

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

April 9, 2003

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Executive Committee** held Wednesday, April 9, 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) (arrived 4:22 p.m.)	
Burnaby, City of	Councillor Lee Rankin (departed 5:16 p.m.)	Kimberly Flick (arrived 4:53 p.m.)
Coquitlam, City of	Councillor Louella Hollington	
Maple Ridge, District of	Councillor Candace Gordon via teleconference (departed 5:41 p.m.)	
Richmond, City of	Councillor Harold Steves	
Squamish, District of	Councillor Corinne Lonsdale (arrived 4:09 p.m.)	
Sunshine Coast RD	Director Barry Janyk	
LMTAC STAFF ATTENDANCE:		
Kirstie Pirie	LMTAC Manager	
Regan Schlecker	Aboriginal Affairs Analyst	
PREPARATION OF MINUTES:		
Vivian Guthrie, Recording Secretary, Raincoast Ventures		

Call to Order

Chair Drew confirmed a quorum was in attendance and called the meeting to order at 4:07 p.m.

1. AGENDA FOR ADOPTION

1.1 April 9, 2003

It was MOVED and SECONDED

THAT the Agenda for the Regular Meeting of the LMTAC Executive Committee scheduled April 9, 2003, be amended to add Item 9.2 "Proposed Workplan for LMTAC Fisheries Workshop".

CARRIED UNANIMOUSLY

2. MINUTES FOR ADOPTION

2.1 March 12, 2003

It was MOVED and SECONDED

THAT the Minutes of the Regular Meeting of the LMTAC Executive Committee held March 12, 2003 be adopted as circulated.

CARRIED UNANIMOUSLY

3. DELEGATION

There was no delegation at the meeting.

4. LMTAC REPORTS

4.1 LMTAC Operating Procedures – Amendment for Treaty Table Representative Alternates

Excerpt from LMTAC Operating Procedures.

Kirstie Pirie, Manager, supplied rationale regarding the proposed amendment to the LMTAC Operating Procedures, Item 8.0, 'Representation at Negotiation Tables'.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee approve the addition of the following new sub-section to Section 8.0, 'Representation at negotiation Tables of the LMTAC Operating Procedures':

8.0 (f) *In the event that a LMTAC Table Representative is unable to attend a treaty meeting, it is the Table Representative's responsibility to ensure that appropriate alternate LMTAC representation at the Treaty Table is arranged. This alternate representative may be the staff representative to LMTAC from the table Representative's own jurisdiction, LMTAC staff or another alternate approved by the LMTAC Executive.*

CARRIED UNANIMOUSLY

4:09 p.m.

Councillor Lonsdale arrived at the meeting.

4.2 Local Governments and Urban Aboriginal Issues – Backgrounder to First Principle #32

- a) *Report Flow Summary*
- b) *Memo dated April 3, 2003, from Kirstie Pirie, Manager regarding the recommendation from staff*
- c) *Discussion Paper dated September 2002 (Revised Draft) from the LMTAC Technical and Strategic working Group, titled "Local Government and Urban Aboriginal Issues, Backgrounder to First Principle #32"*

Kirstie Pirie, Manager, introduced the documents, and provided the history regarding the revisions to the backgrounder. She noted that there was a lack of interest to participate in another workshop of this nature indicated by those who attended the April 30, 2002 Technical Workshop on Urban Local Government and Urban Aboriginal Issues.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee:

- a) receive the updated backgrounder titled, 'Local Governments and Urban Aboriginal Issues – Backgrounder to First Principle #32' and recommend that the Board endorse it as the updated backgrounder for First Principle #32; and,
- b) recommend that LMTAC consider not holding a workshop on Urban Aboriginal Issues in 2003 (pursuant to Treaty Negotiation/Policy Item #5, 2003 LMTAC Workplan: *Urban Aboriginal Issues Workshop*)

CARRIED UNANIMOUSLY

4.3 Islands Trust Interests in Treaty Negotiations

Memo dated March 28, 2003, from Regan Schlecker, Aboriginal Affairs Analyst, providing comments regarding the attached document titled, "A Guide to Islands Trust Interests in Treaty Negotiations in the Islands Trust Area, March 2003".

Chair Drew acknowledged Mayor Barrett, Bowen Island, for providing the information from Islands Trust.

Regan Schlecker, Aboriginal Affairs Analyst, advised that the information received from Islands Trust was based on their initial set of positions and interests of October 2000. In a preliminary comparison with LMTAC First Principles, Ms Schlecker found that, for the most part, the documents were in agreement. However, there are some policy areas in which LMTAC has First Principles for which the Islands Trust is silent on. This does not imply disagreement exists, but rather it is a reflection of the unique circumstances of urban and rural treaty negotiations.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee receive for information the document titled "*A Guide to Islands Trust Interests in Treaty Negotiations in the Islands Trust Area, March 2003*".

CARRIED UNANIMOUSLY

5.0 TABLE PROGRESS REPORTS

5.1 Tsleil-Waututh

Context Summary and attached document dated February 14, 2003, titled, "Record of Decisions: Tsleil-Waututh Treaty Negotiations Working Group"

Kirstie Pirie, Manager, provided information regarding the March 31, 2003 election of Chief Maureen Thomas, noting that Former Chief Lea George would remain Director of Treaty Lands and Resources.

Regan Schlecker, Aboriginal Affairs Analyst, commented on the progress of treaty table discussions. She noted that meetings between the three chief negotiators were reengaged in October 2002 and that a regular schedule of meetings had been established. Members were informed that discussions would proceed using the first capturing of Agreement In Principle (AIP) chapters as a basis. Ms. Schlecker noted that the Tsleil-Waututh objective was to achieve a detailed AIP, and also that, to date, a primary issue for reaching a settlement at the table was urban lands (the Blair Rifle Range in particular).

4:22 p.m.

Vice Chair Bell arrived at the meeting.

Vice Chair Bell, LMTAC representative to the Tsleil-Waututh table, provided a detailed history of the interests of local, provincial, federal governments and First Nations in the Blair Range. He noted that there currently existed a stalemate over the land in question, that the Squamish had proposed to purchase the property and that the Tsleil Waututh would prefer it to be part of the treaty settlement lands.

5.2 Tsawwassen

Context Summary and attached document dated March 27, 2003, from the Provincial Treaty Negotiation Office, titled "Treaty Negotiation Office Backgrounder – Tsawwassen Treaty Table"

Kirstie Pirie, Manager, explained that the attachment was provided as a backgrounder for the Public Meeting recently held by the Corporation of Delta on March 27, 2003. In regard to the meeting she commented that letters from LMTAC had been prominently displayed. Councillor Steves commented that Delta was appreciative of the work done by LMTAC, and other LMTAC members contributed information regarding the treaty process and the role of LMTAC at the public meeting.

Members were informed that Kim Baird had been re-elected Chief of the TFN.

5.3 Katzie

Councillor Gordon, LMTAC representative to the Katzie table, provided an update of activities noting that the Katzie Intergovernmental Working Group had visited the City of Richmond where it received:

- an in-depth explanation of the GIS presentation on archeological sites;
- examples of Memorandum of Understandings (MOUs) with municipalities for heritage sites;
- an opportunity to view archaeological items normally restricted to staff; and,
- a better understanding of how to identify heritage sites.

It was noted that the Federal negotiation team had reviewed the LMTAC Backgrounder to First Principle #27 on non-member representation. It was also noted that the Provincial negotiator at the Katzie table had expressed interest in expanding the proposed Tsawwassen Intergovernmental Relations Technical Working Group to more than one First Nation's group because it is an issue of regional significance.

6. SUB-COMMITTEE REPORTS

6.1 Finance and Organizational Sub-committee (FOSC)

No items were presented.

6.2 Communications Sub-committee (CSC)

a) Lower Mainland Treaty Advisory Committee Key Role #2

Report dated March 31, 2003, from Kirstie Pirie, Manager, regarding the CSC recommendation to change LMTAC Key Role #2 and attachment titled, "LMTAC Strategic Planning Process Final Report, August 31, 2001"

Councillor Hollington, CSC Chair, presented a recommendation for consideration to change the wording of LMTAC's Key Role #2 from:

"Advise and educate about local government and First Nations roles and interests in area treaty processes."

to:

"Advise and inform the public about local government and First Nations roles and interests in area treaty processes."

In discussion members expressed concern that LMTAC's role was to educate member councils, not necessarily the public and nor was it to take on an advocacy role. Further concern was raised that to "inform the public" would incur a cost and that there were no funds available for this purpose.

Members discussed the past need to provide information to the public and the outcomes of the strategic planning sessions held in June and August 2001.

4:53 p.m.

Kimberley Clarke arrived at the meeting

Kirstie Pirie, Manager, highlighted information from a report dated March 31, 2003, and reminded members that the superimposed understanding to any of the role descriptions was that they would be subject to available finances. It was also noted that key roles were subject to change.

One member questioned whether LMTAC had any authority to inform regarding First Nation roles. Councillor Hollington clarified that it was a priority of CSC to keep local councils advised of treaty table negotiations. Ms. Pirie referred members to a clause in the 'Strategic Planning Process Final Report' in regard to sharing information about collective information with First Nations.

Discussion ensued in regard to the interpretation of information disseminated by Negotiators at LMTAC Board meetings.

It was MOVED and SECONDED

That the LMTAC Executive Committee refer the wording of LMTAC's Key Role #2 to the Communications Sub-committee for further discussion.

DEFEATED

5:16 p.m.

Councillor Rankin departed the meeting.

It was MOVED and SECONDED

That the LMTAC Executive Committee recommend that the Board endorse a change in LMTAC's key role # 2 be changed to read:

'Advise and update LMTAC members regarding local government interests in aboriginal issues and in treaty negotiations.'

CARRIED

It was then considered how to get information to members in an expeditious manner.

It was MOVED and SECONDED

That the LMTAC Executive Committee direct staff to circulate unapproved draft minutes of Board meetings electronically within one week of holding a meeting.

CARRIED

It was MOVED and SECONDED

That the LMTAC Executive receive for information the report dated March 31, 2003, and attachment titled "LMTAC Strategic Planning Process Final Report, August 31, 2001".

CARRIED UNANIMOUSLY

b) LMTAC Workplan: Communication-Related Items

Councillor Hollington, CSC Chair, introduced the recommendation regarding the Workplan.

It was MOVED and SECONDED

That the LMTAC Executive recommend that the Board recommend that, in the LMTAC Workplan, Items 1 through 3 in the Annual Activity be moved into the Communications/CSC section of the Workplan.

CARRIED UNANIMOUSLY

7. CHAIR AND STAFF REPORTS

7.1 Chair's Report

Chair Drew reported that correspondence had been received from the City of Nanaimo complimenting LMTAC on its objectives and procedures, and expressing interest in joining as an official observer. He noted that the City had offered to monetarily support LMTAC, and clarified that the observer status allowed public agenda privilege but not in-camera materials. Staff suggested that the provincial negotiators be solicited for any objections.

It was MOVED and SECONDED

That the LMTAC Executive Committee recommend that the Board approve LMTAC official observer status for the City of Nanaimo.

CARRIED UNANIMOUSLY

7.2 Staff Report

Kirstie Pirie, Manager, reported that an initial meeting had been scheduled between staff of the City of Nanaimo and LMTAC regarding issues of shared policy.

It was announced that Draft #8 of the Document, titled 'Regional Governance and Governance in the Region' would be on the agenda for the next LMTAC Board meeting, and that technical staff had advised that an upgrade to the current e-mail system would prevent further duplication of mail.

Members were also informed that, as more meetings were planned between First Nations and local governments, staff is in the process of preparing a policy alternatives hand book in regard to protocol issues and consultation with First Nations.

8. MISCELLANEOUS REPORTS

8.1 UBCM

Chair Drew advised of an UBCM Aboriginal Affairs Committee conference call scheduled April 16, 2003 at 1:30 p.m.

9. OTHER BUSINESS

9.1 Community Charter Provisions for Closed Council Meetings Related to Treaty Negotiations/Discussion of sharing confidential material.

Letter dated April 1, 2003, to Mr. Gary Paget, Executive Director, Planning and Governance Division, Ministry of Community, Aboriginal, and Women's Services, regarding Community Charter provisions for closed Council meetings related to Treaty Negotiations.

Chair Drew reviewed the letter. Director Janyk allowed that the correspondence had satisfied his concerns regarding the subject of confidentiality.

9.2 Work Plan for the LMTAC Fisheries Workshop

On-table document Work Planning Assumptions Regarding LMTAC Fisheries Workshop

Chair Drew presented the document and noted that provincial and federal governments had indicated openness on the subject and felt it imperative to proceed with the LMTAC Fisheries Workshop.

Members agreed with the Chair and agreed that the workshop be held in early May 2003.

5:41 p.m.

Councillor Gordon departed the meeting.

It was MOVED and SECONDED

That the LMTAC Executive Committee direct staff to proceed post-haste with plans for the LMTAC Fisheries Workshop.

CARRIED UNANIMOUSLY

10. INFORMATION

The LMTAC Executive Committee received for information the following:

- 10.1 Correspondence – LMTAC Backgrounder to First Principle #27;
- 10.2 Correspondence – General;
- 10.3 Correspondence - On-table letter dated April 2, 2002, from Attorney General Plant regarding the Tsawwassen Intergovernmental Relations Side Table; and,
- 10.4 Honorarium and Expense Form.

11. NEW BUSINESS

The next meeting of the LMTAC Executive was scheduled April 23, 2003, if required.

12. CONCLUSION

The Regular Meeting of the LMTAC Executive held April 9, 2003 concluded at 5:45 p.m.