

# 2018 MIABC Risk Management Conference

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MUNICIPAL  
INSURANCE  
ASSOCIATION  
OF BRITISH  
COLUMBIA

*The Municipal Insurance Association of British Columbia's*

# 7<sup>th</sup> Annual Risk Management Conference

April 11<sup>th</sup>-13<sup>th</sup>, 2018  
Hyatt Regency Vancouver

The Municipal Insurance Association of British Columbia's (MIABC's) 7<sup>th</sup> Annual Risk Management Conference will be held at the Hyatt Regency Vancouver from April 11<sup>th</sup> to 13<sup>th</sup>, 2018. The conference is open to all staff of MIABC members and non-member local governments.

Register early as seating is limited, and the conference sold out early last year.

### MIABC Member Rates

Early Bird Rate (January 12<sup>th</sup>-February 9<sup>th</sup>) – \$225 per person

Regular Rate (February 10<sup>th</sup>-March 30<sup>th</sup>) – \$275 per person

Group Rate (February 10<sup>th</sup>-March 30<sup>th</sup>) – \$250 per person (two or more delegates from the same local government)

The conference registration fee for **MIABC MEMBERS** includes all conference materials on a USB stick (a printed binder of conference materials is available for an additional \$50 per person by selecting this option in the registration form); the welcome reception on April 11<sup>th</sup>; breakfast, lunch, and coffee breaks on April 12<sup>th</sup> & 13<sup>th</sup>; and one ticket to the banquet on April 12<sup>th</sup>. Additional banquet tickets for partners and guests can be purchased for \$100 each.

### Non-MIABC Member Rate

Regular Rate (January 12<sup>th</sup>-March 30<sup>th</sup>) – \$600 per person

The conference registration fee for **NON-MIABC MEMBERS** includes all conference materials on a USB stick (a printed binder of conference materials is available for an additional \$50 per person by selecting this option in the registration form), the welcome reception on April 11<sup>th</sup>; and breakfast, lunch, and coffee breaks on April 12<sup>th</sup> & 13<sup>th</sup>. **Banquet tickets for non-MIABC members and their partners and guests can be purchased for an additional \$100 each.**

### Refund Policy

Delegates are eligible for a full refund up to and including March 30<sup>th</sup>.

### Registration

Registration for this year's conference is now available online through CivicInfo. Please use the following link to register: <https://www.civicinfo.bc.ca/event/2018/MIABC>.

### Accommodation

A special rate of \$229 per night is available at the Hyatt Regency Vancouver until March 20<sup>th</sup> or until the room block is sold out, whichever comes first. To book your accommodation, please use the following link: <https://aws.passkey.com/go/miabc2018>. MIABC members now have the option of having the cost of their accommodation at the Hyatt Regency Vancouver deducted directly from their Risk Management Grant account by selecting this option in the registration form. Please note that delegates must still make their own room reservations using the link above.

If you have any questions about the MIABC's 7<sup>th</sup> Annual Risk Management Conference, please contact Heidi Kriz at [hkriz@miabc.org](mailto:hkriz@miabc.org).



**CONFERENCE  
AGENDA**

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## **WEDNESDAY, APRIL 11**

**12:00PM – 1:00PM REGISTRATION** — *Convention Level (3rd Floor)*

**1:00PM – 2:00PM** — *Regency Ballroom*

### **WELCOME AND KEYNOTE SPEAKER**

#### ***What's Old Is New Again: How to Communicate Better in a Noisy World***

*Stephen O'Keefe*, Entrepreneur and Speaker

In today's world, we have a vast array of communication tools in our arsenal, but the information we receive is overwhelming, and our listening skills have weakened. The auditory input is a tiny part of the communication puzzle. When you listen well, you have a major advantage in achieving your interpersonal and business goals. Based on an expanded version of his inspiring and humorous TEDx talk on "How to Listen Better – Tips from a Deaf Guy", Stephen's keynote "What's Old Is New Again: How to Communicate Better in a Noisy World" challenges you to be more effective in communication at work, in relationships, and at home. You'll laugh, you'll learn, and you'll be inspired.

**2:00PM – 2:20PM NETWORKING BREAK**

## **CONCURRENT SESSIONS**

**2:20PM – 4:30PM** — *Regency Ballroom C*

### ***Best Strategies for Effective Communication with the Public***

*Stephen O'Keefe*, Entrepreneur and Speaker

*Leslie Woo*, Legal Counsel, MIABC

In this interactive and fun workshop, you will learn how to communicate effectively with the public in such a way that will help to reduce claims, avoid admitting liability, while at the same time, respond empathetically.

*This session is best suited for anyone who deals directly with the public, particularly front-line staff or those who supervise front-line staff.*

**2:20PM – 4:30PM – Balmoral****Current Liability Issues in Policing**

*Jeremy Poole*, Partner, Alexander Holburn Beaudin + Lang LLP

*David McKnight*, Partner, Alexander Holburn Beaudin + Lang LLP

*Thea Hoogstraten*, Associate, Alexander Holburn Beaudin + Lang LLP

*David Fleugel*, Chief Constable, Port Moody Police Department

Jeremy, David, and Thea from Alexander Holburn Beaudin + Lang will be joined by Chief Constable Fleugel from the Port Moody Police Department to explore a number of liability issues faced by municipal law enforcement agencies. They will consider the legal relationship between municipalities and their police forces, officer conduct and civil liability, negligent investigation, and civil damages for the breach of Charter rights.

*This session is best suited for law enforcement and municipal staff who liase with law enforcement.*

**2:20PM – 4:30PM – Regency Ballroom A/B****Managing Procurement Contract Risks – Tips for Drafting and Managing Tenders, RFPs, and Procurement Contracts**

*Jeff Locke*, Associate Counsel, Stewart McDannold Stuart

*Peter Johnson*, Partner, Stewart McDannold Stuart

This information-packed workshop will focus on two topics: First, the introduction and description of a protocol commissioned by the MIABC, which is designed to reduce the risk of errors in tendering/contract documents and make the review of tendering/contract documents by external local government legal counsel quicker and more affordable. The presentation will include materials which set out a step-by-step description of the protocol, as well as sample contractual language, which is intended to be adapted for local government use. Second, an overview and update, which will include both a litigation lawyer's and solicitor's perspectives, concerning the following topics:

- Risks and pitfalls to avoid
- Working with professional consultants
- Using precedents and standard form documents
- Tips for managing contract tendering risks
- Risk allocation and risk transference under contract
- "Must have" clauses to include in your tender, RFP, or contract documents
- Managing risks in the Council/Board contract award process

*This session is best suited for risk managers and other staff whose responsibilities include drafting and managing tenders, RFPs, and procurement contracts.*

**4:30PM – 6:30PM – Oxford & Prince of Wales Suites****WELCOME RECEPTION**

Join MIABC staff, speakers, and conference delegates to mingle over drinks and nibbles to kick off the conference.

**THURSDAY, APRIL 12****8:00AM – 9:30AM BREAKFAST****CONCURRENT BREAKFAST SESSIONS****8:30AM – 9:15AM** — *Regency Ballroom B****The MIABC's Service Standards****Tom Barnes*, Chief Executive Officer & General Counsel, MIABC*Marina Sen*, Insurance Services Coordinator, MIABC*Susan Ackerman*, Risk Management Advisor, MIABC

Join the MIABC's CEO, Tom Barnes, as he interviews the staff of the Insurance and Member Services Departments about the development of the MIABC's new Service Standards and Service Evaluation Program.

*This session is best suited for anyone who works with the MIABC or anyone who doesn't and wants to learn more.*

**8:30AM – 9:15AM** — *Regency Ballroom C/D****Claims: Did You Know...?****David Hooper*, Claims Examiner, MIABC*Scott Morishita*, Legal Counsel, MIABC

Join David and Scott in this early morning breakfast session as they reveal some of the ins and outs of handling MIABC liability claims. David and Scott will answer questions such as:

- Why does the MIABC investigate incidents involving minors long before a claim is received?
- Why do some settlements involving minors fall apart?
- Can apologies help to prevent claims?
- Why can't MIABC members settle their own bodily injury claims?
- Are statutory defences under the *Local Government Act* effective?

*This session is best suited for staff who handle local government claims.*

**PLENARY SESSION****9:30AM – 10:30AM** — *Regency Ballroom C/D****Nilsson v. The District: Anatomy of a Claim Part I: The Investigation****Lindsay Nilsson*, Associate, Twining, Short & Haakonson, Barristers*Steve Haakonson*, Partner, Twining, Short & Haakonson, Barristers*Scott Twining*, Partner, Twining, Short & Haakonson, Barristers*Kerry Short*, Partner, Twining, Short & Haakonson, Barristers*Karin Bezurova*, Insurance & Risk Advisor, District of North Vancouver*Kevin Travis*, Payne Travis & Associates*Nicole Purves*, Deputy Director of Claims, MIABC

Have you ever wondered what happens once a claim is reported to the MIABC? In this three-part session, the lawyers from Twining, Short & Haakonson will pull back the curtain and take delegates on a journey through a fictional litigated claim, from the minute the claim is reported through to its resolution. Delegates will gain insight into how claims are assessed, how evidence is gathered, and how the parties come together to resolve contentious issues.

**10:30AM – 10:50AM NETWORKING BREAK****CONCURRENT SESSIONS****10:50AM – 12:00PM** — *Balmoral****Risk Management for Law Enforcement****Dave Nelson*, Public Safety/Risk Management Officer, Citycounty Insurance Services (CIS)

Risk Management Consultant and former Chief of Police, Dave Nelson from Citycounty Insurance Services (CIS) in Oregon, will share the claims trends involving law enforcement agencies in the United States and some innovative risk management strategies CIS has implemented to reduce their liability risk for law enforcement.

*This session is best suited for law enforcement and municipal staff who liase with law enforcement.*

**10:50AM – 12:00PM** — *Regency Ballroom B****Implementation of the MIABC Model Building Bylaw****Tom Barnes*, Chief Executive Officer & General Counsel, MIABC*David Tupper*, Claims & Risk Analyst, MIABC*Don Lidstone*, Managing Partner, Lidstone & Company

The new MIABC model building bylaw contains recommended best practice provisions for building regulation under the recently enacted *Building Act*, with three separate templates for large communities, small communities, and regional districts. In this session, Tom, David, and Don will present options for adopting the model building bylaw, as well as some policy recommendations for its implementation and risk management.

*This session is best suited for building officials, planners, chief administrative officers, chief financial officers, and anyone who is involved with building inspection services.*

**10:50AM – 12:00PM** — Regency Ballroom E/F***Where the Sidewalk Ends... Park, Road, and Sidewalk Policies***

*Aron Bookman*, Partner, Carfra Lawton LLP

*Caroline Alexander*, Associate, Carfra Lawton LLP

Aron and Caroline will demonstrate the ways in which different municipal departments, such as Public Works and Parks and Recreation, should be collaborating on policies and procedures. Municipalities have the unique capacity, as a matter of common law, to regulate their own standard of care based on the policy/operation defence. Unwritten procedures may be elevated to a defensible policy, but written policies, procedures, and service levels should be the norm. Further, municipal policies, procedures, and service levels should take into account the interplay between municipal departments. Aron and Caroline will illustrate this concept through the example of a park with trees that could impact the adjacent sidewalk and roadway.

*This session is best suited for managers and staff who work in parks and recreation, public works, or operations and anyone who is responsible for overseeing policy creation and implementation.*

**10:50AM – 12:00PM** — Regency Ballroom A***Environmental Risk & Insurance Solutions for Municipalities***

*Aaron Weinstock*, Senior Underwriter, Environmental Risk, Chubb

*Jeff Rhee*, Underwriter, Environmental Risk, Chubb

This session will focus on the main environmental risks and emerging legislation faced by municipalities, using real life examples and claims experienced in the sector. Aaron and Jeff will then explore some of the ways municipalities can transfer risk and the advantages of doing so.

*This session is best suited for anyone involved with purchasing insurance on behalf of their local government or reporting claims related to pollution/environmental liability.*

**12:00PM – 1:00PM LUNCH** — Regency Ballroom C/D**PLENARY SESSION****1:00PM – 2:00PM** — Regency Ballroom C/D***Nilsson v. The District: Anatomy of a Claim Part II: The Discovery Process*****2:00PM – 2:20PM NETWORKING BREAK**

## CONCURRENT SESSIONS

### 2:20PM – 3:20PM — Balmoral

#### ***Emerging Issues in Modern Policing: Part I***

**David Butcher Q.C.**, Partner, Wilson Butcher Barristers

**Anila Srivastava**, Associate, Wilson Butcher Barristers

**Bob Rich**, Chief Constable, Abbotsford Police Department

In this two-part session, David, Anila, and Bob will discuss a number of issues currently faced by law enforcement agencies in British Columbia, including liability arising from the operation of joint forces and integrated policing units, managing conflicts that arise in policing cases, and the prospect of an increased role for Police Boards, as recommended in the Tulloch Report. They will provide some risk management insight and advice for municipal employees in law enforcement workplaces, as well as preventing human rights complaints and managing media in crisis situations.

*This session is best suited for law enforcement and municipal staff who liase with law enforcement.*

### 2:20PM – 3:20PM — Regency Ballroom A

#### ***Equipment Breakdown Basics***

**Darlene McBride**, Manager, Vancouver Regional Office, The Boiler Inspection and Insurance Company of Canada

Think about the impact on your business if your equipment fails. Immediately, your operations are interrupted. How will you continue to operate? If you don't have backup equipment, you may need to find alternate facilities or rent equipment, which will increase your costs. What if customers can't wait? Facilities and operations may be cancelled, which means you will suffer loss of revenue and possible damage to your reputation. Personal injury could also result. Darlene will discuss how equipment breakdown insurance can complement a local government's property insurance program and mitigate many of these risks.

*This session is best suited for anyone responsible for purchasing insurance or overseeing the operation of equipment on behalf of their local government.*

### 2:20PM – 3:20PM — Regency Ballroom E/F

#### ***Weathering the Storm of Climate Change***

**Dennis K. Hori Q.C.**, Partner, Fulton & Company LLP

**Devin Buchanan**, Associate, Fulton & Company LLP

Global warming has altered the world climate to the extent that we are now seeing the real effects of climate change. Rising sea levels, overflowing rivers and streams, increased runoff water, and wildfires are products of climate change. These trends can have an important impact on risk management for local governments. Dennis and Devin will address how climate change will affect the risk management policies of local governments.

*This session is best suited for chief financial officers, risk managers, purchasing managers, operations and public works managers, and local government planners.*

**2:20PM – 3:20PM – Regency Ballroom B*****Skating on Thin Ice – Liability for Recreational Facilities***

*Maryam Sherkat*, Legal Counsel & Risk Officer, MIABC

In this session, Maryam will look specifically at liability arising in the context of ice arenas before considering defences available to local governments in the operation of recreational facilities more generally. Unlike some other recreational facilities, such as swimming pools, there are no regulations applicable to ice arenas. Accordingly, Maryam will highlight best practices and the applicable standard of care.

*This session is best suited for risk managers, staff, and management who work in recreational facilities.*

**3:30PM – 4:30PM – Balmoral*****Emerging Issues in Modern Policing: Part II***

*David Butcher Q.C.*, Partner, Wilson Butcher Barristers

*Anila Srivastava*, Associate, Wilson Butcher Barristers

*This session is best suited for law enforcement and municipal staff who liaise with law enforcement.*

**3:30PM – 4:30PM – Regency Ballroom A*****Building Official Qualifications – Obstacles and Alternatives***

*Paul Gipps*, Chief Administrative Officer, Fraser Valley Regional District

*Jarrett Hutchinson*, Director, Building Regulations, Building & Safety Standards Branch

*David Tupper*, Claims & Risk Analyst, MIABC

As of February 2021, it will be an offence under the *Building Act* for any person to decide on behalf of a local government whether a matter conforms to a building regulation unless that person has the necessary qualifications. Qualified building officials are scarce. The baby boomers are retiring. How will your local government attract and keep qualified building officials?

*This session is best suited for building officials, planners, chief administrative officers, chief financial officers, and anyone who is involved with building inspection services.*

**3:30PM – 4:30PM – Regency Ballroom E/F*****The Policy Defence and Defining Levels of Service***

*Terry Cavaliere*, Public Works Administration Manager, Northern Rockies Regional Municipality

*Megan Chorlton*, Director of Member Services & Assistant General Counsel, MIABC

Terry and Megan will discuss how local governments can reduce risk by setting their service levels through policy development. They will provide an overview of the key elements required to establish a policy defence and examine policy development. Terry will share the Northern Rockies Regional Municipality's process for developing levels of service framework for regular monitoring and review of the District's service levels.

*This session is best suited for any senior managers.*

**3:30PM – 4:30PM** — *Regency Ballroom B****Enterprise Risk Management for Local Government***

*Keith Old*, Founder & Managing Director, ERM Focus

*Warren Smith*, Community Services Manager, City of Armstrong

*Maryam Sherkat*, Legal Counsel & Risk Officer, MIABC

Keith, Warren, and Maryam will examine what a sound Enterprise Risk Management (ERM) program entails and the potential benefits large and small municipalities can expect from adopting such a program. They will focus on practical suggestions for implementing or improving an ERM program for local government. Maryam will take members behind the scenes to share the challenges and successes of the MIABC's own ERM program.

*This session is best suited for any senior managers who are considering implementing an ERM program.*

**6:30PM – 9:30PM** — *Regency Ballroom C/D***BANQUET**

Join MIABC staff, service providers, and conference delegates for an evening filled with great food, connecting with colleagues, and recognition of outstanding contributions to the MIABC and risk management.

**FRIDAY, APRIL 13****7:45AM – 9:30AM**    **BREAKFAST****BREAKFAST SESSION****8:00AM – 9:15AM*****Think Tank Sessions***

*MIABC Staff*

Our "Think Tank" sessions are your chance to learn from the experience and expertise of other conference delegates. MIABC staff will facilitate small group discussions where delegates can share their challenges, successes, and best practices related to issues particular to public works, parks and recreation, and regional districts.

Public Works — *Regency Ballroom A*

Parks & Recreation — *Regency Ballroom B*

Regional Districts — *Regency Ballroom E*

**PLENARY SESSION****9:30AM – 10:30AM** — Regency Ballroom C/D***Nilsson v. The District: Anatomy of a Claim Part III: The Mediation*****10:30AM – 10:50AM NETWORKING BREAK****CONCURRENT SESSIONS****10:50AM – 12:00PM** — Regency Ballroom F***Anatomy of a Large Loss****Jim Dowler*, Associate Counsel, Alexander Holburn Beaudin + Lang LLP*Dianna Hwang*, Partner, Alexander Holburn Beaudin + Lang LLP*Jim Gordon*, Director of Engineering and Municipal Operations, City of White Rock

On a Sunday afternoon in January 2011, the Plaintiff Plett suffered severe and life altering injuries when he lost control of his vehicle after driving into a flooded section of a road in the City of Abbotsford. He sued the Abbotsford for over \$10 million. After a number of pretrial proceedings and a lengthy trial his case was dismissed. At the time, Jim Gordon was the head of engineering at Abbotsford. He played a key role in assisting counsel with document production and he was both a representative of Abbotsford at examinations for discovery as well as a witness at trial. Jim Dowler and Dianna Hwang were the lawyers representing Abbotsford.

The panel will discuss how the *Plett v. Abbotsford* case demonstrates the duties and obligations of a local government when dealing with a large lawsuit. The session will cover the role of legal counsel in defending a local government and the roles and responsibilities of the local government employees throughout the process from initial investigation, to document and oral discovery, and on to preparation and conduct of the trial.

*This session is best suited for senior management, risk managers, and front-line staff who interact with claimants.*

**10:50AM – 12:00PM** — Regency Ballroom B***Business Continuity – “Are You Ready?”****Paul Meyer*, Executive Director, NC League of Municipalities*Clive Lunn*, Senior Consultant, ERM Focus*Sherman Chow*, Director of Claims, MIABC

You think you are prepared. You have a disaster plan ready to go, but you really don't know how good the plan is until a catastrophic event occurs, and it impacts all aspects of your operations. We will hear from Paul Meyer about the lessons learned from a massive fire experienced by the North Carolina League of Municipalities. Clive Lunn, a risk management and business continuity consultant, will discuss the essential elements required in putting together an effective business continuity plan.

*This session is best suited for all levels of management, including risk managers and those looking to develop, or expand on, their business continuity plan.*

**10:50AM – 12:00PM** — *Regency Ballroom E****Best Practices for Local Government Building Departments***

*John Southam*, Building Manager, Central Kootenay Regional District

*Dana Romanick*, Legal Counsel, MIABC

In this session, Dana and John will lead a discussion on the challenges currently facing building departments with a focus on liability concerns vs. practical considerations and the interplay between rural and urban circumstances.

*This session is best suited for building officials, planners, and policy makers.*

**10:50AM – 12:00PM** — *Regency Ballroom A****Current Issues Facing Parks & Recreation***

*Samantha Boyce*, Legal Counsel, MIABC

Samantha will address the following topics:

***The Lost Paths of City Parks***

In this seminar, Samantha will address how parks and recreation departments can reduce their risk by implementing maintenance policies and procedures for their pathways, trails, and other park routes. She will discuss some unique and unusual legal issues that apply to recreational pathways and will go through examples of what to do and what not to do when developing a park maintenance program.

***The Key to the Claim: Incident Reporting and Investigation for Front-Line Staff***

This session is designed for local government staff who are the first point of contact for a potential claim. Samantha will discuss what an employee should do when responding to a possible claim. This will cover topics including: what to say to potential claimants, what information to collect, and who to report to. She will also discuss the positive risk management impact that proper incident handling can have.

*This session is best suited for parks and recreation staff and operations managers.*

**12:00PM – 1:00PM LUNCH** — *Regency Ballroom C/D***CONCURRENT SESSIONS****1:00PM – 2:00PM** — *Regency Ballroom E****Land Use Liability***

*Lui Carvello*, Carvello Law Corporation

*David Tupper*, Claims & Risk Analyst, MIABC

Recent court decisions and claim settlements have demonstrated how high the stakes can be when the development process breaks down. Unforced errors are at the root of many of these claims, but training and good policy are effective and attainable risk management tools.

*This session is best suited for planners and building officials.*

**1:00PM – 2:00PM – Regency Ballroom A*****Understanding Liability Exposures for Municipal Civic Events***

*Kimberly Douglas*, Regional Supervisor, SCM Risk Management Services Inc.

Civic events can be a great way of bringing residents together and engaging your community, however these types of public gatherings come with their own set of risks. Injury to employees, volunteers, vendors, and attendees can occur; activities that have a physical element can impact the safety of participants; and food and alcohol sold by on-site vendors can put the well-being of event-goers at risk. Furthermore, did you know that there is often a higher duty of care when minors are present? In this session, Kimberly will provide insight on how you can ensure that proper procedures are in place to mitigate the risks to your local government that are associated with public events.

*This session is best suited for parks and recreation staff, risk managers, and those who are involved with planning and executing civic events.*

**1:00PM – 2:00PM – Regency Ballroom B*****Meteorite Incoming! Managing Unforeseen Risks***

*Adrienne Atherton*, Partner, Civic Legal LLP

*Rina Thakar*, Partner, Civic Legal LLP

How does one prepare for the unexpected? Adrienne and Rina will provide advice to guide emergency responses to mitigate risk using examples in many contexts. The session will then be opened up to all attendees to discuss and collaborate on recent experiences acting under the province's state of emergency or other emergency responses, including lessons learned.

*This session is best suited for chief administrative officers, chief financial officers, risk managers, and those involved with disaster and emergency response.*

**1:00PM – 2:00PM – Regency Ballroom F*****Engineering Infrastructure Risk – Creating and Applying an Asset-Level Risk Model***

*Jonathan Helmus*, Assistant Director of Engineering, Infrastructure & Development, City of Burnaby

Jonathan will share the City of Burnaby's GIS and Excel-based infrastructure criticality and risk model (roads, water, sewer, and drainage) which was created using existing GIS, infrastructure model, and asset management data. The model streamlines multiple data sources into a single, clear, and meaningful risk result that significantly improves capital and operational planning.

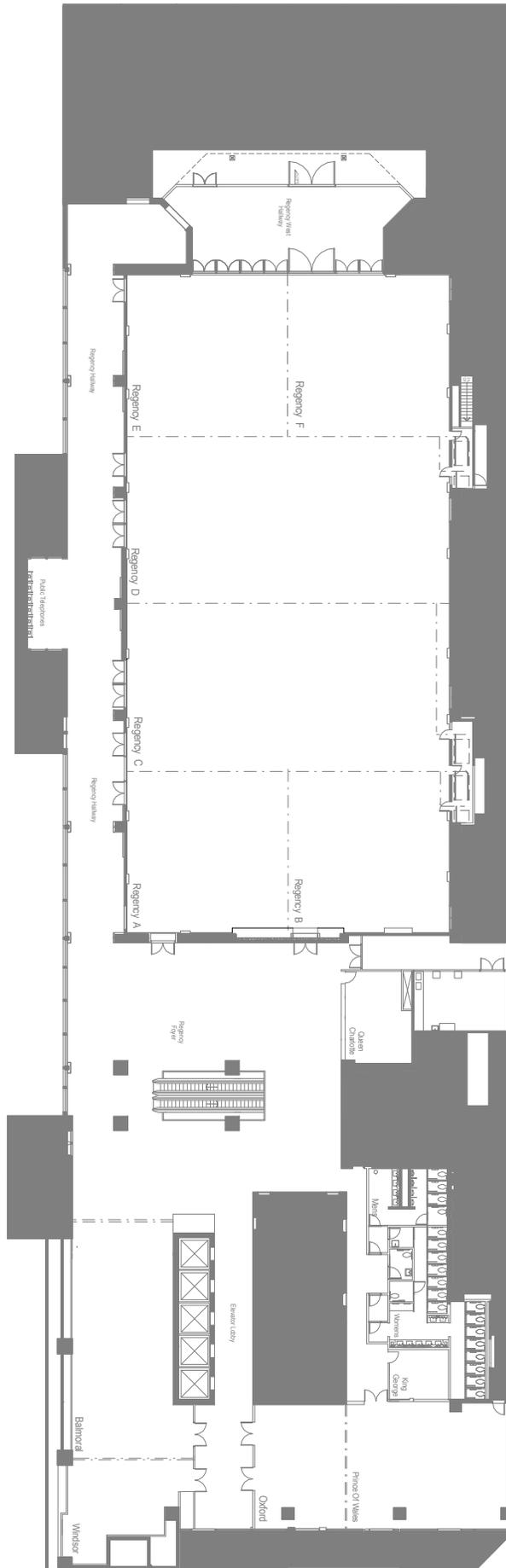
*This session is best suited for chief financial officers, risk managers, operations managers, asset managers, public works staff, and engineers.*

**PLENARY SESSION****2:00PM – 3:00PM – Regency Ballroom C/D*****Are You Smarter Than a Risk Manager?***

*MIABC Staff*

Back by popular demand, but in a different format this year, this highly-interactive session will put participants' risk management knowledge to the test for a chance to win one of many fabulous MIABC prizes.

# Floor Plan



CONNECT COLLABORATE COMMUNITY



**#MIABCRM2018**

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Association of British Columbia**

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