

Executive Meeting Highlights: July 17 - 18, 2003

The theme for the July Executive meeting was 'accountability' as it marks the end of the year with respect to financial reporting and the UBCM's work plan. Executive members had an opportunity to review the year's accomplishments and financial statements and discuss the proposed budget and work plan for 2003-2004. Full details of this annual accountability process will be highlighted in the Annual Report and Resolutions Book which will be ready for distribution to members in mid-August. In addition to their regular Executive meeting, eight Committees and two Task Forces (Police Costs and Library) also met over the two-day period.

The Executive also welcomed three new staff members to the UBCM:

- Errin Armstrong, Policy Research Officer
- Joslyn Gramlich, Executive Coordinator
- Cheryl So, Office Services

President Patricia Wallace highlighted some of her activities since the last meeting. She noted her attendance at the May 22 Infrastructure Works announcement. She thanked Mayor Leonard for attending the June 13 and 27 Infrastructure announcements in her absence. She noted her attendance at the Annual FCM Conference, Order of BC ceremony and the Association of Washington Cities conference in Spokane. She also noted meetings with Minister Nebbeling on the Community Charter and her participation at the June Regional District CEO/CAO meeting.

During regular business the Executive:

- considered a variety of other policy matters including:
 - status of pending new provincial regulations establishing a new system for **meat inspection**
 - Court of Appeal decision on **occupier status** for property tax purposes of Annacis Auto Terminals
 - MCAWS is undertaking review of **Fire Services Act**

- Ministry of Transportation initiative to commercialize specific **highway rights of way and rest areas**
- activities of **Community Energy Association**, formerly the BC Energy Aware Committee
- new operational guideline on occupational health and safety developed by Fire Chiefs' Association of BC to ensure clear procedures to govern how an injured firefighter will be transported to receive necessary medical attention
- status of proposed minister's regulations on farm retail sales and **on-farm processing**
- status of initiative to develop legislation to phase-out **Forest Land Reserve** and replace it with a new regime for management of private forest lands
- government initiative associated with municipal taxation and **port competitiveness**
- received an update on the status of the **Community Charter** including an examination of Bill 67 Community Charter Transition, Consequential and Other Amendments. The Executive also considered a staff briefing on the development of regulations establishing municipal concurrent regulatory authority and discussed the outcomes of a meeting with Minister Nebbeling on next steps for Charter initiatives.
- approved the development of a policy paper responding to new **Environmental legislation** and a special resolution reaffirming our support for the 2002 position on liability.
- reviewed all MOUs and protocols as part of UBCM's annual administrative process. The Executive recommended continuing all active agreements and pursuing revisions where organizational structures or circumstances have changed.
- reviewed the audited financial statements for year end and approved the preliminary budget for 2003-2004 which proposes a 1%

dues increase for 2004.

- received the evaluation of the 2002/2003 UBCM work program.
- approved the preliminary work plan and special projects for 2003-2004.
- received two legal assistance requests. The Executive approved legal assistance funding for the **Cariboo Regional District v. Thomas Schaff**.
- received an update and discussed UBCM role in **BCUC hearings** on BC Hydro Heritage Contract, Stepped Rates and Access Principles. The Executive directed that UBCM participate in the BCUC inquiry through the Commercial Electricity Customers Joint Action Group.
- will make the following appointments to the Ministry of Energy and Mines Minister's Advisory Group and working groups to review the **energy performance for new buildings**; Deana Grinnell, UBCM Policy Analyst representing UBCM on the Minister's Advisory Group and one representative to each of the technical working groups, new residential buildings and new commercial and institutional buildings. UBCM will approach the BOABC to select two joint candidate to these working groups.
- write the Premier and Prime Minister urging immediate discussions with US counterparts that will remove the ban and re-open the border to Canadian **beef exports**.
- considered a report on **Coquihalla** franchising issue.
- received a summary of new legislation introduced into the Legislature of interest to local governments. As of May 29, 2003 there have been **69** bills introduced to the provincial legislature, **26** yet to pass third reading.
- advised that 31 **member visits** were completed during the year to municipalities and RD's outside the Lower Mainland.
- reviewed the status of the Legal Assistance and McKelvey Scholarship funds. The legal assistance fund currently has 8 approved cases. The McKelvey scholarship fund paid six scholarships for 2003 and approved that \$5,000 be approved for scholarships for 2004.

COMMITTEE REPORTS

Nominating Committee

Chair Hans Cunningham confirmed that the Nominating Committee has been constituted for the coming year with the following members:

- Chair Hans Cunningham, Past President, Chair
- Chair Ted Armstrong, NCMA
- Councillor Ron Cannan, OMMA
- Councillor Gord DeRosa, AKBM
- Councillor Bob Fearnley, LMMA
- Mayor Jack Peake, AVICC

The Committee has distributed the **call for nominations** with a deadline of **July 31, 2003** for receipt of nominations. The Committee also approved a change to the Executive policies relating to campaigning at conventions to take effect at the 2003 Convention. Candidates are requested to review the Nominating Committee Report for details.

Infrastructure Program Management

Councillor Wallace reported briefly on the activities of the Canada-BC Infrastructure Program since the May Executive meeting. There have been six announcement events since the last meeting. This brings the **total of announced projects to 153**, comprised of 132 green projects and 21 non-green.

BC Rail Task Force

Mayor Dahlen updated the Executive on recent activities associated with the issuance of the RFP by the government for private operators. On July 14th, the government announced that it has four short listed proponents. Mayor Dahlen indicated that the **Mayors Council** has had two conference calls with the Chair of BC Rail, and both the Mayors Council and the Shippers Council will continue to be involved.

It was agreed that staff would maintain a staff-to-staff relationship with the province on the devolution of the railway, and especially as it affects the taxation issue. It is understood that the Mayors Council addresses itself to jobs and other economic concerns of the affected communities.

Convention

The Committee approved the clinic and workshop themes and topics, plus developing a panel discussion on Thursday afternoon on provincial/local government interests. The final details for the banquet, lunches and welcome reception were determined. The registration booklet has been mailed and the final program details will be completed shortly. We look forward to seeing everyone at convention, so get your registration in soon. Look for updates often on our web site www.civicnet.bc.ca

Protective Services

The Committee will be writing the Solicitor General to request that all **liquor stores** be subject to local government bylaws (zoning, hours of operation, business licensing etc.) and that local government and the public be consulted about how liquor stores will be operated in the future.

Police Costs Task Force

The Committee recommended the following actions:

- that local governments write the Solicitor General outlining the concerns expressed at the regional meetings on the proposal that communities under 5,000 population and rural areas pay for police services.
- that the Police Cost Task Force meet with the Solicitor General and the Minister of Community, Aboriginal and Women's Services to discuss the issues raised by local government's at the consultation sessions on police financing and the next steps in the process leading up to the UBCM Convention.

Communities and Resources

The Committee discussed a number of forestry and energy matters, reviewed two UBCM agreements and undertook an assessment of the Committee's role and activities. Committee members also received a delegation from Russ Cameron of the Independent Lumber Remanufacturers Association who addressed the concerns of the value-added sector with the recent Canada /U.S. proposals for an interim agreement on **softwood**.

The Committee will be writing the Minister of Forests on the impact of **forest policy changes** on communities and requesting that action be taken to fix the stumpage system. With respect to the softwood lumber negotiations, UBCM will be advising the Minister that we do not support the recent federal government proposal for a return to a quota system as an interim arrangement to resolve the **softwood dispute** and reiterate that a bad deal is worse than no deal.

With respect to **Independent Power Production**, the Committee will be:

- issuing a synopsis of policy considerations for local government regarding independent power production projects that will be placed on the UBCM web site as an information resource for members, with an upcoming newsletter article indicating its availability.
- thanking the Fraser Basin Council for its report on its June 16, 2003 Independent Power Production workshop and will correspond further regarding some joint objectives and actions identified at the workshop.

COMMITTEE REPORTS

Health

The Committee reported out on discussions on the status of the **Regional Hospital District Cost Sharing Review**, which is nearing completion, and will be discussed at the Monday health study session at the convention. The Committee also received information reports on health related resolutions to be considered at the convention; no word yet on when ambulance review will be made public; increased funding for Health Authorities resulting from increased federal contributions; court decision on Health Authority board in camera meetings; and BC Auditor General's report on Health Authority Performance Agreements.

Aboriginal Affairs

The Committee discussed policy issues and recent activities related to: Agreements in Principle (AIP) Analysis & UBCM treaty policy digest project; renewal of cooperation agreements with Department of Indian Affairs and First Nations Summit; Appeal of Haida decision to the Supreme Court of Canada; Committee review and assessment; Joint Treaty Advisory Committee (TAC) conference call follow-up; Convention session organization; review of report "Dispute Resolution Processes for local governments and First Nations"; and regional Community to Community Forum application evaluations and program review.

Among the actions taken by the Committee are:

- proceed with a comparative analysis of the Agreements in Principle in terms of general local government interests and post-AIP priorities and also commission a legal assessment of the certainty and finality techniques used in each, providing advice to the provincial and federal governments based on our findings;
- continue to pursue renewal of our existing agreements with the First Nations Summit and Department of Indian Affairs, finalizing re-signing arrangements and the Term 2 workplan for each;
- write Deputy Minister of the Treaty Negotiation Office to report on both the positive aspects of MOU implementation to date as well as request his assistance to address items that need improvement;
- With respect to the appeal of Haida Nation v. British Columbia (Minister of Forests) to the Supreme Court of Canada, that the Committee Chair and UBCM President request a meeting with the Attorney General as soon as possible to alert him to local government interests and seek his support in representing them;
- The "Review of Dispute Resolution Processes for First Nations and Local Government in BC" be used as a resource in the further development of a dispute resolution user guide for First Nations and local governments in BC;
- With respect to the 2003 Regional Community to Community Forum program, that eight new applications be approved.

Presidents

The Presidents Committee considered a full agenda of organizational, administrative and member service matters. The Committee approved the draft UBCM **strategic plan** and adopted accompanying performance standards for a variety of UBCM activities. Committee members have taken on the additional responsibilities associated with an Audit Committee and will be preparing a Terms of Reference to reflect its present duties.

Under the member services area, a sub-Committee was established with LGMA participation, to consider and review the applications for the first ever **Excellence Awards** in the areas of Best Practices and Innovation Awards and the **Best Website** as well as the week/month/year long awards (final year). The following communities will be honoured at the 2003 Convention:

Innovation Awards:

First Place(3) – City of Kamloops, City of Kelowna and Capital Regional District (CREST)
Awards of Merit(3) – City of Chilliwack, City of Richmond and City of Surrey

Best Practices:

First place – City of Chilliwack
Award of Merit – City of Surrey

Best Practices – Week/Month/Year Long Awards:

(last year for this category)

First place – City of Langley
Awards of Merit (2) – Village of Gold River and Regional District of East Kootenay

Best Local Government Website Awards:

Small Community (population <10,000) -
First place - Town of Qualicum Beach

Medium Sized Community (population 10,000-50,000) -
First place - City of Penticton
Award of Merit - City of Langley

Large Community (population >50,000) -
First place - District of North Vancouver
Awards of Merit - City of Coquitlam & City of Nanaimo

Regional District -
First place - Regional District of Okanagan-Similkameen

COMMITTEE REPORTS

Environment

The Environment Protocol Committee met and the Committee received a detailed briefing on the federal government's new Species-at-Risk legislation and CEPA toxic substances policy by Environment Canada. In addition, the Committee received information on the direction and focus of a number of provincial government initiatives – contaminated sites, integrated pest management, flood hazard management, riparian assessment regulation, new product stewardship regulations, new human-wildlife conflict policy, groundwater regulations, and water pricing policy.

The Committee addressed the following issues and **recommended the following actions:**

Species at Risk Act (SARA)

- UBCM explore with Environment Canada how local governments might use its bylaw powers to assist in the implementation of the Species at Risk legislation and what financial assistance might be available to local government in this process.
- arrange a meeting with local government officials and Environment Canada on the SARA legislation to discuss how to implement the new legislation at the local level.

Canadian Environmental Protection Act – Toxic Substances

- write the Minister of Environment Canada requesting that the department not proceed with the proposed requirement to prepare and implement pollution prevention plans until local government concerns have been addressed (need for harmonization, problem of overlapping regulatory requirements, need to link with Liquid Waste Management Planning Process in BC, retroactivity, costs of upgrading plans and facilities, etc.).
- write the Minister of Water, Land and Air Protection outlining local government concerns regarding the requirements by Environment Canada to prepare and implement pollution prevention plans and request provincial government support on this issue.

Environment Legislation

- authorized staff to undertake discussions with the Ministry of Water, Land and Air Protection on local government authority over pesticide use.
- write the Minister of Water, Land and Air Protection and Solicitor General to request:
 - that the funding under the Flood Protection Assistance Program be continued;
 - legislative changes be made to the Flood Hazard Statutes Amendment Act to provide better linkages between it and the Local Government Act.
- write the Minister of Water, Land and Air Protection concerning the Environmental Management Act to request that:
 - Consultations be held with the UBCM on the future role of local government under the new legislation;

- Local government concerns related to the development of contaminated sites be addressed – notification, liability protection and bylaws;
- Amendments be introduced to allow local government to recover its costs when attending a spill.
- authorized the preparation of a discussion paper on environmental issues for the 2003 UBCM Convention.

Product Stewardship - reiterated local government support for the return-to-retail policy in the province.

West Nile Virus – agreed to write the federal and provincial government and request they harmonize their policy on West Nile Virus, particularly as it relates to the use of pesticides in sensitive areas.

Wild-Life Human Conflict Strategy – agreed to write the Ministry of Water, Land and Air Protection indicating concern about the lack of Conservation Officers and trained professionals to deal with wildlife problems if they should arise and point out that wildlife is a provincial responsibility.

Fraser River Debris Trap - supported ongoing funding for the Fraser River Debris Trap program.

Library Task Force

Library Task Force members Chair Ted Armstrong, Councillor Brenda Binnie and Councillor Ron Cannan held their inaugural meeting, where Councillor Cannan was selected as Chair and formal terms of reference were agreed upon. The Task Force will assist MCAWS in developing a strategic plan for the public library system in BC by soliciting and coordinating local government input on issues of concern to public libraries and to public library administrators and users throughout the province. A survey will be developed and distributed to UBCM members this summer to raise awareness of the issue and to identify key challenges and opportunities within the current public library system. Survey responses will provide the basis for a coordinated UBCM response to the provincial government.

Resolutions

The Executive reviewed the report on 2003 resolutions. Attention was drawn to the **record number** of resolutions received this year, **203** and to the increased number of Section A resolutions, selected to highlight priority issues and key items from the Area Associations.

UBCM-MIA Liability Task Force

A synopsis of a meeting with a number of government caucus members was the basis of a discussion of the challenges in moving forward with **civil liability reform**. A special resolution will be prepared for consideration at the 2003 convention.