

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

May 14, 2008

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Executive Committee** scheduled 3:00 p.m. – 4:00 p.m. on Wednesday, May 14, 2008, in the 2nd Floor Café East Meeting Room, Metro Vancouver, 4330 Kingsway Burnaby, B.C.

| ATTENDANCE: | | |
|--------------------------------|--|--|
| JURISDICTION: | ELECTED REPRESENTATIVES TO LMTAC: | STAFF REPRESENTATIVES TO LMTAC: |
| Metro Vancouver (RD) | Mayor Ralph Drew (Chair) | Marino Piombini |
| Bowen Island, Municipality | Councillor Lisa Barrett (via teleconference) | |
| Langley, Township of | Councillor Mel Kositsky | |
| Richmond, City of | Councillor Linda Barnes | |
| Squamish, District of | Councillor Corinne Lonsdale | |
| Squamish/Lillooet RD | Director John Turner | |
| Sunshine Coast RD | Director Barry Janyk | |
| White Rock, City of | Councillor Mary-Wade Anderson | |
| LMTAC STAFF ATTENDANCE: | | |
| Regan Schlecker | Managing Director | |
| Mark Kirsop | Research and Communications Coordinator | |
| PREPARATION OF MINUTES: | | |
| Vivian Guthrie | Recording Secretary, Raincoast Ventures Ltd. | |

Call to Order

Chair Drew confirmed a quorum was in attendance and called the meeting to order at 3:06 p.m.

1. AGENDA FOR ADOPTION

1.1 May 14, 2008

It was MOVED and SECONDED

THAT the Agenda for the Regular Meeting of the LMTAC Executive Committee scheduled May 14, 2008, be adopted as presented.

CARRIED UNANIMOUSLY

2. MINUTES FOR ADOPTION / MINUTES FOR INFORMATION

2.1 April 9, 2008

It was MOVED and SECONDED

THAT the Minutes of the Regular Meeting of the LMTAC Executive Committee held April 9, 2008 be adopted as presented.

CARRIED UNANIMOUSLY

2.2 March 13, 2008 Finance & Administration Sub-Committee

It was MOVED and SECONDED

THAT the Minutes of the Meeting of the Finance & Administration Sub-Committee held March 13, 2008 be received for information.

CARRIED UNANIMOUSLY

3. DELEGATION

No delegation was received.

4. LMTAC REPORTS

4.1 Summary of Results – Monthly Board Feedback Form

Summary of Results – LMTAC Monthly Board Feedback Form, May 2008

Mark Kirsop, Research and Communications Coordinator, advised that 12 feedback forms had been received since the prior meeting. In response to feedback received, he confirmed that staff would make best attempts to provide all presentation information to members in advance of meetings; however some presentations would be provided at the discretion of the delegates. It was noted that comments received regarding the MARR and Housing Policy Branch at the last LMTAC Board meeting had been forwarded to provincial representatives.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee receive this report for information.

CARRIED UNANIMOUSLY

Members suggested that Juanita Berkhout, BC Housing Policy Branch, be invited to provide a presentation at a future LMTAC Board Meeting. Regan Schlecker, Managing Director advised that the item (Aboriginal Housing Plan – Update) was still being considered as a presentation to the LMTAC Board.

4.2 First Nations' Unity Protocol Agreement Update

First Nations' Unity Protocol Agreement Update dated May 5, 2008 and attachments:

- a) *Members of the First Nations' Unity Protocol;*
- b) *Backgrounder on the BC Treaty Process dated October 28, 2006; and*
- c) *First Nation Unity Protocol News Release dated March 16, 2007.*

Mark Kirsop, Research and Communications Coordinator, provided an update on the First Nations' *Unity Protocol Agreement* and the associated Common Table Approach to treaty negotiations. He reviewed six issues identified as challenges to government mandates regarding the Treaty tables: certainty; constitutional status of Treaty lands; governance; co-management throughout traditional territories; fiscal relations and taxation; and, fisheries. He advised that the discussion paper recently released by the Hul'qumi'num Treaty Group titled "A Call to Action: Shared Decision Making, A New Model of Reconciliation of First Nations Natural Resource Jurisdiction" would be reviewed at the June 5, 2008 TSWG Meeting.

Chair Drew commented on the timeliness of the report and noted that as the province was committed to moving forward on the Common Table Approach, LMTAC would need to be in a position to provide comment especially in regard to highlighted issues.

During an ensuing discussion, the following comments were offered:

- Generally, First Nations currently at the treaty tables are not signatories to the *Unity Protocol*;
- the *Unity Protocol* was initiated as the result of First Nations' frustrations; they are taking an activist role in their concerns with senior governments;
- the Common Table approach, whereby there may be a large group of participants could be less effective;
- the imposition of the removal of reserve status needs to be explained;
- there are mixed messages regarding consistency of mandates and protests against a 'cookie cutter' approach;
- the *Unity Protocol* should be viewed in context of the subsequent Williams decision.
- further feedback from First Nations would be beneficial; due diligence is required to respond to the Common Table approach;
- Aside from the policy issues identified for discussion at the common table, an incremental approach to treaty making is another issue to be considered; it was noted that this item was flagged in the amended 2008 Workplan;
- municipalities need to be participants in the New Relationship and decisions made at the provincial level.

Request for Action

Staff was requested to include the source of information in the header of all future non-LMTAC documents distributed to members.

Chair Drew suggested the Executive Committee focus on preparing advance questions for delegations from the BC government.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee receive this report for information; and direct staff, through the *Technical and Strategic Working Group*, to draft questions for the LMTAC Executive Committee to consider, relative to the provincial delegation prior to the July 2008 LMTAC Board Meeting.

CARRIED UNANIMOUSLY

5. STANDING REPORTS

5.1 Negotiation Table Reports

5.1a) Katzie

No items were presented.

5.1b) Musqueam

No items were presented.

5.1c) Squamish

No items were presented.

5.1d) Tsawwassen

Letter dated April 25, 2008 from Tsawwassen First Nation to GVRD regarding the Metro Vancouver constitutional challenge of the transfer of land to the Musqueam First Nation.

Chair Drew advised that the Metro Vancouver Aboriginal Relations Committee considered next steps at its meeting of May 2nd.

5.1e) Tsleil-Waututh

No items were presented.

5.1f) Other

No items were presented.

6. SUB-COMMITTEE REPORTS

6.1 Finance & Administrative Sub-Committee (FASC)

Related items:

- *Preliminary LMTAC 2009 Budget Assumptions*
- *LMTAC Statement of Revenues and Expenditures Budget for the Years Ended December 31, 2008 and 2007.*

Councillor Corrine Lonsdale, FASC Chair, discussed the preliminary budget and noted the proposal to reinstate maintenance of the treaty table reserve balance to 10% of the annual budget.

Concern was expressed regarding the need to request increases to the 2009 budget, in order to meet expenses related to the New Relationship and other activities. Councillor Lonsdale advised that a cost of living increase had been included in the budget to meet expenses.

Discussion ensued relating to the denial of a request for grant monies from UBCM for intergovernmental relations workshops. The meeting was informed that Chair Drew had conveyed concerns in this regard to UBCM Executive Committee members.

Request for Action

Staff was requested to issue a letter from the LMTAC Executive Committee to UBCM expressing concerns regarding: the denial of a funding application for an intergovernmental relations workshop series.

It was MOVED and SECONDED

THAT the LMTAC Executive Committee recommend the 2009 Budget assumptions for Board endorsement, including an amendment to the Operating Procedures, Financial Policy, and Clause 13.e to reinstate maintenance of the Treaty Table Reserve Fund balance to 10% of the Annual Operating Budget.

CARRIED UNANIMOUSLY

7. CHAIR & STAFF REPORTS

7.1 Chair's Report

Chair Drew reported that the FASC recommendation to send a letter to UBCM to request funding support for the Katzie Intergovernmental Workshop series had been completed.

7.2 Staff Report

Regan Schlecker, Managing Director, discussed staff participation in a recent LMGA conference and noted that 33 responses had been compiled from the information booth. Most responses were favorable in regard to familiarity with LMTAC. A number of suggestions would lead to proposals for additions to the Workplan.

Members were further advised that: the LMTAC office would not be moving; an Archaeology Branch presentation was scheduled for the May 21, 2008 LMTAC Board Meeting; the June 25, 2008 LMTAC Board meeting had been cancelled; a LMTAC Board meeting would be scheduled in July 2008; retroactive honoraria payments at the 2008 rate would be paid to January 2008; and, the Managing Director would be on holidays during June 2008.

8. MISCELLANEOUS REPORTS

8.1 Metro Vancouver Aboriginal Relations Committee

Members were informed that the next meeting of the Metro Vancouver Aboriginal Relations Committee was scheduled June 6, 2008. The Agenda would include consideration of a paper regarding emerging First Nations issues in the region.

8.2 Fraser Valley Treaty Advisory Committee (FVTAC)

Document LMTAC Table Representative Negotiation Meeting Summary: FVTAC Open Meeting held April 22, 2008

Councillor Mel Kositsky reported that a session with FVTAC, SLRD, FVRD with the In-SHUCK-ch First Nation was held on April 21, 2008. He circulated a newspaper article regarding the frustrations of the First Nation with the province over the inability to facilitate a power hook up. It was noted that the next FVTAC meeting scheduled May 26, 2008, was pending confirmation.

8.3 Union of British Columbia Municipalities (UBCM)

The meeting was informed that the next First Nations Relations Committee Meeting was scheduled July 17, 2008 in Richmond.

8.3 Federation of Canadian Municipalities (FCM)

The meeting was informed that the FCM Annual Conference and Municipal Expo was scheduled May 30 – June 2, 2008.

9. OTHER BUSINESS

No items presented.

10. INFORMATION

It was MOVED and SECONDED

That the LMTAC Executive Committee receive for information:

- 10.1 Correspondence
- 10.2 Building Governance Capacity - UBCM Pilot Project Program for Shared Local Government & First Nation Initiatives
- 10.3 Honorarium and Expense Form

CARRIED UNANIMOUSLY

11. NEXT MEETING

The next Regular Meeting of the LMTAC Executive Committee was scheduled for June 11, 2008 (only as required).

12. CONCLUSION

It was MOVED and SECONDED

THAT the Regular Meeting of the LMTAC Executive Committee held May 14, 2008 be concluded.

CARRIED UNANIMOUSLY

(Time: 4:20 p.m.)