



Trust Council Committee of the Whole

Minutes of a Special Meeting

Date: Thursday, May 30, 2024

Location: Electronic Meeting

Executive Present:

1. Peter Luckham, Chair, Thetis Island
2. Tobi Elliott, Vice-Chair, Gabriola Trustee
3. David Maude, Vice-Chair, Mayne Trustee
4. Timothy Peterson, Vice-Chair, Lasqueti Trustee

Trustees Present:

5. Sue Ellen Fast, Bowen Island Municipal Trustee
6. Judith Gedye, Bowen Island Municipal Trustee
7. Sam Borthwick, Denman Trustee
8. David Graham, Denman Trustee
9. Susan Yates, Gabriola Trustee
10. Lisa Gauvreau, Galiano Trustee
11. Ben Maberley, Galiano Trustee
12. Joe Bernardo, Gambier Trustee
13. Kate-Louise Stamford, Gambier Trustee
14. Alex Allen, Hornby Trustee
15. Grant Scott, Hornby Trustee
16. Jeanine Dodds, Mayne Trustee
17. Deb Morrison, North Pender Trustee
18. Laura Patrick, Salt Spring Trustee
19. Lee Middleton, Saturna Trustee
20. Kristina Evans, South Pender Trustee
21. Dag Falck, South Pender Trustee
22. Ken Hunter, Thetis Trustee
23. Mikaila Lironi, Lasqueti Trustee
24. Mairead Boland, Saturna Trustee
25. Jamie Harris, Salt Spring Trustee

Trustees not present: 26. Aaron Campbell, North Pender Trustee

Staff Present:

Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director, Legislative Services
Clare Frater, Director, Trust Area Services
Julia Mobbs, Director, Administrative Services
Stefan Cermak, Director, Planning Services
Tyler Brown, Senior Policy Advisor
Alexandra Trifonidis, Acting Executive Coordinator/Recorder

Members of the public present: Two members of the public were present.

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

Chair Luckham called the meeting to order at 9:30 a.m. Trustees introduced themselves.

2. APPROVAL OF AGENDA

The Committee discussed Committee of the Whole meeting logistics.

By general consent the agenda was approved as presented.

3. GENERAL BUSINESS ARISING – None.

4. TRUST AREA SERVICES

Chair Luckham provided introductory remarks.

4.1 Discussion Items

4.1.1 Background on the updated draft Policy Statement – BRF

Director Frater provided a PowerPoint presentation. Highlights included:

- Islands Trust Policy Statement Amendment Project history
- Engagement process and referral feedback, including engagement with First Nations
- Project timeline – The project is currently in the October 2022 - Fall 2024 phase.
- Highlights of changes to the draft Policy Statement since July 2021
- Implementation considerations

Trustees asked for a correction in the briefing in the section “Background on the drafting process” in the last paragraph on page 2, stating that Trust Council did not come to consensus on the interpretation of the Trust Object but instead came to a collective understanding around the legal opinion provided to them regarding the Trust Object.

Senior Policy Advisor Brown briefly went over the draft Policy Statement document starting at section 2.

Senior Policy Advisor Brown took over facilitating the meeting welcoming direction and guidance from trustees on process and/or content any time during the lifetime of the project.

Trustee Lironi joined the meeting at 10:18 a.m.

Committee and Staff discussion took place regarding:

- Reconciliation, inherent rights of First Nations, and best terms and language to use to describe who the Trust is building relationships with (First Nations, Indigenous Governing Bodies, Indigenous Peoples).
- Islands Trust historical legislation, and how the Policy Statement was adopted by Trust Council.

Trustee Lironi left the meeting at 10:35 a.m.

- The possible need to provide clarification on the understanding of the Object.
- When and how often, legal advice should be sought through the Policy Statement amendment process, and the associated cost.

Trustee Boland joined the meeting at 10:59 a.m.

The meeting recessed for a break at 11:02 a.m. and reconvened at 11:15 a.m.

- Ambiguity of the Islands Trust Act.
- Directive Policies and Guiding Principles language in the draft document.
- Policy Statement foundational values, which inform the work done with the document meant to be read as a whole.
- Possible differences between Executive Committee, Trust Council, and the local trust committees' interpretation and implementation of the document.
- Cooperation principles and how cooperation with Islands Trust Conservancy, Indigenous Governing Bodies, and interagency coordination is going to work and be reflected in the document.

Trustee Harris joined the meeting at 11:40 a.m.

- Choice of language used in the document specifically use of verbs such as 'shall', and 'must', the language that follows, and the possible legal implications of using directive language.
- Inclusion of language regarding co-governance/engagement with First Nations in the document, Trust Council's views on co-governance with First Nations in general, and where Islands Trust might fit into the Province's plan regarding implementation of the Declaration on the Rights of Indigenous Peoples Act.
- Best approach to reviewing and revising the draft Policy Statement document.

4.1.2 Next steps for consideration of draft updated Policy Statement – BRF

Senior Policy Advisor Brown reflected on the themes and process comments heard throughout the meeting, and turned over the facilitating to Chair Luckham who opened conversation about next steps for the amendment project.

TC-COW-2024-001

It was MOVED by Trustee Patrick, and SECONDED by Trustee Peterson, that the Committee of the Whole recommend that Trust Council request staff to provide a staff briefing that presents examples from other jurisdictions' (e.g., regional growth strategies) goals, objectives, policies and indicators related to relations with Indigenous Governing Bodies.

CARRIED

TC-COW-2024-002

It was MOVED by Trustee Elliott, and SECONDED by Trustee Bernardo, that the Committee of the Whole recommends to Trust Council that it have legal counsel available for a future Committee of the Whole meeting.

CARRIED

TC-COW-2024-003

It was MOVED by Trustee Morrison, and SECONDED by Trustee Mabberley, that the Committee of the Whole recommend to Executive Committee to provide significant time for discussion of the Trust Policy Statement in Committee of the Whole format at the June 2024 Trust Council meeting.

DEFEATED

TC-COW-2024-004

It was MOVED by Trustee Fast, and SECONDED by Trustee Allen, that the Committee of the Whole recommend to Trust Council that it amend the draft updated Policy Statement (April 2024 version) by adding a new directive policy re: Islets and Small Islands, to identify and prioritize the preservation, protection, and restoration of relatively undisturbed islets and small islands.

CARRIED

5. CLOSED MEETING (If needed)

The Committee did not go into a closed session.

6. RISE AND REPORT – None.

7. NEW BUSINESS – None.

8. NEXT MEETING

The Committee did not schedule a subsequent meeting.

9. ADJOURNMENT

By general consent the Committee adjourned the meeting at 12:58 p.m.

Peter Luckham, Chair

Certified Correct:

Alexandra Trifonidis, Recorder