Happy Holidays!

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Responses to 2004 Resolutions

107 member-endorsed resolutions were forwarded to the provincial government for consideration and comment following the 2004 UBCM Convention. Three additional resolutions were conveyed following the 2005 UBCM Convention Delegates. Due to changes in the provincial process for reviewing UBCM resolutions, this year we have already received responses to most of these resolutions.Copies of provincial comments are now being forwarded to sponsoring local governments and area associations and responses to the few remaining resolutions will be forwarded as they arrive.

UBCM Resolution Process Delivers

Each year delegates at the UBCM Convention consider and endorse over 100 resolutions—many requesting provincial or federal government action. UBCM has one of the most robust and active resolution processes of any association in Canada—because it works. Two announcements at this year’s convention confirmed that the advocacy process works—sometimes fast and sometimes it is a continuing process.

The Premier’s announcement on traffic fine revenues finally delivered on a resolution first received in 1990. A “down payment” of $13 million was made in 1999—which was reduced to $10 million that remained at that level until this year through UBCM advocacy. The big breakthrough came with the Premier’s announcement of 100% reimbursement beginning this year. What this illustrates is that sometimes it takes years to achieve a goal but with continuing focus it can be realized.

On the other hand the response to the “Safe Streets” resolution was immediate—it was passed by convention delegates on Wednesday and by Friday Premier Campbell announced that the government would introduce legislation, which it later passed at this fall sitting of the legislature.

UBCM Resolutions process does deliver—sometimes in 2 days; sometimes over many years—but it does work!

New Deal: FCM Establishes Principles and Direction

While UBCM and the Province of BC are well positioned to begin discussions with the federal government, one of the issues that appears to be stalling progress is federal direction on national allocations—the “formula” or policy that governs how much of the total federal funding is available to each province or territory. The FCM National Board of Directors dealt with this issue at its most recent meeting.

Their approach is based on an equitable allocation formula founded on a number of principles—many of which are similar to those in the UBCM Policy Paper. The seven principles:

1. New partnerships among all orders of government
2. Predictable and stable revenues
3. Equity
4. Sustainable communities

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Introducing the 2004 - 2005 UBCM Executive - Page 3

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Convention Dividends Mean Millions to UBCM Members

Announcements made and directions confirmed at the 2004 Convention will deliver millions to BC local governments over the coming years.

Premier Campbell delivered more than was expected in traffic fine revenue sharing. Not only did the Premier deliver on the government’s commitment, he upped the amount from 75% to 100% and advanced the effective date to 2004 from 2005 and 2006. Over $40 million has already been delivered to policing municipalities—a dividend that will repeat year after year. Policicing municipalities have taken some recent hits on criminal document service and Keep of Prisoners costs but this is a huge offset.

The Premier also announced a one-time grant to UBCM of $25 million to support tourism related activities. The Executive have yet to finalize the details of this transfer but the Premier has indicated that it is available for UBCM members to spend as they feel appropriate. To put this grant into perspective it is equal to about 15 years of UBCM membership dues.

Finally, UBCM members set the stage for a federal New Deal for Cities and Communities. We are in the only province with a provincial association convention delegates to conclude a new funding arrangement that could deliver, when fully implemented, hopefully in the order of $250 million to BC communities each and every year.

So once again the UBCM Convention is the place to be for leading announcements—members will recall the 2003 Convention where the Premier repeated commitments not to cut local government grants as well as the decision not to impose $30 million in annual police costs on small and rural communities.

Five New Directors Join UBCM Executive

UBCM President Aaron Dimwood is pleased to welcome five new local elected officials to the UBCM Executive.

• Councillor Bev Bellina, Spanwood, Association of Kootenay and Boundary Local Governments Representative
• Councillor Terry Smith, Langley City, Lower Mainland Municipal Association Representative
• Councillor Mary Sproule, Quesnel, North Central Municipal Association Representative
• Councillor Colin Mayes, Salmon Arm, Okanagan Mainline Municipal Association Representative
• Councillor Dan Rogers, Prince George, Director at Large.

Each of the new Directors has been appointed to at least two Committees and we look forward to their contributions to this year’s UBCM activities. All 19 UBCM Directors are profiled on page 3.
This year was an exceptionally busy one for Executive members. While much of their energy was focused on developing a made-in-BC approach for delivering the New Deal for Cities and Communities and determining the parameters for the new Municipal Rural Infrastructure Fund, progress was made on a number of other fronts. Some of these included:

- Community Excellence Awards Program expanded;
- bylaw courts pilot project expanded;
- traffic fine revenue sharing plan announced; and
- small community and other local government grants maintained.

We thank the following departing Executive members for their contribution to the UBCM Executive:

Councillor Patricia Wallace, City of Kamloops, was first elected to the UBCM Executive in 1995 as a Director at Large, a position she held for five years. In 1999, she was elected Third Vice President and moved through the Officer positions to become President in 2002. During her nine years on the UBCM Executive, Pat made significant contributions to a variety of Committees. She chaired the Resolutions Committee, Local Government Awareness Committee and Presidents Committee. She also participated on a number of other Committees during her years on the Executive, including: Gaming, Protective Services, Convention and Environment. Pat also served as UBCM’s representative to a number of external committees including the FCN National Board of Directors and FCM’s Green Municipal Funds, the Community Charter Council and the BC Used Oil Management Committee to name just a few.

This year as Past President, Pat served as the Chair of the Nominating Committee, a member of the Resolutions Committee and the Convention Committee. Pat received her Life Membership at the 2003 UBCM Convention.

We thank Pat for her dedication and service to the UBCM Executive over the past nine years. She will be greatly missed around the Executive table.

Pat was made an Honorary Life Member of UBCM at the November 13, 2004 Federal Liberal Policy Convention.

Some other major announcements from 2004 included:
- $250 million traffic fine revenue sharing plan announced; and
- Community Excellence Awards Program expanded.

Happy New Year!

The theme of this past Convention in Kelowna, Harvesting Opportunities, is most appropriate not only as the holiday season gets underway but also as the Executive embarks on a new year focusing on the opportunities and challenges following from the 2004 Convention.

With respect to opportunities, the Premier made a number of announcements at the 2004 Convention. Policymaking municipalities will now receive from the federal government that the UBCM and the provincial government have restructured some of our provincial counterparts on how the program will be structured. With respect to priorities, the New Deal and the Municipal Rural Infrastructure Fund are at the top of the list. On both files, the UBCM is working in partnership with our provincial counterparts to deliver the full benefits of both programs. Details on this will be provided to members once further discussions have been held with our provincial counterparts on how the program will be structured.

We thank the following departing Executive members for their contribution to the UBCM Executive:

Councillor Bob Fearnley, City of North Vancouver, served this past term as the Lower Mainland Municipal Association representative on the UBCM Executive. Bob served as both a member of the Health Committee and Vice-Chair of the Justice and Protective Services Committee.

Councillor Ida Makaro, Village of Cache Creek, served four consecutive years on the UBCM Executive (2000 - 2004). Her first two terms on the Executive were as the Okanagan Mainline Municipal Association representative and the latter two years were as a Director at Large. During her time on the Executive, Ida participated on the Convention Committee, Communities and Resources Committee, Environment Committee, Health and Safety Committee as well as the Arts, Culture, Heritage and Tourism Committee.

Ida not only served the Okanagan region well, she was also a strong advocate for the smaller communities throughout British Columbia.

City of Kelowna, served two consecutive terms on the UBCM Executive, both as the Okanagan Mainline Municipal Association representative (2002-2004). During his two years on the Executive, Ron served as Chair of the Protective Services Committee and the Library Task Force as well as a member of the Environment and Convention Committees.

Prime Minister Paul Martin and UBCM President Aaron Dinwoodie discuss BC local government priorities at the November 13, 2004 Federal Liberal Policy Convention in Penticton.

UBCM President Aaron Dinwoodie, Surrey Mayor Doug McCallum join Minister of Western Economic Diversification Stephen Owen, Victoria Mayor Allan Low, and North Vancouver MP, Don Bell at the BC Federal Liberal Policy Convention.
Your UBCM Executive

UBCM Executive Welcomes New Members*

Director Aaron Dinwoodie,
President
Central Okanagan RD

Chair Marvin Hunt,
First Vice-President
City of Surrey/GVRD

Mayor Wayne Dahlen,
Second Vice-President
City of Dawson Creek

Councillor Brenda Binnie,
Third Vice-President
City of Castlegar

Mayor Frank Leonard,
Past President
District of Saanich

Councillor Ellen Woodsorth,
Vancouver Representative
City of Vancouver

Mayor Malcolm Brodie,
City of Richmond,
GVRD Representative

Mayor Colin Mayes*,
Okanagan Mainline Municipal Association
District of Salmon Arm

Mayor Sharon Hartwell,
Small Community Representative
Village of Telkwa

Chair Susan Gimse,
Electoral Area Representative
Squamish-Lillooet RD

Councillor Bev Bellina*,
Assoc. of Kootenay & Boundary Local Governments
District of Sparwood

Councillor Terry Smith*,
Lower Mainland Municipal Association
City of Langley

Councillor Mary Sjostrom*,
North Central Municipal Association
City of Quesnel

Councillor Corinne Lonsdale,
Director at Large
District of Squamish

Mayor Herb Pond,
Director at Large
City of Prince Rupert

Mayor Jack Peake,
Assoc. of Vancouver Island and Coastal Communities
Town of Lake Cowichan

Chair Ted Armstrong,
Director at Large
Cariboo RD

Chair Robert Hobson,
Director at Large
Kelowna/Central Okanagan RD

Councillor Dan Rogers*,
Director at Large
City of Prince George
2004 Municipal Pension Plan Annual General Meeting

The third Annual General Meeting (AGM) of the Municipal Pension Plan (MPP) was held on October 2, 2004 in Vancouver. Plan members and plan employers were invited to participate in the meeting in one of two ways: attending the meeting at one of eight locations including Vancouver, Victoria, Nanaimo, Vernon, Nelson, Cranbrook, Terrace and Prince George, or by logging on to the pension website at www.pensionsbc.ca and asking questions through the first ever live and interactive webcast.

To view the archived AGM webcast, follow the instructions outlined on the MPP website, which can be reached through the portal on the home page of pensionsbc.ca. The meeting presentations included reports on the following topics of the Municipal Pension Plan: Pension Plans and other Benefits; Operations and Financial Review; and Pension Fund Investments.

You may also wish to refer to the MPP website for recent communications regarding the pension plan.
UBCM Establishes Regional District Task Force

Policy Updates

UBCM Establishes Regional District Task Force

Phase 1 – Issue Identification and Recommendations

In early 2004, the UBCM Executive approved a project aimed at pursuing non-legislative solutions to key regional district (RD) issues identified by UBCM members. The Regional District Issues and Non-Legislative Solutions working group was established to develop an Action Plan specifically designed to:
- improve the general understanding of regional districts in BC’s system of local government; and
- address concerns related to the roles and accountability of regional district directors.

The working group’s recommendations take the form of a proposed ‘Action Plan’ (available from the UBCM office) to develop a Regional District Toolkit. This Action Plan was endorsed in principle by the Executive at their September 2004 meeting and presented at the Regional District Directors Forum at Convention, where it was favourably received. It was also sent to all UBCM members requesting their support in early October and, to date, UBCM has received letters of support from many local governments.

Phase 2 – Implementing the Recommendations: Toolkit Development

UBCM has established a Regional District Task Force comprised of seven members of the Executive including Chair Susan Ginse, with the following Terms of Reference:

The Task Force will carry forward the implementation of the recommendations of the Regional District Working Group that were endorsed by the Executive in September 2004. The Task Force will partner with the Ministry of Community, Aboriginal and Women’s Services (MCAWS) in particular, in order to combine resources for any outreach activities to members, including presentations at the five Area Associations as well as the UBCM’s newly elected seminars.

At their first meeting, the Task Force members approved a five-phase Work Plan for preparation and implementation of the Regional District Toolkit, with input from UBCM members. The intent is to strengthen understanding, as widely as possible, of how regional districts are intended to function and provide clarity under various circumstances.

The work plan involves, over about a six month period, the development of:
- 10-15 best practices guides;

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Changes to the Freedom of Information Legislation

Bill73, which received Royal Assent on October 21, 2004, amends the Freedom of Information and Protection of Privacy Act in response to amendments that are important in part to the USA Patriot Act by including enhanced privacy protections in the legislation, particularly with respect to requests for disclosure of sensitive electronic data, such as health, personal or financial information.

- Amendments of note for local governments are:
  - new restrictions placed on public bodies and service providers storing, accessing or disclosing personal information outside Canada;
  - extending the restrictions that already apply to public bodies and public employees by an additional layer to their confidentiality agreements with the new provisions.

- Bill 73 also has important transitional provisions for existing contracts.

Public Library Service Branch Releases Strategic Plan

You may recall that in Spring 2003 the UBCM formed a Library Task Force to review public library service in BC. A survey of UBCM members on public library issues was conducted in Summer 2003 and a clinic on the development of a PLSB Strategic Plan was held at the 2003 UBCM Convention. Recently, the PLSB released its vision for public libraries in BC entitled “The World Within Your Reach.” In this document, three strategic priorities are identified:

1. Facilitating equitable access;
2. Encouraging collaboration and partnerships; and
3. Initiating governance reform.

The PLSB expects the vision outlined in these strategic priorities to be realized within a three to five year period and intends to begin work on some aspects of the plan immediately. Highlights of the plan include extending broadband access, establishing a One Card Library System; extending virtual reference services; enhancing training opportunities for library staff; working to ensure that Aboriginal people on BC reserve have access to public library services; encouraging the formation of Library Federations; reviewing the Library Act.

The full strategic plan and related provincial government and municipalities received are available on the PLSB website at www.mcvce.gov.bc.ca/lgd/public/libraries/.

Regional District Task Force

Continued from page 5

- 10-15 fact sheets;
- 5-8 discussion guides;
- 1 powerpoint presentation; and
- 1 booklet and possible video;

These materials will serve as a resource for regional districts. The groups targeted by the different tools in the kit will be numerous and varied. Municipal Councils and their members, for example, will be targetted by some of the best practices developed. Certain fact sheets will be targeted at land developers, or provincial government officials (outside MCAS) who interact often with RDAs, and senior staff in local governments will be identified as possible audiences for the discussion guides that deal with complex problems. High school students and ratepayers will be targeted in key presentations.

Work is now being done to finalize exact costs related to the production of the toolkit and marketing sources. The Task Force plan to provide materials with an update on the progress of this initiative at the Area Association meetings in spring 2005.

PRACTICAL SOLUTIONS to real problems

- Litigation
- Planning and Development
- Contracts
- Statutory Interpretation
- By-law Drafting
- By-law Enforcement
- Risk Management
- Intellectual Property and Trademarks

Contact: Brian D. Ross
Frank R. Wors
Tel: (250) 972-5142
Fax: (250) 851-2100

LOCAL GOVERNMENT PROFESSIONALS OF B.C.
RIPARIAN AREAS REGULATION – WHAT IS THE STATUS?

The provincial cabinet on June 27, 2004 approved the adoption of a new directive under the Fish Protection Act to protect fish habitat. A meeting between Minister Barisoff and UBCM was held on July 14, 2004 and a general work plan was agreed to:
• Minister Barisoff would send letter of notice to local governments once regulation has been deposited;
• a minimum of 3 consultation workshops be held before Convention: Nanaimo, Surrey, Kelowna;
• develop a workshop for UBCM Convention;
• develop the terms of reference and solicit for pilot projects;
• establish a working group on training and guidebook development;
• establish a working group to draft the cooperation agreement;
• assessment development; and
• a technical working group for implementation strategies and the development of the guidebook; and
• clear accountability for actions and decisions made.

A meeting was held on October 27, 2004 with the Honourable Bill Barisoff, Minister of Water, and Air Protection and UBCM representatives. Mayor Frank Leonard, Chair Robert Hobson and UBCM staff to discuss a number of issues raised during the consultations sessions and to assess the state of readiness of local government to implement the new process. The Ministry of Water, Land and Air Protection (WLA) and the UBCM representatives agreed to forward questions concerning the liability protection provided under the Riparian Areas Regulation to the Minister of Attorney General for review. The UBCM has proposed that the Ministry of Attorney General requires the assistance of the BC Bar Association – Municipal Law Section in the review of local government liability on this issue. It was agreed that pilot projects be undertaken in the following areas and that the process be left open at this time in the event that new issues are identified that are not addressed in these reviews:
• Thompson Nicola RD
• Central Okanagan RD
• Vernon
• Surrey
• Chilliwack
• Whistler
• Campbell River
The Ministry of Water, Land and Air Protection (WLA) and the UBCM representatives are in the process of identifying the working groups needed to implement the regulation, the purpose of these working groups, and the time commitment required. The Ministry of Water, Land and Air Protection and Fisheries and Oceans Canada have established a technical working group that is looking at the assessment process and testing has been initiated on sites in the Lower Mainland, Vancouver Island and in the Okanagan.

A further review of the implementation of the new regulation will be undertaken in the near future. The Riparian Areas Regulation is intended to come into force on March 31, 2005; however, the Minister has agreed to consider changes to the regulation if required.


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Delegate Evaluation Results

Each year, the UBCM Convention brings representatives of municipalities and regional districts together for the purpose of working towards and establishing mutual goals. To this end, forums and clinics are held, receptions for networking are hosted and representatives from all levels of government interact.

Following each convention, the Delegate Evaluation is sent out so a review can be done of all convention aspects. The UBCM Executive and staff appreciate the feedback that UBCM delegates provide to us. With your suggestions and comments, we can make each convention better than the last.

This year’s convention was held in Kelowna; a city that hasn’t hosted this event since 1959. Although hosting a convention of this size encounters its challenges, the committee hoped that the many benefits of the Okanagan would triumph. The convention received an overall rating of 4.0 (out of 5) this year. This is a strong rating for a convention held outside of Vancouver.

Procedures for submitting and vetting resolutions scored a 4.0 — down slightly, but still high overall and consistent with previous years. The Monday Study Sessions hosted by Kelowna were well received and enjoyable for many delegates being rated at 4.3 — the highest ever score for this category.

CONFERENCE FACILITIES

Although some delegates noted concerns about whether or not Kelowna and its facilities were ready to host UBCM, many also said they enjoyed the walk between venues and the fresh air it afforded them. Prospera Place rated very well as a convention venue at 4.0, with The Grand Rating at 4.3. The score for Delegate Email Services was down slightly due to high demand and a limited number of terminals. This situation will be addressed for the 2005 event. As well, conference signage will be streamlined to address changing convention needs.

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2004 Gold Star and Honourable Mention Resolutions

Delegate Evaluations

Continued from page 8

Delegates concerned about the lack of trade show booths are reminded they need not worry, as the Municipal Marketplace will return in Vancouver for the 2005 convention. The official Marketplace is only scheduled for years that the convention is held in Vancouver, due to size considerations.

Hotel accommodations were rated low at 3.4 due to cost and distance from convention facilities. Although all UBCM delegates received free bus transportation on Kelowna City buses, some delegates were not aware of this service. The Long Program Booklet rated fairly well at 4.0, considering the vast amount of information it contained. With the Program Booklet, these ratings extremely high at 4.5, delegates seemed satisfied with the amount of information provided.

CONFERENCE FUNCTIONS

Overall, most conference functions were rated favourably. Coffee services and continental breakfasts were down slightly, but consistent; ratings from other non-Vancouver years. The Area Association lunches, Delegates Luncheon and the Forum lunches all scored well at 4.1. These ratings matched or exceeded recent years. The Annual Banquet was a very popular event at 4.4 — the highest rating ever received. Delegates commented that the entertainment of comedian Todd Butler was “excellent”.

PROVINCIAL CONTENT

All aspects were improved upon from last year and communications with the Province to maintain and update this valuable component of the program is ongoing. Cabinet Sessions all received a 3.8 or higher — the Community and Safety Panel leading the pack at 4.0 and the Health, Education and Social Development Panel in last place at 3.3. Provincial Policy Sessions scored a 3.6 overall, based on a high of 4.0 for the Resort Development in BC session and a low of 3.2 for the Riparian Areas Regulation session.

CONFERENCE PROGRAM CONTENT

Scores ranged from 3.5 for the Rural Communities Forum up to 4.4 for the Organized Crime session. Many delegates would like to see more sessions which signifies that topics were well chosen and timely. Vaughn Palmer got rave reviews as the facilitator for the Youth and Engagement in the Political Process panel discussion, which scored a 3.8.

WORKSHOPS AND CLINICS

The Thursday Workshops rated a 3.9 overall. The Youth and Drugs session received a 3.8 and the Health, Education and Social Development session a 4.0. The Long Program Booklet rated very high at 4.3 — the highest rating ever received. Delegates commented that the entertainment of comedian Todd Butler was “excellent”.

PARTNERS PROGRAM

With many requests for wine tours from delegates anticipating the Kelowna convention back in 2003, the host city put together a fantastic program this year. The only notable down side reported was a desire to spend more time on the tours. UBCM thanks its members for taking the time to fill out the Delegate Evaluation booklet. Your 2005 Convention Committee looks forward to addressing your concerns, as well as building upon established successes for a fantastic Convention in Vancouver.
101st UBCM CONVENTION

The UBCM Executive on the stage at Prospera Place in Kelowna for the Convention Opening Session at 8:30 a.m. on Wednesday, Sept. 22.

Ministers Coleman, Plant and Wong answer questions during the Community and Safety Panel.

Premier Gordon Campbell answers questions during a media scrum.

Todd Butler performs at the Annual Banquet.

Dr. Jack Blaney giving the keynote address.

A bird’s eye view of the Resolutions floor at Prospera Place.

Youth Engagement in the Political Process panel discussion.

The Grand Okanagan Lakefront Resort.

The UBCM News in action!

Dir. Aaron Dunwoodie gives thumbs up to 100% return of traffic fine revenue.
KELOWNA, BC
September 21 - 24, 2004

Minister of Community, Aboriginal and Women's Services, Murray Coell.

Premier Gordon Campbell, Hon. David Emerson, Minister of Industry, and Mayor Frank Leonard.

Delegates voting during resolutions.

Kamloops Cllr. Peter Sharp honours the UBCM by piping in the Executive for the Annual Banquet.

Director Aaron Dinwoodie, Cllr. Pat Wallace and Chair Marvin Hunt.

Joy MacPhail speaks for the Opposition.

Drummers perform at the City of Kelowna Welcome Reception.

Convention sponsor ICBC booth display.

Delegates tour Kelowna’s Cultural District.

Resort Development in BC Provincial Policy Session.
FOGHORNS BACK ON!

UBCM lobbying efforts have paid off once again—this time at the federal level! We have reported elsewhere in this newsletter of the provincial government’s response to UBCM resolutions, but we have another win to report on the federal front. Just prior to the Convention, Canada Coast Guard unilaterally decided to remove fog horns at three lightstations on the Inside Passage without consulting mariners and coastal communities. The matter was brought to the attention of the Hon. Geoff Regan, DFO Minister, by Comox Strathcona RD Chair, Jim Abram during a meeting held between the Minister and coastal community representatives on the Monday prior to the Convention. Chair Abram then brought the matter to the Convention floor on Thursday morning in the form of an off-the-floor resolution. That resolution was endorsed by members and sent to the Minister immediately following the Convention. A follow-up meeting was held in early November between President Aaron Dinwoodie and the Minister to reinforce the importance of this issue for coastal communities. On November 22 - 23 the navigational aids at the three lightstations were turned back on!

ENERGY AWARE AWARDS

The Community Energy Association has worked in BC to promote community energy planning, energy efficiency and alternative energy for the past decade.

UBCM has been involved in the association since it emerged from the BC Energy Council through an MOU between UBCM, the provincial government and BC Hydro. The group pioneered work on the role that local government can play in energy management in a community. BC has been recognized across Canada and abroad as a leader in community energy planning ever since.

The Energy Aware Awards are given each year to communities doing exemplary work in community energy planning and implementation. This year, the awards were sponsored by the Ministry of Community, Aboriginal and Women’s Services and the Ministry of Water, Land and Air Protection.

Energy Aware Award Winner: City of Revelstoke
Minister Murray Coell presents Mayor Mark McKee with the Energy Aware Award for Revelstoke’s Community Energy Project.

Honourable Mention: District of Fort St. James
Minister Murray Coell presents Cllr. Barbara Robin with the Energy Aware Honourable Mention for Fort St. James’ Geothermal Heating in Municipal Buildings project.

Honourable Mention: City of Vancouver
Minister Murray Coell presents Cllr. Ellen Woodsworth with the Energy Aware Honourable Mention for Vancouver’s Corporate Climate Change Action Plan.
2004
LONG SERVICE AWARDS

The 2004 Long Service Awards were presented on Thursday evening during the Annual Banquet by Mayor Frank Leonard, 2003 - 2004 UBCM President.

Recipients were nominated by their municipality or regional district. To receive an award, the local government official must have served, as an elected member, on a BC Municipal Council or Regional District Board for a total of 25 years or more.

The UBCM Life Membership Awards were presented at the Annual Banquet on Thursday, Sept. 23 at the Grand Okanagan Resort.

There were three Life Memberships awarded for 2004. Mayor Frank Leonard (right) was granted a Life Membership in appreciation of his services as President, 2003 to 2004. Honourable George Abbott (below) was presented a Life Membership in appreciation of his services as Minister of Community, Aboriginal and Women’s Services, 2001 to 2004. Ted Nebbeling (absent), was granted a Life Membership in appreciation of his services as Minister of State - Community Charter 2001 - 2004.

The UBCM Life Membership Awards were presented at the Annual Banquet on Thursday, Sept. 23 at the Grand Okanagan Resort.

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Our Municipal Group offers experience in all areas of law relevant to local government, including land use and planning, environmental, labour and employment, public private partnerships, tax and litigation.

Recognized by CHAMBERS GLOBAL as the only Canadian firm on its list of "Top 10 Firms in North America" and named "Best Canadian Business Law Firm of the Year," McCarthy Tétrault is Canada’s premier law firm.

The right people. The right results...

McCarthy Tétrault
The UBCM Community Excellence Awards program is an opportunity to showcase municipalities and regional districts who want to “lead the pack”, take risks to innovate, establish new partnerships or pioneer new customer focus practices. It recognizes ideas that rise above challenges with vision, creativity and teamwork. The UBCM Excellence Awards are designed to profile excellence in local government and to create successful pathways and incentives for others to follow. The Award winners are the ones that we can look to and say — that’s a great idea — why don’t we use it.

The 2004 Community Excellence Awards program consisted of three categories:
- Best Practices
- Leadership & Innovation
- Partnerships: Local Government & First Nations

There are three sponsors who have helped make this program possible. The Ministry of Community, Aboriginal and Women’s Services sponsored the sub-category “Best Annual Reporting” under Best Practices. The consulting firm CH2M HILL sponsored the entire Leadership and Innovation category and has provided ongoing support and expertise in the development of the program. And, Indian and Northern Affairs Canada, BC Region sponsored the Partnerships category, which for 2004 focused on Local Government - First Nation partnerships.
Building Greener Government 3: Richmond City Hall
By Jim Taggart

The Greater Vancouver Regional District is comprised of 22 municipalities in BC’s Lower Mainland. Its Livable Region Strategy, adopted about a decade ago, calls for the concentration of future development in 11 of the region’s existing commercial and business districts. This focus was determined in order to disperse work, shopping and recreational opportunities and to encourage densification of adjacent residential areas, thus reducing dependency on private automobiles for long distance commutes.

The transformation in the city of Richmond has been dramatic, with previously idle land in-filled with new multifamily residential development and significant investment in new commercial infra-structure along the city’s main thoroughfare, No. 3 Road. In this context, the new 120,000 square foot Richmond City Hall, completed in 2000, stands as a model of government leadership in community building, in the promotion of healthy workplaces and the implementation of sustainable development practices.

The new Richmond City Hall complex comprises three main functional components — administrative tower, council chamber and meeting house — each clearly identifiable in the overall architectural composition. Together, these elements help to define a varied series of exterior public spaces. A pedestrian court to the north addresses the public parking area, and a glass-covered pergola connects this court to community and recreational facilities west of City Hall. To the south, a water garden of pools and cascades recalls the sloughs and dykes that characterize the region. While the main entrance faces No. 3 Road, the complex is accessible from all directions by pedestrians, cyclists and motorists alike.

The meeting house takes the form of a two-storey gallery running east to west from the main entrance. The circular council chamber with its glazed walls and concrete colonade projects to the south of the main building, a symbol of open and transparent govern-ment set amid the water garden. The interior wood finishes create a warm and inviting aura, befitting this important public space. The eight-storey administra-tion building housing the municipal offices has a loft-like feeling, with high ceilings and abundant natural light.

The design team led by Hotson Bakker Architects of Vancouver in a joint venture with KPMB Architects of Toronto, de-signed and implemented a compre-hensive green de-sign strategy for the project. Signifi-cantly, while the building’s envi-ronmental sys-tems combine to offer overall improvements in energy performance relative to prevailing standards, they also provide building users with a high degree of localized control over their own work environment. The green strate-gies can be divided into five categories:

Energy Strategies
Energy Strategies which include the use of flexible, high-efficiency heating and lighting equipment, state of the art control systems, and a building exterior that features low E (insulating) glass to maximize natural light while moderating summer heat gains and winter heat losses. The net result is that the building performs 25% better than the National Energy Code, therefore reducing greenhouse gas emissions and saving more than $32,000 in annual energy costs.

Water Conservation Strategies
Water Conservation Strategies include the specification of indigenous, drought-resistant plants through-ou-t the extensive gardens and the use of drip irriga-tion for landscape maintenance.

Building Materials Strategies
Building Materials Strategies included the use of du-ritable materials such as concrete, stone and timber for the structure and natural, non-toxic materials for inte-rior finishes.

Construction Strategies
Construction Strategies included the use of the GVRD’s Project Waste Management Master Specification, which promotes recycling of waste materials, reduction of landfill waste, and $7000 in cost savings.

Indoor Environmental Quality Strategies
Indoor Environmental Quality Strategies included increased floor to ceiling heights to improve daylight penetration, exterior louvers on the south elevation to control glare and frosted glass (screen printed with a ceramic dot pattern) to reduce solar heat gain on the west elevation. Also, operable windows were included for fresh air and balconies were added at every level to provide employees with access to the outside.

In addition, the architects chose to break with the traditional formula of placing all the vertical circula-tion (elevators and stairs) at the centre of the building forming a single internal core. Instead, the stair towers were built on the exterior, and fully glazed. Architecturally, their vertical lines help to balance the otherwise predominantly horizontal composition. But more importantly, their bright and airy quality en-courages employees to use them instead of the eleva-tors, offering both potential health benefits and energy savings.

It is this combination of sound environmental de-sign, coupled with a sensitivity to the personal needs of occupants that has seen this building adopted by the Federal Government’s Commercial Building Incentive Program (CBIP) as its model office building for Canada. The project’s ar-chitectural and urban de-sign merits were also ac-knowledged when it re-ceived the country’s highest archi-tectural acco-lade, a Governor General’s Medal in Architecture in 2002.

Jim Taggart practiced architecture in British Columbia and the UK for twelve years before turning his focus to public and professional education and communication. He has written and published architectural walking tour guides of Vancouver and Victoria, teaches in the Architectural Tech-nology degree program at BCIT, and is a Contributing Editor for Canadian Architect and Wood Design and Building Magazines. He can be contacted by e-mail at architext@telus.net.
Community Leadership

The recent conference entitled “Harnessing Youth Power & Perspectives in Your Local Government” held on November 24 and 25, 2004 at the Delta Vancouver Hotel in Richmond was attended by representatives from over 85 local governments. It represented a joint partnership between the UBCM, the National Crime Prevention Centre (federal Department of Public Safety and Emergency Preparedness Canada), the RCMP, the provincial Ministry of Public Safety and Solicitor General, and the Justice Institute of BC.

The conference looked at how local government can build a better relationship with youth in their communities, emerging drug issues that local communities face, and the development of sustainable crime prevention initiatives. A number of youth leaders and other different initiatives undertaken in their community had helped them. The conference profiled actions being undertaken in a number of communities — Salmon Arm Partners in Community Leadership Association and the Hecate Strait Employment Development Society in Prince Rupert. It also highlighted a national web-based program being developed by the RCMP to engage youth (www.deal.org).

Two underlying themes permeated the conference. The first theme focused on the use of the 40 developmental asset model to build on community capacity and strengths. It identified eight key asset topics — support, empowerment, boundaries and expectations, constructive use of time, commitment to learning, positive values, social competencies and positive identity — which can be used by community leaders and others to make a positive difference in the lives of youth. The asset framework offers a model that describes practical things that everyone in the community can do to help the young people that they come into contact with. More information about the Healthy Communities — Healthy Youth Tool Kit can be found on the web site: www.s.e.a.r.c.h.

The second theme focused on crime prevention through social development and how communities can develop sustainable crime prevention programs. Tulio Caputo, an Associate Professor at the University of Carleton, highlighted a study entitled “A Portrait of Sustainable Crime Prevention in Selected Canadian Communities” he had undertaken for the National Crime Prevention Centre (www.prevention.ca). The study highlighted eight factors which contributed to sustainability — commitment to issues of local concern, iterative process (identified their concerns, considered potential solutions, and decided on specific actions); investment in capacity, leaders, working together to build sustainable crime prevention programs.

Overall, the conference provided an excellent opportunity for local government representatives to:

• obtain a youth perspective on what local government can do to address some of their issues;
• obtain information on the drug issues facing communities in the province;
• learn about new strategies and techniques that local government can use in working with youth; and
• share information with other communities on crime prevention initiatives that have worked.

In addition, the conference helped to enhance the capacity of local governments to take a lead role in working with youth at the local level and highlighted the need to work in partnership with the federal and provincial government to address youth issues and crime prevention in the local community.

The review is intended to look specifically at those sections of the Liquor Act that outline the role of local government in the liquor licensing approval process. The general intent is to focus on administration and enforcement changes that might improve the overall process. The process will involve a number of interviews with select local government staff and then a broader meeting to discuss the changes they are considering.

At the 2003 UBCM Convention a resolution was endorsed (SR3 – Liquor Licensing Policy) requesting that “the province consult with local government on its proposed changes to liquor regulations, sales and distribution and that all liquor stores be subject to local government bylaws (zoning, hours of operation, business licensing, etc.).” The underlying issue is how much input will local government have on the number, hours of operation, and location of liquor stores/licensed premises in the community and who will be responsible for enforcing the measures.

There is a need to develop a working relationship and ‘partnership’ process with local government on liquor policy and it is important to ensure that there are:
• clear roles and responsibilities;
• clear legislative authority to take action;
• respect for local government jurisdiction;
• recognition of local government authority and independence;
• financial and technical resources to undertake new responsibilities;
• enforcement measures; and
• accountability measures.

The UBCM Executive has proposed that a consultation agreement be developed, under the Community Charter, with these provincial agencies involved in the development and implementation of liquor policy — the Liquor Control and Licensing Branch, the Liquor Distribution Branch and the Liquor Reform Project.
CONSULTATION AGREEMENT ON PUBLIC HEALTH SIGNED

Section 9 of Community Charter establishes five spheres of concurrent authority. Public Health is one of these spheres.

Under the Community Charter’s concurrent authority provisions, any new municipal bylaw or amendment to an existing bylaw that relates to one of the five spheres of concurrent authority will require some level of provincial participation.

The Minister of Health Services has been designated the minister responsible for the Public Health concurrent authority sphere.

Public Health Bylaws Regulation

The first step in defining the operation of the new Public Health Concurrent Authority was to bring in a ministerial regulation. To that end, the Public Health Bylaws Regulation (B.C. Reg. 42/2004) was deposited on February 12, 2004.

The Public Health Bylaws Regulation requires that a council/regional board must consult with the regional health authority or the Medical Health Officer responsible for public health matters within the local jurisdiction before any health related bylaw can be adopted. These are bylaws under s. 8(3)(g) of the Community Charter.

This regulation also provides that bylaws relating to the protection, promotion or preservation of the health of individuals, or the maintenance of sanitary conditions within the municipality must be deposited with the Minister of Health Services. A bylaw that restricts or has the potential to restrict an individual’s access to health services or that may impact health authority resources will require the Minister’s approval.

Consultation Agreement

Another important implementation tool for the concurrent authority provision is the development of consultation agreements. Three Consultation Agreements have been completed to date to facilitate the exercise of concurrent authority between UBCM and the provincial ministries. The latest of these, the Consultation Agreement among the Ministry of Health Services, Ministry of Community, Aboriginals and Women’s Services and UBCM, was signed on November 4, 2004.

The purpose of the Agreement is to establish an effective intergovernmental mechanism to share information regarding the operation of the Public Health Bylaws Regulation and to provide the framework by which the parties will monitor, review and amend the regulation over time. Given that certain matters cross the realms of health and environment, UBCM’s Healthy Communities and Environment Committees are likely to serve as the consulting bodies at UBCM.

The agreement also sets out the process by which bylaws under the regulation will be created, deposited/approved, and brought into force.

Seniors Housing Initiative: Phase 1 launched December 2004

Phase 1 of the Seniors Housing Initiative is set to launch December 2004 with the development of a number of information sharing tools geared to local government. During a series of planning workshops, UBCM members and others involved in Seniors housing issues around the province identified the lack of information regarding existing resources as a major issue when planning for Seniors needs in their communities.

A website geared entirely to Seniors Housing and related needs will be created to ensure that all communities have access to the resources that are already available to them; to share best practices and to learn of initiatives that have been successful in other communities. The site will also provide information regarding the roles and responsibilities of local government; clarify terminology regarding levels of care and provide links to the sites of other providers of seniors’ services in the province. Site development will be guided by an advisory committee, ensuring input from seniors, rural and urban communities, and other levels of government.

In tandem with website development, a number of networking and information sharing initiatives are underway. Members will be surveyed to determine current practices and to identify outcomes, experiences and barriers. Workshops are being planned for each Area Association meeting and Community to Community forums are being developed. These activities will allow networking and information sharing between neighbours and provide a valuable resource in developing website content. Later in 2005 a large scale meeting will provide an opportunity for provincial delegates to share experiences.

It is anticipated that the findings during the first year of this program will identify areas where local governments require further research or assistance, and will aid us in shaping phase 2 of the program.

New Deal

Continued from page 1

5. Accountability and result

6. Flexible, simple and transparent program administration

7. Recognition of contribution by the Government of Canada

The FCM proposal is that national allocations be based on a per capita calculation with revenue dedicated to sustainable infrastructure investments.

It is recognized that smaller provinces and territories need sufficient funds to undertake investments so a minimum fund of $25 million for these jurisdictions was proposed. Finally, the proposal recommends that where appropriate, the allocation of funds within provinces dedicate not less than 25% to transit investments.

Hopefully, this direction will help Minister Godfrey get the Cabinet direction needed to move forward. Time certainly appears to be running out to get any agreements by the end of 2004 but we are well positioned to move immediately in the new year.

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Health

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The Environmental Assessment Office has seen the number of projects under review triple since 2002. The additional workload has proven to be a challenge, but the Office has been able to meet the 180 day timetables for the review of most projects to this point. To date the client surveys of the work being performed by the Environmental Assessment Office have been supportive of the measures taken by the agency in reviewing projects.

There are a number of regulatory changes being proposed by the agency to improve the review process. One of the major proposals is to change the public policy consultation requirements to eliminate the mandatory time period for public review of the proponents draft terms of reference. The Branch’s view is that the issues are currently being dealt with in the consultation sessions being undertaken by the proponent prior to making a formal application and that the public is more interested in responding to the actual report on the project, rather than the initial outline of the report. Minor changes are also being considered in the shoreline modification requirements under the Coastal Assessment Regulation when these provisions apply.

The federal and provincial governments are continuing to work toward harmonization the two assessment processes.

Environmental Assessment Act

Canadian Environmental Assessment Act a new federal coordinator has been appointed to facilitate formal responses to proposed projects and to determine in the early stages of a project whether or not it will trigger a full Environmental Assessment Review under the federal legislation. A number of regulatory changes are being developed at the federal level, for example, the list of excluded projects is being expanded, new assessment process is being developed for airports and ports, and the intention is to make federal-crown agencies subject to the environmental assessment requirements. A new protocol has been developed between the provincial Environmental Assessment Office and Fisheries and Oceans Canada around the protection of fish habitats as it relates to mining projects. The federal government, while not bound by provincial guide posts, has attempted to meet provincial time lines when responding to major environmental assessment requests being undertaken in British Columbia.

Numbering Plan Area (NPA) 250 Relief Planning Meetings Underway

With increasing populations, homes and businesses with multiple phone lines, cellular technology and other advancements, there is increasing pressure on the telephone numbering system. Over the past few years we have seen the addition of the area codes 250 and 778 in the Province of British Columbia, and the 250 area code is expected to exhaust in 2009. In preparation for this, the NPA 250 Relief Committee has been struck and the first planning meeting was held in February 2004. The committee is an ad hoc committee of the CRTC Industry steering committee and representatives from SAIC (Canadian Numbering Association), UBCM, CRTC, and industry were in attendance.

Over the course of the two day meeting, variations on five different scenarios were considered and rated against a variety of criteria. The five different scenarios included:

- Geographical split (i.e. Vancouver Island assigned new NPA);
- Boundary realignments (e.g. 778/250 split – 778/250);
- Concentrated overlay over existing area codes;
- Distributed overlay over the NPA 250; and
- Distributed overlay with boundary realignments.

Each participant was given the opportunity to rate each scenario against a variety of criteria. Interestingly enough, when all of the criteria are measured the strongest case was made for variations on the distributed overlay. While this would mean 10 digital dialing province wide, it would relieve confusion when dialing between community’s, and take significantly less time before the new NPA exhausts. Consideration was given to the concerns of Northwest Tel and Telus with increasing populations, homes and businesses with multiple phone lines, cellular technology and other advancements, there is increasing pressure on the telephone numbering system. Over the past few years we have seen the addition of the area codes 250 and 778 in the Province of British Columbia, and the 250 area code is expected to exhaust in 2009. In preparation for this, the NPA 250 Relief Committee has been struck and the first planning meeting was held in February 2004. The committee is an ad hoc committee of the CRTC Industry steering committee and representatives from SAIC (Canadian Numbering Association), UBCM, CRTC, and industry were in attendance.

Overall the regulation appears to provide a framework for the expansion of new product stewardship programs in the province and the diversion of more products from landfill sites.

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On Thursday November 18, 2004, the Supreme Court of Canada handed down two rulings that provide greater clarity on the extent to which the Crown and third parties have to consult and accommodate Aboriginal people before proceeding with projects that may impact treaty rights, such as logging and mining on Crown lands that are subject to Aboriginal land claims. The cases at the Supreme Court flow from two B.C. Court of Appeal rulings in 2002: Haida Nation v. BC Ministry of Forests and Weyerhaeuser and Taku River Tlingit First Nation v. Ringstead and Province of BC.

In Haida Nation v. BC Ministry of Forests, the Haida challenged the provincial government’s transfer and extension of a tree farm license from MacMillan Bloedel to Weyerhaeuser, asserting that the BC government breached its legal duty to consult with the Haida. The Supreme Court confirmed the Crown’s duty to consult, but overruled that aspect of the B.C. Court of Appeal decision regarding third parties requirement to consult, holding that private parties such as Weyerhaeuser do not have duties to First Nations to consult or accommodate their interests. With respect to British Columbia and Canada’s obligation to consult, the court decision draws a clear distinction between consultation and consent, asserting that “consultation must be meaningful” but there is no duty to reach agreement.

In Taku River Tlingit First Nation v. Ringstead, the Taku River Tlingit challenged the construction of a 160 kilometer road to the Tulsequah Chief Mine in north-west B.C. While the Supreme Court found in Haida that the provincial government had failed to undertake meaningful consultation, the Supreme Court found in Taku River that consultation undertaken to fulfill the requirements of the provincial environmental assessment process was “adequate to satisfy the honour of the Crown”. The Supreme Court, however, made it clear that for the provincial and the federal government the process of consultation must be continuous and ongoing.

While the court decisions provide greater clarity on what is required by industry and the Crown with regard to consultation, they present only “broad guidelines” for what constitutes “meaningful consultation” on the part of the federal and provincial governments. The Supreme Court found that government’s duty to consult and accommodate is proportionate to the strength of each native claim and the potential adverse impact of each proposed development, and it acknowledged that further litigation may be necessary “in all of the details” of the general framework established by these most recent rulings.

UBCM is currently reviewing these decisions and will report to members on any significant impacts on local governments.

UBCM Holds Joint TAC Summit

On Thursday November 18, 2004 UBCM held a Joint Treaty Advisory Committee (TAC) Summit. The goal of the Joint TAC Summit was to set direction and craft clear messages for provincial Ministers on priority local government concerns arising out of final treaty negotiations. Fifteen of the seventeen Treaty Advisory Committees across the province were represented at the meeting.

Three key topics of discussion were: “transition funding” for local governments financially impacted by the settlement of treaties; post-treaty additions to treaty settlement lands; and First Nations governance. Participants expressed a sense of urgency that, at many tables, negotiations were moving too fast with little time for local government consideration of critical chapters, such as governance, where there are substantial local government interests. Participants raised concerns including the need for more work on intergovernmental relations issues at treaty tables between First Nations and local governments. They also felt there needs to be more education of the general public regarding treaty negotiations and adequate funding for local governments to participate in the treaty process.

John Balogh, Executive Director for the provincial Treaty Negotiation Office (TNO), Jim Lorne, consultant to TNO and former Mayor of Campbell River and Assistant Deputy Minister Dale Wall from the Ministry of Community, Aboriginal and Women’s Services attended the second part of the meeting. Proposals on each of three main topic areas were presented to them:

• With respect to First Nations governance, where requested by a local government, develop a mandatory committee at the treaty table where important discussions regarding local First Nations local government interface issues can be addressed, local government relations chapter can be negotiated, and other important local government issues such as First Nations participation in Regional District boards can be discussed.

• With respect to “transition funding”, pursue a Memorandum of Understanding between UBCM and the province that will acknowledge that “transition funding” for local governments will be considered in the negotiation of final treaty settlements officials from neighbouring communities together to discuss issues of mutual concern. Funding provided through the Community to Community Forum program must be matched in cash or in kind by the applicant, local governments and First Nations groups apply for funding to hold events that bring elected officials from neighbouring communities together to discuss issues of mutual concern. Funding provided through the Community to Community Forum program must be matched in cash or in kind by the applicant, local governments and First Nations groups apply for funding to hold events that bring elected officials from neighbouring communities together to discuss issues of mutual concern. Funding provided through the Community to Community Forum program must be matched in cash or in kind by the applicant, local governments and First Nations groups apply for funding to hold events that bring elected officials from neighbouring communities together to discuss issues of mutual concern. Funding provided through the Community to Community Forum program must be matched in cash or in kind by the applicant, local governments and First Nations groups apply for funding to hold events that bring elected officials from neighbouring communities together to discuss issues of mutual concern. Funding provided through the Community to Community Forum program must be matched in cash or in kind by the applicant, local governments and First Nations groups apply for funding to hold events that bring elected officials from neighbouring communities together to discuss issues of mutual concern. Funding provided through the Community to Community Forum program must be matched in cash or in kind by the applicant, local governments and First Nations groups apply for funding to hold events that bring elected officials from neighbouring communities together to discuss issues of mutual concern. Funding provided through the Community to Community Forum program must be matched in cash or in kind by the applicant, local governments and First Nations groups apply for funding to hold events that bring elected officials from neighbouring communities together to discuss issues of mutual concern. Funding provided through the Community to Community Forum program must be matched in cash or in kind by the applicant, local governments and First Nations groups apply for funding to hold events that bring elected officials from neighbouring communities together to discuss issues of mutual concern. Funding provided through the Community to Community Forum program must be matched in cash or in kind by the applicant, local governments and First Nations groups apply for funding to hold events that bring elected officials from neighbouring communities together to discuss issues of mutual concern.

A third call for Community to Community Forum proposals has now been issued and the application kit is available online at www.civinet.bc.ca through the following file path: About UBCM/Programs/TTY to Cnty Tyto Cnty Program Forum. Applications must be received in the UBCM office by January 14 and all events for the 2004/05 program must be held by March 31, 2005. Communities interested in applying under the 2005/06 Program year are encouraged to begin thinking about potential events and gauging interest among neighbouring First Nations and local governments. It is expected that a new round of funding will begin in Spring 2005.

For those interested in learning more about the Community to Community Forum Program, final reports submitted in electronic format are available on the UBCM website. Please check back often to read about events, accomplishments and progress being made in local government-First Nations relations throughout the province.

Contact Errin Armstrong in the UBCM office if you have any questions about the Community to Community Forum Program.
Governance Technical Team Report Released

In the January 2004 Comparative Analysis of the 2003 Agreements in Principle (AIPs) and Local Government Interests, UBCM raised concerns about the lack of negotiations on the nature and scope of First Nations governance in the treaty process, particularly at local levels.

Negotiations on First Nations governance issues are vital to UBCM members since it is only through these negotiations that many local government treaty-related concerns and interests can be addressed. As governance negotiations have proceeded at a final agreement table, UBCM has been working to clarify and provide input to the provinces and local governments’ practical interests in the negotiation of First Nations governance in treaties.

To accomplish this, UBCM established “Governance Technical Team” (GTT) comprised of staff representatives from local governments involved in AIP tables (Snuneymuxw, Maa Nulth, Sliammon, Lheidli T’enneh and Tsawwassen) and provincial government staff. The GTT has produced a final report (available from Alison McNeil in the UBCM office) which was presented at the Joint Treaty Advisory Committee (TAC) meeting at convention and sent to all TACs in mid-October for their review.

GTT members examined nine areas in which First Nations governments will have law making authority post-treaty as identified in the AIPs:

- Buildings and Structures
- Business (licensing, regulation and operation);
- Emergency preparedness/services;
- Environmental Management (e.g. assessment & protection);
- Land Use Planning and Management;
- Public Works;
- Taxation; and
- Transportation - Roads and Rights-of-Way.

The practical interests and concerns of local government in relation to each of the nine areas are described in the report. Based on their research and examination of the 2003 AIPs, the common concerns raised by local government GTT members relate to the potential for:

- Final Agreements that fail to address the full extent of issues relating to post-treaty First Nation government powers and authorities, and could have an impact on neighbouring jurisdictions;
- Lack of effective mechanisms to deal with dispute resolution, cost-sharing, and cost recovery;
- Lack of a process to facilitate consultation and communication between First Nation parties and neighbouring municipalities;
- Economic advantage for First Nation governments through adoption of different standards and/or taxations;
- Lack of compatibility and coordination between First Nation government and local government standards and regulations within the same areas (e.g., environmental management, emergency preparedness and infrastructure); and
- Lack of coordinated land use planning with a long-term perspective.

Detailed recommendations related to each governance area are described in the GTT report, as are economic development and land use planning. Speakers from First Nations and local governments made joint presentations on how they are working toward ratification of an AIP by December 2004 or early 2005. GTT members hope that the AIP negotiations will be finalized by March 2005.

About 100 participants Technical Workshop attendees participate in a networking session

Relationship Building with First Nations

The First Nations Relations Committee of the UBCM Executive met for the first time on November 4, 2004 to set goals and priorities for the upcoming year. Among the recommendations approved at this meeting were revising both the name and terms of reference for the Committee, originally referred to as the Aboriginal Affairs Committee. The name “First Nations Relations” more closely reflects the responsibilities of this UBCM committee in the area of relationship building between First Nations and local governments. This is an important and expanding policy area in light of the increasing roles First Nations across the province are assuming in areas such as land management, taxation, and self-government.

Continued on page 23

Technical Workshop participants participate in networking session

Treaty Negotiations Update: Fast Paced Negotiations Continue

Treaty negotiations across the province continue at an intense pace as parties aim to reach final agreements soon.

The Snuneymuxw First Nation near Nanaimo have resumed negotiations and are working toward ratification of their Agreement in Principle (AIP). The Haisla Nation near Kitimat are working toward concluding an AIP and have recently been identified as a priority table.

Yale (north of Hope), Yekooche (Fort St. James) and In-Shuck-ch (Lillooet area) are three First Nations that also appear close to reaching AIPs. According to the BC Treaty Commission 2004 annual report, both Yale and Yekooche are working toward an AIP by December 2004 or early 2005. In-Shuck-ch are aiming to have AIP negotiations finalized by March 2005.

There are four active treaty tables that have ratified AIPs and are working toward final agreements: Tsawassen (Lower Mainland), Lheidli T’enneh (Prince George), Sliammon (Powell River and coast), and Maa Nulth (west coast Vancouver Island).

Tsawwassen treaty negotiations are advanced and provincial negotiators have advised that they are trying to reach a hand-shake deal by mid-Decem-ber. Since Tsawwassen will be BC’s most urban treaty to date, there are many detailed issues that need to be addressed before a final agreement can be reached. Many of the chapters of critical concern to local governments are still being drafted, including those related to government, lands, fiscal relations, and taxation.

Lheidli T’enneh negotiations are also proceeding swiftly. The Lheidli T’enneh First Nation is meeting with the Shuswap First Nation to discuss common areas in their final agreements, such as in the fiscal, tax, and governance chapters.

There is a good working relationship between the Squamish and Shuswap First Nations and the Lummi Nation, local and provincial government consultation through the Prince George Treaty Advisory Committee continues. Negotiators are now turning their attention to developing a revised land package, fisheries, recreation, and utilities sector related issues.

Discussions at the Sliammon negotiation table have focused on technical issues relating to taxation, fiscal administration, land, and fisheries. The pace of negotiations at this table have increased in recent weeks following the election of a new Chief and Council, and there is an upcoming workshop planned between the Regional District of Powell River and the Shuswap First Nation to discuss their post-treaty relationship.

Parties at the Maa-nulth table have been making steady progress toward a final agreement with work being completed on all key chapters. BC has just tabled the governance chapter and the parties are targeting early 2005 for completion of a final agreement. Further information regarding any of the treaty tables can be found on the BC Treaty Commission webpage at: www.bcstudy.net/index.html.

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Politics or Principles?

By Eli Mina

I was told of an experienced elected leader who offered this piece of advice to newly elected Councillors: “For the next few years, every move and every decision you make must be driven by one thing and one thing only: Will it help you get re-elected?” I was astonished that an experienced leader would make such a statement and do so publicly. I always advise my clients that they should never make a statement in public unless they are prepared to have it played back on the six o’clock news. Was this leader prepared for such an eventuality?

On another occasion, as I was getting ready to speak to a new council, I heard the previous speaker ending several segments of his presentation by saying: “And, if you do this, it will help you get re-elected.” I was getting annoyed again. But then an unexpected thing happened. One person interrupted the speaker with this refreshing statement: “With all due respect, sir, I can assure you that getting re-elected is the last thing on our minds. What we’re most interested in is doing a good job and providing solid leadership to our community.”

Trying to get re-elected seems to be a pre-occupation for many elected leaders. Some appear to be in campaign-mode for their full term of office. In B.C., things are likely to get worse next year, in the lead-up to the next municipal elections. I may seem naive and old fashioned when I object to this mindset, but I’m also being practical. Below are examples where politics overtake principles, with potentially serious consequences for communities:

“It’s not my issue”

Suppose a “single issue candidate” is elected to a Council (“pro-development,” “pro-environment,” etc.). As time goes by, the individual discovers that things are not all that simple, that he or she has plenty to learn, and that making unrealistic election promises may not have been such a great idea. Still, the following dysfunctions may occur:

• Many issues will have no bearing on an individual’s platform or ideology. Will he or she maintain an interest in broader issues and be truly engaged in decision-making, even if “it’s not their issues?”

• Acting “politically,” such an individual may turn out of broader debates, being at a meeting in body but not in spirit. Council is then short one voice, due diligence is diminished, and community interests may be compromised.

• Interstate, some single-issue politicians routinely “barter” their votes with others in exchange for support on their own issues. Decisions are then made on the basis of “backroom dealings” and not on merit. Transparency, accountability, and responsible stewardship are nowhere to be found.

• There are times when broad community interests require principle-based persons to vote in a way that contradicts their own set platform or narrow interest ideologies. Will they have the backbone to say yes to community interests and no to narrowly based interests? Sadly, often the answer is no.

• As a result, community interests may suffer. Resentment and cynicism towards “politicians” are bound to develop.

• “Single issue” politicians often speak exclusively from their own narrow perspectives. After a while, they sound like broken records. Their colleagues eventually get tired, bored and frustrated: “We can’t expect anything new from this person.” They may end up automatically “turning off” and not listening to single-issue politicians, even when they have something significant to add to the discussion. When Councillors do not listen and miss significant pieces of information, their decisions are bound to be less informed, holistic and sustainable. The risks for the community increase.

“It’s what the community wants”

The notion that “the customer is always right” seems to guide many local Councils. If “the community” wants a new recreation centre, it will have it, even if it is at the expense of more pressing but less appealing priorities. If “the community” opposes a certain re-zoning, Council will just have to vote it down, even if it is a crucial piece of its long-term plans for the community.

The thing that Council members dread the most is the wrath of “the community” and how much damage it might inflict on their re-election prospects.

Not enough leaders pause to address two simple questions:

• Is just who is “the community?”

• Is the community always right?

As to the first question: There are those individuals and advocacy groups who get organized with creative lobbying efforts and take time to attend and speak at Council meetings. Still, their input may not necessarily be truly representative of the broader community. Council must consider their voices in the context of the other pieces of the truth, which include long-term plans, professional analysis, and the voices of many community members that have not been heard. Allowing a small advocacy group to dictate Council’s decisions would amount to “the tyranny of the minority.”

The fact that such groups are allied with prominent and influential people should not distract Council from a principle-based decision-making.

But even if negative feedback about an initiative is emerging from broad segments of the community, one still has to ask whether the community is necessarily right. Community input that is based primarily on anger, emotion, envy, sighted views, narrow interests, or just plain ignorance is not very helpful. A principle-based Council may still opt not to act on such feedback, show vision and leadership, and educate and guide the community to the right decision. Council is entrusted to govern. Yes, it should listen to the views of the community, but it cannot shirk its responsibility to govern, even if this means it will not get re-elected.

To further examine the notion that “the customer is always right,” it may be useful to look at analogies for communities:

Courses and Resources

- Just who is “the community?”
- Is the community always right?

[Continued on page 22]
Municipal Finance Authority of BC

With the new Community Charter, changes have come into effect for Capital Borrowing and Leasing. There are changes in the borrowing power calculation, process and bylaws. If you are interested in learning more about these changes, please contact Shelley Hahn, Manager of Financial Services at the Municipal Finance Authority office. (shelley@mfa.bc.ca)

The MFA elected officials/employee investment Program is well into its second year. Increased returns are the results of this program since MFA has convinced Fidelity, Trimark, etc., into lowering their fees on mutual funds. This program is similar to an RRSP program; elected officials, municipal Staff and spouses are welcome into the program. Contributions can be made by payroll deductions or lump sum. Enter into this program soon and receive a tax deduction.

Politics or Principles?
Continued from page 21

Risk and Resilience Services

Business risk is a two-sided coin. On one hand, organizations of all sizes must take calculated risks in order to grow. On the other hand, risks from a variety of sources—including technology, financial, controls, and regulations—can threaten the organization’s profitability, and sometimes even its viability.

KPMG can help your organization strengthen its ability to withstand unanticipated market and regulatory issues. Our Risk and Resilience Services can give you the confidence to move ahead, providing effective programs to prevent business risk from derailing your progress.

Contact your KPMG advisor to find out more.

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AWARDS GALA TO CELEBRATE EXCELLENCE IN WOOD USE
It is time to recognize and celebrate the use of wood in British Columbia!

A premier event, designed to celebrate and recognize the growing wood culture in British Columbia will bring designers, politicians and forestry industry leaders together with a celebratory Gala dinner in March of next year. The first annual Recognition in Wood Excellence Awards Gala is being coordinated by Wood WORKS! British Columbia. Wood WORKS! is a Canadian Wood Council initiative to increase the use of wood in commercial construction and has been actively involved in UBCM activities for the past six years. The Awards Gala will recognize the strides made towards increased wood use in the province and organizers anticipate that a broad cross section of projects, representing a variety of innovative applications will be nominated. A prestigious panel of independent judges will preside as the jury over the nominations and it is expected that there will be many worthy candidates.

“We are very excited about the Gala,” Mary Tracey, Director for Wood WORKS! BC noted. “Our counterparts in Ontario have just hosted their third Gala and the response throughout Ontario has been tremendous. The Gala is a perfect opportunity to recognize designers, communities and builders who are committed to excellence in wood. The Gala will celebrate the milestones achieved over the past number of years.”

The categories for nominations are varied, covering everything from wood use in residential buildings to use of wood in recreational and institutional projects. Other categories will acknowledge leaders who are doing their part to build a wood culture in the province.

“For example, the Community Leader Award honours a leader who has contributed to the selection of wood in community projects, built partnerships and speaks in support of the forest industry and the use of wood in construction,” Tracey said. “Other awards are more general – for example we have an award geared towards institutional buildings and another award that focuses on wood use in a restoration project.”

Each award category has been sponsored by a forest industry company, association or a business dependent on the health of the forest industry. Award (gold) sponsors are Canfor, Forintek, Gorman Bros. Lumber, Structurlam, Tolko, Western Archibl, Weyerhaeuser, Coast Forest Lumber Association (CFLA) and the Canadian Wood Council. Wellington Dry Kilns is the reception (silver) sponsor.

Tracey noted that the winners of each category will be presented with a hand-carved, one-of-a-kind, solid wood trophy, carved by master carver and sculptor Norm Brulee. Brulee does a variety of work in all mediums and is known for his “Donor Walls.” at Nanaimo Regional General Hospital and the Nanaimo Child Development Centre.

“The trophies are a work of art,” Tracey noted. “Each trophy will be hand-carved, using a species of wood specified by the sponsor. This is the kind of trophy that will take centre stage on a shelf, it certainly won’t be relegated to the back of a cabinet. They are absolutely beautiful, a true representation of the beauty of wood.”

The Gala will be held at the Four Seasons in Vancouver on March 7, 2005. Tracey noted that tickets will be available on-line (www.cwc.ca) and recommends purchasing tickets well in advance.

“We are hosting the Gala on March 7, the night before the Vancouver Wood Solutions Fair,” she explained. “As always, the Wood Solutions Fair will have some internationally renowned designers speaking at the Fair. This means that a lot of people will be in Vancouver for the Fair and will want to attend the Gala the night before.”

Tracey noted that last year the keynote speakers for the Wood Solutions Fair were the architects who designed the Lillehammer Olympic Arena, a world-renowned wood building that has inspired designers around the world. She noted that although the details have not been confirmed, this year’s speakers will be of the same stature.

The Call for Nominations for the first annual Gala have just gone out and the various award categories are posted on the Canadian Wood Council website (www.cwc.ca). Simply click on the Gala button and follow the instructions for downloading the application form. Tracey encourages both self-nominated projects and third-party nominations.

For more information on the Gala, contact Wood WORKS! at 1-877-929-9663.

WOOD WORKS! Awards Gala

a premier event to recognize excellence in wood design

March 7, 2005

> Four Seasons Hotel Vancouver

> Nomination forms on-line: www.cwc.ca

> Nominations close February 1, 2005

> For information call 1-877-929-9663
2004-2005 EXECUTIVE COMMITTEE APPOINTMENTS

UBCM President Director Aaron Dinwoodie has confirmed the following UBCM Executive Committees and members for the coming year. Members will note that there are a few changes in Committee names to better reflect the focus for the Committee. As well, one new Committee, the Regional District Task Force, has been established to focus on implementing recommendations from the working group on regional district issues.

Resolutions
Mayor Frank Leonard, Chair
Mayor Jack Peake, Vice-Chair
Councillor Dan Rogers
Mayor Herb Pond
Chair Robert Hobson
Councillor Brenda Binnie, VP Liaison

Convention
Chair Susan Gimse, Chair
Mayor Malcolm Brodie, Vice-Chair
Councillor Terry Smith
Councillor Mary Sjostrom
Councillor Brenda Binnie, VP Liaison

President’s Committee (as established in Executive policies)
Director Aaron Dinwoodie, President
Chair Marvin Hunt, 1st Vice-President
Mayor Wayne Dahlen, 2nd Vice-President
Councillor Brenda Binnie, 3rd Vice-President
Mayor Frank Leonard, Past President

Community Safety (previously Justice and Protective Services)
Councillor Corinne Lonsdale, Chair
Mayor Malcolm Brodie, Vice Chair
Mayor Frank Leonard
Councillor Mary Sjostrom
Chair Marvin Hunt, VP Liaison

Environment
Mayor Herb Pond, Chair
Chair Robert Hobson, Vice Chair
Chair Ted Armstrong
Mayor Jack Peake
Mayor Wayne Dahlen, VP Liaison

Healthy Communities (previously Health)
Chair Robert Hobson, Chair
Mayor Sharon Hartwell, Vice Chair
Councillor Ellen Woodsworth
Councillor Bev Bellina
Mayor Wayne Dahlen, VP Liaison

First Nations Relations (previously Aboriginal Affairs)
Chair Ted Armstrong, Chair
Mayor Herb Pond, Vice Chair
Councillor Ellen Woodsworth
Councillor Bev Bellina

BC Resort Strategy and Action Plan Released

On November 9, 2004, the Honourable Sandy Santor, Minister of State for Resort Development released the BC Resort Strategy and Action Plan at Big White Ski Resort. The report is the government’s response to the recommendations of the BC Resort Task Force Advisory Group, released last July. This strategy establishes government’s priority objectives for supporting growth in the resort sector.

Members will recall that the UBCM signed a protocol with the provincial government on resort development that is designed to ensure local governments are consulted and their areas of jurisdiction are respected as the province moves to enhance resort development opportunities. The Strategy and Action Plan document is available for download and can be accessed from either of the following websites:
- www.lwbc.bc.ca/02land/resorts/index.html
- srnwww.gov.bc.ca/resortdev/index.html

Regulations
Mayor Colin Mayes, Chair
Chair Marvin Hunt, VP Liaison
Chair Ralph Drew, LMTAC Liaison

Community Economic Development
(previously Communities and Resources)
Councillor Dan Rogers, Chair
Councillor Terry Smith, Vice Chair
Mayor Colin Mayes
Mayor Sharon Hartwell
Mayor Jack Peake
Mayor Wayne Dahlen, VP Liaison

Regional District Task Force
Chair Susan Gimse, Chair
Councillor Brenda Binnie, Vice Chair
Chair Robert Hobson
Councillor Corinne Lonsdale
Chair Ted Armstrong
Mayor Herb Pond
Chair Marvin Hunt, VP Liaison

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