

REGIONAL DISTRICT OF NANAIMO
SPECIAL BOARD MEETING
TUESDAY, FEBRUARY 27, 2001
(immediately following the Hospital Board Meeting)
(Nanaimo City Council Chambers)

A G E N D A

CALL TO ORDER

ADMINISTRATION

2-4

Local Government Interjurisdictional Issues Study - Peter Adams

Each chapter then has an “options” section that attempts to quantify the alternatives that may be available to the parties. These options are generally put forward as arrangements, within current legislative parameters, that could be considered by the parties. The stated options meet the interests of the parties to different degrees and should not be considered finite. Our experience in the Regional Services Review process suggests that the options merely represented starting points for the negotiators. The final structures are not likely to resemble the stated options to any great extent.

The conclusions chapter presents a suggested direction for intergovernmental relationships and presents some of the concepts that will be difficult if not impossible for local government to accept or successfully work within. These issues are presented in more detail later in this report.

Alternatives:

- 1) To receive the report for information and forward comments to the Federal and Provincial negotiators.
- 2) To revise the comments with Board input into any specific interests or concerns that the Board may have.

Financial Implications:

There are no direct financial implications to either alternative but there are significant financial implications to the Regional District if the report were to be implemented in the future. While it is impossible to determine exactly what these costs might be, until there is a clearer picture as to the expectations of local government, it is reasonable to expect the costs to be in excess of \$100,000 per year.

Intergovernmental Implications:

While the report is intended to be nothing more than a guide or starting point to assist in discussions between local governments and the SFN, it is important that the Regional District identify any issues or concerns, for the record, that the report may suggest. Input received from Board members as well as from members of staff would raise the following points or concerns:

- While the report suggests that the SFN should operate like a “small municipality” there will be obvious differences that may make that difficult. They will likely own all the land within their jurisdiction and have some jurisdiction/authority that currently is only held by Provincial or Federal governments. They therefore may have many characteristics like a small nation. As in the Agreement in Principle, the report does not clarify who the SFN, post-treaty, will be accountable or responsible to.
- The report confirms the Boards position and the SFN's stated intention of becoming signatories to the Regional Growth Management Plan. The report also suggests that this involvement precede the establishment of their OCP. While we have experience following this approach (i.e. Area F), we believe it will be a far more positive and productive exercise if the OCP for the SFN is developed first, possibly in concert with the RDN, following the Regional Growth Plan objectives and within their own Context Statement.
- It is critical for the SFN to become full members of the Regional District of Nanaimo on the same terms and conditions that all other members participate.

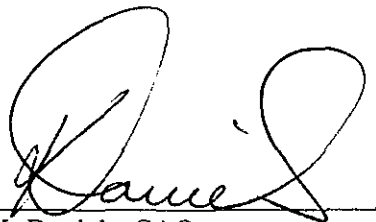
- The conclusions suggest an “opting out” of the Regional District after 5 or 8 years if the aspirations of the SFN are unreasonably frustrated by other members of the Regional District. While the concern of the SFN, of being politically blocked out of gaining reasonable services and benefits by other Regional partners is understood, it is also unreasonable to assume that any one member could have an opting out ability. Other solutions will have to be developed to deal with this issue.

Conclusion:

The report on Local Government Interjurisdictional Issues prepared by Peter Adams for the Provincial and Federal Governments establishes a reasonable compendium of issues and interests of local government and the SFN. It however should not be seen as anything more than a starting point to direct future discussions between the local parties in establishing a new and positive working relationship for the future. These discussions and “capacity building” processes that are contemplated in the study will only be accomplished over an extended period of time and at considerable expense to the local government. This is an expense that is not reasonable to be assumed by local taxpayers and as such no further work to achieve the objectives of the study should be undertaken without a firm commitment by the Provincial and/or Federal Governments to fund these efforts. The report also suggests a number of directions that are contrary to the current position of the Board or are not seen as reasonable options to establish a long-term positive working relationship around. These concerns have been listed earlier.

Recommendation:

That the Final Draft study on Local Government Interjurisdictional Issues be received and the concerns and comments listed in this report be forwarded to the Provincial and Federal negotiators.



K. Daniels, CAO