



ADOPTED

Trust Council

Minutes of Regular Meeting

Date: September 18, 2018
Location: Squamish Nation Address: Barnabas Dining Room
Meeting: Keats Camp Hall
Hoakqhus or Chaich-ph , Keats Island, BC

Executive Committee: Peter Luckham, Chair, Thetis
Laura Busheikin, Vice Chair, Denman
Susan Morrison, Vice Chair, Lasqueti

Local Trustees: Alison Morse, Bowen Municipal Trustee
Sue Ellen Fast, Bowen Municipal Trustee
David Critchley, Denman
Melanie Mamoser, Gabriola
George Harris, Galiano
Sandy Pottle, Galiano
Dan Rogers, Gambier-Keats
Kate-Louise Stamford, Gambier
Alex Allen, Hornby
Tony Law, Hornby
Timothy Peterson, Lasqueti
Brian Crumblehulme, Mayne
Peter Grove, Salt Spring
Paul Brent, Saturna
Bruce McConchie, South Pender

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director Local Planning Services
Carmen Thiel, Legislative Services Manager
Clare Frater, Director, Trust Area Services
Julia Mobbs, Director, Administrative Services
Nigel Hughes, Computer Apps & Systems
Technician
Lori Foster, Executive Coordinator

Regrets: George Grams, Vice Chair, Salt Spring
Heather O'Sullivan, Gabriola
Jeanine Dodds, Mayne
Dianne Barber, North Pender
Derek Masselink, North Pender
Lee Middleton, Saturna
Wendy Scholefield, South Pender
Ken Hunter, Thetis

1.1 SQUAMISH NATION ADDRESS

talalsámkin siyám, Chief Bill Williams travelled to Hoakqhus or Chaich-ph, Keats Island along with Trust Council where he welcomed members to Squamish First Nation territory. Chief Williams shared a traditional blessing through song and drumming then addressed Council with history and spoke to meaningful engagement.

1. CALL TO ORDER

The meeting was called to order at 2:36pm. Chair Luckham welcomed Trust Council members and went through regrets.

Local Trustees Stamford and Rogers welcomed Trust Council to Keats.

2. APPROVAL OF AGENDA

7.6 Lessons Learned Session as scheduled

Under **12. NEW BUSINESS** add the following:

12.1 Commercial freighter anchorages advocacy throughout the Southern Gulf Islands.

12.2 Trustee remuneration for committee participation.

12.3 Citizens Climate Lobby open letter signatory.

12.4 Increasing Trust Council time by ½ day for future meetings.

By General Consent, the agenda was approved amended.

3. GENERAL BUSINESS ARISING

3.1 Resolutions Without Meeting (RWM)

3.1.1 TC-RWM-2018-03 and TC-RWM-2018-004
Presented for information.

3.2 June 2018 Trust Council Meeting Draft Minutes

Delete from item 9 page 10 of 17 – 6th bullet “If work is not completed it should be removed from the plan”.

By General Consent, the June Trust Council minutes were adopted as amended.

3.3 Trust Council Follow up Action List (FUAL)

Staff reviewed the list and answered questions.

3.4 Trustee Round Table

Trustees provided verbal updates on recent meetings, bylaw amendments, and projects in their local trust areas.

Trustee Mamoser read Trustee O’Sullivan’s regrets as she was unable to attend this term last Trust Council meeting.

The meeting recessed at 3:46 p.m. and was reconvened at 4:00 p.m.

4. EXECUTIVE

4.1 Chief Administrative Officer's Report

CAO Hotsenpiller presented his report and spoke on the recent UBCM Whistler convention meetings.

4.2 Executive Committee Work Program Report

Chair and Council reviewed the Work Program Report with staff and discussed recent meetings attended including the Union of BC Municipalities held in Whistler. A conversation on Islands Trust top priorities followed.

By General Consent, the Executive Committee Work Program Report was received for information.

4.3 Continuous Learning Plan

By General Consent, the Continuous Learning Plan was received for information.

4.4 Strategic Plan Quarterly Report

By General Consent, the Strategic Plan Quarterly Report was received for information.

4.5 New Term Orientations – Briefing

Chief Administrative Officer (CAO) Hotsenpiller presented the briefing and spoke to the schedule and orientation plan for the new term of trustees.

Trustee suggestions for learning sessions included Roberts Rules of Order, chair training, and land use application toolkits.

4.6 Connected Coast Fiber Optics – Briefing

CAO Hotsenpiller updated Council on the Connected Coast project and its future connectivity services where individual communities would have to access funding and work with regional districts.

Council was emailed the link to the Connected Coast website.

4.7 Islands Trust Act Amendments – RFD

CAO Hotsenpiller reviewed the project progress and the next steps for Council moving forward with its specific amendment requests in writing to the minister.

Discussion continued on prioritizing the list items.

TC-2018-077

It was MOVED by Trustee Brent and SECONDED by Trustee Grove

THAT the Islands Trust write to the Minister requesting amendments to the *Islands Trust Act*, specifically:

1. Allowance for entry warrants by bylaw officers;
2. Development permit area enforcement via municipal ticketing;
3. Adoption of development approval information bylaws by LTCs;
4. Amending the Act to add "First Nations" to the list of those with whom we work "in co-operation.";
5. The ability to delegate to staff the granting of development permits;
6. Seeking clarification of foreshore zoning authority;
7. Broadening of Islands Trust entities under the *Local Government Act*, relative to s. 294, allowing for "incidental or conducive powers.";
8. Ability to provide an affordable housing agreement with a third party and to create a Housing Service.

CARRIED

TC-2018-078

It was MOVED by Trustee Rogers and SECONDED by Trustee Law

To amend the motion and add to the list one bullet missing from the report:

9. include reference to the ecosystem in section 8.2 of the *Islands Trust Act*.

CARRIED

TC-2018-079

It was MOVED by Trustee Fast and SECONDED by Trustee Mamoser

To amend the motion and add to the list:

10. and enact the ability to charge fees for telecommunication applications.

CARRIED

Discussion on the amendment requests raised questions on holding land and incurring debt, the holding of housing agreements, and "incidental and conducive powers."

TC-2018-080

It was MOVED by Trustee Critchley and SECONDED by Trustee Mamoser

To amend the request to the minister by adding to the list those items that gained 50% or more approval as follows:

- Add funding for provincial levy for Islands Trust Conservancy;
- Development Permit and Temporary Use Permit delegation to Staff;
- Expand Executive Committee by one person;
- Provision in *Islands Trust Act* to provide positive obligation for cooperation from other ministries and districts.

DEFEATED

Chair Luckham recessed the meeting for the day at 5:46 p.m.

Wednesday, September 19, 2018

Chair Luckham reconvened the meeting at 8:36 a.m. with the same roll call of September 18th with eighteen trustees present and eight absent. He acknowledged the meeting was being held on Coast Salish territory.

The order of business on the agenda resumed at item 4.7.

Trustee Critchley raised items on the list for discussion and consideration.

TC-2018-081

It was MOVED by Trustee Critchley and SECONDED by Trustee Crumblehulme

To amend the letter to the minister requesting amendments to the *Islands Trust Act* by adding to the list, Provision in *Islands Trust Act* to provide positive obligation for cooperation from other ministries and districts.

DEFEATED

TC-2018-082

It was MOVED by Trustee Critchley and SECONDED by Trustee Stamford

To amend the letter to the minister requesting amendments to the *Islands Trust Act* by adding to the list, expand the Executive Committee by one person.

DEFEATED

Trustees for: Rogers, Fast, Mamoser, Stamford, Busheikin, Crumblehulme, Peterson, Critchley
Trustees against: Pottle, Law, Morse, Grove, Luckham, Morrison, Brent,
Allen, Harris, McConchie

4.8 Victoria Office Renovation Project – Briefing

CAO Hotsenpiller provided an update on the office renovation project.

4.9 Chair and Executive Committee Correspondence Policy – RFD

Legislative Services Manager, Thiel presented highlights from the Request for Decision (RFD).

Discussion on delegation requests and timing ensued.

TC-2018-083

It was MOVED by Trustee Mamoser and SECONDED by Trustee Brent

To amend the draft policy 7.4.2 Chair & Executive Committee Correspondence, section 1.8 to include reference to section 1.7.

Trustee Morse, friendly amendment to the motion as follows:
in Section 1.8, delete reference to 1.6 and replace with 1.7

CARRIED

TC-2018-084

It was MOVED by Trustee Grove and SECONDED by Trustee Brent

That Islands Trust Council adopt “Policy 7.4.2 Chair & Executive Committee Correspondence” dated September 18, 2018 as further amended.

CARRIED

TC-2018-085

It was MOVED by Trustee Busheikin and SECONDED by Trustee Mamoser

Amend the motion by adding Executive Committee may consider requests for delegations after the deadline at the discretion of the Chair.

CARRIED

5. LOCAL PLANNING

5.1 Director of Local Planning Services Report

Director of Local Planning Services (DLPS) Marlor presented highlights from the report.

5.2 Local Planning Committee Work Program Report

Chair of the Local Planning Committee, Trustee Mamoser, reviewed the work program report.

TC-2018-086

It was MOVED by Trustee Mamoser and SECONDED by Trustee Peterson

That Trust Council receive the Local Planning Committee Work Program Report as presented.

CARRIED

5.3 LPS Review – Briefing

DLPS Marlor reviewed the briefing and presented a Power Point giving background and options regarding the review. This work would be carried forward to next term's council.

5.4 LTC Agenda Model – RFD

DLPS Marlor presented the report and request for decision which, if adopted would amend Islands Trust Council policy 4.1.2 Local Trust Committee Meeting Guidelines.

Discussion on local trust committee ownership of model structure and amendment of agendas at the LTC level ensured.

TC-2018-087

It was MOVED by Vice Chair Busheikin and SECONDED by Trustee Harris

That the draft policy be amended as follows:

Page 3, item 3.2.1 wording be changed to delete the material after the word agenda and that on page 4 the model agenda be amended to place town hall after the call to order.

CARRIED

TC-2018-088

It was MOVED by Trustee Harris and SECONDED by Trustee Crumblehulme

That Islands Trust Council adopt the amended "Policy 4.1.2 Local Trust Committee Meeting Guidelines" that includes a model local trust committee meeting agenda format.

CARRIED

5.5 Bylaw Enforcement Local Summaries – Briefing

DLPS Marlor presented the summary on behalf of Bylaw Enforcement Manger (BEM) Drew who would be arriving later.

There was discussion about the range of application fees for short term vacation rentals.

At 4:35 p.m. BEM Drew arrived and addressed Council where he reviewed the report and answered questions. He discussed proactive enforcement on a policy driven basis versus complaint driven enforcement on issues such as seawalls and foreshores.

Discussion ensued on LTC bylaws, trust wide issues and compliance.

The report was received for information.

6. ADMINISTRATIVE SERVICES

6.1 Director of Administrative Services Report

Director Mobbs spoke to highlights from the report and timelines for the next fiscal year. She addressed outgoing trustees returning iPads.

6.2 Financial Planning Committee (FPC) Work Program Report

Trustee Grove, FPC Chair spoke briefly on the report. There were no questions.

TC-2018-089

It was MOVED by Trustee Groves and SECONDED by Trustee Harris,
That the Islands Trust Council approves the top priorities of the Financial Planning Committee Work Program Report.

CARRIED

6.3 June 30, 2018 Quarterly Financial Report – RFD

Director Mobbs reviewed the report. There were no questions.

TC-2018-090

It was MOVED by Trustee Grove and SECONDED by Trustee Harris,
That the Islands Trust Council approve the June 30, 2018 Quarterly Financial Report as presented.

CARRIED

6.4 Statement of Financial Information (SOFI) Report – Briefing

Director Mobbs pointed out highlights of the report which will be forwarded to the ministry.

Received for information.

6.5 2019-20 Budget

6.5.1 2019/20 Draft Budget Assumptions and Principles – Briefing
Received for information.

6.5.2 2019/20 Draft Budget Cycle Timelines
Received for information.

- 6.6 Amendment to Policy 7.2.6 Municipal Tax Requisition Calculation - RFD**
Director Mobbs commented in support of the amendment presented by Trustee Morse regarding requisition of local tax dollars.

TC-2018-091

It was MOVED by Trustee Morse and SECONDED by Trustee Brent,

To amend Trust Council Policy 7.2.6 Municipal Tax Requisition Calculation so that Amortization Expense is only included in the Municipal Pool in years when amortization is included in the financial plan as an amount that taxes are to be requisitioned for.

CARRIED

Trustee Morse noted that Bowen Island Municipality (BIM) would agree to waive the notice and this would be a policy change that could be implemented now and has been received in writing.

By General Consent, it was agreed to address item 12. New Business upon return from a break.

The meeting recessed for a break at 10:24 a.m. and was reconvened at 10:45 a.m.

12. NEW BUSINESS

- 12.1 Trustee McConchie re Commercial freighter anchorages advocacy throughout the Southern Gulf Islands - RFD**

Trustee McConchie presented on the request for decision and motion for consideration.

TC-2018-092

It was MOVED by Trustee McConchie and SECONDED by Trustee Mamoser

That the Islands Trust Council makes the following public statement:

Islands Trust Council calls upon the federal government to take all measures possible to reduce, and ultimately eliminate, the use of commercial freighter anchorage sites throughout the Southern Gulf Islands.

These anchorage sites were designated without consultation with local First Nations and coastal communities.

First Nations Rights and Title have not been adequately addressed when it comes to anchorages and large vessel traffic within their traditional territories as is required under the United Nations Declaration on the Rights of Indigenous Peoples, Article 32.

The acoustic disturbance of freighters excessively transiting the endangered Southern Resident Killer Whales' foraging areas is a significant factor in contributing to their continued demise.

The use of these anchorages has resulted in a significant increase in noise, light, and air pollution; damage to the local marine ecosystems; a threat to local economies and most worrisome, an increased risk of catastrophic bunker-fuel spills.

Discussion on advocacy strategy ensued.

TC-2018-093

It was MOVED by Trustee Fast and SECONDED by Trustee Mamoser

To amend the motion in the first paragraph and replace “Southern Gulf Islands” with “throughout the Trust Area including the Southern Gulf Islands.”

Discussion on the amendment regarding defining the Trust Area ensued.

DEFEATED

TC-2018-094

It was MOVED by Trustee Brent and SECONDED by Trustee Grove

That motion TC-2018-092 be tabled.

CARRIED

12.2 Trustee Remuneration - RFD

Vice Chair Busheikin spoke to the rationale behind the proposal to remunerate trustees for meeting attendance.

It was noted that council committee members are appointed by the Chair while Islands Trust Conservancy members are elected.

By General Consent, Trust Council acknowledged that remuneration for meeting attendance applies to both physical and non-physical attendance (electronic meetings).

TC-2018-095

It was MOVED by Trustee Busheikin and SECONDED by Trustee Brent

Effective April 1, 2019, trustees be remunerated for their participation in the Local Planning, Trust Programs and Financial Planning Committees at rate of \$100 per meeting attended for committee members, and \$150 per meeting attended for committee Chairs; and

That Trust Council *Policy 7.2.1 Trustee Remuneration* be amended to reflect this change in remuneration structure; and

That staff be directed to bring the draft amendments to *Policy 7.2.1 Trustee Remuneration* to the next Trust Council meeting for approval of the Policy wording.

CARRIED

12.3 Citizens Climate Lobby Open Letter Signatory

Trustee Grove introduced the open letter noting it has already been endorsed by Vancouver, Victoria and Toronto.

TC-2018-096

It was MOVED by Trustee Grove and SECONDED by Trustee Harris

That Trust Council sign onto the Citizens' Climate Lobby open letter requesting that the national price on carbon plan for a rising fee be extended to the year 2030.

CARRIED

Trustee Morse opposed

12.4 Increasing Trust Council Time By ½ Day For Future Meetings

Trustee Peterson spoke on the motion he would present for consideration.

TC-2018-097

It was MOVED by Trustee Peterson and SECONDED by Trustee Harris

That Trust Council recommend that the incoming Trust Council consider modifying the schedule of future Trust Council meetings, to allow for more time to deliberate Council business.

CARRIED

7. TRUST AREA SERVICES

7.1 Director of Trust Area Services Report

Director Frater reviewed her report highlighting recent advocacy work, letters sent and meetings attended. She noted the policy statement review and work has been deferred due to urgent and timely advocacy work.

7.2 Trust Programs Committee (TPC) Work Program Report

Trustee Crumblehulme, TPC Chair presented the report and spoke on recent activities of the committee.

TC-2018-099

It was MOVED by Trustee Crumblehulme and SECONDED by Trustee Harris,

That the Islands Trust Council approves the top priorities of the Trust Programs Committee Work Program Report.

CARRIED

7.3 Islands Trust Conservancy Quarterly Report – Briefing

Trustee Law, Chair of the Islands Trust Conservancy reviewed the briefing and spoke on the Opportunity Fund.

Received for information.

7.4 Islands Trust Fund Audited Financial Statement – Briefing

Received for information.

7.5 Service Integration Committee – Briefing

Received for information.

By General Consent, Council addressed the Lesson Learned Session as shown on the schedule but not itemized on the agenda item, as item 7.6 followed by item 11.

7.6 Lessons Learned Session

A roundtable discussion by trustees on lessons learned ensued.

11. SUMMARY / UPDATES

11.1 Trustee Updates

11.1.1 BC Ferries (Ferry Advisory Committee Chairs)

Trustee Fast reported on a meeting with Minister Trevena and future consideration for electric or hybrid ferry service.

11.1.2 First Nations

Trustee Stamford spoke noted a pole raising on Gambier.

11.1.3 Gulf Islands National Park Reserve Advisory Committee

Director Frater noted a council representative from the new term will be appointed to this committee

11.1.4 Salt Spring Island Watershed Protection Authority (SSIWPA)

No report.

11.1.5 Howe Sound Community Forum

Trustee Stamford noted that Ocean Watch is the action group of the forum.

11.1.6 Freighter Roundtable Update

Trustee McConchie noted an October roundtable is planned.

The meeting was recessed for lunch at 12:00 p.m. and reconvened at 1:00 p.m.

8. COLLABORATION / ENGAGEMENT

8.1 Trustee Stamford - Gambier Island

Trustee Stamford addressed Council with a Power Point featuring Gambier Island and its unique amenities.

8.2 Community Presentation - Howe Sound Biosphere Region Initiative Society

Ruth Simmons presented on behalf of the Howe Sound Biosphere Region Initiative Society and the conservation initiatives of the society.

8.3 Delegations & Town Hall

8.3.1 SeaChange Marine Conservation Group

Fiona Beaty, representing the SeaChange Marine Conservation Group and Willem van Reit of the David Suzuki Society used Power Point presentations to convey the work of the group which has used scientific data and mapping to present the environmental changes that have occurred in the Howe Sound region.

By General Consent, Trust Council resumed consideration of Motion **TC-2018-092**.

Trustee McConchie made a friendly amendment to the motion:

TC-2018-100

It was MOVED by Trustee McConchie and SECONDED by Trustee Mamoser;

That the Islands Trust Council makes the following public statement:

“Islands Trust Council calls upon the federal government to take all measures possible to reduce, and ultimately eliminate, the use of the 33 commercial freighter anchorage sites throughout the Southern Gulf Islands collectively referred to by Transport Canada as the South Coast of British Columbia.

These anchorage sites were designated without consultation with local First Nations and coastal communities.

First Nations Rights and Title have not been adequately addressed when it comes to anchorages and large vessel traffic within their traditional territories as is required under the United Nations Declaration on the Rights of Indigenous Peoples, Article 32.

The acoustic disturbance of freighters excessively transiting the endangered Southern Resident Killer Whales’ foraging areas is a significant factor in contributing to their extinction.

The use of these anchorages has resulted in a significant increase in noise, light, and air pollution; damage to the local marine ecosystems; a threat to local economies and most worrisome, an increased risk of catastrophic bunker-fuel spills.”

And that it be communicated directly to the Prime Minister, Federal Minister of Transport, Federal Minister of Fisheries and Oceans, Federal Minister of Environment and Climate Change, Coast Guard, Premier of British Columbia, Provincial Minister of Environment and Provincial Minister of Transport

CARRIED

9. IMPLICATIONS OF THE WATER SUSTAINABILITY ACT LEARNING SESSION

Senior Fresh Water Specialist, William Shulba presented to Trust Council and answered questions regarding implications of the *Water Sustainability Act*. The power point presentation was circulated to trustees for information.

10. CORRESPONDENCE

None

11.2 Priorities Chart

By General Consent, the Priorities Chart was received as presented.

11.3 Proposed November 2018 Trust Council Agenda Program

For information.

11.4 Disposition of Delegations and Town Hall Requests

By General Consent, Trust Council request that staff acknowledge today's presenters with thank you letters.

13. CLOSED MEETING (Separate Agenda)

TC-2018-101

It was MOVED by Trustee Busheikin and SECONDED by Trustee Brent

That the Islands Trust Council meeting be closed to the public subject to Section 90(1) of the Community Charter in order to consider matters related to:

(c) labour relations or other employee relations,

(g) litigation affecting the Islands Trust; and

(i) receipt of advice that is subject to solicitor-client privilege;

and that CAO Russ Hotsenpiller and staff be invited to attend the closed session.

CARRIED

14. NEXT MEETING - November 6-8, Victoria

The next Trust Council meeting will be held in Victoria at the Parkside Hotel, 810 Humboldt Street.

15. ADJOURNMENT

By General Consent the meeting was adjourned at 5:30 p.m., September 19, 2018

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator