



**Minutes of Islands Trust Council Meeting
December 4-6, 2012
Salt Spring Island, BC**

Present:

Executive Committee: Sheila Malcolmson, Chair (Gabriola)
David Graham, Vice Chair (Denman)
Ken Hancock, Vice Chair (North Pender) (December 4 & 5)
Peter Luckham, Vice Chair (Thetis)

Trustees: Wolfgang Duntz, Bowen
Andrew Stone, Bowen
Laura Busheikin, Denman
Gisele Rudischer, Gabriola
Louise Decario, Galiano
Sandy Pottle, Galiano
Kate-Louise Stamford, Gambier
Alex Allen, Hornby
Tony Law, Hornby
Peter Johnston, Lasqueti
Susan Ann Morrison, Lasqueti
Jeanine Dodds, Mayne
Brian Crumblehulme, Mayne
Gary Steeves, North Pender
George Grams, Salt Spring
Peter Grove, Salt Spring
Paul Brent, Saturna
Pam Janszen, Saturna
Mike Jones, South Pender
Liz Montague, South Pender
Sue French, Thetis (partial attendance December 4)

Regrets: Jan Hagedorn, Gambier
Sue French, Thetis
Ken Hancock, North Pender (December 6)

Staff: Linda Adams, Chief Administrative Officer
Lisa Gordon, Director, Trust Area Services
David Marlors, Director, Local Planning Services
Cindy Shelest, Director, Administrative Services
Marie Smith, Executive Coordinator (Recorder)

TUESDAY, DECEMBER 4, 2012

Call to Order

The meeting was called to order at 1:45 pm. Twenty-five trustees were in attendance.
Trustee Absent: Jan Hagedorn – Gambier.

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

Approval of Agenda/Notice of New Items

Trustee Peter Johnston – 8.1 Coal Export Increase
Trustee Peter Luckham – 8.2 Oil Spill Cost Assessment

Resolution TC 192/12

It was Moved and Seconded:

To add Coal Export Increase as a New Business Item. 8.1.

OPPOSED – 2
(Brent-Saturna; Janszen-Saturna)
CARRIED

Resolution TC 193/12

It was Moved and Seconded:

To add Oil Spill Cost Assessment as a New Business Item. 8.2.

CARRIED

By General Consent, the Agenda for the December 2012 Trust Council meeting was approved as amended.

GREEN SHORES FOR HOMES/SHORELINE MAPPING

Presentations from Paul deGreef with Murdoch deGreef Inc., Linda Lyshall, Marine Resources Committee Coordinator for San Juan County and Brian Emmett with Archipelago Marine Research provided trustees with an opportunity to hear about the Green Shores for Homes credit rating and incentive program, work being done in San Juan County in respect to implementing the Program and the methodology and purpose of the integrated shoreline mapping project.

Trustee Sue French advised she was unable to attend the remainder of the Council program and left the meeting.

DECISION AND INFORMATION ITEMS

1. GENERAL

1.1 Resolutions Without Meeting

The following Resolution Without Meeting was Carried on October 1, 2012: RWM 04-2012: That Islands Trust Council Bylaw No. 148, cited as "Galiano Island Local Trust Committee Development Approval Information Bylaw No. 148, 2012", be adopted.

1.2. September 2012 Trust Council Meeting - Draft Minutes

By General Consent, the September 2012 Trust Council Meeting Minutes were approved, as amended.

1.3 Trust Council Follow-Up Action List

The Trust Council Followup Action List, dated November 20, 2012, was provided for information.

By General Consent, Council agreed to address Agenda Item 5.6 next while applicable staff were in attendance.

5.6 Islands Trust Response to BC Ferries Consultation

Resolution TC 194/12

It was Moved by Trustee Ken Hancock and Seconded:

That the Islands Trust Council endorse the following principles, to inform the Chair's December 21 submission to the BC Coastal Ferries Consultation and Engagement process:

1. Ferries are lifelines for coastal communities and businesses; as highways are in the rest of the province. Businesses and families invested on the islands based on an expectation that the Province would sustain ferry services. Provincial government support for coastal ferry service is not a subsidy or a privilege. In a coastal province, affordable ferry service is as much of a necessity as affordable public transit or affordable highway systems.
2. Ever-increasing fares are hurting our residents and reducing ridership. Fares have risen dramatically over the last six years and are imposing significant hardship on ferry dependent communities. The Province should immediately provide sufficient funding to significantly reduce fares on the minor routes as island communities have been hard hit by substantial cumulative fare increases.
3. Islanders acknowledge the budget challenges facing the provincial government and are willing to help find innovative solutions. But, they are telling us that the current consultation framework and lack of information prevents them from contributing meaningfully on coastal ferry governance and service issues.
4. British Columbia's prosperity depends on an integrated, accessible, and affordable transportation system that efficiently links all communities and businesses - whether separated by land or water.
5. Increasing island property taxes to help fund BC Ferries is unjustifiable in light of the fact that ferry users' fares already cover 85% of ferry operating costs; a much higher rate of fare box recovery than other BC transit systems.

CARRIED

Trustees were requested to share any useful information or data with staff who are preparing the submission.

2. LOCAL PLANNING

2.1 Director of Local Planning Services Report

Provided for information.

2.2 Local Planning Committee Report

By General Consent, the Local Planning Committee Report was endorsed as presented. The top work program priorities as of November 2012 were: 1) Renewable Energy Technology in the Trust Area; 2) Development of Water Quality and Quantity Tool Kit; and 3) Develop Mechanism for Proactive Bylaw Enforcement of Illegal Structures on the Foreshore.

2.3 Riparian Areas Regulation Implementation

A Briefing outlining the status of the implementation of the Riparian Areas Regulation in the Trust Area was provided for information.

2.4 Bylaw Enforcement Investigations Report

Staff highlighted the current status of bylaw enforcement investigations in the Trust Area, and provided a chart detailing the Bylaw Enforcement Notice Dispute Adjudication System.

2.5 Development Permit Monitoring Program Status

Provided for information.

2.6 Unlawful Dwellings

Resolution TC 195/12

It was Moved by Trustee Tony Law and Seconded:

That the Islands Trust Council refer the issue of unlawful dwellings to the Local Planning Committee and request that the Committee advise Council on how it might include in its work program a process to identify and provide for local trust committee consideration: a) bylaw enforcement strategies; and b) information to support solutions through implementing strategy 4.3 of the Strategic Plan - Use land use planning tools and decisions to improve the availability of affordable/accessible/ appropriate housing.

Some trustees felt this issue was better dealt with at the local trust committee level through OCPs and refer to the Affordable Housing Tool Kit for more information.

Resolution TC 196/12

It was Moved by Trustee Gisele Rudischer and Seconded:

To amend the motion as follows:

That the Islands Trust Council refer the issue of unlawful dwellings to the Local Planning Committee and request that the Committee advise Council on how it might include in its work program a process to identify and provide bylaw enforcement strategies for local trust committee consideration. ~~:- a) bylaw enforcement strategies and b) information to support solutions through implementing strategy 4.3 of the Strategic Plan.~~

On the Amendment

IN FAVOUR – 10
OPPOSED - 14

(Crumblehulme-Mayne; Brent-Saturna; Grams-Salt Spring; Luckham-Thetis;
Busheikin-Denman; Pottle-Galiano; Dodds-Mayne; Duntz-Bowen; Malcolmson-Gabriola;
Allen-Hornby; Law-Hornby; Montague-South Pender; Decario-Galiano; Morrison-Lasqueti)

MOTION FAILS

On the Original Motion

IN FAVOUR – 11
OPPOSED – 13

Brent-Saturna; Crumblehulme-Mayne, Stone-Bowen, Jones-South Pender; Steeves-North
Pender; Rudischer-Gabriola; Hancock-North Pender; Malcolmson-Gabriola;
Decario-Galiano; Pottle-Galiano; Janszen-Saturna; Dodds-Mayne; Allen-Hornby)

MOTION FAILS

Resolution TC 197/12

It was Moved by Trustee David Graham and Seconded:

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

CARRIED

The meeting closed to the public at 5:32 pm and reopened at 5:35 pm.

The meeting recessed at 5:35 pm.

WEDNESDAY, DECEMBER 5, 2012

The meeting reconvened at 8:35 am. Twenty-four trustees were present. Trustees absent: Jan
Hagedorn-Gambier; Sue French-Thetis.

CLOSED SESSION

Resolution TC 198/12

It was Moved by Trustee Ken Hancock and Seconded:

That the Islands Trust Council meeting 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 Islands Trust staff be invited to attend
Parts 2, 3 and 4 of the meeting.

CARRIED

The meeting closed to the public at 8:35 am and reopened at 9:17 am.

DECISION AND INFORMATION ITEMS

3. EXECUTIVE

3.1 Chief Administrative Officer's Report

Provided for information.

3.2 Executive Committee Report

By General Consent, the Executive Committee Report was endorsed, as presented. The top work program priorities as of November 2012 were: 1) Advocacy; 2) Strategic Planning; and 3) Organizational Effectiveness.

3.3 Trust Council Plan for Continuous Learning 2011-2014

Provided for information.

3.4 Strategic Plan Update

Staff provided an update to Trust Council regarding the status of strategies and activities identified in Council's strategic plan.

3.5 Local Government Restructure

Staff provided a Briefing and documentation outlining general information regarding local government restructure in British Columbia and an update regarding the current governance study on Salt Spring Island.

Resolution TC 199/12

It was Moved by Trustee George Grams and Seconded:

That the document entitled 'Local Government Restructure in the Islands Trust Area Update - November 23, 2012' be referred to the Financial Planning Committee for review and reconsideration at the next Trust Council meeting.

CARRIED

AGRICULTURAL LAND COMMISSION

Provincial Agricultural Land Commission Chair Richard Bullock spoke to trustees about recent and planned changes to the Commission and provided an opportunity for trustees to ask questions and discuss issues related to the Agricultural Land Reserve in island communities.

The meeting recessed at 12:30 pm and reconvened at 1:00 pm.

DELEGATIONS AND TOWN HALL SESSION

1. Islands Studies Conference

Gloria Filax and Pat Rasmussen spoke to Trustees about the Islands Studies Conference being held on Gabriola Island in May 2013 and requested support for the program through attendance, as program speakers, and assistance with costs.

2. Tom Varzeliotis

Tom Varzeliotis addressed Council members with his views on democracy.

3. Jenny McClean

Jenny McClean addressed Council members on her views about retaining a certain amount of land in the Agricultural Land Reserve near Ganges or to allot land that is not in the ALR for food security purposes.

DECISION AND INFORMATION ITEMS

5. TRUST AREA SERVICES

5.1. Director of Trust Area Services Report

Provided for information.

5.2. Trust Fund Board Report

Trustee Tony Law, Chair of the Trust Fund Board highlighted the Board's accomplishments as of November 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.

5.3 Trust Programs Committee Report

By General Consent, the Trust Programs Committee Report was endorsed as presented. The top work program priorities as of November 2012 were: 1) Community Economic Sustainability; and 2) Encourage Understanding and Voluntary Stewardship of Water Resources

5.4 Legislative Monitoring Chart

Provided for information.

5.5 National Marine Conservation Area Reserve

Resolution TC 200/12

It was Moved by Trustee Paul Brent and Seconded:

That the Islands Trust Council reaffirm its support for a National Marine Conservation Area Reserve in the Southern Strait of Georgia, and affirms its support for enacting the entire perimeter (or larger) as currently proposed.

Resolution TC 201/12

It was Moved by Trustee Peter Grove and Seconded:

To Amend the Motion as follows:

That the Islands Trust Council reaffirm its support in principle for a National Marine Conservation Area Reserve in the Southern Strait of Georgia, and affirms its support for enacting the entire perimeter (or larger) as currently proposed.

(Grove-Salt Spring; Grams-Salt Spring; Rudischer-Gabriola; Jones-South Pender)

IN FAVOUR – 4

OPPOSED – 20

MOTIONS FAILS

On the Original Motion

CARRIED

Resolution TC 202/12

It was Moved by Trustee Paul Brent and Seconded:

That the Islands Trust Council recommend that local trust committee zoning be used by Parks Canada as the basis for defining the zoning in the National Marine Conservation Area Reserve Interim Management Plan.

Resolution TC 203/12

It was Moved by Trustee Gisele Rudischer and Seconded:

To amend the motion as follows:

That the Islands Trust Council's support is contingent on ~~recommend that~~ local trust committee zoning being used by Parks Canada as the basis for defining the zoning in the National Marine Conservation Area Reserve Interim Management Plan.

Staff noted this proposed amendment was very prescriptive and may not be possible.

On the Amendment

IN FAVOUR – 6

(Steeves-North Pender; Graham-Denman; Dodds-Mayne;
Rudischer-Gabriola; Jones-South Pender)

OPPOSED – 18

AMENDMENT FAILS

On the Original Motion

CARRIED

Resolution TC 204/12

It was Moved by Trustee Paul Brent and Seconded:

That the Islands Trust Council propose that the Islands Trust be included in a joint management approach to the National Marine Conservation Area Reserve.

CARRIED

6. CORRESPONDENCE

6.1 Gulf Islands Alliance re: Islands Trust Position on Oil Tanker and Barge Traffic in the Salish Sea (Nov 19/12)

The above noted correspondence was provided for information.

7. SUMMARY/UPDATES

7.1 Trustee Updates

7.1.1 BC Ferries

Trustee Tony Law provided highlights from his written report to Council members.

7.1.2 First Nations

Verbal updates were provided by Trustee Peter Luckham and Trustee Kate Louise Stamford about First Nations issues in their respective trust areas.

7.1.3 Gulf Islands National Park Reserve Advisory Committee

Trustee Pam Janszen provided a verbal update in her role as a member of the Gulf Islands National Park Reserve Advisory Committee.

7.1.4 Association of Vancouver Island Coastal Communities (AVICC)

Trustee Gary Steeves provided a verbal update on recent activities and discussions of the AVICC Executive, including derelict vessels and tanker traffic. Acting Regional Planning Manager Planner Courtney Simpson reported on activities of the Aquaculture Working Group which she participates in on behalf of the Islands Trust.

7.2 Priorities Chart

The Islands Trust Priorities Chart 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, as presented.

7.3 2013 Quarterly Meetings Schedule - Decision

A proposed schedule for Trust Council meetings to be held in 2013 was presented for endorsement. Trustees discussed the location for the December 2013 Council meeting between an island location (Gabriola) or Victoria.

Resolution TC 205/12

It was Moved by Trustee Ken Hancock and Seconded:

To hold the December 2013 Trust Council meeting in Victoria.

IN FAVOUR-15

OPPOSED-9

(Grove-Salt Spring; Morrison-Lasqueti; Johnston-Lasqueti; Stone-Bowen; Busheikin-Denman;
Graham-Denman; Malcolmson-Gabriola; Allen-Hornby; Law-Hornby)

CARRIED

Resolution TC 206/12

It was Moved by Trustee Ken Hancock and Seconded:

That the Islands Trust Council establish the following meeting schedule for 2013:

- March 5-7, 2013 - Thetis Island
- June 11-13, 2013 - Mayne Island
- September 10-12, 2013 – Lasqueti Island
- December 3-5, 2013 – Victoria

CARRIED

7.3. Proposed March 2013 Trust Council Agenda Program

A draft schedule for the March 2013 Islands Trust Council meeting to be held on Thetis Island was provided for information.

7.4. 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.

8. NEW BUSINESS

8.1 Coal Export Increase (P. Johnston)

Resolution TC 207/12

It was Moved by Trustee Peter Johnston and Seconded:

That the Islands Trust Council request the Chair to sign the November 27, 2012 open letter to the Vancouver Fraser Port Authority by Bill McKibben, James Hansen, Mark Jaccard and Andrew Weaver outlining concerns about proposed projects that would increase coal export capacity.

Some trustees felt more information was needed and questioned supporting an issue that was not relative to the Trust Area while others voiced concern about shipping coal through the Islands Trust Area, especially the Lasqueti Trust Area.

IN FAVOUR - 15

OPPOSED – 9

(Brent-Saturna; Janszen-Saturna; Dodds-Mayne; Allen-Hornby; Law-Hornby;
Duntz-Bowen; Graham-Denman; Grove-Salt Spring; Stamford-Gambier)

CARRIED

8.2 Oil Spill Cost Assessment (P. Luckham)

Resolution TC 208/12

It was Moved by Trustee Peter Luckham and Seconded:

That the Islands Trust Council direct the Chair to write to the BC Minister of the Environment to request the ministry, in coordination with the State of Washington, to assess the estimated costs associated with a significant heavy crude oil spill in the Salish Sea greater than 25,000 tonnes, including an economic evaluation of the loss of "natural" services from damaged and destroyed ecology.

Trustees expressed the need for more information before making a decision and suggested referring the issue to the Executive Committee.

MOTION FAILS

Resolution TC 209/12

It was Moved by Trustee Ken Hancock and Seconded:

That the Islands Trust Council refer Item 8.2 – Oil Spill Cost Assessment, to the Executive Committee for consideration of inclusion in the shipping safety advocacy program.

IN FAVOUR - 23
OPPOSED – 1
(Graham-Denman)
CARRIED

4. ORGANIZATIONAL/FINANCE

4.1 Director of Administrative Services Report

Provided for information.

4.2 Financial Planning Committee Report

By General Consent, the Financial Planning Committee Report was endorsed as presented. The top work program priorities as of November 2012 were: 1) First Draft of 2013/14 Budget; 2) Complete 2012/13 Forecast; 3) Develop new Whistleblower Policy to comply with Auditor's Audit Findings Report.

4.3 September 30, 2012 Quarterly Financial Statement

Resolution TC 210/12

It was Moved by Trustee Gary Steeves and Seconded:

To approve the September 30, 2012 Quarterly Financial Report as presented.

CARRIED

The meeting recessed at 5:10 pm.

THURSDAY, DECEMBER 6, 2012

The meeting reconvened at 8:40 am.

Trustees Absent – Jan Hagedorn-Gambier; Sue French-Thetis; Ken Hancock-North Pender.

DECISION AND INFORMATION ITEMS

4. ORGANIZATIONAL/FINANCE

4.4 Policy 7.2.v Restructure Incorporation Study Cost Allocations

Resolution TC 211/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council approve the revisions to Policy 7.2.v Restructure Study Cost Allocations, dated December 6, 2012 and rename the policy 'Incorporation Study Cost Allocations'.

CARRIED

4.5 Policy 7.2.vi Municipal Tax Requisition Calculation

Resolution TC 212/12

It was Moved by Trustee Gary Steeves and Seconded:

That the Islands Trust Council approve draft Policy 7.2.vi Municipal Tax Requisition Calculation dated December 6, 2012 as a replacement for existing Policy 7.2.vi Municipal Requisition Cost Allocations.

The proposed policy amendments would update Trust Council's existing guidelines for calculating the amount of the annual tax requisition due from an island municipality.

Resolution TC 213/12

It was Moved by Trustee Peter Luckham and Seconded:

To Table the Motion.

IN FAVOUR – 22
OPPOSED – 1
(Steeves-North Pender)
CARRIED

The meeting recessed for 15 minutes and reconvened.

Resolution TC 214/12

It was Moved by Trustee Peter Luckham and Seconded:

To Untable the Motion: That the Islands Trust Council approve draft Policy 7.2.vi Municipal Tax Requisition Calculation dated December 6, 2012 as a replacement for existing Policy 7.2.vi Municipal Requisition Cost Allocations.

Resolution TC 215/12

It was Moved by Trustee Peter Luckham and Seconded:

To amend the policy by deleting the words “at the Administrative Allocation Rate”, under ‘Provincial Grant’ in Appendix B of Policy 7.2.vi Municipal Tax Requisition Calculation dated December 6, 2012.

CARRIED

The question on the motion to approve the draft policy, as amended, was put forward:

That the Islands Trust Council approve draft Policy 7.2.vi Municipal Tax Requisition Calculation as amended December 6, 2012 as a replacement for existing Policy 7.2.vi Municipal Requisition Cost Allocations.

CARRIED

4.6 Financial Forecast for March 31, 2013 Year End - Briefing

Provided for information.

BUDGET SESSION

Staff provided Trust Council with an overview of the Financial Planning Committee’s current draft of the 2013/14 Budget. Trustees discussed the proposed revenue, expenses and General Revenue Fund Surplus in detail, and provided comments and recommendations for the Financial Planning Committee to consider when it develops a draft budget package for public comment.

Trustee Pam Janszen left the meeting.

Recommendation TC 216/12

It was Moved by Trustee Tony Law and Seconded:

That Trust Programs Committee and Financial Planning Committee be requested to work with staff to reframe and recast the proposed BC Ferries project as a review and summary of available information and a gap analysis with respect to the role of ferry service in sustaining island character and healthy communities.

Recommendation TC 217/12

It was Moved by Trustee Tony Law and Seconded:

To amend the motion as follows:

That Trust Programs Committee and Financial Planning Committee be requested to work with staff to reframe ~~and reconst~~ the proposed BC Ferries project as a review and summary of available information and a gap analysis with respect to the role of ferry service in sustaining island character and healthy communities.

On the Amendment

IN FAVOUR - 21
OPPOSED – 1
(Steeves-North Pender)
CARRIED

On the Motion as Amended

IN FAVOUR - 21
OPPOSED – 1
(Duntz – Bowen)
CARRIED

The meeting recessed at 12:00 pm and reopened at 12:30 pm.

Gisele Rudischer, Gary Steeves and Jeanine Dodds left the meeting.

TRUSTEE ROUNDTABLE

Trustees met in an informal roundtable format to provide updates on activities in their local trust areas.

ADJOURNMENT AND NEXT MEETING

The meeting adjourned at 1:45 pm.

Next meeting: March 5-7, 2013 on Thetis Island.

Sheila Malcolmson, Chair, Islands Trust Council

Marie Smith, Executive Coordinator & Recorder