

Council Divide

Location: Ontario

Topic(s): Council & Staff Relationships

Please describe the situation.

Early in my tenure at the Municipality of Kincardine in Bruce County, Council was embroiled in a controversial and conflict-laden industrial wind turbine project. As a result of the provincial Green Energy Act, municipalities were left with little authority in matters concerning renewable energy projects. Along with more formal requirements associated with the provincial approvals regime, such as completion of road and infrastructure impact and mitigation agreements, a more informal protocol had evolved for wind energy developers to provide "community benefit" packages, typically included in an overall development agreement. Council direction was required to negotiate a community benefit package with the developer.

What was the current political environment? What factors led to the situation? What were the events that unfolded in this particular scenario?

The industrial wind turbine program created deep division in communities across Ontario, which was often reflected in conflicting points of view at the Council table. Largely associated with the siting of the turbine towers, significant and wide-ranging concerns were raised regarding impacts on human and livestock health resulting from electrical leakage and sub-sonic sound emissions, the visual impact on the rural aesthetic, damage to roads and removal of trees from construction activity and restrictions on community expansion (and aviation) due to siting of the towers.

Council was divided between the pragmatists, who felt that the municipality was essentially powerless to control installation of the turbines, and the members who felt passionately that every effort must be made to oppose installation of the units, at virtually any cost. Then came the point when, as CAO, I sought Council's direction on opening talks with the developer to assemble a community benefit package for Kincardine.

How did you respond to or address the situation?

In preparing my approach to Council, it was critical to assess and weigh a number of critical factors:

- Was I wasting my time in even raising the subject with Council? (This had been suggested to me)
- After all of the negativity and harsh criticism, would the developer even entertain the notion of negotiating a community benefit package?
- What benchmarks had been set in agreements then in place in other jurisdictions?
- Were there specific needs in the community that I could identify when engaging with the proponent?

- Would my training in Pacific Rim cultural and business protocols be useful in engaging with the developer?

When I did consult with Council, the direction was largely indifferent. The strong opponents felt that any contribution should be regarded as a shallow and transparent attempt to "buy-off" the community, and that any contribution would be regarded as "blood money". The pragmatists essentially shrugged their shoulders and sent me off, with very low expectations.

The eventual outcome, which was achieved after protracted negotiations that reached as far as Seoul, Korea, was a benchmark community benefit agreement that set a precedent at the time in Ontario, which will bring millions of new non-tax revenue to the municipality over the length of the twenty-year renewable energy license.

What lessons did you learn from this scenario?

Understand that posturing in the public political context is often nothing more than that. Learn to filter out static and signal interference. Without negating the interests and concerns of a vocal minority, remain cognizant of the welfare of the broader community.

Individual members of Council have no authority, you work for Council. Your way will not always be Council's way but keep calm. Build a strong relationship with your Mayor.

When entering negotiations, assess the motivations and aims of the other party, and go into the process in a spirit of mutual respect. Always be guided by the facts and remain objective, use emotion as a tactic, but stay in control. When conflict arises, try to identify the underlying issue, which may not be aligned with what is being expressed.

What advice would you give to someone going through a similar situation?

Know that your success will often be expressed as Council's achievement. Aim high, keep your head low.