

## Highlights of the May 15 - 16, 2003 Executive Meeting

Executive members had a full two days of meetings including:

- meetings with two provincial ministers (George Abbott and Ted Nebbeling);
- seven Committee meetings;
- a Strategic Planning session which will be reported in the June UBCM News; and
- the full Executive meeting.

President Patricia Wallace highlighted some of her activities since the last meeting. She gave a special thanks to all Area Association Presidents for the hospitality received during her visits to their Area Association Meetings. She referred to her presentation to the Provincial Congress, five meetings with ministers, participation in the Order of BC selections and the FCM.

During regular business the Executive decided:

- to pursue **renewed protocols** with the following associations:
  - Department of Indian Affairs and Northern Development (DIAND B.C. Region)
  - First Nations Summit
  - Environment Canada – Pacific and Yukon Region (EC PYR)
  - BC School Trustees Association
  - BC Police Boards Association
- to act as an interested party at **BC Utilities Commission (BCUC)** hearings on the **BC Hydro** electricity Heritage Contract and Stepped Rates regulatory models and maintain a close monitoring of the proceedings. UBCM will pay particular attention to the final report and prepare for discussions with the membership and government to government correspondence as deemed necessary.
- to support **Access Awareness Week** sponsored by SPARC BC scheduled for June 7, 2003. UBCM has also provided its support a new initiative by SPARC called the Community Accessibility Contacts Initiative. This initiative will result in the development of a resource guide outlining key community

contacts that deal with accessibility-related issues.

- to implement **staffing changes** following a restructure of current front office positions. The new positions will be Office Services, e-Office Services, Executive Coordinator and Association and Member Services. These positions represent a restructuring of responsibilities and do not add any staff overall or impact the budget. Recruitment has begun and soon members will again have direct phone contact with a receptionist.
- received provincial responses to **2002 resolutions**. As a result of the responses, staff have been directed to continue participation on several provincial initiatives including the review of health cost funding and of relationship between Regional Hospital Districts and Health Authorities, MTI ticketing as part of bylaw forums, and be prepared to participate in Waste Management Act review. The Executive also directed staff to monitor issues of community flood protection funding models, downloading activity, fire suppression responsibility and rescue/fire personnel training funding, wood marketing initiatives, sidewalk maintenance within civil liability review, BC Rail lease and easement fees to local government, and issues within Community Charter land use review including temporary industrial use permits and subdivision to provide a residence for a relative.
- received a report on continuing improvements with the **resolutions process**. This year all Area Associations forwarded their resolutions to the UBCM in sufficient time for review and UBCM comment prior to debate at the annual meetings. Use of the electronic format provides a time saving advantage and members will be encouraged to forward electronic copies of their resolutions when submitting them to UBCM.
- updated Executive on the status of the **Community Charter**. The Charter has received third reading and there were two

floor amendments. (These have been reported in UBCM's In The House circulars). The consequential and transitional amendments are still to be introduced.

- reviewed and reported on **new legislation**. Over 60 Bills have been introduced since the spring legislative session began. (These have been regularly reported in our In The House bulletins). Of principal interest to local government with respect to: **energy policy** (Bills 10, 39 and 40), **forest policy** (Bills 44 and 45), **environment policy** (Bills 53, 55, 56 and 57) and **right to farm/aquaculture policy** (Bill 48). It now appears that a number of the Bills introduced will be held over to the fall session.
- considered possible scope for Phase 2 of the **Community Charter**. The Executive reviewed input of a survey on priorities for Phase 2 and attributes of the process to deal with upcoming issues.
- authorized the Presidents Committee to work with the Minister of Community, Aboriginal and Women's Services on the development of a regional growth strategy arbitrator's list.
- considered a variety of other policy matters including:
  - participation in review of the **Fire Services Act**
  - drafting Operational Guideline to resolve the WCB **emergency transport** issue
  - assessment issues for urban farms
  - possible regulations on **farm retail sales and on-farm processing**
  - consultation on phase-out of Forest Land Reserve and replacement with new regime for **management of private forest lands**
  - agreement for joint work on formulating options to modernize the **1% utility tax**
  - agreement for joint work on Bill 55 issues (**railway taxation**)
  - updating policy paper on local impacts of international trade negotiations
  - response from Minister Santori on procurement reform legislation

- monitoring implementation of new crash/fire regulations and impacts on community operated airports
- requesting the provincial government to suspend its initiative to **commercialize specific highway rights of way and rest areas** until affected local governments are consulted and their concerns are adequately addressed.

- confirmed the following Committee Appointments:

**UBCM Library Strategy Task Force:** Director Ted Armstrong (Cariboo RD), Councillor Brenda Binnie (Castlegar) and Councillor Ron Cannan (Kelowna). The Task Force will be gathering the views of members

and making a submission to the new provincial strategic plan for libraries.

**MCAWS Building Policy Advisory Committee:** Rick Bortolussi, Manager, Building Approvals, City of Richmond

**Fraser Basin Council BC Invasive Plant Strategy Writing Committee:** Gordon Gillette, Manager, Cariboo RD

The President will appoint a new representative to the **Community Forests Advisory Council**. (UBCM has since confirmed that Mayor Jack Peake of the Town of Lake Cowichan has accepted the appointment to the Community Forests Advisory Council.) The President also confirmed that she would sit as UBCM's representative to the new **BC Used Oil Management Association**.

- bylaws in re-location of contaminated soil;
- Protection from off-site contamination issues;
- Protection of local government from reassessment of contaminated sites;
- Brownfield site clean-up program paid for by polluter.

The Executive agreed to provide some preliminary comments on the new environmental legislation that the provincial government had recently tabled in the legislature:

**Environment Legislation** - write the Minister of Water, Land and Air Protection:

- indicating concern about the restriction of local government bylaw authority in the new Integrated Pest Management Act, and proposing that an agreement be negotiated under the concurrent powers of the Community Charter on this matter.
- seeking clarification on the status of the funding proposed for flood hazard management and the ministry's intent to consolidate dyking authorities.
- requesting future changes in wording in the Environmental Management Act to better reflect the intent of the Community Charter (i.e., the command and control language in the draft legislation be amended).

## COMMITTEES

### Infrastructure Program Management Committee

The Executive heard a report on the status of approvals under the Canada-BC Infrastructure Program, as well as issues and challenges to be resolved at the mid-point in this Agreement. An announcement of 35 green projects was to take place on May 22, 2003.

### Police Costs Task Force

The Task Force approved the participation of a member of the Police Cost Task Force and staff in the June consultations on policing costs. It is expected that one Task Force member will be in attendance at each session.

### BC Rail Task Force

The BC Rail Task Force reported on activities since the last meeting, including unsuccessful lobbying efforts to get UBCM formally represented on the mayors council advising the government on the BC Rail RFP seeking a private sector operator. Mayor Dahlen of Dawson Creek reported on his attendance at two meetings of the mayors council, and circulated copies of the RFP that was just publicly released. The Mayor advised that the RFP included community criteria requested by the mayors council.

### Environment

The following issues were considered and actions endorsed:

**Ministry of Health: Sewage Regulation** - write the Ministry Health indicating its general support for the proposed new Sewage Regulations provided the ministry continues to regulate all sewage systems under 22,700L:

- request that Section 2(2) of the Sewage Regulation be amended as follows:

No sewage system, privy or holding tank can be installed or operated to serve more than one parcel or more than one strata lot in a strata plan or shared interest under the Real Estate Act unless the municipality or regional district enacts a bylaw to require that the sewage system, privy or holding tank conforms to the Act and this Regulation.

- request that a maintenance fund be required for small subdivision developments to ensure the ongoing safe operation of the sewage system.

**Contaminated Sites** - write the Minister of Water, Land and Air Protection requesting information as to when the consultation will take with local government about the contaminated sites process and outlining the measures that are needed for local government to effectively address contaminated site issues:

- Increased liability protection for local government;
- Recognition of local government land use

### Convention

The committee approved many elements of the convention program including pre-conference sessions and cabinet sessions. The Welcome Reception will be at Science World with planning details underway. Tuesday is Forum day and this year there will be a fourth session added for medium-sized communities. The convention budget and fees were approved and all events are priced to break even. Several special events were discussed for the UBCM 100<sup>th</sup> AGM and UBCM will offer a one-time subsidy to life members to join in the celebration. Registration information will be available in late June. Check our web site [www.civicnet.bc.ca](http://www.civicnet.bc.ca) for regular updates as we move closer to the convention in September.

### Protective Services

The Protective Services Committee met with Kevin Begg, Director, Police Services Division,

Ministry of Public Safety and Solicitor General and discussed regional policing; auxiliary and reserve policing model that will be implemented in the province; drinking driving enforcement program; and new services that the province is introducing such as PRIME.

The following issues were addressed and actions endorsed:

#### 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 which reflects local government costs of operating its jails.

#### Delivery of Criminal Documents

- forward UBCM survey results to the Attorney General and the Solicitor General.
- request a joint review of criminal documents ordered by the courts to determine:
  - what category of documents local government and the police should be required to administer and deliver.
  - what a fair reimbursement rate for the delivery of criminal documents is and how the costs of delivery can be recovered to ensure that no hidden subsidies are being provided by local government to the province when providing this service.

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### Communities and Resources

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The Committee reviewed UBCM's response to the **forest policy changes, working forest proposal, National Forest Strategy** and the **Provincial Energy Plan**. Committee members also received a delegation from Gary Livingstone, President and CEO of the **Mining Association of BC**, who provided an overview of the state of mining in BC and the economic impact that this industry has on the overall BC economy. The following highlights the actions taken by the Committee:

- the following revised **Terms of Reference** have been adopted:

The Communities and Resources Committee represents and is an advocate for communities on resource issues. It monitors, develops and makes recommendations on policy regarding fish, forests, energy, mining, agriculture and water (as a commodity); that have the potential

to impact the stability, viability and sustainability of BC communities.

- with respect to recent **forest policy changes** the Committee will write the Minister of Forests on two issues:
  - reiterate UBCM support of log yards, not just sale of standing timber, to provide value added users with wood access.
  - advocate to Minister that communities should be able to access conventional types of licenses as well as community forest licenses.
- will seek further information on the **softwood industry CEAI**, including criteria applied to determine eligible communities.
- will prepare a synopsis of the Squamish-Lillooet RD's experience with **Independent Power Production** for circulation to all members and posting to the UBCM web site.
- will write the **Minister of Energy and Mines** expressing concerns that non-utility industries appear to be reducing normal business operations (including cutting back staff) in order to sell off their energy.
- will review and provide comment on the **Managing Angling Use on Classified Waters** draft plan as well as expressing our concerns that no local government representation was included on the reconstituted Committee.

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### Health

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The Committee reported out on discussions on the status of the Regional Hospital District Cost Sharing Review, and information reports received on the signing of MOUs between RHDs and health authorities; staff discussions on the assisted living registration process and regulation development; additional federal health funding; status of telehealth initiatives; Health Canada Smoke-Free Public Places project; and the appointment of the Northern Medical School Community Action Group. The Committee also discussed the possible replacement of the Protocol on Consultation and Cooperation with the former Health Association of BC.

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### Aboriginal Affairs

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The Committee discussed a variety of issues including progress in lead treaty negotiations

and recent AIPs at the Snuneymuxw and Lheidli T'enneh treaty tables. They considered the results of UBCM's agreements with the Department of Indian Affairs and First Nations Summit which were felt to be very productive in both cases. The Committee received a verbal report on a recent Lower Mainland TAC meeting on fisheries issues. Several information items were received including a federal legislation update and final reports from the 2002 regional Community to Community Program and the February Technical Workshop.

The actions endorsed by the Committee include:  
**Snuneymuxw AIP and Other emerging AIPs**

- the Aboriginal Affairs Committee write to Minister Responsible for Treaty Negotiations, Geoff Plant, to advise him of UBCM's views on issues addressed in the Snuneymuxw draft AIPs;
- staff continue analysis of policy issues arising from the draft Snuneymuxw AIPs and drafts from other tables as they emerge, focusing on local government interests that need to be addressed between AIPs and Final Agreements and canvassing TACs; and
- UBCM seek a proposal for a legal assessment of the approach to certainty currently being negotiated and proposed by the provincial and federal governments.

#### UBCM treaty policy digest papers

- The policy digest papers on certainty and land be finalized and provided to TACs via the TAC website and to all members through posting on the UBCM website and that staff prepare a third policy digest paper on governance issues.

#### First Nations Land Management Act (FNLMA) Expansion

- UBCM provide local governments with neighbouring Indian Bands now subject to the FNLMA to provide them with background information on this legislation and opportunities for local governments to discuss land use planning issues with First Nations.

#### March 14, 2003 Community to Community Forum final report

- The final report will be distributed widely to UBCM and First Nations Summit members and that the next event be proposed for 2005.

#### Province-Wide Treaty Advisory Group (formerly TNAC)

- a letter be sent to reiterate the need for both information sharing and consultation with

third parties and encourage provincial re-commitment of support; and

- express concern over lack of a joint provincial-federal approach to the certainty issue in treaties.

### 2003 Regional Community to Community Forum program

- The Committee approved a total of 15 applications for funding from our members, noting the high level of interest in this program this year. Another 2 forums have been approved in principle pending anticipated receipt of funding from the provincial government for the 2003 program.

### TAC website

- The TAC website continue to be expanded and that TACs be solicited for their advice on materials, discussion topics and improvements for the site.

### Appeal of Haida Nation v. British Columbia (Minister of Forests) to the Supreme Court of Canada

- UBCM staff provide a report to the Committee on how UBCM could ensure that local government concerns and impacts of this decision are considered by the court in this appeal.

### Consultation with local government on Interim Measures

- The Chair write to Minister Plant asking that the commitment to consulting with local government on Interim Measures and other agreements with First Nations be fulfilled, as described in UBCM's 2003 Memorandum of Understanding with the Province.

### Resolutions

The Committee shared its goals to improve the resolutions process and sustain members' interest in the resolutions debate. Procedural changes have been made to enhance the Section A resolutions category by including a section highlighting up to two significant resolutions from each of the Area Associations and providing

the opportunity to seek a motion to consider Section B Part III resolutions as a block.

### Presidents

Comprised of the President, Past President and Vice-Presidents the Committee considered a number of **organizational** and **member service** matters including:

- will prepare a report for the July Executive Meeting based on the recommendations from the **Executive Strategic Planning Session** for Executive consideration.
- approved the revised front office restructuring as noted above.
- reviewed the new UBCM **Excellence Awards** program and will establish a Judging Committee to evaluate the entrants received.
- received an overview of the new format and design of the **CivicNet** web site.
- approved renewal of the **BC School Trustees Association (BCSTA)** protocol

## DELEGATIONS

### Hon. George Abbott, Minister of Community, Aboriginal and Women's Services

Discussion covered a breadth of issues, including:

- **provincial responses** to the 2002 UBCM resolutions have been signed off and are available for review. (posted on [www.civicnet.bc.ca/new\\_documents](http://www.civicnet.bc.ca/new_documents))
- UBCM expressed concern about timeline for the **policing costs review**, and is eager to see the process underway including regional workshops.
- **Bill 48** - Agriculture, Food and Fisheries Statutes Amendment Act, 2003 was introduced but may not be finalized until Spring 2004.
- **Right to Farm** enforcement in specific municipalities. UBCM is eager to see cooperation on issues of shared interest, especially around local jurisdiction over land use.
- The Minister is looking to work with the UBCM further on the **1% Utility Tax** and

supports the need to review the matter.

- MCAWS and UBCM staff are engaged in work on **Bill 55 - Railway Taxation**. Upcoming work will include inter-provincial comparisons, review of technical report on numbers and variations and a progress report in July that identifies viable options.
- Work is continuing on the matter of **full taxation of Crown corporations**, but no resolve expected until 2005/2006 fiscal year.
- Local provincial **information sharing**, particularly with respect to Cadastral base maps, is an opportunity that will be explored.
- The Minister indicated he is encouraging the Federal government to make the **Infrastructure Works Program** announcements as soon as possible. The Executive expressed the need for further infrastructure funding as the program is over prescribed by worthy projects.
- with the upcoming changes in the **Integrated Pest Management Act** MCAWS staff indicated the intent was not to alter existing authorities but to clarify the area where authority was uncertain.

The Minister expressed his appreciation in

working with the UBCM and his ability to meet with the Executive as part of their quarterly meetings. The Executive Director also recognized and thanked Cameron Thorne, Ministerial Assistant to Minister Abbott for his assistance and wished him well in his new position with the Urban Development Institute.

### Hon. Ted Nebbeling, Minister of State for Community Charter

The Executive thanked the Minister for his support as the Community Charter bill proceeded through the Legislature. He concurred with the Executive regarding the importance of seeing phase 1 substantially completed before phase 2 commences.

Minister Nebbeling then provided the Executive with his preliminary thoughts concerning the scope and possible issues to consider during Phase 2 of Community Charter development and a general discussion ensued. He stated his interest in continuing to work collaboratively with UBCM on this initiative and committed to continuing dialogue with the Executive on Phase 2.