

Subject: Salt Spring Island Local Trust Committee

RE: GOVERNANCE PROPOSALS

First let me say that the meeting held this past Sunday was very valuable. The presentations as to background and process were clear and helpful.

I am in favour of increasing the number of Trustees for SSI to 4 (either as an anomaly or in the context of allowing such increases based on population). I favour this action because I believe that it will spread the very heavy workload of our Trustees and facilitate the ability of our trustees participation at the Trust Council level.

I strongly recommend that some immediate action be undertaken to provide meaningful and formal coordination with the CRD functions. This should include not only a sharing of office and resources but also either the proposed "Customized commission" or at least the "Advisory Commission" My reasons are as follows:

As was evident at the Sunday meeting, the addition of trustees will not satisfy the concerns of some of the population who, while supporting the trust and its mandate, are dissatisfied with the difficulties (real or perceived) of having the various powers associated with "running the Island" divided amongst several levels of government (Trust, CRD and Provincial. This is not a new issue, and it likely will not go away. I do believe that formal coordination as between the Trust and CRD could provide some measure of resolution to this issue.

Having said that, it is unfortunate that the Provincial Government is (as I gather from what was said at the meeting and in the Report) resistant to major substantive changes to the Trust Act. It would be interesting to understand the thinking behind this position, particularly as I believe the foundation has already been set by the Provincial government for a much greater change in the Act which would grant Local Trust Councils much broader powers with an expanded structure. These would include permitting (where desired) larger Council numbers (say the size of a municipal council) where appropriate representation would be sent to Trust Council, and a Trust Council member would continue to be chair of the local LTC. If desired by any Trust Area, the LTC would then have the powers it now does and in addition powers which are now governed by the RD and Prov. Govt which usually devolve to municipalities. Smaller Trust areas could determine not to opt into this system and could retain the current one.

The foundations for greater changes are:

1. The power to make land use decisions has been granted - usually a municipal power.
2. The province has moved away from funding the Trust to a system of taxation of residents which is akin to the system for municipalities.
3. The Province recognizes the duality of roles of elected Trustees.

In my view, unless there are such substantive changes to the Trust Act, or failing that highly coordinated action as between the Trust and the CRD, the current swell of interest in incorporation could grow and prevail. At this time I do think this option has the least potential to strengthen and preserve the Trust Mandate.

Thank you for listening.

Subject: "Towards Excellence in Governance"

Dear Islands Trust and Trustees:

My wife and I first visited Gabriola, after vacationing on Saltspring and biking on the Penders, and rented a "vacation rental" for two weeks each Summer for several years, before purchasing a lot and building our recreation/retirement dream home some 10 years ago. (The "vacation rental" property is now fully occupied by the original owners who are now retired.)

We are selling our house in Delta and also moving to Gabriola, full-time, this coming Fall.

I volunteered to serve our "Advisory Planning Committee" and was appointed to help develop by-laws and changes during three terms.

Three of the most serious threats to the tranquility of Gabriola, in my view are:

1. Competing interests for what were once referred to as the "Weldwood Lands".
2. Strong advocacy of "municipal government status".
3. Water and waste water management.

In all three threat areas, the likelihood is that the present form of representation/governance will soon be over-powered and over-run by non-resident interests, governments, corporations et al.

To strengthen governance requires that representation be strengthened.

1. Increase the number of local trustees to 5.
2. 4 resident trustees plus the Regional District Rep.
3. Stagger the terms so that 2 trustees must stand for election each three years.
4. No trustee may stay in office continuously for more than 6 years.
5. Assist the "Advisory Committee" with a roster of mediators who will facilitate consultation on changes to by-laws and who will mediate land-use by-law conflicts. Settlements between an attending Trustee and a person in conflict will be endorsed by the full Local Trust.

Representation and Governance will be significantly improved and the best interests of Gabriolans will be preserved and protected - For the Common Good, The Good of the Commons.

Hopefully, these ideas will assist in the strengthening of governance and representation throughout the Trust mandate. Thank You.

Subject: Governance

I have owned property on Mudge Island for about 15 years. So far, I have no problems with the way Islands Trust is being run right now. Please leave it the way it is, because as far as I am concerned, it already works.

Subject: Bowen Island

Dear Islands Trust:

I am a non-resident owner of a home on Bowen Island, with the intention of eventually becoming a resident. I hope to be able to attend the meeting on May 10, but in case I am unable I would like to express my view concerning development on Bowen Island.

I have much more faith in the Islands Trust to plan for development on the island than I have in the current municipal council. There seems to be inadequate concern for sustainability. As in the Gulf Islands generally, there is a water shortage, and yet building is continuing at a frantic pace. In addition, the ferry is pushing its limits prompting extra ferry traffic. Waste accumulates, even though most is shipped to the mainland. What happens on Bowen affects other islands such as Gambier, and there is no consideration of such effects by the municipal council. These spillovers are, thankfully, still being considered by the Islands Trust.

If the creation of a municipal council was considered as an experiment, I believe it has failed. Perhaps when governance is being reviewed we should consider going back to how it was before.

Representatives:

Re: 'Excellence in Governance' Initiative

Our compliments are extended to your group for tackling the issues of governance, change and policy.

The formation of the Island Trust Act to implement policy to 'preserve and protect' has a broad resonance with a large proportion of the residents and owners, and the legislation continues to provide relevant guidance to developers, planners and residents of the Trust areas and beyond. Supporting the principle however, does not mean that we totally endorse the current precepts and actions of the Trustees.

You have requested comments and we are pleased to respond.

1. Political representation. The twenty-six Trustees are actually more than are required. There are already government agencies and Planners to assist with preparing files. If the Trust representatives find that they have too much work, with respect, there is a problem with guidance. The Trustees should be acting as a Board of Directors with a priority to develop and guide policy.
2. Policy development. The results of a public opinion survey on the Saltspring OCP was recently published in the Driftwood. We were struck by the difference of priorities listed through the public opinion poll from those priorities traditionally represented by the Trustees. The differences should be seriously considered. The principal issue of concern for the voters was the broad implications of planned and unplanned requirements in housing, transportation, potable water and other services (read 'infrastructure').
3. Relevance to Property Owners. We are paying for your representation. Good representation is recognizable by efficient, effective planning and decision making. Poor representation is marked by over-involvement of representatives bogged down in relatively low impact proposals. Having more representatives will not resolve this problem. It occurs to us that a principal issue outstanding is the Board's allegiance to the concept of 'preserve and protect' when it is apparent that by not attending to the needs of planned growth, a 'Topsy' outcome is predictable and the principal tenet of the Trust may be compromised.

In summary, we see a leadership issue where the Trust is obliged to go to Government and enlarge upon the 'thirty something' year old policy guidelines and update your Governance mandate. With this in place, the Trustees would surely find it easier to accept the growth that is taking place, and to boldly take steps to 'preserve and protect' those special features which characterize the islands.

Please talk with the Planners. Keep an open discussion with owners and citizens. Listen. Implement. Go to it. This is what we are paying taxes for.

We are not supportive of a request for more representation.

Hi all,

Interesting meeting today! Again thanks for working on this thorny issue!

For the record (and I don't see on the website where I can just send these comments in, but then I didn't spend much time lookin), some thoughts:

1. The Islands Trust Council is the overarching "board of directors" for the islands in the trust. As such it is the voice for the islands as a whole, and it works to bring generic issues to the attention of the senior governments for resolution. Whether or not we have 2 or 4 trustees from SSI is irrelevant to this role. Although, more means more horsepower for the various committees/task forces, etc. needed to be effective. Therefore I vote for option one or two.

2. What I forgot to say is that local government (even if we were a municipality) is a bundle of responsibilities and duties. Each relates to a different part of the mandate, and as I see it, we cover off all of these one way or the other. Becoming a municipality will not in essence change the responsibilities, and as you know municipalities are constantly arguing for more authority, money, etc. to manage their responsibilities. (Policing and roads being two key changes if we become a municipality. Do we know how much these will cost us??)

So, let me add my vote for a more transparent coordinated approach to governing our island. A joint office with a one-stop shop desk for services and applications would be a tremendous start. Going the commission route would consolidate the working relationships and hopefully expedite application, permit and planning processes. I'd like to see this approach started as soon as possible.

3. The Preserve and Protect object was being bandied around today! Hopefully the OCP process will more clearly define what we want to preserve and protect...we know alot more now than we did in 1974. What is it that makes our islands special? What is different here from approaches taken by other progressive municipal/regional district policies? We'll need to answer these questions to counter the municipal argument!

You have made huge strides in the past few months and I salute you!

Subject: Governance

Island trust: We do not subscribe to the notion that larger areas(Saltspring) should have more or different representation than the smaller venues. It is difficult enough protecting the flavour of the Island Trust with the representation we presently have.As long term owners who have enjoyed the ambience of Hornby Island for over 30 years, we wish that all of the Islands in the trust be protected from urbanisation and overly dense housing developments.

We realise that this sounds a bit like NIMBY(not in my back yard) but have seen on Vancouver Island what happens when one area becomes "special" and carries more weight than any other area.

Subject: Governance Options Survey

To All the above;

After reading the Governance Review Report, and attempting to reply to the survey online, I find that I am unable to do so because of the way the "required fields" are set up. As it is, one must answer each question by choosing one of the options before being able to proceed to the next question, which eventually leads to an area where one may make a comment or suggestion. The problem I'm having is that there are no suitable answers in the options provided and therefore I can not get to an area where I can leave my comments/suggestions. Therefore, with regard to this survey, my concerns and thoughts will be ignored, as if they never existed or I was not interested.

If this survey, which was paid for with public funds and claims to be a mechanism for public input, were to have included options such as "none of the above" and "municipal governance" in it's list of available answers to each question, the survey would have gone a long way towards reflecting the true feelings of all the residents. Instead, one can only reply to the questions if one agrees that the Islands Trust (in some form) is the only mechanism worthy of representing us, the people. This important survey speaks only to the "faithful and converted"! Like the "boardwalk in Ganges" issue a couple of years ago....."What a missed opportunity"!!!!!!!!!!!!!!!!!!!!

What I find most disturbing, is that this survey's short-comings and narrow scope are not by accident but by design. Did I wake up in President Putin's Russia, this morning??? So, I ask the following 3 questions:

- 1) Why does the Islands Trust administration insist that the only option available to residents is the status quo and/or MORE Islands Trust?
- 2) Why was the option of Self-Governance (e.g.; Bowen Island) not included?
- 3) Who is responsible for the guidelines and parameters handed down to Neilson-Welch Consulting Inc., which created this survey?

I look forward to your reply.

Subject: Salt Spring representation on Council

Hi Linda - I would like to put my two bits worth in...'cause I like SSI and I think they have great local trustees but I don't want them to lose sight of what the federation is about...so here are some points I hope can be considered:

1. I do think SSI needs stronger representation because of their sheer numbers (and because let's face it, if they go, we all go...) but I don't agree with adding more local trustees because:
2. I don't think they should have more than 2 local trustees because: The two they have should be able to afford the greater time needed to represent the population because they get paid more. This means they don't have to have several other jobs to make a living.
3. I also think that a Council of more than 26 will become cumbersome in several ways: expense for meetings, actually being able to accommodate meetings on some islands, Council procedures
4. Salt Spring trustees must remember that they uphold the mandate not just for their own constituents but also for the province; this duty is spread amongst all the trustees from all the islands, which brings me to #5:
5. Don't let the "Saturna factor" bamboozle anyone: even tho' some of the islands have small populations, their trustees must also uphold the mandate for all the other islands and for the province. To do this, I believe a *minimum* number of 2 local trustees is necessary. Also, to represent a local issue fairly requires at least 2 local trustees. But because their job should be less onerous due to the local population, they get a smaller honorarium. And because the smaller islands help to balance the big ones, it's good to have a minimum number of local trustees.
6. I saw the pie graph of planner time for the islands - looks like SSI is certainly getting its fair share in that arena...I hope it is, anyway.

To: Islands Trust Governance Task Force
200 1627 Fort Street, Victoria, B.C. V8R 1H8
Re: Options for Change Survey

Dear Kim and Task Force Members,

First let me say that I am a strong advocate of the Islands Trust. I appreciate the work that IT and the Task Force have put into the improvement of IT operations. This said, I am moved to make some critical observations about process. Following that are some suggestions for changes in IT structure and practice.

I attended the Islands Trust Presentations on Hornby Island, May 2, 2007. At those meetings I briefly expressed a general concern about the approach of the Task Force to governance review, which I characterized as "top-down." To my dismay, the task force had already severely circumscribed the areas on the table for discussion and pre-defined the options to which to solicit public input. Using the format of a multiple-choice questionnaire also signals such a pre-emptive and constraining approach. Using the format of a "presentation" to which "questions" may afterward be addressed by the speakers, further reflects what may easily be perceived as a dispensation from on high. I therefore requested in future, when IT perceives it again timely to pursue changes to the Local Government Act, that you begin the process by consulting island residents first, rather than end by it. Many islanders might prefer that you come to ask us questions and to hear our presentations.

One can well imagine that your own hands were somewhat tied in how to go about "governance review." I sympathize. We had local discussions a couple of years ago about the possibility of municipal incorporation for Hornby, at which time I got a clear sense of how very "top-down" local government is intended by the Province to be. The municipal system of government (elected town council, with mayor, etc) is clearly and narrowly defined in the Local Government Act. Having been spoiled by our highly participative pseudo-government (HIRRA), some of us would have preferred a radically different system of direct participatory democracy. Real democracy, however, is not allowed by the Province, though it is feasible in small communities and at least one municipality has gotten away with something bordering on it (Rossland, BC—see Andre Carrel's Citizens' Hall). In any case, it seemed to many of us that the dangers of the approved council system outweighed perceived benefits of incorporation. I noted also that the mandatory consultants' report similarly constrained the possibilities to conventional and unimaginative options. While believing there could be some benefits in information gained, we rejected even requesting the report, many of us unable to believe that there were in fact no strings attached that would bind us to a referendum. We also suffered a traumatic period before and after the last Islands Trust election here. I can attest that the meetings organized around the proposed new bylaws were acrimonious and anything but respectful of IT and the Trustees. I would say that suspicion of Islands Trust and of bureaucracy in general, as well as resistance to regulation and resentment against Mr. Law in particular, led to the temporary collapse of that process and to failure of the incumbents to be reelected. Numerous voices expressed the sentiment I named above: resentment of a "top-down" approach. In spite of the great willingness of the then Trustees to engage in public dialogue, there was a basic flaw in the process they could not rectify. Again, in this case, many people felt that the process should have originated locally and only then have been legally polished by IT staff. Instead, despite assurances that it was a work in progress, we were "presented" with a set of bylaws designed somewhere else, then asked for our comment. No one here would like to think that the current strategy is to go over our heads and thus bypass the hazards of discussion. All of this is to say that I encourage you to resist the top-down structure of governance with which we are burdened in this province, both as it forced upon you by present legal structures and when you have the chance to act differently in your dealings with constituents. There are many reasons for the general suspicion of bureaucracy that seems typical of many islanders, and of resentment towards Islands Trust in particular. Some of that resistance is justified, while some of the reasons

are self-serving and some of the difficulties cannot be helped. But I believe it is within your purview to intentionally pursue a more “bottom-up” approach to governance and consultation; perception of your good will to do so will go a long way toward improving the image of Islands Trust.

Now, some suggestions. I read through the questionnaire but do not find that the questions engage me as a resident of Hornby Island. The second part has more relevance, because of future issues involving Regional District and the ongoing search for a form of governance that suits us. As you may know, Hornby already enjoys a close cooperation with the Regional District through HIRRA and its RD contracts (Recycling, Fire Dept), and also through the person of Carol Quin, our Area K Director, who has long lived on Hornby. Unlike our present Trustees, she is very diligent in the role of go-between, carefully reporting relevant RD business to us and our concerns to them. For the past three or four years there have also been ongoing, if sporadic, meetings jointly of HIRRA, Trustees, and RD director. The weak link at present seems to be the Trustees.

1. I concur that there is a “representation problem”, but I think it has less to do with the number of Trustees than with their (lack of) community interaction. At present, this seems to be at the discretion of individual trustees. I recommend obligatory community meetings every month or two months, on the “town hall” format. HIRRA operates very successfully on this basis, which encourages lots of respectful discussion. (Refer to the “911 Emergency Tower” issue here that was potentially divisive in the community, but was so well handled by all concerned—HIRRA, Regional District, 911 Service, engineers, etc.—that an optimal compromise was reached. Very diverse opinions were expressed, everyone was respectfully listened to and felt truly heard whether they got their way or not, and the overall feeling was positive. There had been a lot of groundwork in HIRRA setting the tone for this kind of democratic and respectful discussion and consensus building. One very helpful technique is the use of a circle format, rather than the lecture hall format. There should be a minimum separation of “us and them”).

Non-binding voting would play a major part, with relevant discussion, some proposals being made by Trustees and others by local initiative, possibly from the floor. The results of these interactions would inform the decisions of Local Trustees and their votes on the larger Council. A major part of their role would be liaison between local community will and the Islands Trust Council. They would truly be “representatives”, as well as “trustees”—a new way to look at the double mandate.

2. Islands Trust could have the power to levy fines directly (rather than, or as well as, through the courts); these could be applied to the offender’s tax bill, just as municipalities place unpaid utility bills on the property tax bill.

3. Fines, of course, should be a last resort. Since most bylaw infractions are complaint driven, there could be a friendlier processing of complaints through the use of obligatory mediation. (Enforcement of this obligation would use fines, as above, or court orders). There is a natural division of interest into three: plaintiff(s), defendant(s), and Islands Trust. A tripartite mediation, concluding in a binding arbitration, would be conducted by a professional mediator at an Islands Trust office or other designated place; attendance of the other parties (usually neighbors) would be required on threat of fine or court order. Failure of the IT representative to attend would be subject to internal discipline and/or to recall initiative (see point below).

4. Local Trustees must live on their island to ensure fulfillment of their role and availability to their constituents. There must be a procedure for recall of Trustees by local initiative of their constituents.

Thanks so much for your kind attention