

Local Solutions for County-Wide Amalgamation:

Factors for Success and Failure

A comparative case study of the Counties of Brant and Dufferin

MPA Research Report

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Linda J. Dean

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Local Solutions for County-Wide Amalgamation: Factors for Success and Failure

I Introduction and Background

From the time the Progressive Conservative government, led by Premier Mike Harris, came to power in Ontario in June 1995, it has been characterized by a systemic downloading of services from the Province to municipalities and by a multitude of municipal amalgamations. Since December 1996, the number of municipalities in Ontario has been reduced from 815 to 447. Some of these municipal consolidations resulted from local decisions while others were forced. The most notable, because of its sheer magnitude, was the amalgamation of the six municipalities making up Metropolitan Toronto and comprising a population of over 2.3 million. The Metro municipalities fought the move, even holding their own non-binding referendum, demonstrating rather convincingly that its citizens did not favour the mega-merger.

Two counties in Ontario, during this amalgamation phase, stand out as having reached a local solution for a single-tier¹ amalgamation – the County of Brant and Prince Edward County. The County of Dufferin, situated on the fringe of the Greater Toronto Area, attempted a countywide merger but could not get

¹ For a description of the two types of municipal government systems, see Andrew Sancton, *Governing Canada's City-Regions: Adapting Form to Function*, The Institute for Research on Public Policy (IRPP) 1994, Montreal, p. 14.

the triple majority² required to proceed. This paper is a comparative case study of the County of Brant's process to come to a local solution for restructuring and that of the County of Dufferin, whose efforts towards a local amalgamation decision failed. Both Brant and Dufferin are predominantly rural in nature with two or three urban settlement areas and each are small in terms of population, Brant having a population of approximately 30,000 and Dufferin 50,000. Both counties managed to avoid any restructuring attempts during the Province's regional government reform movement in the early 1970's and in the push to reform county government in the early 1990's.

This paper will examine the factors that contributed to the amalgamation agreement that ultimately occurred in the County of Brant and will attempt to determine what factors were present or absent in the County of Dufferin that were not conducive to a local solution to amalgamate the lower-tier municipalities. My experience in Dufferin County made me want to know what factors were either present or absent in Brant, that varied from those in Dufferin that led to a different outcome in the search for a local restructuring solution. My question therefore is this: What are the factors for success or failure in coming to a local solution for a countywide amalgamation.

My original assumption when on undertaking this research project was that the history of the political relationships between area municipalities, the ongoing rivalries, the personalities and personal agendas of the politicians who were at the table would make the difference between success and failure in

² The triple majority required by the Province to confirm a restructuring decision consists of the majority of votes on County Council plus the majority of the constituent local councils representing the majority of the electors in the County.

coming to an agreement to amalgamate into a single-tier. The information gathered seems to point in a different direction.

By December 1995 the Harris government had introduced The Savings and Restructuring Act, 1995 which when re-introduced in 1996 became known as the "Omnibus Bill". This bill involved amendments to various Acts and according to the then Finance Minister Ernie Eves would provide "*the tools the public sector needs to achieve fiscal savings and restructuring...help us build a new relationship with our transfer partners with clearer distinctions between our roles, improved accountability and more local level decision-making.*"³ In August of 1996 the Ministry of Municipal Affairs established the restructuring principles contemplated by s. 25.4 of the by now amended Municipal Act which offered a set of guidelines on which restructuring decisions should be made. These principles were contained in a published document entitled, "A Guide to Municipal Restructuring". This guide also contained suggestions about whether and how municipal restructurings might be considered and undertaken. The principles published in the guide are as follows:

"The following are the principles issued by the minister under section 25.4 of the Municipal Act that shall be considered by municipalities when developing restructuring proposals:

Less government

- ***fewer municipalities***
- ***reduced municipal spending***
- ***fewer elected representatives***

Effective Representation System

- ***accessible***
- ***accountable***

³ Premier of Ontario Webpage, "Savings and Restructuring Act Introduced", <http://www.premier.gov.on.ca/English/news/archive/savings.htm>

II Literature Review

There are many arguments put forth by consolidationists, politicians, academics, and others relating to the advantages and disadvantages of municipal amalgamation. An understanding of the context in which municipalities in Canada exist and the structural systems under which they operate, may provide some insight into the pressures for structural reform being faced by municipalities today. Indeed, Diamant states, "Any reform of a municipality or of an entire local government system takes as its starting point the relationship between the province and its municipalities."⁵

Constitutionally, only the provinces can reorganize a lower level of government and in Canada therefore, it is the local level of government that is most subject to reorganization.⁶ The 1867 British North America Act enshrined this concept of municipal governments as "creatures" of the provincial governments that incorporated them and they need not require the consent of the people of the affected locality.⁷ There are no Canadian local governments that are politically autonomous in any meaningful sense. Local governments have no constitutional protection whatever against provincial laws that change their structures, functions and financial resources without their consent. For many of their responsibilities, they are subject to detailed administrative control from a

⁵ Peter Diamant and Amy Pike, *Consolidation and the Small Municipality: A Commentary*, Rural Development Institute, Brandon University, 1996, p.2.

⁶ Donald J. H. Higgins, *Local and Urban Politics in Canada*, Gage Educational Publishing Company, Toronto, 1986, p.171.

⁷ C. Richard Tindal and Susan Nobes Tindal, *Local Government in Canada*, 5th Edition, Nelson Thompson Learning, Scarborough, Ontario, 2000, p.9.

wide range of provincial ministries.⁸ Since the election of the Conservative Government in Ontario in June 1995, the amalgamation of municipalities is being pushed as never before. Through the use of "code words" like streamlining, less government, fewer politicians and reduced duplication, the government has sent a message that it wants far fewer municipalities.⁹ Over the past decade or so, we have witnessed a process in which the federal government has cut transfer payments and shifted responsibilities to the provincial level, which in turn has cut transfer payments and shifted responsibilities to the local level.¹⁰ Municipalities are expected to absorb these cuts by using greater authority to levy user fees and charges, and by achieving savings through restructuring.¹¹

The clear message from the Province was that not only did it have the power, but it was prepared to use that power to force area wide amalgamation. The current government also unmistakably demonstrated that it would use this power and in many cases, this has been ample incentive to find a local restructuring solution.

One of the most frequently used arguments in favour of amalgamation is that of cost savings resulting from economies of scale. According to Kitchen, each urban service, if it achieves economies of scale, is likely to achieve them at a different scale of production. The optimal size of government may be different

⁸ Andrew Sancton, *Governing Canada's City Regions: Adapting Form to Function*, The Institute for Research on Public Policy (IRPP) 1994, Montreal, p.8.

⁹ C. Richard Tindal, "Municipal Restructuring: The Myth and the Reality," *Municipal World*, 106, No. 3, March 1996, p.3.

¹⁰ Tindal, *Local Government in Canada*, p.15.

¹¹ Tindal, "Municipal Restructuring", p.3.

for fire services than for roads or for police.¹² This suggests that the appropriate size will likely be different for different services.¹³ How then, can local politicians, in particular those from small rural municipalities, even begin to afford the cost to conduct the sophisticated surveys and analyses necessary to determine which services and which matching municipal size is most efficient? Furthermore, the directive from Queen's Park did not offer municipalities the opportunity to "cherry-pick" which services they would or would not amalgamate. Tindal then, does well to wonder how amalgamation will provide economies of scale when it will raise the scale of services to the same level, regardless of the type of service and the optimum level required to achieve savings?¹⁴

What factors need to be considered to arrive at an optimum model for municipal government? Economists Richard Bird and Enid Slack submit several criteria may be used to design governmental structure: economies of scale, spillovers, redistribution, demand considerations, and political efficiency. The first three criteria suggest that a relatively large units of government is appropriate for the provision of local services, while the latter tend to support smaller governments.¹⁵ Another economist, Harry Kitchen, expresses it similarly, "If the objective is to take advantage of economies of scale, to

¹². Harry Kitchen, *Does Amalgamation Really Produce Cost Savings?* Trent University, Peterborough, Ontario, April 1995, p.2.

¹³ Richard M. Bird and N. Enid Slack *Urban Public Finance in Canada* second edition John Wiley and Sons Canada Limited, Toronto 1993, p.30.

¹⁴ C. Richard Tindal, "Sex, Lies and Amalgamations?", *Municipal World* 107, no. 2 February 1997, p.8.

¹⁵ Bird and Slack, *Urban Public Finance in Canada*, p.30.

internalize spillovers, to ensure uniformity in service standards and levels, and to accept responsibility for redistributive activities, then the logical outcome would be support for larger units of municipal government.¹⁶ This could be the province's justification for the burden of the downloaded services since most of the devolved services fit Kitchen's criteria of service uniformity and redistributive activities such as policing, provincial offences, social housing, social assistance and land ambulance.

O'Brien suggests that one reason to consolidate could be financial considerations arising from recession, restraint and tax revolt leading to a shortage of revenue. A frequent response is to seek greater effectiveness, efficiency and economy in the provision of services, facilities and programs. To achieve economies of scale is seen by some to require consolidation.¹⁷ If this is so, it could be argued that the Harris government created its own financial crisis for municipalities, through implementing programs of downloaded services to the local level, in order to justify its agenda of reducing the number of municipalities and politicians.

The counties that are the subject of this research consist mostly of small municipalities. The outcome of amalgamation could be different for very small municipalities, suggests Diamant. There is little in the literature to suggest that

¹⁶ Harry Kitchen, *Municipalities: Service Responsibilities, Funding Issues and Governing Structure*. Trent University, Peterborough, Ontario, April 1999, p.iv. (Note, page numbering may differ slightly due to downloading from world-wide web and subsequent printing.)

¹⁷ Allan O'Brien, *Municipal Consolidation in Canada and its Alternatives*, ICURR Publications, Toronto, 1993 p.8.

consolidations of larger municipalities will result in substantial cost savings,¹⁸ and the economies of scale arguments that support consolidation are inconclusive, although, smaller municipalities may be better able to predict economic costs and benefits of consolidation than large, highly fragmented urban municipalities¹⁹.

Kitchen warns that amalgamation should not be defended on the grounds that it is necessary in order to benefit from economies of scale because these economies may be secured through the purchase of services from the private sector or from other units of government²⁰. Indeed in the County of Brant, at the time of amalgamation, no less than 29 joint service agreements were in place²¹. The County of Dufferin currently has at least 25 such agreements²². In both cases these agreements include such services as fire protection, libraries, arenas, building inspections and by-law enforcement, planning and roads. The path to savings lies in process improvements, not amalgamations, as was indicated by the findings of the constituent assembly in Hamilton-Wentworth, and by the Golden Report on the GTA²³, which cautioned that the benefits of

¹⁸ Diamant, *Consolidation and the Small Municipality*, p.1.

¹⁹ Diamant, *Consolidation and the Small Municipality*, p.4.

²⁰ Kitchen, *Does Amalgamation Really Produce Cost Savings?*, p.2.

²¹ County of Brant, "The Delivery of Services, and Whether Re-Organization and Restructuring Should Occur?" Progress Review I, Current Conditions & Future Prospects, November 13, 1996. p. 8.

²² This number was compiled from restructuring study questionnaires completed by area municipalities in conjunction with the Orangeville/Dufferin restructuring study conducted by Solutions North Inc.

²³ Tindal, "Sex, Lies and Amalgamations?", p.8.

amalgamation are often overstated and that amalgamation can create diseconomies of scale.²⁴

Bird and Slack point out that a central economic argument for local governments is that decentralized provision of many services is superior to centralized provision because it can better reflect local differences and that a more centralized and co-ordinated system is not necessarily a more reliable system. Ratepayers often raise the concerns about local differences during amalgamation discussions and Brant and Dufferin were no exception.

As we have already noted, provincial downloading in Ontario has had a major impact on the ability of municipalities to fund services. Municipalities now responsible for the costs of social services and policing, among other services, are pressured to raise the tax levy in order to finance these services. It is often argued that if the costs were spread out over more taxpayers the burden would be less. O'Brien tells us that the question of equity, or fairness in the distribution of revenue resources contributes to consolidation proposals.²⁵ He notes that there is a lack of equity among municipal governments because of a disparity of resources, essentially the tax base. The province would prefer to see the equalization carried out within local government as would more likely occur with consolidation.²⁶ The reform initiatives in Ontario and Quebec have both centred on ambitious amalgamation programs, designed to create larger municipalities

²⁴ Tindal, "Municipal Restructuring", p.8., citing Report of the GTA Task Force, *Greater Toronto*, January 1996, pp.212-213.

²⁵ O'Brien, *Municipal Consolidation in Canada and its Alternatives*, p.9.

²⁶ O'Brien, *Municipal Consolidation in Canada and its Alternatives*, p.7.

which are supposed to be better able to handle the increased responsibilities and costs being downloaded by the fiscally restrained provincial governments.²⁷

Provincial officials have concerns that many of the small municipalities do not have an adequate tax base to support their needs in light of reduced provincial transfer payments, and amalgamation with their neighbours can avoid tax increases or bankruptcy. According to Sancton, "In such a situation amalgamation is not saving money, it is only redistributing it."²⁸ Nonetheless, it is this kind of philosophy that appeared to be driving the provincial push for municipal consolidations in Ontario and it is an argument that is repeated in the Brant and Dufferin studies.

Moving away from the theoretical and into the practical applications of amalgamation, a study conducted by the School of Rural Planning and Development at the University of Guelph noted that municipalities in their study chose restructuring partners either:

- *As a result of a plan designed at the county level*
- *As a result of the recommendations given by a restructuring commission or a Provincially Mandated Decision*
- *As a result of a mutual agreement with neighboring municipalities.*²⁹

In Brant, the restructuring plan was designed at the county level and

²⁷ Tindal, *Local Government in Canada*, p.121.

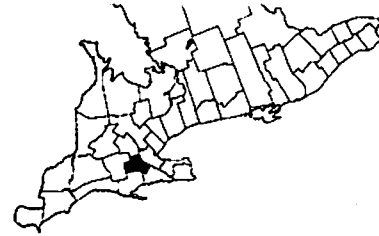
²⁸ Andrew Sancton, "The Politics of Amalgamating Municipalities to Reduce Costs: Some Personal Reflections", *Local Services Research Review*, Volume 1, Number 2, Winter 1992, Section 2, p.2/3.

²⁹ Dr. John Fitzgibbon, Robert Summers and Sylvia Summers, "*Municipal Restructuring in Rural Ontario: Lessons Learned from Experience*", School of Rural Planning and Development, University of Guelph, a Product of the Managing Rural Communities into the New Millennium Project, December 2000.

eventually, resulted in agreement by all area municipalities. In Dufferin, two approaches were used. There was an initial attempt at a county driven plan and when that was unsuccessful, plans designed by local municipalities were presented. Both approaches failed to generate a local solution for restructuring. The following sections will attempt to determine which forces or factors in the restructuring issues that came to the fore in these two counties led to their particular decisions in favour of, or against amalgamation on a county-wide basis.

III County of Brant

Background



The County of Brant, was originally incorporated in 1852 and is situated in south-western Ontario approximately 120 kilometres west of Toronto and covers an area of 845 square kilometers. At the time of Brant's restructuring, the Regional Municipalities of Waterloo, Hamilton-Wentworth, and Haldimand-Norfolk as well as the Restructured County of Oxford surrounded it.

The newly amalgamated municipality of the County of Brant has city status and was created by Minister's Order, effective January 1, 1999, from six former municipalities: the Town of Paris and the Townships of Burford, Brantford, Oakland, Onondaga and South Dumfries. Predominately rural in nature, Brant has two urban settlement areas – Paris and Burford. The former Town of Paris holds about 30 percent of the county's population of approximately 30,000 and is located in the northwest third of the county. The County of Brant is characterized by the "hole-in-the-donut" City of Brantford with a population of about 86,000, situated squarely in the centre of the county, but not forming part of the county. Brant enjoys a mainly agriculturally based economy and is situated in Ontario's primary tobacco-growing region.

The County of Brant managed to avoid any restructuring as part of the Progressive Conservative government's regional reform initiatives in the early seventies. It is remarkable that Brant, surrounded on all sides by three new regional municipalities (Waterloo, Hamilton-Wentworth and Haldimand-Norfolk)

as well as the Restructured County of Oxford, was able to fend off the pressures for change. Aside from some minor tinkering, mostly adjacent to the City of Brantford, very little was done in the way of boundary adjustments in Brant.

Through the late 1980's and early 90's, various other attempts to reorganize county governance were introduced by the parties in power at Queen's Park. The "Patterns for the Future" report , in 1987 reviewed representation, functions and financial issues within the county system and contained recommendations to the Minister of Municipal Affairs about county governance³⁰. "Towards an Ideal County"³¹ , in 1990, set out a list of principles for a strong county system, including a draft Terms of Reference for a county study. None of these initiatives resulted in any change to the governance structure of Brant.

The Province's conservative government, following the 1995 provincial election, drove the most recent restructuring and governance review issues. As we have seen, municipal restructuring is nothing new in Ontario. This interest has been demonstrated by all the parties who have formed the provincial government, at some time or another during their term in power at Queen's Park during the last thirty years. The most recent provincial restructuring initiative; however, was undoubtedly the most aggressive, having succeeded in reducing the number of municipalities in Ontario by more than 50%.

³⁰ "Report of the Advisory Committee on County Government: Patterns for the Future", Report and Recommendations to the Minister of Municipal Affairs, November 1987.

³¹ Ontario, Ministry of Municipal Affairs, "Toward an Ideal County", Principles and Programs for a strong County Government System in Ontario, January 1990.

Issues/Events Leading to Amalgamation Decision

In April 1996, Brant county council received a report on the Terms of Reference for a study on the delivery of services, organization and restructuring for the county. Area municipalities were asked to endorse the Terms of Reference for "County of Brant Study On The Delivery Of Services And Whether Reorganization Or Restructuring Should Occur?" The impetus for the decision to develop Terms of Reference for a restructuring study is explained within the document itself, which states in part that the study should be conducted "*within the context of actions already taken and those yet expected to be taken by the Province*" and it cited a forecast by the then Minister of Municipal Affairs, that municipalities would be receiving less money from the province, that highways would be transferred to counties and that policing costs will have to be paid directly by municipalities.³² Clearly whatever overtures were eventually going to be made in regard to any municipal mergers would be in the nature of a "shotgun wedding". The Terms of Reference (TOR) were issued in May and by June 1996, all constituent municipalities had supported the document.

Among the assumptions contained in the TOR document were that "The two-tier form of municipal government will continue"³³ and that "there will be no consideration to reintroduce the City back into the County."³⁴ The TOR also required a variation of the provincial triple majority, which became known as a

³² County of Brant, "Terms of Reference, Study on the Delivery of Services and Whether Re-Organization and Restructuring Should Occur?, April 17, 1996.

³³ Ibid, Page 2.

³⁴ Ibid, Page 3.

"two-thirds triple majority", meaning a two thirds majority vote rather than a simple majority, to effect any revisions to the TOR³⁵.

Until a media release in August 1996, announcing the commencement of a study by consultants, the restructuring study terms of reference received little attention in the local papers. ESI Consulting was the firm selected to conduct the study. More than 70 people attended an open house in September, where one of the consultants commented that the study would not look at abandoning the county level because it would be "costly and ineffective"³⁶. In spite of these remarks, the following month the consultants' approached the county requesting that the TOR be revised to include a single-tier option.³⁷ The county agreed to add this option to the TOR, but the area municipalities were not consulted, despite the provisions of the TOR to do so. Although some comment was made in local papers³⁸, that county council should have asked the local municipalities first, this issue did not appear to spark any debate. While it seems strange in retrospect that such a significant change to the TOR failed to garner much attention, it is important to remember that this occurred before the Province announced any forced single-tier amalgamations. When asked about this change to the TOR, Bill Rice, one of the ESI consultants noted that, "Because of the small population of the county, a single-tier option was seen as being the best

³⁵ County of Brant, "Terms of Reference, Study on the Delivery of Services and Whether Re-Organization and Restructuring Should Occur?, April 17, 1996., Items 1 & 7, pp. 4-5

³⁶ Elizabeth Meen, "County government questioned," *The Expositor* (Brantford) September 6, 1996

³⁷ Michael-Allan Marion, "Council balks at paying for study that could encourage its demise", *The Expositor* (Brantford) October 16, 1996

³⁸ Marion, "Council balks..." *ibid*

way to achieve efficiency and still be able to protect the County from the annexation overtures by the City of Brantford, that would surely surface once the moratorium on annexations ended³⁹.

An interesting alternative restructuring model was presented to county council in October by a group of former county wardens. This proposal can best be described as a modified single-tier model for the purpose of a central administration but having elected "local service councils". These councils would be elected to make decisions on local services within a pre-approved budget, for three re-defined "township" areas. The former wardens' proposal received little media attention, as it appeared to be overshadowed by other events, in particular political interference by Brantford MPP Ron Johnson. Mr. Johnson announced the creation of a local committee, which included, among others, several former politicians, to look at restructuring in Brant County. Local and county politicians alike responded angrily to the announcement, referring to it as an "illegitimate" committee. Warden Bill Croome stated that Mr. Johnson had no jurisdiction in Brant County and advised that both the City of Brantford and the County of Brant would write to the premier to request the committee be disbanded⁴⁰. A flurry of newspaper articles and editorials appeared in local papers indicating outrage at Ron Johnson's interference in Brant's business. While both Brantford and Brant seemed to agree on the issue of Johnson's committee, there was some on-going friction due to Brantford's exclusion from the restructuring study. The two sides

³⁹ Telephone interview with Bill Rice, July 7, 2001

⁴⁰ Michael-Allan Marion, "Harris asked to axe MPP's project," *The Expositor* (Brantford) November 6, 1996

agreed to sit down and discuss how they could work together once the county study was completed in January. "County politicians feared the city would ask the province to appoint a commission to impose restructuring"⁴¹.

In November, Brant's consultants released a progress report which described the results of the first two phases of the study, which was to evaluate the current situation and to identify risks, benefits and impacts of operational models in use or planned by other Ontario municipalities. Another public information meeting was held to answer questions on the progress report and to provide an opportunity for public input.

The progress report outlined what aspects of the study the consultants had completed and showed the high-low range of unit costs for ten different municipal services among the area municipalities, demonstrating a great disparity in the costs for service delivery and suggesting that "larger municipalities are able to spread costs"⁴². It also included a wide range of comments gleaned from interviews and submissions to the consultants, which they characterized as "typical". Heading the list of comments was "...the City wants to annex us all..."⁴³. According to Bill Rice, this type of comment was heard frequently although it was played down in the progress report in an effort to

⁴¹ Ross Marowitz, "City, County agree to work together on restructuring plan," *The Expositor* (Brantford) November 22, 1996

⁴² County of Brant, "The Delivery of Services, and Whether Re-Organization and Restructuring Should Occur?" Progress Review I, Current Conditions & Future Prospects, November 13, 1996. p. 21.

⁴³ Ibid, p 4, 5.

make the report appear "less political".⁴⁴

January 1997 saw a more intense progression in the restructuring discussions. The county and local municipalities were awaiting the release of the consultants restructuring report. The county was now under more pressure from the City of Brantford, whose timetable suggested a January 15, 1997 deadline for a restructuring solution. Another issue, which compounded the financial impact and added to the restructuring discussions, was the announcement by the City of Brantford that it was withdrawing its suburban roads subsidy of \$270,000 to the county. The county received no prior notice of the city's intention to cut this payment from its budget.

The release of the consultants' report to the Executive Committee on January 15, 1997 urged the creation of one single municipality although it did evaluate other models, including a modified two-tier, three-municipality structure that retained the county system as well as a model with three single-tier municipalities. It was predicted that the countywide amalgamation would lead to a savings of \$2.3 million annually. These projected savings were translated by the consultants into three different scenarios showing the estimated percentage increase in tax rates with each model including the status quo. The single-tier model projected the lowest tax rate increase at just 17% with the modified two-tier, three-municipality model projected at 20% and the status quo increase of 37%. The Paris Star noted that town officials would review the recommendations by the consultants to determine which option would be "most beneficial in

⁴⁴ Telephone Interview with Bill Rice, July 7, 2001.

preserving the identity of Paris, and the most economically viable alternative"⁴⁵. Municipal councils would be given the opportunity to review and vote on the plan before county council would make a final decision. The open house that followed the release of the study attracted about 250 people. Bill Rice of the ESI Consulting Team told the crowd "creating a single municipality is the best way to handle a whopping increase in costs coming from the Harris government's downloading of government responsibilities"⁴⁶. According to various newspaper reports, many were unhappy with the idea of a single-tier Brant with one resident wondering aloud if amalgamating with the county was "just a prelude to amalgamation with the city"⁴⁷.

The timing of the release of the restructuring study coincided with the Harris Government's stunning "Mega Week" announcements dealing with the "downloading" of a range of provincial services and the removal of the education tax from the municipal property tax. Municipalities throughout the province were in shock. Despite assurances from Queen's Park that this transfer of responsibilities would be revenue neutral, municipal staff and politicians were highly sceptical. Burford Clerk-Administrator John Innes commented that the nature of the mega-week announcements rendered the figures and conclusions in the restructuring study "invalid"⁴⁸. The combination of the release of the study

⁴⁵ "Paris officials to decide on two restructuring options", *Paris Star*, January 22, 1997.

⁴⁶ Michael-Allan Marion, "Division over united county", *The Expositor* (Brantford), January 23, 1997

⁴⁷ Marion, "Division .." *ibid*

⁴⁸ "One Big Brant recommended", *Burford Times*, January 22, 1997

and the provincial announcements left local officials and politicians scrambling to understand the financial implications of the massive downloading of services. How was the impact of the downloading announcements going to affect the projected savings from a countywide amalgamation? The consultants acknowledged that they did not have all the numbers yet, but estimated the additional costs to the county as a result of the latest provincial announcements to be in the area of \$10 million⁴⁹. The idea of cost savings did not appear to be discussed in the context of economies of scale but more on the basis of minimizing the impact of the downloaded services by spreading the costs over a larger municipal unit.

Brant county council came to the conclusion that it would not rush the restructuring process to meet the 1997 municipal election deadlines but rather it would take its time to allow for public input and more discussion with the City of Brantford with a target completion date of June or July 1997. It was anticipated that another election could be held in 1998 to deal with the new structure of the county. Warden Mabel Dougherty stressed that public input is crucial to the success of whatever system the county adopts⁵⁰.

Various meetings about the restructuring study were being held in all Brant municipalities but attendance was modest. After the initial flurry of concern about tax increases and the impact of the mega-week announcements, and wondering whether the anticipated savings would ever materialize, local

⁴⁹ Michael-Allan Marion, "The county's \$10-million question", *The Expositor* (Brantford), January 31, 1997

⁵⁰ Michael-Allan Marion, "County misses deadline on restructuring", *The Expositor* (Brantford), February 18, 1997

discussion seemed to centre more on issues of identity and autonomy. The local papers carried articles about Brantford's impatience with the Brant study as Brantford's Mayor Friel again suggested they might call in a commissioner to settle the issue⁵¹.

On March 5, 1997 Brant County council revised the timelines for completion of the study to May 15th to allow more time for input and discussion. During the next three months, local councils debated the merits of different models of governance. Some municipalities sent out surveys to obtain citizen feedback. Questionnaires sent to constituents showed they were evenly split on the restructuring options and the low response rate suggested that residents did not take the matter seriously.⁵² Input at public information meetings across the county seemed to indicate a variety of responses.

By May 15th, all the local councils had determined their positions on the restructuring options. At the Brant County Executive Committee meeting held on May 16, 1997, both Burford and Paris argued that they did not want to be part of a single-tier system. Warden Dougherty presented a letter she received from Brantford indicating their proposal for a one-tier, city/county governance model. This was less than a month after the announcement that the separated City of Chatham was being amalgamated with the County of Kent to form a new single-tier municipality to be known as Chatham-Kent.

A motion was made to adopt the united county model for Brant

⁵¹ Ross Marowits, "Friel threatening to take on county", *The Expositor* (Brantford) February 20, 1997.

⁵² "Survey does little to help township decide which way to vote on county restructuring", *The Expositor*, May 6, 1997

municipalities only and in a recorded vote the motion passed by a simple 7 – 5 majority. The TOR stipulated that a two-thirds triple majority was required for the study to proceed, which would require 8 votes out of 12. This was not a problem as they simply passed another motion to amend the majority provision of the TOR from 66 2/3% to 51%, passing again with a simple 7 – 5 majority. Paris and Burford were outraged.⁵³ In an *Expositor* article on May 17, 1997, it was reported that Warden Dougherty “raised the spectre of Chatham-Kent” at the meeting by reporting to the committee that Mayor Friel had told her that Brantford “could call for a provincially appointed commissioner on Tuesday”.⁵⁴ Following a ratification vote by Brant County Council on May 21, 1997, a number of local newspapers reported that county councillors vowed to make Brant “the best it can be”⁵⁵. At this point it seemed that a countywide amalgamation of Brant municipalities was going forward.

In June, the City of Brantford engaged Hemson Consulting to analyse the economic impact of the Brant County amalgamation on the city.⁵⁶ During June and July the Brant County Executive Committee discussed the Restructuring Principles and Concepts that would guide the transition to single-tier government. At the Council meeting held on May 20, 1997, Paris passed a motion to request the County “to consider a two-tier option consisting of the Town of Paris as one municipality, and the balance of the County municipalities as one municipality to

⁵³ Executive Committee Minutes, County of Brant, May 16, 1997, p. 1 – 3

⁵⁴ Michael-Allan Marion, “County on track for single government”, *The Expositor* (Brantford), May 17, 1997

⁵⁵ Marion, “County on track”, *ibid.*

⁵⁶ Ross Marowits, “Getting cozy with county”, *The Expositor* (Brantford), June 17, 1997

address their desire for a United Municipality option.⁵⁷ In July, Paris Council opted to retain its own consultant for a study of separated town status⁵⁸. Keith Glaze, the consultant for the Town of Paris, was quoted as telling Paris Council, "There is no way anyone can argue that Paris is not an identifiable community"⁵⁹. On July 16, 1997 the Executive committee voted to hold the further preparation of the one-tier proposal in abeyance to "give time for Paris to complete their study supporting a 'stand alone' municipality separated from the County, and to allow other constituent municipalities to consider various other options for restructuring⁶⁰. The townships of Burford and Brantford and the Town of Paris were to consider other options and participate in discussions with the Executive Committee in August. In the press, Brant was commended for agreeing to re-open talks on two-tier options. In Paris, support in the form of a petition to keep Paris an identifiable, self-sustaining entity was gaining considerable momentum⁶¹.

In spite of county council's good intentions to allow those municipalities not supportive of a countywide amalgamation to have more time to investigate their options, acrimony was obvious at the Executive Committee on August 6th. The committee failed to support a motion by the Brantford Reeve to obtain additional information on how services would be divided in Brantford's four-

⁵⁷ Town of Paris, Council Meeting Minutes, May 20, 1997 p. 10400

⁵⁸ Town of Paris, Council Meeting Minutes, July 3, 1997 p. 10426

⁵⁹ Michael-Allan Marion, "Paris must move quickly to keep what it has: consultant", *The Expositor* (Brantford), July 16, 1997.

⁶⁰ County of Brant, Special Meeting, Executive Committee, July 16, 1997, p. 1.

⁶¹ "Thousands sign Paris petition", *Paris Star*, July 30, 1997

municipality, two-tier model. As a result, the meeting scheduled for the following week to hear the Township of Burford's two-tier proposal was cancelled.⁶²

Clearly the restructuring talks were breaking down.

On August 19th, Keith Glaze, the consultant hired by the Town of Paris presented his report to Paris Council which suggested that Paris had the ability to stand alone as a single entity. Mayor Bawcutt related Paris's objections to a one-tier model as loss of identity and difficulty competing with rural demands⁶³. The Executive Committee decided to hold a special meeting to consider the Paris report on September 3, 1997⁶⁴. Newspaper coverage during this period indicates an attitude of resigned acceptance for a countywide merger from among the residents of Brant, but not so with the Town of Paris. At the public meeting held in Paris on August 21st about 1,500 people attended to show their support of the proposal to separate from the County. All but 7 of 1100 "straw-vote" ballots cast, supported an independent Paris⁶⁵.

At the next Executive Committee meeting, two Paris residents presented a petition with over 4,000 signatures requesting the County to reconsider a two-tier system. They indicated that the "main concern of the people signing the petition was that the current local municipalities would lose their autonomy⁶⁶."

⁶² "Acrimony rules as County Council continues the restructuring debate", *Burford Times*, August 13, 1997

⁶³ Brant County Executive Committee, Minutes, August 20, 1997, p. 1.

⁶⁴ Brant County, *ibid.* p.2.

⁶⁵ "Parisians want independent town", *Paris Star*, August 27, 1997.

⁶⁶ Brant County Executive Committee, Minutes, September 3, 1997, p. 2-3.

On September 10th, the Executive Committee moved to hold a one-day meeting of all municipal councillors to review all aspects of restructuring with a view to resolving concerns and to engage Bill Rice of ESI as the facilitator of the discussions⁶⁷. Prior to this meeting the County Clerk and Chief Administrative Officer, Dan Ciona provided comments to County Council with respect to outstanding issues for discussion at the September 24th meeting, and which states in part, "The City Mayor just announced that his election platform is the amalgamation of the City, County and all of its constituent municipalities into one-tier system. I did not address this issue because Burford listed the City threat as being one of the 'bogey men' driving one tier in the County.⁶⁸" On September 24, 1997, an historic meeting of all municipal councils and some senior staff was convened at the Best Western Hotel at 8:00 a.m. The media were not invited to this meeting. When it concluded at 10:30 p.m., all municipalities had executed a Memorandum of Agreement in Principle.

Bill Rice, who facilitated this meeting, explained what transpired. *"This meeting was about politics, pure and simple. Almost every one of the council members from all six municipalities attended. It was agreed early on, that as a single municipality Brant would have equal status with the City of Brantford and could better defend their position. It was a defensive strategy. After that they looked at other concerns of the area municipalities. They ended up with more council seats than originally proposed and ward boundaries that matched the existing political boundaries. They also knew that a commission would not agree*

⁶⁷ County of Brant, Executive Committee Minutes, September 10, 1997, p. 1-2.

⁶⁸ Dan Ciona, Comments to County of Brant, September 15, 1997, p.1.

to the number of politicians they wanted".⁶⁹ There only remained to work out the details of the transition. Several meetings were held to that end and on November 10, 1997 the restructuring proposal was delivered to the Minister of Municipal Affairs.

Conclusions

The County of Brant entered into a restructuring study prior to any evidence that the Province would indeed "force" municipal amalgamations. They began the study because the province had announced that it would be reducing provincial transfer payments, conveying significant kilometres of highways to upper-tier municipalities and requiring municipalities to bear the full cost of policing. Brant's Terms of Reference state that ". . . terms will be needed to address the methods and procedures to be used in determining the appropriate structure for the County and its constituent municipalities within the context of actions already taken and those yet expected to be taken by the province⁷⁰."

What about the standard arguments in favour of amalgamation – cost savings and economies of scale? Cost savings of \$2.3 million were initially announced but no revised figures were put forth after the mega-week announcements and economies of scale were never once discussed in the press. Even the estimated percentages of various tax increases under the three governance options, while mentioned occasionally in the press, were not the

⁶⁹ Telephone Interview, Bill Rice, July 7, 2001

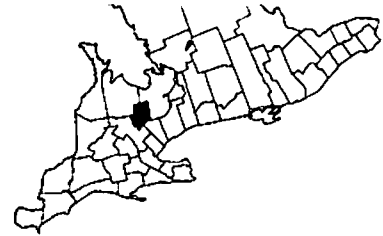
⁷⁰ County of Brant, Terms of Reference, op.cit., p. 1.

issue that concerned the majority of area residents or politicians.

Throughout the restructuring discussions, concerns were raised about the loss of identity and autonomy. The theme repeated most often however, was the fear of being taken over by the City of Brantford, especially after the announcement of the forced amalgamation of Chatham-Kent. During the intense day-long meeting held at the Best Western, it was simply the fear of being taken over by Brantford that eventually led to an agreement for a countywide amalgamation. Ultimately, the area politicians believed that a countywide amalgamation would be a good defensive move against Brantford's future annexation overtures.

IV County of Dufferin

Background



The County of Dufferin, sits on the fringe of the Greater Toronto Area, about 120 kilometres northwest of Toronto. It consists of eight municipalities: three towns, Mono, Orangeville and Shelburne and five rural townships, Amaranth, East Garafraxa, East Luther-Grand Valley, Melancthon and Mulmur. Dufferin is largely a rural county with three urban settlement areas, namely Grand Valley, Orangeville and Shelburne and covers an area of 1,442 square kilometres. It has a population of approximately 50,000. The Town of Orangeville, the county seat, is situated on the southern border of the county and is the largest urban centre, with just over half the population. Although Orangeville dominates in terms of population, in area it is very small and geographically compact. It has for many years experienced growth pressures and, because it is constrained by its borders, has had to initiate several annexations over the years to accommodate growth.

Dufferin was formed in 1881 from parts of the counties of Grey and Simcoe, on the north and east, and from the County of Wellington on the south and west. Originally an agriculturally based economy, Dufferin 's economy has diversified to include commercial and retail businesses, industries related to residential and commercial construction (building, supplies, aggregates, real estate) and manufacturing. A portion of Dufferin's economy still depends on agriculture but tourism is becoming more important as the county takes a more

positive role in attracting visitors.⁷¹

Like Brant, Dufferin too, avoided being drawn into the regional government movement of the early 1970's, despite a great deal of discussion about including the Town of Orangeville within the boundaries of the new Regional Municipality of Peel. Similarly, Dufferin resisted the pressures imposed by the province through the "Patterns for the Future"⁷² recommendations and the "Towards an Ideal County"⁷³ initiatives to review the governance of rural counties. As a result of both these programs, some efforts were made to look at governance and structure in Dufferin and recommendations were made at the County level, no action was ever taken.

Issues/Events Leading to Amalgamation Decision

Dufferin's activities in relation to the province's program of restructuring, started several months later than those in Brant, but took many more twists and turns before its members ultimately sat down at the Council table to vote on restructuring options. At the time Brant was drafting their Terms of Reference for a Restructuring Study, Dufferin was not actively pursuing any governance options. The Town of Orangeville, its largest constituent municipality, was in the midst of a Growth Management Study (Hemson Report), which would assess Orangeville's future land use needs to accommodate the expected growth of the

⁷¹ County of Dufferin website, <http://www.dufferincounty.on.ca/profile/index.html>

⁷² "Report of the Advisory Committee on County Government: Patterns for the Future", Report and Recommendations to the Minister of Municipal Affairs, November 1987.

⁷³ Ontario, Ministry of Municipal Affairs, "Toward an Ideal County", Principles and Programs for a strong County Government System in Ontario, January 1990.

Town. It was anticipated that the outcome of this study would have a direct impact on the county structure, as the Town had made it clear that it wanted to look at all its options, including separating from the county,⁷⁴ so, the county awaited the outcome of the Hemson Report.

In November 1996, Orangeville held a public meeting to present the conclusions of the Hemson Report. The majority of those who attended this meeting were township residents. On November 25, 1996, following another public session, Orangeville Council passed a motion to adopt the boundaries of the Preferred Urban Growth Management area set out in the Hemson Report and to assist with a county restructuring proposal, particularly the option of separated status for the Town, and to complete negotiations with the County and area municipalities by February 28, 1997⁷⁵. The proposed boundaries, as drawn, would have had the effect of annexing a total of 7,390 hectares comprising a potential urbanisation area of 4,300 hectares and a buffer area of 3,100 hectares, which was seen as providing Orangeville with the necessary area to manage growth in an environmentally and fiscally responsible fashion. The annexed lands would be taken from the townships of East Garafraxa, Amaranth and Mono as well as from the Town of Caledon in the Region of Peel⁷⁶.

Dufferin's response to Orangeville's motion and deadline was to arrange for a meeting with the Heads of Council of the Dufferin area municipalities

⁷⁴ Town of Orangeville, Council Minutes, Motion 108-96, February 19, 1996, p. 42

⁷⁵ Town of Orangeville, Council Minutes, Motion 673-96, November 25, 1996, p. 322.

⁷⁶ Town of Orangeville, *Orangeville Growth Management Strategy*, Newsletter #2, October 1996, p. 3.

abutting Orangeville in order to develop a common strategy to respond to the Hemson Report.⁷⁷ The reaction by the local municipalities, particularly those townships adjacent to Orangeville, who would stand to lose a considerable portion of land and assessment to the Town, was to jointly hire their own consultant to evaluate the Hemson Report. Amaranth Reeve Bob Currie reportedly said that the township councils were “flabbergasted” when the Orangeville studies called for the town to control an additional 7,400 hectares.⁷⁸ Dufferin Council extended an invitation to the Mayor of Orangeville to attend the next County Council meeting in January 1997.

At the January 9, 1997 Council meeting, after hearing delegations from the mayor of Orangeville, the consultant for the affected abutting Townships of Mono, Amaranth and East Garafraxa, and the Planner for the Region of Peel, County Council passed a motion to request Orangeville to defer any decision regarding its growth management strategy for five months to allow the County to carry out an in-depth study of the issues.⁷⁹

The Townships of Mono and Amaranth, through the report of their consultant, The Planning Partnership⁸⁰, did make offers of lands to the Town of

⁷⁷ County of Dufferin, General Government Services Committee Minutes, Motion 8, November 27, 1996, p. 4 (pages not numbered) as adopted in Council Minutes, Motion 96-246, December 12, 1996, p.4 (pages not numbered).

⁷⁸ Wes Keller, “Townships united in opposition”, *Orangeville Citizen*, November 27, 1996

⁷⁹ County of Dufferin, Council Minutes, Motion 97-12, January 9, 1997, p.3 (pages not numbered).

⁸⁰ The Planning Partnership, Report on Local Government, “Annexation in the Headwaters”, p. 8, undated.

Orangeville.⁸¹ Orangeville Council subsequently dealt with the offers, agreeing to accept the lands offered, but making additional requests and concessions and setting out various conditions.⁸² The municipal elections of 1997 were looming and discussion regarding annexation issues went on the back burner. It is interesting to note, as an observer, that “restructuring” was not raised as an election issue.

The topic of restructuring did not come to the fore again until April 1998, when County Council adopted the recommendation of the General Government Services Committee to prepare Terms of Reference for a municipal service delivery and governance review.⁸³ At this time the Mayor of Orangeville, Rob Adams, was the County Warden and he and Orangeville's Deputy Mayor Steve White sat on the General Government Services Committee. Together, this Orangeville duo had 10 out of 26 votes on County Council.

Following discussion and public input at local councils as well as at a countywide public meeting, the Terms of Reference underwent some revisions. Throughout the remainder of the year there was much discussion back and forth about the wording and interpretation of the draft terms of reference. Area municipalities sought revisions and conditions for approval of the TOR. One of the principles set out in the original draft TOR that caused many to question the

⁸¹ Town of Orangeville, Record of Meeting, Joint Study Committee, Mono Township Offices, September 4, 1997, p. 3. and Town of Mono, Minutes – Joint Study Committee, September 4, 1997 p.2.

⁸² Town of Orangeville, Council Minutes, October 6, 1997, Motion 450-97, p. 219-220

⁸³ County of Dufferin, Council Minutes, Motion 98-90, April 9, 1998, p.3 (pages not numbered)

motives of the proponents was “fewer layers of government”. This was clearly an adaptation of the Provincial Guidelines use of the phrase “less government” and in the eyes of some on county council and in the townships; it was evidence of a pre-ordained outcome for a single-tier model of governance. This was not surprising, considering the involvement of the Orangeville representatives in bringing the restructuring issue forward. The offending phrase was eventually removed.

A result of the discussion and discontent among area municipalities was the formation of the Dufferin Ad Hoc Committee in June 1998, through the joint efforts of the Townships of Amaranth, East Garafraxa and Mono. This committee’s goal was to provide a forum for the discussion of issues that were of mutual concern to two or more municipal governments, including the County Council.⁸⁴ It was open to all municipalities in Dufferin and to the public. Participating councils each appointed one member plus an alternate. Orangeville did not participate.

On November 12, 1998 County Council considered a motion, from the General Government Services Committee to “. . . petition the Minister of Municipal Affairs to appoint a Commissioner to undertake a restructuring review within the County of Dufferin for implementation in time for Municipal Elections (regular) in the fall of the year 2000.” After much bitter debate and some questionable procedural wrangling, county council adopted the motion⁸⁵.

⁸⁴ Dufferin Ad Hoc Committee, Presentation to County Council, November 12, 1998, p.2.

⁸⁵ County of Dufferin, Council Minutes, Motion 98-223 as amended by 98-224, November 12, 1998, pp.3-4 (pages not numbered)

In spite of the motion to call a commission and the County's subsequent request to the Minister of Municipal Affairs, the new Warden, Ed Crewson (Mayor of Shelburne) attempted to re-open the discussion with area municipalities in early 1999 to further revise the TOR for a restructuring study. Unable to garner any real support for this effort and having received no response from the Minister of Municipal Affairs regarding the County's request to appoint a commission⁸⁶, the restructuring study was abandoned. In an apparent contradiction of the party line, Conservative MPP David Tilson was not supportive of this request.

The Town of Orangeville Council, frustrated by its geographical constraints and discouraged at the lack of progress in arriving at a solution to its boundary woes, and with the failure of the county attempt to launch a study, decided to undertake its own restructuring study. In April 1999, Solutions North Inc. was engaged to conduct the "Town of Orangeville Local Government Restructuring Review, County of Dufferin".⁸⁷ This study was to look at both single-tier and two-tier models of governance for the County of Dufferin and to make a recommendation as to the best option in accordance with the provincial guidelines. The consultants would obtain financial data from the area municipalities and circulate questionnaires to local councils. Through interviews with municipal staff and politicians they would review service delivery options throughout the county. There would be a number of opportunities for public

⁸⁶ John Creelman, Reeve of the Township of Mono received a letter from the Assistant Deputy Minister of Municipal Affairs and Housing, Paula Dill, on behalf of Minister Leach, dated May 27, 1999 advising that "There are no plans, at present, to appoint a commissioner to restructure local government in Dufferin County."

⁸⁷ Town of Orangeville, Council Minutes, April 26, 1999, Motion 29. p. 132.

input. The managing partner of Solutions North was Bill Rice, who had been a member of the consulting team that conducted the County of Brant's restructuring study. Bill Rice had acted as the facilitator in the final discussions that resulted in a successful agreement for a local restructuring solution in Brant County. The proposal anticipated a presentation for approval to county and lower-tier municipalities by September 30, 1999 with presentations to community groups to follow.

The announcement of the study, in the form of a media release and letters directed to area municipalities and the Town of Caledon advised of the study and invited participation. It was not well received. East Luther-Grand Valley Reeve Richard DeJong commented, "The bottom line is the Hemson report and single-tier, and if no one agrees, they want a commissioner."⁸⁸ Reeve John Creelman of the Township of Mono held similar views commenting that the Orangeville proposal boils down to only two options "abolish or partition. Yet they expect us to participate in the study."⁸⁹

In undertaking the restructuring study, Orangeville believed it was taking responsible steps to ensure its capacity to meet the significant growth pressures it was experiencing, and to address the lack of adequate urban lands with which to accommodate its projected growth and to develop a plan that would look at the county as a whole and not just Orangeville. The area municipalities, particularly those immediately adjacent to Orangeville's boundaries, saw this as yet another

⁸⁸ Wes Keller, "Municipalities disappointed with restructuring proposal", *Orangeville Citizen*, May 12, 1999

⁸⁹ Wes Keller, "Municipalities ...", *ibid.*

act of aggression, another attempt at a “land grab” or “tax grab” consistent with Orangeville’s proposed annexation in the 1996 Hemson Report. The Township of Amaranth responded by withdrawing its annexation offer.⁹⁰

All the area municipalities, with the exception of the Town of Shelburne, agreed to establish and participate in a Joint Study Committee. An invitation to participate was extended to Orangeville but the invitation was not accepted.⁹¹ The newly erected Town of Mono and the local townships engaged The Planning Partnership to conduct a parallel study. In the meantime, Solutions North consultants continued to gather data for the Orangeville restructuring study.

In June 1999, all area councils were invited to a meeting to hear a presentation by the Solutions North consulting team to explain the review process and provided an opportunity to area councillors to ask questions and provide input. Following the meeting, Mono Mayor John Creelman commented, “As long as the county is trying to dominate it, or the town of Orangeville is trying to dominate it, it ain’t gonna work.”⁹²

The Solutions North consultants, on behalf of Orangeville, circulated two different questionnaires, one to the area municipalities to gather information about the costs of service and methods of delivery and one to each local council to seek comment and opinions on service delivery options and governance structure. The area councils declined to complete the questionnaires with

⁹⁰ Town of Orangeville, Council Minutes, May 31, 1999, p. 160.

⁹¹ Town of Orangeville, Council Minutes, Motion 4, June 28, 1999, p. 205.

⁹² Travis Mealing, “Local officials hold out hope for Dufferin restructuring solution”, *The Banner*, Orangeville, June 12, 1999.

respect to the more subjective aspects of the questionnaire but replies were received from some individual councillors. Municipal staff provided the hard data on services and costs⁹³. The Planning Partnership attended a number of council meetings throughout the summer to obtain input from their various client municipalities. Their meetings with the Township of East Luther-Grand Valley and the Township of Amaranth in July and August respectively received newspaper coverage. The articles tended to explain the proposed processes and to reflect comments and suggestions of the local council members which would be taken into consideration in their final report. Consultant Carolyn Kearns warned "Don't restructure to save money. You'll never get the amount you want. There have to be other reasons⁹⁴." Concerns were expressed about the relative size of Orangeville compared to the other municipalities and the representation problems it creates because the continued growth of Orangeville will bring it closer to having half the votes at county council⁹⁵. These concerns were quite valid given that Orangeville already had 10 out of 26 votes as it was.

The Planning Partnership, represented by Mr. Robert Lehman made a presentation to Orangeville Council in late September and circulated copies of their first two newsletters in which six different scenarios were suggested for the restructuring of Dufferin County. Aside from a single-tier option, all of the other variations left Orangeville's boundaries untouched. When asked why no

⁹³ William A. Rice, Solutions North Inc., Progress Report to Mayor Adams, August 25, 1999.

⁹⁴ Wes Keller, "More reasons needed than saving money", *Orangeville Citizen*, July 28, 1999

⁹⁵ Wes Keller, "Update on township restructuring", *Orangeville Citizen*, August 18, 1999

changes were contemplated to Orangeville's boundaries in this study, Mr. Lehman responded that annexation is a different issue and that he could not propose a boundary that changed from one option to another or propose a fixed boundary⁹⁶. Orangeville Council was dismayed and frustrated by The Planning Partnership's apparent lack of consideration of Orangeville's need to expand its boundaries to accommodate growth. Mr. Lehman was reported in a local paper as saying "The expansion required by Orangeville is not enough to justify taking over another municipality⁹⁷."

On October 4, 1999, Solutions North Inc presented their study findings to Orangeville Council. Two options were presented: a modified three-municipality county centred around the urban settlement areas of Orangeville, Shelburne and Grand Valley; and one amalgamated single-tier municipality. The consultants identified the single-tier option as their preferred choice with a projected savings of \$1.3 million. Orangeville Council subsequently held two public information sessions, one in Orangeville and another in Shelburne for the purpose of input and comment. Council also directed that this input be referred to a joint meeting with County Council and all lower-tier councils and finally, returned to Orangeville Council for disposition on November 22, 1999⁹⁸.

An editorial in one of the local papers sums up the reaction best.

"At public meetings this week to gather input on the Orangeville study, many rural politicians quibbled over the details of

⁹⁶ Town of Orangeville, Council minutes, September 20, 1999, pp. 294

⁹⁷ Wes Keller, "Rural restructuring options aim at cutting town's power", *Orangeville Citizen*, September 14, 1999.

⁹⁸ Town of Orangeville, Council minutes, Motion 25, October 4, 1999, pp. 335-336.

the report. They brought up issues like the location of public works yards and garbage pickup costs.

However, almost without exception their concerns dealt with the modified two-tier option, not the single-tier system of government recommended by the consultants. On that subject, most were silent.⁹⁹

In another account Mono Mayor John Creelman stated, "Government is more than a business, more than bean counting. I'm saddened that you take a viable municipality and treat it as nothing more than a goose that laid the golden egg¹⁰⁰."

Meetings held in Shelburne and in Orangeville drew no more than 35 or 40 people¹⁰¹. This author's personal observation is that most of those present were municipal staff and area politicians, not members of the public. One report noted that "Concerns over the Dufferin County restructuring proposal . . . boil down to one thing – the perceived urban ignorance of rural issues¹⁰²." Was it just a matter of "perceived urban ignorance" or was it an excuse to reject the single-tier option to prevent a perceived urban takeover?

The apparent lack of interest in the Solutions North information meetings contrasted with those held for The Planning Partnership presentations. Three public open house meetings were held at separate locations in Grand Valley, Mulmur and Mono between September 29 and October 5, 1999 and were better attended. The general nature of the concerns expressed related to a desire to

⁹⁹ "It's time to put aside differences", *The Banner*, Orangeville, October 9, 1999.

¹⁰⁰ Travis Mealing, "Rural areas feel study ignores their needs", *The Banner*, Orangeville, October 9, 1999.

¹⁰¹ Mealing, "Rural areas..", *ibid.*

¹⁰² Mealing, "Rural areas..", *ibid.*

retain their rural identity and the feeling that they had a good financial position and good government. Mayor Creelman was reported as saying that municipalities have to stick together if they are to have any chance of surviving and that he could see an agreement with the other municipalities but not with Orangeville¹⁰³.

During this period the Town of Mono and the Township of Mulmur were having discussions about the possibility of amalgamating. Commenting on the proposal, Councillor David Baldwin of Mono said that Mono and Mulmur would represent a strong rural community.¹⁰⁴ Although the issues were being debated in the newspaper on an ongoing basis, the release of the results of the parallel study by The Planning Partnership on November 15, 1999 further polarized the two sides of the debate. This debate would have a very public forum at the joint meeting of County Council, all local councils and the public, where both the Solutions North and The Planning Partnership consultants would present their respective study results on November 25th.

Approximately 250 people attended the public forum at Centre Dufferin District High School in Shelburne for the presentation of the two studies and to hear the recommendations of the consultants. The Planning Partnership recommended a two-tier system with amalgamations to form either three or four

¹⁰³ Staff Notes (Orangeville) of comments and discussion at meeting held in the Town of Mono at Monora Pavillion on October 5, 1999.

¹⁰⁴ Shiela Duncan, Rural Restructuring recommendation to be released at Amaranth meeting", *Orangeville Citizen*, October 20, 1999.

municipalities with no expanded boundaries for Orangeville¹⁰⁵, while Solutions North recommended the single-tier option¹⁰⁶. Concerns raised during this public forum included questions about Orangeville's growth and its need for growth; representation issues and the possibility of Orangeville dominating the decision making in a single-tier system and protection of the rural quality of life¹⁰⁷. From this author's personal observation the majority of opinion supported a modified two-tier system.

A County Council meeting to finally take a vote on the restructuring options was scheduled for December 9, 1999 but the Town of Mono was going to have one last organized attempt at affecting the outcome of the restructuring decision. A meeting was held on December 3rd at the Orangeville Fairgrounds that was attended by more than 600 concerned ratepayers. The Orangeville Citizen reported, "The response was overwhelming for a two-tier system of government as opposed to a single-tier, and for the amalgamation of Mono and Mulmur".¹⁰⁸ Said Mayor John Creelman after a show of hands, which reflected the overpowering support for a two-tier option, "We have tried to influence the process and I think we will".¹⁰⁹ The rural municipalities were also receiving help

¹⁰⁵ The Planning Partnership with Enid Slack Consulting Inc. and The Randolph Group, "County of Dufferin Local Government Restructuring Study", November 1999, Page 32.

¹⁰⁶ Bill Rice and Bob Foulds, "A Review of Local Government in Dufferin County", prepared for the Town of Orangeville by Solutions North Inc. and Harvan Consulting, September 30, 1999, p. 56.

¹⁰⁷ County of Dufferin, Restructuring Information Meeting, (summary of questions) November 25, 1999, pp. 1-8.

¹⁰⁸ Shiela Duncan, "600-700 turn out to voice support for two-tiers", *Orangeville Citizen*, December 8, 1999.

¹⁰⁹ Duncan, "600 – 700" *ibid*.

from the sidelines from the MPP for Dufferin Peel Wellington Grey, David Tilson who was strongly opposed to a single-tier Dufferin.

On December 6, 1999, Orangeville Council in a recorded 4 – 3 vote, narrowly passed a motion to adopt a single-tier municipality for the County of Dufferin¹¹⁰. Three days later the Council of the County of Dufferin met to decide its restructuring options. After much heated debate on the issue of restructuring, and amidst some procedural manoeuvres and variations of motions made and lost, County Council passed a motion to create a single-tier municipality for Dufferin County¹¹¹. All that was left now was for the area municipalities to make their determination of a preferred restructuring option to complete the triple majority requirement. Ultimately, only Orangeville, Shelburne and East Garafraxa Councils voted in favour of the single-tier amalgamation. The triple majority test was not met and on December 20, 1999 the Orangeville Clerk wrote the Minister of Municipal Affairs and Housing to request the appointment of a Commissioner to “. . . consider the options and recommend a governance model for Dufferin County . . .”¹¹² The Minister’s reply two months later stated, “. . . I believe at this time the establishment of a restructuring commission would not be appropriate¹¹³.” The rural municipalities rejoiced at this turn of events and

¹¹⁰ Town of Orangeville, Council minutes, Motion 9, December 6, 1999, p. 390-391.

¹¹¹ County of Dufferin, Council minutes, Motion 99-320, December 9, 1999, p. 11-15.

¹¹² Linda J. Dean, Town Clerk, Town of Orangeville, Letter to The Hon. Tony Clement, Minister of Municipal Affairs and Housing, December 20, 1999.

¹¹³ Tony Clement, Minister of Municipal Affairs, Letter to Mayor Rob Adams, Orangeville, February 10, 2000.

Dufferin had once again “dodged the bullet”, resisting yet another restructuring attempt. The status quo would be maintained.

Conclusions

Restructuring in Dufferin County was driven principally by the Town of Orangeville’s need for lands to accommodate growth. Through its Growth Management Study in 1996, Orangeville sought to expand its boundaries to accommodate growth pressures. In 1998, Orangeville indirectly attempted to initiate a review of governance that would allow room to grow, through the County’s proposed Terms of Reference. In 1999, through its county wide restructuring study, Orangeville endeavoured to address its need to expand its urban boundaries through the proposed single-tier amalgamation recommended by the Solutions North study. In every attempt, Dufferin’s constituent municipalities rebuffed Orangeville’s need to plan for and suitably accommodate growth.

It appears that in the case of Dufferin, the usual amalgamation arguments about cost savings and economies of scale, which were alternately embraced and condemned in the final two studies, were secondary to the rural communities’ concerns about an Orangeville takeover. The rural municipalities’ opposition to any further “land grabs” by the Town of Orangeville was strong enough to thwart any attempts to expand its urban envelope either by way of annexation or amalgamation.

V Analysis and Conclusions

In analysing the restructuring processes in Brant and in Dufferin, one must keep in mind the context in which the amalgamation discussions occurred. The pressure to restructure municipalities in Ontario was coming from the province. As has been shown in the literature, municipalities are only creatures of provincial statute in Canada¹¹⁴, and have no protection from the whim of the provincial governments in regards to their functions, resources and structure¹¹⁵. A review of the restructuring history in Brant and Dufferin, indeed all of Ontario, shows that the province has consistently put pressure on county governments to initiate restructuring discussions with its local municipalities.

There are a number of interesting parallels in the Brant and Dufferin experiences¹¹⁶. Both counties had managed to fend off previous attempts to reorganize the county structure. Both had strong champions fighting against the proposed countywide amalgamations. In Brant, Paris Mayor Jack Bawcutt "went to the wall" to defend Paris's identity and autonomy, to the point of retaining a consultant to look at separated town status. In Dufferin, Mono Mayor John Creelman was instrumental in retaining a consultant to conduct a coincident study on behalf of the rural interests to counter the Orangeville study. The rural townships of Dufferin were concerned about the threat to their lifestyle by the larger urban population, while Paris residents were worried that their urban concerns would not receive sufficient attention in a predominately rural single-

¹¹⁴ Tindal, *Local Government in Canada*, op.cit. p. 9

¹¹⁵ Sancton, *Governing Canada's City Regions*, op.cit. p. 8

¹¹⁶ See Appendix 1 for a chart showing the comparisons between Brant and Dufferin.

tier. One can observe that both counties had similar concerns related to the urban/rural split.

Both Brant and Dufferin had Conservative MPP's who were involved and interested in the amalgamation process. The two MPP's from the Brant/Brantford ridings were supportive of restructuring, in particular the single tier model. The Dufferin area MPP was not supportive of a single tier model and expressed these views to the Minister of Municipal Affairs.

Relationships were strained among the politicians on both county councils and among the area municipalities. Anger and frustration were evident with regard to how county council pushed through the single-tier option, in both cases raising questions about procedure. There was an atmosphere of acrimony, disharmony and distrust. Under these conditions, it is not surprising that agreement was not reached in Dufferin. It is surprising, however, that under the same acrimonious conditions, Brant municipalities did eventually come to an agreement on a governance model. This would tend to show that the relationships between area municipalities, while important, are not the determining factor in coming to amalgamation agreements.

Consistent in both cases was the threat of a commissioner being appointed to impose a restructuring solution. Brantford Mayor Chris Friel threatened to request a commissioner several times in order to become involved in the County's restructuring options. He was a very vocal proponent of a Brantford/Brant amalgamation. In the case of Dufferin, the "threat" almost became a reality with two separate requests to the Minister of Municipal Affairs to

appoint a commissioner.

The prevailing concern observed in the Brant situation was the fear of being taken over by the predominant urban municipality, the separated city of Brantford. This was a justifiable concern considering Brantford's "hole-in-the-donut" status, its history of annexation applications, as well as the uncertainty of future expansion pressures once the annexation moratorium agreement expired. In Dufferin too, the concern of the rural municipalities' towards the possibility of being absorbed into Orangeville, its predominant urban municipality, is evident. This too, is a valid concern based on the history of Orangeville's annexations; its preferred growth management study option; the indirect move to push a governance review via the County; and of course, Orangeville's most recent countywide restructuring study which culminated in a proposal for a single-tier governance model for Dufferin.

The foregoing suggests that the same feature, the predominance of a large urban municipality, and the threat of being assimilated by it was the determining factor in the restructuring decisions of both Brant and Dufferin. The loss of one's identity is a fear that troubles human beings both individually and collectively. Star Trek creator, Gene Roddenberry, was obviously familiar with that basic human fear when he created the "Borg"¹¹⁷ storyline as a recurring theme in the Star Trek episodes. What is interesting is that these same concerns lead to opposite outcomes on the decision of whether to amalgamate or not.

¹¹⁷ In *Star Trek* episodes "The Borg" was a "collective" of members who were part human, part machine and were known only by numbers. Their mission was to overwhelm and assimilate into the collective, all individuals and worlds it encountered in its travels through space. Individual traits and thoughts were absorbed into collective and members acted not as individuals but as part of the collective machine.

In the case of Brant, the City of Brantford was not a constituent municipality and therefore was not at the table during the restructuring discussions. Since they were not part of the negotiations, the Brant municipalities easily shut Brantford out, and ultimately emerged as a new single-tier municipality that would be stronger and better able to deal with the city's anticipated annexation advances. In Dufferin, Orangeville was not only at the table, but it was the driving force behind the restructuring agenda. The only defence the rural municipalities had in Dufferin, was to join together to prevent the single-tier proposal from getting the required triple majority - and this they were able to do.

All of this suggests that the loss of identity associated with municipal mergers, the assimilation of individual communities and the blurring of their distinct characteristics into one homogenous mass, is the most significant factor in determining the outcome of local amalgamation decisions. Whether it works in favour of consolidation or against it, depends upon whether the dominant municipality is a bona vide member of the decision making group or not. Thus, one would conclude that local solutions to amalgamate would most likely occur, among similar municipalities who share communities of interest.

The final chapter in the stories of Brant and Dufferin has yet to be written. Today, there are renewed concerns in Brant about a city/county merger as the expiration date of the Brantford annexation moratorium agreement approaches. Orangeville's boundary constraints have not been addressed and it continues to experience significant growth pressures. These situations will eventually result in

further efforts to expand urban boundaries and has the potential to re-open the governance issues in both Brant and Dufferin. The conclusions drawn from this research would suggest that while agreement may be reached for some minor tinkering of boundaries, any wide scale amalgamation or annexation is unlikely to occur, without some level of provincial intervention.

Appendix 1

**COMPARISON
BRANT AND DUFFERIN**

Feature	County of Brant	County of Dufferin
Population	30,000	50,000
Population of Largest Urban Municipality Within County	Paris – 10,000	Orangeville – 26,000
Population of Dominant Municipality	Brantford – 80,000	Orangeville – 26,000
History of Previous Annexations	By Brantford	By Orangeville
Result of prior provincially driven county governance initiatives	Avoided change	Avoided change
Initiator of Restructuring Discussions	County	Orangeville
Consultants	ESI Consulting Inc. Allan Hope, Ron Sandrin-Litt <i>Bill Rice</i>	Solutions North Inc. <i>Bill Rice</i> , Bob Foulds, Hugh Thomas
Role of MPP's	Interference by PC MPPs Johnson/Peters – Favour single-tier	Interference by PC MPP Tilson – opposed to single-tier
Relationships with County/Area municipalities	Acrimony, Distrust	Acrimony, Distrust
Threat of Commissioner	By Brantford – no request	By County and by Orangeville – two requests
Primary Source of Opposition - Champions	Urban Paris Mayor Jack Bawcutt, Paris	Rural municipalities Mayor John Creelman, Mono

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