

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

April 13, 2005

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Executive Committee** scheduled 2:30 p.m. to 4:30 p.m. on Wednesday, April 13, 2005, in the 2nd Floor Café East Boardroom, 4330 Kingsway, Burnaby, B.C.

ATTENDANCE:		
JURISDICTION:	LMTAC ELECTED REPRESENTATIVE:	LMTAC STAFF REPRESENTATIVE:
Greater Vancouver RD	Mayor Ralph Drew (Chair)	Marino Piombini
Maple Ridge, District of	Councillor Candace Gordon (Vice Chair)	
Bowen Island, Municipality of	Mayor Lisa Barrett	
Richmond, City of	Councillor Linda Barnes (arrived 3:52 p.m.)	
Squamish, District of	Councillor Corinne Lonsdale (arrived 2:48 p.m.)	
Sunshine Coast RD	Director Barry Janyk	
Surrey, City of	Councillor Penny Priddy	
West Vancouver, District of		Rick Beauchamp
LMTAC STAFF ATTENDANCE:		
Kirstie Pirie	Manager	
Regan Schlecker	Aboriginal Affairs Analyst	
PREPARATION OF MINUTES:		
Rae Ratslef	Recording Secretary, Raincoast Ventures	

Call to Order

Chair Drew confirmed a quorum was in attendance, and called the meeting to order at 2:18 p.m.

1. AGENDA FOR ADOPTION

1.1 April 13, 2005

It was MOVED and SECONDED

THAT the Agenda for the Regular Meeting of the LMTAC Executive Committee scheduled April 13, 2005, be adopted with the addition of distributed on-table information items 10.3 and 10.4.

CARRIED UNANIMOUSLY

2. MINUTES FOR ADOPTION

2.1 March 23, 2005 LMTAC Executive Committee Meeting

It was MOVED and SECONDED

THAT the Minutes of the Regular Meeting of the LMTAC Executive Committee held March 23, 2005 be adopted as circulated.

CARRIED UNANIMOUSLY

3. DELEGATIONS

No delegations were received at the meeting.

4. LMTAC REPORTS

4.1 Review of LMTAC First Principles

- a) Paper titled "Process to Revise or Add LMTAC First Principles – Proposed Schedule for Revising LMTAC's First Principles";
- b) Chart titled "Existing LMTAC First Principles Identified for Further Discussion"
- c) Table titled "Review of the LMTAC First Principles – Compiled Responses";
- d) Paper titled "Table – Suggested Potentially New Principles (Should this principle be adopted?);

- e) Table titled "Review of the LMTAC First Principles – Potential New Principles – Compiled Responses";
- f) Table titled "LMTAC First Principles with Related Underlying Interests and/or Background Documents".

Kirstie Pirie, Manager, referenced the draft recommendation presented on the meeting Agenda, noting suggestion that part b) of the recommendation be amended to replace "endorse" with "endorse in principle". The Principles review process was outlined.

In an a review of Principles #30-39 led by Regan Schlecker, Aboriginal Affairs Analyst, consensus was for Principles #30, #32, #36 and #39 to remain unchanged.

Request for Action

It was requested that staff edit Principle #35 to replace "respected" with "honoured" or another suitable term for clarification.

By consensus, remaining Principles were edited to read as follows:

Principle #31

Title Change to: Consistency in Law Making Authorities

In the matters of Local Government, law-making authorities granted to First Nations under treaty and related agreements must be consistent with those law-making authorities exercised by Local Governments.

Principle #33

Title: Participation in and Delivery of Regional Programs/Services

Treaties must identify regional programs and services (such as, but not limited to, air quality, solid waste management, Regional Growth Strategies, and Land and Resource Management Plans) in which First Nations must participate, either through direct involvement in the existing program/service or indirectly through a contract with Local Governments.

This principle recognizes that some programs/services affect all area residents and that regional delivery enhances economies of scale. This principle also emphasizes the importance of the various interconnections between urban communities in the Lower Mainland area.

Principle #34

Title: Recognize Fiscal Capabilities

Treaties must recognize the limited fiscal capacity of all levels of government and not impose any cost to Lower Mainland taxpayers, other than their contribution to treaty settlements through the cost-sharing Memorandum of Understanding between the Provincial and Federal governments. Local Government involvement in the BC treaty process should be financed by the Province of British Columbia.

2:48 p.m.

Councillor Corinne Lonsdale arrived at the meeting.

Principle #37

Title: Fair Sharing of Costs

In order to ensure that no one Local Government is disproportionately burdened, all costs associated with treaty negotiations, including administrative costs associated with responding to the needs of a treaty negotiation table, must be the responsibility of the Provincial and Federal governments.

Principle #38

Title: Flexible Cost Recovery Post-Treaty

The Provincial *Local Government Act*, *Community Charter* and *Vancouver Charter* must enable Local Governments to develop flexible taxation and cost-recovery mechanisms when dealing with Aboriginal governments in the post-treaty environment.

Ms. Schlecker then led a review of the suggested potentially new Principles #A1-8. Consensus was that potentially new Principles #A1-A5, and A7 not be recommended, primarily given that the issues raised had been addressed in previously approved principles.

Request for Action

It was requested that staff reword suggested potentially new Principle #A6 to acknowledge that Local Governments would be involved in all six stages of the treaty process as well as post-treaty

Consensus was that potentially new Principle #A8 be recommended with the below noted revised wording:

Principle #A8

Title: First Nation Participation in Regional Governance

Provincial legislation must be provided to enable First Nation participation in regional government structures. Self-governing First Nations should be encouraged to participate in regional governance functions to the greatest extent possible. Any discussions of regional governance models must involve the direct participation of the respective Regional District members from the very outset.

Ms. Schlecker then led members in a review of the suggested potentially new Principles #B1-4. With regard to potentially new Principle #B1, it was clarified that *First Nation Land Management Act* concerns were already addressed within LMTAC Interest Statement 4.2.8. As such, it was not recommended. Consensus was also that potentially new Principles #B2 and #B3, not be recommended, and that potentially new Principle #B4 be recommended with the below noted revised wording:

Principle #B4

LMTAC supports the tripartite BC Treaty Process and does not support bilateral or unilateral actions on the part of senior governments.

The Committee considered suggested potentially new Principle #C1. Consensus was to recommend it with the below noted revised wording:

Principle #C1

Title: Assessment and Taxation Between Local Government Bodies

First Nation governments participating in inter-governmental and/or regional governance structures, pre or post-treaty, must comply with existing policy whereby member jurisdictions will not assess each other on property taxes on utilities and related infrastructure, nor on the lands or rights-of-way on which they are located. Treaty negotiations must work to uphold this important intergovernmental policy.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee:

- a) endorse revisions to the LMTAC First Principles as agreed to in discussion;
- b) recommend that the Board review and endorse in principle the suggested revisions; and
- c) recommend that the Board forward the suggested revisions to LMTAC's member jurisdictions for review and endorsement with a reply by July 2005 as per the timeline.

CARRIED UNANIMOUSLY

5. TABLE PROGRESS REPORTS

5.1a) Katzie

No items were presented.

5.1b) Musqueam

- a) *Context Summary for the Musqueam Table, labeled "Public" and dated April 13, 2005; and*
- b) *Canada/British Columbia Treaty Negotiation Office News Release titled "Agreement Moves Treaty Process Forward for Musqueam", dated April 4, 2005.*

Regan Schlecker, Aboriginal Affairs Analyst, noted that the Framework Agreement had been officially ratified by the three parties, and that it would be posted to the BC TNO website later in the day. It was noted that LMTAC had reviewed the draft nearly one-year prior.

Concern was expressed that LMTAC had not been notified in advance of the Framework Agreement signing event. Additionally protocol concerns were noted in relation to representation at the table.

5.1c) Squamish

No items were presented.

5.1d) Tsawwassen

- a) *Context Summary for the Tsawwassen Table, labeled "Public" and dated April 13, 2005; and*
- b) *Media article titled "Baird wins fourth term", dated March 25, 2005.*

No other items were presented.

5.1e) Tsleil-Waututh

Information was sought on the details of the Tsleil-Waututh election process. It was responded that some information was available on the Department of Indian and Northern Development website, and that local newspapers were being monitored. It was noted that the website link and any additional information obtained would be forwarded to the Committee.

Request for Action

It was requested that staff draft a congratulatory letter from the Chair in regard to the Tsleil-Waututh elections.

5.1f) Other

No items were presented.

3:52 p.m.

Councillor Barnes arrived at the meeting.

6. SUBCOMMITTEE REPORTS

6.1 Finance and Administration Sub-Committee (FASC)

a) Strategic Planning Session

- a) *LMTAC Report Flow Summary titled "Review of Strategic Planning";*
- b) *LMTAC Mission Statement, Roles, and Project Screening Guidelines, endorsed August 20, 2005/Updated May 28, 2003; and*
- c) *LMTAC Strategic Planning Process Final Report, dated August 31, 2001.*

It was MOVED and SECONDED

That the LMTAC Executive Committee recommend that an overview of the LMTAC Strategic Planning Process Final Report, dated August 2001, be added as a separate item on a future Board agenda.

CARRIED UNANIMOUSLY

7. CHAIR AND STAFF REPORTS

7.1 Chair's Report

No items were presented.

7.2 Staff Report

On-table Coil Bound Report titled "Building Relations with First Nations: A Handbook for Local Governments".

Kirstie Pirie, Manager, confirmed that the Federal Fiscal Responsibilities Pre and Post-Treaty information session would proceed on May 11, 2005 from 10:00 a.m. to 12:00 p.m. It was noted that an Agenda would be circulated to members with encouragement to bring their colleagues, and would note that the session would not conflict with the LMMA conference.

Consensus was that the May 11, 2005 Executive Committee be rescheduled to occur from 12:00 p.m. to 2:00 p.m., immediately following the information session.

Ms. Pirie reported on an information meeting with TransLink regarding treaty issues that could be of relevance to them. It was noted that there could be some correspondence from TransLink with regard to a possible interest in LMTAC observer status.

8. MISCELLANEOUS REPORTS

8.1 UBCM

Chair Drew reported that he would attend the UBCM's upcoming First Nations Relations Committee on April 21, 2005 in Richmond.

8.2 Federal of Canadian Municipalities (FCM)

Chair Drew reported on the upcoming annual FCM conference scheduled June 3-6, 2005.

8.3 Lower Mainland Municipal Association (LMMA)

Information was provided on the LMMA Conference scheduled in May 2005 in Whistler, BC.

9. OTHER BUSINESS

9.1 LMMA AGM – LMTAC Participation, May 12

Kirstie Pirie, Manager, reported that LMTAC had secured a presentation time during the LMMA AGM, on Thursday, May 12, 2005 at approximately 9:20 a.m. The FVTAC may also participate. It was added that LMTAC would have a booth at the AGM.

9.2 Provincial Election – New Minister

The importance of ensuring that LMTAC made its presence known to the new provincial Minister was noted. Support was expressed for a meeting with the new Minister to be requested.

10. INFORMATION

In regard to on-table Item 10.3, Vancouver Courier article dated April 3, 2005, support was expressed for the Article to be distributed to the LMTAC member councils. As well, reference was made to the BCTC response letter dated April 7, 2005, and the UBCM memorandum dated April 7, 2005 regarding "Treaty Negotiations: Additions to Treaty Settlement Lands".

It was MOVED and SECONDED

That the LMTAC Executive Committee receive for information the following items:

- 10.1 Correspondence; and
- 10.2 Honourarium and Expense Form
- 10.3 On-table Information Items
- 10.4 On-table Business in Vancouver Article.

CARRIED UNANIMOUSLY

11. CONCLUSION

It was MOVED and SECONDED

THAT the Regular Meeting of the LMTAC Executive Committee held April 13, 2005 be concluded.

CARRIED UNANIMOUSLY

(Time: 4:07 p.m.)