

**DRAFT ONLY**

**SOUTHERN INTERIOR LOCAL GOVERNMENT ASSOCIATION**

**Minutes of Annual General Meeting held  
April 29 and 30, 2010 in Sun Peaks, B.C.**

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**1. Call to Order**

President Kevin Flynn called the meeting to order at 10:45 am on April 29, 2010.

**2. President's Report**

President Flynn thanked the current executive and staff for their hard work and dedication. He informed the delegates on the issues that SILGA had been focusing on in 2009 including IHA meetings on clean water and food safe issues. He let the membership know that the current UBCM executive has 4 SILGA representatives on it – Director at Large Rhona Martin, CSRD, Past President Robert Hobson, Kelowna , Small Communities Representative Roland Stanke, Clinton and himself. He believes that this convention is raising significant issues facing local government today – RCMP costs and changes in local government election processes and resolution processes.

**3. Adoption of Minutes**

Moved/Seconded by Wayne Lippert /Ted Cronmiller THAT:

The minutes of the April 30 and May 1, 2009 Annual General Meeting held in Osoyoos be adopted.

**CARRIED**

**4. Business Arising From the Minutes**

There was no business arising from the minutes.

**5. Financial Report**

Sec/Treas Alison Slater presented the Financial Report for the period ending December 31, 2009 and the 5 year plan to 2015. She noted that the costs for this period were only an eighth month period but revenues were for a full year which skewed the results a bit. Revenues were down from the previous period, mostly a result of lower investment returns. Cash and investments total \$125,662. The education fund has been set up and is used at each convention. The staff at SILGA has taken on a larger role in the convention planning now which will allow the smaller member staffs to consider hosting future conventions.

Moved/Seconded by Ted Bacigalupo /Sharon Shepherd THAT:

The Financial Statement and Statement of Activities of SILGA for the period ending December 31, 2009 be adopted as presented.

**CARRIED**

**6. Nomination Committee Report**

Nomination Committee Chair Rhona Martin thanked Chris Pieper and Ronaye Elliott who also sat on the nomination committee with her. She read out the nominations and after calling three times for nominations from the floor, the following results were announced.

**Table Officers:**

President:	Kevin Flynn (acclaimed)
First Vice-President	Noreen Guenther (acclaimed)
Second Vice- President	Harry Kroeker (acclaimed)

**Vote to take place for the Electoral Area Director position:**

Director Ted Bacigalupo, CSRD  
Director Tim Pennell, TNRD

**Moved/Seconded by Harry Kroeker /Noreen Guenther THAT:**

Liz Cornwell, TNRD be appointed as returning officer.

**CARRIED**

**Ted Bacigalupo won the position for Electoral Area Director**

**Vote to take place for the 6 positions of Director at Large:**

Councillor Ted Cronmiller, Town of Osoyoos  
Mayor Wayne Lippert, City of Vernon  
Councillor Ida Makaro, Village of Cache Creek  
Director Tim Pennell, TNRD  
Councillor Michele Rule, City of Kelowna  
Councillor Al Smith, Village of Logan Lake  
Councillor Marg Spina, City of Kamloops  
Councillor Bert Walker, District of Clearwater

**The following individuals were successfully elected as Directors at Large and will be part of the 2010/11 SILGA Executive:**

Councillor Ted Cronmiller, Town of Osoyoos  
Councillor Ida Makaro, Village of Cache Creek  
Director Tim Pennell, TNRD  
Councillor Michele Rule, City of Kelowna  
Councillor Marg Spina, City of Kamloops  
Councillor Bert Walker, District of Clearwater

Moved/Seconded by Sally Watson/John De Cicco THAT:

The ballots for the voting for the SILGA executive be destroyed.

**CARRIED**

**7. UBCM Address – Robert Hobson, Past President**

Mr. Hobson passed on greetings from the UBCM President Harry Nyce who was unable to attend. UBCM is currently working on industrial taxation, elections task force, infrastructure dollars, and recommendations to changes in the UBCM executive structure. They are proposing to add a metro Vancouver representative. The 2010 UBCM convention is in Whistler.

**8. UBCM Proposed Changes to Resolution Processes**

There will be no changes on the number of resolutions accepted from members and there still will be a resolution session.

Proposed changes for 2010:

1. Placement/grouping – in order of priority. Those brought to area associations receive higher priority.

2. Moved grouped resolutions as a block.
3. Discourage province from having staff meetings with provincial bodies during resolution sessions.
4. More time for resolutions (6.5 hours)
5. Minimum 1 hour blocks without interruptions.
6. No resolutions accepted with “Pending clarification from sponsor”.
7. If no opposition, the resolution gets call and vote happens immediately.

There will still be changes for 2011 coming but the 2010 changes will be implemented for the 2010 AGM in Whistler.

## 9. Resolutions Committee Report

Acting Chair Rhona Martin outlined the process for consideration of regular and late resolutions and then called for hearing of the resolutions.

### LR19 PROVINCIAL REGULATION OF FIREWORKS

Columbia Shuswap RD

#### Moved/Seconded by Rhona Martin/Michele Rule THAT:

WHEREAS British Columbia experienced an active fire season this summer due to extremely dry weather conditions and the misuse and abuse of fireworks causes significant property damage and personal injury, and generates unnecessary costs for taxpayers;

AND WHEREAS the *Community Charter* enables local governments to regulate fireworks, however lack of staffing and funding drastically affects the ability of local governments to provide enforcement:

THEREFORE BE IT RESOLVED that a province-wide approach is needed for the safe manufacturing, transportation, retail, wholesale and use of fireworks;

AND BE IT FURTHER RESOLVED that the provincial government be requested to regulate the use of fireworks in British Columbia, including public education, enforcement, international and municipal cross border transportation, and cost recovery where loss can be directly attributed to the use and abuse of fireworks.

*UBCM comments:*

*The UBCM membership has previously considered and endorsed resolutions supporting the control and regulation of fireworks (2005-B74; 1992-B1; 1989-B6; 1988-B29).*

Moved/Seconded by Rhona Martin/Michele Rule that “by means of a permit system” added after fireworks in British Columbia.

**CARRIED**  
**CARRIED**

**TITLE (1):** Rural Health Care

**SPONSOR:** Columbia Shuswap Regional District

#### Moved/Seconded by Denis Delisle/Rosalind Neis THAT:

WHEREAS health care services, specifically small rural medical clinics are important to its patients, some of which are seniors unable to drive or travel long distances;

AND WHEREAS it is important to support the health care in small rural areas of British Columbia;

THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the Minister to take the necessary action to ensure that doctors and other medical services are adequately provided to all residents in every community of British Columbia.

***UBCM comments:***

*The UBCM membership has endorsed resolutions to ensure that doctors and other medical services are available in every community in BC, particularly in rural and remote areas. Members supported the removal of obstacles for foreign trained doctors and health professionals who are willing to work in BC (2009-B148; 2000-A4); and the preservation of accessible, timely and necessary health care services in BC (2002- B92).*

**CARRIED**

**TITLE (2):** Capital Cost of Health Care

**SPONSOR:** District of West Kelowna

**Moved/Seconded by Doug Findlater/Wayne Lippert THAT:**

WHEREAS Regional Hospital Districts (RHD) were originally created, among other things, “to establish, acquire, construct, reconstruct, enlarge, operate and maintain hospitals and hospital facilities”;

AND WHEREAS in some Regional Hospital Districts, non-Aboriginal residents residing on First Nations land do not contribute to the capital costs of hospitals and health facilities yet are users of these facilities;

THEREFORE BE IT RESOLVED that UBCM lobbies the Ministry of Health Services to establish an equitable provincial system to collect funding for Regional Hospital Capital Projects from non-Aboriginal residents residing on First Nations lands.

***UBCM comments:***

*The UBCM membership has not previously considered a resolution requesting that the Province establish a system for collecting funding for Regional Hospital District capital projects from non-Aboriginal residents residing on First Nations land.*

*However, in 2008, UBCM and the Ministry of Health Services jointly commissioned a Regional Hospital District Cost Sharing Review, which recognized that the issue of cost sharing of capital projects in Regional Hospital Districts with large First Nation communities was complex, beyond the scope of the report, and would require some focus in the future.*

*UBCM and the Ministry of Health Services are currently working on the implementation of recommendations from the 2008 report. A quarterly update on the progress of implementation is available on the UBCM website in the Healthy Communities section.*

*The Ministry has indicated that they will focus on implementing the recommendations from the 2008 report before addressing other issues identified in the report, such as cost-sharing with First Nation communities. The Province may also wish to address collecting funding for RHD capital projects from non-Aboriginal residents residing on First Nations land at that time.*

**CARRIED**

**TITLE (3):** School Enrolment

**SPONSOR:** Columbia Shuswap Regional District

**Moved/Seconded by Rhona Martin/Ronaye Elliott THAT:**

WHEREAS schools in rural areas are experiencing declining student enrolments;

AND WHEREAS schools, particularly in rural areas, are community assets serving essential educational, cultural and social needs while contributing to the fibre and sustainability of their respective communities;

AND FURTHER WHEREAS school district boundaries require broad and encompassing restructuring;

THEREFORE BE IT RESOLVED that the Ministry of Education review its funding requirements to provide sufficient funding to keep rural schools viable, to ensure local elected officials and local residents of affected jurisdictions that relate to rural community school closures are provided the opportunity for input regarding the delivery of quality education to their children.

*UBCM comments:*

*The UBCM membership has considered the issue of funding rural schools as well as school closures. Specifically in 2004, resolution B94 was endorsed requesting that “the provincial government work with affected stakeholders, such as the BC School Trustees Association, to review the current school funding formula so that it better reflects the special circumstances of different communities.”*

*In 2007, resolution B162 was endorsed which requested that “the provincial Ministry of Education be urged to establish a requirement and formal process to solicit input and engage both the elected officials and local residents of affected jurisdictions in major policy decisions related to community schools, such as proposed closures.”*

*As well a related resolution (2002-LR2) requested that the Ministry of Education ensure that the Small Community Supplement (i.e., the Unique Geographic Factors Supplement introduced in the new funding formula for the 2002/03 school year) be used to keep rural schools open. In its response to this resolution, the Province indicated that this supplement (which “recognizes that some school districts, and schools within rural and remote areas, do not benefit from the economies of scale that can be achieved where schools are clustered more closely together”) could be used at the school district’s discretion.*

Moved/Seconded by Rhona Martin/Ronaye Elliott that the final paragraph be rewritten as follows:

THEREFORE BE IT RESOLVED that the Ministry of Education and the government as a whole review its funding requirements to provide sufficient funding to keep rural schools viable for both education for the children and the sustainability of the community.

**CARRIED**

**TITLE (4):** Taxation of Heavy Industry

**SPONSOR:** City of Merritt

WHEREAS heavy industry in British Columbia, both in mining and forestry, is struggling to remain competitive in world markets hit heavily by the economic downturn. In addition to the challenges of a faltering world economy, these industries are further challenged by high cost of extraction for low return and diminishing resources such as forestry decimated by pine beetle. Many of these industries are located in municipalities where that industry is the economic driver and major provider of employment in the community. Industrial shutdown in such a community can pose a threat to the continued viability of that community.

THEREFORE WHEREAS heavy industry is demanding relief from municipal taxes to ensure continued operation;

AND WHEREAS many municipalities economically rely heavily on the continued operation of those heavy industries both as a source of taxation revenue and job provision within the community;

NOW BE IT RESOLVED that the Provincial Government be requested to determine an equitable solution that will allow for taxation relief for heavy industry without shifting the taxation burden to residents and business or causing operational hardship to local government.

***UBCM comments:***

*The UBCM membership has endorsed a number of resolutions with respect to industrial taxation, most recently 2009-SR1, which called for UBCM to work with the provincial government on resolution to industrial taxation issues within a framework that acknowledged the fundamental importance of local government control of property taxation for local purposes and local government's legitimate expectation of fair compensation if this principle were to be set aside in any particular instance. UBCM is working with the provincial government and the business sector to resolve industrial property tax issues, and recommendations in relation to this will be brought to the membership at the 2010 Convention.*

**WITHDRAWN**

**TITLE (5):** Marijuana licenses

**SPONSOR:** City of Merritt

Moved/Seconded by Ted Cronmiller/Dave Baker THAT:

“THAT WHEREAS the Federal government issues licenses for the conduct of legal marijuana grow operations for medical use and such grow operations are frequently conducted in an environment that constitutes a danger to health and safety within the community;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia lobby the Federal Government for changes to the legislation permitting legal risk marijuana grow operations which would require mandatory building inspections by local government building officials on an annual basis of any such licensed properties (or forfeiture of the license.)

***UBCM comments:***

*The UBCM membership has not previously considered a resolution requesting that licensed medical marijuana sites be required to undergo mandatory building inspections by local government building officials on an annual basis.*

*The UBCM has written the federal government regarding the licensing of medical marijuana sites in local communities and requested that these sites comply with local bylaws and local police be informed of their location. In its response, the federal government stated that licensed medical marijuana operations are required to comply with local bylaws, however, there is no inspection of these sites by the federal government to ensure that these requirements are met.*

Moved/Seconded by Sally Watson/Al Smith that the final paragraph be written as follows:

THEREFORE BE IT RESOLVED that the Province of British Columbia lobby the federal government for changes to the legislation permitting legal marijuana grow operations which would require mandatory building inspections by qualified appropriate local government authority on an annual basis of any such licensed properties (or risk forfeiture of the license).

Moved/Seconded by Will Hansma/Kevin Flynn that “local” be removed from the final paragraph.

**CARRIED**

**CARRIED**

**TITLE (6):** New manufactured homes – Protection of consumers

**SPONSOR:** District of Barriere

Moved/Seconded by Pat Paula/Tim Pennell THAT:

WHEREAS new stick built and pre-fabricated homes are subject to scheduled building inspections during construction by licensed building inspectors, and are subject to protection under the B.C. Homeowner Protection Act and Regulations, but new “manufactured homes and mobile homes” are specifically excluded from that protection,

AND WHEREAS the Canadian Standards Association is a testing agency but not a licensed building inspection agency, but by virtue of their affixed seal of approval of Procedures for Certification of Factory-Built Houses and Mobile Homes (Can/CSA-A277-90 and CAN/CSA-Z240 MH Series-92) manufactured homes and mobile homes are exempted from Section 9 of the B.C. Building Code, and only apply to each home at its factory location, not its ultimate residential location,

AND WHEREAS purchasers are offered minimal warranties that are by the insurance agencies of manufacturers and sellers which are less than the minimum warranty standards afforded under the B.C. Homeowner Protection Act, thus leaving no recourse for government mediation, or advocacy for consumers of these types of residential housing,

THEREFORE BE IT RESOLVED that SILGA approve this resolution to be passed on to the UBCM requesting that the Province provide equal protection to consumers of new manufactured single family dwellings through amendments to the B.C. Homeowner Protection Act and its Regulations in all of its parts and sections.

*UBCM comments:*

*The UBCM membership has not previously considered a resolution requesting amendments to the Homeowner Protection Act to provide protection to consumers of new manufactured homes.*

**CARRIED**

**TITLE (7):** Federal environmental assessment requirement for co-generation power plants burning toxic fuels

**SPONSOR:** City of Kamloops

Moved/Seconded by Peter Milobar/John DeCicco THAT:

WHEREAS the proposal to build a co-generation power plant to burn creosote treated railway ties within the geographical centre of the populated area of the City of Kamloops and subject to the pattern of prevailing winds to the east of Kamloops has raised health concerns amongst the residents of Kamloops and adjacent rural communities;

AND WHEREAS the technology proposed for this incinerating facility is new and does not have a history of monitoring for any long term implications on the health of residents and animals within the surrounding airshed:

THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities urge the federal government to require completion of a federal environmental assessment prior to the commencement of operation of all co-generation power plants fuelled by agents containing potentially toxic compounds.

*UBCM comments:*

*The UBCM membership has not previously considered a resolution calling on the Federation of Canadian Municipalities to lobby for the completion of federal environmental assessments prior to the commencement of co-*

*generation plants. However, members have endorsed several resolutions supporting the use of co-generation plants, including the development of a long range provincial strategy to encourage the establishment of viable waste co-generation facilities in BC (1996–B10, 1993-B47).*

Moved/Seconded by Peter Milobar/Pat Wallace that the following phrase be added after compounds: “who receive grants from agencies that are solely funded by the federal government”

**CARRIED**  
**CARRIED**

**TITLE (8):** Enforcement Activities for Habitat Alternation or Destruction

**SPONSOR:** Okanagan-Similkameen RD

Moved/Seconded by Elef Christiensen/Mark Pendergraft THAT:

WHEREAS development permit violations are seen as being against the *Local Government Act* and not local government bylaws;

AND WHEREAS local governments do not have the authority to penalize property owners through ticketing or prosecution in provincial court for these development permit violations:

THEREFORE BE IT RESOLVED that the Southern Interior Local Government Association lobby the provincial government to amend the *Local Government Act* to permit local governments to issue tickets and initiate prosecution in provincial court to enforce the prohibitions in s. 920(1) and the requirement in s. 928 that land be developed strictly in accordance with the permit.

***SILGA Recommendation: Not endorse as this would result in another download of responsibility to Local Government***

***UBCM comments:***

*The UBCM membership has not previously considered a resolution calling for an amendment to the Local Government Act that would permit local governments to issue tickets and initiate prosecution for development permit violations.*

*Moved/Seconded by Sharon Shepherd/Noreen Guenther THAT:  
The resolution be deferred pending additional information.*

**CARRIED**

*Moved/Seconded by Wayne Lippert/Noreen Guenther THAT:  
The resolution be reconsidered because of new information.*

**DEFEATED**

**TITLE (9):** ALR Review

**SPONSOR:** Columbia Shuswap Regional District

Moved/Seconded by Ted Bacigalupo/Kevin Flynn THAT:

WHEREAS, since the creation of the Agricultural Land Reserves (ALR), the Agricultural Land Commission (ALC) has carried out a number of fine tuning reviews in portions of the province;

AND WHEREAS some parts of the province have not had the benefit of these fine tuning reviews;



AND WHEREAS regional districts are in the process of developing growth management strategies through their Official Community Plans and other regulatory tools to direct and manage growth to designated settlement areas where appropriate services can be provided in order to create liveable and environmentally sustainable communities;

AND WHEREAS it is important to attain a level of certainty with respect to the suitability of retention of ALR lands for community planning purposes;

NOW THEREFORE BE IT RESOLVED that the ALC carry out a current comprehensive ALR fine tuning review in those portions of the province which have not had the benefit of a recent review.

**UBCM comments:**

*The UBCM membership endorsed resolution B43 in 2008 which called on the provincial government to “review (with consultation from local government) [...] the Agricultural Land Reserve boundaries to ensure they accurately capture agricultural land.”*

*Prior to this, members endorsed resolution 1991-B28, which called for a complete review of the Agricultural Land Reserve boundaries in order to more clearly delineate the farm land to be preserved within the Agricultural Land Reserve.*

*UBCM also notes that the recent provincial Ranching Task Force Report recommended the following: “Support efforts to review the agricultural suitability of lands in the ALR in selected areas of the province, such as the East Kootenay area, to ensure that the ALR boundary accurately reflects lands with agricultural suitability.”*

*In its response to the 2008 resolution, the Province indicated interest in working “with local governments in reviewing the ALR boundary to ensure it reflects lands that are both capable and suitable for agriculture.” The Province expressed particular interest in “northern and eastern communities” and pointed out that at that time the ALC was “engaged in a joint ALR review of the Elk Valley with the Regional District of East Kootenay.”*

**CARRIED**

**TITLE (10):** Greywater discharge sites

**SPONSOR:** District of Sicamous

Moved/Seconded by Malcolm McLeod/Fred Busch THAT:

WHEREAS Section 13 of the British Columbia *Environment Management Act* restricts the discharge of greywater in Shuswap Lake;

AND WHEREAS the Province has not actively enforced the restrictions on greywater discharge into Shuswap Lake:

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to provide greywater discharge sites on and / or along Shuswap Lake and enforcement be suspended until these sites are provided.

Moved/Seconded that Ronaye Elliott/Bill Scarrow THAT:

The resolution be referred back to SILGA.

**CARRIED**

Moved/Seconded by Malcolm McLeod/Lynn Miller THAT:

WHEREAS Section 13 of the British Columbia *Environment Management Act* restricts the discharge of greywater on all provincial lakes and water bodies and that Shuswap lake is the first lake in which enforcement will be implemented;

AND WHEREAS the Province has not actively enforced the restrictions on greywater discharge on any provincial freshwater lake or water body;

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to provide greywater discharge sites on and / or along all applicable recreational fresh water lakes and waterbodies.

**CARRIED**

***UBCM comments:***

*The UBCM membership has not previously considered a resolution calling on the Province to provide greywater discharge sites, nor have members considered a resolution requesting that provincial enforcement be suspended on a specific body of water.*

**TITLE (11):** Canada Goose Control

**SPONSOR:** Osoyoos

Moved/Seconded by Michael Ryan/Dan Ashton THAT:

WHEREAS the increased Canada Goose population is having negative economic impacts on communities where tourism is a major industry; and

WHEREAS the egg addling program has had a limited effect on the goose population and is but one tool in the control of the goose population; and

WHEREAS the Canada Goose is causing health concerns for those using local lakes, beaches, parks and playing fields, with high coliform counts having been detected in some areas having detrimental effects on the economy, tourism and health in the community(s) affected; and

WHEREAS the British Columbia Hunting Regulations are insufficient to control the increased numbers of geese; and

NOW THEREFORE BE IT RESOLVED that the province encourage the Canadian Wildlife Service to be more permissive in the issuance of kill permits, and failing an agreement to do so by Canadian Wildlife Service, that the province take the initiative to provide kill permits to affected municipalities for goose population reduction or reconsider the bag limits under the British Columbia Hunting Regulations.

***UBCM comments:***

*The Resolutions Committee notes that the UBCM membership endorsed resolution 2002-B53, which requested that municipalities be provided with regulatory authority to address the problems associated with the over-population of Canada geese in some areas. The resolution was also conveyed to FCM, where it was endorsed as a Category “A” resolution at the 2003 FCM annual conference.*

*In its response to the resolution, the federal government acknowledged problems with Canada Goose populations and suggested management options presented in the Migratory Birds Convention Act and the Migratory Birds Regulations. Management options from the Regulations include elimination of food sources, modification of habitat, or use of noisemakers to scare away birds. Options from the MBCA require an Environment Canada permit: the use of firearms and aircraft, treating eggs to prevent hatching, or relocating or killing the birds.*

*The federal government also encouraged local governments to “re-evaluate their by-laws prohibiting the discharge of firearms because of the proven success of hunting as a management tool for Canada Geese.” According to the federal government, the national Canadian Wildlife Service Policy for the Management of Migratory Birds Causing Damage or Danger “is carried out at the regional level. Reports of geese causing damage are examined on a case-by-case basis, because the most effective approach differs among areas and specific situations. For this reason, we have not produced a national guide of management techniques.”*

**CARRIED**

**TITLE (12):** Elected Office Qualifications

**SPONSOR:** District of Coldstream

Moved/Seconded by Maria Besso/Mike McNabb THAT:

WHEREAS the Section 66 of the *Local Government Act* makes provision for the qualifications of who may hold elected office as a member of local government;

AND WHEREAS Section 66(1) of the *Local Government Act* does not stipulate that the person must either reside in or own real property in the municipality, electoral area or neighbourhood constituency, as applicable, at the time of nomination or election:

THEREFORE BE IT RESOLVED that the provincial government amend the *Local Government Act*, Division 5, Section 66(1) to require that persons who may hold elected office as a member of a local government must either reside in or own real property in the municipality, electoral area or neighbourhood constituency, as applicable, at the time of nomination and appointment.

***UBCM comments:***

*The UBCM membership considered but did not endorse resolution 2002-B32, which called for amendments to section 66 of the Local Government Act to require “a candidate for a local government elected office to be an eligible elector within the local government jurisdiction for a least 30 days prior to the date of his / her nomination.”*

**DEFEATED**

**TITLE (13):** Community Charter Conflict of Interest

**SPONSOR:** Okanagan-Similkameen RD

Moved/Seconded by Elef Christiensen/Mark Pendergraft THAT:

WHEREAS Conflict of Interest is a serious matter in all levels of government and the legal and court costs associated with upholding the conflict of interest provisions of the Community Charter are prohibitive;

AND WHEREAS by expanding the role of the Conflict of Interest Commissioner it would be beneficial ethically and financially for ensuring that the interests of the general public are upheld;

THEREFORE BE IT RESOLVED that the Southern Interior Local Government Association lobby the provincial government to expand the role of the Conflict of Interest Commissioner to include matters arising at the local government level.

***UBCM comments:***

*The UBCM membership endorsed resolution 2007-B66, which requested that the provincial government “provide local government elected officials and the public access to the provincial Conflict of Interest Commissioner for conflict of interest complaints under the Community Charter.”*

*In its response to the resolution, the Province indicated that there were “no plans to increase the jurisdiction of the provincial Conflict of Interest Commissioner (Commissioner) to include local governments”, and suggested that a significant increase in resources allocated to the Conflict of Interest Commissioner’s office would be required in order to serve all local governments, mayors, councillors, and electoral area directors around the province.*

*The provincial government also pointed out that:*

*“the conflict of interest rules for provincial members contained in the Members’ Conflict of Interest Act are different in a number of ways from those of local governments: they include perceived conflicts, allow for members to represent constituency interests, and contain further provisions respecting the activities of members of Cabinet. These specific rules do not apply to local governments, and having a single commissioner responsible for both levels of government raises the danger that the operation of conflict of interest rules between the two levels of government would become blurred in the public’s mind.”*

**CARRIED**

**TITLE (14):** Jury Duty Exemption for Elected Officials

**SPONSOR:** City of Kelowna

Moved/Seconded by Michele Rule/Charlie Hodge THAT:

WHEREAS elected local government officials are providing a civic service, similar to MLA’s and MP’s;

AND WHEREAS elected local government officials may be privy to knowledge that would put them in a conflict of interest:

THEREFORE BE IT RESOLVED that elected local government officials be automatically exempt from jury duty.

***UBCM comments:***

*The UBCM membership has not previously considered a resolution requesting that elected local government officials be automatically exempt from jury duty.*

**DEFEATED**

**TITLE (15):** Increased shoulder width of Okanagan highways

**SPONSOR:** City of Vernon

Moved/Seconded by Wayne Lippert/Sharon Shepherd THAT:

WHEREAS municipalities and communities within the Okanagan Valley are taking positive steps towards attaining the Greenhouse Gas Reduction Targets, introduced by the Province in November 2007, through the incorporation and emphasis of alternative transportation and infrastructure in planning and development;

AND WHEREAS Okanagan residents and visitors travelling to and between Okanagan Valley communities require safe cycling infrastructure to provide alternative modes of transportation;

THEREFORE BE IT RESOLVED that safe and adequate cycling be incorporated into highway design and construction consisting of a shoulder width of a minimum two metres that includes a rumble strip alongside the driving lane;

AND BE IT FURTHER RESOLVED that all existing highway improvements and future highway projects include these requirements throughout the province.

**UBCM comments:**

*The UBCM membership endorsed resolution 2006-B3, calling for the construction of bicycle lanes along highways. The Committee would also point out that members endorsed resolution 2004-B2, which requested the addition of a rumble strip along highways.*

*In its response to the resolutions, the Province acknowledged the need for cycling infrastructure and the importance of rumble strips in improving highway safety and indicated willingness to provide cycling improvements and add rumble strips whenever feasible.*

**CARRIED**

**TITLE (16):** Trails Along Railway Rights of Way

**SPONSOR:** City of Vernon

Moved/Seconded by Wayne Lippert/Bill Scarrow THAT:

WHEREAS railway dedication or rights of way in urban areas provide excellent opportunities to develop multi-use pathways or trails, known as Rails-with-Trails corridors, for alternate, active and “green” transportation;

AND WHEREAS feasibility studies have shown that these multi-use pathways can be developed safely so as not to cause significant conflicts with the routine operation of the rail system;

AND WHEREAS the development of off-road multi-use pathways for non-motorized vehicles is in the interest of all levels of governments to reduce motor vehicle use, improve the health of Canadian citizens and reduce emissions from transportation which contribute to climate change:

THEREFORE BE IT RESOLVED that the provincial and federal governments be asked to support joint-use agreements with railway companies for rails-with-trails corridors;

AND BE IT FURTHER RESOLVED that the federal government be asked to undertake legislative amendments to the *Canadian Transportation Act* to recognize the need for parallel corridors to be provided within rail rights of way and authorize provincial and local governments to apply to the Canadian Transportation Agency, in absence of agreement with a railway company, for authority to place trails within rail rights of way.

**UBCM comments:**

*The UBCM membership has consistently supported the expansion of community trails (2002-B85, 2002-B67, 2005-B82) and members have supported the use of abandoned rail lines for public use (1992-B72). UBCM members also indicated support for the Island Corridor Foundation’s proposal to preserve the E & N rail corridor for alternative transportation uses (2005-B143).*

*In 2009 the exact same resolution was endorsed, B17, and the Province responded in part by stating:*

*“The Province supports inter-government collaboration on developing a sustainable recreation and transportation trail network in B.C. as described in the draft Trails Strategy for BC. Provincial support for Rails with Trails would be considered where all parties are in agreement and the trail can safely be accommodated along the rail corridor.*

*Prior to supporting a request to the Federal government for amendments to the Canada Transportation Act, the Province would require a more detailed examination of the effectiveness of any proposed amendments.”*

*As well Canadian Pacific (CP) responded by stating:*

*“[in] the case of resolution B17, [CP] cannot offer support for what, unfortunately, is a flawed approach.*

*The resolution is based on a view that multi-use pathways, within rail corridors, can be developed safely and would not cause significant conflicts with railway operations. This is not an accurate basis for the recommendations in your resolution. There are a number of reasons why we have defined rail rights of way but the most important of those is the safety of both the public and rail employees.”*

Moved/Seconded by Annoinette Halberstadt /Will Hansma THAT:

The following amendment be added after within rail rights of way: “where this can be done safely”

**CARRIED**  
**CARRIED**

**TITLE (17):** Highway Corridors

**SPONSOR:** District of Lake Country

Moved/Seconded by Michele Rule/Noreen Guenther THAT:

WHEREAS many municipalities have significant development and densification along highway corridors, and Section 52 of the Transportation Act establishes that municipal zoning bylaws do not apply to land and improvements within 800 metres of a highway controlled area, unless approved in writing by the Minister or his designate;

AND WHEREAS the definition of a “controlled area”, being a radius of 800 metres from an intersection of a controlled access highway with any other highway, land and improvements, has become onerous for local government and possibly provincial staff as well;

THEREFORE BE IT RESOLVED that the provincial government be requested to undertake amendments to the definition of “controlled area” within the meaning of Section 52 of the Transportation Act that would reduce the effective distance from 800 metres to 500 metres.

**UBCM comments:**

*The UBCM membership has not previously considered a resolution specifically requesting that amendments be made to the definition of “controlled area” within Section 52 of the Transportation Act to reduce the effective distance from 800 to 500 metres.*

**CARRIED**

**Late (1) TITLE:** Trade Agreement European Union

**SPONSOR:** District of Logan Lake

Moved/Seconded by Al Smith/ Garry Youd THAT:

WHEREAS the Canadian Government has entered into negotiations with the European Union for a comprehensive economic trade agreement;

AND WHEREAS the European Union and European corporations are insisting on full access to procurement by sub national governments – including municipalities, school boards, universities, hospitals and other provincial agencies, which could significantly reduce or eliminate the right to specify local priorities when public money is invested in goods, services or capital projects;

NOW THEREFORE BE IT RESOLVED that UBCM requests a briefing from the Province of BC on the scope and content of trade negotiations with the European Union; the Federation of Canadian Municipalities provide sector-by-sector analysis of the potential impacts on municipal functions and powers of the procurement regime that the European Union is seeking; and that the Federation of Canadian Municipalities urge the Government of Canada not to provide the European Union with access to sub national government procurement.

**CARRIED**

**Late (2) TITLE:** Provincial Motor Tax Fuel

**SPONSOR:** District of Barriere

Moved/Seconded by Ward Stamer/Virginia Smith THAT:

WHEREAS local governments are not able to generate enough revenue to fund the growing needs of their communities.

AND WHEREAS, many citizens and local tax payers cannot afford the higher property taxes and fees that are needed to fund infrastructure repairs and increased services.

AND WHEREAS, the Government of Canada has chosen to share a portion of their gas tax revenue with local government.

AND WHEREAS, the Province collects a 14.5 cents per litre gasoline tax in the areas outside of the South Coast British Columbia Transportation Service Region and the Victoria Regional Transit Service Area.

THEREFORE BE IT RESOLVED that the UBCM request the province to share a portion of the provincial gas tax with local government in a grant program similar to the Federal Gas Tax program.

Moved/Seconded by Nancy Beppe/Fred Dosch THAT:

The following amendment be added after Federal Gas Tax program: “without impacting current funding programs”

**CARRIED**  
**CARRIED**

**Late (3) TITLE:** Buy Local BC fruit program

**SPONSOR:** North Okanagan Regional District

Moved/Seconded by Mike McNabb/Rick Fairburn THAT:

**WHEREAS** the British Columbia interior tree fruit industry is under extreme hardship;

**AND WHEREAS** the British Columbia interior tree fruit industry represents 800 growers operating orchards that generate \$130 million in wholesale revenue, contribute \$900 million in economic activity and directly employs 1,500 person years at the grower, packer and processor level;

**THEREFORE BE IT RESOLVED** that the Province of British Columbia endorse and implement a "Buy Local" program to promote the sale of local, sustainably produced foods in support of the British Columbia interior tree fruit industry.

**CARRIED**

**Late (4) TITLE:** Carbon Offsets

**SPONSOR:** District of Summerland

Moved/Seconded by Sam Elia/Sharon Shepherd THAT:

**Whereas** the 176 municipalities which signed the BC Climate Action Charter have committed to measure and report corporate greenhouse gas (GHG) emissions and become carbon neutral (in operations) by 2012 which, at present, contemplates that each municipality will need to purchase carbon offsets through the Pacific Carbon Trust to achieve this objective;

**And Whereas** without further policy and regulatory clarification the monies paid by municipalities to purchase carbon offsets may be utilized to fund non-municipal certified greenhouse gas reduction projects as directed by the Pacific Carbon Trust, the Province or other agency;

**Now Therefore,** it is recommended that the UBCM and the Provincial Government;

1. Ensure that local governments are fully engaged in the development of policies and regulations with respect to the further development and implementation of the carbon neutral mandate, and
2. Ensure that there is a framework in place to provide that local government monies used to purchase carbon offsets will be made available to local governments for any certified greenhouse gas reduction projects in their communities or region.

**CARRIED**

**9. 2011 Convention - Merritt**

The 2011 Convention will be held in Merritt. Mayor Susan Roline from Merritt invited all the delegates to help the City of Merritt celebrate their 100<sup>th</sup> anniversary. Dates are still to be set.

**10. President's Closing Remarks**

Kevin Flynn addressed the delegates and expressed appreciation for all the hard work of the Convention Committee from Barriere. He also thanked the delegates and said that the energy and enthusiasm was unparalleled at this convention. He had a couple of questions for the group as well. How do we get a bigger piece of the taxpayer pie? Do we have a 2 year term on the executive board? He also asked the members to get a hold of SILGA if they have important regional issues to discuss and the next executive meeting can be held in their community.

**11. Adjournment**

Moved/Seconded by Rhona Martin/Marg Spina THAT:

The meeting be adjourned at 12:10 PM on April 30, 2010



**CARRIED**

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Alison Slater, Secretary Treasurer