

# Saanich rivals for mayor in legal clash over stand on amalgamation



Saanich candidates for mayor Fred Haynes, left, and Richard Atwell  
Photograph By Times Colonist

With the question of studying amalgamation on the election ballot in Saanich next month, a dispute between two mayoral candidates on where they stand has turned into a legal battle.

Saanich Coun. Fred Haynes, who is running against Mayor Richard Atwell, is saying he's open minded on the issue and suggests in his campaign literature that the mayor is biased in favour of amalgamation.

***article continues below***

A question about whether amalgamation should be studied will be before voters in the Oct. 20 municipal election.

In his campaign literature, Haynes says: "Unlike [Mayor] Richard Atwell, I

have never been a director of Amalgamation Yes. I have an open mind.” Amalgamation Yes has been lobbying to amalgamate Greater Victoria municipalities.

“It’s factually incorrect,” Atwell said of the Haynes campaign claim.

“I’ve asked it to be corrected and find out where the material is going. We’re in an election process where false or misleading information can have a big impact on the results.”

“My consistent position from the beginning is that there should be a provincial study. I’ve always wanted a provincial study [on amalgamation],” he said.

On Sept. 7, Atwell’s lawyer Robin Gage sent a cease-and-desist letter to Haynes, asking his campaign to stop the distribution of material with false or misleading statements, and take steps to remove any such information from circulation.

“To be clear, Mayor Atwell is not now nor has he ever been a director of Amalgamation Yes or any related society or organization,” the letter said.

The Haynes campaign said its position is “that the information is not false and misleading.”

B.C. Registry Services documents searched by the Times Colonist appear to contradict the mayor.

Documents show “director information as of June 15, 2013” naming Attwell [sic], Richard, with his correct address, as one of 15 named directors.

“It’s a mistake,” said Atwell. “I simply didn’t participate in that, that’s the truth of it.”

A June 16, 2013, Amalgamation Yes press release announced the election

of officers at its June 15 inaugural meeting and has this listing: “Nominating committee, Richard Atwell (two years), Karen Harper (two years) and Gregg Meiklejohn (one year).”

Atwell said despite the legal documents and press release, “I never stood as a director of the organization.” He said he attended the inaugural meeting out of curiosity.

He agreed that he likely purchased a \$10 membership — “I think I did do that” — at the inaugural Amalgamation Yes meeting, and that he accepted when asked to help out on the nominating committee to set up the following year’s elections.

“That was the one and only meeting I attended,” said Atwell. “I didn’t sign up as a director, get elected as a director, I didn’t even participate the following year with the nominations.”

He was elected mayor in November 2014.

Atwell solicited letters from the group’s then president Susan Jones and then vice-president John Vickers, who confirmed via email the mayor’s assertion he was never a director. Current president Shellie Gudgeon said the same via email.

Earle Anthony, secretary of Amalgamation Yes from the inaugural meeting June 2013 until June 2018, explained Amalgamation Yes is the business name for the Capital Region Municipal Amalgamation Society.

He recalled that Atwell bought the group’s \$10 membership. “Richard is a member — once you join for \$10 you are member for life until you get kicked out or resign. He has not resigned as far as I know.”

However, Anthony said Atwell was not a director: “He didn’t stand for the board and he was not elected to the board. Since the 2013 initial meeting, he has never served on the board.”

Anthony confirmed that at the group's inaugural meeting, Atwell agreed to help with the next year's nomination committee but didn't fulfil that role.

On the Oct. 20 municipal election ballot, Victoria and Saanich will ask voters: "Are you in favour of spending up to \$250,000 for establishing a Citizens' Assembly to explore the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria?"

[ceharnett@timescolonist.com](mailto:ceharnett@timescolonist.com)

© Copyright Times Colonist

**You Might Be Interested In**