

Saanich mayor's name on Amalgamation Yes director list 'a mistake'



Saanich Mayor Richard Atwell, left, who is being challenged in the Oct. 20 election by Saanich Coun. Fred Haynes.

A lawyer says his office mistakenly listed Saanich Mayor Richard Atwell as a director of Amalgamation Yes in 2013 — an issue that has entangled Atwell and another mayoral candidate in a legal battle.

James Legh of Stevenson, Luchies and Legh law firm said Atwell's name appeared as a director of Amalgamation Yes in 2013 in a B.C. Registries document because a member of his office staff (who no longer works for him) incorrectly transcribed the minutes of the society's initial meeting.

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“No one noticed and most people didn’t care when this happened,” said Legh in an interview. “The bottom line is he was never a director. The office did sign a piece of paper that said he was a director and that was a mistake.”

The information has been corrected but the process of having it filed and approved isn’t anticipated to be completed until weeks after the election, said Legh.

The issue has become political because of a question about amalgamation on the Oct. 20 municipal election ballot. Mayoralty challenger Coun. Fred Haynes suggests in his campaign literature that the current mayor is biased in favour of amalgamating Saanich and Victoria.

“Unlike Richard Atwell, I have never been a director of Amalgamation Yes. I have an open mind,” reads his campaign pamphlet.

Amalgamation Yes has been lobbying to amalgamate Greater Victoria municipalities.

On Sept. 7, lawyer Robin Gage sent a cease-and-desist letter to Haynes, declaring Atwell is not now nor has he ever been a director of Amalgamation Yes or any related society or organization.

The letter asked Haynes’ campaign to stop distributing material with false or misleading statements, and to take steps to remove any such information from circulation.

But on Sept. 20, the Haynes campaign refused, citing a document from B.C. Registries that shows “Attwell [sic], Richard,” with his correct address, as one of 15 directors as of June 15, 2013.

Atwell said he bought a \$10 membership at the founding Amalgamation Yes

meeting — the business name for the Capital Region Municipal Amalgamation Society — and was asked to volunteer on a nomination committee the next year, but never did.

Board members at the time and the recently retired secretary of Amalgamation Yes from 2013 to 2018 confirmed Atwell's account.

“[Haynes] is the only person that thinks it's correct,” said Atwell. “He's 100 per cent wrong. He's trying to make hay and it's a really bizarre situation and he's dug his heels in,” Atwell said.

“I've sent a letter and at this point I have to take stock and decide what to do next,” said Atwell. “I don't think he's taking it seriously.”

Legh, who is a member of Amalgamation Yes, said he's bewildered by the disagreement because he understood both candidates were supportive of a citizens' assembly examining what's best for both cities. “So why would anyone make an issue of it?”

Haynes said some questions remain, such as why the mayor is still a member of Amalgamation Yes and whether he and his slate will respect the voters' will on a citizens' assembly if elected.

Saanich mayoral candidate Rob Wickson said he doesn't much care about the in-fighting.

“I'm not running against them, I'm running for Saanich,” said Wickson, a partner in Discovery Economic Consulting in Victoria.

“I'm focused on what we can do for Saanich and what I can do to lead the council to come to all the right decisions on the issues.”

Wickson said he won't be able to decide if he's for or against amalgamation before seeing the facts. The opportunity for that evidence may arise if voters choose to have a citizens' assembly study it, he said.

The Oct. 20 ballot question asks Victoria and Saanich taxpayers whether they would agree to spend up to \$250,000 to establish a citizens' assembly to explore the costs, pros and cons of amalgamation between Victoria and Saanich.

In the 2014 municipal elections, Victoria residents voted 80 per cent in favour when asked: "Are you in favour of reducing the number of municipalities in Greater Victoria through amalgamation?"

Saanich residents voted 88.5 per cent in favour when asked a different question: "Do you support council initiating a community-based review of governance structures and policies with Saanich and our partnerships within the region?"

Saanich followed up with a citizens' advisory committee whose recommendations included calling on the province to fund a citizens' assembly on amalgamation with interested municipalities and to hold a referendum on the possibility.

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