

VILLAGE OF TELKWA MISSION STATEMENT

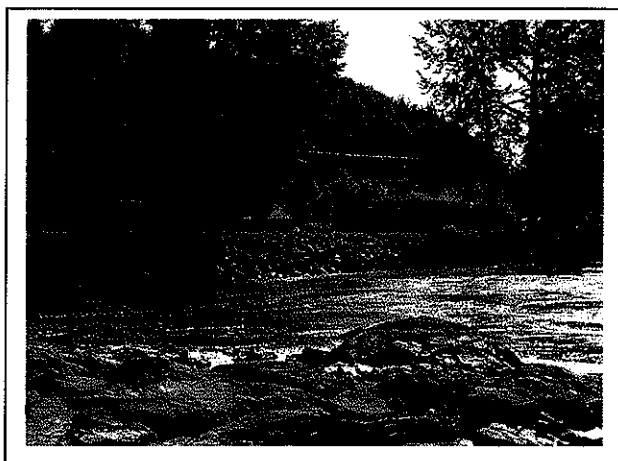
The Corporation of the Village of Telkwa's mission is to serve the community through smart growth, community involvement and the creation of partnerships to realize its vision of a healthy, friendly, diverse and thriving community.

AGENDA

Village of Telkwa Regular Council Meeting 7:00 pm on Monday, July 27, 2009
at the Council Chambers, 1704 Riverside Street, Telkwa, BC

Page #

1. **REGULAR MEETING OF COUNCIL** - Call to Order
2. **ADOPTION OF AGENDA**
 - a) July 27, 2009
- 1-4 3. **ADOPTION OF MINUTES**
General meeting of council held July 13th, 2009
4. **FIRE CHIEF'S REPORT** - none
5. **PUBLIC WORKS REPORT** - none
6. **BYLAW ENFORCEMENT OFFICER'S REPORT**- none
7. **FINANCIAL REPORT**
Accounts Payable - none
- 5-7 8. **DELEGATION**
 1. Telkwa Community-Initiative Society
9. **UNFINISHED BUSINESS**
- 8-10 1. The Milepost - Report from Councillor Zitkauskas
10. **ADMINISTRATIVE MATTERS**
 - a) **Correspondence for Action**
 - 11-16 1. Parks and Recreation Select Committee - Terms of Reference - Recommendations
 - 17-18 2. Parks and Recreation - containers to hold garbage - BBQ Grounds
 - 19-20 3. UBCM - Resolution for Consideration - Heavy Industry Mill Rate
 - 21 4. RCMP - Coalmine Road - Speeders
 - 22 5. Minister Bill Bennett, Ministry of Community and Rural Development - Meeting Request - UBCM
 - 22-23 6. Office of the Premier - Meeting Request - UBCM
 - 25-26 7. Support for OBAC Strategy
 - 27 8. Mika Hirano & Nicholas Meyer - rental of table and chairs from Community Hall
 - 28 9. John Vincent - Visiting Envoy of the Dalai Lama's Government in Exile to the Bulkley Valley
 - 29-51 10. Ministry of Community and Rural Development (Proposed Indigenous Recognition Act)
 - b) **Reading File - as per attached listing**



11. ADMINISTRATIVE REPORTS

- 53-54 1. Centennial Building Totem Pole
- 55-57 2. Hankin Project Completion
- 58-60 3. Highways Meeting
- 4. Highway 16 Phase 1 – Dayton and Knight's report

12. BYLAWS/POLICIES - none

13. COUNCIL COMMITTEE REPORTS

- 61 1. Councillor Zitkauskas

14. OTHER BUSINESS

62-63 **15. CALENDAR OF EVENTS**

16. PUBLIC COMMENT

17. IN-CAMERA Closed to the Public as per Community Charter section 90 (1)(c)

18. ADJOURNMENT

THE CORPORATION OF THE VILLAGE OF TELKWA

The Minutes of the General Meeting of Council held July 13, 2009 in the Village of Telkwa Council Chamber, 1704 Riverside Street, Telkwa, BC.

PRESENT: Mayor Carman Graf
Councillor Jim Hiltz
Councillor Rimas Zitkauskas
Councillor Taylor Bachrach
Councillor Rick Fuerst
Chief Administrative Officer Tom Dall
Corporate Officer Kim Martinsen

ABSENT: None

1. REGULAR MEETING OF COUNCIL - The Mayor called the meeting to order at 7:00 pm.

2. ADOPTION OF AGENDA

GM Res. 09-07-283 Zitkauskas / Fuerst
TO adopt the agenda of the July 13, 2009 General Meeting of Council. **CARRIED**

3. ADOPTION OF MINUTES

GM Res. 09-07-284 Zitkauskas / Bachrach
TO adopt the minutes of the General Meeting of Council held June 22, 2009
TO adopt the Special meeting of Council held June 24th, 2009
TO adopt the Special meeting of council held July 2nd, 2009 **CARRIED**

4. FIRE CHIEF'S REPORT

5. PUBLIC WORKS REPORT (see Special Meeting June 24th)

6. BYLAW ENFORCEMENT OFFICER'S REPORT

GM Res. 09-07-285 Bachrach / Zitkauskas
TO receive the Bylaw Enforcement Officers' Report. **CARRIED**

7. FINANCIAL REPORT

Accounts Payable Report – attached

GM Res. 09-07-286 Zitkauskas / Fuerst
TO receive the accounts payable report **CARRIED**

8. DELEGATION

Maxine Douglas & Ken Penner
Discussion regarding Skillhorn Road and Morris Rd.

GM Res. 09-07-287 Zitkauskas / Bachrach
TO refer to staff and report back to Council. **CARRIED**

Kim Struthers & Meg Hopson – Onesky
Presenting current local programming

GM Res. 09-07-288

Zitkauskas / Bachrach

TO refer to Telkwa Environmental Sustainability committee (TESC) and report back to Council

CARRIED

Action: Energetic Olympics and Bike Program information for Newsletter. (staff)
Update municipal Energetic Olympics score card. (staff)
Investigate Anti Idling policy (TESC)

9. UNFINISHED BUSINESS

10. ADMINISTRATIVE MATTERS

a) Correspondence for Action

1. Extension Letter for Inflow and Infiltration Reduction Study grant

GM Res. 09-07-289

Hiltz / Bachrach

TO Receive

CARRIED

2. Extension Letter for Green Building Design Study

GM Res. 09-07-290

Hiltz / Bachrach

TO Receive

CARRIED

3. Two Rivers Lodge – Highway signage

GM Res. 09-07-291

Bachrach / Fuerst

TO refer to staff.

CARRIED

4. Musical Ride 2009 – request for Mayor's attendance

GM Res. 09-07-292

Bachrach / Fuerst

TO receive. Mayor Graff will attend.

CARRIED

5. Telkwa Elementary School Parents Advisory Council – request for benches.

GM Res. 09-07-293

Bachrach / Hiltz

TO approve the sale of two benches to the Telkwa School PAC for \$500.

CARRIED

6. Physical Activity in Canadian Communities Survey

GM Res. 09-07-294

Zitkauskas / Bachrach

TO fill out the Physical Activity in Canadian Communities Survey

CARRIED

7. Regional District of Bulkley Nechako - Draft Mutual Aid Agreement

GM Res. 09-07-295

Bachrach / Fuerst

TO receive and request that the Regional District of Bulkley Nechako to do a presentation of the Draft Mutual Aid Agreement

CARRIED

8. Northwest Premium Meat Cooperative – request for deferral of 2009 Property Taxes

GM Res. 09-07-296

Zitkauskas / Fuerst

TO receive

CARRIED

9. Olympic Torch Relay – announcement of Community Grant Program

Action: Councillors Bachrach, Fuerst and Mayor Graf will meet with CO to discuss elements of an Olympic torch relay celebration to be incorporated into the funding proposal.

CARRIED

10. Telkwa Riverside Street Residents - petition for traffic pattern changes

Action: Refer to staff, Councillor Fuerst will talk to the residents.

CARRIED

11. Parks and Recreation – Recommendations to Council and Terms of Reference

GM Res. 09-07-297

Bachrach / Zitkauskas

TO accept the recommendations of the Parks and Recreation Committee with the exception of the removal of the tires. The tires will stay with a recommendation back to the committee that they could be painted.

CARRIED

12. OBAC – Verbal Report – Councillor Zitkauskas

Action: Discussion was held recommending Council to familiarize themselves around OBAC strategies, a request for support will be coming at the next General Meeting of Council, July 27th, 2009.

CARRIED

13. MUTN – Invitation to Linking Planning and Health Networking Workshop – Sept. 10, 09

GM Res. 09-07-298

Bachrach / Zitkauskas

TO send Councillor Hiltz to the MUTN – Linking Planning and Health networking workshop in Terrace on September 10th, 2009.

CARRIED

14. Kids Help Phone – thank you letter

GM Res. 09-07-299

Hiltz / Zitkauskas

TO receive

CARRIED

b) Reading File - as per attached listing

GM Res. 09-07-300

Hiltz / Bachrach

TO receive the reading file.

CARRIED

11. ADMINISTRATIVE REPORTS

1. Financial Report to July 2nd, 2009

GM Res. 09-07-301

Zitkauskas / Hiltz

TO receive

CARRIED

2. MILEPOST 2010 edition 98 – 100

GM Res. 09-07-302

Bachrach / Hiltz

TO refer to next General Meeting, July 27th, accompanied by a recommendation report from Councillor Zitkauskas.

CARRIED

3. Website Design

GM Res. 09-07-303

Hiltz / Fuerst

TO approve the recommendation to proceed with the requested options for an additional cost of up to \$1200 plus tax for a total of \$6200 plus tax for the new Telkwa website design.

CARRIED

4. New Municipal Building

GM Res. 09-07-304

Bachrach / Zitkauskas

TO set up a short meeting with the designer, Heritage Tech to discuss possible options for the preliminary drawings. **DEFETED**

GM Res. 09-07-305

Bachrach / Hiltz

TO approve the Mayor and CAO signing a contract with Heritage to have the preliminary drawings done for the new municipal building on 5th Street at an estimated cost of \$2000. **CARRIED**

12. **BYLAWS/POLICIES**

13. **COUNCIL COMMITTEE REPORTS**

1. Councillor Zitkauskas

GM Res. 09-07-306

Hiltz / Bachrach

TO receive. **CARRIED**

2. Councillor Fuerst

GM Res. 09-07-307

Zitkauskas / Bachrach

TO receive. **CARRIED**

14. **OTHER BUSINESS**

15. **CALENDAR OF EVENTS**

16. **PUBLIC COMMENT**

17. **IN-CAMERA - Closed to Public as per the Community Charter Section 90. (d), ((g))**

GM Res. 09-07-308

Fuerst / Bachrach

TO move to in-camera at 9:56 PM **CARRIED**

18. **ADJOURNMENT**

GM Res. 09-07-309

Zitkauskas / Fuerst

TO adjourn the July 13, 2009 General Meeting of Council at 10:00 PM. **CARRIED**

Certified a true and correct copy of the Minutes of the General Meeting of Council held July 13, 2009.

Carmen Graf
Mayor

Kim Martinsen
Corporate Officer



VILLAGE OF TELKWA

PO BOX 220
1704 RIVERSIDE ST.
TELKWA, BC
V0J 2X0

PH: 250-846-5212 FAX: 250-846-9572
email: info@telkwa.com

DELEGATION TO COUNCIL

(Pursuant to Bylaw #549)

I/We, TCIS
(Name of person(s) or Organization)

wish to appear as a delegation to Council at the Regular Council Meeting of

July 27, 2008 for the purpose of:

attached

The spokesperson(s) will be: Tamara MacLeod

Any background information that you can provide will be appreciated:

Attached

846-9544
Telephone Number

Tamara MacLeod
Signature

Box 716, Telkwa, BC
Mailing Address
V0J 2X0

July 21/09
Date

Attendance Confirmed:

[Signature]
Chief Administrative Officer

NOTE: 15 minutes maximum with 10 for Council's questions

Summary of Telkwa Communities Initiative (TCIS) Social Development Project to be applied to the Wetzin'kwa Community Forest Grant Program

Category: Community Well-being

“Ensuring Social Inclusion Thru Social Projects & Events”

Background Information: It is not uncommon for many Telkwa residents to live in Telkwa... but to work, play and socialize elsewhere. Most often, Telkwa residents must travel to Smithers, Quick and Houston to attend a variety of social events/projects as they may not be available in Telkwa despite our beautiful location and heritage. Past and recent informal and formal discussions amongst Telkwa residents, the TCIS, and the spring 2009 Social Development Dialogues hosted by the Smithers Social Planning Council & BC Healthy Communities, identified the need to address the following; “*what other social projects/events would engage more Telkwa residents to celebrate our community?*” and “*how can we include Telkwa residents in identifying what community project/events they would support and/or attend?*” The following social development project was designed by the TCIS board of directors to help address these questions and concerns:

Project - Phase I:

To DESIGN, IMPLEMENT and ANALYZE: a “Telkwa Community’s Social Events/Projects Needs Assessment” through a series of community consultations (i.e. surveys, door-to-door & walk n’ talk interviews, philosopher’s cafés, etc.)... promoting full participation by all community members, to help identify social events/projects that aim to promote community inclusion, diversity and celebration of Telkwa’s unique community culture(s).

Project – Phase II:

To DELIVER: “What the community asked for”: through a series of “Four Seasonal Community Social Events/Projects” identified from the community consultations (Part I) (i.e. winter carnival, community garden, fall harvest party)... aiming to address community inclusion, celebration and a sense of well-being while also providing venues for further social development dialogue, surveys and discussions! *Delivery of the community consultation findings may be included in the social events calendar i.e. digital story-telling film and potluck.

Project – Phase III:

To EVALUATE: upon completion of the “project” indicators of success will be measured through qualitative questioning i.e. “Most Significant Change Theory” and a final report of these findings will submitted to TCIS, project partners and the Village of Telkwa's council.

3. Why is this project important? (Project rationale)

It will assist in reviving community spirit since it's 1983 recession and provide opportunities for all Telkwa members to voice what social developments, projects, or events they feel would generate a sense of belonging and pride in Telkwa's community culture, while instilling trust

that Telkwa can and will deliver social developments that allows a greater cross-section of Telkwa residents to participate in self-identified community projects/events.

4. What will this project accomplish? (Project objectives)

- ✓ The TCIS social dvlpt. project aims to increase community inclusion by encouraging a voice and full participation of all Telkwa community members.
- ✓ Generate new ideas and identify strategies to improve social development in Telkwa.
- ✓ Improve public awareness of social and community issues.
- ✓ Provide an opportunity to identify & nurture Telkwa's community culture.
- ✓ Provide an opportunity to celebrate community strengths, assets and members.
- ✓ Promote community engagement by implementing social events that aims to include all/most community residents.
- ✓ Improve the quality of life for Telkwa residents.
- ✓ Create new relationships and partnerships through a community project focus.
- ✓ Provide social events/projects that co-create more social events/projects.
- ✓ Support economic development by employing Telkwa businesses and supporting the mission statements of Telkwa not-for profit organizations.
- ✓ Project findings may contribute to Telkwa's Official Community Plan review
- ✓ Strengthen feelings of belonging to Telkwa residents.

→ REQUEST FROM MAYOR & TOWN COUNCIL:

The TCIS hopes to receive consent and a letter of support from the mayor of Telkwa and town council before the 30th of July stating that the Village of Telkwa supports the TCIS social development project “*Ensuring Community Inclusion Thru Social Projects & Events*” and could perhaps utilize project recommendations in the Telkwa's future Official Communtiy Plan!

Report to Council Milepost Advertising

Prepared by: Rimas Zitkauskas

Date: July 21, 2009

Background:

My main concern was that the publication was targeted at RV'er's and that we were subsidizing advertising for private businesses located not only in Telkwa, but in the RD.

I met with Gladys Atrill, Smithers Regional Tourism and obtained the following information:

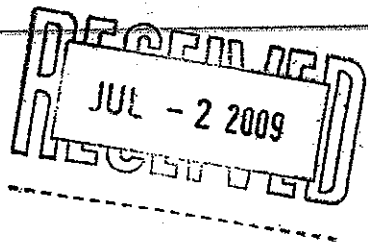
- Milepost is targeted to all travelers that are contemplating the Alaska circle tour which encompasses our region.
- Smithers Tourism purchases 2 full pages and receives a subsidy from BC Tourism
- They then resell to Telkwa and private businesses at a discounted rate. If Telkwa were to purchase a ½ page ad independently, the cost would be triple what we currently pay.
- our ½ page ad does not specifically mention private businesses. They independently purchase sections and the publishers the write a short "blurb" on activities, accommodations and features of our area based on who advertises.

Recommendations:

1. That we continue to work with Tourism Smithers and purchase a ½ page ad with edits on both the content and suggested edits to the publisher's "blurb"
2. That the Council ask the ED & Tourism Committee to review our advertising strategy and budget with recommendations to Council for the 2010 fiscal year.
3. Our online presence and cross-linking to promotional sites to be included in this review.

Reception

From: Claire Torgerson [claire.torgerson@gmail.com]
Sent: Wednesday, July 01, 2009 9:14 AM
To: reception@telkwa.com; info@telkwa.com
Subject: 2010 MILEPOST Yellowhead: Telkwa updates



Hello there,
 We at the MILEPOST are updating our 2010 Edition of the MILEPOST. Your assistance is invaluable in our pursuit of an accurate and up-to-date product for our readers, and your visitors. Please take a few minutes to read through our text (see below) on Telkwa (and a few km before and after) to ensure that this information is current.

Feel free to make corrections and/or additions. Often people choose a color to highlight the text that needs to be removed and another choice of color for text to be added (ex. blue for additions, red for deletions) so that I don't have to compare word-for-word. Or you can always copy and paste it to a Word document and do "track changes" too, if you prefer.

Let me know if you have any questions. Our deadline on this is August 15th but I encourage you to look at this as soon as you can as this sort of thing can be easily forgotten and we don't want to miss out on your valuable input.

Thank you in advance for your assistance.

Best,
 Claire



Claire Torgerson
 Assistant Editor,
 The MILEPOST
 www.TheMILEPOST.com

ACTION:	<input checked="" type="checkbox"/>
INFORMATION	<input checked="" type="checkbox"/>
UNFINISHED BUS.	<input type="checkbox"/>
CLIENTS REQUEST	<input type="checkbox"/>
RE-COMMEND	<input type="checkbox"/>
PERSONAL	<input type="checkbox"/>
FILE	<input type="checkbox"/>
MINOR	<input type="checkbox"/>
CORRECTION	<input type="checkbox"/>
STAFF <i>Wale</i>	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

- TELKWA:**
 PG 213.6 (343.7 km) PR 234.1 (376.7 km) Round Lake Resort to north.
 PG 216.8 (348.9 km) PR 230.9 (373 km) Private campground to south.
 PG 217.1 (349.4 km) PR 230.6 (372.5 km) Bulkley View rest area to south; large double-ended turnout with picnic tables and litter bins overlooking the Bulkley River.
 PG 219.8 (353.7 km) PR 227.9 (368 km) Ft. Telkwa RV Park, phone 250-846-5012.

Telkwa
 PG 220.3 (354.5 km) PR 227.4 (367.3 km) Telkwa Museum to south. Telkwa (name means meeting of the waters) is located at the confluence of the Telkwa and Bulkley rivers. Population: 1,300. Visitor Information: Visitor Infocentre at the Telkwa Museum and the Village of Telkwa office. Fishing and hunting information, licenses and supplies available at the general store.
 Telkwa is a charming village with a convenience store, laundromat, post office, a service station that

includes a laundromat and cafe, gift and art gallery with cappuccino bar, a quality meat store with locally grown meats, furniture and clothing warehouse store. Riverside and lakeside lodging available. Two Rivers Lodge overlooks the Bulkley River rapids; phone 250-846-6000. Camping at Fort Telkwa RV Park on the east edge of town and Tyhee Lake Provincial Campground, moments away from the village.

Eddy Park, on the western edge of town along the Bulkley River, is a good spot for picnicking (look for the wishing well). St. Stephen's Anglican Church (now Mount Zion Lutheran) was built in 1911 and the bell and English gate added in 1921. Other Heritage buildings date back to 1908. Historic walking tour guides are available at the museum or village office or online at www.telkwa.com/html/history.htm and download □ walking tour. □ Walking trail to historic townsite of Aldermere and to Tyhee Lake Provincial Park.

The Kinsman Barbecue is held over Labour Day weekend. This event features a major northern baseball tournament, kids games (including frog race), contests, a fast and furious demolition derby, and mouth-watering BBQ beef, traditionally cooked underground for 24-hours. Visit www.telkwa.com for more information.

Yellowhead Highway 16 Log (continued)

PG 220.7 (355.3 km) PR 227 (366.5 km) Two Rivers Lodge. Also turnoff for Tyhee Lake Provincial Park, 0.6 mile/1 km north; 59 campsites, 26 day use picnic tables, dump station, hiking trails, fishing, swimming, boat launch.

Also turnoff here on the Telkwa High Road, which intersects with Babine Lake access road (gravel), which leads 46 miles/74 km north to Smithers Landing on Babine Lake and 56 miles/90 km to Granisle. Tyhee Lake, rainbow and lake trout to 2 lbs., June through August; Kamloops trout to 2 lbs. Babine River, steelhead to 40 lbs., late fall. Telkwa River, spring and silver salmon to 24 lbs., summer to fall.

PG 221.1 (355.9 km) PR 226.6 (365.9 km) Gas station with diesel.

PG 225.5 (362.9 km) PR 222.2 (358.8 km) Second turnoff westbound to north for Babine Lake/Smithers Landing.

PG 227.2 (365.7 km) PR 220.5 (356 km) Private campground, driving range and restaurant.

PG 227.5 (366.1 km) PR 220.2 (355.7 km) Turnoff to north on gravel road for Driftwood Canyon Provincial Park; picnic area. Turn left for Driftwood Canyon park, or continue on (north) for road to Smithers Landing (paved partway).

Is this current contact information?

Greg Meredith
Village of Telkwa
P.O. Box 220 NW
Telkwa, BC
Canada V0J 2X0
Phone (250) 846-5212
info@telkwa.com or Helen email: reception@telkwa.com

VILLAGE OF TELKWA
PARKS AND RECREATION SELECT COMMITTEE
MEETING July 16, 2009
COUNCIL CHAMBERS
7:00 PM

ATTENDANCE:

Ruth Banks – ruthaneehiltz@yahoo.com
Michelle Larstone – mlarstone@telus.net
Tom Dall – administrator@telkwa.com
Jim Hiltz – jim.hiltz@yahoo.com
Erik Jacobsen – ejacobsen@citywest.ca
John McDivitt – No email need to call

ABSENT

Karin MacKay – macblack@citywest.ca
Jane Matthews – info@tworiverslodge.ca

Councillor Hiltz opened the meeting at 7:05 pm

Adoption of Agenda

PATC Res. 09-06-004 Jacobsen/McDivitt
Motion to adopt the agenda with the following additions: New Trail and three additions to Erik's report

Previous Minutes

PATC Res. 09-06-005 Jacobsen/Banks
Approval of the previous minutes of June 24, 2009

CARRIED

CARRIED

Council Referrals

1. Volunteers – There needs to be a policy and forms which will allow volunteers to assist with projects in the community. The policy would create consistency with the projects to be undertaken and assist the staff and Council in creating clear guidelines for the work to be performed. The ability for volunteers to do some of the work would also assist Council to know who would be on the volunteer liability list. The policy would also avoid duplication of the work.

ACTION: The committee will create a policy and a contract for work to be done for consideration at the next meeting.

2. Previous Minutes Recommendations – The previous recommendations were all accepted by Council except the removal of the tires from Woodland Park. Council

has suggested the painting of the tires and to drill some holes in the tires to allow the water to drain. The Committee agreed this would be a good idea and recommended that the duties be performed by staff.

There was a discussion regarding the garbage cans. The committee had recommended that garbage bags be put in the garbage cans. It was suggested that this might not be a good idea, however it was decided that the staff be allowed to try and use larger garbage bags and see how it works.

ACTION: The Committee agreed to send this back as a recommendation to have the staff drill the holes in the tires and have them painted.

Outstanding items from Previous Minutes

1. Terms of Reference – The terms of reference was amended to change the term of the first year committee to expire on October 1, 2010 and to change the date of renewal of the committee to October 1, 2009.
2. Funding for Trees- The certificates have been located and there is currently \$285.00 for the purchase of trees for the parks. All For Less has kindly offered to allow the Village to purchase trees as cost. The Committee agreed to have a committee to look at what trees are available and to bring back a report to the next meeting.

PATC Res. 09-06-006

Banks/Jacobsen

Motion to adopt the Terms of Reference as amended and to have the Terms of Reference sent to Council for ratification.

CARRIED

ACTION: To have Jim and Erik look into the purchase of some trees for the parks and possible for the Lift Station area at Eddy Park and bring a report back to the Committee.

Parks

1. Eddy Park – Look at the possibility of putting some trees in the area around the lift station. Everything looks really good and lots of compliments from the public.
2. Library Park – none
3. Riverside Park – none
4. Hankin Park – none
5. Woodland Park – All of the current recommendation were looked after and there have been some positive comments on the work done. Still have more to do but really good start. The playground needs to have some more work and Michelle has gone over with the maintenance department the areas of concern.

The overall comments about the parks have been very positive and one of the comments was that the green flower baskets really do stand out over the white ones. There is a need to fertilize the parks in the fall and this should be done.

ACTION: The parks should have fall fertilizing done and could be volunteers depending on the availability and the policy completion.

Trails

1. West of Bulkley River Trails – none
2. East of Bulkley River Trails – Jim thanked the staff for removing the big tree on the path and completing the grass cutting along the trail.
3. Aldermere/Tower Street Trails – The trails are in dire need of signage. Jim has agreed to make some arrow signs and put them up.

ACTION: Jim will make two signs and put them on the Aldermere/Tower Trail system

Other Business

1. Eric Jacobsen Report
 - a. Plan for flowering trees to be planted in the parks next year – The committee has set up a group to look into this and will report back to the Committee.
 - b. Recommend to count the flowers and hanging baskets to better prepare for next year – It was agreed that one of the meetings next year will be for this specific purpose so the planting event will run smoothly.
 - c. Recommend a budget and what will be required to further upgrade the parks for next year – It was agreed that this would be part of the committee duties to look at specific projects and create a budget to be forwarded to Council for consideration.
 - d. The grass needs fertilizing and weed control – Committee has agreed and this will be looked into.
 - e. The trees in the parks need pruning – It was agreed that this could be done by volunteers and/or by staff providing the proper training is provided.
 - f. Training of the staff is required each year for the maintenance of the park – It was agreed that this will be brought to the attention of Council during the budget process.
 - g. Erik commented that the community is looking the best that it has in many years and wishes the compliments to be passed onto Council and staff.
2. Jim Hiltz Report
 - a. Garbage Cans vs Bearsmart Cans – Jim provided an alternative concept for garbage cans for the BBQ Grounds. It was agreed to allow Jim to work on this through Council. All agreed that the parks would still work towards the installation of Bearsmart cans. One possibility would be to contact Kemess and see if they have some they would be willing to donate to the Village.

- b. New Trail System – Michelle and Jim have been working on the possibility of a new trail beside the BBQ Grounds and Coalmine Road which would go from Cottonwood Road to Birch Road and then onto the bridge. Jim has contacted the Ministry of Transportation and they have agreed in principle about the concept. It was agreed that the committee continue to work on the proposal and to develop a presentation to be taken to Council for consideration.

ACTION: The Committee agreed that a letter should be written to Kemess to see if they would be willing to donate bearsmart garbage cans to the Village.

ACTION: The Committee agreed that the new trail group proceed with develop some mapping to show the actual route and identify some of the concerns along the route which will then be brought back to the Committee and then presented to Council for consideration.

COMMITTEE RECOMMENDATIONS TO COUNCIL

1. That the tires in Woodland Park be dealt with by staff and have them painted and have the holes drilled to allow the water to drain.
2. That the Term of Reference be adopted by Council
3. That a letter is written by the Mayor and Council to Kemess requesting a donation of bearsmart garbage cans.
4. That Council continues with the investigation of installing bearsmart garbage cans in the parks and to look at other alternative for the BBQ Grounds.

PATC Res. 09-06-007

Larstone/McDivitt

Motion of the Committee is to accept the above four (4) recommendations to be sent to Council for consideration.

CARRIED

The next meeting of the committee will be held on Thursday August 20, 2009 at 7:00 pm in the Village of Telkwa Council Chambers.

PATC Res. 09-06-008

McDivitt/Banks

Motions to Adjourn the meeting at 8:25 pm

CARRIED

The Committee Meeting report was prepared by Tom Dall CAO Village of Telkwa on July 17, 2009.



Village of Telkwa Parks & Trails Committee Terms of Reference

A. Purpose

The Village of Telkwa Parks & Trails Committee exists to advise Council, in communication with Village staff, on matters, including budget recommendations, pertaining to Parks and Trails in the Village of Telkwa.

This includes:

1. Trails
2. Woodland Park
3. Hankin Park (future)
4. Museum Parking Lot (planters only)
5. Eddie Park
6. Library Park
7. Riverside Park

B. Committee Composition

It is proposed that the Committee be comprised of a maximum of six (6) members of the public, one member of Council, and one non-voting staff member.

Expressions of interest have been received from the following community members:

1. Karin MacKay
2. Ruth Banks
3. Michelle Larstone
4. Erik Jacobsen
5. Jane Matthews
6. John McDivitt
7. Jim Hiltz – Councillor

The first term of the committee will be extended to October 1, 2010. Appointments to the Parks & Trails Committee are made for a term of one year effective October 1 of each year. There are no limits to the number of terms a member may be on the committee.

The Chair for the committee will be selected each year by the committee and will be responsible for:

1. running the meeting
2. assist staff preparation of the agenda
3. act as the spokesperson for the committee

C. Other Procedures

- Committee meetings are held week on the 3rd Thursday of each month at the Telkwa Village Office at 7:00 pm

- The agenda will be set out in the following manner in order to create consistency in discussion and efficiency.
 1. Call the Meeting to Order
 2. Adoption of the Agenda
 3. Adoption of the previous Minutes
 4. Council Referrals/Decisions
 5. Outstanding Issues from Previous Minutes
 6. Parks
 - a. Eddy Park
 - b. Library Park
 - c. Riverside Park
 - d. Hankin Park
 - e. Woodland Park
 7. Trails
 - a. West of Bulkley River Trails
 - b. East of Bulkley River Trails
 - c. Aldermere/Tower Street Trails
 8. Other Business
 9. Council Recommendations (requires motion)
 10. Adjournment

- Committee will follow the Council Procedure Bylaw 589 and the Community Charter Sections 142 to 145 relating to Select Committees.

- All Committee meetings are open to the public, as per the Community Charter

- Delegations to a Committee meeting must follow the Procedure Bylaw 589 procedures by providing the staff who prepare the agenda with a letter or notice prior to the meeting outlining the reasons for attending the meeting

- The staff member present at the meeting is responsible for keeping minutes, which are then included in the agenda for the next meeting of Council.

- Committee recommendations to Council must be brought forward at the committee meeting in the form of a motion for recommendation to Council. Recommendations will then be brought forward to the next General Meeting of Council for review and delegation to staff if required. Council decisions will be final.

- Recommendations on complex issues may require a Committee delegation to council, which must be arranged with Village staff.

Approved by Parks & Trails Committee on _____ of _____, 2009

Approved by Council Resolution on _____ of _____, 2009

Containers to hold garbage -BBQ Grounds

Council has approved the use of "BEAR SMART" garbage containers for the BBQ Grounds.

I would like Council to review an alternate garbage container.
The main factor being cost.

We now have in place blue plastic garbage barrels They are disposals from the water plant.
Most are fastened securely to un-removable objects but are open to the rain.

I would like to recommend Council review the garbage can lid in the brochure provided.

Councillor Hiltz
Portfolio:
Parks & Recreation

5.0 **Keeps garbage in it's place!**

MAY
11
2009

By Brenda from Bookkeeping from Waukegan, IL



PROS

Dresses up a 55 gal drum
Keeps garbage in the can

CONS

Would like more colors

BEST USES

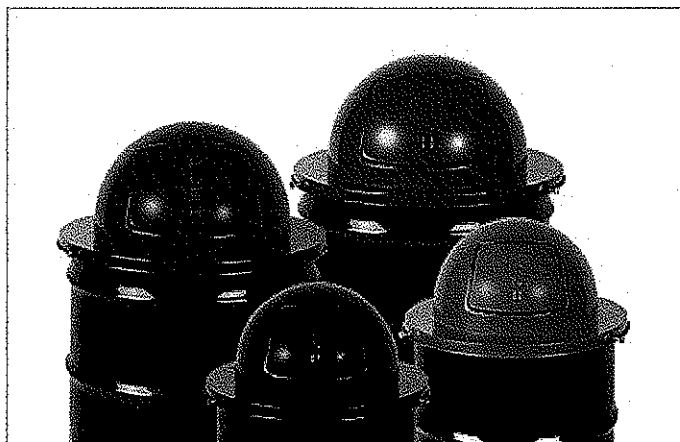
Love the product wish it came in a wider selection of colors. With this trash cover it has cut back on clean up of trash that would blow out of the 55 gal drums.

BOTTOM LINE Yes, I would recommend this to a friend

Was this review helpful? Yes / No - You may also flag this review

Displaying review **1** [Back to top](#)

Additional Images:



For Your Reference:

OUR SKU # UR1326

This item is also sometimes listed under the following manufacturer numbers:
1855BK, 1855EG, 1855RD

Customer Service

- [Contact Us](#)
- [Shipping Policy](#)
- [Orders to Canada](#)
- [Return Policy](#)
- [Ordering Information](#)
- [Our Guarantee](#)

About Us

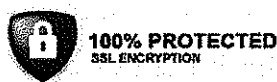
- [Why Buy From Us?](#)
- [Our Stores](#)
- [CSN Returns Outlet](#)

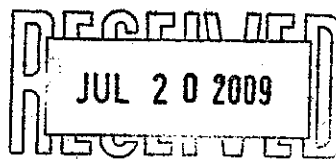
My Account

- [Sign In/Register](#)
- [Shopping Cart](#)
- [Order Status](#)
- [Order History](#)
- [My Address Book](#)

Helpful Information

- [Advice Central](#)
- [Sales & Promotions](#)
- [Send Us Your Suggestions](#)
- [Email Preferences](#)





Reception

From: Maxine Koppe [nrthcent@telus.net]
Sent: Wednesday, July 15, 2009 12:33 PM
To: Bernice Crowe (E-mail); Bonnie Bailey; Cariboo RD (E-mail); City of Dawson Creek (E-mail); City of Ft. St. John (E-mail); City of Prince Rupert (E-mail); City of Quesnel (E-mail); City of Terrace (E-mail); District of 100 Mile House (E-mail); District of Chetwynd (E-mail); District of Fort St. James; District of Houston (E-mail); District of Kitimat (E-mail); District of Mackenzie (E-mail); District of Stewart (E-mail); District of Taylor (E-mail); District of Tumbler Ridge (E-mail); District of Vanderhoof (E-mail); District of Wells (E-mail); Donna Law; Northern Rockies Regional Municipality; RD Bulkley Nechako (E-mail); RD Kitimat Stikine (E-mail); Skeena Queen Charlotte RD (E-mail); Town of Smithers (E-mail); Village of Fraser Lake (E-mail); Village of Granisle (E-mail); Village of Hazelton (E-mail); Village of Massett (E-mail); Village of McBride (E-mail); Village of Port Clements (E-mail); Village of Queen Charlotte (E-mail); Village of Telkwa (E-mail); Village of Valemount (E-mail)

Subject: FW: Resolution for Consideration

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CLERK'S REPORT	<input type="checkbox"/>
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STAFF	<input type="checkbox"/>
OTHER:	<input type="checkbox"/>

Please see attached resolution from the City of Merritt.

Thank you,

Maxine

-----Original Message-----

From: Ruth Tolerton [mailto:rtolerton@merritt.ca]
Sent: Wednesday, July 15, 2009 12:25 PM
To: ubcm@civicnet.bc.ca; akblg@shaw.ca; efraser@civicnet.bc.ca; nrthcent@telus.net; alislater@shaw.ca
Subject: Resolution for Consideration

To: UBCM, SILGA, AKBLG, VICC, LMLGA, NCMA:

The City of Merritt requests consideration by UBCM and its area associations, the following resolution

**HEAVY INDUSTRY
MILL RATE**

8.12

THAT the following resolution be forwarded to Union of BC Municipalities government associations for consideration:

"Heavy industry in British Columbia, both in mining and forestry, is struggling to remain competitive in world markets hit heavily by the economic down turn. 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."



Government of Canada

Gouvernement du Canada

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UNCLASSIFIED	<input type="checkbox"/>
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PERSONAL	<input type="checkbox"/>
FILE	<input type="checkbox"/>
WARRANT	<input type="checkbox"/>
COMPLETION	<input type="checkbox"/>
STAFF	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

RECEIVED JUN 22 2009

MEMORANDUM NOTE DE SERVICE

Page 1 of/de 1

Village Of Telkwa

TO
A

SECURITY - CLASSIFICATION - DE SÉCURITÉ
OUR FILE - NOTRE RÉFÉRENCE
YOUR FILE - VOTRE RÉFÉRENCE
DATE 2009-06-18

NCO i/c Smithers RCMP

FROM
DE

SUBJECT
OBJET

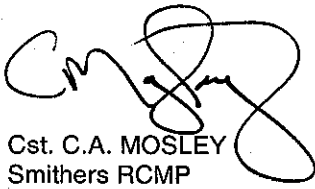
Coalmine Rd. - Speeders

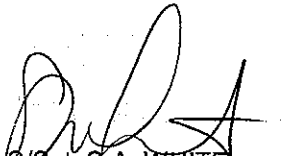
In regards to the ongoing problem with motorists speeding through residential area on Coalmine Rd., I would like to recommend the following:

The installation of a clearly posted speed limit sign for north bound traffic on Coalmine Rd. would work primarily as a way to remind motorists of the speed limit in the area, and secondly as an assist to the police in the prosecution of any Violation Tickets issued for speed.

As it seems that the greatest number of concerns comes from the residential area along the paved length of Coalmine Rd., the position of the sign would be best located on the hill north of the Woodland Subdivision turnoff.

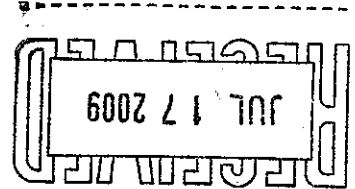
Submitted for your consideration,


Cst. C.A. MOSLEY
Smithers RCMP


S/Sgt. S.A. WHITE
NCO i/c Smithers RCMP



ACTION	<input checked="" type="checkbox"/>
INFORMATION	<input type="checkbox"/>
UNFORWARDED MAIL	<input type="checkbox"/>
CLERK'S REPORT	<input type="checkbox"/>
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July 16, 2009

Dear Mayors and Regional District Chairs:

It is a pleasure to write to you regarding appointments at the upcoming Union of British Columbia Municipalities Convention (Convention) taking place in Vancouver, September 28 to October 2, 2009. As the new Minister of Community and Rural Development, I am particularly looking forward to attending the Convention and meeting with many of you.

You will have recently received a letter from Honourable Gordon Campbell, Premier, containing information about the online process for requesting a meeting with him and other Cabinet Ministers. I am pleased to provide you with information about the process for requesting a meeting with me, as well as with government, agency and commission staff.

If you would like to meet with me at the Convention, please complete and submit the online form at: www.civicinfo.bc.ca/mcd/mcrd2009.asp, before August 7, 2009. Meeting arrangements will be confirmed, or you will be advised of alternate arrangements, in early September. I will do my best to accommodate as many meeting requests as possible.

Ministry of Community and Rural Development staff will be sending you, via email, the provincial appointment book listing all government, agency and commission staff available to meet with delegates at the Convention, as well as providing you with further details of the online process for requesting a meeting.

I look forward to a productive Convention and working with you in the year ahead.

Sincerely,

Bill Bennett
Minister

Ministry of Community
and Rural Development

Office of the Minister



PO Box 9056 Stn Prov Govt
Victoria BC V8W 9E2

Phone: 250 387-2283
Fax: 250 387-4312
www.gov.bc.ca/cd

**Office of the
Premier**



U.B.C.M. 2009

DATE: July 8, 2009

TO: Village of Telkwa

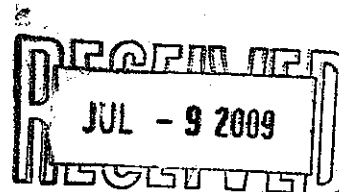
FROM: Katherine Bergen, U.B.C.M. Meeting Request Coordinator

VIA FACSIMILE: 250-846-9572

Please see the attached letter from Premier Gordon Campbell regarding the 2009 U.B.C.M. Convention. Should you have any questions please don't hesitate to contact me directly at 604-775-1600.

Please complete the on-line meeting request form by no later than August 14, 2009.

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CLERK'S REPORT	
BY GIBBERT	
FEEDBACK	
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COUNSELLOR	
STAFF	
OTHER:	





July 8, 2009

Mayor Graf and Councillors
Village of Telkwa
Box 220
Telkwa, BC V0J 2X0

Dear Mayor Graf and Councillors:

I am pleased to know that this year's UBCM Convention will be focusing on British Columbia as *A Province of Champions*.

As we confront a changing world with global economic challenges, British Columbians continue to show innovation and receive accolades for our collective efforts and initiatives focused on keeping our province strong. Through working together with communities and building partnerships, we have come a long way; but there is an awful lot to do in the years ahead.

I will look forward to seeing you at the Convention, and my caucus colleagues and I look forward to working with you to make your community an even better place to live.

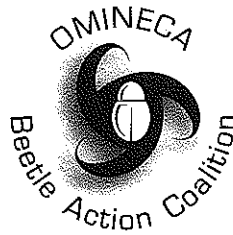
If you would like to request a meeting with a Minister on a specific issue during this year's convention, please fill out the on-line form at www.corporate.gov.bc.ca/UBCM/. The invitation code is **MeetingRequest2009**. If you have any questions, please contact my UBCM Meeting Request Coordinator, Katherine Bergen at 604-775-1600.

I look forward to seeing you at the 2009 UBCM Convention.

Sincerely,

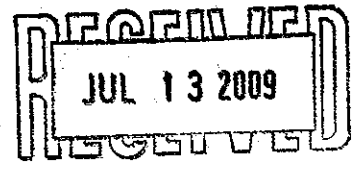
Gordon Campbell
Premier

ps: Please join us at the annual Provincial Government Reception on Wednesday, September 30th at the Vancouver Convention Centre.



Mayor and Council
 Village of Telkwa
 1740 Riverside Street
 Box 220
 Telkwa, BC V0J 2X0

ACTION	
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MAYOR	<input checked="" type="checkbox"/>
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OTHER:	



July 9, 2009

Re: Support for OBAC Strategy Implementation and a Continued Collaborative Approach across the Region

In late 2005, the 14 local governments of the OBAC region came together with provincial funding and committed to developing a series of priority topic strategies and a Diversification Plan for the OBAC region. As part of this endeavour OBAC also committed to:

- Gather and share credible information from and with different sources;
- Communicate the region's community interests with senior governments & industry;
- Develop positions and advice & influence government and corporate policies & decisions to support sustainable development in the region; and,
- Follow up on decision-makers' commitments to the OBAC region.

With the release of the last of the 8 Regional Strategies scheduled for June 30th, the release of 2 Project Reports on the remaining two priority topics scheduled for release in July and August and, the public release of a Diversification Plan Discussion Paper (attached) scheduled for late July, OBAC will have completed all of the work that it committed to do back in late 2005. The Strategies present a set of actions that senior governments, local governments and other important implementation partners can start immediately that can change the economic and social development path that we are on and create a better future. It's now time to turn our minds towards taking action on all of the good work done to date. OBAC has begun working with senior government agencies and, industry and community representatives and specialists to prepare Action Plans that will help us to take actions together to create a more prosperous future.

It's important to make sure that the ideas currently in the strategies and new ideas that emerge are acted upon in a coordinated fashion. This should naturally be led by community leaders, supported with the required resources and capacity to work with others to respond to the unique interests and needs of this region. The immense amount of collaboration and momentum that has been built through the strategy development phase of OBAC will be valuable as we move ahead with building a resilient future. Our hope is that your local government will want to continue together in this endeavour through to implementation. OBAC is looking for your continued support as a member of OBAC, so that OBAC can continue to support you.

25

Over the next month, OBAC Directors and staff will be pleased to brief you on the details of the strategies and the proposed Diversification Plan and delivery mechanism. As we do this we must continue to speak with the two senior governments to encourage them to support continued collaborative effort at the regional scale to make sure that we can keep the momentum going. A support letter from your local government for a regional collaborative approach to an implementation phase of OBAC will go a long way to helping OBAC work with senior governments in the immediate future to get the capacity and resources that we will need to follow through on delivery and action.

If you have any questions about this request and also to arrange a briefing on the OBAC initiative, strategies and Diversification Plan, please do not hesitate to contact me at our office in Prince George at (250)563-7005 or eandersen@ominecacoalition.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Andersen". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

Elizabeth Andersen
OBAC General Manager

Attach/
Draft Diversification Plan Discussion Paper for member local government internal review

Mika Hirano
1351 Aveling Coalmine Rd.
Telkwa, B.C.
V0J 2X0
(250) 846 9396
hirano.mika@gmail.com

Village of Telkwa
1704 Riverside St.
Telkwa, B.C
V0J 2N0

July 16, 2009

Re: Rental of table and chairs from Telkwa Community Hall

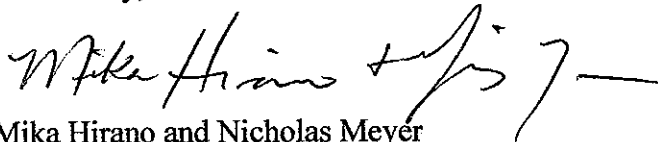
To: Telkwa Council

This is a letter to request the rental of the table and chairs from the Telkwa Community Hall for the dates of September 19th and 20th. We are getting married at our home and would like to use the chairs and tables as part of our reception.

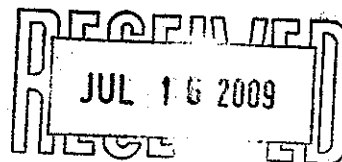
As a couple new to the community of Telkwa, we are looking forward to sharing this beautiful part of the world with our friends and family.

We thank you in advance for your time and consideration while reviewing this request.

Yours truly,



Mika Hirano and Nicholas Meyer



ACTION	<input checked="" type="checkbox"/>
INFORMATION	<input type="checkbox"/>
UNFURNISHED BUS.	<input type="checkbox"/>
CLERK'S REPORT	<input type="checkbox"/>
W/CAMERA	<input type="checkbox"/>
PERSONAL	<input type="checkbox"/>
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MANON	<input type="checkbox"/>
COUNCILLOR	<input type="checkbox"/>
STAFF	<input type="checkbox"/>
OTHER:	<input type="checkbox"/>

16th July 2009

Attention: Mr. Carmen Graf

Topic: Visiting Envoy of the Dalai Lama's Government in Exile to the Bulkley Valley.

Dear Mr. Graf,

In August the Venerable Geshe Thupten Phelgye, a Tibetan Lama and representative of the Dalai Lama's Government in Exile will be visiting the Bulkley Valley to help raise the profile of the Tibetan issue and to talk about Tibet and her beautiful culture.

Geshela, as he is affectionately known, has in the past met with US congressmen to discuss the Tibetan problem and also attends the yearly Sulha conference in Israel to promote peace and harmony between Arabs, Jews and Christians. He is also responsible for establishing several Centres of Compassion throughout North America.

We would be deeply honoured to have your presence at a welcoming ceremony we are holding for him on 11th August at the Smither's library park between noon and 1pm. We are also expecting other political dignitaries, Native representatives as well as coverage by TV, radio and the local press.

We would also like to ask your permission to fly a Tibetan flag in Telkwa to honour this man and his long suffering people. We would be happy to supply the flag.

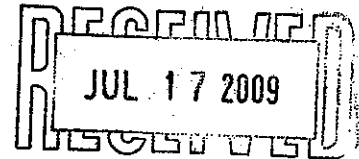
Thank you for your time.

Yours Sincerely,

J. M. Vincent
John Vincent "Friends for Tibet"

RSVP: JOHN VINCENT 250-846 5803 OR Email t8465803@telus.net
or Kaaren soby 250-846 5005 OR Email kaarensoby@hotmail.com

ACTION	<input checked="" type="checkbox"/>
INFORMATION	<input type="checkbox"/>
UNRECORDED BUS.	<input type="checkbox"/>
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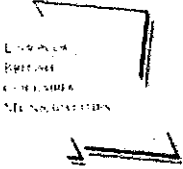
Proposed Recognition and Reconciliation Act
June 23, 2009
Page 4

RECOMMENDATION:

(All/Directors/Majority)

"That the Regional District of Bulkley-Nechako Board of Directors direct staff to write a letter to UBCM and the Minister of Aboriginal Relations and Reconciliation, (Honourable George Abbott), urging that local government(s) are broadly and adequately consulted prior to the proposed Indigenous Recognition and Reconciliation Act being considered in the legislature."

March 26/09
in Ed. agenda



MEMBER NOTICE

TO: Mayor and Council
Chair and Regional District Board

FROM: UBCM Secretariat

DATE: March 16, 2009

RE: PROPOSED INDIGENOUS RECOGNITION ACT

The UBCM Executive met March 13th, with the Honourable Mike de Jong, Minister of Aboriginal Relations and Reconciliation, to discuss the proposed indigenous recognition act that would formally recognize Aboriginal rights and title in BC. The proposed legislation is a result of ongoing discussions between the Province and the BC First Nations Leadership Council. The Minister provided a brief overview of the proposal.

In addition to recognizing Aboriginal rights and title, the proposed legislation would recognize Crown title.

He stated that the proposed legislation **would not:**

- Alter or create new constitutional rights;
- Alter constitutional division of powers;
- Provide First Nations with a veto vote; or
- Affect the status of existing provincial crown grants or tenures in land or resources, including fee simple title.

Minister de Jong confirmed with the Executive that the provincial government has no intention of passing this legislation without further extensive consultation with UBCM.

The UBCM President communicated to the Minister that under our recently signed MOU the Province committed to early and ongoing consultation with local government on New Relationship activities. **The Minister committed to establishing a process for consulting with local governments.** UBCM will work with the Ministry over the next few weeks on development of a consultation process.

The Ministry recently released a discussion paper on the proposed legislation. To download a copy, please go to the provincial government website at: <http://www.gov.bc.ca/arr/newrelationship/default.html>.

If you have any questions or comments that you would like UBCM to raise with the Ministry please forward them to Marlene Wells at the UBCM office at mwells@civicnet.bc.ca or at 604-270-8226, ext. 116.

Discussion Paper on Instructions for Implementing the New Relationship

Context

In 2005 the Province and the First Nations Leadership Council entered into a New Relationship based on respect, recognition and accommodation of aboriginal title and rights; respect for each others respective laws and responsibilities; and for the reconciliation of Aboriginal and Crown titles and jurisdictions. The parties agreed to establish new processes and institutions for shared decision-making regarding land and resources and for revenue and benefit sharing.

The Parties wish to further implement the commitments of the New Relationship. This will be accomplished through the enactment of a legislative package which includes the development of regulations, template shared decision-making and revenue and benefit sharing agreements and the issuance of a Proclamation.

The parties propose to move forward on the following basis:

Legislation

The Province will enact legislation consisting of the following elements:

Purpose

The purpose of the legislation will be to:

- recognize that Aboriginal rights and title exist in British Columbia throughout the territory of each Indigenous Nation that is the proper title and rights holder, without requirement of proof or strength of claim;
- enable and guide the establishment of mechanisms for shared decision-making in regard to planning, management and tenuring decisions over lands and resources;
- enable and guide the completion of revenue and benefit sharing agreements between Indigenous Nations and the Province;
- set out a vision of re-building Indigenous Nations and establish a new institution to support and facilitate the process;
- establish processes, mechanisms or a new institution to assist in resolving any disputes than may arise regarding the interpretation or implementation of the legislation, regulations or any agreements concluded pursuant to the legislation.

Implementation of the Act is intended to foster reconciliation, cooperation and partnership and contribute to certainty for Indigenous Nations and third parties.

Scope

The Act will apply to all ministries and provincial agencies, in particular those that have any direct or indirect role in the management of lands and resources in the province and will take priority over all other provincial statutes dealing with these subject matters.

The Act would make clear that:

- constitutional and common law of Aboriginal rights and title and treaty rights, including available remedies, are unaffected by the Act.
- the Act is not intended to affect the status of existing provincial crown granted interests or tenures in land or resources, including fee simple title;
- nothing in the Act creates any new constitutional rights or law-making authority; and
- nothing in the Act alters, or can be interpreted to alter, either negatively or positively, the federal and provincial division of powers or the jurisdiction of either the Province of British Columbia or any Indigenous Nation under the Constitution of Canada.

Recognition Principles

The Province would adopt as a guiding standard for all of its conduct and negotiations with Indigenous Nations, including the creation and implementation of all enactments, policies and mandates affecting lands and resources, the following recognition principles:

- That Indigenous Nations and peoples pre-existed and continue to exist today and have their own laws, governments, political structures, territories and rights inherited from their ancestors. The Crown recognizes this without requirement of proof;
- That Aboriginal rights and title exist in British Columbia throughout the territory of each Indigenous Nation that is the proper title and rights holder. The Crown recognizes and affirms this without requirement of proof or strength of claim;
- That Crown title exists with Aboriginal title throughout British Columbia;
- That both Aboriginal and Crown title come with obligations and responsibilities;
- That Aboriginal title is a pre-existing interest in land, is held collectively and includes a jurisdictional and economic component;
- That there are existing treaty rights that exist in British Columbia and these must be honourably implemented; and
- That the relationship between Indigenous Nations and the Crown is a government-to-government relationship in which both parties exercise authority to make decisions including about how the lands and resources will be used and the resources shared.

Indigenous Nation-Rebuilding

The reconstitution of Indigenous Nations and the identification of the proper title and rights holders are keys to achieving certainty and the effective functioning of the framework for shared decision-making and revenue and benefit sharing contemplated by this Act. In the Tsilhqot'in decision, the Court identified the proper title and rights holder by reference to the four common threads of language, customs, traditions and shared history. In that case, the proper title and rights holder was the Tsilhqot'in Nation and not an Indian Band. Where the proper title and rights holders of an Indigenous Nation are represented by one political structure with a mandate to enter into shared decision-making and revenue and benefit sharing agreements with the Crown, the Indigenous Nation will be considered to be reconstituted for the purposes of this Act.

The Act will support and facilitate the reconstitution of Indigenous Nations by providing for the establishment of an Indigenous Nation Commission.

Indigenous Nation Commission

The legislation will establish the Indigenous Nation Commission, developed collaboratively with the First Nations Leadership Council.

The Commission will facilitate the identification, formation or reconstitution of the political structures of Indigenous Nations and confirm that such political structures have mandates from the proper title and rights holders to enter into shared decision-making and revenue and benefit sharing agreements with the Crown. The Commission could also work with Indigenous Nations to resolve issues of overlaps and shared territories.

Shared Decision-Making and Revenue and Benefit Sharing

The Act would enable three levels of engagement between the Province and Indigenous or First Nations: Comprehensive, Interim, and Default. The three levels would have different elements in terms of: statutory triggers, forms of Indigenous Nation building, shared decision-making outcomes and revenue-sharing outcomes.

(a) Comprehensive

The Comprehensive Level of engagement would involve the comprehensive application of recognition principles through shared decision-making and revenue-sharing agreements throughout an Indigenous Nation's territory. Engagement at the comprehensive level would be triggered by reconstitution of an Indigenous Nation and put into affect by agreements respecting planning, management, tenuring and revenue and benefit sharing.

The purpose of the agreements would be to achieve the harmonization of Crown and Indigenous Nation processes and decisions. Agreements will be based on templates/models to be adopted by regulation and collaboratively developed.

(b) Interim

Prior to comprehensive agreements being in place with an Indigenous Nation, the Interim level of engagement would involve the application of the recognition principles through shared decision-making and revenue-sharing agreements to certain specified categories of development projects and defined "strategic decisions". The categories of decisions which will trigger this level of engagement will be agreed upon by the First Nations Leadership Council and the Province, and listed in regulation. The agreements will be guided by the principle that processes and mechanisms for making decisions will be designed to accommodate and not compromise the interests of the parties.

At the interim level statutory decision makers will be enabled to exercise their discretion in accordance with agreements with an Indigenous Nation.

The Province is committed to revenue-sharing for sharing portions of provincial revenues related only to the specific projects or decision.

(c) Default

The Default Level would apply in all other cases where the courts would now apply honour of the crown principles. In this level the Province would engage on the basis of a consistent cross government approach to the application of the recognition principles respecting Aboriginal rights and title and treaty rights. The objective is a clear improvement in the status quo.

A Policy Framework would be jointly developed with FNLC representatives. The Framework would prescribe how provincial engagement would focus on analyzing impacts on aboriginal rights and title and treaty rights, and not on the strength of rights or title claims.

Enabling Statutory Decision Makers to Honour the Engagement Principles

Notwithstanding any other enactment, statutory decision makers can enter into agreements or take any actions to give effect to the recognition principles in making agreements and acting within agreements. Statutory decision-makers may enter into agreements with other statutory decision-makers who have authority respecting related subject matters connected to a land or resource development so that the decision-makers can together carry out a unified decision-making process with, or enter into a decision-making agreement with, an Indigenous Nation or other First Nation entity respecting the matters.

Council of Indigenous Nations

The BC Constitution Act will be amended to enable the Lieutenant Governor in Council to create a Council of Indigenous Nations. The Council of Indigenous Nations would have a mandate agreed by the FNLC and the Executive Council and implemented by regulation. The Council of Indigenous Nations would be comprised of leaders of reconstituted Indigenous Nations and initially may include representatives of the member political organizations of the First Nations Leadership Council.

Dispute Resolution

The legislation would enable dispute resolution. Dispute resolution processes should reflect the mutual expectation that most disagreements would be resolved through informal or political discussions. In the event that formal mechanisms are required the parties should undertake a graduated approach from local to more senior levels of authority until resolution is achieved. Mediation of a dispute arising from the interpretation and implementation of the Act, any regulations or agreement made hereunder may be undertaken, including establishing a tribunal for such purposes.

Proclamation

A Proclamation will be issued that speaks to the history of the Province of British Columbia, from pre-contact times through to the implementation of colonial policies that have had longstanding negative impacts and have served to create adversarial provincial Crown-Indigenous Nation relations.

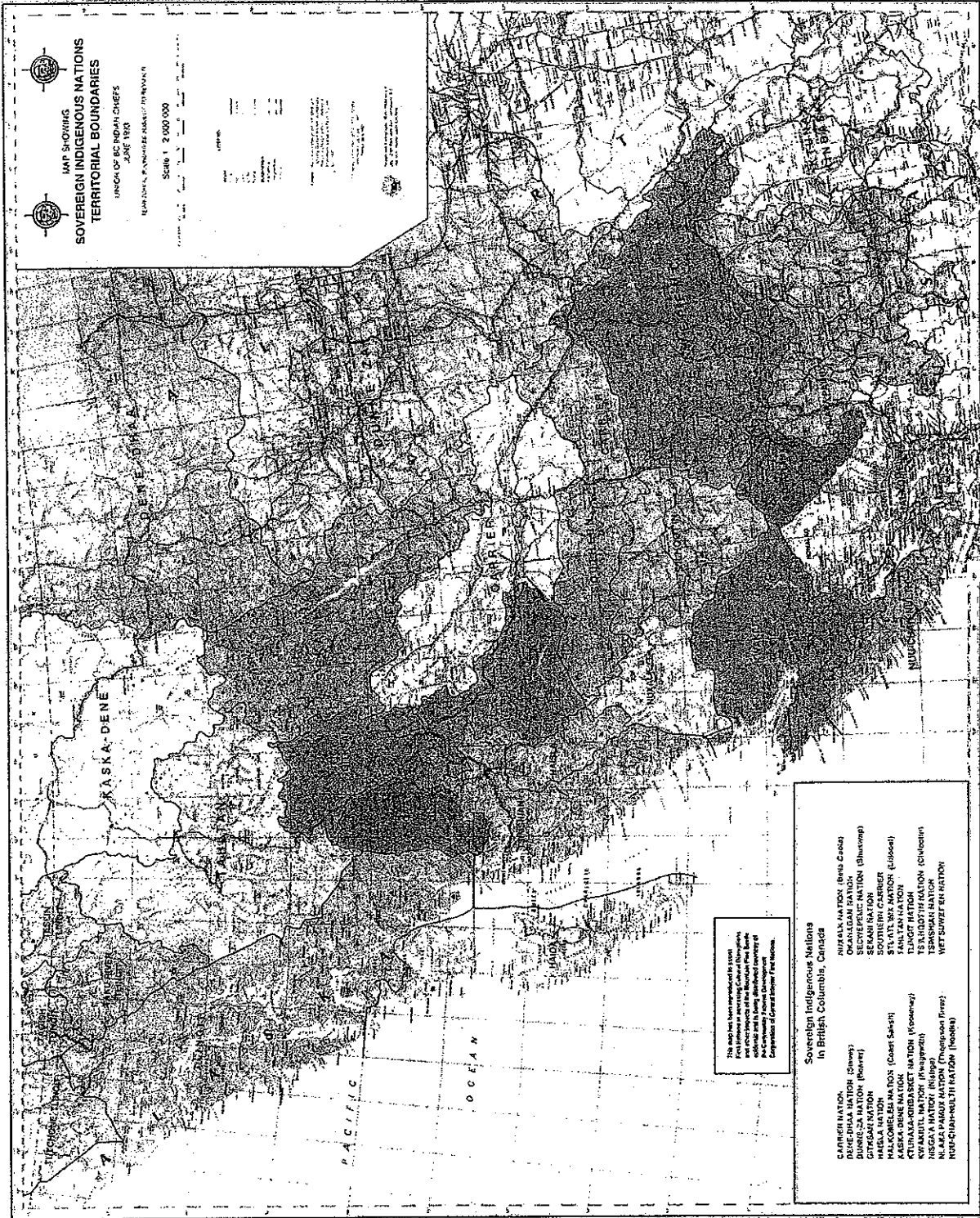
The Proclamation would describe how we are at a point in our collective history where there is huge opportunity to turn the page of history and establish a new relationship of respect and recognition.

The Proclamation would serve to set out a joint vision of the future and future Crown-Indigenous Nations relations. As well, it would envision the rebuilding of Indigenous Nations as a key part of the decolonization process, and as a necessary element of improving Crown-Indigenous Nation relations. Appended to the proclamation would be a listing and description of key historical events. (An attached map portrays the Indigenous Nations of British Columbia.)

The Proclamation should be eloquent and poetic. It should serve the purposes of fostering reconciliation and educating the broader population.

Ratification of Instructions

This Discussion Paper on Instructions for Implementing the New Relationship is the result of work undertaken by representatives of First Nations political organizations and senior representatives of the Government of British Columbia. The two parties must now take it to their Principals for review and consideration.



Confidential – without prejudice
2/19/2009 / 5:46:33 PM

Tom Dall

From: CivicInfo BC [info@civicinfo.bc.ca]
Sent: Friday, July 17, 2009 12:41 PM
To: info@civicinfo.bc.ca
Subject: Message from the Ministry of Community and Rural Development
Attachments: rst_Nations_Engagement_on_Local_Government_Statutory_Approvals_Interim_Guide.pdf

This message is being sent by CivicInfo BC to all Chief Administrative Officers on behalf of the Ministry of Community and Rural Development.

Subject: Interim Guide to First Nations
Engagement on Local Government
Statutory Approvals (Guide)
Intended Recipient(s): Chief Administrative Officers
Attachments: One (1) plus message below.

If you have received this message in error, we ask that you forward it along to the appropriate person in your office.

Should you have any questions about this message, please contact Cathy Watson, Director, Local Government – First Nations Relations, at cathy.watson@gov.bc.ca or 250.387.4057.

To Chief Administrative Officers:

Please find attached for your information a copy of the *Interim Guide to First Nations Engagement on Local Government Statutory Approvals (Guide)*.

The Guide was developed to assist local governments in referring relevant matters to First Nations for their input. For communities that already have established policies for engaging First Nations, the Guide may assist in enhancing existing approaches.

The Guide is designed to facilitate the timely processing of the following specific provincial statutory approvals: provincial approvals of municipal boundary changes and restructures under Part 2 of the *Local Government Act* and requests for ministerial approval of Regional District bylaws under *Local Government Act* Sections 882, 913, *Islands Trust Act* s. 27(2) (b) and s. 56, and *Resort Municipality of Whistler Act*, s. 11.

If you have any questions on the Guide, please contact Cathy Watson, Director, Local Government–First Nations Relations at cathy.watson@gov.bc.ca or 250-387-4057.

Sincerely,

Mike Furey
Assistant Deputy Minister
Local Government Department
Ministry of Community and Rural Development

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Guide To First Nations Engagement On Local Government Statutory Approvals (INTERIM)

**Ministry of Community and Rural Development
Local Government Department
June 2009**

Note: The *Interim Guide to Engagement with First Nations on Local Government Statutory Approvals* is a compilation of best information available to the Ministry of Community and Rural Development at this time. It is intended to be a guide only and should not be considered as legal advice. If legal advice is required, legal counsel should be sought. Some of the content of this document may be impacted by future events and decisions including: future court decisions; federal or provincial government initiatives and policy changes regarding First Nations and treaty negotiations.



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Introduction

The Province of British Columbia (Province) has an obligation to consult with First Nations whenever the Province proposes a decision or activity that has the potential to affect aboriginal rights including aboriginal title and treaty rights. This duty arises from court decisions and is consistent with the Province's commitment to a New Relationship with First Nations and the negotiation and resolution of modern-day treaties.

The *Interim Guide to Engagement with First Nations on Local Government Statutory Approvals* (Guide) provides guidance to local governments on engaging with First Nations as part of the process of obtaining provincial approval for local government activities that are outlined below. The intention of the Ministry of Community and Rural Development (Ministry) in preparing the Guide is to facilitate the timely processing of requests from local governments and to ensure that First Nations are consulted in a meaningful way to enable the processing of the request for statutory approvals.

The Guide was developed following requests from local governments for assistance in referring relevant matters to First Nations for their input. It is based on a review of practices of First Nations engagement by industry, provincial ministries and local governments. Many local governments have successfully established engagement processes with First Nations through the negotiation of Memorandum of Understandings, Protocols, etc. For local governments that have established formal engagement processes, the Guide may provide some additional information to enhance existing approaches.

Context

New Relationship

In 2005, the Province entered into a New Relationship with First Nations. Representatives from the Province and the Union of British Columbia Indian Chiefs, the First Nations Summit and the Assembly of First Nations (the Leadership Council) agreed to develop an overall approach to consultation. Once this work is complete, this Interim Guide will be reviewed, updated as required, and finalized.

Treaty Negotiations

In a Memorandum of Understanding between the Province and the Union of British Columbia Municipalities (UBCM), local governments are recognized as part of the provincial negotiating team in the BC Treaty Process. This involvement includes discussions with First Nations regarding what local government - First Nations relations will look like after a Final Agreement comes into effect. This local government - First Nations engagement has highlighted the value of consultation in identifying interests and opportunities to work together, both before and after treaties are concluded.

Legal Recognition of Aboriginal Rights

Aboriginal rights including aboriginal title and treaty rights are recognized and protected under the *Constitution Act, 1982*. The Province has a legal duty to consult with First Nations and, where appropriate, accommodate Aboriginal Claims. The courts have also determined that the Province may delegate procedural aspects of First Nations consultation to third parties.

The trigger for the duty to consult is very low because consultation is required where potential rights may be impacted by a Crown decision. Where a claim is settled through the terms of an agreement, consultation obligations will likely still exist due to the potential impacts of a decision on those existing aboriginal rights.

The Crown's obligation to consult on decisions that may impact Aboriginal Claims exists on a spectrum. The duty to consult varies with the circumstances of each situation. With respect to potential impacts to existing treaty rights, the focus will be on the potential impacts to those established treaty rights.

Where the claim is peripheral, or the potential adverse effect on the Aboriginal Claim is minimal, the duty may simply require notice of the proposed activity. Where the claim is strong or the potential impact is severe, the Province will participate in consultation relating to the proposed activity, in order to mitigate, avoid or otherwise address an adverse effect on an Aboriginal Claim as appropriate in the circumstances. Possible accommodation measures may include adjustments to a proposal and/or participation of First Nations in processes or initiatives.

Consultation must be meaningful, with the intention of reasonably addressing Aboriginal Claims and should be carried out through a timely, reasonable, transparent and proactive process. At a minimum, consultation involves corresponding and talking together for mutual understanding.

The courts have directed that First Nations must also engage in consultation in good faith. First Nations do not have a veto or approval function over Provincial decisions.

Statutory Approvals Requiring Consultation

The Ministry recognizes that some of its responsibilities related to local government structure changes and planning approvals require First Nations consultation.

Local government engagement with First Nations on proposed statutory approvals may be important to the overall decision-making process on the following matters: provincial approvals of municipal boundary changes and restructures under Part 2 of the *Local Government Act* and requests for ministerial approval of Regional District bylaws under *Local Government Act* Sections 882, 913, *Islands Trust Act* s. 27(2)(b) and s. 56, and *Resort Municipality of Whistler Act*, s. 11.

To discuss specific proposals, local governments should contact their Ministry staff contact in Structure and Planning Branches, or the Local Government - First Nations Relations Branch.

The Role of the Ministry

Direction from the courts relating to the provincial government's consultation obligations is evolving. The Ministry will review First Nations concerns presented during engagement with local governments to determine if any impacts to Aboriginal Claims have been identified that require more comprehensive consultation by the Ministry. Should this be the case, the Ministry will work with the local government and the First Nations to address these concerns.

Local governments are encouraged to contact their Ministry staff contact for assistance early in the statutory approval process.

Ministry staff contacts information: <http://www.cd.gov.bc.ca/lgd/contacts/department.htm>

The Role of Local Governments

The statutory approvals covered by this Guide are generally initiated by local governments, which develop the proposals, and obtain public, stakeholder and other input as required before submitting to the Ministry for processing. This Guide recommends that local governments also provide the Ministry with the input of area First Nations. This means that First Nations should be provided with an information package notifying them of the local government proposal and providing a time-period to respond. This does not transfer Provincial consultation obligations to local governments. Local government assistance in engaging First Nations early in the process will assist in the timely processing of statutory approval requests.

Appendix B outlines a suggested process that local governments may follow when engaging First Nations. Local governments that already have engagement protocols established with their neighbouring First Nations are encouraged to provide documentation to the Ministry demonstrating their engagement efforts with First Nations.

For local governments interested in building closer relationships with neighbouring First Nations, the *Community to Community Forum Program* supports the development of local government - First Nations relationships. The establishment of relationships can lead to productive engagements on statutory approvals. The *Community to Community Forum Program* is managed by the UBCM and the First Nations Summit. Their websites have more information on applying for a grant from this program (see Appendix E).

It is suggested that local governments engage with First Nations early on in the process and keep detailed records of all engagement efforts (see Appendix F). The results of these efforts should be included in the information submitted to the Ministry for consideration of a request for a statutory approval.

Appendix A – Definitions

“Aboriginal interests” may include concerns, wants or aspirations for a wide range of issues related to environment, social/education, economics, etc. Recognizing these interests is an important aspect of negotiations and may help the parties reach a resolution.

“Aboriginal rights” are practices, customs or traditions integral to the distinctive culture of the First Nation claiming the right. A practice undertaken for survival purposes can be considered integral to a First Nation’s culture. Some examples of aboriginal rights are hunting, fishing, and gathering plants for traditional medicines and spiritual ceremonies. Aboriginal rights may be connected to a particular piece of land.

“Aboriginal title” is a subcategory of aboriginal rights. It is a unique interest in land that encompasses a right to exclusive use and occupation of the land for a variety of purposes. Those uses must not be inconsistent with the First Nation’s attachment to the land.

“Claimed territory” or “Traditional Territory” is the area over which a First Nation asserts rights including title under Section. 35 of the *Constitution Act* 1982.

“First Nation” is an aboriginal community or band. Some First Nations are organized according to the systems established under the *Indian Act* (i.e. with an elected Chief and Band Council representing the interests of the community). Some First Nations are organized by traditional systems such as the house system where one hereditary chief represents a number of families.

“Municipal boundary extension” refers generally to changing the boundary of a municipality by amending the Letters Patent, which requires Cabinet approval pursuant to the *Local Government Act* Section 20.

“Municipal incorporation” refers generally to when a community is incorporated as a municipality, which requires Cabinet approval pursuant to the *Local Government Act* Section 7.

“Official Community Plan” is a statement of objectives and policies to guide decisions on planning and land use management that requires approval from the Minister pursuant to the *Local Government Act* Section 882.

“Reserve” is a tract of land set apart by the Federal government for the use and benefit of a First Nations band.

“Restructure of local government” refers to a change in boundaries or governance of a local government, which requires Cabinet approval pursuant to the *Local Government Act* Section 7 and Section 20. “

“Treaty Lands” are those lands owned by a First Nation under a modern treaty, and are also referenced as treaty settlement land.

“Treaty rights” are those rights held by a First Nation in accordance with the terms of a historic or modern treaty agreement with the Crown.

“Zoning or Subdivision Servicing Bylaws” refers to a regional district bylaw that requires approval from the Minister pursuant to the *Local Government Act* Section 913.

Appendix B – Local Government Engagement Steps

Step 1 - Identify Potentially Affected First Nations

In preparing for First Nations engagement on statutory approvals, local governments should identify First Nations in their area that may have a potential interest in the activities requiring provincial approval.

It is recommended that local government engagement efforts be broad enough to include not only those First Nations whose Indian Reserves or Treaty Lands are close by, but First Nations who have identified a subject area as part of their traditional territory.

To determine which First Nations to engage, local governments should determine the location of nearby Indian Reserves and the traditional territory claimed by area First Nations. Local governments should be aware that more than one First Nation may claim an area as part of their territory. In this case referrals should go to all First Nations.

The resources in Appendix E will assist local governments in determining the appropriate First Nations to engage. The following questions may also help with the research.

- Which First Nations have hunting, fishing trapping or gathering sites or other traditional use sites (e.g., village or settlement sites, sacred sites, food gathering areas) within the local government jurisdiction?
- Are there archaeological sites in the area?
- How far is the proposed area from existing Indian reserves or First Nations communities?

Local governments should ensure that the relevant First Nations are notified about a proposal and provided with the opportunity to engage by describing any concerns.

It is anticipated that the initial research, once complete, will be an ongoing resource and will not have to be repeated for each activity requiring statutory approval.

Step 2 - Notify First Nations of Proposed Activity

For engagement to be successful, First Nations should be provided with all available information regarding a proposal as early in the process as is possible. The following suggestions are provided to local governments for consideration.

Initially, a local government should provide notice of a proposed change, by sending an introductory information package to the appropriate First Nation(s). The notification package should:

- Describe the specific activity being considered by the local government;
- Describe the purpose of the change and whether Crown land is involved;
- Include a map of the proposed/subject area;
- Provide details on the approval process and timing for completion of the process;

- Ask the First Nation to identify whether in its view Aboriginal Claims may be affected by the proposed change;
- Ask the First Nation to identify what impacts there may be and to provide all readily available information on those Aboriginal Claims; and
- Offer to provide additional information and/or to hold a face-to-face meeting (if possible) to discuss the proposed change; and
- Provide 30 days for the First Nation to respond.

It is suggested the local government telephone the First Nation to ensure the introductory information package has been received and point out the timelines for a reply. First Nations receive a large volume of referrals and a courtesy call assists in highlighting the local government's interest in receiving a response and assists in relationship building. Local governments are encouraged to keep detailed records of all correspondence, telephone calls or other communications with First Nations.

Where a First Nation responds and identifies a concern that indicates an impact on an Aboriginal Claim, the local government should determine if it can mitigate the First Nation concerns. Key questions a local government should try to answer with the First Nation include:

- What are the traditional First Nations activities in the area where the proposed structure or planning change will occur? (e.g. hunting, fishing, trapping or food gathering areas)
- Are there any archaeological sites of particular importance, such as village, settlement or sacred sites in the area?
- How will the First Nation activities or sites be impacted by the local government proposal?
- Does the First Nation have a suggestion on how the impacts identified can be avoided or otherwise addressed?

In some cases, the local government or the First Nation may propose in writing or in a meeting a practical solution that addresses concerns related to the proposed structure or planning change. If both parties agree that the proposed solution is sufficient, the solution should be documented and provided to the Ministry as part of the submission requesting approval.

If no solution is achieved, but the local government believes that its engagement process is complete to the best of its ability, the local government should notify the First Nation of its view that engagement is complete, including documenting any modification or other accommodation measures proposed, and that it intends to proceed with its request for provincial approval. Alternatively the local government can advise the First Nation that it is requesting additional assistance from the Ministry to complete consultation.

If the First Nation does not engage with the local government, it should send a final notice to advise the First Nation that it has received no response to its referrals and that the local government intends to proceed with its request for provincial approval of the proposed planning or structure change by a specific date.

Step 3 - Assessment of Engagement Efforts

When submitting requests for statutory approval of planning or structure changes, local governments should provide the Ministry with a report and supporting documents that provide details on local government First Nations engagement efforts. This will help the Ministry to determine whether the engagement has been sufficient or whether further dialogue with the First Nation is required.

To help expedite this process it is recommended that local governments provide answers to the following questions.

- How far is the proposed/subject area from existing Indian Reserves or First Nations communities?
- Did the First Nation identify any traditional activities in the area and in adjacent areas?
- Does the proposed planning or structure change potentially interfere with First Nations activities on or use of the land?

In addition, local governments should provide the Ministry with the following documentation:

- A copy of the referral package including correspondence notifying and describing to the First Nation the details of the proposal, requesting their views on the potential impacts of the proposal to Aboriginal Claims, and advising that the proposal will be submitted to the Minister of Community and Rural Development for consideration;
- Supporting documentation of the First Nation's response;
- A record of any follow up correspondence, telephone calls and meetings between the local government and the First Nation; and
- A record of the efforts made by the local government to address any concerns identified by the First Nation.

Appendix C – Sample Notification Letter Proposed Boundary Extension

This letter is to advise you that the Municipality of Y has received a request to include property in xxx area within the Municipality of Y boundaries to *(provide reason or include proponent submission)*. A map is attached for your review.

The change will mean that the Municipality of Y will assume responsibility for regulation and providing local services instead of the Regional District of Z, the local government that currently provides services to the area. The Municipality's rationale for considering this request is to: *(provide reason)*.

Please provide us with your views on any potential aboriginal rights and interests that may be impacted by the proposed amendment.

In addition to seeking your input, this matter is also being forwarded to a number of other agencies, including *(list relevant agencies)* for review. Agencies regularly provide complementary referrals to each other as part of a positive working relationship.

A reply is respectfully requested by *(30 days from the date of the letter)*. Should you wish to discuss this matter, please contact me at Phone, Fax, and Email. Once your reply has been received and any issues have been considered, the Municipality of Y will decide whether or not to submit the proposal to the Minister of Community and Rural Development for consideration. If we do not hear from you we will proceed with the approval process.

Thank you for your attention to this matter.

Sincerely,

Disclaimer: This draft text is provided as a guide only and does not represent legal advice.

Appendix D – Sample Notification Letter Proposed Bylaw Approval

This letter is to advise you that the Regional District of Y is considering amending its Official Community Plan (OCP) Bylaw #X to *(describe purpose)*. A regional district referral form, additional information *(if appropriate)* and a map are attached for your review.

OR

This letter is to advise you that the Regional District of Y is considering amending its Land Use Zoning Bylaw (LUB) Bylaw #X to *(describe purpose)*. A regional district referral form, additional information *(if appropriate)* and a map are attached for your review.

Please identify any potential aboriginal rights and interests that may be impacted by the proposed amendment. We would like to hear your views on how those rights and interests may be impacted by the proposal.

In addition to seeking your input, this matter is also being forwarded to a number of other agencies, including *(list relevant agencies)* for review. Agencies regularly provide complementary referrals to each other as part of a positive working relationship.

A reply is respectfully requested by *(30 days from the date of the letter)*. Should you wish to discuss this matter, please contact me at Phone, Fax, Email. Once your reply has been received and any issues have been appropriately reviewed, the Regional District Board will determine whether to submit the proposal to the Minister of Community and Rural Development for consideration, according to the requirements of the *Local Government Act* under Section XX. The proposed changes to the LUB/OCP would *(describe change)*. If we do not hear from you we will proceed with the approval process.

Thank you for your attention to this matter.

Sincerely,

Disclaimer: This draft text is provided as a guide only and does not represent legal advice.