



**Islands Trust Council
Minutes of Quarterly Meeting
March 6-8, 2012
Gabriola Island, BC**

Present:

Executive Committee:

Sheila Malcolmson, Chair (Gabriola)
Peter Luckham, Vice Chair (Thetis)
David Graham, Vice Chair (Denman)
Ken Hancock, Vice Chair (North Pender)

Local Trustees:

Laura Busheikin, Denman
David Graham, Denman
Gisele Rudischer, Gabriola
Louise Decario, Galiano
Sandy Pottle, Galiano
Kate-Louise Stamford, Gambier
Jan Hagedorn, Gambier
Alex Allen, Hornby
Tony Law, Hornby
Peter Johnston, Lasqueti
Susan Ann Morrison, Lasqueti
Brian Crumblehulme, Mayne
Jeanine Dodds, Mayne
Gary Steeves, North Pender
George Grams, Salt Spring
Peter Grove, Salt Spring
Pam Janszen, Saturna
Mike Jones, South Pender
Liz Montague, South Pender
Sue French, Thetis

Municipal Trustees:

Wolfgang Duntz, Bowen
Andrew Stone, Bowen

Staff:

Linda Adams, Chief Administrative Officer
Lisa Gordon, Director, Trust Area Services
David Marlor, Director, Local Planning Services
Cindy Shelest, Director, Administrative Services
Marie Smith, Executive Coordinator
Carmen Thiel, Manager, Legislative Services

Regrets:

Paul Brent, Saturna

TUESDAY, MARCH 6, 2012

Call to Order/Notice of New Items

The meeting was called to order at 12:50 p.m. Twenty-five members of the Islands Trust Council were present. Regrets: Paul Brent, Saturna

Chair Sheila Malcolmson welcomed everyone to the March 2012 Islands Trust Council meeting and acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Community Presentation - Gabriola Rescue of Wildlife Society (GROWLS)

Members of the Gabriola Rescue of Wildlife Society (GROWLS) provided a presentation to Council members about their society and its mandate - to rescue ill, injured or disabled wildlife and the preservation of natural wildlife habitat on Gabriola Island.

A. Local Planning Session

Riparian Areas Regulation Update

Andy Witt, Manager, Habitat Management, Ministry of Forest, Lands and Natural Resource Operations spoke to Council about the Riparian Areas Regulation, providing background information and an overview of the legislation, its applicability, and the roles and obligations of the Department of Fisheries and Oceans, the Ministry, local governments and land owners. He also presented examples of how local governments have become compliant with the Riparian Areas Regulation and noted that an "implementation guide" with examples is available from the Ministry website.

Team Meetings

Team meetings were held with trustees and senior planning staff to review regional issues of the respective Northern, Southern and Salt Spring planning teams.

B. 2012/13 Budget Overview

Staff provided an overview of the Financial Planning Committee's draft recommendations for the 2012/13 budget, including discretionary and non-discretionary revenue and expenses, a review of the proposed OCP/LUB budget, a preliminary proposal for a zero property tax increase, the impact of the proposed budget on the General Revenue Fund surplus and budget options if the Proposed Policy Statement Review Project is implemented.

Resolution TC 100/12

It was Moved by Trustee Peter Luckham and Seconded:

That the Islands Trust Council meeting be closed to the public subject to Sections 90 (1)(g) of the Community Charter in order to distribute documents related to litigation affecting the Islands Trust.

CARRIED

The meeting closed to the public at 5:20 p.m.

The meeting reopened to the public and recessed at 5:25 p.m.

WEDNESDAY, MARCH 7, 2012

The meeting reconvened at 8:15 a.m.

Twenty-five members of the Islands Trust Council were present. Regrets: Paul Brent, Saturna

C. Introduction to Proposed Policy Statement Review

The Islands Trust Policy Statement is fundamental to the operations of the Islands Trust, guiding the development of land use planning and regulatory bylaws of local trust committees and Bowen Island Municipality as well as Trust Council's strategic plan and advocacy program. It articulates Trust Council's understanding of its provincial mandate to preserve and protect the environment and unique amenities of the Islands Trust Area. While the current Policy Statement has provided an innovative roadmap for island sustainability, trustees, staff and islanders have identified concerns with both its content and its function.

This session provided an opportunity for trustees to review the information supporting Trust Council's decision on whether to undertake a review of the Policy Statement. Staff delivered an overview to the Proposed Policy Statement Review, including a summary of the process and Council committee advice to date and a review of public input received. Trustees provided feedback on the options proposed and staff provided clarification on the Request for Decision that will be considered later in the meeting.

D. Strategic Planning

Chief Administrative Officer Linda Adams provided a power point presentation to trustees with an introduction to the Council's Strategic Planning process, an opportunity for trustees to ask questions about the strategic planning process and to make preliminary recommendations about priority objectives for the 2011- 2014 term of office.

G. Decision and Information Items

By General Consent, the Islands Trust Council adopted the agenda, as presented.

1. General

1. Trust Council Follow-Up Action List

Provided for information.

2. December 2011 Trust Council Meeting - Draft Minutes

By General Consent, the Islands Trust Council approved the December 2011 Islands Trust Council Meeting Minutes, as amended.

2. Trust Area Services

1. Director of Trust Area Services Report

Provided for information.

2. Trust Programs Committee Report

By General Consent, the Trust Programs Committee Report was endorsed as presented. The top work program priorities as of February 2012 were: 1) Policy Statement; 2) Community Stewardship Awards; and 3) Advocacy.

3. Trust Fund Board Report

Trustee Tony Law, Chair of the Trust Fund Board highlighted the Board's accomplishments as of February 2012 in the areas of Strategic Planning/Administration, Covenant and Property Acquisition, Property and Covenant Management, Communications and Fundraising. A written report was provided for information.

4. Natural Area Protection Tax Exemption Certificate Application North Pender – NP-2011.3

Resolution TC 101/12

It was Moved by Trustee Tony Law and Seconded:

That the Islands Trust Council request the Secretary to issue a Natural Area Exemption Certificate over a portion of the land described as “Lot 38, Section 7, Pender Island, Cowichan District, Plan 32261, Except Part in Plan 35333” PID 001-081-110, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for the Natural Area Protection Tax Exemption Program (NAPTEP).

This is the 8th NAPTEP application from the North Pender Island Local Trust Area and the 25th overall since the program’s inception.

CARRIED

5. Community Stewardship Awards

A Briefing outlining details for the 2012 Community Stewardship Program was provided for information. 2012 marks the 10th anniversary of this annual awards program designed to recognize individuals and organizations that are pursuing actions in the islands that have made a significant contribution towards the object of the Islands Trust. The Trust Programs Committee will review nominations at its May 2012 meeting and make award recommendations for Trust Council’s consideration at its June 2012 meeting.

E. Delegations and Town Hall

1. Island Pathways

On behalf of Island Pathways, John Rowlandson presented a motion for Council’s consideration to support rural cycling and provided an update about the Velo Village initiative and event on Salt Spring Island in June 2012.

2. Jacinthe Eastick

Jacinthe Eastick addressed Council members about her concerns regarding the proposed Policy Statement Review Process and her opposition to accepting Gas Tax monies to fund it, opposition to the use of Integrated Sustainability Planning principles, and requested a legislative amendment to increase the Executive Committee to five members.

3. Tom Varzeliotis

Dr. Varzeliotis was unable to attend the meeting. His written submission entitled “consideration of the delegations neglected by the outgone Ancien Régime (2006 – 2009 vintage)” was included in the agenda package for review and consideration.

4. Mid Island Sustainability and Stewardship Initiative

On behalf of the Mid Island Sustainability and Stewardship Initiative, Laurie Gourlay requested Council’s support for an extension of the proposed northern boundary for the BC/Canada Southern Strait of Georgia National Marine Conservation Area to include Gabriola Island and Nanaimo River estuary.

By General Consent, Trust Council agreed to address New Business Item 6.3 next on the agenda.

6. New Business

3. Support for Rural Cycling Infrastructure

Resolution TC 102/12

It was Moved by Trustee Peter Grove and Seconded:

That the Islands Trust Council urge the Province of British Columbia to invest in cycling infrastructure in rural communities, in order to accelerate the availability and broaden the range of cycling opportunities for commuter, recreational and competitive cyclists living in and visiting rural and urban areas.

CARRIED

Meeting recessed at 12:05 p.m.

G. Decision and Information Items continued

2. Trust Area Services

6. Proposed Policy Statement Review

Resolution TC 103/12

It was Moved by Trustee George Grams and Seconded:

That the Islands Trust Council undertake a review of the Islands Trust Policy Statement in the 2011-2014 term, substantially in accordance with Option 1 outlined in the document entitled "Policy Statement Review - Staff and Resource Options" dated February 21, 2012 (attachment #5), subject to future Trust Council decisions regarding each annual Trust Council budget.

Trustees debated the recent offer of \$250,000 from Canada's Gas Tax Fund to help Trust Council review the 1994 Policy Statement in this term, and discussed whether to accept the grant after considering input from Trust Council's committees and staff's analysis of the implications. Numerous trustees provided comments and articulated concerns with undertaking a full scale review that would be required in order to receive the Gas Tax Funding. Many felt it was not the time to do this level of a review either financially or socially. Various alternatives were suggested, including reviewing it piecemeal style in house and selecting some of the Policy Statement Assessment Task Force recommendations to work into the Strategic Plan through implementing existing Council policies related to the Policy Statement.

IN FAVOUR – 3
(Graham, Busheikin, Duntz)
OPPOSED – 22
MOTION FAILS

Resolution TC 104/12

It was Moved by Trustee Tony Law and Seconded:

That the Islands Trust Council not proceed with a comprehensive review of the Policy Statement in the 2011-14 term, not accept the offer of funding from Canada's Gas Tax Fund and request the Executive Committee and Trust Programs Committee to prepare options for consideration at Trust Council's June 2012 meeting for implementing existing Council policies 1.2.i, 1.3.i and 1.3.ii relating to the Policy Statement within the Strategic Plan for the current term.

IN FAVOUR - 24
OPPOSED – 1
(Duntz-Bowen)
CARRIED

2012/13 Budget Decision

4. Organizational/Finance

7. Strategic Community Investment Funds

Staff presented a Request for Decision to accept the Strategic Community Investment (SCI) Funds Agreement. This fund provides a provincial government grant to the Islands to fund some of its operations. This funding agreement illustrates the amount of SCI Funds the province will contribute to the Islands Trust between March 31, 2012 and June 30, 2014.

Resolution TC 105/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council accept the terms and conditions of the Strategic Community Investment Funds Agreement forwarded by the Ministry of Community, Sport and Cultural Development to Islands Trust on February 27, 2012 and that the Secretary be instructed to sign the Strategic Community Investment Funds Agreement on behalf of the Islands Trust Council.

CARRIED

6. 2012/2013 Financial Plan Bylaw No. 146

Financial Planning Committee Chair Gary Steeves introduced the proposed budget for 2012-13 of \$6.8 million, which would result in no property tax increase over the previous year.

Resolution TC 106/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council Bylaw No. 146, cited as "Islands Trust Financial Plan Bylaw, 2012/2013" be Read a First Time.

CARRIED

Resolution TC 107/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council Bylaw No. 146, cited as "Islands Trust Financial Plan Bylaw, 2012/2013" be Read a Second Time.

CARRIED

Resolution TC 108/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council Bylaw No. 146, cited as "Islands Trust Financial Plan Bylaw, 2012/2013" be Read a Third Time.

CARRIED

Resolution TC 109/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council Bylaw No. 146, cited as "Islands Trust Financial Plan Bylaw, 2012/2013" be forwarded to the Minister of Community, Sport and Cultural Development for approval consideration.

CARRIED

Trust Council expressed its gratitude to retiring Director of Administrative Services Craig Elder for his exceptional work during his time at the Islands Trust.

4. Organizational/Finance

1. Director of Administrative Services Report

Provided for information.

2. Financial Planning Committee

By General Consent, the Financial Planning Committee Report was endorsed as presented. The top work program priorities as of February 2012 were: 1) Finalize the 2012/13 Budget; 2) Conduct the 2011/12 Year End and Audit Preparation; and 3) Develop a Policy on Carbon Neutrality in conjunction with Trust Programs Committee.

3. December 30, 2011 Quarterly Financial Statement and Report

Resolution TC 110/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council approve the December 31, 2011 Quarterly Financial Report as presented.

CARRIED

4. Financial Forecast to March 31, 2012 - Briefing

A Briefing outlining the financial forecast for the fiscal year ending March 31, 2012 was provided for information.

5. Anticipation Borrowing Bylaw No. 147

A borrowing bylaw is required under the *Local Government Act* by all local governments before borrowing funds to cover unexpected situations that might be required at short notice. The Islands Trust has required no borrowing for several years, due to expenditures that are carefully managed to ensure they do not exceed the budgeted revenues.

Resolution TC 111/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council Bylaw No. 147, cited as "Revenue Anticipation Borrowing Bylaw, 2012/2013" be Read a First Time.

CARRIED

Resolution TC 112/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council Bylaw No. 147, cited as "Revenue Anticipation Borrowing Bylaw, 2012/2013" be Read a Second Time.

CARRIED

Resolution TC 113/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council Bylaw No. 147, cited as "Revenue Anticipation Borrowing Bylaw, 2012/2013" be Read a Third Time.

CARRIED

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council Bylaw No. 147, cited as "Revenue Anticipation Borrowing Bylaw, 2012/2013" be forwarded to the Minister of Community, Sport and Cultural Development for approval consideration.

CARRIED

3. Local Planning

1. Director of Local Planning Services Report

Provided for information.

2. Local Planning Committee Report

By General Consent, the Local Planning Committee Report was endorsed as presented. The top work program priorities as of February 2012 were: 1) Encouraging Green Technologies; 2) Development Application Fee Analysis; and 3) Development Permit Monitoring.

3. Local Planning Services – Three Year Plan – Briefing

Staff advised that the previous "OCP Review Schedule" report will be replaced with a new report entitled "Local Planning Services Three-year Work Plan". It is intended to include projects and top priorities of local trust committees, allocation of staff resources, work carried out by the Local Planning Committee and proactive policy work by the Bylaw Enforcement office. It will also include links to the Islands Trust Strategic Plan, while still being flexible to address changing work program priorities of the local trust committees.

4. Integrated Watershed and Shoreline Mapping Project – Briefing

A Briefing providing an update on the status of the Integrated Watershed and Shoreline Mapping Project was provided for information. Staff advised that they will be bringing recommendations to the Local Planning Committee on completing the project.

5. Green Shores For Homes Credit Rating System – Briefing

A Briefing was provided for information to update Council members on the status of the Green Shores for Homes Program. This program is a multi-year initiative led by the City of Seattle, in partnership with San Juan County and Islands Trust, to develop a credit/incentive system for homes based on the Green Shores system, with the project wrap up planned in 2013/2014.

6. Food Security Guide and Implementation – Briefing

A Briefing outlining the status of the Food Security Guide and Implementation program was provided for information. Staff noted that further work on planning recommendations is subject to Local Planning Committee work priorities and staff resources.

7. Riparian Areas Regulation (RAR) Implementation

A Briefing detailing the implementation of the Riparian Areas Regulation in the Islands Trust Area was provided for information. Local Trust Committees are in the process of reviewing their bylaws and assessing the options available to them to reach compliance with Section 12 of *the Fish Protection Act*; 17 out of 41 bylaws are currently compliant. Staff will continue to monitor and report upon the completion of legislative action to implement the RAR in the Local Trust Areas; and will provide educational material on RAR to the public.

8. Letter of Agreement with Ministry of Transportation and Infrastructure

A Briefing was provided for information, to update trustees on the status of the Letter of Agreement between the Islands Trust and the Ministry of Transportation and Infrastructure. Staff advised that work will be done with Ministry staff this year to review the Letter of Agreement provisions and consultation procedures and to continue to monitor how to best work together to the benefit of both organizations.

9. Bylaw Enforcement Investigations Report - Briefing

Staff highlighted the current status of bylaw enforcement investigations in the Trust Area, and outlined the Bylaw Enforcement Process flowchart. Discussion followed about local trust committee authority to prioritize bylaw enforcement files.

10. Bylaw Dispute Adjudication System

A Briefing highlighting the status of the adoption of the bylaw enforcement adjudication system was provided for information.

5. Executive

1. Executive Committee Report

By General Consent, the Executive Committee Report was endorsed, as presented. The top work program priorities as of February 2012 were: 1) Proposed Policy Statement Review Process Request for Decision; 2) Strategic Planning; and 3) Trust Council Preparation.

2. Chief Administrative Officer's Report

Provided for information.

3. Trust Council Plan for Continuous Learning - 2011-2014

Provided for information. First Nations training was noted as a topic of interest.

4. Council Committees 2011-2014

By General Consent, the Islands Trust Council ratified Council Committee appointments as indicated on the document entitled 'Islands Trust Council Committees 2011-2014', dated February 15, 2012.

5. Islands Trust Minutes Guidelines

Resolution TC 115/12

It was Moved by Trustee Peter Luckham and Seconded:

That the Islands Trust Council direct staff to draft new Islands Trust minute taking guidelines, and revisions to current policies and procedures related to Islands Trust minutes, for consideration at the June 2012 Trust Council meeting.

The Executive Committee have requested staff to review existing guidelines and develop recommendations to improve cost-effectiveness and ensure a high standard of organizational minute taking.

CARRIED

6. Islands Trust Strategic Planning Process

A Briefing outlining the planning process for the Islands Trust 2011-14 Strategic Plan was provided for information. Executive Committee will next consider the process and potential for public input and Council Committees will identify potential priority objectives and strategies for confirmation by Trust Council at its June 2012 meeting.

6. New Business

1. Oil Spill Response Session at June 2012 Council Meeting

Resolution TC 116/12

It was Moved by Trustee Mike Jones and Seconded:

That the Islands Trust Council request the Executive Committee to organize an oil spill response information session for the soonest available Trust Council meeting and that the Executive Committee select representatives to visit the Western Canada Marine Response Corporation facility in Duncan and to participate in a certification exercise.

This initiative would provide trustees with further information about oil spill risks and preparedness in the Islands Trust Area and could inform future decisions about Trust Council's advocacy program.

CARRIED

2. Response to BC Ferry Commissioner Report

Resolution TC 117/12

It was Moved by Trustee Tony Law and Seconded:

That the Islands Trust Council send the Minister of Transportation and Infrastructure a letter of support for implementing the BC Ferry Commissioner's January 2012 recommendations which are consistent with past positions of Trust Council.

Approval of the letter would be delegated to Islands Trust Council's Executive Committee and will be copied to the Premier and Trust Area MLAs.

CARRIED

Resolution TC 118/12

It was Moved by Trustee Tony Law and Seconded:

That the Islands Trust Council request that the Trust Programs Committee consider recommending inclusion of ferry advocacy in the 2011-2014 Trust Council Strategic Plan.

CARRIED

3. Support for Rural Cycling Infrastructure

Addressed earlier following the Delegation and Town Hall Session.

4. National Marine Conservation Area Boundary Extension

Resolution TC 119/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council delegate the Executive Committee to address the issue of the proposed northern boundary for the BC/Canada Southern Strait of Georgia National Marine Conservation Area and to respond to the Mid Island Sustainability and Stewardship Initiative accordingly.

CARRIED

7. Summary/Updates

1. Trustee Updates

a. BC Ferries

Trustee Tony Law reported on recent meetings of the Ferry Advisory Committee Chairs with Minister of Transportation Blair Leckstrom, and representatives of BC Ferries.

On behalf of Trust Council, Trustee Ken Hancock thanked Chair Sheila Malcolmson for her role attending meetings with the Regional District Chairs and Trustees Tony Law, Sue French, Gisele Rudischer, Laura Busheikin and Kate-Louise Stamford as Islands Trust representatives on their respective Ferry Advisory Committees.

b. First Nations

Peter Luckham reported on a recent meeting of the First Nations Consultation Working Group with a consultant to address First Nations concerns in the Trust Area.

c. Gulf Islands National Park Reserve (GINPR) Advisory Committee

Islands Trust representative Trustee Pam Janszen advised there was no report, as no meeting of the GINPR Advisory Committee has occurred yet.

d. Association of Vancouver Island Coastal Communities (AVICC)

Trustee Gary Steeves reported that he will be running for the AVICC Executive in April 2012.

2. Priorities Chart

The Islands Trust Priorities Charts highlights the current top priorities of Trust Council and its Committees, the Trust Fund Board and Local Trust Committees.

By General Consent, the Islands Trust Council approved the Priorities Chart, dated February 22, 2012.

3. 2012 Trust Council Meetings Schedule

Provided for information.

4. Proposed June 2012 Trust Council Agenda Program

A draft schedule for the June 2012 Islands Trust Council meeting to be held on the Pender Islands was provided for information.

5. Disposition of Delegations and Town Hall Requests

By General Consent, the Islands Trust Council requested the Chair to write to the delegation participants and to thank them for their submissions.

Resolution TC 120/12

It was Moved by Trustee Peter Luckham and Seconded:

That the Islands Trust Council be closed to the public subject to Sections 90(1)(g) and (i) of the Community Charter in order to distribute documentation related to litigation affecting the Islands Trust, and advice that is subject to solicitor-client privilege; and that Islands Trust staff attend the meeting.

CARRIED

The meeting closed to the public at 5:22 p.m.

The meeting reopened to the public at 5:25 p.m.

The meeting recessed at 5:25 p.m.

THURSDAY, MARCH 8, 2012

The meeting reconvened at 8:15 a.m.

Twenty-five members of the Islands Trust Council were present.

Regrets: Paul Brent, Saturna

F. Closed Session

Resolution TC 121/12

It was Moved by Trustee Peter Luckham and Seconded:

That the Islands Trust Council be closed to the public subject to Sections 90(1)(c),(g) and (i) of the Community Charter in order to consider matters related to labour relations and other employee relations, litigation affecting the Islands Trust, and receipt of advice that is subject to solicitor-client privilege; and that CAO Linda Adams be invited to attend the entire meeting, and that other Islands Trust staff and Bill Buholzer be invited to attend Parts 2, 3 and 4 of the meeting.

CARRIED

The meeting closed to the public at 8:16 a.m.

The meeting reopened to the public at 11:40 a.m.

Next Meeting: June 12-14, Pender Islands

Adjournment: By General Consent, the meeting adjourned at 11:42 a.m.

Sheila Malcolmson

Chair, Islands Trust Council

Marie Smith

Executive Coordinator and Recorder