



Governance Advisory Committee

Sicamous-to-Armstrong Rail Trail Corridor

Friday, May 17th, 2019, 9:00 am - 12:00 pm

Hosted in the CSR D Board Room (555 Harbourfront Drive NE, Salmon Arm)

Agenda Version Updated: May 28, 2019

MINUTES

Meeting Purpose: to provide policy direction relative to the planning, development, management and governance of the Rail Trail Corridor project.

Objectives:

- To review minutes and business arising from the previous meeting
- To review project service contract agreement with the Shuswap Trail Alliance
- To consider recommendation to draft a co-management agreement
- To review draft recommendations for managing encumbrance agreements along the corridor
- To update on preliminary meetings with agencies including the ALC, MoTI, CP
- To update/discuss fund raising, project development, and identify priorities for upcoming meetings
- To direct communications to update the public

Agenda:

1. Welcome, Secwepemc Acknowledgement (Splatsin), and Introductions
 - a. Co-Vice Chair Mayor Terry Rysz called the meeting to order at 9:11 am
 - b. Brayden Cook was invited by Councillor Tronson and Councillor William to welcome everyone and acknowledge Secwepemc Territory.
2. Approval of Agenda
 - a. **Motion:** *THAT: the agenda of the May 17, 2019 Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be approved.*
Moved: Councillor Baird; **Seconded:** Mayor Acton. **Carried:** by consensus
3. Adoption of Minutes
 - a. **Motion:** *THAT: the minutes of the March 15, 2019 Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be adopted as circulated.*
Moved: Director Delisle; **Seconded:** Director Fairburn. **Carried:** by consensus
4. Business Arising
 - a. **MoU, Terms-of-Reference Approval, and Technical Operational Committee** – the MoU and ToRs were all approved by Splatsin Council, RDNO Board, and CSR D Board. The TOC is now



meeting regularly and includes Ray Cormier (Splatsin), Mike Fox (RDNO), Ryan Nitchie (CSR D), Sharen Berger (CSR D/RDNO Contract), Charles Hamilton (CSR D), David Sewell (RDNO), Shawn Tronson (Splatsin), Theresa William (Splatsin), and secretariat support from Phil McIntyre-Paul (Shuswap Trail Alliance).

- b. **BC Rural Dividend Program Grant announcement** – Charles Hamilton provided a brief update confirming the grant was successful. Funds will be managed through the CSR D. Includes \$834,000 in working capital for planning and design and development of long-term management plan. Also confirmed the funding will also help to kick start fundraising and overall project coordination.
- c. **Canada-BC Investing in Canada Infrastructure Program** – nothing to report at this time.
- d. **Follow-up with Federal and Provincial Ministers of Infrastructure** – Mayor Acton reported several requests to meet have been sent to Provincial Minister of Infrastructure. No response yet. Possible meeting at FCM. Any support to set meetings would be welcome. Mayor Rysz noted the upcoming opportunity to meet with Federal Minister of Tourism in Armstrong. Councillor William offered to assist with follow up on contacts.
ACTION: Phil to follow up with Councillor William and others to provide support.
- e. **Update on meetings with ALC, MoTI, CP Rail, adjacent businesses** – preliminary meetings have been set up by TOC with ALC representatives to begin the consultation process and application. Follow up with CP Rail initiated to begin process on acquisition of Lansdowne to Armstrong section. TOC also reported meetings set up with MoTI and larger adjacent businesses along the rail trail corridor including Hyde Mountain Golf, Sure Crop Feeds, and North Enderby Timber. Noted farming operations will be engaged through the ALC consultation process.
- f. **Date/location for familiarization tour with Governance Advisory** – *Discussion*: suggest this coincide with one of the upcoming meeting dates (possibly the next)

Motion: THAT: the Governance Advisory Committee leave this on the agenda for future consideration.

Moved: Mayor Pieper; **Seconded:** Councillor Baird.

Carried: by consensus.

ACTION: Phil – to coordinate potential times/locations for consideration.

- 5. Service Contract with the Shuswap Trail Alliance (Draft Agreement – to be presented at meeting)
 - a. Resolution: ***THAT: the Committee recommends that the Board of the Columbia Shuswap Regional District approve the Sicamous to Armstrong Rail Trail Corridor Planning, Development and Consulting Services Agreement with the Shuswap Trail Alliance.***



Discussion: Phil McIntyre-Paul left the meeting while the service agreement was discussed.

Motion: THAT: the Governance Advisory Committee approve the Resolution.

Moved: Mayor Acton; **Seconded:** Councillor Baird.

Carried: by consensus.

6. Discussion re: agreement to allow for mutual access and public usage of contiguous trail
 - a. Charles spoke to the agreement needed to work together for mutual access through SPlatsin owned portions of the Rail Corridor. Ray spoke briefly to the legal ownership and requirements of the SPlatsin owned lands. A formal agreement for managing shared access needs to be developed, including a formal dispute resolution agreement. A co-management agreement approach has been suggested.

Motion: ***THAT: an agreement to allow for mutual access through SPlatsin owned portions of the Rail Corridor be referred to the Technical Operational Committee to come back to the Governance Advisory Committee with recommendations.***

Moved: Councillor William; **Seconded:** Mayor Harrison.

Carried: by consensus

ACTION: TOC to prepare draft agreement recommendations for Governance Advisory.

7. Management of Encumbrance Agreements (See: Draft TOC Recommendations, May 10, 2019)
 - a. Resolution: ***THAT: The Committee recommends that the Boards of the Columbia Shuswap Regional District, Regional District of North Okanagan and the SPlatsin Band Council approve the Draft Encumbrance Agreement recommendations.***

b. Discussion:

- i. Ryan provided a review of the Draft Agreement Recommendations. Clarified these recommendations are asking for delegated authority to allow the RDNO and CSR D to move forward with agreements.
- ii. Intention of the agreements is to clearly establish that the property is owned by the RDNO/CSR D and subject to conditions, and there is an approval process. An opportunity to clean up and clarify the process and documentation, and clarify the parameters staff will operate under.
- iii. The CAOs recommend approving all the recommendations to allow staff to proceed with cleaning up these agreements.
- iv. Councillor Theresa William spoke to SPlatsin interests and indicated they would approve the recommendations with the phrase added: “. . .subject to SPlatsin’s pending legal



- actions.” Councillor William spoke to the intent of this request. Acknowledged this is to ensure SPlatsin interests are included and addressed in these agreements
- v. No discussion re Recommendation #1 (Utility Companies).
 - vi. Discussion re #2 – clarified lease lots within Coom Bay are within the rail corridor property and now jointly owned by CSR/DNO. Currently 6 leases are active. The leases vary from \$6,500 to \$14,500 annually, determined by the size of the lease area. Mayor Harrison shared experience of similar leases within the City of Salmon Arm.
 - vii. Mayor Rysz raised the idea of a Headwater Lease. It was suggested this might be tabled for further discussion through TOC with local jurisdictions.
 - viii. Re #3 (Local Government Utilities) – it was suggested bringing this to Municipal staff for review – and for clarification adding “with SPlatsin and all the stakeholders”
 - ix. Re #4 (Industrial/Commercial Use) – there was discussion re room to allow the trail to pass behind adjacent businesses.
 - x. Re #5 (Waterline Crossings) – no questions
 - xi. Re #6 (Private Waterlines) – all known agreement holders have been contacted.
ACTION: TOC – to circulate a sample copy of the agreement being used for private waterline crossings on the Okanagan rail trail.
 - xii. Re #7 (Agricultural Crossings), and # 8 (Residential/Commercial Crossings) – no questions
 - xiii. Re #9 – Upland Consent and Access Agreements – Charles Hamilton briefed the committee on this recommendation. Acknowledges this is one of the more complex agreements. Precedent and documentation from CP Rail was poor. Direction from the Governance Advisory is sought. Sicamous CAO Evan Parliament and Councillor Jeff Mallmes provided comment on significance of these agreements for the District of Sicamous. Suggest hosting a town hall within Sicamous to address this with dock owners. Also suggesting a Headwater Lease be considered. It was noted this would be a long process, and suggest approving recommendations to allow for consideration and processing of Agreements for new and existing tenures while this option is considered. Acknowledged needing to address access to docks, safety standards, design standards, and liability insurance requirements. Agreements will help to address these concerns. Having direction to move forward will allow the inter-jurisdictional staff to begin working on minimizing liability now.
 - xiv. #10 (Docks within CSR/D) – Charles Hamilton provided further background noting that within the CSR/D only one dock has all the necessary approvals.
 - xv. #11 – provides direction on any other structural encumbrances within the rail corridor.
 - xvi. #12 – addresses other encroachments that will need to be removed, or potentially require a lease agreement as long as it does not encumber the long term development of the rail trail corridor.
 - xvii. #13 – seeks authority to engage with an appraiser.
 - xviii. Further discussion: the importance to consult with property owners was acknowledged. Also discussed what staff capacity will be required to manage this.



Motion: **THAT: the resolution be amended to include recognition of Splatsin’s current and pending litigations with the Federal and Provincial Governments.**

Moved: Mayor Acton; **Seconded:** Director Delisle.

CARRIED: by consensus.

Resolution: (as amended) **THAT: The Committee recommends that the Boards of the Columbia Shuswap Regional District, Regional District of North Okanagan and the Splatsin Band Council approve the Draft Encumbrance Agreement recommendations, and further, that the committee recognizes Splatsin’s current and pending litigations with the Federal and Provincial Governments.**

Motion: **THAT: the Governance Advisory Committee approve the Resolution as amended.**

Moved: Mayor Acton; **Seconded:** Director Delisle.

CARRIED: by consensus.

8. New Business:

- a. **Project Development review/update** (Technical Operational Committee) – a brief update was provided on the TOCs work ahead and next steps.
- b. **Discussion re fundraising direction** – Director Delisle noted leadership is travelling to Quebec. Discussion included who to approach and talking points. The importance of pushing for upper government support for funding to develop the corridor was stressed. **ACTION: Phil** – forward the briefing document and copy of the Infrastructure Grant Application.
 - i. Importance of preparing a long-term financial plan was affirmed. Also acknowledged funds can be received now through the STA and will be held in reserve (these receive charitable receipts).
 - ii. Recommend branding/communications message to focus our attention – all communication messaging should be based on the importance of being stewards in the land, as per Splatsin values.
 - iii. Talk to Okanagan Rail Trail Society and others on what worked/recommendations. Mike Fox spoke briefly to the current funding and maintenance plan on the Okanagan Rail Trail. Acknowledged the high level of collaboration between the Okanagan Rail Trail and the Sicamous-to-Armstrong project. Noted the Okanagan Rail Trail Corridor branding design is now being developed.
 - iv. The idea of user fees for trail use was raised with encouragement to be creative in developing a long-term financial plan for the rail-trail.
 - v. Affirmed importance of developing a strategy prior to launching fund raising campaign.
 - vi. Exploring potential of donated in-kind services for development also raised
- c. Other Priorities



i. **Headwater Lease –**

Motion: **THAT: the TOC research Headwater Leases and come back to the Governance Advisory with recommendations.**

Moved: Mayor Rysz; **Seconded:** Councillor Baird. **CARRIED:** 10 in favour; 1 opposed.

ACTION: TOC – research Headwater Leases and bring recommendations to Governance Advisory

- ii. **Sensitive First Nations Sites –** discussion regarding the importance of identifying and protecting areas. Assessments will be done. Councillor William noted Splatsin do not want to draw public attention to sensitive areas. This will be included in the management plan.

9. Direction on communication updates to the public – **ACTION: TOC** to prepare an update.

10. Summary and Next Steps – see below.

11. Next Meeting: Friday, July 19, 2019, 9:00 am – 12 Noon – Location: RDNO Offices

- a. Mayor Rysz recommended the September meeting might be hosted in Sicamous.

12. Adjournment

- a. Motion: **THAT: the May 17, 2019 Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be adjourned.**

Moved: Councillor Baird; **Seconded:** Director Delisle. **CARRIED:** by consensus.

Summary of Actions from Minutes:

Task or Action	Responsibility	Timeframe
follow up with Provincial Ministry contacts to discuss funding support opportunities	Splatsin Kukpi7 Christian, RDNO Chair Mayor Acton, CSRD Chair Director Rhona Martin, with support from Councillor William & Secretariat (Phil)	immediately
coordinate potential times/locations to consider for Governance Advisory site tour on rail trail corridor	Secretariat (Phil)	Summer/fall
Prepare draft recommendations for mutual access through Splatsin owned portions of the Rail Corridor	TOC	July 19 Governance



circulate a sample copy of the private waterline crossing agreement being used for the Okanagan rail trail	TOC/Secretariat (Phil)	asap
forward the briefing document and copy of the Infrastructure Grant Application to Governance Advisory	Secretariat (Phil)	immediately
research Headwater Leases and bring recommendations to Governance Advisory	TOC	asap
prepare a communication update to the public	TOC/Secretariat (Phil)	immediately

Abbreviations: GAC (Governance Advisory Committee), TOC (Technical Operational Committee)

Secretariat Contact: Phil McIntyre-Paul (Shuswap Trail Alliance) at phil@shuswaptrails.com, 250-804-1964 (on behalf of the Inter-Jurisdictional Governance Advisory)

Meeting Documents: (Note: linked to Dropbox)

1. [Minutes – March 15, 2019: Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee](#)
2. [BC Rural Dividend Program Agreement #:2018070133](#)
3. [Sicamous to Armstrong Rail Trail Corridor Planning, Development and Consulting Services Agreement \(May 16, 2019, File No. 6140 15 01\)](#)
4. [DRAFT TOC Recommendations regarding Encumbrance Agreements \(May 10, 2019\)](#)
5. [Media Release re: Rail-Trail Governance Advisory Progress \(April 4, 2019\)](#)
6. [Media Release re: BCRDP funding for Rail-Trail \(May 10, 2019\)](#)

Background Documents: (for Reference)

1. [In Camera Board Report, CSR D, August 10, 2018 \(File No: 8650-03\)](#)
2. [Memorandum of Understanding \(Master Agreement\) between CSR D, RDNO, and Splat'sin – FINAL](#)
3. [Terms of Reference - Governance Advisory Committee - Sicamous to Armstrong Rail Trail Corridor FINAL](#)
4. [Terms of Reference - Technical Operational Committee - Sicamous to Armstrong Rail Trail Corridor FINAL](#)
5. [Preliminary Concept Design Report – Sicamous to Armstrong Rail Trail Corridor \(Jan. 17, 2019\)](#)
6. [Overview Map – Rail Corridor](#)
7. [Corridor Maps showing existing leases, encroachments, docks, and crossings](#)



Attendance: Sicamous-to-Armstrong Rail Trail Governance Advisory Committee – May 17, 2019

Acting Governance Representative at Meeting:

- Alan Harrison – City of Salmon Arm – Mayor – Alternate Rep
- Chris Pieper – City of Armstrong – Mayor – Appointed Rep
- Denis Delisle – RDNO Area F – Director – Appointed Rep
- Jay Simpson – CSR D Area F – Director – Appointed Rep
- Kevin Acton – Village of Lumby – Mayor/RDNO Chair – Appointed Rep
- Paul Demenok – CSR D Area C – Director – Appointed Rep
- Rene Talbot – CSR D Area D – Director – Appointed Rep
- Rick Fairbairn – RDNO Area D – Director – Appointed Rep
- Rhona Martin – CSR D Area E – Director/CSR D Chair – Appointed Rep
- Shawn Tronson – Splatsin – Councillor – Alternate Rep
- Terry Rysz – District of Sicamous – Mayor – Appointed Rep
- Theresa William – Splatsin – Councillor – Appointed Rep
- Todd York – Township of Spallumcheen – Councillor – Alternate Rep
- Tundra Baird – City of Enderby – Councillor – Appointed Rep

Alternate Representatives (Observing):

- Jeff Mallmes – District of Sicamous – Councillor – Alternate Rep
- Randal Ostafichuk – District of Lumby – Councillor – Alternate Rep
- Shirley Fowler – City of Armstrong – Councillor – Alternate Rep

Staff:

- Brayden Cook – Splatsin
- David Sewell – RDNO – Chief Administrative Officer
- Evan Parliament – District of Sicamous – Chief Administrative Officer
- Jennifer Graham – City of Armstrong – Corporate Officer
- Melinda Smyrl – District of Sicamous – Planner
- Mike Fox – RDNO – General Manager of Community Services
- Ray Cormier – Splatsin – Rail-Trail Technical Liaison
- Ryan Nitchie – CSR D – Team Leader, Community Services
- Sharen Berger – CSR D/RDNO – Rail Corridor Lease Agreements (Contractor)
- Tracy Hughes – CSR D – Communications

Other:

- Phil McIntyre-Paul – Shuswap Trail Alliance – Governance Advisory Secretariat

Regrets:

- Chad Eliason – City of Salmon Arm – Councillor – Appointed Rep
- Kukpi7 Christian – Splatsin – Kukpi7 (Chief) – Appointed Rep