This was the third year that the Min-istry of Municipal Affairs and UBCM have co-sponsored a Legisla- tive Symposium. Costs of the symposium are underwritten by the Min-istry with delegates providing their time and travel expenses. Local government was repre-sented by 239 delegates from 117 local govern-ments. It is a partnership approach to developing a new local government legislation. It is an ap-proach that is gaining in-creased interest from UBCM members. Over-all rating for the event was 3.9 on a scale of 5 (where 5 is excellent). This com-pares to an overall 3.8 rat-ing in 1999.

The program was di-vided into two parts. The first afternoon included discussion of proposals for such general amend-ments as the formation of council committees, vesting title to park land, selected provincial ap-proval, improvements districts, selected plan ning and land use rules, mechanisms for obtaining assent, and changing the name of the Act. The next day was de- voted to regional district legislation. Following presentations on each of the four themes, there was small group discussion. Among the trends emerg-ing were:

- continued substantial support for dispute resolu-tion legislation
- extension of broad serv-ice powers to RDs
- eliminating differences in corporate powers between municipalities and RDs
- strong enthusiasm for customized service arrange-ments
- clear preference for three-year terms for municipal di-rectors, although Councils would be free to change their representatives at any time

Based on feedback at the Symposium, work is progressing on drafting legislation. A sub-group of the Regional District Issues Steering Commit-tee composed of UBCM staff and Executive, Mini-stery staff and local gov-ernment staff has been struck to review draft leg-islation.

It is now understood that government would like a shorter spring ses-sion with a more limited number of bills. The UBCM Executive was pleased to hear Minister McGregor advise that Municipal Act Reform is still on track for this ses-sion. While there are some parts of the Act where reform had to be postponed, this 2000 Mu-nicipal Act Reform pack-age will hopefully be seen as substantial completion and shortly thereafter we will have a new “Local Government Act”.

Introducing the New Minister

Cathy McGregor (MLA, Kamloops) was appointed Minister of Municipal Affairs on February 29, 2000. Ms. McGregor served as Minister of Environ-ment, Lands and Parks from January 1997 to July 1999. She was elected to the Legislative As-sembly in 1996. Ms. McGregor holds a bachelor of education from the University of Victoria and is on leave from Simon Fraser University, where she was working on her master’s degree in curriculum and instruction. An elementary school teacher for 19 years, Ms. McGregor has been a primary teacher and a teacher librarian. She also served as an in-service and training facilitator for new curriculum and teaching strategies. For 14 years, Ms. McGregor was active in the BC Teachers Federa-tion, both locally and provincially. She was in-volved in union-management relations and con-tract negotiations.

Ms. McGregor was born and raised in Victoria and moved to Kamloops in 1977. She was a director of the Kamloops Hospice Society and the Kamloops Heritage Society and is a past chair of the B.C. Lottery Corporation.
I am pleased to report that the Executive and Committees are back at full strength (see list of new members below) and have launched into their mandates with great enthusiasm. For instance, forest issues are at the forefront with the Community and Resource Committee; the Gaming Committee has responded to the Meekson Report (p. 5); the Local Government Awareness Committee has finalized its plans (p. 3); Member Services is overseeing joint trustee discussions; and the Aboriginal Affairs Committee active portfolio includes sponsoring a conference on treaty and legal issues. The Convention Committee has struck it’s theme: “Capital Idea”, the Resolutions Committee reviewed changes to the resolution process coming out of the 1999 Convention; the Justice committee is scheduled to meet this month; the new Attorney General, Honourable Andrew Petter; and the Environment Committee hosted a workshop on the streamside directives, (p. 13) and met with the Federal Minister, David Anderson.

Now the provincial budget is down (without resolve to grants in lieu from crown corporations question), the B.C. Rail Task Force will be re-activating on this issue. The Executive has also agreed to establish an Arts & Culture Committee to renew a policy activity UBCM Executive Committee Appointments

### RESOLUTIONS
- Chair Hans Cunningham, Chair
- Director Jim Abram
- Councillor Pat Wallace
- Chair Robert Hobson

### CONVENTION
- Mayor John Ranta, Chair
- Chair Hans Cunningham
- Councillor Susan Ginise
- Mayor Paul Jean
- Councillor David McLean, Victoria City Representative

### EXECUTIVE COMMITTEE (as established in Executive policies)
- Mayor Steve Thorlakson, President
- Director Jim Abram, 1st Vice-President
- Chair Hans Cunningham, 2nd Vice-President
- Councillor Pat Wallace, 3rd Vice-President
- Mayor John Ranta, Past President

### JUSTICE AND PROTECTIVE SERVICES COMMITTEE
- Chair Larry Kennedy, Chair
- Mayor Jon Kingsbury
- Chair Susan Ginise
- Director Roxanna Mandryk
- Mayor Helen Sparkes

### ENVIRONMENT
- Chair Robert Hobson, Chair
- Mayor Jon Kingsbury
- Mayor Barbara Sharp
- Councillor Pat Wallace
- Director Roxanna Mandryk

### 1999/2000 Member Visits

As part of the UBCM work program, staff travel to areas of the province annually and meet with municipal and regional district staff. Topics discussed include: areas of concern with our membership; the Member Services Program, and UBCM policy initiatives.

Each year visits are planned with approximately 25% of the membership outside the lower mainland. For the fall of 1999 and the spring of 2000, 33 visits are planned. Staff have already completed 18 visits to the West Kootenays in the latter part of October.

Member visits in the spring are planned for Greater Victoria, Queen Charlotte, and the Cariboo (in conjunction with MOA).
Provincial Government Reorganizes

Premier Dozanjh unveiled his new Cabinet appointees and Parliamentary Secretaries on February 29th. He followed up with a minor shuffle of Deputy Ministers on March 2nd (see article on Deputy Ministers for more details). Suzanne Vert, Deputy Minister of Municipal Affairs, remains with that Ministry.

The New Cabinet Line-up

Honourable Ujjal Dosanjh Premier
Honourable Joy MacPillai Labour
Gaming
Depot Premier
Honourable Graeme Bowbrick Advanced Education, Training and Technology
and Minister Responsible for Youth
Minister Responsible for BC Transit
Honourable Corky Evans Agriculture, Food and Fisheries and Minister Responsible for Rural Development
Honourable Dale Lovick Aboriginal Affairs
Government House Leader
Honourable Andrew Petter Attorney General and Minister Responsible for Human Rights
Honourable Gretchen Mann Brewin Children and Families
Honourable Jenny Kwan Community Development, Cooperatives and Volunteers
Honourable Penny Priddy Education
Honourable Gordon Wilson Employment and Investment
Honourable Dan Miller Energy and Mines and Minister Responsible for Northern Development
Honourable Joan Sawicki Environment, Lands and Parks
Honourable Paul Ramsey Finance and Corporate Relations
Honourable Jim Doyle Forests
Honourable Mike Farnworth Health and Minister Responsible for Seniors
Honourable Sue Hammad Multiculturalism and Immigration and Minister Responsible for the Public Service
Honourable Cathy McGregor Municipal Affairs
Honourable Ian Waddell Small Business, Tourism and Culture
Honourable Jan Pullinger Social Development and Economic Security
Housing
Honourable Harry Lali Transportation and Highways
Honourable Joan Smallwood Women’s Equality
Parliamentary Secretaries
John Cashore Parliamentary Secretary to the Premier
Steve Orchestra Parliamentary Secretary to the Minister of Advanced Education, Training and Technology
Ed Conway Parliamentary Secretary to the Minister of Agriculture, Food and Fisheries
Evelyn Gillespie Parliamentary Secretary to the Minister for Children and Families
Fred Randall Parliamentary Secretary to the Minister of Energy and Mines
Bill Goodacre Parliamentary Secretary to the Minister of Environment, Lands and Parks
Glen Robertson Parliamentary Secretary to the Minister of Forests
Rick Kasper Parliamentary Secretary to the Minister of Health
Pietro Calendino Parliamentary Secretary to the Minister of Small Business, Tourism, and Culture

Small Deputy Minister Shuffle

The Cabinet changes affect staff in the select Ministries. In the Premier’s Office, Judy Cavanagh becomes deputy minister of government priorities. She is re-placed at the Ministry of Women’s Equality by Hilary McMurray. Philip Halkett has been re-appointed as deputy minister to the premier.

In Treasury Board, Chris Trumper is appointed secretary while remaining deputy minister of finance and corporate relations.

Cynthia Morton becomes deputy minister to the Ministry of Attorney General. Morton was formerly deputy minister of labour.

Tony Penikett is re-appointed deputy minister of negotiations for the Ministry of Finance and Corporate Relations, leaving his deputy minister position with the Crown Corporation Secretariat, which has been integrated into the Finance Ministry. Maureen Nicholls joins the Ministry of Multiculturalism and Immigration as deputy minister and will continue as commissioner of the Public Service Employee Relations Commission.

Local Government Awareness: End of May Deadline for Submissions to UBCM

Our theme this year is: You and Your Community. For those communities that carry out programs to promote local government awareness, a reminder that the deadline for submitting nominations for the annual awards program is May 31, 2000. Kit materials, including nomination forms, were sent to all local governments in February.

We also remind you that we will once again be asking for nominations for the “Best Local Government Internet Web Site”. The criteria for this was included in the kits sent out, and notification was also sent specifically to your information systems coordinators. If your local government has a website, make sure it is proud of, then please tell us about it! We also remind those that have previously made submissions to try again. (the sites change so much every year and deserve a fresh look). The information kit and nomination forms can be found on CivicNet at http://www.civicnet.gov.bc.ca/ubcm/awareness_2000, or call Harriet Permut at UBCM at (604) 270-8226.

New Auditor General named

A replacement for the outgoing auditor general was announced on March 15th. Wayne Streltoff will take over from George Morfitt on May 1st.

Streltoff has 20 years’ experience in public sector accounting, and has served as the provincial auditor of Saskatchewan since 1990.

Liberal MLA Rick Thorpe headed up the committee to find a new auditor general, and paid tribute to the outgoing Morfitt by saying that over the past 12 years, he has consistently provided British Columbia with factual opinions and advice of how government can be more accountable to the citizens of the province.

Sales Tax Recoveries

KPMG Can Help

We have...the largest sales tax practice in Canada; national/international sales tax expertise; up-to-date knowledge in the latest changes in sales tax legislation, administrative practice and planning ideas.

Our team will...
- conduct a sales tax review
- identify sales tax recoveries
- assist in recovering unclaimed amounts
- offer an hourly or contingency fee
- be there if the recoveries are challenged.

Call Mark Worrall (604) 693-3106 at KPMG for help with your sales tax recoveries.

UBCM NEWS MARCH 2000
Around the Province
The City of Richmond has won the prestigious international "Nations in Bloom" competition for medium sized cities (population 50,000 to 300,000), which was held in Hamamatsu, Japan.

The Richmond delegation, which included Mayor Greg Halsey-Brandt, presented the panel of international judges with the significant environmental and beautification programs. I am extremely proud of our tremendous achievement."

UBCM Membership Renewals

Village of Clinton was the first UBCM member to renew its 2000 UBCM membership dues! As at the end of March, 180 members representing village of Clinton was the first UBCM member to renew its 2000 UBCM membership dues! As at the end of March, 180 members representing members District of Sullivan Island and District of Sooke.

ACCESS AWARENESS DAY

The third annual "Access Awareness Day" has been scheduled for June 3, 2000, sponsored by SPARC BC. UBCM encourages all local governments to undertake some initiative in their community that will promote access awareness.

UBCM encourages all local governments to undertake some initiative in their community that will promote access awareness. We need to remember that people with disabilities are still active citizens who rely on community services and have the right to participate in our social and economic life. We must work together to ensure that all people have equal access to services and opportunities. This is not only a matter of rights, but also a matter of fairness and justice.

2000 – 2001 AVICC Executive

<table>
<thead>
<tr>
<th>POSITION</th>
<th>NAME</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>President</td>
<td>Mayor Pearl Myhres</td>
<td>Zeballos</td>
</tr>
<tr>
<td>First Vice President</td>
<td>Director Roxanna Mandyk</td>
<td>Comox-Strathcona RD</td>
</tr>
<tr>
<td>Second Vice President</td>
<td>Councillor Stan Dixon</td>
<td>Sechelt</td>
</tr>
<tr>
<td>Past President</td>
<td>Mayor Frank Leonard</td>
<td>Saanich</td>
</tr>
<tr>
<td>Electoral Area Rep.</td>
<td>Chairperson George Holme</td>
<td>Nanaimo RD</td>
</tr>
<tr>
<td>Directors at Large</td>
<td>Councillor Bea Holland</td>
<td>Victoria</td>
</tr>
<tr>
<td></td>
<td>Councillor Mary Ashley</td>
<td>Campbell River</td>
</tr>
<tr>
<td></td>
<td>Councillor Don Gemmel</td>
<td>Powell River</td>
</tr>
</tbody>
</table>

EXECUTIVE COORDINATOR

Eydie Fraser
Municipal House
545 Superior Street
Victoria, B.C.  V8V 1X4
Telephone: (250) 356-5133/Fax: (250) 356-5119
Email: efraser@ubcm.com

2001 AVICC Annual Meeting in Duncan, March 9 - 11

AVICC BORN

The first resolution considered at the March 10-12 Association of Vancouver Island Municipalities Convention proposed a name change, and after discussion and amendments, the new name is the "Association of Vancouver Island and Coastal Communities" (AVICC). AVICC had a great conference with over 200 delegates and 70 partners attending. Speakers included the Honourable Jim Doyle, Minister of Forests; UBCM President Mayor Steve Thorlakson; the Honourable Cathy McGreggor, Minister of Municipal Affairs; the Honourable Gordon Wilson, Minister of Economic Development; and the Honourable Corky Evans, Minister of Agriculture, Fish and Rural Communities. The Municipal Insurance Association also made a presentation.

UBCM encourages all local governments to undertake some initiative in their community that will promote access awareness. We need to remember that people with disabilities are still active citizens who rely on community services and have the right to participate in our social and economic life. We must work together to ensure that all people have equal access to services and opportunities. This is not only a matter of rights, but also a matter of fairness and justice.

ACCESS AWARENESS DAY

2000 – 2001 AVICC Executive

<table>
<thead>
<tr>
<th>POSITION</th>
<th>NAME</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>President</td>
<td>Mayor Pearl Myhres</td>
<td>Zeballos</td>
</tr>
<tr>
<td>First Vice President</td>
<td>Director Roxanna Mandyk</td>
<td>Comox-Strathcona RD</td>
</tr>
<tr>
<td>Second Vice President</td>
<td>Councillor Stan Dixon</td>
<td>Sechelt</td>
</tr>
<tr>
<td>Past President</td>
<td>Mayor Frank Leonard</td>
<td>Saanich</td>
</tr>
<tr>
<td>Electoral Area Rep.</td>
<td>Chairperson George Holme</td>
<td>Nanaimo RD</td>
</tr>
<tr>
<td>Directors at Large</td>
<td>Councillor Bea Holland</td>
<td>Victoria</td>
</tr>
<tr>
<td></td>
<td>Councillor Mary Ashley</td>
<td>Campbell River</td>
</tr>
<tr>
<td></td>
<td>Councillor Don Gemmel</td>
<td>Powell River</td>
</tr>
</tbody>
</table>

EXECUTIVE COORDINATOR

Eydie Fraser
Municipal House
545 Superior Street
Victoria, B.C.  V8V 1X4
Telephone: (250) 356-5133/Fax: (250) 356-5119
Email: efraser@ubcm.com

2001 AVICC Annual Meeting in Duncan, March 9 - 11

AVICC BORN

The first resolution considered at the March 10-12 Association of Vancouver Island Municipalities Convention proposed a name change, and after discussion and amendments, the new name is the "Association of Vancouver Island and Coastal Communities" (AVICC). AVICC had a great conference with over 200 delegates and 70 partners attending. Speakers included the Honourable Jim Doyle, Minister of Forests; UBCM President Mayor Steve Thorlakson; the Honourable Cathy McGreggor, Minister of Municipal Affairs; the Honourable Gordon Wilson, Minister of Economic Development; and the Honourable Corky Evans, Minister of Agriculture, Fish and Rural Communities. The Municipal Insurance Association also made a presentation.

UBCM encourages all local governments to undertake some initiative in their community that will promote access awareness. We need to remember that people with disabilities are still active citizens who rely on community services and have the right to participate in our social and economic life. We must work together to ensure that all people have equal access to services and opportunities. This is not only a matter of rights, but also a matter of fairness and justice.

ACCESS AWARENESS DAY

The third annual "Access Awareness Day" has been scheduled for June 3, 2000, sponsored by SPARC BC. UBCM encourages all local governments to undertake some initiative in their community that will promote access awareness. We need to remember that people with disabilities are still active citizens who rely on community services and have the right to participate in our social and economic life. We must work together to ensure that all people have equal access to services and opportunities. This is not only a matter of rights, but also a matter of fairness and justice.

UBCM Membership Renewals

Village of Clinton was the first UBCM member to renew its 2000 UBCM membership dues! As at the end of March, 180 members representing 99.7% of dues had renewed their memberships and a full commitment has been given. Dues represent 59% of UBCM revenue (the remainder comes from various forms of sales and other revenue sources) and represent an investment of the members in the value of pursuing collective action among BC local governments.

UBCM welcomes new members District of Bowen Island and District of Sooke.

Lasting Creations

Maureen & Jack Crear

Full Service Law Firm

Serving the Interior of British Columbia

Municipal Law Contacts:

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brian D. Ross</td>
<td>248 Second Avenue, Ashcroft 250-372-5542</td>
</tr>
<tr>
<td>Frank R. Scordo</td>
<td>100 Mile House, Lillooet 250-372-5542</td>
</tr>
</tbody>
</table>

TEL: (604) 531-1421
FAX: (604) 531-8402
TOLL FREE: 1-800-667-1421
Gaming Committee Responds to Meekison

S

since the December issue of UBCM News there have been a few new developments on the Gaming front. On January 12, 2000, the provincial government established a Minister’s Advisory Committee on Gaming. The Committee’s mandate is to provide advice to the Minister on gaming policy and the regulation of gaming in BC. One of the appointees to the Committee was UBCM Gaming Committee Chair, Councillor Mel Kositsky (Langley Township). On February 1st, Advisory Committee members received a briefing from Dr. Peter Meekison on his report to the Minister on gaming facility relocations. Following the meeting, the Minister released Dr. Meekison’s report for public comment. The UBCM Gaming Committee has had an opportunity to review the report and are pleased to confirm that the recommendations proposed are in keeping with the Municipal Officers Association’s position signed between the province and UBCM last June. While supportive in principle of the recommendations proposed, the Gaming Committee is seeking clarification on a number of the recommendations.

One of the key recommendations proposed by Meekison is the establishment of a Gaming Control Commission which will be supported by UBCM membership. Meekison proposes that this new Commission be an independent body that would “receive, review and decide on relocation requests; to approve changes to existing facilities such as increases/decreases in the number of table games or slot machines and to resolve disputes and other matters as assigned by the Minister.” The Commission would have other responsibilities including: • the ability to conduct independent research, joint research or to sponsor research in the area of gaming; • work with local government when requests for changes to existing operations or requests for relocations come forward; and • assume responsibility for applications to relocate existing race tracks.

New Gaming Minister Appointed

As a result of the Cabinet re-organization on February 28th, the new Labour Minister, the Honourable Joy MacPhail, has also received responsibility for the gaming portfolio. The Gaming Committee has congratulated the Minister on her appointment and officially conveyed UBCM’s position on the Meekison report. The Minister announced that the Advisory Committee meeting that was scheduled for March 24th would be cancelled. It was noted in the memo that the Minister is currently considering the future role and mandate of this committee and no meetings are to be scheduled until the Minister has concluded her deliberations.

With respect to gaming legislation, it is not known if it will be pursued by the provincial government in this spring session. If Meekison’s report is accepted, he has recommended a bridging policy in the event that legislation is delayed. Meekison requests that the Lieutenant Governor in Council establish the proposed Gaming Control Commission by regulation and transfer responsibility for approving re-location of existing facilities or changes to existing facilities from both the Lottery Corporation and the Gaming Commission to the Gaming Control Commission. UBCM will keep members apprised as the issue continues to unfold.

Forests Focal Point of Discussions

BC forests continue to be a major focus for the Communities and Resources Committee. Two specific forestry issues have consumed the attention of Committee Chair Mayor Corinne Lonsdale and UBCM President Mayor Steve Thorkelson: long term forest policy and a request to UBCM for the establishment of a coastal forestry sub-committee.

In regard to the first matter, UBCM prepared a submission to Garry Wouters and Timber Advocate last December highlighting the key policies local governments have supported regarding forest policy. In follow-up to that, UBCM Committee Chair Lonsdale and UBCM President Thorkelson have met and discussed a number of times with Wouters both separately and as part of the broader coalition of organizations that was established to provide input to Wouters’ report. This coalition of organizations includes COFI, BC Business Council, BC Chamber of Commerce, various forest industry organizations and UBCM. After several briefings with Wouters, the Coalition indicated that it had concerns about some of the recommendations that may be forthcoming in Wouters’ report. Coalition members, while representative of different interests, all found Wouters’ report to be deficient in three fundamental areas: lack of vision for the forest industry, no commitment to growing the AAC, and no plan for ensuring that there is a secure working forest established. As Wouters report has not yet been publicly released at the time of printing, the position taken by Coalition members is based on the final briefing that was received on the report.

The second forestry matter pertains to a request received from five Mayors and one Chair to establish a Sub-Committee of the Communities and Resources Committee on Coastal Forestry. The request was brought forward as a result of concerns upon learning that private discussions between six forest companies and environmental groups were underway to try and reach some form of standstill agreement on logging activities in select areas. The request was referred to the Minister for funding, as the UBCM position on the Federal Budget was favourable although local government will have to wait longer for the funding UBCM had hoped would be here this year. Over the next 6 years the federal government has committed $2.6 billion for infrastructure – starting with $100 million this year, increasing to $350 million next year and

A Century of Solutions

Bull, Houser & Tupper is proud to serve local government in all major areas of law.

Municipal • Labour • Environmental Construction Contracts/Litigation Aboriginal • Land Development Law

Please contact any of the following members of our Public & Administrative practice group:
Brian Taylor 641-4856 bet@bht.com
Sandra Carter 641-4917 sc@bht.com
Daniel Bennett 641-4882 db@bht.com
James Goudie 641-4934 jg@bht.com
John Haythome 641-4898 jh@bht.com

BULL, HOUSER & TUPPER

3000 ROYAL CENTRE - 1005 WEST GEORGE STREET - VICTORIA - BC - CANADA - V8Z 3R3
TEL: (604) 687-6757 FAX: (604) 681-4949
WWW.BHT.COM

DAYTON & KNIGHT LTD. Consulting Engineers

---

Zemrau & Associates Consultants Inc. Certified Management Consultants

Experienced Municipal Consultants Organizational & Operational Reviews Fleet Management Reviews Performance Improvement

Ph: (604) 536-6200 Fax: (604) 536-6204

---

POLICY SHORTS

• Provincial Budget – UBCM began faxing its provincial budget analysis to all members within hours of its tabling. The main impact on local government is a reduction overall of approximately $3.6 million in transfers – mainly to those municipalities that received “transition” grants in 1999.

UBCM was disappointed that the budget did not address the outstanding issue of a provincial policy on grants in lieu for crown corporations. They intend to pursue an increase in traffic fine revenue sharing – the sole source of transfers for larger municipalities. Support for small communities continued, as did the commitment for support of another $50 million allocation of infrastructure.

• Federal Infrastructure – Meanwhile news on the federal budget was favourable although local government will have to wait longer for the funding UBCM had hoped would be here this year. Over the next 6 years the federal government has committed $2.6 billion for infrastructure – starting with $100 million this year, increasing to $350 million next year and

---

Continued on page 7

Continued on page 20
Newly Elected Officials Seminars a Success

The 2000 series of five seminars for newly elected officials set a record for attendance. The NEO seminars attracted 510 elected officials up from 411 in 1997.
The NEO seminars are organized by UBCM staff, with the help of presenters from local government administration, municipal lawyers and consultants. UBCM Executive and other elected officials offer insight and mentorship from an elected viewpoint.

We appreciate the comments received and will continue to modify and improve the material and presentations. Some of the comments reviewed were:

- an excellent session for new councillors – very good speakers.
- professional, concise, very well planned. Very informative.
- thanks for the opportunity to acquire new skills and meet other councillors with similar objectives.
- a bit rushed but very worthwhile and well done. Good speakers.
- Great material not enough time to absorb.

Mentors

Nanaimo
Director Jim Abram
Mayor Gillian Trumper
Mayor Paul Myhres
Director George Holme
Councillor Stan Dixon

Richmond – large urban
Director Jim Abram
Councillor Lyanne Kennedy
Mayor Greg Halsey Brandt
Mayor Corrine Lonsdale
Mayor Helen Sparkes
Director Aaron Dinwoodie

Richmond – electoral areas
Director Jim Abram
Director Aaron Dinwoodie
Director Roxanna Mandryk
Mayor Kevin Taylor
Director George Holme
Chair Susan Ginse

Penticton – OMMA and AKBM
Chair Robert Hobson
Chair Hans Cunningham
Mayor Steve Wallace
Director Aaron Dinwoodie
Mayor Don Cameron
Mayor Gary Exner
Mayor Linda Larson

Richmond – small communities
Mayor John Ranta
Mayor Corrine Lonsdale
Mayor Marlene Grimnell
Mayor Ralph Drew
Director Aaron Dinwoodie
Mayor Brian Northrop

First Vice President Jim Abram was one of the “mentors” that hosted discussions with small groups to draw on the ideas of experienced elected officials. Thanks to the “mentors” that participated:

Harry Harker, Director of Development Services, Comox Strathcona Regional District was one of the many who generously contributed to seminars. Presenters included municipal lawyers, administrators, finance officers, media relations, elected officials and experts on group decision making.

The UBCM Players in Performance – skits on meeting procedures, budgeting and public hearing, with newly elected attendees themselves as the actors prove an effective way of delivering the message.

The seminars were updated and modified from previous years responding to member suggestions and the ever changing political climate. The ratings for the seminars ranged from 4.3 to 4.7 with 4 being good and 5 excellent.

Group exercises are also another feature of the seminars.

McCarthy Tétrault

4 C x 5”
(repeat Dec 99)
City of Nanaimo v. Rascal Trucking Ltd.

Supreme Court of Canada No. 26786

Courts told they are to defer to and respect adjudicative decisions made by local elected officials

INTRODUCTION

On March 2, 2000, the Supreme Court of Canada handed down Reasons for Judgment in City of Nanaimo v. Rascal Trucking Ltd., allowing the City’s appeal and reinstating its Orders under Section 727 of the Municipal Act declaring a large pile of topsoil to be a nuisance which had to be removed.

The City had appealed from a decision of the B.C. Court of Appeal declaring that the City did not have authority to order Rascal to remove the large pile of topsoil from its property pursuant to Section 936 (now Section 727) of the Municipal Act. Section 936(1) at the time stated:

“A Council may declare a building, structure or erection of any kind, or a drain, ditch, water course, pond, surface of water or other matter or thing in or upon land or a highway, or in or about a building or structure, a nuisance, and may direct and order that it be removed, pulled down, filled up or otherwise dealt with by the owner … as the Council may determine and within the time after service of the Order that may be named in it.”

FACTS

The background facts to the appeal are as follows. The City of Nanaimo had received several complaints about dust, noise and unsafe conditions arising from Rascal’s commercial topsoil operations located next to a residential community. The pile of topsoil was said to “tower” over the back yards and homes of the residential neighbourhood.

After holding two public hearings, the municipality passed resolutions pursuant to Section 936 on July 3rd and August 19, 1996 declaring the pile of topsoil to be a nuisance and requiring the land owner and the tenant, Rascal Trucking, to remove it. When Rascal Trucking failed to comply, it applied for a Court Order authorizing it to enter the property and to remove the topsoil.

Two B.C. Supreme Court hearings were held. The first was a preliminary jurisdictional issue where the B.C. Supreme Court held that the City had the jurisdiction under Section 936 to declare that a pile of topsoil was a nuisance. A second B.C. Supreme Court hearing was held where the Court declared the topsoil to be a nuisance and ordered it to be removed.

Rascal appealed to the Court of Appeal which held that Section 936 did only grant municipal Councils the authority to declare “constructed things” and “water courses” to be nuisances but not a pile of topsoil. The Court of Appeal declared the two City resolutions to be unlawful and set aside the two B.C. Supreme Court judgments which had upheld the City’s actions.

The City appealed to the Supreme Court of Canada which on March 2, 2000 allowed the City’s appeal and reinstated the judgments of the B.C. Supreme Court and the two resolutions by the City of Nanaimo.

The Supreme Court of Canada made two important rulings in this decision.

JURISDICTION

First, local government cannot act outside its jurisdiction. It must be correct as to the extent of its jurisdiction before it acts or a Court can set aside the decision. However, the Supreme Court of Canada gave clear directions to Judges of all Courts that the extent of local government jurisdiction is to be determined by giving the words of the statute a broad and benevolent interpretation, not only of powers that are expressly set out in the Act, but to also imply additional powers if it is fair and reasonable to do so.

Applying those principles in this case the Supreme Court of Canada held that Section 936 did authorize the City to declare the pile of topsoil to be a nuisance and order its removal. It held that the phrase “or other matter or thing” in Section 936 extends the two classes of nuisances outlined in the Section, namely constructed things and water courses. It went on to hold that the pile of topsoil also fell within the phrase “building, structure or erection of any kind” since the pile of topsoil did not materialize on its own but had to be erected by piling or dumping. Accordingly, the City of Nanaimo had the authority and jurisdiction to make the declarations and orders which it did.

STANDARD OF REVIEW

Secondly, and from a broader perspective, the Court dealt with the issue of the relationship between the Courts and a local elected Council sitting in an adjudicative function as opposed to a...
WoodWorks!  Thank You
full-page ad
new - Quark file emailed
to Broadway 2000-03-30
Four BC communities win $20,000 awards for Wood Use

Four BC Communities Received Awards Worth $20,000 Each as an Incentive to Optimize the Cost-effective Use of Wood in a Community Building Project. John Brink, Forest Renewal BC board member, made the presentations to Courtenay, Dog River First Nation, Fort St. John, and Port Alberni, at the Canadian Wood Council (CWC) Wood Solutions Fair in Vancouver on April 4th. The winning projects include an arena, a library, an airport terminal and a community complex.

The BC Wood WORKS! Initiative launched the ‘BC Communities Build with Wood Awards’ program at the 11th session of BC Municipalities convention in September 1999. Convention delegates adopted a ‘Build with Wood Resolution’ which invites all BC communities to always consider a wood option when building civic facilities. The awards program supports this resolution by helping communities come up with cost-effective wood designs for community building projects.

Forest Renewal BC is the major sponsor of the awards program, in partnership with the CWC, the BC forest industry and the Industrial, Wood and Allied Workers of Canada (IWA).

“Congratulations to the BC communities who submitted projects for taking the time and making the effort to do something very important for our economy and our environment — contributing to the creation of a wood culture in BC,” said John Brink, speaking on behalf of Forest Renewal BC.

Nearly 90 BC communities participated in the program, including municipalities, regional districts and aboriginal communities. Each award consists of $15,000 in cash and $5,000 in technical assistance from the CWC. The district of Lake Country received an Early Bird Award in December, to apply to the design of a $3 million Civic Centre.

“Over the past few months, several communities made us aware of nearly $100 million worth of projects to occur over the next three years — all with the potential to use wood,” said Jim Engleson of Canadian Forest Products and Chair of the Wood WORKS! BC Provincial Steering Committee. “By encouraging the efforts of architects and engineers to build with wood, we are stimulating diversification of the wood industry into the vast untapped market of commercial construction.”

Recent changes in the National Building Code removed many of the barriers against wood and greatly expanded the possibilities of wood use in commercial applications,” said Catherine Lalonde, CWC President. “The BC Communities Build with Wood Awards help us connect architects, engineers and community leaders to increase awareness and demonstrate what wood can do.”

Winners of the ’BC Communities Build with Wood Awards’ were chosen by the BC Wood WORKS! Provincial Committee that includes representatives from the fields of architecture, engineering, education, industry and labour. The awards program is one of many activities launched by Wood WORKS! a national awareness program spearheaded by the Canadian Wood Council to increase the use of Canadian wood products in commercial construction.

CONTACT: Roseline Ferré, BC Wood WORKS! Project Manager (Tel.: 250-562-0357) or visit our website at www.wood-works.org.

Nanaimo vs. Rascal

Continued from page 7

policy making or legislating role. The Court held that the Courts can review local government decisions to determine whether or not the local government has the jurisdiction or authority to make a decision. The Court held that the City of Nanaimo was correct in construing Section 936 as extending its jurisdiction to issue resolutions declaring Rascal’s rule of topsoil to be a nuisance in ordering its removal.

The Court went on to state that once it has been determined that local government has the jurisdiction to make a decision, the Court should review any such decision with a deferential standard and only intervene if the municipal government has been patently unreasonable.

The Court stated: “Municipal councilors are elected by the constituents they represent and as such are more conversant with the exigencies of their community than are the Courts. The fact that municipal councilors are elected representatives of their community and accountable to their constituents, irrelevant in scrutinizing general policy making or legislative decisions. The reality that municipalities often balance complex and divergent interests in arriving at decisions in the public interest is of similar importance. In short, these considerations warrant that intra vires decisions be reviewed upon a deferential standard.”

The Court specifically approved of the following two statements which had been argued by the City of Nanaimo: “A bylaw is not unreasonable merely because particular judges may think that it goes further than is prudent or necessary or convenient, or because it is not accompanied by a qualification or an exception which some judges may think ought to be there. Surely it is too much to say that in matters which directly and mainly concern the people of the county, who have the right to choose those whom they think best fitted to represent them in their local government bodies, such representatives might be induced to understand their own requirements better than judges.”

“Recent commentary asserts an emerging consensus that Courts must respect the responsibility of elected municipal bodies to serve the people who elected them and exercise caution to avoid substituting their views of what is best for the citizens for those of municipal officials. Barring clear demonstration that a municipal decision was beyond its powers, Courts should not intervene. In cases where powers are not expressly conferred but may be implied, Courts must be prepared to adopt the ‘benevolent construction’ which this Court referred to in Greenbaum, and confer the powers by reasonable implication. Whatever rules of construction are applied, they must not be used to usurp the legitimate role of municipal bodies as community representatives.”

CONCLUSION

This decision is of importance for all local government. It sends a clear message from the Supreme Court of Canada to all Courts which are called upon to review the decisions of local government that they should interpret a grant of authority benevolently and not strictly and to respect adjudicative decisions made by local elected officials. The Courts should not be in the second-guessing these decisions made by elected officials within their jurisdiction unless it holds that the decision is patently unreasonable. This higher standard of review or threshold test and, when combined with 1998 Bill 31 amendment which added Part 3 to the Municipal Act, should help preserve many local government decisions from being overturned by the Courts.

This should prove to be very useful not only with Section 727 declarations, but with any local government decision involving a “judicial type” hearing; since those decisions dealing with unyielding, private business license hearings and on any appeals to Council from a decision made by staff under a power delegated to staff under 1999 Bill 31 amendments where the Municipal Act gives the applicant a right to appeal to Council. The principles in this case should also apply to other types of decision making processes which are not necessarily judicial in nature, such as the issuance of development permits, development variance permits, and adjudicating a rezoning application.

Finally, the Court’s more benevolent approach to statutory interpretation should be applicable in the interpretation of any grant of authority to a local government.

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 well 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

MURDY & MCMALLISTER

BARRISTERS & SOLICITORS

31st Floor, Four Bentall Centre, 1055 Dunsmuir Street P.O. Box 49059 Vancouver, B.C. V7X 1C4 Fax: (604) 689-9029 Tel: (604) 689-5263

Since 1980 our firm has restricted its practice to acting for local government and providing advice concerning municipal law to other clients.
Community Forestry: Is it Right for Your Community?
by Sheri Walsh, RPF, and Jennifer Gunter

For over a decade, communities in BC have been asking for the opportunity to manage the forests that surround them. Many of these communities are struggling with depressed economies and are dissatisfied with nearby industrial forestry operations. Responding to these calls, in 1997 the BC government began the Community Forest Pilot Project. The response to this initiative was overwhelming, with 81 communities expressing their interest in community forest management. Of these, 27 prepared proposals and 7 were selected to serve as community forest pilot projects.

Benefits of community forestry

At its core, community forestry is about local control over and use of benefits from local forest resources. The potential benefits are numerous, and may include the creation of local jobs, direct community involvement in resource use decision-making, more ecologically sensitive forestry, a greater diversity of products from the forest, and preservation of cultural, spiritual, medicinal, recreational, and aesthetic values.

Challenges of community forestry

Community forestry may not be for everyone. To be successful, a community must first determine whether it has the capacity to manage a forest tenure. There must be an energetic leader or core group of committed individuals who are motivated, and together have the necessary knowledge, skills, and support from the community to make community forestry happen. There must be reliable and current forest inventory and ecological information available. Finally, the leadership of the initiative must be able to conduct sound business planning to ensure that their vision of a community forest is economically viable.

Once a tenure is awarded, there are several hurdles to overcome. The enterprise must raise the capital necessary for planning and operational startup. Most community forests involve huge numbers of volunteer hours, and so there may be a need for education and training to ensure informed and active participation. In addition, many community forests operate in contentious areas with very high water, visual and recreational values. The increased planning, public consultation, field assessment, and sophisticated silvicultural and harvest systems required to operate in such areas can increase costs substantially.

Types of community forest tenure

Until recently, only a few examples of community forestry existed in BC, including those in Mission, North Cowichan, Revelstoke, Kaslo and Creston. These communities, with the exception of North Cowichan, held area-based Tree Farm Licenses (TFLs) or volume-based Forest Licenses (FLs). These tenures were designed for industrial activities and therefore contained conditions that are inappropriate for many community forests, possibly hindering the achievement of their long-term goals.

The legislation to permit a new community forest tenure was passed in 1998. The new tenure, being tested in the seven Community Forest Pilot Agreements, is area-based, and once the initial five year pilot period has passed successfully, very long-term in duration (25 to 99 years). Unlike TFLs and FLs, this tenure was specifically designed for communities.

Community forest tenure options

All of the Community Forest Pilot Agreements are in place – currently, there are no plans to offer more. Unless and until the Minister of Forests decides to reappropriate some of the allowable annual cut from existing licensees, opportunities for additional community to obtain tenure will be few and far between. However, communities interested in obtaining tenure should keep in contact with the local office of the Ministry of Forests to identify when opportunities arise. Before applying for any kind of community tenure the community should assess their own capacity for managing a forest, and understand what their goals are, what their obligations are, and what is required for the operation to be economically viable.

Where to get more information

Information about the Community Forest Pilot Project is available on the MOF website (www.for.gov.bc.ca/CFPP). All community forestry actions, including those in Mission, North Cowichan, Revelstoke, Kaslo and Creston, are detailed on these pages. Information about the Kootenay Conference on Forest Alternatives (www.kcfa.bc.ca/index.htm) is also available. These websites also provide links to other useful sites.

Staples McDannold Stewart ...

We provide a full range of legal services and administrative advice to local governments in British Columbia. Visit our website for more information about our firm and lawyers and for recent issues of our newsletters, client bulletins and other news items.

Partners
Lorena Staples, Q.C.
Guy McDannold
Colin Stewart

Associates
Robert Macquisten
Kathryn Stuart
Andrea Brace
Bruce Jordan
Troy DeSouza

2nd Floor, 837 Burdett Avenue, Victoria, BC V8W 1B3
Phone. (250) 380-7744; Fax: (250) 380-3008
E-mail: l Staples@sms.bc.ca

Staples McDannold Stewart
Barristers & Solicitors

Fisheries Sub-Committee Reconstituted

As a result of the vacancies left by Jack Mussalem of Prince Rupert and Bill Irving of Ucluelet the Fisheries Sub-Committee has been reconstituted. Sub-Committee members are:
- Mayor Gillian Trumper, Chair, Port Alberni
- Mayor Jim Lorrie, Campbell River
- Mayor Gilbert Popovich, Alert Bay
- Chair Graem Wells, Central Coast RD
- Mayor Don Scott, Prince Rupert
- Mayor Dianne St. Jacques, Ucluelet

Also in fishery news, the UBCM’s two nominations to the Aquaculture Implementation Advisory Committee have been confirmed by the Minister. Mayor Gllian Trumper and Director Jim Abram will serve as the UBCM representatives with Director Roxanna Mandryk and Mayor Dianne St. Jacques serving as alternates. Committee members will be providing advice to the province on the following topics:
- implementation policies and procedures such as setting priorities for resettlement
- planning activities to identify potential new sites for facilities and processing sites
- compliance and enforcement strategies.
BYLAW COURTS

UBCM has recently completed a survey on local government support for bylaw courts.

The majority of local governments indicated that they generally supported the expansion of bylaw courts around the province.

The type of Bylaw Court preferred was the model currently being used in Kamloops, Kelowna and Prince George. Under this model the powers of the Justice of the Peace are expanded to include all municipal bylaw matters.

The general support for the expansion of bylaw courts appeared to be contingent on the new process reducing the cost and reducing the time for dealing with bylaw issues. Local governments are concerned that the province not download the responsibility and costs of a bylaw court process on to them. They would like to see the process stay within the province system and the province continue to pay for the costs of the Justice of the Peace.

The criteria for establishing a bylaw court – Victoria area, Nanaimo area, Fraser Valley, North Shore in the lower mainland and possibly the Northeast sector in the lower mainland.

The survey indicates that the current process for dealing with bylaw enforcement matters does not serve local government very well. The existing system takes too long and is too expensive to the point that in some cases local governments have stopped using it. The average time for dealing with bylaw issues through the provincial court appeared to be 6 to 12 months, at a cost of approximately $2,000 per case. There appears to be a general frustration by local government over the current system.

The comments suggested that there is a lack of respect for the enforcement of local bylaws by provincial court judges.

The UBCM will be pursuing the expansion of bylaw courts with the new Attorney General.

Liquor Policy Changes

The Liquor Control and Licensing Branch is continuing to undertake changes to provincial liquor policy. The Branch is currently looking at changes in regulations for glassware, the use of beverage carts on golf courses, new rules around the sale of cheap drinks, the expansion of off-sales to include wine, the elimination of the 14 hour rule - which meant that licensed establishments could only operate for a maximum of fourteen hours a day.

The Branch is hoping in the first stage to take a package of changes to cabinet by late spring involving new rules for straight drinking seats in dining establishments, a process to allow existing licensed establishments to expand their patron capacity, and new enforcement rules (dedicated hearing process, new warning procedures and targeting problem establishments). In the second stage of liquor policy changes the Branch intends to introduce a new licensing process that will reduce the number of licenses from eight to two and an expansion of compliance and enforcement regulations.

Compliance and enforcement of liquor policy regulations is a growing problem for local governments. There has been no indication from the provincial government that they intend to expand the number of enforcement officers to ensure that provincial liquor policy regulations are being followed. If the number of drinking seats is expanded without increased enforcement this will mean that local government may be faced with increased costs of policing these establishments.

RCMP POLICING

The federal government in its recent budget has provided $550 million in new funding to the RCMP so that it will be able to meet its contractual requirements to provide policing services across Canada. The RCMP training depot is expected to train between 1200 and 2000 new recruits in 2000.

It anticipated that 134 new cadets from the RCMP training depot will be sent to British Columbia by April 1, 2000.

The Ministry of Attorney General has allocated additional money in the provincial budget to fill the 150 vacancies in the provincial force.

It is anticipated that the RCMP will be fully up to strength by spring 2001.

Organized Crime Agency

Veteran RCMP Officer David Douglas has been named the new chief of the Organized Crime Agency.

The Organized Crime Agency is intended to replace CLEU (Coordinated Law Enforcement Unit), and was created to address organized crime and drug issues across the province. The agency has been involved in joint operations with local police forces to shut down marijuana grow operations run by a Vietnamese crime group in the Lower Mainland and is involved in long-term investigations on gambling and pornography on the Internet.

Staffing for the new agency is expected to come from the secondment of police officers from local detachments across the province.

Funding for the new agency is expected to come from a number of different sources – including the federal and provincial government and sharing of revenue from the proceeds of crime.

The agency is expected to establish partnerships with local governments that benefit from the services provided and it is anticipated that municipalities will be asked to contribute funding to the new agency. The City of Vancouver has agreed to provide some seed money to the new agency on the understanding that other local governments will also provide funding in the future.

BC Assessment

Survey Plans Online

VIA THE INTERNET

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
Beverage Container Recycling Fees:  
an update on Environment Committee activities

The introduction of a Recycling Fee took UBCM by surprise, and raised some immediate concerns about the impact and relationship to the existing deposit-return system. The Committee has been pursuing the issue as a priority matter.

Background – The Existing System

The beverage container system was expanded on October 1, 1998 to include juice, mineral water, wine, liquor and other ‘designer beverages’. The provincial government approved three beverage container stewardship programs – Encorp Pacific, Liquor Distribution Branch and the beer industry. All of these stewardship programs were based on the use of deposit refund fees to pay for the costs of the program. The deposit refund fees were lowered for non-alcoholic beverages at the specific request of the non-alcoholic segment of the beverage industry, based on the needs of the industry as outlined in its stewardship plan. The intent was to simplify the process to make it easier for the consumer to understand and to reduce the costs to small business.

Under the deposit-refund system the brandowner is responsible for the life cycle of its product and on the shelf (including the “exit from box” or as Encorp now describes it, the de-regulation of the fee and re- introducing the fee with little or no notice and no consultation, with the UBCM, the Ministry of Environment, Lands and Parks or the Beverage Container Management Board). The industry has not requested a change in its stewardship plan which provided the basis for setting the origi nal deposit-refund rates. The Committee was initially concerned that no financial justification had been provided by industry for the fee increase, we understand now that this information has been provided to the Ministry of Environment, Lands and Parks.

The Committee was advised that consumers were confused about what the container recycling fee was for and who was responsible for introducing it. The introduction of the container recycling fee will make the system much more difficult for the consumer to understand, particularly as the fee may vary from 1¢ a container to 7¢ a container depending on the size and type of container (aluminum, plastic, glass, etc.) and will make it more difficult for the consumer to track the price of the product (due to the different fee at the cash register and on the shelf). The decision as to whether or not to apply the container recycling fee will vary as individual brandowners and retail stores may choose to recover these costs in a different manner. The Committee was also concerned about what the future impact of the container recycling fee might be, as the consumer does not distinguish between the recycling programs being offered. One concern is that the consumer might become frustrated by the fee and reduce the support for the deposit-refund system which has been very successful to date. A second concern is that the added fee would erode consumer support for other recycling Programs operated by local government and the province.

The Environment Committee recommended and the Executive approved three actions at that time. The UBCM indicated that it did not support the introduction of a container recycling fee and requested that the province take action on this issue. Furthermore, it suggested that in the future environmental fees be introduced in a transparent fashion and that the deposit refund system be used.

Committee Meets Ministry

The Committee had hoped to meet with Environment Minister Joan Sawicki but was unable to do so. However, Committee Chair Robert Hobson met with Assistant Deputy Minister Don Fast and the Minister’s Ministerial Assistant to determine the provincial position. The response was basically that the fee is still collecting information and reviewing the issues around introduction of the fee.

Committee Meets With Encorp

Committee members Robert Hobson, Barbara Sharp, Roxana Mandryk and Pat Wallace met with Encorp representatives. They explained UBCM concerns regarding the container recycling fee and the lack of consultation, the lack of accountability in the process and the impact on the environment in local communities.

The Committee discussed some other issues related to the beverage container recycling program including the “exit from retail” or as Encorp now describes it, the de-regulation of return to retail.

The Workers’ Compensation Board will hold public hearings on second-hand smoke health and safety standards as a result of a BC Supreme Court ruling on March 22, 2000. In a decision by the Board’s Panel of Administrators, public hearings will be held as soon as possible in locations and on dates to be determined. The court’s judgment is clear and we respect the decision,” said Don Cott, Chair of the Board’s governing body. “While the consultation process moves forward, we will work with stakeholders to ensure workers in public workplaces are protected to the full extent of the remaining sections of the second-hand smoke standards.”

As of April 15, 1998, the vast majority of BC workplaces became smoke-free, controlling workers’ exposure to second-hand smoke through various options — restricting smoking to designated areas where workers are not required to go, or prohibiting. A partial exemption was provided to bars, restaurants, casinos, bingo halls, sporting arenas and some other workplaces until January 1, 2000. The court’s decision effectively cancels the January “sun-set clause” leaving the partial exemption in place for all public entertainment workplaces.

“The existing standards continue to provide some protection for these workers,” said Cott. ‘Employers must still minimize workers’ exposure to second-hand smoke through all reasonable and practicable controls, including administrative and engineering controls.”

“The Board will ensure workers and employers know their rights and obligations under the second-hand smoke standards as they now stand,” said WCB Prevention Vice-President Roberta Ellis. “This will involve meeting with stakeholders on guidelines to address the existing standards, information on the WCB website and advertising.”

The WCB toll-free information line (1-800-318-7390) continues to cooperate and receive complaints from workers and other parties about workers’ exposure to second-hand smoke. “Our goal is to educate,” said Ellis. “The information line will provide a valuable source of information to employers and workers alike on the need to protect workers from this hazard.”

Notices on the locations and dates of public hearings, the procedures to be followed and the process for making submissions will be published in local newspapers across the province and on the WCB’s website well in advance of the hearings. Serving 1.8 million workers and about 165,000 employers, the Workers’ Compensation Board is a provincial statutory agency governed by a five-member Board of Directors. The WCB is dedicated to a safe and healthy workplace and to providing return-to-work rehabilitation and fair compensation to workers injured at work and workers suffering occupational disease as a result of their employment.
Environment

LOCAL GOVERNMENT SUPPORTS PROTECTION OF FISH HABITAT

A workshop on a draft Streamside Protection Regulation was held on February 2, 2000 to provide local government with an opportunity to review the proposed regulation and how it was to be implemented.

A summary of local government reaction to the draft regulation at the workshop is outlined below:

- Agree with the concept of streamside protection;
- Generally agree with the scientific and biological approach;
- Generally agreed with the process that the three levels of government should work together to solve the problem – perhaps through an MOU process;
- Model for a partnership is not established under the regulation – the federal and provincial government appear to re-tain the final decision making authority for development proposals and no autonomy is provided to local government;

- Downloading – local government takes on responsibility for protecting fish habitat, cost of studies and staff resources as the federal and provincial government provided no long term commitment of financial and staffing resources;

- Public education programs to protect fish habitat is needed to ensure buy in;

- Strategic approach is required for implementation – focus on streams most at risk, MOU process to develop partnership and to coordinate financial and staffing resources.

The UBCM has requested that the provincial government take no action on this regulation until local government concerns are addressed. The UBCM has recommended that the following three part framework be considered in re-drafting the Streamside Protection Regulation:

- Performance based approach – comprehensive watershed approach, site specific assessment approach or biophysical approach;
- Voluntary process – which would allow the local government to select the priority areas for protection, and to determine the type of streamside protection that the community might undertake (watershed, master drainage plan, stream basis etc.);
- Local government would undertake these measures and in accordance with an MOU which established a workable relationship between the three levels of government.

The UBCM is continuing to have discussions with the provincial government on the development of a streamside protection regulation and there will be further consultation with local government on this issue before any final decisions are made.

Overall local government supports the need to protect fish habitat. Local governments in the Lower Mainland and on Vancouver Island are already undertaking stream sampling and inventory programs needed to protect critical fish habitat and a number of other initiatives have also been implemented by local governments to protect fish.

There is, however, a reluctance on the part of local government to take on added responsibilities without the clear and ongoing support of the federal and provincial government – both in terms of technical and financial resources. A new process to protect fish habitat is needed and local government is willing to work with the federal and provincial government to achieve this, provided the new process is more efficient and effective than what we have at the present time.

The Forest Alliance is a citizens coalition with 10,000 community members working to provide a balance between ecological, environmental and social needs of our forests, for today and tomorrow.

Join us today by calling 1-800-567-TREE or visit our website www.foresalliance.org

You’ll be adding your community’s voice to the thousands of British Columbians who are helping promote BC’s forest sustainability across the province and around the world.
Financial Policy

Choosing Development Finance Tools

A very popular and useful product of the Development Finance Review Committee (DFRC) was the Development Cost Charge Best Practices Guide, originally published by the Ministry of Municipal Affairs in 1997. This Guide is currently being updated by the DFRC. The original Guide is available on the Ministry website at http://www.marh.gov.bc.ca/GROWTH/PUBLICATIONS/DCCGUIDE/. Watch for the updated version in the next few months.

The DFRC is building on the success of the DCC Guide by overseeing the development of a companion document, the Development Finance Choices Guide. The purpose of the Choices Guide is threefold:

- to identify and describe the finance tools for off-site growth-related infrastructure available to local governments in B.C.;
- to outline considerations that should be taken into account by local governments when selecting alternative tools; and
- to provide guidance to local governments with respect to the design and implementation of key tools.

These Guides are intended to be a resource to local government practitioners in creatively using their new, more flexible corporate powers together with the development finance tools already provided by the legislation. The Guide is being developed by Urban Systems Ltd. consultants, with advice from the DFRC, which is comprised of representatives from the Ministry, the development community, and local government. It is hoped that the Guide will be substantially completed by the fall of 2000, after which it will be made widely available.

Notes from the Property Assessment Appeal Board

Notices of Appeal for the 2000 Assessment

Section 51(c) of the Assessment Act requires that the Board send each municipality a copy of every notice of appeal respecting property in that municipality. The deadline for filing appeals is April 30, 2000. The Board anticipates completing the 2000 appeal registration by May 15, 2000.

On completion of registration, the Board will send each municipality copies of the notices of appeal for properties in that municipality, together with a brief report listing the appeal numbers and continued on page 17.

Disability portion of the Homeowner Grant Regulation

While consultation continues on the review of the disability portion of the Homeowner Grant regulation, the Provincial Government has decided to grandparent the existing regulation for tax year 2000 and will continue the development process on a new regulation that will be implemented in the 2001 tax year. People who were eligible for the grant in 1999 will be eligible for the grant in 2000. First time applicants in 2000 who qualify under the existing regulation can also receive the additional grant.

New School Site Charge Now in Effect

In mid-February, a joint letter from the Ministers of Education and Municipal Affairs went out to all local governments advising of the bringing into force of the legislation which authorized the new school site acquisition charge. As a result, school boards and school districts, and their respective local governments, should begin their consultations immediately. To assist in these consultations, the two Ministries have jointly published a reference document, the Implementation Guide: School Site Acquisition Charge. This guide is the result of extensive consultation with representatives from local government, school districts, and the development industry. Workshops on the new school site acquisition initiative were held at UBCM conventions in 1997, 1998 and 1999, and have been reported on extensively in previous issues of the UBCM News. The Guide and other relevant supporting documents can be printed off the Ministry of Education, Capital Planning Branch web page at: http://www.bced.gov.bc.ca/capitalplanning/resources.htm. This page is also linked to the UBCM CivicNet site under Links, Provincial Government.

For further information or if you have any questions about the new charge or the process for implementation, please contact John Woycheshin at the Capital Planning Branch of the Ministry of Education, phone: (250) 356-5067; fax: (250) 953-4865 or e-mail: john.woycheshin@gems5.gov.bc.ca.
TAC UPDATE

TAC UPDATE

Lower Mainland TAC: Preparing for Substantive Treaty Negotiations

By David Didluck, TAC Executive Director

Since 1995, members of the Lower Mainland Treaty Advisory Committee (LMTAC) have been actively engaged in identifying and articulating Local Government interests as they relate to substantive issues typically discussed in treaty negotiations – issues such as land, resources and governance. The need to explore interests is a key priority because of the complex nature of urban treaty-making. “There are two critical issues facing Lower Mainland area Local Governments as we move into the next decade,” says LMTAC Chair Don Bell. “One is transportation, and another is treaty negotiations.”

LMTAC is the largest Treaty Advisory Committee in British Columbia and is comprised of elected and staff representatives from 23 municipal and 3 regional district Local Governments. LMTAC representatives also serve as full members of the Provincial treaty negotiation team, providing input into negotiations with five First Nations: Katzie, Musqueam, Squamish, Tsawwassen and Tseil-Waututh (Rurrard).
Local Government & First Nation Develop Innovative Agreement

In the early 1990s, the Westbank First Nation filed an application with the Department of Indian Affairs to transfer lands located in the southeast of Kelowna, commonly known as the Gallagher Canyon Lands, to Indian Reserve status. In considering the application, the federal government expressed its wish to see an agreement reached by the First Nation and the local government which would deal with concerns around the proposed application for Reserve status.

The purpose of the Master Agreement (currently in draft form pending final review by all parties) is to record the parties’ mutual understanding and their rights and obligations to and with each other in respect to the Gallagher Canyon Lands.

The Master Agreement is innovative and unique in a number of ways.

Definition of Key Terms

The Agreement defines two terms, “Joint Consultation Process” and “Dispute”, which helps to clarify the parties’ understanding of what rights and obligations they have in communicating with one another in order to avoid and, when need be, resolve disputes.

Dispute Resolution Process

The parties agree to a stepped procedure for dealing with a dispute, beginning with notification of the other party describing the nature of the breach or disagreement. It provides a time limit of 60 days for negotiations and the terms of arbitrations. If satisfactory resolution is found within the 60 days. The Master Agreement also specifies that the parties may seek interim injunctions or similar court orders pending a final decision of an arbitrator.

Consultation and Notice

The Agreement contains details on how “notice” of one party by another must be given. It also states that the parties must enter into any other agreements needed to give effect to the covenants specified in the agreement.

The Westbank First Nation, Central Okanagan Regional District and City of Kelowna agree to procedures on consultation with respect to land uses or developments. They commit to using their “best efforts to accommodate and address the concerns of the other regarding any proposed developments” and “shall ensure, to the extent possible, that any such proposed use or development is consistent with and compatible to surrounding land uses or developments.”

The provisions address two common concerns of local government (lack of harm to land use and no input or prior consultation on land development) by ensuring:
1) that the need for compatibility and consistency of adjacent land use within different jurisdictions is recognized. This, in effect, commits to planning on a regional basis, falling short of a joint planning process.

Conclusion

Servicing Agreements are the most common type of accord between local government and First Nations. The Master Agreement on the Gallagher Canyon Lands goes beyond a servicing agreement and deals with a range of issues fundamental to the relationship between local governments and First Nations. These issues include land use, communications, access and servicing.

The Master Agreement gives substance to the mutual understanding between the parties in what it identifies as their rights and obligations in respect of one another.

The land use provisions are of particular significance. Through these provisions, all parties make a commitment to plan, be consistent with a stated purpose, consult rigorously through a defined process and agree to a stepped dispute resolution process.

The Master Agreement is a significant achievement and has useful lessons for all local governments and First Nations in BC and for their relationship post-treaty. A copy of the Master Agreement is available from UBCM.

UBCM and the First Nations Summit in 1997 and the view by participants that these meetings could be very valuable on a regional level. A press release and PAL consultant has been sent to all UBCM members. Timelines for application for federal funding will be sent by the UBCM office shortly.

UBCM NEWS MARCH 2000

TAC UPDATE

Continued from page 15

Completion of the project is anticipated for Spring 2000. The importance of developing a specific model for interest identification and working by consensus to develop “First Principles” and related interests were key tools used to ensure that Lower Mainland Local Governments remain active participants in treaty negotiations.

For further information on LMTAC interest identification processes and activities, please contact David Diduck, LMTAC Executive Director, (604) 451-6179, or visit LMTAC on the web at: www.gvrd.bc.ca/lmtac.

COMMUNITY TO
COMMMUNITY FORUMS - APPLYING FOR FUNDING

Any municipality or regional district may apply for federal funding for a Regional Community to Community Forum through UBCM. Since these are intended to be region-based forums, regional districts and/or groups of municipalities are particularly encouraged to apply.

The funding provided will be modest. In some regions where costs are low, it may match that provided by the local government (with or without First Nation support as well). In other cases, it may provide more as a seed funding. At a minimum, the applicant must provide 50 percent of the funding in cash or in kind.

ELIGIBILITY

To be eligible, a local government must:

1. Have a First Nation Partner confirmed

To be eligible for funding, the local government must have a neighbouring First Nation committed to participating in the event. “Neighbouring” may mean in the vicinity of the local government but not necessarily immediately adjacent to it.

2. Submit a proposal to UBCM

The proposal should include:

- a preliminary description of the event, including objectives
- names of participating governments and First Nations
- suggested date
- intended product or deliverables (e.g. plans for future meeting dates, projects for future joint action, principles for the relationship, other next steps)

3. Submit a budget

The draft itemized budget should indicate amounts needed for meeting space, refreshments, meals, preparation of materials, contingency, etc. and provide a figure for total amount of funding requested. At least 50 percent of the total costs must be covered by the applicant in cash or in kind.

Information booklets providing more information on applying for Community to Community Forums will be sent out by UBCM to all members shortly.

FEDERAL MINISTER SIGNS ON TO COMMUNITY TO COMMUNITY FORUM INITIATIVE

At a joint signing event in Vancouver on February 23, 2000, the Hon. Robert Nault, Minister of Indian and Northern Development and Director Jim Abram, Chair of UBCM’s Aboriginal Affairs Committee, announced the federal government’s financial support for Community to Community Forums. Guests at the signing included Mayor Don Bell, Chair of the Lower Mainland DAC and members of the Treaty Negotiations Advisory Committee.

The federal funding of $50,000, provided by way of letter of agreement between UBCM and Government of Canada will assist UBCM in continuing the Community to Community Forum program, to which the provincial government has already contributed $25,000. The federal funding will be used to support at least six regional forums and one province-wide session.

These Forums are meetings jointly organized by local government and First Nations leaders to discuss issues of mutual concern. This initiative builds on the success of a province-wide forum jointly organized by

UBCM and the First Nations Summit in 1997 and the view by participants that these meetings could be very valuable on a regional level. A press release and PAL consultant has been sent to all UBCM members. Timelines for applications for federal funding will be sent by the UBCM office shortly.

Dedicated to providing comprehensive legal services for municipalities and regional districts throughout British Columbia

LIDSTONE
YOUNG
ANDERSON
BARRISTERS & SOLICITORS

Suite 1616, 808 Nelson Street
Box 12147, Nelson Square
Vancouver, B.C., V6Z 2H2

Telephone: (604) 689-7400
Toll Free: 1-888-689-5480
Fax: (604) 689-3444

more aboriginal issues

UBCM NEWS MARCH 2000
A headache and a nuisance? Or a tool to enable Council to make better decisions?

Of course, we are talking about those dreaded rules of order. Most people would like to avoid the subject altogether - if they could help it. But - unfortunately - as an elected official, you are stuck with it, and will have to live and breathe the rules of order for the next three years. So you may as well get to know the answers to some of the essential questions.

What is the purpose of the rules?

The rules of order are the procedures that govern the conduct of business meetings. There are a number of books on rules of order, including: "Robert’s Rules of Order Newly Revised", "Bourinot’s Rules of Order", "Sturges Code of Parliamentary Procedure", and others. In reality, however, the use of the rules does not vary considerably from one book to another.

The rules of order are intended to facilitate progress - and not to impede it (as they often do). Their purpose is to include the voting members (The Mayor and each Councilor) in debate and decision making on issues that affect the Municipality. They provide a level of formality which can vary from meeting to meeting, the larger the meeting becomes, and the more contentious and divisive the issues are, the greater is the need for formality.

Generally, the rules are intended to uphold the principles of fairness, equality and common sense. The formality enforces respect for people, while allowing division of opinion on the issues, and while facilitating a healthy and open debate of issues.

Notwithstanding the above principles, often the rules are used as a device to manipulate the outcomes of a meeting. Other times, the strict and rigid application of the rules constrains creativity and becomes a burden on the assembly. The rules often become too confusing, frustrating and intimidating. If any of these phenomena occurs in your meetings, it is likely that the rules are not used the way that they were intended. Their use should be simple, logical, and “people-friendly”.

What are your governing documents?

Municipal Councils in British Columbia are governed by various levels of documents:

• The laws of the land, i.e. The B.C. Municipal Act, the Freedom of Information and Protection of Privacy Act, etc. The laws of the land have precedence over any lower ranking documents.
• The Municipality’s Procedure Bylaw: The Procedure Bylaw is the second ranking governing document for meetings, and supersedes any by-laws on Parliamentary Procedure.
• The Parliamentary Authority: A book on rules of order (as specified in the Procedure Bylaw), which covers procedural details not already addressed by the Act or the Procedure Bylaw.

What vote is required for Council’s decisions?

For most Council decisions, a “simple” majority vote is required, meaning that more members who are present vote in favour of a proposal than against it.

Notwithstanding the above principle, there are some exceptions. The Municipal Act still requires more than a “simple” majority, e.g. Each reading of the Official Community Plan (OCP) must receive an affirmative vote of all the members of Council, which may be more than a majority of the members who are present.

What is the impact of a tie vote?

With the number of votes in favour and against a proposal being equal, a tie vote simply means that the required majority has not been attained, and the proposal is defeated. Contrary to common misconceptions, a tie vote does not mean a deadlock, nor that another vote must be taken, nor that the Mayor must do something to break the tie. 3 votes in favour and 3 against yields the same outcome as 0 in favour and 6 against. The motion is defeated.

What is the impact of an abstention?

Abstentions are one area where your Council or Regional Board varies considerably from non-municipal organizations: under the Municipal Act, an abstention counts as a vote in favour of the proposal. This means that - if you are present at a meeting and do not vote in favour or against a proposal, you count as though you have voted in favour of the proposal. Again, this is likely very different from community groups, labour unions, credit unions, or other non-municipal organizations with which you have been involved before being elected to Council.

Does the Mayor vote only if there is a tie?

The answer is a flat NO. The Mayor is treated like any other member of Council, and - if present at a meeting - does not have a true option of not voting. Like other Councilors, if the Mayor abstains, she or he is counted as having voted in favour of the proposal.

For example: Assume 5 Councillors and the Mayor are present. Suppose 2 Councillors vote in favour of a proposal, 3 Councillors vote against it, and the Mayor abstains. The voting result is 3 in favour and 2 against, making a tie. The motion is defeated on a tie vote.

Take another example: 3 Councillors vote in favour, the two others and the Mayor vote against the proposal. The Mayor creates a tie - but contrary to common belief - he or she does not get to vote again to break the tie.

Can the Mayor speak in debate?

As a voting member of Council, the Mayor is entitled to speak in debate. Some Procedure Bylaws require that the Mayor “relinquish the Chair” if he or she wants to debate a proposal, in which case the Deputy Mayor presides until the proposal in question has been voted on.

In general, it should not be necessary to include a debating restriction on the Mayor in the Procedure Bylaw. The Mayor is free to debate issues while presiding, provided that she or he gets no special privileges.

(Mr.) Eli Mina M.Sc., P.R.P. is a Vancouver-based consultant, who serves as a professional chairman. Registered Parliamenterian, and seminar leader. He specializes in chairing contentious meetings, resolving organizational disputes, order and hot-seat training. Eli can be reached at (604) 730-0377, or by e-mail at eli@elimina.com. You can also visit his web site at http://wwwelimina.com.


Property Assessment Appeal Board

Continued from page 14

The roll numbers under appeal. Information will be included advising how a municipality may be added as a party to an appeal. Unless the municipality otherwise notifies the Board, these documents will be sent by regular mail.

In 2000, the board will be working with representatives from local governments to develop a format and process to provide more effective information to municipalities about appeals in their jurisdiction. The Board welcomes any comments or suggestions municipalities may have about the Board’s processes.

Use of E-mail

Municipalities who prefer to have correspondence sent to them by e-mail may simply send an e-mail to: COUNCILMEMBER@efs.com that effect to the Board at: paa@efs.com.

New Search Capabilities on the Board’s Web Site

To provide greater public access to information about assessment appeals, as of April 1, 2000, certain information about current appeals will be available by searching the Board’s web site. Interested persons can search an appeal by party name, roll number, property address or appeal number. A search can indicate the assessed value, the Property Assessment Review Panel (PARP) decision, the grounds for appeal, and the status of the appeal. The Board also anticipates that as of May 1, 2000, all principal assessment decisions, made to decide issues raised at a hearing, will be posted on the web site.
ON THE INVITATION OF EUROMONEY, the Authority gave several presentations in Berlin at a conference on Local Government and Regional Finance. The conference was attended by approximately 300 local government officials, international bankers and agencies such as The World Bank.

Len Traboulay, Chair, and Jim Craven, Executive Director, MFABC, opened the second morning of the conference with a half-hour presentation on the Authority. Later that same day, Jim was on a panel with Alan Anders, Director of Financing Policy, City of New York; Sergey Pakhomov, Acting Chairman, City of Moscow; Maria Teresa Salvemini, Director General, Cassa Depositi e Prestiti and David J. Spirakis, Managing Director, Westdeutsche Landesbank, New York entitled ‘Trends in Local Authorities Financing in the U.S., Canada and Europe’.

Flowing from this conference the Authority was invited to participate as a consultant to The World Bank and also to the Federal Republic of Germany. The model we continue to develop on a collaborative basis here in B.C. continues to be one that others in the world are watching.

We have just completed a study in Quebec where we partnered with KPMG Montreal, studying the ways to adopt the municipal practice in Quebec to the MFABC model.

The result of this study showed a potential savings of $135 million (see graph) over the first five years of implementation. If the preliminary study is accepted it could mean further work for the Authority in the implementation stage.

We expect that the Union of Quebec Municipalities will be discussing this subject with member municipalities and the Provincial Government and we may know more about this exciting project within several months.

MFA Leasing Program

MFA and On-Line Finance have renewed their agreement for a further six months. All leases should proceed as normal through the usual steps.

We are investigating a western Canada leasing program which will be good for the Authority financially and will keep On-Line as our partner. This new initiative was approved in principle by the members of the Authority at their annual meeting.

Our Leasing Pool has reached an all-time high of over $50 million. The current rate is Prime less 1%.

Forest Renewal Community Bonds

Beginning April 1, 2000, there will be a “new listing” of eligible communities that can participate in the Community Bond Program. These communities can then do two types of projects:

1. Value-Added Forestry Projects (approved by FRBC) – these projects will be eligible for both the $100,000 maximum matching loan and the $100,000 maximum grant. Maximum term is to March 31, 2008; interest rates can be set at any level you desire. Also, monies can be raised from any source – they do not have to be through a Community Bond any longer.

2. Non-Value-Added Projects – these projects are eligible only for the $100,000 maximum matching loan. No grants are available.

Aboriginal Land Claims Panel

Our MFA panel on Aboriginal Land Claims initiated at last year’s Forum has been pressed into service a third time. We travelled to Prince George to address 75 members of the North Central MOA on Thursday, March 16th. Earlier in the summer they also addressed MATI II on Bowen Island. The Panel is comprised of Iona Campagnolo, Paul Tennant, Roslyn Kunin, Bruce Milne, Edmond Wright, Philip Steenkamp, Patrick O’Rourke and Gordon Gibson.

WoodWorks! “Think about wood!”

4 C x 6.5”

new - Quark file emailed to Broadway 00-03-16
(reduce to 6.5” x 6.5”)

New Municipal Finance
Authority of British Columbia Trustees for 2000

Len Traboulay, Chair
Mayor, City of Port Coquitlam

Frank Leonard, Vice-Chair
Mayor, District of Saanich

Michael Coleman
Mayor, City of Duncan

Colin Kinsley
Mayor, City of Prince George

Don Bell
Mayor, District of North Vancouver

Gerry Furney
Mayor, Town of Port McNeill

John Ranta
Mayor, Village of Cache Creek

Robert Hobson
Chair, Regional District of Central Okanagan

Kiichi Kurnagai
Councillor, City of Richmond

Hardy Staub
Mayor, City of White Rock
Local Government in British Columbia

Third Edition

Robert L. Bish
Eric G. Clemens

Published by the Union of British Columbia Municipalities

“Local Government in British Columbia” is a complete primer on all levels of local government, from cities and regional districts, to towns, villages and school districts. This completely revised volume examines how each government works and its role in our society.

Order Form

Please ship me:

Quantity

Quantity discounts available.

Shipping and handling:

- 0-9 copies: $5.00
- 10-49 copies: $4.00
- 50-99 copies: $3.00
- 100 or more: $2.00

Subtotal: $________

Add 7% GST (on subtotal)

TAX: 10015 (561)

TOTAL: $________

Name:

Mailing address:

Paid to: The Union of B.C. Municipalities

Cheques payable to UBCM are endorsed.

Please invoice me.

Return to: Union of B.C. Municipalities, Suite 15
10551 Shellbridge Way, Richmond, BC V6X 2W9
Fax: 604.270.9116
E-mail: ubcm@civinet.gov.bc.ca

UBCM NEWS MARCH 2000 19

Municipal Pension Plan Recent Developments

On April 1, 1999 the Public Sector Pension Act became effective, replacing the Pension (Municipal) Act. This new Act establishes a new/revised Municipal Pension Board comprised of 13 members appointed by the Lieutenant Governor in Council as follows:

1. 4 persons nominated by the government and 2 persons nominated by the UBCM, to be known as plan sponsor representatives;
2. 6 persons nominated by the Municipal Employees’ Pension Committee (MEPC), to be known as the plan member representatives; and
3. 1 person nominated by the government and designated as chair of the board.

The new governance structure moves the pension rules into regulation and the new Act:

- establishes the BC Pension Corporation (replacing the Superannuation Commission);
- establishes the BC Investment Corporation (replacing the Minister of Finance Office of the Chief Investment Officer); and
- provides the framework for Joint Trusteeship discussions.

The New Act provides that one party may initiate the discussion of a Joint Trusteeship Agreement and the MEPC served notice to initiate discussions in December 1999. Under the Act the parties must unanimously agree to the appointment as chair of the board.

Departing Executive

Continued from page 2

The UBCM Environment Committee met with the federal Minister of Environment, the Honourable David Anderson, on March 23, 2000 and he indicated that the legislation was expected to be introduced in the House of Commons in the next few weeks. The Minister indicated that he wanted to create a co-operative legislative approach to the protection of species at risk. He did not want to follow the coercive, prescriptive approach adopted in the United States as he did not feel that this would work. He wanted the groups affected involved in the stewardship and recovery strategies. The UBCM will continue to monitor development of the legislation to ensure it addresses local government concerns.

Species at Risk legislation

Continued from page 13

The UBCM Environment Committee met with the federal Minister of Environment, the Honourable David Anderson, on March 23, 2000 and he indicated that the legislation was expected to be introduced in the House of Commons in the next few weeks. The Minister indicated that he wanted to create a co-operative legislative approach to the protection of species at risk. He did not want to follow the coercive, prescriptive approach adopted in the United States as he did not feel that this would work. He wanted the groups affected involved in the stewardship and recovery strategies. The UBCM will continue to monitor development of the legislation to ensure it addresses local government concerns.

Growing demands. Reduced funding.

We provide innovative solutions.

The changing public sector environment presents a wide range of challenges to every organization. At BCBC, we have the expertise and experience to identify the options, and we’ll work with you to help implement the best-value solution to meet your needs.

We’ve learned a lot by working in all parts of BC, and our experts are available wherever you need them. And we have knowledgeable, friendly staff in over 70 service centres throughout the province.

So if you’re looking for innovative solutions in real estate and accommodation, the answer is close by.

Call 1-888-267-BCBC (2222)

UBCM NEWS MARCH 2000 19

UBCM NEWS MARCH 2000 19
THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step (TNS) is a basic set of principles that can guide any organization in managing its activities in a way that results in a sustainable future. These principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

The Natural Step (TNS) is a basic set of principles that can guide any organization in managing its activities in a way that results in a sustainable future. These principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

POLICY SHORTS

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step (TNS) is a basic set of principles that can guide any organization in managing its activities in a way that results in a sustainable future. These principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.

THE NATURAL STEP – WHAT IS IT AND HOW DOES IT WORK?

The Natural Step principles are intended to guide decision-making processes and are based on a scientific approach to sustainability. The Natural Step provides a framework for decision-making that is centered on sustainability and helps organizations understand the implications of their actions on the environment over the long term.