



**TRUST FUND BOARD
REGULAR MEETING MINUTES
June 11, 2009**

Location: Victoria Office Boardroom, Islands Trust

<u>In Attendance:</u>	<u>Board Members</u> Louise Bell Michael Dunn *Nerys Poole Christine Torgrimson, Chair Bruce Whittington	<u>Staff</u> Shawn Black, A/Manager Kate Emmings, Ecosystem Protection Specialist Christine Pritchard, Communications & Fundraising Specialist Jeff Ralph, A/Property Management Specialist Natalie Tamosiunas, Secretary
	*arrived at 10:24	

The meeting came to order at 10:00 a.m.

1.0 Agenda

The Board reviewed the agenda. The following item was added:

- 4.4 Trust Council Site Visit on North Pender Island

Resolution #TFB 09/1069

It was **MOVED** and **SECONDED** that the June 11, 2009 Regular Meeting agenda be approved as amended.

CARRIED

2.0 In Camera Session (Confidential Items)

Resolution #TFB 09/1070

It was **MOVED** and **SECONDED** that this portion of the meeting is closed to the public pursuant to the following sections of the Community Charter: section 90, subsection (1) (j), information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act, and section 90, subsection (1) (k), negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public and section 90, subsection (2) (b), the considerations of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party, and that Staff be invited to remain in the meeting.

CARRIED

The regular meeting reconvened at 11:37 am.

3.0 Items for Approval

- 3.1 Minutes of Previous Meeting**
3.1 a) April 9, 2009

The Board reviewed the draft minutes. The following corrections were made:

- o Item 3.5 Staff informed...visit for ~~this~~ an application connected to a development permit the Board must waive...
- o Item 4.1 The Board...Plan for the Saalish Sea.
- o Item 5.2 The Communications... that due to the conditions related to a recent donation of \$20,000 for property...

Resolution # TFB 09/1071

It was MOVED and SECONDED that the minutes of the April 9th, 2009 meeting be adopted as amended.

CARRIED

3.1 b) May 12, 2009

The Board reviewed the draft minutes.

Resolution # TFB 09/1072

It was MOVED and SECONDED that the minutes of the May 12, 2009 meeting be adopted as presented.

CARRIED

3.1 c) Resolutions Without Meeting

The Board reviewed the following Resolutions Without Meeting for information:

- RWM 2009 Meeting Schedule, May 5, 2009
- RWM Revised Conservation Covenant Template, May 20, 2009
- RWM July 22nd Special Meeting, May 20, 2009

3.2 Follow Up Action List

The Board reviewed the Follow Up Action List for information.

3.3 RFD: Covenant Management and Defence Fund

The Communications and Fundraising Specialist informed the Board of the absence of a designated Fund for donations for covenant monitoring and legal defence. In light of a recent donation intended to cover the costs associated with future defense of three particular covenants, staff recommend the Board develop a designated Fund to hold this donation and facilitate future donations of the same nature.

While creating a designated Fund in the past, the Board received legal advice discouraging the development of separate endowments for individual properties. Board Member Bell suggested the Board accept and track donations designated for particular covenants within one general Fund. The Board deferred a decision regarding the Fund's management to when the Fund's guidelines are presented to the Board.

Resolution # TFB 09/1073

It was MOVED and SECONDED that the Trust Fund Board direct staff to establish a Covenant Management and Defence Fund.

CARRIED

Resolution # TFB 09/1074

It was **MOVED** and **SECONDED** that the Trust Fund Board direct staff to draft guidelines for the Covenant Management and Defence Fund.

CARRIED

3.4 RFD – Trail on Deep Ridge Nature Reserve

The A/Property Management Specialist informed the Board of an unauthorized trail created on the Deep Ridge Nature Reserve. The Board reviewed the report, pictures, and results of the site visits attended by Chair Torgrimson, the A/Manager, the Ecosystems Protection Specialist and the A/Property Management Specialist.

The A/Property Management Specialist informed the Board that the trail in its current condition is potentially ecologically damaging, as well as dangerous to hikers.

The A/Manager referred to the covenant on the property that states that the donation and covenant were required as conditions of the subdivision approval. The covenant that was placed on the property at the time of subdivision and donation contains one paragraph that allows for a trail to be constructed on the land, and one paragraph that allows for a staircase down to the water. However, a number of other provisions in the covenant could be interpreted as barriers to the construction of a trail (trail construction could potentially violate these provisions of the covenant). The covenant also includes a provision that states that the covenant holders cannot grant a waiver or consent to vary or release any or all of the covenant provisions without first getting express written permission from the owners of Lots 1 and 2 to the north of the Deep Ridge property.

The Board members determined that if the Board condoned the unauthorized trail, against the recommendations of the Deep Ridge Nature Reserve Management Plan, a precedent would be set regarding the authority of approved management plans (this would be a significant change in the management direction for this Nature Reserve). The Board was also concerned about the message it would be sending if it approved a trail that was built without its prior consent or approval. A number of factors, including risk to hiker safety, ecological damage from construction and use of the trail, and concerns around trespass were also considered by the board in its decision.

Resolution # TFB 09/1075

It was **MOVED** and **SECONDED** that the Trust Fund Board does not approve the creation of a hiking trail on the Deep Ridge Nature Reserve and that the current un sanctioned trail be closed and no further trail building be permitted at the Deep Ridge Nature Reserve and that the markers and other trail embellishments be removed.

CARRIED

Resolution # TFB 09/1076

It was **MOVED** and **SECONDED** that the Trust Fund Board direct Staff to notify Ron Neff that any future work to construct or create a trail on properties owned by the Trust Fund Board without prior express written consent of the Trust Fund Board will not be condoned.

CARRIED

Resolution # TFB 09/1077

It was **MOVED** and **SECONDED** that the Trust Fund Board direct the Chair to respond to communications from Charles Kahn, Jonathan Oldroyd and The

Salt Spring Trail and Nature Club explaining that the Board does not think that a trail is appropriate in accordance with the management plan for this property.
CARRIED

3.5 Trincomali Nature Sanctuary

In a letter dated June 1, 2009, the Wild Bird Trust requested that the Management Agreement between the Wild Bird Trust and the Islands Trust Fund for the Trincomali Nature Sanctuary on Galiano Island be terminated. The termination will take effect on August 31, 2009, as per the 90 notice period required by the Management Agreement. The A/Property Management Specialist informed the Board that the Wild Bird Trust has requested the termination of the Management Agreement because they have shifted their focus off the islands to projects in the lower mainland.

Resolution # TFB 09/1077

It was MOVED and SECONDED that the Trust Fund Board accept the WBT Wild Bird Trust of BC's request to terminate their Management Agreement for the Trincomali Nature Sanctuary on Galiano Island.

CARRIED

Resolution # TFB 09/1078

It was MOVED and SECONDED that the Trust Fund Board direct ITF staff to develop a Management Agreement for the Trincomali Nature Sanctuary with a new management group.

CARRIED

4.0 Items for Discussion/Direction

4.1 Referral on Galiano Bylaws 201 & 202

The Board reviewed the Local Planning Service's memo to the Board regarding the process for Galiano Bylaws 201 and 202, provided to the Board at the Board's request.

4.2 Revised Islands Trust Fund and Local Planning Services Coordination Policy – Draft Referral Matrix

The Board reviewed the draft Islands Trust Fund/Local Planning Services Coordination Policy referral matrix for information. Staff expects to bring the draft Coordination Policy back to the Board for approval at the Trust Fund Board meeting in August. The Coordination Policy would then go to the Executive Committee and then on to Trust Council for approval at the September Trust Council meeting.

The A/Manager advised the Board that once this Coordination Policy is approved a similar Policy and matrix will be developed and submitted for the Bowen Island Municipality's review.

Board Member Bell suggested the development of a checklist for the administrative procedure be required to follow the matrix.

4.3 Regional Conservation Planning Partnership

The Ecosystems Protection Specialist informed the Board that the development of the Regional Conservation Plan, as outlined at previous Board meetings, has been delayed to allow staff to work with the Nature Conservancy of Canada to develop a cooperative planning process that will integrate the Islands Trust Fund's Regional

Conservation Plan with the Nature Conservancy of Canada (BC Chapter)'s Salish Sea Natural Areas Conservation Plan.

The Ecosystems Protection Specialist provided a draft copy of the Terms of Reference (ToR) between Ministry of Environment, Ministry of Forests and Range, Nature Conservancy of Canada, Parks Canada (Gulf Islands National Park Reserve) and Islands Trust Fund regarding a collaboration on the Salish Sea Natural Areas Conservation Plan. A finalized version will be presented to the Board for approval, most likely as a resolution without meeting.

Board member Bell emphasized, and the Ecosystems Protection Specialist agreed, that staff should advocate for inclusion of the entire Islands Trust Area in the Salish Sea Natural Areas Conservation Plan.

4.4 Site Visit During Trust Council on North Pender Island

The A/Manager confirmed that the Trust Council site visit to Medicine Beach is planned for Thursday, June 18th at 5:15. The Trustees and staff will be accompanied by Sylvia Pincott and others from the Pender Islands Conservancy Association (PICA).

Board member Bell suggested that there be a notice during the day on Thursday to remind people about the visit and encourage them to attend.

5.0 Updates for Information

5.1 Public Acquisitions, Covenants and Dispositions Update

The A/Manager informed the Board that the completed survey for Fairy Fen has been approved by the Surveyor General's Office and that the lot has been created within the Crown Land Registry system. Due to the delay in this Free Crown Grant process, ILMB is required to update its consultation with First Nations. The A/Manager has been told by ILMB that the transfer of Fairy Fen to the Board should be completed by the end of the 2009/2010 fiscal year.

5.2 Communications and Fundraising Report

The Board reviewed the Communications and Fundraising Update for information. Staff and Board members informed the Board of the following upcoming events to which they are invited to attend once more details are received in August:

- Mt. Artaban Nature Reserve Celebration, August 2009
- Conservation Connection meeting, September 18, 2009
- Southern Gulf Island Conservancies Meeting, Mayne Island, November 2009
- Islands Trust 35th Anniversary celebration benefit dinner and auction, Salt Spring Island, December 2009

5.3 2008-2009 Budget Report

The Board reviewed the Budget Tracking spreadsheet for information. A future report will be provided that includes information from the Islands Trust General Ledger accounts. This information was not available at the time the report was printed.

5.4 Background Reading

Several Board members requested the optional additional reading material titled: "Credible Conservation Offsets for Natural Areas in British Columbia - *Summary Report 2009*"

Resolution #TFB 09/1079

It was MOVED and SECONDED that the Trust Fund Board meeting adjourn at 2:54 pm

CARRIED

The next meeting is scheduled for July 22, 2009, from 9:30 a.m. to 4:15 p.m. in the Victoria Office Boardroom.

Recorder

Chair

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