

OMB waiting game begins for Hastings Highlands

By Sarah Sobanski

Hastings Highlands needs an answer to whether it will be voting at-large in 2018 by Dec. 31, but Ontario Municipal Board hearing chair Hugh Wilkins told the municipality it could be waiting longer than that.

The board hosted a hearing at the Hastings Highlands Community Centre Nov. 7 and 8 to hear residents' concerns about council's recent decision to vote at-large in the election next year. Voting at-large means ratepayers can vote for election candidates from anywhere within the municipality, instead of just for those running within their ward. Wilkins said the OMB would try to have its decision on the municipality's at-large bylaw before the end of the year ? but nothing was guaranteed.

Regardless of if the OMB lets council's at-large bylaw stand or repeals it, if it decides in the new year, the bylaw won't have come into effect before the election year. A municipality can't change its electoral process during an election year.

Over the course of the two-day hearing, appellant and former mayor, Brent Dalgleish, and the municipality's lawyers, Jennifer Savini and Samantha Foster from Belleville's Templeman Menninga LLP Municipal Group, debated if council had taken due care to get input from the public on its decision to vote at-large, given proper public notice and made the right decision for the municipality. In December 2016, council was petitioned on voter parity between its three wards. Each ward has two representatives elected to council while one ward has a significantly smaller population than the others ? that means votes weigh more in one ward than the others.

Council passed an at-large voting bylaw in 2017 to fix the issue. Dalgleish petitioned the OMB against this decision.

There were 43 exhibits of evidence in the hearing between witness statements and other documents such as newspaper clippings on the hearings and notices of public meetings. Just less than 30 Hastings Highlands residents acted as participants in the hearing to provide their statements and discuss what they thought was best.

Hastings Highlands CAO Pat Pilgrim was the first witness to come before the board. She presented evidence that there were 10 public meetings held by the municipality discussing options to change the way council was elected to fix the municipality's voter parity.

There was also a survey conducted for residents to share their thoughts on what they thought the municipality should do.

Savini earlier reiterated that remaining status quo with the ward system ? the most popular option among ratepayers who replied to the municipality's survey ? didn't solve the issue of voter parity.

Speaking personally and not as a representative of council, Councillor Alex Walder noted in day two of the hearing that a response from a ratepayer to maintain the status quo was not a vote for wards.

?It means you guys are doing a good job, we're not interested in discussing change,? said Walder.

Dalgleish said he understood that voter parity needed to be resolved in Hastings Highlands and that the current ward system had to change ? so status quo didn't work. But he called having status quo as an option on the municipality's survey misleading.

He debated that at-large didn't give voters effective representation and that with more time, council could fix voter parity another way ? such as realigning the ward boundaries to fix the population discrepancy between wards or having the ward with the lowest population only elect one councillor.

Wilkins asked Dalgleish if he understood that the OMB didn't have the jurisdiction to tell council which option it should use to fix voter parity, only that if council took proper considerations before deciding to vote at-large.

Former councillor Lorraine Fell, who sat with Dalgleish at the hearing, read a statement from Deputy-mayor Gregg Roberts who couldn't attend ? he too was speaking on his own behalf and not as a councillor. He said the decision was rushed as council had 90 days to respond to the original petition.

Dalgleish said at-large didn't ensure effective representation because council could be stacked from one area over the next. A ratepayer who participated countered this by offering that councillors in the current council were already elected to wards they didn't reside in.

The majority of those attending the hearing seemed to be in favour of the at-large voting decision.

Active political commentator Bill Cheshire said, ?I don't know if at-large voting is going to save this, I know that I will be much happier. There's about a dozen folks that regularly go to council meetings [here]. Interesting fact: all of these folks are in favour of this change.?

Dalgleish would later suggest three quarters of the participants that attended the hearing had ties to the original petitioners. He suggested many ratepayers concerned with the issue of how council had handled its voter parity issue would have been there but they were ?snowbirds? and had flown to Florida and warmer centres for the winter.

Walder countered Dagleish's argument that residents and area snowbirds didn't have a chance to hear of the municipality's public meetings or vote by saying that he had recently spoken to a man from England, with a cottage in the area, who read a story on Hastings Highlands council in *Bancroft This Week*.

- *With files from Nate Smelle*