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New Cabinet and Deputy Ministers List (see page 22)

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Broad Service Powers Come to the Municipal Act

The idea of “broad powers” to enable local government to indistinction to narrow specific authorities, is central to the municipal act reform process. The notion was introduced last year in terms of “broad corporate powers.” It was carried forward this year in terms of the provision of services. Broad Service Powers were introduced in the Municipal Act as part of Bill 88.

The new section 517 says in part:
A council may, by bylaw (a) establish and operate any service that the council considers necessary or desirable for all or part of its municipality.

The section does not list, even by example, the types of services that council can determine to provide. This section is intended to tie back to one of the first sections of the Act that sets out the purposes of local government. One of the purposes is to provide services and amended section 2(b) now reads:
to providing the services and other things that the local government considers are necessary or desirable for all or part of its community.

What municipalities now have is a very broad power to provide services. To emphasize that point the “broad powers” interpretation section of the Act (section 3) was amended to add:
(2) For certainty, subject to subsection (1), if this Act confers a specific power on local government in relation to a matter that can be read within a general power also conferred by this Act, the general power is not to be interpreted as being limited by the specific power.

Broad powers are accompanied by the power to regulate in relation to any service. In addition, the power to regulate includes the power to prohibit. Councils can differentiate services provided to different classes of “persons, places, activities or things” and by different areas of the municipality. They can also make use of the general permitting authority and reference the new general fee setting powers in the revised financing sections of the Act. Services can be provided outside the municipality with the consent of the neighbouring jurisdiction.

In summary, these amendments give councils wide latitude to decide what services to provide, who to provide them to, how to provide them and how to recover the costs. What remains in the Municipal Act in terms of detailed provisions are the specific authorities particularly with respect to requiring someone to do something. Also retained are intermunicipal service provisions, which will be reviewed when the general subject of dispute resolution provisions for the Act are considered.

What the broad service power amendments mean is a change to how we approach the Municipal Act. No longer can one look for a specific service authority and accompanying regulatory and cost recovery powers. It focuses the discussion on whether it is a good policy decision to undertake a service and not on whether or not the Act allows the municipality to undertake the service.

See page 5 and 7 and 8 for more on new legislation.

Introducing Jim Doyle: New Minister of Municipal Affairs

Jim Doyle was appointed Minister of Municipal Affairs on July 21, 1999. Minister Doyle is no stranger to local government or UBCM. He served many years on Golden council and was Parliamentary Secretary to the Minister of Municipal Affairs for the last three years. Here is a glimpse of his resume:

Jim Doyle was elected MLA for Columbia River-Revelstoke in the general election of 1991 and re-elected in 1996. He was appointed Parliamentary Secretary to the Minister of Municipal Affairs in August 1996.

Born in County Down, Northern Ireland, Mr. Doyle emigrated to Canada in 1967 after working in Brisbane, Australia. Before being elected to the Legislative Assembly, he was employed by CP Rail.

Mr. Doyle was elected alderman in Golden in 1976 and was re-elected in 1978 and 1980. He served as mayor from 1981 to 1990. Other community involvements include the Lions Society and Golden and District Hospital Board.

Jim and Judith Doyle have two sons, Adam and William.

Mayor John Ranta has congratulated the Minister on his appointment and looks forward to discussing local government priorities.

In this issue of the News is a special seven-page insert with details of the 1999 UBCM Convention. It is intended to provide delegates with the opportunity to identify the sessions of interest and schedule your time.

The Convention is about choices – choices of clinics, workshops, and Cabinet workshops on Wednesday afternoon following the address by the Minister of Municipal Affairs.

Ten Cabinet members will be available to speak about initiatives of interest to local government and engage in discussion. Spend an afternoon with one of the following Ministers:
• Attorney General
• Minister of Finance and Corporate Relations

In keeping with UBCM tradition, the Premier has been invited to be the closing speaker.

The senior Federal Minister for BC, David Anderson, is invited to speak Thursday morning. Our Friday keynote speaker is Ishahd Manji and our featured speaker on Thursday morning will represent the Business Summit.

Deadline for Emergency Resolutions is Friday noon, September 24th
To be considered for admission as an emergency resolution, the resolution must address a topic that has arisen after the regular deadline date for resolutions (June 30th). If this cannot be proven the Executive will not recommend that it be admitted for debate.
The countdown to the UBCM Convention is underway. It is timely to reflect on events of the year since the last convention and to think about what we need to do at the 1999 convention to influence the following year.

It has been a roller-coaster of a year. The ups and downs have included disappointment with the elimination of equalization grants. Government’s attempt to mitigate these impacts by introducing a three year $150 million infrastructure program and to begin to share traffic fine revenues did not offset the disappointment. A key message I would leave to the next Executive is to get an accepted definition of what constitutes consultation. I don’t think just getting notice and a few days to react is adequate. My view is more along the lines of the definition of consultation that is contained in the Nisga’a Final Agreement and this is what I would recommend the Executive pursue in the future.

The positives have included the extension of small community protection grants for the next three years, a legislated framework for a local government requirement to include the extension of small Community Protection grants for the next three years, a legislated framework for a local government requirement to include the extension of small Community Protection grants for the next three years, a legislated framework for a local government requirement to include the extension of small Community Protection grants for the next three years, a legislated framework for a local government requirement to include the extension of small Community Protection grants for the next three years, a legislated framework for a local government requirement to include the extension of small Community Protection grants for the next three years, a legislated framework for a local government requirement to include the extension of small Community Protection grants for the next three years, a legislated framework for a local government requirement to include the extension of small Community Protection grants for the next three years, a legislated framework for a local government requirement to include the extension of small Community Protection grants for the next three years.

The year 1998, along with the recognition of local government as an order of government, will be remembered for the provincial government’s attempt to mitigate the elimination of equalization grants. The reforms in local government have been going on for the past three or four years. I think we must also appreciate the resources the provincial government has dedicated to Municipal Act Reform—with about 20% of legislative drafting resources dedicated for two years to that process. That Bill 88 passed through the House in one day is a credit to the extensive prior consultation (not to mention the exhaustion of the House). The UBCM Convention is an important opportunity for the members to establish directions. We will be seeking your priorities for the next year of Municipal Act Reform. I think we must re-energize the process and finish it as much as possible to complete the core of Municipal Act Reform. We just can’t let the process drag on. Financing local government is a topic we must revisit again this year.

I have spoken to the new Minister of Municipal Affairs, Jim Doyle, and offered our congratulations. Minister Doyle is no stranger to UBCM and the UBCM Convention. He has a long period of local government experience and served three years as Parliamentary Secretary to the Minister of Municipal Affairs. My term as President is shortly coming to a conclusion and I am pleased to turn over my responsibilities knowing that once again 100% of the municipalities, and regional districts remain unrepresented.

Presently all members are eligible to vote to elect Directors at Large. Small, Community Representative (defined as villages and communities under 2,500 population) and Electoral Area Representative. The survey results also indicated a membership preference to elect the Small Community Representative at the Convention and feel the voting mechanism used on Thursday would be the most efficient manner to elect the Small Community and Electoral Area Representative. Therefore no change is recommended at this time. Currently the nominees are selected at Tuesday RD Day and Small Talk Session and put to the full convention on Thursday. It has been suggested that a Small Community and Electoral Area Representative would continue to be elected on Thursday but only by their respective group. The current practice of voting for a “nominee” at Small Talk and Regional District Day would no longer be required. If enforced, this change in the election procedure would become effective for the 2000 Convention.

UBCM Annual Surveys

Each year the UBCM publishes a set of Annual Surveys consisting of approximately 80 pages in total. These surveys are circulated on a confidential basis to all 179 members. These surveys will be published and circulated in September. The surveys are:

- Municipal Council Indemnity and Travel Expenses
- Senior and Exempt Staff Salaries
- Remuneration for Volunteer Firefighters
- Wage rates and Benefits for Non-Union Municipalities and Regional Districts
- Regional Board Indemnities and Expenses
- Salaries for Regional District Senior Exempt Personnel. This year the UBCM and Ministry of Municipal Affairs has worked to gather the collection of information on “Tax Rates and Levies”. Previously we had both been collecting the same information at the same time. This survey was distributed by the Ministry in late July. UBCM would like to thank its members for taking the time to respond to these surveys.
**UBCM invited to participate in Lanyon Taxi Study Advisory Committee**

The Lanyon Report on the Taxi Industry in British Columbia was conveyed to the Minister of Transportation and Highways in June. It contains 56 recommendations, and a package of five recommendations of interest to local government. The Minister has circulated the report to local governments directly.

The UBCM Executive directed staff to canvass members for their comments, and this process is underway.

UBCM President, Mayor John Ranta, had a special meeting with representatives of the BC Taxi Association at the conclusion of the July Executive meeting. “The taxi operators have told me they support the municipal exemption recommendation from the Lanyon Report,” Mayor Ranta says. “They agree with using the Motor Carrier Commission as the licensing agency, which would still provide for approval of taxi licences by local government.”

The province’s advisory group will be chaired by the Ministry of Transportation and Highways and comprises industry representatives and members of the Motor Carrier Commission (MCC).

If your Council or Board has any comment on the Taxi Industry Study, please forward them to the UBCM office by fax at 604-270-9116.

**New BC Committee of FCM**

Councillor Clifford Dezell, Prince George was elected Chair of the new BC/FCM Committee. The committee consists of:

- Councillor Joanne Managahan, Kitimat, First VP
- Mayor John Ranta, Cache Creek
- Councillor Judith Higginsbothom, Surrey
- Councillor George Paul, Vancouver
- Director Larry Briery, Central Kootenay (Vice-chair)
- Mayor Michael G. Coleman, Duncan
- Councillor Russell Gerad, Kamloops
- Mayor Don Bell, North Vancouver

**Federal Cabinet Shuffle: New Posts for BC Ministers**

Prime Minister Jean Chrétien announced his long anticipated Cabinet shuffle on August 3rd. He moved out five ministers, moved in five new ones, and switched five other portfolios. For more detail, see our "In The House" circular of August 3rd, which was faxed out to all members and subscribers.

Of interest to British Columbians, is the movement of our two Cabinet Ministers:

- David Anderson (moved from Fisheries to Environment)
- Herb Dhallial (moved from Natural Resources to Fisheries)

**Barrett Leads Follow-up on Leaky Condo Investigation**

Former Premier Dave Barrett will head a second sitting of government’s commission of inquiry into the quality of condominium construction in British Columbia. Mr. Barrett has been asked to take another look at questions that have arisen in the past months and to recommend changes that might be needed to improve protection for homeowners.

**BC Business Summit to hold Regional Panels**

In July, the BC Summit steering committee met with UBCM Table Officers to seek their support for a series of panels to be organized for fourteen communities across the province. The regional sessions are titled ‘Panel on: Securing BC’s Future’.

The first panel session will be held on September 17th in Terrace, with the balance of the events to be held throughout September and October.

The following locations will host the BC Business Panels: Campbell River, Castlegar, Cranbrook, Fort St. John, Kamloops, Kelowna, Nanaimo, Prince George, Victoria, Williams Lake, Abbotsford, Surrey, Terrace, Richmond.

The UBCM Executive endorses the consultations and would encourage local governments to participate.

**New Information and Privacy Commissioner No Stranger to Local Government**

**Recent Appointments and Changes**

Federal Cabinet Shuffle: New Posts for BC Ministers

BC Secretaries of State

- Raymond Chan (Asia-Pacific) and Hedy Fry (Multiculturalism and Status of Women) remain in these positions.

One of the new faces in Cabinet that BC local governments might want to take note of is new Indian Affairs and Northern Development Minister Bob Nault. Mr. Nault, a former municipal councillor for the town of Kenora, is a Cabinet rookie who represents the riding of Kenora-Rainy River in Northern Ontario. First elected to the House of Commons in 1988, he has served as a Parliamentary Secretary and on numerous parliamentary committees. Prior to his election to federal office, Mr. Nault was a railway conductor and served in local executive capacity for the United Transportation Union. He studied political science and recreational administration at the University of Alberta and the University of Winnipeg.

New Superannuation Commissioner

John Cook, Superannuation Commissioner, confirmed his retirement on July 30th, 1999. He will be succeeded by John Mochrie, who has experience in senior roles, most recently as its Chair, Public Service Employee Relations Commission. In the past, he has also served as the Acting Deputy Minister, Government Services, and Chair, Medical Services Commission. He has nearly 30 years of public service.

With the passing of the Public Sector Pension Plans Act, the government has also asked John Cook to continue as the part-time chair of the four public sector pension boards and also remain as trustee of the pension plans. He will facilitate any discussions between the government and plan member representatives that could lead to a joint management agreement.

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**No Increase in UBCM Dues Proposed**

At their July meeting, the Executive approved the preliminary 1999-2000 UBCM budget. The budget contains a zero increase in dues for the coming year. The graph below indicates that in 11 of the last 17 years there has been no dues increase. Historically our dues increases are below inflation.

The preliminary budget will be presented to the 1999 Convention.

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**UBCM NEWS AUGUST 1999**

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Around the Province

Chilliwack Wins National Water Contest
The best drinking water in Canada can be found in Chilliwack, British Columbia, according to results of a nationwide contest sponsored by the Canadian Water Resources Association (CWRA).

The Municipal Drinking Water Challenge attracted entries from 24 communities representing 7 Provinces and 1 Territory. Four judges from across Canada scored water samples from competing communities according to taste, appearance and smell. Entries were judged at the CWRA’s 52nd annual conference June 22-25 in Greenwich, Nova Scotia.

Entries from British Columbia and the Atlantic Provinces fared well in the contest, sweeping the top 7 spots.

CWRA President, Mike Currie said the challenge was designed to remind the public of the importance of clear water to the quality of life enjoyed by Canadians.

“Clean, clear and safe drinking water is often taken for granted in Canada,” said Currie. “We want to remind people that it’s not as simple as turning on the tap. Preserving this precious resource is a responsibility we must all take seriously.”

Results of the Municipal Drinking Water Challenge were as follows:

1. District of Chilliwack, B.C.
2. Sooke, PEI
3. St. John’s, NL/FD
4. District of Sicamous, B.C.

Winners were announced at the CWRA Convention in Vancouver in September.

If you’ve got questions, we’ve got the answers you’re looking for
We have been providing the public sector with audit opinions and accounting advice for over 60 years. But that’s not all. Increasingly, our clients are turning to us for related services as well, such as management advice, feasibility studies, financial indicators reports, financial planning, information technology, and human resources planning. Our specialized skills, tailored for your needs, allow you to use your resources — people, facilities, and money — as productively as possible.

For more information on how we can help your Municipality or Regional District, contact one of our 11 offices in British Columbia, or one of our offices across Canada. We’ve got the answers.

Provincial Contact Partner: Bill Cox, Partner
Tel: (604) 688-5421
Represented internationally by BDO International

Provincial Consulting on International Trade Issues
The provincial government is inviting public participation in consultations on upcoming international trade negotiations. These consultations will relate to World Trade Organization (WTO) negotiations that will be taking place in Seattle in late November and early December of 1999 and also to ongoing discussions among 34 North, Central and South American nations to establish a comprehensive trade and investment agreement called the Free Trade of the Americas (FTAAs), which would be similar to NAFTA.

Trade agreements are being negotiated among trade-and-investment provisions which will fall mainly into the area of federal jurisdiction. More recently, there has been greater emphasis on provisions that increasingly include coverage of sub-national governments’ activities (i.e., provincial and local governments). For instance, there is potential for an action involving the provincial Water Protection Act under the investment provisions of NAFTA.

Only the federal government is at the table representing Canada in the negotiating process. The provincial governments indicate that it is engaging in a process to consult British Columbians so it can better represent the interests and values of citizens here in order to influence the federal government’s policies and negotiating agenda.

For further information on the consultation process, how to submit comments, and to access various background documents and issue papers, interested parties can access the Ministry of Employment and Investment’s internet web site at http://www.el.gov.bc.ca/FTAAs-WTO/.

Chilliwack changed its territory will be known as the Islands Trust area.

The Incorporation had positive results of the Bowen Island Municipalities will be incorporated within the District of Bowen Island.

The new municipal territory will be known as the Islands Trust area.

For the fourth year in a row, the Awareness Committee, the City of Powell River RD, Sandra Fournier, District of Maple Ridge, James Hall, District of Kitimat, Colleen Singleton-Plain, Capital RD.

4. District of Port Edward
3. St. John’s NFLD
2. Souris, PEI
1. District of Chilliwack, B.C.

4. District of Sicamous, B.C.

The current Electoral Area representative is Director Diane Bernard.

1999 Local Government Awareness Winners Announced
Congratulations to all 1999 winners!
Best Local Government Web Site Awards
Given the difficulty in choosing from among the 21 excellent entries, the Local Government Awareness Committee decided to have three web site awards presented this year: one for communities of population 25,000 and under; one for medium sized communities between 25,000 and 75,000 population; and one for communities larger than 75,000.

The Committee decided to recognize the web sites of the following communities and encourages people to browse these sites and enjoy their content:

Small Community: District of Port Edward (www.portward.ca)
Medium-Sized Community: City of Chilliwack (www.chilliwack.com)
Large Community: District of North Vancouver (www.dnv.org)

Year Long Award
The Year Long Award was given to the City of Langley for the fourth year in a row. The Awareness Committee was again impressed by the comprehensiveness and quality of the City’s presentation. The Committee commended the City for the great thought that clearly went into conceptualizing an annual program of events that all reflect the municipality’s involvement with the community generally, and also how to reflect this program in the best light.

Month Long/Week Long Award
The Awareness Committee also agreed to give the Month Long/Week Long Award to the City of Kelowna for its Awareness Program which focuses on the interaction of the municipality and young people in the community. This is the first time that Kelowna has won this award. The City’s presentation, including a videotape, was well-documented and attractive, providing an excellent profile of this well-planned and apparently successful program.

Award will be formally presented at the UBCM Convention in Vancouver in September.

1999 local government employees in pursuing education who may qualify for a UBCM Commemorative Scholarship were announced.

During theって meeting of the UBCM Board of Examiners and other parties in honour of the late Jeff McKelvey and became operational in the late Jeff McKelvey Scholarship was established by UBCM memberships and other parties in honour of the late Jeff McKelvey Scholarship for 1999.

Receiving awards were: Patricia Christie, Powell River RD, Sandra Fournier, District of Maple Ridge, James Hall, District of Kitimat, Colleen Singleton-Plain, Capital RD.

The Jeff McKelvey Scholarship was established by UBCM memberships and other parties in honour of the late Jeff McKelvey and became operational in the spring of 1996. In particular, the fund assists individuals who may qualify for a UBCM Commemorative Scholarship. The program of the purpose is to assist any local government employee in pursuing educational and training objectives.

The balance in the McKelvey Fund stands at $77,000 and $5,000 has been set aside for scholarships in the coming year.

For further information on the scholarship program and applications, contact: Ms. Mary Harkness, Secretary to the Board of Examiners, Ministry of Municipal Affairs and Housing, Parliament Buildings, Victoria, BC.

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Around the Province

Welcome Sooke and Bowen Island
The month of June 1999 was a busy one for municipal incorporations. Two new municipalities will be incorporated as a result of recent referendums.

On June 19th the residents of Bowen Island, an electoral area of the GVRD, voted 60% in favour of incorporation. This new municipality will be known as the Islands Trust area.

Bowen Island’s Electoral Area representative is Director Richard Littlermore. The official date of incorporation will be December 4, 1999. This was the 2nd vote. Bowen Island is the first municipality to be incorporated within the Islands Trust area.

On June 12th, Sooke electors voted 60% in favour of their incorporation. The new municipal territory will be known as the “District of Sooke”. The official date of incorporation will be December 7, 1999. Several studies of incorporation had proceeded the vote. Sooke is 30km west of Victoria. It had been part of the Capital Regional District Electoral Area.

The current Electoral Area representative is Director Diane Bernard.

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Towers Perrin
Negotiations Hit Rough Water for Wharves Divestiture

For the past four years a number of local governments have been in negotiations with federal Transport Canada officials on the divestiture of the port wharf facility in their community. Local government officials have been working with federal staff to determine the viability of the facilities, discuss possible transfer and undertake extensive studies to determine the state of the facility. The process has been lengthy but up until recently quite amiable.

However, over the past few months the atmosphere has changed. Many local governments have been reporting that there is a difference in the level of pressure on the longer being used. There is a difference in the level of pressure to undertake a further review of the existing facilities. The process has been lengthy but up until recently quite amiable.

UBCM staff have attempted to contact the Provincial Minister of Transportation and the Provincial Minister of Local Government in an attempt to determine the nature and extent of the federal nature and were sent to the province for its information only. Therefore, the following report has been released which has been included in the calculations. The provincial government indicated that it was willing to consider the changes proposed in 44 of the resolutions (48%) and that it was not willing to consider changes in 35 of the resolutions (40%). The province has indicated that 10 issues (11%) have already been addressed or at least partially addressed.

In addition, the provincial government indicated that it would have to undertake a further review of issues identified in 1 resolution (1%).

Sponsors have been sent copies of the responses to their resolutions. Copies of the full provincial report are available to those members who wish to copy. Responses have also been posted on Civicnet as well as for all members to access. The Executive has directed immediate follow-up on specific resolutions and others have been referred to the appropriate Executive members to pursue.

Policy Updates

Meeting Rules Change

Bill 88 contains some significant amendments to the Municipal Act and the Vancouver Charter to govern how local governments run their meetings. These amendments will come into force by regulation, which will likely be in September of this year. Section 339 of the Third Reading version of Bill 88 provides a special provision that states that regulations relating to procedures bylaws under new sections 235 and 74 of the Municipal Act and new section 164.1 of the Vancouver Charter that are additional to existing obligations, do not apply until 90 days after the applicable section comes into force.

UBCM has not been notified of any new or altered resolutions for a joint UBCM/UBCM meetings committee. The Justice and Protective Services Committee monitors issues

The chair of the UBCM Justice and Protective Services Committee, Councillor Lynne Kennedy, re-reported to the UBCM executive in July that there are some key files the committee is monitoring.

The Justice and Protective Services Committee also wants better information on the new Auxilary Constable program being developed in conjunction with the Ministry of Attorney General.

A key issue since the RCMP dismantled the auxiliaries is the costs of the new program. The RCMP are currently considering a new uniform for auxiliary constables, which has raised deep concern among the auxiliaries still left in the program. An inter-agency task force continues to work on the new program. The greatest surprise from the developments thus far is the enormous increase in costs attributed to the program. An earlier RCMP estimate would see the annual cost of the Auxiliary program jump from $250,000 to $1.5 million.

The Justice Committee’s recommendations for a joint UBCM/UBCM meetings committee are:

- that the rules will apply to a wide variety of local government bodies including committees, and not just to councils and boards;
- rules about how a meeting can be closed to the public;
- regulatory authority to clarify the list of subjects for closed meetings and bodies to which the rules apply; and,
- authority for a regulations to specify rules for the use of videoconferencing or other electronic means of conducting a meeting. In time, would replace current regulations that applies only to selected regional districts; and,
- direction that readings or adoption of bylaws must be dealt with in open meetings.

Amendments were also made to the Bill in the Committee stage with respect to voting by council members, conflict of interest, and loss of quorum. The new legislation provides:

- clarification that council member abstention voting rules apply not only to council meetings but also to meetings of regional districts; and,
- that readings or adoption of bylaws must be dealt with in open meetings.

UBCM has not been notified of any new or altered resolutions for a joint UBCM/UBCM meetings committee.

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James Goulden 604-4934 jgh@bht.com
John Haythorne 604-4898 jhb@bht.com

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UBCM NEWS AUGUST 1999 5
Regional District Legislation Update

One of the main messages coming back from the regional consultations on regional district legislation is that there is already a highly flexible framework for regional districts to undertake services and address inter-municipal and urban-rural concerns. To the surprise of many, a consistent theme was that, while there are many issues with regional districts not all of these require major legislative changes. In fact, in many cases, it was accepted that “best-practices guides” might increase broader awareness of the range of possible solutions to issues.

The last of the area association workshops on regional district legislation was hosted by the Lower Mainland Municipal Association (LMMA) on July 28th in Burnaby. Earlier workshops had been held throughout June and July in Nanaimo, hosted by the Association of Vancouver Island Municipalities (AVIM), in Nelson hosted by the Association of Kootenay Boundary Municipalities (AKBM), in Dawson Creek and Smithers, hosted by the North Central Municipal Association (NCMA), and in Kelowna, hosted by the Okanagan Mainline Municipal Association (OMMA).

The regional consultations are a critical component of a process that began at last year’s convention in anticipation that the regional district legislation will be one major focus in the year 2000 program of the multi-year Municipal Act Reform initiative. The UBCM executive has recognized the need to get an early start on regional district legislation change and has taken a number of initiatives in this direction.

The 1998 convention produced a wide-ranging list of issues and concerns about the current state of regional district provisions of the Municipal Act. These concerns were pared down through a special session at the February 1999 New Local Government Legislation Symposium held in Vancouver. The UBCM executive and the minister subsequently approved a working program. The Executive emphasized the importance of having a series of regional workshops incorporated into the process.

Observations from the area association workshops include:

- Legislation should provide more flexibility in establishing and operating services in particular cost-recoupy and decision-making;
- Legislation should more clearly recognize the role of regional districts as the “local government” for non-municipal areas of the province;
- While there is tension between rural and urban areas on many issues, but most particularly in planning and land use, it is possible to find better ways of achieving cooperation;
- The methods of rural area taxation create problems in the relationships between municipalities and surrounding rural areas; and,
- Regional growth strategies could benefit from better dispute resolution processes;
- The methods of rural area taxation create problems in the relationships between municipalities and surrounding rural areas; and,
- Regional growth strategies could benefit from better dispute resolution processes.

RCMP commits to filling BC Vacancies

A group of mayors from the lower mainland municipalities with RCMP divisions gathered at 1E Division headquarters on July 14th for a briefing about staffing the 140 vacancies in British Columbia. In May, UBCM President Mayor John Ranta joined with Attorney General Ujjal Dosanjh in registering a complaint with the federal Solicitor General about the 400 member vacancies in the RCMP in B.C. At the July briefing, the plan to allocate 164 graduates from the RCMP’s training depot to B.C. by March 2000 left many mayors shaking their heads. The RCMP’s calculations forced local governments to conclude that the promised increase would still miss the gap created by the annual attrition rate of 200.

Two days after the briefing, the RCMP promised and additional 72 officers in an expanded training program. And a day later, Surrey Mayor Doug McCutcheon announced that his community would pay the full training costs for yet another 24 officers to be allocated directly to the Surrey detachment. The RCMP say they are committed to local policing contracts and from here on in the training depot will be able to produce results to ensure that there are net gains in officer staffing.

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Health Committee Update

Prior to the July UBCM Executive meeting, members of the UBCM Health Committee met and discussed numerous health topics that have an impact on local government. Items reviewed included the implementation of the Dobbin Report, discussions on the Health Association of BC, Long Term Care Funding, Seymour Smokey, Regional Hospital District (RHD) Capital Funding and a convention clinic. The committee discussed member expectations of a review of the implementation of the recommendations of the Dobbin Report. The Executive approved of the committee recommendations and a letter to the Minister and Deputy Minister of health requesting such a review. In May the committee Chair, Councillor Hawley and staff attended a meeting of the Health Association of BC (HABC) policy committee which addressed health issues of concern. The Executive approved of ongoing discussions with HABC once or twice a year to discuss/jointly work on common health issues of interest to/agreed upon by both organizations.

Regional Health Board (RHB) and Community Health Councils (CHCs) are being prepared for Wednesday September 29th 7:30 a.m. to 8:15 p.m. The clinic will focus on Long Term Care Issues.

Meeting Rules

Continued from page 5

cill as well as select, standing and other committees as well as in meetings of other municipal bodies (s. 231(1) and (2));
- clarification that whether or not a declaration of conflict of interest is made, if a council member has a direct or indirect pecuniary interest in a matter, the member must not participate in discussions of the matter; vote on a question in respect of the matter, or attempt any way – before, during or after the meeting – to influence any person in any question in respect of the matter (s. 231(5)); and
- clarification that council may apply to the Supreme Court for permission to dismiss or vote on a matter if a quorum is lost due to a declaration of pecuniary interests by a member or members or if the number of council members required to adopt a bylaw is insufficient.

Sales Tax Recoveries

KPMG

It’s time for clarity

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New Legislation Summaries
A function of UBCM office is to stay on alert during sittings of the Legislative Assembly to monitor and report on new legislation. The session that just ended was one of the longest on record.
It began in the spring of 1998 and saw Bills 1 to 50 introduced. This included Bill 31, the Local Government Statutes Amendment Act. Bill 51, to ratify the Nisga’a Tribal Agreement was introduced in the fall of 1998 with debate continuing into 1999. UBCM has reviewed 1999 legislation in the following reports:
June 1999 Newsletter: Bills 52 to 70.
June 25 In the House: Bills 56, 71 to 80.
June 29 In the House: Special on Bill 88 (Municipal Act Reform)
July 7 In the House: Bill 95 Municipal Pension Amendments plus Bill 89 highlights.
July 23 In the House: Bills 81 – 101

UBCM President Mayor John Ranta was on hand when Bill 88 was introduced in the BC Legislature June 29th, 1999. The Honourable Jenny Kwan, who was Municipal Affairs Minister at the time, is holding the Bill.

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Legislation

Recent Legislative Amendments that will affect the November Local Elections

Bill 88 contained a number of amendments pertaining to the local elections process, most of which were requested by UBCM through various policy papers and resolutions over the years. There were also a number of amendments dealing with campaign financing that were initiated at the behest of the Minister of Municipal Affairs (see separate article). Local governments should be aware that the elections and campaign finance amendments are effective as of June 29, 1999 and are therefore in place for the November 20th local election. The deadline for adopting election bylaws is still 8 weeks before the first day of the nomination period (s. 39 of the Municipal Act); however, local governments will have until September 30, 1999 to amend those bylaws if they wish to adopt any provisions under the election amendments (s. 323(6)).

The Ministry of Municipal Affairs has produced two bulletins on the elections and campaign finance amendments. These have been sent to all Chief Election Officers. The bulletins may be found on the Ministry’s internet web site at: http://www.marl.gov.bc.ca/LGPLICY/MAR/URMA/ and are numbered C.1.0.0 and C.2.0.0. Additional information or advice can also be obtained by calling the Municipal Advice and Approvals Branch at (250) 387-4032. The Ministry is also updating the Candidate’s Guide to reflect these amendments.

The new provisions contained in the Bill respecting local elections are as follows (section references are for the Municipal Act as amended by Bill 88):

- the Minister’s approval for voting day only registration (s. 156, substitution of s. 156, 157, 157A): the Minister’s approval for voting day only registration for communities over 5,000 has been eliminated (s. 5A). Therefore, local governments of any size may, by bylaw, limit registration to the time of voting.
- the Minister’s approval for the use of automated vote counting machines is eliminated except where provisions of the bylaw differ from those required in s. 102(2).

- Use of voting divisions is permissive for municipalities of all sizes (s. 103).
- Election advertising through newspapers, magazines, radio or television is prohibited on general voting day (s. 152.1). For other voting under Part 4 (e.g., referenda), whether held at the same time as a general local election or not, advertising is deemed to be election advertising if it is used to promote or oppose a particular outcome (s. 158).
- Two pieces of identification (at least one with a signature) are now required from electors registering on voting day to prove both residency and identity of the elector. If an elector does not have documentation showing residency, two pieces of identification are still required (at least one with a signature) and the elector must make a solemn declaration as to the person’s place of residence. The identification documents provided must either be prescribed in a regulation under s. 156, which will be available

Continued on page 23

Other Legislation of Interest to Local Government

The “bigness” of the 1999 legislative agenda for local government were Bill 88 (Local Government Statutes Amendment Act), Bill 95 (Public Sector Pension Plan Act) and Bill 80 (Liquor Statutes Amendment). These were indeed big in volumes (some 266 pages in total) and are reviewed elsewhere in this newsletter.
Some of the other changes local government should be aware of include:
- Current rules regarding farm classification of packing plants that are sufficiently different from the previous year (Bill 74).
- Cabinet can phase-in the assessment of major industrial properties hundred of thousands of dollars.
- Cabinet can phase-in the assessment of major industrial plants that are sufficiently different from the previous year (Bill 74).
- Merges the administrative function of ALR and Forest Land Reserve matters and redefines process for ALR exclusions (Bill 70).
- Defines provincial interest with respect to Agriculture Land Reserve matters and redefines process for ALR exclusions (Bill 70).
- Expropriation Act (Bill 97) clarified with respect to deducting benefits received from the construction of a work from the damages incurred from a partial expropriation.

Continued on page 8

Liquor Policy Implementation

In the fall of 1998 the Provincial Government appointed Jo Surich to review liquor policy. His draft recommendations were open to public comment during the spring and after Cabinet consideration, led to legislation.
What is particularly important to local government is the new legislation regarding its involvement in licensing decisions. Generally speaking, local government must approve any new licences. There are rules setting out circumstances when and how the General Manager can override the local government decision or what to do if they do not respond. Local government may comment on licence renewals or amendments but the General Manager is not bound by those views. The legislation allows municipalities and regional districts to recover their costs of processing applications. It also provides that local governments may establish a one-year moratorium on the issuing of certain types of new licences and provides rules for extending a moratorium.
To ensure the regulations reflect the recommendations, the Hon. Minister of Finance established an Advisory Committee composed of municipalities.

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COMMITTEE ON THE ENVIRONMENT
GAMING – NEXT STEPS

In the June issue of UBCM News we reported the late breaking news of a Memorandum of Agreement on Gaming between UBCM and the Province on June 17th. That Agreement affirms a local say over new gaming facilities, locations and the extent, scope and type of casino and bingo gaming within their boundaries. This and other principles outlined in the Agreement cover the major issues that the UBCM Gaming Committee raised in response to the Gaming White Paper. These principles are also the basis upon which future legislation will be developed. So what’s next…

1. Since the June 17th announcement there have been a few new developments, the UBCM Gaming Committee met on July 15th to discuss next steps and a new Minister has been appointed to the gaming portfolio, the Honourable Joan Smallwood.

UBCM Gaming Committee Meets

At its July 15th meeting the Gaming Committee identified the following points that need to be clarified and conveyed to the provincial government. These include:

1. timing of revenue sharing with local governments to be clarified.

2. clarifying the process for appointment of an independent advisor.

3. clarifying the government’s policy on placement of slot machines in horse racing facilities.

4. Issue of Revenue Sharing.

The Ministry of the Attorney General confirms that the province will share gaming revenues with local governments as set out in the White Paper. The White Paper states that local governments hosting community (charity-style) casinos will receive 10% of gross revenue from their operations, within their jurisdiction, while those with destination facilities will receive 1/6. The White Paper indicated that this would take effect April 1, 1999. UBCM is presently awaiting confirmation from the Province on the timing for these payments.

Act Development - The Committee has indicated to the province that it is still very interested in discussions on the development of a gaming act. To that end, UBCM has scheduled a clinic at the 1999 UBCM Convention to reconfirm with the membership what elements they wish to see included in an Act and to discuss related gaming issues.

Independent Advisor - On July 19th the provincial government appointed Dr. Peter Meekison as an independent advisor to develop an arms-length process for dealing with proposals for moving gaming facilities. This appointment fulfils one of the principles that was outlined in the MOA on Gaming with UBCM. Meekison, a University of Alberta economics professor, is expected to provide his report to the province by the end of the year.

Set Maps Card and Horse Racing - The final issue, regarding slots and horse racing facilities, is presently being pursued by the Committee. It was the Committee’s understanding that the horse racing industry, while not included in the White Paper to Frank Rhodes, would be reviewed separately. UBCM is presently determining the status of this review.

Joan Smallwood

New Minister Responsible for Gaming

The Honourable Joan Smallwood has been appointed as the new Minister responsible for Gaming. As the Minister’s predecessor the Honourable Mike Farrworth, Minister Smallwood has been invited to attend the upcoming Convention. The UBCM Gaming Committee wishes to ensure that all interested members will attend the Friday morning plenary on October 1st from 7:30 – 8:15 a.m. Come with your views and comments on the development of a Gaming Act and bear the latest updates on gaming policy in B.C.

Recent Legislative Changes Involving Development Cost Charges

Buried in Bill 88 were two interesting and little noticed amendments relating to development cost charge rules that UBCM members had requested in recent years.

1.New provisions included in Bill 88 respecting the financing of local election campaigns include the following (section references refer to the Municipal Act as amended by Bill 88):

- Campaign financing rules now apply to individuals who are seeking the endorsement of an electoral organization (ss. 33, 83 and 84). That is, processed through-campaign must be recorded, and should the individual become a candidate under s. 74, he or she will be required to include in his or her disclosure statement all campaign contributions received and expenses incurred in relation to obtaining the election organizer’s endorsement (ss. 83, 84) in addition to the expenses incurred for the campaign once it is declared.

- All money contributed by a candidate toward his or her own election campaign is a campaign contribution under the Act and must be recorded and reported in the same manner as other campaign contributions (s. 83). Goods and services provided by a candidate in relation to his or her campaign are not considered campaign contributions.

- Elector organizations must now appoint financial agents. The Act continues to provide that if a candidate does not appoint a financial agent, the person is his or her own financial agent (ss. 85).

- All financial agents must open separate accounts at a savings institution (i.e., bank, trust company or credit union) in the name of the candidate or elector organization’s campaign. The accounts must be used exclusively for the election campaign and all contributions received and all expenses made to the election campaign must be recorded in those accounts. Note that a separate account is required for each candidate as well as for each elector organization (s. 85.1).

Important New Campaign Finance Rules: Candidates Be Prepared

- Campaign contributions may now be recorded according to specified classifications of contributors (e.g., individuals, corporations, unincorporated organizations, trade unions, non-profit organizations, etc.).

- Financial records must be retained for 7 years (s. 88).

- Candidates’ surplus funds of $500 or more must be paid to the Chief Election Officer (CEO). Surplus funds must be held in trust by the local government and are to be paid to the candidate’s financial agent if the person is declared a candidate in the next general election or by-election. If the candidate does not run again, the funds revert to the local government. Note this provision does not apply to electoral organizations (s. 89.1).

- Section 90 was amended to require that only individuals who were declared candidates under s. 74 must file a disclosure statement. A disclosure statement is required even if no contributions are received or expenses incurred, or if a candidate is acquitted, dies or withdraws. The filing deadline for these statements is still 120 days after general voting day. Section 90 also contains more detail on what disclosure statements must now report.

- The Act continues to provide for a late filing period (30 days after the end of the filing period). Disclosure statements may be filed during this period on payment of a $500 late filing penalty (s. 90.2).

- Failure to file a disclosure statement still results in an automatic disqualification from office (i.e., no court declaration is required) and until after the next general election (ss. 92.91).

Continued on page 23

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Liquor Policy

Continued from page 7

facturers, licensee groups, police and UBCM. Prepa-

ration of the draft regulations is being led by Liquor

Liquor Licensing Branch of the Ministry of the Attor-

ney General. Initial nego-

tiation is broken into a

number of separate projects including special-

ized projects such as rice wine or wineries. Two

projects of particular interest to UBCM members are

compliance/enforce-

ment and Liquor licensing. The licensing regulation

will establish the detailed procedures for local gov-

ernment involvement. It

is extremely important because what may appear to be very broad legislation could easily be narrowed by the way the regulations are drafted. A clinic on the development of the regulation is scheduled for Thursday, September 30th at 7:30 a.m. during the convention.
Overview Special Convention Newsletter

We know that advance information on the Convention is important to our delegates. That’s why we continue publishing the Convention Bulletin series and why this year we have published this special pull-out section of the newsletter. We have tried to pack in some of the information that will assist you in making your plans.

1999 Annual Report and Resolutions Books

In accordance with the UBCM bylaws, copies of the Annual Report and Resolutions to be considered at the 1999 Convention will be mailed to all members by the third week in August. If you have not received your copy, contact your municipal or regional district office, or in the event that they haven’t received copies, contact the UBCM office.

Please be sure to bring your copy of the Annual Report and Resolutions book with you to the Convention. Copies will not be available at the Convention.

This year’s Annual Report and Resolutions Book contains 149 resolutions which will be considered at three different sessions during the Convention. See page 10 for times of resolutions sessions. You will note that we have continued to divide the resolutions into two sections: Part I contains resolutions that have been previously considered and endorsed; in keeping with existing UBCM policy, these are not the resolutions which have been previously endorsed policy papers. Part II contains resolutions which have not been considered or considered but not endorsed; local issues or national issues for FCMA consideration. This streamlining of B resolutions has been done in response to member requests to eliminate the repetitive debate which takes place on resolutions that have already been endorsed and become part of established UBCM policy. Members are encouraged to consult the Conference Rules and Procedures in your Resolutions Book for further details.

Justice issues dominate this year’s resolutions agenda along with renewed requests for a tripartite infrastructure program. The report presentation of resolutions has been down slightly, there should be enough time to consult all resolutions within the time allocated.

The Report on Resolutions Received After the Deadline will be contained in your Convention kits. (Note: late resolutions will not be accepted by the Executive Director up to noon on Friday September 24, 1999 but only those deemed to be of an emergency nature will be admitted for plenary debate Friday morning.)

Late and Emergency Resolutions

Late and emergency resolutions must be received at the UBCM office by Friday noon, September 24th to provide time for Executive consideration and later adoption at the 1999 Convention in the Report on Resolutions Received After Deadline. Delegates are reminded that only those issues that have arisen after the June 30th deadline will be recommended by the Executive as appropriate for debate.

Policy Papers to be Considered at the 1999 UBCM Convention

UBCM Convention sets policy through two main vehicles: specific resolutions (of which in the order of 140 plus were submitted this year); or policy papers on topics whether the range of recommendations tend to be more comprehensive.

Resolutions come from the members; policy papers come from the Executive initiated processes. UBCM has made increasing use of policy papers to respond to the complexity of issues. Their effectiveness is also noted in many legislative changes that resulted from them. This year’s Convention will consider a somewhat reduced number of papers; but the scope and importance are as important, if not more important than in past years. Among the papers to be considered will be:

Financing Local Government
- follow-up to the 1998 report on the future of local government finance and local provincial financial relations.

Legislative Action Plan
- reforming the past work program for the third year can be reviewed and continued. As well, consideration of nominations for electoral area representatives and village representative will occur as they have in the past during the Tuesday “In the Director’s Chair” and “Small Talk” sessions respectively.

This year’s nominating committee includes Immediate Past President and representatives of the five area associations. The members are:

- Mayor Steve Wallace, Immediate Past President
- Director Aaron Dinwoode, Okanagan Mainline Municipal Association
- Councillor Ed Gutzke, Association of Kootenay and Boundary Municipalities
- Councillor Janis Elkerton, Lower Mainland Municipal Association
- Councillor Blair Lekstrom, North Central Municipal Association
- Mayor Jim Lorne, Association of Vancouver Municipalities

For further information please contact the Chair of the Committee

Delegate’s Checklist

Before you leave for the UBCM Convention, be sure:

- you’ve registered for Convention!
- you’ve confirmed your accommodations
- you’ve pre-booked meetings with Provincial Officials
- your designated person has made your banquet table reservations
- you’ve picked up your Annual Report and Resolutions book
- you’ve left the Message Centre Phone/Fax with your office staff
- you’ve asked your e-mail provider for instructions on how to receive email from a remote location
- you’ve packed your black leather jacket and broyleen (or other costume paranormal) for the Annual Banquet

When you arrive be sure to:

- register and pick up your delegate’s kit for Convention
- check that you have the correct number of meal tickets: Annual Banquet, Forum Luncheons, Area Association/Lunch, Delegates’ Lunch (no tickets needed for Welcome Reception or continental breakfasts)
- familiarize yourself with the Convention venue and where your chosen functions are being held
- check at the delegates’ information desk to see if there are any updates on sessions
- check-in Partners at the Partners’ Desk
- do a practice run of you “buffet” or “dunktall” prior to Banquet night
- make the most of your experience, and enjoy the company of your fellow members!
Convention Program

1999 UBCM CONVENTION PROGRAM

Monday, September 27
8:00 am - 9:00 am Registration
9:00 am - 12:00 noon Study Sessions/Tours (optional):
- Agriculture in the Fraser Valley Tour
- Financing Local Government
- Implementation of the BC Communities Act
1:30 pm - 4:30 pm Study Sessions/Tours (optional):
- Agriculture Tourism
- New Legislation: Municipal Act Reform
- Intergovernmental Relations & Treaty Negotiations

Tuesday, September 28
7:30 am - 8:15 am Forum Clinics:
- Large Urban Forum
- Implementation of New School Sites
- Acquisition Legislation
- Managing Access to Municipal Rights of Way
- Small Talk Forum
7:00 am - 8:30 am Delegates' Continental Breakfast
7:00 am - 4:30 pm Government Meetings
12:00 noon Regional District/Small Talk/Large Urban Lunches
1:30 pm - 4:30 pm Study Sessions/Tours (optional):
- Burrard Inlet Water Quality
- BC Game and Fish
- New Legislation: Municipal Act Reform
- Intergovernmental Relations & Treaty Negotiations

Wednesday, September 29
7:30 am - 8:15 am Forum Clinics:
- Small Talk Forum
- Implementing New School Sites
- Acquisition Legislation
- Managing Access to Municipal Rights of Way
7:00 am - 8:00 pm Registration
9:00 am - noon Small Talk Forum
9:00 am - noon Large Urban Forum
12:00 noon Regional District/Small Talk/Large Urban Lunches
1:30 pm - 4:30 pm Municipal Act Reform of Regional District Legislation
3:00 pm - 5:00 pm Municipal Insurance Association AGM
7:30 pm Welcome Reception

Friday, October 1
7:00 am - 8:30 am Delegates' Continental Breakfast
7:30 am - 8:15 am Clinics:
- Health Sewage Regulation
- Local Government Role
- Gaming – The Act and Beyond
- National Transportation Investment Strategy
- WoodWorks! BC Builds with Wood
- MERX: Canada's Electronic Tendering System

Convention Highlights: Plan Your Week

The general format for the Convention remains the same as in previous years:
- Monday: pre-conference sessions
- Tuesday forums: Regional Districts, Small Talk, and the third forum for the Large Urban Communities Forum
- Wednesday to Friday: main business sessions
Here are some of the highlights of this convention to help delegates prepare for a busy week.

Monday Study Tours and Study Sessions
Study sessions on financing local government and developing new legislation. Police costs and Aboriginal issues are also offered. The always popular all-day agriculture study tour is featured again this year. These sessions are listed on page 11 and pre-registration is requested.

Tuesday Special Focus
Three forums dealing with issues of specific focus for:
- Regional Districts (featuring “In the Director’s Chair”)
- Small Communities (pop. under 5,000)
- Large Urban Communities

Wednesday
Morning sessions basically focus on UBCM policy development. Government appointments will begin at noon so delegates are free to attend policy debates. The Minister of Municipal Affairs’ annual address will kick off the afternoon to be followed by five workshops with Cabinet members. All five Area Associations will sponsor lunches.

Thursday
After a full morning of “early bird” clinics and policy debate delegates will adjourn to the Delegates Luncheon continuing with an extended period to visit the Municipal Marketplace. This is followed by the Luncheon of the Official Opposition, Gordon Campbell. The evening features the Annual Banquet and Dance.

Friday
After a final round of clinics and policy consideration, Premier Clark has been invited to UBCM prior to the Convention closing.

We look forward to seeing you at Convention.

UBCM Convention Committee:
Director Arm Hancock, Chair
Councillor Robert Balcaen
Director Aaron Dinwoodie
Councillor Ed Gatzke
We look forward to seeing you at Convention.
Pre-Convention:
- Study Sessions/Tours
- Forums

Monday, September 27

Five pre-convention study sessions/tours are being offered through advance registration as follows. Please refer to the convention registration package for descriptions and fees. UBCM members may register to attend Monday pre-convention study sessions and Tuesday Forums without being a full convention delegate, space permitting (convention delegates take priority). Please submit a regular registration form and payment for only the study sessions you select on the form.

- Agriculture in the Fraser Valley Tour
- Financing Local Government
- Dollars & Sense of Policing BC’s Communities
- New Legislation
- Intergovernmental Relations & Treaty Negotiations

1:30 pm - 4:30 pm

Tuesday, September 28

Forums
9:00 am - noon
• Regional Districts
• Large Urban Communities
• Small Talk

The primary purpose of UBCM is to serve the common interests of all local governments throughout BC. However, UBCM formally recognizes the diversity of its members and that “one size fits all” solutions don’t work for BC local governments. The Tuesday forums recognize this diversity and promote problem-solving among different interests. Choose to attend ONE of the following:

Regional Districts Forum
Vancouver Convention & Exhibition Centre
A group problem-solving session designed for Elec- toral Area Directors will start off the morning, with issues of general interest to follow in the afternoon.

Large Urban Communities Forum
Vancouver Convention & Exhibition Centre
The third year of a session designed for larger munici-
palities with particular urban issues.

Small Talk Forum
Waterfront Centre Hotel
Designed to interest municipalities under 5,000 popu-
lation.

UBCM members were solicited in July for forum content ideas. Detailed forum agendas will appear in a future convention bulletin and in your delegate program.

CLINICS focusing on issues of specific concern to each forum will precede these sessions, 7:30 am - 8:15 am (delegates may attend any clinic).

Booking Government Appointments

Government Officials
A “Provincial Appointments Book” with instructions on booking meetings with provincial Cabinet and staff during UBCM Convention week was circulated from the Ministry of Municipal Affairs to all UBCM members on August 10.

Copies may be obtained by contacting the Ministry:
Ann MacDonald
ph: (250) 387-8705

APPOINTMENTS FILL FAST!! DON’T BE DISAPPOINTED!! BOOK EARLY!!

To Note:
The Ministry will accept appointment bookings:
August 23 to September 17
10:00 am - 3:50 pm weekdays.

There is a single contact number for booking all min-
istry/agency STAFF appointments, and individual contact numbers to make CABINET bookings. For a complete list of participating ministries, agencies and contact phone numbers, please refer to the Ministry of Municipal Affairs’ “Provincial Appointments Book”

To Note:
The Ministry will accept appointment bookings:
August 23 to September 17
10:00 am - 3:50 pm weekdays.

There is a single contact number for booking all min-
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Clinics:

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<td>New Govt. Policy</td>
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<td>Special Interest</td>
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Workshops:

Wed. Sept. 29 • 3:00 pm - 5:00 pm
- Cabinet Session (5 concurrent):
The Following Ministers have been invited to participate:
  - Finance and Corporate Relations
  - Attorney General
  - Aboriginal Affairs
  - “Business” Panel: Employment & Investment; Public Service; and Labour
  - “Resource” Panel: Energy & Mines; Agriculture; Forests; Fisheries
(notice of confirmed Ministers will appear in a future bulletin)

Thurs. Sept. 30 • 3:30 pm - 5:00 pm
- Open For Business: Successful Strategies to Foster Economic Development
- Smart Communities
- Film and the BC Economy
- BC Economy = Communities + Resources
- The Economy of Arts, Culture and Heritage

Creative Connections - What Next?
“Creative Connections” was the title. It was the report of the work of UBCM’s first Arts and Cultural Steering Committee, chaired by Councillor Judy Villeneuve. The goal of the Committee was “to raise the awareness of local governments regarding cultural issues.” Then B.C. Arts Council Chair Mayor Moore declared, “the report provided a guide to how communities may set about making the best of themselves.”

It is hoped that every member of UBCM has read this document, and that Culture is firmly imbedded in every municipality in the province.

That was two years ago. The facts are still valid. But where are we now? Has change really happened?

To find out, come to the Economy of Arts and Culture and Heritage workshop on Thursday, September 30, 1999 from 3:30 pm to 5:30 pm in the Malispina Room of the Waterfront Centre Hotel.

UBCM NEWS AUGUST 1999 11
Tuesday Highlights

Small Talk Forum '99

Plans are underway for the 1999 Small Talk Forum at this year’s UBCM Convention. Councillor Bob Balcaen, the Small Community Representative has issued the notice inviting all small communities to contribute their issues for discussion. The session is scheduled for Tuesday, September 28th at the Waterfront Centre Hotel beginning at 9:00 a.m. and wrapping up by 3:00 p.m. We are pleased to advise that Gary Williams will continue to act as our facilitator and he will be assisted again this year by André Carrel, Rossland Administrator.

For the past couple of years some participants have indicated that they wish to continue the information sharing session into the afternoon and hold a focus panel session. We want to hear from you. On the feedback forms that were distributed to each community in June you were asked to indicate your preference. This information is important to ensure that we prepare the program that best meets the needs of the communities.

Urban Forum

The third annual forum for Large Urban Communities will take place at the UBCM Convention in the Vancouver Convention & Exhibition Centre on Tuesday, September 28th. The session is intended to give politicians in large urban communities an opportunity:

• to share concerns about common challenges they are confronting;
• to seek solutions where communities have the same challenges - and find out what other communities are doing about them;
• to develop a more cohesive network of contacts amongst large urban communities.

The morning session will provide an opportunity to discuss problems and share concerns with other urban communities.

Regional Districts and Municipal Act Reform

Regional district legislation is to be a major element of the 2000 Municipal Act Reform work. A Steering Committee has been formed and initial regional consultations took place in June and July (see article on page 6 for more information). This afternoon session (1:30 – 4:30 p.m.) will:

• review process and progress to date;
• hear from Dr. Bob Bush his conclusions about how BC’s regional district system compares to systems in other provinces and states;
• receive the report of the Steering Committee on suggested directions for legislative and non-legislative action and provide an opportunity for delegates to discuss and react to the recommendations.

TO CONTACT DELEGATES OR THE UBCM STAFF DURING THE 1999 CONVENTION use the MESSAGE CENTRE.

A delegate Message Centre, sponsored by B.C. Buildings Corporation, will be located in the Delegate Concourside outside of Exhibit Hall A (UBCM plenary room) at the Vancouver Convention & Exhibition Centre (VCEC). This service will allow for the taking of telephone messages and the receipt of INCOMING faxes only. Messages will be shown on monitors within the conference plenary room and tradeshow.

Please use the MESSAGE CENTRE for delegate messages.

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Please use the MESSAGE CENTRE for delegate messages.
Delegates Social Program

Tuesday, September 28, 1999

• Columbia Basin Trust and Fraser Basin Council Breakfast
  Vancouver Convention & Exhibition Centre
  7:15 am

• Welcome Reception
  Vancouver Aquarium
  7:30 pm - 10:00 pm
  Dress: Casual
  Included in Delegate fee. Fee for Partners/Guests: $15
  Hosted by the City of Vancouver and corporate sponsor, Weyerhauser Canada
  Shuttle service from the Vancouver Convention & Exhibition Centre and the Hyatt Regency Hotel beginning at 7:15 pm.

Wednesday, September 29

• Area Association Luncheons
  12:00 noon. See below for locations.
  Pre-registration required

• Minister of Municipal Affairs Reception
  Ballrooms, Waterfront Centre Hotel
  7:30 pm - 9:00 pm
  Invitation in delegate kits

Thursday, September 30

• Delegates’ Luncheon
  12:00 noon
  Vancouver Convention & Exhibition Centre
  Included in Delegate fee.
  Sponsored by Credit Union Central of BC

Area Association Luncheons at Convention

12:00 noon, Wednesday, September 29

Association of Vancouver Island Municipalities
“Pride of Vancouver” (boat moored near convention venue; map will be available at convention)

Association of Kootenay & Boundary Municipalities
Vancouver Convention & Exhibition Centre

Lower Mainland Municipal Association
Waterfront Centre Hotel

North Central Municipal Association
Vancouver Convention & Exhibition Centre

Okanagan Mainline Municipal Association
Vancouver Convention & Exhibition Centre

Fee: $25 (all luncheons)

Please pre-register... so your Association is not guessing at the number of meals to order!

• Annual Banquet and Dance: “RETROSPECTACULAR”
  Vancouver Convention & Exhibition Centre
  6:30 pm - Reception
  7:30 pm - Annual Banquet
  9:00 pm – Musical-Dance Revue with “Sound Sensation”
  10:00 pm – Retro Dance with “The Waybacks”
  Dress: COSTUME or Semi-Formal
  Fee: $60 Pre-registration required
  Sponsored by BC Gas
  COSTUME PRIZES – see display ad below

Banquet Reservations
Pre-registration for banquet seating will be available this year. Please have ONE designated representative from your group fill in the BANQUET RESERVATIONS form which was included in your registration package. Send it to the UBCM office with your completed convention registration forms and payment (no faxes will be accepted). Seating will be on a first-come-first-served basis. Reserved seating can be arranged on-site at the Convention up until Wednesday, September 29.

Several groups external to UBCM have indicated that they will be hosting hospitality suites and/or receptions during convention week. Events that are open to the entire delegation will be publicized in the delegate program (which you will receive upon check-in at convention) if requested by the host.

Prices listed reflect registration prior to August 27, 1999. Prices increase after this date.

UBCM Annual Banquet & Dance
Thurs. Sept. 30

As we wind up the final UBCM convention of the 20th century, one can’t help but reflect on the unfathomable change that has taken place in our communities, our country... our CLOSETS????

Help us celebrate the wonder of the last ONE HUNDRED years:

PRIZES!... for best individual costumes and AREA ASSOCIATION SPIRIT!!

3 COMPLIMENTARY DELEGATE REGISTRATIONS TO THE 2000 CONVENTION IN VICTORIA...

will be awarded for Area Association Spirit, given to the association with the most delegates attending IN COSTUME.

The prizes will be used in a draw at the winning association’s 2000 AGM.
UBCM acknowledges the contributions of the following Sponsors of the 1999 UBCM Convention:

- Alexander, Holburn, Beaudin & Lang
- BC Assessment Authority
- BC Buildings Corporation
- BC Gas Inc.
- BC Hydro
- BC Tel
- Canada Post Corporation
- Cariboo Lumber Manufacturers’ Association
- Certified General Accountants Association of BC
- Coast Forest & Lumber Association
- Credit Union Central of British Columbia
- Forest Alliance of BC
- ICBC
- Interior Lumber Manufacturers’ Association
- KPMG
- Lidstone, Young, Anderson
- Municipal Finance Authority
- Municipal Insurance Association of BC
- Murdy & McAllister
- Northern Forest Products Association
- Pacific Blue Cross
- Rogers Cable Systems
- Shaw Communications
- Singleton Urquhart Scott
- Stantec
- Staples McDannold Stewart
- Trans Mountain Pipe Line Company Ltd.
- Urban Systems
- Westcoast Energy
- Weyerhauser Canada

UBCM is still sourcing sponsors and appreciates any direction members can offer. Refer to convention program for itemized contributions.

Municipal Marketplace Tradeshow & Exhibition
at the 96th Annual UBCM Convention

EXHIBITOR INFORMATION

UBCM is pleased to announce that the ORIGINAL floorplan for Municipal Marketplace Tradeshow & Exhibition

Sold Out!

Due to demand, extra booths are being added. Limited opportunity for expansion - don't delay!

EXHIBIT DATES: SEPT. 29 – 30, 1999

THE Place To Do Business With Local Government

For exhibitor information call Lemaire & Co.: (604) 730-0535.

Cabinet Session:
An Afternoon with the Minister of . . .

The Executive has invited Ministers with key current interest affecting local government to be participants in five concurrent workshops at this year’s convention.

Ten Cabinet Ministers should be available Wednesday afternoon to participate in a series of concurrent workshop-like sessions:

- Attorney General
- Minister of Finance and Corporate Relations
- Minister of Aboriginal Affairs

Business, the Economy Panel with Ministers of:
- Employment and Investment
- Public Service
- Labour

Resource Panel with Ministers of:
- Energy and Mines
- Agriculture and Food
- Fisheries
- Forests

Due to demand, extra booths are being added. Limited opportunity for expansion - don't delay!

Singleton, Urquhart Scott
3 C x 7”
(repeat June 1999)

Urban Systems Ltd.
3 C x 4”
(repeat June 1999)
MUNICIPAL MARKETPLACE
TRADESHOW & EXHIBITION

SEPTEMBER 29 – 30, 1999 • VANCOUVER TRADE & CONVENTION CENTRE

The following companies and organizations have indicated an interest in communicating directly with local government elected officials and staff by participating in the 1999 UBCM Municipal Marketplace. Their participation is also ESSENTIAL to keeping convention fees reasonable! For both these reasons, Convention Delegates are encouraged to spend some time learning about our exhibitors, their products and issues. Booth locations will be identified in a “showguide” inserted in delegate programs (which you will receive when you check-in at Convention).

Special invites will be extended to local government purchasers. Others may request a tradeshow pass by calling UBCM at (604) 270-8226.

Who's Missing?? Please Let Us Know...
if there is someone who YOU think should be in this show and we will do our best to get them there! Call Susan at (604) 270-8226.

Exhibitors confirmed at time of printing.

NEW IN 1999:
• EXPANDED EXHIBIT AREA
• CANADA POST DELEGATES’ LOUNGE
  500 seats; plenary broadcast
• PROVINCIAL GOVERNMENT STAFF OFFICES
  contained within the Marketplace
• "SHOWTIME"
  Thursday, 1:00 pm - 3:00 pm
  break in convention program for visiting the tradeshow and exhibitor draws

Detailed Municipal Marketplace “showguide” will be contained in delegate convention programs received at registration check-in.
ON JULY 22, AT Government House in Victoria, Jim Craven was awarded the 1999 Lieutenant-Governor’s Award for Excellence in the Public Service. The guidelines for this award state that the winner should be well-recognized and easily identified as an exceptional candidate. The committee would pay close attention to the candidate’s accomplishments, expertise, ability, integrity, innovativeness, leadership, management effectiveness, personal management style and reputation.

The comments below, from Jim’s colleagues, reinforce that he has more than met all of the criteria for this award:

…most individuals, when faced with an opportunity, say “why not”; Jim Craven, when presented an opportunity, has always said “why not”. …there are people that make you feel appreciated when you speak to them, wiser when you listen in return, and overall glad that you met. Jim Craven has that happy genius.

Jim Craven has more than met all of the criteria for leadership, management effectiveness, personal management style and reputation. He has always said “why not”. Jim Craven is the epitome of why not. Jim Craven is the epitome of feeling appreciated. Jim Craven is the epitome of wiser when you listen in return. Jim Craven is the epitome of overall glad that you met.

MFA are unsurpassed and without equal. We all owe you a debt of gratitude and the medal you are receiving is just a small token of the recognition you deserve.

…as a source of inspiration and comfort to us all Jim, you exemplify the essence of public service and truly deserve the Lieutenant-Governor’s Silver Medal for Excellence.

…the years you have devoted to our province’s community’s financial welfare have always been appreciated, however, this Award demonstrates most tangibly the high regard in which you are held by your colleagues and community leaders.

Investment Pool Breaks Record!

On July 7, 1999 the BCMFA Investment Pool broke all previous records for overall size since opening in 1989. This year’s record level totalled $1,159,677,860. Combining liquidity, security and high earnings, the pool continues to attract high numbers of local government users year after year.

The pool also has two important sub-accounts now. Thirty-eight First Nations now use the pool under the First Nations Finance Authority. The Ykron Association of Communities recently joined after we did presentations in the Yukon to all of those folks. The municipalities of the Northwest Territories are also very interested to do likewise and we expect them to proceed by the new year.

Ontario School Districts look at the MFA model – On September 9th, a delegation from the Authority (Chair Len Traboulay, Steve Berna, Director of Finance; and Jim Craven, Executive Director) will present the MFA story to forty Ontario School District treasurers. The Ontario School Districts wish to form a collective credit pool similar to BCMFA to pool borrowing, leasing and investing. The meeting is being arranged by the Ontario Ministry of Finance. There will be a potential consulting and advisory role for the Authority.

Union of Quebec Municipalities selects MFA – MFA will be helping to design a province-wide authority for local government borrowing, leasing and investing in Quebec. It appears the principal consultant will be KPMG, with MFA acting in an advisory role to them.

How’s our Investment Pool doing? – It will have estimated long-term rates, interim financing rates and leasing rates.

Need forms? – all of our forms will be available online.

Can’t find a current program brochure? – all available on the webpage

If you have any suggestions of things we can add to the webpage, please let us know. We’ll let you know when the re-construction is complete.

Consulting

Municipal government offers an important public sector perspective for our students, with an emphasis on a wide range of services to a local citizen and business base, and strong relationships with other levels of government. MPA students have completed successful Co-op work terms in local government on projects related to: human resources policy, program evaluation, communications, municipal elections, local government administration, and alternative service delivery.

The School invites you to consider hiring a student for a four-month term. Work terms commence in January, May and September. We welcome opportunities that will test our students’ analytical, problem solving, organizational, and communication skills. If you would like more information on the Co-op program, or would like to discuss hiring, please contact Laura Black, Co-op Program Coordinator, or visit the website at http://www.coop.uvic.ca/.

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Web Page Update

In the works is a new MFA Web Page. This webpage should be one-stop shopping for many of our municipal customers.

Need rates? – it will have estimated long-term rates, interim financing rates and leasing rates.

Need forms? – all of our forms will be available online.

How’s our Investment Pool doing? – rates will be posted weekly.

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In this article we point out how - in some subtle ways - democracy is subverted. We do this by analyzing three typical dialogues. We follow by suggesting democratic alternatives to these dialogues.

Dialogue 1

Member A: “I think we should initiate a cost-benefit analysis of the proposed acquisition, because…” (can’t finish because of an interruption)

Member B: “Enough studies and analysis. We must move on with this proposal right away. A study wouldn’t be the same without the time and money and will accomplish absolutely nothing”.

Member C: “Yes, that’s right?”

Chair: “OK, OK. Let’s move on, then. Is there any further discussion on the proposed acquisition?” (pause)

If not, we will proceed to the vote.

If not, we will proceed to the vote.

Member D: “Don’t you dare to interrupt me. I was elected just like you and I am entitled to say my piece continuously. I must be heard. This is an important issue to our community.”

Chair: “Yes, but I must insist that you follow the rules. We have time limits, you know”.

Member D: “Rules, rules, and then more rules. Can’t I just talk? You have no business interrupting me just because you don’t like my point of view”.

 Dialogue 2

Member D speaks for a long time, and does not allow the Chair to interrupt. The 5 minute time limit has come and gone, and Member D is very popular among the citizens and has moved the polls at the last election, and this causes the Chair to hesitate to interject. But then she does...

Chair (tries to interject): “Excuse me…”

Member D: “So now you threaten me. So much for the cooperation and collaboration that you talked about at the last election. Did you really mean those words? What will you tell them next time? That is, if you decide to run again?”

Chair: “Enough is enough. Leave the room, or I’ll call the police”.

Dialogue 3

Member E to the Clerk (after the meeting): “Please make sure to record in the minutes every word that I said about this re-zoning proposal. It’s important that the public knows how I feel, made my statement in an official meeting, and it must be entered in our records”!

Chair: “But we had feedback that our minutes are too long…” (Interrupted by Member E)

Member E: “Staff should not tell elected officials what should be done. We were elected by the public, so we are your boss. You don’t have to be held accountable at election time”.

Clerk: “OK, OK. Since you feel so strongly about it, I’ll record your comments”.

What do all three dialogues have in common?

Each one of these dialogues illustrates how decision making is hijacked from the group and is shifted to individuals. At the centre of the decision making we find either the Chair (monarchy) or an outspoken member (anarchy).

In dialogue 1, Member A’s suggestion is dismissed out of hand because Members B and C do not like it. The heat is apparently too much for the Chair, and he decides to move on. Who makes the final decision about Member A’s idea? Members B and C, and other members are left to watch. Is this true democracy? Hardly. It’s more like anarchy (“The loudest and most assertive members prevail”).

In dialogue 2, the Chair decides at first not to enforce the established time limit. That’s an autocratic decision (monarchy). Then the Chair and Member E engage in a verbal duel. Other members (and the general public) become spectators of this entertaining event, and wonder how it would turn out. It’s like watching a wrestling match, and speculating which fighter will win. The person who will win will effectively decide how important it is to respect established time limits. Democracy? It looks more like a contest among anarchy (control by one stubborn and disruptive member) and monarchy (control by the Chair).

In dialogue 3, one vocal member imposes his will on the Clerk, and dictates how minutes should be prepared. Imagine what would happen if every member did this!! The minutes would be a useless record of comments, instead of being an objective summary of the meeting. Does this sound like democratic decision making to you?

Is there a democratic alternative?

The above dialogues (or similar variations thereof) - though somewhat exaggerated - are not uncommon in meetings. Some one (the Chair, or an enlightened member like you) must take the initiative to restore democracy and place the decision making back where it belongs: in the hands of the members (not as individuals, but as a group, with majority-based decisions).
Drinking Water: Source Protection or Treatment?

The Auditor General in a recent report “Protecting Drinking-Water Sources” has highlighted the dilemma faced by local communities between protecting the water at its source or facing the high cost of water treatment. The report suggests that the solution to this dilemma may lie in the creation of a balance in land use decision-making between the use of water and the use of other resources on the land base.

The Auditor General’s report estimates that the cost of neglecting our drinking-water sources could be expensive for the approximately 100 municipalities outside Victoria and Vancouver that use unfiltered surface water. The report suggests that the capital cost of installing filtration would be about $700 million and the extra cost of financing, operating, and maintaining the new treatment plants would be about $30 million a year. The report highlights the fact that a total of nine municipalities caused damage over the long term during which the water supplier will depend on that source. The report also states that “The Health Act holds a water supplier responsible for providing safe water to its customers. Even if its source has been contaminated by activities of another party, the water supplier must carry out, and pay for, any steps required to render the tap water safe.”

The Waste Management Act and other legislation require “those who cause contamination to correct the damage they have caused to the environment”, however, “there is no requirement for those who cause contamination to compensate the water supplier for the costs incurred as a result of the contamination.”

The Auditor General’s report suggests that a balance does not exist at the present time in the way that water resources are treated in relation to other resources. Today there is a shortage of information on the relative values of drinking-water sources in comparison to other water uses and in economic terms the trade-offs between these different resource uses are not understood when making decisions. “For example, a municipality might want to buy the rights and assets of a resource user operating in a watershed, rather than spend money on water treatment to correct problems created by the user.”

The report suggests that a solution is hinted at in the report are the establishment of a single government agency focused on drinking-water sources in the province. The UBCM has called on the province to:
- consult with local government on who the appropriate lead agency in the provincial government should be for drinking-water users and suppliers;
- introduce legislation to provide clear protection for drinking-water users and suppliers (tenure rights, financial and liability protection).

A clinic will be held at the 1999 UBCM Convention on this issue and the Select Standing Committee on Public Accounts is currently considering public hearings on the issue of water source management and the responsible party in British Columbia.

Streamsides Directive. Will it Work?

At the 1999 UBCM Convention the province indicated that it would be providing a small amount of funding for pilot projects to test the workability of a directive that has been developed and to determine the needs of local government in implementing this directive. A total of 11 municipalities and 2 regional districts are currently testing the implementation of the Streamsides Directive. The directive requires municipalities to address the Stremsides Directive in the spring of 2000. One of these issues is a model memorandum of understanding that could be used by the three levels of government to outline the roles and responsibilities that they might undertake in relation to a streamsides directive. A further initiative is a dispute resolution process that might be used to deal with conflicts around development issues.

A clinic will be held at the 1999 UBCM Convention to discuss the results of the pilot projects, using the development of a memorandum of understanding to outline the role of each level of government and to discuss a dispute resolution that might be used to address some types of problems.

The UBCM is currently holding discussions with the Ministry of Environment, Lands and Parks to renew the “Protocol on Principles for Sharing Environmental Responsibilities”. The first Environment Protocol Agreement was signed in 1993 and was renewed again in 1996. The Environment Protocol Agreement is currently for a fixed three year term and is due to expire on September 18, 1999. A minor amendment has been proposed to the agreement to require that it be reviewed every three years after that.

The Environment Protocol Agreement highlights a number of important principles in the relationship between local government and the minister. The agreement stresses the need to “cooperate in a spirit of partnership” and the need for consultation before changes are made. It states that “any proposed significant change in environment legislation, regulations, standards, policies or programs will be preceded by appropriate consultation among the affected parties, including timely notification of the proposed changes.”

The protocol also highlights the need to “ensure that a full evaluation is done of the costs and revenues associated with a proposed change before it is implemented and that no new environmental responsibilities will be assigned to another party until issues of funding and resources have been addressed.”

The agreement is administered through an Environment Protocol Committee made up of representatives from the Ministry of Environment, Lands and Parks, Ministry of Municipal Affairs and the UBCM Environment Committee. The Committee has been very successful in identifying local government concerns and ensuring that they are addressed before changes are made to government policy.
Health Sewage Regulation

The Ministry of Health has released its second draft of a new sewage regulation designed to protect human health. This regulation is intended to cover single family residences and small developments up to 19 dwellings. Developments over 19 residences are considered commercial developments by the Ministry of Environment, Lands and Parks sewage regulation.

Changes to Contaminated Sites Regulation

The cabinet has made changes to the Water Act to simplify the regulation. The Ministry of Environment, Lands and Parks sewage regulation has been simplified. It is expected to be approved by January 2000.

Environment Shorts

Wildlife Act

Amendments have been made to the Wildlife Act which will allow conservation officers to change individuals who are unwilling to take the steps necessary to avoid attracting bears and other wildlife into populated areas.

Water Act

Changes have been made to the Water Act to simplify the issuing of water licenses for domestic use and to withdraw a license in the event that the water is not being used. Under the new legislation a manager will have to take into consideration fish and fish habitat when making a decision on a water licensing matter. The new allocation rules (regulations, criteria, policies and procedures) are expected to be approved by January 2000.

Sensitive Streams

The Fish Protection Act provides that a stream can be designated as 'sensitive' where a significant fish population is at risk and measures are needed to protect and restore the fish population and habitat within a stream. Rules concerning for making water licensing decisions on sensitive streams and recovery plans for restoring fish populations and habitat are being developed.

Who Makes the Decisions

Dialogue 2 (Democratic alternative)

The chair intervenes as soon as Member D comes close to the time limit: “Member D, your time - 5 minutes - is about to run out!”

Member D continues disruptive.

Chair: “Member D, the rules that we work with are in our Procedure Bylaw. I am here on behalf of the members to ensure that they are enforced consistently and that every member receives the same opportunity to speak. Your views are important and you have the right to be heard, but we must also respect the basic rules that the members agreed to.”

Member D continues to be disruptive.

Chair: “What is the wish of the members? Those who wish to allow Member D to speak as long as he wants are free to raise your hands. Thank you. Those opposed raise your hands. Thank you. Member D, the assembly expresses its wishes formally now. Please respect them. We’ll move on to hear from Member X.”

Dialogue 3 (Democratic alternative)

The clerk shows Member E a set of standards for acceptable criteria for the regulation: “Member E, I agree to participate in this committee process.”

A clinic will be held at the 1999 UBCM Conference on this issue.

McCarthy’s Municipal Law Group offers expertise in all areas relevant to local government, including the municipal, environmental, labour, property tax and litigation specialties. It is supported by the resources of a full-service law firm practicing in B.C. for over thirty years.

UBCM NEWS AUGUST 1999

MORE ENVIRONMENT UPDATE

VANCOUVER ¥ SURREY ¥ CALGARY ¥ LONDON ¥ TORONTO ¥ OTTAWA ¥ MONTRÉAL ¥ QUEBEC CITY ¥ LONDON, ENGLAND

INTERNET http://www.mccarthy.ca

McCarthy Tétrault

BARRISTERS AND SOLICITORS PATENT & TRADE MARK AGENTS

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UBCM NEWS AUGUST 1999

VANCOUVER ¥ SURREY ¥ CALGARY ¥ LONDON ¥ TORONTO ¥ OTTAWA ¥ MONTRÉAL ¥ QUEBEC CITY ¥ LONDON, ENGLAND
ABORIGINAL ISSUES FEATURED IN CONVENTION SESSIONS

Again this year, delegates at the UBCM Convention will have the opportunity to attend a number of sessions dealing with Aboriginal issues. Details on these sessions are found below.

Intergovernmental Relations and Treaty Negotiations: Developing Working Models

This half-day workshop focuses on two key local government interests in treaty negotiations: government and intergovernmental relations.

At the session, a draft report from the Urban Governance Project will be presented. The purpose of the joint project involving UBCM and the ministries of Aboriginal Affairs and Municipal Affairs, is to assist in preparing a framework which identifies key approaches and options for urban treaty negotiations. Participants will have the opportunity to review, critique and contribute to the draft findings, as well as to discuss the applicability of the findings to other areas.

In addition, the session will feature reports from the Sechelt, In-Shukch-n Q’ nxtu and other treaty tables that are making progress on these key issues.

Theresa Dust, Q.C. Solicitor for the City of Saskatoon, has also been invited to speak on her experience concerning the impact of Aboriginal land claims and self-government on Canadian municipalities.

An Afternoon with the Minister of Aboriginal Affairs

Delegates will have the opportunity to meet with the Honourable Dave Lofvik, the newly re-appointed Minister of Aboriginal Affairs. As with all the Cabinet sessions, the Minister will be on hand to speak on current priorities of his Ministry and answer questions from the floor.

In addition, the UBCM Aboriginal Affairs Committee hopes to meet with the Aboriginal Affairs Minister again this year. Among the topics that could be discussed are the joint process between UBCM and the Ministry of Aboriginal Affairs, which was a result of UBCM members’ discussions with Minister Lofvik at last year’s convention. Urban governance, regional Community to Community Forums, Delgamuuk’w implications and consultation on Inlet Measures are issues currently being addressed through the joint process.

Meeting of Treaty Advisory Committee (TAC) Members with Aboriginal Affairs Committee

The Convention week provides a valuable opportunity for the UBCM Aboriginal Affairs Committee to meet with members of TACs from around the province. Once again this will be an early morning session, so the discouraged to attend breakfast! More details will be sent to TACs shortly.

FIRST NATIONS LAND MANAGEMENT ACT RECEIVES ROYAL ASSENT

The FNLC received Royal Assent on June 17, 1999. There are five B.C. First Nations participating in this legislation (Lheidli T’enneh, Musqueam, N’Quatqua, Squamish and Westbank).

UBCM has played an active role in supporting this federal legislative initiative as reported in past issues of the UBCM NEWS. These actions culminated in representations before the Senate Standing Committee on Aboriginal Peoples in Ottawa in May 1999. Partly as a result of these representations, improvements were made to the expropriation provisions in Bill C-49 to the effect that First Nations are required to make a commitment to this federal legislative initiative in order to use the provisions of the FNLM Act. UBCM actions were made to the consultation provisions of the Act. For this purpose, the FNLM Act, at its July meeting, UBCM’s Aboriginal Affairs Committee has suggested that local government negotiators.
Local Government Activities in Treaty Making in the Central Interior by bill seymour, Consultant, Prince George TAC

Prince George has long been known as B.C.’s northern capital. The city is strategically situated to offer access to the Rockies and the Pacific. With connections stretching nation wide, the city has evolved into an important hub for commerce and services. In recent years, Prince George has begun adding another element to its repertoires of services and industries. Long the home to several First Nations and organizations, the city is capitalizing on the growth of aboriginal businesses and indigenous enterprises.

Treaty negotiations and the activities that evolve from it have spurred partial realization of this growth from the complex negotiations of the treaty process. Harnessing these activities into a cohesive force for positive growth remains an ongoing challenge. Making the public aware of this is another challenge. However, several local governments and similar initiatives are helping to bridge the gap.

One successful project for the City of Prince George has been undertaken. The Lheidli T’enneh Nation, the Carrier Sekani Tribal Council, the Ministry of Aboriginal Affairs and the Federal Treaty Negotiation Office. Simply called Treaty Awareness Month, it is the city’s growing role as a centre for treaty negotiations as well as its ongoing role as a meeting place for businesses and industry. It also offers a unifying theme to the varied treaty related activities by which a FN will ensure that adequate consultation is maintained and that adequate provincial representation is maintained throughout the treaty process.

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The FNLMA allows the First Nations involved to operate in a timely manner and to implement land codes. They have also suggested that these local governments may wish to enter into “reciprocal consulta- tion agreements” with neighboring FNs as way of addressing additional consultation needs arising from the new legislation.

What is a Land Code?

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Revamped Provincial Cabinet and Deputy Minister Line-ups

As a result of the July 30th provincial Cabinet shuffle, the following are the new lists of Cabinet Ministers and Deputy Ministers.

Provincial Cabinet Ministers

Hon. Glen Clark
Premier and Minister Responsible for Youth
Hon. Dan Miller
Energy and Mines & Minister Responsible for Northern Development
Deputy Premier
Hon. Dale Leck
Aboriginal Affairs & Minister Responsible for ICBC
Hon. Andrew Pettler
Advanced Education, Training and Technology and Minister of Intergovernmental Relations
Hon. Corky Evans
Agriculture and Food
Hon. Ujjal Dosanjh
Attorney General and Minister Responsible for Multiculturalism, Human Rights and Immigration
Hon. Lois Boone
Children and Families
Hon. Jan Pullinger
Community Development, Cooperatives and Volunteers
Hon. Paul Ramsey
Education
Hon. Michael Farnworth
Employment and Investment

Parliamentary Secretaries

Erda Walsh
Parliamentary Secretary to the Premier
Bill Goodacre
Parliamentary Secretary to the Minister of Aboriginal Affairs
Evelyn Gillespie
Parliamentary Secretary to the Minister of Children & Families
Rick Kasper
Parliamentary Secretary to the Minister of Employment and Investment
Fred Randall
Parliamentary Secretary to the Minister of Energy and Mines
Glenn Robertson
Parliamentary Secretary to the Minister of Forests
Steve Ochertoon
Parliamentary Secretary to the Minister of Social Development and Economic Security
Pietro Calendino
Parliamentary Secretary to the Minister of Small Business, Tourism and Culture
Ed Connolly
Parliamentary Secretary to the Minister of Transportation and Highways

Deputy Ministers

George Fard
Office of the Premier
Philip Steenkamp
Aboriginal Affairs
Gerry Armstrong
Advanced Education, Training and Technology
Catherine Read
Agriculture and Food
Maureen Maloney
Attorney General
Mike Corbeil
Children and Families
Valerie Mitchell
Community Development, Cooperatives and Volunteers
Charles Ungerleider
Education
Charles Kang
Employment and Investment
Jack Ebbels
Energy and Mines and Ministry Responsible for Northern Development
Derek Thompson
Environment, Lands and Parks
Chris Trumper
Finance & Corporate Relations
Bill Valentine
Fisheries
Lee Doney (effective Sept. 4)
Forests
Don Avison
Health
Cynthia Morton (effect. Sept. 7)
Labour
Suzanne Veit
Municipal Affairs
David Kelly
Small Business, Tourism and Culture
Sharon Manson Singer
Social Development and Economic Security
Claire Dansereau
Transportation and Highways
Judgy Cavanagh
Women’s Equality

Second-Hand Tobacco Smoke – Frequently Asked Questions

As part of the implementation strategy of the WCB Regulation on second-hand tobacco smoke, the Implementation Working Group has assembled a number of frequently asked questions (FAQs) and answers regarding this issue. This is a sample of the questions and answers that have been developed that may be of interest to local government:

1. What are the goals of the Memorandum of Understanding (MOU)?

The MOU is a framework of co-operation among the WCB, the Ministry of Health and regional health authorities, and the Union of BC Municipalities to ensure that administrative services are not duplicated, and that where feasible, a single-agency inspects workplaces and BC employers have a level-playing field.

2. Are there any conflicts between the WCB’s regulation and community bylaws?

No. The Board’s concern is with the health and safety of workers. The Board cannot guarantee that the standards to protect workers will also protect the public. As such, it is the responsibility of local government and public health agencies to determine protection for the public. In some communities, local bylaws may prohibit or exceed the WCB’s second-hand smoke regulations. Where this occurs, the stronger regulations or bylaws apply.

3. How will businesses be affected by the standards?

The WCB recognizes the impact its health and safety requirements can have on the workplace, most especially in the reduction of injury and disease to workers. Workers will no longer be exposed to a recognized health hazard that can cause cancers, heart attack and other related diseases.

Studies in other jurisdictions that have implemented second-hand smoke laws, have shown a positive impact on workers’ health and no adverse economic effect from the introduction of smoke-free workplaces. For businesses, this may be reflected in lower absenteeism and higher productivity.

A smoke-free environment also means lower cleaning costs, less damage to fixtures and facilities lower insurance premiums and less risk of fire. Complying with the WCB second-hand smoke standards will also help employers avoid smoking related workers’ compensation claims.

It is anticipated that the complete listing of FAQs will be placed on the WCB website later this fall. If you have any questions regarding the WCB Second-hand tobacco smoke Regulation or the FAQs please contact Barbara Ingamells, Manager, Member Services, UBCM office. As part of the implementation strategy of the WCB Regulation on second-hand tobacco smoke, the Implementation Working Group has assembled a number of frequently asked questions (FAQs) and answers regarding this issue. This is a sample of the questions and answers that have been developed that may be of interest to local government:

VIA THE INTERNET

Survey Plans Online

If time is important to you or you would like to provide your clients with fast and efficient services then this product will be of interest. Since it became available in October 1998 many users have reported they are pleased with the service for the following reasons:

Plans can now be acquired online from any location within BC.

Plans can be conveniently saved and stored electronically.

The cost of acquiring a survey plan is often less than traditional methods of access.

Once acquired plans can be easily transmitted to a client via e-mail.

Multi-page strata plans are priced by the plan rather than page.

Recent user statistics indicate this new service is meeting the needs of many clients across the Province. If you are not a current user and would like to know more about this online product please visit the BC-Online website at the following address:

http://www.bconline.gov.bc.ca
Reforms to the Municipal Pension Plan have been a major focus in recent years. Significant improvements in 1994 under the Pension Statutes Amendment Act (Bill 53) and the formation of a new advisory committee of which UBCM represents municipal employers. Bill 53 also includes provisions regarding the policy into legislation, which introduced a trigger in the statute, requiring changes in the employer statutory contribution rates if the policy is not met. As well, while not directed by Bill 53, the plan simultaneously adopted a “linked” design and the more diversified investment policy strategy which included investment in such asset classes as real estate, government bonds, Canadian and foreign equities and real estate.

Forest Policy Review - Communities Will Have a Voice

The Jobs and Timber Accord Advocate is organizing forest policy workshops in a number of communities around the province this fall. This is part of the provincial government’s review of long term forest policies. The workshops will bring together a cross section of local forestry and community leaders to provide advice to government from a local and regional perspective.

The review, ordered by Forests Minister Zimbalist, and coordinated by Jobs and Timber Advocate Garry Wouters will look at some fundamental issues, including tenure reform, stumpage rates and regulatory systems. The workshops will complement the stakeholder consultation which is taking place at the provincial level. Mr. Wouters has been asked to complete the review by the end of the year and make recommendations to government.

The UBCM’s Communities and Resources Committee chair Steve Thorlakson of Fort St. John, has provided advice on the process and will work with the Jobs and Timber Advocate to make sure local governments, and the communities they represent, have an active voice in adressing the government on forestry reform.

While details are still being worked out, these community workshops will take place in 8 to 10 communities during September and October. Most will be a full day in length and draw on surrounding communities for participation. The goal is to invite a cross section of knowledge, experience and viewpoints which reflect the diversity of each area. Participants will receive an overview of forest policy options and a series of discussion papers on key issues such as tenure reform, how governments make decisions, and value.

During the workshops governments may be asked to provide a summary of their position, the knowledge provided in the nomination documents is true (s. 72).

Member municipalities and regional districts can expect to hear more about this over the coming weeks. Forestry is vital to many communities and plays a role in almost all of them. These workshops provide an opportunity for communities to speak directly to government on issues on these.

Pension Legislation Gets Major Overhaul

The details for the Municipal Pension Plan, set out in Schedule B of the new Public Sector Pension Plans Act, include the current governance structure and authorities for the Municipal Pension Plan. A new 13 person board, six appointed by union members, four appointed by UBCM and a government appointed chair (trustee) is created. They will continue to remain a largely an advisory group with responsibilities for making recommendations for instance on the plan rules and agreements on pension portability. The board will have the power to appoint a full-time manager to look after the administration of the plan, the full-time manager is created.

The services of the Investment Corporation will be those now performed by the Chief Investment Officer (CIO) however he/she will be accountable to a new board. The board of Directors, will be comprised of the Crown appointed member and other non pension clients and(2), chaired by the Deputy Minister of Finance. The Municipal Pension Board will continue to direct the BCIMC as the asset allocation for the Municipal Pension Plan.

The Governor in Council can designate the Board of Directors of a minimum of 8 people that will be established from among the Boards of the four pension plans. Faculty members, among other duties, select the CEO, appoint the auditors to examine the annual report, set the budget and the business plan.

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