Regional District Task Force Gets Underway

In November 2007, the UBCM appointed a Regional District Task Force with the explicit aim of engaging the Province in a discussion about Regional Districts.

The members of the Task Force are Chair Robert Hobson (Task Force Chair), President Susan Gimse, Director Eileen Benedict, Mayor Terry Lake, and Director Terry Raymond. To date Dale Wall, Deputy Minister, Ministry of Community Services, and Gary Paget, Acting Deputy Minister, have attended all meetings of the Task Force. The composition of the Task Force reflects the reality that the issues facing Regional Districts are important to both electoral areas and municipalities. Ultimately the solutions to problems facing Regional Districts must be acceptable to all parties in the Regional District structure.

Since the 2007 Convention, the Minister of Community Services has advised UBCM on a number of occasions that no charter will be forthcoming for Regional Districts. With this in mind the Task Force has decided to move forward in an effort to address specific problem areas.

The work of the Task Force to date has centered around gaining consensus with the Province on the problem statements and emerging issues impacting Regional Districts. It has also focused on the principles that would be used to guide a review process, and has investigated options for moving forward. It has been agreed that the Task Force will undertake a targeted review of the following three areas:

1. Electoral Area Governance;
2. Crown-Regional District interface; and
3. Fringe Planning and servicing issues.

The Task Force proposes to examine each of these issues and the arising sub-issues through a disciplined, facilitated process. A consultant will be engaged jointly by the Province and UBCM to lead the process. Consultation will be built into the process and input will be sought from both elected officials and staff.

The Task Force understands the diversity of Regional Districts in this Province. In recognition of this, there needs to be a range of potential solutions for each targeted area ranging from a tweaking of existing conditions to structural change.

The process described above is in the very early stages and will take time to complete. We anticipate this exercise will begin this year and continue through 2009. The Task Force will be providing timely updates along the way.

Gas Tax Agreement Extended to 2014

On March 17, Canada, BC and UBCM completed a funding extension under the Gas Tax Agreement (GTA) that will deliver over $1 billion to BC local governments between 2001 and 2014. Minister Stockwell Day, on behalf of Minister Lawrence Cannon, joined with Minister Ida Chong and President Susan Gimse in signing the amendment to the Agreement.

The event also featured BC’s newest municipalities of Westside, Barriere and Clearwater receiving their first allocation of funding through the Community Works component of the Gas Tax fund. “The federal government’s decision to make the Gas Tax transfer permanent is certainly good news for all communities,” said Clearwater Deputy Mayor Ken Kjenstad. “This is a good step in providing a stable funding format for our District.”

The extension of funding follows upon the federal government’s promise to do so in Budget 2007. The federal Budget 2008 included a provision to make Gas Tax funding “a permanent measure.”

UBCM Welcomes New Staff Member

UBCM is pleased to welcome Marylyn Chiang as the newest addition to UBCM staff. Marylyn started with UBCM on May 20th and has taken on a variety of responsibilities predominantly in the health policy area.

Marylyn is a graduate of the UBC School of Community and Regional Planning. She was previously employed at the City of Surrey in the Parks Planning and Recreation Department as a park planner identifying multi-use paths and other active transportation options. As well, she completed a one-month internship at the City of Vancouver addressing food policy issues and urban agriculture potential. Prior to receiving her planning degree Marylyn worked in Tanzania as a Communications Coordinator with the ‘Right to Play’ organization.

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Look for your 2008 Convention Registration Brochure in the mail!

Early Bird Deadline is: August 8, 2008
PRESIDENT’S MESSAGE

A s I have said on many occasions, UBCM’s strength comes from its grassroots and the willingness of our diverse membership to speak as a common voice. This was made even more apparent to me in my recent visits to the five area association meetings around this province.

I am left with two distinct impressions after all of our meetings. The first is a reminder of the size and diversity of our 189 local governments. My second impression is how, despite all of our differences, we still face common issues, challenges and opportunities.

It is the ability of our membership to seek common ground that makes UBCM strong and a voice that needs to be listened to by other orders of government.

Back in April our Executive held its quarterly board meeting in Victoria. We think that on occasion it is helpful to our advocacy efforts to meet within sight of the Legislature, and to advocate on behalf of our members through a series of meetings with Cabinet Ministers and senior staff. Our Executive felt that UBCM was well received in Victoria and our issues were heard. This is an initiative worthy pursuing in future years.

It was most disheartening to see local governments in British Columbia badminded in the recent report from the Canadian Federation of Independent Business with regard to spending. It is unfair for an organization to criticize spending practices with little or no analysis of the factors driving local government finance.

If we look at the impact of complying with regulatory standards of other levels of government, the costs are staggering (think of the increase in costs for provision of drinking water). Add to this, an existing infrastructure deficit, shifting responsibilities from other governments and increased citizen demands for new and improved service delivery. It’s not that hard to see why local government expenditures have risen.

UBCM believes that the real issue here is the continued reliance on property taxes as a primary source of revenue. Our membership has repeatedly raised concerns about a fiscal imbalance and we will continue to pursue this matter.

In addition to our ongoing advocacy efforts I am currently involved on a Steering Committee in a review of the 2004 recommendations on Regional Hospital District Financing. We have a strong committee in place to lead this project. This initiative is in direct response to a discussion from convention last year when a desire was expressed to understand the level to which the 2004 recommendations have been implemented. The Regional Hospital Districts will be hearing from our consultants over the coming months and a final report will be ready in late October.

Work continues on the TILMA file. Our Executive has been briefed on TILMA discussions on several occasions and has provided direction to staff. UBCM has continued to receive advice from Donald Lidstone on this file throughout our discussions. With April 2009 looming on the horizon we are at an important juncture in our consultation efforts with the Province. Executive will be reporting out to the membership on this file in the coming months.

Planning for our 2009 Convention in Penticton is already well underway. Early indications point to a promising lineup and an energetic host community, so I am already looking forward to another fantastic convention. Watch for the Convention registration brochure which will be distributed shortly. It promises an exciting lineup.

Finally, I would like to thank all of you that attended the Area Association meetings, for your warmth and welcome to myself, my colleague and UBCM staff. These meetings are important for the work that you accomplish and the ideas that are shared. I have been involved in local government for over 14 years now and I never tire of hearing about the innovative work that you do and the passion that you bring to your elected offices. I enjoyed every minute of your sessions.

COMMUNITY EXCELLENCE AWARDS 2008 PROGRAM

The UBCM Community Excellence Awards has become the benchmark awards program for municipalities and regional districts in BC. Through the creation of successful partnerships, UBCM has been able to identify key areas of concern for local governments. While identifying what our members want to work on, we have also been able to profile the excellent programs and services being offered. The focus on knowledge-sharing makes the Excellence Awards a great example of a program that gives credit where due, but also contributes to the continued development of BC communities.

The 2008 awards program will offer the following categories:

**BEST PRACTICES**

- BEST PRACTICES, Website
- BEST PRACTICES, Annual Reporting
- LEADERSHIP & INNOVATION: Small Community; Mid-Size Community; Large Community and Regional District

In addition to the above-mentioned categories, the PARTNERSHIPS Category is also available, but with a different focus each year. In the past, we have focused on First Nations, School Districts, Healthy Living and Tourism. The PARTNERSHIPS Category focus for 2008 will once again focus on First Nations and Local Government Partnerships.

Don’t miss this opportunity to share your successes with other BC communities. Think about what your Best Practice or Partnership is about and let us know! Consider how you have shown Leadership and Innovation and allow your peers to follow in your footsteps by learning about it!

UBCM THANKS OUR 2008 PARTNERS:

We look forward to receiving your application!
Member Visits 2008

Throughout the late spring and early summer, UBCM staff are once again traveling the province to visit with local governments in a variety of regions. The annual visits to our members provide an opportunity for local governments to talk about the issues, concerns and opportunities that are specific to their community. UBCM staff look forward to the annual visits as a chance to learn more about the inner workings of local governments and to hear more about the local and province wide issues that are impacting our members. The information gathered is brought back and shared with colleagues to enrich our work both in advocacy and program delivery. The annual member visits continues to be a vital part of the two-way communication between UBCM and our membership.

In 2008, UBCM will be visiting 189 local governments in five different regions:

**North Okanagan June 3-5**
Vernon, Salmon Arm, Spallumcheen, Sicamous, Lumby, Coldstream, Enderby, North Okanagan RD

**Thompson Nicola May 21-23**
Ashcroft, Cache Creek, Kamloops, Clinton, Lytton

**Sunshine Coast June 10-11**
Sechelt, Sechelt Indian Government District, Powell River, Powell River RD, Sunshine Coast RD, Gibsons

**Queen Charlottes June (June 23-25)**
Masset, Port Clements, Queen Charlotte

**East Kootenay (May 30)**
Sparwood, Fernie, Elkford

**Squamish – Lillooet (May 22, 23 & June 11)**
Lion’s Bay, Bowen Island, Squamish, Pemberton, Whistler, Squamish Lillooet RD

**Sporwood, Fernie, Elkford, Lillooet, (May 22, 23 & June 11)**
Sporwood, Fernie, Elkford, Lillooet

**Sunshine Coast June 10-11**
Sechelt, Sechelt Indian Government District, Powell River, Powell River RD, Sunshine Coast RD, Gibsons

**Merritt, Thompson - Nicola RD**

**Queen Charlottes June (June 23-25)**
Masset, Port Clements, Queen Charlotte

**East Kootenay (May 30)**
Sparwood, Fernie, Elkford

**Squamish – Lillooet (May22, 23 & June11)**
Sporwood, Fernie, Elkford, Lillooet

**Sunshine Coast June 10-11**
Sechelt, Sechelt Indian Government District, Powell River, Powell River RD, Sunshine Coast RD, Gibsons

Municipal Pension Plan

Post-retirement Group Benefits and Inflation Protection

A number of councils and boards are being approached by retired municipal pension plan members concerned about increased costs in their share of premiums for post-retirement group benefits. In this issue OF the newsletter we reprint extracts from information prepared by the MPP Board of Trustees in 2006. The basic issue is the same today even though there have been further changes to the premium cost sharing.

**Introduction**

Along with the basic pension, the Municipal Pension Plan also provides inflation protection for basic pension and post-retirement group benefits. Unlike the basic pension, these benefits are not guaranteed; they are provided only if adequate funding is available and may be adjusted at any time. A Supreme Court of British Columbia judgment confirmed that non-pension benefits, such as subsidies for health premiums, depend on available funding and may be changed by the Pension Board. Over the next few years, the challenge for the plan will be to continue to provide group benefits and inflation protection despite funding constraints and increasing costs.

**What are post-retirement group benefits and inflation protection?**

Currently, the group benefits provided through the plan are extended health benefits (EHB) and dental benefits, and partial subsidy of BC Medical Services Plan (MSP) premiums. The challenge for the plan is to continue to provide group benefits and inflation protection despite funding constraints and increasing costs. Members applying for a pension benefit can enroll in MSP, EHB and dental benefits through the pension plan. MSP, EHB and dental premium subsidies are based on the member’s pensionable service. Inflation protection is the increase to a member’s basic pension that is provided annually (subject to available funding) to offset cost-of-living increases. Since 1982, this increase has matched the Consumer Price Index (CPI), which measures cost increases for several key household goods and services.

**How are group benefits funded and who pays?**

The plan subsidizes a large portion of the costs for group benefits through limited employer contributions that would...
Area Associations

Association of Vancouver Island and Coastal Communities

President: Mayor Barry Janyk, Town of Gibsons
1st Vice-President: Mayor Christopher Causton, District of Oak Bay
2nd Vice-President: Chair Rod Sherrell, Mount Waddington RD
Past President: Director Barbara Price, Comox Valley RD
Electoral Area Rep: Director Mary Marquette, Cowichan Valley RD
Directors at Large: Councillor Barry Avis, Qualicum Beach
Councillor Kyara Kahakauwila, District of Metchosin
Chair Joe Stanhope, Nanaimo RD

The 2009 Convention will be held in Nanaimo – April 3rd-5th, 2009.

Association of Kootenay Boundary Local Governments

President: Mayor Joe Snopek, Town of Creston
Vice-President: Councillor Gord McAdams, City of Nelson
Past President: Director Heath Slee, East Kootenay RD
Directors at Large: Councillor Ann Gordon, City of Grand Forks
Councillor Kirk Duff, City of Castlegar
Councillor Rob Gay, East Kootenay RD
Councillor Tom Mann, East Kootenay RD
Councillor Dave Leitch, City of Cranbrook
Councillor Kim Capri, Village of Cranbrook
Councillor Pat Wallace, Village of Cranbrook
Director Grace McGregor, Kootenay Boundary RD

The 2009 Convention will be held in Cranbrook – April 23rd-25th, 2009.

Lower Mainland Local Government Association

President: Councillor Corrine Lonsdale, District of Squamish
1st Vice-President: Mayor James Atebe, City of Mission
2nd Vice-President: Councillor Sav Dhaliwal, District of Mission
Past President: Councillor Bob Long, City of Burnaby
Directors at Large: Councillor Kim Capri, City of Vancouver
Councillor Craig Spiers, District of Maple Ridge
Councillor Barbara Steele, City of Surrey
Councillor Matt Todd, City of White Rock

The 2009 Convention will be held in Harrison Hot Springs – May 6th-8th, 2009.

North Central Municipal Association

President: Councillor Murry Krause, Village of Ashcroft
1st Vice-President: Chair Karen Goodings, Village of Lumby
Past President: Director Dave Leitch, Columbia Shuswap RD
Directors at Large: Councillor Greg Holitzki, Village of Chase
Councillor Harry Kroeker, City of Merritt
Councillor Noreen Guenther, District of Lake Country
Mayor John Slater, Town of Osoyoos
Councillor Jackie Tegart, Village of Chase
Councillor Deb Lenous, Village of Chase
Councillor Rhona Martin, Village of Chase
Councillor Dan Forker, Village of Chase
Councillor Brian Frenkel, Village of Chase
Mayor Mike Frazier, Village of Chase

The 2009 Convention will be held in Dawson Creek – May 6th-8th, 2009.

Southern Interior Local Government Association

President: Councillor Jackie Tegart, Village of Ashcroft
1st Vice-President: Councillor Kevin Flynn, Village of Salmon Arm
2nd Vice-President: Councillor Deb Lenous, Village of Lumby
Past President: Director Rhona Martin, Columbia Shuswap RD
Directors at Large: Councillor Greg Holitzki, Village of Chase
Councillor Harry Kroeker, City of Merritt
Councillor Noreen Guenther, District of Lake Country
Mayor John Slater, Town of Osoyoos
Councillor Jackie Tegart, Village of Ashcroft
Councillor Phil Pant, City of Kamloops
Councillor Marg Lampman, District of Lillooet
Councillor Pat Wallace, Village of Lumby
Councillor Brian Frenkel, Village of Chase
Councillor Murry Krause, Village of Ashcroft

The 2009 Convention will be held in Osoyoos – April 29th-May 1st, 2009.

Your Office Makeover Specialists.

Come to Monk Office Interiors for a stunning range of office furniture. Our helpful interior designer, Natalie Saunders, can help you design a space that is both unique and functional — just like you.

Now that’s helpful.

Quesnel Councillor appointed to Minister’s Council on Employment for Persons with Disabilities

Councillor Mary Sjostrom of Quesnel, who is also the Chair of the Measuring Up The North Steering Committee, has been appointed to Minister Richmond’s Council on Employment for Persons with Disabilities. The Council establishes a partnership between government, business, education, community-based organizations and persons with disabilities, all with the aim of increasing the employment, employability and independence of persons with disabilities.

The Council’s purpose is to improve the employment situation for persons with disabilities in British Columbia, which requires the engagement of all partners, particularly businesses who hire and employ persons with disabilities. Representation on the Council comes from the business, community, government and education/training sectors.

“I am honoured to be selected to sit on the Minister’s Council on Employment for Persons with Disabilities” says Councillor Sjostrom. “It is a very exciting time with the success of the Measuring Up The North Project and for my own Community of Quesnel who has just developed a Strategic Plan for Accessibility and Inclusion.”

More formation about the Measuring Up The North Project is available on their website at: www.measureupthenorth.com.
ENVIRONMENT POLICY IN BRIEF

Climate Action

In the summer of 2007, UBCM and the Province developed a non-binding Climate Action Charter aimed at fostering collaborative relations for reducing greenhouse gases. The Charter commits local government signatories to: becoming carbon neutral in their operations by 2012; measuring and reporting on their GHG emissions profile; and creating complete, compact, more energy efficient rural and urban communities. To date, 122 local governments have provided UBCM with signed copies of the Climate Action Charter, while several other local governments have notified UBCM of their intent to sign the Charter.

For further information on the process for signing the charter, please contact Jared Wright, Senior Policy Analyst by email at jwright@civicnet.bc.ca, or by phone at 604.270.8226 (ext.113).

Drinking Water

The Technical Advisory Committee on Turbidity and Microbial Risks in Drinking Water has released its report on drinking water standards in British Columbia. The Minister of Health established the Committee in December 2007 in response to ongoing local government and water supplier concerns about turbidity and microbial risk in drinking water in British Columbia. The report addresses the different approaches taken across B.C. on how, why and when water quality advisories and boil water notices are issued. It also examines how turbidity is used to measure water quality, how it is monitored and the human health risk. The full report is available online at www.health.gov.bc.ca/protect/dwcommittee.html.

Landfill Gas Regulation

The Ministry of Environment is in the process of developing the Landfill Gas Regulation under the Environmental Management Act (EMA). This initiative forms part of the work undertaken by the Ministry of Environment (MOE) in support of the provincial government’s commitment to reduce greenhouse gases by at least 33% below current levels by 2020.

The Ministry’s objectives and the proposed contents of the regulation are provided in a policy intentions paper for consultation (intentions paper). This intentions paper is available for review at the following link: www.env.gov.bc.ca/epdiv/ema_codes_of_practice/index.html.

This intentions paper will provide a framework for legal drafting and possible further consultation. A response form to seek responses and comments from stakeholders and the public is also available on the website indicated above. Comments should be submitted by September 15, 2008.

Open Burning Smoke Control Regulation

The Ministry of Environment is continuing the process of reviewing and revising the Open Burning Smoke Control Regulation (OBSCR) of the Environmental Management Act (EMA). The Ministry’s objectives and the proposed contents of the amendment are provided in a policy intentions paper for consultation (intentions paper). This intentions paper is available for review at the following link: www.env.gov.bc.ca/epdiv/ema_codes_of_practice/open_burning/index.html.

This intentions paper also describes the aspects of particular concern for protection of human health and the environment and other relevant information. This intentions paper will provide a framework for legal drafting and possible further consultation. A response form to seek responses and comments from stakeholders and the public is also available on the website indicated above. Comments should be submitted by June 30, 2008.

Riparian Areas Regulation

The Ministry of Environment repealed the Streamside Protection Regulation and introduced the Riparian Areas Regulation (RAR) in June 2004. The Regulation calls on local governments to protect riparian areas (fish bearing, fish supporting areas) during residential, commercial and industrial development by ensuring that proposed development activities are subject to a scientific based assessment conducted by a qualified professional. The Regulation took effect on April 1, 2006.

UBCM continues to work with the Ministry of Environment on minimizing the impact of the RAR, and assisting local governments achieve compliance with the Regulation. In recent developments, the Ministry of Environment and the Department of Fisheries and Oceans have signed off on the RAR Intergovernmental Co-operation Agreement, marking the completion of the last tool required for the full implementation of the RAR.

The purpose of the Intergovernmental Co-operation Agreement is to define the roles and responsibilities of the parties in the implementation and ongoing delivery of the RAR. To that effect, the agreement creates a management structure to oversee the implementation of the RAR through an Executive Committee, as well as defines the review, reporting and resource requirements for the implementation and ongoing delivery of the RAR. It also outlines the parties respective responsibilities in regards to the handling of variances, notifications, training of qualified environmental professionals, communication, monitoring, compliance and enforcement. UBCM is now in a position to sign the agreement following several reviews of the agreement by the Executive.

BC’s New Brownfield Renewal Strategy

The National Round Table on the Environment and the Economy defines Brownfield sites as abandoned, vacant, derelict or underutilized commercial or industrial properties where past actions have resulted in actual or perceived contamination and where there is an active potential for redevelopment.

The new BC Brownfield Renewal Strategy takes a policy, regulatory, legislative, tax, funding and educational approach to encourage redevelopment of brownfield sites and foster green development across BC.

The strategy’s triple bottom line outcomes focus on economic, environmental and community benefits such as reducing greenhouse gases, energy use and urban sprawl, while contributing to increased affordable housing, employment opportunities and property values, as well as reusing vacant and unproductive land.

The strategy is aimed at reducing barriers to redevelopment and encouraging green development by:

1. Finding ways to enhance flexibility in liability/risk allocation.
2. Encouraging redevelopment through strategic public investments.
3. Building awareness about the value, opportunity and practice of redeveloping brownfield sites.

How will the strategy benefit local government?

The strategy is building on existing tools and developing new policies for use by local government and other stakeholders.

Components of the strategy that will benefit local government include:

Brownfield Renewal Fund

BC is developing a $10 million dollar fund to encourage redevelopment of brownfield sites. Developers or local governments may apply for funding to undertake early stage investigations on brownfield sites. The investigations will lead to an understanding of site conditions and inform decisions. The fund criteria will encourage triple bottom line outcomes, and will likely require applicants to match funding.

Tax Tools

The Vancouver Charter and the Community Charter provide local governments tax tools to apply to brownfield sites.

If you’ve got questions, we’ve got the answers you’re looking for

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

For more information on how we can help your Municipality or Regional District, contact one of our 21 offices in British Columbia, or one of our 98 offices across Canada. We’ve got the answers.

Provincial Contact Partner: Bill Cox, Partner
Tel: (604) 688-5421

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The new goals under the Public Service Agreements are:
• reduce violent crime (reduction in number of murders and violent assaults, gun and knife crime, incidents of sexual offences and domestic violence, gang violence, and deaths and serious injuries on roads);
• reduce acquisitive crime (reduction in number of burglaries, robbery and vehicle crime);
• tackle local priorities and increase public confidence (intent is to give local agencies and partnerships the freedom to tackle anti-social behaviour and disorder in local neighbourhoods; work with stakeholders to develop an action plan to integrate neighbourhood policing with neighbourhood management); and
• reduce re-offending (improved management of offenders; new targets for reducing reoffending focuses on volume of proven reoffending and the severity of the offence—with the goal of transforming "the offender into a law abiding citizen, providing support for those who want to change and managing effectively those who do not").

The general intent of the agreements is to:
• improve effectiveness and efficiency of the Community Justice System in bringing offenders to justice;
• increase public confidence in the fairness and effectiveness of the Community Justice System;
• increase victim satisfaction with police and other Community Justice Programs, Youth Asset Management, Neighbourhood Strategy/Plan for the community and to report back on how it met the priorities established and that each level is accountable for the goals it set. Under this process local governments are expected to pay the costs of undertaking the assessment of issues in the community and will help meet the national performance goals. Each community is required to participate in the implementation of the National Community Safety Plan through local agreements which outline the community priorities and how these goals will be achieved.

Overall, the British model establishes a standard framework for discussing performance issues, outlines the roles and responsibilities of each of the participants, requires government agencies to develop/participate in partnerships with other agencies to meet the objectives and requires that each level report back on how it met the priorities established and that each level is accountable for the goals it set. Under this process local governments are expected to pay the costs of undertaking and developing a strategy/plan for the community and to report back on how successful it was in meeting the priorities established.

Cost of Policing the Homeless

There is a growing concern that police officers are becoming the front line responders to an increasing number of homeless individuals who have addiction or mental health problems or co-occurring disorders. Local governments are being faced with the ongoing costs of having to deal with these individuals at the community level. The problem is highlighted in reports out of Victoria and Vancouver on the policing costs associated in dealing with the homeless.

In Victoria the “Mayor’s Task Force on Breaking the Cycle of Mental Illness, Addictions and Homelessness” highlighted the fact that homeless were putting increased pressure on limited police resources. The Task Force estimated that $62 million was being spent on services, such as police巡逻, detox, shelter, emergency shelter, and clean up related to the homeless. The Victoria Police Department identified a group of 324 homeless individuals, many of whom are mentally ill, suffering from substance use disorders or co-occurring disorders, who were responsible for 23,033 police encounters over a period of 40 months at an estimated cost of over $9 million. The costs of policing were seen as expanding as the report determined that there were approximately 1,500 homeless people in the Greater Victoria Area and the homeless population was expected to grow by 20-30 per cent a year.

A more recent report released by the Vancouver Police Board entitled: “Lost in Transition: How a Lack of Capacity in the Mental Health System is Failing Vancouver’s Mentally Ill and Draining Police Resources” estimated that up to 49 per cent of the police calls are dealing with individuals who are mentally ill. The report highlighted the fact that the economic cost of “police time spent dealing with incidents where a person’s mental illness was a contributing factor in police attendance is equivalent to 90 full-time officers, at an annual cost of $9 million.” The Vancouver Coastal Health Region has estimated that there are approximately 2,100 individuals in crisis on the Downtown Eastside in Vancouver, 90 per cent have either addiction or mental illness and 75 per cent are affected by both mental illness and addiction. Out of this population 250 to 500 are most vulnerable and many are among the 277 chronic offenders that have been identified by the Vancouver police department.

Both the Vancouver Police Board report and the Victoria report identified the need for supportive housing with a wrap around service component to address the needs of homeless individuals with addictions and mental illness. They were also asked to identify how the province can best support the participants, requires government agencies to develop/participate in partnerships with other agencies to meet the objectives and requires that each level report back on how it met the priorities established and that each level is accountable for the goals it set. Under this process local governments are expected to pay the costs of undertaking the assessment of issues in the community and will help meet the national performance goals. Each community is required to participate in the implementation of the National Community Safety Plan through local agreements which outline the community priorities and how these goals will be achieved.

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Drugs and Gangs
Continued from page 6

The number of known gangs in the province has expanded from 92 in 2003 to 129 in 2007. The growth in organized crime activity has been encouraged by the expanding drug economy, which is estimated in marijuana production alone to be around $6 billion per year or 4 per cent of the Gross Domestic Product (GDP). While outlaw motorcycle gangs remain the largest single category of organized gang, the fastest increase in other types of violence - armed confrontations, drive-bys, shootings, grow-tips and extortions. Violence related to organized crime remains a major threat and has grown over the past decade.

Emergency services and police resources to meet the expansion of both drug and gang activity is being challenged. Police forces at all levels are being forced to look at alternative strategies to address these issues. The development of new partnerships between different police forces and agencies, the integration of police resources across regions, and the development of a common understanding of the issues that need to be addressed. The merger of international organized crime and drug trade; national crime (organized crime and drug production); local street crime, property crime and drug abuse is stretching the resources of police forces to the limit.

Why can’t the plan guarantee group benefits and future inflation protection?

Unlike the basic pension, group benefits are not pre-funded. They are paid on a current cash basis from premiums paid by retirees and from employer contributions that would otherwise go to the IAA. As costs for the benefits rise, the plan cannot guarantee that there will be enough money to pay future group benefits. The trustees can adjust the amount of the subsidy provided for group benefits or the coverage provided. They do not have the authority to increase the amount of money the plan can pay for future group benefits. Inflation protection is funded through contributions by current members and employers (equal to one per cent of pensionable earnings from each). However, part of the employer contribution is paid to support group benefits. The current funding arrangement is forecast to exceed available funding. The trustees have no authority to increase the amount that is contributed to the IAA.

Why are there problems with the current funding arrangement for group benefits and inflation protection?

For one thing, group benefits costs are rising significantly. There are a number of reasons for this:

- Drug costs are increasing significantly;
- MSP premiums have increased;
- PharmaCare coverage changed in 2002;
- the number of retirees (consumers of group benefits) is increasing; and
- retirees are living longer, and are using more prescription drugs.

At the same time, group benefits funding is not keeping pace with these rising costs. This is because the maximum funding for group benefits comes from employer contributions equal to one per cent of active member salaries.

Homeless
Continued from page 6

to offset the capital costs and the cost of providing housing supports to those who are absolutely homeless.

There are currently a number of different initiatives under way to help address the homelessness issue and reduce the policing costs related to it. Prolific Offender Programs are underway in a number of communities across the province, this is an integrated program involving police, correctional services, health and social service ministries and crown counsel, it is designed to target chronic offenders in local communities. The program attempts to provide an alternative to chronic offenders who want help – drug and alcohol treatment, job training, housing etc. – or alternatively it ensures these individuals are closely monitored and if they are caught in criminal activity they are dealt with in an expedient manner.

BC Housing is working with a number of communities across the province to expand emergency shelter operations to 24/7, homeless outreach programs in 40 communities and increase homeless rent supplements. The Ministry of Health and Ministry of Finance have contributed to the IAA. As costs for the benefits rise, the plan cannot guarantee that there will be enough money to pay future group benefits. The trustees have no authority to increase the amount that is contributed to the IAA.

Provincial Crime Prevention
Continued from page 6

crime prevention initiatives, funding information, agency contacts etc.;
- Training and workshop sessions – at local or at regional level; and
- Public Forums – need to educate the public.

Community Priorities
- Integration of services and collaboration between different agencies in the community – initiatives that promote partnerships with local government;
- Implementation of wrap-around services on a regional basis throughout the province; and
- Prolific offenders program.

One of the key points identified was the need for clear roles and responsibilities for each of the three levels of government in the process. The role of the federal and provincial government was seen as providing a plan and financial resources; it was felt that a visible commitment was needed from them to give credibility to the process. As one local government representative pointed out, “funding from government is necessary – nothing happens without funding”. In addition, a clear mandate was needed to ensure the various agencies involved in the process worked together and pooled their resources to implement the plan.

The role of local government in the development and implementation of crime prevention strategy was seen as providing leadership and helping to facilitate the process. It was pointed out that, “the local government can be the leaders to initiate the necessary change. They are all aware of the people in the community to talk to and pull in as partners. They get the first hand information and are asked to make others aware. Local governments are known as the community planners. This issue needs to be in our plans. In addition, “Local government can set up frameworks for affordable housing, transportation strategies and industrial plans, it can facilitate dialogue between the public and private sector”.

Some of the challenges identified in implementing a strategy were:

- Compartmentalization particularly when trying to address this issue needs to be in our plans.
- Lack of trust between aboriginal community and non-aboriginal agencies and lack of aboriginal resources;
- Need to overcome suspicion about how shared funding will be a benefit; and
- Getting public at large to recognize that they need to participate.

Over all, there was general support for the development of a provincial crime prevention plan.

Pension Plan
Continued from page 3

otherwise have gone to the Inflation Adjustment Account (IAA). Retirees and former members who are paying group benefits costs through premiums. Group benefits can be subsidised only to the extent that funds are available.

How is inflation protection funded?

Active members contribute one per cent of salary to the IAA. Employers contribute an amount equal to one per cent of salary, less amounts used to pay the current cost of group benefits. The IAA also earns investment income. In addition, the IAA may receive “excess interest” from the Basic Account, the account from which the basic pension is paid. There is excess interest with the investment return the Basic Account actually earns is higher than the assumed rate of return from the actuarial valuation, on a five-year annualized basis. For the past few years there has been no excess interest and, in some years, the rate of return in the Basic Account was lower than the actuarial assumption. Inflation protection is provided only if there is sufficient money in the IAA to pay for it.

Inflation protection is funded through contributions by current members and employers (equal to one per cent of pensionable earnings from each). However, part of the employer contribution is paid for group benefits. The current funding arrangement cannot be sustained.

Pension Plan
Continued from page 3

2nd Floor, 887 Burrard Avenue, Victoria, BC, V8W 1B3
Phone: (250) 386-7746 Fax: (250) 386-2008 bg pdw@mbs.ca
www.cmil.ca

Advocacy Advice
for Local Government

Partners
Lorena Staples, QC
Guy McDannold
Lui Carvello

Associates
Peter Johnson
Troy DeSouza
Bruce Jordan
Luis Caravello
Michael Sugars

Kathryn Knudsen
Robert Macquisten

Kathryn Kupers
Robert Macquisten

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Some of the challenges identified in implementing a strategy were:

- Compartmentalization particularly when trying to address the homeless issue in a comprehensive and the establishment of the Burnaby Centre for Mental Health and the provision of housing for mental health and addiction clients.

In Metro Vancouver, BC Housing and the City of Vancouver have announced the expansion of 1,200 new housing units for the homeless and the purchase of additional single-room occupancy (SRO) hotels. In addition, the province has announced the creation of the Burnaby Centre for Mental Health and Addiction, a facility to deal with clients who have complex, mental, physical and addiction issues, and the establishment of the first Community Court in Vancouver. All of these measures are designed to address the homeless issue in a comprehensive manner and will help to reduce the policing resources required to deal with the homeless.

The capacity of police forces to address the homeless issue in a comprehensive and the implementation of crime prevention strategy was seen as providing leadership and helping to facilitate the process. It was pointed out that, “the local government can be the leaders to initiate the necessary change. They are all aware of the people in the community to talk to and pull in as partners. They get the first hand information and are asked to make others aware. Local governments are known as the community planners. This issue needs to be in our plans. In addition, “Local government can set up frameworks for affordable housing, transportation strategies and industrial plans, it can facilitate dialogue between the public and private sector”.

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Why are there problems with the current funding arrangement for group benefits and inflation protection?

For one thing, group benefits costs are rising significantly. There are a number of reasons for this:

- Drug costs are increasing significantly;
- MSP premiums have increased;
- PharmaCare coverage changed in 2002;
- the number of retirees (consumers of group benefits) is increasing; and
- retirees are living longer, and are using more prescription drugs.

At the same time, group benefits funding is not keeping pace with these rising costs. This is because the maximum funding for group benefits comes from employer contributions equal to one per cent of active member salaries.

The number of active members (currently 300,000) and their salaries is not increasing at the same rate, leading to a gap in funding. Benefits projections show that the current funding arrangement cannot be sustained.

Why can’t the plan guarantee group benefits and future inflation protection?

Unlike the basic pension, group benefits are not pre-funded. They are paid on a current cash basis from premiums paid by retirees and from employer contributions that would otherwise go to the IAA. As costs for the benefits rise, the plan cannot guarantee that there will be enough money to pay future group benefits. The trustees can adjust the amount of the subsidy provided for group benefits or the coverage provided. They do not have the authority to increase the amount of money the plan can pay for future group benefits. Inflation protection is funded through contributions by current members and employers (equal to one per cent of pensionable earnings from each). However, part of the employer contribution is paid to support group benefits.
Policy Update

What’s New Online?

The following are some new additions and key updates to the UBCM website (www.civicnet.bc.ca):

Nominations & Elections

Convention / Nominations & Elections

The 2008 Call for Nominations to the UBCM Executive has been posted. Please check this page for information and guidelines related to the UBCM nominations and elections process.

Local Government Programs & Services

Programs & Services / Local Government Program Services

This spring, several new funding opportunities have been launched. In the area of First Nations relations, the following programs support different stages of relationship building and treaty implementation:

- Treaty Knowledge Exchange;
- Supporting Treaty Implementation; and
- Building Governance Capacity.

Programs to support healthy communities include Healthy Food & Beverage Sales and Built Environment & Active Transportation. In addition, the School-Community Connections program is once again accepting applications. Information on all these programs, including guides and applications, is available online.

Community Excellence Awards

Programs & Services / Community Excellence Awards Program

The 2008 Application Booklet for the Community Excellence Awards Program is available online. Remember to submit your community’s applications prior to the July 25 deadline! While you’re there, check out past award winners, and review previous submissions in the online Community Excellence Awards Library.

UBCM Resolutions

Resolutions & Policy / Resolutions Database

When drafting resolutions for the 2008 Convention, remember to look through some previous resolutions in the online UBCM historical database. Use this resource to research UBCM policy positions based on past resolutions, or to assist in drafting your own resolutions on a particular topic. Contact Reiko Tagami, Information & Resolutions Coordinator (604.270.8226 ext. 115 or rtagami@civicnet.bc.ca) with any questions about the resolutions database.

2008 Convention

Convention / 2008 Convention

As in past years, Convention information and notices are available online. Updated information will be posted throughout the summer, so check back often!

Featured Policy Topics

Library / Featured Policy Topics

Was there a recent UBCM conference or meeting you were interested in but unable to attend? Are you curious about UBCM’s behind-the-scenes work on certain issues? Check out the presentations and summaries posted in Featured Policy Topics for that “fly-on-the-wall” perspective, the next best thing to being there! Look for:

- Building a Safer Community conference presentations, Feb. 28 - 29
- Electoral Area Directors Meeting presentations, June 12 + 13
- Offshore Oil & Gas MOU Working Group meeting summaries and presentations

Staff

About UBCM / Staff

UBCM has had some staffing changes over the past few months. Visit the Staff page to learn about our newest staff members and review which staff members handle UBCM’s various policy and other portfolios.

Resolutions Update

Many high quality, clearly written and well-researched resolutions have been submitted to the UBCM for consideration at the 2008 Convention. We anticipate more arrivals as the June 30th deadline approaches. Some of this year’s hot topics include:

- carbon tax
- road and highway maintenance
- sustainable local government funding
- emergency preparedness and infrastructure
- homelessness and affordable housing
- cosmetic pesticide use
- forestry and economic development
- climate change
- policing and community safety issues
- drinking water safety
- meat inspection regulations

A reminder memo went out to all UBCM members earlier this month, advising of the June 30th deadline for resolution submissions and the requirement for local governments to ensure that at least one member of their delegation is in attendance at resolutions sessions at Convention. Please contact Reiko Tagami, Information & Resolutions Coordinator (604.270.8226 ext. 115 or rtagami@civicnet.bc.ca) with any questions about the UBCM resolutions process.
Municipal House

"UBCM’s home in the provincial capital"

LGPS AT A GLANCE

For program details go to www.civicnet.bc.ca. Look under Programs and Services/Local Government Program Services.

Applications now being accepted for:

- Community Tourism Phase 2 - accepting applications until November 30, 2008
- School Community Connections – 2008 Strengthening the Connection program – accepting applications until October 30, 2008
- Senior Dialogues - Accepting applications until November 30, 2008 for dialogues before December 31, 2008
- Strategic Wildfire Prevention – accepting applications for the following programs on an ongoing basis:
  - Community Wildfire Protection Plans
  - Pilot Projects
  - Operational Fuel Management
- Supporting Treaty Implementation Pilot Project program – contact LGPS for application information
- Treaty Knowledge Exchange Dialogue program – contact LGPS for application information

Local Government Reporting Deadlines:

Community Health Promotion Fund - progress reporting deadline is June 30, 2008
Seniors’ Housing & Support Initiative – progress report deadline is July 11, 2008

New Reports:

Community Health Promotion Fund Status Report (April 2008)

Coming Soon:

- Healthy Food & Beverage Sale – Phase 2

Job Opportunities Program (JOP) Now Available to Local Governments

The Province of BC recently announced the launch of the Job Opportunities Program element of the Community Development Trust. The intent of this program is to create job opportunities in forest-dependent communities that have experienced significant economic and social impacts by the challenges facing the forest sector. Those communities who have completed a Community Wildfire Protection Plan under the Strategic Wildfire Initiative may be able to take advantage of this program to increase their capacity when conducting fuel management activities in the interface. LGPS program staff would be pleased to discuss the possibilities with you and can be contacted at 250.356.5134.

More information on the UBCM Strategic Wildfire Prevention Program is available on the UBCM website. To find out more about the Job Opportunities program and how to apply please go to the Community Development Trust website at www.labour.gov.bc.ca/cdt.

Trenchless Pilot Project Underway in Victoria

The City of Victoria is undertaking an innovative pilot project to rehabilitate aging sanitary sewers thanks to $3 million from the Gas Tax Fund. The project will test three different technologies intended to reduce inflow and infiltration into the wastewater system in the neighbourhood of James Bay. The project will also employ cutting-edge trenchless construction technology that will reduce costs by 75% and greenhouse gas emissions by up to six times in comparison to traditional excavation and replacement methods. By leaving the roadways in the neighbourhood undisturbed, trenchless construction will also minimize impacts on local residents and the traveling public.

Gas Tax – Public Transit Update

Enthusiastic Response to Request for Applications

Once again this year, there was a strong response to our invitation for applications under the Innovations Fund (IF) and the General Strategic Priorities Fund (GSPF). The closing date was April 30, 2008. Some details on this year’s intake:

- 93 project applications were received (63 for capital projects; 30 Capacity Building and ICS planning projects)
- $198,344,581 in funding was requested for the 93 projects ($120,935,074 in GSPF and $77,409,507 in IF requests)
- The funding programs were oversubscribed ($24.3 million is available for GSPF projects and $17.4 million is available for IF projects)

Technical review of all applications is underway, with decisions expected in the early fall.

Annual Reports Now Due

All recipients of Gas Tax and Public Transit funds are required to report annually on the use of funds. At the time of writing, local governments had already begun to submit reports in advance of the July 1 deadline. We anticipate by press time that all recipients will be completing and submitting their report.

A Green Foundation for Municipal House

On April 11, 2008, President Susan Gimse and the UBCM Executive joined with Minister Ida Chong to view the foundation being poured for UBCM’s new Municipal House. The foundation of the new building, which is targeting LEED Gold designation, will incorporate a high level of locally sourced, recycled concrete and re-bar. At present, only 36 buildings in all of Canada have achieved LEED Gold designation.

In addition to housing staff dedicated to program administration and area association services, Municipal House provides UBCM members with meeting space when visiting Victoria for meetings with provincial ministers or MLAs.

New School Community Connections Funding Program Available Now

The UBCM, in partnership with the BC School Trustees Association, is pleased to announce the launch of the 2008 School Community Connections funding program. The “Strengthening the Connection” program is designed to support shared school/community priorities and is available to both local governments and board of educations.

Grants of up to $8,000 are available in the following categories: early learning; safer, greener communities; healthy kids and families; food security and nutrition; community schools; and literacy. To be considered for funding the project must have the support of both the board of education and local government. Full program details are available on the UBCM website. Deadline for applications is October 30, 2008.

Municipal House Contacts:

Local Government Program Services: 250.356.5134
lgps@civicnet.bc.ca

Gas Tax – Public Transit Management Services: 250.356.2947
gt-pt@civicnet.bc.ca

Photo: Minister Ida Chong and President Susan Gimse at the foundation pouring for UBCM’s new Municipal House.
Building Capacity: Building Healthy Communities

Why “Capacity Building”? 

The BC Healthy Communities (BCHC) strategic plan includes the following goal: to develop the capacity of communities to address complex issues and create better health, well-being and human development. Objectives that help us meet this goal include: 
1. integrate the concept of capacity building into all healthy communities initiatives, and 
2. foster the creation of “learning communities” to address capacity building as a strategy for enhancing Healthy Communities effectiveness and sustainability

Just What Do We Mean by Capacity Building? 

While there is lots of talk about capacity building, the term often means different things to different people. Since it is a major focus of BCHC, we’d like to share our view of capacity building:

Capacity building describes processes and activities that maximize human potential. A comprehensive, integrated approach to capacity building nurtures excellence, expansion and positive change in all areas of human experience: social, environmental, economic, physical, psychological, spiritual, and cultural. In this way, our capacity building efforts reflect the complexity of people, and the communities in which we live our lives.

Building Capacity to Create Healthy Communities

Capacity building is a practical catalyst for bringing the healthy communities vision to life in all of our communities. Healthy communities is a “big picture” concept that not only fosters health and well-being in individuals and in groups, but also addresses human development. In the same way, capacity building pays attention to the complex nature of human development.

The healthy communities approach recognizes that health is more than the absence of disease. Since it is a major focus of BCHC, we’d like to share our view of capacity building:

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Taking an Integral Approach 

A comprehensive and integrated approach to capacity building addresses each of these areas:

- physical determinants (e.g. healthy body, physical activity, diet, substance use/abuse, safety, sex, …)
- psychological and spiritual determinants (e.g. healthy mind, healthy spirit, healthy lifestyle choices, sense of belonging, purpose, high self-esteem, self-actualization, …)
- cultural determinants (e.g. community identity; shared vision of a healthy community; cultural values of inclusion, diversity, pride, hope, participation, …)

Tools for Building a Healthy Community

Helpful resources from BC Healthy Communities include:

- Regional Facilitators: Facilitators will work in regions throughout the province to provide communities with support in understanding and implementing the healthy communities approach.
- Regional Forums and Learning Events: BCHC hosts events around the province focused on community capacity building, collaboration and learning.
- BCH Healthy Communities Updates: Weekly e-bulletins and a monthly newsletter reporting on events, opportunities, innovative approaches to policy and practice, and other inspiring news from healthy communities throughout BC.
- BCH Healthy Communities Backgrounders: The Backgrounder series presents information on a series of topics related to healthy communities. These backgrounder will be of interest to anyone who wants to make their community a healthier place to live, work and play.
- The Community Culture (healthy cultural values, beliefs, attitudes, assumptions)
- Social and Ecological Assets (healthy environment, economy, social systems, institutions, policies, services)

What is BC Healthy Communities?

BC Healthy Communities acts as a catalyst for creating thriving and resilient communities throughout our province. With an emphasis on capacity building, we offer support to communities wanting to integrate the healthy communities approach into their everyday thinking and practice.

Contact: Brian D. Ross
(250) 372-5542
www.fultonco.com
Community Economic Development

Business Licence Piloting Project Update
Contributed by Ministry of Small Business and Revenue

On January 1, 2008, 17 municipalities in the Okanagan-Similkameen region launched a Mobile Business Licence (MBL) piloting project. Mobile businesses can purchase a MBL from their home municipality, which allows them to work in all 17 participating municipalities.

The small business community has been quick to embrace this change. Small businesses have commented on how simple and easy it is to comply with licensing requirements. They purchase the MBL for $150 while they are purchasing their regular business licence from their home community. No extra hassles, no driving to other municipalities. It’s easy. Participating municipalities also report they are pleased with the pilot project.

“I’m a huge supporter of the program,” says Jerry Oglow, Mayor of Armstrong. “It’s great for business. It’s made their life easier. They can now pick up an MBL in one location and work in many municipalities. It’s great for us too and staff find it easy to administer.”

One of the projected advantages of an MBL for municipalities was increased compliance. Before the pilot project was implemented, 1,168 businesses in the Okanagan-Similkameen held more than one business licence. From January 1 to May 22, 2008, 1,764 MBL’s were sold. This is a 51% increase in the number of businesses holding more than one business licence.

The municipalities participating in the pilot are:

- Salmon Arm
- Armstrong
- Lake Country
- Vernon
- Summerland
- Kelowna
- Peachland
- Oliver
- Okanagan Falls
- Westside
- Keremeos
- Lumby
- Penticton
- Osoyoos
- Princeton
- Spallumcheen

If you have any questions, please contact:
Glenn Amess
Project Manager
Small Business Branch
Ministry of Small Business and Revenue
Tel: 250 952-0259
Email: Glenn.Amness@gov.bc.ca

Recreation Trails Strategy for BC

A Recreation Trails Strategy for BC is currently being developed by the Ministry of Tourism, Sport and the Arts (MTSA) and BC Parks. The primary goal of the strategy is to ensure the full range of economic, social and environmental benefits of BC’s trail system are realized throughout the Province.

The CED Committee will now be sitting as a formal member of the RV Working Group as follows:

- Michelle Carr
- Joss Penny

For more detailed information the report is online at: www.tsa.gov.bc.ca

Recreational Vehicle Park Development in British Columbia Report outlines a series of 15 recommendations for consideration by government and industry to create, maintain and expand recreational vehicle park development in the province, in order to position BC to be the leading destinations for the camping and RV tourist.

The UBCM’s Community Economic Development (CED) Committee has had an opportunity to review the report and notes that recommendations three, five and six are of specific interest to local governments. UBCM provided input during the Report development, and Councillor Mary Sjostrom, Chair of the CED Committee will now be sitting as a formal member of the RV Working Group which prioritizes the recommendations and develops action plans for the specific recommendations.

We would encourage you to review the report and if you have any specific comments that you would like to convey please contact the co-chairs of the Working Group as follows:

- Michelle Carr
- Joss Penny

BC Lodging and Campgrounds Association
604-945-7676
jpenney@bclca.com

UBCM NEWS JUNE 2008

11
Knowing where we stand in 2008; and

BC Moments: Cool...Warm...Smart

or hot?)

eligible if there is demonstrated commitment to implementation, e.g. approval, institutional innovation, or project implementation. Commitments are only commitments or actions include: adopted plans, bylaws, regulations, policies, best exemplifying the spirit of energy awareness in community planning and energy supply. CEA has recognized the efforts of local or regional governments use, transportation, buildings and infrastructure, and renewable or alternative development through planning and implementation of energy-efficient land

The Community Energy Association (CEA) promotes sustainable community

2. Corporate operations

1. Community-level planning and development

The Community Energy Association, UBCM, Province of British Columbia and BC Hydro Power Smart are pleased to invite all local governments in British Columbia to participate in the 2008 Energy Action Awards competition. The awards are offered annually to a municipality or regional district, implementing a project or program best integrating energy planning into community planning processes and development strategies. Awards are now offered in two categories:

- Community-level planning and development
- Corporate operations

The Community Energy Association (CEA) promotes sustainable community development through planning and implementation of energy-efficient land use, transportation, buildings and infrastructure, and renewable or alternative energy supply. CEA has recognized the efforts of local or regional governments best exemplifying the spirit of energy awareness in community planning and corporate operations, through the Energy Aware Awards, since 1998. All BC municipalities and regional districts are encouraged to apply. A submission must be based on a commitment to act or an action. Eligible commitments or actions include: adopted plans, bylaws, regulations, policies, inducements or rewards programs, education programs, technological or institutional innovation, or project implementation. Commitments are only eligible if there is demonstrated commitment to implementation, e.g. approval, workplan, budget, funding; draft plans are not eligible.

Please download the new easy-to-complete electronic application from the Community Energy Association website www.communityenergy.bc.ca (Showcase and Awards).

Electronic submissions must be emailed to: awards@communityenergy.bc.ca by 5:00 pm August 8, 2008.

Information
Dale Littlejohn, CEA Manager Outreach and Strategy
Tel: 604-628-7076 Fax: 778-786-1613
E-mail: dlittlejohn@communityenergy.bc.ca

Resources
CEA Website: www.communityenergy.bc.ca

 Fifteen years from now, will our children's children be able to say we made a difference? Will they say local governments got "smart" about the future? Will they consider 2008 to be a turning point – where BC local government started thinking about them by changing the way problems are approached? Our convention provides a backdrop for us to advance our "Smart Agenda". We will develop our agenda through discussions on healthy communities, local government finance, homelessness and green communities to name just a few.

In 2008, BC celebrates its bicentennial. We want to ensure that our children's children will have as much to give thanks for then, as we do now, in 2008. Our challenge at this convention is to put into place the foundation for sustainable, long-term thinking – foundations that help us to see our communities as complex living systems of economic, cultural, environmental and social inter-relationships. We undertake this task with gratitude for the courage shown by BC's local government leaders over the past 150 years, and with hope for our children's children, who will depend on the choices we make today.

2008 Energy Action Awards

The 2008 UBCM Convention about moving from measuring our issues (are they cool, warm or hot?) to developing the leadership to meet those issues through “smart” leadership.

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 (five positions)
- Small Community Representative
- Electoral Area Representative

There are EIGHT appointed positions:
- Immediate Past President Vancouver Representative
- GVRD (Metro Vancouver) Representative
- Area Association Representatives – AKBLG, AVICC, LMLGA, NCMA, and SILGA

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.

Members of the 2008 Nominating Committee include:
- Brenda Binnee, Past President, UBCM, Chair
- Councillor Murry Krause, North Central Municipal Association
- Councillor Jackie Tegart, Southern Interior Local Government Association
- Director Health/Safety, Association of Kootenay and Boundary Local Governments
- Councillor Bob Long, Lower Mainland Local Government Association
- Mayor Barry Jaryk, Association of Vancouver Island and Coastal Communities

The 2008 Nominations Process

May/June
Nominating Committee circulates a Call for Nominations notice 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); and
- general duties of an Executive member.

It includes instructions on how to access additional information on UBCM Executive responsibilities and how to submit a nomination.

July 31 – Last Business Day in July
Advance nominations close – all candidates must have their documentation submitted.
Following this deadline the Nominating Committee will review the credentials and prepare its report. It is not the role of the Nominating Committee to recommend any one nomination, rather Committee members are to ensure nominations are complete and according to policies and procedures.

Continued on page 13
MONDAY PRE-CongERENCE SESSIONS

Cultural Tour (8:30 am - 4:00 pm)

This workshop will highlight the mounting evidence that a community's cultural assets, and in particular its cultural district, can generate a range of ongoing social and economic benefits. How have some communities brought new life into old areas or leveraged their cultural assets for social and economic gain by pursuing cultural and cultural district development? Can you? Hear lessons learned, enjoy expert presentations, be entertained, tour a proposed cultural district and participate in a mini charrette.

Agriculture Study Tour (8:30 am - 4:00 pm)

Visit the Okanagan orchard and agri-tourism industries as you learn everything from how apple varieties are developed, produced and marketed to some of the creative uses for the end product. Along the way, you will experience the benefits of research and development initiatives to local cheesemakers and wine producers for your enjoyment. Added to this tour Ministry of Agriculture and Lands staff will overview all sectors of the Okanagan agricultural economy and provide input into how to integrate agriculture with area residents. The tour is all day long.

Nomination Procedures

Continued from page 12

Mid-August

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

- names of members and positions;
- photo (to be set by Nominating Committee Chair); and
- 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:

Brenda Binnie
Chair, UBCM Nominating Committee
c/o UBCM office
60-10551 Shellbridge Way
Richmond, BC V6X 2W9

Chair email: brendabinnie@hotmail.com
Chair Ph: 250.365.5096
UBCM Ph: 604.270.8226
UBCM Fax: 604.270.9116

REMINDER:

The deadline for nominations is July 31, 2008.

Please submit your completed Nomination Materials

including consent form, picture and bio – to the Nominating Committee
c/o the UBCM office.

MONDAY, SEPTEMBER 22

(PHYON sessions)

- Expanding Your Cultural Wealth (8:30 am)
- Agricultural Study Tour (8:30 am)
- Climate Change Action (9:00 am – noon)
- Fiscal Imbalance (9:00 am – noon)
- Healthy Communities = Sustainable Communities (9:00 am – noon)

MONDAY, SEPTEMBER 22

(AFTON sessions)

- Affordable Housing and Homelessness (1:30 pm – 4:30 pm)
- Funding & Capacity Building Opportunities for Local Governments (1:30 pm – 4:30 pm)

Reconciling Aboriginal Rights and Title

(1:30 am – 4:30 pm)

This session will discuss two approaches to reconciling aboriginal rights and title claims, and their implications for local governments.

The first part of this session will focus on the negotiation of New Relationship agreements outside the treaty process. MARR will discuss the objectives of the New Relationship and the approaches under consideration to ensure government meets its legal obligations with respect to consulting and accommodating the rights of First Nations. This is an opportunity for local government to provide comments and suggestions that can assist the government in developing its approaches.

The second part of the workshop will focus on the BC Supreme Court decision in November 2007 in the Tsilhqot’In Nation case. The plaintiff sought declarations of Aboriginal rights and title in the Caribo-Chilcotin region. Although the Court did not make a declaration of aboriginal title due to a technicality, the judge did conclude, in his opinion, that the plaintiff proved aboriginal title over certain lands. How will the decision impact local governments? Learn the answer to this question and more.

The deadline for nominations is July 31, 2008.
The Community Energy Association has launched a listserve for BC local government elected officials and staff, focused on energy and greenhouse gas action. To stay informed of energy/GHG opportunities for local government, and to share best practices, local government representatives can sign up at Hot Topics, on the CEA website: www.communityenergy.bc.ca

New CEA Research and Publications:

Renewable Energy Guide – Utilities and Financing

CEA is proud to have published Utilities and Financing, the second module of our Renewable Energy Guide for Local Governments in British Columbia. Utilities and Financing is packed with information and case studies on the role of local governments in developing renewable energy projects and utilities. We thank our funders, Infrastructure Canada, the Province of British Columbia, Vancity and the Real Estate Foundation of BC, and community partners: Coquitlam, Dawson Creek, Quesnel and Surrey. The new module is available on the CEA website, along with Heating Our Communities. One hard copy of both modules has been mailed by UBCM to each BC local government.

Rural Energy Conference

On February 28, 2008, CEA held a local government workshop, with close to 100 participants at the Fairmont Waterfront. Speakers and interactive sessions were well received. Presentations and proceedings are available on the CEA’s website www.communityenergy.bc.ca under Resources: CEA Presentations. We thank our excellent speakers, as well as conference sponsors:

- Infrastructure Canada
- Natural Resources Canada
- Canadian District Energy Association
- Vancity
- Real Estate Foundation of BC
- BC Hydro Power Smart
- Coqui
- Province of British Columbia
- City of Vancouver
- Terasen Energy Services
- Hemmera

We are pleased to have Tatiana Robertson, Sr. Policy Analyst, Intergovernmental Resources and Planning Division in the Ministry of Community Services, talk about Bill 27: Local Government (Green Communities) Statutes Amendment Act. Tatiana was involved in drafting parts of this legislation and will provide an overview of the changes contained in the Bill including GHG requirements for OCPs and RGS’s, Development Permit Area changes, varying off-street parking, DCC’s, and others. Tatiana will deliver a presentation, then answer questions typed in by webinar participants.

Registration is required. Contact: Dale Littlejohn, CEA Manager, Strategy and Outreach 604-628-7076 or dlittlejohn@communityenergy.bc.ca.

Brownfield Renewal

Continued from page 5

the authority to exempt identified properties, including brownfields, from municipal property taxes. Giving exemptions in the short term may help facilitate development which could provide a larger tax base in the long term. Policy research on other ‘tax tools,’ including a review of strategies other jurisdictions use to encourage clean up and development activities, is currently underway.

Education and Capacity Building

The strategy provides stakeholder with access to education and capacity building tools. A ‘Brownfields 101’ workshop is planned for UBCM’s Annual Convention in September. The complexity of the material will likely evolve to ‘Brownfields 201’ and possibly more specialized ‘modules’ on areas such as financing, tax tools, or required bylaws.

The BC ministries of Environment and Agriculture and Lands are jointly developing a Virtual Brownfield Office, which will be operational by November 2008. It will provide hands-on assistance to local government staff, advising on a range of brownfield issues, from tools and approaches to permitting and process efficiencies.

Next Steps

The strategy is about revitalizing communities and achieving triple bottom line returns. Stakeholder input is an integral part of the strategy’s success, which is why consultations are planned for this fall and winter. The strategy is already benefiting from local government input via an established stakeholder advisory group. A regional forum is planned for this summer to focus on developing capacity building approaches and tools.

For more information, visit the Ministry of Agriculture and Lands (MAL) website at www.ag.gov.bc.ca/clad/ces/index.html or contact Scott Bailey, Manager, Brownfield Redevelopment, MAL by telephone at 250.356.2244, or by email at scott.bailey@gov.bc.ca. Alternatively, contact Jared Wright, Senior Policy Analyst, UBCM, by telephone at 604.270.8226 x113 or by e-mail at jrwright@vancouver.bc.ca.
First Nations Relations Update

Lands After Tsilhqot’in: An Uncertain Future

Sandra Carter
Bail, Hausser & Tupper LLP
Barristers & Solicitors

On November 10, 2007 the B.C. Supreme Court determined that the Tsilhqot’in Nation had proven aboriginal title to certain defined tracts of land in the Chilcotin area, and had also proven certain aboriginal rights. While a declaration of aboriginal title could not be made given the nature of the relief claimed by the Tsilhqot’in, the decision is a landmark in that it confirms the criteria required for establishing aboriginal title and highlights the potential legal quandary for certainty in land ownership and rights to land use.

The decision is lengthy at 485 pages, but highly interesting as an historical review and reflects the evidence heard over 339 days of trial. While the original court application was brought in order to challenge proposed forestry activities in the claimed area, the action was modified to seek declarations of aboriginal title and rights. The decision with respect to aboriginal title qualifies as the opinion of the court only, since the Tsilhqot’in had applied for an “all or nothing” declaration of title over a specific area. The court found aboriginal title had been established over some portions of the claimed area, and some lands outside the claimed area, but not the claimed area in its entirety. The court also found that aboriginal rights to hunt and trap had been proven.

This article focuses on the implications for local governments of the case, both with respect to lands owned by municipalities and regional districts, and to their land use regulatory jurisdiction over privately-held lands.

Local Government Lands

All lands in British Columbia not owned by the federal government were transferred at some point from provincial ownership by way of Crown grant. The Tsilhqot’in decision clarifies that where such lands were not granted or transferred with the consent of First Nations claiming aboriginal title or, at minimum, the lands were granted or transferred without the level of consultation required to be conducted by the Crown, that grant or transfer may have involved a breach of trust by the Crown or may have been outside the authority of the Crown, on the basis that a person cannot sell what he or she does not own.

Subsequent to an original Crown grant, many lands have of course been subdivided, transferred or sold through a succession of owners. The Tsilhqot’in decision does not attempt to reconcile the implications of a finding of aboriginal title with the rights of any current land owner. The potential for conflicting ownership entitlements presents a legal dilemma which may take many years to resolve once a live case is before the courts.

The key issue for local government ownership of land is that certainty regarding that ownership may be in question if and when aboriginal title is proven. A wide variety of statutory and common law legal and equitable principles apply to property entitlement. The scope of those principles is too broad for a simplistic review, but a key principle long recognized in law is that a bona fide purchaser who acquires land for value, without notice of a competing claim, is considered to be an innocent purchaser who, in equity, should not be deprived of his or her acquisition. The determination of entitlement when aboriginal title is proven in respect of privately-held land may involve many considerations, including but not limited to who owns the lands, whether it was acquired for fair market value, the current uses of the land and whether it can be restored to traditional aboriginal uses, the scope and nature of the historical aboriginal uses on the land, and similar factors.

Land has a long-standing special status as a property interest, given its significance to people as home, history and sustenance. It is of interest that federal and provincial negotiators in treaty talks have consistently maintained that privately-held lands in British Columbia are not considered as available for settlement purposes, except in certain situations where voluntary acquisition is feasible. This position may not, however, extend quite so completely to lands owned by local governments.

Through Bill 12, the Musqueam Reconciliation, Settlement and Benefits Agreement Implementation Act, the Province recently expropriated park lands owned by Metro Vancouver, for no compensation, and transferred those lands to the Musqueam First Nation (either directly through a designated corporation or to Canada for addition to reserve) to facilitate the Province settling litigation claims brought by the Musqueam. This extraordinary step suggests that local government-owned lands may be regarded by the Province as much more “public” in nature than other privately-held lands, and therefore available for settlement of aboriginal title claims or other types of claims.

The combination of the Tsilhqot’in decision and Bill 12 presents some legitimate concerns for the security of land ownership entitlement of local governments, and their taxpayers, especially to undeveloped lands such as parks. It is likely not too remote to suggest that a court adjudicating competing claims between local government ownership and aboriginal title may share the same apparent view as the province regarding the “public” quality of local government land entitlement, notwithstanding that local governments are independent entities not operating as agents of the provincial government and that lands owned by local governments are as “privately-held” in legal terms as the land upon which you, the reader, reside.

Land Use Regulation

The Tsilhqot’in decision creates a future legal scenario of competing land entitlements between First Nations able to prove aboriginal title, and existing private owners. It is important to note that local governments have no legal jurisdiction to determine property entitlement in such circumstances. Notwithstanding that lack of jurisdiction, local governments are likely to come under greater pressure to consider aboriginal title and rights claims in their land use regulatory processes. It is unclear whether local government land use regulations could be used to preserve undeveloped lands in a relatively pristine state, but it is clear that local governments cannot legally freeze all uses of privately-held land, nor can they legally require owners to yield any land interests or rights to use land to third parties, including First Nations.

When local governments do consult with First Nations, for example in certain official community plan amendments, they must be cautious not to create expectations which cannot be met. While considering compatible uses to reserve or other First Nations developments may be entirely legitimate, considering the potential future ownership of lands as a factor in deciding permitted uses is likely not a defensible planning purpose objective. In this regard, as local governments do not have the legislative authority to accommodate First Nations title and rights claims, it may be prudent to establish at the outset the scope and purpose of any consultation that local governments do undertake.

The Tsilhqot’in decision raises more questions than answers, creating an uncertain legal future for private property rights in British Columbia until a future court, or possibly several levels of court, untrangle this Gordian knot.

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Healthy Communities

Regional Hospital District Update

Background

In the last several years, our members have expressed concern on the topic of local government relations with Health Authorities. The discussion has focused on Regional Hospital District (RHD) capital funding and cost sharing with the province. The Ministry of Health provides capital funding to health authorities to maintain, renovate, replace and expand facilities, as well as to purchase equipment. Some of these projects are cost shared with Regional Hospital Districts.

RHD concerns were considered in the 2003 Regional Hospital District Cost Sharing Review, which provided 15 recommendations to improve accountability, the definition of capital, process issues and unique structural issues. The report also recommended that “the Ministry of Health Services should review the capital cost sharing process three years after implementation to assess whether the Health Authorities and RHDs have developed effective working relationships and are fulfilling the intent of the these recommendations”.

A roundtable discussion with RHD chairs, held in August 2007, identified three priority issues: long term planning/funding, funding formula (what and how much), budget cycle and cash management.

Update

The Ministry of Health, RHDs and health authorities have agreed to review the progress made on recommendations from the 2003 Regional Hospital District Cost Sharing Review. In addition, options will be explored that address Regional Hospital District capital funding and cost sharing in areas with large First Nations populations.

A Steering Committee and Working Group were created with representation from the Ministry of Health, three Health Authorities, three RHDs and UBCM. The Request for Proposals was issued on May 22, 2008 and a consultant will be selected to conduct the Review in early July. A final presentation of the Review is scheduled for late October.

Food Security Resource Guide for Local Governments

Are you hearing a lot about food security but unsure about what it means and what we, as local governments and residents, can do about it?

If so, then the recently completed resource guide for local governments, Support at Home: UBCM was approached in July 2007 to research and write a policy paper on the topic of Home Support programs for seniors, persons with chronic illnesses and persons with disabilities. Our members were concerned with the adequacy of health services throughout the province and the implications of an ageing population. It was suggested that a broader and more accessible home support program may contribute to lessening these concerns by reducing the demand for emergency health services and contributing to ageing in place for seniors and greater continuity of care within communities.

UBCM is working on this policy paper for discussion at the upcoming 2008 Convention to provide members with an overview of home support issues, including the roles and responsibilities of various levels of government, policies and their recent changes, challenges, and gaps in knowledge.

Potlucks, Bake Sales and Farmer’s Markets: Acceptable under Food Premise Regulation

One of the issues the Health Committee included in its work plan for this year was to look into concerns about the Food Premise Regulation. The Food Premise Regulation had the potential to reduce or eliminate community potluck dinners, bake sales, farmer’s markets, seniors’ teas, fundraisers and other community events. The Healthy Communities Committee

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Potlucks, Bake Sales and Farmer’s Markets: Acceptable under Food Premise Regulation

One of the issues the Health Committee included in its work plan for this year was to look into concerns about the Food Premise Regulation affecting farmer’s markets, which act as a means to improve food security, reduce greenhouse gases, and promote local food production and small producers. UBCM staff members researched the responsibilities and the legislative, regulatory and policy frameworks of this regulation.

They found that potlucks and community dinners are exempt from the regulation if the “food prepared or served by voluntary caterers for functions or gatherings is limited to members of their own organization and invited guests”. Sale of whole fresh fruits and vegetables and pre-packaged, non-hazardous food are also exempt.

Staff also identified that a set of guidelines, the Sale of Foods at Temporary Food Markets, exists and regulates how food can be prepared for temporary sales events (either food stalls or Farmer’s market stalls) – and specifically documents the wide range of food items that community members are able to make and sell. This document was updated in 2007 by the Ministry of Health, in consultation with the Health Authorities, BC Farmers’ Market Association and the Ministry of Agriculture, and outlines key food safety issues and food that can and cannot be prepared for public consumption. Foods are categorized as: items that can be prepared in the home and sold; items that can be prepared in the home and sold only with a special permit; and eggs and raw foods of animal origin. Some of the Health Authorities have processes in place to give clearances to temporary food stalls and farmer’s market vendors.

These guidelines provide the information that community members need in order to safely prepare food that can be sold to the public for fundraising, community events and eat-local campaigns and events. For more information on the guidelines or the required permits in different regions of the province, contact your local health authority.
TRIPARTITE FIRST NATIONS HEALTH PLAN

A Tripartite First Nations Health Plan (TFNHP) was signed June 11, 2007 by BC, Canada and First Nations Leadership Council (First Nations Summit, Assembly of First Nations, Union of BC Indian Chiefs). It is for a term of 10 years. The Plan is the result of an agreement by Canada and BC to develop the TFNHP using the 2006 Transformative Change Accord: First Nations Health Plan as a framework.

A s a “Plan” it is a very high level document with a vision statement and a set of principles. The practical purpose is to establish a framework and a commitment to the development of local health plans for all BC First Nations. Another purpose would be establishing a new governance structure for First Nations Health Services. It will include four components:

• First Nations Health Governing Body (within three years);
• First Nations Health Council (an advocacy council);
• First Nations Health Advisory Committee - which will in part monitor Aboriginal Health Plans of regional health authorities; and
• A capacity development plan for the delivery of community-based services.

The plan also calls for:

• a health promotion/disease and injury prevention strategy;
• a multi-jurisdictional health planning framework that will link First Nation Health Plans and regional Health Authority plans;
• commitment to performance tracking; and
• A work plan for TFNHP.

In summary this Plan is more of a framework for other actions.

Recently UBCM sought an update from the Ministry of Health, Aboriginal Health Division on the implementation of the Plan. The provincial government’s interest in the TFNHP is in large measure to deal with a basic fiscal issue. Currently, the provincial government does not contribute to health promotion or prevention activities for on-reserve First Nations populations. This is a federal government cost. But if those populations are in need of medical care and enter the hospital system then the cost is borne by the province. Data shows that on-reserve First Nations populations use a larger proportion of hospitalization. The provincial government is looking to see if modest investments towards on-reserve health promotion and prevention can reduce hospitalization rates and costs to the BC Treasury.

In addition, the Plan is about respect and recognition for First Nations and working with First Nations as equal partners in the planning and delivery of health services - and reducing jurisdictional issues as the three governments working together to plan and address issues jointly.

Implementation of the TFNHP is underway. An initial work plan and implementation framework has been agreed upon by the three parties. Specific initiatives identified within the Tripartite FNHP and the TCAF are at various stages of implementation, some at preliminary planning stages and others complete or at implementation stages. The Committee’s research is reflected in this article. The provincial government is interested in the implications for health care facilities planning and financing, and if possible how to link First Nations’ facilities planning to RDHs will be involved from the outset.

Food Security

Continued from page 16
farmer’s markets, food policy councils, zoning and healthy food in public buildings. Innovative case studies are being shared around the new relationship. The public is being asked to improve food security for their residents. The guide is meant to pique your curiosity and inspire you to action, whether your community is just starting out or well on its way to creating a strong healthy food system.

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Treaty Negotiations Update – Common Table

In January 2008 the BC Treaty Commission committed $14,000 to a common table approach. This approach is in response to issues raised by 60 First Nations who were signatories to the Unity Protocol in late 2006/early 2007. The Unity Protocol called for the creation of a common voice for negotiators to deal with six barriers to treaty signing that cannot be solved at individual treaty tables. The six barriers are:

• certainty;
• constitutional status of treaty lands;
• governance;
• taxation;
• resource and lands management; and
• fisheries.

The three principals, Canada, British Columbia and First Nations Summit, are currently having discussions without prejudice and exploring options.

A Role for Local Government in the New Relationship

Under its New Relationship initiative with First Nations, the Province is seeking reconciliation with First Nations not only in the treaty process but also outside the process. They are addressing land and resource issues as well as social issues like health and education. UBCM is advocating for a local government role in that process.

UBCM is advocating for a local government role in the New Relationship. Specifically, UBCM would like to see local governments being consulted on agreements being negotiated with First Nations outside the treaty process that have the potential to affect local government jurisdiction.

At the Executive meeting in April the First Nations Relations Committee met with the Honourable Mike de Jong, Minister of Aboriginal Relations and Reconciliation, to discuss local governments’ role in the Province’s New Relationship activities. He expressed an interest in involving local government communities in the New Relationship.

The Minister would like to see UBCM on the new approach. This approach is in response to issues raised by 60 First Nations who were signatories to the Unity Protocol in late 2006/early 2007. The Unity Protocol called for the creation of a common voice for negotiators to deal with six barriers to treaty signing that cannot be solved at individual treaty tables. The six barriers are:

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Courses and Resources

Questions from the Public
By Eli Mina

In their efforts to develop the relationship with the community, public bodies open up portions of their meetings to questions from the public. Such interactions can provide the benefit of enhanced transparency and accountability. However, they can also be problematic, unless carefully planned and carried out. There should always be an appropriate balance between sensitivity and compassion on the one hand, and a degree of formality on the other.

Councils and Boards often err on the side of being too casual and accommodating, in such a manner as to cause public question segments can become chaotic and wasteful. This can cause the council or board to lose control and dilute its focus on other agenda items at its meetings. Conversely, sometimes there is too much formality, in which case it becomes intimidating for citizens to participate (except, perhaps, for vocal and assertive ones).

The rules for question periods are usually spelled out in the organization’s Procedure Bylaw, but they may also be established informally by custom (in which case they should be formalized by amending the Procedure Bylaw). The Bylaw should establish when in a meeting the public will be invited to ask questions and under what rules.

As to the when, there are two variations. Some municipalities invite questions from the public at the start of the meeting, while others allow questions as the last agenda item.

The advantage of the first option (questions at the start of the meeting) is that citizens can address upcoming agenda items, before they are finalized, and may thereby be able to influence decision-making. The disadvantage is that—time is not well managed—the question period can become lengthy, possibly at the expense of subsequent agenda items that affect the entire community (and not only those citizens who take time to attend council or board meetings and are not afraid to ask questions).

The advantage of the second option (questions just prior to the adjournment of the meeting) is that it ensures enough time is allocated to other agenda items and they are less likely to be compromised. However, this option leaves citizens waiting, possibly until late in the evening. In addition, this option may make citizens’ questions (and possibly input into decisions) meaningless, since decisions will have been finalized by the time they speak.

Which of the above two options should you choose? The answer depends on your council and on the needs of your community. Weigh the pros and cons and make your decision.

As to the actual question period, there are several issues to consider:

1. An overall time limit should be established, e.g.: up to 15 minutes. The person chairing the meeting should advise speakers when it gets close to the end of the allotted time: “There are three minutes left in the question period, so we have time for two more questions. We have a busy agenda and need to move on.”

2. Unless the citizen speaks as a public delegation, questions should generally not become extended advocacy statements, but should be kept to a brief inquiry form. At the start of the question period the chair may advise citizens to keep their questions short.

3. A maximum of one brief follow-up question should be allowed for each person, so no one would get to dominate the question period. Follow up questions should generally not be permitted if there are any people waiting in line.

4. No citizen should be allowed to ramble or dominate. If a citizen does this, the Chair should not hesitate to say: “I need to interrupt you. There are other people waiting to speak, and we only have five more minutes left for them. The answer to your question is: ___. Next speaker please.”

5. Citizens should not be allowed to show disrespect for the process by using threats, verbal abuse or personal attacks. If individuals do this, the Chair should intervene decisively and remind them to be respectful and abide by the rules of decorum.

6. The chair should use his or her discretion when deciding who should answer a given question. Often the Chair would be the one to answer the question, speaking on behalf of the council or board as a whole. The chair should resist the temptation to speculate on what the council or board would do about an issue that was not decided.

7. An individual who responds to a question should keep the answer brief and to the point, so enough time is left for subsequent questions to be answered.

8. An individual who responds to a question must not be argumentative or condescending, regardless of the content of the question or the manner in which it is asked.

9. When a responder to a question is expressing a personal opinion, he or she must clarify that this is the case, so it is made abundantly clear that it is not a formally adopted council or board position. Responders must avoid criticizing the questioner or engaging him or her in debate. They should just answer the question. If they have no answer, they should not take an answer, and should not hesitate to say: “I don’t have an answer for you,” or “We’ll check and let you know if you leave your phone number with the staff.”

10. Council or Board members should be aware of and control their facial and vocal expressions. They should avoid responding to questions with sighs, frowning and rolling eyes. They should also avoid applauding or enthusiastically nodding in approval.

In closing, questions from the public can provide a meaningful forum and thereby enhance transparency and accountability. Plan and manage them well and you’ll maximize their benefits while minimizing the problems.

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, demystifying and humanizing the rules of order, preventing and dealing with organizational dysfunctions, building better Boards and Councils, and advising on minute taking standards.

Eli is the author of four books on meetings, rules of order, shared decision-making and minutes. Eli’s new book, “101 Boardroom Problems and How to Solve Them” is scheduled to be published in September 2008. 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.elicina.com.

Celebrate your forest pride and nominate your community to be the
2009 Forest Capital of BC

The Forest Capital Program
Each year, the Association of BC Forest Professionals (ABCFP) selects one community to be the Forest Capital of BC. This program, established in 1988, is an important opportunity to celebrate the central role forests play in shaping our unique BC experience.

Make 2009 the year to celebrate forests in your community
The Forest Capital designation is an excellent way to get your whole community involved in a celebration of the important contributions forests have made to your community’s heritage. Communities named the Forest Capital host a full year of forest-themed events such as art competitions, interpretive forest walks and logger sports shows.

Nominate your community today
Every community in BC is eligible to be nominated. The nomination process is outlined in the Forest Capital Nomination Package available on the ABCFP website at: www.abcfp.ca.

Nomination Deadline: November 14, 2008
The ABCFP will evaluate nominations based on the community’s relationship to its surrounding forests and the strength of the bid proposal. The winning community will be announced in December 2008 and will carry the Forest Capital of BC title from January 1 to December 31, 2009.

Visit the ABCFP website for more information: www.abcfp.ca

Forest Capital Nomination Package available on the ABCFP website at: www.abcfp.ca.
Providing Employee Benefits After Age 65

By: Michael J. Kennedy and Natasha D. Monkman

The end of mandatory retirement has come and gone, but that hasn’t put an end to the issues relating to employment after retirement age.

Although the Ontario Government has amended the Human Rights Code to eliminate mandatory retirement, the Code continues to permit age-based distinctions in employee benefits plans, provided that the plans comply with the Employment Standards Act and its regulations. Since the ESA regulations continue to define age as “18 years or more and less than 65 years”, the protections of the ESA, and hence the Code, cease to apply at age 65.

This appears to preserve the status quo, meaning employers are not legally required to provide benefits to employees age 65 or older. But despite the provisions of the Human Rights Code, employers with collective agreements have experienced a number of challenges relating to these benefits.

Wording of Collective Agreements is Key

In unionized workplaces, unions have initiated grievances when employers discontinue benefits coverage for employees at age 65. The general argument is that the employer is failing to provide the benefits promised in the collective agreement.

When the collective agreement specifically states that benefits stop at age 65, an employer will have a strong argument that insurance policies ceasing coverage at that age comply with the obligations in the collective agreement. When the collective agreement states that “all employees” will be covered under a certain plan, a policy that stops coverage at age 65 risks being found to violate the collective agreement. Arbitrators generally find that “all employees” means all employees regardless of age or any other distinction.

Recent Decision Extends Benefits

A recent example of a successful challenge to an employer’s post-age-65 benefits policy is the decision in City of London and C.U.P.E. In that decision, Arbitrator Gregory Brandt upheld the union’s grievance regarding the denial of benefits to workers past age 65.

The union conceded that the long-term disability plan was compliant with the collective agreement, as the collective agreement specified that coverage would end at age 65. However, the arbitrator found that where the collective agreement states that “all employees” will be covered under a certain plan, a policy that stops coverage at age 65 risks being found to violate the collective agreement. Arbitrators generally find that “all employees” means all employees regardless of age or any other distinction.

Bargaining For Benefits

Grievances are not the only route being used by unions to extend benefits coverage beyond age 65. Many union locals are now seeking this coverage at the bargaining table. For employers, this can mean facing demands for expensive benefits coverage or being asked to provide benefits coverage not provided by insurers.

Some employers are resisting the demands. C.U.P.E. justified its seven-week strike in Kawartha Lakes this winter on the employer’s refusal to agree to full post-age-65 benefits for employees. After the strike, C.U.P.E. was not successful in obtaining full post-age-65 benefits. Other employers are prepared to provide some benefits, such as extended health coverage, but not others, such as long-term disability coverage. Still other parties have developed alternative approaches to the issue, such as agreeing to pay a straight cash amount approximating the cost of post-age-65 benefits.

Going Forward in the Post-Mandatory Retirement World

In the end, full or partial restrictions on benefits after age 65 may go the way of mandatory retirement itself. There are two potential reasons for this:

- Charter challenge. There are some concerns that the exception in the Human Rights Code may be open to a challenge on the grounds that it’s an infringement of the Charter of Rights and Freedoms. The ESA regulations that are the basis of the Human Rights Code exception are extremely narrow and have historically been used to permit age-based distinctions in limited circumstances only.
- Labour market pressures. As the baby boom generation moves towards retirement, and employers face a shrinking labour pool, employers may be forced to provide post-age-65 benefits to attract and retain the workers they need.

Whether these events come to pass remains to be seen. In the meantime, with potential legal challenges based on current employment and labour contracts, employers should review their benefits policies to determine what distinctions are made at age 65. Employers should also review employment contracts and policies to determine whether they require the provision of benefits to all employees, regardless of age. Finally, employers may want to explore the possibility of coverage beyond age 65. In this latter regard, a number of insurers have begun making at least some benefits available for employees over this age.

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Michael Kennedy is a partner and Natasha Monkman is an associate at Hicks Morley Hamilton Stewart Storie LLP. Emails: michael-kennedy@hicksmorley.com or natasha-monkman@hicksmorley.com
Did you know that recycling one aluminum can saves enough energy to light a 100-watt bulb for 3½ hours? Recycling aluminum saves 95% of the energy cost of processing new aluminum. Because the resources being processed are purer the melting temperature is reduced from 900°C to 600°C. Aluminum is by far the most efficient material to recycle. Recycling plastic saves 70% of the energy used in creating new plastic, and paper recycling saves 40% of the energy required to make a new product.

Recycling aluminum saves 95% of the energy cost of processing new aluminum.

Energy savings from recycling, and the consequent reduction in the production of greenhouse gases, can really add up. Take that single aluminum can and multiply it by the number of cans the Encorp system recycled in 2007 and it works out to enough energy saved to light a 100-watt bulb for every man, woman and child in BC for eight hours a day for about five weeks.

In 2007 the Encorp system recycled over 14,000 tonnes of plastic, saving about 180,000 barrels of oil.

You can also measure energy savings by the amount of crude oil saved. Each tonne of plastic recycled saves as much as 13 barrels of oil. In 2007 Encorp recycled a total of more than 90,000 tonnes of aluminum, plastic, glass and paper, saving more than 278,000 barrels of oil.

The recycling Encorp does has a direct impact on BC’s air quality because the fewer barrels of oil we use, the less carbon dioxide we release into the atmosphere.

The reduction in greenhouse gas emissions in BC resulting from Encorp’s recycling program is about the same as taking nearly 17,000 cars off the road for a year.

The recycling Encorp does has a direct impact on BC’s air quality.

Every single beverage container matters. You might think that one plastic bottle or aluminum can doesn’t make a difference or that someone else will pick it up and return it for you. But each year millions of containers end up in the landfill. And that’s a waste of resources.

Make the effort. At home, at work, at play, always return it. It’s worth it.

Encorp and its industry partners are always seeking ways to realize greater overall energy and material savings by examining ways to use less energy collecting, transporting and recycling beverage containers.

Transporting empty containers is an energy intensive, and expensive business when weight, rather than the number of containers, is taken into consideration. To reduce the environmental and financial cost.

Encorp has undertaken a number of measures:
- Encorp, in partnership with its transportation contractors, has introduced 13 new, low-emission trucks for use in the Lower Mainland
- A new ‘mini’ megabag for plastic containers holds three times the volume of the previous bags but are still manageable for individuals to move
- By extending the box on five-tonne trucks, the transporters have increased their carrying capacity by 11%
- To reduce transportation costs and environmental impacts Encorp utilizes “backhaul” transport wherever possible. Grocery delivery vehicles which typically return to the warehouse mostly empty are contracted to collect containers from depots on their return journey and take them to processing sites.

Measure like these have enabled Encorp to reduce individual transporter pickups at depots and beverage retailers by about 5%. Encorp is continually examining all facets of its operation looking for more ways to save energy.

Find out more at encorp.ca