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Civic Net Update

The 2004 Convention Information see page 11

Continued on page 19

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Health

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• update on final stages of current Canada-BC infrastructure agreement workshops; interim measures updates and more (p.13)
• preventing falls among the elderly (p.14)
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nity Charter) enacted (p.14)
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• member comments on overall goals and values;
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2004 COMMUNITY EXCELLENCE AWARDS

Record Number of Submissions Received

From Osoyoos to Surrey—local governments in BC have a lot to be proud of. UBCM is pleased to announce receipt of 43 submissions in total to the Community Excellence Awards program. Due to popular demand, the submission deadline was extended by one week—from May 29 to June 4. This extension was posted on the UBCM web site as well as at all member municipalities.

It’s hard to say which category was most popular with our members. Best Services, Leadership & Innovation as well as Partnership—received submissions from all regions. Staff are now going through each submission to ensure that all requirements have been met. After this process, submissions will be sent out to selection panel members for careful reading. UBCM looks forward to bringing each category selection panel together to choose the best of the best. The selection process will be complete by August, at which time all applicants will be informed of their results. Finally, all winners will be invited to participate in the awards presentation at the UBCM Annual Convention in September.

UBCM congratulates all applicants for their efforts in highlighting what is great about their communities. Having already received calls from municipalities interested in the 2005 awards, we urge you to mark your calendars for the Annual Convention next Spring at www.civicnet.bc.ca.

UBCM thanks the 2004 Community Excellence Awards sponsors: MCAWS, CHEMIL and Indian and Northern Affairs Canada, BC Region.

Our Mistake: Member Awareness of news is very good

In our last issue, we reported that early results among the membership survey appeared to show that 20% of members were not aware of the newsletter. We were shocked since it was countersigned to members at what is great about their communities. Having all applicants for their efforts in highlighting what is great about their communities. Having already received calls from municipalities interested in the 2005 awards, we urge you to mark your calendars for the Annual Convention next Spring at www.civicnet.bc.ca.

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Congratulations to Canal Flats

B.C.‘s newest municipality is Canal Flats located along highway 93/95 between Fairmont Hot Springs and Skookumchuck. Its population is approximately 700 people and the main activity is forestry.

The first election was held on June 12th and the new council is:

Mayor Emile Morin
Councillor Colin Cartwright
Councillor Patricia Doherty
Councillor Martin Juras
Councillor Walter Woodgate

Canal Flats was incorporated as a village municipality and it brings the current status to:

155 municipalities
27 regional districts for a total of 184 local governments

This includes Islands Trust, Sechel Indian Government, Boundary ("Island") municipality.

The inaugural council meeting will be held on June 29, 2004.

UBCM office has had a few calls mentioning they missed the Protocol pages in the Net\-\-book. The information rarely changes and rather than reprint them every year the information has been moved to www.civicnet.bc.ca under Links/Quick Links.
UBCM NEWS JUNE 2004

Around the Province

UBCM EXECUTIVE VISITS OMMA

Every two years, and according to Executive policy, the UBCM Executive holds its Spring meeting in conjunction with the annual meeting of one of the five BC Area Associations. Last month, the Executive gathered at the Okanagan Mainline Municipal Association (OMMA) Conference in Kamloops to conduct its quarterly Board and Committee meetings, as well as to meet with OMMA members, take in some of the excellent OMMA Conference events and spend a little time enjoying the sunshine and attractions in beautiful Kamloops.

Delegations to the Executive meeting at OMMA included Premier Gordon Campbell with the Honourable Murray Coell, Minister of Community, Aboriginal and Women’s Services; the Honourable George Abbott, Minister of Sustainable Resource Management with Land and Water BC Inc.; and the Honourable Bill Barisoff, Minister of Water, Land & Air Protection who met with the Environment Committee. Premier Campbell addressed the OMMA membership following his meeting with the UBCM Executive and Minister Coell addressed OMMA the previous day at the Kamloops Wildlife Park.

An excellent time was had by all members of the UBCM Executive in attendance and many thanks go out to OMMA for organizing a very enjoyable and eventful Conference.

The Executive looks forward to its next on-the-road adventure in Spring 2006!

Member Visits

One of the elements of the UBCM Mission Statement is communication with members. UBCM distributes information to our members and receives lots of mail and communications from our members. But nothing replaces face to face communications. So one of our goals is to have staff visit at least 25% of the members outside the GVRD each year. This year we exceeded the goal with 41 visits — catching up for a couple of years when we were short staffed and did not make our target. We are pleased to say — with a couple of exceptions, we have heard the issues on the ground in your communities and have visited with all members once in the last five years.

Communities visited this year include:

**Northern Rockies/ Fort Nelson**
- North Cowichan
- Ladysmith
- Lake Cowichan
- Duncan
- Cowichan Valley RD

**Mid Island**

**East Kootenays**
- Cranbrook
- East Kootenay RD
- Elkford
- Fernie
- Invermere
- Kimberly
- Radium

**Sparwood**
- Canal Flats (met w/ Transition Coordinator)

**Thompson Okanagan**
- Central Okanagan RD
- Kelowna
- Lake Country
- Salmon Arm
- Sicamous
- Armstrong
- Coldstream
- Lumby
- Spallumcheen
- Vernon
- Columbia Shuswap RD
- North Okanagan RD

**Ashcroft**
- Cache Creek
- Chase
- Lytton
- Merritt
- Thompson-Nicola RD

**Local**
- Bowen Island
- Squamish-Lillooet RD
- Whistler
- Pemberton
- Gibsons
- Sechelt
- Sunshine Coast RD
- Powell River
- Powell River RD

In the Member visits plan for next year is northwest BC.

BC/FCM TRAVEL FUND

Financial Statement

May 1, 2003 - April 30, 2004

**REVENUE:**

Opening Balance May 1, 2003 $ 41,587.26
FCM 2003 dues (rec’d after ‘03 yr. end) 4,426.00
FCM 2004 dues 24,300.00
Interest earned to April 30, 2004 93.49
$70,406.75

**EXPENDITURES:**

Members expenses $19,510.29
Cheque purchase 22.76
FCM Administration Fee (4%) 24,300.00
UBCM Administration Fee* 0.00
($19,533.05)
Closing balance $50,873.70

* UBCM does not deduct an administration charge

BC Representatives to FCM Board

At the recent Federation of Canadian Municipalities conference in Edmonton, Alberta the following BC representatives were elected to serve on the National Board of Directors for 2004-2005:

- Mayor Derek Corrigan, City of Burnaby
- Chair Hans Cunningham, RD of Central Kootenay
- Councillor Cliff Dezell, City of Prince George
- Councillor Jan Green, City of Vancouver
- President Frank Leonard, UBCM
- Councillor Joanne Monaghan, District of Kitimat
- Mayor Jack Peake, Town of Lake Cowichan
- Councillor Pat Wallace, City of Kamloops
- Congratulations to Mayor Michael Coleman of the City of Duncan who was elected First Vice-President and to all others that will be serving on the Board.

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- Mid Island
- East Kootenays
- Sparwood
- Thompson Okanagan
- Local

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- Congratulations to Mayor Michael Coleman of the City of Duncan who was elected First Vice-President and to all others that will be serving on the Board.
Area Associations

2004-2005 AREA ASSOCIATIONS

Association of Vancouver Island & Coastal Communities

PRESIDENT Mayor Jack Peake
1ST VICE-PRESIDENT Councillor Bea Holland
2ND VICE-PRESIDENT Councillor Mary Ashley
PAST PRESIDENT Director Rod Sherrell
ELECTORAL AREA REP. Councillor Nichola Wade
DIRECTORS AT LARGE Mayor Barry Janyk
The 2005 Convention will be in Courtenay – April 1 – 3, 2005

Association of Kootenay and Boundary Local Governments

PRESIDENT Councillor Bev Bellina
1ST VICE-PRESIDENT Director Martin Cullen
PAST-PRESIDENT Director Bill Baird
DIRECTORS AT LARGE Councillor Christina Benty
The 2005 Convention will be in Invermere – April 14 – 16, 2005

Okanagan Municipal Mainline Association

PRESIDENT Mayor Colin Mayes
1st VICE-PRESIDENT Councillor Gus Boersma
PAST PRESIDENT Councillor Ron Cannan
ELECTORAL AREA DIRECTORS AT LARGE Councillor Denis Brown
The 2005 Convention will be in Salmon Arm – May 4 – 6, 2005

North Central Municipal Association

PRESIDENT Councillor Ken Buchanan
1ST VICE-PRESIDENT Councillor Mary Sjostrom
2ND VICE-PRESIDENT Councillor Craig Caruso
PAST PRESIDENT Director Ted Armstrong
DIRECTORS AT LARGE Councillor Mike Doyle
The 2005 Convention will be in Terrace – May 5 – 7, 2005

Lower Mainland Municipal Association

PRESIDENT Councillor Terry Smith
1ST VICE-PRESIDENT Councillor Faye Issac
2ND VICE-PRESIDENT Councillor Sharon Gaetz
PAST PRESIDENT Mayor Don Bell
DIRECTORS AT LARGE Councillor Rob Howard
The 2005 Convention will be in Whistler – May 11 – 13, 2005

Woodward Walker Barristers & Solicitors

Comprehensive Advice and Representation to Local Government

• RESPONSIVE • EFFECTIVE • EXPERIENCED

PARTNER: Robert (Bob) Walker
bob@woodwardwalker.com
PARTNER: Michael C. Woodward
mwoodward@woodwardwalker.com

Local Government Counsel

WHITE ROCK: 300 - 1675 Martin Drive, White Rock, BC V4A 6E7
VANCOUVER: 1700 - 808 Nelson Street, Box 12148 Nelson Square, Vancouver, BC V6Z 2H2
Phone: 604.541.3915 • Toll Free Phone: 1.866.541.3915 • Fax: 604.541.9090
New Riparian Area Assessment Regulation Under Development

In the fall of 2001 and spring of 2002 the provincial government undertook a review of the current regulation on streamside protection and determined that the regulation needed to be changed as it was not supported by all of the key stakeholders. The provincial government made the decision to either develop a new streamside protection regulation based on a 30 metre assessment zone that would stakeholders could work with, or it would rescind the old regulation and withdraw from the policy area.

The intent of the regulation that is being developed is to provide a 30 metre assessment zone that is scientifically based and can be used by a qualified professional to determine the distance that development can take place from a stream and still protect fish habitat. At the 2002 UBCM Convention local governments were consulted on the province’s decision to develop a new regulation and endorsed the following position outlined in the 2002 Environment Committee Report regarding development of a new riparian assessment regulation.

Action: UBCM request that a new riparian assessment regulation:

• provide liability protection for local government when making land use decisions based on a report by a Qualified Environment Professional on fish habitat;
• ensure that no new responsibilities are downloaded on local government and that all training costs and management costs required to implement the new regulation are paid for by either the federal or provincial government;
• ensure the process is timely and cost effective, from the community perspective;
• ensure an integrated approach is implemented to avoid conflicts between the different levels of government;
• ensure that a balance is maintained between development and protection of the environment.

A briefing session was held on May 12, 2004 in Richmond which was attended by approximately 40 local governments. Both the Ministry of Water, Land and Air Protection and Fisheries and Oceans Canada indicated that they were facing a different regulatory environment today and that they intended to implement this new assessment model by re-allocating existing resources.

The Ministry of Water, Land and Air Protection and Fisheries and Oceans Canada indicated that they had been working together to:

• develop a scientific based assessment process to protect fish habitat - this has been done with scientists from UBC, various provincial ministries and Fisheries and Oceans Canada;
• develop a new regulation based on the scientific based riparian area assessment process.

The Ministry of Water, Land and Air Protection outlined a number of steps in implementing the new regulatory framework for the protection of riparian areas:

• Cabinet approval of new riparian assessment regulation (June);
• Development of a Cooperation Agreement between Water, Land and Air Protection, Fisheries and Oceans Canada and UBCM;
• Development of a Gidebook and training to assist users in implementing the new regulation;
• Implementation of pilot projects to test new assessment process and regulatory framework;
• Development of monitoring and compliance strategy.

The UBCM has written the Minister of Water, Land and Air Protection outlining local government concerns over the lack of transparency and public consultation on the proposed new regulation. There is a number of specific issues that came out of the briefing regarding the new riparian area regulation and assessment model that the UBCM is following up with the province:

• use of qualified professionals and liability protection for local government;
• time frame for implementation of the proposed directive – 1 to 2 years period;
• role of local government in implementing the new riparian assessment model;
• need for additional resources for implementation: training, monitoring and compliance etc.; and
• development of pilot projects.

Environment

NEW RECYCLING RECORD FOR CANS AND BOTTLES

Encorp Pacific Canada, the product steward ship corporation that operates B.C.’s largest beverage container recovery system, reports a new record for container recovery in 2003.

Last year the Encorp system recovered nearly 726 million used cans, bottles and cartons which had held non-alcoholic beverages. In addition, under its contract with the Liquor Distribution Branch (LDB), the Encorp system collected over 140 million used wine, spirits, cooler and imported beer bottles. This represents a 14 million unit increase over 2002 which was the first year of Encorp’s contract with the LDB.

The total weight of material diverted from landfill and recycled into new products was nearly 79,000 metric tonnes.

In addition to the increased total number of containers recovered, Encorp also increased the percentage recovery of all non-alcoholic beverage containers sold. During 2003, 76.5% of all non-alcoholic beverage containers sold in B.C. were recovered and recycled, up from 75.1% in 2003.

Over 82% of returned non-alcoholic beverage containers came through the Encorp Pacific “Return-It” system of independently owned depots while the balance were collected by Encorp from major grocery stores. The percentage of alcoholic beverage containers collected by depots reached 69% with the balance being returned via Government Liquor Stores.

Details of these products, and other information including the 2003 Annual Report, can be found on Encorp’s website – www.encorp.ca.
Species and Habitat Protection

Continued from page 5

Vincial governments are expected to determine the most effective ways to protect wildlife at risk within their respective jurisdictions.

Wildlife Amendment Act - Bill 51, 2004

The provincial government has recently introduced the Wildlife Amendment Act to contribute to protection of species at risk and to harmonize with the federal act. The Wildlife Amendment Act expands the provincial government’s powers to protect and recover species. The Act now enables the government to designate fish, plants and insects as species at risk, whereas these powers had previously been limited to animals and birds. Moreover, the government can now designate the residences of at risk species, such as dens or nests, for additional protection.

The prohibitions against the killing, harming and trading of wildlife in the Wildlife Act have been extended to apply to species of animals, birds, fish, plants or other organisms listed as species at risk. The amendments also allow the Province to list the same species as the federal government under SARA. The Wildlife Amendment Act will come into force by Cabinet regulation.

Implications for Local Government

• The development of the provincial species at risk program could have potential impacts on local government land use policy depending on what types of restrictions are placed on private land use.
  • It is unclear the role local government may be expected to assume through the provincial species protection regulation. Local government may be asked to assist the province in implementing its strategy through the regulatory powers that it has.
  • Local government and/or developers undertaking environmental assessment of land will need to take into consideration the implications of the new requirements for species at risk.
  • The Ministry of Water, Land and Air Protection is currently developing Best Management Practice materials to address species at risk protection.
  • There could be potential financial implications to local government depending on the type of incentive programs proposed by the federal and provincial government and “tax incentives provided to private landowners who enter into stewardship programs”.
  • Infrastructure projects funded by the federal government undergoing an environmental assessment will now have to consider species at risk.
  • Under SARA, there is potential for local involvement in a recovery strategy as outlined by the responsible Minister. In any case, the public is given 60 days to comment on a proposed recovery strategy and action plan for newly listed species.
  • It is possible that a local government may be the initiator or defendant of a report of a committed offense under SARA.

For additional information on SARA see www.speciesatrisk.gc.ca. The federal government sought input on the inclusion of 91 additional species, the proposed list and consultation materials can be viewed at www.sararegistry.gc.ca.
Minister of Forests meets with UBCM members

Members from across the province met in Richmond on April 23, 2004 to attend a forest policy briefing by Minister of Forests, the Honourable Mike de Jong. The briefing, sponsored by the UBCM’s Communities and Resources Committee, was organized in response to community concerns related to the impacts of the Annual Allowable Cut (AAC) take backs. While there is the potential for redistributing some of that 20% back to communities in the form of community forests, some members were concerned that major licensees had chosen to provide to the province their excesses from one area, creating the potential for major losses for some communities. The briefing provided members with an opportunity not only to query the Minister on the take back process but to determine the status of overall implementation of the Forest Revitalization Plan announced in March 2003.

During the briefing, the Minister addressed a variety of issues:

Community Forests

Minister de Jong advised that of the total 8.2 million m³ available as a result of the take back process, 1.2 million m³ would be made available for small tenures including community forests and woodlots. It is expected that 10 to 30 new licences will be established from the allocation to community forests. Members noted that they would have liked to have more wood available for community forests but were supportive of the direction to ensure community forests are a permanent feature within the licensing structure.

Other comments in regard to community forests were:

- i) establishment of a priority list - demand for community forests will far exceed supply. The Minister indicated that a priority list will be established based on genuine need for local economic development. While most communities would hope to be on the list, there is an understanding that some type of process needs to be in place to address those with the greatest need.

- ii) elimination of stumpage for community tenures - members encouraged the Minister to bring this matter forward for consideration as part of next round of provincial budget discussions.

- iii) new models and conversions of existing types of community forests - in regard to the latter, the Minister indicated that existing ‘community forest’ types of licences could be converted to new community forest licences. The Minister also indicated that the province would be open to considering new models for community forests. The Communities and Resources Committee has proposed that consideration be given to community forests to contribute to the 20% allocation to BC Timber Sales fibre basket; and - considering applications developed jointly by more than one local government and/or First Nation.

Itinerant Workers

Members noted that with the restructuring taking place within the forest industry there is a larger percentage of contract or ‘itinerant' workers who are brought in to do the work and when the job is done, they leave the area. As a result, few benefits are accrued to the community or its residents. Communities are concerned that jobs are no longer available to local loggers leading to community instability resulting in many families being forced to leave and find work elsewhere.

BC Timber Sales

One of the strategic goals of BC Timber Sales is to optimize net revenue to the Province. Comments were made that this goal has a direct effect on Timber Sales operations. Specifically, members noted that licensees are cutting the easy to access wood within an area but are leaving the remaining, more difficult to reach wood. Consequently, the profile is not being cut as licensees are selecting high value timber and leaving the rest. Members also noted that cutting permits did not appear to be evenly distributed throughout the supply area. As a result, licensees were cutting predominantly in one area while other areas were not being cut.

Salvage Licences

UBCM members were very interested to learn about the new role that local governments play in forest management. Specifically, the Minister noted that discussions are underway between the Ministry of Forests and some specific local governments to provide communities with the ability to manage and issue salvage licences within their area.

Forest Revitalization Trust

During the meeting the issue of the $75 million trust fund was raised. Members noted that they were interested in knowing the details of how this fund will be administered and who will be eligible to receive the funds. The Communities and Resources Committee is presently following up with the Chair of the Trust to obtain more information.

The following is an excerpt from Hansard:

R. Sultan: I think it would be very helpful if the Attorney General could give just a brief status report on where it is that the (civil liability) review stands today and when it might see the light of day.

Hon. G. Plant: I’d be happy to try to provide an overview and a status report. The member is right. It was really, I think, as long ago as November of 2001 that I first raised the subject of whether or not it was time to have a look at some areas of civil liability. It seemed to me that there were some good questions that could be asked about the fairness to both plaintiffs and defendants of the state of the development of the law in some areas. Then in 2002 we took that idea and formalized it into a public discussion paper and process where we invited submissions from the public in response to a series of questions, with a general request that people come forward with ideas for law reform in this area in addition to the half dozen or so specific issues that were identified in the discussion paper.

There were quite a number of responses and, as you might expect in this sort of thing, a diverse range of responses. There were certainly some responses from people in the building industry, including architects,...
The provincial government has approved changes to local government legislation related to financing, growth related infrastructure. On May 13, 2004, Bill 36 – Community, Aboriginal and Women’s Services Statutes Amendment Act received Royal Assent.

This legislation amends the statutory exemptions in the Local Government Act for Development Cost Charges (DCCs) and provides for borrowing between capital reserve funds by amending the Community Charter.

As a result of Bill 36, local governments will be allowed to amend their DCC bylaws to do the following:

• Waive the current exemption for developments of fewer than four units. This will provide local governments with more flexibility for the building permit stage to charge DCCs, which will assist in the development of smaller, more affordable housing.

• Set a threshold higher than $50,000 for the minimum value of work on which DCCs may be imposed. This amendment will acknowledge variances in construction costs around the province by maintaining the current $50,000 threshold for charging DCCs while providing flexibility for local governments to increase the threshold where appropriate.

• Bill 36 also amends the Community Charter to allow local governments to borrow between capital reserve funds, rather than borrowing from a lending institution, provided the money used is repaid to the original reserve fund.

• This will allow local government to use existing savings in DCC reserve funds to temporarily fund capital projects where the relevant DCC reserve fund may not have accumulated enough funds. This provides local governments with a way to minimize borrowing costs and avoid delays in proceeding with capital projects borrowed from insufficient reserve funds.

These Bill 36 amendments will come into force by regulation.

On May 13, 2004, Section 173 of the Local Government Act, 2000, S.B.C. 2000, Chap. 7 was proclaimed. This allows interest to be included as part of the capital costs of some infrastructure projects funded by DCCs.

The inclusion of interest is subject to the approval of the Regional District Municipalities, who will consider allowing interest costs in exceptional circumstances, where the construction of infrastructure is needed in advance of receiving sufficient DCC revenues to finance that construction. This would typically occur only for fixed-capacity infrastructure, out-of-sequence developments, and Greenfield projects.

This amendment is based on a long-standing request by the local government and development communities to provide a more fair and equitable distribution of the interest costs of development, and reflects a comparable provision for development cost recovery in the Vancouver Charter.

The Minister of Community, Aboriginal and Women’s Services is preparing detailed information on these legislative changes and will advise local governments when they are available. The current DCC reserve fund is posted at the Ministry of Community, Aboriginal and Women’s Services (www.mcaws.gov.bc.ca) and on the Department of Community, Aboriginal and Women’s Services (www.civcinet.bc.ca) under the Provinces/Policy button.

UBCM FOCUSES ON REGIONAL DISTRICTS ISSUES

Earlier this year, the UBCM Executive approved a project aimed at pursuing non-legislative solutions to regional district issues that were identified as priorities by UBCM members at last year’s convention. This project is intended to keep regional district issues “alive” at a time when legislative solutions are not likely to be developed, consulted on or implemented by the province within the next year.

A working group has been struck to study and report on (1) issues and concerns related to the accountability and roles of regional district directors; and (2) ways to improve the general understanding of regional districts.

With respect to the first topic, accountability and roles of directors, the working group will identify approaches that may assist regional districts in addressing the key issues, and any challenges that may impact the work of the directors.

With respect to the second topic, the working group is expected to develop an action plan for improving the general understanding of regional districts in British Columbia.

Targets will include a range of audiences, including regional districts themselves, residents, tax payers, MLAs and the media. The range of audiences selected by the working group will help to determine the actual information needs, and will influence the action plan that the working group develops.

Momentum of the working group includes representatives from:

• Regional districts - municipal and electoral area directors
• Regional district and municipal administrators
• Regional district and municipal directors
• Regional district and municipal works staff
• Ministry of Community, Aboriginal and Women’s Services
• Local Government Management Association and Government Finance Officers Association (LGMA/GFOA)

A second working group is focusing on the technical issues of electronic meetings. The goal is to assist regional districts in drafting a regulation that allows their boards to conduct meetings or allow participation by individual board members in their meetings by electronic means. Using a pilot project, the working group hopes to determine and communicate to regional districts any policy or other issues arising from this exercise.

Both working groups will provide a report on their findings to the membership at the UBCM Convention.
Keep of Prisoners - Agreement with Local Government Needed

A t the 2003 UBCM Convention local governments en-
dorsed a resolution (Keep of Prisoners – AD 00) request-
ing: “that the provincial government be required to reinstate immediately the necessary funding for keep of prisoners for those pris-
soners that are the legitimate responsibility of the pro-
vincial government, in-
cluding reimbursement for the entire time of their in-
carceration in prison or jails”, and that “the prov-
vincial government engage in meaningful consultation with local governments in making any future changes to the keep of prisoners con-
cept from the province, courts and Sheriff At-large”. The new adjudication process will allow the keep of prisoners program to be changed without any approval from local government for the liquor license; expansion of the number of drinking spots in existing establishments with a primary liquor li-
ence – existing licenses will be allowed to expand to building capacity load without any approval from local government; change in operating hours for all liquor pri-
mary and food primary en-
terprises to 24 hours; and ex-
change of the number of drinks served daily in operating hours; and• change in operating hours for all liquor pri-
mary and food primary en-
terprises to 24 hours; and ex-
change of the number of drinks served daily in operating hours; and

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Justice

Liquor Policy – Need for Stable Policy Framework

I n the past few years there have been a number of changes in provincial liquor policy that have had an impact on local governments:

- expansion of restaurant lounges to a maximum of 40 seats or 20% of capacity and no approval required from local government for the liquor license;
- expansion of the number of drinking spots in existing establishments with a primary liquor li-
ence – existing licenses will be allowed to expand to building capacity load without any approval from local government;
- change in operating hours for all liquor pri-
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mary and food primary en-
terprises to 24 hours; and

Bylaw Dispute System

T he Attorney Gen-
eral on April 26, 2004, announced the launch of a new bylaw enforcement system for North Vancouver’s North Shore. The new adjudication process will allow the three municipalities (City of North Vancouver, Dis-

P rincipal stewardship and gov-
ernance.

UBCM has written the Ministry of Public Safety and Solicitor General to explore the possibility of developing a consultation agreement, under the Community Charter, to bet-
ter address liquor policy in the future.
UBCM Delivers Six New Programs: Status Report

During April, the Premier announced that funding would be provided to UBCM in order to administer five new programs. A sixth program for traffic safety was announced May 17th by Minister Murray Coell. Briefly, the status of the programs are:

- tenders were posted in early June for 3 community protection sprinkling (trailer) units.
- application materials have been distributed for nine regional traffic commissions.
- the regional districts portion of the emergency planning grants have been circulated— the municipal portion will be out by the end of June.
- UBCM has delivered its draft concept for delivering Picture BC— awaiting word from the Premier’s Office.
- seniors’ housing emphasis is on wise use of the resources — to be rolled out at Convention.
- strategic wildfire protection plans are under development — priority was given to rolling out the community sprinkler program and the emergency planning funding first.

Development and administration of provincially funded programs is a new role for UBCM. The following is an expanded description of the programs that are at a more fully developed stage.

In some programs, the objective has been to provide funding as soon as possible because of the high risk, in others it has been prudent use of limited resources, and in others the guiding principle has been not deciding immediately how the funds are to be spent but exploring what the needs actually are.

Filing Report Implementation

On April 17, Premier Campbell announced in Kamloops that the provincial government was committed to implementing all of the Filing report recommendations on Firestorm 2003. He also announced that $3 million in three equal envelopes would be provided to UBCM to assist in the implementation.

Community Sprinklers

Both Alberta and Ontario have central units of sprinkler systems that can be deployed during an interface fire to dampen trees and areas around structures to prevent sparks and embers from igniting structural fires. Some of the Ontario sprinklers were successfully deployed during the 2003 fire in Southeast BC. As a consequence, $1 million was allocated to UBCM to develop community sprinkler systems. This became our first priority for implementation.

A Steering Committee under a UBCM Project Manager was formed and consisted of representatives of the Office of the Fire Commissioner, Forest Protection, BC Fire Chiefs, PEP and a consultant that was involved with establishing the Alberta program. They have worked hard on the technical needs; deployment; training and a host of other issues.

A tender for 3 units has been issued and we hope to have the first unit in place by early July. This will provide a unit that local fire departments can train on, and access, in case of emergencies.

Emergency Planning

The emphasis of this year’s funding is to support regional districts. Legislation was amended to require regional districts to prepare emergency plans by Jan. 1, 2006 (although there is some flexibility for the Solicitor General to amend those dates).

To assist local governments, $1 million was provided this year with the prospect of $800,000 in 2005 and $700,000 in 2006.

This province directed that 70% of the 2004 funding be provided to regional districts and this is being offered in grants of up to $25,000 per regional district. Application materials have been distributed.

UBCM is presently completing the municipal portion of this program.

Regional Traffic Safety

This is a modest program offering seed funding for regional districts or other groups to establish regional traffic safety commissions. Minister Coell and Mayor Leonard, who were both involved in the formation of the Capital Regional District Commission, wanted to use it as a Best Practice example to leverage other regions to consider similar initiatives. The CRD initiative has been recently recognized at a major international injury prevention conference.

Seniors’ Housing

The Premier announced that $2 million would be provided to UBCM for seniors’ housing and related care. This is not for capital but for planning. The four envelopes are provided to:

- assess the housing and support needs of seniors in their communities;
- support local innovation, through the development and use of plans, policies and tools to assess seniors needs;
- develop, publish and distribute a consumer guide to seniors’ housing and support services; and
- develop and support a research agenda on aging and the built environment, with a particular focus on housing and community environments.

With this program UBCM is taking a prudent approach — to look at the needs and then decide how best to apply the funding resources.

We hoped to do that over the summer leading up to announcements and sessions at the 2004 UBCM Convention in September.


eight options.

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.

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RCABC
nomination procedures for the UBCM Executive

The ongoing administration and policy determination of the UBCM is governed by a 19-person Executive Board that is elected and appointed at the Annual Convention. There are eleven elected positions: President, First Vice-President, Second Vice-President, Third Vice-President, Director at Large (5 positions), Small Community Representative, Electoral Area Representative and two elected representatives from AVICC, LMMA, NCMA, and OMMA. The Nominating Committee is appointed under provisions of the UBCM bylaws and is composed of the Immediate Past President and representatives of the five Area Associations. The Nominating Committee is responsible for overseeing the nominating and election process.

The Nominations Process

May

The Nominating Committee circulated a Call for Nominations that contains the following information:

• positions open for nomination
• process for nomination
• qualifications for office
• role of Nominating Committee
• closing date for nominations (prior to the Convention)
• general duties of an Executive member

It will include instructions on how to access additional information on UBCM Executive responsibilities and how, preferably, to submit a nomination.

July 30 (Last business day in July)

Advance nominations close—all candidates must have their documentation submitted.

Following that deadline the Nominating Committee will review the credentials and prepare their report. It is not the role of the Nominating Committee to recommend any one nomination. They are to ensure that nominations are complete according to policies and procedures.

Mid-August

The Nominating Committee report will be distributed to all UBCM members which will include:

• names of members and positions
• photo (to size set by Nominating Committee Chair)
• biographical information. The maximum length of such information shall be 300 words. If the information provided is in excess, the Nominating Committee Chair shall return it once for editing, if it still does not meet the maximum, the Nominating Committee Chair shall edit as required.

For further information on the nomination and election process contact the Chair, UBCM Nominating Committee, Councillor Pat Wallace, through the UBCM office.

2004 Convention Registration

Updated Policies

The 2004 Convention Committee is working hard to bring members a fantastic event in Kelowna. Each year, an evaluation is done on what changes are needed in order to provide a better Convention. Updated information is listed below.

The following new deadlines and policies now apply:

• the early discount registration deadline is August 6, 2004.
• a late registration surcharge of 20% of all registration fees will be charged for registrations received six weeks immediately preceding the convention (i.e. after August 6, 2004).
• the final date for late registration will be one week before convention.
• there will be an additional 20% surcharge for registrations from one week prior to convention and on-site (a total of 50% surcharge), and
• fees for pre-convention days are subject to a surcharge for those not purchasing the full registration.

For the 2004 event, the following fees will apply:

• Member registration fee of $315*
• Non-member registration fee of $395*

(*If registered by deadline of August 6, 2004; after this date, registration fees increase as per noted above and as stated in UBCM Executive Policies. The Convention Registration brochure has been mailed out to all UBCM members. It is also available online at www.civicnet.bc.ca/ucbm-convention.

Accommodations should be booked immediately.

A list of hotels holding room blocks for UBCM can be found on the website:
www.civicnet.bc.ca/ucbm-convention-2004

In consideration of other delegates, please release any unused rooms as soon as possible.

Convention Website

For the latest information on the 2004 Convention, check out the UBCM website at www.civicnet.bc.ca. Here, along with other information important to members, you will find the Convention Page. The Convention Page will be updated regularly as Convention planning unfolds.

As the Convention approaches, you will find everything from the President’s Message to Registration and Accommodation information. Not only will you be able to read about planned sessions, you can also register online or print out the registration brochure.

Just follow the path: www.civicnet.bc.ca click on Convention/2004 Convention. We recommend that UBCM members have the site posted in their ‘Favorites’ menu for easy access to the most recent Convention information.

Your Community Website

BC’s Next Forest Capital?

The forests of British Columbia are a vital part of every community in this province. The B.C. Forest Capital program lets the people of B.C. celebrate the economic, cultural, natural and historic contributions of forests to community life.

Find application packages for designation as the 2005 Forest Capital of British Columbia and additional information online.

Deadline: November 15, 2004

The Association of B.C. Forest Professionals has the privilege of selecting the Forest Capital of B.C. The winning community will be announced in December.

The Association of B.C. Forest Professionals (est. 1947) ensures that British Columbia’s forests are in good hands by registering and regulating the province’s professional foresters and forest technologists.

2005 Forest Capital of British Columbia
The Value of Podiums
by Mayor Frank Leonard

Local governments are at the heart of our communities, and our democracy. How do we modernize the role of municipalities for the 21st century?

One of the most enjoyable moments in my job as Saanich Mayor is when I have the pleasure of hosting school tours in our Council Chambers. Once we get past the usual list of humorous enquiries – where is my limousine, do I live in a mansion, how much money do I make – I turn and ask them one very basic question. “What is in this Council Chamber that you will not find in the House of Commons or the Provincial Legislature?” Students look around and point out the flags or the coat of arms, but they never point out the very thing that I’m leaning on, the podium for public speakers. Unlike our federal and provincial counterparts, local governments allow public speakers at virtually every meeting to speak on almost every subject.

To me, this symbolizes the open and accessible nature of our local governments. If you have a complaint with the federal government, can you speak in the House of Commons and let off steam? Have you ever seen parents on the floor of the Provincial Legislature ask the Education Minister questions? It seems strange to even contemplate such a procedure, yet we take this right for granted in our local governments. My colleagues listen to concerns and critics throughout their deliberations. This is much a part of the democratic culture in local governments that often a trip to the grocery store involves the same routine. In fact, when my own children were teenagers, the “but-ton-holing” was so persistent that they stopped going to the mall with me because it would take so long to get any shopping done.

This openness is one of the greatest strengths of our democracy. Speaking as part of my local government, we don’t install a four-way stop without the neighbour having a chance to comment, we can only change land-use after a public hearing, and we can only adopt our budgets after holding public financial plan meetings. Imagine how frustrating it was while in the process of modernizing our local government legislation to be told by the provincial government that we would need to take this right for granted in our local governments.

Yet we did find a way to add more democratic processes. Under the Community Charter, local municipalities are now required to present Annual Reports at open meetings. These reports must include basic financial information and progress reports on the Council’s goals and objectives. I expect many local governments will go even further and use this opportunity to report out on strategic objectives and benchmarks. In fact, I fully expect that over the next two or three years, citizens and the media will find their municipality’s Annual Meeting to be one of the most enlightening and productive public sessions of the year. In this sense, the podium in local government council chambers will be a window into a municipality’s vision for its future.

Thus the challenge in local government is not a ‘democratic deficit’ but of modernizing our podiums. Many Councils benefit from the input of active community associations and concerned citizens, but often this leads to a dialogue among just a few regulars. Surveys, opinion polls, open houses and other means of broadening public input have been common for many years. Advances in internet technology are now opening a whole new avenue of public process as we provide ‘virtual podiums’ for our citizens.

I hope that the introduction of Annual Meetings combined with innovations in public processes will engage the interest of elected officials, municipal staff and the general public, and local governments will continue to lay claim to being the most open and accessible level of government in Canada. That way, the school-children who visit our council chambers will not only be impressed that we have podiums for public input, but with how they are used.

First published in SPARC newsletter
The Union of British Columbia Municipalities (UBCM) and the Local Government Management Association (LGMA) jointly organized three Treaty Agreement workshops for local government elected and appointed officials in June. Entitled Treaty Agreement workshops for First Nations: Current Challenges and Effective Practice, the workshops were intended to provide local government elected and appointed officials with an opportunity to increase their knowledge about effectively negotiating and maintaining Treaty Agreements with First Nations. Workshops were held in Richmond (June 15), Prince George (June 16) and Kelowna (June 17).

Featured speakers were Sandra Carter, a partner with the law firm of Bull, Housser and Taseko, Wayne d’Easum, Administrator, Regional District of Central Okanagan, and Freda Jules and Wayne d’Easum provided practical advice on how to approach negotiating treaty relationships. These workshops were organized in response to frequent requests by UBCM and LGMA members for more information on Treaty Agreements, especially in BC, where treaty talks are putting greater energy into exploring land development opportunities that will generate economic growth and better meet the needs of all communities. In addition, ongoing federal legislative and policy changes are increasing the land management powers of many Inland Band governments.

With land development activity accelerating on Indian Reserves and other First Nations land, the demand for municipal services by First Nations is increasing, as is the need for more agreements covering a greater number of services. Experience shows that land use and servicing have been some of the most problematic issues in the relationships between neighbouring First Nations and local governments over time. A full report on these sessions including conclusions and recommendations made by speakers and participants will be provided in an upcoming issue of UBCM News.

Defining interests

Treaty Negotiation Agreement workshops for First Nations: Current Challenges and Effective Practice, the workshops were organized in response to frequent requests by UBCM and LGMA members for more information on Treaty Agreements, especially in BC, where treaty talks are putting greater energy into exploring land development opportunities that will generate economic growth and better meet the needs of all communities. In addition, ongoing federal legislative and policy changes are increasing the land management powers of many Inland Band governments.

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Public Health Concurrent Jurisdiction

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 must either:
- comply with a minister’s regulation;
- comply with an agreement between the minister and municipality/regional district; or
- be approved by the minister responsible.

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 regulation may be accessed on the internet at: www.op.gov.bc.ca/statreg/reg/CommunityCharter/42_2004.htm

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)(i) 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

A further implementation tool for the concurrent authority provisions is the development of consultation agreements. Consultation Agreements have been drafted to facilitate the exercise of concurrent authority between UBCM and the provincial ministries. Two Consultation Agreements have been completed to date.

A further Consultation Agreement among the Ministry of Health Services, Ministry of Community, Aboriginal and Women’s Services and UBCM to supplement the Public Health Bylaws Regulation is close to being finalized.

It is intended that the agreement will establish an effective intergovernmental mechanism to provide advice and recommendations on the ongoing content of the ministerial regulation, and will 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, both UBCM Health and Environment Committee members are likely to serve as the consulting bodies at UBCM.

The agreement will also set out the process by which bylaws under the regulation will be created, deposited/approved, and brought into force. UBCM will advise its members further about the Public Health Agreement when it has been approved.

Preventing Falls among the Elderly

Falls are the number one cause of fatal injuries in seniors, and the most preventable cause of death or accidents for this age group.

The following are a few interesting statistics (courtesy of the BC Medical Association):
- one in three seniors experience a fall each year;
- falls are estimated to cost Canadians $2.8 billion annually, with $1 billion reflected as a direct healthcare cost;
- falls account for 85% of injuries to the elderly in BC;
- in 2001, 771 British Columbians over 65 died from direct or indirect fall-related injuries; and
- for every one death, there are approximately 34 hospital admissions and 56 visits to a hospital emergency department.

While there are many risk factors which increase an older person’s chances of falling, many of these can be overcome or compensated for. Some of these lie within the purview of local government to manage, e.g., fixing uneven or broken pavement and sidewalks; brightly painting obstacles in a pedestrian’s path (such as bike racks, railings, street furniture, garbage bins, newspaper boxes, speed bumps and traffic islands, etc.) with a specific focus, which will be located in various locations across the country. The cost will be $15 million over two years. These centres will use existing expertise across the country and will establish the links that were missing in the national public health system that became apparent in dealing with the SARS outbreak last year.

Dr. Frank Plummer, Scientific Director of the National Microbiology Laboratory, will serve as key to a chief public health officer until the permanent replacement is chosen.

National Disease Control Centre HQ Going to Winnipeg

In spite of strong lobbying by the BC government, and support from UBCM, the headquarters of the promised new federal public health agency will be located in Winnipeg. This location for the headquarters was chosen over Vancouver and Ottawa.

The new infectious diseases control centre will be similar to the world-renowned Centers for Disease Control in Atlanta, and will coordinate Canada’s efforts to fight disease outbreaks such as SARS. The new centre will build on the city’s status as home of the National Microbiology Laboratory.

British Columbia was named as the future home of two specialized centres, focusing on environmental and aboriginal health. These will be two among several satellite centres, each with a specific focus, which will be located in various locations across the country. The cost will be $15 million over two years. These centres will use existing expertise across the country and will establish the links that were missing in the national public health system that became apparent in dealing with the SARS outbreak last year.

The criteria for obtaining funding under this strategy is that the community must:
- have an innovative approach to address the issue.

Under this initiative the federal government will provide multi-year funding for a program coordinator and for the project. The federal government is currently looking at funding proposals under this initiative in Prince George to implement a social plan, in Burns Lake for a community project dealing with fetal alcohol syndrome, and in the Cowichan Valley to deal with women’s safety issues.

Safer Comprehensive Community-Based Initiative

The National Crime Prevention Centre in its strategic plan is looking at providing support for the development of a comprehensive and sustainable community-wide approach to crime prevention and victimization. This is a new initiative that goes beyond the project funding currently provided and attempts to build on the capacity of the community to provide an ongoing crime prevention program.

The criteria for obtaining funding under this strategy is that the community must:
- have an innovative approach to address the issue.
- have the ability and coordination capacity to address the issue.

Under this initiative the federal government will provide multi-month funding for a program coordinator and for the project. The federal government is currently looking at funding proposals under this initiative in Prince George to implement a social plan, in Burns Lake for a community project dealing with fetal alcohol syndrome, and in the Cowichan Valley to deal with women’s safety issues.
SHOULD YOU ADOPT A PARLIAMENTARY AUTHORITY?

Being a Registered Parliamentarian, I am often asked whether a Council should adopt a parliamentary authority, and if so, which one: Robert’s Rules of Order? Bourinot? Sturgis?

Procedure bylaws of many municipalities refer to a recognized parliamentary authority, to help them address procedural issues on which the Procedure Bylaw and the legislation are silent. Sample phrasing in the Procedure Bylaw is as follows: “The rules contained in the latest edition of Robert’s Rules of Order Newly Revised shall be used in meetings of Council and its Committees, to the extent to which such rules are applicable, and only where such rules do not conflict with this Procedure Bylaw and applicable legislation.”

The advantage of having a parliamentary authority is that there is no need to address every procedural eventuality in the Procedure Bylaw. The Clerk has a reference book with which to advise Council if things get complicated.

Which parliamentary authority should you choose? This will depend on your Council's preference and needs. Here are a few options: “Robert’s Rules of Order Newly Revised” (the 10th edition is the latest) is the most commonly chosen book, since it is well established and contains a comprehensive set of rules and principles. “Bourinot’s Rules of Order” is chosen by some organizations for patriotic reasons (its author is Canadian). “The Standard Code of Parliamentary Procedure” by Alice Sturgis (4th edition) aims to replace archaic language with plain language and is used by several professional organizations (dentists, librarians). There are several other books, and I will not attempt a comparison between them here.

But looking beyond the technical and non-technical differences, some practical aspects must be considered. One of them is that, in reality, there is very little difference in how these books are used. Their underlying principles (equality, fairness, common sense, and protection of basic rights) and the actual procedures (motions, amendments, etc.) are quite similar. Another practical point is that most parliamentary manuals contain far too many rules, most of which are never used. Put in the wrong hands, a voluminous parliamentary manual can be misused by members who are knowledgeable (or profess to be knowledgeable), while all others are getting confused, frustrated and intimidated.

So what do I suggest you do? If you opt to adopt a parliamentary authority, it would be useful to include a few qualifiers with it. Consider supplementing the general provision in your Procedure Bylaw (see above) by a policy statement (outside the Bylaw). In such a statement articulate the spirit in which the rules should be used. Consider the following ten principles:

1. The overall purpose of the rules is to assist in arriving at effective, balanced and sustainable decisions, and doing so in a manner that benefits from the knowledge and insights of all the members (and, where needed, input from invited non-members).
2. The rules should be used to facilitate progress, engage all members in discussions and shared decision-making, promote fairness and equality, and protect the rights of the majority, the minority, the individuals, the absentees, and the organization as a whole.
3. The rules should be used in a logical and sensible manner, and efforts should be made to ensure that all participants understand them. The rules should not be used in a manner that has the effect of confusing, intimidating or frustrating the members.
4. The rules should not be used for manipulative, obstructive or coercive purposes or in a manner that resembles manipulation, obstruction or coercion.
5. The precise terminology used by members should be deemed less significant than the intent and desired effect of the procedure used, as long as such intent and desired effect are clearly articulated.
6. Points of order should be discouraged if they address minor procedural imperfections that do not violate basic rights and do not compromise the decision-making process.
7. Although decisions by narrow majorities are not disallowed, they should be the exception and not the norm. Efforts should be made to integrate as many interests and needs into collective decisions, so that broad agreement can be reached in most cases.
8. Motions on substantive matters, being solutions to problems, should only be used after the problems to be solved have been clearly identified and fully understood.
9. As a norm, motions and agenda items should be considered only if they were circulated to the members prior to a meeting. An agenda should generally be discouraged, unless they deal with urgent matters. The group may, by consensus or a majority vote, refuse to address a last minute agenda item at the same meeting.
10. When strict adherence to procedure proves to be counter-productive, the group, by consensus or by a majority vote, may suspend rules of a purely procedural nature, and instead use a more creative and less formal approach to problem solving and decision-making.

Eli Mina, M.Sc., P.R.P., is a Vancouver-based consultant, meeting mentor and Registered Parliamentarian. Since 1984, Eli has served his clients by chairing contentious meetings, de-mystifying and humanizing the rules of order, dealing with organizational dysfunctions, building better Boards and Councils, and advising on minute taking standards.

Eli is the author of “The Business Meetings Sourcebook”, “Mina’s Guide to Minute Taking” and other books on meetings, rules of order and shared decision-making. Eli can be reached at 604.730.0377 or by e-mail at eli@elimina.com. He has numerous articles posted on his web site: www.elimina.com.
First Nation Governments

Continued from page 13

- Consultation with adjacent local governments by First Nations seeking ALR exclusions and major changes in land use.

We advised that UBCM’s primary interest is to seek equivalency between the obligations and responsibilities under the ALC Act and related regulation for First Nations and for local governments. UBCM has been assured by the Minister of Sustainable Resource Management, George Abbott, that Bill 27 will not come into effect until the changes to the regulation have been made.

Environment Policy

Continued from page 6

- recreation areas;
- natural resources in parks and recreation areas;
- wildlife and its habitats in parks and recreation areas;
- the preservation, development, use and maintenance of parks and recreation areas and the natural resources in and on them, and of human activities, behaviour and conduct in parks and recreation areas.

Canada-BC Infrastructure Program Update

The most recent event under the Canada-BC Infrastructure Program took place on May 21, 2004 when a further 15 projects were announced. These projects will have a total value of more than $45 million, with the federal and provincial governments each contributing more than $11 million.

This announcement brings the number of approved projects in BC to 289, with a total value of more than $836 million, including nearly $514 million from the federal and provincial governments combined. The local project proponents contribute the remaining eligible costs plus any additional costs. Of the 289 projects, 180 are green projects and 101 are “other” or non-green.

All projects under this current agreement must be completed by March 31, 2006. BC has now committed 85.6% of its available funds under the agreement, which compares very favourably to the Canadian average of 88.8% committed. Although BC started off slowly, a lot of work has been done to ensure that projects are approved in time to meet the required completion target.

UBCM continues in discussions with the BC and Canadian governments on the new Municipal Rural Infrastructure Program, which has been promised in the 2003 and 2004 federal budgets.

Introducing CouncilVIEWS Membership

CouncilVIEWS now pays for itself! In addition to being the most current, accurate and valuable database of legislation and policy for BC’s local government sector, we are pleased to announce that CouncilVIEWS is now an exciting membership that will assist you in reducing administrative costs, increasing productivity and efficiency, and improving customer service:

- **My CouncilVIEWS:** By selecting specific acts and regulations you want to search within as your default, you will be able to personalize your own content package, thus making CouncilVIEWS much more user-friendly. As well, enhanced search capabilities will provide Google-like search functionality giving you even simpler and quicker access to information, and enhanced printing capabilities will allow you to print specific pages of text.

- **Free Hard Copies of CouncilVIEWS Legislation:** Members will receive one free hard copy of our local government legislation package in an attractive binder, and you will be able to make as many additional copies for your local government at no cost. Updates will be provided for download on a weekly and quarterly basis, also at no cost and with no restrictions on the number of additional free copies for your local government.

- **Savings on Other iCompass Services:** Members will receive a 25% discount off the set-up fees associated with any of our GovWeb applications that assist local governments automate and streamline many of their administration processes. These applications currently include iWeb (our website content management tool), iHost (our web-based document publishing tool), and our Action Items application (our web-based tool for tracking and reporting action items).

- **On-Line Printing Savings:** A new on-line print service will provide you with an easy and affordable solution to create, order, modify, proof, financially manage and receive your custom printed materials - such as forms, licenses, business cards, and letterhead - 24/7 via a secure website. This service will reduce the time required to order printed business materials, reduce the margin for human error in the ordering of printed materials, and reduce the amount of waste by eliminating the need to order large quantities of printed materials at any one time.

- **Free On-Line Surveys Application:** A wizard driven survey application containing powerful reporting capabilities will enable you to effortlessly create custom on-line surveys that can be used both internally and with your constituents. This application will save you time and money by distributing your surveys electronically, and by allowing for the quick storage, retrieval and analysis of results at no charge.

- **Savings on Your Communications Expenses:** National volume discounts with a world class telecommunications provider will be available to you.

New Regulations

Continued from page 20

-of the annual servicing costs under the agreement for any municipalities acquiring these costs to capital components (which will be included in the capitalized costs of the re-operating components (which will be excluded from the limit).

Elector approval exceptions

Both the Municipal Liabilities Regulation and the Regional District Liabilities Regulation add to the list of exceptions to the elector approval requirements for liabilities set out in sections 175 and 180 of the Community Charter.

Elector approval is not required for any obligations that do not meet the criteria for inclusion in the liability servicing calculation. Essentially, this limits the need to obtain elector approval to obligations which are capital in nature and to loan guarantees. This eliminates the need to seek elector approval for agreements that are purely operating, regardless of the term of the agreement.

Elector approval is also not required for borrowing or other liabilities required to comply with the Drinking Water Protection Act orders to provide water treatment facilities, if the inspector approves the liability. This is consistent with the principle that it is inappropriate to put a local government in the position of non-compliance with a provincial order if it fails to gain elector approval for the borrowing needed to comply with the order.

For regional districts, elector approval is not required for borrowing for regional park or regional trail purposes to a maximum of $5 million or $5 per $1,000 of assessed values within the regional district. This continues an exception that was available under the, now repealed, Park (Regional) Act.

For municipalities, elector approval is not required for any liabilities if the annual servicing cost for all liabilities is less than 20% of the municipality’s liability servicing limit. (i.e., “asset-free zone”). Providing that some, but not all, liabilities may be incurred without reference to the electorate balances a municipality’s desire to efficiently conduct business with the electorate’s desire to influence these important decisions.
Building Greener Government 1: North Delta Public Safety Building
By Jim Taggart

Environmental degradation and climate change are global phenomena, but they are the result of our actions at a local level. As policy makers and regulators, governments at all levels have the opportunity, and indeed the responsibility, to play a lead role in addressing these issues and in supporting the creation of more sustainable communities. BC leads the country in the area of sustainable design, and several municipalities have recently commissioned new facilities that have redefined efficiency and more responsible approaches.

This is the first in a short series of articles examining new municipal buildings in British Columbia that address different aspects of sustainable design.

Governments at all levels have been grappling with the complexities of sustainable development since the term was first coined at the 1987 Bruntland Commission on Environment and Development. At that time, the focus of attention was on environmental and atmospheric degradation, and on the measures and mechanisms that were urgently needed to address the situation.

As time has moved on, contemporary definitions of sustainability have come to acknowledge that stewardship of the environment is inseparable from the economic and social concerns of communities. While economic issues are readily quantifiable and broadly understood, social issues are often more qualitative and more difficult to define. It is then fair to say that the successful implementation of sustainable development principles and practices relies on establishing a common sense of purpose between the individuals of a community and its public and private institutions.

In this regard, sustainability must be seen as both an individual and collective responsibility. It is not simply a question of managing environmentally responsible materials and energy efficient building systems. Dr. Ray Cole of UBC, one of Canada’s leading researchers in the field, and co-founder of the international Green Building Challenge believes that our patterns of behavior and the way we choose to use our buildings are even more important than the materials and systems we design into them.

Redefining patterns of use, and enhancing interaction between government and community were certainly two of the central ambitions identified for the North Delta Public Safety Building, designed by Vancouver’s KMBR Architects and completed in January 2001. The design key was the agreement between municipal police and fire department to be housed in a single building, sharing a range of common facilities, a decision that has resulted in reduced land acquisition, construction and operating costs as well as improved interdepartmental communication. Positioned strategically at the centre of the community, the project sets another important precedent by making the building’s meeting and exercise facilities available for public use.

If procuring a high performance green building is important to your community, the Canadian Wood Council’s Wood WORKS! initiative and BCBC can help.

Wood WORKS!, in conjunction with BCBC, has designed a workshop geared specifically towards municipalities, large or small, to help facilitate procuring a high performance green building.

The workshop outlines key points to ensure the successful procurement of high performance green buildings in municipalities and regional districts. Topics to be covered in the workshop include how to use the integrated design process by engaging all of the building stakeholders and challenging building performance objectives early in the design. Experts will explain how to achieve performance objectives at the lowest life-cycle costs, commissioning the building and engaging local interests in the process. Of key importance is the session on how to obtain a green building without increasing capital costs.

The workshops were designed to help project proponents look at a public building in a new light. The traditional approach to improving a building’s performance has been to take a standard design and add on high performance features. This approach inevitably leads to higher capital costs. However, in direct contrast, the systems approach can achieve high performance without necessarily increasing capital costs.

In addition to discussing Building Evaluation Systems and Integrated Design, the workshops will outline the key points needed to ensure the successful procurement of high performance green buildings, as well as specifying the main components and variants of a proposal call.

Topics to be covered include proposal call overview, documentation, timescale and legal issues. Participants will learn how to structure committees and how to evaluate proposals. Benchmarking and setting goals and processes for long-term management and project success will be examined in detail.

Mary Tracey, BC Project Manager for Canadian Wood Council - Wood WORKS!, noted that the seminar is geared specifically for those involved in public projects.

“This seminar will help municipalities establish a value system that will include the materials selection process. The seminars are geared to municipal administrators and others involved in the design process.”

For information on a seminar in your municipality, contact Mary Tracey at 1.877.929.9663 ext 1.

Learn more about designing with wood!

Wood WORKS! - a Canadian Wood Council initiative, is offering a series of seminars to help you or your municipality learn more about designing with wood.

If you, or your municipality, would like information regarding:

> In-house Seminars (designed specifically for you or your municipality)
> Wood Design Luncheons
> Procuring a High Performance (green) Building Workshop

Contact Wood WORKS! at 1-877-929-9663

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The 2004 Net•work•book is Here!

The 2004 Net•work•book, which was distributed in April, is a comprehensive workbook for those working in local government or who want to know “who’s who” in B.C. Local Government.

The book includes:
- municipal and regional government listings of elected officials and senior staff;
- Ministry of Communities, Aboriginal & Women’s Services;
- federal cabinet and B.C. MPs;
- selected provincial agencies and commissions;
- other organizations that have ties to local government; and
- consulting services in the professional directory section.

Considerable effort goes into the compilation of information and we appreciate the cooperation we receive from local government staff in updating the Local Government Directory section of this book.

To purchase additional copies of the Net•work•book please contact UBCM
Phone: 604.270.8226 Fax: 604.270.9116
On the web at: www.civicnet.bc.ca under Publications/Net•work•book

UBCM MEMBERS RATE
Net•work•book(s) @ $10.00 per copy $
GOVERNMENT ORGANIZATION, CROWN CORPORATION, ETC., RATE
Net•work•book(s) @ $20.00 per copy $
NON-MEMBERS RATE
Net•work•book(s) @ $30.00 per copy $
Add 7% GST (Reg. #108150541) $
BC residents add 7.5% PST $
TOTAL $

Attention: 
Mun/RD/Org: 
Address: 

UBCM NEWS JUNE 2004

CIVICNET UPDATE

Staff continue to work hard to make CivicNet a useful resource for UBCM members. Work on refining the look and feel of the site is largely complete and new initiatives are now underway. New additions to the site include:
- under About UBCM – General Information look for our new UBCM Brochure, our Mission Statement, and a page detailing UBCM MOUs/Protocols – including links to PDF versions of active agreements.
- under Resolutions/Policy look for the 2003 Prov Responses button, which brings up a PDF version of the provincial responses to all 119 resolutions forwarded to the Province for consideration following the 2003 Convention.
- under Links – Quick Links look for our new Protocol & Forms of Address page, which provides information previously contained in the UBCM Net•work•book. The content of this page is also available in PDF format for easy downloading and printing.
- under the Featured Policy Topics drop-down box look for links to New Provincial Support Programs. Visit CivicNet often to check out these and other features, and stay tuned for the following additions and improvements in the coming months:
  - A CivicNet Site Index designed to provide members with easy alphabetical reference and linked access to documents, pages, and sections of the site.
  - A Professional Directory and important Government Contacts information.
  - an updated Publications List with links to UBCM documents accessible online.
  - a new and improved Surveys feature.
  - information on UBCM’s 2004 Convention.

Remember to have a look at the News/Announcements drop-down box for notices of additions to the site as well as announcements of upcoming UBCM-sponsored events and programs.

Top Local Government Internet Sites for 2004

You may have come across an article in the Vancouver Sun recently, which named the top sites on the Internet for 2004. Included in the list was a local government category, which listed the following excellent websites among the top 20 for local government in BC:

www.city.vancouver.bc.ca
www.civinfo.bc.ca
www.civinfo.ca
www.cityofburnaby.bc.ca
www.deltacity.civicinfo.ca
www.city.northvancouver.com
www.city.surrey.bc.ca
www.citywhite rock.bc.ca
www.gov.bc.ca

Members are encouraged to pay a visit to these great sites and to have a look at the CivicInfo website at www.civicinfo.bc.ca, which was also noted among the top 20 for BC local government.

Conspicuously absent from the Vancouver Sun list, however, was UBCM’s own CivicNet website. A Google search for BC local government shows CivicNet as the first hit among pages of local government resources – and for good reason. As the web presence for BC local government it provides a wide range of useful tools and information for municipalities and regional districts throughout the province. It also contains links to many other excellent local government websites over-looked by the Vancouver Sun through its Member Index/Links page and to a variety of major local government associations and organizations under External Links.

We encourage everyone to explore the full range of BC local government information and resources accessible through CivicNet and to use CivicNet as a starting point to tour the whole province online.

Creative thinking v. the usual.

At Singleton Urquhart, we have creative solutions for local government problems. Contracts – construction disputes – environmental concerns — aboriginal issues — regulatory liability.
Members Rate UBCM Activities

UBCM’s public image favourable with 60% saying it was very good. Finally, when asked whether there is value for money spent on UBCM membership – 90% said yes and the majority of the remainder said they didn’t know. We also asked members what UBCM’s priorities should be. The most frequent responses were advocating on behalf of local governments and policy development/implementation.

When asked what their top three concerns were, members most frequently responded:
- economic development
- diversification
- jobs

We also asked members what activities UBCM should consider undertaking. Some suggestions were:
- on-line training, listservs, discussion forums;
- political education final exam for newly elected training;
- education/awareness program on ethics; and
- legal advice.

And finally, we asked what activities you felt UBCM could consider dropping from its present list of activities. Respondents indicated:
- avoid duplication of services/information provided by other organizations (ie. NetworkBook);
- group purchasing - Commercial Vehicle Licensing;
- Quicken;
- spend less at level (meetings) concentrate on BC web site.

With respect to the first suggestion, avoiding the duplication of services, UBCM has already undertaken discussions with the Ministry of Community, Aboriginal and Women’s Services, Local Government Management Association and Civicinfo to review what services each of us provides to local government. The goal will be to avoid duplication and ensure that the appropriate agency is providing the best service to the membership.

In closing, we wish to thank all of the members who took the time to respond, and let you know that you have been heard. Our task as the Executive and staff is to review our present activities and determine where and how we can do better to ensure we continue to serve the members to the best of our abilities.

Overall Assessments

The survey concluded with five overall assessments. The vast majority of respondents (85%) felt an association like UBCM was very important, no one thought it was not important. Members are sensitive to the difficulty of representing a diverse membership - about two-thirds felt a broad-ranging organization like UBCM can be very important, very responsive to the needs of all members – the remainder did not think so or could not decide.

Over 90% rated the UBCM's public image favourable with 60% saying it was very good. Finally, when asked whether there is value for money spent on UBCM membership - 90% said yes and the majority of the remainder said they didn’t know. We also asked members what UBCM’s priorities should be. The most frequent responses were advocating on behalf of local governments and policy development/implementation.

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Building Greener Government
Continued from page 17

firefighters and their teenage neighbours.

Initially, the building was designed to be freely accessible to the public. However, differences in the security needs of the two departments were accentuated by the terrorist attacks of September 11, 2001; this resulted in the introduction of a 24 hour commissionaire system to regulate public access. According to Gordon Freeborn, Director of Fire and Emergency Services, this system has been a necessary compromise that has successfully dealt with the situation. With only one entrance into what currently is the main common space for police facilities in the Lower Mainland, it may not be so necessary in other parts of the province.

A joint committee administers the building with representation from four municipal departments; Fire, Police, Parks and Recreation and Cultural Services. Police Chief Rich Drinovz believes that the quarterly management meetings bring many of the same benefits at the administrative level, as those experienced by building users on a daily basis: better understanding, improved communication and more effective collaboration between departments.

In addition to strengthening bonds within the community, the new patterns of use that this building supports have direct and significant environmental benefits, as Ray Cole predicted. By incorporating more natural land and using smaller quantities of construction, the building cost significantly less than two separate facilities. By incorporating shared and multiple use spaces, operating costs are also reduced, and at the same time the two public safety departments benefit from economies of scale in the purchase of goods and services.

It is not to say that the physical aspects of green building have been ignored in this project. The building section is organized to allow clear story windows to bring natural light deep into the occupied spaces where durable natural interior finishes also contribute to improved indoor environmental quality. Building electrical and mechanical systems were also designed for efficiency and economy according to the standards of the time.

However with the rapid improvements in environmental technology, these systems are no longer state of the art. Consequently, more recently completed projects provide a better vehicle for the discussion of these and other aspects of environmentally responsible design. Two such projects will be the focus of future articles in this series.

Civil Liability
Continued from page 7

engineering, contractors. Also, as the member points out, the municipal liability limits the amount of cost of serving certain defined liabilities of municipalities and provides some exceptions to the service approval requirements for municipal borrowing and other liabilities. A companion regulation, BC Regulation 261/2004, provides some exceptions to the service approval requirements for regional district borrowing and other liabilities. These regulations have been effective since June 11, 2004.

Liability Limits
The total annual cost of servicing a municipality’s liabilities is limited to 25% of certain municipal revenues for the previous year. The use of an annual liability servicing limit has been chosen as the limitation model because it provides a clearer picture of the amounts of revenue required to pay for past transactions and events as well as proposed liabilities, which will assist in the financial planning process.

The new limit is also a better proxy for ability to pay than was the previous limit.

Only those revenues that can be considered both controllable by the municipality and sustainable for long periods of time are used to calculate the liability servicing limit. For example, municipal taxation is included, but conditional grant revenue is excluded. In addition, some revenues are adjusted to take risk into account, e.g., tax revenue from major industrial properties.

Liability servicing cost includes the average of the total principal and interest payments or lease payments that are paid on capital commitments or guarantees plus the average annual amount that would be payable if capital contingencies or guarantees were realized. Specifically excluded from the limitation are operating leases, or the portion of any agreement that relates to operating costs. The exclusion of operating leases or operating costs under an agreement is a significant improvement over the previous liability limits, which captured any operating costs under an other obligation combines both operating and capital components, as is typical in many public private partnership (P3) agreements, only servicing costs related to the capital portion of the agreement are included in the liability servicing cost. Therefore, the Financial Officer will need to make esti-