

## Huu-ay-aht First Nations – Written Motion

(Government Act, s. 52)

For ease of reference, this motion may be referred to as:

**Motion Regarding** WAIVE REPORT REQUIREMENT

### Motion

WHEREAS:

1. on November 13, 2013 Councillor Sheila Charles sent Chief Councillor Jeff Cook an email requesting a Special Council Meeting for Friday, November 15, 2013 as per section 44 (3) of the *Government Act*;
2. as per section 44 (1)(b) of the *Government Act* Chief Councillor Jeff Cook called a Special Executive Council meeting for Friday, November 15, 2013;
3. As per section 45 (3) & (4) of the *Government Act*, the Law Clerk reduced the notice period and posted the notice for the November 15, 2013 special meeting;
4. Reports of Executive Council (Appointment of Auditor & Amendment to Government Act) Immediate implementation of Social Services Jurisdiction (email, Briefing Note dated February 12, 2013 & Briefing Note dated November 15, 2013); Immediate Implementation of Confidential Memo Audit of compliance with the laws” and Executive Director Probation Period, (“the Substantive Matters”), are on the Agenda for the November 15, 2013 Executive Council Meeting;
5. Executive Council was not provided with a written report on the Substantive Matter at least four days in advance of the meeting in accordance with section 56 of the *Government Act*;
6. Executive Council may waive the requirements of section 56 of the *Government Act* in an emergency or special circumstances where Executive Council reasonably believes that a delay in consideration of the matter is not in the best interests of the Huu-ay-aht;
7. In making decisions and taking actions Executive Council must, pursuant to section 10 of the *Government Act*, take into consideration the all of following:
  - Huu-ay-aht priorities;
  - the best available information;
  - differing perspectives on the matter being decided;
  - workable options;
  - the financial implications or other impacts on other government programs and priorities;
  - the merits of each course of action;
  - performance measures and timelines for completion; and
8. The Law Clerk reduced the notice period for the Special Executive Council meeting,

Therefore be it resolved that:

1. Executive Council considers that in light of the special circumstance set out above a delay in consideration of the matter is not in the best interests of the Huu-ay-aht; and
2. Executive Council hereby waives the requirement(s) that the report regarding the Substantive Matters be delivered in writing four working days in advance of consideration.

**Follow-up action to be taken:**

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Date for completion of follow up action: \_\_\_\_ n/a \_\_\_\_\_

### Appendices attached to Motion:

Written report prepared by – N/A

**Note:** Section 56 of the *Government Act* requires that the report on any substantive matter to be considered by Executive Council must be provided to Executive Council at least 4 working days in advance of its consideration.

The following documents:

**Note:** Any documents or records referred to in the motion MUST be attached (*Government Act*, s. 52(5)).

Introduced by: \_\_\_\_\_  
EXECUTIVE COUNCIL MEMBER

Date: November 15, 2013  
DATE OF EXECUTIVE COUNCIL MEETING