

Highlights of the February 27-28, 2003 Executive Meeting

With all Executive members in attendance, a full complement of meetings took place including: three meetings with provincial ministers, eight Committee meetings in addition to the regular quarterly Executive meeting.

President Patricia Wallace welcomed City of Vancouver Representative, Councillor Ellen Woodsworth to the UBCM Executive.

During regular business the Executive decided:

- convey general support to the provincial government for the proposed **Visions and Principles for Guiding Sustainable Resource Management in BC** but express concern about the lack of environmental emphasis, the need for flexibility in decision-making, and advise that the principles appear to be governance principles, not sustainability principles.
- **Regional Hospital District Cost Sharing Review** – received a progress report on the selection process for consultants for this study, which is expected to be completed by late May, 2003.
- provide a response to the province regarding the **new energy plan**, addressing the UBCM policy position where appropriate and seeking clarity on several issues raised in the plan.
- received the **Provincial Responses to 2002 UBCM Resolutions** that have been received by UBCM to date and await a final report once all responses are received. (Provincial responses can be checked on the UBCM website).
- received a report on the development of new **Safety Systems legislation** expected this spring and authorized staff to continue to participate in the working group discussions.
- **Provincial Budget and Service Plans**– The Executive reviewed the highlights of the recent provincial budget as they affect local government (see In The House circular of February 18th). The summary of Ministry three year service plans will be circulated to members shortly.
- considered a variety of other policy files including:
 - developing of further options on Class 2 (linear properties, e.g., rail and pipelines) assessment and taxation as modified by **Bill 55** (1995);
 - progress of **purchasing reform** initiative and decision to have it apply only to provincial ministries and agencies, and to assist the provincial government in identifying information sharing opportunities on best practices with local governments;
 - progress on work with Fire Chiefs' Association of BC in seeking an exemption for rural fire services from the WCB's **Emergency Transport Vehicle regulation**;
 - writing to the Attorney General regarding local government's concerns about necessary changes to **civil liability** provisions and the need to keep the project moving forward;
 - assessing the implications of potential objective based **Building and Fire Code changes**;
 - review of Motor Carrier Commission Regulations;
 - FCM decision to apply for leave to appeal to the Supreme Court of Canada the CRTC decision 2001-23 (Ledcor v. City of Vancouver) on access to **Municipal Rights of Way** by telecommunications companies;
- advising federal government of opposition to new **airport crash safety regulations** for community operated airports
- consultation on **Forest Land Reserve phase-out** and replacement with new regime for management of private forest lands;
- MCAWS intent to develop a Draft **Strategic Plan for Public Libraries** and proposal for consultation with local governments;
- renewal of UBCM advocacy with the provincial government on fixing the loophole in property classification regulations for "urban farms"; and
- appointment process to **Regional Transportation Advisory Committees**.
- approved the request for **legal assistance** from the Town of Osoyoos. The case involves the interpretation of section 911(6) – can additions be made to non-conforming use of land?
- **Newly Elected Officials seminars** – a report on the series of five seminars showed overall rating of 4.1 to 4.6 (out of 5). Over 500 elected officials attended and the seminars attracted 91% of the newly elected. Thirty-nine recommendations for the next series were presented.
- 171 of 182 membership dues received to February 26, 2003.
- other **Committee Appointments** – the President appointed Councillor Ellen Woodsworth to the Health Committee and Mayor Wayne Dahlen as Chair of the BC Rail Task Force. Councillor Corinne Lonsdale was appointed to the Minister of Forests' Forest Practices Advisory Council.

Please make copies of this circular and distribute to Council/Board Members /Staff.

COMMITTEES

Community Charter Council

UBCM representatives on the Community Charter Council advised that the Council had completed its work and reported to government. The Charter is expected to be introduced in the House soon. A summary of changes to the May draft will be prepared and circulated to members once the Charter is introduced. The Executive were also briefed on work underway with respect to "transition and consequential" amendments. These include the parts of the Local Government Act which will remain and apply to municipalities (principally elections, land use, regional growth strategies, heritage conservation plus some other less prominent provisions). The larger part of this package will be those affecting regional districts. (see below)

Charter Transition

The Executive were provided with an update on how regional districts will be affected by Phase 1 of Community Charter development. An LGMA technical committee has been working with the Ministry of Community, Aboriginal and Women's Services to ensure that the consequential changes to the Local Government Act will enable regional districts to continue to operate with no loss of current powers. The Community Charter will apply to regional districts in relation to accountability and some procedural matters, for example: open meeting rules; conflict of interest and ethical conduct; disqualification from office; approval of the electors (and alternate approval process); public notice and access to records and duty to respect confidentiality.

Infrastructure Program Management Committee

The Executive heard a report on the pending approvals of the next group of green infrastructure projects and current challenges associated with decisions on non-green projects.

Local Government/ Agricultural Review Committee

The Executive received a briefing on the status of the Committee's final report and is awaiting a meeting between President Wallace, UBCM representatives to the committee and the Ministers of Agriculture, Food and Fisheries and Community, Aboriginal and Women's Services on the final report and recommendations of the Committee.

Police Costs Task Force

The following actions were endorsed:

- write to the Premier and Solicitor General thanking him for the provincial government decision not to require small communities and rural areas to pay for policing in 2003.
- express a willingness to work on the issue in cooperation with the provincial government, pointing out that we do not want a repeat of last year – delays and lack of information. UBCM arrange a meeting with the assistance of the Minister of Community, Aboriginal and Women's Services with the Premier, Solicitor General and Minister of Finance

to discuss solutions to the police cost issue.

- request that the provincial government provide the information needed for local government to consider any provincial proposals under consideration and to allow UBCM/local government to develop workable solutions to address this issue.

BC Rail Task Force

The Executive agreed that UBCM would lobby the provincial government to maintain BC Rail service levels in communities and further that the provincial government would be asked to develop an economic transportation strategy for all communities affected by the changes in BC Rail operations and ownership.

Environment

A meeting of the Environment Protocol Committee was held with senior staff from Environment Canada, the Ministry of Water, Land and Air Protection, Ministry of Sustainable Resource Management and Ministry of Community, Aboriginal and Women's Services. The Committee discussed a broad range of environmental issues, such as federal climate change policy, sustainability principles, pesticide management, flood hazard management, contaminated sites, parks policy and drinking water policy.

The following issues were addressed and actions endorsed by the Executive:

Wildlife-Humans Conflict Policy - write the Minister of Water, Land and Air Protection indicating general support for the new approach to wildlife-human conflict which focuses on public awareness and education and that UBCM does not support the downloading of response to wildlife-human conflicts on to local government as a result of government cutbacks in services.

Since 2001 the UBCM has been a signatory to the National Forest Accord, and this year is contributing to the development of Draft 1 of the National Forest Strategy 2003-2008. The National Forest Strategy Coalition is inviting all UBCM members to review and make comment on the draft. You can review the draft strategy at <http://nfsc.forest.ca/draft1.html> and make your comments directly to the National Forest Strategy Coalition. The deadline for input is March 14, 2003.

Product Stewardship - Regulation Review - request that the provincial government framework for product stewardship programs contain the following measures as outlined in the 2002 Environment Action Plan:

- Fully funded by the industry – (i.e. costs such as, marketing, collection, transportation, and processing the material).
- Maximize the recovery rate of product from local landfills – 85% recovery rate or higher;
- Ensure the consumer has the broadest choice of options – deposit-refund system, eco-fees etc.;
- Ensure the operation of a mixed collection system – return-to-retail, depot and curbside;

Delegation with the Hon. Mike de Jong, Minister of Forests

The Minister requested a meeting with the Communities and Resources Committee in order to seek feedback on matters within the developing Forest Policy. The Minister provided insight into the province's progress on several forest policy matters including managing the interests of small and large enterprises, community forests, woodlot programs, tenure allocation, developing relationships with First Nations and provincial funding available to work on policy transition issues. The Committee and Executive in attendance noted that not all UBCM policy recommendations have been met, however they were pleased to see that the Minister is clearly responding to several of the concerns raised by members at the February 2002 forest policy symposium. A follow-up letter will be forwarded to the Minister reviewing concerns raised and points made in the discussion.

- Ensure that decisions related to solid waste management are made with the agreement of the municipal and regional district governments in the area;
- Expansion of product stewardship programs to cover milk containers/milk products;
- Introduction of post-consumer content requirements to promote the development of markets for recycled plastic containers.

Waste Discharges under Canadian Environment Protection Act - write to the Minister of Environment Canada requesting that the local government issues raised with Environment Canada staff be addressed (need for harmonization, problem of overlapping regulatory requirements, existing pollution prevention plans, costs of upgrading plans and facilities etc.) before new substances are identified as toxic under the Canadian Environmental Protection Act and notify local government of the decision by Environment Canada to add chlorinated wastewater, chloramine and ammonia to the list of Toxic substances under the Environmental Protection Act and to require federally approved pollution prevention plans for these substances in the future.

Species at Risk - monitor the provincial development of species at risk strategy and participate only on a strategic basis where local government interests can be specifically identified.

Contaminated Sites - request that the final report of the Contaminated Sites Advisory Panel be released and that local government be consulted before changes are made to the regulations.

Convention

The 2002 convention showed a small surplus and a 4.0 rating, both consistent with previous years. The committee approved the 2003 theme "Connecting Communities". They also approved program time allocations, number of clinics, workshops, new delegate orientation, partners programs and a preliminary budget. The members will be surveyed for views on "forum day". Several improvements were approved for the 2003 convention program and logistics.

The plenary, meeting and accommodation space in Kelowna for the 2004 convention was reviewed following a recent site visit.

Protective Services

The following issues were addressed and actions endorsed:

Local Government Bylaw Tribunal - support the establishment of Local Government Bylaw Tribunal and request that the provincial government take steps to ensure that an effective revenue collection system is in place.

Keep of Prisoners

- continue to meet with the Ministry of Public Safety and Solicitor General and RCMP to discuss technical details concerning the management and payment for the keep of prisoners in local jails.
- facilitate the negotiation of a standard agreement on Keep of Prisoners with the province.
- request that the Ministry of Public Safety and Solicitor General commit to a compensation rate that relates to the actual cost of keeping a prisoner in a local jail.
- organize a meeting of local government mayors with the Solicitor General and the Premier if deemed necessary after the Table Officers meet with the Solicitor General and the Minister of Community, Aboriginal and Women's Services.

Delivery of Criminal Documents - write the Attorney General and the Solicitor General protesting the downloading of the costs of the delivery of criminal documents on to local government and survey local governments to obtain information on the financial impact of the downloading of this service on to them.

Liquor Policy - write the Solicitor General and request that local government input be required for:

- Expansion of patron capacity in existing liquor primary establishments, whose current foot print allow it;
- Addition of drinking only seats in a food primary establishment.

and request that new measures be introduced

to assist local government in dealing with businesses selling liquor who create problems in the local neighbourhood.

Crime Prevention Forum - agreed to partner with both the Ministry of Public Safety and Solicitor General and the National Crime Prevention Centre to host a provincial meeting for municipal governments on crime prevention and community safety provided that funding is made available to UBCM to coordinate and facilitate this event.

Taxi Policy – Illegal Cabs - write to the Minister of Transportation indicating support for the regulatory changes regarding illegal cabs.

Communities and Resources

The Committee had a full agenda with three delegations covering issues of the Working Forest Discussion Paper, Forest Policy, and local government's interface with independent power producers. The following actions were endorsed:

- respond to Minister de Jong regarding his presentation on proposed changes to **Forest Policy**.
- seek an extension to the March 14 deadline for input on **Working Forest policy** and seek input from members to inform a UBCM response. (see box below)
- monitor the federal **Softwood Industry and Community Economic Adjustment Initiative** program and provide information to UBCM members as it comes available; raise the issue of pension bridging as an opportunity in the mitigation of community impacts from the softwood dispute.
- continue support for the **National**

Forest Strategy and provide a response to the draft 2003-2008 strategy. (see box below)

- provide a briefing to all members on the **Independent Power Production (IPP)** presentation made by Jane Newlands of SJN Communications
- **survey** members to obtain information on experiences with IPP development, and seek input on members' interest in preparation of 'best practices' guidelines for local government's dealing with IPP development.
- reiterate requests of resolution B19-BC Builds Wood Industry Competitiveness as they were not addressed in the provincial response.
- obtain more information on the Mayors Council on rail service, and seek UBCM representation on the council.
- look into status of the provincial review of **angling guide management plans** and role for UBCM in the review.

Health

The Committee had a substantial agenda, which included matters relating to: meeting with the **Health Leadership Council** in April to further local government's relationship with health authorities; status report on the **Regional Hospital District cost sharing study**; no public word yet on the recommendations of the BC Ambulance Service review; information on the recommendations of various health policy initiatives including the Romanow Commission, the Kirby Committee, the BC Select Standing Committee on Health (2002), Ministry of Health Planning report "The

Picture of Health", and the **2003 First Ministers' Accord on Health Care Renewal** and related follow-up in the federal and BC budgets. The Committee also received information updates on the status of 2002 health related resolutions, the recruitment of physicians and nurses, medical training initiatives, and the Abbotsford Hospital P3.

The Executive subsequently endorsed the following action recommendations:

- Clarifying the Health Committee's Terms of Reference to read as follows: The Health Committee oversees health related policy development as it relates to local government interests.
- Authorizing UBCM's participation in the **BC Chronic Disease Prevention Alliance**, with reporting to be done through the Health Committee; and
- proposals for the Convention Committee respecting health related programming at the 2003 UBCM convention.

Following the Executive meeting, the Health Committee met with the **Hon. Katherine Whittred**, Minister of State for Intermediate, Long Term and Home Care.

Aboriginal Affairs

The Aboriginal Affairs Committee discussed recent provincial policy direction on treaty matters, reviewed the status of treaty negotiations tables around the province, and provided direction on on-going relationship building initiatives. The actions endorsed include the following:

- approval of the implementation plan for the **MOU on Local Government Participation** in the Negotiation of Treaties and other Agreements;
- preparation of **UBCM policy digest** papers, beginning with the following topics: certainty and finality; general interests in land and governance issues, (e.g., inter-governmental relations & non-member representation);
- send review of the **2002 Provincial Policy for Consultation** with First Nations to all Treaty Advisory Committees (TACs);
- launch the **TAC electronic bulletin board and document library** in early

The Communities and Resources Committee would request members to forward Council or Board comments (by fax or email) on the proposed Working Forest Discussion Paper to the UBCM by March 14, 2003 to assist us in providing a coordinated response. Under the proposal all Crown land would fall into the 'working forest' designation; however there is question as to whether to designate Crown land within municipal boundaries. The provincial government will need to discuss further with local governments how best to deal with Crown lands located within municipal boundaries. Please fax your comments on the Working Forest discussion paper to (604) 270-9116 or email to ubcm@civicnet.bc.ca. The discussion paper can be downloaded from srmwww.gov.bc.ca/rmd/workingforest/

Delegation with the Hon. Katherine Whittred, Minister of State for Intermediate, Long Term and Home Care

The Health Committee was pleased to be able to meet with the Minister and her staff on a number of issues within the Minister's portfolio. The Committee asked the Minister to discuss the provisions of Bill 73, the new *Community Care and Assisted Living Act*, and how it differs from the previous Bill 16. The Minister discussed the changes made to accommodate the new Assisted Living projects and to provide a registration process for these. The Committee was also interested to hear about the process to develop this registration framework and received assurances that local government would be included in the consultation process. The Minister also clarified that depending on the level of services involved, drug and alcohol recovery centres would be registered and a special licensing category could be created under the new legislation.

Other matters pursued by the Committee included concerns about: the lack of coverage of Assisted Living tenants under the *Residential Tenancy Act* (the Housing Policy Branch of MCAWS is heading up an interdepartmental committee to address the problem); the allocation by care level of the New Era commitment for 5,000 new intermediate and long-term care beds; the payment schedule for long-term care and the relationship to disability benefits under the Ministry of Human Resources; and the status of new federal funding relative to home care and palliative care initiatives.

March and UBCM continue to maintain and prompt members to use the site to encourage information sharing among TACs and UBCM;

- send the final report from the UBCM – First Nations Alliance for Land Management **Technical Workshop on February 19** to the federal government with request for future funding and send to all members;
- approval of the promotion strategy for the **2003 regional Community to Community forum** program beginning at the March 14 Province-wide event and that assistance be requested from Area Associations;
- preparation of a proposal for second term projects for UBCM's Protocol on Cooperation and Communication with the **First Nations Summit** for consideration by the Committee at their next meeting;
- the Committee request a meeting with the **Attorney General** to express their concerns with the province's approach to **fisheries in treaty negotiations** and that this meeting be preceded by a conference call with TAC Chairs.

Executive Committee

This committee, comprised of the President, Past President and the Vice Presidents, has become more regularly active, partly assuming the responsibilities of the former Member Services Committee. It will approve the **group benefit plan rate renewals**. A **Pension Advisory Committee** has been established drawing on local government staff. The Committee was also delegated responsibilities for UBCM staffing issues, operating much like a personnel committee. The first stage of a review of **UBCM Committee involvements** has been completed, which looked at UBCM staff involvement in committees outside of UBCM. The results of two surveys of member acceptance/satisfaction of UBCM services were reviewed. The Committee will guide UBCM Executive in the preliminary stages of the preparation of a new **service plan**.

Delegation with the Hon. George Abbott, Minister of Community, Aboriginal and Women's Services

President Wallace welcomed Minister Abbott who expressed his appreciation for the opportunity to meet with the Executive on a regular basis, reinforcing an open and honest relationship. He stressed that despite necessary cuts to achieve his government's goal of a balanced budget by 2004, local government grants will continue to be protected to the end of the government's mandate and that \$400 million of the total \$600 million for sewer/water grants has been announced.

Mayor Leonard reported on meetings between UBCM and the Ministers since the last Executive meeting and progress made on issues addressed at those meetings. Questions and discussion from Executive members touched on those same issues, including: police costs for small communities, timing of New Era traffic fine revenue sharing; announcements of non-green infrastructure funding; municipal facilitation of affordable housing by the private sector; application of provincial interest override; status of civil liability review; scope and process of Phase 2 Community Charter development; re-establishing Joint Council; and more details on the commitment that Crown corporations will respect local land use bylaws. The Executive expressed strong interest in the Minister's offer to arrange meetings between himself, UBCM and key Ministers to discuss local government concerns with respect to a number of the pressing issue discussed at the meeting.