

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

November 22, 2006

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Board** scheduled Wednesday, November 22, 2006 from 6:30 p.m. to 8:30 p.m. in the 2nd Floor Board/Committee Room, GVRD Offices, 4330 Kingsway, Burnaby, British Columbia.

ATTENDANCE:		
JURISDICTION:	LMTAC ELECTED REPRESENTATIVE:	LMTAC STAFF REPRESENTATIVE:
Greater Vancouver RD	Director Ralph Drew (Chair)	
Anmore, Village of	Councillor Ken Juvik	
Belcarra, Village of	Councillor Colin Richardson	
Bowen Island, Municipality of	Councillor Lisa Barrett	
Burnaby, City of	Councillor Sav Dhaliwal	
Delta, Corporation of		John Dumont (departed 6:54p.m.)
Langley, City of	Councillor Ted Schaffer	
Langley, Township of		Eric Britton
Maple Ridge, District of	Councillor Ken Stewart	
North Vancouver, District of	Councillor Alan Nixon	
Pitt Meadows, District of	Councillor Debra Eisel	Laurie Darcus
Port Moody, City of		Kelly Kenney
Richmond, City of	Councillor Harold Steves	
Squamish Lillooet RD	Director John Turner	
Sunshine Coast RD	Director Barry Janyk	
Squamish, District of	Councillor Corinne Lonsdale	
Surrey, City of	Councillor Barbara Steele	Rob Costanzo
Vancouver, City of	Councillor George Chow	Barbara Pearce
West Vancouver, District of	Councillor Jean Ferguson	
Whistler, Resort Municipality of	Councillor Ralph Forsyth	
White Rock, City of	Councillor Mary Wade Anderson	
LMTAC STAFF ATTENDANCE:		
Regan Schlecker, Managing Director		
GUESTS:		
Bronwen Beedle, Chief Negotiator, Provincial Treaty Negotiations Office, Ministry of Aboriginal Relations and Reconciliation (departed 6:54 p.m.)		
Phil Symington, Negotiator, Provincial Treaty Negotiations Office, Ministry of Aboriginal Relations and Reconciliation (departed 6:54p.m.)		
Cathy Watson, Ministry of Community Services, First Nation and Local Government Relations (departed 6:54p.m.)		
PREPARATION OF MEETING MINUTES:		
Carrie Peacock, Recording Secretary, Raincoast Ventures Ltd.		

CALL TO ORDER

Chair Drew confirmed a quorum was in attendance and called the meeting to order at 6:40 p.m.

1. AGENDA FOR ADOPTION

1.1 November 22, 2006

It was MOVED and SECONDED

THAT the Agenda for the Regular Meeting of the LMTAC Board scheduled November 22, 2006, be adopted as circulated.

CARRIED UNANIMOUSLY

2. MINUTES FOR ADOPTION / MINUTES FOR INFORMATION

2.1 September 27, 2006 Board Meeting

It was MOVED and SECONDED

THAT the Minutes of the LMTAC Board Meeting held September 27, 2006 be adopted as circulated.

CARRIED UNANIMOUSLY

2.2 September 13, 2006 Executive Committee Meeting

It was MOVED and SECONDED

THAT the Minutes of the LMTAC Executive Committee Meeting held September 13, 2006 be received for information.

CARRIED UNANIMOUSLY

3. DELEGATION

No delegations were received.

4. LMTAC REPORTS

4.1 Analysis of Lheidli T'enneh Final Agreement

LMTAC report regarding "Analysis of the Lheidli T'enneh Final Agreement Land, Governance and Local Government Relations Chapters", dated November 9, 2006, and related attachments.

Regan Schlecker, Managing Director, noted that the report addressed key aspects of the recent Lheidli T'enneh Final Agreement, which had been reached October 29, 2006 in the Prince George area. She added that report examined the provisions of critical chapters, which could assist in resolving issues at other tables.

Regarding "Agricultural Land Reserve", Ms. Schlecker noted that the agreement recognized that approximately 643 hectares of crown land would be excluded as of effective date. She added that in the event of a conflict between First Nation law and the ALC Act, the ALC Act would prevail.

In response to clarification regarding the timeline of the ratification process, Ms. Beedle noted that there was a 90-day eligibility enrolment period, following the initialing. As such, it was noted that it could not be considered before January 2007.

Regarding "Additions to Treaty Settlement Lands", Ms. Schlecker noted that the TSL approach was different than the specified lands approach used in TFN. She added that Prince George was previously consulted, and had provided their consent to the selected lands being added.

Clarification was requested regarding whether municipal or First Nation laws would govern over the lands transferred. Ms. Beedle noted that a comprehensive master agreement (CMA) had been resolved, which focused on the harmonization of laws and how the laws would continue.

Regarding "Representation of Non-Member Residents", Ms. Schlecker noted that the agreement provided for consultation and participation of non-members in decision making processes that directly affected them.

Ms. Schlecker acknowledged that the "Local Government Relations Chapter" was substantively different from TFN's, as it reflected their local context. It was noted that the Lheidli T'enneh land base was located in two regional districts, but would only participate in one. It was noted that as the TSLs included some non-contiguous pockets of land within the City of Prince George, a CMA would need to be developed to address critical issues.

Members were referred to the provincial website for a complete copy of the Lheidli T'enneh Final Agreement. In response to further questions, Ms. Beedle noted that the CMA was not yet publicly available, and suggested the City of Prince George be contacted for further information in this regard.

It was MOVED and SECONDED

THAT the LMTAC Board receive for information the LMTAC report titled "Analysis of the Lheidli T'enneh Final Agreement Land, Governance and Local Government Relations Chapters", dated November 9, 2006.

CARRIED UNANIMOUSLY

6:54 p.m.

Bronwen Beedle, John Dumont, Phil Symington, and Cathy Watson, departed the meeting.

4.2 2006 LMTAC Annual Member Survey Results

LMTAC report regarding "2006 LMTAC Annual Member Survey Results", dated October 31, 2006.

Regan Schlecker, Managing Director, informed the meeting that the report summarized results of the annual member survey. It was noted that the survey had been valuable in collecting feedback and assisting in the development of LMTAC workplans. She acknowledged that overall, the responses received had been very positive.

It was MOVED and SECONDED

THAT the LMTAC Board receive for information the LMTAC report titled "2006 LMTAC Annual Member Survey Results", dated October 31, 2006.

CARRIED UNANIMOUSLY

4.3 2006 Workplan Status Report

LMTAC report regarding "2006 Workplan Status Report", dated November 14, 2006, and related attachment.

Regan Schlecker, Managing Director, reported that 90% of the 2006 Workplan projects were either completed or in progress. She noted that two items in the Finance, Organizational and Communications category had been rolled over into the 2007 workplan. Ms. Schlecker added that a communications strategy had been contemplated for 2007.

It was MOVED and SECONDED

THAT the LMTAC Board receive for information the LMTAC report titled "2006 Workplan Status Report", dated November 14, 2006.

CARRIED UNANIMOUSLY

4.4 2007 Workplan – Final Draft

LMTAC report regarding "2007 Workplan – Final Draft", dated October 31, 2006, and related attachment.

Regan Schlecker, Managing Director, reported that it was LMTAC's practice that the Board adopt a workplan for the upcoming year. She noted that the workplan was developed with input from the FASC, TSWG and the annual members survey. Additionally, she noted that the LMTAC Executive Committee had reviewed the workplan.

It was suggested that key policy issues should be highlighted to enable members to keep their respective Councils and Boards informed. Ms. Schlecker noted that information could be posted on the LMTAC website, and recognized that it was difficult to gauge when the agreement would be announced.

Chair Drew noted that the Executive Committee had vetted a news release and backgrounder, (intended for the membership and media) announcing the agreement, noting that individual local governments may wish to recognize their own perspectives regarding the agreement. He added that LMTAC would provide the general information to the membership, to which members could

add their own commentary. The anticipated heightened treaty-related activity in more than one area, over the coming few years was acknowledged.

Request for Action

It was requested that the wording of the workplan item: "Develop communications strategy for implementation of final agreement" be replaced with: "Develop Final Agreement communications strategy".

It was MOVED and SECONDED

THAT the LMTAC Board endorse the 2007 Workplan as presented.

CARRIED UNANIMOUSLY

4.5 Revisions to Operating Procedures – In Camera Materials

LMTAC report regarding "Revisions to Operating Procedures In-Camera Materials", dated November 10, 2006.

Regan Schlecker, Managing Director, noted that the report intended to provide proposed wording for the LMTAC Operating Procedures Sections 4.0 and 9.0, to clarify the sharing of in-camera materials for the Executive Committee and the Board.

In response to questions, Ms. Schlecker clarified that any in-camera information provided with full board agenda packages could be shared with members' respective councils, at an in-camera session.

It was MOVED and SECONDED

THAT the LMTAC Board receive for information the LMTAC report titled "Revisions to Operating Procedures In-Camera Materials", dated November 10, 2006; and endorse the proposed draft wording for additional clauses in Sections 4.0 and 9.0 of the LMTAC Operating Procedures.

CARRIED UNANIMOUSLY

5. TABLE PROGRESS REPORTS

a) Katzie

No items presented.

b) Musqueam

No items presented.

c) Squamish

Press release regarding "Squamish Nation and Local Municipalities Building Good Neighbour: Relationship", dated November 6, 2006.

Councillor Jean Ferguson, Table Representative to the Squamish Table, referenced a November 8, 2006 dinner meeting and discussion with Squamish Band Council which was attended by various local government representatives (i.e. City of Vancouver, District of North Vancouver, City of North Vancouver, West Vancouver and others). It was noted that through various activities, participants identified their key priority topics for future discussion with Squamish, including traffic, roads, the Lions Gate Bridge, the Lions Gate Sewage Plant and billboards.

Councillor Nixon added that a staff working group had been tasked with follow-up efforts after the precedent setting meeting. Prior conflicts relative to billboards were acknowledged. It was noted that the meeting offered a good step towards continued discussions, and a good opportunity to build relationships. The meeting was informed that a similar meeting was anticipated between Vancouver and Musqueam. Chair Drew noted that the GVRD was seeking to embrace a strategy of relationship building in the coming year.

d) **Tsawwassen**
No items presented.

e) **Tsleil-Waututh**
Councillor Alan Nixon, Table Representative to the Tsleil-Waututh Table, noted that at a November 15-16, 2006 meeting, the Tsleil-Waututh Table discussed their ambitious 2007 workplan. He noted that they also reviewed the Lheidli T'enneh agreement, to identify elements that could be imported into their own AIP, which would be further discussed at the table's December 13, 2006 meeting.

f) **Other**
a) *Press release regarding "Governments, First Nation Initial Historic Agreement", dated October 29, 2006;*
b) *Backgrounder regarding "Lheidli T'enneh Final Agreement", dated October 29, 2006;*
c) *News release regarding "Province Approves Seventh Agreement-In-Principle", dated October 28, 2006; and*
d) *Backgrounder regarding "In-Schuck-Ch Nation Agreement-In-Principle", dated October 28, 2006.*

Regan Schlecker, Managing Director, referenced the news releases provided in the agenda package. She informed the meeting that a copy of the In-Shuck-Ch AIP would become available and provided to Board members, following its ratification by the federal government.

6. SUBCOMMITTEE REPORTS

6.1 **Finance and Administration Subcommittee (FASC)**
No items presented.

7. CHAIR AND STAFF REPORTS

7.1 Chair's Report

Chair Drew noted that the LMTAC meetings of 2006 had addressed some items of pertinent substance. He acknowledged that LMTAC Subcommittees had tackled some key issues, including addressing the organization's financial constraints, which resulted in the successful maintenance of a contingency fund equal to 10% of the organization's operating budget.

He added that much had been accomplished during the year, noting that watching a treaty reach the initialing stage had been an exciting process. Chair Drew acknowledged the Treaty Table Representatives valuable contributions to the process, noting that comments presented by Councillor Harold Steves had been reflected in the current Intergovernmental Relations Chapter. He recognized the provincial negotiating team's increased dialogue, trust, and embracement of LMTAC.

Chair Drew acknowledged LMTAC's significant accomplishments over the years, noting that in the event of a difference of opinion, LMTAC had constructively expressed local government's opinion. The meeting was informed that the Sechelt Indian Government District was now a participant of the Sunshine Coast Regional District.

On behalf of the LMTAC Board, Chair Drew presented a gift to Councillor Steves in recognition of his long and dedicated service to the treaty negotiations process.

7.2 Staff Report

Managing Director Report dated November 15, 2006 regarding "September 19, 2006 – November 15, 2006 Activities".

Regan Schlecker, Managing Director, informed the meeting that an Agenda was being developed for a January 2007 orientation session at the Holiday Inn; and that the Inaugural Board Meeting would be held January 31, 2007. As Bob Joseph was unavailable to attend the session, it was noted that Sandra Carter, a lawyer with Bull, Housser and Tupper, would be providing a presentation on the implications of treaties for local government.

It was MOVED and SECONDED

THAT the LMTAC Board receive for information the Managing Director Report, dated November 15, 2006.

CARRIED UNANIMOUSLY

8. MISCELLANEOUS REPORTS

8.1 GVRD Aboriginal Relations Committee

GVRD Aboriginal Affairs Update Bulletin, dated April 2006.

No other items presented.

8.2 Fraser Valley Treaty Advisory Committee (FVTAC)

Document titled "Fraser Valley Treaty Advisory Committee Revised interests in Treaty Making"

Regan Schlecker, Managing Director, referred the meeting to the FVTAC document provided in the agenda package, and acknowledged that the document was intended to assist in preparing for final agreement negotiations.

8.3 Union of British Columbia Municipalities (UBCM)

LMTAC "List of Aboriginal and Treaty-Related Events at UBCM Convention 2006".

Regan Schlecker, Managing Director, referred to a TAC update, distributed earlier to members via electronic mail. She added that the update indicated that the next Joint TAC Meeting was scheduled November 30, 2006.

8.4 Federation of Canadian Municipalities (FCM)

No items presented.

It was MOVED and SECONDED

THAT the LMTAC Board receive for information the "Miscellaneous Reports".

CARRIED UNANIMOUSLY

9. OTHER BUSINESS

9.1 Information Request Update

Regan Schlecker, Managing Director, noted that at the September Board meeting, she was requested to seek information regarding how the federal government would provide post-secondary funding to treaty First Nations.

She acknowledged the following response she received to her inquiry: "Canada currently provides bands under the *Indian Act* with funds earmarked for post-secondary education, including tuition support for members who attend post-secondary institutions. Under a treaty, Canada will continue to flow funds to a First Nation to support services and programs the First Nation government provides for its members, as agreed in the treaty. Education is one of the agreed-upon areas. While certain federal transfers will be earmarked for education generally, the First Nation government will have latitude to allocate funding within that program area. It is certainly conceivable that the First Nation government would opt to allocate some funds to support tuition for members who attend post-secondary institutions. Federal transfers to First Nations under treaty will diminish over time as the First Nation builds its own source revenues"

10. INFORMATION

It was MOVED and SECONDED

That the LMTAC Board receive for information the following items:

- 10.1 Correspondence;
- 10.2 Honorarium and Expense/Monthly Board Feedback Form;
- 10.3 2006 Meeting Schedule;
- 10.4 Draft 2007 Meeting Schedule; and
- 10.5 Website Statistical Summary.

CARRIED UNANIMOUSLY

11. OTHER BUSINESS

Appreciation was extended to the LMTAC Chair, Managing Director and Staff for their significant contributions throughout the year.

12. NEXT MEETING DATE

The next Regular Meeting of the LMTAC Board was scheduled January 31, 2007.

13. CONCLUSION

It was MOVED and SECONDED

That the Regular Meeting of the LMTAC Board held November 22, 2006 be concluded.

CARRIED UNANIMOUSLY

(Time: 7:37 p.m.)