



Minutes of Islands Trust Council Meeting June 11-13, 2013, Mayne Island, BC

Present:

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

Trustees: Wolfgang Duntz, Bowen
Andrew Stone, Bowen
Laura Busheikin, Denman
Gisele Rudischer, Gabriola
Louise Decario, Galiano
Sandy Pottle, Galiano
Jan Hagedorn, Gambier
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

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 (Recorder)

TUESDAY, JUNE 11, 2013

Call to Order

The meeting was called to order at 1:02 pm. All 26 trustees were in attendance.

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

By General Consent, the Agenda for the June 2013 Trust Council meeting was approved as presented.

COMMUNITY PRESENTATIONS

Trustees received presentations from members of the Mayne Island Health Centre Association and the Mayne Island Conservancy.

CARBON NEUTRALITY THROUGH LOCAL INITIATIVES

Senior Islands Trust Staff and Brian Roberts, with the Community Carbon Marketplace initiative, provided a presentation to Trust Council with information about the options available for the purchase of carbon credits through the Community Carbon Marketplace and the options for supporting local island projects.

The meeting recessed at 2:30 pm.

The meeting reconvened at 3:00 pm.

DECISION AND INFORMATION ITEMS

1. GENERAL

1.1 Resolutions Without Meeting – RWM-01, 02, 03, 04 - 2013

Provided for information.

1.2 March 2013 Trust Council Meeting Draft Minutes

By General Consent, the March 2013 Trust Council Meeting Minutes were approved, as amended.

1.3 Trust Council Follow-Up Action List

Provided for information.

2. LOCAL PLANNING

2.1 Director of Local Planning Services Report

Provided for information.

2.2 Local Planning Committee Work Program Report

The top work program priorities as of May 2013 were: 1) Develop Mechanism for Proactive Bylaw Enforcement of Illegal Structures on the Foreshore; 2) Development of Water Quality and Quantity Tool Kit; and 3) Renewable Energy Technology in the Trust Area.

The Local Planning Committee will consider suggestions from trustees at its next meeting about moving 'Integrated Watershed and Shoreline Stewardship Protection Approach' to the short list.

Resolution TC 138-2013

It was Moved by Trustee Decario and Seconded by Trustee Hancock:

That the Islands Trust Council approve the Local Planning Committee Work Program Report.

1 OPPOSED
(Steeves-North Pender)
CARRIED

2.3 Local Planning Services Three Year Work Program

The Local Planning Services 2011-2014 Plan was provided for information. This report includes projects and top priorities of local trust committees, allocation of staff resources, work carried out by the Local Planning Committee and policy work by the Bylaw Enforcement office.

2.4 Bylaw Enforcement Report Briefing

Staff highlighted the current status of bylaw enforcement investigations in the Trust Area,

Trustees requested to be notified at the local trust committee level on a regular basis about any new files in their respective local trust areas.

3. EXECUTIVE

3.1 Chief Administrative Officer's Report

Provided for information.

3.2 Executive Committee Work Program Report

The top work program priorities as of May 2013 were: 1) Governance, Policy, Strategic Planning, Trust Council; 2) Communications, Advocacy, Policy Statement, Interagency and Public Relations; and 3) Organizational Improvements.

Resolution TC 139-2013

It was Moved by Trustee Luckham and Seconded by Trustee French:

That the Islands Trust Council approve the Executive Committee Work Program Report.

CARRIED

3.3 Trust Council Bylaw to Delegate Powers to the Salt Spring Island Local Trust Committee

This bylaw would provide the ability to share some of Trust Council's powers with the Salt Spring Island Local Trust Committee (SSILTC) to improve collaborative efforts in the preservation and protection of the quality and quantity of water resources in the Salt Spring Island Local Trust Area. The powers would primarily authorize and enable the SSILTC to lead a multi-agency approach to water resource protection, with an initial focus on the St. Mary Lake watershed. Bylaw 154 also provides for some conditions on the delegated powers and specifies how related work would be funded. Progress reports would be provided to Council to ensure that the bylaw is respected and used as directed.

Resolution TC 140-2013

It was Moved by Trustee Grams and Seconded by Trustee Grove:

That Islands Trust Council Bylaw 154, cited as the "Islands Trust Council Delegation Bylaw, 2013" be read a First Time.

Resolution TC 141-2013

It was Moved by Trustee Jones and Seconded by Trustee Rudischer:

That Trust Council Bylaw 154 be amended under Section 5.a and 5.b as follows:

5. For the purposes of the annual budget adopted by Trust Council and without fettering the discretion of the Trust Council with respect to the adoption of the annual budget for any such operations:

- a. operations undertaken ~~solely~~ in relation to powers delegated by section 2 of this bylaw will be considered additional operations of the Salt Spring Island Local Trust Committee pursuant to section 14 (3)(iii) of the *Islands Trust Act*; and
- b. if the annual budget sets out anticipated expenditures of the Salt Spring Island Local Trust Committee equal to or in excess of \$5000 that are ~~solely~~ related to powers delegated by section 2 of this bylaw, a special tax requisition under section 47 (2)(a)(ii) of the *Islands Trust Act* will be made in respect of the Salt Spring Island Local Trust Area.

Some trustees felt this amendment would strengthen what the SSILTC has to work with and better informs the decision to the public. Others expressed concern that removing 'solely' leaves it more broadly open to interpretation and could remove clarity. Staff reiterated that there is nothing in the bylaw that precludes Council from also putting in a special levy related to the delegation of power and has sole discretion on what it will fund.

On the Amendment

(Stone-Bowen; Rudischer-Gabriola; Johnston-Lasqueti; Hancock-North Pender; Steeves-North Pender; Jones-South Pender)

IN FAVOUR - 6

OPPOSED – 20

MOTION DEFEATED

On the Original Motion

IN FAVOUR - 24
OPPOSED – 2
(Hancock-North Pender; Jones-South Pender)
CARRIED

Resolution TC 142-2013

It was Moved by Trustee Grams and Seconded by Trustee Grove:

That Islands Trust Council Bylaw 154, cited as the “Islands Trust Council Delegation Bylaw, 2013” be read a Second Time.

IN FAVOUR - 24
OPPOSED – 2
(Hancock-North Pender; Jones-South Pender)
CARRIED

Resolution TC 143-2013

It was Moved by Trustee Grams and Seconded by Trustee Grove:

That Islands Trust Council Bylaw 154, cited as the “Islands Trust Council Delegation Bylaw, 2013” be read a Third Time.

IN FAVOUR - 24
OPPOSED – 2
(Hancock-North Pender; Jones-South Pender)
CARRIED

Resolution TC 144-2013

It was Moved by Trustee Luckham and Seconded by Trustee Hancock:

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 5:41 pm and reopened at 5:43 pm.
The meeting recessed at 5:43 pm.

WEDNESDAY, JUNE 12, 2013

The meeting reconvened at 8:34 am.

All 26 trustees were in attendance.

CLOSED SESSION

Resolution TC 145-2013

It was Moved by Trustee Luckham and Seconded by Trustee Hancock:

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; CAO Linda Adams be invited to attend the entire meeting, and 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 9:40 am.

DECISION AND INFORMATION ITEMS - continued

3.3 Trust Council Bylaw to Delegate Powers to the Salt Spring Island Local Trust Committee

Resolution TC 146-2013

It was Moved by Trustee Grams and Seconded by Trustee Grove:

That staff be requested to circulate a Resolution Without Meeting that would provide for Fourth Reading of Bylaw 154 in June 2013.

CARRIED

Resolution TC 147-2013

It was Moved by Trustee Grams and Seconded by Trustee Grove:

That the Islands Trust Executive Committee be requested to recommend consequential amendments to Islands Trust Council policies in regards to Bylaw 154, as outlined in the document entitled '*Appendix 3 - Initial Identification of Consequential Policy Amendments related to Draft Bylaw 154 – April 11, 2013*'.

Some of Trust Council's policies will require amendments to reflect any powers delegated to the Salt Spring Island Local Trust Committee; any policy amendments identified will be brought to Council for its consideration at a later meeting.

CARRIED

3.4 Trust Council Plan for Continuous Learning 2011-2014

Provided for information.

3.5 Strategic Plan Update

Staff provided an update to Trust Council regarding the status of strategies and activities identified in Council's strategic plan, highlighting changes since the March Council report.

3.6 Local Government Restructure Briefing

Staff provided a briefing to update Council members regarding the current governance study on Salt Spring Island.

4. ORGANIZATIONAL/FINANCE

4.1 Director of Administrative Services Report

Provided for information.

4.2 Financial Planning Committee Work Program Report

The top work program priorities for the Financial Planning Committee as of May 2013 were: 1) First Draft of 2014/15 Budget; 2) Complete 2012/13 Year End and Audit; 3) Develop Policy on Carbon Neutral Operations with Trust Programs Committee; 4) Purchasing Procedures Policy 6.5.iii; and 5) Budget Process Policy 6.3.i.

Resolution TC 148-2013

It was Moved by Trustee Steeves and Seconded by Trustee Luckham:

That the Islands Trust Council approve the Financial Planning Committee Work Program Report.

CARRIED

4.3 March 31, 2013 Audited Financial Statement and Report

Resolution TC 149-2013

It was Moved by Trustee Steeves and Seconded by Trustee Hancock:

That Islands Trust Council approve the audited financial statements of the Islands Trust including the Statement of Financial Position, the Statement of Operations, the Statement of Changes in Net Financial Assets and the Statement of Cash Flows, for the year ended March 31, 2013.

CARRIED

4.4 Carbon Neutral Operations Policy

Resolution TC 150-2013

It was Moved by Trustee Steeves and Seconded by Trustee Grove:

That the Islands Trust Council approve the proposed Carbon Neutral Operations Policy.

Resolution TC 151-2013

It was Moved by Trustee Hancock and Seconded by Trustee Graham:

To amend the policy under Section C.3 as follows:

“...all staff, trustee and Trust Fund Board member travel by private motor vehicle and rental car (except ~~rental car and~~ taxi)....”

On the Amendment
On the Motion, as amended

CARRIED
CARRIED

5. TRUST AREA SERVICES

5.1 Director of Trust Area Services Report

Provided for information. Director Lisa Gordon also presented a brief online overview of the new Islands Trust website.

5.2 Trust Fund Board Report

Trustee Tony Law, Chair of the Trust Fund Board highlighted the Board's accomplishments as of May 2013 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 Natural Area Protection Tax Exemption Program Application, Salt Spring Island

Resolution TC 152-2013

It was Moved by Trustee Law and Seconded by Trustee Morrison:

That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate for a portion of the land described as “Lot A, Section 15, Range 5 East, North Salt Spring Island, Cowichan District, Plan 50764, Except that part in Plan VIP57454” PID 016-226-500, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for the NAPTEP program.

CARRIED

5.4 Trust Programs Committee Work Program Report

The top work program priorities as of May 2013 were: 1) Develop and Implement Research Program in Support of BC Ferries Advocacy Program; 2) Encourage Understanding and Voluntary Stewardship of Water Resources; and 3) Create Linkages to Share Economic Development Models.

Resolution TC 153-2013

It was Moved by Trustee Brent and Seconded by Trustee Crumblehulme:

That the Islands Trust Council approve the Trust Area Services Work Program Report.

CARRIED

5.5 2012-2013 Islands Trust Annual Report

Resolution TC 154-2013

It was Moved by Trustee Hancock and Seconded by Trustee Graham:

That the Islands Trust Council approve the 2012-2013 Annual Report for submission to the Minister of Community, Sport and Cultural Development, as amended June 12, 2013.

CARRIED

5.6 Advocacy re Housing in the Agricultural Land Reserve

Resolution TC 155-2013

It was Moved by Trustee Graham and Seconded by Trustee French:

That the Islands Trust Council not add advocacy regarding provincial regulations for housing in the Agricultural Land Reserve to Trust Council's 2011-14 Strategic Plan and suggest that local trust committees interested in this topic consider including it in their work program.

CARRIED

5.7 2013 Community Stewardship Awards Briefing

A briefing about the 2013 Community Stewardship Awards Program, including nominee profiles was provided for information.

5.8 Legislative Monitoring Chart

The Legislative Monitoring Chart, listing all provincial and federal legislative changes and court rulings relevant to the Islands Trust including new and amendment acts and regulations, was provided for information.

Following discussion, the Executive Committee agreed to address issues of public communication of this document at an upcoming Committee meeting.

6. SUMMARY/UPDATES

6.1 Trustee Updates

6.1.1 BC Ferries

Trustee Tony Law provided a verbal update on the activities of the ferry advisory council in regards to BC Ferries.

6.1.2 First Nations

No updates.

6.1.3 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.

6.2 Priorities Chart

By General Consent, the Islands Trust Council approved the Priorities Chart, as presented. The Islands Trust Priorities Chart highlights the current top priorities of Trust Council and its Committees, the Trust Fund Board and Local Trust Committees.

6.3 Proposed September 2013 Trust Council Agenda Program

A proposed schedule for September 2013 Trust Council meeting to be held on Lasqueti Island was provided for information.

6.4 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.

7. NEW BUSINESS

7.1 Smartmetering (Trustee Steeves)

Resolution TC 156-2013

It was Moved by Trustee Steeves and Seconded by Trustee Crumblehulme:

That the Islands Trust Council direct the Chair to write a follow-up letter to the Energy Minister asking again in light of the government's pre-election announcement that BC Hydro customers be given a choice as to whether to have smart meters installed in their homes.

CARRIED

7.2 Fraser Surrey Docks/Texada Island Coal Export Plan (Trustee Johnstone)

Resolution TC 157-2013

It was Moved by Trustee Hancock and Seconded by Trustee Graham:

That the Islands Trust Council direct the Chair to write to the Port Metro Vancouver Board of Directors to express the Islands Trust Council's opposition to the proposal to export coal through Fraser Surrey Docks, and transport it by barge to Texada Island for storage and then re-loading for shipment to Asia.

CARRIED

The meeting recessed at 12:20 pm and reconvened at 1:35 pm.

Announcement of 2013 Community Stewardship Awards

Trustee Paul Brent, Chair of the Trust Programs Committee announced that the recipients of the 2013 Community Stewardship Awards are:

Individual Category

- Richard Blagborne, Saturna Island
- Chris and Judith Plant, Gabriola Island
- Jan Slakov, Salt Spring Island

Group Category

- Salt Spring Island Water Council
- Mayne Island Conservancy Society
- Lasqueti Island Forage Fish Team

Enduring Achievement

- Ana Miriam Leigh, Denman Island

Delegations

1. Experience the Gulf Islands

Edward Andrusiak, Project Manager with Experience the Gulf Islands project, provided a presentation to Council members about the proposed pedestrian and cycling trail system interconnecting the Southern Gulf Islands, Vancouver Island and the Lower Mainland, and its potential to increase low-impact tourism and support sustainable economic development.

2. Mayne Island Recycling Society

Members of the Mayne Island Recycling Society address Council about the work of the Recycling Centre and the potential funding challenges that may result from the shift of responsibility for printed paper and packaging to Multi Materials British Columbia.

3. Christa Grace Warrick, Pender Island

Christa Grace Warrick spoke to Council members about the need for the Islands Trust Council and its island communities to "think like an archipelago".

Kinder Morgan Presentation

Chair Malcolmson introduced the session, reiterating Trust Council's position against increased tanker traffic and its associated risks in the Islands Trust Area.

Michael Davies, Director of Marine Development with Kinder Morgan and Stefan Dick, a consultant with the environmental studies team, made a presentation to Council members outlining the risk assessment for the Strait of Georgia, environmental, a socio-economic assessment and the behaviour of diluted bitumen in the event of a spill.

Approximately 25 members of the public held a silent vigil on as a protest to the proposed expansion of the Trans Mountain Pipeline.

Dialogue with San Juan County Council Members

Members of Islands Trust Council and the San Juan County Council exchanged information and discussed mutual areas of interest, including affordable housing, economic sustainability and watershed protection.

Guests from San Juan County included Jamie Stephens, San Juan County Council Chair and Rick Hughes, Vice Chair.

The meeting recessed at 5:45 pm.

Wednesday, June 13, 2013

The meeting reconvened at 8:35 am. All members of Council were present.

Tools for Making Difficult Decisions

Tracey Lee Lorensen, with Paragon Strategic Services facilitated a workshop and small group discussion session, suggesting new tools and skills to assist trustees in making difficult decisions in their various roles within the Islands Trust.

Decision and Information Items – continued

7.3 Supervision of Young Children on BC Ferries to and from School (Trustee Stamford)

Resolution TC 158-2013

It was Moved by Trustee Stamford and Seconded by Trustee Brent:
That the Islands Trust Council direct the Chair to write to the Ministry of Transportation, Marine Branch outlining the importance of supporting families with children in the Islands Trust Area and encouraging funding for the supervision of young children using BC Ferries Route 13 and the Langdale Ferry Terminal to get to and from school.

Resolution TC 159-2013

It was Moved by Trustee Steeves and Seconded by Trustee Rudischer:

To amend the motion as follows:

That the Islands Trust Council direct the Chair to write to the appropriate government ministries ~~Ministry of Transportation, Marine Branch~~ outlining the importance of supporting families with children in the Islands Trust Area and encouraging funding for the supervision of young children using BC Ferries Route 13 and the Langdale Ferry Terminal to get to and from school.

CARRIED

On the Motion as amended

CARRIED

Staff will work out letter based on information from Trustee Stamford, more background information would be included.

Trustees Hagedorn, Janszen, Johnston, Morrison and Stamford left the meeting.

7.4 Stop the Docks Campaign, Bowen Island (Trustees Stone and Duntz)

Bowen Municipal Trustees Duntz and Stone shared information about the recent construction of private docks at Cape Roger Curtis on Bowen Island, the substantial opposition to them received by the Bowen community, and the steps that Bowen Municipal Council is in the process of taking to put zoning in place to limit the size of private docks in future.

Discussion followed on issues with the Integrated Land Management Bureau referral process, which the Executive Committee has already identified as an area of concern and whether to encourage the ministry to respect that Bowen Municipality is working on getting regulations in place before approving further applications. Chair Malcolmson noted that the Executive Committee can respond to any requests from Bowen Municipality if received and noted that the Bowen trustees were not yet requesting such support.

8. ADJOURNMENT

By General Consent, the meeting adjourned at 11:15 am.

Next meeting: September 10-12, 2013 on Lasqueti Island.

Sheila Malcolmson, Chair, Islands Trust Council

Marie Smith, Executive Coordinator & Recorder