

## *Highlights of July 18 - 19, 2002 UBCM Executive Meeting*

This was a very busy Executive meeting which involved:

- 8 committee meetings including the Resolutions Committee which reviewed 179 resolutions, and a meeting of the Environment Protocol Committee;
- meetings with 4 cabinet ministers including Ministers George Abbott, Colin Hansen, John van Dongen, and Joyce Murray. In addition, the Aboriginal Affairs Committee met with Attorney General Geoff Plant.
- all the regular business plus year-end/year-ahead matters associated with UBCM fiscal year end (financial statements, new work programs, new budgets).
- extensive debriefing on the Community Charter Conference and discussion of next steps.

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### THE EXECUTIVE CONSIDERED

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- reports on several items including:
  - revisiting Bill 55 rail taxation issues
  - forest recreation site devolution
  - interjurisdictional licensing
  - legal opinion on consequences of repeal of the *Pawnbrokers Act*
  - status of BC Rail payments-in-lieu review
  - work of the Development Financing Review Committee
  - status of FCM's discussions with the federal government on international trade negotiations
  - work of the Energy Aware Committee
  - provincial initiative on Regional Transportation Advisory Committees
- agreed to write a letter opposing the implementation by the federal government of new crash/fire regulations on community airports and request that if new regulations are introduced that the federal government cover all of the capital and operating costs related to them;
- report on the provincial government responses to the 2001 resolutions. Responses have been received for the 87 resolutions submitted to the Province. The responses have been forwarded to the sponsoring members. The provincial government indicated a willingness to consider changes proposed in 37 of the resolutions, to undertake further study or review on 16 resolutions, that 24 resolutions had been addressed or are being addressed, in whole or in part by current provincial initiatives, and that it was not willing to consider changes in 20 of the resolutions.
- a report on the new *Agricultural Land Commission Act* and Land Use, Subdivision and Procedure regulation which was sent by the Land Reserve Commission (LRC) to all local governments on July 10, 2002. Adequate information and transition time for local governments will be key to implementing the changes smoothly. The Executive directed that UBCM monitor the LRC's implementation of their new legislation and regulation and respond to member concerns if they arise and as needed.
- in reviewing a consultant's report which proposed four possible options for resolving the ongoing problems associated with the assessment and classification of short term accommodation properties, the Executive agreed to advise BC Assessment of its support for the option to move all such properties to Class 6 (Business and Other), with a reasonable phase-in period for affected property owners, and also to define these properties according to the pattern of actual use.
- the UBCM audited financial statements for the year ended June 30, 2002 showed a modest surplus.
- adopted a preliminary budget that contains a proposed 2% dues increase – the budget will be reviewed and finally adopted at the September Executive meeting.
- annual MOU review. The Executive recommended continuing all active agreements. Some protocol agreements and memoranda of understanding will require change reflecting new provincial programs and policy. For instance, while keeping it in place, the Protocol of Recognition may need reassessment upon enactment of the Community Charter.
- 24 member visits were completed by staff this past year including: 11 visits to the Northeastern part of the province (Chetwynd, Peace River RD, Dawson Creek, Pouce Coupe, Hudson's Hope, Taylor, Fort St. John, Tumbler Ridge, Mackenzie, Valemount and McBride); 5 in the Fraser Valley (Mission, Kent, Harrison Hot Springs, Hope, Fraser Valley RD); 7 to Central Vancouver Island (Campbell River, Cumberland, Courtenay, Parksville, Comox, Qualicum Beach and

Comox Strathcona RD); and a visit to Logan Lake in conjunction with staff attending LGMA conference in Kamloops.

- agreed to provide legal assistance funding to support the District of Squamish.
- the McKelvey scholarships funded 16 recipients totaling \$6,450 for 2002.
- Were advised that tax notices were completed for 12 municipalities.
- Will seek a legal opinion on the question of whether recent amendments to the *Mineral Tenure Act* have the effect of overriding local bylaws.
- Supported changes to the *Local Government Act* that would allow councils and boards to appoint all members of the Board of Variance.
- Received a report on the results of the consideration by the five Area Associations of the proposed consultation and cooperation agreement with the BC Environmental Network which has

been referred to them after the 2001 Convention.

- Directed that policy papers on the following topics be prepared and circulated for consideration at the 2002 Convention: Community Charter; Civil Liability; Forest Policy (the recommendations of the February workshop); and an energy policy digest.
- Directed that special resolutions be prepared for consideration at the 2002 Convention on 'consultation/downloading' and 'regional transportation committees/authorities'.
- Received the evaluation of the 2001/2002 UBCM work program.
- Approved the 2002/2003 UBCM work program and special projects.
- Agreed not to pursue changes to the Small Community Protection Grant distribution formula because of the reductions in revenue it would mean for some members. Any changes should be integrated with introduction of other new revenues.

## Executive Considers Community Charter

The Executive devoted a significant portion of its July meeting to consideration of the Community Charter. The Executive considered six summary reports and many related reports. These included reports on the Community Charter Conference (workbook question results); media monitoring, suggestions for 'next steps', Area Association and other events and 'continuing work'. The key report and Executive discussion focussed on issue identification and priorities. The Executive have directed that a policy paper be prepared for consideration at the 2002 Convention that would be UBCM's response to the Community Charter.

# COMMITTEES

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## NOMINATING

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Advised that the nominations information package has been distributed to the membership and the closing date is July 31, 2002.

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## RESOLUTIONS

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Resolutions Committee members reviewed the resolutions submitted before the June 30th deadline for consideration at the 2002 UBCM Convention. Of the 179 resolutions submitted, the Committee designated 6 Section A resolutions, 23 Section B – Part I resolutions, 48 Section B – Part II, 29 Section B – Part III, and 73

Section C resolutions. The Committee also proposed two Special Executive Resolutions.

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## HEALTH

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The Committee discussed a number of matters, including issues between regional hospital districts and health authorities; planning for the convention study session on the local government role in contributing to population health; issues raised by local government staff with respect to Bill 16, the new Community Care Facility Act (exposure bill); presentation by consultant Doug Allan on the BC Ambulance Service Core Review; and

a new concern about the impacts on first responders of WCB regulations requiring emergency coverage which have become apparent since the limitation of hours of service of the emergency ward at Castlegar Hospital.

The Executive endorsed the following action recommendations:

- authorizing staff to seek a legal opinion on whether regional hospital districts are required to contribute 40% of the capital cost of a hospital project if that project is to be developed as a public-private partnership, and whether such a requirement can be enforced; and
- authorizing the Committee to finalize a submission to the provincial government on Bill 16,

the Community Care Facility Act, which will include a recommendation to establish a graduated community care licence for supportive living facilities (including addiction recovery homes and assisted living facilities) rather than completely de-licensing them as the Bill proposes. The new licence would be less onerous than the full licence for facilities which provide a higher level of care.

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## COMMUNITIES AND RESOURCES

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The Committee discussed a wide range of issues and recommended actions on the following matters:

- correspond with the Minister of Forests reiterating specific concerns for the stability of forest-based resource communities as the Forest Policy is moving into its final drafting stage;
- host a "Resource Communities Summit" with all relevant Ministers at Convention, utilizing the Wednesday afternoon Resource Ministers ;
- thank the United States Conference of Mayors for their correspondence regarding the softwood dispute and investigate the opportunity for continued dialogue with USCM;
- continue support for the National Forest Strategy Coalition;
- recommend to the federal government that the fisheries Community Economic Adjustment Initiative be employed as a model for a transition assistance program for forest communities;
- correspond with the Senate Committee on Fisheries: Study of Fish Habitats regarding community concerns for loss of funding for several fisheries programs;
- thank the Hon. Stan Hagen, Sustainable Resource Management,

for his commitment to consult with affected communities in evaluations of the Kootenay-Boundary Higher Level Plan and note that UBCM looks forward to the initiation of this process.

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## CONVENTION

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**A**dvised the Executive that the Convention Registration packages and invitations had been distributed and included pre-convention study tours and sessions. The Executive confirmed the Committee's recommendations on clinics and workshops. Convention room logistics and meal functions were confirmed.

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## ENVIRONMENT

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The Committee discussed a wide range of issues, a number of which were also addressed with federal and provincial representatives at a meeting of the Environment Protocol meeting, such as climate change policy, environmental assessment, living rivers strategy, bear smart community program and future changes to the *Waste Management Act*. The Executive confirmed the Committee's recommendations on the following issues:

- Drinking water policy – requested further information from the Ministry of Health on the new action plan for drinking water, regarding the financial and policy implications for local government;
- Product stewardship – indicated general support for the product stewardship principles proposed by the Ministry of Water, Land and Air Protection to review existing programs and to work with the ministry in the review, emphasizing the need to ensure that the costs of

the programs were not downloaded on local government, the need for clear performance and accountability measures;

- Flood hazard management – requested that the Ministry of Water, Land and Air Protection use the downloading screen filter in the Community Charter when considering future action on dike management and agreed to work with the ministry on an integrated approach to flood hazard management provided the offloading principle was respected;
- Contaminated sites – agreed to forward a submission to the Contaminated Site Review Panel requesting increased liability protection; recognition of land use bylaws when re-locating contaminated soil; protection from off-site contamination and reassessment of contaminated sites; and that a brownfield site clean-up program be developed.
- Environment Action Plan – supported the development of a policy paper for the 2002 UBCM Convention;
- New streamside protection proposal – agreed to support in principle a new riparian area assessment regulation proposed by the Ministry of Water, Land and Air Protection, subject to liability protection and financial/technical assistance to local government in the new program.

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## ABORIGINAL AFFAIRS

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The Committee discussed a wide range of issues, some of which they raised at their meeting with the Hon. Geoff Plant, Attorney General and Minister Responsible for Treaty Negotiations at their meeting with him on July 19, 2002. Among the Committee's recommendations endorsed by the Executive are:

- Joint work with the province on developing a new agreement on Local Government Participation in Treaty Negotiations continue and that a draft be sent to TACs (followed by the full membership) for review as soon as possible in anticipation of a signing of the agreement this fall, possibly at Convention;
- UBCM request that as a first step, the Treaty Negotiations Office, Ministry of Community, Aboriginal and Women's Services and Federal Treaty Negotiation Office policy staff participate in a working group with local government staff to examine municipal and provincial interests in land selection within municipal boundaries and to generate options and approaches in a discussion paper that would be considered by elected officials as part of a second step;
- UBCM's response to the report of the Tripartite Working Group on Improving the Treaty Process be sent to parties to treaty negotiations and the BC Treaty Commission and that the provincial government be urged to return to the TNAC table to consult with third parties and UBCM;
- Implementation activities for each of the Communication and Co-operation agreements continue and include convening a meeting of the implementation working groups; a technical workshop for First Nation land managers and local government planners;
- a letter be sent from Committee to participants in the historic Local Government – First Nation Agreement signed on July 18 in Prince George congratulating them on their achievement;
- UBCM write to the federal and provincial governments to provide an interim report and request and extension on the funding agreement for the 2002 Community to Community Forum program to enable use of funds for the March

2003 Province-wide event and that two more applications for regional forum funding be approved; and

- The Aboriginal Affairs Committee Chair write to both the Lower Mainland TAC and Prince George TAC thanking them for forwarding copies of their TAC interest development papers and advising that UBCM will distribute them to other TACs.

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## PROTECTIVE SERVICES

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The Committee discussed a number of issues, and concerns were expressed about provincial actions regarding court house closures, keep of prisoners, policing costs and gaming policy. Among the Committee's recommendations endorsed by the Executive are:

- Local Government Bylaw Forum – agreed to forward a submission to the Ministry of Attorney General on its proposal for a new bylaw dispute process;
- Gaming Regulation – requested that UBCM be provided an opportunity to review the final draft regulation.

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## MEMBER SERVICES

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The Committee judged the Local Government Awareness Program submissions and the following are the winners of each category:

- 2002 Best Local Government Web Site Awards: Small Community: *Village of Clinton*; Medium Sized Community: *City of Penticton*; Large Community: *City of Surrey*; Regional District: *East Kootenay Regional District*;
- 2002 Month Long/Week Long Award: City of New Westminster; and
- 2002 Year Long Award: City of Langley

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## JOINT TASK FORCE ON LIABILITY

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The Executive was updated on the activities of the UBCM/MIA Joint Task Force including several of the planning meetings to prepare a response to the Attorney General's Discussion Paper on Civil Liability. The joint response will focus on joint and several liability, ultimate limitation periods plus non-delegable duty and vicarious liability. The Executive directed that the draft paper be circulated in advance of the 2002 convention so that delegates are prepared for its consideration.

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## DELEGATIONS

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### LOCAL GOVERNMENT MANAGEMENT ASSOCIATION

Debbie Comis, President, and Mark Brown, First Vice-President, provided the Executive with a preliminary overview of the LGMA Legislative Committee review of the Community Charter. Their report is to be completed in early August.

### MINISTERS COME TO TALK

The full Executive met with four ministers during the course of its meeting. The Ministers came to talk about specific issues of concern, which included:

Hon. George Abbott, Minister of Community, Aboriginal and Women's Services spoke primarily on ports competitiveness.

Hon. John van Dongen, Minister of Agriculture, Food and Fisheries spoke on aquaculture and right-to-farm legislation.

Hon. Colin Hansen, Minister of Health Services spoke primarily about initiatives to protect drinking water.

Hon. Joyce Murray, Minister of Water, Land & Air Protection spoke about a proposed Riparian Assessment Area regulation for streamside protection.