



Islands Trust



ISLANDS TRUST CONSERVANCY

Responsibilities of the Islands Trust Council Chair, Vice-Chairs and Executive Committee

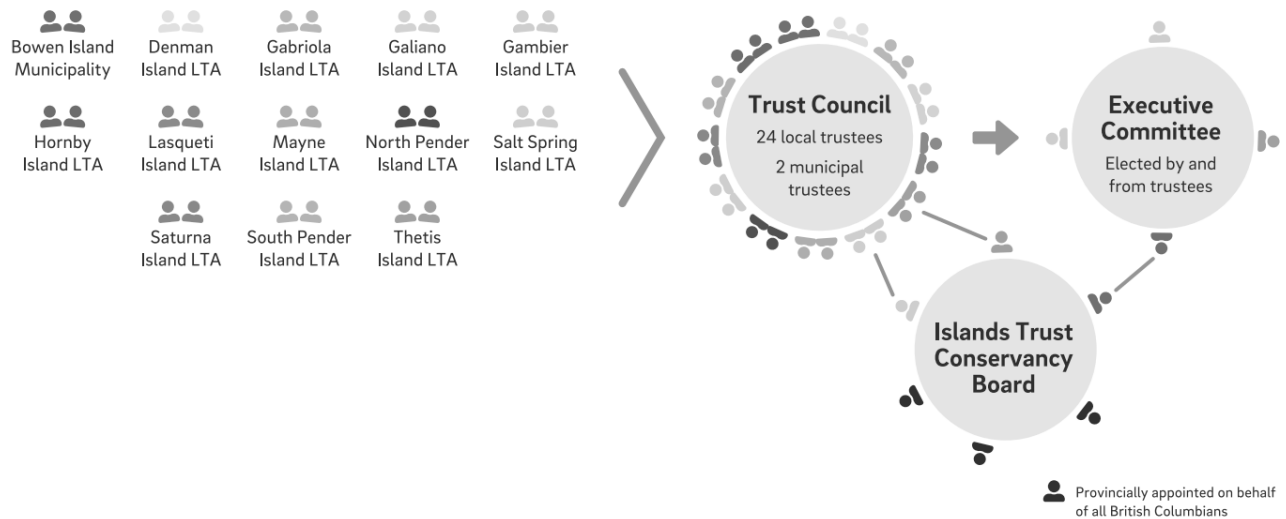
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EXECUTIVE COMMITTEE COMPOSITION

As illustrated in the following diagram, the Executive Committee (EC) consists of the Chair and Vice-Chairs elected by Trust Council, ‘as soon as practicable¹’ after local general elections are held every four years. Executive Committee members hold their seats until their replacements are elected after the next election.



The Islands Trust Council has adopted [Policy 2.4.3 – Executive Committee Election](#) to guide the election process, which must be consistent with the [Islands Trust Regulation](#) (BC Reg 119/90). Section 20 of the [Islands Trust Act](#) provides further details about the composition of the EC.

Some of the EC’s responsibilities and authorities come directly from *Islands Trust Act*, while others are assigned by bylaw, policy or resolution of the Islands Trust Council. Responsibilities and authorities that come directly from the *Islands Trust Act* include:

PURPOSE OF THE EXECUTIVE COMMITTEE

The *Islands Trust Act* sets of the purpose of the Executive Committee as follows:

Section 4(1): *The trust council, executive committee, local trust committees and Islands Trust Conservancy are continued for the purpose of carrying out the object of the trust.*

Section 4(3): *The executive committee is intended to carry out the daily business of the trust, to review the activities of the local trust committees and to act as a local trust committee for that part of the trust area that is not in a local trust area or municipality.*

¹ [Islands Trust Act, s.20\(4\)](#)

RESPONSIBILITIES OF THE ISLANDS TRUST COUNCIL CHAIR

The role of the Trust Council Chair comes from legislation, Trust Council bylaws, policies and resolutions.

The role of the Chair is primarily to ensure the formal conduct of meetings is consistent with legislation, bylaws, policies and where those are silent on issues, consistent with Robert's Rules of Order. The Islands Trust Council Chair is also the Chair of the Executive Committee, and is responsible for the same orderly conduct of those meetings.

As Chair of Trust Council, the Chair typically acts as the spokesperson for Trust Council on issues related to other provincial, federal or First Nations interests. If not already established by Trust Council policy, this is done by resolutions of Trust Council.

Roles of the Chair by Legislation:

The only legislated role provided specifically to the Chair is the appointment of Vice-Chairs to Chair the local trust committees ([Islands Trust Act, s23\(3\)](#)).

Roles of the Chair by Trust Council bylaw:

The following is a list of the roles assigned to the Trust Council Chair by Trust Council bylaws:

- Facilitate communication between Trust Council (TC) and Islands Trust Conservancy Board ([TC Bylaw 86](#))
- Maintain orderly meetings of Trust Council and Executive Committee ([TC Bylaw 101](#))
 - o Ensure quorum.
 - o Call the meeting to order.
 - o Provide an agenda for special meetings, including date and time.
 - o Designate order in which trustee's speak to issues.
 - o Allow public to speak to Council.
 - o Allow time extension for public speaking.
 - o Keep order of the meeting, rule on points of order and conduct.
 - o May refuse a motion if it is contrary to a bylaw or an act.
 - o Put every motion to a vote once debate has ended.
 - o Direct Secretary to conduct Trust Council or Executive Committee resolutions-without-meeting.

Roles of the Chair by Trust Council policies:

The following is a list of responsibilities assigned to the Islands Trust Council Chair by Trust Council policies:

- Sign protocol agreements on behalf of Trust Council. ([TC Policy 2.1.4](#))
- Provide letter to recognise nominations of stewardship awards. ([TC Policy 2.1.11](#))

- Call the vote for Trust Council resolutions-without-meeting (RWMs), and when completed declare the vote carried or defeated. ([TC Policy 2.2.3](#))
- Recommend to Trust Council appointments to the Regional, Trust Programs and Financial Planning committees. ([TC Policy 2.3.1](#))
- Appoint one member of the Executive Committee to each of the Regional and Trust Programs committees. ([TC Policy 2.3.1](#))
- Sits as Ex-officio² member of the Regional and Trust Programs committees, and select committees where the Chair is not a member otherwise. ([TC Policy 2.3. 1](#)).
- Appoint interim committee chairs for any Trust Council committee if required. ([TC Policy 2.3.1](#))
- Liaison with media on behalf of committee chairs. ([TC Policy 2.3.1](#))
- Orderly conduct of Executive Committee meetings. ([TC Policy 2.4.6](#))
- Provide direct access to legal council for Vice-Chairs as needed with notification to Chief Administrative Officer (CAO). ([TC Policy 6.9.2](#))
- Sign the Annual Report for submission to the Minister. ([TC Policy 6.10.1](#))
- Act as designated spokesperson for the Islands Trust Council and Executive Committee. ([TC Policy 6.10.2](#))
- Represent Trust Council advocacy positions to the media. ([TC Policy 6.10.3](#))
- In event of unplanned departure or extended leave of the CAO, convene meeting of the Executive Committee to review CAO succession plan ([TC Policy 8.4.1](#))

As the Chair appoints Vice-Chairs as chairs of the local trust committees, as required under s.23(3) of the *Islands Trust Act*, the Chair may appoint themselves to one or more local trust committees. As a result, the Chair may also have the duties of Vice-Chairs listed in the next section in relation to chairing and being a voting member of a local trust committee.

As one of the legislated roles of the Executive Committee is to act as a local trust committee for the Trust Area that is not inside a local trust area or an island municipality, the Chair also has all the responsibilities of the Chair for that committee.

² As per policy [2.3.1](#) (s.B.8.4), ex-officio members may participate but do not have a vote, and do not count towards quorum.

RESPONSIBILITIES OF THE ISLANDS TRUST COUNCIL VICE-CHAIRS

The role of the Trust Council Vice-Chairs comes from legislation, Trust Council bylaws, policies and resolutions.

As Chair of local trust committees, the Vice-Chair typically acts as the spokesperson for local trust committee on issues related to other provincial, federal or First Nations interests. If not already established by local trust committee standing resolution, this is done by resolutions of the local trust committee. The Vice-Chair is a voting member of the assigned local trust committees and will attend all meetings of the local trust committees. Typically the three Vice-Chairs are each assigned to three or more local trust committees.

Responsibilities of Vice-Chairs from Trust Council Bylaw

- Call Trust Council meeting to order if Chair is not available. ([TC Bylaw 101](#))

Responsibilities of Vice-Chairs from Trust Council Policy

- Provide advice to the Chair to improve Trust Council meetings. ([TC Policy 2.2.2](#))
- Sit on and participate in one of the council committees as appointed by the Chair; role on the committee is to ensure inter-committee liaison on relevant information, referrals, status on Council priorities/strategies. ([TC Policy 2.3.1](#))
- Member of the Financial Planning Committee. ([TC Policy 2.3.1](#))
- Orderly conduct of local trust committee meetings for which they are appointed as Chair; including ensuring meeting follows legislated, bylaw and Trust Council policy, and where these are silent on an issue, Robert's Rules of Order; recognise delegations and other speakers as appropriate, and rule on points of order. ([TC Policy 4.1.1](#))
- Oversee staff preparation of meeting agendas in consultation with trustees ([TC Policy 4.1.1](#))
- Vote on local trust committee business items on local trust committee for which they have been appointed as Chair, or alternate Chair if acting in that capacity. ([TC Policy 4.1.1](#))
- Rule on admissibility of motions, with reason considering Islands Trust mandate, Trust Council policy or local trust committee policy. ([TC Policy 4.1.1](#))
- Preserve order at local trust committee meetings. ([TC Policy 4.1.1](#))
- Call the vote for local trust committee resolutions-without-meeting (RWMs), and when completed declare the vote carried or defeated. ([TC Policy 4.1.5](#))
- Notify the Executive Committee when a local trust committee or the Islands Trust Conservancy Board passes a resolution related to advocacy. ([TC Policy 6.10.3](#))
- Sign the minutes of local trust committee meetings for which they are the Chair. ([TC Policy 6.13](#))

As one of the legislated roles of the Executive Committee is to act as a local trust committee for the Trust Area that is not inside a local trust area or an island municipality, the Vice-Chairs also has all the responsibilities of local trustees for that committee.

RESPONSIBILITIES OF THE ISLANDS TRUST EXECUTIVE COMMITTEE

The Trust Council Chair and three Vice-Chairs make up the Islands Trust Executive Committee. In addition to the roles listed above for the Chair and Vice-chairs, acting together as a single body, the Executive Committee has the following responsibilities established by legislation, Trust Council bylaws, Trust Council policies and from time-to-time resolutions of Trust Council on an issue by issue basis.

Executive Committee Responsibilities by Legislation

- For the purpose of carrying out the object of the trust, the Executive Committee must ([Islands Trust Act](#), s.21(1)):
 - o Consider bylaws submitted to it for approval under sections 27 (1)³ and 38 (1)⁴,
 - o Act as a local trust committee under section 23 (5)⁵ for that part of the trust area that is not in a local trust area or a municipality, and
 - o Carry out other duties that the trust council directs⁶.

Executive Committee Responsibilities by Trust Council Bylaw

- Appointment of officers ([TC Bylaw 3](#))
- Appointment of auditors ([TC Bylaw 3](#))
- Coordinating reviews and implementation of the *Islands Trust Policy Statement* ([TC Bylaw 17](#))
- Development of protocol agreements. ([TC Bylaw 65](#))
- Liaison with Bowen Island Municipality Council. ([TC Bylaw 72](#))
- Liaison with Islands Trust Conservancy Board. ([TC Bylaw 86](#))
- Provide agenda for special meetings of Trust Council. ([TC Bylaw 101](#))
- Direct Secretary to conduct resolutions-without-meeting. ([TC Bylaw 101](#))
- Determine indemnification for petition for disqualification from office or defamatory conduct. ([TC Bylaw 145](#))

Executive Committee Responsibilities by Trust Council Policy

- **Legal Advice** ([TC policy 2.1.6](#))
 - o Waive confidentiality of specific legal advice.

³ s.27(1) requires all local trust committees' bylaws be approved by the Executive Committee before adoption by the local trust committees.

⁴ S.38(1) requires that all island municipality official community plan bylaws and amendments be approved by the Executive Committee before adoption by the municipality.

⁵ This area is unofficially referred to as the "Ballenas-Winchelsea Islands Local Trust Area"

⁶ Trust Council can direct Executive Committee by bylaw, policy, or by resolutions for specific items that come up on the Trust Council agenda.

- Consider requests to access alternate legal counsel.
 - Restrict access to legal advice.
- Consider approval of funding for Grants-in-Aid. ([TC Policy 2.1.14](#))
- Review requests for decisions (RFDs) going to Trust Council. ([TC Policy 2.2.1](#))
- Review all items and agenda for Trust Council. ([TC Policy 2.2.2](#))
- Deal with issues related to staff resources for council committees. ([TC Policy 2.3.1](#))
- **Bylaw Approval** ([TC Policy 2.4.1](#))
 - To consider approval of all bylaws based on compliance requirements with the Trust's Object and Policy Statement.
 - To review and provide recommendations to Trust Council on all Trust Council bylaws
- **Trust Council Business** ([TC Policy 2.4.1](#))
 - To work with the Chair in the preparation and facilitation of effective Trust Council meetings and to review and make recommendations on all Trust Council agenda items.
 - To serve as a liaison between all Council committees and to coordinate inter-committee communication, follow up on Trust Council referrals and committee submissions to Trust Council via the Executive Committee.
 - To assist trustees, Council committees, local trust committees and the Chief Administrative Officer (CAO) in resolving internal conflicts.
 - To ensure the Islands Trust's legislative adherence to Trust bylaws, policies, procedures and guidelines, and relevant provincial and federal legislation.
- **Legislation** ([TC Policy 2.4.1](#))
 - To monitor legislation of the federal and provincial government through facilitating Trust input to relevant legislation proposals and the assessment of relevant new legislation.
 - To coordinate Council's legislative amendment program by maintaining a legislative change program of current and possible proposals recommending legislative changes to Trust Council.
 - To facilitate the development of protocol agreements with other agencies to maximize inter-agency cooperation to pursue the Trust's Object.
- **Policy Development** ([TC Policy 2.4.1](#))
 - To coordinate the Islands Trust policy development program and to review all policy matters presented to Council.
 - To review and provide comment on management's operational procedures development.
- **Organizational Strategic Planning** ([TC Policy 2.4.1](#))
 - To monitor the development and implementation of the Trust's work program function.
 - To coordinate the development, preparation and implementation of an organizational strategic plan.
 - To facilitate an ongoing trustee training and orientation program.

- **Communications** [\(TC Policy 2.4.1\)](#)
 - To coordinate an effective agency liaison with external government, private and non-profit sector agencies.
 - To coordinate an effective public relations program through the development of targeted public communication efforts.
 - To maximize effective internal communications by facilitating opportunities for trustees, local trust committees, Council Committees, Trust Council and staff consultation and information exchange and provision of services and resources.
- **Islands Trust Conservancy Liaison** [\(TC Policy 2.4.1\)](#)
 - To facilitate financing and service arrangements by the Islands Trust to the Islands Trust Conservancy program.
 - To facilitate effective liaison between the Islands Trust Conservancy Board and other Islands Trust entities.
- **Management Liaison** [\(TC Policy 2.4.1\)](#)
 - To facilitate feedback on the organizations and/or staff's performance via the CAO and monitor appropriate follow-up action by management.
 - To review and provide input to management's operational procedures, proposals, plans and issues.
- **Chief Administrative Officer Liaison** [\(TC Policy 2.4.1\)](#)
 - To coordinate, when needed, the formation and operation of a Chief Administrative Officer Hiring Committee (CAOHC), consisting of the Executive Committee and the chairs of Trust Council's three Council committees, that will be responsible for recruiting, appointing, orienting and evaluating a CAO during the initial six-month probationary period;
 - To coordinate appraisal and discipline actions associated with the CAO, after the initial six-month probationary period, in consultation with Trust Council as required.
 - To coordinate if deemed necessary, the formation and operation of a Chief Administrative Officer Employment Evaluation Committee, consisting of the Executive Committee and the chairs of Trust Council's three Council committees.
- Consider sponsorship of development applications that have a public interest. [\(TC Policy 4.1.13\)](#)
- Approve litigation and funding for legal enforcement of local trust committee bylaws. [\(TC Policy 5.5.1, Policy 6.9.2\)](#)
- Approve defense of bylaws or other litigation against Islands Trust. [\(TC Policy 6.9.2\)](#)
- Monitoring and reviewing Trust Council's priority setting process. [\(TC Policy 6.2.1, Policy 6.7.1\)](#)
- Decide corrective actions for over-budget expenditures in excess of \$20,000 as reported by staff. [\(TC Policy 6.5.2\)](#)
- Consider exemptions to grants and donations procedures and steps outlined by policy. [\(TC Policy 6.5.4\)](#)
- Determine grant applications to be made by Islands Trust. [\(TC Policy 6.5.4\)](#)

- Consider disposition of donations where use is not specified by the donor. ([TC Policy 6.5.4](#))
- Approve projects that do not meet certain conditions in relation to grants. ([TC Policy 6.5.4](#))
- Approve outline of the Annual Report. ([TC Policy 6.10.1](#))
- **Advocacy** ([TC Policy 6.10.3](#))
 - o Coordinates Trust Council's advocacy direction.
 - o Encourage a coordinated approach to advocacy and external liaison as part of their appointment to local trust committees and the Islands Trust Conservancy Board.
 - o Direct individual advocacy actions in accordance with the advocacy direction set by Trust Council through resolutions and the Strategic Plan.
 - o May assist local trust committees, island municipalities and the Islands Trust Conservancy Board with advocacy if a request for support is referred to the Executive Committee by resolution of those bodies.
 - o Seek a resolution of support from a local trust committee before engaging in advocacy on a local trust area issue.
 - o Include a report on advocacy activities in its quarterly report to Trust Council.
 - o Use its annual joint meeting with the Islands Trust Conservancy Board and Bowen Island Municipality to discuss current and emerging advocacy topics of mutual interest.
- Consider and approve trustee training (unless approval can be made in a timely manner by Trust Council). ([TC Policy 6.12.1](#))
- Recommend trustee training program to Trust Council. ([TC Policy 6.12.1](#))
- Budget control and approve Executive Committee training and conference attendance. ([TC Policy 6.12.1](#))
- Represent Trust Council when motions of Trust Council are presented at UBCM (Union of British Columbia Municipalities) annual convention. ([TC Policy 6.12.2](#))
- Monitor staff structure as approved by Trust Council and conveyed to the public. ([TC Policy 7.1.1](#))
- Approve delegation of management authority for implementation by the Chief Administrative Officer (CAO). ([TC Policy 7.1.1](#))
- Act as a Standards of Conduct Review body for complaints regarding trustees. ([TC Policy 7.1.2](#))
- Approve trustee travel claims submitted outside the travel claim submission window, determine compensation in certain conditions. ([TC Policy 7.2.3](#))
- If there is an unplanned departure or absence of the CAO, implement the CAO succession plan ([TC Policy 8.4.1](#))

Executive Committee Responsibilities by Bowen Island Municipality Letters Patent

- Review and comment on Bowen Island Municipality official community plans when referred after 1st reading ([Letters Patent, s.15](#)).

- Review and comment on land use bylaw or other bylaws when referred after 1st reading ([Letters Patent, s.14.3](#))

APPENDIX 1:

LOCAL TRUST COMMITTEE AND BOWEN ISLAND MUNICIPALITY BYLAW APPROVAL

A significant role of the Executive Committee is considering approval of bylaws submitted by local trust committees (LTCs) and island municipalities⁷.

LOCAL TRUST COMMITTEE BYLAWS

Under Section 27 of the *Islands Trust Act*, local trust committees must submit all bylaws to the Executive Committee for approval before adoption, including bylaws that adopt official community plans, land use bylaws and administrative bylaws. Administrative bylaws are all considered to be consistent with the Islands Trust Policy Statement.

ISLAND MUNICIPALITY BYLAWS

Under Section 38 of the *Islands Trust Act*, Island municipalities must submit for approval:

- a. Official Community Plan (OCP) bylaws
- b. Land Use Bylaws where no Official Community Plan exists

At this time, the only island municipality in the Islands Trust Area is Bowen Island Municipality and its entire jurisdiction is covered by an Official Community Plan. The Bowen Island Municipality's [Letters Patent](#) also require it to undertake an early referral (after 1st reading) of official community plans for comment by the Executive Committee, and to refer 'non-OCP' bylaws, including land use bylaws, to the Executive Committee for comment, but not approval.

When the EC receives Bowen Island Municipality bylaws for consideration, accompanying staff reports advise the EC as to which type of bylaw is before it.

The [Protocol Agreement](#) between the Islands Trust Council and Bowen Island Municipality includes process diagrams that illustrate the approval process for bylaws submitted by an island municipal council.

EXECUTIVE COMMITTEE APPROVAL

Under Section 22 of the *Islands Trust Act*, the EC must consider all bylaws submitted by a LTC or an island municipal council. It must then either:

- a. Approve the bylaw
- b. Return the bylaw, giving reasons for the return and directions as to the changes to the bylaw that would be required for approval, or

⁷ *Islands Trust Act* s.21

- c. Refuse the bylaw, giving reasons for the refusal.

The EC must notify the LTC or municipal council of its decision within one month after the Islands Trust Secretary has received the bylaw. If this deadline is not met, the EC is deemed to have approved the bylaw. The Secretary records the date that each bylaw is received for EC consideration and includes a tracking sheet (noting the deadline) in the EC agenda package, with the bylaw.

Under Section 15 of the *Islands Trust Act*, a bylaw that is submitted for EC consideration must not be approved by the EC if it is contrary to or at variance with the *Islands Trust Policy Statement*. Each LTC bylaw submitted for EC consideration is accompanied by an analysis of its compliance with the *Policy Statement*, prepared by staff and approved by the LTC. Each island municipality official community plan bylaw submitted for EC consideration is accompanied by an analysis of its compliance with the *Policy Statement*, originally prepared by municipal planning staff for their council, and supplemented by an analysis by Islands Trust planning staff.

Bylaws that are not approved by the EC have no force or effect. If the EC does not approve a LTC bylaw or island municipality Official Community Plan bylaw, the LTC or island municipality may submit the bylaw to Trust Council for its consideration. This process has only been used once in the Islands Trust history. The process is similar to the EC's consideration of a bylaw, with longer time-periods permitted before a decision is made. If Trust Council does not approve an island municipality bylaw, the municipality may appeal to the Minister of Municipal Affairs and Housing.

Trust Council has adopted [Policy 2.4.4 - EC Legislative Role](#) to identify what it considers (without limiting the jurisdiction of the EC) appropriate factors that could lead the EC to refuse or return a bylaw. For LTC bylaws, these factors include (but are not limited to):

- Contrary or at variance with the *Islands Trust Policy Statement*.
- Contrary to the Islands Trust object.
- Would expose the Islands Trust to unreasonable expense in administration or enforcement.
- Would (on the advice of legal counsel) be enacted without legal authority or consistency with the relevant Official Community Plan.

For island municipality bylaws, the EC may only refuse or return a bylaw on the basis that it is contrary to or at variance with the *Islands Trust Policy Statement*.

APPENDIX 2:

EXECUTIVE COMMITTEE AS A LOCAL TRUST COMMITTEE

The *Islands Trust Act* also assigns the Executive Committee to be the local trust committee for any part of the Trust Area that is not in a local trust area or municipality. Schedule A attached to [BC Reg 119/90](#) and Bowen Island [Letters Patent](#) define the boundaries of the local trust committees and Bowen Island Municipality respectively. At this time, the only area not inside a local trust area or island municipality is an area that includes the Ballenas and Winchelsea Islands near Lantzville, shown on the Islands Trust Area map as the 'Executive Committee Local Trust Area'. This area is unofficially referred to as the "Ballenas-Winchelsea Local Trust Area".

Planning staff from the Northern Office are assigned to support the Executive Committee Acting as a Local Trust Committee and support the Executive Committee Acting as a Local Trust Committee's meetings, decisions, and projects.