



Trust Programs Committee Agenda

Date: Wednesday, October 7, 2020
Time: 1:00 pm - 3:00 pm
Location: Electronic Zoom Meeting

Pages

1. CALL TO ORDER

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

2.2 Approval of Agenda

2.3 Electronic Meetings

that in accordance with Ministerial Order M192 - Local Government Meetings & Bylaw Process and Province of BC Bill 19 - 2020, the Trust Programs Committee cannot conduct public in-person meetings at this time because the meeting venues traditionally used have limited access or do not meet the legislated requirements for the protection of the community, trustees and staff; and therefore, in order to meet the principles of openness, transparency, and accessibility, meetings of the Trust Programs Committee will be held electronically over the period August 26 to October 31, 2020, will be live streamed, and the public invited to participate in meetings by connecting to the link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair.

3. TOWN HALL AND DELEGATIONS

None

4. ADOPTION OF MINUTES/COORDINATION

4.1 Minutes of Meeting

4.1.1 Trust Programs Committee Minutes of August 13, 2020 3 - 12

4.1.2 Trust Programs Committee Minutes of September 11, 2020 13 - 14

4.2 Resolutions Without Meeting

4.2.1 TPC RWM 2020-04 15 - 15

For information

5. CLOSED MEETING

5.1 Motion to Close the Meeting

that Trust Programs Committee close the meeting to the public subject to Section 90(1)(i) of the Community Charter in order to consider matters related to the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and that staff be asked to attend the meeting.

6. RISE AND REPORT

7. TRUST COUNCIL BUSINESS

8. BUSINESS

8.1 Policy Statement Project Update - Verbal

9. NEW BUSINESS

10. CORRESPONDENCE

None

11. NEXT MEETING

Tuesday, October 20, 2020 from 10:00 a.m. to 3:00 p.m.

12. ADJOURNMENT

*Approximate time is provided for the convenience of the public only and is subject to change without notice.



Trust Programs Committee Minutes of a Regular Meeting

Date: August 13, 2020
Location: Electronic Meeting

Members Present: Deb Morrison, North Pender Island Local Trustee (Chair)
Scott Colbourne, Gabriola Island Local Trustee (Vice Chair)
Paul Brent, Saturna Island Local Trustee
David Critchley, Denman Island Local Trustee
Doug Fenton, Thetis Island Local Trustee
Michael Kaile, Bowen Island Municipal Trustee
Kees Langereis, Gabriola Island Local Trustee
Benjamin McConchie, North Pender Island Local Trustee
Timothy Peterson, Lasqueti Island Local Trustee
Dan Rogers, Gambier Island Local Trustee (EC Representative)
Peter Luckham, Islands Trust Council Chair (Ex Officio)

Staff Present: Clare Frater, Director, Trust Area Services
David Marlor, Director, Local Planning Services
Dilani Hippola, Acting Senior Policy Advisor
Lisa Wilcox, Senior Intergovernmental Policy Advisor
Gillian Nicol, Program Coordinator
Sheree Rialp, Recorder

Members of the Public None

1. CALL TO ORDER

The meeting was called to order at 10:01 a.m. Chair Morrison acknowledged the meeting was being held on Coast Salish First Nations traditional and treaty territory.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

The following addition to the agenda and reordering of items were presented for consideration:

- 8.2 - Correspondence from E.L. Elsey regarding the *What We Heard Islands 2050* report process;
- Item 5.4 - Policy Statement Amendment Project Update to be addressed before item 5.1.

2.2 Approval of Agenda

By general consent the agenda was approved as amended.

3. TOWN HALL AND DELEGATIONS

None

4. ADOPTION OF MINUTES/COORDINATION

4.1 Minutes of Meeting

4.1.1 Trust Programs Committee Minutes of June 23, 2020

By general consent the Trust Programs Committee minutes of June 23, 2020, were adopted as presented.

4.2 Resolutions Without Meeting

None

4.3 Follow Up Action List (FUAL)

Director Frater gave an update, including contract formulation in progress with the Howe Sound (Átl'ka7tsem) Community Forum.

Director Marlor added that he will follow up with Regional Planning Manager Heather Kauer regarding village roadscapes as a pilot project on Gabriola Island.

5. TRUST COUNCIL BUSINESS

5.4 Policy Statement Amendment Project Update – Briefing

Director Frater provided an update of the Policy Statement Amendment Project.

Discussion on the following areas assigned to the working groups included:

- Climate Change – considering how to find a balance that meets the needs of humans on the islands in ways that do not jeopardize the ecosystem; using proven tools such as the Ecosystem-Based Management approach to anticipate outcomes and long-term effects; and, maintaining the rural character of the islands while accommodating modern developments beneficial to the communities.
- Affordable Housing – consideration of the impacts of housing generally; the need to consider housing in the context of sustainable living as well as a sustainable environment; the need to consider equity and justice; consideration of whether affordable housing is an amenity that needs to be protected; and, impact of climate change.
- Reconciliation – considering the needs and views of First Nations in line with the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA); the need to remove obsolete or controversial language pertaining and referring to First Nations in the Trust; and generally, there is a need to revise and break down colonial implications.

Director Frater suggested that the Committee hold discussions to determine key language or areas of attention that can be forwarded to Trust Council for consideration, including suggestions on how to approach them.

Discussion ensued in regards to the term “amenities” or “unique amenities”, including interpretation, legal and policy implications surrounding the term, and a possible need to obtain a legal opinion.

Trustee Brent left the meeting at 11:00 a.m.

The following decision points were presented by Chair Morrison to consider:

- whether to ask Trust Council if the Committee should have special, significant time for further discussion in regards to amenities;
- whether the Committee needs a discussion about legal opinions on the term “amenities”, and when that may be arranged;
- requesting amendments to the Islands Trust Act; and
- whether the Committee would require longer, specific discussions on what might be suggested to Trust Council as a starting point for amenities.

The meeting recessed for a break at 11:21 a.m. and resumed 11:26 a.m.

The following questions were raised by Chair Morrison for discussion:

1. Does the Trust Programs Committee need to have an extended conversation on the Object and Mandate of the Trust?
2. Does Trust Council need to have an extended conversation on refining the Object and Mandate of the Trust?
3. What clarifications, if any, would you like for Part II of the Object and Mandate of the Trust?
4. Does the Object of the *Islands Trust Act* mandate considerations of communities and cultural amenities?
5. What unique amenities should be considered under the Object in the *Islands Trust Act* in this amendment of the Trust Policy Statement?

TPC-2020-030

It was MOVED and SECONDED,

that Trust Programs Committee forward this question for consideration by Trust Council: “What should not be considered under the Object of the *Islands Trust Act* in this amendment of the Trust Policy Statement?”

CARRIED

6. What amendment would you suggest to the *Islands Trust Act* to ensure consistency with reconciliation efforts?
7. What legislative gaps exist for the Islands Trust to carry out its mandate and commitments to reconciliation?

TPC-2020-031

It was MOVED and SECONDED,

that Trust Programs Committee forward this question for consideration by Trust Council: "What legislative gaps exist for the Islands Trust to carry out its mandate and commitments to reconciliation?"

The vote on the motion was postponed for consideration after lunch.

Trustee McConchie left the meeting at 12:50 p.m. The meeting recessed for lunch at 12:50 p.m. and resumed at 1:20 p.m.

Chair Morrison called the question on the motion.

DEFEATED

Chair Morrison requested the minutes show that TPC agreed in principle but not in timing.

Chair Morrison suggested that Committee members hold weighing in on legal opinions; rather, a motion may be crafted individually that could go forward to Trust Council, which would be a better venue for a legal opinion.

5.1 History, Heritage and Conservation Grants-in-Aid Policy – RFD

Senior Intergovernmental Policy Advisor (SIPA) Wilcox spoke to the background on the Request For Decision (RFD), emphasizing that the recommended changes to the policy bring the policy more into alignment with the Declaration on the Rights of Indigenous Peoples Act and the Islands Trust Council's Reconciliation Declaration.

Trustee Langereis presented a motion in regards to section 3.4 of the Policy, to clarify the disbursement of refunds only for work not done.

TPC-2020-032

It was MOVED and SECONDED,

that section 3.4 of the proposed amendments to the History, Heritage and Conservation Grants-In-Aid Policy 2.1.14 be amended by deleting the words: "...refund any grant funds that have been provided for the project." and replacing them with: "...refund any remaining grant funds provided for project work not done or completed."

CARRIED

TPC-2020-033

It was MOVED and SECONDED,

that Trust Programs Committee forward the Request for Decision regarding the History, Heritage and Conservation Grants-In-Aid policy to Trust Council, as amended.

CARRIED

5.2 Secretariat Services Policy – RFD

Director Frater gave an overview of the RFD, noting that the draft policy reflects staff's best effort to capture the scope of policy guidance needed for this new program area, and that the draft policy has been reviewed by legal counsel.

TPC-2020-034

It was MOVED and SECONDED,

that the Secretariat Services draft policy be amended as follows: that the 1st bullet of item 2.2 be replaced with the following: "have an appointed representative of the Trust Council, Bowen Island Municipality, a local trust committee, or the Islands Trust Conservancy as a member or regular participant."

CARRIED

TPC-2020-035

It was MOVED and SECONDED,

that Trust Programs Committee forward the Secretariat Services Policy RFD as amended to Trust Council for decision.

CARRIED

5.3 Community Stewardship Awards Policy Amendments – RFD

Director Frater explained the proposed new wording regarding nominee disqualification.

There were questions whether this policy amendment should be given staff time and effort, given other policies and projects that need more focus. There was also discussion regarding how to verify if a nominee is subject to an open bylaw enforcement action with a confirmed land-use bylaw violation for which the Trust is seeking compliance.

TPC-2020-036

It was MOVED and SECONDED,

that Trust Programs Committee recommend to Trust Council that the Community Stewardship Awards be suspended and revisited at the end of 2021.

CARRIED

Opposed by Trustee Critchley

There was additional discussion regarding page 26 in the agenda package (page 2 of the policy amendments briefing) on particular circumstances that would determine a nominee "who is subject to an open bylaw enforcement action" and one "with a confirmed land-use violation".

By general consent the second bullet on page 26 is to be edited to read: "A nominee who is subject to an open bylaw enforcement action with a land-use bylaw violation confirmed by a bylaw enforcement officer for which the Trust is seeking compliance is not eligible to be nominated as an individual nominee."

TPC-2020-037

It was MOVED and SECONDED,
that the Community Stewardship Awards Policy Request for Decision be forwarded to Trust Council. as amended.

CARRIED

Director Frater requested from the Committee rationale points for the Request for Decision that she will be writing regarding suspending the Stewardship Awards. The following points were put forth:

- To clear staff and Trust Council time to focus on other priority items such as the climate crisis, First Nations reconciliation and the COVID-19 pandemic;
- To focus on stewardship education;
- To direct resources to other projects and programs.

Chair Morrison requested Director Frater to include in the RFD an acknowledgement and appreciation of the hard work in the communities by island residents, that this suspension is not an attempt to undermine the awards program but just to reprioritize projects during this challenging year.

6. BUSINESS

6.1 Climate Action Update

6.1.1 Climate Action Plan – Briefing

Acting Senior Policy Advisor Hippola gave a summary of the briefing.

Trustees expressed their enthusiasm for the action plan and appreciation for the knowledgeability and expertise of staff of the Islands Trust Conservancy and Trust Area Services.

6.1.2 Climate Change Stewardship Education: Project Charters for Fall Webinars – RFD

Director Frater gave an introduction to the RFD, noting that if approved staff will need to implement the communication plan immediately.

There was an enquiry about the risk of these webinars taking up time and causing work disruptions for staff involved. Director Frater assured trustees that there are sufficient resources available.

TPC-2020-038

It was MOVED and SECONDED,
that Trust Programs Committee endorse the Climate Change Stewardship Education Program project charter, dated August 13, 2020.

CARRIED

There was discussion in regards to the importance of newcomers to the islands learning about the Islands Trust mandate, land use bylaws and First Nations rights and title, history, cultural heritage.

TPC-2020-039

It was MOVED and SECONDED,
that Trust Programs Committee direct staff to provide options for stewardship education programming.

CARRIED

6.1.3 Climate Indicators Project – Briefing

By general consent the Committee agreed to receive this briefing for information.

Acting Senior Policy Advisor Hippola pointed to the correspondence in agenda item 8.1 that cites an opportunity to develop a Climate Action Report Card.

TPC-2020-040

It was MOVED and SECONDED,
that Trust Programs Committee forward the Climate Indicators Project briefing and report to Trust Council for consideration, and that staff provide recommendations on possible actions to take from this report at that time.

CARRIED

By general consent the meeting was extended to 3:30 p.m.

6.2 2021/22 Budget Requests – RFD

Director Frater introduced the RFD and confirmed that the Trust Programs Committee makes the request for funding and that the Financial Planning Committee decides whether to draw the funds from taxes or from surplus funds.

TPC-2020-041

It was MOVED and SECONDED,
that Trust Programs Committee request that the Executive Committee recommend to Financial Planning Committee to include \$10,000 in Fiscal Year 2021/22 for the Policy Statement Amendment Project (Strategic Plan items 10, 16, 22,23).

CARRIED

Director Frater confirmed that the climate indicators development would be from the Strategic Plan Item No. 12 funding request and that as indicators are costly, she advised to budget the money until an opportunity arises that the Committee can make a contribution towards.

Chair Morrison also clarified that this monetary responsibility is shared with other agencies such as the Capital Regional District and the Province.

TPC-2020-042

It was MOVED and SECONDED,

that Trust Programs Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$25,000 for Strategic Plan Item No. 12 - Develop i) a set of climate change, demographic and environmental data and ii) performance criteria in order to identify the effects of climate change in the Trust Area and to measure mitigation and adaption efforts.

CARRIED

TPC-2020-043

It was MOVED and SECONDED,

that Trust Programs Committee request the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$15,000 for Strategic Plan Item No. 21 - Develop and implement a stewardship education program directed towards the public, industry and stakeholders in the Trust Area.

CARRIED

TPC-2020-044

It was MOVED and SECONDED,

that Trust Programs Committee request staff to prepare business cases for undertaking 2018-2022 Strategic Plan items related to the Policy Statement Amendment Project, Climate Change Indicators and Stewardship Education Program to refine the scope and budgets.

CARRIED

7. NEW BUSINESS

None

8. CORRESPONDENCE

8.1 T. Saxby, My Sea to Sky re: Tracking & Measuring GHG Emissions Annually – email dated July 31, 2020

Received for information.

8.2 E.L. Elsey re: Concerns about the "What We Heard Islands 2050" Report – email dated August 12, 2020

Received for information. There was discussion that any response to the letter should be framed around the fact that the Islands 2050 engagement in 2019 was part of a longer process and, while it is understandable that there may be dissent, people have many opportunities to contribute to that process.

9. **WORK PROGRAM**

9.1 **Trust Programs Committee Work Program**

Director Frater advised that the Policy Statement Amendment Project continues to be a priority. She also noted that Priority #3, Climate Change Data and Performance Indicators, has been completed.

It was agreed to leave priority #2 Secretariat Role to Forums within the Trust Area until Trust Council reviews the draft policy.

TPC-2020-045

It was MOVED and SECONDED,
that Trust Programs Committee make the Stewardship Education Program the 3rd priority, removing the current 3rd priority.

CARRIED

TPC-2020-046

It was MOVED and SECONDED,
that Trust Programs Committee forward the Work Program to Trust Council for approval.

CARRIED

10. **CLOSED MEETING**

TPC-2020-047

It was MOVED and SECONDED,
that the meeting be closed to the public in accordance with the Community Charter 90 (1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and that staff attend the meeting.

CARRIED

The meeting was closed to the public at 3:21 p.m. and re-opened to the public at 3:29 p.m.

11. **RISE AND REPORT**

None

12. **NEXT MEETING**

The next meeting will take place on November 5, 2020.

13. **ADJOURNMENT**

By general consent the meeting was adjourned at 3:32 p.m.

Draft

Deb Morrison, Chair

Certified Correct:

Sheree Rialp, Recorder

DRAFT



Trust Programs Committee Minutes of a Special Meeting

Date: September 11, 2020

Location: Electronic Meeting

Members Present: Deb Morrison, North Pender Island Local Trustee (Chair)
Scott Colbourne, Gabriola Island Local Trustee (Vice Chair)
David Critchley, Denman Island Local Trustee
Doug Fenton, Thetis Island Local Trustee
Paul Brent, Saturna Island Local Trustee
Michael Kaile, Bowen Island Municipal Trustee
Kees Langereis, Gabriola Island Local Trustee
Timothy Peterson, Lasqueti Island Local Trustee
Dan Rogers, Gambier Island Local Trustee (EC Representative)
Peter Luckham, Islands Trust Council Chair (Ex Officio)

Regrets: Benjamin McConchie, North Pender Island Local Trustee

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
Clare Frater, Director, Trust Area Services
David Marlor, Director, Local Planning Services
Lisa Wilcox, Senior Intergovernmental Policy Advisor
Dilani Hippola, Acting Senior Policy Advisor
Robert Barlow, Legislative Services Clerk/Recorder

Members of the Public None

1. CALL TO ORDER

The meeting was called to order at 10:31 a.m. Chair Morrison acknowledged the meeting was being held on Coast Salish First Nations traditional and treaty territory.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items
Not considered.

2.2 Approval of Agenda
Not considered.

3. NEW BUSINESS
None

4. CLOSED MEETING

4.1 Motion to Close the Meeting

TPC-2020-048

It was MOVED and SECONDED,

that Trust Programs Committee close this meeting to the public subject to Section 90(1)(i) of the Community Charter in order to consider matters related to the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and that staff be asked to attend the meeting.

CARRIED

The meeting was closed to the public at 10:35 a.m. and re-opened to the public at 11:14 a.m.

5. RISE AND REPORT

None

6. NEXT MEETING

TPC-2020-049

It was MOVED and SECONDED,

that Trust Programs Committee request staff to arrange a special in camera meeting at a time prior to the next scheduled TPC meeting.

CARRIED

The next scheduled meeting will take place on October 20, 2020. The special in camera meeting will be arranged by RWM.

7. ADJOURNMENT

By general consent the meeting was adjourned at 11:24 a.m.

Deb Morrison, Chair

Certified Correct:

Robert Barlow, Legislative Services Clerk/Recorder

TRUST PROGRAMS COMMITTEE
RESOLUTION WITHOUT MEETING

RESOLUTION WITHOUT MEETING NO. RWM-2020-04

The following matter is considered urgent and necessary in order to consider an in camera referral of legal advice made by the Executive Committee on September 2, 2020, before the next scheduled Trust Programs Committee meeting of October 20, 2020.

**It was Moved by Trustee Langereis and Seconded by Trustee Fenton:
that Trust Programs Committee convene a special meeting on Wednesday, October 7, 2020, from 1:00 p.m. to 3:00 p.m.**

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
Deb Morrison	September 16, 2020	In Favour
Paul Brent	September 16, 2020	In Favour
Scott Colbourne	September 16, 2020	In Favour
Doug Fenton	September 16, 2020	In Favour
Michael Kaile	September 16, 2020	In Favour
Kees Langereis	September 16, 2020	In Favour
Benjamin McConchie	September 16, 2020	Opposed
Timothy Peterson	September 16, 2020	In Favour
Dan Rogers	September 16, 2020	In Favour

TRUSTEES NOT CONTACTED
David Critchley

FINAL VOTE COUNT	8	<u>IN FAVOUR</u>
	1	<u>OPPOSED</u>

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON September 16, 2020.

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE