



Islands Trust

**Minutes of Islands Trust Council Meeting
September 10-12, 2013, Lasqueti Island, BC**

Present:

Executive Committee:

Sheila Malcolmson, Chair (Gabriola)
David Graham, Vice Chair (Denman)
Peter Luckham, Vice Chair (Thetis)

Trustees:

Wolfgang Duntz, Bowen (September 10 & 11)
Andrew Stone, Bowen (September 10 & 11)
Laura Busheikin, Denman
Louise Decario, Galiano
Sandy Pottle, Galiano
Jan Hagedorn, Gambier
Alex Allen, Hornby
Tony Law, Hornby
Peter Johnston, Lasqueti
Susan Ann Morrison, Lasqueti
Brian Crumblehulme, Mayne
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

Regrets:

Gisele Rudischer, Gabriola
Kate-Louise Stamford, Gambier
Jeanine Dodds, Mayne
Ken Hancock, Vice Chair (North Pender)
Gary Steeves, North Pender
Andrew Stone, Bowen (September 12)
Wolfgang Duntz, Bowen (September 12)

Staff:

Linda Adams, Chief Administrative Officer
Lisa Gordon, Director, Trust Area Services
David Marlор, Director, Local Planning Services
Cindy Shelest, Director, Administrative Services
Carmen Thiel, Manager, Legislative Services
Clare Frater, Policy Analyst
Marie Smith, Executive Coordinator (Recorder)

TUESDAY, SEPTEMBER 10, 2013

Call to Order

The meeting was called to order at 1:33 pm.

Twenty-one trustees were in attendance. Regrets: Rudischer-Gabriola; Stamford-Gambier; Dodds-Mayne; Steeves-North Pender; Hancock-North Pender.

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

New Business Item: 7.2 Letter from Denman Island Marine Stewards

By General Consent, the Agenda for the September 2013 Trust Council meeting was approved, as amended.

COMMUNITY PRESENTATIONS

Trustees received presentations from members of the Last Resort Society and Lasqueti Forage Fish Team.

DECISION AND INFORMATION ITEMS

1. GENERAL

1.1 Resolutions Without Meeting – RWM-05 -2013

Provided for information.

1.2 June 2013 Trust Council Meeting Draft Minutes

By General Consent, the June 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 August 2013 were: 1) Development of Water Quality and Quantity Tool Kit; 2) Develop Mechanism for Proactive Bylaw Enforcement of Illegal Structures on the Foreshore; 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 160-2013

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

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

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.

Council members requested that new or changed items be italicized or highlights in future reports.

2.4 Bylaw Enforcement Report Briefing

Staff highlighted the current status of bylaw enforcement investigations in the Trust Area. Trustees asked for better definition on files opened, carried over versus new for each fiscal.

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 August 2013 were: 1) Governance, Policy, Strategic Planning, Trust Council; 2) Communications, Advocacy, Policy Statement, Interagency and Public Relations; and 3) Organizational Improvements.

Resolution TC 161-2013

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

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

CARRIED

Staff were requested to send the detailed Executive Committee Work program to trustees.

3.3 Trust Council Plan for Continuous Learning 2011-2014

Provided for information. Trustees discussed the value of webinars as a Council learning tool outside of Council meetings and about receiving pre reading material ahead of webinar and Council agenda packages when possible.

3.4 Trust Council Strategic Plan Update

Resolution TC 162-2013

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

That the Islands Trust Council endorse the Objectives, Strategies, Activities and Phases (columns 1 – 3) illustrated in the August 27, 2013 version of its Strategic Plan for 2011-2014.

CARRIED

Resolution TC 163-2013

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

That the Islands Trust Council request Council Committees, Local Trust Committees and the Trust Fund Board to provide recommendations to the Financial Planning Committee and the Executive Committee in November, regarding:

- a. their projected ability to complete Strategic Plan items on target;
- b. identification of any Strategic Plan items they recommend for amendment, removal or delay;
- c. identification of any items that should be added to the Strategic Plan; and
- d. recommendations regarding any new resources that should be included in the annual budget in order to complete Strategic Plan items on target.

CARRIED

Resolution TC 164-2013

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

That the Islands Trust Council request the Financial Planning Committee to use the August 27, 2013 version of its Strategic Plan for 2011-2014 for the purposes of budget development, after considering recommendations of other Council Committees and local trust committees.

CARRIED

Resolution TC 165-2013

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

That the Islands Trust Council request the Executive Committee to make recommendations in December 2013 regarding amendments to the Strategic Plan for 2011-2014.

CARRIED

ADVOCACY POLICY/PROGRAM SESSION

Senior staff provided Council members with an overview of the Advocacy Policy, outlining the current Trust priorities and current challenges facing the Advocacy Program including demand capacity and limits on resources.

Resolution TC 166-2013

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

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 5:35 pm and reopened at 5:38 pm.
The meeting recessed at 5:38 pm.

WEDNESDAY, SEPTEMBER 11, 2013

The meeting reconvened at 8:39 am.

Twenty-one trustees were in attendance. Regrets: Rudischer-Gabriola; Stamford-Gambier; Dodds-Mayne; Steeves-North Pender; Hancock-North Pender.

CLOSED SESSION

Resolution TC 167-2013

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

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 8:40 am and reopened at 9:35 am.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Senior staff provided trustees with a high level explanation about what the *Freedom of Information and Protection of Privacy Act* is and what it does and provided examples of situations that trustees may encounter while serving as elected officials.

REFRESHER ON ADMINISTRATIVE FAIRNESS IN APPLICATION PROCESSING

Senior staff provided a review to trustees about the principles of fair decision-making and how to apply those principles when considering land use applications.

DELEGATIONS AND TOWN HALL

An Islands Trust Community Stewardship Award was presented to the Lasqueti Forage Fish Team

1. Stephen Foster

On behalf of the David Suzuki Foundation, Stephen Foster shared the Foundation's views about how major industrial projects could jeopardize the rejuvenation of Howe Sound that has occurred in recent years.

2. Gordon Scott, Lasqueti Island Nature Conservancy

Gordon Scott provided a presentation to trustees about the current activities of the Lasqueti Island Nature Conservancy.

Municipal Trustees Duntz and Stone left the meeting.

OIL SPILL AND SHIPPING ADVOCACY

Chair Malcolmson provided a slide show presentation about shipping safety, oil spill preparedness and oil tanker traffic expansion concerns. This presentation has been given by the Chair on behalf of Council to other local governments, including the Association of Vancouver Island Coastal Communities, the Regional District of Nanaimo, and San Juan County Marine Managers.

DECISION AND INFORMATION ITEMS - continued

Notice of New Items:

Resolution TC 168-2013

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

To add "Advocate for the Howe Sound Management Plan" as a new business item.

CARRIED

3.5 Policy Amendments Related to Trust Council Bylaw 154

Council considered a request for decision recommending amendments to Council policies, as requested by Trust Council in relation to the recent adoption of Bylaw 154 which delegates specific powers to the Salt Spring Island Local Trust Committee related to the preservation and protection of water resources in the Salt Spring Island Local Trust Area.

Resolution TC 169-2013

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

That the Islands Trust Council approve amendments to Policy 2.1.iv – Coordination Agreement Process, as indicated in the draft dated September 11, 2013.

CARRIED

Resolution TC 170-2013

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

That the Islands Trust Council approve amendments to Policy 5.9.i – Best Management Practices for Delivery of Local Planning Services to LTCs, as indicated in the draft dated September 11, 2013.

CARRIED

Resolution TC 171-2013

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

That the Islands Trust Council approve amendments to Policy 6.3.ii – Special Property Tax Requisition, as indicated in the draft dated September 11, 2013.

CARRIED

Resolution TC 172-2013

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

That the Islands Trust Council approve amendments to Policy 6.5.i – General Revenue Fund Surplus Policy, as indicated in the draft dated September 11, 2013.

CARRIED

Resolution TC 173-2013

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

That the Islands Trust Council approve amendments to Policy 6.5.ii – Budget Control and Adjustment Authority, as indicated in the draft dated September 11, 2013.

CARRIED

3.6 Statement of Disclosure of Contract with Bowen Municipal Trustee Stone Briefing

Provided for information.

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 August 2013 were:

1) First Draft of 2014/15 Budget; 2) Complete 2012/13 Year End and Audit; 3) Purchasing Procedures Policy 6.5.iii; and 4) LTC Expense Policy 4.1.viii.

Resolution TC 174-2013

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

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

CARRIED

4.3 June 30, 2013 Quarterly Financial Statement – Decision

Resolution TC 175-2013

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

That Islands Trust Council approve the June 30, 2013 Quarterly Financial Report as presented.

CARRIED

4.4 March 31, 2013 Year End Financial Statements Allocated to LTCs Briefing

This briefing was provided for information.

4.5 Revisions to Purchasing Policy 6.5.iii

Resolution TC 176-2013

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

To further amend Policy 6.5.iii under Item 12 Local Purchasing, as follows:

- Local food procurement – Islands Trust staff engaged in the purchase of food for operational needs will ensure that when practical, both operationally and economically, at least 40% of purchases will be local. Suppliers will be made aware of this policy and will be encouraged, again where practical, to increase the availability and variety of local foods. “Local” is defined as food that is produced within British Columbia with preference given to items produced in the Islands Trust Area or on Vancouver Island. Add words at least to item 12, first bullet, before 40%

CARRIED

Resolution TC 177-2013

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

That the Islands Trust Council approve the revisions to Purchasing Procedure Policy 6.5.iii, as amended September 11, 2013.

CARRIED

4.6 2012-13 Trustee Remuneration and Expense Report Briefing

This briefing was provided for information.

4.7 2013-2014 Budget Planning

4.7.1 Draft Assumptions and Principles for 2014/15 Budget Process Briefing

This briefing was provided for information.

4.7.2 Timeline for 2014/15 Budget Process

Resolution TC 178-2013

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

That the Islands Trust Council approve the timeline for the 2014/15 budget process as presented.

CARRIED

4.8 Resolution TC 160-2013 to Local Trust Committees Regarding Fees Bylaw

Resolution TC 179-2013

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

That the Islands Trust Council recommend local trust committees update their fee bylaws with an increase to fees of 10%.

Trust Council has considered the topic of fee revenue for some time. If endorsed, this recommendation would be forwarded to each local trust committee (LTC) for its consideration. The decision to amend individual LTC fee bylaws rests with individual LTCs.

Discussion by trustees on whether a fees increase is the best avenue to address fees revenue; as all local trust committees adopting this recommendation would only amount to a 1% portion of the budget.

Trustees opposed to the recommendation felt it could hinder applications whether by individuals or developers and could be prohibitive to applying for rezonings. Others wanted more information to make an informed decision including cost recovery and a more thorough review on types of applications and the fees charged vs their expenses.

DEFEATED

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 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 Trust Council Follow Up Action List Item re Revising Policy 3.3.ii Trust Fund and Local Planning Services Coordination

Resolution TC 180-2013

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

That the Islands Trust Council remove from its Follow-Up Action List the task "Draft Proposed Updates to Policy 3.3.ii."

CARRIED

5.4 Trust Fund Board 2012-13 Audited Financial Statements Briefing

This briefing was provided for information.

5.5 Trust Programs Committee Work Program Report

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

Resolution TC 181-2013

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

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

CARRIED

5.6 Trust Council Follow Up Action List Item re Smart Meters

Resolution TC 182-2013

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

That the Islands Trust Council remove from its Follow-Up Action List the task "Smart Meters -Prepare Chair letter to BC Energy Minister", in recognition of actions taken by the ministry since Trust Council made the request.

CARRIED

5.7 Trust Council Position re Union of BC Municipalities Resolutions

Council reviewed the 'Trust Council Position on Selected UBCM Resolutions', recommending how the Executive Committee vote at the Union of BC Municipalities Convention on selected resolutions most relevant to the Islands Trust mandate, policy statement, and current issues in island communities and Bowen Island Municipality.

Resolution TC 183-2013

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

That the Islands Trust Executive Committee vote against Resolution B94 – which supports asking the provincial government to increase the interval between civic elections from three years to four years.

18 In Favour
1 Opposed
CARRIED

Resolution TC 184-2013

It was Moved by Trustee Luckham and Seconded by Trustee French

That the Islands Trust Council endorse the positions the Islands Trust Executive Committee will take, subject to amendment or further information, at the September 2013 Union of BC Municipalities (UBCM) meeting as indicated in the attached document entitled 'Trust Council Position on Selected UBCM Resolutions (2013)', as amended September 11, 2013.

CARRIED

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.

Chair Malcolmson noted that she and coastal regional district chairs will be attending a meeting at the UBCM Convention with the new Minister of Transportation and the Premier to address their concerns with BC Ferries.

6.1.2 First Nations

No report was given.

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 December 2013 Trust Council Agenda Program

A proposed schedule for the December 2013 Trust Council meeting in Victoria 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 Potential Amendments to Trust Council Administration Bylaw 3 and Policy 2.4.1 (Executive Committee Terms of Reference) re Trust Council Input into Future Appointments to Position of Chief Administrative Officer (Trustee Grams Request)

Resolution TC 185-2013

It was Moved by Trustee Grams and Seconded by Trustee Grove

That the Islands Trust Council establish a select committee, to be comprised of (trustees to be named) and request it to make recommendations in December 2013 regarding potential amendments to Islands Trust Council Administration Bylaw, 1990 (Bylaw 3) and Trust Council Policy 2.4.1 – Executive Committee Terms of Reference that would provide for input from Trust Council into future appointments to the position of Islands Trust Chief Administrative Officer.

There is currently no requirement for the Executive Committee to consult before making a decision about a hiring a new Chief Administrative Officer.

Resolution TC 186-2013

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

To Amend the Motion as follows:

That the Islands Trust Council establish a select committee, to be comprised of the Executive Committee and other trustees to be named by the Chair and request it to make recommendations in December 2013 regarding potential amendments to Islands Trust Council Administration Bylaw, 1990 (Bylaw 3) and Trust Council Policy 2.4.1 – Executive Committee Terms of Reference that would provide for input from Trust Council into future appointments to the position of Islands Trust Chief Administrative Officer.

Executive Committee members advised they have zero capacity for additional responsibilities at this time.

On the Amendment

IN FAVOUR – 3
(Pottle-Galiano; Law-Hornby; Crumblehulme-Mayne)
OPPOSED - 18
DEFEATED

Resolution TC 187-2013

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

To table the motion.

CARRIED

7.2 Denman Marine Stewards re: Aquaculture Licenses

Resolution TC 188-2013

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

That the Islands Trust Council request the Director of Local Planning Services, at the upcoming meeting with Integrated Land Management Branch (ILMB), to add the topic “requiring aquaculture applicants within the Trust Area to acquire the appropriate zoning prior to ILMB issuing any license or tenure associated with the application”.

CARRIED

7.3 Advocacy for Howe Sound Management Plan

Resolution TC 189-2013

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

That the Islands Trust Council request staff and trustees to participate in Howe Sound Comprehensive Management Plan meetings on September 18 and 25, to be followed by Executive Committee’s consideration in October of staff advice regarding options for further action, in consultation with the local trustees of the Gambier Island Local Trust Area and Bowen Island.

CARRIED

The meeting recessed at 5:59 pm.

WEDNESDAY, SEPTEMBER 12, 2013

The meeting reconvened at 8:35 am.

Nineteen trustees were in attendance. Regrets: Stone-Bowen; Duntz-Bowen; Rudischer-Gabriola; Stamford-Gambier; Dodds-Mayne; Steeves-North Pender; Hancock-North Pender.

DECISION AND INFORMATION ITEMS (continued)

7.1 Potential Amendments to Trust Council Administration Bylaw 3 and Policy 2.4.1 (Executive Committee Terms of Reference) re Trust Council Input into Future Appointments to Position of Chief Administrative Officer

Resolution TC 190-2013

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

Untable the motion: That the Islands Trust Council establish a select committee, to be comprised of (trustees to be named) and request it to make recommendations in December 2013 regarding potential amendments to Islands Trust Council Administration Bylaw, 1990 (Bylaw 3) and Trust Council Policy 2.4.1 – Executive Committee Terms of Reference that would provide for input from Trust Council into future appointments to the position of Islands Trust Chief Administrative Officer.

CARRIED

Resolution TC 191-2013

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

To amend the motion as follows:

That the Islands Trust Council establish a select committee, to be comprised of Trustees Hagedorn, Law, Morrison, Crumblehulme, Grove, French, Montague, Brent and request it to make recommendations in December 2013 regarding potential amendments to Islands Trust Council Administration Bylaw, 1990 (Bylaw 3) and Trust Council Policy 2.4.1 – Executive Committee Terms of Reference that would provide for input from Trust Council into future appointments to the position of Islands Trust Chief Administrative Officer.

Staff noted that the Trust Council's procedures bylaw for standing committees would apply to this committee, with no budget funds allocated to it.

On the Amendment

CARRIED

Resolution TC 192-2013

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

To further amend the motion as follows:

That the Islands Trust Council establish a select committee, to be comprised of Trustees Hagedorn, Law, Morrison, Crumblehulme, Grove, French, Montague, Brent and request it to make recommendations ~~in December 2013~~ regarding potential amendments to Islands Trust Council Administration Bylaw, 1990 (Bylaw 3) and Trust Council Policy 2.4.1 – Executive Committee Terms of Reference that would provide for input from Trust Council into future appointments to the position of Islands Trust Chief Administrative Officer.

On the Amendment

CARRIED

On the Amended Motion

18 IN FAVOUR
1 OPPOSED
(Jones-South Pender)
CARRIED

Small Group Discussions

Trustees participated in small group discussions to share ideas, concerns and problem solve in the areas of housing, environment, First Nations and island economies.

8. ADJOURNMENT

By General Consent, the meeting adjourned at 10:15 am.

Next meeting: December 3-5, 2013, Victoria, BC.

Sheila Malcolmson, Chair, Islands Trust Council

Marie Smith, Executive Coordinator & Recorder