

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF an application by the TOWN OF PARRSBORO for a Preliminary Order for the Dissolution of the Town

BEFORE:



Roberta J. Clarke, Q.C., Member

David J. Almon, LL.B., Member

Kulvinder S. Dhillon, P.Eng., Member

PRELIMINARY ORDER

WHEREAS the Town of Parrsboro ("Town") filed an application with the Nova Scotia Utility and Review Board ("Board") on October 5, 2015, for a Preliminary Order for the dissolution of the Town;

AND WHEREAS the Board published a Notice of Hearing for a Preliminary Order in **The Citizen Record** on October 21, 2015, the **Amherst News** on October 23, 2015, and in the **Chronicle Herald** on October 24, 2015, advising that the Hearing for a Preliminary Order would be held at the Royal Canadian Legion, Branch 45, 56 Moore Street, Parrsboro, Nova Scotia, on Monday, November 9, 2015, to determine, among other matters, which studies should be prepared with respect to the application;

AND WHEREAS the Notice of Hearing for a Preliminary Order also invited persons wishing to be granted formal standing to call witnesses or to cross-examine

witnesses at the hearing of the above application to file a request with the Board not later than November 2, 2015;

AND WHEREAS an application for formal standing was filed by the Minister of Municipal Affairs (“Minister”);

AND WHEREAS no one objects to the requests for formal standing by the Minister;

AND WHEREAS David Christie requested formal standing in this proceeding at the hearing;

AND WHEREAS the Town and the Minister object to David Christie’s request for formal standing;

AND WHEREAS the Board finds that David Christie has not demonstrated he has a real and substantial interest in the subject-matter of this proceeding;

AND WHEREAS the Board is satisfied that the Municipality of the County of Cumberland (“Municipality”) is entitled to formal standing in this proceeding;

AND WHEREAS the Board canvassed the parties at the hearing with respect to the preparation of studies to be conducted in advance of the hearing on the merits of this application, as well as the scope and costs of such studies and a timeline for the filing of the studies;

AND WHEREAS the Board issued a letter of direction on November 13, 2015, respecting this proceeding, including the preparation of studies;

IT IS HEREBY ORDERED, pursuant to Section 398 of the *Municipal Government Act*, that:

1. The Town is proposing to dissolve;

2. The area proposed to be dissolved is described on the attached Schedule A;
3. The Minister and the Municipality are hereby granted formal standing to participate in the hearing of the application and, in particular, to present evidence, call witnesses, and cross-examine witnesses;
4. David Christie is denied formal standing;
5. The Board directs that evidence will be prepared in advance of the hearing on the merits on the following issues, subject to any direction contained in the Board's letter dated November 13, 2015:
 - (a) Financial Impact on the Town (if not dissolved);
 - (b) Financial Impact on the Municipality of the County of Cumberland (if Town dissolved);
 - (c) Financial Impact on the Province and on taxpayers/residents of the Town and of the Municipality in the event of either scenario (property tax/area rates);
 - (d) Governance of the water utility;
 - (e) Impact on cost/service delivery for: fire services, policing, solid waste collection and disposal, wastewater and stormwater, and streetlighting;
 - (f) Impact on roads, streets and sidewalks;
 - (g) Impact on by-law and planning services;
 - (h) Governance;
 - (i) Impact on equalization;
 - (j) Social impact on residents including recreation, library, schools, community organizations and events;
 - (k) Impact on Deed transfer tax;
 - (l) Transfer of assets and liabilities, including Town properties;
 - (m) Human Resources;
 - (n) Other Boards and commissions;
 - (o) Transitional issues; and
 - (p) Any other issues the Board considers relevant.

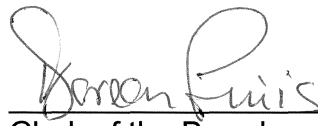
6. The costs of the studies prepared on behalf of the Town shall be borne by it;
7. The costs of any studies prepared on behalf of the Board shall be borne by the Town;
8. Any studies conducted in this matter shall be prepared using figures for the year ending March 31, 2015.

IT IS FURTHER ORDERED that the following timetable will apply to this proceeding:

Hearing for a Preliminary Order	Monday, November 9, 2015
Formal Intervenor's List/Order issued by Board	Friday, November 13, 2015
Town filing of studies requested by the Board	Tuesday, December 22, 2015
Information Requests (IRs), if any, to the Town	Monday, January 18, 2016
Responses by Town to IRs	Monday, February 1, 2016
Intervenor's to file evidence	Friday, February 19, 2016
Board consultant(s) to file evidence	Friday, February 26, 2016
Supplementary IRs, if any, submitted by all parties	Monday, March 7, 2016
Responses to Supplemental IRs	Monday, March 14, 2016
Filing of Rebuttal Evidence	Monday, March 21, 2016
Deadline for filing of Letters of Comment by the Public and Requests to speak at the Evening Session	Wednesday, March 23, 2016
Filing of witness lists	Wednesday, March 23, 2016
Start date for the Hearing, commences at 9:30 a.m.	Wednesday, March 30, 2016
Evening Session (Town)	Wednesday, March 30, 2016
Evening Session (Municipality)	Thursday, March 31, 2016

AND IT IS FURTHER ORDERED that a Notice of Public Hearing be given by advertisement in The Citizen Record on Wednesday, February 10, 2016; the Amherst News on Friday, February 12, 2016; and The Chronicle Herald on Saturday, February 13, 2016; and posted at the Parrsboro Town Office and the Cumberland Municipal Office and to the respective websites.

DATED at Halifax, Nova Scotia, this 13th day of November, 2015.

A handwritten signature in cursive script, appearing to read "Sharon Fuis", is written above a horizontal line.

Clerk of the Board

SCHEDULE "A"

The Boundaries of the Town of Parrsboro shall be as follows:

Beginning at the shore of Minas Basin on the east line of the land formerly owned by the late Thomas Dickson, thence following the East line northerly until the line comes to the south line of the 1,000 acre Pettis Grant, thence easterly following the course of the south line of the Pettis Grant, to the West Bank of Partridge Island River; thence down the said River following the west bank thereof to the south side of the Swan Creek Road so called; thence following the Swan Creek Road in an easterly direction and across the North East corner of a lot of land granted to E. D. Ratchford containing 125 acres, until the line comes to the East line of the Ratchford Grant and also a reserved road marked upon the Crown Grant Plan; thence following this road and the East line of the said Ratchford Grant southerly to the south east corner thereof; thence Westerly following the road and the south line of the Ratchford Grant, and a prolongation thereof to the north west corner of the Captain John Fraser 500 acre grant; now known as the Brodrick lands; thence following the west line of the Brodrick lands in a south westerly course to the shore of Minas Basin; thence along the shore of Minas Basin westerly following the various courses thereof across the mouth of Partridge Island River, and continuing the course of the shores of Minas Basin to the Place of beginning.