

**LOWER MAINLAND TREATY ADVISORY COMMITTEE
REGULAR MEETING**

October 27, 2004

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC)** scheduled 6:45 pm to 7:30 pm on Wednesday, October 27, 2004, in the 2nd Floor Boardroom, GVRD Offices, 4330 Kingsway, Burnaby, BC

ATTENDANCE:		
JURISDICTION:	LMTAC ELECTED REPRESENTATIVE:	LMTAC STAFF REPRESENTATIVE:
Greater Vancouver RD	Director Ralph Drew (Co-Chair)	Marino Piombini
Maple Ridge, District of	Councillor Candace Gordon (Vice-Chair)	
Anmore, Village of	Councillor Ken Juvik	
Belcarra, Village of	Councillor Colin Richardson	
Bowen Island, Municipality of	Mayor Lisa Barrett	
Burnaby, City of	Councillor Lee Rankin	Kimberley Flick
Coquitlam, City of	Councillor Maxine Wilson	
Langley, City of	Councillor Ted Schaffer	
Langley, Township of	Councillor Mel Kositsky	Frank Clark-Jones
Lions Bay, Village of	Councillor Lisa Turpin	
New Westminster, City of	Councillor Bob Osterman	
North Vancouver, City of	Councillor Bob Heywood	
North Vancouver, District of	Councillor Alan Nixon	
Port Moody, City of		Gerry vanderWolf
Squamish, District of	Councillor Corinne Lonsdale	
Squamish/Lillooet RD	Director John Turner	
Sunshine Coast RD	Director Barry Janyk	
Surrey, City of	Councillor Penny Priddy	
Vancouver, City of		Rhys Williams
West Vancouver, District of	Councillor Jean Ferguson	Rick Beauchamp
White Rock, City of	Councillor Mary Wade Anderson	
Observer Members		
Nanaimo, City of		Brian Mehaffey
LMTAC STAFF ATTENDANCE:		
Kirstie Pirie, Manager		
Regan Schlecker, Aboriginal Affairs Analyst		
PREPARATION OF MEETING MINUTES:		
Karen Miller, Recording Secretary, Raincoast Ventures		

CALL TO ORDER

Chair Drew confirmed a quorum was in attendance, and called the meeting to order at 7:00 p.m.

1. AGENDA FOR ADOPTION

1.1 October 27, 2004

It was MOVED and SECONDED

THAT the Agenda for the Regular Meeting of the LMTAC Board scheduled October 27, 2004, be adopted with amendment to add:

- a) On table item: 4.1, Update to Compensation Model to Local Government; and
- b) On table item: 4.3, Appendix to LMTAC's Additions to Treaty Settlement Land and Treaty Negotiations Background Briefing Note.

CARRIED UNANIMOUSLY

2. **MINUTES FOR ADOPTION**

2.1 **September 29, 2004**

It was MOVED and SECONDED

THAT the Minutes of the LMTAC Board Meeting held September 29, 2004, be adopted as circulated.

CARRIED UNANIMOUSLY

2.2 **MINUTES FOR INFORMATION**

October 6, 2004 FASC

September 29, 2004 Executive

October 14, 2004 Executive

It was MOVED and SECONDED

THAT the Minutes of the Finance and Administration Sub-committee Meeting held October 6, 2004; and the Minutes of the LMTAC Executive Committee Meetings held September 29, 2004, and October 14, 2004, be received for information.

CARRIED UNANIMOUSLY

3. **DELEGATION**

No items presented.

4. **LMTAC REPORTS**

4.1 **Update re Fiscal Compensation to Local Government Model**

On Table Items: Proposed Fiscal Compensation Model to Local Government – Appendix to Fiscal Interests and Treaty negotiations Background Briefing Note to LMTAC First Principle #36: Cost Neutral Agreements for Local Governments.

Chair Drew acknowledged that the LMTAC Board approved in principle the fiscal interests backgrounder at the September 29, 2004 meeting and that the technical workshop had been expanded to include fiscal and technical officers. A meeting of the working group was held on October 14th, 2004.

The meeting discussed the implications of fees for service being bundled to include both hard and soft services. Chair Drew indicated that consideration for the level of understanding of the audience was needed when providing information on negotiated service arrangements. It was added that a structural model is required for parallel process (meter or general tax base are currently the only two systems of valuing services).

Request for Action:

It was requested that an additional bulleted point under “C. Rationale” be added to further identify hard services and soft services; and to reflect why services are bundled for general taxation and community benefit.

Kirstie Pirie, Manager, addressed some of the terminology changes to the document noting that “grant in lieu” was replaced by “payment in lieu”; and that “land use classifications” was replaced by “property class”.

A member requested clarification that this was a model for compensation for loss of assessable tax base, noting that the LMTAC perspective was that a municipality was entitled to compensation for that. Prior to lands being transferred, it was suggested that service arrangements would need to be negotiated otherwise costs would have to be recovered.

It was acknowledged that future debate on details was expected from all stakeholders. Straightforward concepts were to be presented immediately as a starting point for discussion. It was added that supporting documentation and scenarios would be requested from various municipalities; prior to taking it to the UBCM.

Request for Action:

It was requested that the fourth bulleted point on page two of the document be amended to read: "If local governments do not receive fair payment for services, then cost-recovery will be further explored as appropriate on a case-by-case basis, and may be added to the payment in lieu."

The following suggestions were also presented for additional consideration:

- "Draft" should be underlined on the first page;
- the final bulleted point on page two should include underlining of the words "in perpetuity".

Chair Drew noted that all of the backgrounders and principles were a work in progress.

It was MOVED and SECONDED

THAT the "Proposed Fiscal Compensation Model to Local Government" be

- a) endorsed in principle with the change in terminology as discussed;
- b) attached as an appendix to LMTAC's Fiscal Interests and Treaty Negotiations Background Briefing Note;
- c) forwarded to Minister Plant for response; and
- d) circulated to LMTAC member jurisdictions for feedback and consideration.

CARRIED UNANIMOUSLY

4.2 Election of Musqueam Table Representative

Chair Drew advised that correspondence from Richmond Councillor Linda Barnes had been received indicating that she would accept the appointment as LMTAC representative to the Musqueam Treaty Negotiation Table.

It was MOVED and SECONDED

THAT the LMTAC Board elect Richmond Councillor Linda Barnes as its Musqueam Table Representative.

CARRIED UNANIMOUSLY

4.3 Appendix to LMTAC's Additions to Treaty Settlement Land & Treaty Negotiations Background Briefing Note

On Table item: "A Scan of References to Additions to Treaty Settlement Lands and Local Government Tax Loss"

Chair Drew acknowledged Marino Piombini, GVRD, for assembling reference material entitled "A Scan of References to Additions to Treaty Settlement Lands and Local Government Tax Loss".

It was MOVED and SECONDED

THAT the LMTAC Board endorse the attachment of "A Scan of References to Additional to Treaty Settlement Lands and Local Government Tax Loss" as an appendix to LMTAC's Additions to Treaty Settlement Land & Treaty Negotiations Background Briefing Note.

CARRIED UNANIMOUSLY

5. TABLE PROGRESS REPORTS

5.1 Negotiation Table Reports

5.1a) Katzie

Context Summary – Katzie, October 27, 2004

No additional items presented.

5.1b) Musqueam

No items presented.

5.1c) Squamish

No items presented.

5.1d) Tsawwassen

- a) *Context Summary – Tsawwassen, October 27, 2004;*
- b) *LMTAC Table Representative Summary Notes – Public Information Session October 6, 2004;*
- c) *Tsawwassen First Nation Final Agreement Negotiations – Main Table Working Group Report April 7, 2004;*
- d) *Tsawwassen Final Agreement Treat Negotiations – Access Chapter (Consultation Draft – October 6, 2004);*
- e) *Tsawwassen Final Agreement Treaty Negotiations – Eligibility and Enrolment Chapter (Consultation Draft – October 6, 2004);*
- f) *Tsawwassen Final Agreement Treaty Negotiations – Ratification Chapter (Consultation Draft – October 6, 2004);*
- g) *Tsawwassen Final Agreement Treaty Negotiations – Amendment Chapter (Consultation Draft – October 6, 2004); and*
- h) *Tsawwassen Final Agreement Treaty Negotiations – Land Management and Use Chapter (Consultation Draft – October 6, 2004).*

No additional items presented.

5.1e) Tsleil-Waututh

No items were presented.

5.1f) Other

No items were presented.

6. SUB-COMMITTEE REPORTS

Finance and Administration Sub-Committee (FASC)

6.1 2005 Budget

- a) *Report Flow Summary – 2005 LMTAC Budget;*
- b) *LMTAC Statement of Revenue and Expenditure Budget for 12 Months Ended December 31, 2005; and*
- c) *2005 Budget Details – Draft Revisions (October 6, 2004).*

Vice-Chair Gordon provided a brief overview of the 2005 budget, acknowledging that the FASC had considered it twice, and that the Executive had considered it once. It was noted that the 2005 Budget included a contribution of \$40,000 from the provincial government.

Marino Piombini, GVRD, added that the GVRD had recommended that correspondence be sent to the provincial government to lobby on behalf of LMTAC.

It was MOVED and SECONDED

THAT the LMTAC Board endorse the 2005 Budget as presented.

CARRIED UNANIMOUSLY

6.2 Review of LMTAC Operating Procedures

- a) *Report Flow Summary – 2005 LMTAC Budget;*
- b) *LMTAC Statement of Revenue and Expenditure Budget for 12 Months Ended December 31, 2005; and*
- c) *2005 Budget Details – Draft Revisions (October 6, 2004).*

Vice Chair Gordon indicated that all housekeeping items for consideration had been specified within the agenda package documents.

It was MOVED and SECONDED

THAT the LMTAC Board endorse the Operating Procedures revisions as presented (Sections reviewed include: 4 (b) [pg3], 7(b) [pg 4], 10(d) [pg9], 11.2 (h) [pg11]).

CARRIED UNANIMOUSLY

7. CHAIR & STAFF REPORTS

7.1 Chair's Report

Chair Drew advised that a UBCM Aboriginal Affairs meeting was scheduled November 4, 2004. He offered that the UBCM had organized a November 18, 2004 special meeting of the provincial TACs to discuss the items that LMTAC was bringing forward (in addition to those their working group on governance had presented).

7.2 Staff Report

October 18, 2004 Manager Report: September 22 – October 18, 2004 Activities.

It was MOVED and SECONDED

THAT the LMTAC Board receive for information the report titled "Manager Report" dated October 18, 2004.

CARRIED UNANIMOUSLY

Request for Action

LMTAC members were requested to RSVP to LMTAC staff indicating their availability to participate in an event in recognition of Councillor Steves.

8. MISCELLANEOUS REPORTS

8.1 Fraser Valley Treaty Advisory Committee (FVTAC)

No items were presented.

8.2 Union of British Columbia Municipalities (UBCM)

No items were presented.

8.3 Federation of Canadian Municipalities (FCM).

Councillor Kositsky advised that a Land Management meeting was scheduled November 17, 2004.

9. OTHER BUSINESS

No items were presented.

10. INFORMATION

It was MOVED and SECONDED

THAT the LMTAC Board receive the following for information:

- 10.1 News Release (October 5, 2004);
- 10.2 Correspondence – General;
- 10.3 Web Site Statistical Summary;
- 10.4 Honorarium and Expense Form; and
- 10.5 2004 Meeting Schedule.

CARRIED UNANIMOUSLY

The meeting was reminded that correspondence items and briefing notes were public documents. LMTAC members were encouraged to make reference to the public documents within their constituencies to ensure that the public was aware of LMTAC initiatives.

11. ADJOURNMENT

It was MOVED and SECONDED

THAT the Regular Meeting of the LMTAC Board held October 27, 2004 be concluded.

CARRIED UNANIMOUSLY

(Time: 7:40 p.m.)