



Trust Council Minutes of Regular Meeting

Date: December 3-5, 2019
Location: Victoria Coast Hotel & Marina - Ballroom
146 Kingston Street, Victoria, BC

Executive Present: Peter Luckham, Chair, Thetis Island
Sue Ellen Fast, Vice Chair, Bowen Island Municipality
Laura Patrick, Vice Chair, Salt Spring Island
Dan Rogers, Vice Chair, Gambier/Keats Island

Trustees Present: Michael Kaile, Bowen Island Municipality
Laura Busheikin, Denman Island
David Critchley, Denman Island
Scott Colbourne, Gabriola Island
Kees Langereis, Gabriola Island
Tahirih Rockafella, Galiano Island
Jane Wolverton, Galiano Island
Kate-Louise Stamford, Gambier Island
Alex Allen, Hornby Island
Grant Scott, Hornby Island
Peter Johnston, Lasqueti Island
Timothy Peterson, Lasqueti Island
Jeanine Dodds, Mayne Island
David Maude, Mayne Island – arrived December 4
Ben McConchie, North Pender Island – arrived December 4
Deb Morrison, North Pender Island
Peter Grove, Salt Spring Island
Paul Brent, Saturna Island
Lee Middleton, Saturna Island – arrived December 4
Cameron Thorn, South Pender Island
Steve Wright, South Pender Island
Doug Fenton, Thetis Island

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director Local Planning Services
Clare Frater, Director, Trust Area Services
Julia Mobbs, Director, Administrative Services
Carmen Thiel, Legislative Services Manager
Lori Foster, Executive Coordinator/Recorder
Nigel Hughes, Computer Applications Support Technician
Lisa Wilcox, kwakwemtenaat, Senior Intergovernmental Policy Advisor
Vicki Swan, Communications Specialist

December 3, 2019

1. RECONCILIATION ACTION PLAN - RESIDENTIAL SCHOOL PRESENTATION

At 1:30 PM, Chair Luckham welcomed guest speaker Bill Adsit who shared his lived experience “as a residential school conqueror, not just a survivor. Mr. Adsit had 38 years of experience serving in the Canadian military, Transport Canada, Revenue Canada, and Industry Canada before assuming the role of director of business development for his own band, the Tahltan First Nation.”

There was a break from 3:00 PM to 3:15 PM.

Senior Intergovernmental Policy Advisor (SIPA) Wilcox, kwakwemtenaat, presented a Power Point entitled “Gathering to Learn About the Past – residential school presentation”.

The session recessed for the day at 4:30 PM.

December 4, 2019

2. CALL TO ORDER

Chair Luckham called the meeting to order at 8:33 AM acknowledging and expressing gratitude for being on Lekwungen treaty and traditional territory.

3. APPROVAL OF AGENDA

For consideration to add to the agenda:

- 16.1 Regional Grant Funding for Poverty Reduction Strategy
- 16.2 BC Ferries Advocacy
- 16.3 Japanese Canadian community redress

By general consent, the agenda was adopted as amended.

4. GENERAL BUSINESS ARISING

4.1 Resolutions Without Meeting - TC-RWM-2019-04 and TC-RWM-2019-05

Provided for information.

4.2 Adoption of September Trust Council Meeting Draft Minutes

By general consent, the Trust Council minutes of September 17-18, 2019 were adopted as presented.

4.3 Trust Council Follow Up Action List

Chief Administrative Office (CAO) Hotsenpiller clarified the addition of Islands Trust to the *Auditor General of Local Government Act*, for the purposes of a potential audit.

Director Frater responded regarding the communications strategy being delayed due to staff changeover.

Received for information.

4.4 Trustee Round Table

The topic specific round table focused on the question, “What has our First Nations Reconciliation Declaration meant to your island? Provide any action(s) your island is undertaking.

In general, trustee responses varied from working to amend official community plans which recognize First Nations, to grass roots community groups and youth engagement through education and music. Local First Nations representation has been consistent in some local trust areas, while others are moving more slowly. Most trustees indicated a personal growth which is reflected in their community interactions.

5. EXECUTIVE

5.1 Consent Agenda Items:

Item 5.1.1 was removed from the Consent Agenda and added under 5.2 Decision/Discussion items.

5.2 Decision/Discussion Items:

5.1.1 Executive Committee Work Program Report

CAO Hotsenpiller answered questions on how the *Islands Trust Act* amendments would strengthen the mandate of the Trust. He spoke to action items addressing the climate change emergency.

TC-2019-101

MOVED by Trustee Rogers, SECONDED by Trustee Fenton,

That Trust Council approve the Executive Committee work program report as presented.

CARRIED

5.2.1 Chief Administrative Officer's Report

CAO Hotsenpiller spoke to the report. He answered questions on the following:

- *Islands Trust Act* amendment process, awaiting the Ministry's response;
- Staff resources at meetings;

- Allocation of CAO time and attendance at meetings;
- The 2050 engagement as an effective use of resources; and
- Emergency management and jurisdictional resources.

Received for information.

5.2.2 Continuous Learning Plan

The following list was noted for addition to the Continuous Learning Plan:

- West Coast Environmental Law re foreshore jurisdiction;
- Coast Guard re spill response plan, lack of consultation with Trust Council and local trust committees;
- Bylaw enforcement processes;
- Water licensing Branch session re role, expertise, and knowledge of aquifers;
- Department of Fisheries and Oceans re fish stocks in dire straights;
- Elected officials and/or staff on how the political government works;
- Foreshore erosion and middens;
- Community engagement for stewardship;
- First Nations return to the lands and water.

TC-2019-102

MOVED by Trustee Morrison, SECONDED by Trustee Brent

That the Water License Branch discussion be considered as the top priority on the Continuous Learning Plan.

CARRIED

5.2.3 Proposed 2020 Trust Council Meeting Locations – RFD

Discussion on locations for the 2020 Trust Council schedule ensued.

TC-2019-103

MOVED by Trustee Brent, SECONDED by Trustee McConchie

That Trust Council cancel the June 2020 Trust Council Quarterly meeting.

DEFEATED

By general consent, it was agreed to postpone item 5.2.3 to be resumed with items 5.2.4 to 5.2.6 after items 6-8 are addressed.

The meeting recessed for a break at 10:45 AM and reconvened at 11:00 AM.

6. NATIONAL MARINE CONSERVATION AREA RESERVE FOR SOUTHERN STRAIT OF GEORGIA SESSION

James Gordon, Project Manager, Protected Areas Establishment Branch with Parks Canada, presented a Power Point on the establishment of a proposed National Marine Conservation

Area Reserve (NMCAR) in the Islands Trust area. He spoke to the consultation process and the feasibility assessment.

In general, discussion was heard on the following:

- 2021, 5th International Marine Protected Areas Congress (IMPAC) and NMCAR participation,
- Islands Trust area zoning and jurisdiction, the northern Islands Trust area not part of the plan,
- Exclusion areas re mapping around ferry docks, amending the proposed area,
- Collaboration and agreements between the provincial and federal ministries and First Nations consultation,
- International law, right of passage, and possible impacts to tanker traffic, Transport Canada to sign off on NMCAR management plans.

7. ANNUAL STAFF AWARDS

CAO Hotsenpiller presented the following awards to staff:

- Innovation Team for the implementation of a paperless building permit referral system to Serena Klaver, Geordie Gordon, Kristine Mayes, and Shayla Burnham.
- Champion Team for the Islands 2050 engagement to Gillian Nicol, Clare Frater, Lisa Wilcox, and Phil Testemale.
- Legacy Award for creating a lasting legacy within the Islands Trust for her work on the Reconciliation Declaration and Action Plan to Lisa Wilcox.

The meeting recessed for lunch at 12:02 PM and reconvened at 1:00 PM.

8. DELEGATIONS AND PUBLIC COMMENTS

Chair Luckham called the meeting to order at 1:00 PM acknowledging and expressing gratitude for being on Lekwungen treaty and traditional territory. He welcomed the delegates and public who came to address Trust Council.

Trustees introduced themselves, roundtable style to the public.

Item 8.2 was addressed before item 8.1.

8.2 Raincoast Conservation Foundation re CDF Project

Shauna Doll gave a Power Point presentation on behalf of the Raincoast Conservation Foundation. She addressed the state of forests, protection of the Coastal Douglas-fir (CDF) zone and her work on this project that seeks to characterize the current state of forests within the Coastal-Douglas fir biogeoclimatic zone and identify tools to protect forest health and promote resilience.

8.1 Salt Spring Solutions and the Salt Spring Housing Council re Affordable Housing

Elizabeth FitzZaland and Rhonan Heitzmann spoke on behalf of Salt Spring Solutions. A petition was presented to Trust Council requesting that bold action be taken on housing, that housing action is climate action.

Elizabeth FitzZaland closed with three requests to Trust Council:

1. Maintain affordable housing as a Trust Council planning priority.
2. Establish a timeframe for implementing the 2019 “Affordable Housing Strategic Plan Actions”.
3. Hire a senior housing planner for the Trust Area to manage and support individual local trust committees and their staff.

8.3 Gulf Islands Alliance re Policy Statement review process

Graham Brazier spoke on behalf of Gulf Islands Alliance. He addressed the Policy statement and mandate of the Trust. Rather than being a local government, the Islands Trust is a special purpose agency and he suggested that trustees preface motions with “in order to preserve and protect the trust area” to help focus their decisions.

Public Comments

Peter Lamb, Salt Spring Island, spoke regarding climate change. The Trust declared a climate emergency in March but feels there has been no sense of urgency and that the public is waiting for action.

Bruce McConchie, South Pender Island, urged Council to look closely at the budget, strategic goals and areas where Islands Trust has jurisdiction requesting Council return to its core function of land use planning.

Ron Cook, Salt Spring Island, commented that there are no politicians to respond to “people problems” and removing people from the equation is not the answer.

Michael Sketch, North Pender Island, spoke to the Islands Trust Policy Statement and its directives policy calling for a balance between Trust Council and local trust areas.

Dennis Lucarelli, Salt Spring Island, addressed affordable housing with regards to the preserve and protect mandate asking that rural sprawl be stopped in the forest areas, focus on density in core areas and create eco-villages with shared facilities, which would lower the carbon footprint.

Cali Chang, Salt Spring Island, supports calls for affordable housing stating school enrolments have declined, community support workers have nowhere to live. She requested housing remain on the Strategic Plan.

Zwanette Pereboom, Salt Spring Island, spoke to affordable housing for seniors requesting more suites be allowed and the “empty house tax” be appealed and made applicable to the area.

Rhonan Heitzmann, Salt Spring Island, continued speaking on affordable housing asking Council to sustain island character and healthy communities by reducing rural sprawl and using the tools already contained in its reports and toolkits.

Chair Luckham thanked the delegations and speakers on behalf of Trust Council.

At 2:00 PM, Chair Luckham addressed items 5.2.3 to 5.2.6.

5.2.3 Proposed 2020 Trust Council Meeting Locations – RFD

TC-2019-104

MOVED by Trustee Morrison, SECONDED by Trustee Dodds,

That the Trust Council request staff schedule Trust Council meetings for 2020 calendar year as follows: March on Salt Spring Island; June on Hornby Island; September on Saturna Island with an electronic meeting conducted if feasible; and December in Victoria.

CARRIED

TC-2019-105

MOVED by Trustee Peterson, SECONDED by Stamford,

That Trust Council request the Executive Committee schedule a Special Meeting for the purpose of testing our current capacity for holding a Trust Council meeting electronically, and assessing the practicality of holding a Trust Council meeting electronically.

CARRIED

5.2.4 2019 UBCM Report – Briefing

Received for information.

5.2.5 Development of Trustee Sponsored RFDs

Trustee Patrick spoke to the report, which offers another option of bringing forward new business to Trust Council.

Discussion was heard on the process being similar to a notice of motion or phased approach. It was felt there was no need to create another policy but to make this information part of a toolkit.

TC-2019-106

MOVED by Trustee Scott, SECONDED by Trustee Critchley,

That the Islands Trust Council adopt a policy whereby trustee sponsored RFD's may be included for consideration by Trust Council on a phased basis.

DEFEATED

5.2.6 Streaming Public Meetings: FOI and Privacy Considerations – Briefing

Legislative Services Manager (LSM) Thiel spoke to the briefing. It was noted there was no mention of costs of the steaming service. LSM Thiel noted the meeting procedures bylaw would require amending.

9. STRATEGIC PLAN SESSION

CAO Hotsenpiller reviewed the report and spoke to the details of the recommendation.

The meeting recessed for a break at 3:17 PM and reconvened at 3:30 PM.

TC-2019-107

MOVED by Trustee Rogers, SECONDED by Trustee Busheikin,

THAT the Interim Strategic Plan be amended by removing items “vi”, “vii”, viii, and “ix” as outlined in Affordable Housing in the Trust Area: Strategic Actions for Islands Trust, AND FINALLY, THAT the 2018-2022 Strategic Plan be adopted excluding pages 12 and 13.

CARRIED

Trustees McConchie, Thorn, Brent, Langereis, Allen, Kaile and Wright Opposed

10. ADMINISTRATIVE SERVICES

10.1 Consent Agenda Items:

TC-2019-108

MOVED by Trustee Fast and SECONDED by Trustee Fenton,

That Trust Council adopt the recommendations contained in the following items presented in the December 3-5, 2019 Trust Council Consent Agenda:

10.1.1 Director of Administrative Services Report

Receive for information.

10.1.2 Financial Planning Committee Work Program Report

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

10.1.3 September 30, 2019 Financial Forecast - Briefing

Receive for information.

CARRIED

10.2 Decision/Discussion Items

10.2.1 September 30, 2019 Quarterly Financial Report – RFD

TC-2019-109

MOVED by Trustee Grove and SECONDED by Trustee Langereis,

That Trust Council approve the Q2 September 30, 2019 Financial Report as presented.

CARRIED

10.2.2 Victoria Office Renovation Financial Report – Briefing

CAO Hotsenpiller spoke to the briefing.

Questions and discussion followed on clarification of the process that occurred regarding financial reporting, tendering the contract and timelines.

CAO Hotsenpiller and Director Mobbs will work with Trustee Brent to clarify the financial reporting on the renovation project.

11. 2020/21 PROPOSED BUDGET SESSION

11.1 Budget Assumptions and Principles – Briefing

Director of Administrative Services (DAS) Mobbs spoke to the briefing, there were no questions.

11.2 Draft 2020/21 Budget Overview and Highlights

DAS Mobbs reviewed the reports and business cases.

TC-2019-110

MOVED by Trustee Morrison and SECONDED by Trustee Brent,

That Trust Council remove the map and develop water budgets for groundwater aquifers from the 2020/21 budget.

CARRIED

TC-2019-111

MOVED by Trustee Critchley and SECONDED by Trustee Kaile,

That Trust Council delete the item Freshwater Specialist from the 2020/21 budget.

DEFEATED

TC-2019-112

MOVED by Trustee Brent and SECONDED by Trustee Thorn,

That Trust Council continue to make the Fresh Water Specialist role temporary.

DEFEATED

Trustee Scott left at 6:01 PM.

TC-2019-113

MOVED by Trustee Rogers and SECONDED by Trustee Brent,

That the December 5th meeting start ½ hour earlier, at 8:00 AM instead of 8:30 AM.

CARRIED

By general consent, the meeting adjourned for the day at 6:08 PM.

December 5, 2019

At 8:00 AM, Chair Luckham welcomed Trust Council to the morning session acknowledging and expressing gratitude for being on Lekwungen treaty and traditional territory.

Trustee Scott - regrets; Trustee McConchie - absent.

Trustees Busheikin and Allen arrived at 8:07 AM.

11.2 Draft 2020/21 Budget Overview and Highlights

Discussion continued on the draft budget, as amended by TC-2019-110

TC-2019-114

MOVED by Trustee Morrison and SECONDED by Trustee Langereis,

That the 2020-21 Trust Council budget be held to a 0% increase by drawing the excess amount needed from the General Revenue Surplus Fund.

TC-2019-115

MOVED by Trustee Critchley and SECONDED by Trustee Kaile,

That the 0% increase motion be postponed until Trust Council has concluded the conversation around the business cases.

CARRIED

Discussion followed on budget increases due to staffing costs and insurance costs.

TC-2019-116

MOVED by Trustee Brent and SECONDED by Trustee Dodds,

That Trust Council waive any increase that will come to trustees as a result of this budget.

DEFEATED

Motion TC-2019-114 was brought back and discussion was heard on funding from surplus without increasing the tax requisition, staffing costs, application fees and the Local Planning Services Review.

The question was then called on **TC-2019-114**

DEFEATED

Chair Luckham noted that the budget would go out for public consultation before coming back to Council for consideration and approval in March.

11.3 Funding Requests Business Cases

The business cases were reviewed within item 11.2.

12. LOCAL PLANNING SERVICES

12.1 Consent Agenda Items:

TC-2019-117

MOVED by Trustee Patrick and SECONDED by Trustee Wolverton,

That Trust Council adopt the recommendations contained in the following items presented in the December 3-5, 2019 Trust Council Consent Agenda:

12.1.1 Director of Local Planning Services Report

Receive for information.

12.1.2 Local Planning Committee Work Program Report

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

CARRIED

12.2 Decision/Discussion Items

12.2.1 Freshwater Update – Briefing

Receive for information.

12.2.2 Salt Spring Island Development Approval Information Bylaw 175 – RFD

Trustee Patrick presented the request for decision.

TC-2019-118

MOVED by Trustee Patrick and SECONDED by Trustee Grove,

THAT Trust Council Bylaw No. 175, cited as “Salt Spring Island Local Trust Committee Development Approvals Information Bylaw No. 175, 2018” be read a First Time.

CARRIED

TC-2019-119

MOVED by Trustee Grove and SECONDED by Trustee Langereis,

THAT Trust Council Bylaw No. 175, cited as “Salt Spring Island Local Trust Committee Development Approvals Information Bylaw No. 175, 2018” be read a Second Time.

CARRIED

TC-2019-120

MOVED by Trustee Patrick and SECONDED by Trustee Grove,

THAT Trust Council Bylaw No. 175, cited as “Salt Spring Island Local Trust Committee Development Approvals Information Bylaw No. 175, 2018” be read a Third Time.

CARRIED

TC-2019-121

MOVED by Trustee Grove and SECONDED by Trustee Patrick,
THAT Trust Council Bylaw No. 175, cited as "Salt Spring Island Local Trust Committee Development Approvals Information Bylaw No. 175, 2018" be brought back to Trust Council for reconsideration and final adoption at the earliest available date.

CARRIED

The meeting recess for a break at 9:55 AM and reconvened at 10:03 AM.

At 10:03 AM, the meeting was closed to the public.

13. CLOSED MEETING (Separate Agenda)

TC-2019-122

MOVED by Trustee Luckham and SECONDED by Trustee Maude,

That the Islands Trust Council meeting be closed to the public subject to Section 90(1) of the Community Charter in order to consider matters related to:

- (c) labour relations or other employee relations,
 - (g) litigation affecting the Islands Trust; and
 - (i) receipt of advice that is subject to solicitor-client privilege;
- and that CAO Hotsenpiller be invited to attend the closed session.

CARRIED

The meeting was reopened to the public at 10:45 AM. There was no Rise and Report.

14. TRUST AREA SERVICES

14.1 Consent Agenda Items:

TC-2019-123

MOVED by Trustee Rogers and SECONDED by Trustee Patrick,

That Trust Council adopt the recommendations contained in the following items presented in the December 3-5, 2019 Trust Council Consent Agenda:

14.1.2 Trust Programs Committee Work Program Report

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

14.1.3 Islands Trust Conservancy Report

Receive for information.

14.1.4 Legislative Monitoring Report - Briefing

Receive for information.

CARRIED

14.2 Decision/Discussion Items:

14.1.1 Director of Trust Area Services Report

Director Frater gave updates on the new website build, upcoming budget consultation schedule, Islands 2050 engagement and continuing advocacy.

Received for information.

14.1.5 State of the Islands Indicator Project - Final Report – Briefing

Receive for information.

14.2.1 Community Stewardship Awards Program Policy 2.1.11 and Nomination Form – RFD

By general consent, it was agreed that this item be brought back to March Trust Council.

14.2.2 Islands 2050 Update – Briefing

Received for information.

15. DISPOSITION OF DELEGATIONS AND TOWN HALL REQUESTS

By general consent, Trust Council request correspondence be sent thanking delegations for their presentations.

16. NEW BUSINESS

16.1 Regional Grant Funding for Poverty Reduction

Trustee Colbourne will address this with trustees via email.

16.2 BC Ferry Advocacy

There was discussion on creating a consistent message and coordinated approach if numerous local trust committees wish to respond.

TC-2019-124

MOVED by Trustee Rogers and SECONDED by Trustee Colbourne,

That Trust Council request Executive Committee draft a letter to Minister Claire Trevena requesting that the Active Transportation Plan and ferry electrification be incorporated into the province's direction for BC Ferries planning.

CARRIED

16.3 Japanese Redress

Trustee Wolverton spoke to a request from a Saturna community group who are looking to the Islands Trust to support their request to the province.

Trustee Wolverton will work with Trust Area Services to bring back a request for decision.

17. SUMMARY / UPDATES

17.1 Trustee Updates

17.1.1 BC Ferries (Ferry Advisory Committee Chairs)

17.1.1.1 Trustee Maude - Mayne Island – Received for information

17.1.1.2 Trustee Critchley - Denman Island– Received for information

17.1.2 First Nations - None

17.1.3 Gulf Islands National Park Reserve Advisory Committee (Trustee Middleton)

Trustee Middleton reported on the status of the advisory committee and his attendance at a meeting regarding Southern Resident killer whales. He noted an oversight on Transport Canada’s lack of involvement with the Trust. A technical group will convene in early January that he and Trustee Brent will attend.

17.1.4 Salt Spring Island Watershed Protection Alliance (SSIWPA) (Vice-Chair Patrick)

Trustee Patrick spoke to the report, which was received for information.

17.1.5 Howe Sound Community Forum

The report was received for information.

17.1.6 Anchorage Roundtable Update

Trustee Fenton noted the next anchorage roundtable is January 30th. He passed on a request from Gabriolans Against Freighter Anchorages (GAFA) to improve the presence of anchorages advocacy on the Islands Trust website.

17.2 Priorities Chart

By general consent, the Priorities Chart was approved as presented.

17.3 Proposed March Trust Council Agenda Program

Discussion ensued on leaving time to consider the budget by addressing it the morning session, continuing with the consent agenda format (the Trust Council Procedure Bylaw would need amending), and that a Continuous Learning Plan item be offered as a webinar before March.

Suggestions for the next roundtable topic discussion may be forwarded to the Executive Committee.

18. CORRESPONDENCE

None

19. NEXT MEETING - March 10-12, 2020

The next Islands Trust Council meeting will be held on Salt Spring Island.

20. ADJOURNMENT

By general consent, the meeting was adjourned at 11:25 AM.

Peter Luckham, Chair

Certified Correct

Lori Foster Executive Coordinator/Recorder