

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

**July 26, 2000**

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Board** held at 6:35 p.m., on Wednesday, July 26, 2000, in the 2<sup>nd</sup> Floor Board Room, 4330 Kingsway, Burnaby, BC.

<b>ATTENDANCE:</b>		
<b>JURISDICTION:</b>	<b>LMTAC REPRESENTATIVE:</b>	<b>ALTERNATE:</b>
District of North Vancouver	Mayor Don Bell ( <b>Chair</b> )	Councillor Lisa Muri Cameron Thorn
Village of Anmore	Mayor Hal Weinberg	
Village of Belcarra	Councillor Jamie Ross	
Municipality of Bowen Island	Mayor Lisa Barrett (departed 8:51 p.m.)	
City of Burnaby		Karen Basi
City of Coquitlam	Councillor Louella Hollington (departed 9:25 p.m.)	Councillor Jim Stangier Robin Hicks
Corporation of Delta	Councillor Vicki Huntington (departed 9:07 p.m.)	Dave Ellenwood (departed 9:07 p.m.)
Greater Vancouver RD	Director Ralph Drew (departed 9:10 p.m.)	
City of Langley	Councillor Terry Smith	
Township of Langley	Councillor Mel Kositsky	
Village of Lions Bay	Councillor Peter Stevenson	
District of Maple Ridge	Councillor Candace Gordon	Ron Riach
City of North Vancouver	Mayor Barbara Sharp	Ken Tollstam
District of Pitt Meadows	Councillor Janis Elkerton	
City of Port Coquitlam	Councillor Michael Wright (arrived 6:56 p.m.)	Jim Maitland
City of Port Moody		Jim McIntyre (departed 9:25 p.m.)
City of Richmond	Mayor Greg Halsey-Brandt (departed 9:10 p.m.)	
Squamish-Lillooet RD	Director Susan Gimse	Rick Beauchamp (departed 8:46 p.m.)
Sunshine Coast RD	Director Bruce Milne (arrived 6:36 p.m.)	
City of Surrey	Councillor Jeanne Eddington	
City of Vancouver		Pat Wotherspoon (departed 9:17 p.m.)
<b>OBSERVERS:</b>		
Jim Abrams, UBCM (arrived 6:48 p.m.)		
Alison McNeil, UBCM (arrived 6:48 p.m.)		
Tamara Little, Fraser Valley Regional District		
<b>LMTAC STAFF ATTENDANCE:</b>		
David Didluck	Executive Director	
Kirstie Pirie	Communications Coordinator	
Rae Ratslef	Recording Secretary, Raincoast Ventures	

**GUESTS:**

Helen Davies, Consultation Manager, Federal Treaty Negotiation Office
Michael de Jong, Liberal MLA, Aboriginal Affairs Critic (arrived 6:48 p.m., departed 8:03 p.m.)
Katherine Gordon, BC Team South
Cory Herrera, BC Team South
Lisa Nye, Aboriginal Affairs (arrived 6:36 p.m., departed 8:46 p.m.)
Gerry Thorne, BC Team South (departed 8:46 p.m.)
Jose Villa Arce, Aboriginal Affairs (arrived 6:36 p.m., departed 8:46 p.m.)

**1. Approval of Agenda**

**It was MOVED (Barrett) and SECONDED (Gordon)**

THAT the Agenda for the Regular Meeting of LMTAC scheduled July 26, 2000, be adopted with amendment to include Other Business Item 10.1, "Request for LMTAC Response to Draft UBCM Policy Paper".

**CARRIED UNANIMOUSLY**

**2. Approval of Minutes**

**2.1 Minutes of the Full LMTAC Meeting June 28, 2000**

**It was MOVED (Gordon) SECONDED (Kositsky)**

THAT the minutes of the Regular Meeting of LMTAC held June 28, 2000, be adopted as circulated.

**CARRIED UNANIMOUSLY**

**3. Key Issues for Discussion**

**3.1 Staffing Capacity**

*Note to the LMTAC Board presenting information on staffing capacity discussions held at the Executive Committee and the Finance and Organizational Subcommittee meetings.*

**It was MOVED (Gordon) and SECONDED (Huntington)**

That the LMTAC Board:

- a) endorse hiring a part-time, contract employee (minimum 20 hours per week, maximum 30 hours per week) with a maximum financial cost to LMTAC of \$27,0000 to include benefits, salary and cost of staffing process, as presented in Option A of Attachment No. 1 to the staff report dated July 4, 2000 regarding "Staffing Capacity Status Report – Updated July 4, 2000"; and
- b) authorize the Executive Director to begin the process of hiring an additional employee.

**CARRIED UNANIMOUSLY**

**4. Business Arising**

**4.1 Agenda Reform**

- a) *Note to the LMTAC Board presenting information on Agenda reform discussions held at the Executive Committee and the Financial and Organizational Subcommittee meetings; and*
- b) *Report dated July 18, 2000 from David Didluck, Executive Director, regarding "Agenda Reform – New Deadlines for Agenda Production".*

6:36 p.m.

Director Bruce Milne, Jose Villa Arce and Lisa Nye arrived at the meeting.

**It was MOVED (Weinberg) and SECONDED (Barrett)**

That the LMTAC Board:

- a) approve Agenda Sample B as LMTAC's new agenda format, as presented in the staff report dated June 30, 2000, titled "Agenda Reform", and with revisions noted in the staff report dated July 12, 2000; and
- b) revise its meeting time for future meetings such that they be scheduled from 6:00 p.m. to 9:00 p.m.

**CARRIED UNANIMOUSLY**

**4.2 Public Input at LMTAC Meetings**

*Memorandum dated July 13, 2000 from the Executive Committee regarding "Public Input at LMTAC Meetings".*

**It was MOVED (Weinberg) and SECONDED (Eddington)**

That the LMTAC Board receive the report pertaining to Item 4.2 and endorse the proposal for public input at LMTAC meetings.

**CARRIED UNANIMOUSLY**

**4.3 LMTAC Information Projects**

**4.3.1 Table Update for Councils/Regional Boards**

*Memorandum dated June 28, 2000 from the Executive Committee regarding "Table Updates for Councils/Boards – Workplan".*

**It was MOVED (Halsey-Brandt) and SECONDED (Kositsky)**

That the LMTAC Board receive the report pertaining to Item 4.3.1 and endorse the attached Table Updates for Councils/Boards - Workplan.

**CARRIED UNANIMOUSLY**

Councillor Gordon informed the Board of the Katzie First Nation's expansion of its statement of intent area to include Delta, New Westminster, Richmond and White Rock.

**4.3.2 LMTAC Update for GVRD Council of Councils**

*Memorandum dated June 28, 2000 from the Executive Committee regarding "LMTAC Table Update at the GVRD Council of Councils Session – Agenda".*

**It was MOVED (Weinberg) and SECONDED (Wotherspoon)**

That the LMTAC Board receive for information the report pertaining to Item 4.3.2 and endorse the attached Council of Councils Session - Agenda.

**CARRIED UNANIMOUSLY**

(Director Milne absent at the vote.)

**4.4 Community-to-Community Forum**

*Document titled "Lower Mainland Community-to-Community Forum, providing information on a forum scheduled September 14, 2000.*

David Didluck, Executive Director, reported on UBCM's approval of funding for the Community-to-Community Forum.

**It was MOVED (Huntington) and SECONDED (Barrett)**

That the LMTAC Board receive for information the report pertaining to Item 4.4.

**CARRIED UNANIMOUSLY**

(Director Milne absent at the vote.)

**5. Special Delegation:  
Michael de Jong, Liberal MLA, Aboriginal Affairs Critic**

6:48 p.m.

Michael de Jong, Liberal MLA, Jim Abrams and Alison McNeil, UBCM arrived at the meeting.

Mr. de Jong reported detailed information regarding a question put to the Supreme Court of Canada relative to the Constitutionality of the Nisga'a Treaty's self-government provisions.

Mr. de Jong further commented on the ramifications of the Court's decision on treaty negotiations in the province. An appeal will be launched in the Court of Appeals.

6:56 p.m.

Councillor Michael Wright, City of Port Coquitlam, arrived at the meeting.

Mr. de Jong discussed the future of the treaty negotiation process in British Columbia noting that the Liberal party has resolved that it is necessary to negotiate treaties and that benefits will be accrued to all parties involved. The party is also committed to finding a means of breaking through the deadlock in the process to date that has very little to show for its use of resources.

Comments were made by Mr. de Jong regarding the need for citizens to have a sense of the treaty issues and to give instructions to their provincial negotiators through a referendum. Additionally, Mr. de Jong commented on the role of local government in treaty negotiations, noting that the Liberals have concluded that the success or failure of treaties depends on the extent of involvement and the endorsement of local government throughout the negotiation process.

Chair Bell identified that of paramount concern for LMTAC is the day-to-day relationship that local governments and First Nations will enjoy once the federal and provincial government representatives have walked away from the treaty tables. The LMTAC First Principles relate to anticipated daily concerns, cost issues, fears, etc.

Mr. de Jong responded to members' questions and provided additional information regarding:

- the nature of public consultation regarding general, non-specific, treaty issues (i.e. opinions concerning self-government and taxation) that could be done via a referendum developed by an all-party, non-partisan committee;
- the Liberal party's intent to convene a body to develop a series of 12 – 20 questions for a referendum as a mechanism to include citizens in influencing the direction of negotiations;
- the manner in which the provincial government mandates are developed and means of improving the involvement of local representatives in their development;
- the Liberal party's commitment to establishing a citizens panel to review and make recommendations concerning the way that individuals are appointed to the legislature;
- concerns that have been expressed by First Nations across the province that the treaty commission process is not proceeding well;
- two routes for First Nations' to seek settlement, through negotiation or litigation; and
- the need to find efficiencies in the treaty process, possibly through negotiating some issues on a regional basis.

During the ensuing discussion, LMTAC members commented concerning:

- the openness that has developed between the provincial and local government representatives since the inception of the treaty commission process in BC;
- the significant cost implications of conducting a province wide referendum and means of communicating information to the public to ensure that responses to a referendum would be knowledgeable;
- types of negotiating models that might be utilized for negotiating treaties that are more appropriate than the traditional labour negotiation model being currently used;

- local governments' lack of perception that there is a deadlock in the treaty process in the lower mainland;
- the process undertaken to develop the LMTAC First Principles and to review and receive the endorsement of municipal councils and their constituents;
- the important role of the provincial government in educating the public on treaty related issues;
- implications of litigation vs. negotiation in the treaty process;
- financial burden placed on local governments by the treaty process;
- frustration with the development of the provincial mandates and changes to the mandates without local government consultation;
- lack of openness in the treaty process in terms of the status of negotiations at tables;
- the need for the provincial Liberal party to develop mandates that will allow some flexibility and maneuverability in negotiations; and
- suggestion that the UBCM and LMTAC be invited to comment on the questions that the Liberal party develops for its treaty related referendum.

Chair Bell, on behalf of LMTAC, thanked Mr. de Jong for his presentation and participation in the meeting noting that LMTAC looks forward to receiving the Liberal party's written response to the LMTAC First Principles.

8:03 p.m.

Michael de Jong, Liberal MLA, Aboriginal Affairs Critic, departed the meeting.

**6. Special Delegation:**

**Jose Villa Arce, Executive Director of Mandates and Lisa Nye, Director of Governance, Ministry of Aboriginal Affairs**

*On-table document containing a July 26, 2000 slide presentation titled "Self-Government in Treaties".*

Jose Villa Arce, Executive Director of Mandates, Ministry of Aboriginal Affairs, referencing the on-table documentation, provided a verbal report on BC's perspective on governance. The report included information regarding the Constitutional basis, connection to the land base, legal basis, approaches, structure, categories and scope of authority, fiscal arrangements with First Nations, Canada-BC self-government cost-sharing negotiations, taxation, representation of non-members and relationships with local governments.

In response to members' question, Mr. Villa Arce provided additional information regarding:

- the provincial government's position that it will not discuss finances until there is a taxation base for self-government and First Nations have developed their own methods of financing;
- development of a policy intended to prevent separation between the First Nations and local governments in terms of shared resources;
- the intent to lay the basis for a clear, firm governance model to manage the First Nations' assets.

Chair Bell, on behalf of the LMTAC Board, thanked Mr. Villa Arce for his presentation and participation and invited him to join a future meeting of the Board for more in-depth discussions.

8:46 p.m.

Rick Beauchamp, Gerry Thorne, Jose Villa Arce and Lisa Nye, departed the meeting.

## **7. Business Arising**

### **7.1 Review New Integrated Interest Paper**

*Memorandum dated July 17, 2000 from David Didluck, Executive Director, regarding "LMTAC's New Integrated Interest Paper – Draft for Member Review".*

Chair Bell reviewed the report and the recommendation and highlighted revisions to the document as a result of feedback provided at the Board's June 28, 2000 meeting.

8:51 p.m.

Mayor Lisa Barrett departed the meeting.

#### **It was MOVED (Stevenson) and SECONDED (Weinberg)**

That the LMTAC Board:

- a) receive for information the July 2000 version of the LMTAC 'Considerations' interest paper; and
- b) endorse Option A (in the "Next Steps", section 3, of the report), to refer the paper to LMTAC member councils and boards for information with an invitation for general comments.

**CARRIED**

(Councillor Eddington voting in the negative.)

(Director Gimse absent at the vote.)

#### **Request of Staff**

Staff was requested to ensure that the covering letter sent to municipal councils seeks general comments by September 30, 2000, on the document in general, not on the specific principles contained therein.

### **7.2 Direct Discussions with First Nations**

*Memorandum dated April 17, 2000 from David Didluck, Executive Director, regarding "Direct Discussions with First Nations – Proposal from Mayor Weinberg".*

Mayor Hal Weinberg reviewed the documentation suggesting the establishment of several sub groups of LMTAC to exchange ideas, concerns and to develop recommendations to LMTAC.

Katherine Gordon, BC Team South, expressed provincial support for the concept of sub groups meeting on a face-to-face basis with First Nations to discuss and develop recommendations regarding post-treaty relationships for presentation to the negotiating tables.

Councillor Candace Gordon, Finance and Organizational Subcommittee Chair, commented concerning the financial implications to LMTAC for the creation of sub-groups.

9:07 p.m.

Councillor Vicki Huntington and Dave Ellenwood departed the meeting.

In the ensuing discussion suggestion was made that the proposal be presented at the upcoming Community-to-Community forum to obtain feedback from First Nations and consideration of the purpose of developing personal relationship between local government and First Nations representatives was considered.

9:10 p.m.

Director Ralph Drew and Mayor Greg Halsey-Brandt departed the meeting.

**It was MOVED (Sharp) and SECONDED (Gimse)**

That the LMTAC Board refer the proposal to establish LMTAC sub groups for each of the treaty tables to its Finance and Organizational Subcommittee to flesh out and report back regarding issues of concern.

**CARRIED UNANIMOUSLY**

9:17 p.m.

Pat Wotherspoon departed the meeting.

**7.3 Addition to LMTAC Operating Procedures: New Expense Policy**

*Memorandum dated July 13, 2000 from the Executive Committee regarding "Addition to LMTAC Operating Procedures: New Expense Policy".*

**It was MOVED (Gordon) and SECONDED (Stevenson)**

That the LMTAC Board:

- a) endorse the expense policy as presented in the report dated July 13, 2000 with the addition of provisions for the payment of reasonable parking metre expenses; and
- b) direct that the LMTAC Operating Procedures and Member Expense Form be amended to include the new policy.

**CARRIED UNANIMOUSLY**

**7.4 Appointment of Councillor Meghan Lahti to the Finance and Organizational Subcommittee**

*Note to the LMTAC Board presenting information on discussions regarding the Finance and Organizational Subcommittee membership held at Executive Committee and Finance and Organizational Subcommittee meetings.*

**It was MOVED (Gordon) and SECONDED (Hollington)**

That the LMTAC Board appoint Councillor Meghan Lahti, City of Port Moody, as a new member of the Finance and Organizational Subcommittee.

**CARRIED UNANIMOUSLY**

**7.5 Appointment of Staff Representatives to the Technical and Strategic Working Group**

*Document dated June 20, 2000 titled "Lower Mainland Treaty Advisory Committee – Technical and Strategic Working Group – Terms of Reference".*

**It was MOVED (Gordon) and SECONDED**

That the LMTAC Board appoint Ron Riach as a new member of the LMTAC Technical and Strategic Working Group.

**CARRIED UNANIMOUSLY**

**8. Standing Reports**

**8.1 Chair**

Chair Bell advised of the UBCM's approval of LMTAC's request for \$5,000 to host a Community-to-Community forum in the fall, of correspondence received denying a request for a LMTAC session at the UBCM forum given the fullness of the forum agenda. Chair Bell further informed of his appointment as Vice Chair of the FCM Municipal and Aboriginal Affairs Committee.

**8.2 Communications Subcommittee**

*Minutes of the LMTAC Communications Subcommittee meeting held July 13, 2000.*

Mayor Hal Weinberg, Communications Subcommittee Vice Chair, reported on the Subcommittee discussions regarding in-studio and in-community forums for improving public awareness of treaty issues and the LMTAC First Principles.

9:25 p.m.

Councillor Hollington and Jim McIntyre departed the meeting.

Chair Bell relayed to the Board the Executive Committee's resolution relative to the Subcommittee's recommendation.

**8.3 Finance and Organizational Subcommittee**

*Minutes of the LMTAC Finance and Organizational Subcommittee meeting held July 12, 2000.*

**8.4 Executive Director**

*Memorandum dated July 15, 2000 from David Didluck, Executive Director, regarding "Executive Director Report – June 1 to July 15, 2000 Activities".*

**8.5 Fraser Valley TAC**

Tamara Little, FVTAC, provided a verbal report regarding the status of discussions at Fraser Valley tables.

**It was MOVED (Gordon) and SECONDED (Ross)**

That the LMTAC Board receive for information the reports pertaining to Items 8.1 through 8.5.

**CARRIED UNANIMOUSLY**

**9. Information Items**

**It was MOVED (Gordon) and SECONDED (Kositsky)**

That the LMTAC Board receive the following for information:

- 9.1 Minutes of the LMTAC Executive meeting July 12, 2000;
- 9.2 Minutes of the LMTAC Executive meeting June 28, 2000;
- 9.3 Correspondence (various);
- 9.4 LMTAC Member Web Site Information Chart;
- 9.5 LMTAC Update Bulletin – July Edition;
- 9.6 GVRD Aboriginal Affairs Committee Update;
- 9.7 UBCM Aboriginal Affairs Update;
- 9.8 Members Honourarium and Expense Form;
- 9.9 Media Clippings; and
- 9.10 First Nations Media Monitor.

**CARRIED UNANIMOUSLY**

**10. Other Business**

**10.1 Request for LMTAC Response to Draft UBCM Policy Paper**

*Document dated July 19, 2000 from Director Jim Abram, Aboriginal Affairs Committee Chair regarding "TAC Review and Response to Draft UBCM Policy Paper: Land Use Coordination, Servicing and Dispute Resolution: Towards Certainty for Local Government Through Treaty Negotiations".*

**It was MOVED (Eddington) and SECONDED**

That the LMTAC Board direct the Chair and Executive Director, in consultation with a Subcommittee of the Executive, to respond to UBCM's draft policy paper on Land Use Coordination, Servicing and Dispute Resolution in the context of the LMTAC First Principles.

**CARRIED UNANIMOUSLY**

**11. Adjournment**

The LMTAC Board July 26, 2000 Regular Meeting adjourned at 9:31 p.m.