

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

**March 22, 2006**

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Board** scheduled Wednesday, March 22, 2006 from 7:20 to 8:30 p.m. in the 2<sup>nd</sup> Floor Board/Committee Room, GVRD Offices, 4330 Kingsway, Burnaby, British Columbia.

<b>ATTENDANCE:</b>		
<b>JURISDICTION:</b>	<b>LMTAC ELECTED REPRESENTATIVE:</b>	<b>LMTAC STAFF REPRESENTATIVE:</b>
Greater Vancouver RD	Director Ralph Drew ( <b>Chair</b> )	Marino Piombini
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	Kimberley Flick
Coquitlam, City of	Councillor Barrie Lynch	
Delta, Corporation of	Mayor Lois Jackson	John Dumont
Langley, City of	Councillor Ted Schaffer	
Langley, Township of	Councillor Mel Kositsky	Frank Clark-Jones
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	Dennis Back
Pitt Meadows, District of	Councillor Debra Eisel	
Port Coquitlam, City of	Councillor Darrell Penner	Jim Maitland
Port Moody, City of		Kelly Kenney
Richmond, City of	Councillor Harold Steves	
Squamish Lillooet RD	Director John Turner	
Sunshine Coast RD	Director Barry Janyk	
Surrey, City of	Councillor Barbara Steele	Rob Costanzo
Vancouver, City of	Councillor George Chow	Barb Pearce
West Vancouver, District of	Councillor Jean Ferguson	
Whistler, Resort Municipality of	Councillor Ralph Forsyth	
White Rock, City of	Councillor Mary Wade Anderson	
<b>LMTAC STAFF ATTENDANCE:</b>		
Mark Kirsop, Research and Communications Coordinator		
Regan Schlecker, Managing Director		
<b>GUESTS:</b>		
Arne Zabell, Fraser Valley Regional District		
<b>PREPARATION OF MEETING MINUTES:</b>		
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 8:00 p.m.

**1. AGENDA FOR ADOPTION**

**1.1 March 22, 2006**

**It was MOVED and SECONDED**

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

**CARRIED UNANIMOUSLY**

**2. MINUTES FOR ADOPTION / MINUTES FOR INFORMATION**

**2.1 January 25, 2006 Board Meeting**

**It was MOVED and SECONDED**

THAT the Minutes of the Regular Meeting of the LMTAC Board held January 25, 2006, be adopted as circulated.

**CARRIED UNANIMOUSLY**

**2.2 February 15, 2006 Executive Committee Meeting**

**February 15, 2006 Finance and Administrative Sub-Committee Meeting**

**It was MOVED and SECONDED**

THAT the Minutes of the Executive Committee Meeting held February 15, 2006; and the Minutes of the Finance and Administrative Sub-Committee Meeting held February 15, 2006, be received for information.

**CARRIED UNANIMOUSLY**

**3. DELEGATION**

No delegations were received.

**Agenda Varied**

The order of the Agenda was varied at the meeting to considers Item 6.1 A – C, prior to Item 4.1.

**6. SUB-COMMITTEE REPORTS**

**6.1 Finance and Administration Sub-Committee (FASC)**

**A) Proposed Amendments to the 2006 Budget**

*LMTAC report regarding "Proposed Amendments to the 2006 Budget", dated February 27, 2006, and related attachments.*

Director John Turner, Vice Chair, Finance and Administration Sub-Committee, referenced options considered to reduce expenditures, as indicated in the subject report. He further acknowledged the anticipated shortfall resulting from the lack of provincial funding, and discussed options presented by FASC to the LMTAC Executive Committee.

Chair Drew added that approximately five years prior, the provincial government had contributed \$82,000 to LMTAC, which was significantly reduced during the subsequent years. He reviewed the intent of the treaty table fund to accommodate unforeseen table activities. It was noted that LMTAC had continued to be persistent in requests for funding, and recognized the need to develop a contingency plan, which could be considered a 'back up plan' in the event that the province failed to provide funding.

A member acknowledged his recent communications with BC Treaty Commissioner Harcourt relative to LMTAC's funding needs, noting that he had agreed to further pursue the matter. It was suggested that in the event of a lack of provincial funding, concerns would be conveyed to the full LMTAC membership and the public. It was known that the FVRD had been successful in their requests for funding, to assist with each active table's TRM discussions. Members further suggested that MLAs be encouraged to promote LMTAC's need for funding.

***Request for Action***

*It was requested that a copy of the LMTAC Chair's March 13, 2006 letter to the Minister of Aboriginal Relations and Reconciliation regarding "2006/2007 Provincial Funding to LMTAC" be forwarded to BC Treaty Commissioner Mike Harcourt for information.*

**It was MOVED and SECONDED**

THAT the LMTAC Board:

- a) endorse the amended budget, including options (a) through (f) for reduced expenditures, effective immediately (April 1, 2006) and subject to review in the event that provincial funding is received; and
- b) endorse an exception for the Treaty Table Fund Balance for 2006 at 9.16%.

**CARRIED UNANIMOUSLY**

**B) LMTAC Executive Committee Alternates**

Regan Schlecker, Managing Director, noted that the Executive Committee sought clarification of the existing practice relative to treaty table alternates.

**It was MOVED and SECONDED**

THAT the LMTAC Board endorse the March 8, 2006 FASC recommendation that the following additional provision to LMTAC's Operating Procedures Section 7.2 Election Procedures be included to clarify the existing practice:

- g) *Alternate elected representatives from LMTAC's member jurisdictions only attend on behalf of the primary elected representative during LMTAC Board meetings. With the exception of acclaimed regional district seats and approved Table Representative alternates, elected positions of the LMTAC Executive Committee do not have alternate appointees.*

**CARRIED UNANIMOUSLY**

**C) Monthly Board Feedback Form**

Mark Kirsop, Research and Communications Coordinator, noted that the "Feedback Form", was a 2005 Workplan item which was intended to assist LMTAC staff with the preparation of LMTAC Board Agendas. Members were encouraged to submit completed forms prior to departing the meeting, or via email at a later date.

**It was MOVED and SECONDED**

THAT the LMTAC Board endorse the introduction of the Monthly Board Feedback Form on a trial basis at the March 22, 2006 LMTAC Board Meeting, in fulfillment of LMTAC's 2006 Finance, Organizational and Communications Workplan Item #5: "Implement new monthly board surveys".

**CARRIED UNANIMOUSLY**

**4. LMTAC REPORTS**

**4.1 The Impact of *Mikisew Cree v. Canada* on Treaty Rights and Certainty**

*LMTAC Report titled "The Impact of Mikisew Cree v. Canada on Treaty Rights and Certainty" and the related attachment: Article in the Fasken Martineau "Aboriginal Bulletin" (November 2005 Edition) titled "The Mikisew Decision: Supreme Court of Canada Requires Consultation on Lands "Taken Up" Under Treaty 8".*

Mark Kirsop, Research and Communications Coordinator, led the meeting in a review of the subject report. He acknowledged Parks Canada's 2001 approval of the construction of a winter road through Wood Buffalo National Park. He further reviewed the Supreme Court of Canada's subsequent ruling which recognized that although a treaty granted the Crown certain authorities relative to treaty rights, it did not discharge government of its duty to consult with First Nations.

**It was MOVED and SECONDED**

THAT the LMTAC Board:

- a) receive for information the LMTAC report titled "The Impact of Mikisew Cree v. Canada on Treaty Rights and Certainty"; and
- b) direct staff to monitor policy developments resulting from the Supreme Court's decision in this regard.

**CARRIED UNANIMOUSLY**

**5. TABLE PROGRESS REPORTS**

- a) **Katzie**  
*Katzie Context Summary – LMTAC Board Public Agenda – March 22, 2006.*  
  
No additional items were presented.
- b) **Musqueam**  
No items presented.
- c) **Squamish**  
No items presented.
- d) **Tsawwassen**  
No items presented.
- e) **Tsleil-Waututh**  
No items presented.
- f) **Other**
  - i) **Yale**
    - a) *Document titled “Yale First Nation, Agreement In Principle”; and*
    - b) *News release titled “Yale Agreement Sixth Signed in B.C. Since 2003”, dated March 9, 2006.*  
No additional items were presented.
  - ii) **Snuneymuxw**
    - a) *LMTAC report regarding “Snuneymuxw Treaty Negotiations Update” dated March 13, 2006; and*
    - b) *Document titled “Snuneymuxw Position Paper on Treaty” submitted to the Provincial and Federal Governments,*  
No additional items were presented.

## **7. CHAIR AND STAFF REPORTS**

### **7.1 Chair’s Report**

No items presented.

### **7.2 Staff Report**

*Managing Director Report dated March 15, 2006 regarding “February 15, 2006 – March 15, 2006 Activities”.*

Regan Schlecker, Managing Director, noted that BC Treaty Commissioner Mike Harcourt had expressed an interest in facilitating the proposed Lower Mainland Round Table on First Nations – Local Government Relations. She added that the BC Treaty Commission (BCTC) would be establishing a Steering Committee comprised of representatives from all five First Nations in the area, LMTAC and the GVRD. It was further noted that the inaugural Steering Committee meeting had been scheduled April 4, 2006.

## **8. MISCELLANEOUS REPORTS**

### **8.1 Fraser Valley Treaty Advisory Committee (FVTAC)**

No items presented.

### **8.2 Union of British Columbia Municipalities (UBCM)**

*Agenda for the UBCM’s March 10, 2006 “Province-Wide Community-to-Community Forum, Moving From Dialogue to Partnership”.*

No additional items were presented.

**8.3 Federation of Canadian Municipalities (FCM)**

No items presented.

**8.4 Lower Mainland Municipal Association (LMMA)**

Councillor Kositsky encouraged staff to confirm LMTAC's attendance at the May 11, 2006 LMMA AGM.

**9. OTHER BUSINESS**

**9.1 Next Meeting Dates**

The next Regular Meeting of the LMTAC Board was scheduled April 26, 2006 (if required).

**9.2 Discussion**

The meeting was informed that notes of the recent Gibsons and Squamish First Nation Community-to-Community were forthcoming.

Concerns were expressed by members regarding land filling on band lands, under permits issued by the federal Department of Indian and Northern Affairs (DIAND), without the requirement for soil samples. It was noted that issues regarding land filling, demolition and disposal were a challenge throughout the Fraser Valley. The need to remind federal and provincial government, regarding these concerns was acknowledged.

**10. INFORMATION**

**It was MOVED and SECONDED**

That the LMTAB Board receive for information the following items:

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

**CARRIED UNANIMOUSLY**

**11. CONCLUSION**

**It was MOVED and SECONDED**

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

**CARRIED UNANIMOUSLY**

(Time: 8:35 p.m.)