



**REGION OF WINDSOR AND WEST HANTS MUNICIPALITY
CO-ORDINATING COMMITTEE**
Meeting Agenda
Monday, March 18, 2019 – 6:00 p.m.
West Hants Council Chambers, 76 Morison Drive, Windsor, NS



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- 1. CALL TO ORDER**
 - 2. APPROVAL OF AGENDA** – Additions and/or Deletions
 - 3. APPROVAL OF MINUTES** – February 25, 2019
 - 4. DELEGATIONS / PRESENTATIONS (if any)**
 - (a) Dr. Jamie Baxter
 - 5. BUSINESS ARISING FROM PREVIOUS MINUTES (if any)**
 - (a) Workplan Update
 - (b) Governance Review
 - (c) Communications Interim Support
 - (d) Project Administrator Update
 - 6. NEW BUSINESS**
 - (a) NSFM Spring Workshop
 - 7. STAFF REPORTS**
 - (a) HR Analysis RFP Recommendation
 - (b) Executive Search RFP Recommendation
 - (c) Communications RFP Recommendation
 - (d) Municipal Election 2020 – Voting Method – Recommendation
 - (e) Transition Funding Agreement – Recommendation
 - (f) Management of Transition Finances - Recommendation
 - (g) Region of Windsor and West Hants Municipality 2019-2020 Budget
 - 8. BILL 55, SECTION 12 ITEMS**
 - 9. ADDITIONS TO THE AGENDA**
 - 10. IN-CAMERA (if any)**
 - 11. NEXT CO-ORDINATING COMMITTEE MEETING DATE(S) & ADJOURNMENT**



**REGION OF WINDSOR AND WEST HANTS MUNICIPALITY
CO-ORDINATING COMMITTEE**

Meeting Minutes

Monday, February 25, 2019 – 6:00 –7:40p.m.

West Hants Chambers, 76 Morison Drive, Windsor, NS



ATTENDANCE

Co-ordinating Committee Members

Kevin Latimer	Co-ordinator, Chair
Laurie Murley	Deputy Mayor, Town of Windsor
Abraham Zebian	Warden, Municipality of the District of West Hants
Paul Morton	Deputy Warden, Municipality of the District of West Hants

Staff/Alternate Committee Members

Martin Laycock	CAO, Municipality of West Hants
Louis Coutinho	CAO, Town of Windsor
John Bregante	Councillor/Alternate Co-ordinating Committee Member, Town of Windsor
Jennifer Daniels	Councillor/Alternate Co-ordinating Committee Member, Municipality of the District of West Hants
Julie Woodman	Administrative Assistant, Municipality of the District of West Hants
Nick Barr	Manager, Legislative & Policy Services, Department of Municipal Affairs
Ron Dauphinee	Department of Municipal Affairs

Regrets Anna Allen, Mayor Town of Windsor

Gallery

Colin Chisholm Reporter, Valley Journal Advertiser

1. **CALL TO ORDER** – Co-ordinator Latimer called the meeting to order at 6:00 pm. He announced the meeting was on Facebook Live.
2. **APPROVAL OF AGENDA** – Additions and/or Deletions

MOVED/SECONDED THAT THE AGENDA BE APPROVED AS AMENDED. MOTION CARRIED

3. **APPROVAL OF MINUTES** – February 4th, 2019

MOVED/SECONDED THAT THE FEBRUARY 4, 2019 MEETING MINUTES BE APPROVED AS CIRCULATED. MOTION CARRIED

4. **DELEGATIONS / PRESENTATIONS (if any)**
 - (a) **Governance Review / Council Size – Staff Report**
 - i. **Stantec Report**
 - ii. **Professor Jamie Baxter Report**

Co-ordinator Latimer advised that this committee is going to have to make several important decisions of what the new municipality will look like and how it will function. He noted the size of the new council and the configuration of the polling districts is one of the more important decisions. He confirmed tonight the committee will take the first steps towards determining the look and feel of the new municipal council which will be elected in March 2020. He reported there has been two studies and two reports completed that were circulated in the package. He advised that one report was prepared by John Heseltine of Stantec Consulting that included the results of public consultation that had taken place over the last several weeks. He indicated that Mr. Heseltine is here this evening to present based on those consultations and his report. He advised the other report was prepared by Professor Jamie Baxter from Dalhousie University, he offered that Professor Baxter was not able to attend this evening's meeting.

Mr. Heseltine gave a brief presentation. He explained that the governance review was conducted in two phases which is consistent with the approach recommended by the Nova Scotia Utility and Review Board (UARB). The UARB will hear the application from the Co-ordinator concerning council size and boundaries. He noted they have finished the first phase that sought to assess the desired council size and the second phase will look at potential boundaries to elect the council. He explained the focus is on the consultation process which has been broken into two components; a series of public meetings in communities around the region including Avondale, Brooklyn, Vaughn, Town of Windsor, and Falmouth. He suggested that the attendance at some of the meetings was small and noted for all the sessions they counted 86 residents with some appearing at multiples sessions. He offered this would be considered a moderately successful group of meetings to have reasonable discussions on the subject matter.

He confirmed the second component of the consultation process was a questionnaire survey that was primarily implemented online and he considered it very successful with 609 responses. He noted at the public meetings there was concern from rural residents regarding the access to internet and equitable ability to respond to the online survey. He offered in a response to this a decision was made to circulate hard copy questionnaires to certain rural districts which resulted in another 139 responses, in which 135 were completed, as there were incomplete responses.

Of the 744 responses Mr. Heseltine confirmed the most popular response was 10 with 12 as second choice and 11 the third choice, he noted this accounted for 61.5% of respondents. He suggested there were differences between the urban, suburban, and rural respondents, and indicated that respondents from the Town of Windsor favoured a smaller sized council. He reported the follow up question in the survey was to ask why residents made their choice which broke down between a desire for efficient decision making, and over or under representation of rural areas.

Warden Zebian asked Mr. Heseltine if it would be unusual for the committee to recommend something different. Mr. Heseltine suggested it wouldn't be out of the question but offered from his experience the survey work is normally used as a guide and offered personally he was not considering a third size.

Councillor Bregante asked how many responses were received from the shore, as internet is not ideal in that area, and he expressed concern that there may be a lot of residents that didn't have the opportunity to respond. Mr. Heseltine indicated this was an area of concern that led to the distribution of hard copies and confirmed the responses online were from that particular area and offered that it was not under represented.

Deputy Mayor Murley asked Mr. Heseltine what she can expect to see over the next 5-10 years with that size council. Mr. Heseltine suggested the tendency is to start out with a larger size council in recognition of representation when a new municipality is formed and then usually there is reduction in the longer term.

Deputy Mayor Murley asked whether the reason for a large size Council has to do with identity issues as a significant component of that decision. Mr. Heseltine felt there may be nervousness in the transition in these situations, and he suggested that a level of comfort increases over time and it is reduced by the Municipality. Deputy Mayor Murley asked if it would take a few years to get that level of comfort as discussed. Mr. Heseltine indicated that a lot of emphasis is put on consultation in this process adding that effective consultation is to take those concerns into account.

Co-ordinator Latimer asked if Mr. Heseltine is asking that the committee decide on the size at this meeting. Mr. Heseltine offered the concentration of support is close enough for a significant portion of residents who responded to the survey and the input from the consultation sessions to recommend 9 or 11 districts. He indicated that he is not expressing any preference for one or the other and suggested the boundary review process could raise some issues that would require discussion on council size. He noted that they are supposed to have some council sizes in order to establish the district framework to put before the public for their consideration.

Co-ordinator Latimer indicated the CAO's in the staff reported outlined the alternatives as follows: adopt the approach recommended in the Stantec study; choose council size (9, 11 or otherwise) and direct the consultant to prepare scenarios for that particular council size (in which case the Committee should provide rationale for deviating from the Stantec recommendation); a further alternative was to choose another combination of council sizes and direct the consultant to prepare scenarios for those council sizes (in which case the Committee should provide rationale for deviating from the Stantec recommendation). Mr. Heseltine agreed with the alternatives and offered he has given his opinion and is seeking direction from the committee.

Warden Zebian suggested he would support the recommendation for 9 or 11 council size and offered that there has been a lot of changes which have been supported quite well by the residents of Windsor and West Hants. He referred to Professor Baxter's report regarding buy-in for the process and believed this recommendation would do that. He expressed that he was disappointed that Professor Baxter's report didn't include actual data only theoretical arguments.

Co-ordinator Latimer asked CAO Coutino in Professor Baxter's absence to speak briefly on the report. CAO Coutino reported that the Co-ordinator had engaged Professor Baxter to provide background information and analysis on two key questions on the design and size of the new regional government and the appropriate geographic boundaries. He noted that the research was quite in-depth and Professor Baxter reviewed all the previous studies that had been completed on amalgamation and the Nova Scotia Utility and Review Board decisions. He noted that he looked at the style of council and regional interest and how to establish boundaries and the effective political representation and diversity of council.

Co-ordinator Latimer suggested this was an excellent report that provided information to assist the Committee in making decisions. He felt that the Committee should invite Professor Baxter to a meeting to add any further comments or respond to any questions the Committee might have.

**MOVED and SECONDED that the Co-ordinating Committee accept the recommendation of the February 21, 2019 Stantec Report and move forward with the assessment for the scenarios for nine and eleven districts in Phase 2 of the Governance study.
Motion Carried.**

Mr. Heseltine reported in the second phase, boundary scenarios will be created for the two district options that have been agreed upon which will be presented to the public in a similar fashion to the first phase. He

confirmed early in the project they completed the required base mapping and noted that meetings have been scheduled starting on March 5th and finishing on March 14th. He noted there will be another online survey that will involve the presentation of the proposed district boundaries scenarios that will allow members of the public to express their preference and provide their comments. He explained there is a plan to post the maps of the districts in various accessible locations in the communities. He advised that a report will be provided on district boundaries similar to the council size report and the process will be completed by April 1st.

Councillor Morton expressed concern that the survey wouldn't be mailed out to residents. CAO Laycock responded based on the results of having 5100 surveys delivered and getting 130 back indicates it is not an effective approach and suggested there is internet access available in communities and added that councillors have iPads to aid residents. He suggested that 25 locations have been identified where maps will be provided to direct residents to pick up a survey. He offered it is an effort to balance time and efficiencies to get the results, he confirmed that staff will get the information out as efficiently as they can. It was confirmed once the scenarios are available, they will be made public on the Stronger Region website.

Councillor Morton asked if surveys will be placed in the designated areas with the maps. CAO Laycock suggested an issue with this is getting the surveys back and that someone may fill out more than one survey. He felt this would be better controlled if residents came to the municipal office. He noted that staff are doing their best with the limited resources available and felt this was a reasonable way forward in this process. Warden Zebian encouraged all councillors to go out and try to obtain responses from residents. CAO Coutinho added the posters will include where to do the survey's, phone numbers, and access to the Stronger Region website.

5. BUSINESS ARISING FROM PREVIOUS MINUTES

(a) Project Workplan & Schedule – Update

Co-ordinator Latimer reported at the last meeting he circulated a draft of the work plan and project schedule. He confirmed he didn't bring an updated draft at this point as his expectation is to have a final workplan and schedule for the committee to review and consider at the March meeting. He noted the working group which includes representatives from the Department of Municipal Affairs continues to meet on a weekly basis to consider what needs to be in the workplan and develop a realistic schedule and implementation of the workplan over the next 6-12 months. He noted moving forward with the governance piece will be a key focus over the next 6-8 weeks. He stated that responses have been received from the RFP's adding the CAO's will speak to the responses and that the contracts will need to be awarded so the work can commence.

(b) RFP's / Studies – Update

CAO Laycock reported the HR Analysis and Interim HR Support Services RFP closed and six responses were received. He advised that staff and a member of DMA are reviewing, and he hopes a recommendation will be made to the committee in March. He noted the Communications Services RFP closes on February 28th and the Asset Management closes on March 7th. He confirmed staff will be coming forward to the committee with recommendations on awarding those contracts. He suggested there are other RFP's that staff will be working on and will bring forward for consideration, namely Fire and Pension RFP's.

Co-ordinator Latimer advised there was an RFP out for an executive search to find a CAO for the new municipality. He noted as of last Thursday they received four submissions and he asked CAO Coutinho and Shannon Bennett to help review and evaluate. He advised that a recommendation would be brought to the committee at the next meeting in March.

(c) Communications Interim Support – Update

CAO Coutinho reported a company – PR Hive - was hired to assist during the transition phase. He noted that Robyn McIsaac of PR Hive was in the audience – and is currently working with the Communications Co-ordinator on a newsletter to be mailed out to every household to provide an update on the process.

(d) Project Administrator – Update

CAO Coutinho reported that 14 submissions were received for this position and they are still in the process of interviews. He confirmed an update will be provided at the March meeting.

(e) Co-ordinators Report

Co-ordinator Latimer advised that an update was provided in the package circulated this evening.

6. NEW BUSINESS

(a) Happy Community Funding Request

CAO Laycock explained this is a recommendation report to the Co-ordinating Committee to support the Happy Community Project which is looking to leverage \$10,000 to receive \$50,000 from the Department of Community Culture and Heritage. He added that Barry Braun had approached him in November, and he assisted him in developing a project proposal to help bridge the gap between the rural and urban areas of Windsor and West Hants through a grass roots approach. He confirmed a motion did not pass at West Hants Council but was brought forth by Warden Zebian this evening to leverage funding through the Province.

Warden Zebian suggested this is a great group of people who have come together who have brought out all the volunteers and create the functions that are going on in our communities. He offered that West Hants Council felt it was more of a discussion for both units and that it should come to the Co-ordinating Committee.

MOVED and SECONDED that the Co-ordinating Committee support the Happy Community Project proposal as attached to the February 25, 2019 Co-ordinating Committee report and commit funds for the project of up to \$10,000, subject to approval of Provincial funding.

Deputy Mayor Murley stated that their CAO made a recommendation for this to go through their budget process. CAO Coutinho confirmed this and explained that their Council supported the idea and agreed that it was a good initiative in the community, however at the time they were not certain which funding came first. He suggested normally this would be discussed during budget deliberations, however it was time sensitive as funding was available for the 2018/19 fiscal year. He confirmed that their Council is supportive of cost sharing based on a per capita basis. Deputy Mayor Murley added that she was left with the impression that Council would likely support it based on a formula which resulted in approximately \$2,000. She asked if this Committee approves the motion if that funding would become a nil point. CAO Coutinho advised that Council hadn't voted on it but discussed whether it was feasible, and he suggested even though it was not budgeted he could find \$2,000 in the budget capacity. He suggested if the motion is not approved at this committee the project will not move forward.

Motion Carried.

(c) Budget Update

CAO Laycock reported an update has been provided in the package. He confirmed that staff will have a better idea of any adjustments that can be made once the RFP's have been awarded.

7. BILL 55, SECTION 12 ITEMS – (None at this time)

8. ADDITIONS TO THE AGENDA

9. CORRESPONDENCE

(a) February 20, 2019 – Councillor Jennifer Daniels

Warden Zebian reported that West Hants created a new committee of Council which was tasked with dealing with rural issues. He noted that Councillor Daniels is heading this committee on behalf of West Hants. Councillor Daniels expressed concern how the committee could efficiently have correspondence and information go directly to the transition team because it is a Council committee. She suggested this would need to be resolved. She offered that she wanted to see the community engaged effectively and meaningfully and asked if the issues should be identified through the workplan or whether the committee should bring it to the Co-ordinating Committee. CAO Laycock confirmed this is a committee of West Hants Council and any position would have to go through them for support and then a formal communication would come to the Co-ordinating Committee.

10. IN CAMERA SESSION

MOVED AND SECONDED TO MOVE IN CAMERA AS PER SECTION MGA section 2 (e) (g).

MOTION Carried.

MOVED in camera at 7:17 pm.

MOVED SECONDED TO COME OUT OF CAMERA AT 7:35 pm.

NEXT CO-ORDINATING COMMITTEE MEETING DATE(S) & ADJOURNMENT The next meeting is scheduled for March 18, 2019 at 6:00 pm.

MOVED/SECONDED THAT AT 7:40 PM, THE MEETING BE ADJOURNED. MOTION CARRIED

Chair

Municipal Clerk

Report to the Co-ordinating Committee
in relation to
Council Size and Polling Districts for
the Region of Windsor and West Hants Municipality

Submitted by
Dr. Jamie Baxter, M.A., J.D., LL.M., J.S.D
Assistant Professor
Schulich School of Law, Dalhousie University
Halifax, Nova Scotia

February 19, 2019

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Executive Summary

On April 1, 2020, the Region of Windsor and West Hants Municipality (hereafter, “WWH”) will join the Cape Breton Regional Municipality, Halifax Regional Municipality and Region of Queens Municipality as the one of only four regional municipalities in Nova Scotia. It will also be the first such regional consolidation to take place in the province in over twenty years.

The purpose of this report is to provide background context and analysis on two key questions of institutional design for WWH. First, what is the optimal size for the new regional council? Second, what are the appropriate geographic boundaries for the municipality’s polling districts? How these two questions are approached and answered may have consequences for the functioning and long-term success of the new regional municipality—and, to the extent that WWH serves as a model for other regional consolidations, may influence future municipal reforms across the province.

In reaching a decision on these two issues for WWH, the Nova Scotia Utility and Review Board will have a deeper set of precedents to draw on than it did when determining council size and polling districts for earlier regional consolidations. By mapping the relevant statutory provisions and the Board’s emerging analytical framework for determining these issues, this report provides a basis to better understand the available choices between larger and small councils and the different approaches to establishing district boundaries. Both of these inquiries are described in this report as an exercise in balancing competing but legitimate sets of values and goals.

The report’s main recommendations can be summarized in three points. First, consistent with past cases of regional consolidation and with the need to balance effective representation and effective governance, the new regional council for WWH should likely be smaller in size than the combined councils of the Town of Windsor and the Municipality of the District of West Hants. Second, in establishing polling district boundaries, community of interest factors play an important role—but in the unique context of regional consolidation, those factors will also need to be weighed against demands to advance regional interests. Third, determinations of council size and polling districts should be based on a close consideration of how these two institutional features relate to one another and how they may or may not change and evolve over time in the dynamic context of municipal reform.

While Nova Scotia has a long history of studying municipal reforms, much has changed since calls for “modernization” emerged in the late 1960s and early 1970s and since the last round of regional consolidations in the mid-1990s. This report builds on those past studies by surveying the recent law and academic research on council size and polling districts. It then synthesizes the available material for application to WWH within the broader context of municipal reform in Nova Scotia.

1. Introduction

At the request of the Councils of the Town of Windsor and the Municipality of the District of West Hants, the Minister of Municipal Affairs introduced Bill 55 to the provincial legislature on September 25, 2018. The *Region of Windsor and West Hants Municipality Act* (the “Act”) received royal assent on October 11, 2018.¹ Section 3 of the Act consolidates the Town of Windsor and the Municipality of the District of West Hants into the new Region of Windsor and West Hants Municipality (“WWH”) effective April 1, 2020. WWH is only the fourth regional municipality created in Nova Scotia and the first such regional consolidation in the province in the past two decades.

The Co-ordinating Committee overseeing the consolidation is chaired by a Co-ordinator appointed under the Act by the Governor in Council. Section 10 of the Act requires the Co-ordinator to apply to the Nova Scotia Utility and Review Board [the “Board”] to determine the number of councillors and the geographic boundaries of the polling districts for the new regional municipality.

1.1. Mandate

On January 21, 2019, the Co-ordinator requested a written report to inform the Co-ordinating Committee about approaches to determining the council size and polling district boundaries for WWH. The report was to be conducted in parallel with a Governance Review, including public consultations, completed by Stantec. The Co-ordinator asked that the report:

- provide an understanding of approaches taken to determining council size and polling district boundaries in previous similar Nova Scotia cases before the Board, including approaches taken by associated studies submitted to the Board in support of those applications; and
- include an overview of the current literature on creating effective representation at the local government level.

This is the report submitted to the Co-ordinating Committee in fulfillment of the Co-ordinator’s request.

1.2. Scope of Report

This report is based on a review of the following materials:

- legislation relevant to the Board’s determination of council size and polling district boundaries in cases of regional consolidation; and
- the Board’s past decisions upon applications to establish or revise council size and polling district boundaries for the three pre-existing regional municipalities in Nova Scotia: Cape Breton Regional Municipality, Halifax Regional Municipality, and the Region of Queens Municipality;
- reports submitted to the Board in support of the above applications;

- relevant Canadian and comparative research literature on municipal council size and the distribution of polling districts.

By way of background, additional materials related to the broader context of municipal reform and restructuring in Nova Scotia were also reviewed. Apart from a few cases of particular relevance, the Board's decisions on council size and polling districts upon application by municipal councils under section 369 of the *Municipal Government Act* (the "MGA") were not reviewed for the purposes of this report.²

2. Regional Consolidation in Nova Scotia

Changes in the structure of municipal government in Nova Scotia have long shaped how local communities govern themselves and how those communities connect with and relate to one another. In the early colonial history of the province, these changes were driven by the global forces of war, international migration, and British imperialism, as Loyalist settlers from New England challenged the centralizing tendencies of municipal administration under the British and brought with them new ideas about the value of self-governance and local control.³ Since the mid-twentieth century, shifting demographics and economic conditions, the changing scope and complexity of local services, and the introduction of new technologies have all combined to create new pressures for municipal reform.⁴

How municipal governments should be restructured to respond to these pressures has been a much-studied topic in Nova Scotia over the last half-century or more. In 1967, the Pictou County Municipal Coordination Study considered several alternatives for structural reform across the six existing municipal units in Pictou County.⁵ Just four years later, the Royal Commission on Education, Public Services and Provincial-Municipal Relations (the Graham Commission) began an exhaustive review of municipal boundaries and financing. As recently as 2014, the Report of the Nova Scotia Commission on Building Our New Economy (the Ivany Report) recommended that the provincial government initiate a review of current municipal government structures to improve "efficiency, cost effectiveness and community engagement."⁶ The intervening years of the late twentieth and early twenty-first century produced several additional studies and reports on the topic.

These studies are perhaps most remarkable for their consistency in recommending a reduction in the number of municipal units through some form of amalgamation. Likely the most influential has been the report of the province's Task Force on Local Government in 1992, which identified five "critical regions" as a "first priority" for structural reform.⁷ Rejecting the two-tier model that had been taken up in parts of Ontario and the Western provinces, the Task Force recommended that Nova Scotia pursue single-tier, regional-level consolidations of existing city-county units—with the county-level serving as the preferred scale for reorganization.⁸

In the wake of the Task Force report, the provincial government initiated regional consolidations in the two most populous regions in the province by way of special legislation,⁹ creating the Cape Breton Regional Municipality ("CBRM") in 1995 and the Halifax Regional Municipality ("HRM") a year later. The Region of Queens Municipality ("Queens") was also created in 1996, consolidating the town of Liverpool and the Municipality of Queens County—although this restructuring was unique in that local officials initiated the consolidation rather than have it

imposed by the Province.¹⁰ Historians have noted that the primary motivations varied for each of these three regional consolidations. The changes in Cape Breton were an attempt to address the financial viability of the nine municipalities comprising the new regional government, while in Halifax the rationales included cost savings, unsustainable economic competition between the four former municipalities, and problems with a new provincial service exchange initiative. The Queens consolidation stood apart as an amalgamation of town and rural areas with a much smaller population, where economies of scale and a shared identification as a community of interest were central features.¹¹

Despite the introduction of new permanent legislation to create additional regional municipalities in 1996,¹² no further regional consolidations had been initiated until the *Region of Windsor and West Hants Municipality Act* was enacted in October 2018.

2.1. Functions of Local Government and Objectives for Reform

In part, what makes local governments unique from other levels of government in Canada is their dual identity as both service providers and vehicles for democratic expression. In its 1992 report, the Task Force on Local Government identified four key functions of local government in Nova Scotia that together capture this dual identity. Local governments are:¹³

- a provider of services based on local needs and desire;
- a forum for local citizens to make decisions on the way they want to live;
- a forum for the resolution of conflicting views within local communities;
- a representative of the community to lobby on its behalf.

In whatever way municipal government is structured or restructured, its institutional features should be designed to reflect these key functions. The Provincial-Municipal Fiscal Review, published in 2014, put forward the view that any structural reforms to municipal government should seek to achieve the following objectives:¹⁴

- democracy—reforms “should uphold transparent, accountable, accessible, and representative municipal government”;
- equity and fairness—reforms “should support a reasonably comparable standard of public services across Nova Scotia municipalities at reasonably comparable levels of taxation, and support a system where citizens receive best value and are taxed according to the services they have access to”;
- viability and capacity—reforms “should ensure that municipalities have sustainable resources to support their long-term viability”;
- efficiency and effectiveness—reforms “should encourage efficient and effective decision-making” by local government.

While each of these objectives is legitimate, they necessarily give rise to internal trade-offs that are made “real” at the level of institutional design. The balancing of those trade-offs is discussed in detail in Part 4, below.

2.2. Rationales for Regional Consolidation

The several reports on municipal restructuring in Nova Scotia that have emerged over the past half-century contain an extensive analysis of the rationales for regional consolidation and other forms of municipal amalgamation. Likewise, a considerable research literature exists, both in Canada and in comparative jurisdictions, on the topic of municipal government restructuring. This report focuses on just two aspects of institutional design within this broader context of reform—namely, council size and the distribution of polling districts in a new regional municipality. Nevertheless, a determination of these two issues will necessarily be influenced by those goals or rationales for regional consolidation that are deemed most important.

Four prominent rationales for regional consolidation emerge from the various studies and reports published on the topic in Nova Scotia:

- efficiency—restructuring at the regional level may help municipalities to reduce costs and capture economies of scale, resulting in the more efficient delivery of municipal services and more efficient decision-making;
- regional planning—reorienting planning aims and processes at the regional level can address problems of wasteful competition between municipalities for development, and may drive municipal decision-makers to adopt broader policy orientations that are more appropriate to scale of municipal challenges and opportunities;
- bargaining power—“scaling-up” local governance through consolidation can put regional municipalities in a stronger position to advocate for regional interests to senior levels of government, and to negotiate with potential investors or industry actors for economic development opportunities on more favourable terms;
- equity—combining service delivery across municipal governments may not only improve efficiency, but may also help to make service delivery more uniform and consistent, thereby improving equity among citizens within a region.

An evaluation of these rationales lies outside the scope of this report. Nor does the report engage with an assessment of alternatives to regional consolidation. But a clear understanding of the different goals above is crucial for analyzing how the issues of council size and polling district boundaries have been approached in past cases of regional consolidation. The report returns to these themes in Parts 3 and 4 below.

3. Statutory Framework and Case Law

The first goal of this report is to understand how the Board has determined council size and polling districts in past cases similar to WWH. This section introduces the relevant statutory framework and outlines the Board’s general analytical framework for determining the issues of council size and the boundaries of polling districts. The section concludes by summarizing how the Board determined these issues in the three prior cases of regional consolidation in Nova Scotia, including subsequent adjustments to council size and district boundaries in those regional municipalities over time.

3.1. Statutory Framework

Section 10(1) of the *Region of Windsor and West Hants Municipality Act* (the “Act”) requires the Co-ordinator to “apply to the Nova Scotia Utility and Review Board for a determination of ... the number of councillors and the boundaries of the polling districts in the Regional Municipality.”¹⁵ The Act, however, is silent on the criteria to be applied by the Board in making these determinations.

Special legislation in prior cases of regional consolidation in Nova Scotia also lacked specific criteria to guide the Board’s decisions about council size and polling districts.¹⁶ In both the HRM and Queens cases,¹⁷ the Board relied, by analogy, on the statutory provisions requiring periodic reviews of these issues in all local governments in Nova Scotia pursuant to the *Municipal Boundaries and Representation Act* (the “MBRA”).¹⁸ In 1998, the MBRA provisions—including the requirement for an octennial review of council size and polling districts and criteria to guide those determinations—were subsequently incorporated into the MGA.¹⁹

The Board’s reliance on the MBRA in its decisions in the HRM and Queens cases is significant for WWH for two reasons. First, it suggests that the criteria for determining council size and polling districts now set out in section 368 of the MGA will be persuasive factors for the Board. Second, it suggests that the more general analytical framework the Board has developed in its section 369 jurisprudence since the early 2000s will likely guide the Board in determining council size and polling districts for WWH.

Sections 16(2) and 17 of the MBRA, which were relied on by the Board in the HRM and Queens cases, read as follows:²⁰

16(2) In settling and determining the number and boundaries of wards and polling districts and the number of aldermen or councillors for each ward or polling district, the Board shall give consideration among other things to population density, community of interest and geographic size of wards and polling districts. [emphasis added]

[...]

17 During the year 1987 and during each sixth year thereafter the council of each municipality other than a city or town shall cause a study to be made of the number and boundaries of the then existing polling districts in the

municipality and the fairness and reasonableness of the number of polling districts and of the number of councillors to be elected from each, and before the end of the year in which the study is made shall make an application to the Board either for confirmation of or approval of changes in the number and boundaries of polling districts and the number of councillors to be elected from each polling district. [emphasis added]

When the new MGA was enacted in 1998, it incorporated the requirements for periodic review formerly found in the MBRA. Section 369 of the MGA now reads:

369(1) In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

(2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number and boundaries of polling districts and the number of councillors.

Subsection 368(4) of the MGA establishes the general powers of the Board upon a municipality's application to determine council size and polling districts:

368(4) In determining the number and boundaries of polling districts the Board shall consider number of electors, relative parity of voting power, population density, community of interest and geographic size. [emphasis added]

The specific factors identified in this provision are discussed in more detail below.

3.2. The Board's Analytical Framework

In the course of reviewing municipal applications respecting changes in council size and polling district boundaries under section 369 of the MGA, the Board has developed a general analytical framework that incorporates—but is not limited to—the factors listed in subsection 368(4). Based on the precedent established in the HRM and Queens consolidation cases, it is likely that the Board will apply this general framework when determining the council size and polling districts for the Region of Windsor and West Hants.

In 2004, HRM applied to the Board under section 369(1) to confirm its preexisting council size and the boundaries of its polling districts.²¹ Following its decision on the municipality's application, the Board established a two-step framework to guide municipal applications addressing council size and polling districts in future cases. At the first stage, the Board instructed municipalities to address the appropriate size of the municipal council. At the second stage, once council size has been determined, the Board instructed applicants to address the appropriate distribution of polling districts.²²

3.2.1. Step One: Council Size

When determining the size of council at the first stage, the Board will consider the following factors:²³

- the desired style of council;
- the governance structure of council; and
- the effective and efficient number of councillors.

The first two of these factors—the desired style of council and its governance structure—are not mentioned in the MGA. Instead, these factors appear to precede, and establish the relevant context for, applying the section 368 factors in order to determine “the effective and efficient number of councillors” for a municipality.

In describing the “desired style of council”, the Board referred to citizens’ expectations about the manner in which they engage with councillors and the extent to which councillors are directly accessible to their constituents. The Board distinguished between two styles of council on these grounds: a “board of directors” style and a “board of management” style.²⁴ While the Board did not elaborate on these two models, it appeared to have in mind the contrast between a council that is delegated relative autonomy to act on behalf of—but at a step removed from—its constituents, and a council whose immediate decisions are informed by its constituents and whose members are therefore directly accessible to municipal citizens. Party submissions in subsequent Board decisions have compared these styles as, alternatively, “board of directors” versus “ombudsman” models,²⁵ and as “executive” versus “direct accessibility” models.²⁶ The choice between these styles of governance has been described as the “social compact” between council and its citizens.²⁷ The Board noted that the style of council was a factor that should be based directly on the expectations of constituents as expressed through consultation.²⁸

In describing the “governance structure of council” component of its framework, the Board referred to features of municipal governance that are likely to affect citizens’ representation by, and access to, their councillors. Here, the Board appeared mainly to have in mind features such as the community councils that play a “critical role” in the governance of a regional municipality like HRM and serve as an important conduit for citizen participation and input. Presumably, structural features specific to other municipalities that affect the nature of representation or the delivery of municipal services would also be relevant to this component of the analysis—such as mayoral versus warden systems,²⁹ or the number of councillors elected per ward.³⁰

Based on these first two components of the Board’s framework, it is clear that the application of the statutory criteria in subsection 368(4) of the MGA should be sensitive to the diverse contexts of local governance. Those contexts will legitimately be informed by both citizens’ expectations, by features required under statute (e.g., the mayoral system for regional municipalities), and by other institutional decisions properly made by council (or, in the present case, by the Coordinating Committee).³¹

There is, however, uncertainty about the extent to which these first two factors are binding on the Board. In *Richmond County (Municipality) v. Nova Scotia (Attorney General)*, the municipality

sought judicial review of the Board’s decision to reduce its council from 10 members to 5, arguing that the Board failed to consider the style of governance desired by the municipal council’s constituents.³² The Court of Appeal found that the Board’s “guidance” in describing this component of the framework did not act as a fetter on the Board’s jurisdiction to determine the size of council using the explicit statutory criteria found in subsection 368(4).³³

The final factor at the first step of the Board’s analysis—“the effective and efficient number of councillors”—presumably refers directly to the criteria listed in subsection 368(4) of the MGA, interpreted in light of the desired style of council and its governance structure. The statutory criteria primarily relevant to determining council size are: the number of electors, population density, and the geographic size of the municipality.

3.2.2. Step Two: Polling District Boundaries

In *Re (Halifax Regional Municipality)*, 2004 NSUAR 11, the Board addressed four factors listed in section 368(4) of the MGA relevant to determining polling districts at the second stage of analysis: relative parity in voting power, community of interest, geography, and population density.

The MGA does not describe how the four factors might interrelate to one another, but the Board has gone some distance toward clarifying this relationship in its case law. In its decisions on polling districts in both the HRM and Queens consolidation cases, the Board was careful to note the “paramount importance” of relative parity of voting power.³⁴ The central concern is that, when the voter-to-councillor ratio in one district exceeds that of any other district, each elector’s vote in the former will be proportionally less influential in determining electoral outcomes and in public decision making.

In *Reference re Provincial Electoral Boundaries*, Justice McLachlin described relative parity of voting power as one of the conditions for effective representation.³⁵ The importance of this principle as a baseline for determining polling boundaries was emphasized again in the final report of Nova Scotia’s Provincial Electoral Boundaries Commission in 1992, noting that “criteria such as geography or community interest may be used to temper the idea of the ‘relative parity of voting power’, but they do not supplant or eliminate that concept.”³⁶

In past cases of regional consolidation, the Board applied a threshold for variance from average voting power parity for each proposed district at ± 20 -25 percent. More recent Board decisions on polling district distribution pursuant to section 369 of the MGA have narrowed the expected baseline threshold for variance in relative voter power parity to ± 10 percent, requiring that variance in excess of this threshold “must be justified in terms of the criteria identified in section 368(4)” —namely, the number of electors, relative parity of voting power, population density, community of interest and geographic size.³⁷ Furthermore, “[t]he more the variance exceeds 10 percent the greater and more detailed the justification the Board will expect.”³⁸

At the same time, the Board has also been clear that polling district boundaries themselves cannot be established arbitrarily but should seek to encompass “common interests”—however this might be defined.³⁹ Communities of interest, likely in combination with geography and population density, therefore appear to form the basis for actually mapping district boundaries,

while relative parity in voting power sets a strong outside constraint on the degree to which districts can vary in population. Nevertheless, the broad interpretation given to “community of interest” by the Board lends this criterion considerable flexibility and ambiguity, leading to uncertainty about when certain interests might “trump” others if they come into conflict with one another.

3.2.3. Relationship Between Steps One and Two

While the Board has been clear that it wants municipalities to address steps 1 and 2 of its framework in serial order, the two inquiries are clearly interrelated. For example, the size of council (and therefore the number of polling districts in a system of single-district representation) will establish parameters for drawing district boundaries. In some cases, what appears to be an optimal council size will make it impossible to establish polling districts that fall within the variance thresholds for voting power parity or meet the other criteria established by the Board.⁴⁰ In these circumstances, the Board has demonstrated some degree of flexibility in adjusting council size at the margins on the basis of factors such as community of interest—while nevertheless continuing to demand that municipalities follow the general instruction to address these issues in discrete stages, at least as a first attempt.

3.3. Prior Cases of Regional Consolidation

Below is a summary of the Board’s reasons and conclusions on the issues of council size and polling districts in the three prior cases of regional consolidation in Nova Scotia (CBRM, HRM, and Queens). The summary includes both the Board’s initial determinations on these issues at consolidation, as well as subsequent revisions to council size and polling districts upon application by each of the regional municipalities under section 369 of the MGA. Table 1 shows how council size has changed in each of the regional municipalities over time since before consolidation in 1995-1996.

	CBRM	HRM	Queens
Before consolidation (total)	70	60	16
After consolidation (1995/96)	21	23	9
1999	16	23	9
2004	16	23	9
2011	12	16	7

Table 1: Council Size in Nova Scotia’s Regional Municipalities, Pre-consolidation to 2011

3.3.1. Cape Breton Regional Municipality (CBRM)

The consolidation of Cape Breton Regional Municipality (CBRM) encompassed the area of the former Cape Breton County, amalgamating eight separate municipal units that contained a mix of urban, suburban and rural populations. The region contained 13 percent of the total provincial

population at the time of consolidation, second in size only to the region of Halifax County. Since the mid-1960s, “industrial” Cape Breton had been experiencing declining economic prospects, out migration, and an aging population.⁴¹

Prior to consolidation, Cape Breton County’s eight municipalities included a total of 70 councillors, a total population of 120,098 and a voting population of 83,769. Voter-per-councillor ratios varied across these pre-existing municipalities from 155:1 to 2,222:1.

Charles Campbell, the regional Co-ordinator, issued his Interim Report on the consolidation to the Minister of Municipal Affairs in July 1993. Campbell proposed establishing a new regional council of 20 councillors. In proposing a council of this size, the Co-ordinator was primarily concerned to “balance the goals of effectiveness and representation.”⁴² Campbell’s view was that large councils tended to be unworkable, a problem which itself would impair effective representation of councillors’ constituents. He was also concerned that “there is a tendency ... for very large councils to be unduly concerned with neighbourhood issues, of importance to the individual councillors, and not sufficiently directed to the needs of the region as a whole.”⁴³ This conclusion was based in part on Campbell’s understanding of the experiences of other large cities in the Atlantic region and across Canada which, in his view, favoured “smaller, more workable councils.”⁴⁴

On the question of polling districts, the Co-ordinator noted that the geography of the new regional municipality and large variation in the geographic size of polling districts across the former municipal units created challenges in maintaining relative parity in voting power while ensuring that councillors on the new council could effectively represent their constituents.⁴⁵ Campbell was sensitive to the need not to divide communities of interest, but also recognized that reinforcing the boundaries of prior municipal units could divide communities of interest in some cases while protecting them in others. Accordingly, “[m]any living on the boundaries of cities and towns have more in common with the urban units than with those who shared the same councillor but were of a more rural bent.”⁴⁶ But Campbell also recognized that public perception played an important role, noting that simply creating polling districts to ensure that they each include some mix of urban, suburban and rural could divide these interests and pit them against one another, leading to political dysfunction. In Campbell’s view, the inevitable contest between these interests would be more appropriately played out within the council itself, rather than within particular polling districts.⁴⁷ Finally, the Co-ordinator noted that polling districts should not be split by major geographic barriers, which could impair access to elected officials.⁴⁸

After a preliminary hearing on these issues, the Board requested that the Co-ordinator file a revised application to address problems with one of the proposed districts. The Board ultimately settled on a council of 21 members, resulting in an average voter-per-councillor ratio of 3,989:1. While the Co-ordinator had set an ambitious goal for variance in voting power to within ± 10 percent of the average,⁴⁹ the Board ultimately rejected this proposal based on its concerns about geographic size and about reinforcing pre-existing divisions between rural and urban voters.⁵⁰ The Board allowed a number of districts to vary within ± 20.9 percent,⁵¹ noting that “[i]t would not be inappropriate if the small urban polling districts exceeded +10 percent while the large rural polling districts exceeded -10 percent.”⁵² In one “special circumstance”, the Board allowed a district to vary by -54.7 percent.

In 1999, just five years after the creation of the new CBRM, the regional council applied to the Board under section 369 of the MGA to reduce its size from 21 members to 16 members. That application was accepted by the Board. In 2011, the regional municipality applied to maintain its *status quo* size of 16 councillors, but the size of council was again reduced by the Board, creating a new council of 12 members. This most recent reduction resulted in a voter-per-councillor ratio of 6,936:1.⁵³ Following the reduction of council size to 12 councillors in 2011, the variation in voting power between districts was reduced considerably—to a range between -25.9 percent to +16.3 percent.⁵⁴

3.3.2. Halifax Regional Municipality (HRM)

The area formerly encompassed by Halifax County is the largest urbanized area in Nova Scotia. The former municipalities of Halifax City, Dartmouth, Bedford and Halifax County—an area covering nearly 1.5 million acres—were consolidated to create the Halifax Regional Municipality in 1996.

Prior to consolidation, the four former municipal units were governed by a total of 60 councillors and comprised of 45 different wards. The population of the new regional municipality when it was created was 330,846, with a total voting population of 249,510. Voter-per-councillor ratios in the former units varied from 1,936:1 (in Bedford) to 9,538:1 (in Halifax City).

C. William Hayward, the Co-ordinator for the HRM consolidation, submitted his Interim Report on the consolidation to the Minister of Municipal Affairs in July 1993. Echoing many of the same ideas and much of the same language as the Campbell report, Hayward's report recommended a new council size of 20 members and, in making this recommendation, sought to "balance the goals of effectiveness and representation."⁵⁵ Likewise, Hayward's report mirrored many of the considerations in the Cape Breton report—however, the former recommended a broader range for the variance in average in voting power of ± 20 percent (compared to ± 10 percent), noting that ± 30 percent may be justified in unusual cases.⁵⁶

The Board ultimately determined that the new regional council should be slightly larger, at 23 members, resulting in an average voter-per-councillor ratio of 10,337:1. In rejecting the smaller proposed council size, the Board emphasized that a municipal councillor, "particularly in a rural area, is expected to perform a wide variety of activities for his or her constituents. For many people in rural areas, this is their one contact with all levels of government."⁵⁷ The Board also expressed the concern that district sizes for the new regional municipality remain proportionally smaller in population than in federal or provincial ridings, and proportional to the voter-per-councillor ratios in other Nova Scotia municipalities.⁵⁸ In determining polling districts, the Board accepted a variance in average voting power of ± 25 across districts and the final districts approved by the Board all fell within this range (between -21.6 percent to +23.8 percent).

The size of HRM's council remained unchanged until 2011, when the Board ordered a reduction in the size of council to 16 members—notwithstanding the regional council's request to maintain the *status quo*. This resulted in an average voter-per-councillor ratio across the regional municipality of 20,664:1. Following this reduction in council size, the variation in voting power between districts narrowed to between -20.7 percent and 13.0 percent.⁵⁹

3.3.3. *Region of Queens Municipality (Queens)*

The consolidation of the Town of Liverpool and the Municipality of the County of Queens that produced the new Region of Queen Municipality in 1996 differed from the consolidations in Cape Breton and Halifax in a few important respects. First, the Queens consolidation did not include a major urban centre but was instead the product of amalgamating a town and rural area with a much smaller population.⁶⁰ This feature places the Queens case closer to the social, economic and demographic context of WWH. Second, the Queens consolidation was not mandated by the Province—as it had been for CBRM and HRM—but was initiated locally.⁶¹

Nevertheless, despite this context, the mayor, warden and the respective councils of the two pre-existing municipalities apparently ran “into difficulty in agreeing on how best to implement” the consolidation.⁶² As a result, two independent, local business persons—Harold Dobson and James Sapp—were asked to undertake a study of municipal reform for Queens and to provide a “blueprint” for the consolidation. The total voting population over the area of Queens County at consolidation was 9,404. The Town of Liverpool had 6 councillors and an average voter-per-councillor ratio of 385:1, while Queens County had 10 councillors an average ratio of 730:1.

In addressing the question of council size, Sapp and Dobson took their cue from the Task Force on Local Government’s emphasis on balancing “citizen accessibility” with “cost-effective service delivery”⁶³—although the report itself offers little insight into how the authors used this principle to arrive at their preferred council size. Sapp and Dobson argued that a ± 20 percent requirement should guide assessment of polling districts based on voting power parity.

Based on Sapp and Dobson’s study, the Co-ordinator for the Region of Queens recommended to the Board that the new regional municipality have a council size of 9—resulting in an average voter-per-councillor ratio of 1,044:1—a recommendation that was supported by a majority of councillors and citizens who gave evidence before the Board.⁶⁴ The Board approved a council of 9 councillors, as well as the recommended polling district boundaries based primarily on community of interest and geographic factors. The Board’s determination of 9 polling districts produced districts with variation in relative parity of voting power between -22 percent to +23 percent.

In 2011, the Region of Queens Municipality applied to reduce the number of councillors and polling districts to 7, based primarily on concerns about a projected decline in population in the region.⁶⁵ This application was accepted by the Board, yielding a new average voter-per-councillor ratio of 1,167:1.⁶⁶ Following the reduction in council size, the variation in voting power between districts narrowed dramatically, to between -2.66 percent to +3.51 percent.⁶⁷

4. Synthesis of Cases and Academic Research

The relevant statutory criteria for determining the optimal council size and distribution of polling districts are quite broad, and they offer precious little insight into how to address the trade-offs inherent in key decisions around the institutional design of municipal governance. While there are many factors that might bear on such decisions, this report proposes that, in the context of regional consolidation, determining council size and the distribution of polling districts can be addressed as an exercise in balancing two respective sets of competing but legitimate values or aims.

The “optimal” council size for WWH primarily engages the balance between what researchers have called *representation* and *governance*—that is, between council’s ability to provide effective political representation on the one hand and effective municipal governance or legislative functionality on the other. Likewise, the question of district boundaries engages the balance between *community* and *regional* interests—that is, between demands by existing communities of interest for political recognition on the one hand and imperatives for regional planning and policy making on the other. While these are certainly not the only questions of balance that might be relevant to the Board’s determinations, they are arguably the most salient and those best informed by the existing body of available research.

4.1. Council Size

As the Board’s analytical framework recognizes, any determination of an “optimal” council size for WWH will necessarily be context specific. As an early study on the question of council size observed, “there is neither an abstract optimal size for a national, state, or city legislature nor an accepted formula for establishing legislative size, because decisions on size involve fundamental matters of representation, governmental effectiveness, political accountability, and the competitiveness of the city’s political system.”⁶⁸

The optimal council size for WWH will turn on how best to navigate the several trade-offs between effective “representation” and effective “governance”. The Board recognized as much in its initial determination of council size for the new Region of Queens Municipality when it observed that its decision “must balance both the number of voters a councillor will represent and the maximum number of councillors who can effectively work as a council.”⁶⁹ As the Task Force on Local Government noted, “[t]he reorganization of any system of local government must always balance the requirements of accountability and accessibility with those of efficiency and economy.”⁷⁰

4.1.1. Representation

Effective political representation refers to a councillor’s ability to effectively represent the views and interests of their constituents. In 1992, the Task Force on Local Government included two important functions of local government as (1) a forum for decisions about how local citizens want to live and (2) a forum for the resolution of conflicting views.⁷¹ To fulfill the first of these functions, municipal councillors must be well-informed about their constituents’ views and accountable for representing those views accurately and zealously. To fulfill the second of these functions, the council as a whole must be comprised of a enough districts to capture a range of

constituencies that bring a sufficient diversity of views and interests to the council table. In general, larger councils will be more representative in terms of both of these functions.

It is important to note that the quality of democratic representation in any municipality will be defined, in part, by the expectations of its citizens—that is, what the Board has called the “desired style of council.”⁷² “Executive” or “board of directors” models of council representation are premised on the assumption that councillors enjoy relative autonomy to interpret and represent their constituents’ wishes once they have been elected. In this model, elections represent a kind of delegation of authority and discretion to councillors to act on their constituents’ behalf. Alternatively, “direct accessibility” models of council assume that councillors must continually seek input from, adapt to, and respond to their constituents’ views throughout the election cycle. The latter model will generally require that citizens have regular access to their councillors, and that councillors have the capacity to respond to their citizens concerns on an individualized basis. As the Board noted in its initial determination for HRM, “[a] municipal councillor, particularly in a rural area, is expected to perform a wide variety of activities for his or her constituents. For many people in rural areas, this is their one contact with all levels of government.”⁷³ To the extent that the “executive” and “direct accessibility” models are ideal types, any actual council will in practice likely operate somewhere on a spectrum between them.

Three of the statutory factors in section 368(4) of the *MGA* speak directly to the question of effective political representation: the number of electors in the municipality, its population density, and its geographic size. The greater the number of constituents each councillor represents, the less accessible they may be (in terms of time and workload) and the less “fine-grained” will be the views of each district represented at council. Geography may also play a significant role. In reviewing the council size of the Halifax Regional Municipality in 2011, the Board observed:⁷⁴

[T]he issue of geographic size, in addition to the other factors, is clearly a relevant point for the Board to consider. In this proceeding, HRM's geographic size, with large sparsely populated rural areas, is a factor which tempers, to some extent, the desirability of a small council size. If this factor had not been present in this proceeding, the Board would have seriously considered a much smaller council.”

While the density and geographic size of a councillor’s district may have a direct impact on that councillor’s ability to meet constituents face-to-face or to establish proximate constituency offices, some of that impact may be mitigated if technologies (e.g. email, social media) provide effective means of communication. Access to such technologies themselves, however, may turn on variables such as socio-economic status and demography.

The degree of a council’s “representativeness” is difficult to measure. As a result, relatively little empirical research is available to test the idea that larger councils are more representative compared to smaller councils. One approach has been to focus on citizens’ subjective experiences of access to councillors before and after municipal reforms. Kushner and Siegel (2003) gathered interview and survey data in three Ontario municipalities following regional consolidation.⁷⁵ The three consolidations ranged in context, from a voluntary merging of two

small village with a township to a large-scale, mandatory amalgamation of a central urban area with a county and its 21 municipal units. The researchers found that councillor workloads in each of the regional municipalities were either not affected or increased after amalgamation, but they also found that these changes did not negatively impact most councillors' perceived ability to be accessible to their constituents.⁷⁶ In all three regions studied, the majority of residents surveyed reported no difference in the accessibility of their councillors after amalgamation—although a “sizeable minority” (from 11 to 34 percent) thought that access had diminished.⁷⁷ While studies such as these offer a window into peoples' experiences of representation, any general lessons should be drawn with caution. As Kushner and Siegel (2003) note, citizens' responses on the issue of accessibility after consolidation appeared to be influenced by their prior beliefs about the benefits or drawbacks of consolidation in the first place.⁷⁸

Other studies have addressed the relationship between council size and representativeness by evaluating the diversity of council itself as a proxy for the diversity of interests or views that it represents. In their study using a large dataset from Danish municipal elections, Kjaer and Elklit (2014) find that larger councils have a positive effect on the number of women represented on council—but only to a point, as this effect largely disappears at council sizes over 11 individuals.⁷⁹ These findings suggest that setting council size “too low” in some circumstances may have adverse consequences for the representation of underrepresented or marginalized voices within the municipality.

4.1.2. Governance

Effective governance refers to council's ability to function well in its legislative and administrative roles by reaching sound policy decisions and delivering municipal services in ways that minimizes costs. Two types of costs are most significant to the issue of governance: *decision costs* and *administrative costs*.

Decision costs are incurred by councillors in reaching decisions together about the governance of the municipality. Smaller councils are generally “considered more efficient internally as fewer people participate in the political discussion and fewer compromises are needed.”⁸⁰ Where council is comprised of many councillors, each representing different constituencies and interests, the time and resources needed to give voice to those different interests and to reach final decisions on matters of law and policy may be onerous or, in the extreme, debilitating if they impair decision-making and render council ineffective.⁸¹ Decision costs speak to the “balance between representing the voices of many while retaining the ability to govern.”⁸² As expert testimony in a recent section 369(1) application by the Cape Breton Regional Municipality put it, the prospect of higher decision costs in larger councils raises the question, “is the political system one in which the municipality can get the job done?”⁸³ As the authors of the 1967 Pictou County Municipal Consolidation Study recognized, to a certain extent and in some contexts, the ability to “get the job done” amounts to a prerequisite for effective representation.⁸⁴ In order for a municipal council to provide good representation to its citizens, it must be able to function effectively.

A second category of decision costs is related to the potential for collective action problems in deciding on council's appropriate level of public expenditures. Political scientists have suggested that larger councils—all else equal—may spend more on public works projects (such as parks)

for reasons that are not driven by citizens demands or an evaluation of the cost consequences of these projects.⁸⁵ According to this view, for any given municipality, an increase in electoral districts reduces each district's *relative* contribution to public projects. This, in turn, may cause each councillor to internalize a smaller share of the overall cost burden on their ward as a whole, causing them to advocate for larger projects and higher expenditures.

Administrative costs refer to the financial costs of council operations relative to its size. A number of specific administrative costs have, in theory, been linked to larger municipal councils. The first set of costs is straightforward: each councillor undoubtedly represents a fixed expenditure in terms of salary, office space, staff support, etc. Reducing the number of councillors may reduce some of these costs. Second, even if a portion of the cost savings from reducing council size is reallocated to higher salaries for the remaining councillors, the result may be more qualified candidates and consequently higher productivity in delivering good governance.⁸⁶

There are, however, also competing administrative costs potentially associated with smaller municipal councils.⁸⁷ Greater “professionalization” may occur in municipalities where the number of councillors is reduced, because the remaining councillors require proportionally more staff resources to support their work.⁸⁸ Moreover, councillors in municipalities with smaller councils may have proportionally higher campaign expenditures.⁸⁹

Like effective representation, it is difficult to measure the actual decision costs associated with smaller or larger councils. But the financial cost savings of reducing council size have received some limited attention in the context of research on Canadian local government. In their study of three municipal consolidations in Ontario, Kushner and Siegel (2003) find that the costs of council administration (councillor salaries plus expenditures), decreased in two of the three cases studied, while costs actually increased slightly in a third case in the period immediately following consolidation.⁹⁰ But the researchers also found that, where financial costs decreased, these savings represented less than 1 percent of total municipal expenditures.⁹¹

In a quantitative analysis of council expenditures after structural reforms in HRM, Toronto and Quebec City, Meloche and Kilfoil (2017) find evidence that council expenditures dropped when council size was reduced.⁹² At the same time, this study found that scale of cost reductions was proportionally less than the reduction in the number of councillors. In Halifax following the downsizing of council in 2011, council size decreased by approximately 20 percent, while council expenditures dropped by only 10 percent.⁹³ These results—corroborated by a large-sample analysis of fifty-one Quebec municipalities with populations over 20,000⁹⁴—suggest that cost savings tend to be offset, to a degree, by greater “professionalization” of municipal administration through the use of more staff resources. The research on this issue was apparently anticipated by the Board in its decision to reduce the size of HRM's council in 2011. The Board concluded that:⁹⁵

[P]otential cost savings are not a material factor in assessing the request by those seeking to reduce the size of HRM's council. Any reduction would likely cause support costs for the remaining councillors to rise and negate some of the savings occasioned by the reduction in council size.

While there is evidence to support the argument that reducing council size leads to administrative cost savings, municipalities should not expect to realize the full savings from downsizing. This appears to hold true even in the context of regional consolidations where, as a consequence of amalgamation, some aspects of municipal bureaucracy will presumably be combined and streamlined.

4.2. Polling District Boundaries

As with council size, the determination of polling district boundaries at the second stage of the Board's analysis engages a balance between competing values or outcomes—that is, between giving political recognition to existing and historical communities of interest on the one hand and imperatives for regional planning and policy making on the other. In addition, as the Board has made clear, this balance must be guided or circumscribed by the requirement that polling district boundaries maintain relative parity of voting power within acceptable limits.

4.2.1. Community of Interest

Community of interest is a factor set out explicitly in section 368(4) of the MGA. Community of interest has been described as a “sense of common purpose” that links municipal residents of a geographic area together.⁹⁶ The Board has identified several factors that could serve as a nexus for such common purposes: history; recreational issues; tax rates (including area rates); services (water and sewer); fire protection service areas; traffic infrastructure and patterns; planning boundaries; language; ethnic origin; school districts; and shopping patterns and business centres.⁹⁷

While section 368(4) addresses community of interest as just one among several factors, it is clear that this criterion plays a prominent role in establishing ward boundaries, especially at the outset of a regional restructuring. A report for the Royal Commission on Electoral Reform and Party Financing in 1991, cited by the Board in initial determination of polling districts for HRM, said the following:⁹⁸

The rationale of the principle of community of interest is that electoral districts should be more than arbitrary, random groupings of individuals. They should be, as far as possible, cohesive units, areas with common interests related to representation. Existing districts and municipal boundaries should be respected where possible. The outer borders of the district should not divide distinct communities and neighbourhoods. Unrelated and geographically isolated areas should not be artificially attached to districts with whose "core" population they share no significant links.

4.2.2. Regional Interests

The Royal Commission's commitment to preserving communities of interest and its perspective that district boundaries should not “artificially” combine “unrelated” areas and community populations exposes a significant tension with another goal of regional consideration—namely, to reduce inter-municipal competition and promote new forms of collective action and policy

making at the regional level. The determination of polling district boundaries therefore imports a crucial decision or balancing act around the question of what *scale* is most appropriate to define or measure the primary interest(s) represented in a new regional municipality.

In its decision establishing polling districts and council size for HRM, the Board observed: “[m]any people anticipated that a regional government in the Halifax metropolitan area would lead to a reduction in the parochial attitudes which have hindered co-operation between the four municipal units.”⁹⁹ Quoting from the Metro Halifax Chamber of Commerce, the Board noted:¹⁰⁰

A regional perspective offers a focused decision-making process based on cooperation. Cooperative coordination on regional issues such as transportation, water and sewer treatment, policing, economic development, industrial parks, and so on, enables decisions to be made that balance a range of considerations, rather than pitting one area against another. Also, a single decision-making body is capable of considering local concerns within a broad regional perspective. The status quo—protecting what we have at the expense of others must be replaced with the view that we will all do better if we work together ... a single decision-making body offers a single "point of entry" for decisions on regional issues. Municipal representation based on population distribution will deemphasize the former political boundaries and encourage communities to focus on the new regional vision.

Likewise, in determining the polling districts for the new CBRM, the Board made explicit its desire to set district boundaries that combined urban and rural electors formerly organized into separate municipal units. The Board expressed the view that “it is not necessary or desirable to have polling districts in urban areas which do not extend beyond the former town or city boundaries.”¹⁰¹ On this point:¹⁰²

The Co-ordinator expressed the view that the polling districts should be designed to encourage the new councillors to think regionally, rather than to treat their mandate as simply to advance the local interests of the former municipal units. By their very nature and history the existing communities will retain their present specific identities. However, for purposes of electing representatives to the new Council there is a deliberate attempt to have the polling districts extend beyond traditional municipal boundaries.

At the same time, the Board recognized that when creating new districts with the intention of capturing both rural and urban voters, it must be careful not to skew representation too far in favour of one constituency or the other. As the Board observed, “[t]his is a new form of government for the area. It is necessary that rural voters be fairly represented, particularly given their location in relation to where the offices of the new Municipality will likely be located. Rural voters must be assured a voice in this new form of municipal government.”¹⁰³

4.3. Linking Council Size and Polling Districts

In establishing its two-stage framework to first determine council size and then determine polling district boundaries, the Board has maintained something of a strict separation between balancing

“representation” with “governance” on one side, and “community” with “regional” interests on the other. But these two inquiries rarely, if ever, take place in strict isolation from one another.

For example, in its decision to downsize CBRM’s regional council in 2011, the Board linked the size of council directly to the goal of grouping together rural and suburban voters toward encouraging “regional thinking”.¹⁰⁴

The encouragement of a more regional perspective on CBRM Council is part of the maturation of the Municipality as a regional government. Some Councillors have suggested that it is time to reinforce regional identity over local communities. Reduction in the number of Council representatives will likely necessitate the combination of areas of former towns that have so far remained distinct within the Council District structure used in CBRM. As noted previously, it will also likely require the incorporation of some suburban lands into the two largely distinct rural districts within the municipality.

Likewise, Muzzio and Tompkins (1989) have noted that the goal to increase effective political representation by creating a larger council may be in tension with promoting regional interests:¹⁰⁵

Increasing the size of the council is likely to affect the balance between the legislator's district-service function and his or her larger policy-making role. If smaller districts result in a greater focus on local and parochial matters and interests and if homogeneity in district opinion offers members less room to compromise on the legislative floor, the development of a broader policy perspective in the council may be retarded.

The point here is that, from a holistic perspective, the value of promoting regional interests might be directly affected by the choice of council size. There are likely other examples illustrating how council size and polling districts are interrelated in complex ways. Although the two inquiries are largely isolated from one another under the Board’s current approach, it may be necessary to gain a better understanding of how council size and polling district determinations affect one another in order to achieve the best balance between—as well as within—these issues.

4.4. A Dynamic Perspective

A further challenge is to place the determination of council size and polling district boundaries for WHH in a dynamic, forward-looking perspective. The approach to balancing and weighing the factors described above assumes, to some extent, a static analysis of the relevant goals and interests. This approach might be appropriate if council size and polling boundaries are expected to remain fixed over the long-term. The three precedents for regional consolidation in Nova Scotia (CBRM, HRM and Queens), however, suggest that these structural aspects of local governance can, and often do, change and adapt over time.

From a dynamic perspective, the basic questions before the Board are therefore not only about the “optimal” size of council or distribution of polling districts, but also about (1) the best way to accomplish these goals and (2) the extent to which “optimality” can be identified from the outset,

under the conditions of uncertainty that inevitably attach to moments of significant institutional change.

For example, in its decision to reduce the size of regional council in CBRM in 2011, the Board was aware that the "[r]eduction of Council to 12 members will obviously continue a progression that has been underway since the formation of CBRM."¹⁰⁶ The Board went on to observe that encouraging "a more regional perspective on CBRM Council is part of the maturation of the Municipality as a regional government."¹⁰⁷ While the processes and goals of "maturation" in WWH may look different than they have in CBRM, the Board's approach to these issues recognizes that the institutional design of the new regional municipality is, inevitably, an ongoing and dynamic process. Below is a brief sketch of the main considerations that influence this dynamic perspective.

4.4.1. *Lock-In*

Researchers who study political institutions (e.g., legislative bodies) have come to recognize that "lock-in" or "path dependence" can help to explain why these institutions are "sticky" and difficult to change—even when better alternatives are available and well known.¹⁰⁸ The problem of lock-in arises because people who work within existing institutions—as well as those within broader institutional networks—gradually adapt to and gain a vested interest in the *status quo*, making it very costly to "switch" to a new structure. Even when a better alternative comes along, the costs of making this switch deter people from taking action.

But while lock-in can sustain institutional inertia over long periods of time, research has also shown that sometimes "windows of opportunity" open up where the costs of transition to a new institutional arrangement decrease and change becomes possible. That new arrangement will then generate its own sources of lock-in going forward.

The creation of a new regional municipality—possibly linked with changing economic and social conditions—may present one such window of opportunity, to the extent that it disrupts some of the normal costs and benefits of working under the *status quo*. This suggests that the moment of consolidation is a unique opportunity to make ambitious change before the window of opportunity closes. At the same time, there are risks involved because once the new structure is set it is likely to exert a heavy influence over future attempts to adjust and adapt.

4.4.2. *Buy-In*

One example of balancing opportune and incremental changes can be found in the Board's decision to reduce the size of CBRM's council in 2011. The Board's expert, Dr. Williams, observed that there is likely to be an important relationship between reducing council size and maintaining pre-existing communities of interest:¹⁰⁹

One of the hallmarks of amalgamated municipalities is a sharp reduction in the number of elected officials in the new unit; one of the less noticeable characteristics is the tendency to tolerate patterns of representation - at least at the outset - that accommodate the pre-amalgamation units in some way.

... [M]any amalgamated municipalities, for political and other reasons, keep some of those lines in place because it makes it a little more palatable to start with.

This example highlights the importance of securing “buy-in” from constituents and community leaders at the outset of consolidation—and of using buy-in as an additional factor in determining polling districts toward the goal of establishing a strong political foundation for future reforms down the road. Research has found that buy-in may be especially important in circumstances where a regional consolidation is driven wholly or in part by senior government and/or municipal officials. Rosenfeld and Reese (2005) note that lack of local support in some “top-down” amalgamations can lead to a more protracted transition process “because there is no political buy-in on a larger scale.”¹¹⁰ The fact that the consolidation of the Town of Windsor and the Municipality of the District of West Hants is a response by the provincial government to requests from both Councils forms an important part of this context for WWH.

4.4.3. Uncertainty

Not only might decision makers be prevented by lock-in from simply implementing what they perceive to be an optimal set of reforms, they might face considerable uncertainty about the end goal of reform and/or about the necessary components needed to achieve the end goal. According to Muzzio and Tompkins (1989):¹¹¹

[A]ny changes in basic governmental structures in a complex sociopolitical system will likely produce effects that are unforeseen or unintended by policy-makers. How changes in council size will ultimately affect both internal dynamics and constituent representation cannot be predicted with certainty. Alterations in the size of the body will have effects in combination with other changes. The core values will be influenced by myriad structural, political, economic, demographic, social, and other changes. Moreover, the consequences of changes in council size are unlikely to be immediately evident; for instance, incumbent leaders will probably continue to hold sway for a time, whatever the size of the body.

These aspects of uncertainty serve as another potential justification for determining institutional design features like council size and polling districts in an incremental fashion, to the extent that this is possible, by integrating new information and experience as time goes on.

4.5. Summary

The statutory factors listed in subsection 368(4) of the MGA for determining council size and polling district boundaries provide a starting for addressing these issues, but it is also necessary to understand the precise relationships between these different factors. Those relationships can be addressed as tensions or balancing between competing but legitimate values or aims. At the first step of the Board’s analytical framework, the “optimal” council size engages a balance between effective representation and effective governance. At the second stage, the allocation of polling districts requires a balance between community and regional interests. At the same time, these questions of balance must be approached from a dynamic perspective and with the expectation of

continued change and adaptation over time, taking into account the challenges and opportunities presented by institutional lock-in, constituent buy-in, and the inevitable uncertainty attached to moments of institutional change.

5. Recommendations

In light of the functions of local government, the general objectives for municipal reform, and the rationales for regional consolidation discussed above (see Sections 2.1 and 2.2), the following seven recommendations summarize the findings of this report.

- A regional council smaller in size than the combined councils of the Town of Windsor (5 councillors) and the Municipality of the District of West Hants (10 councillors) is consistent with prior cases of regional consolidation in Nova Scotia and is likely necessary to achieve the appropriate balance between representation and governance in the new regional municipality.
- An upper limit on the size of the regional council should be based on serious attention to the decision costs associated with larger councils. The evidence linking smaller council sizes to a reduction in administrative costs is mixed—although regions with smaller populations may be better placed to realize some administrative efficiencies from a smaller council.
- A lower limit on the size of the regional council should be sensitive to citizen expectations about the desired style of council, but also to the potential impacts of council size on underrepresented groups—especially when the anticipated size is at the smaller end of the spectrum.
- Using community of interest factors to draw polling district boundaries, while important, cannot avoid the fundamental question of *whose* interests are to be prioritized through consolidation (e.g. regional, community, rural, urban).
- Despite the merits of keeping the questions of council size and polling district boundaries separate from one another, the two inquiries are clearly interrelated and should be approached as such when balancing the different factors at play.
- While council size and the distribution of polling districts are key decisions that will shape a new regional municipality, there may be other features of institutional design (e.g., community councils or citizens advisory bodies) that play an important role in determining representation, effective governance, and the weight that different interests receive in public decision making. Consistent with the Board’s analytical framework, final determinations of council size and polling districts should take these features into account along with the other factors in play.
- A dynamic perspective is essential for recognizing the opportunities and constraints related to institutional change in the context of regional consolidation. While consolidation may open a window of opportunity for ambitious change in the short term, this must be weighed against the value of incremental change to attract buy-in and deal with uncertainty when appropriate.

6. Conclusion

This report has provided an understanding and synthesis of how the Board has approached the issues of council size and polling district boundaries in previous cases similar to WWH, and it has integrated insights from the current research literature on creating effective representation at the local government level. In doing so, the report builds on the several past studies and reports that have addressed these issues in the context of municipal reform in Nova Scotia.

The creation of WWH represents a unique moment in the history of municipal reform in the province. Being the first such regional consolidation in Nova Scotia in over two decades, WWH helps to draw into focus lessons learned from past experiences (in Nova Scotia and abroad) as well as persistent challenges around how to design “optimal” institutions for local governance.

A desk study of this kind of course has its own limitations, and the findings from this report will ultimately supplement information gathered through important public consultations being undertaken concurrently by Stantec with WWH citizens. While different people may take different views on the “optimal” size of council and the appropriate distribution of polling districts, there is little doubt that these issues will have a lasting impact on the success of WWH as a region. These issues—including how they are approached, as well as what is determined—may also have a lasting impact on the future trajectory of municipal reforms in Nova Scotia, making the regional consolidation of WWH a unique opportunity to lay groundwork for the future.

¹ SNS 2018, c 26.

² SNS 1998, c 18 at s 369(1).

³ Elizabeth Mancke, *The Fault Lines of Empire: Political Differentiation in Massachusetts and Nova Scotia, 1760-1830* (New York: Routledge, 2005)

⁴ Nova Scotia Federation of Municipalities, “The Provincial-Municipal Fiscal Review: Consultative Report” (2014) Province of Nova Scotia Draft Paper at 7.

⁵ Institute of Public Affairs, *Pictou County Municipal Coordination Study, Phase 2: Recommendations* (Halifax: Dalhousie University, 1996), vol 2 (Lawrence E Sandford).

⁶ Nova Scotia, The Nova Scotia Commission on Building Our New Economy, *Now or Never: An Urgent Call to Action for Nova Scotians* (Halifax: One Nova Scotia, 2014) (Ray Ivany) at 50.

⁷ Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 27-30. The five critical regions identified but the Task Force were: Cape Breton County, Pictou County, Halifax County, Colchester County, and Kings County.

⁸ *Ibid*, at 32-33.

⁹ *Cape Breton Regional Municipality Act*, SNS 1994, c 3; *Halifax Regional Municipality Act*, SNS 1995 c 3.

¹⁰ *Queens Regional Municipality Act*, SNS 1995 c 9; Dale Poel, “Municipal Reform in Nova Scotia: A Long-Standing Agenda for Change” (2005) in Joseph Garcea and Edward LeSage, eds, *Municipal Reform in Canada* (Oxford University Press, 2005) 174 at 177.

¹¹ Poel, “Municipal Reform”, *ibid* 177-78.

¹² *Regional Municipalities Act*, SNS 1995-96, c 16.

¹³ Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 7.

¹⁴ Nova Scotia, Steering Committee of the Provincial-Municipal Fiscal Review, *The Provincial-Municipal Fiscal Review, Part 1: The Current State of Municipal Governments in Nova Scotia* (Halifax: Service Nova Scotia and Municipal Relations, 2013) at 6.

¹⁵ *Region of Windsor and West Hants Municipality Act*, SNS 2018, c 26 at s 10(1).

¹⁶ See, e.g., *Halifax Regional Municipality Act*, SNS 1995 c 3. See also, *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 5.

¹⁷ *Re: Halifax (Regional Municipality)*, *ibid* at 5-6; *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 7.

¹⁸ RSNS 1989, c 298. The Board noted its uncertainty in both cases as to whether the new regional municipalities would be subject to such period reviews going forward, but this did not deter the Board from relying on the cited provisions. These provisions were not relied on by the Board in the Cape Breton Regional Municipality cases: *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994; *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994.

¹⁹ *Municipal Government Act*, SNS 1998, c 18 at ss 368-369.

²⁰ *Municipal Boundaries and Representation Act*, RSNS 1989, c 298, ss 16(2), 17. *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 6; *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 7.

²¹ *Re Halifax (Regional Municipality)*, 2000 NSUARB 44.

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- ²² *Ibid* at paras 106, 111.
- ²³ *Ibid* at para 108.
- ²⁴ *Ibid* at para 31.
- ²⁵ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellINS 510 at para 72.
- ²⁶ *Richmond County (Municipality) v Nova Scotia (Attorney General)*, 2016 NSCA 11 at para 31.
- ²⁷ *Ibid* at paras 31, 33, 35.
- ²⁸ *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellINS 233 at para 109.
- ²⁹ *Municipal Government Act*, SNS 1998, c 18 at ss 11-12.
- ³⁰ *Ibid* at s 10.
- ³¹ *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellINS 233 at paras 109-110.
- ³² *Richmond County (Municipality) v Nova Scotia (Attorney General)*, 2016 NSCA 11 at para 31.
- ³³ *Ibid* at para 37.
- ³⁴ *See e.g., Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 6-8.
- ³⁵ [1993] 1 SCR 319. For the Board's discussion of this case in the Queens decision, see *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 7-8.
- ³⁶ *Re: Queens (Regional Municipality)*, *ibid* at 9, citing Provincial Electoral Boundaries Commission Report on Effective Political Representation in Nova Scotia at 16.
- ³⁷ *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellINS 233 at para 112.
- ³⁸ *Ibid*.
- ³⁹ *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 9-10.
- ⁴⁰ *See, e.g., Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 and *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994.
- ⁴¹ Nova Scotia, *Interim Report of the Municipal Reform Commissioner: Cape Breton County (Industrial Cape Breton)* (Halifax: Department of Municipal Affairs, 1993) (Charles A Campbell) at 2-3.
- ⁴² *Ibid* at 49.
- ⁴³ *Ibid*.
- ⁴⁴ *Ibid* at 50.
- ⁴⁵ *Ibid* at 51.
- ⁴⁶ *Ibid* at 52.
- ⁴⁷ *Ibid*.
- ⁴⁸ *Ibid* at 53.
- ⁴⁹ *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 3, 9.
- ⁵⁰ *Ibid* at 15 and *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994 at 3.
- ⁵¹ *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994 at 5.
- ⁵² *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 16.
- ⁵³ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellINS 510 at 5.
- ⁵⁴ *Re Cape Breton (Regional Municipality)*, 2015 NSUARB 69, 2015 CarswellINS 270 at 4.
- ⁵⁵ Nova Scotia, *Interim Report of the Municipal Reform Commissioner: Halifax Metro Region* (Halifax: Department of Municipal Affairs, 1993) (C. William Hayward) at 53.
- ⁵⁶ *Ibid* at 57.
- ⁵⁷ *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 11.

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- ⁵⁸ *Ibid.*
- ⁵⁹ *Re Halifax (Regional Municipality)*, 2015 NSUARB 148, 2015 CarswellNS 475 at 4.
- ⁶⁰ Dale Poel, “Municipal Reform in Nova Scotia: A Long-Standing Agenda for Change” (2005) in Joseph Garcea and Edward LeSage, eds, *Municipal Reform in Canada* (Oxford University Press, 2005) 174 at 178.
- ⁶¹ *Ibid* at 177; *Queens Regional Municipality Act*, SNS 1995 c 9.
- ⁶² Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson) at 3.
- ⁶³ *Ibid* at 15.
- ⁶⁴ *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 6.
- ⁶⁵ *Re: Queens (Regional Municipality)*, 2011 NSUARB 149, 2011 CarswellNS 655 at para 5.
- ⁶⁶ *Ibid* at para 7.
- ⁶⁷ *Ibid.*
- ⁶⁸ Douglas Muzzio, & Tim Tompkins, “On the Size of the City Council: Finding the Mean” (1989) 37 *Proceedings of the Academy of Political Science* 83 at 83.
- ⁶⁹ *Queens Regional Municipality*, NSUARB-MB-95-05, Page 10
- ⁷⁰ Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 31.
- ⁷¹ *Ibid* at 7.
- ⁷² *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 108.
- ⁷³ *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 11.
- ⁷⁴ *Re Halifax (Regional Municipality)*, 2011 NSUARB 119, 2011 CarswellNS 518 at 35.
- ⁷⁵ Joseph Kushner and David Siegel, “Effect of Municipal Amalgamations in Ontario on Political Representation and Accessibility” (2003) 36(5) *Canadian Journal of Political Science* 1035.
- ⁷⁶ *Ibid* at 1041-1043. Changes in council size ranged from -26 percent to -850 percent.
- ⁷⁷ *Ibid* at 1050.
- ⁷⁸ *Ibid.*
- ⁷⁹ Ulrik Kjaer and Jørgen Elklit, “The Impact of Assembly Size on Representativeness” (2014) 20(2) *Journal of Legislative Studies* 156.
- ⁸⁰ Jean-Phillip Meloche and Patrick Kilfoil, “A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada” (2017) 60 *Canadian Public Administration* 241 at 245. *See also*, Kjaer and Elklit, “Impact of Assembly Size on Representativeness” at 157.
- ⁸¹ Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson) at 15.
- ⁸² Leah Brooks, Justin Phillips and Maxim Sinityn, “The Cabals of a Few or the Confusion of a Multitude: The Institutional Trade-off Between Representation and Governance” (2011) 3(1) *American Economic Journal: Economic Policy* 1 at 1.
- ⁸³ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at para 64.
- ⁸⁴ Institute of Public Affairs, *Pictou County Municipal Coordination Study, Phase 2: Recommendations* (Halifax: Dalhousie University, 1996), vol 2 (Lawrence E Sandford) at 22-23. This sentiment was also reflect in Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 31-32: “The Task Force sought for a simple, readily understood system that would improve actual accessibility simply because it was more effective...”

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- ⁸⁵ Jean-Phillip Meloche and Patrick Kilfoil, “A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada” (2017) 60 *Canadian Public Administration* 241 at 242.
- ⁸⁶ *Ibid* at 246.
- ⁸⁷ *Ibid*.
- ⁸⁸ Robert Bish, *The Cost of Municipal Elected Officials in the Capital Region of British Columbia* (Victoria: Local Government Institute, School of Public Administration, University of Victoria, 1999).
- ⁸⁹ Jean-Phillip Meloche and Patrick Kilfoil, “A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada” (2017) 60 *Canadian Public Administration* 241 at 246, citing Robert Bish and Josef Filipowicz. *Governing Greater Victoria: The Role of Elected Officials and Shared Services* (Vancouver, BC: Fraser Institute, 2016).
- ⁹⁰ Joseph Kushner and David Siegel, “Effect of Municipal Amalgamations in Ontario on Political Representation and Accessibility” (2003) 36(5) *Canadian Journal of Political Science* 1035 at 1040-41.
- ⁹¹ *Ibid*.
- ⁹² Jean-Phillip Meloche and Patrick Kilfoil, “A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada” (2017) 60 *Canadian Public Administration* 241.
- ⁹³ *Ibid* at 261-2.
- ⁹⁴ A threshold of 20,000 population was selected by the researchers because, below this threshold, most councils showed little variation from the average number of 7 councillors: *ibid* at 249.
- ⁹⁵ *Re Halifax (Regional Municipality)*, 2011 NSUARB 119, 2011 CarswellNS 518 at 37.
- ⁹⁶ Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson).
at ii.
- ⁹⁷ *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 113.
- ⁹⁸ *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 9-10.
- ⁹⁹ *Ibid* at 3.
- ¹⁰⁰ *Ibid*.
- ¹⁰¹ *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 12.
- ¹⁰² *Ibid* at 10.
- ¹⁰³ *Ibid* at 3.
- ¹⁰⁴ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 11.
- ¹⁰⁵ Douglas Muzzio, & Tim Tompkins, “On the Size of the City Council: Finding the Mean” (1989) 37(3) *Proceedings of the Academy of Political Science* 83 at 91.
- ¹⁰⁶ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 11.
- ¹⁰⁷ *Ibid*.
- ¹⁰⁸ Paul Pierson, “Increasing Returns, Path Dependence, and the Study of Politics” (2000) 94(2) *American Political Science Review* 251.
- ¹⁰⁹ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 16.
- ¹¹⁰ Raymond Rosenfeld and Laura Reese, “Local Government Amalgamation From the Top Down” in Jered Carr and Richard Feiock, “City-County Consolidation and its Alternatives: Reshaping the Local Government Landscape” (New York: M.E. Sharpe, 2004) 219 at 224.
- ¹¹¹ Douglas Muzzio, & Tim Tompkins, “On the Size of the City Council: Finding the Mean” (1989) 37(3) *Proceedings of the Academy of Political Science* 83 at 90.

To:	Kevin Latimer, Chair Coordinating Committee	From:	John Heseltine, LPP MCIP Stantec Consulting Ltd.
File:	133348325 - Windsor West Hants Boundaries	Date:	March 15, 2019

Reference: Windsor-West Hants Governance Study – Phase 2 Consultation

Stantec completed the Phase 2 consultation meetings last night in Windsor. The survey consultation is well-advanced but the survey will remain open online until midnight on Thursday, March 21.

Stantec conducted the following sessions, which the municipalities scheduled and publicized:

- Tuesday, March 5, Three Mile Plains Community Hall – 3 residents attended
- Wednesday, March 6, Hantsport Baptist Church – 11 residents
- Thursday, March 7, Dr. Arthur Hines Elementary School – 15 residents
- Wednesday, March 13, Ardoise Community Recreation Centre – 10 residents
- Thursday, March 14 Windsor Community Center -- 20 residents.

Attendance numbers are individuals who are not members of West Hants or Windsor Council or members of municipal staff. Most sessions were attended by five or more individuals affiliated with the municipalities. Municipal staff assisted Stantec with meeting setup and breakdown, and Council members monitored proceedings and occasionally contributed to the discussion.

The total attendance of 69 is moderately lower than the first round of consultation on Council size, which drew an estimated 86 residents. In our experience, the boundary stage of most governance review processes attracts less attention because the content is more complex. We would have preferred more participation in both rounds but all sessions, even the poorly attended meeting in Three Mile Plains, resulted in worthwhile discussion.

The second survey process has attracted a good response. The municipalities have publicized the boundary review process and the related survey by posting the boundary scenario maps in more than 40 public locations in the region. This initiative combined with online postings on the municipal and strongerregion websites and related social media feeds appears to have created a high level of awareness. As of this writing, 665 responses from Windsor and West Hants residents have been entered online with 501 stating their preference between the eleven and nine-district scenarios developed and presented by Stantec. The number includes hard copy survey responses collected by municipal councillors. The total number of responses is positive; however, we have concerns with the manner of entering hard copy responses and will review them before finalizing our report and recommendation next week.

March 15, 2019

Kevin Latimer

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Reference: Windsor-West Hants Governance Study – Phase 2 Consultation

Consultation has gone well in both phases. Participants in the first two consultation sessions in Phase 1 expressed concerns with communications and access to the Internet to which the Co-ordinating Committee and the municipalities responded quickly by distributing hard copy questionnaires to rural areas. Since that point, input at the public meetings has focused on the primary issues of each round (i.e., council size and electoral district boundaries). While we would have liked larger numbers at all the meetings, we were very pleased with the tone of participation, which was well-mannered throughout. The numbers responding to both surveys are the largest responses we have received to governance-related surveys that we have conducted.

Stantec is well underway with preparation of the final project report. We are committed to submitting the document on March 22, the day after we close the online survey. We have already prepared sections of the report describing the boundary review process and summarizing the meetings we have completed. We are currently preparing the framework of sections dealing with survey results so that we can complete our review of survey input quickly after the survey is closed next week. At that time, we will determine our recommendation, which we are already considering in relation to input that we have currently received.

Stantec Consulting Ltd.

A handwritten signature in black ink that reads "John Heseltine". The signature is written in a cursive style with a large initial "J".

John Heseltine
Senior Planner

Phone: 902 481 1477

John.Heseltine@stantec.com



**CO-ORDINATING COMMITTEE OF THE REGION OF WINDSOR AND WEST HANTS
MUNICIPALITY
INFORMATION REPORT**

To: Members of the Co-ordinating Committee

Submitted by:

Martin Laycock, CAO, Municipality of West Hants

Louis Coutinho, CAO, Town of Windsor

Date: March 18, 2019

Subject: Communications Update

Origin:

Communication requirements for the consolidation process

Legislative Authority:

Region of Windsor and West Hants Municipality Act - Section 7 (2)

Background:

Interim communication services were first discussed at the January 10, 2019 Co-ordinating Committee meeting. It was identified that this interim service was needed as the Communication Services Request for Proposals was not expected to be awarded until late March. Based on the approved budget and the identified need, at the February 4, 2019 Co-ordinating Committee meeting an update was provided that PR Hive hired to provide interim communications services until April 1, 2019.

Discussion:

Below is an update provided by the Robyn McIssac of PR Hive on the communications services that have been provided to date.

- Developed Communication Plan with action items and timeline
- Conducted audit on StrongerRegion.ca website and made recommendations to make information easier to find. Worked with communications Co-ordinator IT staff to make changes which are now complete.
- Drafted content calendar for March social media including guidelines for responding to social media posts
- Drafted news release for Phase 1 of Governance Study
- Updated FAQ for website
- Drafted newsletter for distribution to citizens of Windsor and West Hants
- Drafted Fact Sheet on Consolidation for inclusion on the website
- Assisted with the follow up to joint staff meeting
- Content for website being drafted on ongoing basis
- Ongoing advice on Consolidation communication
- Weekly meetings with Communication Co-ordinator

Financial Implications:

There are no financial implications.

Alternatives:

- None

Attachments:

- None

Report Prepared by: _____
Martin Laycock, CAO, Municipality of West Hants



**CO-ORDINATING COMMITTEE OF THE REGION OF WINDSOR AND WEST HANTS
MUNICIPALITY
RECOMMENDATION REPORT**

To: Members of the Co-ordinating Committee

Submitted by: _____
Martin Laycock, Chief Administrative Officer

Louis Coutinho, Chief Administrative Officer

Date: March 18, 2019

Subject: Human Resources Analysis and Interim Human Resource Services
Request for Proposals

Origin:

The Chief Administrative Officer's (CAO) of Windsor and West Hants, as well as Shannon Bennett, Director, Grants, Programs, and Operations with the Province of Nova Scotia have conducted the evaluation of Request for Proposals #CCWHMUN19-01 issued for Human Resources Analysis and Interim Human Resource Support Services

Legislative Authority:

Bill 55 – Region of Windsor and West Hants Municipality Act:

Section 7 (2) - The Co-ordinating Committee may contract and be contracted with, sue and be sued, acquire real and personal property, engage officers and employees, prescribe a

seal and do such things and make such expenditures as are required for the orderly establishment of the Regional Municipality.

Recommendation:

It is recommended that:

...the Co-ordinating Committee award RFP# CCWHMUN19-01 to Gerald Walsh and Associates Inc. in the amount of \$118,125 plus net HST for the Human Resources Analysis portion of the RFP only at this time.

Background:

On January 8, 2019, the Co-ordinating Committee issued a Request for Proposals (RFP) for the provision of Human Resources Analysis and Interim Human Resources Support Services. The HR Analysis component aims to determine an effective staffing structure for the new Regional Municipality, which will result in a strong and viable local government for its residents. In addition, the RFP sought Interim Human Resources Support Services to provide ongoing Human Resource (HR) support to both Municipal units throughout the consolidation process.

The scope of the RFP was significant and included the following deliverables and services:

- Recommendations on a structure that follows the Chief Administrative Officer and Director format, as described within the Nova Scotia *Municipal Government Act*.
- Determine both effective and efficient departmental structures for the Regional Municipality while meeting the needs of regional citizens and ensuring a role for all current Windsor and West Hants staff;
- Determine expectations and job responsibilities for each position within the new Regional Municipality, including a review and comparison of staff position descriptions for completeness, gaps and overlaps between positions;
- Identify possible redundant positions in the new Regional Municipality and provide recommendations on appropriate job retraining, attrition, and/or severance packages for impacted roles;
- Conduct a complete Windsor and West Hants salary comparison and market review for all proposed positions with recommendations for new salary bands and salary scales;
- Conduct a complete Windsor and West Hants benefits comparison and market review and determine the best options and necessary requirements to merge benefits;
- Identify the placement of Departments and employees while considering available physical space, inter-departmental role requirements, and providing effective

municipal services;

- Assess implications and need for alternative forms of providing municipal service delivery, including working remotely/from home, job sharing, etc;
- Analyze and identify options for effective municipal service delivery involving unionized and non-unionized workers, taking into consideration the current situation of Windsor and West Hants and all legal, statutory and contractual obligations;
- Conduct a thorough review and comparisons of the Human Resources manuals, policies, and procedures of Windsor and West Hants:
 - Contrast these same policies and procedures against recognized best practices in human resources management and ensure compliance with all applicable legislation;
 - Conduct all necessary revisions and amendments to consolidate the current human resources manual, policies, and procedures;
 - Develop new policies in response to identified gaps/shortcomings, in keeping with public sector practices and ensuring compliance with the Municipal Government Act of Nova Scotia;
- Provide an evidenced-based structure and methods for employee performance reviews, including requirements for salary increases;
- Develop an implementation plan that outlines required processes and timelines to achieve consolidation of Windsor and West Hants human resources;
- Demonstrate compliance with all applicable components of Bill 55 in proposed recommendations;
- Provide relevant citations for all evidenced-based claims as well as a bibliography of cited work;
- Deliverables shall include seven (7) copies of the Human Resources Analysis Report including a suggested organizational restructure and chart, in digital copies.

General Duties and Responsibilities per Interim Human Resources Support Services:

- Provide necessary human resources administration recruitment/terminations, compensation, performance review and other such relevant support;
- Develop, consolidate or recommend and implement new/revised corporate human resources policies for the new organization;
- Assess, identify and track best practices and trends/advances in the fields of recruitment/employment, orientation, training and development, compensation and benefits, performance management, employee counseling/assistance, employee relations, and health and safety for possible application by the Regional Municipality Human Resources Department;
- Establish procedures, guidelines and standards covering recruitment, employment and new employee orientation; provide technical assistance to Municipal Departments in the timely filling of vacant positions with consideration of potential internal candidates;
- Develop and administer the overall compensation program for Municipal staff

including market surveys of salaries/employee benefits, job evaluation and Pay Equity compliance, performance management, salary progression, employee benefits and evaluation of carriers' performance;

- Provide technical advice to Departments in the handling of human resources related complaints and cases in litigation/mediation;
- Establish procedures/guidelines and liaise with the Health and Safety Co-ordinator covering the Municipality's employees and volunteers;
- Recommend to the CAO and Departments re: measures to ensure safety in the workplace and employee health and well-being; provide advice on the handling of WCB/LTD claims;
- Determine employee needs for training and development in order to improve present performance or prepare for a different role in the Regional Municipality; coordinate training/development programs (on-the-job and off-site) to address skill improvement requirements; evaluate the effectiveness of training programs/interventions;
- Provide employee counselling with referral on a confidential basis to appropriate employee assistance agencies, associations or groups;
- Prepare periodic reports as required to the Co-ordinator, CAOs, and Departments regarding the Regional Municipality's human resources issues and needs.

Discussion:

A public opening was held on February 21, 2019 at 2:15 pm, with six (6) RFPs received. The two-part RFP defined the bid scoring process to be used; that combined both a weighted technical criteria component as well as weighted financial component. Only proponents who met the minimum technical score of 64/80 (80%) moved on to the financial component.

The results of the two-part evaluation are summarized in the following table:

Company	Technical	Financial	Total score	Price	HR services Hourly
uptreeHR	65	14.24	79.24	\$ 101,700.00	\$100/hour
Roman3	47	N/A	N/A	N/A	N/A
allianceHR	36	N/A	N/A	N/A	N/A
Grant Thornton	74	9.45	83.45	\$ 153,252.00	\$271/hour avg
Gerald Walsh	76	12.26	88.26	\$ 118,125.00	\$150/hour
Royer Thompson	64	20.00	84.00	\$ 72,400.00	\$225/hour

Technical Criteria Evaluation included:

- General ability to provide the services outlined in the RFP
- Met required certifications
- Methodology
- Ability to provide high quality and cost-effective work

- Identification of alternatives
- Qualifications of proposed team
- References
- Clarity and level of effort

Financial Criteria Evaluation:

- (Lowest Bid / Bidder's Price) x Price Weighting

It should be noted that the score for the Financial component was based solely on the HR Analysis portion of the RFP. It was determined by the reviewers that the scope outlined by all proponents for the HR Services component exceeded the support required and RFP budget allocation at this time. It was determined that the primary current need was for HR Analysis, with the HR Support Services being secondary and capable of being addressed at a later date.

A review of references provided by Gerald Walsh and Associates was carried out. All of the organizations contacted indicated a positive experience and recommended Gerald Walsh and Associates as a reputable company with significant municipal government experience. The firm has been a trusted advisor to those contacted and has provided work that has met or exceeded their required needs.

Policy Implications:

This RFP was conducted using fair and impartial processes that followed the procurement policies of both the Town and Municipality.

Financial Implications:

The Committee should note that the original budget for this RFP was \$125,000 inclusive of both the HR Analysis and Interim HR Support Services. The recommended proponent's budget for HR Analysis alone would account for the entire budgeted amount. As noted above, it was determined that the critical element of this RFP at this time is the HR Analysis and that sourcing the HR Support Services component should be deferred pending completion of the HR Analysis work.

In proposed March 31, 2020 Committee budget there are funds allotted under Employee Training and Building and Staff Mergers that could be used to assist employees on an 'as needed' basis. These funds are over and above the budgeted RFP amount.

Alternatives:

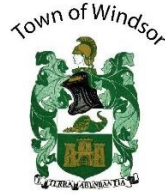
- The Committee may choose to award this contract to another proponent. This is not the recommended course of action.

Attachments:

- None
-

Report Prepared by: _____
Martin Laycock, Chief Administrative Officer, West Hants

Report Reviewed by: _____
Louis Coutinho, Chief Administrative Officer, Windsor



CO-ORDINATING COMMITTEE OF THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

RECOMMENDATION REPORT

To: Members of the Co-ordinating Committee

Submitted by: _____
Kevin Latimer, Co-ordinator

Meeting Date: March 18, 2019

Subject: RFP for Executive Search Firm

ORIGIN

Bill 55 incorporates the Region of Windsor and West Hants Municipality and requires the appointment of a CAO for the Regional Municipality by January 1, 2020. The Co-ordinating Committee has decided to retain the new CAO earlier so as to be part of the process that will result in a new municipality and governance structure.

LEGISLATIVE AUTHORITY

Bill 55 – Region of Windsor and West Hants Municipality Act:

Section 8(1) states that Co-ordinating Committee shall appoint a Chief Administrative Officer of the Regional Municipality by January 1, 2020.

RECOMMENDATION

It is recommended that the Co-ordinating Committee approve the selection of Organizational Consulting Limited (OCL) as the recruitment search company to find an ideal candidate as CAO for the new regional municipality.

BACKGROUND

An RFP regarding an executive search for the Chief Administrative Officer position for the Windsor / West Hants Regional Municipality was issued in January 2019.

The RFP closed at 2:00pm on Thursday February 21, 2019 and proposals were submitted to the Co-ordinator's address in Purdy's Wharf Tower, Tower 1.

DISCUSSION

Four proponents submitted proposals. The proponents were:

- Gerald Walsh Associates
- Organizational Consulting Limited (OCL)
- Placemaking 4G
- Royer Thompson

The RFP utilized a two-stage evaluation process. Proponents submitted a substantive proposal (Part 1, Selection Criteria) in one envelope. A second envelope (Part 2, Price Criteria) contained the proponents cost proposal.

A review panel comprised of CAO Louis Coutinho (Town of Windsor), Shannon Bennett (Department of Municipal Affairs) and the Co-ordinator reviewed all four proposals. The proposals were evaluated using the two-stage evaluation process detailed in the RFP. The substantive proposal (envelope 1) was scored out of a possible 80 points. The cost proposal (envelope 2) was scored out of a possible 20 points for a total maximum of 100 points. The results of the evaluation are provided in the following summary table:

Name	Score
Royer Thompson	78
Gerald Walsh	86
Placemaking 4G	N/A
Organization Consulting Ltd	97

Organizational Consulting Limited (OCL) is the highest scoring and recommended proponent. Following the scoring evaluation, OCL's references were contacted for feedback. The references included mayors from Atlantic Canada and a councilor from a small town in Ontario. All participated in the Selection Committee of their respective CAO recruitment processes.

Consistent references were provided on the following themes:

- OCL's price was favourable;
- Delivered on the project on time and on budget;
- Company has great reach into many agencies and networks;
- Performed work for small and large municipalities
- Does research well up front and takes care to understand the culture of the organization the individual will be going joining in order to identify the right candidates for interview;
- Good at guiding team through selection process;
- Brings confidence and extensive experience to the table
- Would recruit him again to do a search for them.
- One Mayor of a major city advises that OCL was used twice - for the recruitment of the CAO and Auditor General for their city.

POLICY IMPLICATIONS

The RFP process has yielded an excellent Executive Search firm. The recommendation is based on a fair scoring system and thorough consideration of the proposals. The Provincial Procurement Policy and procurement policies of the Town and Municipality were followed.

FINANCIAL IMPLICATIONS

Adequate funding has been allocated within the Co-ordinating Committee budget approved by the Committee. The cost submitted by the proponent for this national search is \$19,500 plus costs for advertising, media postings. The total estimated amount excluding HST is \$25,010 for full service. All other discretionary reimbursable expenses would apply to all proponents.

ALTERNATIVES

The Selection Committee is not recommending an alternative as the proponent has met all selection criteria and cost criteria and his references have been stellar and provided by reputable members of the elected community.

ATTACHMENTS

None

Report Prepared by:

Louis Coutinho, CAO

Report Reviewed by:

Kevin Latimer, Co-ordinator Windsor / West Hants Regional Transition

Report Reviewed by:

Shannon Bennett, A / Executive Director of Grants, Programs and Operations



CO-ORDINATING COMMITTEE OF THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

RECOMMENDATION REPORT

To: Members of the Co-ordinating Committee

Submitted by: Louis Coutinho, CAO Town of Windsor
Martin Laycock, CAO Municipality of West Hants

Meeting Date: March 18, 2019

Subject: RFP for Communications Services – RRF # CCWHMUN19-04

ORIGIN

Bill 55 incorporates the Region of Windsor and West Hants Municipality into a Regional Municipality on 01 April 2020. The Co-ordinating Committee approved the issuance of an RFP for Communications Services in January 2019.

LEGISLATIVE AUTHORITY

Bill 55 – Region of Windsor and West Hants Municipality Act and applicable section 7(2):
Section 7(2) states the Co-ordinating Committee may contract with, sue, and be sued, acquire real and personal property, engage officers and employees, prescribe a seal and do such things and make such expenditures as are required for the orderly establishment of the Regional Municipality.

RECOMMENDATION

It is recommended that the Co-ordinating Committee approve the selection of *Prime Creative* as the successful proponent with a bid of \$30,950 for the provision of communication services subject to determining satisfactory execution costs with the proponent for this project.

BACKGROUND

An RFP for Communication Services was issued in January 2019 by the Co-ordinating Committee. The Co-ordinating Committee is aiming for a smooth transition into the Regional Municipality on April 1, 2020. The

primary goal of this RFP is to ensure that residents from both municipal units are engaged, informed and educated about the consolidation process and to gather input to identify transition issues.

In order for the consolidation to be understood and accepted, information about the process, associated changes, and why they are happening is critical. All materials created and disseminated must not only explain what the process is and why the changes are happening, but also how residents can get involved. It is critical to the integrity of the consolidation process that this messaging is delivered appropriately, and that awareness of the consolidation is high.

To ensure the effective and efficient delivery of complex messaging, the Committee is looking to collaborate with a dedicated team of experienced communications professionals throughout the entire campaign execution.

One of the Guiding Principles adopted by the two Councils is that a public engagement plan should focus on transparency and providing diverse ways to inform and engage the public and stakeholders.

The RFP closed at 2:00pm on Thursday 28 February 2019 and proposals were submitted to the Town's address at 100 King Street, Windsor.

DISCUSSION

Four (4) proposals were received in sealed envelopes:

The four proponents were:

- BUOY Marketing + Production
- Chester + Company
- Prime Creative
- We-Us-Them Inc.,

A review panel of the two CAOs of Windsor and West Hants, the Communications Coordinator Chrystal Remme and Shannon Bennett of Department of Municipal Affairs reviewed each submission and scored them based on the criteria set out in the RFP.

The four proposals were rated against the *Selection Criteria* identified on Part 1 of the RFP. The results of the evaluation are provided in the following summary table:

Company	Selection	Financial	Total Score	Price	Additional
BUOY Marketing	53	N/A	N/A	N/A	
Chester + Company	19	N/A	N/A	N/A	
Prime Creative	64	20	84	\$30,950	*\$50,000
We-Us-Them	30	N/A	N/A	N/A	

*\$50,000 is for execution of print and promotional materials (brochure, radio, digital, social video) – to be determined with the proponent.

Prime Creative was the only proponent to meet the specified criteria and, based on the reviewers' assessment, is the recommended proponent.

POLICY IMPLICATIONS

This RFP was conducted using fair and impartial processes that follow the procurement policies of both the Town and Municipality.

FINANCIAL IMPLICATIONS

\$75,000 was allocated in the Transition Budget and while the proponent’s price is \$30,950 for discovery & analysis, stakeholder engagement, communications plan & key message development, concept development, development of website, and public engagement, further negotiations will be required on the expenditures associated with the execution of print and promotional materials and the level of effort on public engagement.

ALTERNATIVES

- The other proponents did not satisfy the criteria established and are not an option for consideration.
- One alternative is to put this out for additional proposals, however, that is not recommended, given the importance of communicating with and engaging the public effectively moving forward.

ATTACHMENTS

- None

Report Prepared by:

Louis Coutinho, CAO Town of Windsor

Report Prepared By:

Martin Laycock, CAO Municipality of West Hants

Report Reviewed by:

Chrystal Remme, Communications Coordinator

Report Reviewed by:

Shannon Bennett, A / Executive Director of Grants, Programs and Operations



CO-ORDINATING COMMITTEE OF THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

RECOMMENDATION REPORT

To: Members of the Co-ordinating Committee

Submitted by: _____
Louis Coutinho, CAO Windsor

Martin Laycock, CAO Municipality of West Hants

Meeting Date: March 18, 2019

Subject: Region of Windsor and West Hants Municipality Municipal Elections March 7, 2020 – Method of Voting

ORIGIN

Bill 55 which incorporates the Region of Windsor and West Hants Municipality requires a regional municipal election to be held in March 2020, so that the new Regional Council may take effect as of April 2020.

LEGISLATIVE AUTHORITY

Bill 55 – Region of Windsor and West Hants Municipality Act, Sections:

- 7 (1) The Co-ordinating Committee has all the powers of the Council of the Regional Municipality and of its police advisory board until the Council first takes office pursuant to this Act.
- (2) The Co-ordinating Committee may contract and be contracted with, sue and be sued, acquire real and personal property, engage officers and employees, prescribe a seal and do such things and make such expenditures as are required for the orderly establishment of the Regional Municipality.
- (3) All acts of the Co-ordinating Committee have, upon the incorporation of the Regional Municipality, full force and effect, and are and are deemed to have been exercised by the Regional Municipality.
- (4) The officers and employees of a municipal government shall render assistance and furnish all information and perform all acts as requested by the Co-ordinating Committee.

10 (2) Notwithstanding the Municipal Elections Act,

- (a) ordinary polling day for the first election of the Mayor and councillors of the Regional Municipality must be held on the first Saturday in March 2020;
 - (b) no election shall be held for Mayor and councillors of the Regional Municipality in October 2020; and
 - (c) the term of office of the members of the council elected in 2020 ends at the first meeting of the Council after the municipal election in 2024.
- 10 (3) Elections after the first election shall be held in the year 2024 and thereafter in accordance with the Municipal Elections Act.
- 10 (4) A nomination for the first election of the Mayor and councillors of the Regional Municipality must be filed at the office of the returning officer by February 12, 2020.
- 10 (5) For the purpose of the first election, the Co-ordinator may abridge any time period contained in the Municipal Elections Act.
- 10 (6) The Co-ordinator shall, with the assistance of employees of the municipal governments, provide for the first election of the Mayor and councillors of the Regional Municipality.
- 10 (7) Notwithstanding clause 18(1)(c) of the Municipal Elections Act, a member of the council of Windsor or West Hants is eligible to be elected to the Council.
- 10 (8) Qualifications for nomination as a member of the Council shall be determined as if the municipal units had been merged into the Regional Municipality six months prior to nomination day.
- 10 (9) The Council takes office on the incorporation date.

RECOMMENDATION

It is recommended that the Co-ordinating Committee approve voting by paper ballot only for the Region of Windsor and West Hants Municipality's 2020 Municipal Election for all Advance Poll Days and Ordinary Polling Day.

BACKGROUND

Municipality of the District of West Hants Municipal Elections - has solely used the traditional paper ballot as a means of voting in all of their former municipal elections.

Town of Windsor - has used Alternative Voting methods (internet and telephone) as the primary means for electors to cast their ballot in all municipal elections from 2008 until the present with the exception of using paper ballots only with the mobile polling stations to the hospital, home for the aged, and licensed nursing homes.

DISCUSSION

There was much staff consideration into the recommendation of the sole use of paper ballots, namely:

- **Internet Access** - many areas in Hants West do not have reliable internet access/connectivity;
- **Integrity/Reliability** – this March 2020 election is the result of special legislation to consolidate two municipal units into one new regional entity and is a sensitive matter to many citizens. Staff feel introducing a new voting method at this time is not the appropriate time and want this municipal

election experience to be a familiar and positive one (familiar in the aspect of casting the traditional paper ballot and without the unnecessary risk of compromised internet reliability).

- **Time-saving** – a Request for Proposals for Alternative Voting would need to go out as soon as possible. Following that, once a provider is selected, multiple Agreements would be required that would take some time to fulfill (Agreements for Alternative Voting examples include: Agreement to Use Information, Procedures & Forms Agreement, Assignment Agreement, Municipal Voting Contract, and Information Sharing Agreement, that would involve Windsor, West Hants, the Alternative Voting Provider, and the Province);
- **Other Elections** - Federal Elections are in October 2019 and regular Nova Scotia Municipal Elections are in October 2020. As those two get promoted through media channels (before, during and up until the new Region's March 2020 municipal election), the Co-ordinating Committee will also be making decisions which will be promoted locally which may create some confusion to electors in differentiating the elections and relevant timeframes (i.e. appointment of Returning Officer, determining method to obtain preliminary list of electors, approving optional Advance Poll Dates, Revisions to the List of Electors, poll dates, etc);
- **Training** - with the number of municipal election workers required to run an election, training for alternative voting methods would be extensive in a limited period of time and limit the resources to only those with moderate to advanced technology experience;
- **Costs** - alternative voting is likely a minimum of \$2.25 per eligible elector (as per Windsor's 2016 municipal election) which does not include additional election worker training that would likely be necessary. 15,164 approximate eligible electors = \$34,119 (Eligible Electors 2016: West Hants 12,655; Windsor 2,509). Further, this cost does not include facility rentals, election worker fees, all the necessary election worker training, required advertisements, copying, travel allowance, nor the fee to obtain the preliminary list of electors. And further, this cost per eligible elector was based off a bulk purchase with many other municipal units and likely not eligible in this stand-alone election.

POLICY IMPLICATIONS

West Hants would require an 'Alternative Voting by-law' adoption should alternative voting be a preferred method.

Although Windsor currently has an 'Alternative Voting by-law', it should be repealed (as a new one would require significant revisions), and a new one adopted to align with West Hants'.

FINANCIAL IMPLICATIONS

Derived from West Hants' 2016 Municipal Election and updated to include Windsor's approximate number of electors, required advertisements, workers, and a 10% contingency, the cost of a traditional paper voting election would be \$69,797.15. This is budgeted on ten polling districts and may need to change pending the Nova Scotia Utility and Review Board's Governance Review decision (aka Council Size/Boundary Review).

ALTERNATIVES

The Co-ordinating Committee could direct staff to seek further information with respect to an Alternative Voting Method (E-Voting) and/or hybrid model consisting of both the Traditional Paper Ballot and Alternative Voting.

ATTACHMENTS

- Detailed Region of Windsor & West Hants Municipality March 2020 Municipal Election Budget estimate

Report Prepared by:

Shelleena Thornton, Municipal Clerk & Returning Officer, Town of Windsor

Report Prepared by:

Rhonda Brown, Municipal Clerk & Returning Officer, Municipality of the District of West Hants

Report Reviewed by:

Louis Coutinho, CAO, Town of Windsor

Report Reviewed by:

Martin Laycock, CAO, Municipality of the District of West Hants

**Municipality of the District of West Hants
Estimated Cost of Expenditures
2020 Regional Election Budget**

		Budget	Notes
Revenue			
	Operational		
Expenditures			
	Returning Officer*	\$ 5,451.40	
	Assistant Returning Officer*	\$ 2,725.70	
	Deputy Returning Officers*	\$ 13,928.33	20/3 days, 1/1 day, 12 First Aid Training
	Poll Clerk*	\$ 9,643.53	20/3 days, 1/1 day
	Training*	\$ 2,505.82	45 election training, 12 First Aid Course
	Hall Rental	\$ 3,750.00	30 hall rentals
	Stationary and copying	\$ 500.00	paper
	Mailing	\$ 13,647.60	Postage
	Printing Costs	\$ 6,628.24	ballots, seals, boxes, voter cards, poll books, signage
	Advertisements	\$ 1,771.33	5 ads
	Travel Allowance	\$ 2,500.00	meals and mileage
	Election Nova Scotia - Preliminary Elector List	\$ 400.00	
	Subtotal	\$ 63,451.95	
	10% Contingency	\$ 6,345.20	
	Total	\$ 69,797.15	
			* All Labour includes EI, CPP, WCB

EI= *2.268%
WCB= *1.66/100
CPP= *5.10%

Net Tax =*.043



**CO-ORDINATING COMMITTEE OF THE REGION OF WINDSOR AND WEST HANTS
MUNICIPALITY
RECOMMENDATION REPORT**

To: Members of the Co-ordinating Committee

Submitted by:

Martin Laycock, Chief Administrative Officer, West Hants

Louis Coutinho, Chief Administrative Officer, Windsor

Date: March 18, 2019

Subject: Management of Co-ordinating Committee Financial/Accounting
Services

Origin:

Consolidation transition funding from the Province of \$1.5 million.

Legislative Authority:

Municipal Government Act, Section 65

Region of Windsor and West Hants Municipality Act, Section 7

Recommendation:
It is recommended:

...that the Co-ordinating Committee authorize the Municipality of the District West Hants to provide all financial services and agrees to adopt all Municipality of the District West Hants financial policies and practices for the management and reporting of the transition funds provided by the Province.

Background:

The municipal units of Windsor and West Hants entered into a consolidation process which led to the passing of Bill 55, the Region of Windsor and West Hants Municipality Act, in October 2018. The Province of Nova Scotia (Province) has committed \$1.5 million towards the process to provide support for the various studies, services, and materials required for a successful transition.

Discussion:

In order to carry out the day to day tasks of the consolidation process, it is necessary for the funding provided by the Province to be managed in a manner that meets Provincial reporting requirements. With the anticipated signing of the funding agreement between the Co-ordinating Committee (Committee) and the Province, it is necessary for the Committee to formally approve how these funds are to be managed.

The Municipality of West Hants has a robust financial management system that effectively manages over \$16 million of Municipal funds ensuring they remain in line with Provincial requirements. In addition to an annual audit, which includes a review of procedures and risk, the Municipality has the benefit of drawing on the expertise of its experienced staff that includes three Chartered Professional Accountants (CPA). These factors ensure appropriate controls and reporting mechanisms are in place to manage risk and ensure appropriate accountability for the expenditure of Provincial funding.

Currently the Municipality of West Hants provides similar financial management services to Region 6, a waste management service organization for 11 Towns and Municipalities in Nova Scotia, including the Town of Windsor. This organization has two employees and an annual budget of over \$829,000. As part of our financial management role, West Hants provides all day to day transaction recording and ongoing financial reporting to the Region 6 staff and the Region 6 Board. In addition to this, the Municipality is able to draw on its experience of managing the Hantsport transition funds and its knowledge of reporting requirements of the Province.

Based on its existing systems and personnel, together with its experience with Region 6, the Municipality is confident it can provide the Co-ordinating Committee with the necessary financial management / accounting services to meet Provincial requirements. The attached documents provide the Committee insight into the processes that the Municipality follows regarding financial management. In addition, the Municipality has provided a letter from its Auditor outlining his independent opinion on the financial management provided by the Municipality.

To date, the Municipality has completed the internal setup to administer the funds and is assessing additional requirements, including the establishment of a CRA business number, to ensure all aspects of the new entity are in place and can distribute the funds appropriately. Should the Committee approve the motion in this report, staff will follow up

with an Information Report for the April 1 Co-ordinating Committee meeting outlining key processes, such as a signing authority matrix, invoice approval process, banking, etc. associated with implementation of the service for the Co-ordinating Committee by the Municipality. The intent of this report is to secure direction for the Municipality to perform the function for the Committee for the reasons and on the basis generally outlined above.

Policy Implications:

It is important for the Committee to be fully aware that by accepting the Municipality as the provider of financial services, the Committee is accepting the policies of West Hants as they pertain to financial matters. The Committee can of course deviate from this at a later date should it establish its own policies and its own mechanisms for managing and reporting transition funds.

Financial Implications:

There are no financial implications for the Committee and the Municipality of West Hants can absorb any associated administrations costs related to the management the transition funds as they are anticipated to be minimal. In addition, Section 7 (4) of Bill 55 requires that, "The officers and employees of a municipal government shall render assistance and furnish all information and perform all acts as requested by the Co-ordinating Committee."

Alternatives:

- The Co-ordinating Committee could opt to have another entity manage the funds. This would delay the ability of the Committee to process payment and move forward with vital projects.

Attachments:

1. Procurement and Tendering Policy
2. Accounts Payable Procedure

Report Prepared by: _____
Martin Laycock, Chief Administrative Officer, West Hants

Report Reviewed by: _____
Rhonda Brown, Municipal Clerk, West Hants



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Procurement and Tendering Policy

1. PURPOSE

The purpose of this policy is to provide guidelines for the procurement of all goods and services for the Municipality of the District of West Hants. Procurement methods shall be open, fair, transparent and consistent while being both efficient and effective. Procurement methods should reflect the need to make timely decisions and make best use of staff time to reach defensible procurement decisions.

When evaluating a bid, the Municipality shall obtain "best value" which means evaluating bids not only on purchase price and life cycle cost considerations, but also taking into account items such as environmental and social considerations as established by Council from time to time, delivery, servicing and the capacity of the supplier to meet other criteria as stated in the tender document.

2. DEFINITION

For the purposes of this policy, the following definitions are provided:

- a. "Chief Administrative Officer or CAO" refers to the Chief Administrative Officer of the Municipality of the District of West Hants.
- b. "Council" means the Council of the Municipality of the District of West Hants.
- c. "Elected Municipal Official" refers to a Council member and includes the Warden and Deputy Warden unless the context indicates otherwise.
- d. "Senior Manager" refers to senior administrative officer of a department within the Municipality of the District of West Hants.
- e. "Employee" refers to any person directly employed by the Municipality of the District of West Hants.
- f. "Purchasing Authority" refers to the person with the appropriate level of signing authority.
- g. "Goods" means materials, furniture, merchandise, equipment, stationery and other supplies required by a department for the transaction of its business and affairs, and includes services that are incidental to the provision of such supplies.



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- h. "Services" means a service required by a department for the transaction of its business and affairs, but does not include services provided by an employee of the Municipality of the District of West Hants through a personal services contract.
- i. "Construction Project" means a construction, reconstruction, demolition, repair, or renovation of a building, structure, road or other engineering or architectural work. It does not include professional consulting services related to the construction contract, unless they are included in the procurement document.
- j. "Facilities" (*also referred to as building leases*) means all building lease requirements covering the conveyance of the right to use tangible building property for a specified period of time in return for rent.
- k. "Purchase Order" means a document used to finalize the purchase or bid process for goods, services, construction, and facilities.
- l. "Contract" means an enforceable binding legal agreement that is a voluntary arrangement between two or more parties, which is formally documented.
- m. "Public Tender" means a type of procurement where the acquisition of goods, services, construction or facilities must be obtained through public advertisement.
- n. "Bid by Invitation" means a type of procurement where the acquisition of goods, services, construction or facilities must be obtained through solicitation.
- o. "Local Bidder" means a Nova Scotia based supplier that is within 50 km of the main municipal office.

3. APPLICATION

This policy applies to all procurement activities of the Municipality of the District of West Hants. The Chief Administrative Officer (CAO) of the Municipality is responsible for ensuring compliance with this policy.

All Municipal personnel who have responsibility for the procurement of goods, services, construction, or facilities must adhere to this policy. Failure to adhere may result in a temporary or permanent loss of procurement privileges or in more extreme cases result in disciplinary action and/or dismissal.

Elected Municipal Officials, employees of the Municipality or their agents shall not be permitted to bid on the procurement of goods and services for the Municipality, unless their interest is declared and they remove themselves from the decision making process in respect to the matter, as stated in the terms of Municipal Conflict of Interest Act or applicable employee policy.

The CAO and Senior Managers shall have the right to establish and document measures of performance for successful bidders and to refuse to accept bids from suppliers/contractors who have failed to meet such measures in previous performance of contracts with Municipality.

4. PURCHASING AUTHORITY

The CAO is authorized to make purchases for the acquisition of goods, services, construction and facilities for the purposes of carrying on the business of the Municipality, where the amount of the expenditure does not exceed the acquisition values stated below, in any one case (not including HST), and where such expenditure is included in the approved budget allocation:

- Where the value of the goods is between \$10,000 and \$25,000;
- Where the value of the services is between \$10,000 and \$50,000;
- Where the value of the construction project and all associated goods, services, and facilities are between \$10,000 and \$100,000.

Any purchases for the acquisition of goods, services, construction and facilities that exceeds the amounts listed above, in any one case, or are outside of the approved budget allocation authorization must be accompanied by preapproval from Council.

Nothing in this Policy precludes the CAO from seeking advice or direction from Council in relation to the awarding of a tender or from recommending that Council itself award a tender notwithstanding that the tender could be awarded by staff.

The Senior Managers of the Municipality are authorized to establish purchase orders for the acquisition of goods, services, construction and facilities for the purposes of carrying on the business of the Department, where the amount of the expenditure does not exceed the sum of \$9,999.99 (not including HST) in any one case, and where such expenditure has been included in the approved budget allocation.

- Senior Managers may delegate the purchasing authority to designated staff within the Department commensurate with each individual's duties and responsibilities up to \$2,499.99 (not including HST) where such expenditure has been included in the approved budget allocation.

- The CAO shall be required to approve the person designated by the Senior Manager.
- Upon approval, Finance should be made aware of what budget account(s) the delegated staff member is authorized to use.

A flow chart outlining the procurement process can be referred to in Appendix 1.

5. CONTRACTS AND PURCHASE ORDERS

Purchase Orders

A Purchase Order shall be utilized for any purchase over \$500 (not including HST). It should describe the item or service to be ordered, anticipated cost, delivery date, and the account to which the purchase will be allocated in the financial records. Once signed off, changes to purchase order details, including values shall only be amended if the change in value is within the individuals purchasing authority, or a rate set by Council.

Contracts

Contracts shall be utilized for any purchases over \$10,000 (not including HST). The contract is a tool used to finalize the purchase or tendering process for goods, services, construction, and facilities. The contract should include all specific requirements, deadlines, terms, financial commitments, and outline responsibilities of both parties. Contracts can come in the form of tender agreements, service agreements, lease agreements, etc.

Copies of all agreements, quotations, and contracts must be kept with the Senior Manager or designate and originals filed with the Municipal Clerk.

6. Purchasing Process

Petty Cash

Any purchase made below \$25, can be reimbursed by the petty cash fund.

Purchase Cards

Purchase Cards includes Credit Cards and Account Cards. Purchase orders need to be approved before a purchase can be placed on the card. The only exception in waiting for the purchase order approval would be in emergencies, or where timeliness of the purchase is required. In which case the Card Holder or Director of Finance would be notified, with the best estimate of cost and why it couldn't wait for purchase order approval.

Cheque/Electronic Fund Transfers

The Municipality's payment terms are net 30 days, unless other arrangements have been requested, and approved by the CAO or Director of Finance. The Municipality will make every effort to ensure timely issuance of payment.

Further guidelines on the purchase processes can be found in the Accounts Payable Procedure.

7. METHODS OF PROCUREMENT**7 - a. Low Value Expenditures**

Senior managers have authority to purchase goods as approved under their annual operating budgets, on an as-needed basis.

For purchases less than \$1,000 (not including HST):

- These purchases would include such items as supplies and services required to maintain on-going and existing operations.
- In any one case, formal price comparisons are not required, although from time to time, some comparison should be done to ensure that the Municipality is getting the best value.
- Senior Managers must approve such purchases and appropriate documentation (e.g. receipts, invoices) must be kept.
- Purchase orders are required for purchases between \$500 and \$1,000 (not including HST)

Where possible, group purchasing among Senior Managers should be considered.

7 - b. Bid By Invitation

The following bidding process should be utilized for the purchases of routine operational goods and services between \$1,000 and \$9,999.99. Such purchases would be approved under their annual operating budget such as office or plant equipment, vehicle maintenance, preventative maintenance agreements, gravel, etc.

For purchases between \$1,000 and \$4,999.99 (not including HST):

- Three verbal quotes, faxes, or emailed bids will be sought from suppliers.
- The decision to award is with the discretion of the Senior Manager.
- The quotations are to be recorded and kept on file, in accordance with the record management policy.

For purchases between \$5,000 and \$9,999.99 (not including HST):

- Bids are solicited by invitation in written form from suppliers; a minimum of three bids will be required.
- The decision is with the discretion of the Senior Manager, as long as the purchase was approved in the budget allocation. If the amount exceeds 10% of the approved budget allocation, the decision is at the discretion of the CAO, upon review and recommendation from Senior Manager.
- The written bids are to be kept on file, in accordance with the record management policy.

Only the bid of the successful supplier will be disclosed to other bidders, upon request. Purchase orders are required for all purchases made under the bid by invitation process.

Exceptions to Bid by Invitation Process

The CAO can approve exceptions to the bid invitation section of the Policy for the following reasons:

- Certain good(s), services, or construction projects may only be provided by one qualified supplier or in limited cases, only a few suppliers are known in which case discretion can be given for inviting bids that normally would exceed \$25,000.
- Further phases of a similar project or service may best be completed by a supplier familiar with the service or project.
- An emergency may require immediate action;
- Senior management may recommend that the tender process should be used for goods, services, or construction projects that would qualify for the bid by invitations process.

7 - c. Standing Offers

Standing Offers result in open Purchase Orders used to guarantee a continuous supply of various goods, services and construction required on a day to day basis, while at the same time assuring that the competitive bidding system is followed. These arrangements between the Municipality of the District of West Hants and the supplier commit the seller to provide goods, services or construction at a specific price for a specific period of time.

These Standing Offers reduce the number of individual bids and reduce overall cost due to the higher volume gained by combining the requirements of a number of departments. Departments can then draw supplies directly from these offers. Standing Offers are governed by the purchase guideline listed in this policy. Administrative guidelines for the approval of Standing Offers are developed by the CAO.



Standing Offers includes a contract, and a standing purchase order.

7 - d. Public Tender

All procurement activity with a purchase value that exceeds \$10,000 (not including HST), in any one case, must be obtained through a public tender. Public tenders shall be solicited through public advertisement, in accordance with the "Public Tender Process" section of this Policy.

Public tenders can be in the form of traditional tenders, request for proposals, or two phase bids. Appendix 2 of this Policy outlines various types of tender processes that can be used.

Examples of such purchases could be: equipment, renovations, construction projects, annual services such as snow plowing and waste collection, or anything outside of the approved annual operating budget.

Tender documents signed by all parties involved qualify as a contract, and a purchase order is set up after the tender is awarded and signed.

Pre-Qualification of Bidders

The Municipality may require, in certain circumstances, where relevant experience, capability, references, evaluation of project team members or other criteria are deemed to be in the best interest of the Municipality, that tenderers be pre-qualified. See Request for Expression of Interest in Appendix 2 for further information.

Time Frames

Multi-year contracts for goods and services shall be re-tendered at least once every five years unless an agreement prevents this action, and contracts may be re-tendered more frequently.

Traditional Tenders

Traditional tenders are a formal invitation to suppliers to submit a bid to supply specified goods or services.

Traditional tenders are usually in the form of a Request for Quotation, and should be used when the procurement requirements of the Municipality can be clearly and completely specified.

Traditional tenders do not have to be opened in public, but if they are not, the name of each bidder and the amount of their bid must be made available to each bidder after the tenders are opened.

Request for Proposals (RFP)

A request for proposals is a formal invitation to suppliers to describe how their services, methods, equipment, and products can address and/or meet the needs of the Municipality.

A RFP may be used when the Municipality is unable to clearly or completely specify the goods or services required, and suppliers are therefore asked to provide a solution to the problem, requirement or objective.

In order to preserve confidentiality of sensitive commercial information contained in a proposal, proposals submitted in response to a RFP, will not be opened in public, but must be opened in the presence of at least two representatives of the Municipality. After the proposals are opened a list of proponents must be made available to the public and the proponents upon request.

Negotiation may be conducted with a proponent after proposals have been opened, subject to complying with the terms of the RFP which must be drafted to avoid unfair "bid-shopping" (that is, to avoid using the bids submitted as a negotiating tool to obtain a better price or other benefit).

The Municipality must award the procurement contract to the supplier whose proposal is determined to provide best value to the Municipality based upon the evaluation criteria set out in the RFP and equitably applied to all proposals.

7 - e. Two Phase Bids

A Two Phase Bid process is used where detailed specifications are not available or it is impractical to prepare a specification based on price. A two phase bid may be issued, inviting the submission of bids as follows:

- i. Phase one: one or more steps in which bidders submit proposals, for evaluation either with or without prices in a separate submission and
- ii. Phase two: only those bidders whose bids were determined to be acceptable based on a preset pass mark will be entitled to submit priced bids for consideration or, where prices have been separately submitted in phase one, such bids are opened and awarded to the lowest overall cost.

This type of procurement has the advantage of a Request for Proposal in phase one and the advantage of a Traditional Tender in phase two. This is the Municipality's preferred method of procurement, as this method achieves the best value.

7 - f. Alternative Procurement Practices

The following are exceptions to this Policy for goods, services, and construction:

Unique Purchases

It may be in the best interest not to invite public tenders for the purchase of various goods and services where maintaining one supplier or make / model may be more efficient to ensure compatibility to the existing operational systems. A written estimate shall be obtained from the sole supplier and the Purchase Order must disclose the reason for not seeking alternative prices and shall be authorized by the Chief Administrative Officer.

Professional Services

Professional services including auditing, banking, legal, engineering, architectural, real estate and financial services are not governed under this policy. However, the policy may be used to acquire professional services if determined to be in the best interest of the Municipality by the CAO.

Generally, these services will be subject to the tender process. These services may be contracted on a term up to five years maximum, on terms satisfactory to the Municipality and based upon qualifications, experience, services offered, past performance, proposed fees and other relevant considerations. A provision to extend the service contract can be added to the initial agreement, upon Council's approval, should the total cost of the contract exceed the CAO's authorization limit.

The Chief Administrative Officer and appropriate Senior Manager are responsible to prepare the specification for these services, the request for proposals, carry out the necessary interviews, and make a decision unless the total amount of the contract exceeds acquisition limits set out in the Purchasing Authority section 4 of this policy. Then a recommendation will be prepared for Council approval.

Funding from Others

When projects are funded by outside agencies (e.g., Federal, Provincial) under Municipality control/supervision, this policy will be followed whenever possible but other agency's guidelines may also apply. Changes in purchasing and tendering practices should be stipulated in the agreement.

Grants to Others

Any community group, organization, club or non-profit organization receiving funding of \$25,000 or higher from the Municipality of the District of West Hants for any single capital projects must use a procurement practices which meets or exceeds those used by the Municipality. A copy of the Municipality's policy will be provided to the group or organization. If the organization is following an alternative policy, the policy must be provided to the Municipality prior to initiating the financial transaction. Community groups receiving funding agree to provide documentation of expenses upon request.

Grants under the \$25,000 threshold for any single capital project, will be evaluated on a per application basis. If deemed necessary for the nature of the project, the community group, organization, club or non-profit organization will be asked to meet the minimum procurement standards either through their own policy or the Municipality of the District of West Hants's policy.

Emergency Acquisition

In the case of an emergency or after business hours, where the delay resulting from inviting tenders or bids would be injurious to the public interest and/or the Municipality's assets, the Chief Administrative Officer or Senior Manager (to the extent of their acquisition authority) may approve the purchase and report it to the CAO through to Council at the earliest date thereafter.

8. SUSTAINABLE PROCUREMENT POLICY

The Sustainable Procurement Policy of the Province of Nova Scotia requires all Municipalities in Atlantic Canada to issue public tenders as of June 30, 2009 for goods greater than \$25,000, services greater than \$50,000 and construction greater than \$100,000. The Municipality will also comply with the Atlantic Procurement Agreement of Nova Scotia when issuing these tenders. Tenders for goods greater than \$100,000, services greater than \$100,000 and construction greater than \$250,000, the Municipality will comply with the Agreement on Internal Trade.

All procurement activity below these amounts can be carried out in accordance with the Municipal Tendering Policy or Guidelines, noted herein.

9. PUBLIC PROCUREMENT PROCESS

Specifications

Senior Managers shall ensure appropriate specifications are prepared for the goods, services, construction and facilities to be acquired. Specifications should be in sufficient detail to allow bidders to prepare a clear and complete response. Where possible, all requirements should be specific rather than implied, (i.e. insurance, warranties, environmental issues, safety requirements, quality of materials and equipment supplied). Where specifications or details are not readily available, Senior Managers will ensure a sufficient and appropriate description of the desired outcome is included.

Procurement Documents

Procurement documents shall include the following:

- Form of Instructions to bidders
- Form of Procurement (see Appendix 2 for appropriate process)

- Form of Contract Agreement
- Form of General Conditions
 - Include method for which tender bids or proposals are evaluated, and list evaluation criteria. It will also include the set pass mark for the proposal evaluation process.
- Project drawings and/ or specifications where required.

Certain procurement methods follow prescribed processes. In addition to the above instructions to bidders may require single sealed envelope response or a two sealed envelope response. In the case of tenders where the specifications for goods or services are clearly known and stated the instruction to bidders shall include, at least, the closing date and time, the fact that all tenders must be submitted in sealed envelopes, clearly marked with the purpose of the tender and includes all information necessary for the tenderer to prepare the bid on the specific requirements for completion of the tendered project.

Other methods of procurement may require a two envelope process. Proposal submissions must be sealed in an envelope separate from the bid. The proposal will be opened prior to the bids and evaluated. Only bidders who have passed this evaluation will have their bid reviewed.

Privilege Clause

A statement shall be included in the advertisement and in the tender documents that states: *"The Municipality reserves the right to reject any or all tenders (or proposals, as the case may be), not necessarily accept the lowest tender, or to accept any tender which it may consider to be in its best interest. The Municipality also reserves the right to waive formality, informality, or technicality in any tender."*

Tenderers to investigate

Tenderers are responsible to know the work sites and conditions discussed in the tender. A statement shall be included in the tender documents that states: *"Tenderers will be deemed to have familiarized themselves with existing site and working conditions and all other conditions which may affect performance of the contract. No plea of ignorance of such conditions as a result of failure to make all necessary examinations will be accepted as a basis for any claims for extra compensation or an extension of time."*

Advertisement

Potential participants are to be notified by posting on the Municipality's website, Nova Scotia Procurement website, and other means of soliciting potential participants, such as the use of newspaper advertising, and/or direct contact may also be utilized.

Single Envelope Tender Openings

- All tenders solicited by the Municipality shall close on Thursday at 2:00 p.m. local time.
- All tenders shall be received by the Municipality at a place and time identified in the tender call. Staff receiving the documents shall stamp the received date and time on the envelope and place the tender in a secure location.
- No tenders shall be received by fax; however, amendments to tenders will be accepted if the tendered price is not revealed in the fax.
- At the appointed time for opening, the Senior Manager, CAO or a member of the Finance Department, and the Administrative Assistant of the department shall meet in the prescribed location.
- The Senior Managers will bring the tenders (which has been securely stored at until the hour of closing) to the prescribed location for public opening.
- The public is permitted to view the tender opening. The Administrative Assistant shall record the proceedings at the opening, including the names of those persons in attendance, names of those who submitted a tender, the document submitted, and the amounts of the bids, if declared at the time of opening.
- Opened tenders will then be referred to the appropriate Senior Manager and/or staff member for review, analysis, and recommendation to the CAO who will ensure that an appropriate written report and recommendation to Council is completed, if required.
- Tenders received after the closing shall be returned unopened to the bidder.
- Any information pertaining to the tender including the names and numbers of bidders will not be divulged until after the tenders are opened.

Two Part Envelope Openings

- During the tender opening process, only the proposal envelope will be opened at the appointed time.
- Cost Envelopes will be opened following an evaluation of all qualified proposals. Only those proposals who achieve a pass mark as established in the Request for Proposal documents will be opened.
- The opening of cost envelopes will be done in the presence of the Senior Manager, CAO or a member of the Finance Department, and the Administrative Assistant of the department and recorded by the Administrative Assistant.
- Opened cost envelopes will then be referred to the appropriate Senior Manager and/or staff member for review, analysis, and recommendation to the CAO who will ensure that an appropriate written report and recommendation to council is completed, if required.
- Individual bidders will only be provided with summary information of the successful bidders score as it relates to their own score. At the request of the bidder a meeting may be held to discuss the bidders.

Tender or Contract Awarding

Depending on the evaluation method defined in the procurement documents, it shall be customary to award the tender or contract to the bidder of the lowest price or the highest cumulative score meeting the specifications. However, the Municipality of the District of West Hants reserves the right to accept or reject any offer; if it is in the best interest of the Municipality to reject the lowest tender and accept another tender, this may be done. The reasons for the decision must be clearly documented.

The evaluation criteria in cases where a tender other than the lowest will be considered shall be as follows:

- Relevant experience
- References
- Past performance history
- Capability to carry out project
- Whether the bid is realistic
- Completion date of bids
- Any other criteria that the Municipality may consider necessary that will be weighted in addition to costs.

In the event that all of the bids received exceed the budgeted appropriation, the Purchasing Authority shall do one of the following:

- Cancel or postpone the project.
- Recommend to the CAO (through to Council) that an additional allocation be made to the affected budget.
- Undertake negotiations in the scope of the work with the bidder submitting the accepted tender to reduce or alter the scope, and advise the CAO of the change in work scope

In the case of a tie bid where there is no local bidder, the names of the bidders will be placed on equal size pieces of paper placed in a box. One name drawn by a person chosen by the CAO will be the successful bidder. In the case of a tie bid where there is a local bidder, the bid will be awarded to the local bidder in compliance with the Sustainable Procurement Policy of the Province of Nova Scotia.

All bidders will be notified of the decision. The winning bidder will be notified, and the agreement will be signed. Copies of the contract will be kept with the appropriate Senior Manager and Municipal Clerk.

After the awarding of a tender, the submissions of all proponents or bidders are open for public inspection except to the extent otherwise stated in the tender. All submissions must be kept for a duration defined in the Records Management Policy.

Amendment or Withdrawal of Tender or RFP Submissions

Tenders or RFP submissions may be amended or withdrawn by letter, e-mail or facsimile. Amendment of individual unit prices is the only acceptable price amendment. Amendments shall not disclose either original or revised total price and shall be submitted in the form specified in the "Instructions to bidders" section of the contract document.

Progress Payments

All progress payments submitted for payment on tendered projects shall be approved by the consultant (if any) and the CAO or responsible Senior Manager.

Project Completion Report

A project completion report must be prepared by the Purchasing Authority and filed with the CAO. This report is a review of the project

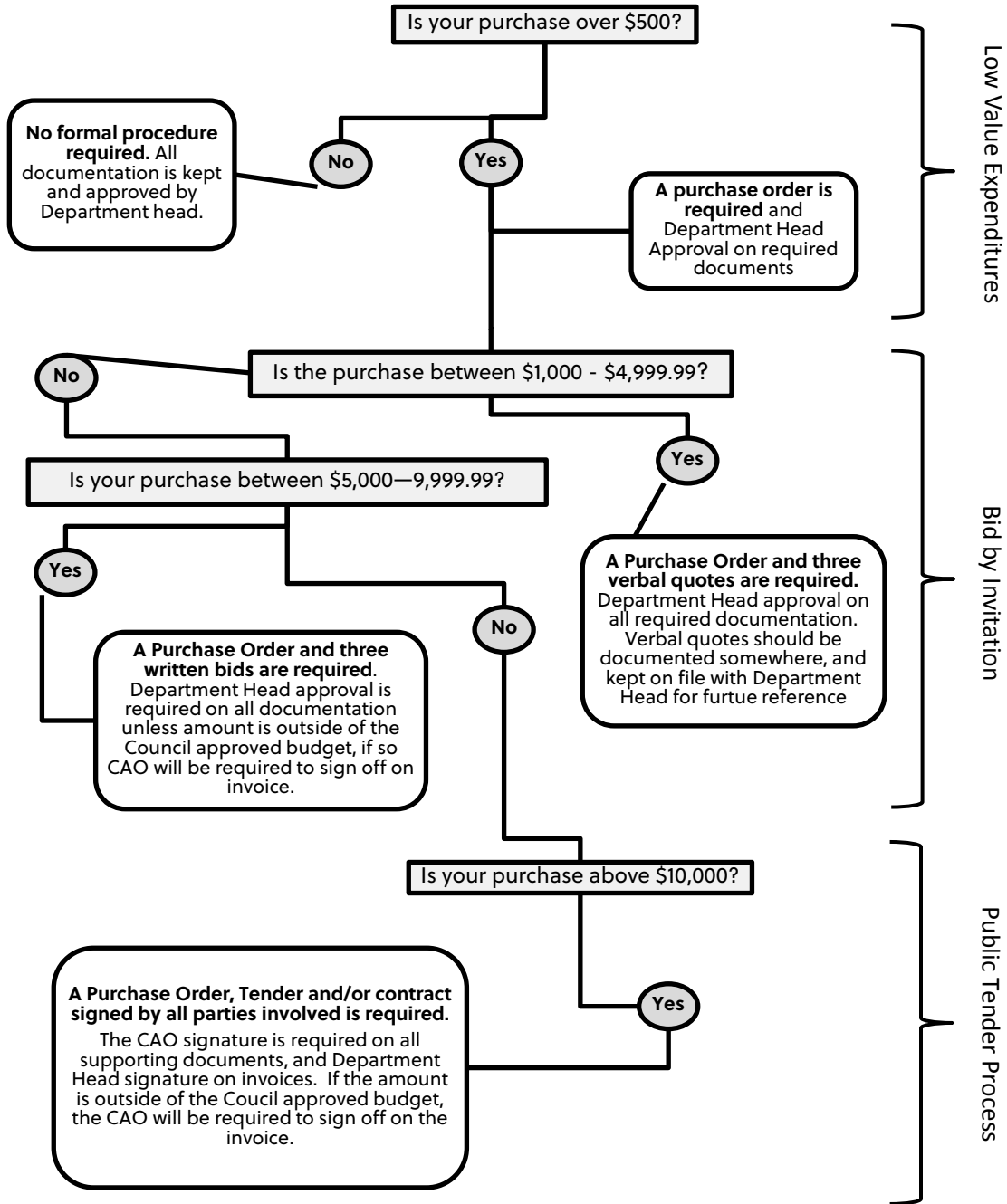
The components of the Project Completion Report:

- Assessment of overall project performance against plan
- Customer assessment of project conduct and results
- Participatory team assessment of project
- Description of project successes
- Lessons learned
- Further action to be taken

10. REPEAL

All previous Purchasing and Tendering guidelines and policy of the Municipality of the District of West Hants are hereby repealed.

APPENDIX 1



APPENDIX 2

Below is an outline of some of the various tools available for use when issuing public procurement documents:

Tenders

Used when the specifications or requirements of a good or service can be clearly articulated. Where substitutions to the specifications are permitted, the document should detail those allowed. Price is usually the deciding factor where all bids meet the stated specifications. The one envelope bidding process is acceptable.

Request for Proposals (RFP)

Used when a supplier is invited to propose a solution to a problem, requirement, or objective. Suppliers are requested to submit detailed proposals (bids) in accordance with predefined evaluation criteria. The selection of the successful proposal is based on the effectiveness, value, and price of the proposed solution. Negotiations with suppliers may be required to finalize any aspect of the requirement. A two sealed envelope process will be used, separating the proposal from the cost.

Request for Construction (RFC)

Used to publicly tender for a construction, reconstruction, demolition, remediation, repair, or renovation of a building, structure, road, bridge, or other engineering or architectural work. When a supplier is invited to bid on a construction project the procurement documents usually contain a set of terms and conditions and separate bid form that apply to that specific project. Suppliers are requested to submit a response (bid) in accordance with predefined criteria. The selection of the successful proposal is based on a number of factors as described in the procurement documents. A request for construction usually does not include professional consulting services related to the construction contract, unless they are included in the specifications. A one envelope bidding process is acceptable.

Request for Quotation (RFQ)

A request for quotation on goods or products with a minimum specification. Award is usually made based on the lowest price meeting the specification. A RFQ does not normally but may sometimes include evaluation criteria. Depending on the terms of the tender the request for quotation can be binding or non-binding, this must be specified. A one envelope bidding process is acceptable.

Request for Standing Offer (RSO)

A public tender to provide commonly used goods or services. The term of the standing offer can vary in duration but will be clearly defined in the procurement documents. RSO's may include evaluation criteria depending on the requirements. Either a one or



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two envelope bidding process can be used, where evaluation criteria are used to short list the submissions.

Request for Expression of Interest (REI)

The Request for the Expression of Interest is similar to the Request for Proposal and it is sometimes referred to as a Pre-Qualification, where suppliers are invited to propose a solution to a problem. The REI, however, is only the first stage in the procurement process. Bidders responding to the REI will be short listed according to their scoring in the evaluation process. The short listed firms will then be invited to respond to a subsequent Request for Proposal. A REI does not normally include pricing as price is a key evaluation criteria used in the second stage RFP process.

I, Rhonda Brown, Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the 9th day of **August, 2016**.

R.N. Brown
Municipal Clerk

<i>Adoption</i>	
<i>Notice to Council:</i>	July 26, 2016
<i>Approval:</i>	August 9, 2016
<i>Description: Initial Approval of Procurement and Tendering Policy.</i>	



MUNICIPALITY OF THE DISTRICT OF WEST HANTS

Accounts Payable Procedure

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PURCHASE ORDER

What is a Purchase Order?

A purchase order (PO) is a commercial document and first official offer issued by a buyer to a seller, indicating types, quantities, and agreed prices for products or services. Acceptance of a purchase order by a seller forms a contract between the buyer and seller, so no contract exists until the purchase order is accepted. It is used to control the purchasing of products and services from external suppliers.

Creating a purchase order is typically the first step of the “purchase to payment” process.

Why we use Purchase Orders

- Purchase orders clearly and explicitly communicate the Municipality of West Hants intentions to sellers
- Purchase orders help the Municipality manage incoming and pending orders
- Purchase orders streamline the purchasing process to a standard procedure across the organization
- Purchase Orders serve as supporting documentation for a purchase, identifies the purchasing authority, and indicates funds have been committed for a purchase
- **No goods over \$500, or as dictated by the Municipal Procurement Policy, will be paid for unless covered by a purchase order**

When to Complete a Purchase Order

- Once you have obtained vendor quotes and determined who you will purchase the goods or services from.
- **Before** you order the goods or services
- The Purchase Order or Purchase Order number is to be provided to the Vendor **when** you place the order. The Purchase Order number is to be quoted on all correspondence relating to the order, including the vendor invoice. Vendors must quote the Purchase Order on their invoice in order to receive timely payment.

What type of Purchases

Require a Purchase Order (<i>over \$500, not including HST</i>)
Acquisition of Goods
Services
Consulting/Professional Services



Require a Purchase Order
Purchases under Contract
Credit Card purchases (under \$500 included)
Newspaper ads (under \$500 included)
Repeat orders - a new PO is required every time you order from a vendor.
Facility Rentals for meetings/events/other

Do Not Require a Purchase Order
Items purchased with Petty Cash
Grants
Cheque Requisitions (See page 12)
Utility Purchases such as Power, Phone, Fuel, Garbage
Legislated Mandatory Contributions to the Province of Nova Scotia or other levels of government
Office Equipment leases
Postage
Staff expense reimbursement
Legal, Bank, and Auditing Services
Goods & Services under \$500
Everyday office supplies purchased through Staples



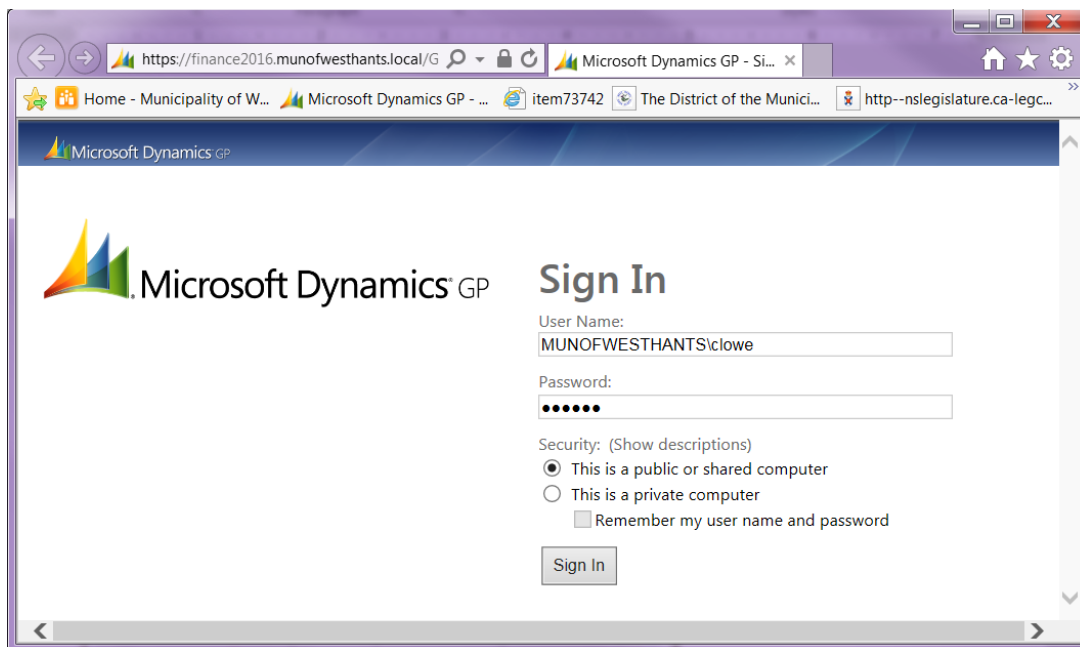
Blanket Purchase Orders

- Blanket purchase orders may be used for budgetary items, such as service or maintenance agreements.
- Blanket purchase orders **cannot exceed** budgeted or contracted amounts without prior authorization.
- Additional amounts after a blanket purchase order is approved should be processed as standard purchase order.
- Blanket purchase orders may be used for operations and are **not to be used** for capital projects or credit card purchases.
- The Finance department will input all blanket purchase orders into Microsoft Dynamics GP. Blanket purchase orders can be requested by completing the Blanket Purchase Order Request Form, and sending it to the Accountant.
- The Blanket Purchase Order Request Form can be obtained from the Accountant.

Process for Entering a Purchase Order

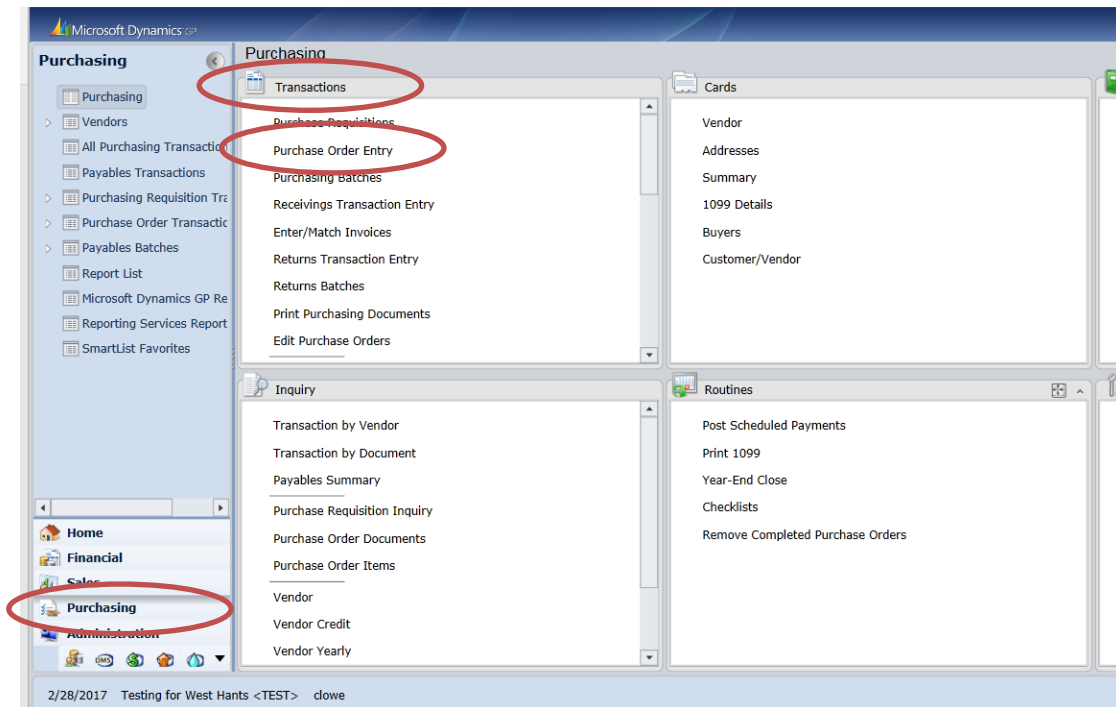
Log into your Microsoft Dynamics GP Web Client or Microsoft Dynamics GP desktop application.

Web Client Address, [click here](#).

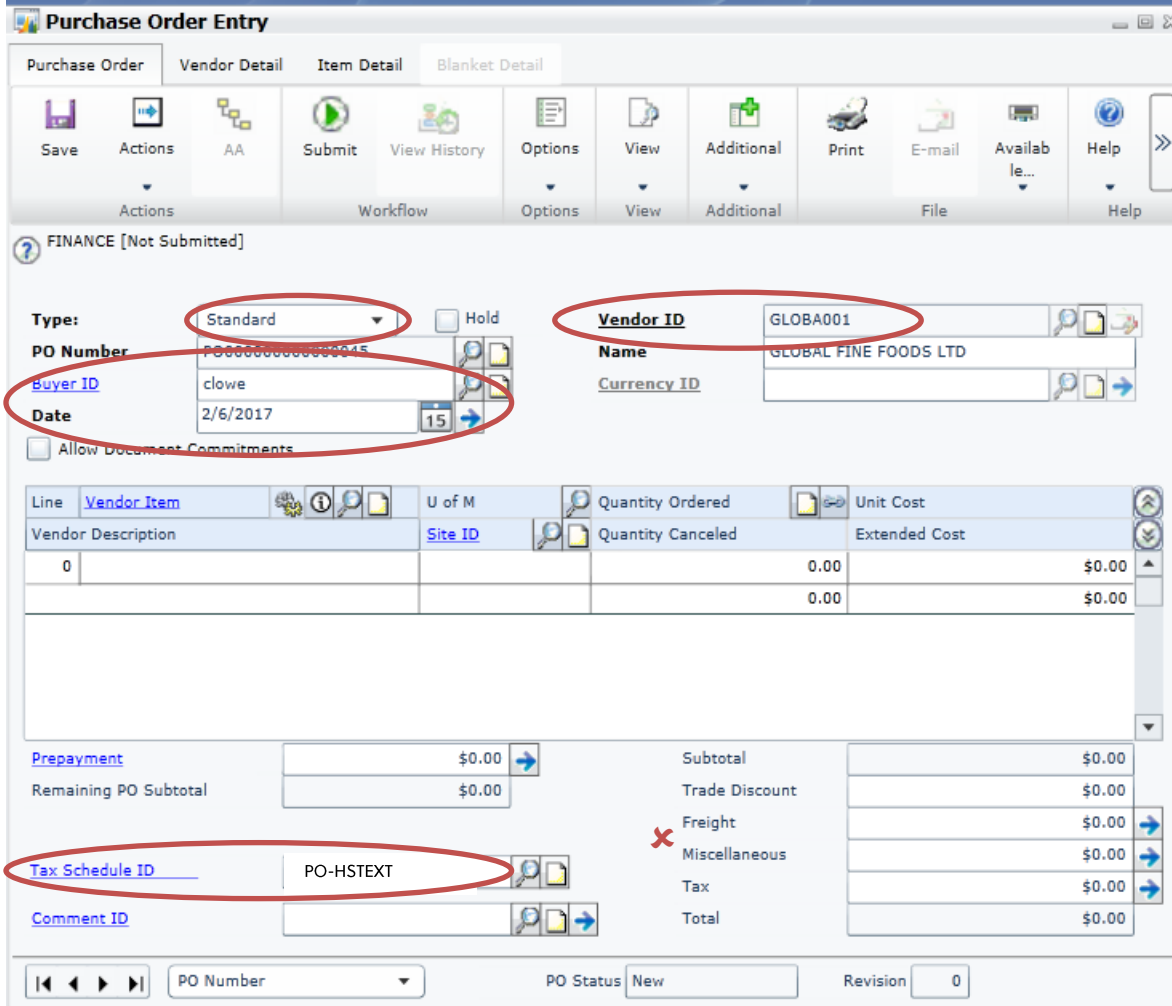


If you have trouble accessing Microsoft Dynamics GP, please put in a Help Desk ticket on SharePoint.

Go to *Purchasing* -> *Transactions* -> *Purchase Order Entry*



If you have any issues entering your purchase order, contact Finance.



Purchase Order Entry

Purchase Order | Vendor Detail | Item Detail | Blanket Detail

Save | Actions | AA | Submit | View History | Options | View | Additional | Print | E-mail | Availab le... | Help

FINANCE [Not Submitted]

Type: Standard | Hold | Vendor ID: GLOBA001 | Name: GLOBAL FINE FOODS LTD | Currency ID: |

PO Number: PO000000000000000015 | Buyer ID: clowe | Date: 2/6/2017 | 15 |

Allow Document Commitments


Line	Vendor Item	U of M	Quantity Ordered	Unit Cost
0			0.00	\$0.00
			0.00	\$0.00

Prepayment: \$0.00 | Subtotal: \$0.00

Remaining PO Subtotal: \$0.00 | Trade Discount: \$0.00

Tax Schedule ID: PO-HSTEXT | Freight: \$0.00 | Miscellaneous: \$0.00 | Tax: \$0.00 | Total: \$0.00

Comment ID: | PO Number: | PO Status: New | Revision: 0

- Enter details in the top section of the Purchase Order:
 - Type:** Standard (always)
 - PO Number:** [Tab] (this number is system generated)
 - Buyer ID:** Select your username
 - Date:** [Tab] if you are using today's date
 - Vendor ID:** Click on  and select vendor.
 - If your unable to find the vendor, please submit a New Vendor Request on SharePoint. See below for further instructions.
 - Note: If on the Visa Card the vendor should be "ROYAL001"
 - Tax Schedule ID:** Should be "PO-HSTEXT", unless one of the following applies:
 - It is non-taxable, field should remain blank (RARE)
 - It is only GST applicable, field should have "PO-GSTEXT" (RARE)
 - ✗ Do not use Freight and Miscellaneous fields** – they do not print on the Purchase Order.



Purchase Order Entry

Purchase Order | **Vendor Detail** | Item Detail | Blanket Detail

OK | Cancel | Options | Help | Add Note

Vendor ID: BEARC000
Name: BEAR COVE RESOURCES

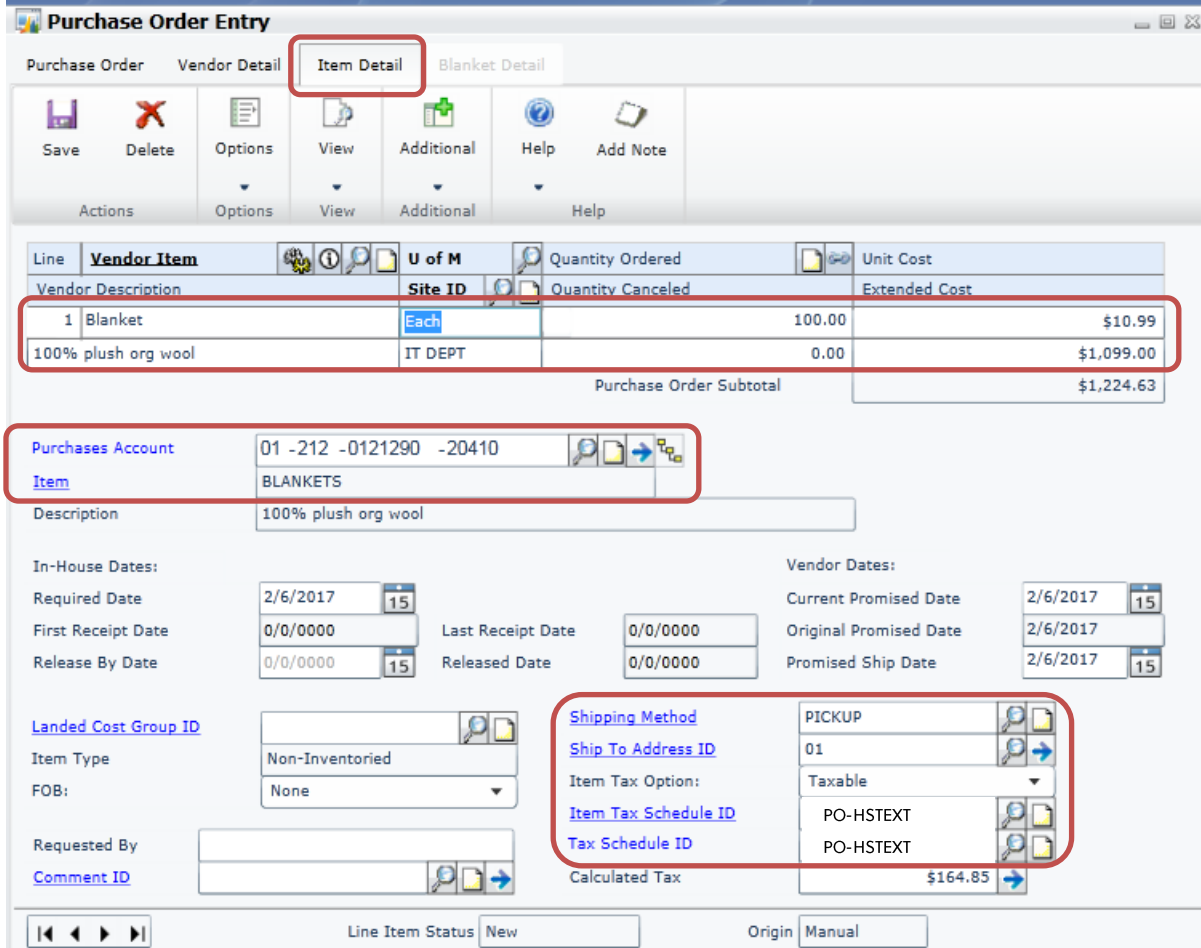
Customer ID: []
Purchase Address ID: 01
Bill To Address ID: PRIMARY
Ship To Address ID: PRIMARY
Shipping Method: PICKUP

Contact Address: 76 Morison Drive
P.O. Box 3000
Windsor West Hants Industrial Park
City: Windsor
Province: NS
Postal Code: B0N 2T0
Country Code: CA
Country: Canada

Contract Number: []
Payment Terms: NET 20
Tax Registration No.: []
Confirm With: []
Minimum Order Amt.: \$0.00

PO Status: New



2. Select the **Vendor Detail** tab at top of the window:
 - **Purchase Address ID:** Is the vendor address where the payment will be sent, use the if the payment will be sent to a different address on file.
 - **Bill to Address ID:** Should always be PRIMARY
 - **Ship to Address ID:** Accept the default or can be updated here by clicking the .
 - Each department has address code.
 - **Shipping Method:** Should be LOCAL DELIVERY, unless items are being picked up.
 - **Optional Fields:** You can enter **Contract Number** and **Confirm With**. This information will print on the purchase order.
 - **Contract Number:** Include RFP or Identifying numbers.
 - **Press [OK].**



Line	Vendor Item	U of M	Quantity Ordered	Unit Cost	Vendor Description	Site ID	Quantity Canceled	Extended Cost
1	Blanket	Each	100.00	\$10.99	100% plush org wool	IT DEPT	0.00	\$1,099.00
Purchase Order Subtotal								\$1,224.63


3. Select the **Item Detail** tab at top of the window:

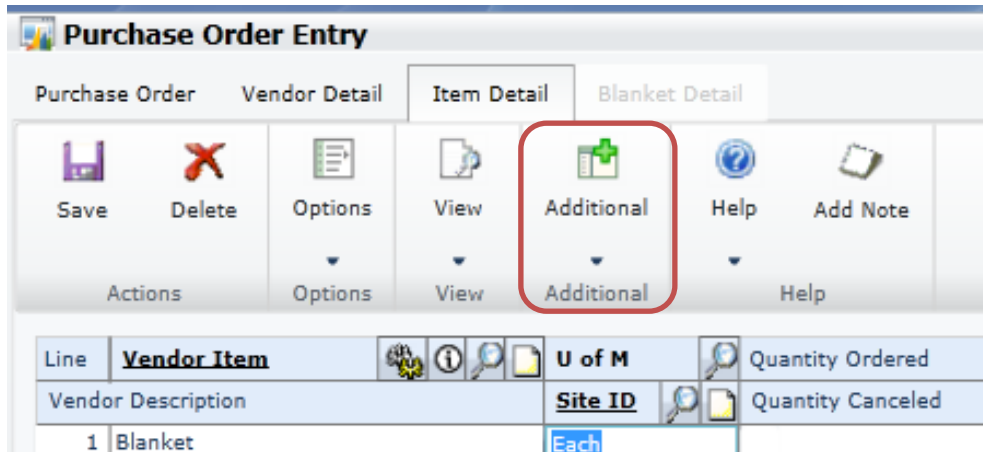
Use the window that opens to add, delete or modify additional information for the item to be purchased. *Note: If you select an item in the Purchase Order Entry window before you open this window, that item will be displayed.*

- Details for only one item will display on the screen, you can use the  to navigate between items.
- **Vendor Item:** Enter either the vendor item number or our own reference number if the vendor number is not available. [Tab]
- **U of M:** Enter unit of measurement. Default is Each, use  to select other measurements (i.e. hours). [Tab]
- Enter the **Quantity Ordered**. [Tab]
- Enter the **Unit Cost**. [Tab]
- **Vendor Description:** Description of Item purchased.
- **Site ID:** Select department code for order.

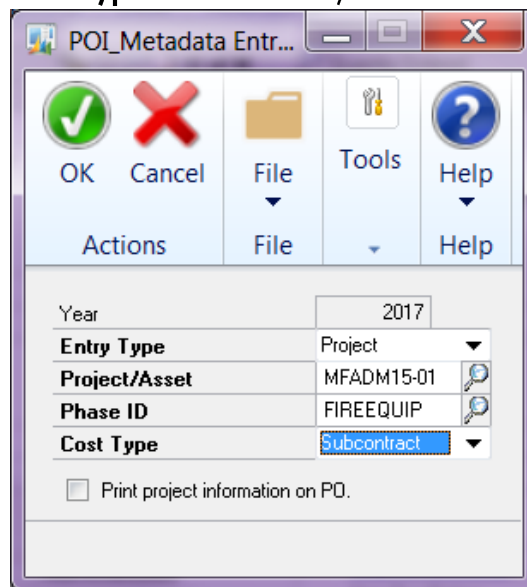
PROCEDURE

ADFN-001.01

- **Purchase Account:** Enter GL Account number to be used, or select GL Account Number, by clicking on .
 - If items are related to a Project, select **Additional** button at the top of the window.



- In the window that pops up:
 - **Entry Type:** Should always be "Project"
 - **Project/Asset:** Select the project code. If you do not see your project code in the list or you require a project code to be created, please see below instructions.
 - **Phase ID:** Select the phase.
 - **Cost Type:** Should always be "Subcontract"



- **Shipping Method:** Select either "LOCAL DELIVERY" or "PICKUP".
- **Ship To Address ID:** Select location where you want the order shipped.



PROCEDURE

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- **Tax Schedules:** You shouldn't have to do anything here unless the two fields do not match.
 - Press [Save].
 - Continue to enter additional line items following the above process. When order details such as shipping methods and ship to addresses are updated on the first item ordered, you shouldn't have to update them for additional items.
4. When all item details are entered select the Purchase Order tab to go back to the main window.
- Confirm the Subtotal, Tax, and Total field amounts are correctly adding up.
 - After details are confirmed, you can submit the order. *Note: you will not be able to print the purchase order till you received Final Approval notification in your email.
 - A comment window will pop up, this is where you can write a message to the approver. This is where you would include Project Code and Phase for the approver.

Purchase Order Entry

Purchase Order Vendor Detail Item Detail Blanket Detail

Save Actions AA **Submit** View History Options View Additional Print E-mail Availab le... Help

FINANCE [Not Submitted]

Type: Standard Hold Vendor ID: GLOBA001
PO Number: PO0000000000000045 Name: GLOBAL FINE FOODS LTD
Buyer ID: clowe Currency ID:
Date: 2/6/2017
 Allow Document Commitments

Line	Vendor Item	U of M	Quantity Ordered	Unit Cost
0			0.00	\$0.00
			0.00	\$0.00

Prepayment: \$0.00 Remaining PO Subtotal: \$0.00 Tax Schedule ID: PO-HSTEXT Comment ID:

Subtotal	\$0.00
Trade Discount	\$0.00
Freight	\$0.00
Miscellaneous	\$0.00
Tax	\$0.00
Total	\$0.00

PO Number: PO Status: New Revision: 0



PROCEDURE
Entering a New Vendor
Go to SharePoint -> New Vendor Request

ADFN-001.01

1. Fill out the Vendor information, include the mailing address where the cheque is sent.

The screenshot shows a web form titled "New Vendor Request - New Item". At the top, there is a ribbon with tabs for "Edit", "Commit", "Clipboard", and "Actions". The "Edit" tab is active, showing icons for Save, Cancel, Paste, Copy, and Attach File. Below the ribbon are several input fields: "Vendor Name" (with a red asterisk), "Attn / Care of", "Address" (a large text area), "City", "Province", "Postal Code", "Phone #", and "Fax #". At the bottom of the form are "Save" and "Cancel" buttons.

2. Once the Vendor have been created the vendor information will be added to SharePoint, and emailed.

The screenshot shows a SharePoint interface with a user profile "Carlee Lowe" in the top right. Below is a search bar "Search this site...". A table displays vendor information:

Phone #	Fax #	Vendor Number (Finance Staff Use)	Status
:5-555-5555		SMITJ000	Entered into Dynamics

A red rectangular box highlights the "Vendor Number" and "Status" columns and their corresponding data in the first row.

Project Codes

To request a project code or add a phase to an existing project, please contact the Director of Finance.



PROCEDURE
ACCOUNTS PAYABLE

ADFN-001.01

These are the different forms of expense that is accepted by the Municipality. These forms will only be accepted if all required information is attached, the expense is coded and the appropriate signing authority has approved the expense for payment.

Invoice

Once an invoice is received the following process should be followed:

1. The invoice should have the received date stamped/written by the receiving staff member.
2. The staff member responsible for the purchase then reviews invoice against purchase order if applicable. It should also be reviewed to ensure quantities, addition and totals are correct.
3. Once the invoice is confirmed, it is stamped with the Accounts Payable stamp, and coded with HST broken out. Please see the below examples.
 - a. If invoice is of an urgent nature, finance should be made aware in advance, either by email or post-it note.

Invoice example

Vendor _____ Voucher # _____
 Date Aug 31/16 PO # _____
 Approval Cath Zeme

G/L (or Project/Phase)	Total	HST
<u>0121290-20410</u>	<u>57.50</u>	<u>7.50</u>
_____	_____	_____
_____	_____	_____
Total	<u>57.50</u>	<u>7.50</u>

Purchase Order example

Vendor COCOACCO Voucher # _____
 Date Aug 31/16 PO # 19301
 Approval Cath Zeme

G/L (or Project/Phase)	Total	HST
_____	_____	_____
_____	_____	_____
_____	_____	_____
Total	<u>725.00</u>	<u>75.00</u>

4. The appropriate signing authority then signs off on the invoice.
5. The invoice then comes to Finance for processing.



PROCEDURE
Cheque Requisition

A cheque requisition is done up for expenses not documented by an invoice from a Payee.

For example: honoraria/grants, advance payments, membership dues, subscription fees, tax and recreation refunds, and under certain conditions, one-time services-rendered payments for non-municipality Staff.

The cheque requisition form can be found on SharePoint, under *Municipality of West Hants - > Forms and Templates -> Expense Forms*



MUNICIPALITY OF THE DISTRICT OF WEST HANTS

Cheque Requisition

Department: _____ Date: _____

Prepared By: _____

Account	Comments (Attach All Necessary Receipts)	Tax	Amount

Total _____

Payable To: _____

Address: _____

Required Date: _____

Approved By: _____ Date: _____

Reminder: Please include extra copies of forms to send with registrations

Updated January 24, 2017

Figure 1 - Cheque Requisition

In accordance with Municipality's policy and Revenue Canada requirements, original receipts, original membership/subscription application forms, or any other pertinent documentation must accompany the cheque requisition.



PROCEDURE

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If copies of these forms must go with the cheque, please attach extra copies of the document indicating to be sent with cheque.

Group Cheque list - A large number of like payments (more than 10) due at the same time. One cheque requisition form may be submitted. All pertinent information - payee, forwarding address, account number, amount - must be provided on an attached list.

A group cheque list for more than 25 payees must be prearranged with the Accountants at least 15 days before the due date to ensure payment by an agreed upon date.

Expense Claims

Staff are entitled to reimbursement of reasonable expense incurred as part of municipal business, as defined in the Human Resources Manual. Expense claim forms should be used when "payable to" is:

- Staff
- Council Member
- Temporary workers (i.e. Summer Students, Poll Workers)

There are two types of expense claims. Mileage and one-off expenses are submitted using the Mileage Reimbursement Form. Conference and training related expense are submitted using the Conference and Training Form. Both forms can be found on SharePoint, under *Municipality of West Hants -> Forms and Templates -> Expense Forms*

Staff are asked to ensure they are using the most updated version of these forms as rates may change. Per Diem and Mileage rates are established by the Nova Scotia Provincial Government.

The following is required when filling out either of the below forms:

1. Staff are required to ensure all receipts are attached. Include original detailed receipts. Staff are asked to keep personal expenses on separate receipts which are not submitted for payment
2. Staff are required to provide sufficient detail, ensuring expenses and mileage are itemized separately. Examples:
 - a. Travelling to Hantsport Office and Hantsport Shed in the same trip
 - b. PAC Meeting at Windsor Office – Lunch Diem
3. All expense claims should be signed by the claimant in the "Payee" line, and approved by the appropriate managing Department Head. Only Department Heads can sign off on staff expenses, this includes membership dues, conference registration fees, education, etc.
 - a. This includes membership that are for Staff versus the organization.



PROCEDURE **PAYMENT METHODS**

ADFN-001.01

These are the forms of payments made by the Municipality. Anything that comes incomplete to Finance, will be returned, and not processed.

The Chief Administrative Officer reviews all forms of payment, before filed in the Account Payable cabinet.

Weekly

Electronic Fund Transfers (EFT) and Cheques are processed on a weekly basis. The deadline for ensuring cheques and EFTs are processed is to have them in by end of day Friday, the week before.

Staff will be made aware through SharePoint of any alterations in this weekly schedule.

EFT

EFTs are processed on Fridays, and can take up to 48 hours to show up in the recipient's bank account, once they are signed by signing authorities and remittance forms are sent.

Cheque

Cheques are produced on a Fridays, and signed by signing authorities over the next 2 business days. They are then mailed, mail goes out daily. If there are special instruction for a cheque, (i.e. to be picked up, etc.), please indicate so with a post-it note on the invoice.

Other

Petty Cash

Expenses reimbursed under petty cash have all the same requirements of any invoice submission. The petty cash form is completed with a copy of the detailed receipt attached and the appropriate signing authority has signed off.

Petty cash reimbursements are used for expenses under \$25.00. Examples of expenses that may be put through petty cash:

- Cover postage over and above normal mailing postage.
- Register mail
- Unforeseen cash only basis
- Small items

The Accountants have copies of the petty cash form. It will need to be completed in its entirety to be reimbursed.



PROCEDURE

ADFN-001.01



MUNICIPALITY OF THE DISTRICT OF WEST HANTS

Petty Cash Submission

Department: _____ Date: _____

Payable To: _____

Account	Comments (Attach All Necessary Receipts)	Tax	Amount

Total _____

Reason for Claim: _____

Approved By: _____ Date: _____

Finance Use		
Reimbursed On	Reimbursed By	Received By

Updated October 21, 2016

Figure 4 - Petty Cash Form

Credit Card

When required, the Municipality’s credit card may be used to purchase items. Purchases on the credit card must have a purchase order approved by the appropriate signing authority before the purchase can be made. Individuals using the card must sign it out, and all related backup given to the Accountants, once the purchase is complete.

Some departments have their own cards, and have the responsibility of managing them on their own sign-out sheet.



Visa Signout Sheet

Date	Purchase Order Number	Transaction Amount	Currency (CAD or USD)	Vendor/Supplier	Department	Buyer Name	Card Returned Date

Figure 5 - Visa Signout Sheet

Approved By: _____
 Cathie Osborne, CPA, CGA
 Chief Administrative Officer

Adoption	
Notice to Council:	Not Applicable
Approval:	March 21, 2017
Description: Initial approval of ADFN-001.01 Account Payable Procedure	
First Amendment	
Notice to Council:	Not Applicable
Approval:	April 25, 2017
Description: Added descriptions on pages 6 & 9 and updated images on pages 5 & 7.	
Second Amendment	
Notice to Council:	Not Applicable
Approval:	July 20, 2017
Description: Clarified the "What Types of Purchases" tables, and added the "Blanket Purchase Order" section.	



**CO-ORDINATING COMMITTEE OF THE REGION OF WINDSOR AND WEST HANTS
MUNICIPALITY
RECOMMENDATION REPORT**

To: Members of the Co-ordinating Committee

Submitted by:

Martin Laycock, Chief Administrative Officer, West Hants

Louis Coutinho Chief Administrative Officer, Town of Windsor

Date: March 18, 2019

Subject: Consolidation budget – March 31, 2020

Origin:

\$1,500,000 funding from the Province for consolidation costs until March 31, 2020

Legislative Authority:

Region of Windsor and West Hants Municipality Act – s. 7(1) and (2)

Recommendation:

It is recommended:

...that the Co-ordinating Committee approve the 2019-2020 consolidation budget as presented on March 18, 2019 for anticipated expenses.

Background:

The Municipal units of Windsor and West Hants entered into a consolidation process which lead to the passing of Bill 55, the Region of Windsor and West Hants Municipality Act, in

October 2018. As part of the consolidation process, the Province of Nova Scotia committed \$1,500,000 for costs associated with the consolidation until March 31, 2020.

Discussion:

The proposed budget attached to this report anticipates the costs associated with the consolidation process up to March 31, 2020 and includes funding and associated accrued costs from March 31, 2019. As with all budgets, it should be noted that these costs are estimated and could vary as we proceed through the consolidation process. Anticipated costs outlined in the budget include such things as the salary for the new CAO, Co-ordinator costs, additional RFPs, election readiness costs, etc. The budget also allocates funds for staff training and the merger of the two units.

Financial Implications:

In an effort to allow the consolidation process to move forward seamlessly Committee approval of the proposed budget is required. Similar to Municipal budgets, the budget will allow the CAO's to make day-to-day operational expense decisions within the authority of the Committee.

Alternatives:

- The Committee could ask for changes to the budget and require that it be resubmitted for approval

Attachments:

- Proposed March 31, 2020 budget
-

Report Prepared by: _____
Martin Laycock, Chief Administrative Officer

	Transition Budget		Notes
	31-Mar-20		
REVENUE			
Pre-consolidation funding	\$	1,000,000	
Carryover from March 31, 2019	\$	381,000	Accrued RFP expense from March 31, 2019
Total Revenue	\$	1,381,000	
EXPENSES			
Request for Proposals (RFP)			
Legal review	\$	35,000	Contract and policy review
Fire RFP	\$	75,000	Regional Fire Service review
Pension RFP	\$	10,000	Required by Bill 55
Human Resources	\$	125,000	Carryover funding from March 31, 2019
Asset Management	\$	150,000	Carryover funding from March 31, 2019
Communications	\$	68,000	Carryover funding from March 31, 2019
Executive Recruitment	\$	30,000	
Boundary review	\$	38,000	Carryover funding from March 31, 2019
<i>subtotal</i>	\$	531,000	
Salaries			
Transition Coordinator	\$	240,000	Est. \$20,000/month
Administration Support (0.6 FTE)	\$	55,000	3 days per week until March 31, 2020
Chief Administrative Officer	\$	135,000	9 months salary assuming 20% benefits cost included
<i>subtotal</i>	\$	430,000	
Professional Services			
Legal	\$	15,000	Support for transition related legal issues
Audit	\$	10,000	Audit of transition funds
IT support	\$	120,000	Website, Diamond support, hardware, software upgrades
Employee training	\$	25,000	Skill development, change management, etc.
Building and staff mergers	\$	50,000	To accommodate movement of departments/staff
Records management	\$	15,000	Merge/digitize records
AMA funded facilitation	\$	15,000	Tim Merry cost
<i>subtotal</i>	\$	250,000	
Administration			
Supplies	\$	15,000	Day-today supplies, small furniture
Mileage and Expenses	\$	10,000	Staff travel/per-diem
Election	\$	85,000	Estimated election costs
Regulatory	\$	5,000	UARB hearing, Federal and Provincial changes, etc.
Communications	\$	25,000	Communications over and above RFP
Data collection and reporting	\$	20,000	Support information gathering for transition
Misc. costs	\$	10,000	Unforeseen expenses
<i>subtotal</i>	\$	170,000	
Total Expenses	\$	1,381,000	