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File No. 15-1377

March 24, 2016

Via Email

Elaine Wagner, Chief Clerk
Nova Scotia Utility and Review Board
3rd Floor, Summit Place
1601 Lower Water Street
Box 1692, Unit "M"
Halifax, Nova Scotia B3J 3S3

Dear Ms. Wagner:

**Re: Proposed Amalgamation – Application by Municipality of the County of Pictou,
Towns of New Glasgow, Pictou and Stellarton - MB-15-05/M07050
Post-Hearing Submissions on Behalf of the Province of Nova Scotia**

Please accept this letter as the post-hearing submission filed on behalf of the Honourable Zach Churchill, Minister of Municipal Affairs for the Province of Nova Scotia (the "Province").

The Province's Position on the Merits of the Application

The Province is dedicated to working with municipalities to build efficient, sustainable local government for their citizens.

The Province fully supports the application made by the Municipality of the County of Pictou, together with the Towns of New Glasgow, Pictou and Stellarton (together the "Applicants") for an order for amalgamation from the Nova Scotia Utility and Review Board (the "Board") and confirms the submission of the Applicants at paragraph # 6 of their submissions dated March 18, 2016 (the "Applicants' submissions").

Effect of the Letter of Intent

The Province filed, with the Board, a Letter of Intent dated February 5, 2016 (Exhibit P-28). The Letter of Intent represents the Province's agreement with the Applicants to provide transitional funding of more than \$27 million over five (5) years to assist with the costs of the proposed amalgamation in the event that amalgamation is ordered by the Board.

With respect to paragraphs 19 – 25 of the Applicants’ submissions, the Province concurs with and supports the view that the Province’s financial commitments to the Applicants (as evidenced by the Letter of Intent) would be fulfilled in the event that amalgamation is ordered by the Board. Further, that the Province’s intention is that if the Letter of Intent is incorporated into an Order of the Board, it will be legally enforceable.

The Plebiscite

The Applicants seek to hold a plebiscite in the event that the Board finds that amalgamation is in the best interests of local residents in accordance with the test outlined in section 363 of the *Municipal Government Act*.

From paragraph 125 of the Applicants’ submissions, the Province understands that in the event that the Board finds that amalgamation is not in the best interests of local residents based on the evidence before it, the Applicants do not intend to proceed with the plebiscite for practical reasons.

The Province concurs with and supports both points of view.

Governance During the Transition Period

With respect to the issue of governance during the transition period (in the event that the Board approves the amalgamation), the Province concurs with and supports the proposed transitional governance structure that is outlined in the Applicants’ submissions at pp. 15 – 19 under the title “Governance during the Transition Period”.

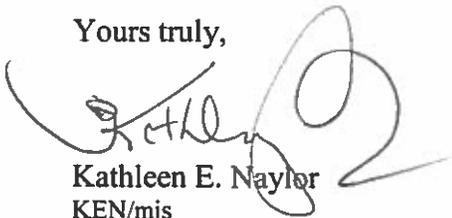
With respect to paragraph 17 of the Applicants’ submissions on the provisions of the Proposed Order, the Province submits that the appointment of the Transition Manager should be with the agreement of the Province.

Governance of the Amalgamated Municipality

With respect to the question of the Board’s jurisdiction to make an order for a governance structure that includes a Mayor (rather than a warden), the Province fully supports and concurs with the Applicants’ submission at paragraph 108 that the Board does this jurisdiction under its broad powers pursuant to subsection 363(2)(e) and (f).

All of which is respectfully submitted,

Yours truly,



Kathleen E. Naylor
KEN/mjs

cc: Client
Hearing Participants (M07050)