often get email from [REDACTED] Learn why this is important at
<https://aka.ms/LearnAboutSenderIdentification>]

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Dear Members of the Law Amendments Committee.

I write to you as a former MLA for Antigonish, a past Minister of Municipal Affairs and member of the governments of Premiers John Hamm and Rodney Mac Donald. In that capacity I encountered many investors and would be investors who expressed frustration of having to deal with two levels of municipal government for a population of 20 000 people. As I look forward under the present governance arrangement in Antigonish Town and County I see the County as the area experiencing the greatest growth and in need of services and yet the town has the water supply needed to accommodate future growth. Without change both municipal units will require duplicate separate investment to accommodate future development.

I urge members of the committee to consider such issues in their decision making.

Thank you for your consideration.

Sincerely yours, Hon Angus Tando MacIsaac

Steve Scannell, *Antigonish*

Any good councillor would be poorly suited to govern if they ignored the interests of the people they represent, but I argue they would also be poorly suited for the task if the will of the public was the only factor that influenced their decision. Community input is always one of many factors that must be weighed – it is rarely the only one. Politics, even at the local level, is complex and messy.

I think it is worth taking a moment to catch our breath and reflect on the recent decision of the Municipal Councils of the Town and County of Antigonish to consolidate. Lost in the drama at the respective meetings of October 20th when the final decision was made is an understanding of what it means to exercise political leadership in this context.

The leadership discussion has been overshadowed by the argument that the failure to hold a plebiscite on the issue stifled the voice of the residents and undermined democratic ideals. This is simply a matter of perspective. I, for one, disagree that this decision and the process leading up to it was anti-democratic; in fact, it is the essence of democracy in action executed through strong political leadership by our local officials.

The position supporting a plebiscite assumes that the residents are willing and able to determine what is best for the future of the community. It would be unfair for me to doubt the wisdom of the public or entrench myself on either side of the public debate respecting the future of the community. There are very good positions that support either side of the discussion, and where you fall ultimately is shaped by your interpretation of the evidence and your wishes for what you want your community to look like in the future.

Residents are certainly able to determine what is best for Antigonish and should have a voice in the process, but a vote is a very crude way of assessing how people feel about such a difficult issue. A vote simply gauges citizen opinions in black or white terms; it cannot ask *why*. Consolidation is not a black or white issue. It is a topic that requires comprehending and balancing a range of complex and competing needs and interests. A vote that boils the whole issue down to a binary 'yes' or 'no' is simply insufficient for this purpose – understanding the *why* matters.

Apart from being a blunt tool to gauge collective interests, voter turnout is notoriously low in municipal elections and special votes. Referendums and plebiscites – regardless of their perceived or real potential community impact – do not draw people to the polls in droves as community-minded people may hope for or expect. Pictou County has been among the latest communities to experience a vote on a municipal merger, and only 38% of their community showed up to lend their voice to the issue. This, despite a very detailed analysis that took over five years to complete, and which came after a recommendation from the Utility and Review Board recommended the amalgamation as holding “significant positive implications” – social and financial – for the community.

What is also overlooked in the discussion on a plebiscite is that in this context it is non-binding. In the end, the respective Councils would be tasked with making the final decision. Given that a vote is a very imprecise tool that fails to adequately capture the complexity of the issue or how one may feel about it to inform a final decision for Council, preference ought to be given to public consultation to collect this information from residents for an issue of such significance.

The process, and principles governing the process, were agreed to unanimously by each Council and endorsed by provincial officials who already carried out a similar exercise in other areas of the province. It was so agreed to because it allowed greater flexibility for each Council as they explore and negotiate their options – more so than the rigidity of the process outlined of the *Municipal Government Act*. The information gathering from residents proceeded as an extensive series of consultations and public meetings, included a range of ways to provide input (such as email and telephone), and made all information freely available to all residents in the community, as explained in the subsequent reports.

No recent project in our community has embraced such consultative zeal, and credit ought to be given to all Councillors and staff who committed their time outside of regular working hours to organize and attend these events and meet with citizens face to face to talk about such a contentious issue. They worked tirelessly to consider resident concerns and positions and have tried to understand all dimensions of the issue – to understand the *why*.

In this context, not holding a plebiscite is *far* from being anti-democratic. This level of engagement is precisely what we ought to expect from our municipal councillors on a regular basis in their quest to understand our

interests and shape our respective communities. Regardless of whether you support the outcome of the decision, it is difficult for me to see how this has failed to provide a voice to all interested residents on the issue.

It is important at this stage to ask what we expect from our elected officials. How do we gauge whether we have been well represented?

I think it comes down to how you view the role of political representation, generally. There are two predominate models at play in representative democracies: the delegate model and the trustee model. An elected official operating as a 'delegate' is expected to be a mirror reflecting the wishes and demands of their constituents. Such a perspective suggests our leaders ought to make no independent decisions for themselves; they are simply expected to do as the people command. Conversely, an elected official operating as a 'trustee' acts on behalf of their constituents interests, but also uses their knowledge, experience, available evidence, and integrity to make the best possible decision. This is the truer expression of how our representative system works.

The reality is local government largely operates on a trustee model. We elect local officials because we trust them to make good decisions on our behalf; we vote them out if they don't. Councillors are tasked on a regular basis to make decisions that have many competing positions on what ought to be done and they must weigh a variety of competing interests – which is further complicated by the fact that these competing interests are coming directly from our friends and neighbors. Oftentimes, these decisions may be made with imperfect information available, and like any decision in life they can never be made with 100% certainty.

Any good councillor would be poorly suited to govern if they ignored the interests of the people they represent, but I argue they would also be poorly suited for the task if the will of the public was the only factor that influenced their decision. Community input is always one of many factors that must be weighed – it is rarely the only one. Politics, even at the local level, is complex and messy.

The information for the Antigonish consolidation decision was informed, not only by community input, but by past experiences from communities who have gone through this process before, such as Windsor/West Hants. It is worth noting, too, that in their own assessments ([Link](#)) – they emerged on the other side better for it in the long-term despite similar concerns raised at the time of the decision ([Link](#)). It is very fair to say that our councillors worked intelligently with the research, case studies, and general

information they had – and it is as well-sourced as you can possess on this issue. If it seemed that the information skewed positive, it is because there is a lot of evidence that supports positive outcomes when municipalities merge – specifically, I should add, when two municipalities come as strong partners to the table and can negotiate a better way of delivering service.

With all of this under consideration, I believe that the drama that unfolded obscured an appreciation and understanding of what a good councillor ought to do when faced with the question of consolidation. My perspective is that a push for a vote as the sole determinant of the outcome gives elected officials space to abdicate their representative responsibilities and shy away from the expectation we place on them to be capable of demonstrating decisive, informed leadership when confronted with challenging issues. I support residents having a voice in the process. I feel that all councillors – regardless of how they voted – heard those voices.

The decision was always going to be highly emotional and controversial, and that is precisely why it makes good sense to trust our councillors to make the final call. They have, by virtue of their positions, the passion for the job, knowledge of the inner workings of the municipality as an administrative entity as well as its broader community dynamics, and (perhaps much more importantly) the understanding of what lies on the horizon. The issue itself requires a careful balancing of the emotional aspects that accompany such a question with the technical aspects of understanding how communities are governed and managed to achieve long-term sustainability. Whether you are comfortable admitting it, that is a role that a councillor is best positioned to satisfy. That is what we elect them to do. And because it is not black and white, it is an unenviable – and at times thankless – job. It is the job of residents to share their input with their councillors to ensure it factors into their calculus. I feel that has been accomplished.

The current councillors around the table were placed in these roles by the residents because we trusted their disposition, their knowledge, their experience, their civic mindedness, as well as their passion for ensuring our community remains a vibrant place to live, work, and raise a family. They have delivered. The past eight-plus years have seen increased cooperation between our Councils, increased community investments completed through partnership and cost-sharing, and a growing list of shared services that serve more practical, cost-effective purposes.

It has been a period of positivity and success for our community because the respective Councils applied a community-wide lens to their decision-making – not a Town versus County mindset. It all boils down to leadership, and such a period of prosperity and good will should not be taken for granted that it can be easily repeated.

What evidence do we now have to accuse our councillors of renouncing this perspective? I suggest that there is no reason or evidence at all to assume that all councillors have suddenly given up on our community. Our councillors have been consistent in their principles and approach and are who they have always been before the vote – people who, together, make up a collective body trying to make decisions with the best long-term interests of the community in mind.

Again, politics is complex and messy. Those that voted in favor of the decision care just as much about the community as those who voted against; all weighed the information and made a decision they felt was best for the community. Moreover, the process has exhibited the essence of what we want from our democratic institutions: the ability to meet face to face with our leaders to tell them exactly what we think and then entrust them to make the best possible decision they can with all the information and inputs available to them. That is how the system is supposed to work; that is how it has worked for this decision regardless of whether you like the outcome.

All councillors were placed in challenging and uncomfortable positions throughout this process, and on October 20th they were asked to make a very hard decision about the future of the community they represent. To even address such a controversial question forces them to place community interests above their own. That is exactly what they all did. What more could be asked of our leaders?

I'll close by saying that it is heartening to see our Councils rise to the occasion, and again – as they have in the past, and regardless of how they voted – demonstrate forward-thinking leadership that focuses on the long-term best interests of the Antigonish community.

As the dust settles, Antigonish is bracing for a new future as a single municipal unit to better reflect what we have always known to be true: that we are one community. Rather than quibbling over outcomes, embrace the outcome and be focused on building for the future.

Let us give our respective Councils the benefit of doubt based on their recent pattern of actions, the positive outcomes they achieved, and the

commitment they have demonstrated to always place the greater community good at the core of their decisions. I, for one, have full confidence that Antigoniash is – and will always be – well-served by their leadership and I'm excited about our future.

Op-Ed: Antigonish Consolidation: A historic opportunity

Jun 7, 2023 | News

"Why can't the Town and County just get along?"

We can't tell you how many times we had to answer that question as Mayor and Warden of the Town and County of Antigonish.

When we were first elected, the relationship between the Town and County of Antigonish couldn't have been further apart. Every decision was made in silos and there was next to no collaboration. It resulted in delayed infrastructure projects and programming, along with an overall disconnect in priorities for Antigonish residents.

It was frustrating. Not only that: it was unnecessary. Take the Antigonish Skatepark, for example. The fruition of the project took over 25 years, all due to the division between the Town and the County. It took a partnership with St. FX for things to actually come together. And in the months that followed, look at what we were able to accomplish when we worked as one cohesive unit.

Rather than duplication, we should focus on collaboration. We've learned this through authentic experiences of both municipalities joining forces for a greater goal.

Just look at the Antigonish Town & County Library. This project is a huge success story for our community. But there is a councillor from each municipality on the board and a member from each administration overseeing the facilities and attending meetings. This is unnecessary duplication. Also, when issues came up during construction it meant having to share all information twice, getting consensus from two councils instead of one. Inevitably, the process was jeopardized and slowed.

In Antigonish, we're one community that collectively holds the same values. County residents work in the Town. Town residents work in the County. We all use the same sidewalks, same parking lots, and same roads. How many County residents do you know who come to town from, say, St. Andrews Street? Or Hawthorne Street? Or James Street? County residents come to

JP

town for banking, for their appointments, and to eat at restaurants. Town residents go to the County for school, groceries, beaches and more. We all want our community to be great and prosper.

We have said it before and will say it again: Antigonish is one community of people that live together with shared cultures, work together in diverse industries, and rely on each other for our social and economic well-being.

The current political boundaries between the Town and County don't affect our sense of belonging to the greater Antigonish community.

As a community, we have progressed despite this artificial boundary, not because of it.

Times are becoming more challenging for everyone, and municipalities are no different. With increased demands on municipalities, we need to work together. Town and County Councils seem to get that. We're no longer seeing the Town-County division. Instead, we're seeing proactive collaboration.

A lot of time has been spent repairing our relationship. When we served as Mayor and Warden, there were no joint council meetings. Our councils were working independently. Now, they happen quarterly, allowing our councillors to be in the same room, hear the same presentation and information, and have open conversations. But it's still 17 elected officials in the same room, the same number as Halifax with a population of 420,000 (21 times larger than Antigonish Town and County combined).

Our recent success shouldn't go unappreciated. It's easy to debate why consolidation is important when both councils get along and are trying to make decisions together. We need to be taking politics out of it and thinking about what is best for our children and our community, today and in the future.

Today, the foresight of Town and County Councils has presented our community with a distinctive opportunity for generations to come.

It is an opportunity we are not likely to get again.

And it's why we feel consolidation is an obvious choice.

Herb Delorey

Municipality of the County of Antigonish Warden: 1994- 2012

Carl Chisholm

Town of Antigonish Mayor: 2008-2016

Adicia Vindz

1 of 6

8

Good afternoon. Thank you Mr Chairman for the opportunity to present arguments here today for suggested amendments to Bill No 407: The Antigonish Consolidation Act.

Three litigants, of whom I am one, described in court documents as "public interest litigants" argued in the Nova Scotia Supreme Court to have the October 20, 2022 motion of County Council quashed. The issue before the Courts was of such significance that it was described by the presiding Supreme Court Justice, as an issue "that had relatively few comparators in Nova Scotia, or nationwide". Furthermore Justice Gabriel stated the lawsuit qualified as "a serious justiciable issue" continuing "that although they were unsuccessful in their Application, their views were shared by a portion of the affected population, and apparently not a trivial portion, either."

On January 29, 2024 an appeal of the decision of Justice Gabriel's December 5, 2023 decision was filed with the Nova Scotia Court of Appeal. Citing several errors in law, the appellants are requesting the decision of December 5, 2024 be reversed. As we sit here today a date has not yet been set for the Appeal hearing but apparent court processes and timelines ensure that the outcome of this matter will be determined before the October 19, 2024 municipal election date.

I respectfully ask this committee that any decision of the passage of this Bill be delayed until the Court processes are complete.

Although often presented as an argument about consolidation, the opposing views on this matter have never been about consolidation. The opposition has always been about the process used to try and consolidate the communities and the lack of information shared.

Despite Council assertions that the engagement process was open and inclusive, the vast majority of the community disagree.

In September of 2021 both Councils voted to explore consolidation and chose to obtain community input through a series of "Engagement Sessions" held throughout the residential and business communities. In an October 11, 2022 CBC Mainstreet interview Mayor Boucher stated that the purpose of engagement sessions was to find out "if there was something we were missing". When asked how many people participated in these sessions, Mayor Boucher responded "a conservative estimate would be about 1200 people." When pressed further by the interviewer "What % of the voting population would that be?" the Mayor responded "well I don't know the exact voting population but all total it's about 20,000 so that would be about 6%". While admitting that this was not a very high number Mayor Boucher concluded with **"I see that as people agreeing with what we said or not being engaged"**.

There is significant evidence to contradict her conclusion. It is clear when 900 people who attended citizen arranged community town hall meetings that people were engaged with the issue. Over 4200 signatures of residents on a petition opposed the

process and demanded a vote. This petition that will be tabled in the Legislature during this session. Also, not one but two surveys conducted by a nationally recognized polling firm indicated overwhelming support for a vote on this issue. The concluding remarks of Justice Gabriel "their views were shared by a portion of the affected population, and apparently not a trivial portion, either" also show that the Mayor erred in her assumption of non-engagement. This makes it clear that Mayor Boucher arrived at a completely unfounded and erroneous conclusion. The people of the communities were certainly engaged and not in agreement as stated.

Despite Mayor Boucher's conclusion being unfounded and erroneous, it became the foundational argument of Councils that the process used not only engaged the residents of our communities, but had the support of the people of the communities.

In a second CBC interview, on October 31, 2022, when asked about the process used by Councils to evaluate the proposed consolidation and the subsequent community objection to that process, Mayor Boucher stated "Yeah, so we did discuss this and both councils agreed on the process that was chosen. Of course, if I could go back and change things, I'm sure the Warden and I would do that".

There have been two votes by Council to request introduction of this special legislation. It is significant to note that the latest vote on January 20, 2024 was decided by only one vote by both councils. In the County Councils vote, a county councillor abstained due to an untested conflict of interest. That councillor would have voted against the motion, thus defeating the motion. t

There have also been two polls conducted by a nationally recognized polling and research company MainStreet Research that provide support that the majority of residents are very strongly opposed to any type of merger going ahead without a vote. The results of the March 2023 poll conducted demonstrated that 70.4% of residents wanted a vote, directly contradicting the position of the mayor and warden of Antigonish. In early February 2024 a second poll not only confirmed that demand but demonstrated a stronger demand for a vote with 75.8% demanding a vote before any decision on consolidation was reached. Additionally the 2024 poll indicated that only 22% of residents felt they had received sufficient information on the issue or that they felt heard by the Mayor and Warden. These numbers question the assertions of the Mayor and Warden as to the level of support and engagement for this process, assertions that were presented as the foundational support for moving forwards with the processor consolidation outside of the MGA.

You may hear from others presenting today, that residents responded emotionally, indeed referred to as "the drama that unfolded" by one former town employee speaking in support of the process. This testimonial, on the antigonish.ca website, the site used by the Consolidation Steering Committee to share information related to the topic at hand, goes on to say that the "decision (of consolidation) was always going to be highly emotional and controversial" further attempting to reflect the opposition to the process as opposition to consolidation. To further promote the discussion on consolidation,

OP-EDs were written by several councillors. These articles, including the joint opinion piece by a former mayor and warden, introduced to the House by Minister Lohr on the 2nd reading of the Bill, provided opinion but failed to provide any factual information on any studies or research that may have been done describing the potential risks and rewards of consolidation specific to Antigonish Town and County. None of these testimonials and Op-Ed's addressed the fundamental objection of the people - PROCESS NOT CONSOLIDATION.

There is no doubt that at times emotions ran high. When voices are not heard, acknowledged for the truth of their messages and then twisted into a position of opposition of content rather than of process, emotions can run high. I would suggest that many communities in this province, indeed this country would like to have their residents as engaged in their community as the residents of Antigonish have demonstrated in their effort to be part of this decision.

Given that the residents of Antigonish have not felt heard, that they clearly stated in the 2024 survey that they have not received sufficient information, given that the *What We Heard Report*, the very engagement summary report commissioned by the Councils of both Town and County and paid for through funding received from the Department of Municipal Affairs and Housing, a report stating that "In general, we heard that there was an underlying lack of confidence in the overall process, the municipal leaders and the relationship between the Town and County", given the disparity between resident and Council reported support and engagement, **I respectfully ask** this committee to require a study and plebiscite before any merger of communities is considered.

It is never too late to change things. **I respectfully ask** this committee to listen again to those October 31, 2022 words of Mayor Boucher, "if I could go back and change things, I'm sure the Warden and I would do that." Do not accept that the engagement sessions attended by the 6% of the population described by Mayor Boucher provide sufficient evidence of support for the process.

Given all that I have shared, it is my ask that the government will reconsider and withdraw this legislation. Failing complete withdrawal, it is my ask that adoption of the proposed legislation be delayed until such time as the legal appeal is resolved.

In addition to my ask that if the legislation moves forward, it move forward with the addition of a study and plebiscite, I ask that you consider the following amendments to the legislation.

Bill No. 407 Antigonish Consolidation Act: Amendments

Section 6 (1) states a Transition Committee is established consisting of the Coordinator, the Mayor and Deputy Mayor of the Town and the Warden and Deputy Warden of the County.

As noted above in the *What We Heard Report*, the residents of Antigonish have an "underlying lack of confidence in the overall process, the municipal leaders and the relationship between the Town and County". With this lack of confidence and trust in present municipal leaders, **I respectfully ask** this committee to delay the designation of transition team members until after a municipal election is held to enable residents of Antigonish to elect Councils they have confidence in. With the support of the people, these newly elected councils can move forward with the transition to one consolidated municipality. An early election, with an extension of terms, would allow for the assignment of resident-supported persons on the transition team. This would provide residents with a voice in the transition to consolidation, a voice they have not felt was heard during the process.

If an early election is not forthcoming allowing for an elected transition team, if the design of the transition team continues as designated in Bill No. 407, **I respectfully ask** that persons on the transition team not be allowed to offer their names as candidates in the October 2024 Municipal Election. It is an absolute conflict of interest to have any individual involved in the design of a new governance structure, a structure they intend to campaign for a position in, a position such as the mayor. In a local radio interview, one individual who has been designated to serve on the transition committee has already announced that he will be offering his name for the position of Mayor.

Section 6 (3) states each municipal unit shall designate, by motion of council, an alternative member of council to attend meetings of the Transition Committee in place of a member of the Committee from that municipal unit who is unable to attend. With both Town and County Councils demonstrating a propensity to vote as a block on the consolidation issue, **I respectfully ask** this committee to include within the legislation that the members of Council previously identified as members of the Transition team not be permitted to participate in the nominations and election by vote of alternative members.

Section 7 (1) states the meetings of the Transition Committee must be held in accordance with the procedures required for a municipal council by the Municipal Government Act except as provided by this Act. Given that the MGA does not outline many procedures for meetings, limiting itself to stating regular meetings are open to the public, **I respectfully ask** this committee that the legislation state that the Transition Team is to publicly post all scheduled meetings, that such meetings be open to the public and that minutes of all meetings be recorded and posted in a timely manner.

Section 12 (1) Prior to April 26, 2024, the Coordinator shall apply to the Nova Scotia Utility and Review Board for a determination of, and the Board shall determine, the number of councillors and the boundaries of the polling districts in the Consolidated Municipality. The limitations of time should not restrict or remove the participation of residents in the NSUARB process of determination of municipal boundaries. **I respectfully ask** this committee to amend the legislation to include that the boundary recommendations be subject to the usual practice of public review and consultation.

With a heightened interest in the 2024 municipal election, the number and designation of boundaries has a profound effect on prospective councillors. To allow for a thoughtful consideration of candidacy, there is an immediacy to the designation of such boundaries. **I respectfully ask this committee to designate a timely and immediate date for completion of UARB recommendations**

Section 12 (2)

Before the Coordinator applies to the Nova Scotia Utility and Review Board pursuant to subsection (1), the Transition Committee may determine that a Mayor is to be elected at the first election for the Consolidated Municipality on October 19, 2024, notwithstanding the minimum time required by subsection 12(8) of the Municipal Government Act.

and

Section 12 (3) At the time of the application to the Board under subsection (1), the Coordinator shall advise whether the Transition Committee has decided that a Mayor is to be elected.

The original consolidation presentations to the public were a model for Regional Consolidation clearly requiring the position of an elected mayor. All engagement sessions spoke clearly to this being fact. Regionalization was thwarted by the financial implication of RCMP funding formulas. With the introduction of the fact that Regional Consolidation would change the existing RCMP Service contract from one of a 70-30% Municipal-Federal cost sharing to one of a 90-10% Municipal - Federal cost sharing, resulting in an additional cost of approximately \$1,000,000.00 to the Municipality with no change in service, a decision was made, outside of Council Chambers, that the model of regionalization would change to the present proposal whereby the Town of Antigonish will dissolve and on dissolution day, all former residents of the Town would become residents of the Municipality. With this announcement, it was repeatedly emphasized that all other parameters of the proposed Regionalization would remain the same, including the election of councillors by the ward system and the election of a future mayor by a vote of the people.

Returning to the previous argument that a blatant conflict of interest exists when a declared candidate for the mayoral position serves on the very transition team that will be vested with the responsibility of determining the method of election of said position, **I respectfully ask this Committee** to clearly state in the Act that the position of Mayor will be an elected position and not one to be determined by the Transition Committee.

In conclusion, I want to stress to this Committee that I am not opposed to consolidation. In the spring of 2022, shortly after the Engagement Sessions were initiated, in an interview with Aaron Beswick of The Halifax Herald, I was very clear that I have no position consolidation because there was very limited information available on the rewards and risks of such a change in governance structure. I stand by that position today.

I believe that any decision on consolidation can only be made after a thorough study of the risks and benefits are conducted. The potential ramifications of the decision to consolidate will impact generations to come. This should not and cannot be a decision of Councils alone. The voice of the people, my voice, needs to be heard either through a plebiscite or as a platform issue in the October 2024 municipal election.

Respectfully I ask again that Bill No.407: Antigonish Consolidation Act be delayed until the Court process has concluded, and failing that, that a study and a plebiscite, alone or in conjunction with the 2024 Municipal election, be incorporated into the Act and that the provisions of the Act not be implemented until such time that such a study and plebiscite occur.

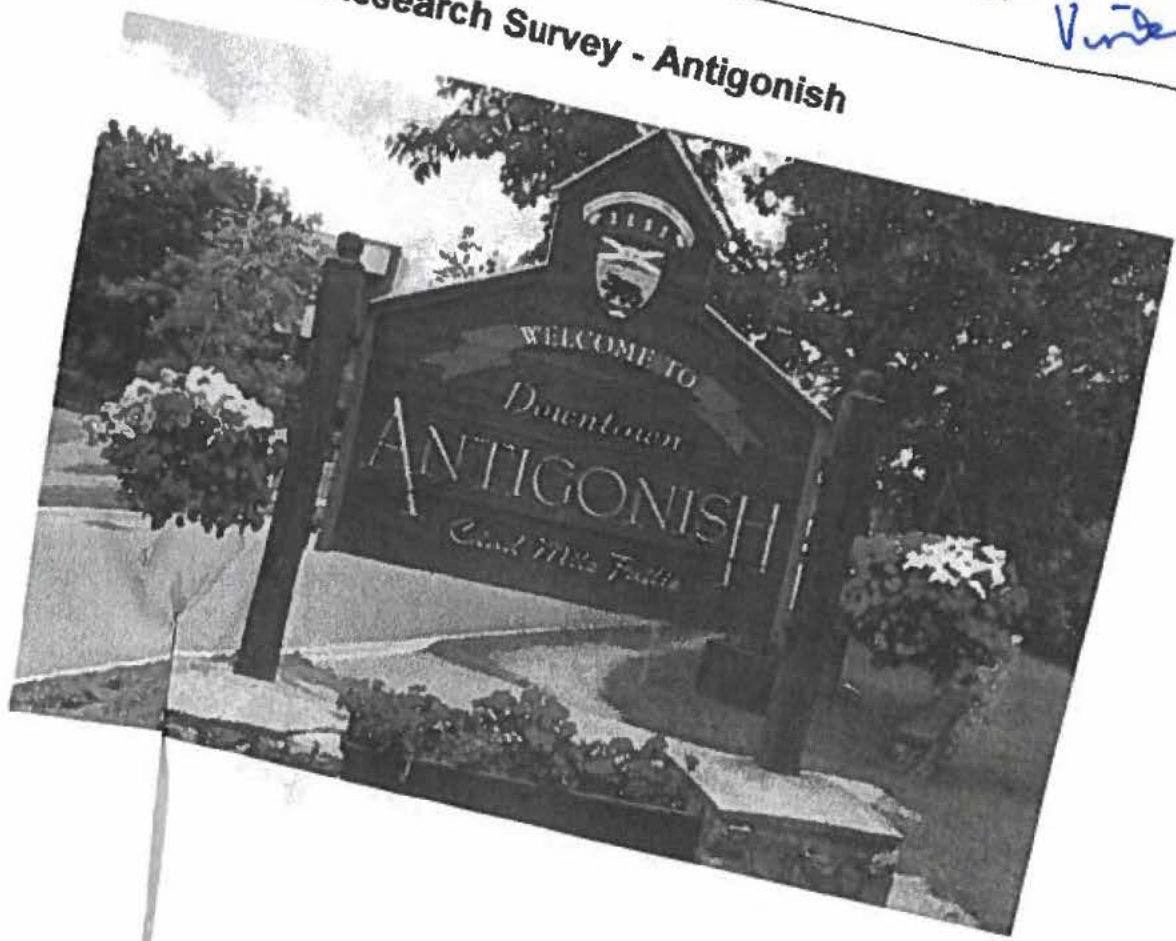
Respectfully
Terry Penny

[REDACTED]
Lakevale, NS, B2G 2L2
[REDACTED]



Mainstreet Research Survey - Antigonish

Adrian Vint





**MAINSTREET
RESEARCH**

About Mainstreet

Founded in 2010, Mainstreet Research is recognized as one of Canada's top public opinion and market research firms. Since our founding, we have been providing actionable and data-driven insights to our clients to help them make their most important evidence-based strategic decisions.

Mainstreet has an impressive track record in accurately forecasting election results in Canada and the United States and has become a trusted source for comprehensive market research, analysis and advice. Our insights are found in major media outlets across the country.

Our diverse team has decades of experience in conducting both quantitative and qualitative research, ranging from broad national surveys, to focus groups, to membership surveys, and all points in between.

Mainstreet Research is a proud corporate member of CRIC and exceeds all Canadian and international standards for market research and public opinion research.

Methodology

The analysis in this report is based on results of a survey conducted from Sunday, March 12th to Monday, March 13th, 2023, among a sample of 344 adults, 18 years of age or older, living in Antigonish. The survey was conducted using automated telephone interviews (Smart IVR). Respondents were interviewed on landlines and cellular phones. The survey is intended to represent the population in Antigonish by weighing by gender, age and educational attainment from the 2021 census.

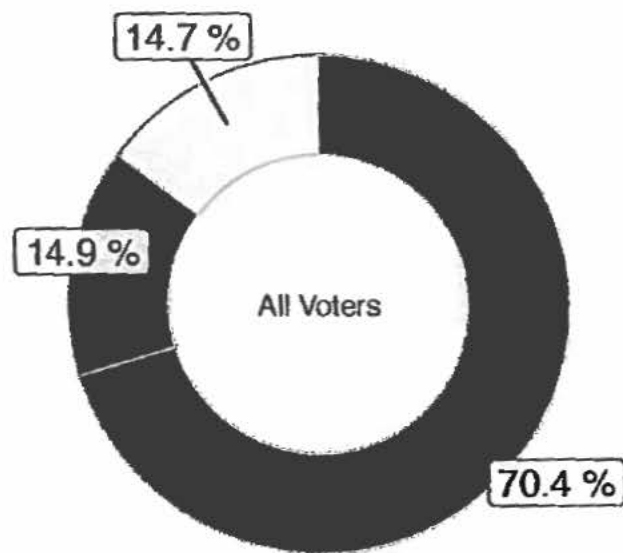
The margin of error for the poll is +/- 5.3% at the 95% confidence level. Margins of error are higher in each subsample.

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**MAINSTREET
RESEARCH**

Should the residents of the Town and County of Antigonish be given a vote on consolidation before a merger is considered? (all voters, Antigonish)



Response

	Yes		No
	Don't know		



**MAINSTREET
RESEARCH**

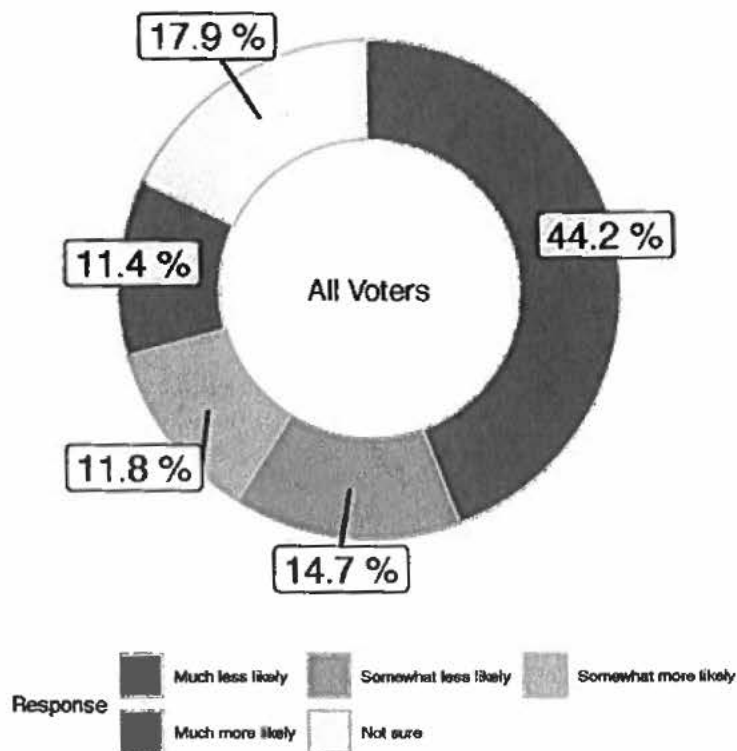
broken out by age, gender

	Total	Gender			Age		
		Male	Female	Non-Binary	18-49	50-64	65+
Yes	70.4%	71.3%	69.3%	78.9%	58%	78.1%	78.1%
No	14.9%	13%	17%	0%	20.1%	11.1%	12.1%
Don't know	14.7%	15.7%	13.7%	21.1%	21.9%	10.8%	9.8%
Unweighted Frequency	344	130	195	19	52	100	192
Weighted Frequency	344	161	177	6	132	100	112

broken out by education, income

	Total	Education			Region		
		HS or less	College/Trade School	University	Town	County	Fringe
Yes	70.4%	80.6%	70.5%	57.4%	62.7%	74.4%	71.1%
No	14.9%	10.2%	12.5%	23.6%	14.3%	14.8%	17.1%
Don't know	14.7%	9.3%	17%	19%	23.1%	10.8%	11.8%
Unweighted Frequency	344	80	134	130	102	214	28
Weighted Frequency	344	126	118	100	108	200	36

How likely would you be to vote for your MLA, or the Premier, in the next Provincial election if a consolidation took place without a public vote? (all voters, Antigonish)



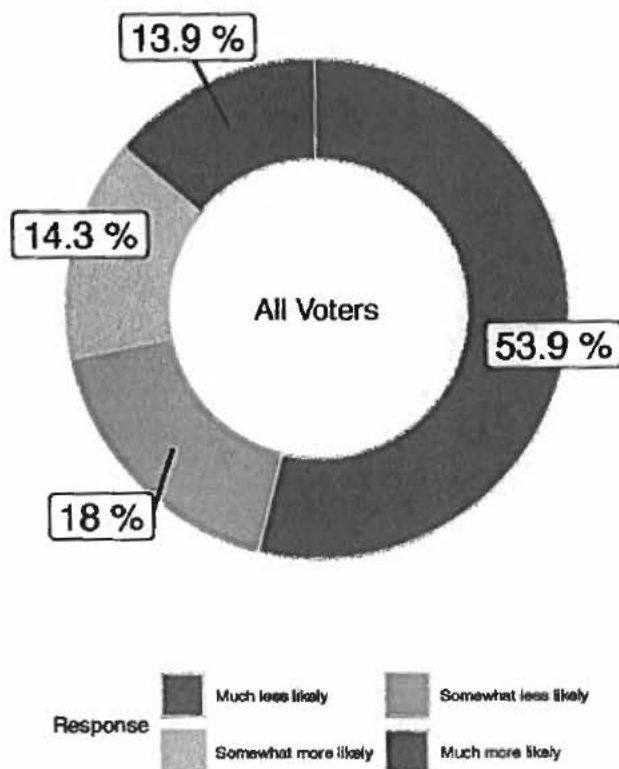
broken out by age, gender

	Total	Gender			Age		
		Male	Female	Non-Binary	18-49	50-64	65+
Much less likely	44.2%	49.2%	39.1%	63.2%	39%	46.3%	48.5%
Somewhat less likely	14.7%	14.4%	15.6%	0%	13.2%	15.5%	15.8%
Somewhat more likely	11.8%	11.2%	12.5%	5.3%	18%	10.9%	5.1%
Much more likely	11.4%	9.1%	13.8%	0%	13%	11.1%	9.8%
Not sure	17.9%	16.1%	19.1%	31.6%	16.7%	16.2%	20.8%
Unweighted Frequency	344	130	195	19	52	100	192
Weighted Frequency	344	161	177	6	132	100	112

broken out by education, income

	Total	Education			Region		
		HS or less	College/Trade School	University	Town	County	Fringe
Much less likely	44.2%	49.3%	43.2%	39.1%	31%	51.6%	42.6%
Somewhat less likely	14.7%	16.9%	14.6%	12.1%	13%	17.9%	2.3%
Somewhat more likely	11.8%	7.7%	18.3%	9.2%	25.1%	5.4%	7.2%
Much more likely	11.4%	10.3%	8.9%	15.6%	12.5%	8.4%	24.5%
Not sure	17.9%	15.7%	15.1%	24%	18.4%	16.7%	23.3%
Unweighted Frequency	344	80	134	130	102	214	28
Weighted Frequency	344	126	118	100	108	200	36

How likely would you be to vote for your MLA, or the Premier, in the next Provincial election if a consolidation took place without a public vote? (all voters, note sure removed Antigonish)



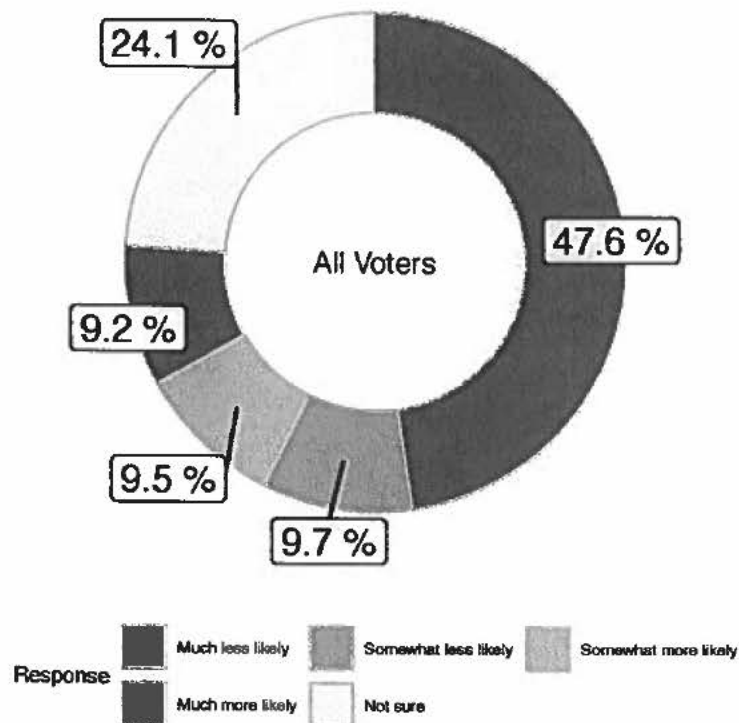
broken out by age, gender

	Total	Gender			Age		
		Male	Female	Non-Binary	18-49	50-64	65+
Much less likely	53.9%	58.6%	48.3%	92.3%	46.9%	55.2%	61.2%
Somewhat less likely	18%	17.1%	19.2%	0%	15.9%	18.5%	20%
Somewhat more likely	14.3%	13.3%	15.4%	7.7%	21.7%	13%	6.5%
Much more likely	13.9%	10.9%	17%	0%	15.6%	13.2%	12.4%
Unweighted Frequency	276	106	157	13	43	81	152
Weighted Frequency	276	135	143	4	110	84	89

broken out by education, income

	Total	Education			Region		
		HS or less	College/Trade School	University	Town	County	Fringe
Much less likely	53.9%	58.5%	50.8%	51.4%	38%	62%	55.6%
Somewhat less likely	18%	20.1%	17.2%	16%	15.9%	21.5%	3%
Somewhat more likely	14.3%	9.2%	21.5%	12%	30.8%	6.4%	9.4%
Much more likely	13.9%	12.3%	10.5%	20.5%	15.3%	10.1%	32%
Unweighted Frequency	276	66	108	102	85	170	21
Weighted Frequency	276	106	100	76	88	167	27

How likely are you to vote for the Mayor, Warden and councillors who voted to push the Provincial Government to pass legislation to dissolve the Town and consolidate it with the County of Antigonish? (all voters, Antigonish)



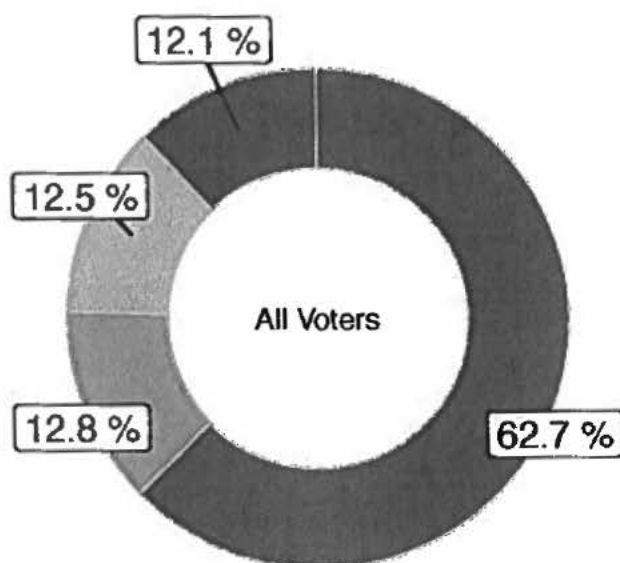
broken out by age, gender

	Total	Gender			Age		
		Male	Female	Non-Binary	18-49	50-64	65+
Much less likely	47.6%	48.4%	46.6%	57.9%	31.7%	53.8%	60.8%
Somewhat less likely	9.7%	11.1%	8.4%	10.5%	15.5%	1.6%	10.1%
Somewhat more likely	9.5%	7%	11.9%	5.3%	11.2%	12.6%	4.7%
Much more likely	9.2%	7.9%	10.6%	0%	4.6%	12.9%	11.1%
Not sure	24.1%	25.7%	22.5%	26.3%	37%	19.1%	13.3%
Unweighted Frequency	344	130	195	19	52	100	192
Weighted Frequency	344	161	177	6	132	100	112





broken out by education, income

	Total	Education			Region		
		HS or less	College/Trade School	University	Town	County	Fringe
Much less likely	47.6%	44.5%	49.7%	49.1%	35.2%	54.8%	44.3%
Somewhat less likely	9.7%	9.3%	11.8%	7.7%	15.2%	8.5%	0%
Somewhat more likely	9.5%	12.2%	6.9%	9.1%	15.2%	5.9%	12.2%
Much more likely	9.2%	7.3%	7.5%	13.4%	13.2%	8.6%	0%
Not sure	24.1%	26.7%	24.1%	20.7%	21.2%	22.2%	43.5%
Unweighted Frequency	344	80	134	130	102	214	28
Weighted Frequency	344	126	118	100	108	200	36

How likely are you to vote for the Mayor, Warden and councillors who voted to push the Provincial Government to pass legislation to dissolve the Town and consolidate it with the County of Antigonish? (all voters, not sure removed Antigonish)



Response

	Much less likely		Somewhat less likely
	Somewhat more likely		Much more likely



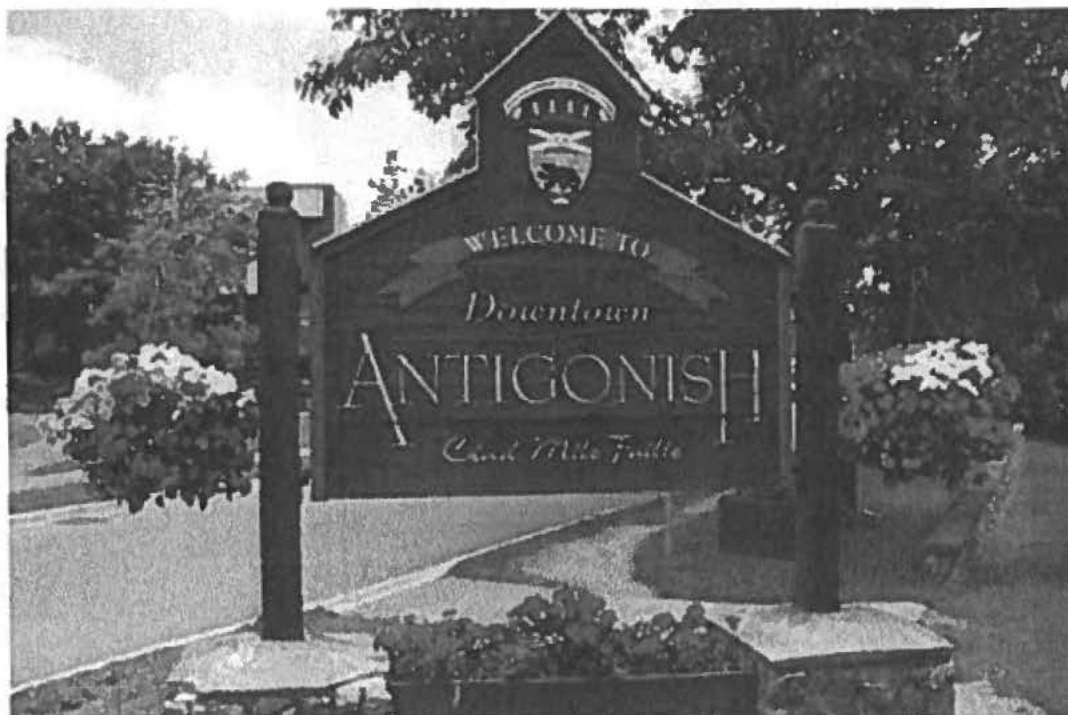
broken out by age, gender

	Total	Gender			Age		
		Male	Female	Non-Binary	18-49	50-64	65+
Much less likely	62.7%	65.1%	60.1%	78.6%	50.3%	66.5%	70.1%
Somewhat less likely	12.8%	14.9%	10.8%	14.3%	24.6%	2%	11.7%
Somewhat more likely	12.5%	9.4%	15.4%	7.1%	17.7%	15.6%	5.4%
Much more likely	12.1%	10.6%	13.7%	0%	7.4%	16%	12.8%
Unweighted Frequency	281	106	161	14	35	81	165
Weighted Frequency	281	120	137	4	83	81	97

broken out by education, income

	Total	Education			Region		
		HS or less	College/Trade School	University	Town	County	Fringe
Much less likely	62.7%	60.6%	65.4%	61.9%	44.7%	70.4%	78.3%
Somewhat less likely	12.8%	12.7%	15.6%	9.7%	19.3%	10.9%	0%
Somewhat more likely	12.5%	16.7%	9.1%	11.4%	19.3%	7.6%	21.7%
Much more likely	12.1%	10%	9.9%	16.9%	16.8%	11%	0%
Unweighted Frequency	281	65	108	108	83	179	19
Weighted Frequency	281	93	89	79	85	156	20

Mainstreet Research Survey - Antigonish





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Methodology

The analysis in this report is based on results of a survey conducted from Friday, February 9th to Saturday, February 10th, 2024, among a sample of 441 adults, 18 years of age or older, living in Antigonish. The survey was conducted using automated telephone interviews (Smart IVR). Respondents were interviewed on landlines and cellular phones. The survey is intended to represent the population in Antigonish by weighing by gender, age and educational attainment from the 2021 census.

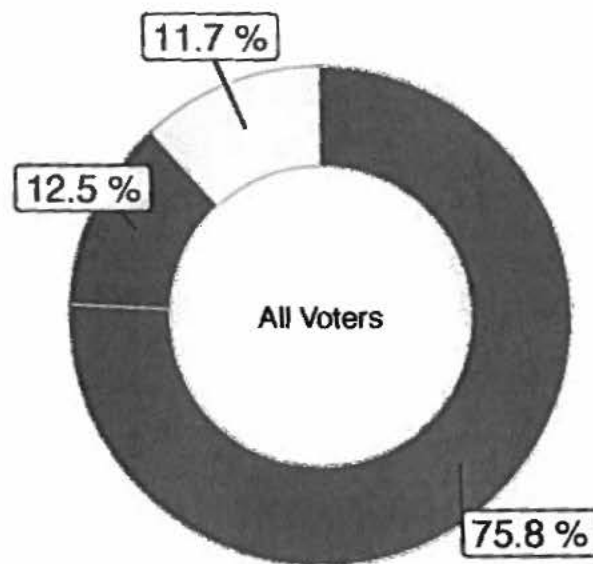
The margin of error for the poll is +/- 4.7% at the 95% confidence level. Margins of error are higher in each subsample.

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**MAINSTREET
RESEARCH**

**Should the residents of the Town and County of Antigonish
be given a vote on consolidation before a merger is consid-
ered? (all voters, Antigonish)**



Response

<input checked="" type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
<input type="checkbox"/>	Don't know		



**MAINSTREET
RESEARCH**

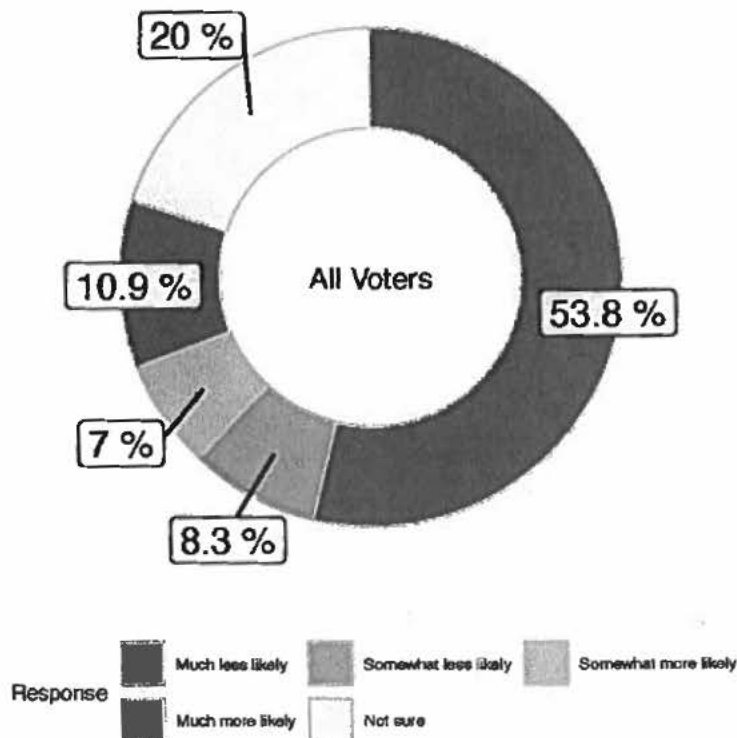
broken out by age, gender

	Total	Gender			Age		
		Male	Female	Non-Binary	18-49	50-64	65+
Yes	75.8%	77.2%	74.9%	61.2%	85.3%	68.3%	72.6%
No	12.5%	12.8%	11.9%	27.1%	4.2%	18.7%	15.4%
Don't know	11.7%	10%	13.2%	11.7%	10.4%	13%	12%
Unweighted Frequency	441	175	251	15	47	110	284
Weighted Frequency	441	203	232	5	154	130	157

broken out by education, income

	Total	Education			Region		
		HS or less	College/Trade School	University	Town	County	Fringe
Yes	75.8%	66.5%	88.2%	71.6%	76.1%	77.4%	50.1%
No	12.5%	10.9%	8.6%	19%	12.2%	10.3%	45.5%
Don't know	11.7%	22.6%	3.3%	9.4%	11.7%	12.2%	4.3%
Unweighted Frequency	441	114	168	159	96	320	25
Weighted Frequency	441	151	158	133	83	335	23

How likely would you be to vote for your MLA, or the Premier, in the next Provincial election if a consolidation took place without a public vote? (all voters, Antigonish)



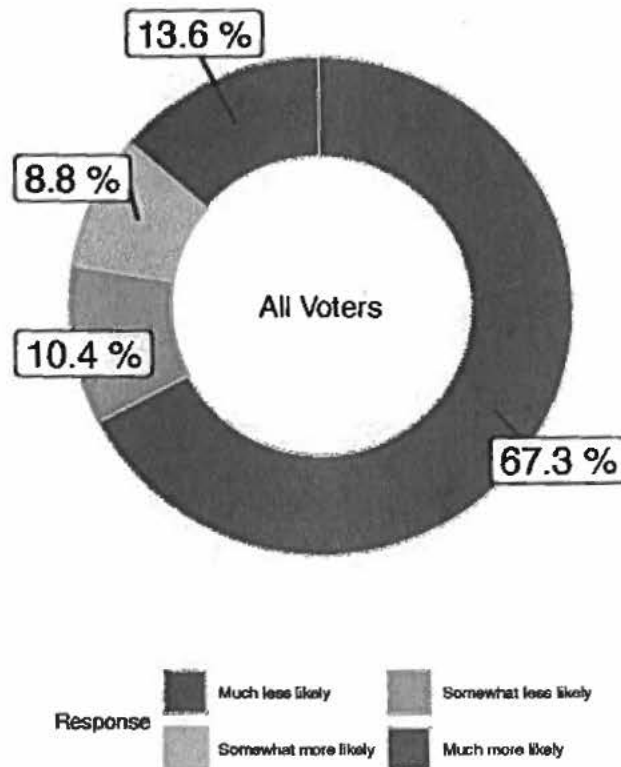
broken out by age, gender

	Total	Gender			Age		
		Male	Female	Non-Binary	18-49	50-64	65+
Much less likely	53.8%	58.5%	49.9%	49.4%	71.4%	43%	45.7%
Somewhat less likely	8.3%	5.9%	10.6%	0%	0%	12.7%	12.8%
Somewhat more likely	7%	4.6%	9.3%	0%	5.1%	6.8%	9%
Much more likely	10.9%	5.9%	14.9%	27.1%	9.4%	13.4%	10.3%
Not sure	20%	25.2%	15.4%	23.5%	14.1%	24.1%	22.3%
Unweighted Frequency	441	175	251	15	47	110	284
Weighted Frequency	441	203	232	5	154	130	157

broken out by education, income

	Total	Education			Region		
		HS or less	College/Trade School	University	Town	County	Fringe
Much less likely	53.8%	51.5%	56.1%	53.8%	64.1%	53.8%	15.9%
Somewhat less likely	8.3%	7%	9.1%	8.7%	4.5%	9.5%	3.4%
Somewhat more likely	7%	4.3%	7.8%	9.2%	5.9%	6.7%	16.1%
Much more likely	10.9%	7.6%	12.2%	13.1%	8.4%	11.7%	8.4%
Not sure	20%	29.6%	14.8%	15.3%	17%	18.3%	56.2%
Unweighted Frequency	441	114	168	159	96	320	25
Weighted Frequency	441	151	158	133	83	335	23

How likely would you be to vote for your MLA, or the Premier, in the next Provincial election if a consolidation took place without a public vote? (all voters, note sure removed Antigonish)



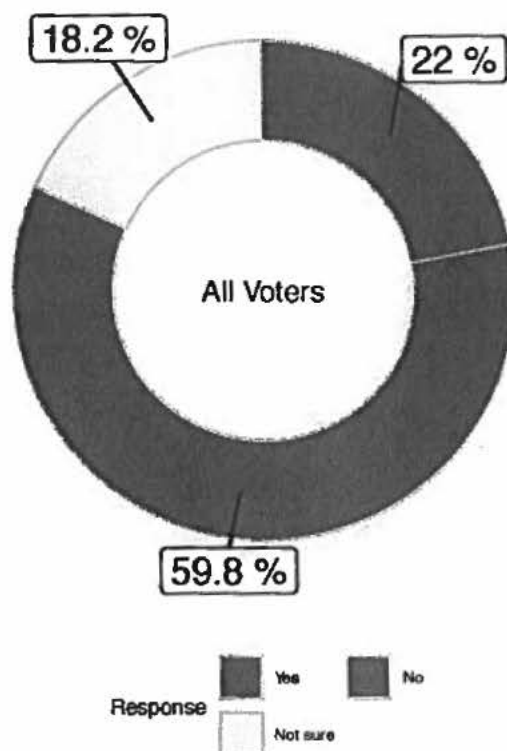
broken out by age, gender

	Total	Gender			Age		
		Male	Female	Non-Binary	18-49	50-64	65+
Much less likely	67.3%	78.1%	58.9%	64.6%	83.1%	56.7%	58.7%
Somewhat less likely	10.4%	7.9%	12.5%	0%	0%	16.7%	16.4%
Somewhat more likely	8.8%	6.1%	11%	0%	6%	9%	11.6%
Much more likely	13.6%	7.9%	17.6%	35.4%	10.9%	17.7%	13.2%
Unweighted Frequency	350	133	206	11	41	86	223
Weighted Frequency	350	152	197	4	132	99	122

broken out by education, income

	Total	Education			Region		
		HS or less	College/Trade School	University	Town	County	Fringe
Much less likely	67.3%	73.1%	65.8%	63.5%	77.3%	65.9%	36.3%
Somewhat less likely	10.4%	10%	10.7%	10.2%	5.4%	11.7%	7.7%
Somewhat more likely	8.8%	6.1%	9.1%	10.8%	7.2%	8.2%	36.8%
Much more likely	13.6%	10.8%	14.3%	15.4%	10.1%	14.3%	19.2%
Unweighted Frequency	350	82	139	129	75	260	15
Weighted Frequency	350	106	134	112	69	274	10

Do you feel the warden and mayor provided enough information and listened to you about the proposed consolidation of the Town and County of Antigonish? (all voters, Antigonish)



broken out by age, gender

	Total	Gender			Age		
		Male	Female	Non-Binary	18-49	50-64	65+
Yes	22%	20.9%	22.9%	27.1%	15.7%	34.1%	18.3%
No	59.8%	61.4%	58.6%	49.4%	65%	52%	61.1%
Not sure	18.2%	17.7%	18.4%	23.5%	19.3%	13.9%	20.6%
Unweighted Frequency	441	175	251	15	47	110	284
Weighted Frequency	441	203	232	5	154	130	157

broken out by education, income

	Total	Education			Region		
		HS or less	College/Trade School	University	Town	County	Fringe
Yes	22%	20.9%	19%	27%	22.2%	20.4%	45.5%
No	59.8%	54.4%	64.2%	60.6%	61.7%	60.6%	41.4%
Not sure	18.2%	24.7%	16.8%	12.4%	16.1%	19%	13.1%
Unweighted Frequency	441	114	168	159	96	320	25
Weighted Frequency	441	151	158	133	83	335	23

Good afternoon Mr. Chair and committee members. First let me thank you for the opportunity to speak to you today in support of Bill 407-Antigonish Consolidation Act. My name is Laurie Boucher, Mayor of the Town of Antigonish.

In the time I have been allotted I will speak to the extensive consultation process our councils have undertaken before we made the decision to ask the provincial government for special legislation to consolidate The Town of Antigonish and The Municipality of the County of Antigonish.

My colleague and friend, former Mayor Carl Chisholm, has spoken to the past relationship of our municipalities and how we arrived to where we are today so I will not repeat his words.

When Warden McCarron and I were contemplating bringing the idea of exploring consolidation to council we agreed we should gather some information to make sure it was a journey worth exploring. This is when we reached out to the mayors of Windsor/West Hants and Queens/Liverpool for their advice. Mayor Norman and Mayor Zabian both agreed that their municipalities are better off since they consolidated. Next, we reached out to Municipal Affairs to get some insight into the process before we broached the subject with council.

You may hear today that these were "secret meetings", when in fact we were seeking the advice of our colleagues so to learn from their experiences. This is not uncommon in local government; we are a very supportive group of like-minded community leaders.

On September 13th, 2021 at two separate council meetings, both the town and county voted unanimously to explore consolidation. We rolled up our sleeves and got to work to find out if residents, businesses and the overall community would be better served if the Town and County became one municipal unit.

With the help of Brighter Communities, we conducted one of the most extensive, accessible, and comprehensive municipal public engagement process our province has ever seen.

The engagement consisted of the following:

From March to October 2022, we took part in

- 24 public engagement sessions hosted in-person and online
- Two community mailouts sent to almost 10,000 households
- a dedicated phone line that received voicemails that staff responded to directly
- A dedicated email address that received 170 messages
- An online discussion tool that saw more than 3,000 total visits.

In total we had over 15,000 touch points with residents. I personally attended every single one of these sessions.

In addition to this, the 17 elected officials between the Town and County have had thousands of discussions with residents both privately and in public. There is no-one more familiar with thoughts and perspective on consolidation among the people of Antigonish than the elected councils who have asked for consolidation. We listened intently, understood the decision before us and made the decision that we were elected to make.

You have heard and may hear again the numbers from two Mainstreet Polls that Let Antigonish Decide has commissioned. I would like to take an opportunity to point out some serious flaws with these polls.

On two occasions Mainstreet Research issued apologies for their polling in elections. One being a Calgary municipal election where MR predicted Bill Smith leading Nenshi by 9-17 points, Nenshi won this election by 8 points.

“There was nearly a 25% deviation between Mainstreet’s pre-election poll and the actual outcome.”

-CBC, December 11, 2017

The other case is a byelection in Nanaimo, B.C. in January of 2019. MR predicted a Liberal win, at the end of the day the NDP held the seat with 49% of the vote.

In both polls, as with the LAD poll, Mainstreet used IVR-Interactive Voice Response or more commonly known as Robocalls.

“Critics of this method say IVR has a low response rate and tends to over-represent older, more conservative-leaning voters.”

-CBC News December 11, 2017

This is blatantly true in the results of the LAD poll conducted in Antigonish.

Poll #1 March 2023

5000 calls

344 responses

6.9% Response Rate

The youngest demographic, 18-49 is significantly under-represented by 71% while the oldest demographic, 50 and older is significantly over-represented by 78%.

Poll #2 February 2024

5000 calls

441 Responses

8.8% Response Rate

Better than the first poll but still below industry standard

Representation in the poll

18-49 is 10% of the responses while in Antigonish 18-49 is 40% of the population.

65 and over is represented by 65% of the poll while in Antigonish 65 and over is 24% of the population.

This poll

I am not saying this was done intentionally but speaks to the validity of the poll and the problem with polling in general. We witness this federally and provincially, just look at the prepoll from our last provincial election and the actual results.

Experts say even though cell phones are used in IVR they are not reliable because people use regional numbers but may not live in that area and it challenging to create a reliable data base.

I understand that change is difficult, but change is inevitable. I wholeheartedly believe this is the right move for our community. Our councils are looking ahead five, 10, 20 years, I am confident of the positive impact this will have on our municipal service delivery, infrastructure investment, and enhancement of urban and rural areas of our community.

To finish I would like to read a synopsis from a book by Doug Griffiths:

13 Ways to Kill Your Community

Chapter 8 - Live in the Past

The world is always changing, and it always will. Successful communities find ways to adapt to the change or adapt the change to them. Those that fail often do so because they choose to ignore, deny, resist, or hide from inevitable change. The fear of adapting to change drives people and communities to live in the past, or at least to hold onto it until their last dying breath. That fear breeds anger, and anger is always evident in those who live in the past. They are angry about something that happened 20 years ago, or about something in their world that is about to change. It is always unjustified, however. Mistakes are part of the past, solutions are only found in the future, and inaction is the biggest mistake you can make. Inaction means your community is unprepared for what is coming and that means your community will change, but not the way you want it to. Living in the past will ensure your community becomes part of the past.

Thank you for your time- Questions?

Supplement to Antigonish Fact Sheet #2

Additional Information About Commercial Tax Rate Trends

A. Bridgetown and Annapolis County Commercial Tax Rate Trend

	2012	2013	2013	2014	2015	2016	2017	2018	2019	2020	2021
Bridgetown	\$3.79	3.90	3.93	3.93	3.40	3.40	3.39	3.39	3.39	3.39	3.39
County	\$1.18	1.18	1.18	1.18	1.18	1.18	1.80	1.80	1.80	1.80	1.80

B. Springhill, Parrsboro and Cumberland County Commercial Tax Rate Trend

	2012	2013	2013	2014	2015	2016	2017	2018	2019	2020	2021
Springhill	\$5.53	5.53	5.53	5.53	4.81	4.81	4.81	4.81	4.96	4.96	4.96
Parrsboro	\$4.17	4.15	4.13	3.99	3.85	3.85	3.80	3.93	3.97	3.97	3.97
County	\$2.63	2.63	2.63	2.63	2.63	2.63	2.63	2.76	2.78	2.78	2.78

C. Windsor, Hantsport, West Hants Commercial Tax Rate Trend

	2012	2013	2013	2014	2015	2016	2017	2018	2019	2020	2021
Windsor	\$4.08	4.08	4.08	3.99	3.99	3.99	3.99	3.95	3.95	3.91	3.90
Hantsport	\$3.69	3.85	3.85	3.82	3.82	3.82	3.82	3.82	3.82	3.81	3.80
County/RM	\$1.60	1.68	1.68	1.75	1.80	1.80	1.80	1.80	1.80	1.79	1.78

Bolded Tax Rate Figures indicate the last year a town issued separate tax bills, and the first year the County/Regional Municipality issued a combined tax bill for the town tax areas. The mergers have not created an increase in commercial tax rates, although some municipalities like Cumberland have raised rates subsequently because of other issues (increasing capital reserve funds in the case of Cumberland County).

Representation, Council Size and District Boundaries

1

ANTIGONISH
Our Community

Introduction

When discussing the potential merger of the Town and County, questions arise about the possible changes in representation, the size of a new council and the impact on existing District Boundaries.

Guiding Principle

6. Ensure fair representation for urban and rural residents

When are these things decided?



Representation, Council Size and District Boundaries are important questions, and there is a well-established process in Nova Scotia to determine these and regularly review them through the Nova Scotia Utility and Review Board (UARB). *This work would be done by a Joint Transition Committee in preparation for the election of a new regional council. This will only happen after a decision to consolidate has been made.*

The Transition Committee would consult with all of the communities involved, develop options and propose the size of Council and the geography of district boundaries and explain their decision to the UARB. The UARB would also consult with the public as part of its review of the proposed Council size and boundaries.

Mayer of Town of Antigonish

Balanced Representation

The UARB has established a general concept of balanced representation – everyone's electoral vote will carry the same weight, regardless of where they live and uses a guideline that the number of electors in each district should be within 10% of the average for all districts. Exceptions can be made to reflect things like travel distances and communities of interest.



There are two main issues when considering Council size.



Council Size

1. Council Size

How many Councillors are needed to effectively represent citizens and to govern the municipal unit? Currently, the Municipality of the County of Antigonish has 10 Councillors, one of whom is chosen by their peers as Warden. The Town of Antigonish elects 6 Councillors at large plus the Mayor.

In terms of relative size, the County has a population (2021) of 15,473 and the Town has 4,656.

In recent years, Nova Scotia municipal councils are smaller. The Province has created a process through the UARB where municipalities have to review their size and boundaries on a regular basis. The County currently undergoes this process every eight years. The Town does not because councillors are elected at large.



District Boundaries

2. District Boundaries

The review and consultation process for establishing each district must consider several factors listed in the Municipal Government Act (Section 368 (4)):

Number of electors

Relative parity of voting power

(the 10% plus or minus guideline)

Population density

Community of interest

Geographic size

The typical approach for establishing municipal boundaries involves the preparation of maps showing the proposed changes and consulting with the communities involved before making a decision.

Current Councils will not be able to determine any new district boundaries or size of a new Council before the decision about consolidation is made.

Recommended Approach

We believe that electoral districts should foster a balance between rural and urban communities. This would require some blending of urban and suburban areas around the Town with their surrounding communities, and adjustments across more distant districts to reflect these changes. This same concept was used in Queens Regional Municipality, and it has worked well to balance rural and urban interests when making decisions for the whole municipality.

Summary: Should the Town and County decide to consolidate, there are clearly established procedures to ensure balanced representation for all voters in a new municipal unit to determine the number of councillors required for accessible and effective decision-making, and for deciding on the boundaries of new electoral districts.

Property Taxation and Potential Consolidation

2

ANTIGONISH

Our Community

During consolidations, taxpayers have concerns that property taxes would increase.



Guiding Principle

4. Continue fair taxation and user pay approaches

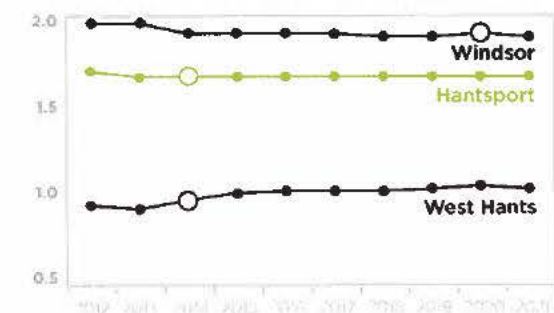
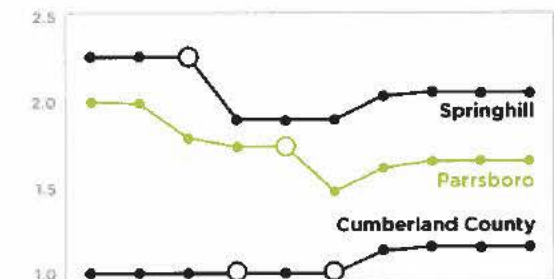
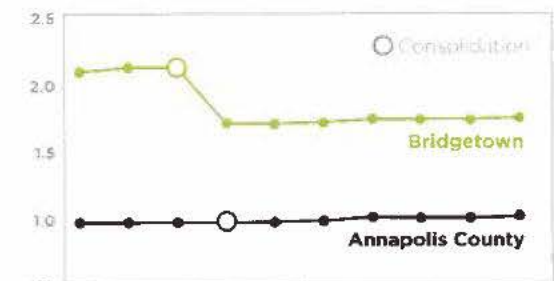
When are tax rates for a merged unit decided?

Should the Town and Municipality decide to consolidate, a Joint Transition Committee would prepare a combined operating and capital budget in preparation for the launch of a new municipal unit. Typically, the first year in a merged municipality sees very little change in existing services, fees and tax rates. History shows us that municipal mergers in other parts of Nova Scotia have not created property tax rate increases in the years following a merger.

History with other mergers

These graphs demonstrate the impact of other mergers in Nova Scotia on tax rates.

Residential Tax Rates for Merged Rural Municipalities and Towns
\$ per \$100 of assessment



What do these graphs mean? County tax rates did not increase because of these municipal mergers. Town tax rates remained the same or were reduced. Similar conclusions should apply to commercial tax rates before and after a merger.

How will tax bills change in a consolidated municipality?

Typically, a merged municipality will establish a base tax rate for services across the new municipality, and supplement this with "area tax rates" in parts of the municipality where service levels are different. This is identical to the approach used in the County of Antigonish now to support fire protection, hydrants, streetlights and water.

Forecasting Future Tax Rates with Consolidation

It is far too early to forecast future property tax rates in a consolidated municipality for the Town and County, but a few facts are known now:

- ✓ Both the Town and County are in good financial shape going into a possible merger.
- ✓ Population and development trends are generally stable – property assessments are not in a state of decline for either municipal unit.*
- ✓ Municipal infrastructure, capital replacement planning and reserves are in good overall shape in both municipalities.
- ✓ Water rates and electrical utility rates are regulated by the UARB, and these would not be impacted by consolidation of the municipal service provider
(See Fact Sheet 5 on Water, Electricity and Energy Leadership for more information).



Recommended Approach

Residents and businesses should be taxed fairly, based on services and infrastructure provided to each community. Property tax rates and municipal debt should utilize existing Town and County user pay and area rate models.

Summary: Should the Town and County decide to merge, a Joint Transition Committee would prepare the first operating and capital budget in advance of the election of a new Council. The evidence suggests that municipal mergers in Nova Scotia have not resulted in increased taxes for either the County or Town governments involved. Tax bills will likely include a base rate plus area rates, following the current County model. While actual future tax rates can't be predicted, the two units are going into a possible merger without significant risks for tax increases which are often caused by declining revenues or failing infrastructure.

(*) For more detailed statistics about both municipalities, check out the Municipal Profile and Financial Condition Indicators Reports, 2019-20, for both the Town of Antigonish and County of Antigonish, published online by Nova Scotia Department of Municipal Affairs and Housing

The Consolidation Process

3

ANTIGONISH

Our Community

Introduction

In September 2021, both Councils approved the exploration of a possible merger. As a result, they began a process with a few important steps.



Guiding Principle(s)

1. Take a regional approach to municipal services
3. Communicate regularly about progress and decisions
5. Value our existing municipal staff
7. Enhance environmental sustainability

When would the potential consolidation of Town and County be decided?

Town and County Councils are researching the possibility of consolidation. As part of that research, both Councils would like to conduct a thorough community engagement process. After obtaining funding from the Department of Municipal Affairs and Housing, the Town and County hired Brighter Community Planning to develop and implement an engagement and communication project to ensure as many people and businesses as possible have the opportunity to provide their input.

The community consultation process will take place in April and May with a final report going to the Municipalities summarizing the findings from the engagement to be made available in late May. **Town and County Councils will make a decision to move ahead or maintain the status quo in Summer 2022.** Before this important decision is made, both Councils are committed to a wide ranging community consultation process.

What is the objective of the consultation process?

“

For Councils to decide if residents, businesses and the overall community would be better served if the Town and County became one municipal unit.”

Brighter Community Planning will use a variety of online, print and in person approaches, respecting public health guidelines, to talk, listen, respond to questions and to identify important themes and issues coming from residents in all parts of the Town and County.

How can I take part in the consultation?

There will be lots of opportunities to provide your comments, to meet with Council and Staff, and to get questions answered:

- ✔ Basic information about the consultation process became available in March on **Antigonish.ca**.
- ✔ A special Antigonish Consolidation Consultation and Engagement website, called Howspace, launched in February. This is a place to share information, ask questions, provide comments and take part in discussions.
- ✔ For those who prefer to receive information on paper, the April issue of County Connect was distributed in all communities and included a special insert on the consultation process and possible consolidation.
- ✔ Community information sessions are being planned for April and May, subject to any health restrictions, to provide a face-to-face opportunity to learn about a possible consolidation, ask questions and have them answered.
- ✔ You can also contact **info@antigonish.ca** or call toll free **1-833-563-2786** or **1-833-563-2787** and staff will respond to you directly.

What happens, if Councils want to move forward with consolidation?



The following is a partial list of what would need to be done if both Town and County Councils vote to move forward with consolidation:

- ✔ Work with the Department of Municipal Affairs and Housing to obtain special Transition Legislation and funding for the consolidation process.
- ✔ Transition Legislation would provide for:
 - Creating a Joint Transition Committee (Mayor, Warden, Deputy Mayor and Warden, CAO's) to establish the new Municipality.
 - Hiring a Transition Coordinator to direct the consolidation process with a target date of April 1, 2024.
 - Guiding the Transition Committee and CAO's in establishing a consolidated organization, creating the new administrative structure.
 - Recruiting a CAO for the new municipality.
 - Developing combined financial, taxation and debt policies and first budget.
 - Transferring all existing municipal by-laws, policies and contracts to the new municipal unit.
- ✔ Complete an electoral boundary review study and seek approval from the Nova Scotia Utility and Review Board.
- ✔ Organize the first election of Mayor and Council for the combined municipality.
- ✔ Complete the joint transition process by April 1, 2024.

Summary: Town and County Councils have begun a process to consider whether consolidation would better serve residents, businesses and the broader community. They have created a joint Steering Committee and have retained Brighter Community Planning to lead the consultation and engagement to take place in April and May. Public input will help Councils make a decision on whether it will proceed with consolidation.

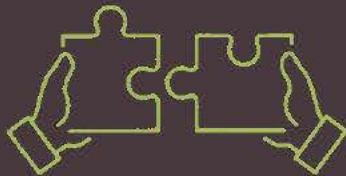
Community Identity and Potential Consolidation

4

ANTIGONISH

Our Community

When municipalities in Nova Scotia have merged, people and business wonder if they will lose their community's unique sense of identity.



Guiding Principles

2. Build vibrant individual communities.

6. Ensure fair representation for urban and rural residents

When are these things decided?

Community identity is not something that is decided by anyone except its residents, businesses and organizations that live in a community. A sense of place is about a lot of things, and the name or type of local government doesn't impact that perception and familiarity.

But there are things that a merged municipal government could do to ensure communities across the larger area benefit from the joint organization.

Build on Existing Strengths

Both the Town and County have activities and programs in place to support individual organizations and communities. These would be the basis for recognizing and supporting community driven initiatives in the future.

- ✓ Organizations have an opportunity each year to apply for assistance to the Town's Community Grants Policy or the County's Community Partnership Grants Policy.
- ✓ The appointment of citizens to committees such as the Planning Advisory Committee or the Accessibility Committee is an opportunity to reach out and engage community representatives.
- ✓ The County has encouraged the expansion of broadband services, most recently upgraded in the areas of Lochaber and Malignant Cove. This new infrastructure will improve opportunities to communicate with and promote local communities using websites, social media and communications partnerships.
- ✓ Both the Town and County have well established programs to support volunteer fire departments.
- ✓ The Town and County support tourism initiatives that attract people and business to the communities and build local economic activity.
- ✓ Councillors would continue to serve as critical local community advocates through a Council Agendas.
- ✓ There would be continued support for the history, culture and talent of the community.

Drawing on Other Municipal Examples

There are many examples of municipal mergers that support the identity and vibrancy of local communities. As an example, Queens Regional Municipality provided several highlights recently, taken from over twenty-five years' experience as a merged organization.

Be deliberate in spreading infrastructure projects across numerous communities.

Draw citizen appointees for municipal committees from all parts of the region.

Promote local communities with signage and tourism partnerships.

Develop a strong Community Investment Fund and policy.

Establish a single Municipal Planning Strategy and Land Use By-Law with one set of rules for development.



Recommended Approach

A municipal consolidation process will not determine anyone's sense of place or community identity. If someone lives in Havre Boucher, or the Town, they will continue to see themselves as living in their home community. Your community will always be your community. We would follow the example from Queens Regional Municipality, which suggests that regional decision making should be seen as benefiting local assets and services, and enhancing overall community.

Summary: Protection of Community Identity is an important consideration in a municipal consolidation process. The form of local government has very little to do with determining one's sense of place. Both the Town and County have tools in place to support local communities, their volunteers, meeting spaces and events. It would be important to use the same tools effectively in a consolidated municipal organization.

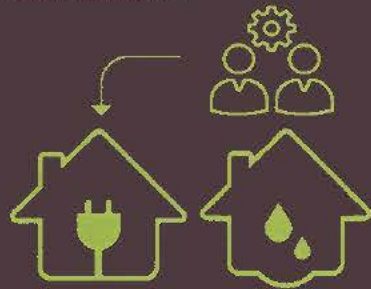
Water, Electricity and Energy Leadership

5

ANTIGONISH

Our Community

Both the County and Town operate utilities. How would these services be impacted by a possible consolidation?



Guiding Principle(s)

1. Take a regional approach to municipal services
4. Continue fair taxation and user pay approaches
7. Enhance environmental sustainability

Water in Town and County

In Nova Scotia, water supply and distribution systems are carefully regulated by both the Nova Scotia Department of Environment and the Nova Scotia Utility and Review Board (UARB). The Town has a water utility that draws its supply from the James River watershed and is distributed to Town Residents and some County users. There are approximately 1,600 connections to the Town's water utility.

The County water utility provides water in the fringe area surrounding the Town, and to Lower South River, St. Andrews and St. Josephs. In 2020 the County amalgamated all of its water systems into one utility and harmonized rates for all 1,640 water utility customers.

Both the Town and County water utilities regularly review their operations and rates

to ensure they are current and appropriate. Water utility rates are approved by the UARB after a periodic rate study and review process.

In Nova Scotia, water supply and distribution systems are carefully regulated by both the Nova Scotia Department of Environment and the Nova Scotia Utility and Review Board.

Although there may be opportunities in the future to combine the two existing water services, initially the utilities, their environmental permits and UARB rate orders would remain unchanged. In a consolidated municipality, there would not be any additional demand on one utility or the other to supply water to existing customers.



Electricity in the Town

Town residents and businesses also have their own electrical utility, regulated through the UARB. The utility purchases electricity from Nova Scotia Power (NSP), and the approved rate structure is tied closely to changes the NSP rate structure. The administration, maintenance and operation of the utility is integrated with the Town organization, in the same way as the water utility.

While there are opportunities to achieve efficiencies and share knowledge in a larger municipal unit, the Antigonish Electrical Utility and its rate structure would have to be treated as a regulated operation to benefit its existing subscribers.

Renewable Energy Leadership

Both the Town and County have demonstrated real leadership in addressing climate change and alternate energy, and this leadership should be recognized and advanced in any possible municipal consolidation process.

The County has installed a total of 97kWh in solar PV, starting with a roof mounted system (25kWh) in 2016 and a ground mounted (72kWh) solar array in June 2021. Both have long term agreements with NSP. The County recently completed a Low Carbon Community feasibility study to explore new energy initiatives with Paqtnkek Mi'kmaw Nation (PMN) and will continue to plan next steps together, building on our Anku'kamkewey Peace and Friendship Accord signed on May 5, 2018. Currently the County and PMN are installing EV chargers in partnership with the Town. In 2021, the County approved a five-year Energy Management Plan that looks at efficiency, renewables and partnership as important components of responding to climate change and providing long term energy options.



The Town is also demonstrating concrete leadership in the development of alternate energy and reducing the community's carbon footprint, through the Alternative Resource Energy Authority (AREA), a partnership between the towns of Antigonish, Berwick and Mahone Bay. The revenues, expenses, assets and liabilities are shared between the AREA's municipal

partners based on the share of the power generated. AREA has future plans for more initiatives, including the installation of automotive EV Chargers and a community solar gardens.



AREA provides significant financial, economic and environmental benefits, which would be maintained in a potential consolidation.

Summary: The Town and County provide important municipal services through long established and regulated utilities, for water and electricity. These services would be included in a possible consolidation, but they have unique regulatory and ownership characteristics that would have to be recognized in any merger process. In addition, there are significant leadership responses to climate change/alternate energy issues in both municipalities that would require special consideration to grow the opportunities that will exist with a larger organization and protect assets and revenues that have been created by each municipal unit and its citizens.

Guiding Principles for Potential Consolidation

6

ANTIGONISH

Our Community

Experience with other municipal mergers has shown that it is important to be clear at the outset about the reason to consider a merger and to set in place some Guiding Principles for key decisions. Councils for both municipal units sat together early in the exploration process and developed these Guiding Principles to reflect what is important to our community. They also provide insight into what is top of mind for Councillors.

Objective for the Potential Consolidation of Town and County

Consolidation is being considered to explore the creation of a stronger local government and a unified voice to improve municipal services, community development, economic opportunities, and the quality of life for everyone in Antigonish.

Guiding Principles

- 1. Take a regional approach to municipal services:** Work creatively, deliberately, and visibly to improve municipal services, economic development, tourism, culture, and community infrastructure for all residents and businesses in the Antigonish region.
- 2. Build vibrant individual communities:** Promote community identity in rural, urban and First Nations communities, so the whole municipality will be stronger.
- 3. Communicate regularly about progress and decisions:** Communications with residents, businesses, councils, and staff should be frequent, transparent, and inclusive.
- 4. Continue fair taxation and user pay approaches:** Residents and businesses should only be taxed for services and infrastructure they have access to. Property tax rates and infrastructure debt should utilize area tax rates and utility fee approaches that exist today wherever possible.



- 5. Value our existing municipal staff:** The blending of Town and County employees will recognize the value, knowledge and dedication of our current staff and every effort will be made to retain staff and to provide new opportunities.
- 6. Ensure fair representation for urban and rural residents:** District boundaries should ensure every voter has the same electoral power as every other voter, balance rural and urban interests, and recognize local communities of interest.
- 7. Enhance environmental sustainability:** Ownership of the Antigonish electric utility is central to expanding green energy options and reducing our carbon footprint. Build upon the success of initiatives and partnerships with the Alternate Energy Resource Authority and the Municipality's Energy Management Plan.

Summary: The Town and County are exploring a possible merger to one new municipal unit. They have developed a clear objective for this process, and some Guiding Principles to provide a transparent framework for consolidation.

For more information, contact: info@antigonish.ca

Antigonish Volunteer Fire Departments and Possible Consolidation

7

ANTIGONISH

Our Community

There are 9 volunteer Fire Departments located within the Town and County. They play an important role in fire protection and emergency services. They are also important community partners and organizers.



Guiding Principle(s)

1. Take a regional approach to municipal services
2. Build vibrant individual communities
4. Continue fair taxation and user pay approaches

The Town of Antigonish Volunteer Fire Department is funded directly by the Town and the County-based volunteer fire departments are funded through an Area Fire Levy. As the discussions continue about the potential for consolidation, there may be questions about what might change around fire service if a municipal merger should take place.

A history of strong municipal support for volunteers

The Municipal Government Act provides local governments with the ability to provide fire service directly or to support external volunteer organizations that do so. The Town has funded a volunteer fire department for many years, and these costs are included in the annual operating and capital budget.

In 2021-22 the Town operating budget for fire protection was about \$300,000. The Town supports the volunteer Chief and the Department, but the Chief is not an employee of the Town. Operating within annual budgets, the volunteers determine what the organization of fire services looks like on a year-to-year basis.

These critical emergency and community organizations are organized in response to the needs of their communities.



For the volunteer departments serving the County, there is also a history of long-term financial support to each volunteer organization through the mechanism of Area Fire Levies. The County paid approximately \$1,094,000 to County Fire Departments.



Departments

Antigonish County Volunteer Fire Department

North Shore Volunteer Fire Department

District 2 - Town Fire Department

Four Valley's Fire Department

Pomquet Emergency & Rescue Services

Tracadie Volunteer Fire Department

St. Andrews & District Volunteer Fire Department

Auld's Cove Volunteer Fire Department

Havre Boucher & District Volunteer Fire Dept.

Area rates are also provided for external departments in St. Mary's and Merigomish.

These critical emergency and community organizations are organized in response to the needs of their communities. The County collects and remits the Area Fire Levy to assist these groups, but it does not impose standards and procedures. The volunteer fire departments further support one another through the Strait Area Mutual Aid Association.

Will the relationship between municipal governments and volunteer fire services change?

Changes to funding and the operation of volunteer fire departments is not a part of any discussions on consolidation. The Town and County will only discuss changes to volunteer fire services during this process if a request is made by the fire departments.



Summary: Volunteer Fire Service is important to all communities in both the Town and County. Whether operated directly in the Town or funded by Area Fire Rates in the County, these volunteer organizations understand their community needs and respond accordingly. They do not operate in isolation and have lots of experience through in their communities and support one another through mutual aid. It is important for municipal funding of volunteer fire service to be continued in the same manner. There is no reason to change this system because of a possible municipal consolidation.

Consolidation or Amalgamation?

What is the difference?

8

ANTIGONISH

Our Community

The Town and County are looking into "Consolidation" of their two organizations. The following outlines the differences between Consolidation and Amalgamation.



So you've been hearing a lot about "Consolidation" but what is it and how does it differ from "Amalgamation"?

Consolidation is a newer approach to municipal mergers that is more collaborative for the municipal partners. Amalgamation generally happens when a municipality is forced to merge with another partner. The key difference is that Consolidation is voluntary and municipal partners have much more control over the process.

With Consolidation, the Province would create special legislation to empower a "Joint Transition Committee" that represents both municipal units. The Joint Transition Committee has the authority to determine what the new Regional Municipality would look like.

	Consolidation	Amalgamation
Examples	Windsor West Hants	Halifax Regional Municipality Cape Breton Regional Municipality
Overview	Municipal Leadership "Bottom Up" Process	Provincial Leadership "Top Down" Process
Legislation	Special Legislation for each merger Joint Councils make the merger decision, Councils request special legislation	Municipal Government Act, Part XVII UARB Reviews Municipal proposals, Cabinet issues merger order
Structure	Joint Transition Committee Joint Committee recommends Coordinator Joint Committee develops organization Staffed with municipal staff, consultants Joint Committee hires first CAO Boundaries reviewed by UARB Joint Committee organizes first election	Independent Coordinator Cabinet Chooses Coordinator Coordinator develops organization Staffed by experts, consultants Coordinator hires first CAO Boundaries reviewed by NSUARB Coordinator organizes first election

Dear Residents of the Town and County of Antigonish

In September 2021, the Councils of the Town of Antigonish and the Municipality of the County of Antigonish unanimously voted to explore the possibility of consolidation. Why? Consolidating may be a more efficient use of existing resources to provide a high level of service to residents living in all our communities. Many of the issues facing our communities, such as climate change, economic development, infrastructure planning, accessibility and housing, require or would benefit significantly from a regional approach.

We are a progressive region and the Town and County have been working together for a long time with great success. We have seen the benefits of working together with examples like hosting the National Special Olympics, Regional Emergency Management, and Physician Retention just to name a few.

You've elected us to do what's in your best interest and part of our job is to explore opportunities like this. In this case, our decision needs to be informed by your input. We are asking everyone who has an interest in Antigonish's future to take part in the community engagement around a possible consolidation. Here's how:

- Take part in one of our on-line or in person sessions throughout April and into May. See the public engagement schedule on the back of this letter.
- Visit Antigonish.ca to view the Frequently Asked Questions and click on "Participate Now."
- Call us toll-free at 1-833-563-2786 or 1-833-563-2787 and leave a voicemail for staff, who will follow up with you. This is a great option for those who want to remain engaged but are hesitant to come to a public session, are not comfortable with technology or may have unreliable Internet service.
- Email your questions and comments to info@antigonish.ca.
- Fill out our survey between March 21 - April 8 at <https://antigonish.in.howspace.com/survey-questions>

You care about our community, and we care about what you think and want to hear your feedback. Your input will help us decide if residents, businesses, and the overall community will be better served if the Town and County became one municipal unit.

Thank you in advance and we look forward to your participation.



Laurie Boucher
Mayor
Town of Antigonish



Owen McCarron
Warden
Municipality of the County of Antigonish

Community Engagement Schedule

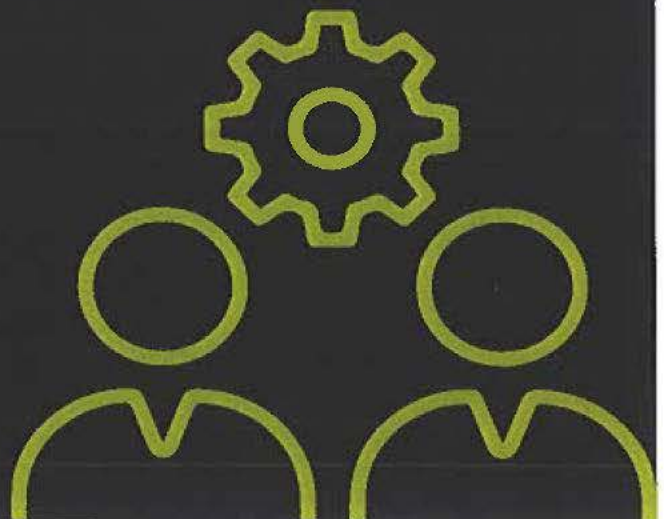
A total of 17 community engagement sessions have been arranged so that as many people as possible can attend. To make it even easier for busy parents and caregivers, sessions are child friendly - Town and County recreation staff will be on hand with fun activities for the kids. Sessions are organized in an open house format and are "drop in." Feel free to pop by during the times indicated below.

Monday, April 11	1:00PM - 3:00PM	The Peoples Place Library Community Room
Monday, April 11	7:00PM - 9:00PM	St. Joseph's Lakeside Community Centre
Tuesday, April 12	3:00PM - 5:00PM	Online Session. Register in advance at https://bit.ly/3i3Pczc
Tuesday, April 12	7:00PM - 9:00PM	Lakevale Mini Trail Community Centre
Wednesday, April 13	11:00AM - 12:30PM	The Peoples Place Library Community Room
Wednesday, April 13	7:00PM - 9:00PM	Arisaig Parish Hall
Monday, April 25	7:00PM - 9:00PM	Havre Boucher Community Centre
Tuesday, April 26	11:00AM - 1:00PM	Antigonish Legion/CACL
Tuesday, April 26	7:00PM - 9:00PM	Antigonish Legion/CACL
Wednesday, April 27	7:00PM - 9:00PM	Lochaber Centre
Thursday, April 28	6:00PM - 8:00PM	St. Andrews Community Centre
Monday, May 2	12:00PM - 3:00PM	The Peoples Place Library Community Room
Monday, May 2	7:00PM - 9:00PM	Heatherton Community Centre
Tuesday, May 3	5:00PM - 8:00PM	St. Andrew Junior School (Appleseed Drive)
Wednesday, May 4	6:00PM - 8:00PM	Tracadie Fire Hall
Monday, May 9	6:00PM - 8:00PM	Pomquet Fire Hall

* A session is being planned with Paqtnkek Mi'kmaw Nation that is still TBD

ANTIGONISH
Our Community

Invitation to join the
Consolidation
Discussion





How can I take part?

We have created a plan that allows residents to be engaged in different ways. A series of public drop-in meetings are scheduled as well as online options, phone and email. See the Consultation Schedule on page 12 for more information.

For ongoing online engagement throughout the consultation phase, we are using Antigonish's HowSpace. This is an all-in-one digital facilitation platform. Here we will host workshops and events, there will be Frequently Asked Questions, and you can interact directly on topics that are of interest to you and see what others are saying.

Visit Antigonish.ca and click on the "Participate Now" button. You will be asked to provide your name and email address. The system will then send you a confirmation email and the link you can use to access the site.

We look forward to your participation! If you have questions, please email [**info@antigonish.ca**](mailto:info@antigonish.ca).

ANTIGONISH

Our Community

*Mayor of Town
of Antigonish*



Exploring Municipal Consolidation.

Your Guide to Community Engagement.

As the Councils for the Town and County of Antigonish explore the possibility of consolidation, we have scheduled an extensive community engagement process. This is your guide to participating.

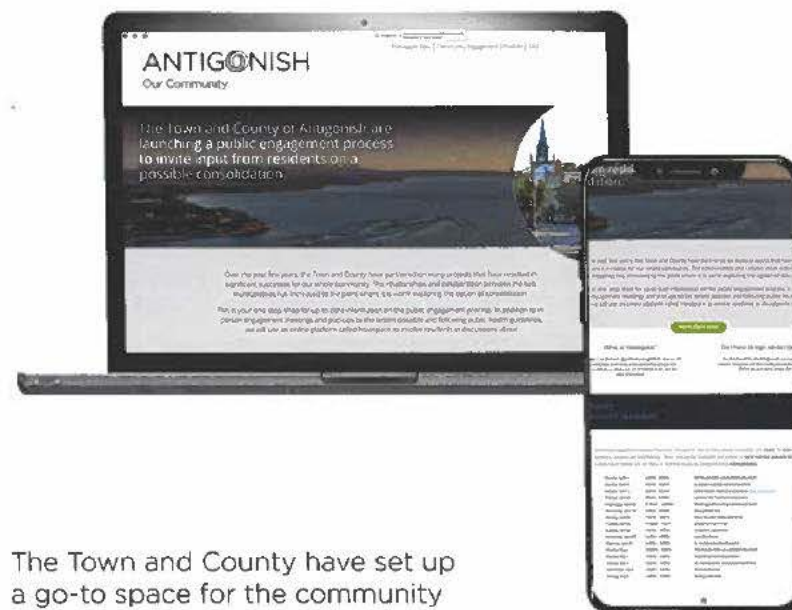
Community Engagement Schedule

A total of 17 community engagement sessions have been arranged so that as many people as possible can attend. To make it even easier for busy parents and caregivers, sessions are child friendly - Town and County recreation staff will be on hand with fun activities for the kids.

Sessions are organized in an open house format and are "drop in." Feel free to pop by during the times indicated below.

Monday, April 11	1:00PM - 3:00PM	The Peoples Place Library Community Room
Monday, April 11	7:00PM - 9:00PM	St. Joseph's Lakeside Community Centre
Tuesday, April 12	3:00PM - 5:00PM	Online Engagement Session
Tuesday, April 12	7:00PM - 9:00PM	Lakevale Mini Trail Community Centre
Wednesday, April 13	11:00AM - 12:30PM	The Peoples Place Library Community Room
Wednesday, April 13	7:00PM - 9:00PM	Arisaig Parish Hall
Monday, April 25	7:00PM - 9:00PM	Havre Boucher Community Centre
Tuesday, April 26	11:00AM - 1:00PM	Antigonish Legion/CACL
Tuesday, April 26	7:00PM - 9:00PM	Antigonish Legion/CACL
Wednesday, April 27	7:00PM - 9:00PM	Lochaber Centre
Thursday, April 28	6:00PM - 8:00PM	St. Andrews Community Centre
Monday, May 2	12:00PM - 3:00PM	The Peoples Place Library Community Room
Monday, May 2	7:00PM - 9:00PM	Heatherton Community Centre
Tuesday, May 3	5:00PM - 8:00PM	St. Andrew Junior School (Appleseed Drive)
Wednesday, May 4	6:00PM - 8:00PM	Tracadie Fire Hall
Monday, May 9	6:00PM - 8:00PM	Pomquet Fire Hall

A Session is being planned with Paqtnekek Mikmaw Nation that is still TBD.



The Town and County have set up a go-to space for the community engagement around a possible consolidation.

Visit **Antigonish.ca** today and click on the "Participate Now" button to take part in the discussion online. See page 14 for all of the ways you can participate.

Fire Services

There are nine volunteer Fire Departments located within the Town and County of Antigonish. They play an important role in fire protection and emergency services. They are also important community partners and organizers. The Town of Antigonish Volunteer Fire Department is funded directly by the Town and the County-based volunteer fire departments are funded through an Area Fire Levy. As the discussions continue about the potential for consolidation, there may be questions about what might change around fire service if a municipal merger should take place.



Volunteer Fire Service is important to all communities in both the Town and County. Whether operated directly in the Town or funded by Area Fire Rates in the County, these volunteer organizations understand their community needs and respond accordingly.

They do not operate in isolation and have lots of experience through in their communities and support one another through mutual aid. It is important for municipal funding of volunteer fire service to be continued in the same manner. There is no reason to change this system because of a possible municipal consolidation.

Consultation Schedule

We have designed the consultation to be as open and accessible as possible, with options for in person, online, phone and email. Choose how you'd like to participate:

- ✓ Take part in one of our on-line or in person sessions throughout April and into May. See the public engagement schedule on the following page.
- ✓ Visit **Antigonish.ca** and click on "**Participate Now.**"
- ✓ Call us toll-free at 1-833-563-2786 or 1-833-563-2787 and leave a voicemail for staff, who will follow up with you. This is a great option for those who want to remain engaged but are hesitant to come to a public session, are not comfortable with technology or may have unreliable Internet service.
- ✓ Email your questions and comments to **Info@antigonish.ca.**

Community Identity

Maintaining community identity is an important consideration when exploring municipal consolidation.

The way your local government is formed will not change your community's identity. The smaller communities you call home will not change and that is what makes Antigonish such a great place to live.

There are many examples of municipal mergers that support the identity and vibrancy of local communities. As an example, Queens Regional Municipality provided several suggestions from more than 25 years as a merged organization.

Support Community Capacity

Both the Town and County have activities and grant programs in place to support individual organizations and smaller community-based initiatives. These grants are an important source of support as well as means for Councils to support citizen involvement in making their communities a stronger place to live, work, and play. A potential consolidation would not create sudden changes in how community organizations receive their grant funding. There are mechanisms in place to fund and provide services to organizations that are vital to the Antigonish community.

Drawing on Other Municipal Examples

There are many examples of municipal mergers that support the identity and vibrancy of local communities. As an example, Queens Regional Municipality provided several highlights recently, taken from over twenty-five years' experience as a merged organization:

Be deliberate in spreading infrastructure projects across numerous communities.

Draw citizen appointees for municipal committees from all parts of the region.

Promote local communities with signage and tourism partnerships.

Develop a strong Community Investment Fund and policy.

Establish a single Municipal Planning Strategy and Land Use By-Law with one set of rules for development.



Water, Electricity and Energy Leadership

The Town and County provide important municipal services through long established and regulated utilities, for water and electricity. These services would be included in a possible consolidation. They both have unique regulatory and ownership characteristics that would have to be recognized in any merger process. Any future changes to water or electricity rates have to go through a review process and be approved by the Nova Scotia Utility and Review Board (NSUARB).



Both the Town and County have demonstrated real leadership in addressing climate change and alternate energy. This leadership should be recognized and advanced in any possible municipal consolidation process.

Representation, Council Size and District Boundaries



Council Size



District Boundaries

Representation, Council Size and District Boundaries are important questions, and there is a well-established process in Nova Scotia to determine municipal boundaries. The work to determine where new boundaries would be would only happen after a decision to consolidate has been made. If the decision is to consolidate, a Transition Committee would be created, which would consult with all the communities and Councils to decide on the size of Council and the geography of the district boundaries. The recommendation made by the Transition Committee would be submitted to the NSUARB for review. The NSUARB can make adjustments on the recommendation if required and then final approval would be made on the new districts.

Currently, the County undergoes a District Review process every eight years. This is done to ensure balanced representation in the current districts. The Town does not currently go through this process because Councillors are elected at large.

Exploring Municipal Consolidation.

Your Guide to Community Engagement.

The Town and County are using different methods of community engagement to reach as many citizens as possible to understand opportunities and concerns.

Your Questions

We have taken your most common questions and have created a series of fact sheets for you to consider as you think about a possible merger. Additional information on each of the topics below can be found on Antigonish.ca, just click on the "Participate Now" button to access Antigonish's HowSpace site, where these fact sheets can be found. We will also have copies of them at the in-person drop-in sessions.



How will my input be used?

Your comments will be recorded and put into a report for Councils. This report will be considered as Councils look answer this key question:

Will residents, businesses and the overall community be better served if the Town and County became one municipal unit?

A final report outlining the key themes from a thorough consultation process will be shared with Councils in June. Along with other reports being prepared by staff, Councils will decide in the summer on whether to consolidate.

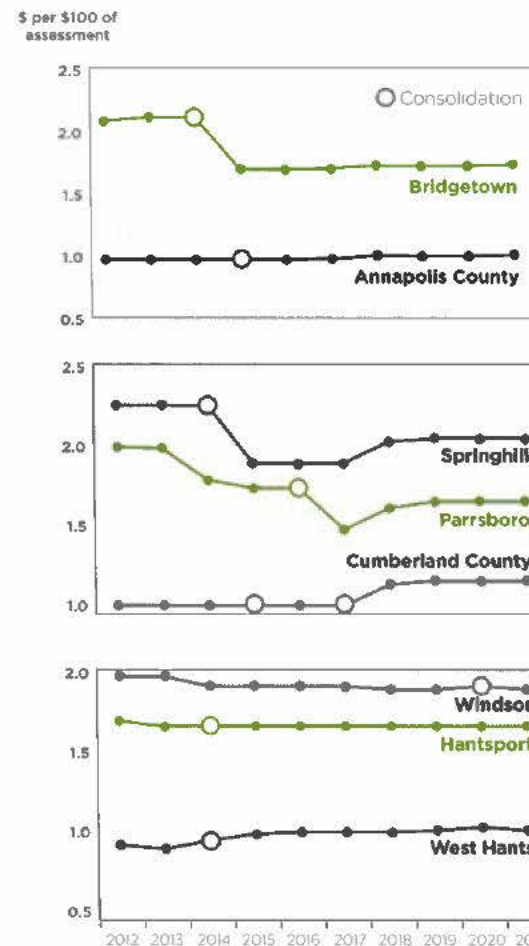
Exploring Municipal Consolidation.

Your Guide to Community Engagement.

Property Taxes

One of the most common concerns expressed when municipal mergers have taken place in other parts of the province is whether consolidation will have an impact on property taxes. History shows us that municipal mergers in other parts of Nova Scotia have not created property tax increases in the years following a merger.

The following graphs show the impact of mergers on tax rates:



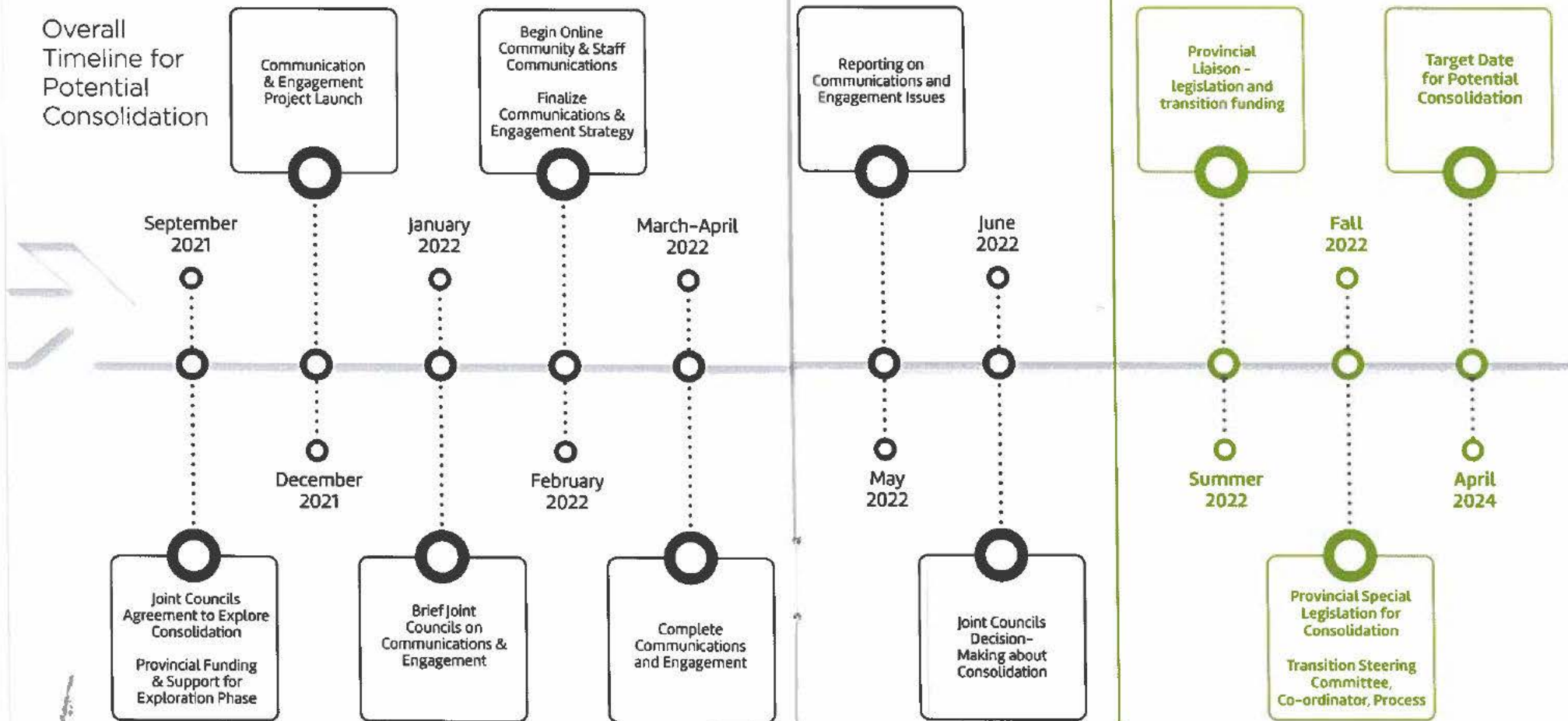
Residential Tax Rates for Merged Rural Municipalities and Towns

While actual future tax rates can't be predicted (future tax rates are set by future Councils) the two units are going into a possible consolidation without significant risks for tax increases which are often caused by declining revenues or failing infrastructure.

Exploring Consolidation Process

Town and County Councils have begun a process to consider whether consolidation would better serve residents, businesses and the broader community. They have created a joint Steering Committee that has retained Brighter Community Planning to lead the consultation and engagement to take place in April and May. Public input will help Councils make a decision on whether it will proceed with consolidation.

Overall Timeline for Potential Consolidation



Message from Mayor and Warden



To the Antigonish Community:

In September 2021, both Town and County Councils unanimously voted to explore consolidating the two municipalities into one unit. You might be wondering why now? Or why at all?

We believe that the Town and County have done some progressive work together already. We have seen the benefits from collaborating with examples like hosting the National Special Olympics, Regional Emergency Management, and Physician Retention – just to name a few.

Both the Town and the County are in a good financial position, which is the best time to be looking at the benefits of consolidation, instead of being forced to do so because one needs help.

You've elected us to do what's in your best interest and part of our job is to explore opportunities like this. Your input will inform our decision and help us decide if residents, businesses, and the overall community will be better served if the Town and County become one municipal unit.

This guide is designed to answer some of your questions and let you know how you can take part.

Thank you and we look forward to your involvement.

Laurie Boucher
Mayor
Town of Antigonish

Owen McCarron
Warden
Municipality of the County of Antigonish

As we look at possible consolidation, we have carefully and purposefully created some important principles that will guide us. The Guiding Principles provide insight into what is top of mind for Councillors and will help guide discussions as we head into the community engagement sessions.

Guiding Principles for Consolidating Antigonish Town and County:

- 1. Take a regional approach to municipal services:** Work creatively, deliberately, and visibly to improve municipal services, economic development, tourism, culture, and community infrastructure for all residents and businesses in the Antigonish region.
- 2. Build vibrant individual communities:** Promote community identity in rural, urban and First Nations communities, so the whole municipality will be stronger.
- 3. Communicate regularly about progress and decisions:** Communications with residents, businesses, councils, and staff should be frequent, transparent, and inclusive.
- 4. Continue fair taxation and user pay approaches:** Residents and businesses should only be taxed for services and infrastructure they have access to. Property tax rates and infrastructure debt should utilize area tax rates and utility fee approaches that exist today wherever possible.
- 5. Value our existing municipal staff:** The blending of Town and County employees will recognize the value, knowledge and dedication of our current staff and every effort will be made to retain staff and to provide new opportunities.
- 6. Ensure Fair Representation for Urban and Rural Residents:** District boundaries should ensure every voter has the same electoral power as every other voter, balance rural and urban interests, and recognize local communities of interest.
- 7. Enhance environmental sustainability:** Ownership of the Antigonish electric utility is central to expanding green energy options and reducing our carbon footprint. Build upon the success of initiatives and partnerships with the Alternate Energy Resource Authority and the Municipality's Energy Management Plan.

From: Terry Penny [REDACTED]
Sent: March 4, 2024 12:43 PM
To: Office of the Legislative Counsel
Subject: Handout for Act 407
Attachments: What-We-Heard-Report.pdf

[You don't often get email from [REDACTED] Learn why this is important at
<https://aka.ms/LearnAboutSenderIdentification>]

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

Exercise caution when opening attachments or clicking on links / Faites preuve de prudence si vous ouvrez une
pièce jointe ou cliquez sur un lien

As the length of the attachment was too lengthy to copy and distribute, I ask that it please be distributed to all
committee members.

It supports arguments for my presentation today.

Thank you. Terry Penny

<https://antigonish.ca/wp-content/uploads/2022/09/What-We-Heard-Report.pdf>

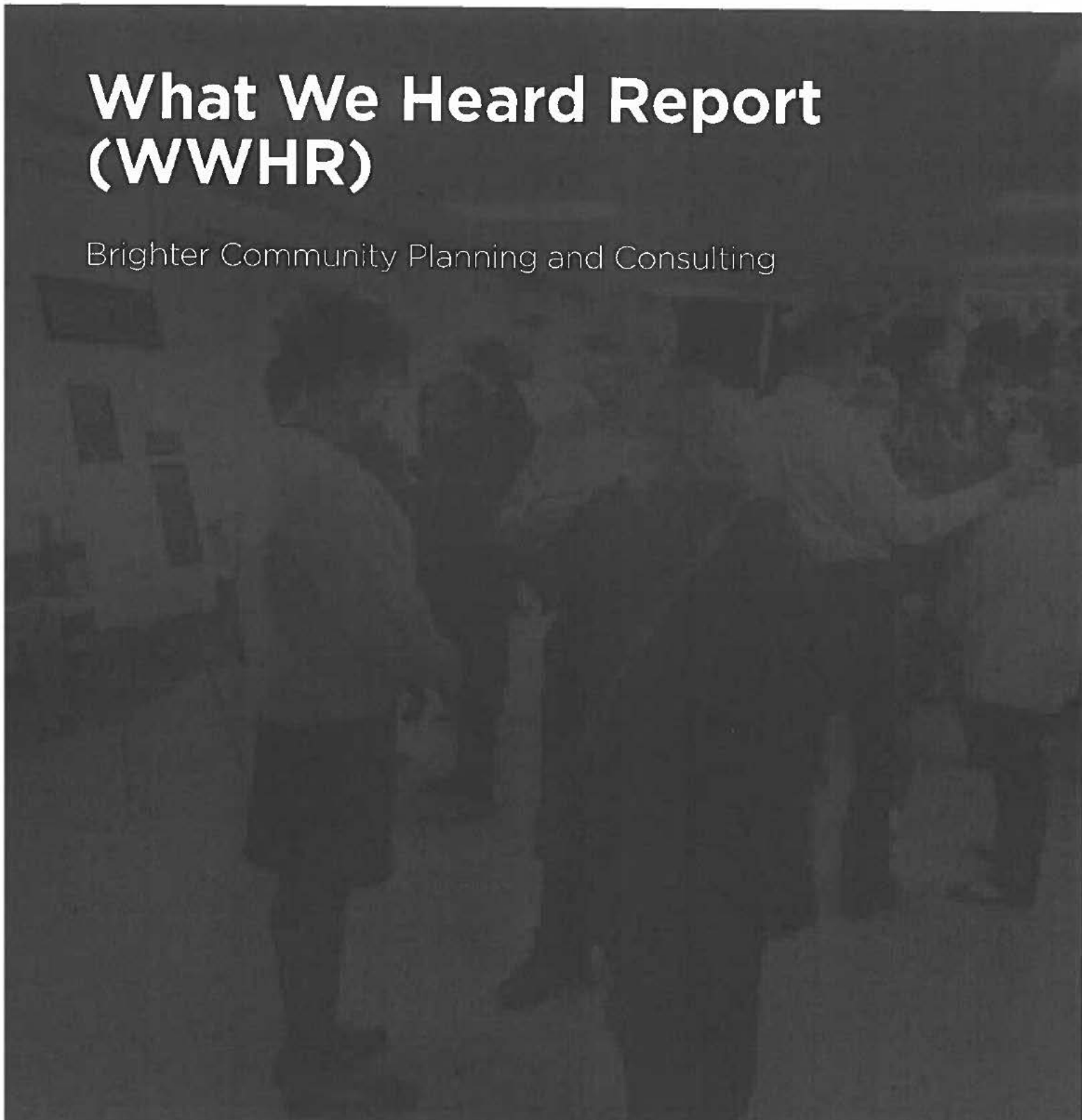
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ANTIGONISH

Our Community

What We Heard Report (WWHR)

Brighter Community Planning and Consulting



This report was prepared by Brighter Community Planning & Consulting, PR Hive and Brian Smith. The efforts to ensure broad based input from stakeholders was the result of a dedicated hardworking team at the Town and County of Antigonish. Particular thanks is offered to Shirlyn Donovan and Kate Gorman who led the work of organizing the information sessions, and all the other engagement activities.

We would also like to acknowledge the dedication of Mayor Laurie Boucher and Warden Owen McCarron who attended every community information session and webinar. In addition, Councillors from both the County and the Town were a vital part of this process as they took the time to attend the information sessions to speak with residents from across Antigonish and listen to their comments.

The biggest thanks goes to the many people who provided their time and energy to share their input and thoughts throughout the consultation process. We greatly appreciate your participation in the consultation. We thank you.



This report was prepared by: Brighter Community Planning & Consulting and BTS Management Consulting



I want people to have conversations, to have controversy because it creates dialogue and builds bridges.

Haaz Sleiman

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SECTION 1:

Between March and June 2022, the Town and County of Antigonish conducted a comprehensive community engagement process to get feedback on the following question:



Would residents, businesses and the overall community be better served if the Town and County became one municipal unit?

This engagement process started when both Councils passed a unanimous motion in September of 2021 to explore merging the two municipalities into one. Both Councils wanted to hear the thoughts, opinions, and concerns from those in the community before making a final decision on whether or not to consolidate. Together, they set out to listen and learn. This report summarizes what was heard.

The engagement consisted of the following:

- Community information sessions;
- Online engagement forum (i.e. HowSpace);
- Workshops & sessions with business groups and non-profits;
- Webinars;
- Frequently Asked Questions, which were posted on a central website, antigonish.ca;
- A dedicated email and phone line; and
- Mail-Outs, which included a letter to all residents, and a 16 page insert in the County Connect newsletter.

As the first in-person engagement sessions were held, we heard a mix of opinions on the format and that some people wanted more time to ask questions as a group and consider the pros and cons of consolidation. In response, we changed the in-person format to include a Question and Answer style session in small group discussions for those who liked this format. We also added more online sessions that gave residents the opportunity to hear a presentation and then submit questions to be answered live through an online chat box.

From the entire engagement process, six key themes emerged:



IDENTIFYING THE OPPORTUNITIES & RISKS

Taking the time to identify opportunities and risks for each individual municipal unit became clear when participants asked, "what are the pros and cons?" Some saw risks associated with merging, while others saw the potential benefits and opportunities.



CHANGES TO SERVICE DELIVERY

This includes fire departments, policing, recreation, water and electrical utilities as well as planning, roads and infrastructure. Comments were mostly around identifying potential impacts on and opportunities for these services.



COMMUNITY IDENTITY

There are many distinct geographic and cultural communities within Antigonish. Comments were about protecting these identities and reducing any negative impacts on the local communities.



TAXATION

There were concerns about possible impacts on residential and commercial tax rates.



ADMINISTRATION AND LEGAL

This theme included questions on the potential impact to staffing at each municipal unit and determining how the general administration of a new municipal unit would run.



PUBLIC CONFIDENCE

In general, we heard that there was an underlying lack of confidence in the overall process, the municipal leaders and the relationship between the Town and County.

Another reoccurring topic of discussion was the way Councils will make their decision on consolidation. Some participants expressed a strong desire for a plebiscite before Councils consider the question of potential consolidation. Others thought Councils were elected to make decisions like this and that the vote on consolidation should remain with Council and not involve a plebiscite.

SECTION 2:

The Town and County of Antigonish are two separate municipal units. Over the years the Town and County have established a positive working relationship at both the Council and staff level. That working relationship has brought both municipal units to this point in time where they are considering becoming one. In September of 2021, all members of both Councils unanimously voted to explore all aspects of what it would mean to consolidate. Although there are many financial and administrative considerations that go into the overall exploration process, it was important to both Councils that the public, local businesses, community groups, and other stakeholders were engaged so they could understand their specific concerns, opportunities or questions regarding a potential merger. The Councils hired Brighter Community Planning to support a comprehensive engagement program to answer one key question:



Would residents, businesses and the overall community be better served if the Town and county became one municipal unit?

This **What We Heard Report (WWHR)** is a summary of the input received from the residents and other stakeholders between March and June 2022. Our role was not to measure the support for or against consolidation. **Our role was to engage the community in discussions on a potential consolidation, gather that feedback, and present the themes to Councils and the greater community.** As a result, this report is a synthesis and reflection of what we heard from participants. The WWHR summarizes the main "themes" from the engagement process.

Councils will use this input, along with the other important factors, before making a decision on whether or not to proceed with consolidation. Each Council requires a majority vote in favour of consolidation, independent of each other, in order to move forward.

We collected input from stakeholders in a number of ways, in-person, online and over the phone. More than 1,000 separate interactions occurred where people provided their thoughts, questions, and ideas. People were invited to attend community sessions, attend workshops, send emails, post comments online, speak directly to their Councillor or call the community phone lines. Every civic mailing address also received a copy of the County Connect newsletter in April 2022 with a colourful section on the main issues and how to participate in the community engagement.

Why consider consolidation at all?

A question we often heard was why should the Town and County consider merging, especially when there are so many other pressing and critical issues prevalent in our society? The world is becoming more complex and often local governments must work together to deal with this complexity. This quote summarizes the increasing pressures felt by local government well:

Some form of regional structure is needed to address regional problems such as fiscal disparities among municipalities and externalities in service provision. A regional structure is also needed to resolve transportation and environmental coordination issues and to ensure the economic competitiveness, social cohesion, and fiscal viability of city-regions in a global economic setting. Few problems and processes stop at municipal boundaries and many solutions require access to a larger pool of resources, both human and financial, than is likely to be at the disposal of small local governments. Some form of regional structure seems necessary if cities are to take full advantage of new and emerging opportunities for economic cooperation and for enhancing productivity and competitiveness in an increasingly knowledge-based economy. (Bird, 2013)

However, some academic literature and a portion of the local community in Antigonish are unsure or unconvinced that merging is a good thing at this point in time.

The complexity of municipal restructuring allows no easy answer as to whether consolidation will lead to effectiveness and efficiency improvements in service delivery or municipal governance. Ultimately, the success of consolidation in achieving greater efficiency and effectiveness will depend on the specific circumstances of the municipalities considering reform. (Vojnovic, Municipal Consolidation in the 1990s: an analysis of British Columbia, New Brunswick, and Nova Scotia, 2008)

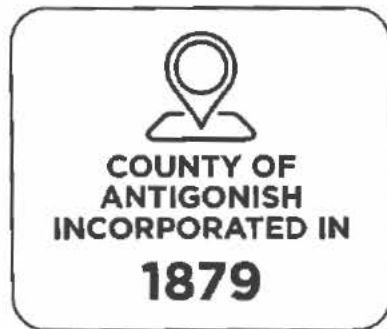


THE COUNTY OF ANTIGONISH WAS CREATED BY THE COUNTY INCORPORATION ACT OF 1879, WHICH MADE THE INCORPORATION OF COUNTIES COMPULSORY SO THEY COULD TAX THEMSELVES TO MAINTAIN ROADS AND BRIDGES. THE TOWNS WERE ENABLED THROUGH THE TOWNS INCORPORATION ACT OF NS IN 1888 TO ALLOW FOR THE COLLECTING OF MONEY FOR A LARGER VARIETY OF SERVICES THAN IN THE COUNTY, INCLUDING SEWERS, TOWN COURTS, POLICE ETC.

(Fergusson, 1961)

History can help us understand how the current municipal structure came to be and whether the current structure is useful today.

Both municipalities have existed for well over 100 years, with the County of Antigonish incorporated in 1879 and the Town incorporated in 1889.



The combined population of the Town and County in 1889 was 20,000, essentially the same as it is today. Both were created by provincial legislation to meet the evolving needs of the region in the late 19th century. The legislation created a local level of government to deal with local issues. At that time, people lived their entire lives in a much smaller geographical area than we do today, and the local government structure and service delivery reflected this.



Today, the world we live in is much more complex and the expectations placed on municipal government have changed significantly. In the municipal context, this complexity can be both expected and surprising. The most recent example is the COVID-19 pandemic and helping communities rebound economically and socially after an incredibly challenging two years. Municipalities today must also manage government regulations for infrastructure that come with significant legal liability, find solutions to a significant shortage of affordable housing, to address the impacts of climate change, to recruit and retain employees, and to manage financial resources. Municipalities are also facing modern issues around equity, diversity and inclusion, environmental health, accessibility, racism, and rural internet access while maintaining democratic processes during a pandemic. Both the Town and County are grappling with how to manage these complexities.

Like many other municipalities across Nova Scotia and Canada, Town and County Councils are investigating the idea that one municipal unit might be better to respond to existing and emerging complexities. (Vojnovic & Poel, Provincial and Municipal Restructuring in Canada: Assessing Expectations and Outcomes, 2000) History has also shown us that the Province of Nova Scotia is supportive when municipalities wish to consider a potential merger by providing funding and advice, or by creating special legislation to allow consolidation to occur.

Both Town and County Councils will need to independently decide if they want to consolidate. To make this decision, there are many factors that Councils must consider. This document is focused on just one of these factors – the input of the public. Other factors, such as budget or future opportunities, are not part of our work or this report, but information on these topics will be provided to Councils by other subject matter experts as part of the decision-making process.



HISTORY OF MUNICIPAL MERGERS IN NOVA SCOTIA

- Cape Breton
Regional Municipality
August 1, 1995
- Halifax Regional Municipality
April 1, 1996
- Queens Regional Municipality
April 1, 1996
- Canso & District
of Guysborough
July 1, 2012
- Bridgetown &
County of Annapolis
APRIL 1, 2015
- Springhill & County
of Cumberland
April 1, 2015
- Hantsport & District
of West Hants
July 1, 2015
- Parrsboro & County
of Cumberland
November 1, 2016
- Windsor & District
of West Hants
April 1, 2020

How this document is set up?

This document is divided into sections to make it easier to read.

SECTION 2 explains the approach and other information that will help you understand what activities occurred during the engagement and why.

SECTION 3 summarizes all feedback into themes. We use the words of participants ("first voice") to illustrate a particular perspective or point of view, although we may have corrected a spelling error to make the quote easier to read. In some cases, for example in a question-and-answer session where verbatim notes were not taken, a summary of comments are provided instead.

SECTION 4 is a listing of What We Did with the feedback that we received. Throughout the engagement process, the Engagement Team had requests for changes or additional information. This section includes statements we heard throughout the process, and some that needed clarification when misinformation was circulating.

SECTION 5 provides conclusions from the engagement process for Councils and the public to consider.

Throughout the document we have included inset boxes with information that may be helpful for you to better understand the perspective of the speaker or the issue. This information is not intended to sway or convince you of any particular point of view, but simply to provide facts.

Within this report, you will also see reference to the "Engagement Team." This refers to the group of people who were managing the consultation process between January and May 2022. This group is made up of staff representatives of the Town, the staff representatives of the County and Brighter Community Planning.

Finally, we have written this report to be neutral. During the engagement process some participants thought our role was to convince the public of the merits of consolidation. This is not the case. Our role was always to listen and reflect what we heard back to Councils and to act as the facilitator around the key question. The role of a facilitator is to manage the conversation so that all who wish to be heard can be heard. Our role was and is to keep the conversation respectful, while also allowing the hard things to be said and heard, as well as creating space



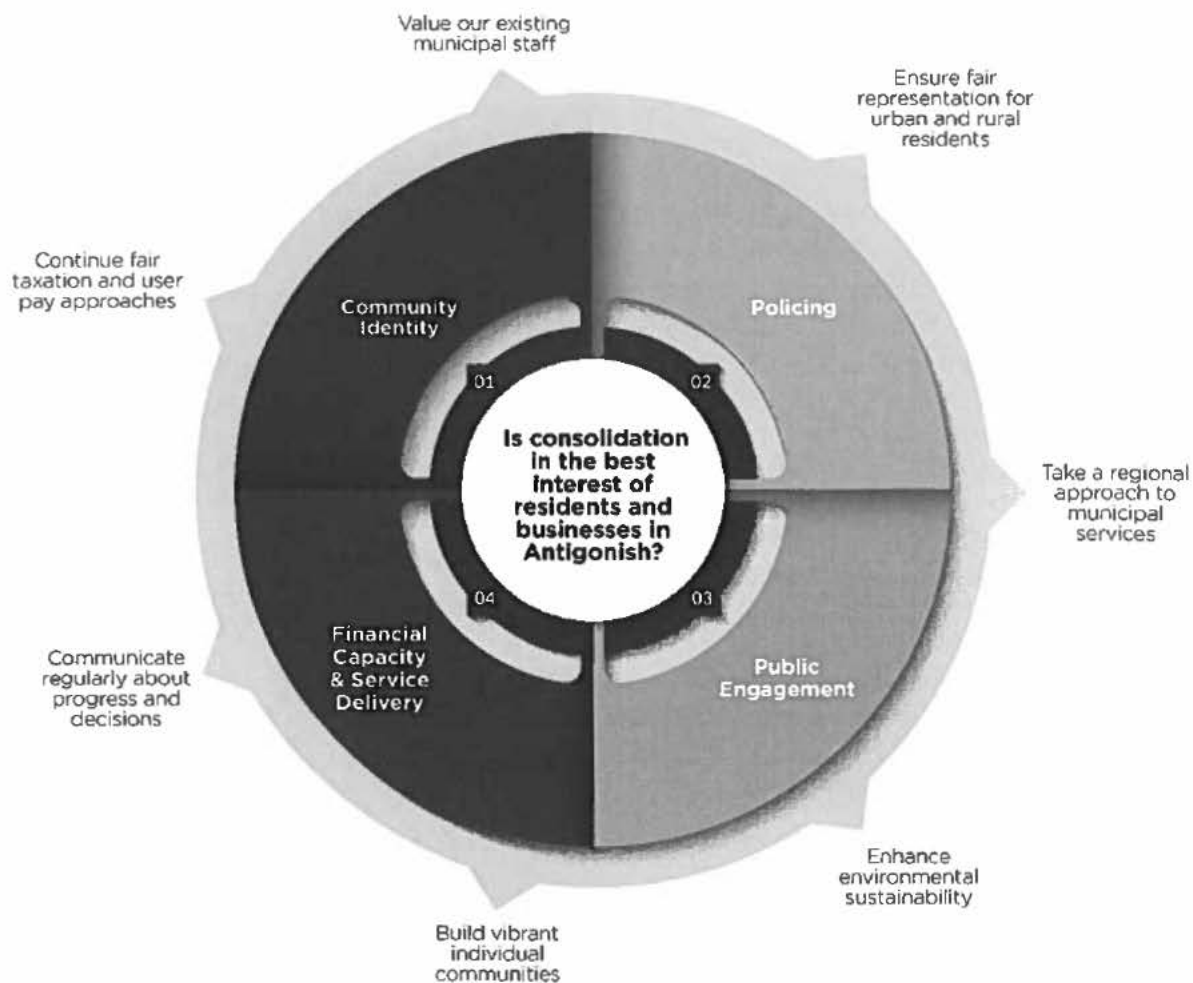
THE ENGAGEMENT TEAM INCLUDES:

- BRIGHTER COMMUNITY PLANNING & CONSULTING
- STAFF AT THE TOWN OF ANTIGONISH
- STAFF AT THE COUNTY OF ANTIGONISH

for learning. A well done WWHR report might make you uncomfortable, as it may challenge your beliefs or personal ideals. Our aim is to bring forward the many points of view around a potential merger of the Town and the County.

Making the decision

How will the public and stakeholder feedback be used by Councils to make their decision? Councils have many things to consider when deciding what is in the best interest of residents and businesses. Public input is just one factor. This decision wheel illustrates many of the factors Council must consider. Around the outside of the wheel are the Guiding Principles that were adopted by Councils to guide their decision.



Plebiscites

During the engagement, a common topic was whether a plebiscite should be held and why Councils were not using this method of engagement.

A plebiscite is a form of democracy where people directly vote on policy issues. In the case of a municipal amalgamation in Nova Scotia, a plebiscite is non-binding – meaning that, even if a plebiscite is held, the final decision is made by the elected officials.¹ Historically in Nova Scotia, the main use of plebiscites has been to allow the sale of alcohol. Plebiscites are an uncommon tool in Nova Scotia when municipalities merge. Of the 11 municipal mergers attempts in Nova Scotia, one or more plebiscite was held in two of those situations.

A plebiscite was also used in a recent merger attempt among municipalities in Pictou County. In this case, the municipalities agreed that a plebiscite be held as a condition of their application to amalgamate. The NSUARB agreed with this condition. This plebiscite occurred after public engagement sessions were held, and resulted in a vote by the electors that was “overwhelmingly against amalgamation.” (New Glasgow (Town) (Re), 2016 NSUARB 114, 2016).

There have been instances where municipalities used a plebiscite to measure public support of a particular issue or concern. For example, in 2007 the Municipality of Clare held a plebiscite as part of the transfer of 24 electors from one polling district to another. In this case, the question was clear and straight forward, and the people who were entitled to vote were unambiguous. In a situation like Antigonish, understanding the strengths and weaknesses of using plebiscite is important (see inset box).

In 2012, there was discussion about dissolving the Village of Pugwash and potentially holding a plebiscite. Ultimately, the UARB decided not to hold a plebiscite, but it did identify questions that needed to be answered regarding the use of plebiscite.

- Who gets to vote: ratepayers or an elector as defined by the legislation? A person could be rate payer and not an elector.
- How do people become properly informed in order to make an informed vote? It was suggested that there would, “likely need to be facilitated discussions on the implications”.
- Votes can be divisive and should be overseen by a neutral body (O’Connell (Re), 2012 NSUARB 83 (CanLI), 2012)

THE MUNICIPAL ELECTIONS ACT, IN SECTION 14, DEFINES AN ELECTOR AS SOMEONE WHO IS 18, A CANADIAN CITIZEN, HAS RESIDED IN THE PROVINCE FOR THE LAST SIX MONTHS AND IS ORDINARILY A RESIDENT OF THE MUNICIPALITY. THIS DEFINITION OF AN ELECTOR IS THE ONE USED TO VOTE IN MUNICIPAL ELECTIONS.

¹ Definition for soft democracy taken from (Jaske, 2017)

Antigonish Councils, when deciding to explore a merger, purposely chose to engage with residents to better understand issues and concerns rather than hold a plebiscite that doesn't allow for two-way communication. The reasons for this decision are:

- There was significant concern that a plebiscite would cause deep and lasting divisions within the community. The experience of Pictou and the previous plebiscite held in Antigonish in 2006 were believed to leave lasting negative impacts on the community, individuals and families.
- Municipal consolidation involves a lot of information that is hard to summarize and share in a simple yes or no question. Providing opportunities for people to ask questions in smaller, more in-depth conversations would allow for a deeper understanding of issues by both the Councillors who will make the decision and those who would be impacted.
- Not everyone impacted by a potential consolidation would be able to vote in a plebiscite. For example, you could work every day in Antigonish and even own land or a business but not be eligible to vote - some business owners, seasonal residents, youth and students are examples of those who may not be eligible to vote but would be impacted by the results.
- Councils also wanted input from organizations as well as individuals. Organizations often bring a different perspective to the discussion, which should help influence a decision. Organizations sometimes also serve people who are traditionally marginalized or who consider themselves part of equity seeking groups. The engagement approach reflected a desire to hear from those who would normally not participate in the voting process or attend community sessions.
- Low participation rates in local plebiscites potentially undermine the legitimacy of the outcome. The cost of the plebiscite versus the benefits of getting advice through a vote from a small number of participants may put the value of the results into question.
- A belief that Councils are elected to make decisions, and, with the input of the public, Councils are legally and morally able to make this decision.

Many of the comments received were strongly in favour of a plebiscite. Although there appeared to be a link between those who opposed consolidation and the desire for a plebiscite, there were also those who supported consolidation who agreed a vote was necessary.

The reasons provided by engagement participants in support of a plebiscite included:

- It is anti-democratic to make such a decision without a vote.
- It is the best way to know if people support consolidation.
- The people/electorate will make the right decision for their communities.
- Councillors were not elected to consolidate, and no Councillors ran on a pro-consolidation platform. This merger was a surprise to many. If they had known about that a Councillor was going to explore municipal consolidation, it may have changed the way they voted in the last election.
- The engagement process is a work-around to avoid a plebiscite. This seems unfair and "sneaky."
- This is a huge decision that can't easily be undone. It is too big a decision for just a few people to make on residents' behalf.
- If a particular Councillor is in a conflict of interest and declares a conflict, then the constituents that Councillor represents will lose their voice and have no representation around the Council table when the decision is made. A vote will solve this problem.
- Every Councillor is in a conflict of interest. A plebiscite will eliminate any perception of a conflict.
- Without giving people a vote, it will be difficult to move forward and implement consolidation. There was some feeling that without a strong basis of trust in the process, if the Councils decide to proceed with consolidation, it will fail.
- A vote is the fair thing to do. It was felt that a plebiscite is a "right."
- The engagement sessions are helpful in laying the foundation for an informed electorate and now a plebiscite can occur.



THE PROVINCE OF NOVA SCOTIA ADOPTED LEGISLATION TO GUIDE MUNICIPALITIES REGARDING CONFLICT OF INTEREST. SECTION 4 OF THE MUNICIPAL CONFLICT OF INTEREST ACT LISTS THE SITUATIONS WHERE COUNCILLORS MAY HAVE A "DEEMED PECUNIARY INTEREST."

First Voice



I am not in favour of amalgamation and the process used to inform residents justified my opinion. The survey is not accessible. To voice one's opinion at the engagement session was not transparent. There should be a questionnaire available at the presentation for one to check off their opinion. The brochure mailed out to the public should have indicated that residents did not have a vote. The financial statements from the town and county should have been publicized. Only Council was involved in the display which was put forth by a consultant.

- Comment Card

"Gaining feedback through these forums is not sufficient to truly gauge opinion."

- Comment Card

We would like to be able to vote on this decision. A lot of citizens feel this is a done deal. They feel it is not useful to attend the meetings. It is our tax dollars, and I feel we should vote as to whether we want it or not.

- Comment Card

I hope this amalgamation does not go forward, without vote, as people are very upset at not having their voices and votes heard.

- Email

We want a plebiscite.

- Email

Although many comments were in favour of a plebiscite, there were other points of view. Many believed that a plebiscite should not occur and Councils should make the decision. **The reasons in support of Councils making the decision include:**

- Plebiscites are divisive. Some remembered the last plebiscite and did not want to go through that again. Some felt it was a painful and unfortunate period and it is not worthwhile to repeat it.
- It is an unnecessary step in the process and Councils should just make the decision and move on.
- It is a tool to stop a process that is good for Antigonish.
- There has been a lot of engagement and Councils should have a good sense of all the issues. In fact, individual Councillors should have studied this issue and are the best equipped to decide.
- Merging is the right decision and just get on with it. A plebiscite is an unnecessary delay.

First Voice



"It's time. No plebiscite."

- Comment Card

Thank you for taking a stand and doing the right thing. Please no plebiscite."

- Comment Card

SECTION 3: SUMMARY OF CONSULTATION ACTIVITIES

It is important to Councils to hear directly from the public. To do this, we used many tools to encourage participation and commentary from stakeholders. These tools included a mail-out to all civic addresses, a custom Antigonish.ca website, a special section on the process in County Connect, pop-up consultations, a toll-free phone line, an online engagement hub called HowSpace, emails, toll-free phone lines, workshops with specific groups and information sessions in each district and online webinars.



Figure 1 - Engagement Tools

The community information sessions used an Open House format, designed to allow for small group or individual conversations so that the Mayor, Warden and Councillors could hear directly from the public. After the first few sessions, the format was adjusted in response to participant feedback and a town hall/ question and answer period was incorporated into the remaining sessions.

The Councils jointly set the following as the objectives of the overall engagement program:

- To understand a variety of perspectives within the broader community that Councils will consider when deciding to proceed to the next step in the consolidation process.
- To educate the public as to why, at this point, consolidation is being considered as an option for the future of both municipal units.
- To let stakeholders know how to participate and to allow for participation using both virtual and in-person methods.
- To ensure that equity seeking groups are involved in the engagement.
- To understand potential impacts of consolidation on residents, businesses, and the overall community.

County Connect and Community Mail-Out



Two community wide mail-outs were sent to support the engagement process. The first mail-out was a letter sent to 9,814 households in March inviting everyone to participate in the engagement. A colourful brochure, with a summary of fact sheets, common questions about the process and how to participate was shared in the semi-annual County Connect Newsletter and was mailed to 9,814 households early in April. These materials were also made available online and hard copies were also available at Town Hall and the Municipal Office.

Emails and Phone Log



A dedicated email address was created for community members to send questions and comments. This email address was included in the two mail-outs sent in March. Individual Councillors who received emails about consolidation were encouraged to forward them to info@antigonish.ca and most did. In total, there were 170 emails received.

26 people left messages on the phone line and staff at the Town and County responded to a number of these directly. Those individuals who left names and telephone numbers for staff to follow-up with were called back. There were several anonymous voicemails, which were included as part of the communications log.

Website

A custom website, Antigonish.ca, was created on February 8th. This webpage was created separately from the Town and County websites, which are used for service delivery and information sharing.

Antigonish.ca acted as both a link to **HowSpace** and a platform for sharing information. Between February 8th and May 15th, there were **1,958** unique users with more than **3,103** separate visits to this website. The website also encouraged the submission of emails to the **info@antigonish.ca** address.

The website was well promoted so that the public could access any online resources. The Antigonish.ca website was promoted through social media and included in the two mail-outs, as well as mentioned in radio advertising. Links to the Antigonish.ca website were also posted on the websites of both municipal units, which are regularly visited by the local community to find out about local events or Council activities.



HOWSPACE



Howspace is an online engagement portal which encouraged conversations among stakeholders, participants, and members of the Engagement Team. People who signed up to the online portal received regular email updates and they could participate and view the conversations that were happening online.

HowSpace was chosen as a way to encourage discussion in a meaningful way that is separate and apart from traditional social media platforms like Facebook. HowSpace allowed participants to remain anonymous, which created space for people to feel comfortable asking questions.

A brief survey was conducted early in the engagement process, but due to technical issues there were few responses. The technical problems were quickly fixed so that there was good participation on Howspace throughout the engagement process.

Comments from the welcome page of Howspace, where the majority of comments were posted, are included in the appendix for information purposes.

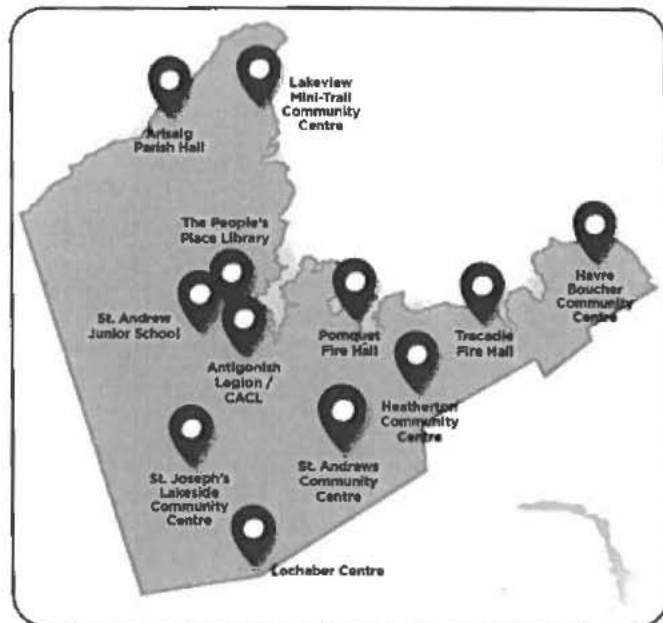
Feedback on the Engagement Sessions

There were 17 information sessions held throughout the Town and County as part of the community engagement process. The timing of the sessions were varied so that as many people as possible could participate (e.g. lunch time, afternoon and evening). Childcare was offered at each session and all sites were accessible. In addition to the 17 sessions, we held three webinars which allowed participants to ask questions and have them answered.

There were also sessions for specific groups. For example, we held sessions with the Fire Chiefs and Deputy Chiefs, community leaders (which included local business leaders and representatives of the Chamber of Commerce), community organizations/non-profits and current and former Mayors and Wardens along with the current MLA and MPs representing the region.

The engagement team recognized the important relationship with Paqtnkek First Nation and the Mayor and Warden met with the Band Council and other representatives to discuss the possible consolidation of the Town and County and to answer questions. The Town and County were invited to Paqtnkek to host an information table as part of their career fair this past June. The Mayor and Warden, along with the CAOs attended this event to speak with members of the broader community.

The Municipalities held two pop up sessions - one at the farmers' market and the other on Main Street Antigonish - to talk with those who may not attend formal sessions and to reach those who may have been unaware of the potential consolidation discussions.



ANTIGONISH WHAT WE HEARD REPORT

Date	Place	Attendees	Format	Comment Cards
Apr. 6, 2022	Fire Chiefs' Meeting	13	Presentation+ Q&A session	
Apr. 7, 2022	Community Leaders	17	Presentation+ Q&A session	
Apr. 11, 2022	St. Joseph's	45	Open House	11
Apr. 11, 2022	Antigonish Library	43	Open House	13
Apr. 12, 2022	Lakevale	53	Open House	21
Apr. 13, 2022	Arisaig	27	Open House	6
Apr. 13, 2022	Antigonish Library	9	Open House	8
Apr. 27, 2022	Webinar #1	66	Webinar	
Apr. 30, 2022	Farmer's Market (Pop Up)	32	Pop-up	32
May 1, 2022	Legion	16	Open House	9
May 2, 2022	Heatherton	94	Open House/Q&A Session	11
May 2, 2022	Antigonish Library	21	Open House and Pop-Up	19
May 3, 2022	St. Andrew's Jr. School	23	Open House/Q&A Session	5
May 3, 2022	Legion	2	Open House	2
May 4, 2022	Tracadie	73	Open House/Q&A Session	36
May 5, 2022	St. Andrews Community Centre	50	Open House/Q&A Session	2
May 5, 2022	Webinar #2	24	Webinar	
May 9, 2022	Pomquet	69	Open house/Q&A Session	
May 11, 2022	Havre Boucher	94	Open House/Q&A Session	27
May 12, 2022	Community group meeting	10	Round Table	
May 12, 2022	Lochaber	24	Open House/Q&A Session	5
May 18, 2022	Webinar #3	23	Webinar	
June 27, 2022	Paqtnkek Mi'Kmaq Nation	12		0

The information sessions were planned in an open house format to promote more direct conversations with the Mayor, Warden, Councillors, CAOs, staff and the Brighter Community Planning team. The format allowed for people to drop in anytime during the session and talk with the engagement team. This format was heavily criticized. The engagement team felt that even though it was published that these were drop-in sessions, most people that arrived still expected a formal presentation followed by a question-and-answer period. It was difficult for the team to overcome these expectations. While some attendees vocalized their appreciation for the opportunity to have conversations directly with the decision-makers, ask questions and have a detailed discussion, the majority who commented on the format wanted a town hall/question and answer style meeting. **The reasons provided for this were:**

- People wanted to hear what their neighbours thought.
- People wanted to make sure everyone was hearing the same information.
- Some did not have any specific questions and wanted others to pose the questions so they could learn about the issues.
- People wanted a presentation before they asked any questions.
- People had to wait to talk to someone who could answer the questions or the person they talked to could not answer the questions they were asking.
- People did not want to hear from the consultants or municipal staff but wanted to hear directly from the local councillors.
- There was no place to sit down for those who needed to sit.
- People felt like they were being "managed" or "handled."
- The format did not create trust in the process.
- Some found conversations difficult to hear because of the room size and the number of people in attendance.
- Some wanted to see a debate and felt the question-and-answer format would allow that to happen.

First Voice



The process of getting resident feedback is very flawed. The town and county should do everything they can to make all of this more upfront. There should be more unbiased information available. There should, indeed be a plebiscite to decide this.

Many people don't even know it's happening, let alone how to get information or how to engage with the issue, even if they have information. It seems like a very shady practice, to hire outside consultants for hundreds of thousands of dollars, rather than engage directly with and for the public.

As the sessions progressed, the meeting format was changed to allow for question-and-answer sessions. This meant that each session started with the open house format and then ended with a question-and-answer session. This format was well-received by those who attended.

Many people also liked the open house format as it allowed for more in-depth, detailed discussions. Some people expressed their dislike of community meetings because a small number of voices tend to dominate the discussion. They also believed that "town hall" style meetings tended to be aggressive or create conflict. Others said that they were not comfortable speaking in front of a group and liked the opportunity to have individual conversations.



First Voice



"Very well put together event and evening."

- Comment Card

"We are disappointed with the format of this meeting. We were expecting a presentation and an opportunity to ask questions."

- Comment Card

"I don't like the way the meeting was conducted. It should have involved everyone in the hall at the same time. That way we would have heard all the questions asked by everyone."

- Comment Card

Other Sessions

This report deals only with the engagement process organized by the Town and County of Antigonish. Community organized events and social media groups where representatives of the Town were not invited are not included in this report.

While discussion continues on these platforms, the documenting and tracking of the locally organized meetings and online forums is beyond the scope of this report.

SECTION 4: THEMES

Several important themes about a possible consolidation of the Town and County emerged from the engagement activities and are outlined below.

While we included comments related to the process above, they are not included in this section. Although very important for Council to consider when deciding upon next steps, the process comments are about how Councils should make their decision rather than feedback on the possible consolidation itself. The themes below outline the issues and comments relating to the specific idea of consolidation, not the way in which the decision is being made.

Opportunities and Risks

The most common theme was about the risks and benefits of a potential consolidation. We often heard people ask, "what are the pros and cons?" Some people thought that only the positive impacts of consolidation were being shared, without a full understanding of any risks or negative impacts.

Some people wanted to see a business plan with the details of what a merged municipality would look like. It appeared as though this group was looking for information about the long-term budget, both capital and operational, staffing, strategic initiatives and other details. This information was not available from either municipal unit as they believed that many of these decisions could only be made by a new Council or by a future Transition Committee.

In general, those who had concerns or opposed consolidation felt that there was no clear statement of the reasons why consolidation would benefit them or their local communities. Simply put, the opportunities associated with consolidation were not clearly demonstrated for this group. For example, one benefit of consolidation is that it would allow the two municipal units to speak with one voice, and that this cooperation would not be subject to future breakdowns in the relationship. Often, participants asked why the two units can't speak with one voice and remain separate.

A related comment was about the risks if the municipalities consolidated. Some people were concerned that without the "business case" there were just too many unknowns to proceed. More details were required before any decision regarding consolidation should happen.

First Voice



There does not seem to be concrete financial information for residents to form a decision e.g. what are the PROPOSED benefits for each service area; e.g. Garbage Collection, Current cost to Municipality? Current cost to Town? Proposed cost with consolidation? Saving? It seems we are going to find out where we stand AFTER the decision is made. All answers are hypothetical rather than based on concrete information.

- Howspace Comment

Be specific. What are the pros. What are the cons. Not the we don't know because if you don't know the pros then why be having this process!

- Howspace Comment

Without these details, it was believed that the risk of the unknown was just too high. The example of the recently merged health boards was given by several participants as an example of how a merger has not benefited the local community, with one resident stating, "Bigger is not better."

Several opportunities to work together and potential benefits of consolidation were identified by community members. Examples of these opportunities were:

- **Efficiencies in staff** – There would be opportunities for current staff to be reallocated and provide new career opportunities within the merged structure. For example, if there was no longer a requirement for two directors of finance, perhaps one of the staff positions could be reassigned to secure additional funding from senior government, provide human resources or other administrative leadership, or lead a significant project at the municipal level.
- **Climate change adaptation and mitigation** – Consolidation would allow the two municipal units to plan and respond to climate related issues together. An example was provided of recent flooding in the Town which was related to barrier beaches being eroded out in the County. There needs to be regional planning to make sure that people's property and lives are protected, and some believe that kind of cooperation is not occurring now.

- **Accessibility** – Through consolidation, accessibility initiatives and compliance with provincial requirements can be better addressed. According to one participant, there are four different local committees currently addressing accessibility. Consolidation could provide more coordinated resources for accessibility to meet provincially mandated requirements.
- **Reducing confusion** – Some expressed confusion over which municipality does what, who collects the money and who delivers the service. By having one municipality, this confusion could be eliminated. The Fringe Area and the Town are physically integrated, and it is hard to tell what is in or out of Town. This confusion is made worse as the water and sewer services are provided by the Town and many within the Fringe area are regular users of the Town infrastructure. It makes sense to merge.
- **Reducing the bureaucracy** – Some expressed the opinion that the Town and County are over governed and that there is too much bureaucracy for such a small population.



First Voice



In closing, I am asking everyone to please weigh out the pros and cons for EACH municipality and I am sure that the positives far outweigh the negatives to join as one and become the Municipality of Antigonish. You were all voted in to make decisions, tough decisions, on behalf of your constituents, Let's make one, the right one, vote for consolidation and let's move forward together in a positive way."

- Email

Equity & Fairness

The issue of equity and fairness also emerged with some wanting to understand how consolidation will help address equity within the community. Topics such as affordable housing, accessibility, racism, women's issues, access to health care, access to social services and attracting and supporting immigrants fell into these categories.

Service Delivery

Both municipalities provide services, either directly, by contract or by funding and supporting external organizations. Some participants were concerned about how these services and organizations would be impacted, particularly the local fire departments and RCMP. Recreational services, in general, were identified as an area where additional collaboration would make sense.

Fire Departments

The engagement team, led by the Mayor and Warden, met with representatives of Fire Departments. Every fire department was invited to attend with 13 fire department representatives attending.

The main question from the fire department representatives and the public was about the structure of the fire departments after a potential merger. Specifically, if there were plans to change the existing structure of the fire departments to make it more uniform between the Town and County? There were also questions about whether a new municipal unit would mean fire trucks or fire department resources would be moved around to other fire departments. A related question was whether the geographical boundaries of the fire districts would change through a consolidation process.

Both municipalities were clear that there would be no changes to the structure or municipal support for volunteer fire services.

THE 9 VOLUNTEER FIRE DEPARTMENTS LOCATED WITHIN THE TOWN AND COUNTY THEY ARE:

- ANTIGONISH COUNTY VFD
- NORTH SHORE VFD
- FOUR VALLEY'S FD
- POMQUET EMERGENCY & RESCUE SERVICE
- TRACADIE VFD
- ST. ANDREWS & DISTRICT VFD
- AULD'S COVE VFD
- HARVRE BOURCHER & DISTRICT VFD
- TOWN OF ANTIGONISH VFD

The fire department representatives also made suggestions about opportunities for joint work on procurement and requested if a Memorandum of Understanding could be prepared to provide assurances to them.

RCMP Policing Contract

Throughout the engagement sessions, both municipalities acknowledged the cost of the policing contract needs to be resolved before a decision on consolidation could be made. The creation of the Regional Municipality of West Hants triggered an unintended increase in policing costs for the new municipality. The Town of Windsor and District of West Hants had previously contributed 70% of the cost of policing; the new municipal unit was required to contribute 90% of policing costs. Mitigating strategies are being explored to avoid an increase in policing costs if consolidation is chosen.

When discussed by the public and elected officials, this issue was seen as fundamental and had to be resolved before any decision can be made about a possible consolidation.

Recreation

Of all the departments in both municipalities, recreation is arguably the most integrated. This integration has been reported by some as a vast improvement over how things used to operate. It was reported by one participant that in the past the pool was used by both municipalities. This required that the lifeguards in the morning wore the uniform of the Town and followed Town policies and operations procedures, and in the afternoon had to change uniforms and follow a completely different set of County policies and enforce different rules. Now, both municipal recreation departments cooperate regularly on programs and communications, subject to their individual budgets and facilities.

In general, there was support for continued coordination regarding recreation programming, but it was unclear to some why consolidation had to happen to allow for this coordination.

Water Utility and Electrical Utility

The Town operates an electrical utility which provides power to town residents. It is currently undertaking some exciting projects related to solar power and electric vehicle recharging facilities. County residents saw opportunities to join the electrical utility and expand it.

First Voice



"Can we join the local utility and leave NS power if we amalgamate? That would be excellent as we would have the utility back in our community hands and would have more power to de-carbonize our grid. There are so many opportunities to become more sustainable if we work together - town and county.

- Howspace Comment

The electrical utility itself is regulated by the Nova Scotia Utility and Review Board (NSUARB) and provincial legislation, making it difficult to expand its customer base. Regardless of this challenge, there are opportunities to share in future alternate energy projects and expertise. For the water utilities, consolidation would present opportunities for joint planning, operations and management.

Planning/Roads/Infrastructure

Land use was a concern for those living in the rural agricultural areas. Questions arose about whether agricultural uses would be restricted and if the by-laws used in the Town would be applied to rural areas. The Town by-laws were seen as a threat to agricultural land, hobby farms and rural activities. During the engagement sessions, the engagement team provided assurances that merging would not change municipal land use regulations, nor impose Town restrictions across different planning areas in the County. In addition, the provincial Farm Practices Protection Act supersedes any municipal by-law protecting agricultural landowners and their business.

J CLASS ROADS ARE MAINTAINED BY THE PROVINCE, BUT FALL UNDER A COST- SHARING AGREEMENT BETWEEN NOVA SCOTIA PUBLIC WORKS AND MUNICIPALITIES. MUNICIPALITIES CONTRIBUTE TO THE MAINTENANCE, AND CAPITAL UPGRADES ARE DIVIDED 50/50

Participants asked who would maintain roads, specifically the J class roads. There was some confusion that the rural roads the province currently maintains would become the responsibility of the new consolidated municipality. During the engagement sessions, it was confirmed that consolidation would not change funding to the J class road structure, nor remove the Nova Scotia Department of Public Works' (formally called the Nova Scotia Department of Transportation and Infrastructure Renewal) responsibility for maintaining County roads.

First Voice



Regardless of the way forward, we all need to find a way to agree that money spent on improvements and services in both municipal units doesn't just stay in that unit - that we are closely connected. Until we can agree that, then any attempt to consolidate will be doomed.

- Howspace Comment

Community Identity

Community identity is particularly important for residents and those in geographical areas that have linguistic, cultural, or social factors that make them unique or distinct. Community identity can also include a feeling of community shared by people in a specific rural area. The Antigonish area has unique communities with strong Scottish and Acadian heritage. People have an attachment to where they live - family connections, love of the land or love of community was apparent at the consultations we held.

In recent years, community identity has been affected by school closures and bussing students into regional centres, church closures and a variety of other changes that result in people turning to larger centres either for employment, recreational activity or shopping.

Many people within Antigonish have worked tirelessly for decades to support local institutions such as churches, community centres, recreational fields, parks, and graveyards. We saw this firsthand during the consultations by the high quality of the many community halls that are maintained and managed by local volunteers through fundraising and the wonderful people at these centres who hosted and provided snacks and drinks to participants. This "pride of place" is important for residents to not only maintain but to build upon.

There was concern expressed that local community's identities would be threatened and would get lost within a bigger consolidated municipality. There was concern by some that the unique qualities that people love about where they live would not be supported. This was particularly a concern in Tracadie, Pomquet and Harvre Boucher where there continues to be a strong Acadian community where French is still spoken.

POMQUET WAS FOUNDED IN 1774 BY FIVE FAMILIES. POMQUET HAS A LOCAL MUSEUM RUN BY THE ACADIAN HOLY CROSS SOCIETY, WHOSE MISSION IS TO STRENGTHEN THE CULTURAL AND LINGUISTIC LIFE OF THE ACADIAN AND FRANCOPHONE COMMUNITY OF POMQUET AND ITS SURROUNDINGS. IT PROVIDES SUMMER JOBS, HOSTS A VIRTUAL MUSEUM AND RUNS A SEASON MUSEUM, AND IS IN PART SPONSORED BY THE COUNTY OF ANTIGONISH.

(Société Acadienne Sainte Croix, n.d.)

THE MUNICIPALITY OF THE COUNTY OF ANTIGONISH PROVIDES FUNDING TO COMMUNITY ORGANIZATIONS WITH THE INTENT OF ENABLING AND ENCOURAGING CITIZEN INVOLVEMENT IN THE COMMUNITY. IN 2022-23, THE BUDGET FOR THE COUNTY FOR GRANTS IS 3% OF THE OVERALL OPERATING BUDGET AND FOR THE TOWN IT IS ALSO 3% OF THE OVERALL OPERATING BUDGET.

First Voice



With consolidation, district boundaries will likely change. My worry (fear actually) is that Pomquet will become part of a larger district, and as such, lose its representation. Without a local voice in council, I fear that our unique Acadian community will not have the support it has had in the past.

- Email

There was concern that within a consolidated municipality the interests and needs of the individual community would not be well represented around a new consolidated Council table. People wanted to see what the proposed electoral boundaries would be and how they would be represented within a merged structure.

There were also concerns that community grants that support many of the small organizations and events within the rural areas and the Town would not continue within a consolidated municipal unit. Many groups depend on the funding from the County, and County Councillors are allotted funds to disperse to community organizations and this is seen as important to maintain. The Town has its own community grants program. Organizations were assured by elected officials that maintaining this kind of support in merged municipality is a priority.

Others expressed that individual communities can be distinct within a larger municipal government and that the time of having many smaller municipal units was over. It was seen that "economies of scale" will allow Antigonish to benefit from efficiencies in areas such as procurement, hiring and public works.

First Voice



"I am in favour of consolidation as long as it advances equity and sustainability for our community. I feel this an opportunity for us to build more inclusive, vibrant and sustainable communities. I hope that the climate crisis and alleviating poverty is kept top of mind during the process."

Taxation

*There was a great deal of concern regarding the potential impacts of a possible consolidation on taxation. Some of the **common misconceptions** were:*

<p>Rural areas would pay the same tax rate as the Town and get no increase in services.</p> <p>⊗</p> <p>misconception</p>	<p>Taxes will go up.</p> <p>⊗</p> <p>misconception</p>	<p>The Town was in debt and needs the tax revenue of the county.</p> <p>⊗</p> <p>misconception</p>	<p>The Town's infrastructure was in poor repair and County residents would bear the burden of paying for future upgrades.</p> <p>⊗</p> <p>misconception</p>
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The engagement team provided facts during every session to respond to these misconceptions, but tax issues continued to be a concern. Concern was expressed that the taxation information provided in the fact sheets only reflected what happened in other merged municipalities. Some people felt strongly that there needed to be a financial plan for the merged municipality that could be reviewed to demonstrate that taxes would not go up.

Although both the Town and the County are in a positive financial situation, it was often stated that the Town needed the County taxes to fix roads or address other infrastructure needs. Even when informed about the Town's overall financial indicators and recent revenue generating initiatives, such as investments in alternative energy through AREA, some participants remained skeptical.

AREA (ALTERNATIVE RESOURCE ENERGY AUTHORITY) IS A 100% MUNICIPALLY OWNED COMPANY FORMED BY THE TOWNS OF ANTIGONISH, BERWICK AND MAHONE BAY. IT IS FOCUSED ON ALTERNATIVE ENERGY PRODUCTION, AREA PROVIDES FINANCIAL AND ENVIRONMENTAL BENEFITS TO EACH OF ITS MEMBER TOWNS THROUGH DEVELOPING AND MANAGING WIND FARMS, SOLAR PROJECTS AND OTHER ENERGY RELATED PROJECTS

WWW.AREANS.CA



First Voice



What does this mean for us? Nothing but higher taxes."

- Email

The graphs displayed in the brochure clearly show a reduction in town taxes, but no change in municipal taxes. In terms of the tax rate, what benefit is there to the municipality? I'm not in the know about tax rates and how it all works, but at first glance, it seems that with consolidation, the municipality will be subsidizing town taxes."

- Email

Applicable tax rates in four communities as approved for fiscal 2021/22. Rates would continue to be based on services available and the municipalities do not expect increases as a result of consolidation.

DESCRIPTION ASSESSMENT RATE TAXES

1. Arisaig Tax Bill

Residential Assess.	\$200,000	\$0.880	\$1,760.00
4 Valley's Fire Levy (Max)			\$200.00
Amount Due			\$1,960.00

2. Fringe Area Tax Bill

Residential Assess.	\$200,000	\$0.880	\$1,760.00
Fire Hydrant Levy	\$200,000	\$0.114	\$228.00
ACVFD Rate	\$200,000	\$0.070	\$140.00
Thorne Ridge Streetlights			\$21.34
Sewer (1 unit)			\$316.29
Amount Due			\$2,465.63

3. Heatherton Tax Bill

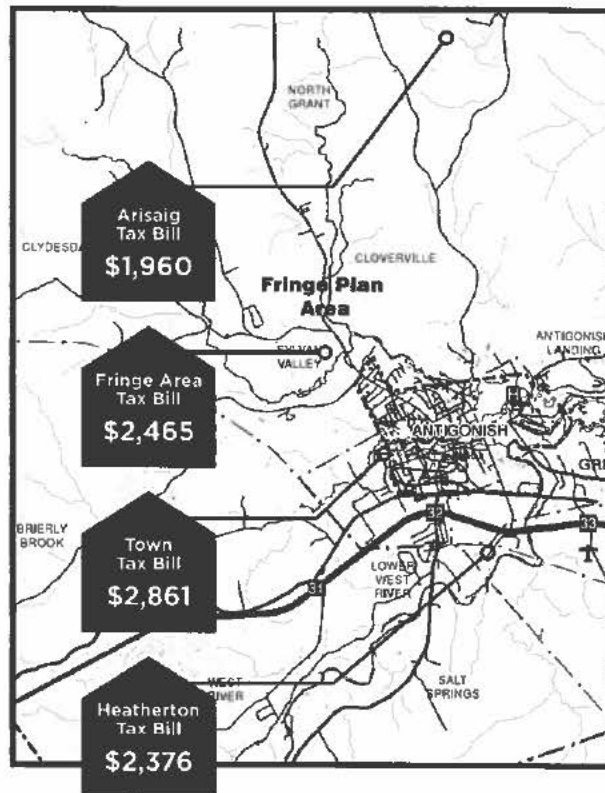
Residential Assess.	\$200,000	\$0.880	\$1,760.00
Fire Levy	\$200,000	\$0.150	\$300.00
Sewer (1 Unit)			\$316.29
Amount Due			\$2,376.29

4. Town Tax Bill

To allow for a comparison with County rates, the Town Residential Rate is further broken down to show amounts associated with the fire department and streetlights.

General Rate		\$0.967	\$1,934.20
Town Fire Dep.	\$200,000	\$0.122	\$244.00
Street Lights		\$0.021	\$41.80

Residential Assess.	\$200,000	\$1.110	\$2,220.00
Fire Hydrant Levy	\$200,000	\$0.037	\$74.00
Sewer (avg.)			\$228.41
Solid Waste (1 unit)			\$339.29
Amount Due			\$2,861.70



Administration and Legal



Before the public engagement process began, municipal staff were briefed. This reflects the importance that both Councils place on staff and the need to provide timely and relevant information to them while consolidation is being considered.

We met with staff at both municipalities several times and in different work locations. Staff also participated in an online comment portal where information was shared. Information responding to concerns raised was provided, and then follow up meetings occurred with any staff who had further questions.






Organizational change, or even the consideration of a change, can be stressful for employees. When engaging with staff, some raised a few concerns, but many saw consolidation as an opportunity. Regardless, there appeared to be a strong desire by staff for Councils to make a final decision so that the employees could move forward with projects and make personal decisions, such as retirement planning.

When engaging with staff, there were questions and comments including:

- Whether union and non-union staff will be integrated.
- Whether there would be lay-offs or elimination of positions.
- There were very strong and effective teams which were worried about including or integrating new people who come from a different organizational culture and approach.
- What was the organizational culture at the other municipal unit and if the work of staff at the other municipality was similar?
- What will the new organizational structure be?
- Will consolidation have impacts on seniority and the pay structure?

Aside from staff, the public also had questions about how consolidation would impact staffing levels, how a union and non-union situation would be managed, and whether there were specific examples of staff efficiencies that could be created through consolidation.

On the whole, there were not many questions on legal or administrative issues posed by the public. Those we received included:

 <p>Where will the municipal office be? Will there still be two buildings?</p>	 <p>Will the by-laws of the Town be enforced in the County?</p>	 <p>Is a plebiscite required by provincial legislation?</p>	 <p>What is conflict of interest for municipal Councillors and how is it applied?</p>	 <p>Will I be able to vote for the Mayor if municipalities merged?</p>
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Public Confidence

Perhaps the trickiest issue to characterize and summarize is something we are calling public confidence. In general, many of the comments received showed a lack of confidence in the process, the municipal leaders and the relationship between the Town and County.

Some expressed their mistrust of the Town's motives, reflected by comments that "the Town needs our taxes" and "this is just a land grab." Others spoke of the County being taken over by the Town, which implied that the County would lose its voice. For some, the distrust between the Town and the County is deep seeded and long standing. This was evident in multiple conversations across the various locations of the community.

IN 2006, A PLEBISCITE TO MERGE ANTIGONISH WAS DEFEATED. ALMOST 84 PER CENT OF COUNTY VOTERS WERE IN FAVOUR, WHILE 74 PER CENT IN THE TOWN WERE AGAINST IT.

THERE WAS ONLY A 45 PERCENT TURN OUT RATE FOR THE VOTE.

First Voice



When we went to school in Antigonish. We were treated as dirt as we were from the "sticks." No concern for county residents at all. -NO"

- Excerpt from Comment Card

The plebiscite held in 2006 seemed to aggravate some of those feelings of mistrust and division between the two municipalities. According to some, it was an unfriendly process and is still top of mind twenty years later. The calls for a plebiscite were often framed in terms of the municipalities trying to "hide" something.

Some people felt that the proposed consolidation was being forced on them through a top-down process. Others expressed a concern that the idea of consolidation was not raised during the last municipal election. For these people, the merger discussion appeared to be a surprise.

First Voice



This should be an election issue for the next municipal election. This would allow councillors to have this issue as part of their platform. This would allow the public and to have a say. None of our councillors were elected to vote on such an important issue! - Comment Card

Finally, during the engagement sessions it was reported that some Councillors may not be able to vote on the consolidation decision because they may be in a conflict of interest. This discussion of conflict of interest caused a great deal of confusion and anger and seemed to further erode the public confidence in the process.

First Voice



The other issue I have is that our councillor was informed that he is in a conflict of interest which means the people in our district do not have a voice!!!! Why was he not informed of this in Sept when Council voted to explore - if he was allowed to vote to explore, then he was not in conflict in September so why now is he in conflict. Leads to mistrust.

- Comment Card

Your presence is friendly and inviting which is a positive step. Being informative about the other leaders you consulted with in regards to this idea is important for residents' confidence in the process.

- Howspace Comment

There is a lot of distrust of the process because we are only being told the pros of Consolidation and are blown off when we ask for the cons. It's impossible that there is no downside to Consolidation - just be honest with us.

- Howspace Comment

SECTION 5: WHAT WE DID

During the process there were suggestions and ideas from participants and the engagement team responded. Below is a list of the suggestions and how we responded.

SUGGESTED ACTIONS	RESPONSE	GOING FORWARD
Hold a plebiscite.	Town Council considered a motion on plebiscite in May and voted to not hold one at this time. County Council maintained the position from the outset that no changes in the process are planned until Council receives the What We Heard Report.	Councils will receive this report and decide next steps.
Fire department suggested having an MOU and that no changes be made to the current structure	Commitments by both Mayor and Warden that there will not be any changes to fire department structure.	The concept of an MOU can be explored in the future as part of regular meetings with the Fire Chiefs.
If consolidation occurs, then ensure that grant funding to organizations will continue.	Mayor and Warden stated that the grant funding to organizations will be maintained.	Consider maintaining the current grant formulas and extending the County Councillor's grant policy in a merged unit.
Confirm impact of policing contracts before a final decision is made on consolidation.	Both municipalities are working with the provincial and federal government to get the necessary information. No vote is expected until this information is received.	Await a response from the provincial and federal governments before a final decision is made.
Request to adjust meeting formats to have town hall style meetings	The format of the meetings was adapted to a hybrid style in response.	Any future meeting format to include question and answer sessions.
Slow the process to allow people more time to review the information.	The original date for Councils' decision was the end of June. A decision is now expected in the fall of 2022.	Councils to consider timing of final decision.

Cont. →

SUGGESTED ACTIONS	RESPONSE	GOING FORWARD
Prepare a business case on consolidation so the public can better understand the impacts.	The Town and the County undertook an exercise to prepare a model budget so that the public can understand what the financial impacts of a merged municipality may be. This exercise showed that there is no expected increase to tax rates.	Additional financial information is being considered.
The information originally circulated did not have an analysis of commercial tax rates. There were requests for this information to be prepared.	Impacts on the commercial tax in other mergers were examined. It showed that there should be no impact on the commercial tax rate. This information was shared with the Antigonish Chamber of Commerce.	Information on commercial tax rates has been circulated.
At the community group meeting, it was suggested that a merged municipality explore having a dedicated person to work with community groups and housing organizations.	This request was documented and passed on to each municipal unit.	Consider holding future meetings with community groups.
Combine the accessibility committees into one and provide an honorarium for participation.	This suggestion is referred to the municipalities to consider.	Consider combining accessibility committees and take joint action on accessibility initiatives.
Identify areas where there was confusion and add additional FAQ to the website.	Completed.	Post FAQs on Antigonish.ca website.

Issue Clarification

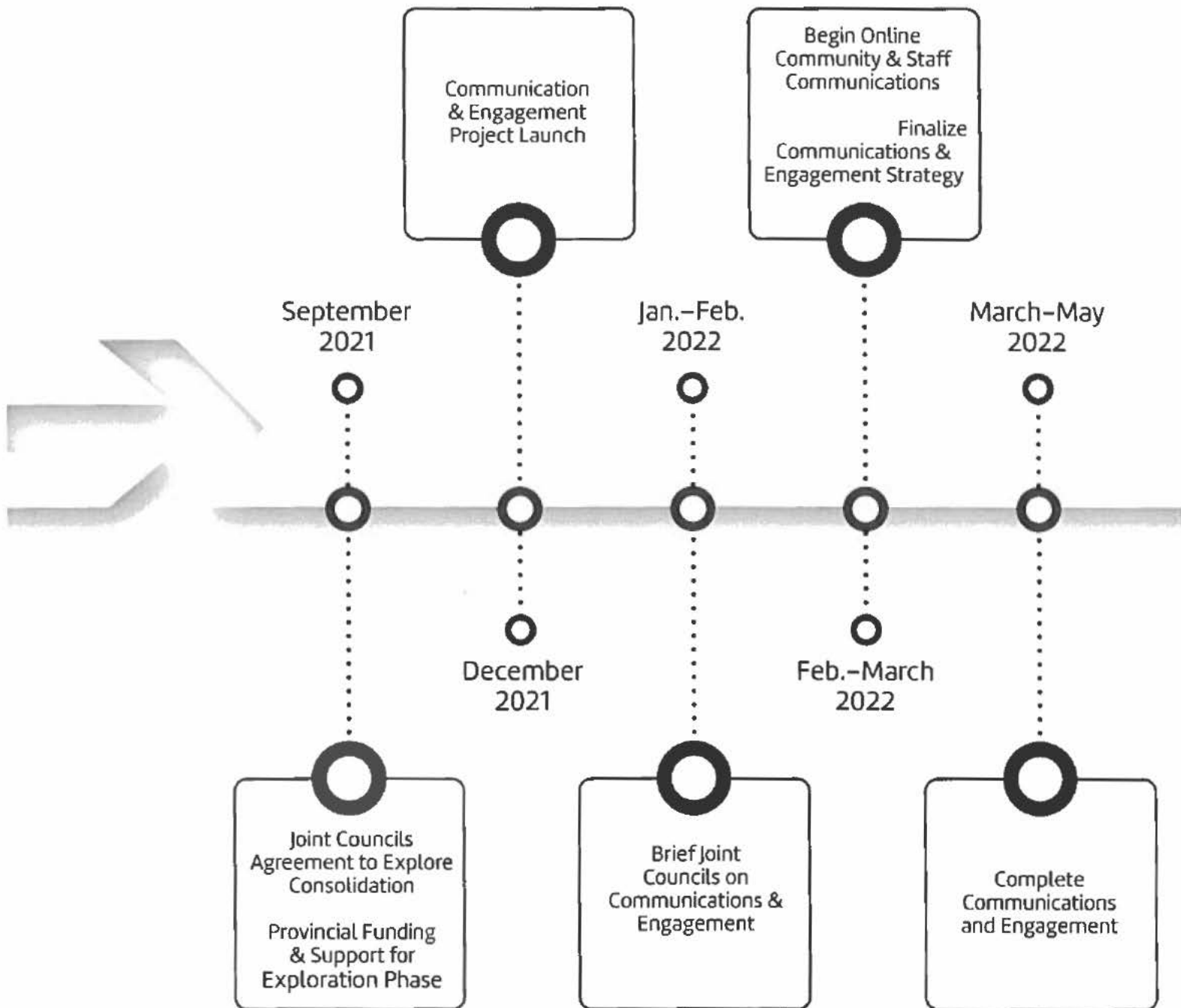
We also identified comments made to the engagement team that appeared to be inaccurate or false. We know people want the best for their communities, but it is easy for inaccurate information to be circulated through social media and for these statements to be taken as fact. Inaccurate statements erode trust in a process that strives to be open and transparent.

It is important to distinguish between comments that are not supported by the facts and comments that represent differences in perspectives or opinions. We provide this list so that these matters of fact can be clarified. Below are statements we heard as part of the engagement that are not consistent with the facts as we know them.

INACCURATE STATEMENT	CLARIFYING INFORMATION
There is no way that taxes will not go up.	After reviewing the financials of both municipalities and an assessment of financial capacity and the effects of consolidation on tax rated based on the previous year's audited financial statements, we can confirm that the tax rate will not increase as a result of consolidation itself.
The only Councillors who are in a conflict are those who oppose consolidation.	A conflict of interest is based on an individual Councillor's circumstances. Conflict of interest for municipal councillors is guided by provincial legislation, not by the Mayor or Warden, or the staff at the Town or County.
The by-laws of the Town will apply to the County and I won't be able to have chickens or continue to farm.	The Zoning, Noise and other related by-laws will not change because of consolidation. They may change if Councils, regardless if they merge or not, decide to do so. Any change would require public engagement, public notice, and the municipality to follow a formal legal process established by provincial legislation.
Information is being kept from us. There must be more that they are not sharing.	Everything that could be shared was and continues to be shared. Antigonish.ca is updated regularly.
The vote will happen behind closed doors.	The vote by each municipality will happen in open Council and all members of the public are welcome to attend these Council meetings.
The Town is almost broke and needs the tax dollars from the County.	The Town is in good financial shape when compared to other towns of its size in Nova Scotia. This has been independently verified by the Province as part of its municipal financial indicators program.
If consolidation does not occur, then the Province will force us to merge.	There is no indication from the Province that it is considering forcing municipalities to amalgamate. The last forced amalgamation was more than 20 years ago.
This is just a land grab by the Town.	Both Councils unanimously voted to consider consolidation. There are many reasons to explore consolidation, but a land grab is not one of them.

Antigonish Consolidation Communications & Engagement Project

Initial Timeline for Potential Consolidation





If Decision to Consolidate is Taken



Reporting on
Communications and
Engagement Issues

September
2022

June–July
2022

Joint Councils
Decision–
Making about
Consolidation

Provincial
Liaison –
legislation and
transition funding

Winter
2022

Spring
2022

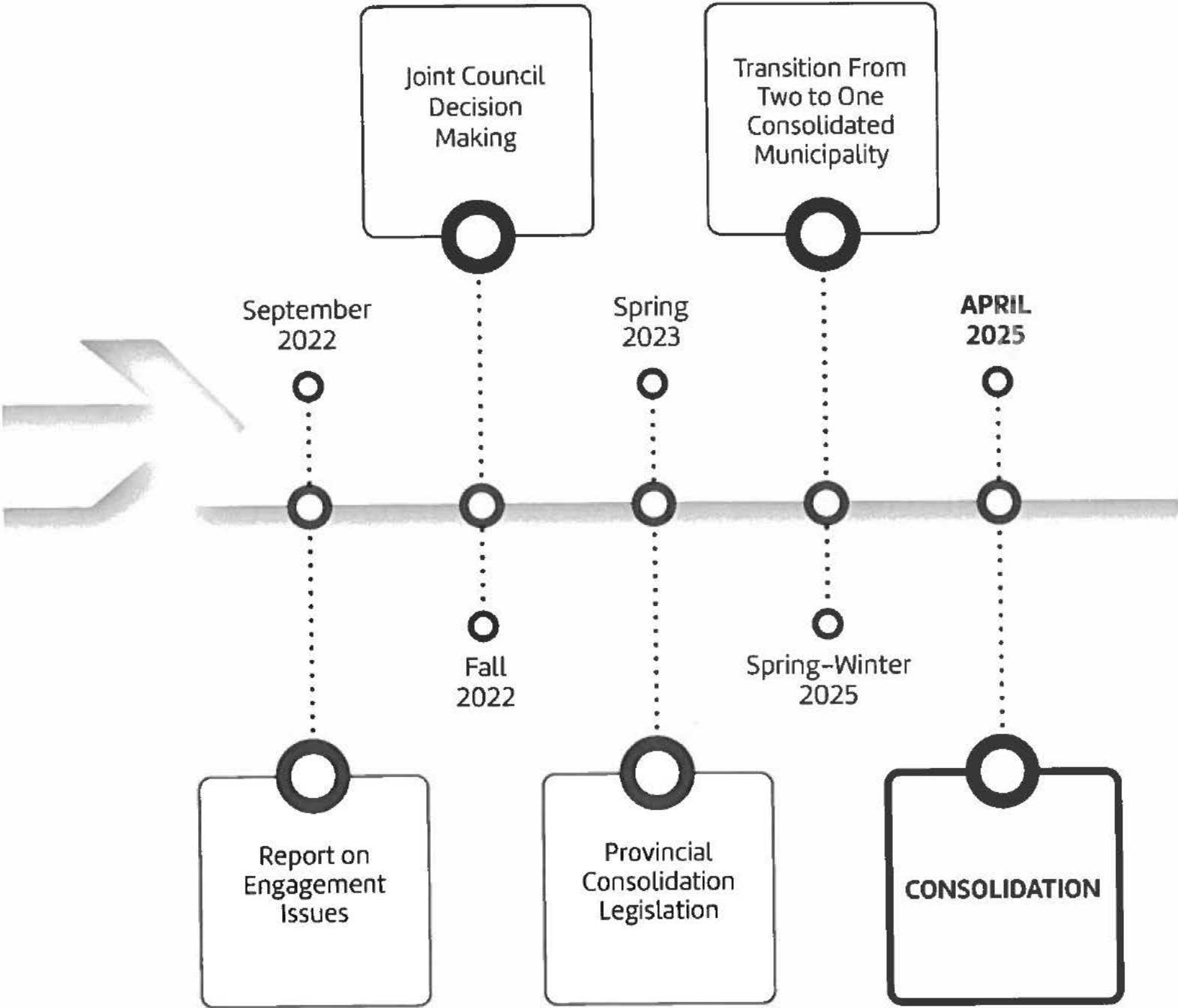
Provincial Special
Legislation for
Consolidation

Transition
Steering Committee,
Co-ordinator, Process

Target Date
for Potential
Consolidation

2024

Revised Timeline for Potential Consolidation



SECTION 6:

CONCLUSIONS AND NEXT STEPS

It is now up to both Councils to review the submissions and comments, review any additional information they may need and decide what the next steps will be. As the facilitators of this community engagement and communications process, we can offer some general conclusions with this report.

1.

There were lots of concerns about the process of decision-making and consultation that should proceed a decision on possible consolidation. It will be up to each council to determine whether these concerns represent a majority of public opinion, or whether they are important considerations but not necessarily universally held.

2.

In hindsight, it is easy to identify things that could have been done differently in the consultation and engagement process, but consultation about an issue of future governance is often difficult to fully plan in advance. For Councillors, it will be important to think about whether they feel individual communities and the greater Antigonish area have had an opportunity to provide input before making any decision on how to go forward.

3.

We continue to suggest the ideas put forward in the Guiding Principles are critical to this process, particularly those about providing regular information, valuing municipal staff, and promoting community identity.

4.

While there are some unknowns in terms of future financial conditions, downloading or new program requirements that might impact consolidation, there will still be opportunities for the municipal partners to update and inform the larger community about financial progress, risks, and actions to address risks. We note that both municipalities have again passed balanced budgets for 2022-23 since the engagement process was completed. This should provide confidence that both municipal units are in good financial positions. It also provides an example of the kind of financial reporting that is very important.

SECTION 7:

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From: [REDACTED]
Sent: March 4, 2024 1:34 PM
To: Office of the Legislative Counsel
Subject: Antigonish Town & Antigonish County Amalgamation

Importance: High

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To Whom it may concern,

I am writing to express my strong support for the amalgamation of Antigonish town and Antigonish County. As a resident of this vibrant community, I believe that joining forces would bring numerous benefits to both entities.

Amalgamation would streamline local governance, reducing bureaucratic inefficiencies and promoting more effective decision-making processes. It would also enhance service delivery, ensuring that residents receive high-quality services in a more coordinated manner.

I have been living in Antigonish County for the past 10 years, before that in Hamilton, Ontario. My parents were born & raised in Antigonish County & Guysborough. Hamilton & area did an amalgamation without its residents voting. That area is 550,000 people, Antigonish town & county is only 20,000. To me it's a no brainer and this should have been done already. Its also time for other areas in Nova Scotia to do the same.

Furthermore, joining the town and county would foster a stronger sense of unity and cooperation between residents. By working towards common goals, we can create a more cohesive and inclusive community that thrives economically, socially and culturally.

In conclusion, I urge you to consider the numerous advantages of amalgamation and support this initiative for the betterment of Antigonish and its residents.

Denise Chisholm

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From: Joyce Ross [REDACTED]
Sent: March 4, 2024 2:22 PM
To: Office of the Legislative Counsel
Subject: Vote

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Let Antigonish Vote please

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March 4, 2024

The Honourable Brad Johns, Chair
Standing Committee on Law Amendments
Presented in Person

Dear Minister Johns and Committee Members:

RE: Support for Bill 407 – Antigonish Consolidation Act

Mr. Chair and Committee members, thank you for the opportunity to speak to you today. My name is Owen McCarron and I am the Warden of the Municipality of the County of Antigonish. I speak today in support of Bill 407, the Antigonish Consolidation Act.

Before I provide my comments, I'd also like to acknowledge the leadership of one of our previous wardens, Herb Delorey. Warden Delorey served Antigonish County for 18 years, and in many ways set the stage that we stand on today. Warden Delorey wanted to be here today to share his thoughts with you in person but was unable for health reasons. He has submitted a letter of support for the Antigonish Consolidation Act, which I hope you will all take the opportunity to read.

I will use my time with you today to share information that I believe will help inform your deliberations and address some of your questions. Specifically, I will talk about factors our Councils considered in making their decisions to request this legislation and I will talk about why this is the way forward for Antigonish.

Several of you around this table have municipal backgrounds and know that for decades few governments have escaped the inevitability of municipal reform and restructuring. Some have embraced it for what it is: an opportunity to support sustainable communities, provide high-quality municipal services and stabilize the costs to taxpayers. Those are our shared goals in Antigonish, and we feel we can best do that together, as one municipal unit, rather than two.

Following 13 months of research and consultation our councils made the decision to request consolidation. In making that decision we weighed four categories of considerations:

- Community Identity,
- Policing,
- Public Engagement, and
- Financial Capacity & Service Delivery

During second reading, there were comments suggesting that we did not assess the financial implications of consolidation, which is entirely false. Financial capacity was one of Councils' key considerations in making this request.

Opponents of consolidation have raised concerns about the absence of detailed financial projections like those common in private sector business transactions. However, completing such projections was considered.

Both municipal staff and our auditors at MNP, a national firm with experience with municipal mergers in Nova Scotia and Ontario, expressed apprehension about developing detailed projections at this early stage and confirmed that such projections are typically deferred until a municipal unit confirms its intent to restructure. Once consolidation is confirmed, financial projections will be developed and inform local decision making on service levels and infrastructure investment.

However, to say no financial assessments were made is yet more misinformation. Financial assessment have been completed and were available throughout our consultation period. Specifically:

- Audited financial statements for both municipalities were reviewed by our finance departments and auditors and provided to the public on our websites and at every public meeting.
- A review of the impact on tax rates in six municipal mergers since 2000 was completed, which showed no associated tax rate increase in any instance.
- Municipal finance officials completed a tax sensitivity analysis on the combined budgets and reported that no increase in tax rates is expected because of consolidation.
- A comparative assessment of amalgamation and annexation in Antigonish completed by KPMG in 2004 was also reviewed and showed a merged municipal unit would see a net financial benefit of approximately \$600,000 annually.
- The Department of Municipal Affairs and Housing combined its Financial Condition Indicators for a merged municipality, showing that our financially strong municipalities would continue to be deemed "low risk" and financially strong.

The Ivany Report endorsed the importance of these indicators in making decisions because, and I quote "... the need for municipalities to take innovative and collaborative approaches... can help mitigate risks associated with change, as well as accelerate economic growth and optimize community progress."

As for a comparative analysis of previous municipal mergers, one must look no further than the Region of West Hants for a shining example of success. In their most recent budget that municipality was able to drastically reduce property tax rates while continuing to invest heavily in infrastructure, reserves, assets and community organizations just three years post consolidation. Specifically, the West Hants Council, has:

- Decreased the West Hants rate by 4 cents per \$100 of assessment.
- Decreased the Hantsport rate by over 28 cents.
- Decreased the Windsor rate by over 21 cents.
- Eliminated reliance on their reserves.
- Budgeted for over \$25M in capital improvements across the region.
- Drastically cut recreation program fees across the board.

This is the kind of innovation, community investment and leadership we intend to emulate and that our community is asking for.

We have assessed the financial implications of this decision from multiple angles and are very confident that our two financially stable, growing municipalities will emerge even stronger and better equipped to provide the high-quality services and infrastructure our community requires after consolidation.

Now I'd like to spend a few minutes talking about why I feel consolidation is in the best interest of our residents, businesses and communities.

Like many other parts of the province, we have the opportunity and challenges of population and economic growth. In the past 10 years, the taxable assessment in the Town and County combined has grown by over \$630 million. Our population is also growing. From 2016 to 2021, the population of Antigonish Town and County grew by 4.3% to 20,120 and continues to grow.

As our population grows, so do the demands on municipal services and infrastructure: water & sewer, roads & recreation. All are required for a growing and vibrant community. Consolidation will provide a stable foundation for our community to work as one in ensuring these services are available now and into the future. Deputy Warden MacFarlane will provide additional detail on this topic.

Opponents of consolidation will point to our recent successes in working together on a small number of initiatives. I'd chalk our recent success up to the old expression that good people can overcome poor structures. But as community leaders we have a responsibility to look at those old structures and ask tough questions: are the residents of Antigonish County well served by duplication, misalignment and frequent conflict with the Town of Antigonish?

Merging our organizations will enable us to eliminate duplication. Today the Town and County duplicate almost every service we provide. Duplication = waste.

As a small but pointed example: every time our two CAOs are in the same room together it costs the Antigonish taxpayers about \$185 / hr. They estimate they spend about 1/3 of their time either in the same room or coordinating between the two municipalities. That's close to \$150,000 / year in redundancy associated only with having two CAOs.

This duplication can be found throughout our organizations. This isn't an exercise to slash services and staff. But it is an exercise to reduce duplication, right-size our organization, enhance services by dedicating the appropriate resources, and create more value for our residents.

Having two municipalities in one community working on the same issues in isolation is wasteful, ineffective, and many times leads to conflict. With issues like housing, climate change, affordability and infrastructure investments at the forefront of our community, we can no longer afford a structure that wastes time, effort, money and opportunity.

At the end of the day, we are one community. Our children go to school together. They play sports together and participate in 4-H together. Town residents work in the County, County residents work in the Town. We mourn together and we celebrate together.

Our existing municipal structures were established in the 1800s, when farmers, fishers and foresters came to Town a couple times a month on horseback to buy or sell goods. This model no longer reflects our modern community, where people cross municipal boundaries multiple times every day without realizing it.

The world around us is changing. We have observed this government and others advance innovative approaches to modern challenges. In the words of the Premier, we need to do more, faster. That's the bar and one we're prepared to meet because it's what our communities deserve. Today's challenges will not be addressed with yesterday's approach and structures.

From my seat on County Council, it has been amazing to see our municipal units and public opinion shift over that time from asking "why can't you guys just get along?", to "when are you just going to bring the two together?" It's from this basis that we explored consolidation and the next natural step to provide high quality services and support our growing community.

I also appreciate that this decision is not unanimous. Important changes seldom are. But in the words of our 18th Prime Minister, Brian Mulroney, "You have to spend your political capital on great causes for your country," or in this case community.

Finally, I'll leave you with this. Hurricane Fiona ravaged our communities on September 23, 2022. In the lead up and response to Hurricane Fiona, Antigonish worked as one. Municipal staff, volunteers and community members worked tirelessly, shoulder to shoulder, with no regard for municipal boundaries, to make sure our community was safe and to begin the clean-up.

Town residents sheltered in the St. Josephs Community Centre and Antigonish County Firehall. County residents cleared debris from Town streets. Town and County staff worked as one in our Regional Emergency Operations Centre to coordinate the recovery effort. During that week, in that moment of crisis, Antigonish was one. Our residents came first. Not our boundaries.

Antigonish is one community in every way that matters. It's time for its municipal government to reflect that. Let's get this done.

Thank you for your time and I'd be happy to address questions.



Owen McCarron
Warden
Municipality of the County of Antigonish

March 4, 2024

William Cormier

The Honourable Brad Johns, Chair
Standing Committee on Law Amendments
Presented in Person

Dear Minister Johns and Committee Members:

RE: Misinformation RE: Consolidation in Antigonish

There has been a consistent challenge with the circulation of misinformation throughout the exploration of consolidation, which continues today. Perhaps it is symptomatic of our modern world, but it continues to create challenges when communicating and engaging the public. I will provide you with a few specific examples.

Opponents of Consolidation under the banner of "Let Antigonish Decide", circulated a flyer in the fall of 2022 to solicit support for a petition in opposition to consolidation, attached, containing, or inferring multiple points of misinformation, specifically:

- **Employment status of Town employees questioned.**
Employment and labour laws are clear on the treatment of employees these types of situations. Employees and councillors have been provided information related to these processes. Further, the fifth guiding principle enshrines that the Town and County, "value our existing municipal staff, and the blending of Town and County employees will recognize the value, knowledge and dedication of our current staff and every effort will be made to retain staff and to provide new opportunities." This approach has been borne out in Bill 407.
- **The Dissolved Town of Antigonish will have no representation.**
The approach to consolidation of equal representation on a Transition Committee has been maintained by the municipalities and the Department throughout the process and is borne out in Bill 407. Future representation of communities was also enshrined as the sixth guiding principle (attached) and an August 25th, 2022 memo to Councils which was posted on the consolidation website.
- **The Town's electric utility would be sold.**
Continued ownership and investments in the utility and green energy initiatives was a central issue in our discussions of consolidation and addressed in the seventh guiding principle.

- **There would be significant changes to fire departments.**

At the beginning of this process a commitment was made by Councils that changes to funding and the operation of volunteer fire departments is not a part of any discussions on consolidation. The Town and County will only discuss changes to volunteer fire services during this process if a request is made by the fire departments. This was shared with fire departments directly and subject of a Fact Sheet available throughout the process (attached).

Yet, opponents to consolidation continued to raise misinformation related to the Councils expressed intention, including in this flyer. County Councillor McNamara also shared similar information directly with local fire chiefs, which I will table. This information is available publicly in a FOIPOP release on the County's website.

As we all know, changes to rural fire departments aren't something to be taken lightly, which is why we took the approach we did.

Beyond this flyer, multiple other mistaken information and misinformation continue to spread throughout the community on the topic of consolidation.

Taxes will go up / Unfair Taxation

Perhaps the most common refrain we've heard during this process is that taxes will go up due to consolidation, or rural residents will have to pay for Town services. Both of these comments are untrue and have continuously been repeated.

Before consultation even began, councils agreed to enshrine a user-pay model of fair taxation into its fourth guiding principle: residents and businesses should only be taxed for services and infrastructure they have access to. Property tax rates and infrastructure debt should utilize area tax rates and utility fee approaches that exist today wherever possible.

Further, multiple forms of financial assessment were also completed to provide some assurance that taxes would not increase due to consolidation.

Councillor threatened with legal action, fines and jail.

It has been repeated often, and as recently as the Premier's Town Hall just prior to the fall sitting, that the County's CAO threatened a County Councillor if they participated in the vote on consolidation. This is a serious allegation and completely false.

As evidence of this falsehood, in an email available publicly in a FOIPOP release from the councillor in question, Harris McNamara to Anne Marie McKeough, in which Councillor McNamara states, "I do want to clarify Point 3 [which relates to the potential conflict of interest] as I have not been threatened."

In the end, this councillor received three legal opinions, two paid for by the County and one by the Department of Municipal Affairs and participated in Councils confirmation vote on January 30, 2024.

Admission of Misinformation

In a letter to the editor of the Port Hawkesbury Reporter, Terry Penny, who spoke to this committee earlier today and has represented Let Antigonish Decide online and in court stated, "While some mis-phrasing may have caused questions and concerns about the future of electrical utilities, water and sewer issues, taxes and representation to appear as statements of fact, or exaggeration of fears there was never an intent to misinform," and I will table that letter.

This is a clear admission that, intentionally or not, opponents of consolidation under the banner of Let Antigonish Decide misinformed the public on each of these issues.

Figure 1 - LAD Fall 2022 Flyer

We Have a Right to Decide Our Future

How this Challenge to Democracy Began

- With the backing of the Government of Tim Houston, the Mayor and Warden pushed a vague *Consolidation* plan, rife with unfounded promises.
- A sham consultation process provided no substantive fiscal or community-based analyses.
- Residents' repeated calls for a *plebiscite* vote were denied by the Mayor and Warden.

A New Twist to Prop-up an ill-conceived Idea: Dissolving Town of Antigonish

- Now, *dissolving* of the Town of Antigonish and *assimilating* it into the County has been proposed.
- This 'game changer' will occur with *no consultation and accountability* to residents.
- Why? To avoid an expensive RCMP funding formula of \$1 million/year – a problem wholly created by the Mayor's and Warden's poor planning and flawed process.
- The financial and legal implications of this cost-avoidance strategy are entirely unknown and unproven.

It's No Longer a 'Marriage of Equals'

- With dissolution, the Town of Antigonish will cease to exist; it will be absorbed by the County, which maintains its current legal name and status.
- Antigonish will have no legal status once it is dissolved.
- A dissolved Antigonish can have no representatives (Councillors) to negotiate a merger on its behalf, *if and until the County votes to accept this new merger.*

Fallout of Dissolution for the Town of Antigonish

- After the Town ceases to exist, it cannot be an employer. The County, however, must honour its existing contracts. How will job contracts, union affiliations, and severance pay be handled?
- Will the Town adopt the County's model of fire protection, as the government-mandated town model will not be mandatory? How will equipment costs and jobs/salaries be handled?
- After merging, a fair ratio of Town and County Councillors is required. Hence, the number of Town Councillors needs to be greatly reduced to give proportional representation to each former entity.
- The merged municipality could sell the Town's electrical utility to NSPI, resulting in an increase in Town's utility rates.

Fallout of Dissolution for the County of Antigonish

- The County will need to absorb the Town's liabilities, potentially involving tens of millions of dollars.
- The County will need to give over its considerable reserve funds to the joint entity.
- The "fringe" areas of Antigonish, which use Town services, will potentially see tax increases.
- Changes will be required in how public services are supplied. Some may have to be contracted out, with assets redistributed, and roles changed.

What Now?

- There is a need to *rethink and delay* (How will the two Municipalities be governed in the future?)
- Elected officials have a duty to properly inform and be guided by their electorate.
- An unelected transition team is unacceptable. A new election is essential, one in which all Councillors run on the issue of a merger of the two Municipalities.
- Failing this, *the people must decide through a plebiscite vote.*

Visit www.letantigonishdecide.ca for further information

Join our Facebook group at
<https://www.facebook.com/groups/letantigonishdecide/>



Guiding Principles for Potential Consolidation

ANTIGONISH

Our Community

Experience with other municipal mergers has shown that it is important to be clear at the outset about the reason to consider a merger and to set in place some Guiding Principles for key decisions. Councils for both municipal units sat together early in the exploration process and developed these Guiding Principles to reflect what is important to our community. They also provide insight into what is top of mind for Councillors.

Objective for the Potential Consolidation of Town and County

Consolidation is being considered to explore the creation of a stronger local government and a unified voice to improve municipal services, community development, economic opportunities, and the quality of life for everyone in Antigonish.

Guiding Principles

- 1. Take a regional approach to municipal services:** Work creatively, deliberately, and visibly to improve municipal services, economic development, tourism, culture, and community infrastructure for all residents and businesses in the Antigonish region.
- 2. Build vibrant individual communities:** Promote community identity in rural, urban and First Nations communities, so the whole municipality will be stronger.
- 3. Communicate regularly about progress and decisions:** Communications with residents, businesses, councils, and staff should be frequent, transparent, and inclusive.
- 4. Continue fair taxation and user pay approaches:** Residents and businesses should only be taxed for services and infrastructure they have access to. Property tax rates and infrastructure debt should utilize area tax rates and utility fee approaches that exist today wherever possible.



- 5. Value our existing municipal staff:** The blending of Town and County employees will recognize the value, knowledge and dedication of our current staff and every effort will be made to retain staff and to provide new opportunities.
- 6. Ensure fair representation for urban and rural residents:** District boundaries should ensure every voter has the same electoral power as every other voter, balance rural and urban interests, and recognize local communities of interest.
- 7. Enhance environmental sustainability:** Ownership of the Antigonish electric utility is central to expanding green energy options and reducing our carbon footprint. Build upon the success of initiatives and partnerships with the Alternate Energy Resource Authority and the Municipality's Energy Management Plan.

Summary: The Town and County are exploring a possible merger to one new municipal unit. They have developed a clear objective for this process, and some Guiding Principles to provide a transparent framework for consolidation.

For more information, contact: Info@antigonish.ca

Figure 2 - Consolidation Guiding Principles

Figure 3 - McNamara Email re: Fire Departments



Harris McNamara [REDACTED]

Antigonish County & Antigonish Town - Consolidation - Effects on Fire Departments

2 messages

Harris McNamara [REDACTED]
To: Carol MacEachern [REDACTED]

Mon, Apr 4, 2022 at 3:35 PM

Carol,

Not too bad of a storm today, at least so far. I would like to pass on my comments to Danny about the meeting on Wednesday evening for Fire Chiefs from Antigonish County with the Mayor of Antigonish (Laurie Boucher), Warden of Antigonish County (Owen MacCarron) and Brighter Communities (Consultants) that will say that nothing will change with independence of Fire Departments. This is not the case as they can promise this but in future the new Municipality will have oversight, three examples I would like to bring to your attention;

The Greenwich Fire Department near Kentville was shut down in March of this year by the Kings Municipality without warning to the Greenwich Fire Department volunteer members or the chief, just came in and said your closed down. The decision has been reversed by the Kings Municipality on Friday (March 10) due to outcry from the fire service and the public. The Mayor said it was a mistake and result of fire report done by municipality.

The second situation I have learned is, there was a "fire review" of the fire service with the intention of seeing where "opportunities" can be identified done by West Hants after consolidation, I don't know what opportunities were identified but this does indicate oversight by the municipality taking away independence of local fire departments.

In our area, there is a report in the front page of the newspaper "the Reporter" dated March 23rd, 2022 where there was a conflict between two fire departments but both wanted to continue operating independently and did not want the municipality citing fire departments independence.

The independence may not be in jeopardy now, however a review of the fire service in the new municipality could result in different policies and requirements on fire departments, you never know what you get in elections. This is oversight. There are other issues that I will speak to you and Danny about that effect District 9 much more than the fire departments.

Just for information.

Harris

Carol MacEachern [REDACTED]
To: Harris McNamara [REDACTED]

Mon, Apr 4, 2022 at 10:24 PM

Harris,

The conflict on the Reporter was 2 departments that have a Board of Directors. The one in Isle Madame were unable to make any decisions the board made them. Caused a huge mess.

Omg I knew there were going to be issues! This amalgamation is going to visit Antigonish and we will get the shaft! You know how NSHB is in Halifax now we'll look at our health care down East going down the tube and quickly.

Thanks for your email I printed it off for Danny to see.

Antigonish Volunteer Fire Departments and Possible Consolidation



ANTIGONISH
Our Community

There are 9 volunteer Fire Departments located within the Town and County. They play an important role in fire protection and emergency services. They are also important community partners and organizers.



Guiding Principle(s)

1. Take a regional approach to municipal services
2. Build vibrant individual communities
4. Continue fair taxation and user pay approaches

The Town of Antigonish Volunteer Fire Department is funded directly by the Town and the County-based volunteer fire departments are funded through an Area Fire Levy. As the discussions continue about the potential for consolidation, there may be questions about what might change around fire service if a municipal merger should take place.

A history of strong municipal support for volunteers

The Municipal Government Act provides local governments with the ability to provide fire service directly or to support external volunteer organizations that do so. The Town has funded a volunteer fire department for many years, and these costs are included in the annual operating and capital budget.

In 2021-22 the Town operating budget for fire protection was about \$300,000. The Town supports the volunteer Chief and the Department, but the Chief is not an employee of the Town. Operating within annual budgets, the volunteers determine what the organization of fire services looks like on a year-to-year basis.

These critical emergency and community organizations are organized in response to the needs of their communities.



For the volunteer departments serving the County, there is also a history of long-term financial support to each volunteer organization through the mechanism of Area Fire Levies. The County paid approximately \$1,094,000 to County Fire Departments.

Figure 4 - Fire Departments & Consolidation

Departments

Antigonish County Volunteer Fire Department

North Shore Volunteer Fire Department

District 2 - Town Fire Department

Four Valley's Fire Department

Pomquet Emergency & Rescue Services

Tracadie Volunteer Fire Department

St. Andrews & District Volunteer Fire Department

Auld's Cove Volunteer Fire Department

Havre Boucher & District Volunteer Fire Dept.

Area rates are also provided for external departments in St. Mary's and Merigomish.

These critical emergency and community organizations are organized in response to the needs of their communities. The County collects and remits the Area Fire Levy to assist these groups, but it does not impose standards and procedures. The volunteer fire departments further support one another through the Strait Area Mutual Aid Association.

Will the relationship between municipal governments and volunteer fire services change?

Changes to funding and the operation of volunteer fire departments is not a part of any discussions on consolidation. The Town and County will only discuss changes to volunteer fire services during this process if a request is made by the fire departments.



Summary: Volunteer Fire Service is important to all communities in both the Town and County. Whether operated directly in the Town or funded by Area Fire Rates in the County, these volunteer organizations understand their community needs and respond accordingly. They do not operate in isolation and have lots of experience through in their communities and support one another through mutual aid. It is important for municipal funding of volunteer fire service to be continued in the same manner. There is no reason to change this system because of a possible municipal consolidation.

For more information, contact: Info@antigonish.ca

Figure 5 - Email re: McNamara Conflict of Interest



Harris McNamara <harris.mcnamara@gmail.com>

Consolidation Letter

2 messages

Anne Marie McKeough
To: Harris McNamara [REDACTED]

Sun, Apr 24, 2022 at 7:08 PM

Hi Harris:

I'm attaching a draft of the letter I'm preparing for the Halifax Chronical Herald. It's only a first draft and I'd be very grateful for your input in terms of content, voice, tone, and/or wordsmithing. Bunny is going to look at this letter after you do.

I thought I'd also contact Portia Clark and Pam Berman to see if they're interested in this issue. I have a call into Anne Marie Long to see how we might work together on any radio coverage. I got her number from Gary Mattie and called her on Saturday, but haven't heard back from her yet.

Bye for now,

Anna

Halifax Chronical Herald Consolidation Letter.docx
17K

Harris McNamara [REDACTED]
To: Anne Marie McKeough [REDACTED]

Mon, Apr 25, 2022 at 10:17 AM

Ann;

Thank you for your support, it is so much appreciated! I have had a few calls from out of province / country that have properly in the county wondering what is going on. There is a site on facebook (Meta) titled "Antigonish Town and County Residents in favour of a plebiscite" and in 2 days they have over 600 members, have a look. With regard to your potential article for the Herald and other publications, I believe it tells the story in a concise way and is respectful to all.

I do want to clarify Point 3 as I have not been threatened. I was contacted by the Warden (Owen McCarron) and CEO (Glenn Home) requesting a meeting on March 29, 2022 by phone. We agreed to meet at the municipal office the next day (March 30, 2022) where I was informed that in the County Solicitor's (Marc Dunning) opinion I was in a "potential conflict of interest" as my daughter was on the Senior Management Team for Antigonish Town. I was given the "Conflict of Interest" law and among items highlight in yellow was penalty for being in conflict of interest if I do not declare a conflict and excuse myself from the vote. The maximum penalty is 25K, default would result of up to a year in jail and I could not run for council for 10 years. It was followed up the same day with this in writing, not from the lawyer but from the county CAO (Glenn Home). I inquired how residents from District 9 will be represented and was informed that residents could call other councillors, this is not acceptable! I have retained a lawyer and he thinks they do not have a case. The problem is it's just an opinion, my lawyer says you can get different opinions from different lawyers and he suggests go to court and let judge decide. I am now evaluating if it's worth a long drawn judicial fight and the costs associated with legal representation. You mention District 4 Councillor Shawn Brophy received a letter and is in the same situation as myself, I can say confidently that "vote now and plan later" strategy has been a theme for me, haven't heard this from Shawn, he is very quiet but wants to vote. Of note there may be other potential conflicts. I was told of another situation two weeks ago which may arise. This means if Shawn and I declare a conflict that 20% of the county will not be represented, if a third arises then 30% of the county will not be represented.

Sorry for being long winded but I want you to know the whole story.

Can you text me Maureen's number? I had it but never put in my phone.

Have a great day and please do not hesitate to call if you have any questions at all.
Harris

LETTERS TO THE EDITOR

Misinformation: The objection is to process not consolidation

As the community awaits the decision of Supreme Court Justice Gauthier on the application from residents to quash the motion of the Municipality of the County of Antigonish to consolidate our communities outside of the provisions of the Municipal Government Act, the summer months have seen the communities of Antigonish inundated with Op-Eds and glossy videos promoting consolidation.

These opinion and video materials were presented with a sometimes subliminal, sometimes direct message that there is a concerted effort afoot to oppose consolidation through the sharing of misinformation.

"Considerable effort by some members of our community to share inaccurate information about what consolidation will mean for residents," Op-Ed, August 21, 2023, The Reporter.

The response to a question as to why the promotional videos were needed since councils have already determined the consolidation direction for our communities, was "important that the misinformation is corrected," Town Facebook page response, August 24, 2023. To deliberately interpret the efforts of the Let Antigonish Decide group as opposition to consolidation is misinformation. The members of Let Antigonish Decide have always been clear: our opposition is to the process and consolidation.

When exploring a change in governance structure or direction, it is critical to examine both the benefits and challenges inherent in that change. A change is never 100 per cent positive or negative. Leadership lies in the ability to lay open and share with residents the complete picture and then, by weighting the benefits against the risks and challenges, deciding on the future direction. The process used, the engagement sessions, to share consolidation information failed to provide the risks and challenges side leaving the information presented incomplete.

In September of 2021 both councils voted in favour of exploring consolidation. For the next several months, staff were designated to gather consolidation information from sources councils believed to be the experts and authorities on consolidation. In the spring of 2022, councils took the positive results of their research and investigation on a road show called the "Engagement Sessions." Designed to limit public exchange of thoughts and questions and instead focused on a 1:1 marketing campaign, these engagement sessions left many residents feeling their perspective was insignificant, with no voice in the future direction of their community.

In regard to the risks and challenges that might be encountered with consolidation, many questions were raised and remained unanswered. The fact sheets, mailed to every household and presented as posters in the engagement sessions were one sided, with no reference or

acknowledgement of risks and challenges. The questions of many residents were responded to with "the new council will decide that" or better yet, "the transition team will decide that." Unacceptable responses to those seeking clarity of information.

In the early days of the process of community poster presentations offered as engagement sessions on consolidation, the disappointment of some residents in the lack of interactive community sessions and the lack of balanced information presented, may have contributed to the frustration of some. When frustrated and feeling unheard, sometimes the sharing of questions and concerns can be misinterpreted as fact rather than supposition. The original "green sheet" often quoted as being full of lies and misinformation, was created as the result of the unanswered questions raised by residents at community town hall meetings. While some mis-phrasing may have caused questions and concerns about the future of electricity, water and sewer issues taxes and representation to appear as statements of fact, the exaggeration of fears, there was never an intent to misinform.

Throughout the spring of 2022, the perceived lack of an open exchange of thoughts, beliefs, truths and information about consolidation led residents to gather, questioning the process invoked by the mayor, the warden, their councils and CAO's. This grassroots group, known as Residents Against a Rushed Consolidation Process, gathered, in an effort, to seek more information and to question the decision to gather public response through the engagement sessions rather than a plebiscite. With the October 20, 2022, motion to request special legislation to enact consolidation approved by the slimness of majorities by both councils, the group refocused on demanding a vote.

Yes, councillors are elected to do what they think is best for their community but, and this is a big but, their powers and abilities are directed by the Municipal Government Act. If they are wanting to act outside the mandated powers of this act, they need an elected platform to guide their actions. It is abundantly clear to all that this did not happen. Indeed, the election in the fall of 2020, held in the midst of the pandemic, offered little to no candidate canvassing, and no proposed platforms on consolidation.

The engagement sessions were expected to be an opportunity for open, honest discussion on consolidation. It was an opportunity for the mayor and warden and the councillors to gather public thoughts and opinions before they made their decision; yet the words of one town councillor implied that his, and others, approached the engagements sessions with a final decision in mind.

As stated in response to Facebook discussions "I heard nothing (in the public engagement sessions) that would cause me to change my mind." These words despite the

summary report of Brighter Solutions, the very company hired by the town and county councils to conduct and evaluate the engagement sessions, stating "In general, we heard that there was an underlying lack of confidence in the overall process, the municipal leaders and the relationship between the town and county." I would suggest that that comment alone should have given pause in the decision.

In the months since the government decision to not introduce the requested special legislation requested by both councils, the town and county have made a concerted effort to engage residents by sharing written opinions and perspectives and glossy videos with catchy music proclaiming the accolades of consolidation while maligning the expression of objection to the process as opposition to consolidation.

The recent Op-Eds written by councillors, former mayors and wardens and MLA, all expressed their opinion that consolidation is the only way forward for our communities. Well guess what? They may be right. But, and again this is a big but, all of these Op-Eds are simply opinions with very little, if any, evidence offered to support that opinion. The opinions expressed have been presented as fact. I would call that misinformation.

Is consolidation the right move for our communities? That has been the question from the beginning. Some feel the questions has been answered. The majority crave answers to legitimate questions and a voice in how we are governed in the future. Those who spread the misinformation that the Let Antigonish Decide members are responsible for spreading misinformation about consolidation are deliberately trying to portray Let Antigonish Decide as against consolidation rather than people against the process that was used to push consolidation forward.

A reputable polling firm based in Ottawa confirmed that only 14.9 per cent of the affected population accepted the process while 78.4 per cent wanted a vote. These people, together with the 4,210 signatures on the petition asking the government to refrain from introducing special legislation to consolidate the communities, and the approximately 1,700 members of the Facebook group united in their quest for residents to have a voice in the future design of their communities ARE NOT AGAINST CONSOLIDATION, they are against the process used to get to this point. Even the mayor herself said in an October 31, 2022, interview with CBC's Tom Murphy, "if we could go back and change things, we would." If these words were sincere, there has been ample time to change the process chosen.

In the efforts to promote consolidation outside of the MGA, please stop spreading misinformation.

Terry Penny
Antigonish, NS

Figure 6 - Penny Letter to the Editor

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- C Press Article Jan 10, 2024 re Warden's Comments
on Appeal Period
- D Nova Scotia Court of Appeal Role
- E Supreme Court Decision 29 February 2024 - COSTS
- F Letter from Donald L MacDonald B.A. LL.B. 19 February 2024
to John Lehr
Respectfully requesting the Bill not be introduced
pending a decision of the Court of Appeal.

PRESENTATION TO LAW AMENDMENTS BY JEANNETTE BENOIT ,MARCH 4 2024

Good afternoon Chair and committee members.

I am from Afton , a rural community in Antigonish county.

I worked for 31 years at Saint Martha's regional Hospital in Antigonish ,first as a nurse and later as a ward clerk .

I've never been associated with a political party .

I never attended a council meeting or a political meeting.

I am one of the silent majority of people. I pay my taxes .

I work hard .

I respect the law .

I would've never have imagined that in my retirement , I would be presenting before a law amendments committee .

Yet here I am .

I was stunned in 2022 to learn that the mayor and warden of Antigonish had a plan to undo our government structure with no cost benefit analysis, and without allowing the people a vote on this fundamental change .

I have since attended at most of the regular town and county monthly meetings for driving approximately 30 kilometers each way depending on whether the council meeting was in the town or the county . I have done this for about 2 years.

I can say that the warden and the mayor, some councillors and our 2 MLAs have not been responsive to the people on this issue . I guess that may feel that we are not smart enough to need explanations , answers .

In the fall of 2023 ,the current provincial government indicated that it was not bringing forth the requested legislation to dissolve the town and merge it into the county because the matter was before the courts.

I am here today to inform you that the matter is still before the court.

The notice of appeal was filed on January 29,2024.

I note that the warden in a press article on January 10, 2024 indicated that the period for filing the appeal ended on February 1 and that they were waiting to see if an appeal comes up.

The province in spite of their words in the fall of 2023 ,is not waiting for the court process to finish. The matter is still before the courts.

The court of appeal will review the record to determine if that there were errors of law made in the decision.

I quote from a court of appeal information document put out by the province :
"through its judgments, the court of appeal clarifies the law and develops consistent legal policy for the province of Nova Scotia".

Clearly , an appeal is an important part of any legal proceeding, and certainly that is the case in the in the Antigonish consolidation case .

The last document I am filing is a copy of the decision released last week on costs in the Antigonish amalgamation case . The county was seeking \$64, 432.77 from the applicants Anne Marie Long , Terry Penny and Alicia Vink.

I feel it vindicates to some degree the effort that myself and so many others have put in this on this issue, in part when The county argued to the court that the applicants conduct in bringing forward the application to court was frivolous.

While I'm not an applicant in the matter, I certainly have followed it with great interest and have been part of the fundraising effort.

The court said found that the status of the litigants was not contested, and that it could not be said that the applicants had a personal claim or pecuniary interest in the matter which was bruited.

Very importantly, the court found that the case raised a serious justiciable issue .

The judge found that the applicants were not mere busybodies sticking their noses in matters that did not concern them.

The judge found that the applicants do not appear to be contrarian, and that was their views were shared by a large portion of the population. It was not a trivial number of people as well.

The court accepted that the issue was divisive in the community and that there were many who felt that the matter should have put to been put to a vote or plebiscite before the request was made to the province .

And lastly that the only option available to the applicants to challenge what had been done to bring them was to bring the matter to Court as they did or to lobby the provincial government .

He found case met the criteria for public interest and ordered a significantly lower amount of costs.

This is a serious case. It continues before the courts.

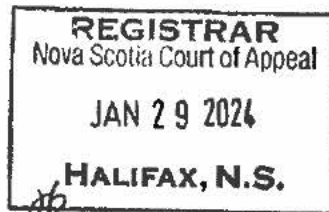
I ask this. committee to stay the implementation of the bill until the legal process is completed. As well , the bill if it proceeds ought to be amended to provide for a plebiscite and studies.

Thank you

Sent from my iPhone I

NOTICE OF APPEAL

1Form 90.06
2024



530216
C.A. No. 530216

Nova Scotia Court of Appeal

Between:

**Anne Marie Long, J Theresa Penny
and Alicia Vink**

Appellants

and

**Municipality of the County of
Antigonish**

Respondent



Notice of Appeal (General)

To: Municipality of the County of Antigonish
285 Beech Hill Road
Antigonish, N.S. B2G 0B4

Appellants appeal

The appellants appeal, in whole, from the decision dated December 5, 2023 and the order issued December 21, 2023 in proceedings in the Supreme Court of Nova Scotia showing court number Ant. No. 5204679 made by the Honourable Justice D. Timothy Gabriel.

Order or decision appealed from

The order was made on December 21, 2023. It was made at Halifax, Nova Scotia.

Grounds of appeal

The grounds of appeal are:

1. The trial judge erred in law by failing to give effect to Section 354 of the *Municipal Government Act* (the "MGA") by deciding that the Respondent municipality was not obliged to seek merger or consolidation with another municipality under Parts XVI or XVII of the MGA.
2. The trial judge erred in concluding that the general purpose provisions in the MGA and the expansive and purposive canons of interpretation of municipal powers were sufficient to overcome the specific detailed legislative direction in the Act as to how the alteration of municipal boundaries is to take place.
3. The trial judge erred in concluding that the respondent municipality's adoption of the subject resolution was a reasonable exercise of its authority when it conformed to a process to effect reorganization devised by the Department of Municipal Affairs and Housing having no statutory basis, rather than its governing statute, enacted by the Legislature, binding on the municipality until amended or repealed.

PRESS ARTICLE WITH WARDEN'S COMMENTS RE APPEAL PERIOD
JANUARY 10 2024



Deadline for Potential Appeal of Judge's Decision Denying a Request to Quash an Antigonish County Council Resolution is February 1st

February 1 is the deadline for a potential appeal of the judge's decision denying a request to quash a resolution made by Antigonish County Council to merge the Municipality of the County of Antigonish with the Town of Antigonish into one municipal unit.



Antigonish County Warden Owen
McCarron (Antigonish County
Municipality photo)

Justice Timothy Gabriel issued his decision on December 6. Once final filings were made, the clock started on a 25 business-day appeal period, which Antigonish Warden Owen McCarron said ends on February 1. McCarron said they are waiting to see if an appeal comes up.

00:00

00:00

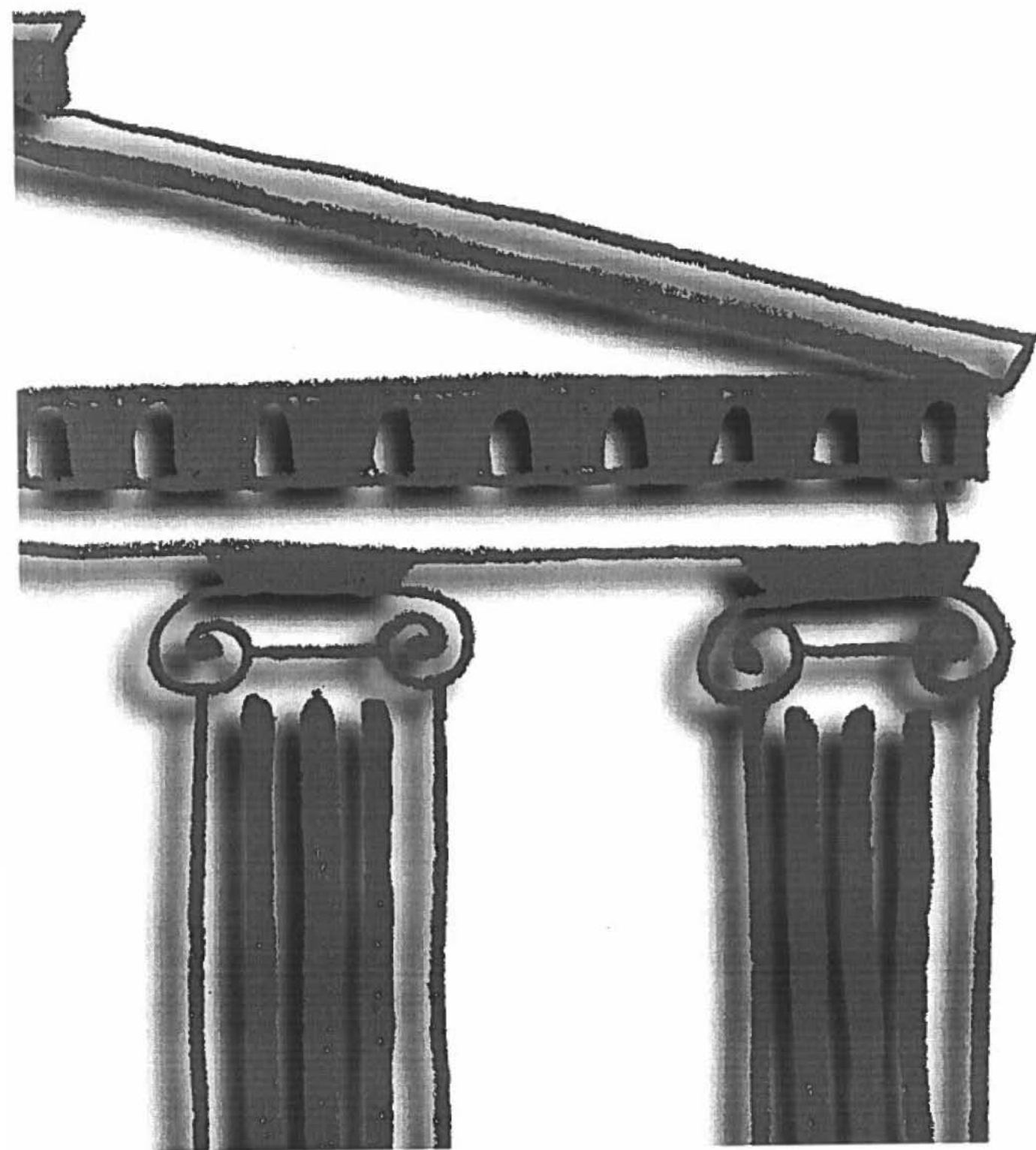
At the same time, McCarron said the county is getting ready to bring their potential options regarding electoral boundaries and council size to the public. Council approved a couple of options with different boundaries while maintaining 10 councillors and they are setting up community meetings so the public can view the options and offer their input. He said they are hoping to have the meetings set up by the end of next week, and hope to hold the meetings at the end of January.

Once hearing feedback from the public, council will send their findings to the Nova Scotia Utility and Review Board.

EXCERPT ON IMPORTANCE OF COURT OF APPEAL

NOVA SCOTIA

Court of Appeal



Introduction

The information in this brochure is intended to give a general overview of the procedures required to launch an appeal. The first section contains questions and answers about the appeal process; this is followed by more specific information about procedures, by information about certain specialized appeals, and by an explanation of some of the terms used in this brochure.

The rules and procedures governing the appeal process, which are set out in the *Civil Procedure Rules*, are complicated. People considering appealing a lower court decision are encouraged to seek legal advice.

Questions and Answers

What is the Nova Scotia Court of Appeal?

The Court of Appeal is Nova Scotia's highest court. It sits only in Halifax and is located in the Law Courts Building, 1815 Upper Water Street.

The Court of Appeal hears appeals from decisions of the Supreme Court (including the Family Division), certain decisions of the Provincial Court or the Family Court, and administrative tribunal decisions. The Court of Appeal does not re-try cases. Rather, the Court of Appeal reviews the record of the trial and argument to determine if errors of law were made in a decision.

The Court of Appeal can dismiss the appeal (confirming the decision of the lower court); allow the appeal and order a new trial; or allow the appeal and change the order of the lower court.

Through its judgments the Court of Appeal clarifies the law and develops consistent legal policy for the Province of Nova Scotia.

What types of cases does the Court of Appeal deal with?

The Court of Appeal deals with a wide range of civil and criminal cases, averaging approximately 200 to 250 appeals a year. There are more civil than criminal appeals.

Not all appeals go to the Court of Appeal. Various statutes provide for appeals to be heard by other courts. For instance, summary conviction appeals from the Provincial Court are heard by the Supreme Court of Nova Scotia.

Can every case be appealed?

The justice system provides for a right of appeal (within set time frames) in most cases. However, the reviewing court generally reviews the earlier decision to determine if the judge made any errors of law or if the judge made an error in applying the law to the facts.

Who can start an appeal?

Generally, only people who are parties in a case can appeal.

Who are the parties in an appeal?

The party who brings the proceeding to the Court of Appeal is called the appellant. The appellant appeals the decision of a lower court or tribunal.

The party against whom an appeal is brought and who must respond to the appellant's case is called the respondent.

Does it cost anything to appeal a case?

Apart from any legal fees, there is a filing fee for starting an appeal in the Court of Appeal, plus a law stamp fee.

Consult with court staff or visit the costs and fees section of the Court of Nova Scotia website at

<<http://www.courts.ns.ca/General/fees.htm>> for fee information. Court filing fees may be waived on the basis of financial need. To have the fees waived, you must submit a Waiver of Fees Application form along with proof of income to the Court Administration staff for review.

COURT DECISION ON COSTS FEBRUARY 29 2024

Supreme Court

Long v. Antigonish (Municipality)

Court: Supreme Court

Date: 2024-02-29

Citation: 2024 NSSC 61

Docket: 520479

Judge/Registrar/Adjudicator: Gabriel, D. Timothy (Honourable Justice) (SC)

Document Type: Decision

SUPREME COURT OF NOVA SCOTIA

Citation: *Long v. Antigonish (Municipality)*, 2024 NSSC 61

Date: 20240229

Docket: 520479

Registry: Antigonish

Between:

Anne Marie Long, J. Therese Penny, Alicia Vink

Applicants

v.

Municipality of the County of Antigonish

Respondent

Judge: The Honourable Justice Timothy Gabriel

Heard: By written submissions

Written submissions received on: January 24, 2024 and February 16, 2024

Written release: February 29, 2024

Counsel: Donald MacDonald, for the Applicants
Robert Grant, K.C. and John Shanks, for the Respondent

By the Court:

[1] An application was brought by Anne-Marie Long, J. Therese Penny and Alicia Vink (“the Applicants”), to quash a resolution passed by Municipal Council of the Municipality of the County of Antigonish (“the Respondent” or “the Municipality”) on October 20, 2022. The resolution authorized the Respondent to request the Provincial Government to pass special legislation consolidating the Municipality with the Town of Antigonish. In *Long et al v. Municipality of the County of Antigonish*, 2023 NSSC 394, the application was dismissed.

[2] The parties have been unable to agree on costs. This decision will resolve that issue.

The positions of the parties

[3] The Respondent Municipality argues that, as the successful party, it is entitled to an award of costs. It has requested a lump-sum cost award representing 75% of the legal fees it has incurred, plus disbursements.

[4] The Applicants, while conceding that a successful party is entitled to costs in the usual course of things, argue that there should be either no costs awarded, or that the costs award should be considerably reduced because the issue involved a matter of significant public interest.

The Law

[5] Tariffs A, B, and C are set out at the end of Civil Procedure Rule (“CPR”) 77. The most relevant portions thereof are set out below:

TARIFFS OF COSTS AND FEES DETERMINED BY THE COSTS AND FEES COMMITTEE TO BE USED IN DETERMINING PARTY AND PARTY COSTS

In these Tariffs unless otherwise prescribed, the “amount involved” shall be

(a) where the main issue is a monetary claim which is allowed in whole or in part, an amount determined having regard to

- (i) the amount allowed,
 - (ii) the complexity of the proceeding, and
 - (iii) the importance of the issues;
- (b) where the main issue is a monetary claim which is dismissed, an amount determined having regard to
- (i) the amount of damages provisionally assessed by the court, if any,
 - (ii) the amount claimed, if any,
 - (iii) the complexity of the proceeding, and
 - (iv) the importance of the issues;
- (c) where there is a substantial non-monetary issue involved and whether or not the proceeding is contested, an amount determined having regard to
- (i) the complexity of the proceeding, and
 - (ii) the importance of the issues;
- (d) an amount agreed upon by the parties.

TARIFF A

Tariff of Fees for Solicitor's Services Allowable to a Party

Entitled to Costs on a Decision or Order in a Proceeding

In applying this Schedule, the "length of trial" is to be fixed by a Trial Judge.

The length of trial is an additional factor to be included in calculating costs under this Tariff and therefore, two thousand dollars (\$2,000) shall be added to the amount calculated under this tariff for each day of trial as determined by the trial judge.

<i>Amount Involved</i>	<i>Scale 1 (-25%)</i>	<i>Scale 2 (Basic)</i>	<i>Scale 3 (+25%)</i>
Less than \$25,000	\$ 3,000	\$ 4,000	\$ 5,000
\$25,000-\$40,000	4,688	6,250	7,813
\$40,001-\$65,000	5,138	7,250	9,063
\$65,001-\$90,000	7,313	9,750	12,188
\$90,001-\$125,000	9,188	12,250	15,313
\$125,001-\$200,000	12,563	16,750	20,938
\$200,001-\$300,000	17,063	22,750	28,438
\$300,001-\$500,000	26,063	34,750	43,438
\$500,001-\$750,000	37,313	49,750	63,188
\$750,001-\$1,000,000	48,563	64,750	80,938
more than \$1,000,000	The Basic Scale is derived by multiplying the amount involved by 6.5%.		

TARIFF B

Tariff of Party and Party costs allowed on an Appeal to the Nova Scotia Court of Appeal

On an appeal, the costs allowed shall be 40% of the costs awarded at trial excluding the "length of trial" component unless a different amount is set by the Nova Scotia Court of Appeal.

TARIFF C

Tariff of Costs payable following an Application heard in Chambers by the Supreme Court of Nova Scotia

For applications heard in Chambers the following guidelines shall apply:

- (1) Based on this Tariff C costs shall be assessed by the Judge presiding in Chambers at the time an order is made following an application heard in Chambers.
- (2) Unless otherwise ordered, the costs assessed following an application shall be in the cause and either added to or subtracted from the costs calculated under Tariff A.
- (3) In the exercise of discretion to award costs following an application, a Judge presiding in Chambers, notwithstanding this Tariff C, may award costs that are just and appropriate in the circumstances of the application.
- (4) When an order following an application in Chambers is determinative of the entire matter at issue in the proceeding, the Judge presiding in Chambers may multiply the maximum amounts in the range of costs set out in this Tariff C by 2, 3 or 4 times, depending on the following factors:
 - (a) the complexity of the matter,
 - (b) the importance of the matter to the parties,
 - (c) the amount of effort involved in preparing for and conducting the application.

(Such applications might include, but are not limited to, successful applications for Summary Judgment, judicial review of an inferior tribunal, statutory appeals and applications for some of the prerogative writs such as certiorari or a permanent injunction.)

Length of Hearing of Application

Range of Costs

Less than 1 hour

\$250 - \$500

More than 1 hour but less than ½ day

\$750 - \$1,000

More than ½ day but less than 1 day

\$1,000 - \$2,000

1 day or more

\$2,000 per full day

[6] The oft-cited decision of *Armoyan v. Armoyan*, 2013 NSCA 136 summarizes the applicable principles:

[10] The Court's overall mandate, under Rule 77.02(1), is to "do justice between the parties".

[11] Solicitor and client costs are engaged in "rare and exceptional circumstances as when misconduct has occurred in the conduct of or related to the litigation". *Williamson v. Williams*, 1998 NSCA 195, [1998] N.S.J. 498, per Freeman, J.A.. This Court rejected most of Mr. Armoyan's submissions on the merits. But there has been no litigation misconduct in the Nova Scotia proceedings that would support an award of solicitor and client costs. So these are party and party costs.

[12] Rule 77.06 says that, unless ordered otherwise, party and party costs are quantified according to the Tariffs, reproduced in Rule 77. These are costs of a trial or an application in court under Tariff A, a motion or application in chambers under Tariff C (see also Rule 77.05),

and an appeal under Tariff B. Tariff B prescribes appeal costs of 40% trial costs “unless a different amount is set by the Nova Scotia Court of Appeal”.

[13] By Rule 77.07(1), the court has discretion to raise or lower the Tariff costs, applying factors such as those listed in Rule 77.07(2). These factors include an unaccepted written settlement offer, whether or not the offer was made formally under Rule 10, and the parties’ conduct that affected the speed or expense of the proceeding.

[14] Rule 77.08 permits the court to award lump sum costs. The *Rule* does not specify the circumstances when the Court should depart from Tariff costs for a lump sum.

[7] The Court also went on, however, to explain that:

[17] The Tariffs deliver the benefit of predictability by limiting the use of subjective discretion. This works well in a conventional case whose circumstances conform generally to the parameters assumed by the Tariffs. The remaining discretion is a mechanism for constructive adjustment that tailors the Tariffs’ model to the features of the case.

[18] But some cases bear no resemblance to the Tariffs’ assumptions. A proceeding begun nominally as a chambers motion, signalling Tariff C, may assume trial functions, contemplated by Tariff A. A Tariff A case may have no “amount involved”, other important issues being at stake. Sometimes the effort is substantially lessened by the efficiencies of capable counsel, or handicapped by obstructionism. The amount claimed may vary widely from the amount awarded. The case may assume a complexity, with a corresponding workload, that is far disproportionate to the court time, by which costs are assessed under provisions of the Tariffs.

Conversely, a substantial sum may turn on a concisely presented issue. There may be a rejected settlement offer, formal or informal, that would have saved everyone significant expense. These are just examples. Some cases may combine several such factors to the degree that the reflexive use of the Tariffs may inject a heavy dose of the very subjectivity – e.g. to define an artificial “amount involved” as Justice Freeman noted in *Williamson* – that the Tariffs aim to avoid. When this subjectivity exceeds a critical level, the Tariff may be more distracting than useful. Then it is more realistic to circumvent the Tariffs, and channel that discretion directly to the principled calculation of a lump sum. A principled calculation should turn on the objective criteria that are accepted by the *Rules* or case law.

[Emphasis added]

[8] The Respondents have taken the position that, if the Tariffs were applied, Tariff A would be the applicable one, given that this was an Application in Court (*Respondents costs brief, January 24, 2024, para 38*). However, they go on to argue that, since no monetary amount was involved, it makes little sense to “pick a number out of the air” for the purpose of applying the Tariff scale.

[9] While this was not “an application heard in chambers”, it was, as stated in the preamble to Tariff C, a “statutory appeal”. The actual matter took approximately one half-day of court time. Therefore, if I were to view the matter exclusively through a “Tariff lens”, I would have said that this proceeding, in pith and substance, resembled a Tariff C proceeding much more than a Tariff A type.

[10] This observation (arguably) assists with the Respondent’s point. The application of the Tariffs is not suitable to all types of matters that find their way before the court. Once the application of the Tariffs in Rule 77 reaches a certain degree of artificiality, it becomes an exercise comparable to an attempt to fit the proverbial square peg into a round hole.

[11] In my view, it is to circumstances such as these that Fichaud, JA. was referring in *Armoyan*:

... it is more realistic to circumvent the Tariffs and channel that discretion directly to the principled calculation of a lump-sum. A principled calculation should turn on the objective criteria that are accepted by the rules or case law (para 18).

[12] I am prepared to accept that the amount of actual court time expended was deceptively small compared to the amount of time which would have been involved in researching, briefing the court, and preparing to argue an issue that had relatively few comparators in Nova Scotia, or nationwide.

[13] As noted earlier, I am unconstrained by the Tariffs in any event. CPR 77.02 makes this explicit:

- (1) A presiding judge may, at any time, make any order about costs as the judge is satisfied will do justice between the parties.
- (2) Nothing in these Rules limits the general discretion of a judge to make any order about costs, except costs that are awarded after acceptance of a formal offer to settle under Rule 10.05, of Rule 10 – Settlement.

Public Interest?

[14] As to the Applicants' public interest argument, in *Walsh v. Atlantic Lottery Corporation Inc.*, 2014 NSSC 157, this Court had occasion to observe:

[7] Courts have been willing, on occasion, to award reduced costs or no costs against an unsuccessful litigant where an action involves issues of public importance: *Okoro v. Nova Scotia (Human Rights Commission)*, 2006 NSSC 257, at para. 7; *Farrell v. Casavant*, 2010 NSSC 46, at paras. 28-32. Raising issues of public importance, however, will not automatically entitle a litigant to preferential treatment regarding costs: *Little Sisters Book & Art Emporium v. Canada*, 2007 SCC 2 at para. 35. Each case must be considered on its merits.

[15] The Applicants point out that the Respondent did not challenge their standing to initiate the proceedings, which is taken to mean that their status to bring the matter forward as public interest litigants was uncontested. It cannot be said that they have a personal claim or pecuniary interest in the matter which was bruited.

[16] In *Canada (AG) v. Downtown Eastside Sex Workers United Against Violence Society*, 2012 SCC 45, and *British Columbia (AG) v. Council of Canadians with Disabilities*, 2022 SCC 27, the Court seemed to focus upon three broad criteria to determine whether a party has public interest standing:

- i) Did the application raise a serious justiciable issue?
- ii) Did the Applicants have a genuine interest in the matter?
- iii) Was the application a reasonable and effective means to bring the matter to court?

[17] I first observe that the issues being disputed involved questions of statutory interpretation, and in particular, whether the Municipality could request the Province to enact new or special legislation to effect a merger when the *Municipal Government Act* ("the MGA") (as the argument went) already provided two statutory means by which the process could be accomplished. This qualifies as "a serious justiciable issue".

[18] Second, I accept, that the Applicants were not mere "busybodies" sticking their noses into matters that did not concern them. They are members of a group opposed to the process adopted by the Respondent and clearly had a genuine interest in the outcome.

[19] Finally, I accept the fact that the issue was divisive in the community. There were many who felt that the matter should have been put to a vote or plebiscite before the request was made by the Municipality to the Province. As the Applicants have phrased it, the only option available to them, other than to challenge what had been done by bringing the matter to court (as they did) was to lobby the provincial government.

What costs considerations apply when litigation has a public interest component?

[20] The Municipality has accepted that this proceeding had "certain elements of public interest" litigation (*Costs brief, para 61*). I am satisfied that the Applicants are public interest litigants. I also agree that a lack of success in the litigation does not necessarily preclude a favourable decision on costs. As the court pointed out in *St. James Preservation Society v. Toronto (City)*, 2006 CanLII 22806 (ONSC):

[25] Another difficulty here is that success in the litigation cannot be a prerequisite for a finding that the litigation was in the public interest. Indeed, in the context of costs awards, it will necessarily be the case that this public interest determination must be made with respect to an unsuccessful litigant who has lost its case. One must not confuse success in the *lis* and the public interest. The public interest may be served simply by the litigation itself. This is reflected in Orkin's discussion of the principles underlying the exercise of a court's discretion not to award costs:

An action or motion may be disposed of without costs when the question involved is a new one, not previously decided by the courts on the theory that there is a public benefit in having the court give a decision; or where it involves the interpretation of a new or ambiguous statute; or a new or uncertain or unsettled point of practice; or where there were no previous authoritative rulings by courts; or decided cases on point; or where the application concerned a matter of public interest and both parties acted in complete good faith; ... or the case involved difficult and sensitive issues of fact; ... or where the action was a test case; or where it was desirable to resolve a conflict in the case law.

This is a helpful starting point as it recognizes the many ways that a particular piece of litigation might be said to benefit the public interest.

[21] I have considered some cases which have dealt with this factor insofar as it relates to the exercise of a discretion relating to costs awards in these types of litigation. For example, Murray J., in *Livingston v. Cabot links Enterprises ULC*, 2018 NSSC 256 distilled the case law thus:

[30] Of those factors the court in *Medonte*, considered the following in relation to...[the] public interest component of the costs decision:

- A. Did the litigation involve an issue of importance beyond the immediate interests of the parties involved?
- B. Did the issue need to be litigated for a long time, and did the judicial determination end the uncertainty and resulting conflicts arising from it?
- C. Was there broad public support for the position advanced by the party?
- D. Did the public benefit from the consideration by the Court of the issue raised in the case?

[22] In *Livingston*, what was in issue was a claim that a portion of a golf course to be constructed in Inverness, Nova Scotia had been dedicated for public use as a park. The court concluded, even though there could not be said to be broad public support for the application, that a 30% reduction in costs was appropriate.

[23] In *Whalley v. Cape Breton Regional Municipality*, 2019 NSSC 410, the same judge denied a request by the (losing) plaintiff for costs mitigation, inasmuch as he was a longtime employee of the municipality arguing constructive dismissal when he was reassigned duties. His cause of action was viewed by the Court to be a personal one, rather than in the public interest.

[24] The Applicants have also referenced *R v. Fortis*, 2005 NSSC 125, which involved a challenge to a directive from the Registrar of Funeral and Cemetery Services. The directive was to the effect that no insurance products related to funerals could be offered for sale in a funeral home. The directive was upheld. However, even though the Applicant had lost (and in circumstances where he could be said to have had a pecuniary interest) Murray, J concluded:

[34] The issues in this Application involve interpretation of consumer protection legislation not previously considered by a Nova Scotia Court. Although the Applicant was unsuccessful, given the public interest nature of the proceeding, there will be no costs awarded.

[25] The Municipality, on the other hand, argues when in pursuit of public interest litigation, or of issues involving public importance, such will not automatically entitle a losing litigant to "preferential treatment with respect to costs, and that the standard is a high one such that only "rare and exceptional" cases will warrant such treatment." They cite *Carter v. Canada (Attorney General)*, 2015 SCC 5 for that proposition.

[26] *Carter* originated when one of the appellants ("T.") challenged the constitutional validity of the provisions of the *Criminal Code* which prohibit assistance in dying. She was joined in her claim by others, including some who had assisted Ms. Carter's mother in dying by using the services of an assisted suicide clinic in Switzerland, by a physician who would be willing to participate in physician assisted dying if it were no longer prohibited, and also by the British Columbia Civil Liberties Association.

[27] The trial judge had declared the prohibition unconstitutional and granted a one-year suspension of invalidity and provided Appellant T. with a constitutional exemption. T. then passed away prior to the subsequent appeal. Separately, the trial judge awarded the (now)

Appellants over \$1 million in special costs, which were felt to be justified by the public interest in resolving the "complex and momentous" legal issues raised by the case.

[28] However, a majority of the British Columbia Court of Appeal allowed the appeal and upheld the prohibition on assisted dying. The Appellants appealed to the Supreme Court of Canada and sought an award of special costs on a full indemnity basis to cover the entire expense of bringing the case before the courts. They were successful.

[29] It is certainly true that in *Carter*, as the Respondents have referenced, the Court did say:

[139] The Court elaborated on this test in *Little Sisters*, emphasizing that issues of public importance will not in themselves "automatically entitle a litigant to preferential treatment with respect to costs" (para. 35). The standard is a high one: only "rare and exceptional" cases will warrant such treatment (para. 38).

[30] But there is quite a difference between what *Carter* was dealing with, and what is involved in this case. This is captured in the very next paragraph, which the Respondents have not referenced:

[140] In our view, with appropriate modifications, this test serves as a useful guide to the exercise of a judge's discretion on a motion for special costs in a case involving public interest litigants. First, the case must involve matters of public interest that are truly exceptional. It is not enough that the issues raised have not previously been resolved or that they transcend the individual interests of the successful litigant; they must also have a significant and widespread societal impact. Second, in addition to showing that they have no personal, proprietary or pecuniary interest in the litigation that would justify the proceedings on economic grounds, the plaintiffs must show that it would not have been possible to effectively pursue the litigation in question with private funding. In those rare cases, it will be contrary to the interests of justice to ask the individual litigants (or, more likely, pro bono counsel) to bear the majority of the financial burden associated with pursuing the claim.

[141] Where these criteria are met, a court will have the discretion to depart from the usual rule on costs and award special costs.

...

[143] Having regard to these criteria, we are not persuaded the trial judge erred in awarding special costs to the appellants in the truly exceptional circumstances of this case. We would order the same with respect to the proceedings in this Court and in the Court of Appeal.

[Emphasis added]

[31] In this case, the Applicants are not the winning party. More importantly, they are not seeking an award of costs, "special" or otherwise. They simply argue that their status as public interest litigants should obviate the need for them to pay costs to the Respondents, or at least some portion of the costs which would ordinarily be awarded against them to the winning party.

[32] I have mentioned earlier that the Applicants do not appear to have been merely "contrarian" in their opposition to the manner in which the Municipality proceeded. Although they were unsuccessful in their Application, their views were shared by a portion of the affected population, and apparently not a trivial portion, either.

What does the Respondent seek?

[33] Counsel for the Respondent say that the total amount of legal fees paid by the Municipality, exclusive of HST, was \$84,671.01. They further contend that a "substantial contribution" to its costs, as defined by the case law, must amount to "... more than fifty and less than one hundred percent of a lawyer's reasonable bill for the services involved (per Freeman JA, in *Williamson v. Williams*, 1998 NSCA 195, at para 25). [Emphasis added]

[34] Included in their body of work was a motion to strike portions of the Applicants' affidavits. The Applicants made their own corresponding motion. The net result involved the removal of three sentences from one of the Respondent's witness affidavits, whereas about 30 sentences, in some cases entire paragraphs, were struck from the Applicants' affidavits.

[35] The Respondent reminds me that, pursuant to CPR 39.04 (5), I am required to consider ordering the party who filed the offending affidavit to indemnify the other party for the expense of the motion to strike and any adjournment caused by it. The Respondent concedes that no adjournment was occasioned by virtue of that motion. I will consider CPR 39.04 (5), as is required of me.

[36] An affidavit of John T. Shanks, dated January 24, 2024, was filed in support of the Respondent's position on costs. It included the following:

4. Stewart McKelvey issued the following invoices for legal fees on this matter:
 - (a) April 30, 2023 Invoice 91037463 in the amount of \$31,089.46
 - (b) July 20, 2023 Invoice 91054566 in the amount of \$46,149.32; and
 - (c) October 19, 2023 Invoice 91072421 in the amount of \$23,219.42.
5. True and accurate copies of these invoices are attached hereto as Exhibit "A" to my affidavit.
6. The July 20, 2023 invoice includes time entries related to a separate matter. Those time entries have been redacted. A total of \$1,872.49 was billed to the Municipality in respect of those time entries. I authored the note on page 6 of that invoice related to the redaction of those time entries and the deduction of \$1,872.49 from the costs claimed by the Municipality in relation to the overall amount of fees billed in association with the defence of this Application in Court.
7. The total legal fees invoiced in defence of this Application in Court (excluding HST and disbursements and the amount removed from the costs claimed as noted in paragraph 6 above) were \$84,671.01.
8. Disbursements of \$929.51 were also billed to the Municipality in association with the defence of this Application in Court.

[37] Copies of the invoices were appended to Mr. Shanks' affidavit (Exhibit A). They certainly describe the work done by counsel on behalf of the Respondent. However, nowhere is the time that was consumed by any of these work entries identified, nor has the hourly rate, at which the work was billed, been provided. These are critical omissions, in my view. It is very difficult to assess the reasonableness of the legal cost of the work performed without this information.

[38] I have earlier commented that, in these specific circumstances, the assignment of an "amount involved" for the purposes of the application of the Tariffs would be a somewhat artificial exercise. As such, my preference would have been to proceed to determine the reasonableness of the fees cumulatively billed to the Respondent by its counsel, then deal with the issue of what a "substantial contribution" to those reasonable fees should look like, and then (finally) determine whether that amount should be reduced or eliminated altogether to account for the public interest nature of the application itself.

[39] I have just explained why that approach would not work in this case, given that I do not have counsel's total time expenditure, a breakdown of the amount of time spent on each unit of work, or the hourly rate of all counsel who worked on this matter.

[40] In the circumstances, I am unable to assess the reasonableness of the legal costs incurred by the Respondent. I must find another means by which to do "justice between the parties".

How should costs be calculated in these circumstances?

[41] The Applicants have made reference to several authorities such as *Colchester v. Colchester Containers*, 2020 NSSC 203; *Dawgfather PHD v. Halifax (Regional Municipality)*, 2016 NSSC 104; *Miner v. King's County*, 2016 NSSC 163; *Barney v. Halifax Regional Municipality*, 2023 NSSC 138, in which costs awards ranged from \$1,000-2,000. In some cases, Tariffs were not applied, and in some others, costs had been agreed between the parties, rather than imposed by the Court. Moreover, these authorities mainly involved prosecutions for infractions of Municipal by-laws. I find them to be of limited assistance in these circumstances.

[42] In *Viehbeck v. Pook*, 2012 NSSC 113, which involved an award of costs following a dispute over a right of way, Wood, J concluded:

[10] In the present case, there were no discovery examinations or production of documents. The hearing consisted of legal arguments without cross-examination on affidavits, and lasted slightly more than a half day. There was no significant dispute on the legal issues and the hearing focussed on the application of those principles to the facts set out in the affidavits. It was not a particularly complex hearing. I believe that this matter was less complex than the three proceedings noted above.

[11] The issue with respect to the scope of use of the right-of-way was obviously important to the parties as they retained senior counsel and devoted considerable effort to the litigation. Despite this, I would fix the amount involved at less than \$25,000.00 given the relative lack of complexity of the proceeding. Using Scale 2 of Tariff A, this would result in costs of \$4,000.00. Tariff A also allows an additional amount to be added depending upon the number of days of trial. I am not prepared to add any such amount in this case as the matter was closer to an application than a trial in its nature.

[43] It is tempting to liken this proceeding, notwithstanding that it was an Application in Court (hence subject to Tariff A) to a Tariff C proceeding, given that it consumed approximately 1/2 day of court time, with oral argument but no cross-examination of any deponents. To do so (as pointed out earlier) would belie, in my view, the nature of the issue involved. I have concluded that I must award a lump sum.

[44] To do so, I begin by examining the invoices submitted by the Respondent's counsel, bereft as they are of the information referenced above. I consider that the work was done by senior, experienced counsel, who were well prepared and who (as did counsel for the Applicants) provided well-articulated arguments that were of assistance to the Court.

[45] I further consider the scope of the "work product". This consisted of the affidavits filed by the deponents, and the documents related to the motion to strike. I have also had regard the work occasioned by that motion, and CPR 39.04(5) itself. Finally, the high quality of the briefs filed (not only those of the Respondent, but those of the Applicants as well) must be noted. I consider these and all other relevant aspects of this Application.

[46] Under the circumstances, were this not a matter which also requires consideration of the public interest aspect of the application, I would have considered that an amount of \$20,000, to be paid by the Applicants to the Respondent, would do justice between the parties in these circumstances, notwithstanding the relative brevity of the actual court time occasioned by the hearing. However, in recognition of the substantial public interest component of this matter, I will reduce that costs award by 60%, leaving a net amount of costs of \$8,000 be paid by the Applicants to the Respondent.

[47] As to disbursements, they mostly relate to photocopies. No information has been provided as to the amount per copy, or, alternatively, the total number of photocopies.

[48] The largest of the remaining disbursements is comprised of "data bank research" (\$187.82). I disallow this figure. I have no information before me as to whether this is a one-time charge occasioned by work on this file specifically, the *pro rata* allocation of the yearly fee paid for access to the data bank on behalf of all clients, or some kind of a flat rate. I do allow disbursements for "stationary/bookbinding/seals" (\$38.40) and postage (\$3.19), for a total of \$41.59.

Conclusion

[49] The Applicants shall pay \$8,041.59 to the Respondent in total costs and disbursements.

Gabriel, J.

 MacPHERSON
MacNEIL
MACDONALD
Barristers, Solicitors, Notaries

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Via e-mail

February 19, 2024

Hon. John Lohr
1505 Barrington Street
Halifax, N.S.
B3J 2M4

Dear Mr. Lohr:

Re: Consolidation Project - Antigonish

This letter addresses the proposed legislation to "consolidate" the Municipality of the County of Antigonish (the "County") and the Town of Antigonish (the "Town"). I represent certain residents of the County who contested, by application, the authority of County Council to request such legislation. on the basis that requests for municipal amalgamation are already dealt with in the *Municipal Government Act*.

At trial, the application was dismissed. While my clients respect the decision of the trial judge, they sincerely believe that he made errors of law in the decision and have filed a Notice of Appeal with the Court of Appeal, a copy of which is attached.

I understand that, before the Notice was filed, the County and the Town were advised that if they jointly continued to seek amalgamating legislation, it is the intention of the Government to introduce a bill that would do so in the upcoming session of the Legislature. In light of the fact that, pursuant to the consolidation process, the consent of both municipalities is required, and that the legality of the County's resolution embodying that consent remains contested, my clients respectfully request that the relevant bill not be introduced pending a decision of the Court of Appeal. To do otherwise would, in my clients' submission, be disrespectful of the Court.

COPY

Yours truly,

MacPHERSON MacNEIL MACDONALD

D. L. Macdonald

cc Hon Z. Churchill
C. Chender, MLA
Hon. M. Thompson
Hon G. Morrow
R. Grant, K.C.
Clients

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2024



530216
C.A. No. 530216

Nova Scotia Court of Appeal

Between:

**Anne Marie Long, J Theresa Penny
and Alicia Vink**

Appellants

and

**Municipality of the County of
Antigonish**

Respondent



Notice of Appeal (General)

To: Municipality of the County of Antigonish
285 Beech Hill Road
Antigonish, N.S. B2G 0B4

Appellants appeal

The appellants appeal, in whole, from the decision dated December 5, 2023 and the order issued December 21, 2023 in proceedings in the Supreme Court of Nova Scotia showing court number Ant. No. 5204679 made by the Honourable Justice D. Timothy Gabriel.

Order or decision appealed from

The order was made on December 21, 2023. It was made at Halifax, Nova Scotia.

Grounds of appeal

The grounds of appeal are:

1. The trial judge erred in law by failing to give effect to Section 354 of the *Municipal Government Act* (the "MGA") by deciding that the Respondent municipality was not obliged to seek merger or consolidation with another municipality under Parts XVI or XVII of the MGA.
2. The trial judge erred in concluding that the general purpose provisions in the MGA and the expansive and purposive canons of interpretation of municipal powers were sufficient to overcome the specific detailed legislative direction in the Act as to how the alteration of municipal boundaries is to take place.
3. The trial judge erred in concluding that the respondent municipality's adoption of the subject resolution was a reasonable exercise of its authority when it conformed to a process to effect reorganization devised by the Department of Municipal Affairs and Housing having no statutory basis, rather than its governing statute, enacted by the Legislature, binding on the municipality until amended or repealed.

4. The trial judge erred in law by holding that the resolution of the Council of the Respondent municipality had no legal effect, when it did have the effect of avoiding application of the said Parts of the MGA, and further brought about the presentation of a request for merger to the ultimate decision maker, the Legislature, as effectively as an application to the Nova Scotia Utility and Review Board or, in conjunction with the Town of Antigonish, the Governor in Council.

5. The trial judge erred in law in deciding that the subject resolution of the respondent municipality was a simple expression of opinion or a statement of policy as to what the Council found desirable when it was, in fact, a discrete and substantive request for passage of legislation in regard to a subject matter that is the subject of comprehensive provisions in the MGA.

6. The trial judge erred in law by deciding, in regard to pursuing consolidation, that the Respondent municipality is "bereft of power to do what it wants in the manner it wants" when the said Parts of the MGA could have been invoked to pursue merger with the Town of Antigonish and, those provisions being mandatory and directory, a municipality does not have the authority to do whatever it wants.

7. The trial judge erred in law in interpreting certain authorities concerning the legality of municipal resolutions as comparable to the actions of the Respondent municipality at issue when the said authorities are, in fact, distinguishable.

Authority for appeal

Municipal Government Act, S.N.S. 1998, c. 18

Judicature Act R.S.N.S. 1989, c. 240

CPR 90

Order requested

The appellants say that the court should allow the appeal, that the judgment appealed from be reversed, and that the resolution adopted by the Respondent municipality on October 20, 2022 be quashed pursuant to s. 189 of the Municipal Government Act.

Motion for date and directions

The appeal will be heard on a time and date to be set by a judge of the Court of Appeal. The appellant must, not more than eighty days after the date this notice is filed, make a motion to a judge of the Court of Appeal to set that time and date and give directions. You will be notified of the motion.

Contact information

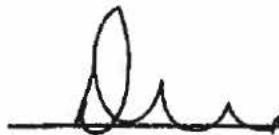
The appellant designates the following address:

MacPherson MacNeil Macdonald
Unit 3 198 Main Street
Antigonish, N.S. B2G 2B9

Documents delivered to this address will be considered received by the appellant on delivery. Further contact information is available to each party through the prothonotary.

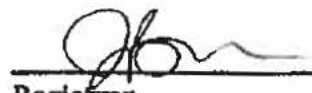
Signature

Signed January 28, 2024


Donald Macdonald
as Counsel for the Appellants

Registrar's Certificate

I certify that this notice of appeal was filed with the court on January 29, 2024.


Registrar
JESSICA BOUTILIER
Deputy Registrar
of Court of Appeal

Steve Scannell

To: Chair, Law Amendments Committee
Submitted by: Steve Scannell, Antigonish Resident
Date: March 4, 2024
Re.: Bill 407: Antigonish Consolidation Act

Dear Members of the Law Amendments Committee:

I appreciate the opportunity to speak to Bill 407, The *Antigonish Consolidation Act*. I want to start by saying that I love my (adopted) community. I moved here from Cleveland, Ohio (USA) in 2004 to attend St. Francis Xavier University. I met my wife at university, and her family is from Antigonish County. We have called Antigonish home ever since.

In 2015, shortly after completing my Master of Public Administration at Dalhousie, I was hired by the Town where I spent 7 years of my career. In my last three years with the Town I served as Director of Community Development, a role that was focused primarily on matters of community planning.

I will preface my comments by sharing that I support the decision to consolidate. I am here because I believe it is the right decision. I am also here to lend support to my friends and former colleagues who have worked so hard to bring this issue forward.

Bill 407 represents much more than a simple decision to adopt a new municipal structure and service delivery model for Antigonish Town and County - it represents a case of exemplary community leadership. Whether you are for or against the proposed outcome, councils and staff ought to be commended for their willingness to explore and dedicate themselves to such a progressive idea that is, for some, still deeply political and personal.

When I started working for the Town, I heard many stories about the Town and County's inability to cooperate. A UARB decision in 2006 respecting the fiercely political annexation and amalgamation issue denied both applications due to a lack of political support despite the financial and social benefits that could be realized. Citing the input they received, the decision stated that the public was frustrated with the conflict that was occurring and noted that citizens want their elected officials to set aside their differences and work together to address issues that affect the region. The authors of the decision closed by saying that any lack of progress may shift public opinion in ways that rekindle demand for this process again.

I would argue that we are not at this committee today because of the continued lack of progress, but precisely because progress has been made. What has changed in recent years, in my opinion, are the *choices* of those occupying key leadership roles; of the Councils and staff, by extension, who dedicated themselves to making things work better. In my time working there, the emphasis was on finding ways to realize opportunities that result in *mutual benefit* because the futures of the Town and County are inextricably linked.

The recent idea to consolidate was not made spontaneously - it is the result of a long, incremental process of increasing collaboration and a growing understanding that we have many priorities in common that require cooperative approaches and joint solutions. Consolidating the units was not a predetermined end goal by any means. As we worked together it simply became increasingly

more obvious that there could be a better way to structure our operations and decision-making so our priorities can be more effectively and efficiently realized.

In my time with the Town, the two municipalities gradually became more integrated and collaborative, and it has been working. Please recognize that you have the opportunity to formalize a structure that would prevent these positive gains from being rolled back as leadership changes.

I know the question of how to proceed is again intensely political. I happen to share a perspective on political representation that differs from other members of my community, one that values the trusteeship role Councillors hold. I trust that they are making an informed decision that is the community's best interest. The Supreme Court has upheld the legality of the request being made, and I argue the *politics* of how that decision may be made ought to be the purview of the municipalities. I urge you to respect the right of the municipalities to make a decision that is, in their estimation, in the best long-term interest of the community. The issue has been voted on twice locally and upheld each time.

The Town and County of Antigonish are requesting the same opportunity afforded to Windsor/West Hants; to follow the same process and to potentially realize the same outcomes they are seeing today.

Voting against this Bill would be setting a regressive precedent that may dissuade other communities from following their example. I would urge this Committee to respect their political colleagues at the local level and entrust them with such an important decision; to not treat this as a partisan issue despite how politically expedient that may be.

Respectfully submitted,

Steve Scannell

Full Comment

I appreciate the opportunity to submit this document to the Committee respecting Bill 407, *The Antigonish Consolidation Act*. I want to start by saying that I love my (adopted) community. I moved here from Cleveland, Ohio (USA) in 2004 to attend St. Francis Xavier University. I met my wife at university, and her family is from Antigonish County. We have called Antigonish home ever since. In 2015, shortly after completing my Master of Public Administration at Dalhousie, I was fortunate to be hired by the Town where I spent 7 years of my career. In my last three years with the Town I served as Director of Community Development, a role that was focused primarily on matters of community planning. I feel my passion for my community and my firsthand experience working with the Town provides me with a unique perspective to share on this issue. And while I have since moved into a career in long-term care administration, I remain invested in the future direction of my community.

I will preface my comments by sharing upfront that I support the decision to consolidate. I also believe that the process the respective councils followed to bring this issue before the legislature has proven precedent in our province and is a demonstration of exemplary community leadership. I also wish to note that I hold no political affiliation.

Recognizing the benefits of cooperation

When I started working for the Town, I heard many stories about the Town and County's inability to cooperate and the often competitive, transactional nature of their interactions. In October 2006, the Utility and Review Board denied applications for amalgamation and annexation brought forward by the Town and County. The Town, recognizing that it was confined in its ability to grow, attempted to annex portions of the County; in response, the County filed an application for amalgamation. It was a fight which lasted years and cost taxpayers a combined \$1 million, according to a statement from then Warden Herb Delorey. A divisive plebiscite was held on the issue and had, according to the UARB, "relatively poor" turnout (3,491 electors) that showed mixed support with Town residents against and County residents in favor. And yet, despite the fact that the Board found that a change in structure may have significant social and financial benefits to citizens the public response (or lack thereof) hindered the change in municipal structure. Given the highly divisive result, the Board found that there was not adequate public support to proceed.

The October 30, 2006, decision, extensively details the misleading framing of issues during the plebiscite campaign. This served to obfuscate the issue and was at direct odds with the evidence-based studies conducted at the time that estimated over \$500,000 in savings, and the ability to better plan, design, and deliver municipal services so that further savings can be achieved or services improved at little to no change in cost. As well, the issue was already emotionally charged because the matter felt forced upon the parties, notably the Town. A common theme throughout the hearing was that the public is both "frustrated and disappointed with the lack of cooperation and often conflict which exists between the respective councils in addressing important issues in the region" - yet the status-quo was upheld in the hopes that, should a lack of progress continue, that the issue could be addressed again.

Looking at the present day, I would argue that Bill 407 is being presented not because of the continued lack of progress, but precisely because progress has been made. What has changed in recent years is, in my opinion, the *choices* of those occupying key leadership roles; of the Councils and staff, by extension, who dedicated themselves to making things work better. In my time working there, the emphasis was on finding ways to realize opportunities that result in *mutual benefit* and *shared success*. Underlying that approach was the idea that the futures of the Town and County are inextricably linked.

The recent idea to consolidate was not made spontaneously - it is the result of a long, incremental process of increasing collaboration, cooperation, compromise and a growing understanding that we have many more priorities in common than we have that differ. It was not a predetermined outcome by any means, but a gradual realization shared by our leaders. While we worked to move the community forward, we were always just barely outpacing the ghosts of the past; those waiting for a regression toward the dysfunction of the past. And as we worked together it simply became increasingly more obvious that there could be a better way to structure things so our priorities can be effectively and efficiently realized.

During my time with the Town I worked on many community projects. We refinished our tennis courts, we upgraded our turf fields, we constructed a dog park, we committed to active transportation projects, and built the long-awaited community skate park. There were also public works projects, administrative projects (Strait IT, financial systems), and integration into the Eastern District Planning Commission. All capital and administrative projects were completed through a collaborative planning effort that crossed municipal boundaries, and all projects of substance had funding contributed by each Council. We have, over time, become highly integrated in a very practical sense. As a staff member I had the privilege of working with excellent teams on both sides of the boundary but with each project we inevitably realized that the differences in process and policy, the negotiations regarding approvals and funding, and the staff energy devoted each step of the way was redundant, time consuming, and labor intensive in many ways. Of course, there have been shared projects completed in the past but the alignment demonstrated in recent years has shown how much more you can accomplish when you embrace the mindset of being one community, and approach community planning from a collaborative and holistic perspective.

Over time, we began to realize, through our decisions, that we could do better work for the community by adopting the mindset that we are all working for the benefit of one community, and we realized, through our practices, that there is a more efficient and effective way to deliver service to the community. Now with the bigger issues that communities are facing, the imperative to function as a single unit is all the more important. Whether it is climate change adaptation, economic development, waste water, housing insecurity, source water - it all requires a singular and coordinated response. With people finding it more challenging to afford the cost of living, we owe it to the public to find more ways of being financially more efficient and reduce where possible the tax burden on citizens.

We owe it to our citizens to continue a progressive path forward. We should not take for granted that the cooperative and collaborative leadership approaches of recent years can be sustained

indefinitely. Please recognize that you have the opportunity to formalize a structure that would prevent these positive gains from being rolled back as leadership changes.

The debate over municipal restructuring

Municipal structure is a long-debated topic in Nova Scotia. The 1949 Rowat Report, the 1970 Graham Commission, the service exchange discussions in the 90s, The fiscal review and Towns tasks force of the 2010s, and the One Nova Scotia Report have - among other things - supported the idea of adjusting local political boundaries to assist municipalities in better responding effectively and efficiently to new challenges; large enough in area and population and strong enough in resources and capability to be able to perform their tasks well. Recommendations from the fiscal review studies brought forward the suggestion that the province should develop incentives to restructure voluntarily. While debate can take place on the merits of these suggestions or the recommendations that largely did not materialize, what many people over time who have studied this issue have concluded is that the present municipal structure in this province must evolve.

Voluntary municipal consolidation has already been proven in this province. The case for the process is well demonstrated in Windsor-West Hants. Bill 55 to consolidate Windsor/West Hants was passed in 2018 under a Liberal government and has served as a new path forward for municipalities who wish to negotiate and lead the process. It provides an element of self-determination for communities; it is not forced but rather negotiated to ensure the final result is shaped by and for the community it intends to serve.

In the submission provided concerning Bill 55, then-Mayor Anna Allen wrote: "We look forward to the passing of this legislation as Nova Scotia moves towards more progressive governance models in addressing one of the observations stemming from the One Nova Scotia report which points to the province being over-governed." The Ivany Report as it came to be referred to - brought forward under a Liberal government - posed the challenge to municipalities *themselves* to be the leaders of that change. In the years since the consolidation in Windsor West Hants, the results have been positive. In 2021, Mayor Abraham Zabian noted that it would take time to fully assess the impact of the merger, but early signs showed increased buy-in from the public and local businesses. In the first operating budget efficiencies from the consolidation totaled \$500,000, with further economic benefits pending at the time as the community sought to rebrand itself. More recently, residential property rates and commercial tax rates in the urban cores of Hantsport and Windsor have decreased. The concept is starting to prove itself to be successful.

The Town and County of Antigonish are requesting the same courtesy, the same opportunity; to follow the same process. Please respect the initiative taken by our Councils and please trust that the Councils are representing the best interests of their community. Not affording the municipalities the same opportunities is akin to kicking away the ladder that others have climbed seeking long-term prosperity for their communities.

A Comment on the Politics of Consolidation

I also want to comment on the idea that this process has somehow circumvented the democratic process. I respectfully disagree with this idea, and I submit that there are several points to consider.

Firstly, how you respond to this question is ultimately a question of perspective. Citing the written submission to Bill 55, Louis Coutinho then CAO for the Town of Windsor highlighted the “Trustee Role” that local councillors serve. In this capacity we entrust politicians to make informed decisions based on the public interest, they are not simply a delegate sent to convey a message. “Democracy is being served,” he notes, “as Councils act as trustees in serving their communities.” In the Antigonish example, the vote to explore consolidation was unanimous from both Councils, the vote to recommend that the province pass special legislation to consolidate the municipalities was not unanimous but it passed. That’s politics. That’s democracy in action.

Secondly, the Councils did make a good faith effort to inform themselves of the public interest before making this decision. The extensive consultation process that was endorsed and guided by the Department of Municipal Affairs provided a detailed picture of the issue and understanding of local concerns and made a concerted effort to inform the citizens of what consolidation does and does not mean. The idea had its supporters and it had its detractors. It identified several issues to address and researched and unpacked those through the agreed-upon process of exploration. This process offered exposure of all interested voices to all politicians as demonstrated by the reports and findings posted on www.Antigonish.ca, and encouraged reached into issues of direct concern to the community.

Thirdly, the process has been deemed legal and – not surprisingly – “profoundly political.” Apart from a process that has recent precedent and support from the Department of Municipal Affairs, it has been upheld in the recent Supreme Court decision in *Long V. Antigonish (County)*. As the *Long V Antigonish (County)* decision makes clear, the *Municipal Government Act* is, in part, intended to respect the right to govern municipalities in whatever ways the councils consider appropriate within the jurisdiction given to them.” The decision further justifies the position that the municipalities are within their legal rights to ask the province to enact enabling legislation to consolidate the units. The issue of whether a plebiscite should be held is political, according to the Supreme Court decision, and outside of their purview to comment upon. I believe that a non-binding vote on this issue would not have provided the Councils with the comprehensive evidence they would have needed to make such a decision. Moreover, as has been demonstrated in Antigonish and elsewhere a plebiscite becomes very divisive for the community and can be counter to the broader community interest. Apart from its impact on the 2006 decision in Antigonish, a plebiscite held in the Pictou amalgamation in 2016 resulted in a vote against a merger despite findings from the UARB that it held “significant positive implications” both social and financial for the communities.

When reviewing Justice Timothy Gabriel’s decision, it is worth considering who should ultimately determine who holds the *political* right to make a final decision. It is my firm position that the right to make such a political decision ought to rest with the municipality. I recognize that municipalities have no formal constitutional standing and that they are “creatures of the

province." However, it is important to consider and respect the representative role they serve for local interests. As the Supreme Court decision makes clear, the intent of the *Municipal Government Act* is to augment or "...enhance Council's ability to respond to present and future issues in their municipality." I would argue that because the Supreme Court decision confirms the legality of the request, how the Councils choose to inform themselves to make a decision ought to be within their purview. It is worth highlighting here that the vote was taken *twice*, multiple months apart. This afforded further sober second thought to each Council and the resulting decision was ultimately the same.

With that in mind, I further feel partisan politics should not be a leading factor in this final decision. While it may be thrilling and politically expedient for the opposition to parse the Premier's words because, as an MLA, he challenged previous governments by demanding a plebiscite in the Pictou County case, it is ultimately unproductive to the larger goal of providing a clear evolutionary path for communities in Nova Scotia. Moreover, it ignores the fact that the new voluntary processes were first attempted two-year later and so did not have that precedent to consider. Making the issue partisan at a provincial level undermines the representative nature of local politics and ignores the real issue here: that local officials worked for two years to try and determine a better path forward for a community under the guidance of the province.

In sum, the consolidation process adopted a trustee model of political representation, which is not anti-democratic but one way of viewing the nature of political representation. The request is informed, made in good faith, is legally defensible, and ultimately a political issue for the community and not the province, per se. It should be considered a precedent-guided, process-based issue that respects the ability of the respective Councils to make decisions appropriate for their community free of partisanship in the legislature.

Concluding Remarks

Bill 407 represents much more than a simple decision to adopt a new municipal structure for Antigonish Town and County. It is a culmination of a long journey from a period of a lack of cooperation and conflict to a period of collaboration and cooperation. There was nothing inevitable to Bill 407 arriving before this committee - it is the product of a series of deliberate choices from our leaders who committed themselves to making our community better. The sacrifice every elected official has made throughout this process does not lie in this decision alone, but in every decision and action along the way, over many years, that ultimately made the thought of operating as a single unit possible and demonstrated that it can be productive.

In my time with the Town, we gradually became more integrated, connected, and collaborative, and it has been working. I urge you to recognize you have the opportunity before to strongly formalize a structure that would prevent these positive gains from being rolled back as leadership changes.

The process is endorsed by the province and the request has been confirmed to be legally within the right of the municipalities to make. It is intensely political, but it is not anti-democratic. I believe the Committee should recognize and respect the rights of the municipalities to make a decision that is, in their estimation, in the best interest of the community. Moreover, I would urge

this Committee to respect their political colleagues at the local level enough to entrust them with such an important decision.

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Sean Cameron

Law Amendment Committee

Monday, March 4th, 24, Sean Cameron, presenting at 3:15pm

Good afternoon and thank you for allowing me the opportunity to speak today about this legislation to support Antigonish Consolidation.

Let me say that I am still holding out a slight glimmer of hope that this bill does not pass into Law.

Minister John Lohr stated that the decision to consolidate rests with the elected councils, and that the elected councils of both have asked for this special legislation. While those very words may be true, nothing is clearer than the fact that only 9 people voted that this was the way to proceed? Sitting as members of the Legislative Assembly, do you feel that 9 residents of 20,000 have the ethical right to dissolve a Town and force it to join with the County without the citizens having a vote?

That is the issue at hand. I will give you a brief history from my seat as an elected councillor for the Town of Antigonish for almost 20 years.

In the 2020 Municipal Elections, NOT ONE candidate ran on the platform of municipal reform. This proposal came up AFTER municipal elections; it was not an election issue. If it had been and the people knew which candidates were pro or con, different councillors may have been in place when the votes were taken.

In 2021 or earlier, the present Mayor, Warden and CAO's were working behind Councils' backs trying to get this amalgamation going. I was surprised by an email alerting me to a special meeting scheduled for Monday, Sept 13th, 2021. It is true that both councils passed the motion to EXPLORE consolidation, which shows that councillors were open to sharing ideas and information on this concept.

What happened next was a well planned out exercise. Our first Joint meeting was held on Monday, September 27th, 2021. Mark Peck from Municipal Affairs lead the show. He painted a very pretty picture of consolidation and how wonderful everything went in Windsor-West Hants. Questions from some councillors asked when the plebiscite was going to be held? Mark Peck answered that there will be no plebiscite. His direct quote was, "We tried that in Pictou County, and we lost!"

When he was asked if anything else negative happened, his reply was "No, not that I can recall." Then I asked him about the RCMP costs of \$1.5 million dollars for the new negotiated contract. "Oh Ya, we missed that one!" was his reply. Jeff Lawrence, former CAO for the Town of Antigonish then said that "...they were aware of that and are working on a solution."

I wonder who the "they" were that he was referring to. In an eleventh hour decision, in an attempt to avoid increased policing costs, the Town would have to dissolve and become part of the Municipality. Municipal Affairs quickly provided \$150,000 to help hire a PR firm, Brighter Communities to sell this idea to the public and councils.

There was very little information, just intangibles presented. No facts. There was no Pros, no Cons, no boundaries identified, no area tax rates were presented, no foresight of what this new Regional Government would look like, what staff would lose their jobs, severances and a whole lot of questions regarding services.

In the end, Brighter Communities presented their findings in their What we Heard Report. Page three of that document, they noted that Public Confidence was lost. "...there was an underlying lack of confidence in the overall process, the municipal leaders and the relationship between the Town and County".

The requested 2nd vote that was held via Zoom was due to the safety of the staff and council members. Ask yourself, if people were really supporting this idea, then why would people be upset? The vote required by Minister John Lohr was almost lost. The threat of a \$25,000 fine and up to a year in jail prevented two councillors from voting the first time, but not the second time. The lone councillor from the County who did declare a conflict the 2nd time was only advised by Municipal Affairs less than 2 hours before the vote. I have spoken directly to this councillor who is on record stating that a plebiscite should have occurred and that if he had voted the will of his residents, this motion would have been defeated.

So do you really feel that the ethical thing was done? Can you sit and reassure yourselves that this is what the residents of Antigonish town and county really want?

This is not a Pro or Anti issue. It is more of a "We want our vote, we want our voices heard".

The Antigonish Town council just appointed Willie Cormier as the Deputy Mayor for 2023/24. One councillor stated that "...he was the only one with the information to serve on the transition team." Why did this candidate have more information than the rest of us? Perhaps he could have shared that information to the rest of Council. I did not have all the information to make an informed decision to amalgamate our Town. How do you think the public is accepting this lack of transparency?

In closing, the Town of Antigonish was incorporated on January 9th, 1889. It was created to provide Water and services to the urban center. This is really the reason behind this rushed amalgamation. We have it and the County needs it to continue the growth around the Town. This is where the bulk of their tax revenue is created. This Council has turned it's back on the citizens. Town citizens have paid for the water and sewer plants for generations. Rather than work collaboratively to resolve these issues, it is easier to dissolve the Town and allow the County to control it for the sake of some developers. Now your government is giving in to the wishes of 9 people, not listening to the voices of 20,000 residents who have a stake in this.

The elections in October and the upcoming Provincial elections should be interesting.

The citizens will have the last say on this.

From: Mary Farrell [REDACTED]
Sent: March 4, 2024 3:02 AM
To: Office of the Legislative Counsel; johnlohrmla@gmail.com; Michelle Thompson; Tim Houston; gregmorrow4gt@gmail.com; Town of Antigonish Mayor; Owen McCarron
Subject: Letter Of Support for the Town and County of Antigonish Consolidation Bill 407

You don't often get email from mary.farrell@townofantigonish.ca. [Learn why this is important](#)

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

Exercise caution when opening attachments or clicking on links / Faites preuve de prudence si vous ouvrez une pièce jointe ou cliquez sur un lien

The Province of Nova Scotia wants to double our population by 2060.

As a small business owner and councillor, I understand the importance of a sustainable, growing population. Antigonish is very fortunate to have two large economic engines, a regional hospital, and the university. To attract new students and staff to StFX, and healthcare professionals to St. Martha's, we need a thriving downtown, new commercial development for more services, as well as affordable and available housing.

Areas of municipal responsibilities are increasing, our demographics are changing, infrastructure needs to be upgraded, and the pressure for economic growth have never been higher. We need to break free from our municipal silos and move forward together.

As a councillor for the Town of Antigonish, I am often asked, "how will consolidation affect me and my family?" To be honest, it likely won't impact your day-to-day life. As a resident under a consolidated municipality, I, just like you, will continue to pay my taxes, my utility bills, and have my waste collected curbside.

That leads to the next question, "then why do it?" The future of our community, its longevity, depends on it. To do more and to accomplish what we need to, we need to create a new structure that will better serve Antigonish. Consolidation will allow us to make decisions for the entire community, it will lead to better planning, less bureaucracy, and reduced confusion.

Since the unanimous decision of both councils to explore the option of consolidation, there has been considerable effort by some members of our

community to share inaccurate information about what consolidation will mean for residents.

In October 2022, Town and County councils voted to ask the province to enact special legislation to consolidate us into one. Once an item becomes the will of council, it then becomes a priority for staff to complete. This often includes ensuring accurate and correct information is being presented.

The Town has spent \$48,542 on consolidation since the Fall of 2021. This includes the cost of a communications firm to assist staff in the creation and execution of a strategy to correct misinformation related to consolidation. Part of this strategy has been asking individuals and organizations with considerable experience and expertise to join the conversation. I am thankful to those individuals for speaking to the benefits of consolidation and for bringing more clarity to the topic. Their respectful contributions have elevated the discussion to help residents understand and trust that we made the right decision while looking at the bigger picture.

As a councillor my responsibility is to the taxpayer and to make decisions based on what I believe is the best interest of the community; it is why we are elected. I know the cost of everything is increasing. I see this in my own small businesses and in my home life. If I see an opportunity to stretch our tax dollar further to accomplish more – I am going to make it a priority.

Under the current model, Town or County staff spend a lot of time coordinating with one another. While it's fantastic there is so much collaboration it's not efficient and therefore not the best use of our tax dollars. I want to do more.


When Antigonish hosted the Special Olympics Summer Games in July 2018, it generated over \$8.6 million in economic spinoff to our community. We have the potential to attract and host more events like this, but it takes staff time and resources we don't have under our current structure. I believe we can free up staff time to focus on items like event hosting and sport tourism.

Currently Antigonish has two municipal councils making decisions for a community with municipal boundaries that no longer reflect the bigger

picture for Antigonish. Town and County residents cross the municipal boundaries daily without giving it a second thought. Visitors certainly don't see our boundaries, to them we are simply Antigonish.

The status quo should not be an option when we have an incredible opportunity before us. We want to be a partner in the growth of the province. We want people to choose Antigonish.

Respectfully,
Mary Farrell
Councillor
Town of Antigonish
274 Main Street
Antigonish Nova Scotia
B2G 2T2



From: Tammy DeLorey [REDACTED]
Sent: March 6, 2024 5:18 PM
To: Office of the Legislative Counsel
Subject: Respect my rights

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Dear Law Amendments Committee Members,

I am writing in regard to Bill 407, the Antigonish Consolidation Act. As you have been told by numerous people, we aren't against consolidation. We just want our democratic right as Nova Scotians to decide our future. Please either reject Bill 407 or amend it to require a full study by the UARB and a plebiscite that the MGA (and our rights as Canadians) allows us to have.

If you allow this bill to go through you are ignoring the facts:
The issue is still in front of the courts. At least wait for the court decision before proceeding.
A very accurate poll shows that over 75% of people in the Antigonish Town and County want a vote.
The same poll shows only 22.4% of people feel the Mayor and Warden provided enough information. Despite the Mayor and Warden's claims that they did wide spread consultations, that just isn't true. They did all their meetings during the height of the Covid 19 pandemic, when many people were afraid to go to large gatherings, and therefore, very few people showed up. And those who did show up weren't listened to. They were just told what was going to happen. That's hardly democratic.
The request for this legislation barely passed in both Councils (in the Town, the Mayor cast the deciding vote, and in the County, it passed by one vote. And one of the Councillors, who has stated he wants a plebiscite, was told he couldn't vote due to conflict of interest).
The Councillors did not run on this issue and therefore have no political or ethical mandate to push this through without a plebiscite.
You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.

Sincerely,
Tammy DeLorey

Sent from Yahoo Mail for iPhone

From: Willie Bowman
Sent: March 6, 2024 5:09 PM
To: Office of the Legislative Counsel
Subject: Bill 407- Antigonish

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Sincerely, Willie Bowman

From: ClareJim MacDonean <cjmacdonean@ns.gov.ns.ca>
Sent: March 6, 2024 5:07 PM
To: Office of the Legislative Counsel
Subject: Antigonish Consolidation

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Sincerely, James McDonald

From: [REDACTED] K McKay <[REDACTED]>
Sent: March 6, 2024 5:04 PM
To: Office of the Legislative Counsel
Subject: Antigonish Consolidation Act

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Sincerely, Bevan McKay

From: Victoria Maclean [REDACTED]
Sent: March 6, 2024 5:03 PM
To: Office of the Legislative Counsel
Subject: Antigonish Consolidation

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From: CA McLean [REDACTED]
Sent: March 6, 2024 5:02 PM
To: Office of the Legislative Counsel

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Regards,
Claire MacLean
County Resident and small business owner.

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

■ ■ ■

From: Cynthia Henderson [REDACTED]
Sent: March 6, 2024 4:56 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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Good Afternoon,

Further to my previous email, I want to clarify that I feel the residents of Antigonish Town and County want a say in the consolidation process. A professional poll shows that 75% of the residents want a say.

There has not been meaningful consultation with the residents outlining the pros and cons of consolidation. The meetings that were held, during the Covid pandemic, sponsored by the Town and County have been best described as marketing. (Dr. T Urbaniak).

The issue of legality of the County's request for special legislation is still before the Court of Appeal.

I respectfully request that Bill 407 be:

Delayed until after the Court process plays out or delayed until after the October 2024 Municipal elections.

That the Municipalities of the Town and County be required to follow the amalgamation process outlined in the MGA, including a study by the UARB, or show why they need to circumvent the existing legislation. We have a Municipal Government Act. Why is it being ignored?

Failing the above, that the Transition Committee be changed to have a majority of members outside of the Warden, Deputy Warden, Mayor and Deputy Mayor. Suggestions would include personnel from the Department of Municipal Affairs and Housing, the UARB, or personnel trained in development and planning.

This is our future. It needs to be done correctly as we will live with the results of this change in our governance structure.

As I wrote previously, the residents of Antigonish Town and County want a vote, a say in this process. If not during this process, we will have a vote in the upcoming Municipal and Provincial elections. You will hear from us, eventually.

Respectfully,

[REDACTED]

From: veralynn nicholson [REDACTED]
Sent: March 6, 2024 4:14 PM
To: Office of the Legislative Counsel
Subject: Allow Antigonish to Vote

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Sincerely,
Vera Nicholson

From: Charlene Long [REDACTED]
Sent: March 6, 2024 3:40 PM
To: Office of the Legislative Counsel
Subject: Bill 407 Antigonish amalgamation Act

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Dear Law Amendments Committee members,

I write asking you to:

1. Defer this legislation until after the Municipal Elections of 2024, as the current councillors neither ran for office on this issue, nor does my vote for any of them allow them to make a decision of this importance for me. This is not a traffic light or crosswalk or even a budget or a shared community development project, which they would be allowed to consider. **This is a major issue of how we are to be governed now and well into the future. They have no mandate from me or other Antigonishers to do this. They've stolen my vote!**

The issue for us has nothing to do with amalgamation or consolidation but everything to do with having the right to make an informed decision on governance. Not after hearing at one meeting when a presenter was asked why we couldn't have a plebiscite on the issue, "Because we lost that one!" I want the right to vote for councillors who will provide the proper information that this group has not! If I have informed information that tells me this is beneficial, I'll be first to jump on the bandwagon, but the issue is too important for me not to have a say. For those on the committee who asked the question about trust voting, my only response is "If they tell me we have to burn down half the town and county to

make both better and they going to do it without a vote, then NO - I'm not having any part of it!"

2. Defer the legislation until the legal appeal issue has been settled. The government already ruled once that they would not introduce legislation while the legal process was not resolved. They've betrayed that position.

One last comment I would like to make is that the presentations your committee allowed by people who have nothing to do with the issue other than a personal opinion were both patriarchal and offensive as hell.

Respectfully submitted,

Charlene Long

██████████

Antigonish NS ██████████

Illegitimi non carborundum

From: Margie Pelrine [REDACTED]
Sent: March 6, 2024 3:28 PM
To: Office of the Legislative Counsel
Subject: Law Amendment Act

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Dear Law Amendments Committee Members

I am writing in regard to Bill 407, the Antigonish Consolidation Act. As you have been told by numerous people, we aren't against consolidation. We just want our democratic right as Nova Scotians to decide our future. Please either reject Bill 407 or amend it to require a full study by the UARB and a plebiscite that the MGA (and our rights as Canadians) allows us to have.

If you allow this Bill to go through you are ignoring the facts:

This issue is still in front of the courts. At least wait for the court's decision before proceeding.

A very accurate poll shows that over 75% of people in the Town and County of Antigonish want a vote.

The same poll shows only 22.4% of people feel the Mayor and Warden provided enough information. Despite the Mayor and Warden's claims that they did wide spread consultations, that is definitely not true. They did all their meetings during the height of the Covid 19 pandemic, when many people were afraid to go to large gatherings. Therefore, very few people showed up. Those that did attend weren't listened to. They were told what was going to happen. That's hardly democratic. The request for this legislation barely passed in both Councils (in the town, the Mayor cast the deciding vote and in the County, it passed by 1 vote. One of the councillors who has stated he wants a plebiscite, was told he couldn't vote due to a conflict of interest. The councillors didn't run on this issue and therefore have no political or ethical mandate to push this through without a plebiscite.

You will have submissions saying nothing more than "we want consolidation because it will be better". If this is true then where is the harm in a vote? Show us how it will be better and we will vote for it. That way, you'll have the people's support the way it should be done.

Sincerely,
Margie Pelrine

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From: Amanda Delaney [REDACTED]
Sent: March 6, 2024 3:22 PM
To: Office of the Legislative Counsel
Subject: Please review

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The request for this legislation barely passed in both Councils (in the Town, the Mayor cast the deciding vote, and in the County, it passed by one vote. And one of the Councillors, who has stated he wants a plebiscite, was told he couldn't vote due to conflict of interest).

The Councillors did not run on this issue and therefore have no political or ethical mandate to push this through without a plebiscite.

You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.

Sincerely,

Amanda Andrews

From: Gloria Boudreau [REDACTED]
Sent: March 6, 2024 3:22 PM
To: Office of the Legislative Counsel
Subject: Act 407.

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**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Dear law amendments committee members, in regards to, Act 407, the consolidation of the town and County of Antigonish, I am asking that you vote NO. I feel there has not been enough information on act 407, for anyone my self included to make an informed decision for or against a merge between the Antigonish Town and County. No independent studies have been done, in regards to the pros and cons. In regards to a consolidation of the Antigonish Town or county. I am asking that my voice be heard. Please Vote NO to act 407. Until a study of the pros and cons is taken and openly shared with the Town and County. And then put it to a vote. As of right now I do not have enough information and am denied a voice, that will be heard or counted. I want a study done. I want those findings and information accessible to the Town and County.

I want the right to vote based on those studies. Anything less would not allow my voice and or concern to be heard. I am asking you, The law Amendments Committee members to please, hear my voice and concern regarding a consolidation between Antigonish Town and Country. I am asking you all to please Vote NO, to act 407. Until an informed study has taken place. And published for the public of the town and country can make an educated and information decision. Armed with that information and knowledge, it is necessary to have a right to vote. Anything less would NOT allow my voice and concerns HEARD. Please vote NO to act 407 and allow my voice be heard.

From: Mary Pelrine [REDACTED]
Sent: March 6, 2024 3:22 PM
To: Office of the Legislative Counsel
Subject: Law Amendment

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Please either reject Bill 407 or amend it to require a full study by the UARB and a plebiscite that the MGA (and our rights as Canadians) allows us to have.

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The same poll shows only 22.4% of people feel the Mayor and Warden provided enough information. Despite the Mayor and Warden's claims that they did wide spread consultations, that just isn't true and if they did, where is the evidence of the results? What are the pros and cons? Why, as a community member am I still in the dark? How can I agree with the Mayor and Warden if I don't have all the facts?

They did all their meetings during the height of the Covid 19 pandemic, when many people were afraid to go to large gatherings, and therefore, very few people showed up, and those who did show up were basically ignored, and their concern fell on deaf ears. They were told this is what was going to happen on their terms. That's hardly democratic!

The request for this legislation barely passed in both Councils (in the Town, the Mayor cast the deciding vote, and in the County, it passed by one vote. One of the Councillors, who has stated he wants a plebiscite, was told he couldn't vote due to conflict of interest).

The Councillors did not run on this issue and therefore have no political or ethical mandate to push this through without a plebiscite.

You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.

Sincerely,
Mary Polrine

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Mar 6th, 2024

Re: Bill No. 407 – Antigonish Consolidation Act

Dear Members Of The Law Amendments Committee,

I'm Kimberley Sherrington, a graduate of Dalhousie University and I'm the office Manager of our family Computer Business which opened a location in Antigonish in 1982. At the opening of the family business the Mayor of the day, Colin Chisholm cut the grand opening ribbon.

We have known all the Mayors since then and I'm shocked at the current Mayor and Warden for not letting the people of Antigonish have a vote or an actual study on merging the Town and County.

I have listened to all 19 people who presented on Monday, March 4, 2024. I'm very confused why Pam Mood, Brenda Chisholm-Beaton and Susan Snow were allowed to present since they do not reside in the area nor did they have a study to present. They had nothing to say, along with many of the others.

A few did have some interesting points. Deputy Warden MacFarlane talked about extending the water further out into the County. However the current water plant has a hard time taking care of the people currently on Town water. Since moving into Antigonish in 1997 there is rarely a summer that we don't go on water ban. Which to me says we can't keep expanding water when we don't have enough for the current users. Also we were told the County is not after the Town's water. So why would he mention something in his presentation that was already stated as not going to happen?

Owen McCarron talks about taxes being lowered, however a complete study has never been presented. How could he know this without a study?

Laurie Boucher talks about polling not being accurate. However all types of government in Canada listen to polls all the time, that's why we hear the results in the news. Is she saying that polling is inaccurate? Is she an expert in polling or just unhappy that the polls don't agree with her position? Also, if she disagrees with the poll, why didn't she and Warden do a poll of their own?

The people who want a study and a vote all presented facts and had meaningful things to say. Please listen to the people and give us a complete study, and then a vote. If you can give us a detailed study you might find more grassroots support.

I would like to see floating Councillors where everyone works as a team rather than individual districts.

The people who spoke in favour of consolidation tried to paint those who want a vote as reactionaries who are against change. They are completely missing the point, we are neither for nor against consolidation, we want the details and the right to choose our future. If, as they say, consolidation is so great, it should be easy to convince the people to vote for it.

Please Let Us Vote.

Sincerely,
Kimberley Sherrington

[REDACTED]

From: brenda [REDACTED]
Sent: March 6, 2024 2:29 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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Dear Law Amendments Committee Members

I am writing with regards to Bill 407. Please either reject Bill 407 or amend it to require a full study by the URAB and a plebiscite that the MGA allows us to have. The councilors did not run on this issue and therefore have no political or ethical mandate to push this through without a plebiscite. Premier Tim Houston, please listen to the majority of your people. Please have respect for the court process, respect for my voice and respect for democracy.

Thank you for your time
A life long resident of Antigonish County

Brenda Greencorn.

From: Kim Burnett ■■■■■
Sent: March 6, 2024 2:23 PM
To: Office of the Legislative Counsel
Subject: Proposed Consolidation of Antigonish

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Dear Honourable Members of the Legislation Amendments Committee for Nova Scotia,

I am writing you today to implore you not to move forward with Bill 407 - Consolidation of Antigonish - or to make significant amendments to it if you do.

Fundamentally, as a resident of the Town of Antigonish, I do not want to see this passed. I am neither for, nor against, consolidation. But I am vehemently opposed to this process. I have a Master's and PhD in Global Governance. I know a great deal about democracy, democratic engagement, and democracy, and this is a gross violation of the fundamentals of democracy, and is indeed a blatant attempt to usurp democratic process and citizen voice to pass a bill that seems to most of us to be in the unclear interests of elected officials and not citizens. At this point I would like to bring forward a response to MLA John MacDonald, who repeatedly asked in the hearing Monday about the role of councillors and elected officials to make decisions on behalf of residents. To which I would like to point out the text of the Municipal Government Act that contradicts this perspective:

"Staying informed on the concerns facing the greater community will also help you to discuss these issues when they arise at council. Best practices include regularly speaking with, and learning from, your constituents and their concerns in the municipality. Raising relevant issues at the council table is an important part of your role as the voice of the residents you serve." (MGA, p.3)

This has not been done by anyone but the councillors who voted against this. In town, Sean Cameron and Diane Roberts, who are the only two who have ever had a conversation with me. Rather, by commencing this process immediately after a municipal election without platforming on it, this completely avoided consultation of the most accountable form. This is grossly negligent and duplicitous. Who platforms on beautification when they are planning a consolidation? Why? What were they scared to learn? There have been numerous invitations to all of the elected municipal members of government who voted for this consolidation to answer questions and respond to feedback, and they have repeatedly declined or comically vapid responses have been given. I myself asked numerous quantitative and qualitative questions of substance about the consolidation, and have received occasional drivel that did not speak to my questions, or my questions were completely ignored (generally in strange communications strategies from the Mayor, which I have recorded). Meanwhile, instead of being accountable to the lack of consultation, the entire process has been spun that this is not the role of our elected officials. I was in a meeting when Willie Cormier listed his credentials, and

stated that he was better suited, as a result, than citizens to make these decisions. As someone with a PhD in Global Governance, with a specialization in Global Political Economy, who has worked for the United Nations and the Federal Privy Council Office, in addition to numerous international NGOs and now as a professor, I can assure you that I am more qualified than Willie Cormier, with his accounting degree. But to the more important point, I am not - nor will I ever be - so better qualified than the citizens of a jurisdiction to make a decision that I would undermine their democratic rights to. I am qualified such that I know not to do this. This represents a complete derelict of the democratic duty by the elected representatives of town and county who support this.

Secondly, let me clarify some statistical analysis for you on the representation of the population in the poll showing that well over 70% of residents will vote against the PCs if they vote to pass this. The mayor liked to spin the data to say it was not representative of demographics, with few 18-45 year olds and too many seniors. That's one way to look at it (40% of 18-45 if you count STFX students, I am assuming). But here is another way to spin it - one that is more relevant to the questions asked in the poll, and more relevant to you. Thing voting data - and who votes the most. You will see a question on *voting preferences* is probably more relevant to a voting demographic than general demographics. According to elections Nova Scotia, in 2017 64-74 year olds were the most active age demographic of voters, and by contrast, the share of the population dropped by age thereafter. I don't have 2021 numbers, but you and I both know it hasn't likely changed much. You won the election by less than 2% last year. You're descending in popularity. I know a LOT of folks in my community who voted PC who will never vote for you if you pass this. We are many and we are angry, and you can call that emotional if you'd like, but I call it citizen action, completely rational in the face of such an front to democracy, and I'd be worried if people weren't actively engaged in this shocking demonstration of autocracy.

I have been to some of the town halls, I have spoken to my neighbours, I have spoken to strangers. I can tell you the VAST majority of people are appalled by this process. I can also tell you that there are many among us who are PRO amalgamation. I solicited signatures from neighbours on the petition you could not accept - some were in their 80s signing a petition for the first time in their lives. You don't got to take our right to decide. And the duplicity with which this has taken place has generated a complete distrust of the individuals who voted for this. Our anger is just, rational, and rooted in our democratic rights; we will exercise this at the polls.

You saw fantastic and substantive testimony on March 4th from Anne Marie Long, Terry Penny, and Soan Cameron, to name only three of many. I uphold what they have put forward. I want to see this Bill trashed. If not, shelved, until after the municipal election in 7 months, and if not, then wait for the results of our appeal. And let the citizens of Antigonish decide who plans the transition, if you won't shelve it. Do not give that duty to the people we distrust.

Member of the Amendments Committee - you have a choice - you can uphold the principles of democracy, or you could mobilize how the residents of a very politically active community vote, who have made it clear they will not vote for you if you push this through. I have worked in policy for decades. I cannot imagine why you would allow your careers to hinge on this town and county's amalgamation without a vote. But it wouldn't surprise me if you did. If it weren't so true, the expression wouldn't exist: pride goeth before the fall.

Yours sincerely,
Dr. Kim Burnett, PhD
Antigonish, Nova Scotia

[REDACTED]

From: André MacDonald [REDACTED]
Sent: March 6, 2024 2:18 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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If you allow this bill to go through you are ignoring the facts:

- The issue is still in front of the courts. At least wait for the court decision before proceeding.

- A very accurate poll shows that over 75% of people in the Antigonish Town and County want a vote. The same poll shows only 22.4% of people feel the Mayor and Warden provided enough information. Despite the Mayor and Warden's claims that they did wide spread consultations, that just isn't true. They did all their meetings during the height of the Covid 19 pandemic, when many people were afraid to go to large gatherings, and therefore, very few people showed up. Those who did show up weren't listened to. They were just told what was going to happen. That's hardly democratic.

- The request for this legislation barely passed in both Councils. In the Town, the Mayor cast the deciding vote, and in the County, it passed by one vote. One of the County Councillors, who has stated he wants a plebiscite, was told he couldn't vote due to conflict of interest.

- The Councillors did not run on this issue and therefore have no political or ethical mandate to push this through without a plebiscite. You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.

Sincerely,
André MacDonald

Sent from my iPhone

From: Carolyn Novak [REDACTED]
Sent: March 6, 2024 2:13 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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Sincerely,

Carolyn Novak
[REDACTED]

[REDACTED] [REDACTED]

From: gloria boudreau [REDACTED]
Sent: March 6, 2024 2:12 PM
To: Office of the Legislative Counsel
Subject: Regarding act 407, consolidation of Antigonish Town and County. Dear law amendments Committee members, I would like my democratic voice and concern heard before, Act 407 be voted on. I want a study on the pro and cons regarding the benefits or lack...

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McDonald, David S

From: Daniel J G Fougere <[REDACTED]>
Sent: March 6, 2024 2:09 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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Dear Law Amendments Committee Members,

I am writing in regard to Bill 407, the Antigonish Consolidation Act. As you have been told by numerous people, on numerous occasions, we are not against consolidation. We just want our democratic right as Nova Scotians to have our say on this matter. Please either reject Bill 407 or amend it to require a full study by the UARB and a plebiscite that the MGA (and our rights as Canadians) allows us to have.

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Show us how consolidation will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.

Sincerely,

Daniel

From: Anthony Macdonald [REDACTED]
Sent: March 6, 2024 1:39 PM
To: Office of the Legislative Counsel
Subject: Consolidation Act

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Sincerely,
Anthony J. MacDonald

Sent from my iPhone

[REDACTED] [REDACTED]
From: Diane Farrell [REDACTED]
Sent: March 6, 2024 1:35 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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Sincerely,

Diane Farrell

[REDACTED] [REDACTED] Pomquet, NS [REDACTED] from my iPhone

[REDACTED] [REDACTED]

From: Carol MacEachern [REDACTED]
Sent: March 6, 2024 1:31 PM
To: Office of the Legislative Counsel
Subject: My Voice for Law Amendments

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Hello everyone,

My name is Carol MacEachern. I have been a resident of the county of Antigonish for 38 years. At this time, I would like to request the committee respect the court process and allow the appeal to be heard, before the Bill is tabled, thank you. Please respect my voice and democracy. I would also appreciate a study and a vote before this bill is enacted.

Sincerely,
Carol

McDonald, David S

From: J Macmillan [REDACTED]
Sent: March 6, 2024 1:26 PM
To: Office of the Legislative Counsel
Subject: Antigonish town and County consolidation

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The issue is still in front of the courts. At least wait for the court decision before proceeding.
A very accurate poll shows that over 75% of people in the Antigonish Town and County want a vote.
The same poll shows only 22.4% of people feel the Mayor and Warden provided enough information. Despite the Mayor and Warden's claims that they did wide spread consultations, that just isn't true. They did all their meetings during the height of the Covid 19 pandemic, when many people were afraid to go to large gatherings, and therefore, very few people showed up. And those who did show up weren't listened to. They were just told what was going to happen. That's hardly democratic.
The request for this legislation barely passed in both Councils (in the Town, the Mayor cast the deciding vote, and in the County, it passed by one vote. And one of the Councillors, who has stated he wants a plebiscite, was told he couldn't vote due to conflict of interest).
The Councillors did not run on this issue and therefore have no political or ethical mandate to push this through without a plebiscite.
You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.

Sincerely,

Jessica MacMillan

(A concerned Antigonish County taxpayer)

[REDACTED]

From: Oldgroupie Louise Ewing [REDACTED]
Sent: March 6, 2024 1:11 PM
To: Office of the Legislative Counsel
Subject: Bill 407

You don't often get email from wizzsworld@gmail.com. [Learn why this is important](#)

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Dear Law Amendments Committee Members,

In addition, as you have been told by numerous people, we aren't against consolidation. We just want our democratic right as Nova Scotians to decide our future. Please either reject Bill 407 or amend it to require a full study by the UARB and a plebiscite that the MGA (and our rights as Canadians) allows us to have.

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You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.

I would also like to point out that the allegations made by the MLA for Yarmouth and others that our Warden and Mayor have been harassed, etc to the point that criminal charges should be considered is absurdly their own fears about their own wrong doings.

How can the mayor get away with blatantly and audibly calling an opposing councillor an A\$\$HOLE in active council chambers??

My own councillor was not allowed to participate in the vote because he works for public works yet 22% of the population resides in his district but the Warden works for the county and could vote on his own proposal, the Mayor works for the town and could do the same. Where do we draw the line of admissibility? If my councillor (and others) can't speak for the people they were elected to represent -

again 22% of the population in my zone alone - where is the legality of this hugely erroneous Bill? My voice has not been represented and that makes the process illegal as I see it.

Regards,
Louise Ewing
Antigonish County
[REDACTED]

[REDACTED]

From: [REDACTED] grant [REDACTED]
Sent: March 6, 2024 12:49 PM
To: Office of the Legislative Counsel
Subject: Antigonish amalgamation

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Sent from my iPad We are in support of amalgamation as are many of the residents of Antigonish town and county. It would mean we could use funding more efficiently rather than competing for provincial and federal funding. The survey that was done was 400 people out of a population of approximately 20,000. Personally I feel this is a totally inaccurate survey with numbers being that low. Please pass this bill so we can go forward and improve Antigonish municipality to its full potential

[REDACTED]

From: [REDACTED] Pgm [REDACTED]
Sent: March 6, 2024 12:48 PM
To: Office of the Legislative Counsel

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**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Sincerely
shannon Fear

[REDACTED]
[REDACTED]
[REDACTED]

From: Shane Decoste [REDACTED]@[REDACTED]>
Sent: March 6, 2024 12:40 PM
To: Office of the Legislative Counsel
Subject: Consolidation

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<https://aka.ms/LearnAboutSenderIdentification>]

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To all that care about the people :

As i sit here writing this email as a resident of the County of Antigonish i find it hard to believe that the latest poll that was conducted by a reputable organization showing that nearly 80% of the people town and county does not speak loud enough that we want to be heard . We are not saying consolidation is not how we should move forward but show us why we should move in that direction. We trust that when we hold municipal elections that 50+ percent of voters is good enough to allow those people to represent us . Why should 80% not be good enough so we can have more questions answered ? Does this make any sense ? I am not saying it's not the right way to move but show me why . There will never be a larger decision made about these historic communities and once they are dissolved they can never be resurrected. I demand that our Conservative government pause this process and listen to all residents and take a hold a plebiscte after all questions are answered and if consolidation is best for all then move on .

Sincerely:

Shane & Patricia DeCoste
Residents of the county of Antigonish
Sent from my iPhone

McDonald, David S

From: Heather Mackenzie [REDACTED] >
Sent: March 6, 2024 12:37 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.

Premier Houston said the following in relation to democracy:

Democracy

Successful democracies

- confidence in key in
- trust and cooperati
citizens
- a shared understan
facts

At this time I can without a doubt say confidence in our town and community councillors who voted to support the amalgamation without a plebiscite has eroded, such that it no longer exists. Trust and cooperation with councillors and politicians who support this is also gone. The Mayor and Warden has lost all respect from their

residents. Finally, town and county residents have no shared understanding of basic facts because Mayor and Warden refused to share any facts.

Given the above, I strongly suggest an amendment to Bill 407 be made to support a plebiscite allowing the people of the town and county Antigonish the opportunity to vote on this very important matter.

Sincerely,

Heather MacKenzie
Resident of Antigonish County.

McDonald, David S

From: Quito Maggi [REDACTED] >
Sent: March 6, 2024 12:33 PM
To: Office of the Legislative Counsel
Cc: mayor@townofantigonish.ca
Subject: Submission tabled for Bill 407, Antigonish Consolidation Act

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To whom it may concern,

I would like the letter below to Mayor Boucher tabled to the Law Amendments Committee for Bill 407, the Antigonish Consolidations Act.

Since her worship has not acknowledged my letter or retracted and apologized for her false and misleading statements, I would like the information included for the Committee studying the matter.

Regards,

Quito

From: Quito Maggi [REDACTED] >
Sent: March 5, 2024 3:39 PM
To: mayor@townofantigonish.ca <mayor@townofantigonish.ca>
Cc: Owen.McCarron@Antigonishcounty.ca <Owen.McCarron@Antigonishcounty.ca>; mlabradjohns@gmail.com <mlabradjohns@gmail.com>; JUSTMIN@novascotia.ca <JUSTMIN@novascotia.ca>; mlaritcey@bellaliant.com <mlaritcey@bellaliant.com>; PCcaucus@novascotia.ca <PCcaucus@novascotia.ca>; patdunnmla@bellaliant.com <patdunnmla@bellaliant.com>; stevecraigmla@gmail.com <stevecraigmla@gmail.com>; melissa.mlaoffice@gmail.com <melissa.mlaoffice@gmail.com>; info@loleleincollmla.ca <info@loleleincollmla.ca>; info@braedonclark.ca <info@braedonclark.ca>; garyburrillmla@gmail.com <garyburrillmla@gmail.com>; LisaLachanceMLA@gmail.com <LisaLachanceMLA@gmail.com>; willie.cormier@townofantigonish.ca <willie.cormier@townofantigonish.ca>; donnie.macinnis@townofantigonish.ca <donnie.macinnis@townofantigonish.ca>; sean.cameron@townofantigonish.ca <sean.cameron@townofantigonish.ca>; andrew.murray@townofantigonish.ca <andrew.murray@townofantigonish.ca>; mary.farrell@townofantigonish.ca <mary.farrell@townofantigonish.ca>; diane.roberts@townofantigonish.ca <diane.roberts@townofantigonish.ca>
Subject: Testimony at Law Committee yesterday

Good afternoon Madam Mayor,

I have just completed viewing the Committee meeting where you testified yesterday and to respectfully ask that you withdraw your comments regarding the Mainstreet polls. I am ccing the County Warden, your council and the Committee members from the Nova Scotia House of Assembly.

As you may or may not know, I have served many Mayors across Canada in numerous capacities and have always provided guidance and advice to my best abilities, I write you today only to correct the record and defend my work, not to pick a side in this discussion. I respect your work and those of your colleagues cited above.

First, let me commend you on the outreach you referenced in your testimony, the public meetings, mailings and online events. The 3000 touchpoints you referenced is something to be proud of.

I will now address your subsequent comments about the Mainstreet polls.

I am disappointed that you would reference 2 misses that Mainstreet has had in our 14 year history, out of more than 10,000 polls conducted, one from 5 years ago and another from 7 years ago. In the past year we have accurately measured the Manitoba election, the top three most accurate polls in that election were IVR (https://en.wikipedia.org/wiki/2023_Manitoba_general_election). The same is true for the 2023 Toronto Mayoral election, Mainstreet was closest to actual results while 3 other pollsters had bigger misses than the 2017 Calgary mayoral election, this is not a reflection on the other pollsters, just to point out that all polling firms have misses, 19 times out of 20 means exactly that.
https://en.wikipedia.org/wiki/2023_Toronto_mayoral_by-election

We've also accurately measured 4 of the last 5 federal by-elections accurately. And in Calgary where we had our miss in 2017, we successfully measured the results of the Olympic bid Plebiscite.
(<https://calgary.citynews.ca/2018/11/12/poll-suggests-nearly-half-of-calgarians-are-voting-no-in-olympic-plebiscite/>)

Our total misses can be counted on two hands, what amounts to a 99.99% accuracy. I own and acknowledge those misses, but I remain proud of our track record.

Your further comments also confused me, because they are simply not true.

- You claimed that we made "about 5000 calls" for the Antigonish polls, both in March of 2023 and in February of 2022, that is false. In March of 2023, we made a total of 14,723 and in February of 2024 (a 2.3% response rate), it was 14,692 calls in February of 2024. (a 3.0% responses rate)
- You stated that the response rate are well below industry standards, that was also false, our response rates and those among IVR polls fall well within industry standards. We are Gold Seal members of the Canadian Research Insights Council and follow rigorous processes for quality.
- You suggest that the methodology of IVR doesn't accurately represent public opinion, that is false. In the most recent Nova Scotia election, the top two closest pollster to actual results were Mainstreet Research and Forum Research, both IVR pollsters.
(https://en.wikipedia.org/wiki/2021_Nova_Scotia_general_election)
- The American Association for Public Opinion Research reports after the 2016 election concluded that IVR was by a significant margin the most accurate in that election. (<https://aapor.org/wp-content/uploads/2023/01/AAPOR-2016-Election-Polling-Report.pdf>)
- I could go on citing recent elections and polling reports, your sources are incorrect, no public official or non expert should speak about polls, or methodology, it can get quite embarrassing. But that's not all.

In your further comments, you suggested that our demographics "were not representative of the population", again this is another example of how embarrassing amateur analysis can be of polling. You cited the unweighted frequency of those under 50, "around 10% of the population" but that population was weighted up, and the older population was weighted down. I would ask you to revisit your comments after you have a chance to understand how poll weighting works, and read the "Weighted Frequencies" in the tables provided.

In your comments you also alluded to the possibility that non residents like your daughter who has an Antigonish cellphone could be included in polls unintentionally. This is not the case. The poll asked respondents whether they lived in the Town, the County or the "fringe". Screening for residency and eligibility is a best practice of polling, and one we follow. If in fact your children participated in our poll, as you alluded, they lied in the survey.

Lastly, I should talk about ambiguous versus non ambiguous poll results. Calgary, Nanaimo and other polls where we have missed or other polls have missed tend to be ambiguous, 50% to 40% or 45% to 41% remains within several margins of error of the poll, and polls can have other sources of error, those can be viewed as ambiguous results. In fact, the "average error" in Municipal elections is 9% (that is per candidate) citing our 24 point miss in Calgary across 3 candidates was actually below average, similarly in the Nanaimo byelection.

Neither of the Antigonish polls were at all ambiguous in their results. In February of 2023, 70% of residents expressed their opinion to want a vote in the amalgamation, that increased to 75% in February of 2024.

Again, I will commend your outreach to 3000 residents. You've provided no statistics on what percentage of the feedback was positive or negative, this is an important omission and should be provided to the Committee, surely the Town staff have those statistics.

By contrast, Mainstreet attempted to reach residents multiple times, over 7000 unique numbers including 60% RDD cellphone frames were contacted 3 times on each occasion. The results were weighted to the census population of Antigonish County and Town 2021 to be representative of the entire adult population by age, gender and education. Our results are publicly available for examination and scrutiny. There is legitimate, educated and fair critique of public opinion research, your comments are none of these.

You have fabricated facts, you have misrepresented our work, you have mischaracterized the results. We do not have a preference in the outcome of the debate, we measure without pride or prejudice. Politics can be a great force for good, I respect your service. But it can also blind us, ideology and anecdote is not data or analysis.

I would respectfully ask that you retract your testimony and apologize to Mainstreet and/or that the Committee consider this written submission as a rebuttal to Mayor Boucher's testimony. We don't want our work weaponized for any purpose, but we do stand by it.

Regards,

Quito

Quito Maggi
President & CEO
Mainstreet Research
(416)570-3762
@quito_maggi

From: Debbie Cameron MacDonald [REDACTED]
Sent: March 6, 2024 12:29 PM
To: Office of the Legislative Counsel
Subject: Proposed Bill 407

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- The request for this legislation barely passed in both Councils. In the Town, the Mayor cast the deciding vote, and in the County, it passed by one vote. One of the County Councillors, who has stated he wants a plebiscite, was told he couldn't vote due to conflict of interest.
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Sincerely,
Debbie Cameron MacDonald
Resident of Antigonish

From: TLC Mechanical [REDACTED] <[REDACTED]>
Sent: March 6, 2024 12:25 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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Sincerely,

Daniel and Doreen Chisholm
Lakevale Antigonish co

From: [REDACTED]
Sent: March 6, 2024 12:22 PM
To: Office of the Legislative Counsel
Subject: Antigonish Bill 407

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Sincerely,

Chet Chisholm

From: Claire Dunne [REDACTED]
Sent: March 6, 2024 12:12 PM
To: Office of the Legislative Counsel
Subject: Amalgamation Antigonish

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**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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I am writing to express my outrage of this whole process, which is currently before the Court of Appeal. The blatant disregard for the majority of voters and their desire for a voice. The absolute disregard for democracy. All of us should have a voice in this decision. Not just a few councillors who were never elected on this issue. We, the voters deserve a vote. Not politicians.

Thank You,
Claire Dunne
Cape George,
Antigonish county, NS

[REDACTED]

From: Patrick Clay Yancey <patric [REDACTED] [REDACTED]>
Sent: March 6, 2024 12:02 PM
To: Office of the Legislative Counsel
Subject: Antigonish merger bill

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Hello,

Many local residents are concerned that a merger bill could be passed without any condition for a prior public referendum before the merger takes effect. I can't imagine that the Houston government would take such a severe and undemocratic approach, but nevertheless, people are very concerned. Please ensure that any bill to merge the town and county municipalities clearly states that the matter must first be approved by a proper public referendum.

Best, Patrick

[REDACTED]

From: Jack MacPherson [REDACTED] >
Sent: March 6, 2024 11:59 AM
To: Office of the Legislative Counsel
Subject: Municipal democracy

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Good morning, I am writing on a very important matter about the town of Antigonish and the county of Antigonish consolidating without a plebiscite .

The people of the town and county deserve a vote, please do the right thing for our democracy!

Jack Macpherson & Patricia,
13 Dolorosa Ave.
Antigonish town

9 [REDACTED] [REDACTED]

Thank you in advance!

[REDACTED]

From: sandra webb [REDACTED]
Sent: March 6, 2024 11:45 AM
To: Office of the Legislative Counsel
Subject: Law Amendments Committee

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To whom it may concern!!

I would like the Committees know that I am a Resident of Antigonish County And that I am very disappointed with the way we are being treated! Myself as Many other people have lost family members during the wars , these people Fought for our Freedom and Democracy, our Right to vote was one of our major Results and now a few people on Our Municipal Council our trying to destroy this On us obviously for their benefits, if these people get more power we will be in a bad place.

I come from a big family and with the way things are going here, there will be not much Hope for the Tories next election for us!!

People should have a choice in the matter, I witnessed in my lifetime just how Unfair County people have been treated by the Old Boys Club on the Municipal Council, now with the Mayor shovelling it also.

I am just one person who was lied to , I am sure there are many more, it is hard to put A trust in something as big as a merger with them.

We just want to have a choice , seems insignificant with all our Country Debt, Homeless people, seniors who can't afford Medication, our lack of Health Care And being taxed to the bitter end.

All this cost being added because our Mayor , Warden and a few other Concillors Won't accept our wanting a vote and more information on the pros and cons of this Merger, things that make sense!! Shame ! Shame!!

Let us live in a Democratic Society not Communistic!

Please respect our right to vote!
Sandra Webb
Resident of Antigonish County District 9

Sent from my iPad

From: Donnie MacInnis >
Sent: March 6, 2024 9:45 AM
To: Office of the Legislative Counsel
Subject: Law ammendments Committee Bill 407

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I am send this email to give you my thoughts on the proposed consolidation of the Town of Antigonish Into the county of Antigonish.

Let me start off by saying i am currently a town councilor for the Town of Antigonish and i am into my 20th year. From the very

beginning of this process i was certainly in favor of both councils exploring the possibility of becoming a Regional Municipality and attended

many meetings and listened to many of my constituents from both Town and County. I voted both times NOT to consolidate into one Municipal

unit as i truly feel as a elected representative it is my duty to listen to my constituents and i really believe the people of Antigonish are not against this

but don't feel they have enough information at this time and has created a real divide in our community.

Thanks,
Councilor Donnie Macinnis
Town of Antigonish

[REDACTED]

From: john hurley [REDACTED]
Sent: March 6, 2024 9:22 AM
To: Office of the Legislative Counsel
Subject: Bill 407 Law amendments
Attachments: Bill 407 Law Amendements.docx

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To whom this may concern,

I have attached my submissions for Bill 407.

Thanks,
John Hurley
[REDACTED]

My name is John Hurley,

I am here on my own accord.

I would like to start off by thanking God for this opportunity to speak today!

Thank you, Mr. Chair,

A little bit of my history, I was born and raised in New Waterford and still call it my home. Many family members still reside there today. After high school, I attended trade school for plumbing and heating. After completing this course, I left NS due to lack of trade work. I went to Alberta for approximately 10 years where I received my red seal certification in the pipe trades. I also met my beautiful wife from Antigonish county. After marrying, we relocated to Antigonish County where we continue to reside today. I continued to work toward my blue seal certification while maintaining my work and home life balance between Alberta and Nova Scotia. I had many roles in the trade, Job steward, Foreman, and Supervisor. Much of my career was spent dealing with personal and contractual issues with colleagues and contractors. Each job had its own individual contract, and you were required to know the contract to protect yourself and others, depending on my position. I also spent time Teaching in the classroom of the NSCC before being injured in a car accident in 2013.

When I was in high school, my community was part of an forced amalgamation of the Cape Breton Regional Municipality.

I would like to state that I am not for the consolidation/amalgamation, and I DO NOT support the way it was presented.

If I was a purchasing a business, I would want to see all the records before a purchase agreement is made.

Now, if my wife, who runs a small business, came home, and told me that she went out and bought a business and here is some of the details. How should I react? Should I just trust my wife and say its ok, you run a business, I am sure your decisions are in our best interest. I am not a businessman, but I am a logical thinker. So, I try to question everything.

So, why is this a rushed decision?

Both the Town and County are corporations, so where is all the documents? If it was the best decision for the people, where are the records to show the public? If consolidation was the next step to collaborate on, why was it so hard for the public to get any information from both corporate bodies during the process?

The Mayor and Warden talked about services that are duplicated in the town and county. Why are they not collaborating, to work them out? It seems like an easy solution to me. Work together like you have been on pushing for this special legislation or amalgamation.

This process has not divided the people of Antigonish Town and County, rather it has brought us together. Thank you, LAD!

If two communities are working well and collaborating, why change? We heard from Port Hawkesbury Mayor Brenda Chisholm Beaton, who pointed out a good thing and I quote "They had a regional working group between 4 municipalities that was collaborating and working well". Thank you for your kind words, Brenda! I ask, should we just amalgamate all these counties? Is that the next step?

If you surveyed folks for one hour in New Waterford or towns surrounding Sydney in the CBRM and asked how they feel about their forced amalgamation, you would want to turn and run in horror. The feelings of the forced amalgamation are still felt today. While Mayor Bouchie and Warden McCarron are quick to talk about the successful amalgamation, they have not spoke to the possible downsides of an amalgamation of Municipalities like the residents of the CBRM.

I live in Michelle Thompson's riding, and I am also a neighbour of Greg Morrow. Neither Greg nor Michelle has had the time of day for me. I find the small government structure of our municipality although it has some inefficiencies, is best for the people and the people have more of a say in their future. If they dissolve, I am sure that our representation will go from 1200/ 2000 people per council to almost double the size per council. Our community will see less because of the size of the new districts and representation will have less time to address the issues in OUR community. Take CBRM for example, they are still working to decrease the size of council in the CBRM. When I lived in New Waterford, we had 4 wards with 2 council per ward and a mayor. Now the entire town has 1 councillor and the district covers all the surrounding county communities. Do you think he is able to work for the population like the 8 council and 1 mayor could?

Efficiencies can be made without amalgamation.

A transparent government is a government that operates openly and with transparency in its decision-making processes. This includes making information about government operations, policies, and decisions easily accessible to the public. Transparent governments are accountable to their citizens and strive to keep them informed about their actions and expenditures. Transparent governments also allow for greater public participation in the decision-making process and work to prevent corruption and misuse of power.

There are many reasons why I am here today. One would ask, why have laws in place, if every time the government sees fit, they can make a work around? That is what is happening here today. The government is making a work around the current structured law that is already in place for such a process. By creating special legislation for amalgamation/consolidation when the current legislation already in place is sufficient, is setting a dangerous precedent. The rules are very simple, give the people all the information and let the people vote on the matter. The current laws that are in place are sufficient for protecting the rights of the residents should

amalgamation or consolidation arise. If the people in this house are respecters of the law, then bill 407 should not pass into law.

Michelle Thompson recently talked about how about how fast she was going on the 28th, in the House of assembly according to the auditor generals report. Michelle referred to this as being the only issue she had. Maybe she should take a minute and talk to her constituents. Maybe just return one or two calls. Michelle is proud of her works, and we all know what happens with pride. Why not talk to her constituents and listen to their concerns?

Last week in the House of Assembly members of the Houston Government talked about Bullying. How is this legislation not bullying the residents of the Antigonish Town and County? Do the members of this house not recall last weeks talk on Bullying?

This government talks all about efficiencies. But we have not seen any of these plans for efficiencies. No, just talk. Up until June in 2023 you could not speak in the local Municipality of the County of Antigonish council without an agenda item. Does this seem like an efficient way for the public to address council with issues? The council rules did not allow for community issues to be heard. With much missing information and a shortage of time, I have spent a lot of time researching. The only way to get information on the most important issues in Antigonish County's history was thru FOIPOP. Is this efficient? Is this transparent?

I could not get a response from either Greg Morrow or Michelle Thompson on a meeting to talk about any of these important local issues. I had zero representation in the House of assembly.

Every time I needed a government response to a question, it could take at least two weeks and could take up to six weeks. Where does this leave me? It leaves me blind on the biggest deal in the history of my county.

Here are a couple things that might have been overlooked while the government is rushing the process. Is there any conflict of interest with the Warden and the Conservative Government moving on this legislation? Is the CAO in a conflict-of-interest position when moving this legislation? Who under the municipal Government should be deciding if someone is in a conflict of interest? Is it right that the courts are the place to decide a conflict of interest and not the minsters legal team? Is there a Judge and ethics commissioner that should be looking at all the relevant information? Should the same minster granting the special legislation be also offering to help you decide if you are in a conflict of interest? Nothing to see here. Maybe a second opinion should have been sought on Sean Brophy's conflict. No time allowed for this; they were forced into an emergency meeting. Maybe the courts should have been used in this question of conflict. Sean Brophy was considered in a conflict-of-interest position, he had two hours notice before the emergency vote was scheduled, he had no time to obtain a second opinion. Is this how democracy should work?

Has there been investigations into any donations received by the political party that is moving the special legislature forward? Could this cause someone to be in a conflict-of-interest position? i.e. the Warden CAO and voting council members.

The government said they would respect the wishes of the people if there was a court case against the Municipality. Do they respect the people? In fact, both the municipal and provincial governments were so rushed in the decision-making process, some mistakes were made.

Here are some things I think are key to consider before Bill 407 is goes to its final reading. There are many potential disadvantages of an amalgamation. Here is just a few:

1. Resistance to change: People within the communities involved may resist the amalgamation due to uncertainty about their roles, potential changes in leadership, or the impact on their job security.
2. Cultural differences: When communities with different cultures are amalgamated, it can create conflicts and challenges in terms of aligning values, communication styles, and work practices.
3. Loss of identity: Each community has its own unique identity. Amalgamation may result in the loss of this identity, leading to confusion and disconnection among some parts of the community.
4. Integration challenges: Bringing together different systems, processes, and operational structures can be complex and time-consuming. Integration challenges can lead to disruptions in service delivery, customer satisfaction, and productivity.
5. Financial risks: Amalgamations can be costly, with expenses associated with restructuring, rebranding, and integrating systems. There may also be financial risks if the organizations involved have different financial statuses or liabilities.

Overall, while there can be benefits to amalgamations such as increased efficiency and economies of scale, it is important for communities to carefully consider and address these potential disadvantages to ensure a successful merger or consolidation process.

Community amalgamations can sometimes lead to conflicts of interest, particularly when different groups or organizations within the community have competing interests or goals. Some potential issues that may arise include:

1. Power struggles: When multiple community groups are amalgamated, there may be power struggles and conflicts over who controls decision-making processes, resources, and priorities within the newly formed entity.
2. Allocation of resources: Conflicts of interest can arise when there are disagreements over how resources (such as funding, equipment, or staff) should be allocated among different programs or projects within the community.
3. Conflicting priorities: Different community groups may have different priorities or objectives, and amalgamation can bring these differences to the forefront. Conflicts of interest may arise when one group's goals are prioritized over another's.

4. **Personal relationships:** In small or close-knit communities, conflicts of interest can arise due to personal relationships or connections between individuals involved in the amalgamation process. This can lead to perceptions of bias or favoritism in decision-making.
5. **Lack of transparency:** If the process of amalgamation is not transparent and inclusive, it can lead to mistrust and suspicions of conflicts of interest. Community members may question the motivations behind the amalgamation and the decisions made by those in power.

To address conflicts of interest in community amalgamations, it is important for all stakeholders to engage in open and transparent communication, involve community members in the decision-making process, establish clear governance structures and mechanisms for resolving conflicts, and ensure accountability and ethical behavior among those involved. It is also important to recognize and respect the diverse perspectives and interests of all community members to create a more inclusive and harmonious amalgamated community.

It is important to establish clear codes of conduct and conflict of interest policies to guide the actions of individuals within the amalgamated entity and promote fairness, integrity, and trust within the community.

Special legislation refers to laws that are specifically tailored to address a particular group, organization, or situation, rather than applying to the general population. While special legislation can sometimes be necessary to address unique circumstances, there are several potential problems associated with this approach:

1. **Lack of accountability:** Special legislation may create exemptions or special privileges for certain groups, which can lead to lack of accountability and transparency in decision-making processes.
2. **Inequity:** Special legislation may create inequalities by providing preferential treatment or advantages to specific groups, potentially disadvantaging other groups or individuals in society.
3. **Complexity:** Special legislation can add complexity to the legal system by creating a patchwork of laws that apply only to certain groups or situations, making it difficult for individuals to navigate and understand their rights and responsibilities.
4. **Lack of consistency:** Special legislation may lead to inconsistencies in the application of laws and regulations, as different rules may apply to similar situations based on specific criteria or circumstances.
5. **Political influence:** Special legislation may be susceptible to political influence or lobbying efforts, as legislators may be more inclined to pass laws that benefit specific interest groups or individuals, rather than serving the broader public interest.
6. **Legal challenges:** Special legislation may be subject to legal challenges on the grounds of discrimination, lack of equal protection under the law, or violation of constitutional principles, leading to uncertainty and potential conflicts in the legal system.

Overall, while special legislation can be a useful tool in addressing unique problems or situations, it is important to carefully consider the implications and potential drawbacks of creating laws that apply only to specific groups or circumstances. It is essential to balance the need for targeted solutions with the principles of fairness, equity, consistency, and transparency in the legal system.

There are several reasons why people should have a vote on amalgamation, which is the process of combining two or more entities into a single integrated entity:

1. **Democratic principle:** Giving people a vote on amalgamation ensures that the decision-making process is democratic and inclusive. It allows citizens to have a say in major changes that could affect their communities, resources, and governance structures.
2. **Transparency and accountability:** A vote on amalgamation promotes transparency and accountability in the decision-making process. It gives people the opportunity to voice their opinions, ask questions, and hold elected officials accountable for their actions.
3. **Community engagement:** A vote on amalgamation provides an opportunity for community engagement and dialogue. It allows residents to discuss the potential benefits, drawbacks, and implications of the amalgamation and to participate in shaping the future of their communities.
4. **Fairness and representation:** By allowing people to vote on amalgamation, decision-makers can ensure that the interests and concerns of all stakeholders are considered. It promotes fairness, representation, and equity in the decision-making process.
5. **Legitimacy of the decision:** When people have a vote on amalgamation, the decision is seen as more legitimate and credible. It demonstrates that the decision was made with the consent of the governed and reflects the will of the community.

Overall, giving people a vote on amalgamation is a way to uphold democratic principles, promote transparency and accountability, engage the community, ensure fairness and representation, and legitimize the decision-making process. It allows residents to have a voice in shaping the future of their communities and ensures that their interests are considered in major decisions that will impact their lives.

A good public disclosure is an essential component of any amalgamation process between municipal units. It is important to ensure transparency, accountability, and engagement with the community throughout the process.

When municipalities amalgamate, it is important to consider the protection of stakeholders, including shareholders, to ensure their rights and interests are safeguarded during the process. While municipal amalgamations involve public entities rather than traditional corporations with shareholders, there are legal frameworks and mechanisms that can help protect the interests of individuals and businesses impacted by the merger. Here are some considerations for legal protections for stakeholders in municipal amalgamations:

1. **Legislation and Regulations:** The legal framework governing municipal amalgamations should include specific provisions that outline the rights, responsibilities, and protections for stakeholders, such as residents, businesses, property owners, and taxpayers. This

legislation should address issues related to representation, governance, service delivery, financial impacts, and other key aspects of the amalgamation process.

2. **Public Consultation and Engagement:** The legal framework should require municipalities to engage in meaningful public consultation and engagement with stakeholders throughout the amalgamation process. This ensures that the concerns, perspectives, and interests of shareholders are considered and addressed in decision-making.
3. **Transparency and Accountability:** The legal framework should promote transparency and accountability in the amalgamation process, including requirements for disclosure of information, reporting on progress, and mechanisms for stakeholders to access relevant documents and data related to the merger.
4. **Legal Protections for Property Rights:** During an amalgamation, stakeholders with property interests, such as homeowners, landlords, and business owners, should have legal protections for their property rights. This may include safeguards against expropriation, zoning changes, or other impacts on property values and rights.
5. **Financial Protections:** The legal framework should include provisions to protect the financial interests of stakeholders, such as taxpayers, shareholders of municipal bonds, or individuals with financial investments in the affected municipalities. Clear guidelines on funding sources, taxation policies, and financial responsibilities in the amalgamated entity can help ensure financial stability and fairness for all stakeholders.
6. **Dispute Resolution Mechanisms:** In the event of conflicts or disputes between stakeholders and the amalgamated municipalities, the legal framework should provide mechanisms for resolution, such as mediation, arbitration, or legal processes. These mechanisms help protect the rights of stakeholders and address conflicts in a fair and impartial manner.

By establishing a robust legal framework that incorporates these protections for shareholders and other stakeholders, municipalities can promote trust, fairness, and accountability in the amalgamation process. Legal safeguards ensure that the rights and interests of individuals and businesses are respected and upheld during a significant change like a municipal merger.

Give the people the information and let the people vote on the most important issue in the History, of the Antigonish Town and County.

Thank you for your time,

John Hurley

From: Jenny MacDonald <tops-jenny@gmail.com>
Sent: March 5, 2024 5:04 PM
To: Office of the Legislative Counsel
Subject: Bill 407 - Antigonish Consolidation

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Premier Houston and all MLAs of Nova Scotia and the Law Amendments Committee

We are writing to express our total disappointment in the special legislation that is before the Law Amendments Committee now.

The decision of consolidation should be left to the Residents of Antigonish Town and County.

Please defeat this legislation or withdraw it.

The Councils were never elected to amalgamate/consolidate the Town and County. The dissolution of the Town and consolidation were never on any of the council members' campaigns.

In September 2021 both Councils decided they would explore the feasibility of consolidation the Town and County.

But, the goal post change, October 2022, both Council voted on consolidation of the Town and County. Which only passed by 1 vote in both Chambers and 2 Councillors from the County had to declare a conflict of interest. So much for exploring the feasibility and all the residents of the County having a voice in this matter.

But yet again the goal post changed, when Town and County discover that the cost for RCMP Service would cost additional \$1.5 million. It looks like the research in the cost factor was not full and correctly looked at with regards to consolidation. So, what other financial information is missing? In regard to this, what other factors are missing to make a comprehend and logical decision regarding consolidation.

The Mayor and Warden then decide that the Town would merge with the County to save the cost of additional RCMP Services. This change to the motion that was voted and passed during October 2022 meeting was never taken to Councils for votes.

Harry MacDonald
Jenny MacDonald

District 4 Antigonish County (22% of the County population)

Who did not have a voice during the October 22, 2022, and January 29, 2024, meeting as our Councillor was required to declare a conflict of interest.

From: Anne Marie MacKenzie >
Sent: March 5, 2024 9:58 AM
To: Office of the Legislative Counsel
Cc: Owen McCarron; mayor@townofantigonish.ca
Subject: RE: Letter of Submission regarding Proposed Consolidation in Antigonish
Attachments: Letter_To_NS Law Amendments_March.5.2024.pdf

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Good Morning

Please accept the attached letter of submission.

Thank you

Anne Marie

Anne Marie MacKenzie
3275 HWY 337
Morristown, NS
B2G 2L2

[REDACTED]

From: Andrew Hakin [REDACTED]
Sent: March 5, 2024 7:55 AM
To: Office of the Legislative Counsel
Subject: Letter of Support for Antigonish Consolidation
Attachments: Antigonish Consolidation Support Letter.pdf

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To Whom it May Concern,

Please find attached a personal letter of support for the proposed consolidation of the Town and County Municipal Councils of Antigonish.

Sincerely yours,

Andrew W. Hakin

March 3, 2024

Dr. Andrew W. Hakin
18, Nicholson Court
Antigonish, Nova Scotia
B2G 2V4

To Whom it May Concern,

I write as a citizen of the Town of Antigonish to express my strong support for the proposed consolidation of Town and County Municipal Councils. I am a supporter of consolidation having already witnessed the incredible collaborative approach of the two municipal councils; they work well together, and I believe the residents of our community – both the Town and County – will be well served by the formalization of the current relationship through the process of consolidation.

I arrived in Antigonish in July of 2020 to assume the role of President and Vice-Chancellor of St. Francis Xavier University and have worked closely with the Town and County Municipal Councils ever since, in particular, in strong partnership and collaboration with Mayor Laurie Boucher and the Warden of the County Owen McCarron. At a minimum, once a month the Town, County and the University hold a one-hour meeting to share news and the latest developments from our respective areas, including pressing community matters. I have witnessed how Mayor Boucher and Warden McCarron work hand in hand, representing their respective residents to ensure very strong communication and seamless cooperation between the two municipal bodies. From a personal perspective, I believe representing the interests of the University to one body will provide a substantial increase in governance efficiency and very importantly, a reduction in red tape.

Change is not an easy vehicle to navigate within communities, but my thoughts are that consolidation will yield ongoing positive benefits for all residents in terms of operational efficiencies driven by service duplication reductions. By reallocating efforts that contribute to duplication, we, as a community, will get more accomplished. In addition, bringing together and focusing our resources will only lead to the outcome of a stronger region. I believe our community is ready for this next step in its evolution and I thank the two Councils for having the strength to lay out a bold future for our region that I consider to be in the best interests of all residents.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. W. Hakin". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Dr. Andy W. Hakin

From: Marion Stewart-MacDonald <[REDACTED]@ca>
Sent: March 4, 2024 3:33 PM
To: Office of the Legislative Counsel
Subject: Plebiscite needed for Antigonish

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Law Amendments Committee:

What is wrong with our "elected" council members in Antigonish? The people of Antigonish Town and County have asked that our vote be considered re the amalgamation so why aren't we informed of the advantages for the taxpayers? Why aren't we told if this is a good move for us, or is it just going to benefit certain people who think they alone are running the show? If they would be transparent about this whole process and give us some answers, then maybe this wouldn't have turned into such a fiasco!

Shame on Mayor Laurie Boucher and her entourage for throwing Antigonish under the bus!!

I hope you, the law amendments committee will at least give the taxpayers some say in this matter.

Sincerely,

Marion Stewart-MacDonald

Hon. Brad Johns
Chair, Standing Committee on Law Amendments
Government of Nova Scotia

March 5, 2024

Good Morning,

As the sun rises on another day and individuals provide thoughts on the proposed legislation of consolidation between the Town of Antigonish and Municipality of the County of Antigonish. I reflect on the headlines and media in recent days on the death of former Prime Minister Brian Mulroney. Phrases include "Brian took risks on issues that mattered, wanted and focused on making Canada a better place, provided bold ideas that mattered".

The Councils of the Town of Antigonish and Municipality of the County of Antigonish are to be commended on their bold idea to agree to consolidation. These Councils have found a way and agreed to it a decade after amalgamation was lost. A decade lost in my opinion.

A single municipal government for Antigonish makes the most sense based on population and geographical size. Fulfilling the requirements of policies and seizing the opportunities at the levels of provincial and federal governments. A single municipal government that will look thru a lens of the whole as compared to two when it comes to land use development, energy and climate policy, attraction and retention of people and business, etc.

In my past roles as Executive Director, Antigonish Chamber of Commerce and Development Officer, Antigonish Regional Development Authority I continuously witnessed the ineffective and inefficient workings of the existing two municipalities in almost every matter. So many opportunities lost as there was no capacity to see the mutual benefit only the desire to ensure that either the Town or County advanced not both.

The transformation of governance structure brings change and unknown – it's a risk but a risk I believe focused on making a better Antigonish.

Regards

A handwritten signature in black ink, appearing to read "Anne Marie MacKenzie", with a long horizontal line extending to the right.

Anne Marie MacKenzie

cc//: Owen McCarron, Warden Municipality of the County of Antigonish and Laurie Boucher, Mayor, Town of Antigonish

Law Amendments Committee

Office of the Legislative Counsel
CIBC Building
802-1809 Barrington Street
PO Box 1116
Halifax NS B3J 2X1

Re: Bill #407, Antigonish Consolidation Act

Attention: Committee Members

Chair, Hon. Brad Johns, PC
Vice Chair, Dave Ritcey, PC
Hon. Pat Dunn, PC
Hon. Steve Craig, PC
Melissa Sheehy-Richard, PC
Lorelei Nicoll, Liberal
Braedon Clark, Liberal
Gary Burrill, NDP
Lisa Lachance, NDP

Members of the Law Amendments Committee,

My name is Jack Bouckeno and I live in Oceanside, California. I am Licensed General Contractor with the State of California, California Contractors State License Board and have been a licensed builder since 1991. My wife grew up in Antigonish County, Nova Scotia and has strong ties to the area. I am a Canadian citizen. I am also a citizen of the United States. We do plan to return upon retirement to some degree and have a great deal of interest in the future of the community. That is why I am writing to you today to give you my insight on Bill #407, which might be quite a different perspective.

I have worked with and for many developers for many years. I have been a part of a multitude of large community developments and master communities. The concept of merging local governments is not new, far from it. It is however something I highly caution. The goal of limiting local government from a builder's perspective is about control. Fewer levels of government means fewer politicians to persuade, win-over, and convince of the value of any given project. The developers and investors want to control the how, where and when development occurs. The goal is to limit government interference in the investors and developers plan to build and profit. That is just the way it is.

Yes. Development is good. Of course it is, and it is going to happen. If the developers and investors have targeted an area for growth and profit—then they are coming! Arguments regarding water sourcing, or waste water facilities or utilities—those issues are not a problem. Developers deal with these issues all the time. If there's money to be made, they're coming!


As for the issue with local government, your Municipal government structure for the Town and for the County. That is not an issue either, not really—well, if a developer can minimize the number of politicians, well that does make movement easier—in particular the selection of location, ability to bypass local environmental restrictions and waiving otherwise required local procedures and local processes. Is this what is wanted? If you let the developers dictate to you, you will have growth but no control. You, as an elected body, need to know and plan for the problems that come with any growth, in particular, the level of growth projected for the region. This Bill #407 to consolidate the Town and County of Antigonish, in my opinion, is most likely a push from a developer to gain control of the community and limit local authority. That is what developers do and not just in Nova Scotia, but everywhere. Some communities fall for the pressure, some don't. Progress does not have to mean sacrificing local authority and sacrificing local controls. Local involvement will make for a stronger, steady, healthier growth. That is how I see it and well I've been a Contractor my whole life.

So the local leaders, the Mayor and the Warden have exhausted their role and their political careers are over. That is not something new, either. And although, the Progressive Conservatives are the current political party with a majority, well your elections are not very far off. The local representatives will lose their elected seats if you make this forced merger of the County and Town of Antigonish. Polls don't lie. The local people who are wholeheartedly expressing their true desire to have a voice—that's not a lie. The current local representatives will be out of office. Most likely, you will be out of office if you make this move to pass this Bill #407. Regardless, the developers are still coming! Nothing to do with any of you—it's nothing personal. It is about the return on the investment. Each Progressive Conservative member will have to stand on the sidelines as the replacement representatives take not only the credit for progress and economic development but credit for easing the temperament of the community and community leaders and providing transparency. You will have gained a very clear label of not listening, not representing the people, and failing to follow set democratic processes. Do yourselves and the whole region a big favor and let the people vote on this issue. Your local Municipal elections are just months away. Your Provincial elections are not too far off either. Very little is going to change in the immediate future.

My understanding is that this is in the courts—it is strange that any decision be considered prior to the court's decision. Any attempts to push this through without the final word of the justice, seems inappropriate to me.

Lastly, I would like to say I wish I could have presented virtually as I had planned. I am a better speaker than writer. I believe speaking in person would have a more meaningful impact. I did receive the calls back for scheduling and apologize for not being available at the time. I welcome questions for clarifications on my perspective on this situation from anyone reading this.

Sincerely,
Jack Bouckeno



[REDACTED]

From: sylvia breen [REDACTED]
Sent: March 7, 2024 9:51 AM
To: Office of the Legislative Counsel
Subject: Bill 407

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Dear Law Amendments Committee Members,

I am writing on behalf of my husband and I in regard to Bill 407, the Antigonish Consolidation Act. As you have been told by numerous people, we aren't against consolidation. We just want our democratic right as Nova Scotians to decide our future. Please either reject Bill 407 or amend it to require a full study by the UARB and a plebiscite that the MGA (and our rights as Canadians) allows us to have.

If you allow this bill to go through you are ignoring the facts:
The issue is still in front of the courts. At least wait for the court decision before proceeding.
A very accurate poll shows that over 75% of people in the Antigonish Town and County want a vote. The same poll shows only 22.4% of people feel the Mayor and Warden provided enough information. Despite the Mayor and Warden's claims that they did wide spread consultations, that just isn't true. They did all their meetings during the height of the Covid 19 pandemic, when many people were afraid to go to large gatherings, and therefore, very few people showed up. And those who did show up weren't listened to. They were just told what was going to happen. That's hardly democratic. The request for this legislation barely passed in both Councils (in the Town, the Mayor cast the deciding vote, and in the County, it passed by one vote. And one of the Councillors, who has stated he wants a plebiscite, was told he couldn't vote due to conflict of interest).
The Councillors did not run on this issue and therefore have no political or ethical mandate to push this through without a plebiscite.
You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.

Sincerely,

Sylvia and Gerald Breen
Residents of District 9

March 4, 2024

To the Law Amendments Committee, Nova Scotia Legislative Assembly

Re. Bill 407, Antigonish Consolidation Act

I wish to express a number of points mainly regarding the process with respect to the Antigonish Consolidation initiative. These comments are based on my experience as a resident of both town and county for the past 20 years, and of a working career in government and in universities for over 40 years. I am retired as Professor of Political Science at St Francis Xavier University, where for many years I taught students the fundamentals of Canadian government and democracy.

1. To recap the background to this issue as I see it, since 2021 there has been considerable debate and discussion on consolidation within the two municipal councils of the Town and County; there has been a series of public meetings including a public consultation process managed by a third party, and a lot of information provided in general.
2. The Antigonish councils did not hold a plebiscite. This was not required by law for the specific process followed by the Councils, as now confirmed by the Supreme Court of Nova Scotia.
3. However, it is misleading and plainly incorrect to claim that the process has been "undemocratic". Rather, it has been following the basic precepts of our well-established system of representative democracy.
4. In representative democracy municipal councilors, just as members of the provincial legislative assemblies and the federal parliament, are elected based on their experience, knowledge of the issues, reputation in the

this time is that both the town and county councils are of the same view as to how to proceed (albeit, not a unanimous vote, but if that were required nothing would ever get done). They can't enact consolidation themselves, which is why you are meeting today.

10. As you know well, we have had some controversial paths to municipal "mergers" in the recent past, notably the creation of the Halifax and Cape Breton Regional Municipalities. And we have had at least a couple of more harmonious ones in Queens and West Hants. The two councils in Antigonish are calling their initiative a "consolidation" and I get their point. It is the culmination of a lot of on the ground cooperation over the past 20 years and a realization that a single government is the next step. It will be their choice, not one imposed by the Province. Most people would likely now acknowledge that the major amalgamations in Halifax, Cape Breton and elsewhere have did provided much more effective governance, especially given the many economic social and environmental challenges we face.
11. As pointed out in the recent Supreme Court judgement, the purpose of the Municipal Government Act is "not only to provide good government but also to provide necessary services and facilities, and to develop safe and viable communities". In my view the request of the councils for special legislation to consolidate is a carefully considered decision to ensure the best future for local government, and for the communities it serves, in a period of significant change and uncertainty. Making such decisions is what our councils were elected to do.

Yours sincerely,

Dr. Douglas M. Brown

Antigonish

12

From: John Dunbar [REDACTED]
Sent: March 7, 2024 1:16 AM
To: Office of the Legislative Counsel
Subject: Proposed Amendments to Bill 407

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To whom it may concern,

My name is John Dunbar, and I am a Municipal Councillor in the County of Antigonish. I am scheduled to make a presentation to the Law Amendments Committee on Thursday, March 7, at 10:30 am. As part of my presentation I am proposing two amendments to Bill 407. I have listed them below and I ask that they be circulated to all members of the Committee in advance of my presentation.

Thanks in advance,

John

To: Members, NS Law Amendments Committee
From: John Dunbar, Municipal Councillor, County of Antigonish
Re: Proposed Amendments to Bill 407

- 7 (1) The meetings of the Transition Committee must be held in accordance with the procedures required for a municipal council by the Municipal Government Act except as provided by this Act, **and must be public meetings with notice of times, dates, and agendas posted publicly in advance of the meetings.**

12 (1) Prior to **June 26, 2024**, the Coordinator shall apply to the Nova Scotia Utility and Review Board for a determination of, and the Board shall determine, the number of councillors and the boundaries of the polling districts in the Consolidated Municipality, **after extensive public consultation, in line with the District Boundary Review process all Nova Scotia municipalities undergo.**

[REDACTED]

From: Danielle Enros [REDACTED]
Sent: March 7, 2024 11:53 AM
To: Office of the Legislative Counsel
Subject: Law Amendment - bill 407

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This is addressed to all MLA's of Nova Scotia and the Law Amendments Committee Members;

I am writing to express my disappointment and frustration in the special legislation that is before the Law Amendments Committee regarding the dissolution of the town and county of Antigonish.

I would like to be clear ... I am not for or against the principle of consolidation, I am however, for accurate information willingly shared with those this will affect. Something that is not happening within the current process being led by the mayor and warden.

The people of Antigonish town and county have requested this information and answers to various questions however it seems it's been falling on deaf ears. The information provided in public information sessions did not provide pertinent, essential information or answers to the questions citizens living here had. We deserve the opportunity to understand all the information available, including pros and cons, financial ramifications and exactly how this will change our community, and impact us, its population.

Why is special legislation (Bill 407) needed when the Municipal Governance Act clearly outlines the process for consolidation in two separate processes. Why is there a need to circumvent the existing Act... unless there is a fear of how the residents will vote, as the Pictou county example has been cited numerous times to the effect that "they lost when they let the people vote"; that is NOT democratic, and do we not live in a democracy? My family, as well as many others fought to preserve and protect our democratic rights, such as the right to vote.

I speak for myself, however I'm sure the opinion is shared that it feels there is a rush to push this special legislation through, despite the concerns of the majority of residents as seen in both polls conducted. We are not feeling heard by the people we elected. The people WE put in those offices. Almost 78% of Antigonish Town and County residents want a vote on this matter (plebiscite), so how is it that somehow 9 people are able to speak and make a choice forever changing our home, and ignoring the 78% of their constituents asking for a fair vote? These 9 people saying they were elected to make decisions for us. Decisions like roundabouts and road work, sure....but we did not elect these individuals to change the governance of where we live. The councils were never elected with the notion to amalgamate the town and county. The dissolution of the Town and consolidation were never on any council members' campaign. The governments of Antigonish and the Province clearly are ignoring the very people who elected them.

Please defeat this legislation or withdraw it.

I'm requesting this be held until after the fall municipal election. Let people run with a platform regarding consolidation. Let them present facts and persuade their constituents with facts, not treat us like children and tell us this is just how it's going to be because it's what they want. They have made it apparent they do not care about what we, the people, want. At least wait for the court decision before proceeding. Add that a study outlining the pros and cons of such a

monumental decision take place, as well as a plebiscite be included in Bill 407 so that the people this will affect, can be heard.

I thank you for your time and attention to this matter.

Danielle Pritchard

Antigonish County, Nova Scotia

[REDACTED]

[REDACTED] from my iPhone

[REDACTED]

From: Carole Gillies [REDACTED]
Sent: March 7, 2024 11:49 AM
To: Office of the Legislative Counsel
Subject: Re: Bill 407 gives massive power to an unelected transition team.

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I was unable to present to the committee as my internet is down.

Please consider my submission:

1. Nova Scotia prides itself as the home of Joseph Howe and Responsible Government in Canada. It's astonishing that the Government of Nova Scotia is being asked to remove the democratic right to responsible government from Antigonish.

2. For many reasons, these decisions concerning the Town of Antigonish should be deferred until after the Municipal Elections of 2024.

Both municipalities state they are in a stable financial position. There is no crisis.

3. The current councillors did not campaign or run for office on this issue. It was disturbing to see Councillor Cormier (Town) say he has been working on this plan for four years (before the 2020 municipal elections), essentially, planning to deceive voters.

4. These councils have no mandate from Antigonish voters to make this major change to our local governance.

5. The consultation sessions arranged by the proponents were poorly designed and not helpful. Yes, people attended because they were interested to know about the proposed changes. In no way were the public asked if they supported consolidation. I was one of the attendees.

The "information" was copied from a brochure we had been mailed earlier. There were no speakers. We were told to note any questions and the Communication staff wrote the questions down. My questions received this response: "We don't know."

These sessions were no measure of support and should not be assessed as such.

The "consultations" began in early 2022, shortly after the "StFX Outbreak" of Omicron. After December 3, 2021, most people in Antigonish were sick with Covid. Businesses were closed. Residents were reluctant to attend public meetings. At least one meeting was a Covid spreader event.

7. Two surveys (other presenters gave details of the survey) contacted 14,000 and 15,000 residents and found the majority felt they had not been provided with enough information on the issue.

8. 4200 residents signed a petition objecting to the consolidation process in the current circumstances. It's regrettable the legislature was unable to accept the petition on a technicality.

9. I spent my career in business, and would require much more information before making or recommending such an important business decision.

Because of the secretive nature of the present councils, the untested procedure set out in this process, and the pressure to put this all in motion before the upcoming municipal elections, we have lost trust in these council members.

10. There are questions about the legitimacy of the council votes. In Antigonish County, two councillors were disqualified from voting.

Even so, the Council vote was essentially a tie vote, requiring votes by the chair (Warden). The vote in Town was similarly a tie, requiring a vote from the chair.

11. In these sessions before the Committee, Mayor Bouchie was dismissive of the surveys.

She has since received a Cease and Desist letter from the polling company, warning her that she has made false allegations before the committee and public.

12. Yet, Bill 407 sets up a transition team of current councils and gives them exceptional powers. The Act states that a coordinator is to be appointed along with a transition team. The Coordinator and two others are empowered in s. 8 (3):

(3) The Transition Committee may enter into contracts, sue and be sued, acquire real and personal property, engage officers and employees, prescribe a seal, make expenditures and do such other things as are required for the orderly dissolution of the Town and the transition to the Consolidated Municipality.

These are massive powers, and should not be left in the hands of a few, who will quite possibly lose their seats and be unelected, members of the transition team. Members of the legislative assembly should reflect on this power grab, and the reasons why the proponents are so desperate to avoid responsible government to control this process.

Please vote to defeat this bill, let Antigonish Town and County have their municipal election, and let informed, councillors make the necessary decisions.

13. A legal challenge is still before the Courts. Defer the legislation until the legal appeal issue has been settled. The government already ruled once that they would not introduce legislation while the legal process was before the Courts.

This new untested process will affect Antigonish residents for many years. The units are stable now. Ask yourselves: What's the rush? Why the pressure? What are the proponents hiding?

14. This is an untested process. Antigonish should not be a testing ground.

Yours truly,
Carole Gillies

[REDACTED]

From: Annie Gillis [REDACTED]
Sent: March 7, 2024 10:43 AM
To: Office of the Legislative Counsel
Subject: Bill 407

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To all MLA's of Nova Scotia and the Law Amendments Committee Members

I am writing to express my disappointment in the special legislation that is before the Law Amendments Committee.

I would like to be clear ... I am not for or against the principle of consolidation.

My objection is with the lack of key, relevant information provided to the residents of Antigonish Town and County despite many requests for this information. The information provided in public information sessions did not provide pertinent, essential information. We deserve the opportunity to understand all the information available, including pros and cons, financial ramifications and exactly how this will change our community.

Why is special legislation (Bill 407) needed when the Municipal Governance Act clearly outlines the process for consolidation in two separate processes. Why is there a need to circumvent the existing Act... unless there is a fear of how the residents will vote... that is NOT democratic.

We live in a democracy! Many men and women have fought in wars to protect our democracy and all it stands for including a right to vote.

There a rush to push this special legislation thru, despite the concerns of the majority of residents as seen in both polls conducted.

Almost 78% of Antigonish Town and County residents want a vote on this matter (plebiscite). The governments of Antigonish and the Province clearly are ignoring the very people who elected them.

The councils were never elected to amalgamate the town and county. The dissolution of the Town and consolidation were never on any council members' campaign.

Please defeat this legislation or withdraw it. If you allow this bill to go through you are ignoring the facts: the issue is still in front of the courts. At least wait for the court decision before proceeding. Add that a study and plebiscite be included in Bill 407.

Thank You

Annie Gillis

Antigonish County, Nova Scotia

[REDACTED]

[REDACTED]

Antigonish Consolidation Act

Thank you Mr. Chair,

I am Bruce MacLean, a.k.a. Bruce, representing myself today as a resident of the Town of Antigonish.

My concern with the proposed Antigonish Consolidation Act, which would eliminate Antigonish as a separate town, is its failure to democratically allow the Town and County residents to express their voices on the issue.

It has been argued by the Town and County Councils that they have the right to decide the fates of their respective communities without seeking the authorization of their constituents through a plebiscite. In my view, this is an unacceptable course of action. When the Town Council was last elected, the demise of the Town as an independent municipal entity was not raised as an issue for voters to consider when casting their ballots. Omitting this very fateful action from the Candidates' platforms in the 2020 Municipal election, and subsequently denying residents a vote on the issue, has effectively denied those citizens their most significant democratic involvement. Specifically, their right to cast a vote on the issue of whether they wish to continue as residents of the Town of Antigonish or to become residents of the consolidated Town and County, has been ignored by Town Council.

The significance of denying residents the right to have input into their basic political status, is not only an infringement upon the local democratic process, but also a potential prelude to the unravelling of the democratic process at higher, more determinative political levels. Specifically, the weakening of the electoral process at the most basic level, the Municipal level, risks becoming a prelude to usurping citizen's electoral rights at the provincial and national levels.

With reference to the processes that serve to protect the democratic principles, awaiting the outcome of the Appeal Court process that has been initiated, is fundamental to a respectful

coexistence between the political and legal procedures and is essential for a viable democracy. Hence, the Nova Scotia Legislature should await the outcome of the Appeal Court initiative, prior to moving forward with Bill 407. As aptly expressed by Nancy Nunn during her Monday presentation to this Committee, "What is the rush?"

In summary, it is not Consolidation that is opposed, but rather the undemocratic process by which it is being pursued. Ensuring the democratic participation by residents of both the Town and County of Antigonish is fundamental to this process. Allowing the residents to vote on such a significant issue, would result in a more representative Municipal structure, regardless of the outcome of the vote. In addition, the Provincial Government would be applauded for safeguarding the underlying core principle of democracy – the right to vote.

Thank you for the opportunity to address the Committee on this matter.

[REDACTED]

From: Rico [REDACTED]
Sent: March 7, 2024 7:40 AM
To: Office of the Legislative Counsel
Subject: Submission for antigonish act

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MAINSTREET RESEARCH Response to MAYOR Boucher

If you were listening to Mayor Boucher present at Law Amendments on Monday, you were no doubt as shocked as we were to hear her try and destroy the credibility of both the poll and the company who conducted them.

Shared with written consent of Mr Quito Maggi

The following is the letter of response and demand to Mayor Boucher from the President and CEO of MainStreet Research:

Good afternoon Madam Mayor, I have just completed viewing the Committee meeting where you testified yesterday and to respectfully ask that you withdraw your comments regarding the Mainstreet polls. I am ccing the County Warden, your council and the Committee members from the Nova Scotia House of Assembly. As you may or may not know, I have served many Mayors across Canada in numerous capacities and have always provided guidance and advice to my best abilities, I write you today only to correct the record and defend my work, not to pick a side in this discussion. I respect your work and those of your colleagues ccd above. First, let me commend you on the outreach you referenced in your testimony, the public meetings, mailings and online events. The 3000 touchpoints you referenced is something to be proud of. I will now address your subsequent comments about the Mainstreet polls. I am disappointed that you would reference 2 misses that Mainstreet has had in our 14 year history, out of more than 10,000 polls conducted, one from 5 years ago and another from 7 years ago. In the past year we have accurately measured the Manitoba election, the top three most accurate polls in that election were IVR (reference removed per posting). The same is true for the 2023 Toronto Mayoral election, Mainstreet was closest to actual results while 3 other polls had bigger misses than the 2017 Calgary mayoral election, this is not a reflection on the other pollsters, just to point out that all polling firms have misses, 19 times out of 20 means exactly that. (Reference removed as per posting requirements). We've also accurately measured 4 of the last 5 federal by-elections accurately. And in Calgary where we had our miss in 2017, we successfully measured the results of the Olympic bid Plebiscite. (Reference removed per posting requirements). Our total misses can be counted on two hands, what amounts to a 99.99% accuracy. I own and acknowledge those misses, but I remain proud of our track record. Your further comments also confused me, because they are simply not true. You claimed that we made "about 5000 calls" for the Antigonish polls, both in March of 2023 and in February of 2022, that is false. In March of 2023, we made a total of 14,723 and in February of 2024 (a 2.3% response rate), it was 14,692 calls in February of 2024. (a 3.0% responses rate)

You stated that the response rate are well below industry standards, that was also false, our response rates and those among IVR polls fall well within industry standards. We are Gold Seal members of the Canadian Research Insights Council and follow rigorous processes for quality.

You suggest that the methodology of IVR doesn't accurately represent public opinion, that is false. In the most recent Nova Scotia election, the top two closest pollster to actual results were Mainstreet Research and Forum Research, both IVR pollsters.

([r](https://en.wikipedia.org/wiki/2021_Nova_Scotia_general_election)efernce removed per posting requirements)

The American Association for Public Opinion Research reports after the 2016 election concluded that IVR was by a significant margin the most accurate in that election. (reference removed per posting requirements)

I could go on citing recent elections and polling reports, your sources are incorrect, no public official or non expert should speak about polls, or methodology, it can get quite embarrassing. But that's not all. In your further comments, you suggested that our demographics "were not representative of the population", again this is another example of how embarrassing amateur analysis can be of polling. You cited the unweighted frequency of those under 50, "around 10% of the population" but that population was weighted up, and the older population was weighted down. I would ask you to revisit your comments after you have a chance to understand how poll weighting works, and read the "Weighted Frequencies" in the tables provided. In your comments you also alluded to the possibility that non residents like your daughter who has an Antigonish cellphone could be included in polls unintentionally. This is not the case. The poll asked respondents whether they lived in the Town, the County or the "fringe". Screening for residency and eligibility is a best practice of polling, and one we follow. If in fact your children participated in our poll, as you alluded, they lied in the survey. Lastly, I should talk about ambiguous versus non ambiguous poll results. Calgary, Nanaimo and other polls where we have missed or other polls have missed tend to be ambiguous, 50% to 40% or 45% to 41% remains within several margins of error of the poll, and polls can have other sources of error, these can be viewed as ambiguous results. In fact, the "average error" in Municipal elections is 9% (that is per candidate) citing our 24 point miss in Calgary across 3 candidates was actually below average, similarly in the Nanaimo byelection. Neither of the Antigonish polls were at all ambiguous in their results. In February of 2023, 70% of residents expressed their opinion to want a vote in the amalgamation, that increased to 75% in February of 2024. Again, I will commend your outreach to 3000 residents. You've provided no statistics on what percentage of the feedback was positive or negative, this is an important omission and should be provided to the Committee, surely the Town staff have those statistics. By contrast, Mainstreet attempted to reach residents multiple times, over 7000 unique numbers including 60% RDD cellphone frames were contacted 3 times on each occasion. The results were weighted to the census population of Antigonish County and Town 2021 to be representative of the entire adult population by age, gender and education. Our results are publicly available for examination and scrutiny. There is legitimate, educated and fair critique of public opinion research, your comments are none of these. You have fabricated facts, you have misrepresented our work, you have mischaracterized the results. We do not have a preference in the outcome of the debate, we measure without pride or prejudice. Politics can be a great force for good, I respect your service. But it can also blind us, ideology and anecdote is not data or analysis. I would respectfully ask that you retract your testimony and apologize to Mainstreet and/or that the Committee consider this written submission as a rebuttal to Mayor Boucher's testimony. We don't want our work weaponized for any purpose, but we do stand by it.

Regards, Quito Maggi

President & CEO

Mainstreet Research

Yahoo Mail: Search, Organize, Conquer

Good morning Chair and Committee Members;

I grew up in the university Town of Antigonish, spent lots of time in the county, and currently live and work in Town.

The information sessions put on by Brighter Community Planning and Consulting was in large part a posterboard presentation. The regional municipality of Windsor – West Hants was touted as a good example for Antigonish Town and County.

The sessions were completed in June 2022 and a report issued late summer same year.

However the mayor and warden in September of 2022 announced, on social media and a press release, a sudden and striking change.

The new plan would be to dissolve the Town of Antigonish and amalgamate it with the Municipality of the county of Antigonish apparently to avoid RCMP cost escalation. no more regional municipality.

They never made public any documentation from the solicitor general to support this.

No council meetings were held on this significant change.

No new consultations were held with the people.

They didn't consider other options such as an economic development partnership of the 2 municipalities to reduce competition, have a coordinated development strategy and reduce inefficiencies.

Instead the mayor and warden pushed on with a vote on Oct 20 ,2022 requesting the province to do the consolidation.

The motion passed in Town with 3 councillors for and 3 against and the mayor voted for it.

A bare majority.

In the county , 5 voted for it , 3 against and 2 declaring a conflict .

Centering now on 3 issues:

1. LEGAL

Some residents of Antigonish took the matter to court in January 2022.

The province did not bring the request forward to the legislature in the spring of 2023,

The province did not bring the request forward in the fall session of 2023 as it was before the court.

This is serious case with a significant public interest component and continues in the Nova Scotia Court of Appeal.

I am asking the premier and you , our MLAs to please respect the process.

I am asking this committee to pass a motion to the effect that the bill is put in abeyance until the legal process is completed.

Issue 2 : PLEBISITE:

The people deserve a vote on this fundamental change in their government structure

The councils did not have a mandate for consolidation from their citizens.

By the way, I note the timeline set out by the mayor and warden in their plan had consolidation formally occurring on April 1 2025.

There should not be a rush to pass this bill.

I am asking this committee to placing the bill in abeyance until after the respective municipal elections in the town and county in October 2024

In addition the trust issues raised with these officials would be addressed in the October 2024 elections.

3 SETTING THE NUMBER OF COUNCILLORS AND DISTRICTS

Bill 407 at section 12(1) gives the transition committee up to April 26 . 2024 to apply to the NSUARB for a determination of the number of councilors and the boundaries of the polling districts in the consolidated municipality .

The municipality of the county of Antigonish couldn't get the mandatory 369 review done in a timely way notwithstanding that Stantec was retained in July 2023 ,and in spite of Stantec working diligently, the county had to ask the NSUARB for an extension to late January 2024 to complete the 369 review. It goes without saying that the study for the combined town and county will be more complicated. It is important for the people and candidates to know the districts well in advance of the election.

So by putting the bill in abeyance at this time, the concern of the tight time line is also addressed.

SUMMARY

This bill comes before you with 2 divided councils. The recent "revotes" in the town and county on January 29 confirmed this. The same bare majority in town .

And less support in the county than in 2022: 5 for and 4 against and 1 in conflict.

The people of the town and county of Antigonish are not divided. They never have been . They built out beautiful town and county and will continue to do so.

Thank you to people of Antigonish Town and County for your continued interest in this matter.

Coline Morrow

November 23, 2023

Bruce Kiley, Chief Clerk of the Board
Nova Scotia Utility and Review Board
3rd Floor, 1601 Lower Water Street
Halifax, Nova Scotia B3J 3P6
Via email: board@novascotia.ca

Dear Mr. Kiley,

**RE: M0417 - 2022 Municipal Boundary Review – Municipality of the County of
Antigonish (MB-21-01)**

Thank you for your correspondence of November 15, 2023, noting the Board's requirement to file the Municipality's municipal boundary review application as soon as possible.

As noted in my correspondence of August 16, 2023, the Municipality has retained Stantec Consulting Ltd to facilitate its required boundary review. Mr. Heseltine and Mr. Burke are working diligently to ensure the Municipality's review is of a high quality and reflects the Board's proscribed process. Likewise, Municipal Council is aware of the need to conduct this process expeditiously while also providing reasonable opportunity for public consultation, and its own consideration and decision-making.

By way of an update, the first phase of this review related to council size is complete and I expect a Council decision on options for phase two related to specific boundaries to be provided next week. I further expect the upcoming holiday season will affect scheduling of phase two public consultation. On that basis, a more realistic timeline for submission of the Municipality's application is late January, 2024.

As you know, it was not our intention to complete this exercise under these conditions. I thank you and the Board for your support and patience as we've navigated this difficult and now time-constrained path.

Sincerely,



Glenn Horne
CAO

Cc: Warden Owen McCarron, Municipality of the County of Antigonish
Nick Barr, Acting Director, Strategic Policy & Planning, NS Department of
Municipal Affairs and Housing
Mayor Laurie Boucher, Town of Antigonish
CAO Jeff Lawrence, Town of Antigonish

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

285 Beech Hill Road, Beech Hill, NS B2G 0B4
Web antigonishcounty.ns.ca
Tel (902) 863-1117
Fax (902) 863-5751

August 16, 2023

Bruce Kiley, Chief Clerk of the Board
Nova Scotia Utility and Review Board
3rd Floor, 1601 Lower Water Street
Halifax, Nova Scotia B3J 3P6
Via email: board@novascotia.ca

Dear Mr. Kiley,

**RE: M0417 - 2022 Municipal Boundary Review – Municipality of the County of
Antigonish (MB-21-01)**

Further to my correspondence of July 12, 2023, I wish to inform the Board that the Municipality has retained Stantec Consulting Ltd to facilitate its required boundary review. This work will commence immediately. Stantec is prepared to complete this review for the County as it is currently constituted, complete its report and submit it to Municipal Council by the end of 2023. Should special legislation be passed to consolidate the County and Town into one municipal during the fall sitting of the legislature, we will work with Stantec to adjust the scope of this exercise in compliance with that legislation.

Sincerely,



Glenn Horne
CAO

Cc: Owen McCarron, Warden, Municipality of the County of Antigonish
Nick Barr, Director Governance & Advisory Services, NS Department of
Municipal Affairs and Housing
Laurie Boucher, Mayor, Town of Antigonish
Jeff Lawrence, CAO, Town of Antigonish

ANTIGONISH

Our Community

TO: CONSOLIDATION STEERING COMMITTEE
FROM: MUNICIPAL & TOWN STAFF
SUBJECT: CONSOLIDATION: DECISION MAKING PROCESS
DATE: OCTOBER 4, 2022

SUMMARY

The attached infographic illustrates the consolidation decision making process, outlining what decisions are made by what body and when. Municipal and Town Councils have framed this process around the following question:

“Would the residents, businesses and the overall community be better served if the Town of Antigonish and the Municipality of the County of Antigonish became one municipal unit”

The attached infographic (Appendix A) breaks this process down into three phases:

1. Exploration Phase (current phase)
2. Consolidation Phase (transition to one municipal unit)
3. Operational Phase (business as usual & ongoing operation).

Each phase requires key decisions of Municipal and Town Council, as outlined in the infographic.

Exploration Phase

Beginning in September 2021, the County and Town have been exploring the potential for consolidation between the two municipal units. Guided by a Steering Committee comprised of the Mayor, Warden, and deputies, and supported by staff and consultants, this process has been about identifying the main questions and areas of interest for councils to make a decision. While many questions have been asked and answered, the recently completed public consultation framed the decision in terms of four key areas of consideration:

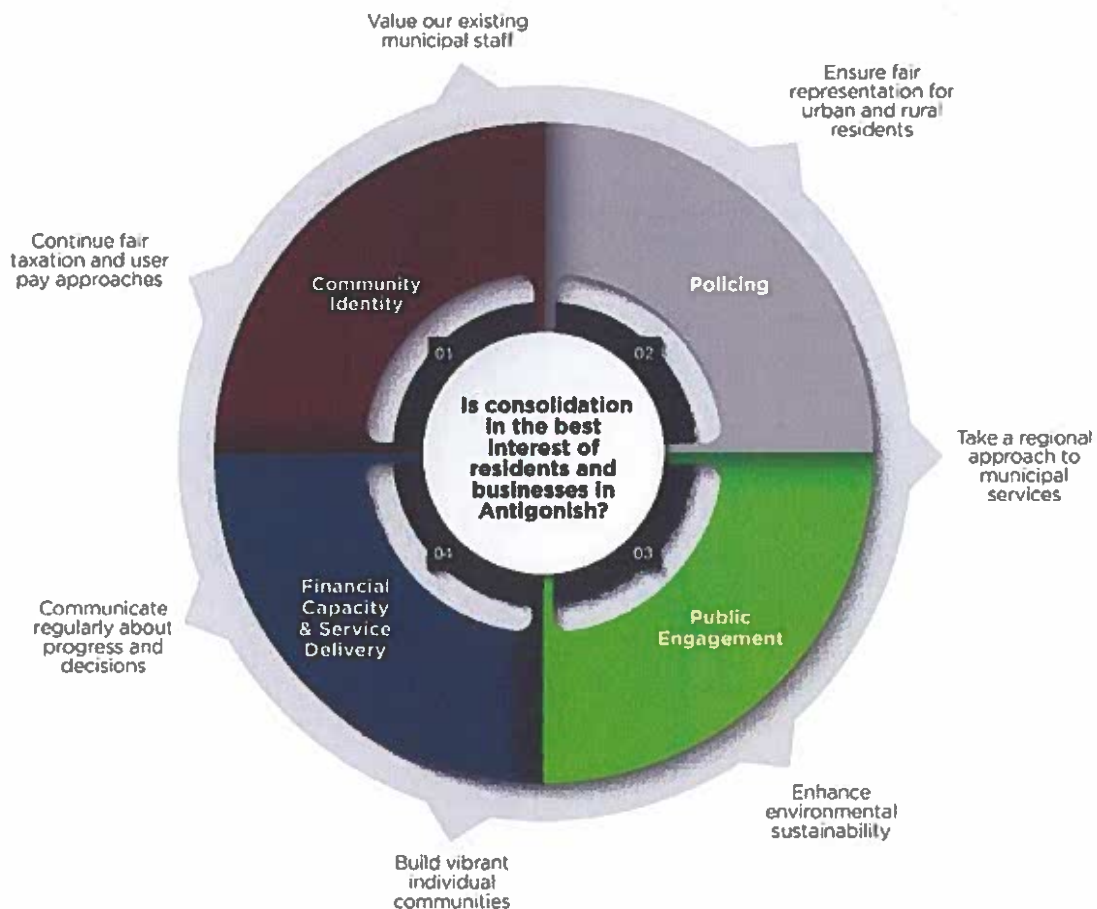
1. Policing
2. Community Identity
3. Public Engagement
4. Financial Capacity & Service Delivery

Information is being provided to councils to support its decisions in each of these four key areas. With this information Councils will answer the question above. The proposed motion on which councils will decide will be along the lines of: *the Municipality request*

the provincial government consolidate the Municipality of the County of Antigonish and the Town of Antigonish into one municipal unit through special legislation.

If a majority of councillors of both the County and Town vote “yea” to this motion, the Province will proceed to draft special legislation for the spring sitting of the House. If a majority of councillors of either the County or Town vote “nay”, consolidation does not proceed.

Figure 1 - Decision Making Wheel



Consolidation Phase

This phase would begin after councils make their decisions to consolidate or not and special legislation was passed by the province. The key activities of this phase are described in Appendix A. To provide more insight on the Consolidation Phase, the *Region of Windsor and West Hants Municipality Act* is provided for your reference (Appendix B). While details will differ (ie: if councils choose to consolidate Antigonish will become a consolidated rural municipality rather than a regional to avoid RCMP cost escalation; and

there is likely little debate on the name of the consolidated municipality) this legislation provides a good description of the process of consolidation, timelines and decision-making responsibilities. It also addresses succession of employment and continuity of records, documents and by-laws.

During the Consolidation Phase the existing Town & County councils continue to conduct business as usual, with some limitations on long-term decisions as described in the Act. Existing councils maintain responsibility to deliver municipal services and advocate for local issues.

Based on the projected timelines consolidation would formally occur on April 1, 2025. Only at that date would the Town and County become one. Until that date they continue to conduct business as usual as the consolidated municipality is organized. An election for the council of the consolidated municipality would take place in the winter of 2025. Therefore, the current council terms would be extended past October 2024, to March 31, 2025.

During this time a Co-ordination Committee (sometimes referred to as the Transition Committee), comprised of an external Coordinator, the Mayor, Warden, and deputies, and supported by staff and consultants is responsible for designing and implementing the administrative structure of the consolidated municipality.

It is important to note that in the experience of the consolidation between Windsor and West Hants there was ongoing discussion and consultation between the Co-ordination Committee and the existing councils. Existing councils were made aware of the Co-ordinating Committee activities and engaged in decision-making. This ongoing dialogue is in addition to the *Guiding Principles*, which we passed by both councils and used to guide the Co-ordinating Committee's decisions.

Operational Phase

The operational phase can be readily described as "business as usual". In this phase the consolidated Municipality of Antigonish (or however it is branded) continues to serve the needs of its residents through the provision of municipal services and advocacy of local issues within the bounds of the Municipal Government Act.

GUIDING PRINCIPLES

Before community engagement began, Municipal and Town Councils framed the following Guiding Principles related to the decision-making process:

6) Communicate regularly about progress and decisions: Communications with residents, businesses, councils, and staff should be frequent, transparent, and inclusive.

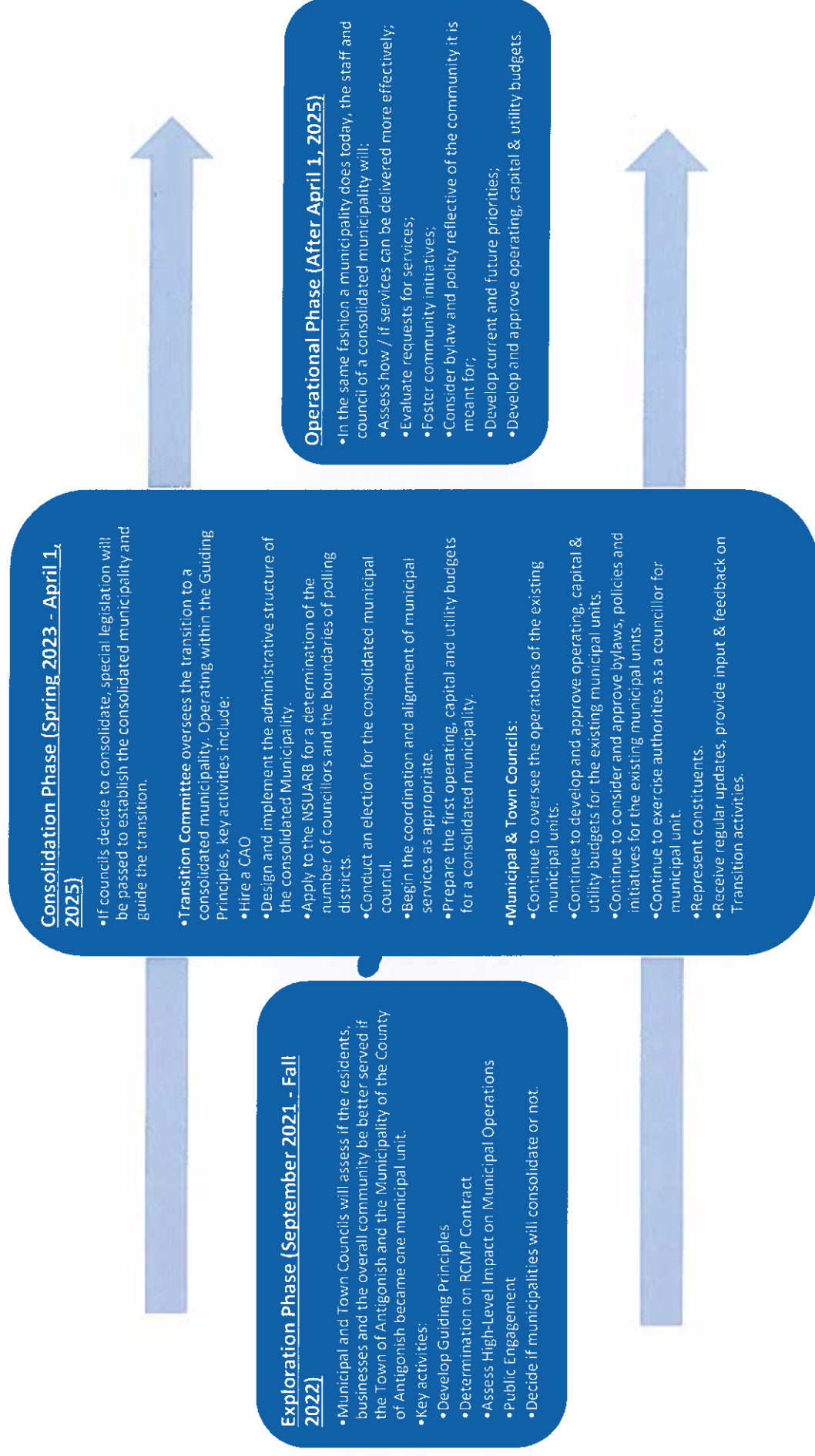
Based on feedback from the community, it appears these guiding principles are still appropriate and should be considered reflective of the community's perspective and expectations as council's consider their decision.

NEXT STEPS

Councils are invited to reflect on the information contained in this memo as it relates to its principal question: "Would the residents, businesses and the overall community be better served if the Town of Antigonish and the Municipality of the County of Antigonish became one municipal unit?"

Councils are further invited to discuss and provide feedback on this information. Additional information may be obtained based on specific questions of councils. Otherwise, councils are invited to consider this information in its decision making related to consolidation.

Appendix A - Consolidation Decision Making Process, October 4, 2022



**Presentation to Law Amendments Committee
Speaking Notes**

Thank you Mr. Chair,

And thank you Committee members for given me this opportunity to speak today.

Jack Sullivan

This is the first opportunity I have had as a resident of Antigonish to speak on this very important issue in an official public forum.

I am a proud member of Let Antigonish Decide, but today I am here representing myself, and I take no position on consolation.

My wife, Valerie and I are life-long residents of Antigonish. We raised our family here; ran a successful construction company for 30 years; and we continue to be active in our community. I held numerous elected positions , Parish Council, SchoolBoard, town councillor, deputy mayor and currently president of Antigonish Landlords Association.

Before I go any further I must state that I take offence to Mayor Pam Mood's remark here on Monday. Painting my town in such a negative light.

What the people of Antigonish are saying is

they are **against the process**

the lack of information

the lack of a business analysis

In the Warren submission he refers to is a financial statement. What is needed is a business analysis, simply put the pros and cons

Example :

The condition of the Town infrastructure, the sewer treatment plant, the water treatment plant, town streets,

Town has unionised workers the county has not

Mayor says no one is going to lose their job.

Warren says we can save costs by cutting duplication.

The only financial analysis quoted by Warren and Deputy Mayor was the one done by KPMG that is almost 20 years old.

In a recent poll, conducted by MainStreet research noted that the poll has grown from 70% to 75% of respondents feel Town and County residents should be given a vote on consolidation.

It is also important to note support for the position taken by the councils has declined from 14% to 12%.

*** In an open and democratic society we elected individuals to represent us.

Last week when I was in the Legislature, Premier Houston took the time to speak with some of us.

I felt like it was the first time we had the ear of someone who had the power to give us a voice.

During our discussion, Premier Houston shared the concern that he felt bound to proceed with Bill 407 because both Councils voted in favour of this action.

However, we are all well aware that it is Premier Huston's government that has the power to make it law.

1. **Not one member of the Town or County Councils** ran on a platform of consolidation. They had **no mandate for consolidation.**
2. I find it quite interesting that when the council voted to **explore** consolidation – no councillor was found to be in conflict. Yet when it came time to vote for consolidation, **two county councillors were informed that they were in conflict and were threatened with legal retribution if they voted.**
3. The Mayor and Warden have consistently said that there are **only a few disgruntled people.** Yet **over 42-hundred people** signed a petition asking for information to make an informed decision on the direction for their community.

This petition was rejected by the house leader on Monday

We live a life of privilege in Canada but it is a privilege **we must protect.** Just look around at what is happening in the world today. Democracy is fragile.

With the municipal elections just months away, **a solution is staring us in the face – .**

Let Councillors run on their platform, that avoids a plebiscite while giving the people their opportunity to have their say.

As a proud father of 13 children, I want my children and grandchildren to understand the importance of standing up for what they believe in

Democracy is worth fighting for.

Thank you

Premier Houston's government has the power to make this law.

Debate belongs in Antigonish

Questions:

Why was the petition rejected? A technicality I guess. You'll have to ask the House Leader. As someone who collected many of those signatures and who stood in front of a packed hall in Tracadie asking Zach XXX to present our petition to the government, I know our intention was always to present it to the government.

Poll – Mayor Boucher indicated not valid – Letter from the President and CEO clearly corrects the Mayor on her inaccurate statements. I understand she has been officially asked to retract her statements and apologize to this Committee and Mainstreet Research.

The Deputy Mayor confirmed both municipalities are in good financial situations. So what is the rush? Why the need for special legislation? Why not just follow the existing legal process?

After reading the Chronicle Herald article this week, I feel compelled to dispel the negative impression of Antigonish that may have been left with some comments about hate talk and bullying since our Mayor did not defend our Town.

Let me tell you what Antigonish is.

We have a beautiful town nestled in a valley, surrounded by a beautiful countryside and filled with beautiful, warm people who look after each other.

We are the home of the Antigonish Movement and the Coady Institute.

We are the home of STFX and the world renowned X Ring

We are the home of a people that work together for a great good.

When our country put out a call to support refugees - Antigonish stepped up.

In our community we have 2 sisters, one of whom recently became a widow and the other who lived in their family home to look after their parents until they had passed away. The two sisters moved in together, freeing one of their homes for a family with 5 children so they could have a place to live.

Across the street where I live is a mother with 4 children who only knew the life of a refugee camp. When they arrived they could not speak any English. Now the children are excited about school and their future.

That is Antigonish.

Emotion: it is tossed around as if it is a sign of weakness.

I say to you members here representing your communities - if you don't have love and passion for the community you represent you shouldn't be seated here.

I must admit I have felt annoyed when some people seem to dismiss our concerns saying it is "an emotional topic" but I accept the truth. It is emotional. At first, I thought it was because I love my town so much and thought that 3 councilors and a mayor with no political mandate could pass a vote to dissolve the town and bring an end to 135 years of history made me physical sick.

I love my community but I've realized the real issue is how wrong this process has been.

Public life is not always easy. I know. I was once a Town Councillor and then the Deputy Mayor for the Town of Antigonish. I was also elected to the local parish and school boards. I know you sometimes have to make unpopular decisions. But those decisions are made easier when you know the why and you have a mandate for the issue and you have the facts and can explain the why to people. I've stood in front of a packed room in Canso and defended our decision to close the school. It was not a decision anyone of those in attendance wanted to hear but we could stand up and defend our decision. We could explain why. We could show them the numbers.

In closing Mr. Chair, I would like to share my concern that Bill 407 is a foregone conclusion. That our efforts may be in vain. But I continue to hold on to a glimmer of hope that

you will see that this debate does not belong here – it belongs back in Antigonish.

The Mayor and Warden may have cooked up this lethal concoction for our Town but this government has the power to right this ship. Premier Houston passionately defended his community's right to a vote – I ask him to defend ours.

[REDACTED]

From: Bonnie McIsaac [REDACTED]
Sent: March 6, 2024 6:04 PM
To: Office of the Legislative Counsel
Subject: Still wanting

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**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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I am once again writing in regard to Bill 407, the Antigonish Consolidation Act. As you have been told by numerous people, we aren't against consolidation. We just want our democratic right as Nova Scotians to decide our future. Please either reject Bill 407 or amend it to require a full study by the UARB and a plebiscite that the MGA (and our rights as Canadians) allows us to have.

If you allow this bill to go through you are ignoring the facts:
The issue is still in front of the courts. At least wait for the court decision before proceeding.
A very accurate poll shows that over 75% of people in the Antigonish Town and County want a vote.
The same poll shows only 22.4% of people feel the Mayor and Warden provided enough information. Despite the Mayor and Warden's claims that they did wide spread consultations, that just isn't true. They did all their meetings during the height of the Covid 19 pandemic, when many people were afraid to go to large gatherings, and therefore, very few people showed up. And those who did show up weren't listened to. They were just told what was going to happen. That's hardly democratic.
The request for this legislation barely passed in both Councils (in the Town, the Mayor cast the deciding vote, and in the County, it passed by one vote. And one of the Councillors, who has stated he wants a plebiscite, was told he couldn't vote due to conflict of interest).
The Councillors did not run on this issue and therefore have no political or ethical mandate to push this through without a plebiscite.
You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.
Sincerely,

Bonnie and Michael McIsaac
Antigonish

[REDACTED]

From: [REDACTED]
Sent: March 6, 2024 6:06 PM
To: Office of the Legislative Counsel
Cc: [REDACTED]
Subject: Do not support this rushed consolidation process (Bill 407, Antigonish Consolidation Act)

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**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Sincerely,

John Blackwell and Laurie Stanley-Blackwell

[REDACTED]

From: Kathleen Cormier [REDACTED]
Sent: March 6, 2024 6:25 PM
To: Office of the Legislative Counsel
Subject: Bill 407 - letter of support

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Dear Law Amendments Committee Members and Premier Houston,

I am writing in support of Bill 407, the Antigonish Consolidation Act.

I believe that consolidation of the Town and County of Antigonish is the best thing for the residents of Antigonish Town and County as per all of the information provided by Town and County Councils.

I am impressed with the integrity and hard work of the Mayor, Deputy Mayor, Warden Deputy Warden and members of the councils that voted yes for consolidation. I completely trust that they are pursuing consolidation in sincere interest of the residents of the town and county!

Kathleen Cormier
[REDACTED]
Antigonish, NS
[REDACTED]

[REDACTED]

From: Loretta MacGillivray [REDACTED]
Sent: March 6, 2024 6:30 PM
To: Office of the Legislative Counsel

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Dear Law Amendments Committee Members

I am writing in regard to Bill 407, the Antigonish Consolidation Act. I am not against consolidation. I just want more information as to how it would benefit me and everyone living in the town and county, that was not done. If Mayor Bouchie and Warden Mac Carron had been upfront and provided said information, we might not be in the situation that is happening now.

Everyone wants their democratic rights to decide our future. Please either reject Bill 407 or amend it to require a full study by the UARB and a plebiscite that the MGA allows us to have.

Best regards

Loretta MacGillivray

[REDACTED]

From: natasha breen [REDACTED]
Sent: March 6, 2024 7:08 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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Sincerely,

Natasha Breen
Resident of District 9

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[REDACTED]

From: Peggy Power [REDACTED]
Sent: March 6, 2024 2:47 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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Sincerely, Margaret Power

[REDACTED]

From: HEATHER MACINNIS [REDACTED]
Sent: March 6, 2024 8:32 PM
To: Office of the Legislative Counsel
Subject: Bill 407

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Heather MacInnis
[REDACTED]
Antigonish NS
[REDACTED]

Sincerely, Sent from my iPad

[REDACTED]

From: Chelsey Benoit [REDACTED]
Sent: March 6, 2024 9:22 PM
To: Office of the Legislative Counsel
Subject: Respect request

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To whom it my concern;

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Sincerely,

Chelsey Breen

902-870-7623

Sent from my iPhone

[REDACTED]

From: Loretta [REDACTED]
Sent: March 6, 2024 9:31 PM
To: Office of the Legislative Counsel

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You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.
Sincerely,
Loretta Landry

[REDACTED]

From: Darren DeCoste [REDACTED]
Sent: March 6, 2024 9:43 PM
To: Office of the Legislative Counsel
Subject: Antigonish amalgamation

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**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Dear Law Amendments Committee Members,

I am writing in regard to Bill 407, the Antigonish Consolidation Act. As you have been told by numerous people, we aren't against consolidation. We just want our democratic right as Nova Scotians to decide our future. Please either reject Bill 407 or amend it to require a full study by the UARB and a plebiscite that the MGA (and our rights as Canadians) allows us to have.

If you allow this bill to go through you are ignoring the facts:

The issue is still in front of the courts. At least wait for the court decision before proceeding. A very accurate poll shows that over 75% of people in the Antigonish Town and County want a vote. The same poll shows only 22.4% of people feel the Mayor and Warden provided enough information. Despite the Mayor and Warden's claims that they did wide spread consultations, that just isn't true. They did all their meetings during the height of the Covid 19 pandemic, when many people were afraid to go to large gatherings, and therefore, very few people showed up. And those who did show up weren't listened to. They were just told what was going to happen. That's hardly democratic. The request for this legislation barely passed in both Councils (in the Town, the Mayor cast the deciding vote, and in the County, it passed by one vote. And one of the Councillors, who has stated he wants a plebiscite, was told he couldn't vote due to conflict of interest). The Councillors did not run on this issue and therefore have no political or ethical mandate to push this through without a plebiscite.

You will have submissions saying nothing more than "we want consolidation because it will be better." If this is true, then there is no harm in a vote. Show us how it will be better, and we will vote for it. That way, you'll have the peoples' support the way it should be done.

Sincerely,

[REDACTED]

From: Brena Hiltz [REDACTED]
Sent: March 6, 2024 10:06 PM
To: Office of the Legislative Counsel
Subject: Fwd: This Is Who I Am Suppose To Trust
Attachments: IMG_1282.jpeg; IMG_1283.jpeg; IMG_1286.jpeg; IMG_1284.jpeg

You don't often get email from [REDACTED] [Learn why this is important](#)

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From: Brena Hiltz [REDACTED]
Sent: Wednesday, March 6, 2024 10:03 PM
To: mayor@townofantigonish.ca <mayor@townofantigonish.ca>; donnie.macinnis@townofantigonish.ca <donnie.macinnis@townofantigonish.ca>; willie.cormier@townofantigonish.ca <willie.cormier@townofantigonish.ca>; mary.farrell@townofantigonish.ca <mary.farrell@townofantigonish.ca>; Andrew Murray <Andrew.Murray@townofantigonish.ca>; diane.roberts@townofantigonish.ca <diane.roberts@townofantigonish.ca>; sean.cameron@townofantigonish.ca <Sean.Cameron@townofantigonish.ca>; michellethompsonmla@gmail.com <michellethompsonmla@gmail.com>; premier@novascotia.ca <premier@novascotia.ca>; ca@zachchurchill.com <ca@zachchurchill.com>; kendracoombesmla@gmail.com <kendracoombesmla@gmail.com>
Subject: This Is Who I Am Suppose To Trust

A recent email caught my attention tonight (I have included it). We, the residents of Antigonish, are being told to trust our elected officials, that they have our best interests in mind, that they are doing what is necessary. Well, how am I or anyone suppose to trust our Mayor when she gets up in front of the Law Amendment Commitee and LIES!!!! She lies about the results of more tha one survey that didnt go the way she needed it to go, so instead of listening to those she decides to lie and change the results to better suit her agenda. This is who I am suppose to trust?!?! This is who has this towns best interest in mind?!?!?

What is happening in our small town is disgusting - our mayor is lying, our elected officials dont even have the common decency to talk to those of us who reach out with questions and concerns!!!! I have sent tou many emails and I have only heard from five of you - the five who stand with Antigonish and our right to vote. The rest of you have no interest in what anyone with an opposing view has to say.

My Name is Brena Hiltz, I live at 52 MacDonald St Antigonish - Laurie, Willie, Andrew, Mary, Michelle and Tim - do not bother coming to campaign, trusted you once but I will not trust you again.

Laurie, Antigoniash needs a Mayor who admits faults - lying is a fault.

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10:01



Let Antigonish Decide: R...



MAINSTREET RESEARCH Response to MAYOR Boucher

If you were listening to Mayor Boucher present at Law Amendments on Monday, you were no doubt as shocked as we were to hear her try and destroy the credibility of both the poll and the company who conducted them.

Shared with written consent of Mr Quito Maggi

The following is the letter of response and demand to Mayor Boucher from the President and CEO of MainStreet Research:

Good afternoon Madam Mayor, I have just completed viewing the Committee meeting where you testified yesterday and to respectfully ask that you withdraw your comments regarding the Mainstreet polls. I am ccing the County Warden, your council and the Committee members from the Nova Scotia House of Assembly. As you may or may not know, I have served many Mayors across Canada in numerous capacities and have always provided guidance and advice to my best abilities, I write you today only to correct the record and defend my work, not to pick a side in this discussion. I respect your work and those of your colleagues ccd above. First, let me commend you on the outreach you referenced in your testimony, the public meetings, mailings and online events. The 3000 touchpoints you referenced is something to be proud of. I will now address your subsequent comments about the Mainstreet polls. I am disappointed that you would reference 2 misses that Mainstreet has had in our 14 year history, out of more than 10,000 polls conducted, one from 5 years ago and another from 7 years ago. In the past year we have accurately measured the Manitoba election, the top three most accurate polls in that election were IVR (reference removed per posting). The same is true for the 2023 Toronto Mayoral election, Mainstreet was closest to actual results while 3 other polls had bigger misses than the 2017



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Let Antigonish Decide: R...



Calgary mayoral election, this is not a reflection on the other pollsters, just to point out that all polling firms have misses, 19 times out of 20 means exactly that. (Reference removed as per posting requirements). We've also accurately measured 4 of the last 5 federal by-elections accurately. And in Calgary where we had our miss in 2017, we successfully measured the results of the Olympic bid Plebiscite. (Reference removed per posting requirements). Our total misses can be counted on two hands, what amounts to a 99.99% accuracy. I own and acknowledge those misses, but I remain proud of our track record. Your further comments also confused me, because they are simply not true. You claimed that we made "about 5000 calls" for the Antigonish polls, both in March of 2023 and in February of 2022, that is false. In March of 2023, we made a total of 14,723 and in February of 2024 (a 2.3% response rate), it was 14,692 calls in February of 2024. (a 3.0% responses rate)

You stated that the response rate are well below industry standards, that was also false, our response rates and those among IVR polls fall well within industry standards. We are Gold Seal members of the Canadian Research Insights Council and follow rigorous processes for quality.

You suggest that the methodology of IVR doesn't accurately represent public opinion, that is false. In the most recent Nova Scotia election, the top two closest pollster to actual results were Mainstreet Research and Forum Research, both IVR pollsters. ([r](https://en.wikipedia.org/wiki/2021_Nova_Scotia_general_election)efernce removed per posting requirements)

The American Association for Public Opinion Research reports after the 2016 election concluded that IVR was by a significant margin the most accurate in that election. (reference removed per posting requirements)

I could go on citing recent elections and polling reports, your sources are incorrect, no public official or non expert should speak about polls, or methodology, it can get quite



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Let Antigonish Decide: R...



embarrassing. But that's not all.

In your further comments, you suggested that our demographics "were not representative of the population", again this is another example of how embarrassing amateur analysis can be of polling. You cited the unweighted frequency of those under 50, "around 10% of the population" but that population was weighted up, and the older population was weighted down. I would ask you to revisit your comments after you have a chance to understand how poll weighting works, and read the "Weighted Frequencies" in the tables provided. In your comments you also alluded to the possibility that non residents like your daughter who has an Antigonish cellphone could be included in polls unintentionally. This is not the case. The poll asked respondents whether they lived in the Town, the County or the "fringe". Screening for residency and eligibility is a best practice of polling, and one we follow. If in fact your children participated in our poll, as you alluded, they lied in the survey. Lastly, I should talk about ambiguous versus non ambiguous poll results. Calgary, Nanaimo and other polls where we have missed or other polls have missed tend to be ambiguous, 50% to 40% or 45% to 41% remains within several margins of error of the poll, and polls can have other sources of error, these can be viewed as ambiguous results. In fact, the "average error" in Municipal elections is 9% (that is per candidate) citing our 24 point miss in Calgary across 3 candidates was actually below average, similarly in the Nanaimo byelection. Neither of the Antigonish polls were at all ambiguous in their results. In February of 2023, 70% of residents expressed their opinion to want a vote in the amalgamation, that increased to 75% in February of 2024. Again, I will commend your outreach to 3000 residents. You've provided no statistics on what percentage of the feedback was positive or negative, this is an important omission and should be provided to the Committee, surely the Town staff have those statistics. By contrast, Mainstreet attempted to reach residents multiple times, over 7000 unique numbers including 60% RDD cellphone frames were contacted 3



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Regards, Quito Maggi

President & CEO

Mainstreet Research



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[REDACTED]

From: Helen Kennedy [REDACTED]
Sent: March 4, 2024 8:47 AM
To: Office of the Legislative Counsel
Subject: Fwd: Consolidation in Antigonish

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Please find attached letter in support of consolidation that I sent earlier today to Premier. Thank you for your consideration.

Helen Kennedy

----- Forwarded message -----

From: Helen Kennedy [REDACTED]
Date: Mon, Mar 4, 2024 at 8:25 AM
Subject: Fwd: Consolidation in Antigonish
To: <premier@novascoti.ca>
CC: <johnlohrmla@gmail.com>, <michellethompsonmla@gmail.com>

Dear Premier Houston:

I am writing to support the legislation currently before the legislature that would consolidate the Municipal Councils of the Town and County of Antigonish.

In light of your letter to Minister Lohr's requiring him to review municipal governance across the province, Councils of both the Town and County voted unanimously to explore consolidation through an open and inclusive consultation process. I took part in that process and was very impressed with how substantive the discussions were and how available and transparent councillors were to the public. One of those councillors is my sister. All concerns were addressed.

As a result of the process, I became convinced that consolidation is in the best long term interests of the community. We have a combined population of about 20,000. It makes little to me to have two separate municipal units, particularly also because town and county are increasingly integrated by the growth happening on the fringe of town. Why should

someone living on the fringe be unable to vote for town representation when their water supply is coming from the town?

Couldn't our scarce resources be better used than in duplication of departments and in some cases competing for investments from the public and private sectors? We are up against other cities and towns for the best business, academic and medical talent. We are trying to keep young people here. To maintain our quality of life, including our education and health care services, we will need to grow. We won't be able to tax our way out of a problem. Consolidation will give us a better shot at that necessary growth.

Lacking any substantive reason to oppose consolidation itself, opposition to the idea has come in the form of calls for a plebiscite. There is no democratic deficit on this file. Council members were duly elected. They held an open process to try and improve democracy in the municipality! They established guiding principles for consolidation against which they'll be judged in the only plebiscite that should matter—the next election. I'd rather Council used its resources on improving existing services and further engagement with the public on a new governance model than in a plebiscite.

In closing, I believe consolidation is in the best long term interests of Antigonish. Therefore, I respectfully request that you pass the special legislation to that effect.

Sincerely,

Helen Kennedy

[REDACTED]

Antigonish, NS

[REDACTED]

The Honourable Greg Morrow, Minister of Agriculture

The Honourable Michelle Thompson, Minister of Health and Wellness

The Honourable John Lohr, Minister of Municipal Affairs & Housing

Laurie Boucher, Mayor of the Town of Antigonish

Owen McCarron, Warden of the Municipality of the County of Antigonish