

**LOWER MAINLAND TREATY ADVISORY COMMITTEE
EXECUTIVE COMMITTEE
REGULAR MEETING**

February 12, 2003

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Executive Committee** scheduled 4:00 p.m. to 5:15 p.m. on Wednesday, February 12, 2003, in the 2nd floor Café East Boardroom, 4330 Kingsway, Burnaby, BC.

ATTENDANCE:		
JURISDICTION:	LMTAC ELECTED REPRESENTATIVE:	LMTAC STAFF REPRESENTATIVE:
Greater Vancouver RD	Mayor Ralph Drew (Chair)	Marino Piombini
North Vancouver, District of	Mayor Don Bell (Vice Chair) (departed 4:43 p.m.)	Steve Hardy
Burnaby, City of	Councillor Lee Rankin (arrived 5:21 p.m. via teleconference)	
Delta, Corporation of	Councillor Robert Campbell	John Dumont
Maple Ridge, District of	Councillor Candace Gordon (arrived 4:28 p.m.)	
Richmond, City of	Councillor Harold Steves	
Squamish, District of	Councillor Corinne Lonsdale	
Squamish-Lillooet RD	Director John Turner	
Sunshine Coast RD	Director Barry Janyk (via teleconference)	
LMTAC STAFF ATTENDANCE:		
Kirstie Pirie	LMTAC Manager	
Regan Schlecker	Aboriginal Affairs Analyst	
Rae Ratslef	Recording Secretary, Raincoast Ventures	

Call to Order

Chair Drew confirmed a quorum was in attendance and called the meeting to order at 4:12 p.m.

1. AGENDA FOR ADOPTION

1.1 February 12, 2003

It was MOVED and SECONDED

THAT the Agenda for the Regular Meeting of the LMTAC Executive Committee scheduled February 12, 2003, be adopted with amendment to add Item 6.1(i), "Expense Claim Clarification".

CARRIED UNANIMOUSLY

2. MINUTES FOR ADOPTION

2.1 January 8, 2003

It was MOVED and SECONDED

THAT the Minutes of the Regular Meeting of the LMTAC Executive Committee held January 8, 2003 be adopted as circulated.

CARRIED UNANIMOUSLY

3. DELEGATIONS

No items presented.

4. LMTAC REPORTS

No items presented.

5. TABLE PROGRESS REPORTS

5.1 Tsawwassen

Context Summary titled "Tsawwassen".

Regan Schlecker, Aboriginal Affairs Analyst, reported on the Tsawwassen First Nation (TFN) negotiations Main Table Working Group (MTWG) meeting held at the end of January 2003 at which lands, access, environmental protection and conservation, and the release of information from the Land and Technical Working Group were discussed.

Ms. Schlecker advised that substantive land-related issues identified for resolution prior to the Agreement in Principle (AIP) concerned land quantum and selection issues in relation to Agricultural Land Reserve (ALR) designated lands, Brunswick Point conditions for first and second right of refusals; additions to Treaty Settlement Lands (TSL), and the dykes and Tsawwassen breakwater.

Councillor Campbell, LMTAC representative to the Tsawwassen table, advised that Delta had a number of concerns around discussions at the TFN table. He noted that Delta was interested in the retention of ALR land designations; potential compensation to Delta for the infrastructure it had built on parcels of lands that were being considered for TSL; and clarification of related ownership and access issues. Chair Drew provided confirmation that these issues had been raised by the previous LMTAC representative to the TFN table, and were supported through LMTAC's First Principles.

In his continued comments, Councillor Campbell advised that Delta was in full support of the Brunswick Point leaseholders and agreed that their lands should not be offered as part of TSL, and should be offered to the leaseholders with right of first refusal with no further encumbrances attached. Notwithstanding this, he noted that the Brunswick Point leaseholders had indicated that they might agree to a short-term (i.e. 20 year) on the second right of refusal.

4:28 p.m.

Councillor Gordon arrived at the meeting.

John Dumont also noted that, with respect to the consent process to add lands to TSL post treaty, most AIPs required the agreement of the federal, provincial and municipal governments, but that in the case of the TFN, the AIP specified that Delta's consent should not be unreasonably withheld. The need for clarification of this specification was emphasized.

In discussion, the possible need for LMTAC to engage its dispute resolution process in support of the concerns raised by Delta was considered. It was noted that the province has proposed a supportive role for itself to assist the TFN in applying to the Agricultural Land Commission for removal of lands from the ALR, and was suggested that the province in supporting the TFN was acting in contravention of the LMTAC's first principles.

Councillor Campbell referenced a 1995 document from the Ministry of Agriculture, Fisheries and Food – titled "Exploring Agricultural Interests in First Nations Treaty Negotiations – The Former Roberts Bank Back-Up lands", noting that Roberts Banks Lands were necessary to the viability of agricultural lands in Delta, and that Brunswick Point leaseholders rights were not extinguished by expropriation. Suggestion was offered that the document could be useful to LMTAC in making its arguments to the Province in support of the First Principles.

Given the concerns of some communities with respect to the ALR, it was suggested that there was a need for site-specific rationale to be provided in relaying LMTAC's concerns.

4:43 p.m.

Vice Chair Bell departed the meeting.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee direct that a letter be drafted to the Province's Chief Negotiator providing a clear rationale for LMTAC's issues of concern with respect to the TFN table, including the specifics of how provincial actions vary from LMTAC's First Principles.

CARRIED UNANIMOUSLY

Marino Piombini advised members that an informal meeting of the negotiating parties to consider the formation of the Intergovernmental Relations Side-Table would be held March 3, 2003 in the afternoon.

5.2 Katzie

On-table copy of a Bugle newspaper article titled "Building bonds of friendship", dated February 12, 2003.

Councillor Gordon, LMTAC representative to the Katzie table, indicated that a new Chief Negotiator had been assigned to the table, and reported on the success of the Katzie's recent three-day regional visioning event. As well, she noted that the table was proceeding with discussions on the Treaty Related Measure (TRM) relating to opportunities for the Katzie in forestry and tourism.

6. SUB-COMMITTEE REPORTS

6.1 Finance and Organizational Sub-Committee (FOSC)

i) Expense Claim Clarification

Director Janyk advised of his submission of a travel expense claim for his attendance at the January 29, 2003 Board meeting that included expenses relating to overnight accommodation. He noted that the accommodation had been necessary given that the Board meeting had continued past 9:00 p.m. and had therefore prevented him from catching the last ferry to the Sunshine Coast. Director Janyk noted that unless future meetings could be concluded by 9:00 p.m. it would be necessary for him to again overnight on the mainland in order to attend the meetings in full.

Request for Action:

It was requested that the LMTAC policies relating to accommodation expense claims be forwarded to the next Finance and Organizational Sub Committee (FOSC) meeting for review and clarification.

Discussion ensued during which members considered the financial implications of having to reimburse LMTAC's out of town members for overnight accommodations relating to each Board meeting. Alternately, it was suggested that scheduling the Board's meetings to conclude earlier would facilitate out of town members' ability to attend the full meetings without additional cost to LMTAC.

It was MOVED and SECONDED

That the LMTAC Executive Committee recommend that the Board consider changing the schedule of its monthly meetings to have them start and conclude one half hour earlier (5:30 p.m. to 8:30 p.m.) in order to facilitate the ability of out of town members to attend the full meetings.

CARRIED UNANIMOUSLY

ii) LMTAC Operating Procedures: Table Representation and Elections

LMTAC document titled "Operating Procedures".

Councillor Gordon, Finance and Organizational Sub-committee Chair, reviewed the Sub-committee's recommended amendments to the LMTAC Operating Procedures, and provided the rationale for each.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee recommend that the Board:

- a) approve the following amendments to the LMTAC Operating Procedures:
 - i) addition of the following wording to the end of section 7.0 (a):
"If re-elected, but not reappointed, the outgoing table representative shall continue in the position of table representative until the inaugural meeting of LMTAC."
 - ii) addition of the following wording as new section (ii) under 7.2 (b):
"If the primary elected representative is not able to attend the elections in person, they may advise the LMTAC Chair in writing in advance of the election regarding their interest to be nominated for a particular position. The Chair will bring forward this nomination to the meeting."
 - iii) addition of the following wording as new section (f) under 7.2:
"Only primary elected representatives from LMTAC's member jurisdictions can be elected to an elected position on LMTAC."
- b) reconfirm section 9.0 (h) of LMTAC's Operating Procedures as follows:
"The Chairs of Sub Committees shall automatically be members of the Executive Committee."

CARRIED UNANIMOUSLY

It was MOVED and SECONDED

THAT the LMTAC Executive Committee consider the timing of its second and fourth Wednesday of the month meetings in light of regular conflict with treaty table negotiation meetings.

CARRIED UNANIMOUSLY

In further consideration of the recommendation, members agreed to maintain the Executive Committee's second Wednesday of the month meeting date schedule, but to vary the time of each meeting to occur for a two-hour period sometime between 2:00 p.m. and 8:00 p.m. as necessary to accommodate the negotiation table meetings.

6.2 Communications Sub-Committee (CSC)

No items presented.

7. CHAIR AND STAFF REPORTS

7.1 Chair's Report

No items presented.

7.2 Staff Report

No items presented.

8. MISCELLANEOUS REPORTS

8.1 UBCM

Members were informed that the next meeting of the UBCM Aboriginal Affairs Committee was scheduled February 27, 2003. It was noted that the LMTAC Chair served as a member of the UBCM's committee.

9. OTHER BUSINESS

9.1 Communication Sub-Committee Needs Assessment: Is there a Continued Need for this Committee?

Chair Drew introduced the possibility of disbanding the Communications Sub-committee, and convening ad hoc committees as needed to address specific communications issues. It was anticipated that disbanding the Sub-committee could result in an annual savings of \$3,000.

Discussion ensued during which the possibility of dealing with Communications issues at the Executive Committee level, or of reducing the membership on LMTAC two sub-committees were considered. However, members expressed discomfort at continuing discussion in the absence of the Communications Sub-committee Chair.

It was MOVED and SECONDED

That the LMTAC Executive Committee defer consideration of issues relating to the LMTAC sub-committee structure until its next meeting to be held one half hour prior to the February 26, 2003 Board meeting.

CARRIED UNANIMOUSLY

5:21 p.m.

Councillor Rankin joined the meeting via teleconference.

9.2 Confidentiality Issues

Chair Drew provided an overview of confidentiality issues relating to the table representatives' ability to share information from the treaty tables with the LMTAC Executive Committee. It was noted that the Province's Chief Negotiator had previously agreed that confidential table issues that were deemed by the LMTAC table representative to be of significant concern to LMTAC could be vetted by the LMTAC representative through the LMTAC Chair and/or Vice Chair.

The need for all table representatives to be cognizant that many of the issues raised at their tables could have implications for other tables across the lower mainland was noted.

9.3 Verbal Update Second Shirt Sleeve Session on LMTAC's Regional Governance and Governance in the Region Draft Discussion Paper

Kirstie Pirie, Manager, advised that the second shirt sleeve session would be scheduled in early March 2003 and that all the Executive Committee members would be invited to attend. As well, she commented on the availability of Community-to-Community Forum funding.

10. INFORMATION

It was MOVED and SECONDED

THAT the LMTAC Executive Committee receive for information the following:

- 7.1 LMTAC Workplan 2003; and
- 7.2 Honorarium and Expense Form.

CARRIED UNANIMOUSLY

11. CONCLUSION

The Regular Meeting of the LMTAC Executive held February 12, 2003 concluded at 5:30 p.m.