

TERMS OF REFERENCE

Governance Advisory Committee

Sicamous to Armstrong Rail Trail Corridor

INTRODUCTION

In December 2017, the Columbia Shuswap Regional District (CSRD) and the Regional District of North Okanagan (RDNO) successfully concluded the purchase of the CP Rail corridor, excluding the two sections previously acquired by Spltasin First Nation (Spltasin) in 2014.

To ensure the corridor remains contiguous, the three owner jurisdictions (CSRD, RDNO and Spltasin) have agreed that the corridor will be developed, operated and maintained for its use as a continuous recreational trail, particularly for pedestrian and bicycle transportation, as well as future potential use as a continuous multi-model regional transportation corridor (Rail Trail Corridor).

A two-part interjurisdictional governance and management structure for the Rail Trail Corridor will consist of a politically accountable governance body and a technical operational body to organize, implement and manage the Rail Trail Corridor development. The Governance Advisory Committee (Governance Committee) will receive input from the Technical Operational Committee (Operational Committee). The Governance Committee is advisory in nature and the decision-making authority of the CSRD Board, the RDNO Board and the Spltasin Council are not delegated in any way.

PURPOSE

The mandate of the Governance Committee is to act as a primary policy group relative to the planning, development, management and governance of the Rail Trail Corridor project.

PRINCIPLES

The Governance Committee will be guided by the following principles:

- To work collaboratively together.
- To seek consensus on matters requiring decisions.
- To work toward the establishment and continuation of mutual trust among the jurisdictional owners and stakeholder jurisdictions.
- To maintain public confidentiality on matters that are designated as such.
- To be prepared for meetings in order to contribute meaningfully to discussions and deliberations.
- To ensure a high standard of communication between the Governance Committee, the Operational Committee and the elected bodies of the owner jurisdictions and stakeholders.
- To reasonably commit to maintaining membership within the committee to the end of its term.

OBJECTIVES, DUTIES AND RESPONSIBILITIES

The Governance Committee is established to achieve the following objectives, duties and responsibilities:

- To ensure the corridor provides long term public benefits, both locally and regionally.
- To provide for the development of a continuous corridor for non-motorized transportation and recreation.
- To provide the human, financial and other resources required to be enable their representatives to serve on the Operational Committee.
- To provide the human, financial and other resources required to enable and support the function of the Operational Committee.
- To ensure the protection of sensitive environmental and cultural sites along the rail corridor.
- To maintain the integrity and capability of the corridor to support the future development and operation of a continuous multi-model transportation corridor.
- To ensure that the scope and timing of trail development reflects the capacity of the three owner jurisdictions and to fund the development.
- To encourage a high level community engagement process in the planning and development of the corridor.
- To protect public safety and minimize risk in the development and use of the corridor.
- To consider beneficial opportunities with adjacent land uses.
- To pursue grant funding from senior levels of government as well as donations from community groups, foundations, businesses and the general public.
- To work towards establishment of mutually acceptable reciprocal access easements to allow for mutual intergovernmental and public usage of the contiguous trail, upon completion.
- To acknowledge agricultural values and the role of the Agricultural Land Commission.

MEMBERSHIP

The members of the Governance Committee will consist of:

- A member from the City of Salmon Arm Council;
- A member from the Sicamous District Council;
- The CSRD Directors from Electoral Areas C, D, E and F;
- A member from the City of Enderby Council;
- A member from the City of Armstrong Council;
- A member from the Township of Spallumcheen Council;
- A member from the Lumby Village Council;
- The RDNO Directors from Electoral Areas D and F; and
- Two members from Splatwin Band Council.

Membership on the Governance Committee by the participating jurisdictions requires endorsement of these Terms of Reference and the commitments from each of the elected Boards and Councils. Membership on the Governance Committee is voluntary and any member may suspend or terminate its membership at any time provided that the other members of the Governance Committee are notified in writing in advance of the date of the suspension or withdrawal.

COMMITTEE SECRETARIAT

The three owner jurisdictions will appoint a Committee Secretariat to assist the Governance Committee in carrying out its objectives, duties and responsibilities. The Committee Secretariat will be responsible to:

- Ensure meetings are effectively organized and minuted;
- Receive agenda items from Committee members, the Operational Committee and other stakeholders;
- Circulate agenda items and reports;
- Check that agreed action items are carried out and are properly authorized by the three lead agencies;
- Keep up-to-date contact details for all government agencies, stewardship partners, voluntary organizations and other stakeholders;
- Respond to all Committee correspondence;
- Keep record of all Rail Trail Corridor related publications; and
- Prepare a report of the Committee's activities for the year.

TERM

The term of the Governance Committee expires when the initial stage of trail development is complete and the corridor is opened for public use. The three owner jurisdictions may decide to extend the term of the Governance Committee if deemed necessary to achieve the shared objectives for the corridor. If the term of the Governance Committee is extended, the adoption of a revised terms of reference by the respective Boards and Councils will be required.

COMMITTEE DECISION MAKING

The Committee will work toward consensus, using an interest based approach, rather than a position based approach. If a vote on a matter is necessary, the vote will be taken with a simple majority of Committee members present and voting required to pass a motion. The Chair can only cast a vote in the event of a tie. In the event of an equal number of votes, the motion or matter will fail. Decisions by the Governance Committee will be made as follows:

- The Committee will strive to make decisions that serve to advance the shared objectives, duties and responsibilities of the trail corridor and that reflect the opportunities and limitations of each participating partner.
- Decisions by the Committee will be made by consensus among the representatives.
- The Committee is advisory in nature and is not delegated authority from their respective boards or councils.
- Decisions on matters falling within the mandate, jurisdiction and responsibilities of the owner jurisdictions shall only be made by the representatives of the owner jurisdictions.
- Decisions on matters falling within the mandate, jurisdiction and responsibilities of both the owner and stakeholder jurisdictions shall be made by the entire committee.

COMMITTEE PROTOCOL

- A Chair will be elected by the Governance Committee at the first meeting in each year.
- Two Vice-Chairs will be elected by the Governance Committee at the first meeting in each year. The Vice-Chairs will each be represented by a member of the CSRD and RDNO respectively.
- Meetings will be open meetings and will be run by the Chair or Vice-Chair in the absence of the Chair.
- Meeting minutes will be taken by the Committee Secretariat at all meetings. Upon approval of the minutes they will be distributed electronically.
- The quorum of the meeting will be comprised of not less than half of appointed Committee Members.
- The Committee may invite other persons to participate in making presentations to the Committee in order to benefit from additional expertise pertaining to subjects being discussed.
- Meetings of the Committee will occur not less than two (2) times per calendar year. Dates for the meetings should be determined by the Committee during the first scheduled meeting. It is recommended that the Committee meet on a quarterly basis. If necessary, additional or fewer meetings will be determined by the Committee.
- The Committee will adhere to all statutes, legislation, acts, bylaws and all other responsibilities as Committee of the respective owner jurisdictions.
- Committee members may choose to express their personal views to others outside the Committee but may not speak on behalf of or in any way create the impression that they are speaking for the Committee as a whole. In order to ensure open and honest dialogue; Committee members should not discuss comments or opinions expressed by other Committee members without their knowledge and consent.
- Members of the public may observe meetings but will not have voting rights and will only have speaking rights through invitation by the Chair.
- A conflict of interest arises when a Committee member speaks or votes on a motion that could be the cause of some direct significant benefit - monetary or otherwise - to that member. If such a situation arises, the member involved should excuse themselves from proceedings that relate to the conflict unless explicitly requested to speak, only after a majority vote to do so. Any subsequent information provided by the individual will clearly be identified in the meeting minutes as coming from a source perceived to be in a conflict of interest.

FUNDING AND FINANCIAL MANAGEMENT

The costs associated with a participating jurisdiction's member on the Governance Committee, including meeting attendance and travel costs, will be the direct responsibility of each jurisdiction.

CLOSING

These Terms of Reference are adopted by the three owner jurisdictions by the signature of the Regional District Chairs and the SplatSIN Chief as follows:

Chair, Columbia Shuswap Regional District

Date

Chair, Regional District of North Okanagan

Date

Chief, SplatSIN

Date