

PEOPLE'S ASSEMBLY
Saturday, December 8, 2012
10:00 am - House of Huu-ay-aht – Anacla
Video Conference – Echo (Port Alberni) Beban Park (Nanaimo)
and Executive Hotel (Burnaby)

MINUTES OF THE MEETING

1. CALL TO ORDER

The meeting was called to order at 1:03 pm. Quorum was achieved with 129 people in attendance.

2. OPENING PRAYER

Tom Happynook performed the Opening Prayer.

3. ADOPTION OF AGENDA

MOTION:

BE IT RESOLVED to adopt the proposed agenda as amended

Moved by Robert Dennis
Seconded by Brian Happynook
Adopted by Consensus
Resolution #2012-209

3.1 WAIVE REPORT REQUIREMENTS

MOTION:

BE IT RESOLVED that the People's Assembly believes that a delay in consideration of:

1. new or amended citizen's motions on the agenda of the December 8th, 2012 People's Assembly,
2. HUU-AY-AHT Audited Annual Financial Statements for the period April 1, 2011 to March 31, 2012,
3. Financial Statements for the HUU-AY-AHT Group of Companies for the period April 1, 2011 to March 31, 2012,
4. The PowerPoint on Spring 2013 Legislation entitled "Addendum HDC", and
5. The PowerPoint on the HFN Audit entitled "insert name"

is not in the best interests of Huu-ay-aht First Nations and hereby waives the report requirements under s. 89 of the Government Act."

**Moved by Cheryl Cook
Seconded by Deborah Cook
Adopted by Consensus
Resolution #2012-210**

3.2 PEOPLE'S ASSEMBLY QUORUM REQUIREMENT

MOTION:

BE IT RESOLVED that the People's Assembly approves the amendment of Section 77 (c) of the Government Act to change the quorum requirement to 20% of eligible voters and further to recommend that Executive Council ensure that the remaining steps to enact this amendment and bring it into force are completed by March 31st, 2013.

**Moved by John Jack
Seconded by Bruce Nookemus
Adopted by Vote
Resolution #2012-211**

3.3 EXECUTIVE COUNCIL AND EXECUTIVE DIRECTOR SALARIES AND BENEFITS

MOTION:

THEREFORE BE IT RESOLVED to recommend that Executive Council direct the Finance Committee to prepare a report to Executive Council reviewing salary and benefit levels of the Ta'yii Hawilth, Chief Councillor, other Executive Council members, and the Executive Director compared to similar positions in other governments. Such report to be completed by March 31st, 2013, presented to Executive Council for their review and made available to Huu-ay-aht citizens.

**Moved by Norman Dennis
Seconded by George Nookemus
Adopted by Consensus
Resolution #2012-212**

3.4 EDUCATION AND TRADES TRAINING

MOTION:

THEREFORE BE IT RESOLVED to recommend that Executive Council review its current education and trades training funding policies and procedures by March 31, 2013 to determine how this issue is being addressed and make their findings available to Huu-ay-aht citizens

**Moved by Norman Dennis
Seconded by Victor Williams Jr.
Adopted by Consensus
Resolution #2012-213**

3.5 CITIZEN PAYMENT

MOTION:

THEREFORE BE IT RESOLVED to recommend that Executive Council direct Finance Committee to prepare a report on options for a per capita payment to citizens including the source of funding for the citizen payment. Such report to be completed by June 30, 2013, presented to Executive Council for their review and made available to HUU-AY-AHT citizens.

**Moved by Norman Dennis
Seconded by Bruce Nookemus
Failed by Vote**

4. GOVERNMENT OATHS

All new members of government were asked to take the HUU-AY-AHT Oath.

5. CITIZEN OATHS

Those citizens who had not taken the citizen oath were asked to do so.

6. HUU-AY-AHT ANNUAL REPORT

MOTION:

BE IT RESOLVED to receive the HUU-AY-AHT Annual Report which includes the Strategic Plan and Committee Annual Report presented to the People's Assembly on December 8, 2012.

**Moved by Robert Dennis
Seconded by Harry Brossault
Adopted by Consensus
Resolution #2012-214**

7. AUDITED FINANCIAL STATEMENTS

MOTION:

BE IT RESOLVED to receive the HUU-AY-AHT Audited Annual Financial Statements presented to the People's Assembly on December 8, 2012.

**Moved by Robert Dennis
Seconded by Sherri Cook
Adopted by Consensus
Resolution #2012-215**

8. APPOINTMENT OF AUDITOR

MOTION:

BE IT RESOLVED to appoint Presley & Partners as auditor for HUU-ay-aht First Nations for the period April 1, 2013 to March 31, 2014, and further to recommend that Executive Council ensure that any remaining steps to complete the appointment of Presley & Partners are completed by December 15th, 2012.

**Moved by Robert Dennis
Seconded by Tom Happynook Jr.
Adopted by Consensus
Resolution #2012-216**

9. REVIEW OF SPRING 2013 LEGISLATION

Rob Botterell reviewed the information for the Spring 2013 Legislation.

MOTION #1:

BE IT RESOLVED to approve amendments to Section 25 (1)(a) of *Financial Administration Act* to change the date for completion of the audit of draft financial statements to “within 150 days of the fiscal year end”, and further to recommend that Executive Council ensure that the remaining steps to enact this amendment and bring it into force are completed by March 31, 2013.

**Moved by Deb Cook
Seconded by Cheryl Thomas
Adopted by Consensus
Resolution #2012-217**

John Jack reviewed the information regarding the Economic Development restructuring.

MOTION #2:

BE IT RESOLVED to approve amendments to the *Financial Administration Act* and other HUU-ay-aht Acts, as necessary and appropriate, to implement the 8 recommendations for economic development structuring as presented by John Jack at the People’s Assembly on December 8, 2012 and further to recommend that Executive Council ensure that the remaining steps to enact these amendments and bring them into force are completed by March 31, 2013.

**Moved by Brian Happynook
Seconded by Alec Frank
Adopted by Consensus
Resolution #2012-218**

10. TRIBUNAL DECISION

MOTION:

BE IT RESOLVED to:

- (a) support immediate implementation of the recommendations contained in the Tribunal Decision #2012-001,
- (b) approve amendments to Huu-ay-aht Laws, as necessary and appropriate, to implement the legislative aspects of these recommendations, and
- (c) recommend that Executive Council ensure the remaining steps to enact all these recommendations are completed as soon as possible and by no later than March 31st, 2013.

**Moved by Alec Frank
Seconded by Ed Johnson Sr.
Adopted by Vote
Resolution #2012-219**

11. CITIZEN MOTIONS

Treaty Settlement Land Requirement

MOTION:

BE IT RESOLVED that the People's Assembly approve the amendment of Section 77(b) of the *Government Act* to remove the requirement that People's Assemblies be held on Huu-ay-aht lands and further to commend that Executive Council ensure that the remaining steps to enact the amendment and bring it into force are completed by March 31, 2013.

**Moved by John Jack
Seconded by Martha Johnson
Adopted by Consensus
Resolution #2012-220**

Support of Timber Harvest on HFN Treaty Settlement Lands – Short Term Tenure

MOTION:

THEREFORE BE IT RESOLVED to recommend that Executive Council direct that the necessary steps be taken all in accordance with Huu-ay-aht Law to direct award to HFN Forestry LP:

- (1) A non-replaceable forest licence in 2013 for up to 50,000 cubic meters as soon as practicable and by no later than June 30, 2013;
- (2) A Non-replaceable forest licence in 2014 for up to 50,000 cubic meter by June 30, 2014; and

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- (3) A Non-replaceable forest licence in 2015 for up to 50,000 cubic meters by June 30, 2015.

**Moved by John Jack
Seconded by George Nookemus
Adopted by Consensus
Resolution #2012-221**

Support of Timber Harvest on HFN Treaty Settlement Lands – Long Term Tenure

MOTION:

THEREFORE BE IT RESOLVED that the HFN People's Assembly supports the adoption of the laws and processes necessary for the creation of an economically, socially and environmentally sustainable timber harvest on HUU-ay-aht Treaty Settlement lands and recommends that Executive Council takes the necessary steps to create an economically, socially and environmentally sustainable long term timber harvest tenure for HRN Forestry LP on HUU-ay-aht Treaty Settlement Lands by January 1, 2016.

**Moved by John Jack
Seconded by George Nookemus
Adopted by Consensus
Resolution #2012-222**

Food, Social & Ceremonial Fish

BE IT RESOLVED to recommend that Executive Council treat food, social and ceremonial fish as a priority and budget \$125,000 for the period April 2, 2013 to March 31, 2014 for harvesting and distribution of the food, social and ceremonial fish allocations set out in Chapter 10 of the Maa-nulth Treaty.

**Moved by Cheryl Thomas
Seconded by Alec Frank
Adopted by Consensus
Resolution #2012-223**

HFN Investment in HDC

THEREFORE BE IT RESOLVED to recommend that Executive Council, as the major investor in the HDC Group of Companies,

1. Retain an independent financial expert, in consultation with the HDC Group of companies, to complete a sustainable financial and business strategy plan for HDC businesses by March 31, 2013 which reviews current and future businesses and identifies
 - (a) which businesses are most viable and capable of generating sustained profits and a return on investment of greater than 10%;
 - (b) which businesses are not viable and capable of generating sustained profits and a return on investment of greater than 10%;

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- (c) recommendations and an action plan for HFN investments in the HDC group of companies which supports viable HDC businesses and a wind down of HDC businesses that are not viable;
 - (d) such other recommendations as the independent financial expert considers appropriate.
2. Require the HDC Group to fund the study from funds (the \$1.7 million) invested by HFN in HDC;
 3. Present the plan to the Spring 2013 People's Assembly for our review and further recommendations;
 4. Take such other actions as are necessary and within the scope of HFN authority to ensure HDC businesses are viable and will contribute to achievement of the HFN Wealth Plan and increased HFN Employment.

**Moved by Karen Haugen
Seconded by Rosanne Young
Adopted by Consensus
Resolution #2012-223**

Ottawa Trust Fund Benefit Programs

BE IT RESOLVED to recommend that Executive Council investigate and prepare a report by April 30, 2013 on the implications and options for reinstating, retroactive to April 1, 2011, benefit payments for funeral expenses, newborns and attaining 50 years of age, at the same or a reduced level, and further that this report be provided to citizens for their review and consideration.

**Moved by Deborah Cook
Seconded by Victor Williams Jr.
Adopted by Consensus
Resolution #2012-224**

Huu-ay-aht Administration Organizational Structure - Duane Nookemis

THEREFORE BE IT RESOLVED to recommend that Executive Council:

- (a) direct the Executive Director to have a report on Huu-ay-aht administration organizational structure prepared by February 28th, 2013 setting out recommendations and an implementation plan for an HFN administration organizational structure that is effective, affordable and efficient; and
- (b) ensure that Citizens are given an opportunity to provide input on the report; and
- (c) make the organizational structure report available to Citizens; and
- (d) implement organizational structure changes based on the report by March 31, 2013.

**Moved by Duane Nookemus
Seconded by Bruce Nookemus
Adopted by Vote
Resolution #2012-224**

There being no further business the meeting adjourned.