



## Trust Council Minutes of Regular Meeting

**Date:** November 18 - 19, 2022  
**Location:** Coast Victoria Hotel, Ballroom  
146 Kingston Street, Victoria BC

**Trustees Present:**

1. Sam Borthwick, Denman Island
2. David Graham, Denman Island
3. Dag Falck, South Pender Island
4. Ken Hunter, Thetis Island
5. Deb Morrison, North Pender Island
6. Joe Bernardo, Keats/Gambier Island
7. Kate-Louise Stamford, Gambier Island
8. David Maude, Mayne Island
9. Susan Yates, Gabriola Island
10. Alex Allen, Hornby Island
11. Kristina Evans, South Pender Island
12. Sue Ellen Fast, Bowen Island Municipality
13. Peter Luckham, Thetis Island
14. Grant Scott, Hornby Island
15. Mikaila Lironi, Lasqueti Island
16. Laura Patrick, Salt Spring Island
17. Tobi Elliott, Gabriola Island
18. Mairead Boland, Saturna Island
19. Lee Middleton, Saturna Island
20. Ben Maberley, Galiano Island
21. Aaron Campbell, North Pender Island
22. Tim Peterson, Lasqueti Island
23. Jamie Harris, Salt Spring Island
24. Lisa Gauvreau, Galiano Island
25. Judi Gedye, Bowen Island Municipality
26. Jeanine Dodds, Mayne Island

**Staff Present:**

Russ Hotsenpiller, Chief Administrative Officer (CAO)  
David Marlor, Director, Legislative Services (DLS)  
Julia Mobbs, Director, Administrative Services (DAS)  
Clare Frater, Director, Trust Area Services (DTAS)  
Stefan Cermak, Director, Planning Services (DPS)  
Kate Emmings, Islands Trust Conservancy Board, Manager  
Warren Dingman, Bylaw Compliance and Enforcement Manager  
Lori Foster, Executive Coordinator/Recorder

### **Friday, November 18, 2022**

The in-person meeting was livestreamed and recorded. It was noted that four members of the public attended electronically and there were approximately 10 livestream views reported for November 18.

There were 25 trustees present when the meeting opened. Trustee Dodds was absent.

## 1. WELCOME REMARKS AND INTRODUCTIONS

Peter Luckham, Acting Chair (A/Chair) for this inaugural session of the new term 2022-2026 Islands Trust Council, opened the meeting by thanking ləkʷəŋən Traditional Dancer, Christine Sam, for last night's welcome and prayer offered prior to Trust Council's oath of office and swearing-in ceremony.

A/Chair Luckham introduced Eric Pelkey, WSÁNEĆ Leadership Council's Community Engagement Coordinator and Hereditary Chief of Tsawout First Nation. Chief Pelkey shared his family lineage, history with colonial and Douglas Treaty impacts including those on hunting and fishing rights and spoke to ties with all First Nations across Coast Salish traditional and treaty territories, offering his experience as a conduit for connection.

### 1.1 Call to Order/Notice of New Items

A/Chair Luckham called the meeting to order at 9:37 a.m. calling for any new business items or notices of motion to add to the agenda.

Trustee Elliott requested a notice of motion be advanced to the December 2022 Trust Council meeting agenda.

**By 2/3<sup>rd</sup>s majority consent**, Trust Council added New Business item 8.1.1. Notice of Motion re: Establishment of a Select Committee on Reconciliation Action to this meeting's agenda.

Trustee Boland requested two new items be added to the agenda as urgent business in consideration of the budget development.

**By 2/3<sup>rd</sup>s majority consent**, Trust Council added New Business item 8.1.2 Change how the Financial Planning Committee is appointed to this meeting's agenda.

**By 2/3<sup>rd</sup>s majority consent**, Trust Council defeated the request to add New Business item 8.1.3-Pause on Hiring to this meeting's agenda.

A/Chair Luckham suggested the request re: Pause on Hiring go before the first Financial Planning Committee meeting for consideration.

Trustee Yates requested a notice of motion be brought to the December Trust Council meeting with regards to Trust Council in-person meetings.

**By 2/3<sup>rd</sup>s consent**, Trust Council added New Business 8.1.3 - Trust Council in-person meetings for 2023/24" to this meeting's agenda.

## **1.2 Approval of Agenda**

By general consent, the agenda was adopted as amended.

## **2. COUNCIL ROUNDTABLE PRIORITIES AND PERSPECTIVE**

### **2.1 Council Roundtable Priorities and Perspectives - Session Outline**

Each trustee spoke to their priorities and perspectives as returning or newly elected officials to this term's Trust Council.

The following themes were spoken to: housing and water sustainability, reconciliation, official community plan updates, communications, Islands 2050 Policy Statement update amendments, heritage conservation, bylaw enforcement and advocacy issues including anchorages.

The meeting recessed for a break at 11:00 a.m. and reconvened at 11:15 a.m.

## **3. SESSIONS**

### **3.1 Overview of Islands Trust**

#### 3.1.1 Overview of Islands Trust - Session Outline

Chief Administrative Officer (CAO) Hotsenpiller spoke to the session outline.

##### 3.1.1.1 The Big Picture – PowerPoint Presentation

CAO Hotsenpiller presented a PowerPoint on Trust Council's program of orientation. The presentation was added as an addendum to the agenda package.

Discussion followed.

The meeting recessed for lunch at 12:11 p.m. and reconvened at 1:00 p.m.

### **3.2 Islands Trust Conservancy**

#### 3.2.1 Islands Trust Conservancy (ITC) - Session Outline

Islands Trust Conservancy (ITC) Manager, Emmings spoke to the session outline.

##### 3.2.1.1 Welcome to the Islands Trust Conservancy – PowerPoint Presentation

ITC Manager Emmings presented on the priorities and work of the ITC with regards to Trust Council. The presentation was added as an addendum to the agenda package.

### **3.3 Governance**

#### **3.3.1 Governance - Session Outline**

CAO Hotsenpiller spoke to the governance session as presented in the outline.

##### **3.1.1.1 The Big Picture – PowerPoint (PP) Presentation**

The presentation was added as an addendum to the agenda package. Comments followed on:

- Lessening of voluminous staff reports,
- Reasonability of fact-based decisions,
- First Nations referrals, collaboration and case law.

### **4. NOTICE OF ELECTION / INTENT**

Director of Legislative Services (DLS) Marlor gave notice of elections to be held on Saturday, November 19, 2022 for the positions of (1) one Islands Trust Chair, (3) three Vice-Chairs, and (2) two Islands Trust Conservancy members.

DLS Marlor introduced the trustees whose declarations were included in the agenda package and asked if there were any other declarations of intent.

In addition to the trustees whose declarations were included in the agenda package the following trustees put forward their name for the following positions:

- Trustee Sam Borthwick, Denman Island Local Trust Area, for the position of Vice-Chair,
- Trustee Tobi Elliott, Gabriola Island Local Trust Area, for the position of Vice-Chair,
- Trustee Grant Scott, Hornby Island Local Trust Area, for the position of Islands Trust Conservancy member.

The meeting recessed for a break at 2:50 p.m. and reconvened at 3:15 p.m.

Trustee Dodds joined the meeting. 26 trustees were present.

### **5. SESSIONS – CONTINUED**

#### **5.1 Planning Services - Session Outline**

Director of Planning Services (DPS) Cermak introduced the session.

##### **5.1.1 Planning Services Orientation – PowerPoint Presentation**

The presentation was added as an addendum to the agenda package.

DPS Cermak introduced the following management staff:

- Regional Planning Manager (Southern Team), Robert Kojima,
- Regional Planning Manager (Salt Spring Island), Chris Hutton, and
- Bylaw Compliance and Enforcement Manger, Warren Dingman.

A question and answer session followed.

## **6. CANDIDATE PRESENTATIONS Q & A**

The following trustees (items 6.1 – 6.7) spoke for two minutes stating their intention and interest and, as presented in the agenda package. Questions and answers followed.

- 6.1 Dag Falck - Chair
- 6.2 Peter Luckham - Chair
- 6.3 Deb Morrison – Chair
- 6.4 Sue-Ellen Fast - Vice-Chair
- 6.5 Ben Maberley - Vice-Chair
- 6.6 David Maude - Vice-Chair
- 6.7 Tim Peterson - Vice-Chair
- 6.8 Susan Yates - Islands Trust Conservancy

Trustees Sam Borthwick and Tobi Elliott declared interest in running for the position of vice-chair and each gave a verbal presentation.

Trustee Grant Scott declared interest in running for the position of Islands Trust Conservancy member and gave a verbal presentation.

**By general consent**, the meeting recessed for the day at 5:38 p.m.

### **Saturday, November 19, 2022**

Acting Chair Luckham gave a land acknowledgement that the meeting was being held on Coast Salish First Nations traditional and treaty territory.

The meeting reconvened at 9:02 a.m. All 26 trustees were present.

## **7. SESSIONS – CONTINUED**

### **7.1 Finance and Budgeting - Session Outline**

Director of Administrative Services (DAS) Mobbs spoke to the session outline and presented a PowerPoint presentation titled “Budgeting and Finance”. The presentation was added as an addendum to the agenda package.

Questions and comments followed.

The meeting recessed for a break at 10:18 a.m. and reconvened at 10:24 a.m.

## **8. BUSINESS AND DECISION ITEMS**

### **8.1 New Business**

8.1.1. Notice of Motion re: Establishment of a Select Committee on Reconciliation Action – Discussion

Trustee Elliott gave notice of intention to propose the following motion and, following alternative/second motion at the December 2022 business meeting:

THAT Trust Council request staff to report options for resourcing and supporting the formation of a Select Committee on Reconciliation in line with (Policy 2.3.1 Council Committee System) that would be formed to recommend Reconciliation actions to Trust Council, and to request staff to recommend the Committee's terms of reference, composition and purpose.

THAT Trust Council request staff to report options for resourcing and supporting the formation of an entity other than a Select Committee, for the purpose of recommending Reconciliation actions to Trust Council, such as a Reconciliation "Coordination Group" (Secretariat Policy 2.1.15).

8.1.2 Change how the Financial Planning Committee is appointed

Trustee Boland spoke to consideration of changing how the Financial Planning Committee is formed.

**TC-2022-131**

**It was Moved by Trustee Boland and Seconded by Trustee Morrison,**

THAT Trust Council request staff to report back with options and implications of changing the selection process established in Trust Council Policy 2.3.1 Council Committee Systems for the Financial Planning Committee so that membership is determined by Trust Council election and;

THAT Trust Council change the process for appointing the Financial Planning Committee established in Policy 2.3.1 Council Committee Systems, by limiting the appointment under current policy to six months pending adoption of a new selection policy, at which time a new Financial Planning Committee could be decided by the new policy.

**TC-2022-132**

**It was Moved by Trustee Bernardo and Seconded by Trustee Stamford,**

That motion **TC-2022-131** be amended to add after the words "new policy," "failing which the existing Financial Planning Committee will remain in office."

**CARRIED**

Chair Luckham call the question on motion **TC-2022-131** as amended.

**TC-2022-131** (as amended)

THAT Trust Council request staff to report back with options and implications of changing the selection process established in Trust Council Policy 2.3.1 Council Committee Systems for the Financial Planning Committee so that membership is determined by Trust Council election and;

THAT Trust Council change the process for appointing the Financial Planning Committee established in Policy 2.3.1 Council Committee Systems, by limiting the appointment under current policy to 6 months pending adoption of a new selection policy, at which time a new Financial Planning Committee could be decided by the new policy, failing which the existing Financial Planning Committee will remain in office.

**CARRIED**

8.1.3 Notice of Motion re: Trust Council in-person meetings for 2023/24

Trustee Yates gave notice of intention to propose the following motion at the December 2022 business meeting:

That Trust Council ensure the 2023/24 budget allows for four in-person Trust Council meetings and, that at least two of the in-person Trust Council meetings take place on the islands our mandate pertains to.

**8.2 Resolutions without Meeting (RWM) Report**

Received for information.

**8.3 September Trust Council Minutes**

This item will come to the December Trust Council meeting.

**8.4 Follow-up Action List**

Received for information.

**8.5 Priorities Chart**

Received for information.

**9. CORRESPONDENCE**

**9.1 Minister Cullen response re: Provincial Review request letter dated September 23, 2022**

**TC-2022-133**

**It was Moved by Trustee Patrick and Seconded by Trustee Yates,**

That Trust Council request staff to return the request for decision Provincial Review of Islands Trust for consideration to the December Trust Council meeting.

**CARRIED**

The meeting recessed for a break at 11:00 a.m. - 11:15 a.m.

## **10. ELECTIONS FOR EXECUTIVE COMMITTEE AND CONSERVANCY**

### **10.1 Elections for Executive Committee and Islands Trust Conservancy**

DLS Marlor summarized the election and voting process as presented in the agenda package.

Director of Legislative Services (DLS) Marlor called for nominations for the position of Islands Trust Chair.

**It was Moved by Trustee Dodds and Seconded by Trustee Scott,**  
That Trustee Peter Luckham be nominated for the position of Chair.  
Trustee Luckham agreed to stand.

**It was Moved by Trustee Middleton and Seconded by Trustee Peterson,**  
That Trustee Deb Morrison be nominated for the position of Chair.  
Trustee Morrison agreed to stand.

**It was Moved by Trustee Boland and Seconded by Trustee Elliott,**  
That Trustee Dag Falck be nominated for the position of Chair.  
Trustee Falck agreed to stand.

DLS Marlor called three more times for nominations for the position of Islands Trust Chair. Hearing none, the paper ballots were prepared and distributed by staff.

After marking their paper ballot, each trustee walked to the front of the room and cast their vote placing it in a box held by staff.

#### **TC-2022-134**

**It was Moved by Trustee Peterson and Seconded by Trustee Borthwick,**  
That Trustee Graham be appointed scrutineer for this ballot.

**CARRIED**

Trustee Graham, Director Marlor and Executive Coordinator Foster left the room to count the votes.

DLS Marlor returned and announced Trustee Luckham Chair of Islands Trust Council for the 2022-2026 term.

DLS Marlor called for nominations for the three positions of Vice-Chair.

**It was Moved by Trustee Middleton and Seconded by Trustee Maude,**  
That Trustee Ben Maberley be nominated for the position of Vice-Chair.  
Trustee Maberley agreed to stand.

**It was Moved by Trustee Dodds and Seconded by Trustee Campbell,**  
That Trustee David Maude be nominated for the position of Vice-Chair.  
Trustee Maude agreed to stand.

**It was Moved by Trustee Patrick and Seconded by Trustee Allen,**  
That Trustee Tobi Elliott be nominated for the position of Vice-Chair.  
Trustee Elliott agreed to stand.

**It was Moved by Trustee Allen and Seconded by Trustee Yates,**  
That Trustee Tim Peterson be nominated for the position of Vice-Chair.  
Trustee Peterson agreed to stand.

**It was Moved by Trustee Gedye and Seconded by Trustee Yates**  
That Municipal Trustee Sue Ellen Fast be nominated for the position of Vice-Chair.  
Municipal Trustee Fast agreed to stand.

**It was Moved by Trustee Graham and Seconded by Trustee Allen,**  
That Trustee Sam Borthwick be nominated for the position of Vice-Chair.  
Trustee Borthwick agreed to stand.

**It was Moved by Trustee Evans and Seconded by Trustee Hunter,**  
That Trustee Dag Falck be nominated for the position of Vice-Chair.  
Trustee Falck agreed to stand.

DLS Marlor called three more times for nominations for the positions of Vice-Chair.  
Hearing none, the paper ballots were prepared and distributed by staff.

After marking their paper ballot, each trustee walked to the front of the room and cast  
their vote placing it in a box held by staff.

**TC-2022-135**

**It was Moved by Trustee Allen and Seconded by Trustee Maberley,**  
That Trustee Yates be appointed scrutineer for this ballot.

**CARRIED**

Trustee Yates, Director Marlor and Coordinator Foster left the room to count the votes.

DLS Marlor returned and announced, in no particular order, that Trustees Peterson, Elliott and Maude  
were elected to the positions of Vice-Chair for the 2022-2026 term.

Director of Legislative Services Marlor called for nominations for the two positions for  
Islands Trust Conservancy board.

**It was Moved by Trustee Yates and Seconded by Trustee Stamford,**  
That Municipal Trustee Sue Ellen Fast be nominated for the position of Islands Trust  
Conservancy member.  
Municipal Trustee Fast agreed to stand.

**It was Moved by Trustee Allen and Seconded by Trustee Patrick,**

That Trustee Grant Scott be nominated for the position of Islands Trust Conservancy member.

Trustee Scott agreed to stand.

**It was Moved by Trustee Stamford and Seconded by Trustee Borthwick,**

That Trustee Susan Yates be nominated for the position of Islands Trust Conservancy member.

Trustee Yates agreed to stand.

DLS Marlor called three more times for nominations for the positions of Islands Trust Conservancy member. Hearing none, the paper ballots were prepared and distributed by staff.

**TC-2022-136**

**It was Moved by Municipal Trustee Fast and Seconded by Trustee Bernardo,**

That Trustee Stamford be appointed scrutineer for this ballot.

**CARRIED**

After marking their paper ballot, each trustee walked to the front of the room and cast their vote placing it in a box held by staff.

DLS Marlor returned and announced that the Trust Council appointees to the Islands Trust Conservancy Board, in no particular order, are Trustee Susan Yates and Trustee Grant Scott.

The meeting recessed for lunch at 12:15 p.m. and reconvened at 1:00 p.m.

Trustees Allen and Scott did not return after the lunch break.

## **11. PUBLIC COMMENTS**

Chair Luckham asked if there any members of the public present in the room that wish to address Trust Council.

Ian Peace, from Salt Spring Island, on behalf of the Gulf Islands Alliance (GIA), addressed Trust Council congratulating them on their election to this term. Giving a summary background on the history, purpose, and beliefs of GIA. GIA holds Islands Trust to its climate emergency and reconciliation declarations. GIA urges all levels of government to support the Islands Trust mandate and spoke to GIA's legal opinion, submitted by delegation to Trust Council at its September 2022 meeting interpreting the duty of trust bodies to uphold the mandate.

Michael Sketch, North Pender Island resident, spoke to the long overdue need for a rewrite of the Trust Policy Statement and a disconnect between the federation structure and the local trust bodies in carrying out the Object of the Trust.

Chair Luckham asked if there were members of the public attending electronically that wish to address Trust Council.

Jennifer Margison suggested that the position of Trust Council chair be a neutral position, and not appointed to local trust committees requesting Trust Council to look into this as a possibility. She spoke in support of the last two public comment speakers and that she was part of an inter-island group called Friends of the Gulf Islands which supports the mandate of protecting the rural and natural environment.

**12. NEXT MEETING**

**12.1 Proposed December 6-8, 2022 Trust Council Agenda Program**

CAO Hotsenpiller spoke to the December schedule as presented which is scheduled to be held electronically.

It was noted that sign-up sheets, situated in the hotel foyer, are open for trustees to express their interest in the standing committees of Trust Council with appointments and ratification to follow in upcoming meetings.

**13. ADJOURNMENT**

**By general consent**, at 1:31 p.m. the meeting was adjourned.

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**Peter Luckham, Chair**

**Certified Correct**

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**Lori Foster, Executive Coordinator/Recorder**