

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

February 28, 2007

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Board** scheduled 6:50 – 8:15 p.m. on Wednesday, February 28, 2007, in the 2nd Floor Café East Meeting Room, 4330 Kingsway Burnaby, B.C.

ATTENDANCE:		
JURISDICTION:	LMTAC ELECTED REPRESENTATIVE:	LMTAC STAFF REPRESENTATIVE:
Greater Vancouver RD	Mayor Ralph Drew (Chair)	Marino Piombini
Anmore, Village of	Councillor Ken Juvik	
Belcarra, Village of	Councillor Colin Richardson	
Bowen Island, Municipality of	Councillor Lisa Barrett	
Burnaby, City of		Kimberly Flick
Coquitlam, City of	Councillor Brent Asmundson	
Delta, Corporation of		Mike Brotherston
Langley, City of	Councillor Ted Schaffer	
Langley, Township of	Councillor Mel Kositsky	
Lions Bay, Village of	Councillor Lisa Turpin	
Maple Ridge, District of	Councillor Ken Stewart	
New Westminster, City of	Councillor Bob Osterman	
North Vancouver, City of	Councillor Bob Heywood	Ken Tollstam
North Vancouver, District of	Councillor Alan Nixon (departed 7:44 p.m.)	
Port Coquitlam, City of	Councillor Darrell Penner (departed 7:44 p.m.)	Jim Maitland (departed 7:44 p.m.)
Pitt Meadows, City of	Councillor Debra Eisel	
Port Moody, City of	Councillor Shannon Watkins	
Richmond, City of	Councillor Linda Barnes	
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	
West Vancouver, District of		Rick Beauchamp
Whistler, Resort Municipality of	Councillor Ralph Forsyth	
White Rock, City of	Councillor Mary-Wade Anderson	
LMTAC STAFF ATTENDANCE:		
Regan Schlecker	Managing Director	
Mark Kirsop	Research and Communications Coordinator	
PREPARATION OF MINUTES:		
Karen Miller	Recording Secretary, Raincoast Ventures Ltd.	

Call to Order

Chair Drew confirmed a quorum was in attendance and called the meeting to order at 7:32 p.m.

1. AGENDA FOR ADOPTION

1.1 February 28, 2007

It was MOVED and SECONDED

THAT the Agenda for the Regular Meeting of the LMTAC Board scheduled February 28, 2007, be adopted as presented.

CARRIED UNANIMOUSLY

2. MINUTES FOR ADOPTION/INFORMATION

2.1 January 31, 2007

It was MOVED and SECONDED

THAT the Minutes of the Regular Meeting of the LMTAC Board held January 31, 2007 be adopted as presented.

CARRIED UNANIMOUSLY

2.2 Executive Committee January 31, 2007

It was MOVED and SECONDED

THAT the Minutes of the Meeting of the LMTAC Executive Committee held January 31, 2007 be received for information.

CARRIED UNANIMOUSLY

3. DELEGATION

No delegations were received.

4. REPORTS

4.1 Unity Protocol Agreement:

Six Key Issues for Examination by LMTAC

LMTAC report titled: "Unity Protocol Agreement – Six Key Issues for Examination by LMTAC" dated February 20, 2007; and related attachments:

a) First Nations Summit News Release dated October 28, 2006;

b) Backgrounder on the BC Treaty Process; and

c) First Nations Unity Protocol Agreement – News Release dated January 18, 2007.

Regan Schlecker, Managing Director, indicated that LMTAC was interested in considering the First Nations' *Unity Protocol Agreement* to ensure a clear understanding of First Nations' interests and potential impacts of mandate changes on local government.

A First Nations Summit policy backgrounder on the BC Treaty Process (page 25) was referenced, noting that First Nations wanted certainty through recognition and reconciliation without extinguishment of rights; options other than removing reserve status when creating treaties; and all governance authorities protected within the treaty. It was felt that treaties limit jurisdiction, however there was still an interest in co-management of resources in traditional territories; and position that bottom line positions on tax exemptions and more flexibility and formulas for own source revenue should be considered.

With respect to fisheries, concern was expressed by First Nations around commercial activities and management. Senior governments were not perceived as being interested in allocating further resources to consider these issues. Caution was noted that there would not likely be a drastic change in mandates. However, suggestion was that some monitoring of the issues would be beneficial for LMTAC to undertake.

Ms. Schlecker outlined the information and recommendations as modified from what was initially brought forward to LMTAC by staff.

It was MOVED and SECONDED

THAT the LMTAC Board:

- a) endorse the proposed approach outlined in Section 3 of the report titled: "Unity Protocol Agreement – Six Key Issues for Examination by LMTAC" as further direction to staff on the 2007 Workplan; and
- b) direct staff to:
 - i. conduct additional research on the ramifications of the Unity Protocol;
 - ii. continue to monitor the issue; and
 - iii. report back to the LMTAC Executive Committee as soon as further actions are deemed necessary.

CARRIED UNANIMOUSLY

5. TABLE PROGRESS REPORTS

5.1a) Katzie

Context Summary: Status Update – Katzie Agreement-in-Principle (AIP) Negotiations dated February 28, 2007; and related attachment: First Nations Lange Management Resource Centre Document: Presentation – Framework Agreement on First Nations Lang Management (February 12, 2007).

Councillor Kositsky reported that Parties met on February 12th for a federal workshop on the *First Nation Land Management Act (FNLMA)* and encouraged members to review a previous UBCM report regarding the *FNLMA* that was included as an information item within the agenda package.

5.1b) Musqueam

Councillor George Chow, City of Vancouver, indicated that a community forum was held at which outflow of sewer pipes into the Fraser River and shared-territory with respect to Stanley Park were discussed.

Chair Drew added that GVRD sewerage and drainage district was obliged to upgrade the Iona Plant to secondary treatment by 2020; and that lead time for engineering was significant as well as the funding required.

7:44 p.m.

Jim Maitland and Councillors Darrell Penner and Alan Nixon departed the meeting.

5.1c) Squamish

No items were presented.

5.1d) Tsawwassen

No items were presented.

5.1e) Tsleil-Waututh

No items were presented.

5.1f) Other

6. SUB-COMMITTEE REPORTS

6.1 Finance & Administrative Sub-Committee (FASC)

Chair Drew indicated that the next Finance and Administrative Sub-Committee (FASC) meeting was scheduled for March 7, 2007.

Councillor Lonsdale, FASC Chair, acknowledged the 2006 challenges relative to potential need for use of reserve funds. Chair Drew commented on the context of expenditures and cost saving measures in addition to the \$40,000 received from the province; which made for a successful year end and start to 2007.

7. CHAIR & STAFF REPORTS

7.1 Chair's Report

No report provided.

7.2 Staff Report

LMTAC Managing Director Report: Activities from January 23, 2007 – February 21, 2007.

Regan Schlecker, Managing Director, referenced the report on activities from January 23, 2007 – February 21, 2007 and offered to address any related questions. Further, she noted that LMTAC was considering presentations with respect to the *Comparative Analysis of the Tsawwassen Final Agreement* undertaken by LMTAC.

8. MISCELLANEOUS REPORTS

8.1 GVRD Aboriginal Relations Committee

The meeting was apprised that the next meeting of the GVRD Aboriginal Relations Committee was scheduled March 2, 2007. Priorities for the committee for 2007 were on the agenda as well as an overview of the *Tsawwassen Final Agreement*, and a progress report on treaty negotiations and Aboriginal relations. Funding from the province through UBCM was commented on noting that the GVRD anticipated receiving \$6,000.

A member queried the perceived duplication of work between LMTAC and the GVRD Aboriginal Relations Committee. The Committee was struck in 2006 in response to the need for more relationship-building and consideration of pressing issues from a regional district perspective, as well the Committee considered GVRD corporate issues outside of treaty. Agreement was that care must be maintained to keep the roles clear.

8.2 Fraser Valley Treaty Advisory Committee (FVTAC)

Correspondence dated February 13, 2007 from Fraser Valley Regional District re: Invitation to attend a Regional Community to Community Leadership Forum – March 29, 2007; and related attachments:

- *RC2C Forum Program Application;*
- *Listing of invitees; and*
- *Invitation.*

An invitation was received by LMTAC to attend the Regional Community to Community Leadership Forum in Abbotsford on March 29, 2007. Chair Drew indicated that he would be making a presentation, and that there was provision for up to three others to attend under LMTAC's sponsorship. The LMTAC Managing Director would confirm LMTAC attendance closer to the date.

Councillor Mel Kositsky advised that a community-to-community forum was held February 28, 2007, with the In-SHUCK-ch First Nation in which Ministers were invited to attend. This was the first time that a number of the community leaders and Band Council representation were able to meet together. Board members were also informed that the In-SHUCK-ch First Nation created a website and blog url and LMTAC staff were encouraged to review it.

The Sto:lo treaty table was anticipated to move forward aggressively; and continuation of joint meetings with Pemberton/Lillooet were expected.

Councillor Kositsky further reported that the FVTAC prepared a five year financial plan and noted the limited capacity of other TAC groups around the province.

8.3 Union of British Columbia Municipalities (UBCM)

Correspondence from UBCM dated February 13, 2007 re: MARR Funding for Local Governments in Treaty Negotiations.

Correspondence was received on the topic of MARR Funding for Local Governments in Treaty Negotiations (February 13, 2007). A UBCM meeting in Victoria was scheduled in April 2007 with

some discussion of TAC funding anticipated. Further, funding may be available via UBCM for information programs relative to treaties. UBCM was doing an analysis of the three Final Agreements and it was anticipated that a draft of their comments may be available for the March 2007 LMTAC meeting.

Further to a 2006 UBCM Convention resolution, senior governments were asked to consider treaty adjustment funding for grants in lieu to local governments. A provincial response was provided in February 2007 that recognized the concerns expressed, noting that service agreements were an opportunity to recover lost revenues. Additionally, the province encouraged relationship building and that MARR would continue to be instrumental in supporting these relationships by funding treaty advisory committees and supporting local governments. Board members were advised that LMTAC staff circulated an email on this matter earlier that day.

8.4 Federation of Canadian Municipalities (FCM)

Chair Drew advised that an FCM meeting was taking place February 28 – March 3, 2007.

9. OTHER BUSINESS

9.1 Summary of Results – Monthly Board Feedback Form

Mark Kirsop, Research and Communications Coordinator, provided a verbal summary of LMTAC monthly Board feedback. As a result, members were informed that updates on overlap would be provided through regular provincial delegation updates and that questions regarding taxation and cash transfers for Tsawwassen would be addressed during the March 28 Board meeting in which both provincial and federal delegations would be in attendance.

9.2 Discussion Topics for Federal TNO Delegation (March 28, 2007)

Regan Schlecker, Managing Director, noted that the Federal Treaty Negotiation Office had received a copy of the *“Comparative Analysis of LMTAC Interests with the Tsawwassen Final Agreement”*. As some items fell within federal jurisdiction there was interest in discussing LMTAC interests – specific policy topics were highlighted such as Fish, Fiscal and Tax (treaty and non-treaty). The province also requested to attend the LMTAC Board meeting as a delegation in March 2007. Members were invited to email LMTAC staff within the coming week with an indication of questions and interests to allow for advance preparation by the delegates.

A member expressed that a presentation delivered by provincial staff representative, John Pyper, on the New Relationship at a recent Integrated Land Management Bureau meeting had been beneficial. Suggestion was that Mr. Pyper be invited to provide a presentation to LMTAC at a future meeting.

10. INFORMATION

Chair Drew expressed that the City of Vancouver and Township of Langley Agricultural Advisory committee requested an LMTAC delegation to present on LMTAC’s *Comparative Analysis of the Tsawwassen Final Agreement*; and indicated that LMTAC was pleased to act as a resource to any of the member municipalities when required.

LMTAC members were reminded to complete honorarium and expense/feedback forms.

It was MOVED and SECONDED

THAT the LMTAC Board receive for information the following items:

- 10.1 Correspondence;
- 10.2 News Release – Throne Speech Launches BC in Pacific Century (February 13, 2007);
- 10.3 Information on First Nations Land Management Initiative for Local Governments (UBCM, January 2004);
- 10.4 2007 LMTAC Meeting Schedule; and
- 10.5 Honorarium and Expense/Feedback Form.

CARRIED UNANIMOUSLY

Chair Drew indicated that local government had assumed the process of adopting the agenda at the beginning of each meeting noting that information items included on the agenda were therefore included in the agenda adoption motion and an additional motion to receive information items was not required.

11. NEXT MEETING

The next Regular Meeting of the LMTAC Board was scheduled March 28, 2007.

12. CONCLUSION

It was MOVED and SECONDED

THAT the Regular Meeting of the LMTAC Board held February 28, 2007 be concluded.

CARRIED UNANIMOUSLY

(Time: 8:15 p.m.)