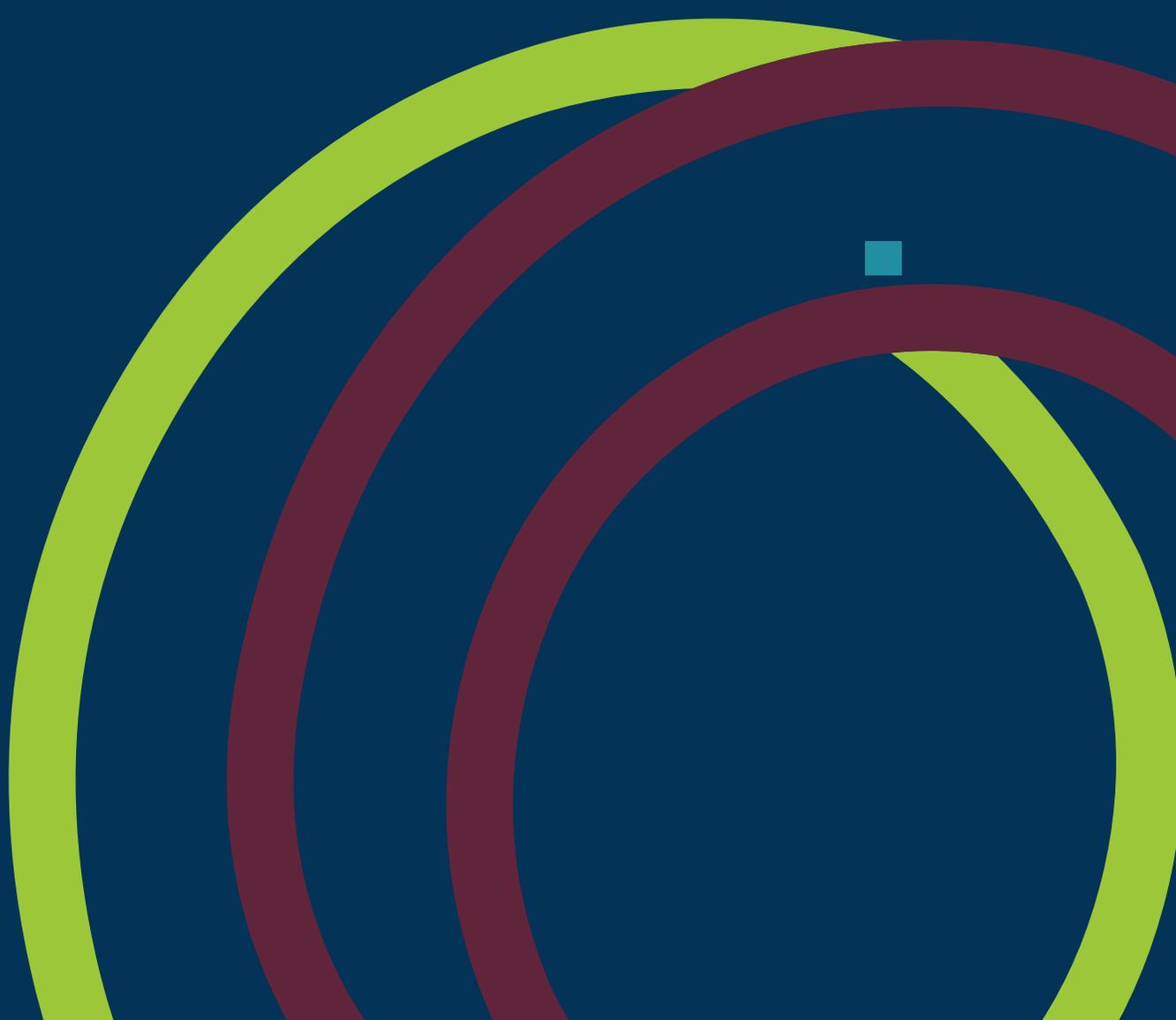


# ANTIGONISH

Our Community

Community Engagement Liaison Project  
Exploring Consolidation with  
the Town & County of Antigonish

**JANUARY 2022**



This report as part of the process to engage with the residents and stakeholders of Antigonish regarding potential consolidation.

This report was prepared by: Brighter Community Planning & Consulting and BTS Management Consulting



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# Best Practises Backgrounder

Introduction: The Town of Antigonish and the Municipality of the County of Antigonish have been working together for some time now on initiatives to improve the region as a whole. This positive experience, and some creative forward thinking, have led both Councils to agree to explore the merger process known generally as “consolidation”. Consolidation is a newer approach to municipal merger for communities and councils than the better-known Nova Scotian examples of amalgamation and dissolution. With consolidation, the province would create special legislation to empower a “Transition Committee” that represents both municipal units. The Transition Committee would have the authority to determine what the new Regional Municipality would look like. The NS Utility and Review Board would still be involved in reviewing electoral district boundaries, but much of the detailed work of the merger would be coordinated locally.

Nova Scotia municipalities and the provincial government have learned a lot about “best practises” in exploring a possible merger. This Backgrounder is intended to quickly summarize some of this history and highlight some observations that should inform the Steering Committee established by the Antigonish Town and County to explore the option of consolidation.

A cautionary note: This backgrounder may be seen as being critical of some historical events and council initiatives. These circumstances reflected the hard work and best intentions of the Councils, staff, community leaders and regulatory authorities at the time. Times have changed, and we are able to look at these events through a new lens.

Look for comments from the author in italics, at the end of each example provided below.



## SECTION A: THE HISTORY OF NOVA SCOTIA MUNICIPAL MERGERS AND LESSONS LEARNED

### 2001 – 2006 Antigonish Annexation and Amalgamation Experience: Not a “best practise”

The Town and County of Antigonish have a piece of municipal history that provides a good opportunity to learn what to avoid when undertaking a municipal merger. In 2001, the Town made an application to the NS Utility and Review Board (NSUARB) to annex about 3814 Acres of the Municipality adjacent to the Town boundaries. Relations between the Town and the Municipality were strained at the time, and the Municipality responded a few weeks later by making application to amalgamate the Town and County. The UARB considered both applications together, and initially proposed amalgamation, pending the results of plebiscites in both municipal units. There were active “NO” campaigns, accusations of misrepresentation of the facts, and general anger within the communities involved. The plebiscites produced a strong “no” from Town residents, and very limited support from residents in the Municipality.

After several years of this process, the NSUARB decided upon maintaining the status quo, leaving the Town and County as separate organizations. Its decision is very clear about the need for a comprehensive regional approach to move the communities forward. “The Board expects that the public will not tolerate a continuation of these conflicts over the long term.” Enclosed as Appendix A are excerpts from that decision.

*For the purposes of this Backgrounder, it is important to recognize that the decision-making about the proposed merger was within the NSUARB regulatory process, the community communications and engagement were adversarial from the outset, and engagement occurred only after firm positions were taken by both Councils. Unfortunately, the use of a plebiscite fed into the strong position taken on both sides of the issue.*



## 1990's Amalgamations: Halifax-Dartmouth, Industrial Cape Breton, Liverpool-Queens

The Liberal Government of John Savage took a strong leadership role with respect to municipal structure, forcing a merger on the City of Sydney, County of Cape Breton and six towns to form the Cape Breton Regional Municipality in 1995. Halifax Regional Municipality was established by the province in 1996, bringing together the Cities of Halifax and Dartmouth, the Town of Bedford and the surrounding County of Halifax. Coordinators were appointed with broad powers to create both new municipalities, Councils and communities were engaged in terms of “how to”, but the result was pre-determined in legislation and driven by the appointed Coordinator. The province had acted in response to problems with regional decision-making in greater Halifax. In the case of Industrial Cape Breton, the issue was similar, and was complicated by the declining economic health of the region.

The amalgamation of Liverpool and Queens County that occurred roughly at the same time as Halifax and Cape Breton was very different, initiated and guided by the Town, County and two villages from the outset. This had as much to do with the leadership of the Town and County as it did with the merger initiatives coming from the Province.

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*Twenty-five years later, the community leadership in Queens is still recognized across Canada when looking for good examples of municipal mergers. The Province of Nova Scotia has not taken a policy position to encourage amalgamations since 1996, but it has encouraged “innovation” in service delivery and invested in transition funding.*



## 2012-2016 Town Dissolutions: Canso, Bridgetown, Hantsport, Springhill, Parrsboro

The economic and regulatory changes early in the twenty-first century produced dramatic failures for several historic Nova Scotia Towns. Canso agreed to dissolution in 2012 when it lost its major employer, the National Sea Products fish plant. A few years later, Bridgetown Town Council resigned, unable to cope with their financial issues. Hantsport lost several major industrial taxpayers and had to dissolve. Springhill was faced with serious infrastructure and management issues, and Parrsboro had become just too small to continue as a separate government. As was the case with the amalgamations outlined above, provincial coordinators were appointed, but in the decision-making about all aspects of the dissolutions was directed to the NSUARB.

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*Consultation with communities and Councils during these dissolutions was for the purpose of the NSUARB hearings. The future of all the Towns was decided by the UARB, based on their review of the evidence presented.*



# 2014-2016 Proposed Amalgamation of Pictou County, Pictou, Stellarton and New Glasgow

Pictou County is governed by 5 separate Towns and the County of Pictou. In late 2014, Pictou, Stellarton, New Glasgow and the Municipality of the County signed a Memorandum of Understanding (MOU) to establish a new regional municipality in advance of the next round of municipal elections in 2016. The concept of an MOU was developed at a time when the Province was reticent to introduce special legislation to support a merger. This Pictou MOU was very thorough in terms of the financial and related analysis and steps to be included, including an application to the NSUARB. Studies were completed over the course of 2015 and the UARB held a hearing and public input sessions in Stellarton and Scotsburn in March of 2016. These public sessions were crowded, well documented by local media, and there was considerable skepticism about the financial research provided to the Board and criticism of the communications leading up to the hearing. The Initial Decision from the UARB favoured amalgamation and the concept of a single government leading the region forward. The Board requested public consultation, including a plebiscite in May of that year. Considerable opposition remained within the local communities, and the results of the plebiscite were generally negative except for residents of the Town of New Glasgow. Several of the municipal partners immediately withdrew from the UARB application, and the Board dismissed the application in June.

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*Once again, the focus of decision-making was with the NSUARB and its hearing process, and the municipal communications process was unable to achieve broad support for the proposed merger. Although the results of the plebiscite were not binding on the UARB the Board had to take into account the strong opposition to the proposed merger. Plebiscites are a blunt tool to engage the community, they may polarize residents instead of listening to their concerns and addressing them effectively in the decision making process.*



# 2020 Windsor West Hants Consolidation

The Windsor West Hants “consolidation” is the model of this new approach to municipal mergers, replacing amalgamation or dissolution with something that is more collaborative for the municipal partners. This consolidation was facilitated by special transitional legislation, passed upon request from the municipal councils involved. Before speaking to the consolidation process itself, it is important to look at what preceded it, beginning in 2016.

Windsor and West Hants had a long history of intermunicipal conflicts, the most recent of which was a dispute over funding of the joint fire service provided by the Windsor Volunteer Fire Department. Reacting to this situation, a local citizens group, the Avon Region Citizens Coalition, was formed. This Coalition activated Section 358 of the Municipal Government Act, which provides an opportunity for a group representing ten percent of the population of the area to ask the UARB for amalgamation. Through a petition, they were able to demonstrate that at least 18% of the citizens of Town and County combined supported their proposal, which they filed with the UARB in February 2016. The application was supported by the Town of Windsor, and provided 11 reasons for amalgamation, including:

- A respectful merger of the two units
- More efficient governance through the removal of duplication
- Financial stability
- Vision and growth continuity
- Alignment with goals outlined by the Ivany Commission (One Nova Scotia)

The Avon Region Citizens Coalition application for merger was eventually withdrawn, after the Fall 2016 municipal elections and a MOU between the Town and Municipality in February 2017 that led to the consolidation process itself. But it is important to recognise how engaged some of the citizens were at the early stages of the process. When elected officials canvassed their communities prior to the 2016 municipal elections, they found lots of interest in the structure of local government in the area.



Turning to the process of consolidation itself, that February 2017 Memorandum of Understanding struck a Steering Committee with clear responsibilities and expectations about collaboration. Here is an excerpt from the February 2017 joint media release about the MOU:

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*The agreement between Windsor and West Hants outlines a framework for a new relationship that will see the two working cooperatively on shared areas of interest that will benefit all the citizens in their respective communities. The initial objectives are intended to focus on broad areas that will serve to improve access and use of resources, services and programs while generating maximum cost benefits for both municipal units.*

In the months that followed, the joint Steering Committee completed research, consultation and discussions that resulted in both Windsor and the Municipality of West Hants Councils meeting jointly in July, August and September of 2018 to request the Department of Municipal Affairs provide special legislation to consolidate the two units. Again, the media release for that decision is helpful in terms of understanding their approach and citizen engagement: Councils agreed that the Queens County amalgamation will be used as the model for our region and after a successful evening of discussion and debate agreed to the following statements:

- Our Councils are committed to moving forward together to create a new regional government for a stronger community.
- Our public will be engaged in a continuous and responsive way to inform our decision-making.
- Coherent communication messages will be agreed to in a timely manner by all three parties, the two municipal units and the Province, before being made public.
- It will be made clear by the two municipal units what they can change or influence and what they cannot.
- No individual Councillor or municipal unit will speak on behalf of the group.
- Councils understand that all questions will not be able to be answered as of yet, but lack of details does not equal a lack of commitment.

Bill 55, the special legislation to Incorporate the Region of Windsor and West Hants Municipality facilitated the creation of a new regional municipality by April 1, 2020. It included the appointment of a transition coordinator and the creation of a transition committee with equal representation from Town and County to oversee the process.



Once the legislation was in place, the joint transition committee put the pieces in place to establish the new municipal unit over a few months. They hired experienced municipal lawyer Kevin Latimer as the Transition Coordinator, recruited a new CAO, Mark Phillips, and completed significant research and consultation with the communities involved. Their meetings and agendas were posted publicly, and residents could observe Transition Committee meetings through Facebook Live. For the purposes of this “best practises” report, one of the most important early steps was the establishment of clear guiding principles for the consolidation process. These Guiding Principles for Consolidation directed a process that would follow the existing tax structure in both units, that would be fair in terms of communities paying for services provided, that would treat staff fairly, and that would adopt a strong regional approach. **The Windsor West Hants Guiding Principles** are included with this backgrounder as **Appendix B**.

The Regional Municipality of West Hants has been operating now for three fiscal years, it has established itself as a new organization, and produced policies and practises across the larger municipal unit. In combining the previous municipal organizations and recognizing the regional approach to be taken, the Municipality has been engaged in such things as:

- Reviews of human resource policies, union contracts.
- Reviews of fire service financing, policies, and the emergency management plan.
- Combining public works in terms of staffing, cross training, and better asset management.
- Regional provision of recreation services and completion of a new regional sports facility.
- Establishing a new regional Planning Strategy and by-laws.

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*Two important things to note here: The municipal partners made the actual decision to merge before the special legislation was created. The Province accommodated the municipal request directly in the Legislature as opposed to having the matter adjudicated by the NSUARB. The UARB was utilized to review the electoral boundaries as proposed by the Transition Committee.*



## SECTION B: RECOMMENDED APPROACHES FOR EXPLORING MUNICIPAL CONSOLIDATION

All this municipal experience with annexation and mergers in Nova Scotia provides a basis to identify what are the “best practises” to be considered in the exploration of municipal consolidation by the Town and County of Antigonish. Fortunately, the two units have changed significantly in terms of their recent history of cooperation when compared to the annexation/amalgamation situation that existed twenty years ago. This is documented in the Terms of Reference for this study:

*Over the past few years, the Town and County have made significant strides and strengthened their relationships, establishing a trusted partnership that builds on that history of success and service between the two municipal units.*

*Together, the Town and County have been able to invest and build new infrastructure, host large events like the 2018 National Special Olympics and the Provincial 55+ Games, as well as improve municipal services and programming through greater coordination. The Town and County have seen their joint success grow with the relationships they have built with St. FX University, St. Martha’s Regional Hospital Foundation, as well as with community groups like Antigonish Community Transit, Antigonish Affordable Housing, Keppoch Mountain, and the People’s Place Library, to name a few.*

This is a great starting point for exploring municipal consolidation, and the following list of Recommended Approaches is intended to support the Steering Committee from the two municipal units in completing that exploration process:



Recommended Approaches:

**1. Be clear about the objective of possible combination of the two municipal governments.**

For residents who have strong attachment to their Town or County community, understanding the “why” is critical.

**2. Establish clear Guiding Principles for the Steering Committee and possible consolidation.**

Guiding Principles set the direction for “how” questions and provide a framework to develop answers.

**3. Engage the public and stakeholders across Antigonish County in two-way consultation.**

Go beyond “communication” to learn the issues and questions of a variety of groups and organizations. Provide a variety of methods to understand and feed into the process.

**4. Broaden the consultation and engagement process to include under-represented groups and recognize Diversity, Equity and Inclusion (DE&I).**

Consult with the Paqtnkek Mi’kmaw Nation and find ways to reach out for opinions of underrepresented groups. Seek different perspectives and identify needs to be addressed.

**5. Provide clear and consistent messaging for the public throughout the process.**

Create a single point for the Steering Committee to generate and receive communications about the process. This will help address misinformation or confusion within the community.

**6. Support, communicate regularly with municipal Councils and Staff.**

Support members of Council and staff in responding to issues arising from a potential transition to a single organization.

**7. Identify the anticipated tax rate impacts of a possible merger early in the process.**

Tax structures, debt and related financial issues should be managed in a manner that minimizes rate changes for the communities served. This is important information for all stakeholders.

**8. Consider the potential benefits of regional decision making that supports the improvement of local assets and services.**

There should be greater opportunity to achieve things like economic development and recreation across the larger municipal unit, while supporting individual communities, their unique assets and opportunities.

**9. Proposed electoral districts should foster a balance between rural and urban communities in the creation of a new Council.**

The traditional boundaries between town and county should not be used in a new, more regional municipal council.



## APPENDIX A

### **Excerpts from 2006 NS Utility & Review Board Decision on Town of Antigonish Annexation, County of Antigonish Amalgamation: DECISION NSUARB-MB-01-01/02 2006 NSUARB 112**

#### **Key comments are in bold:**

[32] **While the Board had formed the preliminary view that amalgamation would be in the best interests of the inhabitants of the area, the Board concludes that the benefits of amalgamation cannot be achieved in the face of the continuing animosity which exists between the respective municipal governments, especially given the public support which each municipal unit enjoys for its position.** The Board considers that the continuing discord related to amalgamation could impact the area's strong community of interest, the region's ability to attract business, and even the ability of local businesses to reconcile their individual business plans within the economic plan of the area (particularly in the corridor of the proposed realignment of the Trans Canada Highway). Any potential benefits from amalgamation might well be outweighed by such negative impacts. These are potential social and financial implications which weigh heavily against the application.

[36] However, the Board would be remiss if it did not observe that many of the issues raised by the parties during the hearing will likely persist under the status quo. Such issues include, but are not limited to, the need to accommodate growth within the Town, the need to adopt a comprehensive planning and development approach with respect to the impending realignment of the Trans Canada Highway corridor adjacent to the Town, the sharing of water, sewer, and electric systems, and making more efficient use of scarce tax dollars. **Without exception, all who testified at the hearing (on both sides of the issues) also asserted that the well-being of the entire County depends on the health of the urban core comprising the Town, but in a way which does not jeopardize the future of the surrounding Municipality. These issues must be addressed in a fashion which will benefit the residents of the Municipality and the Town.**

[37] **A common theme raised throughout the hearing was that the public is both frustrated and disappointed with the lack of cooperation, and often conflict, which exists between their respective municipal governments in addressing the important issues facing the region.** The Board found in its preliminary decision that the confrontational approach taken



by the opposing municipal units has cost the Town and Municipality a combined amount of almost \$240,000 over the past 10 years (see paragraph 312). It is fair to assume that this amount represents a minimum of the cost actually incurred, with these figures ignoring the resources committed by staff for each municipal unit on such conflicts, which involve matters respecting planning, utilities, or other issues. This has taken away from their ability to further the well-being of their respective residents. The Board expects that the public will not tolerate a continuation of these conflicts over the long term. Further, any lack of significant progress on such issues may indeed cause a shift in public opinion on the ability of both councils to address these matters, rekindling a demand for another application to the Board.



## APPENDIX B

### **Windsor West Hants Consolidation Process Guiding Principles for the Co-ordinating Committee**

- 1. Boundaries:** When looking at boundaries, ensure equitable representation for both urban and rural communities for the new council. It is essential that the culture and identities of both the urban and rural communities are retained in the new consolidated community.
- 2. Taxation:** When developing a taxation model for the consolidated community, the existing tax system should serve as a base. Business as usual, services as usual. The electoral boundaries should not impact taxation.
- 3. Debt:** When addressing debt from the former communities, area rates should be used to ensure the repayment of the debt is paid in the spirit it was incurred. By way of example, if the debt was incurred for the benefit of the taxpayers in Windsor, the debt should be area rated to the taxpayers of Windsor.
- 4. Administrative Structure:** When developing the blended administrative structure of the consolidated community, all efforts should be taken to ensure there is no job loss as a result of the consolidation. Any planned efficiencies should strive to be achieved through attrition and maintaining corporate knowledge should be prioritized.
- 5. Regional Service Strategy:** An overall strategy for regional service delivery and regional infrastructure prioritization should be informed by an inventory of existing assets.
- 6. Regional Planning:** Regional planning should be a priority for the consolidated community to ensure that the strengths of the urban and rural communities are being leveraged appropriately.
- 7. Public Engagement:** A Public Engagement Plan should focus on transparency and provide diverse ways to inform and engage the public and stakeholders.
- 8. Decisions:** All pertinent decisions should be reviewed with the lens of looking for economic development growth and opportunities.