



# Islands Trust Council

## Minutes of Quarterly Meeting

- Date:** September 12-14, 2017
- Location:** Denman Island Community Hall  
1196 Northwest Road, Denman Island, BC
- Members Present:**
- Executive Committee:** Peter Luckham, Chair (Thetis)  
Laura Busheikin, Vice Chair (Denman)  
George Grams, Vice Chair (Salt Spring)  
Susan Morrison, Vice Chair (Lasqueti)
- Local Trustees:** David Critchley, Denman  
Melanie Mamoser, Gabriola  
Heather O'Sullivan, Gabriola  
Sandy Pottle, Galiano  
Dan Rogers, Gambier  
Kate Louise Stamford, Gambier (Sept 12-13, 2017)  
Alex Allen, Hornby  
Tony Law, Hornby  
Tim Peterson, Lasqueti  
Brian Crumblehulme, Mayne  
Jeanine Dodds, Mayne  
Dianne Barber, North Pender  
Derek Masselink, North Pender (Sept 12, 2017)  
Bruce McConchie, South Pender  
Wendy Scholefield, South Pender  
Peter Grove, Salt Spring  
Paul Brent, Saturna  
Ken Hunter, Thetis Island
- Municipal Trustees:** Sue Ellen Fast, Bowen  
Alison Morse, Bowen
- Regrets:** George Harris, Galiano  
Lee Middleton, Saturna
- Staff Present:** Russ Hotsenpiller, Chief Administrative Officer  
David Marlor, Director, Local Planning Services  
Cindy Shelest, Director Administrative Services  
Clare Frater, Director, Trust Area Services  
Karen Hurley, Senior Policy Advisor (Sept 12-13, 2017)  
Emma Restall, Executive Coordinator/Recorder

- 1. CALL TO ORDER**  
The meeting was called to order at 1:30 p.m. Chair Luckham acknowledged that the meeting

was being held in Coast Salish First Nations territory.

Chair Luckham introduced Mark Van Bakel, Senior Technical Analyst, to give an overview of the updated microphone and audio system.

Denman Island local trustee David Critchley welcomed Trust Council to Denman Island and spoke about the indigenous history of the island.

Trustee Laura Busheikin also welcomed Trust Council to Denman Island and addressed the subject of accommodation on Denman Island and spoke about local festivals, businesses and farming.

## **2. APPROVAL OF AGENDA**

### **2.1 Introduction of New Items**

### **2.2 Approval of Agenda**

**By general consent** the agenda was approved as presented.

## **3. GENERAL BUSINESS ARISING**

### **3.1 Resolutions Without Meeting**

TC-RWM-2017-001

Received for information

TC-RWM-2017-002

Received for information

### **3.2 June 2017 Trust Council Minutes**

**By general consent** the Islands Trust Council adopted the minutes of the June 2017 Trust Council meeting as presented.

### **3.3 Trust Council Follow Up Action List**

Provided for information.

Chair Luckham gave an update on freighter anchorages.

### **3.4 Trustee Round Table**

Trustees participated in a round table session to discuss common issues, concerns and successes.

Director Frater introduced Karen Hurley, Senior Policy Advisor.

The meeting recessed for a break at 2:56 p.m. and reconvened at 3:10 p.m.

Trustee Kate-Louise Stamford joined the meeting via teleconference at 3:16 p.m.

## **4. EXECUTIVE**

### **4.1 Chief Administrative Officer's Report**

CAO Hotsenpiller reviewed internal and external organizational matters, including the Salt Spring Island referendum result, and UBCM 2017 including Minister meeting requests and resolutions.

#### 4.2 Executive Committee Work Program

The top priorities in the work program were:

1. *Islands Trust Act* amendments;
2. Oil spill and shipping safety;
3. Revisions to Crown Land protocol agreements and letters of understanding;  
and
4. First Nations relationship building.

##### **TC-2017-049**

**MOVED by Trustee McConchie, SECONDED by Trustee Scholefield,** that Trust Council request the Executive Committee to remove “prepare Islands Trust organization to adapt to the potential incorporation of Salt Spring Island” from the Executive Committee Projects List.

**CARRIED**

**Trustees Luckham and Morrison opposed**

**By general consent** the Islands Trust Council approved the top priorities of the Executive Committee Work Program Report as amended.

#### 4.3 Continuous Learning Plan

Trust Council reviewed the Continuous Learning Plan and received it for information.

#### 4.4 Strategic Plan Quarterly Update

CAO Hotsenpiller answered questions regarding the Quarterly Update.

Amendments regarding the Victoria Office Renovation were requested.

It was agreed that item 4.7 be heard ahead of 4.5 and 4.6

#### 4.7 Committee Review- RFD

##### **TC-2017-050**

**MOVED by Trustee Crumblehulme, SECONDED by Trustee Allen,** that Trust Council request the Executive Committee to consider a review of current Council Committees in terms of mandate, organization, resourcing and function.

**CARRIED**

##### **TC-2017-051**

**MOVED by Trustee Critchley, SECONDED by Trustee Law,** that Trust Council amend Trust Council Resolution TC-2017-050 to read “request the Executive Committee to initiate a review of current Council Committees in terms of mandate, organization, resourcing and function and consider the advisability of other or additional committees to best carry forward the work of the Islands Trust.”

**CARRIED**

The meeting recessed for the day at 4:32 p.m. and trustees attended a field trip to the Denman Island Natural Burial Cemetery.

## **5. FIELD TRIP TO DENMAN ISLAND NATURAL BURIAL CEMETERY**

### **Wednesday, September 13, 2017**

The meeting reconvened at 8:32 a.m. with 22 trustees present. Regrets: Trustees Kate Louise Stamford (Gambier), George Harris, Galiano, Lee Middleton, Saturna. Absent: Trustee Derek Masselink (North Pender).

The order of business on the agenda resumed at item 4.5.

#### **4.5 Salt Spring Island Incorporation Preparedness and Communications Report**

There was in-depth discussion about the impacts on the Islands Trust organization, trustees and staff of Salt Spring Island voting against incorporation.

Discussion points included:

- Potential next steps and ways to improve including the following suggestions:
  - Advocating for creation of a Gulf Islands Regional District
  - Taking a more active role in the Capital Regional District relationship
  - Investigating additional powers that are not currently available but would be if Salt Spring incorporated
  - Creating a dedicated position to focus on service delivery;
- Trustee Code of Conduct as it relates to freedom of speech;
- Process for identifying what changes are needed and how/when to implement those changes;
- The need to address demographic and cultural changes on the islands since the Islands Trust was formed;
- Timeline and urgency for changes;
- Ministry involvement in future processes and any resulting changes.

Trustee Kate Louise Stamford joined the meeting by teleconference at 9:45 a.m.

#### **TC-2017-052**

**MOVED by Trustee Critchley, SECONDED by Trustee Brent,** that Trust Council direct the Executive and staff to identify potential governance or operational changes that could be adopted in order to improve service delivery, with a report brought back to Trust Council as soon as feasible.

The motion was amended as follows:

that Trust Council establish a special committee to identify potential governance or operational changes that could be adopted in order to improve service delivery, with a report brought back to Trust Council as soon as feasible.

Trustees speaking against the motion noted:

- A lead agency needs to be identified, and that agency is likely the Province;

- Creating a committee before identifying a process could create confusion.

Trustees speaking for the motion indicated:

- Trustees were elected to make decisions; not defer them to other agencies;
- Changes can be identified from several different approaches, and a committee should be one of those approaches;
- We need to move forward immediately.

The question on the motion was then called,

**CARRIED**  
**Trustees Allen, Morse, Busheikin, Grams, Law, McConchie, Hunter**  
**opposed**

The process of developing a committee was set out as follows:

- Process will be led by the CAO;
- Terms of Reference will be created by CAO and reviewed by the Executive Committee. They will then go to Trust Council for endorsement;
- Membership is established through volunteers; and
- Trust Council will vote on the members.

There was concern expressed that establishing a committee takes approximately three months and is a large undertaking. Concerns were also raised that the motion lacked specific direction and was premature.

The meeting recessed for a break at 10:00 a.m. and reconvened at 10:19 a.m.

**TC-2017-053**

**MOVED by Trustee McConchie, SECONDED by Trustee Brent,** that the motion that Trust Council establish a special committee to identify potential governance or operational changes that could be adopted in order to improve service delivery, with a report brought back to Trust Council as soon as feasible be rescinded.

**CARRIED**  
**Trustees Mamoser, Peterson, Critchley, Fast, Rogers, Scholefield**  
**opposed**

**TC-2017-054**

**MOVED by Trustee Morse, SECONDED by Trustee Allen,** that Trust Council confirm support for innovations that would address issues raised during the recent Salt Spring Incorporation vote and that Trust Council direct the Executive Committee to discuss with the Province and report to Trust Council at the December Trust Council meeting on a process to identify potential governance and/or operational change that could be adopted in order to improve the delivery and integration of all the types of services that are delivered to the Islands Trust Area.

**CARRIED**

**TC-2017-055**

**MOVED by Trustee Brent, SECONDED by Trustee O’Sullivan,**

that Trust Council direct the Executive Committee to work with Trust Programs Committee to create a working group drawn from the full membership of Trust Council to identify potential governance or operational changes that could be adopted in order to improve the delivery and integration of all the types of services that are delivered to the Islands Trust Area.

There was discussion over ensuring that potential members are properly canvassed and that all trustees be given an opportunity to contribute input.

The question on the motion was then called,

**CARRIED**  
Trustees Law and Busheikin opposed

**4.6 Islands Trust Act Amendment Process – Briefing**

CAO Hotsenpiller provided the briefing for information and answered questions regarding timelines and priorities.

**6. NEW BUSINESS**

**7. LOCAL PLANNING SERVICES**

**7.1 Director of Local Planning Services Report**

Director Marlor discussed employment updates for each office and a review of project delivery processes.

**7.2 Local Planning Committee Work Program Report**

The top three priorities in the work program were:

1. Community Housing Needs;
2. Shoreline Marine Planning; and
3. Land Use Consultation for Radio Communication Towers.

**TC-2017-056**

**MOVED by Trustee Mamoser, SECONDED by Trustee Peterson,**  
that the Islands Trust Council approve the top priorities of the Local Planning Committee Work Program Report.

**CARRIED**

**7.3 Riparian Area Implementation Update**

Provided for information.

**7.4 Local Trust Committee Project Budgets Status Update - Briefing**

Received for information.

**7.5 Project Management and Budgeting - Briefing**

Received for information.

**8. ADMINISTRATIVE SERVICES**

**8.1 Administrative Services Report**

Provided for information.

**8.2 Financial Planning Committee Work Program Report**

The top three priorities in the work program were:

1. Finalize the 2017-2018 budget;
2. Complete the 2016-2017 forecast; and
3. Conduct the 2016/17 Year-End Audit.

**TC-2017-057**

**MOVED by Trustee Grove, SECONDED by Trustee Morse,**

that the Islands Trust Council approve the top priorities of the Financial Planning Committee Work Program Report.

**CARRIED**

**8.3 June 30, 2017 Quarterly Financial Report - RFD**

**TC-2017-058**

**MOVED by Trustee Grove, SECONDED by Trustee Grams,**

that the Islands Trust Council approve the June 30, 2017 Quarterly Financial Report as presented.

**CARRIED**

**8.4 Statement of Financial Information (SOFI) Report**

Received for Information

**8.5 2018/19 Budget**

Received for information

**9 TRUST AREA SERVICES**

**9.1 Director of Trust Area Services Report**

Director Frater highlighted several points in the report, which was provided for information.

**9.2 Trust Programs Committee Work Program Report**

The top three priorities in the work program were:

1. Protect Quality and Quantity of Water Resources;
2. Amend Crown Land Cooperation Agreements; and
3. Review the Islands Trust Policy Statement.

**TC-2017-059**

**MOVED by Trustee Crumblehulme, SECONDED by Trustee Critchley,**

that the Islands Trust Council approve the top priorities of the Trust Programs Committee Work Program Report.

**CARRIED**

**9.3 Trust Fund Board Report**

Tony Law gave a brief overview of the upcoming priorities of Trust Fund Board.

Trustee Law also introduce Robin Williams, newly appointed member of the Trust Fund Board.

**9.4 Audited Financial Statements for the Islands Trust Fund for 2016-17**

Received for information

**9.5 Cancellation of Letter of Understanding with BC Hydro for Woodpole Test and Treat Program**

**TC-2017-060**

**MOVED by Trustee Morrison, SECONDED by Trustee Crumblehulme,** that Trust Council agree to the cancellation of the Letter of Understanding [LOU] between BC Hydro and Islands Trust and Bowen Island Municipal Council Concerning Pesticide Use During the BC Hydro Woodpole Test and Treat Program.

**CARRIED**

**9.6 Water Conservation and Advocacy Project Update - Briefing**

Received for Information

**10 BC FERRIES SESSION**

Brian Green, Terminal Development Manager and Ivan Leung, Assistant Manager of Terminal Development, gave a presentation on the Denman East and Hornby Terminal Development Plans and associated processes.

There was discussion over the possibility of Terminal Development Plans on other islands within the Trust Area.

Trustee Kate-Louise Stamford left the meeting at 12:32 p.m.

The meeting recessed for a break at 12:38 p.m. and reconvened at 1:30 p.m.

**11 COMMUNITY PRESENTATION**

**11.1 The Association for Denman Island Marine Stewards (ADIMS)**

Dorrance Woodward and Barbara Mills of ADIMS gave a presentation on Marine ecosystem protection, which focused on geoduck aquaculture, and asked Trust Council to:

- revisit their 2014 list of pre-implementation conditions for geoduck aquaculture;
- request a cumulative impact assessment of Baynes Sound and Lambert Channel, to be conducted by independent marine ecosystem experts;
- Request a firm ban on geoduck aquaculture until it has been proven to be safe; and
- actively support a multi-stakeholder round table to discuss ecosystem-based management of Baynes Sound.

Trustees were invited on a guided beach tour to see geoduck activity, which took place at 7:30 a.m. the following morning.

**12 DELEGATIONS AND TOWN HALL**



- 12.1 Edina Johnson of Denman Island Residents Association Marine Guardians re Marine Environment Damage**  
Howard Stewart of DIRA spoke about marine damage in Baynes Sound and the future of marine farming.
- 12.2 Zdenek Brich of Anchorages Concern Thetis (ACT) re freighter anchorages around Thetis**  
Mr. Brich spoke to Trust Council about anchorages around Thetis and the Southern Gulf Islands.
- 12.3 Harlene Holm of DCLTA re affordable housing initiatives**  
Ms. Holm spoke about an upcoming seniors affordable housing project and asked Trust Council to consider expanding the Islands Trust Policy Statement to address affordable housing.
- 12.4 Sheila Malcolmson re abandoned vessels legislation**  
MP Sheila Malcolmson spoke to Council about abandoned vessels legislation and requested the following:  
that Islands Trust Council encourages Parliament to adopt Bill C-352: An Act to amend the *Canada Shipping Act, 2001* and provide for the development of a national strategy for abandoned vessels”, which would fix vessel registration, pilot a vessel turn-in program, create good green jobs by supporting local marine salvage businesses and vessel recycling, and make Coast Guard responsible for directing the removal of abandoned vessels.
- 12.5 Graham Brazier of GIA re marine stewardship and planning**  
Mr. Brazier spoke about the history of and the reason behind the creation of the Islands Trust. He also expressed concern about increasing pressures on shorelines.  
  
He asked Council to urge the provincial government to freeze all industrial activity along the shorelines within the Trust Area until additional regulatory tools for the Islands Trust are developed.
- 12.6 Town Hall Participant – Des Kennedy**  
Mr. Kennedy congratulated the people of Salt Spring Island.

The meeting recessed at 3:00 p.m. and resumed at 3:39 p.m.

- 13 EFFECTIVE ADVOCACY / REGIONAL DISTRICTS SESSION**  
Director Frater and MP Sheila Malcolmson gave a presentation on how to achieve effective advocacy, advocacy vs regulatory initiatives, and the importance of relationship building. CAO Hotsenpiller gave an overview of how the Islands Trust can best work with each Regional District.

Discussion ensued over the following topics:

- Advocacy tools currently available to the Islands Trust and tools that we can work to obtain;
- Implementation and effectiveness evaluation of these tools;
- Freedom of speech and the grey area surrounding speaking as an individual vs trustee;

- and
- Weight of petitions, individual letters, electronic petitions and form letters.

Trustee Tony Law left the meeting at 5:24 p.m.

The meeting recessed for the day at 5:33 p.m.

#### **Thursday, September 14, 2017**

The meeting reconvened at 8:45 a.m. with 22 trustees present. Regrets: Trustees Kate-Louise Stamford (Gambier), George Harris, Galiano, Lee Middleton, Saturna. Absent: Trustee Derek Masselink (North Pender).

#### **14. CLOSED MEETING**

##### **TC-2017-061**

**It was MOVED by Trustee Morrison and SECONDED by Trustee Fast,** that the 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 employee relations, litigation affecting the Islands Trust and receipt of advice that is subject to solicitor-client privilege and that staff attend the meeting.

**CARRIED**

All staff members with the exception of the CAO left the meeting at 8:47 a.m.

Staff members rejoined the meeting at 9:30 a.m.

**It was agreed that item 15.4 be heard ahead of items 15.1-15.3.**

#### **15. SUMMARY/UPDATE**

##### **15.4 Disposition of Delegations and Town Hall Requests**

##### **TC-2017-062**

**MOVED by Trustee Morrison, SECONDED by Trustee Peterson,** that Trust Council request the Chair to send a letter to the government of Canada in support of Bill C-352, tabled by the Member of Parliament for Nanaimo - Ladysmith Sheila Malcolmson - an act to amend the *Canadian Shipping Act 2001* aimed at reducing the environmental, economic and navigational hazard to Canadian waterways and coastlines posed by abandoned vessels.

**CARRIED**

##### **TC-2017-063**

**MOVED by Trustee Critchley, SECONDED by Trustee Mamoser,** that Trust Council request the Local Planning Committee to consider adding to its work program the following item: "Creation of a model Affordable Housing First policy " which could be used by Local Trust Committees in accordance with the recommendations referred to in the 2010 Islands Trust Community Housing Toolkit.

**CARRIED**

**TC-2017-064**

**MOVED by Trustee Critchley, SECONDED by Trustee Allen,**

that Trust Council direct the Chair to write a letter to the Minister of Fisheries and Oceans to express thanks for the Department of Fisheries and Ocean's efforts to support clean-up of aquaculture debris in Baynes Sound and requesting study of the impacts of aquaculture industry modifications in the intertidal zone of the Trust Area and particularly the ecologically important Baynes Sound/Lambert Channel intertidal zone.

**CARRIED**

The order of business on the agenda resumed at item 15.1

**15.1 Trustee Updates**

**15.1.1 BC Ferries (Ferry Advisory Committee Chairs)**

No updates

**15.1.2 First Nations**

Trustee Rogers spoke about a recent event held at Camp Fircom.

Trustee O'Sullivan advised Trust Council that Gabriola Island has a new committee for truth and reconciliation, which will feature a speakers series.

Trustee Fast updated Council on an upcoming Climate Leadership conference.

Trustee Busheikin spoke about a Reconciliation Action Group on Denman that has been formed as a result of controversy surrounding a local plaque.

**15.1.3 Gulf Islands National Park Reserve Advisory Committee (Trustee Masselink)**

None

**15.1.4 Salt Spring Island Watershed Protection Authority (SSIWPA) (Vice Chair Grams)**

None

**15.1.5 Howe Sound Community Forum**

None

**15.1.6 Freighter Roundtable Update**

Discussed during Trustee Roundtable.

**15.2 Priorities Chart**

**By general consent** the Islands Trust Council adopted the Priorities Chart as presented.

**15.3 Proposed December 2017 Trust Council Agenda Program**

Provided for Information.

Trustee Jeanine Dodds left the meeting at 10:00 a.m.

**16. NEXT MEETING – December 5, 2017 in Victoria.**

**17. ADJOURNMENT**

The meeting adjourned at 10:25 a.m.

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Peter Luckham, Chair

Certified Correct

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Emma Restall, Recorder