



# Trust Council Select Committee Governance and Management Review Agenda

Date: October 4, 2021  
Time: 3:00 pm  
Location: Electronic Zoom Meeting

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	<b>Pages</b>
<b>1. LAND ACKNOWLEDGEMENT</b>	
<b>2. APPROVAL OF AGENDA</b>	
<b>3. ADDOPTON OF MINUTES/COORDINATION</b>	
<b>3.1. September 13, 2021 draft minutes</b>	2 - 4
<b>3.2. Resolutions Without Meeting</b>	
None	
<b>3.3. Follow-up Action List (FUAL)</b>	5 - 5
<b>4. BUSINESS ITEMS</b>	
<b>4.1. Great Northern Management Consultants - verbal update</b>	
<b>5. NEW BUSINESS</b>	
<b>6. CORRESPONDENCE</b>	
<b>6.1. G. Brazier on behalf of Gulf Islands Alliance letter dated September 20, 2021</b>	6 - 11
<b>7. NEXT MEETING</b>	
The next Select Committee meeting is scheduled for November 1, 2021, to be held electronically.	
<b>8. CLOSED MEETING (if applicable)</b>	
<b>9. ADJOURNMENT</b>	



Islands Trust

## Trust Council

### Select Committee Governance and Management Review

### Minutes of Regular Meeting

**Date:** September 13, 2021  
**Time:** 3:00 pm  
**Location:** Electronic Zoom Meeting

**Members Present** Lee Middleton, Chair, Saturna Island Trustee  
Kees Langereis, Vice Chair, Gabriola Island Trustee  
Paul Brent, Saturna Island Trustee  
David Critchley, Denman Island Trustee  
Steve Wright, South Pender Island Trustee  
Deb Morrison, North Pender Island Trustee  
Ben McConchie, North Pender Island Trustee (absent)  
Peter Luckham, Thetis Island Trustee  
Michael Kaile, Bowen Island Municipal Trustee

**Staff Present:** Russ Hotsenpiller, Chief Administrative Officer  
Lori Foster, Executive Coordinator/Recorder

**Others:** Great Northern Management Consultants (GNMC) members:  
Charles Kelly, James Roche, Maryantonett Flumian, Lorraine Cole

**Webinar Attendees:** 1 attendee was present at the Zoom webinar

**1. LAND ACKNOWLEDGEMENT**

At 3:00 p.m. Chair Middleton called the meeting to order and humbly stated gratitude to live and work on Coast Salish First Nations traditional and treaty territory.

**2. APPROVAL OF AGENDA**

For consideration to add:

At 6.2 D. Korbin re: Governance of the Gulf Islands email dated September 10, 2021

**SC-2021-046**

**It was Moved and Seconded,**

That the agenda be approved as amended.

**CARRIED**

**3. ADOPTION OF MINUTES/COORDINATION**

**3.1 July 12, 2021 draft minutes**

By general consent, the minutes were adopted as presented.

**3.2 Resolutions Without Meeting**

Received for information.

**3.3 Follow-up Action List (FUAL)**

No questions, received for information

**4. BUSINESS ITEMS**

**4.1 Great Northern Management Consultants (GNMC) - verbal update**

Maryantonett Flumian led the GNMC team and gave a verbal update on the status of trustee interviews for inclusion in the governance and management review offering preliminary, high-level observations.

Discussion followed:

- That interviews are confidential,
- Consideration of additional interviews,
- Difficulty contacting ministry staff,
- Consideration of public input,
- Gender representation.

Discussion on reporting out at September Trust Council ensued.

By general consent, Vice Chair Langereis will deliver a Select Committee update at September Trust Council's meeting.

At 4:04 p.m., the Great Northern Management Consultants left the meeting.

**5. NEW BUSINESS – None**

**6. CORRESPONDENCE**

Discussion on receipt of correspondence ensued.

**6.1 D. Korbin re: for addition to next agenda email dated August 4, 2021**

**6.2 D. Korbin re: Governance of the gulf islands email dated September 10, 2021**

**SC-2021-047**

**It was Moved and Seconded,**

That the Select Committee receive correspondence items 6.1 and 6.2 for information.

**CARRIED**

**SC-2021-048**

**It was Moved and Seconded,**

That Select Committee correspondence items 6.1 and 6.2 be referred to the Executive Committee.

**CARRIED**

**7. NEXT MEETING**

The next meetings of the Select Committee are scheduled as follows: October 4 and November 1 from 3:00 p.m. to 5:00 p.m., to be held electronically. At this time, there are no further meetings scheduled after the November 1st meeting.

Discussion on future meetings was heard.

**8. ADJOURNMENT**

**SC-2021-049**

**It was Moved and Seconded,**

That the meeting be adjourned at 4:20 p.m.

**CARRIED**

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**Lee Middleton, Chair**

**Certified Correct**

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**Lori Foster, Executive Coordinator/Recorder**



## Select Committee (SC) Governance and Management Review Follow-up Action List (FUAL)

SC Mtg	WHO / Activity	TO	TARGET
<b>SELECT COMMITTEE</b>			
<i>May 10, 2021</i>	The Management Review final report deliverable date be extended to March Trust Council with the final report to be received by April 30, 2022.	SC	April 30, 2022 In progress
<i>May 31, 2021</i>	Interview phase in progress by the consultants for the governance and management review.	SC	In progress
<b>CAO HOTSENPILLER</b>			
<i>Sept 13, 2021</i>	Work with GNMC regarding ministry interview contacts.	SC	In progress
<b>EXECUTIVE COORDINATOR FOSTER</b>			
<i>Sept 13, 2021</i>	Adopt the July 12, 2021 minutes as presented and post to website	SC	<i>DONE</i>
<i>Sept 13, 2021</i>	Forward correspondence items 6.1 and 6.2 to Executive Committee	Executive Committee	<i>DONE</i>
<i>Standing Item</i>	Prepare draft minutes for next meeting – (Consideration to Adopt)	SC	<i>DONE</i>
<i>Standing Item</i>	Create Draft agenda in E-scribe - circulate agenda package for next meeting	SC	<i>DONE</i>
<i>Standing Item</i>	Update FUAL for next meeting agenda	SC	<i>DONE</i>

**From:** Graham Brazier <[REDACTED]>  
**Sent:** Monday, September 20, 2021 10:07 AM  
**To:** Lori Foster <lfoster@islandstrust.bc.ca>  
**Cc:** Lee Middleton <lmiddleton@islandstrust.bc.ca>  
**Subject:** Select Committee on Governance Review

Hello Lori Foster

Please find attached a submission to the Select Committee on Governance Review from the Gulf Islands Alliance.

Please direct any questions or queries to me, Graham Brazier @

[REDACTED]

Thank You,  
Graham Brazier

To:

**The Select Committee on Governance and Management Review**

From:

**The Gulf Islands Alliance**

September 20, 2021

**Introduction:**

As a non-profit, grassroots organization with members based on islands under the jurisdiction of the Islands Trust, the Gulf Islands Alliance (GIA) has, over the course of the last 15 years, worked with a network of like-minded individuals and organizations throughout the Trust area to increase the effectiveness of the Islands Trust in fulfilling its “preserve and protect” mandate.

GIA has addressed Trust Council on numerous occasions with recommendations and suggestions on a variety of topics which has included tree-cutting and forestry practices in the Trust Area, First Nations relations, by-law enforcement, carbon trading, the Public Trust Doctrine and a multitude of marine issues such as threats to the foreshore due to industrial aquaculture practices, increased oil tanker traffic and climate change.

We would like to draw your attention to two recommendations relating to ‘governance’ that we made at Trust Council — one in 2010 and the other in 2015. We believe both recommendations continue to have currency and if acted upon would contribute to more effective governance of the Trust Area.

**Two Recommendations:**

1) Change in the wording of the Oath of Office

At the December 8, 2010 meeting of Trust Council GIA recommended that the wording of the Oath of Office sworn by newly elected Trustees be changed to better reflect the unique object of the Islands Trust. Currently, in accordance with the Local Government Act the oath reads, in part: “I will

faithfully perform the duties of my office and will not allow any private interest to influence my conduct in public matters” GIA suggested that the words: “in accordance with the mandate prescribed by the Islands Trust Act” be added, following “the duties of my office”. Trust Council then requested that the Chief Administrative Officer (CAO) prepare a briefing on the matter and at the March meeting of Trust Council a report that emphasized the complexity of the process concluded with the the recommendation: “Not to proceed further with a request to change the current oath of office” and the matter was not put to a vote. Since that time, concern for the wording of the oath of office amongst Trustees has been intermittent while GIA continues to view the matter as important to the advancement of the object of the Trust.

## 2) Change in the Committee Structure

While the Trust Area includes more than 450 islands, the largest proportion of the area under the jurisdiction of the Islands Trust is not terrestrial and consequently subject to pressures unknown on land — a fact not reflected in the existing administrative structure of the Islands Trust. Among the threats to marine and shoreline health and vitality are industrial aquaculture and seaweed harvest practices, freighter anchorages, abandoned and derelict vessels, shoreline impacts of climate change, increased oil tanker traffic and a need to develop oil spill preparedness. As the expertise and training required to preserve and protect land is not directly transferable to that required to preserve and protect marine areas and shorelines it is imperative that the Islands Trust develop an approach to marine protection that recognizes the fact that effective protection would require specialized staff support rather than an ad hoc approach which is the only option under the existing administrative structure.

### a) GIA Recommendation (2015)

In June of 2015, the Gulf Islands Alliance urged Trust Council to “establish a permanent committee to develop a comprehensive and coordinated approach to marine issues throughout the Trust Area”. At the December meeting GIA reiterated and refined its recommendation to consider administrative/structural changes and suggested “ i) establishment of a permanent committee of Trust Council to deal exclusively with marine and shoreline matters and to develop a comprehensive and coordinated

approach to marine issues, ii) hire staff with marine biology training and expertise iii) conduct a comprehensive study of the implications of a change in legislation to bring marine zoning under the authority of the Trust Council in order to insure the highest level of protection throughout the Trust Area.” Trust Council then directed the Executive Committee to examine the possibility for “reorganization of the committee structure of Trust Council with the possibility of creating in addition or substitution of marine matters generally.”

b) Senior Intergovernmental Policy Advisor appointed (2016)

The Executive Committee then requested that staff report on the matter by February 10, 2016. At the March 2016 meeting of Trust Council, the CAO “spoke to the recommendation to fund a temporary, full time Senior Intergovernmental Policy Advisor position for two years” to be responsible for liaising with 31 First Nations in the Islands Trust Area and for responding to marine threats. The proposal to “fill two needs with one deed” was the subject of a lengthy discussion, which involved the defeat of two alternative motions: i) to split the position “between a marine resource planning consultant and a First Nations governance consultant” ii) “to fund a select committee to make recommendations to Trust Council about how to increase the effectiveness of the Islands Trust at responding to issues through its committee system”. Ultimately, in accordance with the recommendation of the CAO, Trust Council approved the addition of a temporary Senior Intergovernmental Policy Advisor.

Subsequently, a Senior Intergovernmental Policy Advisor was appointed and attended Trust Council’s December 7, 2016 meeting where she gave a presentation on the Douglas Treaties and the Gulf Islands. A discussion on Marine Protection Tools concluded with a motion “that the Executive Committee be requested to review the briefing on marine protection tools....”

Though discussions of “marine issues” and “marine tools” were part of the agendas of Trust Council meetings in March, June and September of 2017 no related tasks were assigned to the Senior Intergovernmental Policy Advisor who was only in attendance at the March meeting.

### c) Committee Structure Review (2017-18)

At the September 2017 meeting of Trust Council the subject of “committee structure” returned and Trust Council requested that the Executive Committee initiate a review of current Council Committees. At the December meeting, the topic of “Committee Review” did not come up nor was it listed among the Executive Committee’s top four priorities. Nor was there reference to Council Committees at the March 2018 meeting

It was at the June 2018 meeting of Trust Council that the CAO addressed the Executive Committee’s request in a 30 page report titled: “Governance Structure Review of Islands Trust Council Committees”. [see appendix] Without reference to issues of marine and shoreline protection, the concluding recommendation was “That Trust Council direct that Trust Programs Committee and Local Planning Committee be merged into a single Planning and Policy Committee”. The vote by Trust Council to accept the recommendation tied and therefore failed and the status quo was confirmed by a subsequent motion.

### d) Conclusion

To this date, neither of the Trust’s responses to threats to the marine environment have proven effective.

While the appointment of a Senior Intergovernmental Policy Advisor in 2016 was undoubtedly successful at increasing liaisons with First Nations throughout the Trust Area, the “two needs with one deed” approach resulted in marine and shoreline issues being either overlooked or dealt with on an ad hoc basis during that two-year term of office.

Neither was comprehensive marine and shoreline protection advanced by the study of the committee structure conducted by the CAO in 2018 and we find ourselves back in 2015 where GIA urged the Trust to establish a committee, with staff time and funding, devoted to examining fresh approaches to preserving and protecting coastal shorelines and marine areas that would demonstrate a commitment on the part of the Islands Trust to addressing the health and vitality of the entire Trust Area.

**GIA continues to maintain that such a committee could:**

**1) Review how the Trust has dealt with marine and shoreline issues in the past. (This would include derelict and abandoned vessels, freighter anchorages, shoreline industrial activities such as impacts of aquaculture and seaweed harvesting, oil spill preparedness, shoreline structures etc)**

**2) Fully examine how/if conventional tools could be more effectively employed**

**3) Fully explore how/if additional tools may be employed to protect the waters and shorelines in the Trust Area:**

- . a) fully investigate jurisdictional questions with respect to marine and shoreline activities,**
  
- . b) consider how administrative/structural changes may be brought to bear: i) establishment of a permanent committee of Trust Council to deal exclusively with marine and shoreline matters and to develop a comprehensive and coordinated approach to marine issues, ii) hire staff with marine biology training and expertise iii) conduct a comprehensive study of the implications of a change in legislation to bring marine zoning under the authority of the Trust Council in order to insure the highest level of protection throughout the Trust Area.**

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**Sincerely, *Graham Brazier* on behalf of The Gulf Islands Alliance**

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**[appendix]**

<https://islandstrust.bc.ca/document/trust-council-regular-meeting-agenda-27/> [pages 35-66]