

EXECUTIVE COUNCIL MEETING
Wednesday, January 16, 2012
10 am, Administration Office, Port Alberni

Attendance: Jeff Cook, (Chair), Tom Happynook, Jack Cook, John Jack, Sheila Charles, Derek Peters, John Jack, Connie Waddell

Conference Call: Charlie Clappis

Resource: Deborah Smith (Recording Secretary), James Edwards

MINUTES OF THE MEETING

1. CALL TO ORDER

The meeting was called to order at 10:04 am.

2. AGENDA

MOTION:

THEREFORE BE IT RESOLVED THAT:

1. In the circumstances it is reasonably justified to add the Proposed Agenda Item to the Agenda for the January 16, 2013 Executive Council meeting;
2. The Proposed Agenda items are hereby added to the Agenda for the January 16, 2013, 012 Executive Council meeting; and
3. Executive Council approves the Agenda for the January 16, 2013 Executive Council meeting as amended.

**Adopted by Consensus
Resolution #2012-005**

MOTION:

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 Matter be delivered four working days in advance of consideration.

**Adopted by Consensus
Resolution #2012-006**

3. 2013/2014 BUDGET

James reviewed the 2013/14 Notional Revenue, Non-Discretionary Expenses, and Planned or Mandatory Expenses as detailed in the Briefing Note. James highlighted that the budget is significantly less (\$400,000) than last year. The intent is not to have a planned deficit but have a balanced budget in 2013/2014. Notional Revenues indicates that all the amounts are subject to a couple of percent variation.

It was recommended that a notice go out to the citizens and employees and explain the financial restrictions for the next fiscal year, and the positive outlook for year three.

Action: Executive Director

Next Steps: Once the Notional Budget has been approved, James will prepare a detailed budget for the directors to populate. Finance Committee will review the detailed budget in February and it will be presented to Executive Council in February.

MOTION:

BE IT RESOLVED that Executive Council approves:

1. the 2013/14 Notional Revenues, Non-discretionary Spending, and Planned or Mandatory Expenses; and
2. that the Draft Notional Budget be provided to the Executive Director for consideration and detailed costing.

**Adopted by Consensus
Resolution #2012-007**

4. STRATEGIC PLAN

John Jack reviewed the Strategic Plan Summary. Before public distribution of the Strategic Plan, the last column should be removed.

MOTION:

BE IT RESOLVED that Executive Council approves in principle the HUU-ay-aht Strategic Plan as set out in the December 16th report to Executive Council entitled “HUU-ay-aht Strategic Plan” and the updated Strategic Plan Summary presented at the January 16, 2013 Executive Council meeting; and to direct the Executive Director & Law Clerk to take the necessary steps to ensure the Finance Committee completes its budget forecast by January 31, 2013 and further to make arrangements as necessary and appropriate to support consultation meetings on the strategic plan held by Executive Council members.

**Adopted by Consensus
Resolution #2012-008**

5. PAGO OPTION ANALYSIS

James provided a detailed review of all three options in the Briefing Note. Option 3 is a better location, better building and is out of the tsunami zone. The lack of elevator is a contingent risk; if there was a duty to accommodate a staff member or elder, we would have to retrofit an elevator.

A recommendation was made to inquire about the Catalyst Building.

Action: Executive Director

MOTION:

BE IT RESOLVED THAT that Executive Council directs the Executive Director to develop a comprehensive project plan for Option 3 presented in the briefing note dated January 16, 2013 titled Acquisition of Office Space; and evaluate Option 1 as the best alternative to Option 3.

**Adopted by Consensus
Resolution #2012-009**

6. TRAVEL EXPENSE REGULATION

Connie reviewed the Briefing Note.

MOTION:

BE IT RESOLVED that Executive Council approves the changes to the Travel Expense Regulation:

1. for the reimbursement of hotel accommodation expenses as detailed in the briefing note titled "Travel Expense Regulation" dated January 16, 2013 effective June 1st, 2012 ;
2. to remove section 4 (1)(b);
3. to add: Personal Vehicle use with approval of your direct supervisor;
4. to add: set meal rates up to or equivalent of Federal Treasury Board rates; and
5. to instruct the Law Clerk to prepare the necessary additions and deletions, and retroactive amendment to the Travel Expense Regulation.

**Adopted by Consensus
Resolution #2012-010**

There being no further discussion, the meeting adjourned at 12:06 pm.

EXECUTIVE COUNCIL MEETING
Wednesday, January 9, 2012
10 am, Administration Office, Port Alberni

Attendance: Jeff Cook, (Chair), Tom Happynook, Jack Cook, John Jack, Sheila Charles, Derek Peters, Charlie Clappis, John Jack, Connie Waddell

Resource: Deborah Smith (Recording Secretary), Rob Botterell

MINUTES OF THE MEETING

1. CALL TO ORDER

The meeting was called to order at 10:12 am.

2. AGENDA

MOTION:

THEREFORE BE IT RESOLVED THAT:

1. In the circumstances it is reasonably justified to add the Proposed Agenda Item to the Agenda for the January 9, 2013 Executive Council meeting;
2. The Proposed Agenda items are hereby added to the Agenda for the January 9, 2013, 2012 Executive Council meeting; and
3. Executive Council approves the Agenda for the January 9, 2013 Executive Council meeting as amended.

**Adopted by Consensus
Resolution #2012-001**

MOTION:

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 Matter be delivered four working days in advance of consideration.

**Adopted by Consensus
Resolution #2012-002**

3. STRATEGIC PLAN

John Jack reviewed the briefing note. We are locked into the Strategic Plan that was adopted at the People's Assembly on December 8, 2012. Amendments to the Strategic Plan will require consultation with the citizens. After lengthy discussion it was agreed that the strategic plan would be amended and presented at the January 16, 2013 Executive Council Meeting for approval.

4. SPRING LEGISLATION

Rob Botterell reviewed the Briefing Note and Summary.

MOTION:

BE IT RESOLVED to approve the drafting instructions set out in the December 17, 2012 Memorandum entitled, "Approval of Drafting Instructions for Spring 2013 Legislation" with amendments and instruct the Law Clerk and Huu-ay-aht Legal Counsel to take the necessary steps to draft and finalize this legislation for introduction in the Spring 2013 Session of the Legislature.

**Adopted by Consensus
Resolution #2012-003**

5. CITIZEN DEVELOPMENT REGULATION

Sheila Charles reviewed the Briefing Note.

MOTION:

BE IT RESOLVED to direct the Law Clerk to prepare amendments to the Citizen Development Regulation to make June 30th, 2013 the deadline for appointment of a qualified Citizen Development Review Officer and to provide for powers of delegation. And further to direct that Finance Committee and the Executive Director identify options for Executive Council to consider to sufficiently fund this important work.

**Adopted by Consensus
Resolution #2012-004**

There being no further business the meeting adjourned at 12:01 pm

EXECUTIVE COUNCIL MEETING
Monday, December 17, 2012
10 am, Administration Office, Port Alberni

Attendance: Jeff Cook (Chair), Jack Cook, John Jack, Charlie Clappis, Tom Happynook, Sheila Charles, Connie Waddell

Resource: Rob Botterell, Deborah Smith (Recording Secretary)

MINUTES OF THE MEETING

1. CALL TO ORDER

The meeting was called to order at 10:10 am.

2. AGENDA

MOTION:

BE IT RESOLVED THAT EXECUTIVE COUNCIL approves the Agenda for the December 17, 2012 Executive Council meeting.

**Adopted by Consensus
Resolution #2012-207**

MOTION:

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 Matter be delivered four working days in advance of consideration.

**Adopted by Consensus
Resolution #2012-208**

3. LETTER OF SUPPORT

Mayor John Douglas is requesting a letter of support from Huu-ay-aht First Nations to have the traffic enforcement office relocated from Parksville to Port Alberni.

Executive Council directs the Executive Director to prepare a letter of support for the relation of the Traffic Office for Executive Council's signature.

Action: Executive Director

4. PEOPLE'S ASSEMBLY MOTIONS

Jeff Cook reviewed the motions:

Spring Legislation:

Rob Botterell, Legal Counsel, is drafting an instructional memorandum with respect to Spring Legislation for distribution to Executive Council on Thursday, December 18, 2012.

Action: Legal Counsel

Executive Council will prepare a one-page summary of Spring Legislation requirements for posting on the webpage.

Action: Executive Council

Economic Development Legislation:

John Jack advised that the first steps will be to conduct community rounds to review the presentation in full form to ensure that we have consulted as many citizens as possible.

Action: John Jack

Legal Counsel's instruction memorandum will detail the steps necessary for the legislative steps.

Tribunal Decision – Application #2012-001:

Connie Waddell advised that Brenda McLuhan, Human Resources Legal Counsel, is working on the implementing the recommendations in the Tribunal Decision to the Huu-ay-aht Human Resources Policy. There will be consultation with HR Legal Counsel with respect to the creation of fines.

Action: Executive Director

Ha'wiih Council to consider their involved in Tribunal issues. To be discussed at the next Ha'wiih Council Meeting.

Action: Ha'wiih Council

There was discussion of Hugh Braker's Letter of Decent with regard to the Tribunal Decision not being received. The Executive Council directed the Executive Director to send a letter to John Rich, Tribunal Chair and inquire about the status.

Action: Executive Director

Treaty Settlement Land:

Section 77 (b) of the *Government Act* that requires that the People's Assembly be held on Hui-ay-aht Land will be deleted. This will be detailed in Legal Counsel's instructional memorandum.

People's Assembly Quorum:

Section 77 (c) of the *Government Act* referencing eligible voters for the People's Assembly will be changed to 20%. This will be detailed in Legal Counsel's instructional memorandum.

Timber Harvest on Treaty Settlement Land:

This process does require concurrent work by Forestry and Lands. The work will be initiated by HDC and work its way through the process – Lands Committee, Ha'wiil Council, Finance Committee with a final recommendation to Executive Council for the June 2013 Executive Council Meeting.

The Executive Director to coordinate a meeting with the Forestry Department in early January. Larry Johnson and Jeff Cook to be included in the meeting.

Action: Executive Director

HFN Investment in HDC:

John Jack advised that the implementation of the Eight Recommendations address a lot of the concerns brought up in this motion. He further advised that there is a solid operating Board that can be the "independent financial expert". The concerns that John Jack had was the 10% threshold and how the \$1.7 million was derived.

Executive Council recommended that HDC meet with all members of government and the Finance Committee to review HDC's plan.

This motion was passed with 95 citizens in favour. The highest "in favour" participation of any motion.

It was highlighted that the motion called for an independent financial expert to review the businesses.

Executive Council recommended that John Jack meet with Karen Haugen to review specifics of the motion.

Action: John Jack

Ottawa Trust Fund Benefit Programs:

Executive Council is directing this motion to the Finance Committee to prepare the report by April 30, 2013.

Action: Finance Committee

Executive Council and Executive Director Salaries & Benefits:

Executive Council is directing this motion to the Finance Committee to prepare the report as described in the motion.

Action: Finance Committee

Education & Trades Training:

Citizen Development Committee has completed all this work and the education policies have been amended. This information needs to be communicated to the citizens.

Action: Citizen Development Committee

Payment to Citizens:

Although this motion was not passed at the People's Assembly, Executive Council felt that it should be addressed. Consideration was given to a variety of different options, however it was agreed that an Investment Policy with consideration for profit distribution to citizens as an option be developed.

Action: Finance Committee

Food, Social and Ceremonial Fish:

Food, Social and Ceremonial Fish is a priority and should be given due consideration in the budget process. This will be addressed in the January Executive Council Meeting once the budget process has begun.

Action: Executive Council

Administration Organization Structure:

The Executive Director advised that a lot of work has been done for this already and with the organization review underway in each department, it will be easy to flush out. The Executive Director will report back to Executive Council in the January Executive Council Meeting.

Action: Executive Director

Executive Council directed the Executive Director to have a communication drafted by Friday, December 21, 2012 to go to all citizens advising on the status of all motions addressed at the December 8, 2012 People's Assembly.

Action: Executive Director

5. MAA-NULTH LAWS UPDATE

Rob Botterell provided a brief update with respect to the Maa-nulth Laws. Maa-nulth is moving forward however Huu-ay-aht will not be participating at this time.

6. STRATEGIC PLAN

The strategic plan was presented at the People's Assembly on December 8, 2012. Executive Council is considering adding additional items. John Jack to meet with individual Council members to review portfolio priorities; compile the data and present to Executive Council. A draft template based on the current Strategic Plan to be distributed to Executive Council to review.

Action: John Jack

The meeting went in camera for the discussion on the remainder of the Agenda items.

EXECUTIVE COUNCIL MEETING

Wednesday, December 12, 2012
10 am, Administration Office, Anacla

Attendance: Jeff Cook (Chair), Jack Cook, John Jack, Charlie Clappis, Tom Happynook, Sheila Charles, Derek Peters,

Absent: Connie Waddell

Resource: Deborah Smith, Acting Law Clerk (Recording Secretary), Rob Botterell

MINUTES OF THE MEETING

1. CALL TO ORDER

The meeting was called to order at 9:17 am.

2. AGENDA

The People's Assembly item was considered and due to the importance of the citizen issues, a special meeting was called for Monday, December 16 to discuss in detail.

MOTION:

BE IT RESOLVED THAT Executive Council approves the Agenda for the December 12, 2012 Executive Council meeting as amended.

**Adopted by Consensus
Resolution #2012 -196**

3. MINUTES OF PREVIOUS MEETINGS

Minutes of the the September 19, 2012, September 28, 2012, October 12, 2012, October 26, 2012, November 1, 2012 and November 14, 2012 were included in the package for review.

4 (a) EXECUTIVE COUNCIL REPORTS

Executive Council members highlighted emerging issues.

4(b) EXECUTIVE DIRECTOR'S REPORT

Committee Membership

There is a conflict of interest with some employees holding a position within HDC and being on a Committee.

MOTION:

BE IT RESOLVED THAT Executive Council approves that Sarah Johnson, Martha Johnson, Judy Johnson and Kathy Happynook can hold their position with HDC and still serve on their respective committees.

**Adopted by Consensus
Resolution #2012 -197**

Port Alberni Government Office

MOTIONS:

BE IT RESOLVED THAT EXECUTIVE COUNCIL:

1. directs that the Port Alberni Government Office will be added to the HFN Infrastructure list; and
2. directs the Executive Director to undertake an option analysis for permanent office space in Port Alberni by January 16, 2012

**Adopted by Consensus
Resolution #2012 -198**

BE IT RESOLVED THAT EXECUTIVE COUNCIL approves that the Port Alberni Investment Project be removed from the HUU-AY-AHT Economic Development Projects list effective immediately.

**Adopted by Consensus
Resolution #2012 -199**

Maa-nulth Appointments

MOTION:

BE IT RESOLVED THAT EXECUTIVE COUNCIL appoints Tom Happynook as the Maa-nulth First Nations Director, Jack Cook as the Alternate Director and Jeff Cook as the Maa-nulth First Nations Member Delegate.

**Adopted by Consensus
Resolution #2012 -200**

MOTION:

THEREFORE BE IT RESOLVED that Executive Council accepts the Executive Council Reports, Executive Director's Report as submitted.

**Adopted by Consensus
Resolution #2012-201**

4 (C) FINANCIAL REPORT

There were no financial statements to review as the Finance Committee had not reviewed yet. There should be an Executive Council meeting in January just on HFN Finances.

4 (d) HDC UPDATE

Stan Coleman provided a verbal update on HDC.

5 (a) MEMORANDUM OF UNDERSTANDING

Tom Happynook reviewed the Memorandum of Understanding.

MOTION:

BE IT RESOLVED that Executive Council approves the Memorandum of Understanding as presented and directs Jeff Cook, Chief Councillor to sign on behalf of HUU-ay-aht First Nations.

**Adopted by Consensus
Resolution #2012-202**

5 (b) COMMITTEE APPOINTMENTS

Finance Committee:

Jack Cook reviewed the Briefing Note.

MOTION:

BE IT RESOLVED that Executive Council Appoints Shawn Kruse to the Finance Committee.

**Adopted by Consensus
Resolution #2012-203**

Economic Development Committee:

John Jack reviewed the Briefing Note.

MOTION:

BE IT RESOLVED that Executive Council Appoints Angela Wesley to the Economic Development Committee.

**Adopted by Consensus
Resolution #2012-203\4**

5 (c) TRIBUNAL REMUNERATION

Jack Cook reviewed the Briefing Note.

MOTION:

BE IT RESOLVED that Executive Council approve that a travel time rate of 50% per hour, per level be added to the Tribunal Remuneration package.

**Adopted by Consensus
Resolution #2012-205**

5 (d) ACTING EXECUTIVE DIRECTOR

Tom Happynook reviewed the Briefing Note. Section 87 of the Financial Administration Act gives the authority to the Executive Director to delegate her responsibilities in writing to someone else. This would be a topic for legislative amendment.

5 (d) LAW CLERK

Briefing Note withdrawn.

5 (e) F1 PREAPPROVED LANDS

Tom Happynook reviewed the Briefing Note.

MOTION:

BE IT RESOLVED that Executive Council directs the Executive Director to produce a purchasing plan and budget to make land purchases as per preapproved additions to Treaty Settlement lands as set out in the Maanulth Treaty within the next ten year.

BE IT FURTHER RESOLVED that the purchasing plan will be made available to review at the regularly scheduled February Executive Council Meeting.

BE IT FURTHER RESOLVED that Executive Council authorizes Jeff Cook, Chief Councillor and Derek Peters to prepare and sign a letter indicating HUU-ay-aht First Nations intend to develop a purchasing plan.

**Adopted by Consensus
Resolution #2012-206**

5 (f) TREATY IMPLEMENTATION

Tom Happynook reviewed the Briefing Note. It was agreed that the work required from the Treaty Implementation Committee would be given to the Executive Director so that she could reassign to staff members.

Tom advised that is working on a workplan and it should be ready to come to council in January.

Action: Tom Happynook

5 (g) STRATEGIC PLAN

Jeff Cook reviewed the Briefing Note. Since the People's Assembly and feedback from the citizens there are a number of changes that Executive Council want to make to the Strategic Plan. John Jack will work with Rob Botterell to update the strategic plan and present to Executive Council in January.

Action: John Jack

There being no further business the meeting adjourned at 3:25 pm.

EXECUTIVE COUNCIL MEETING

Tuesday, November 27, 2012

1:00 pm, McConnan Bion O'Connor & Peterson Law Corporation
Victoria, BC

Attendance: Tom Happynook (Chair), Jack Cook, John Jack,

Conference Call: Connie Waddell, Sheila Charles, Derek Peters, Charlie Clappis

Absent: Jeff Cook

Resource: Deborah Smith (Recording Secretary), Rob Botterell

MINUTES OF THE MEETING

1. CALL TO ORDER

The meeting was called to order at 1:08 pm.

2. AGENDA

MOTION:

BE IT RESOLVED THAT EXECUTIVE COUNCIL approves the Agenda for the November 27, 2012 Executive Council meeting as amended.

**Adopted by Consensus
Resolution #2012 -193**

MOTION:

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 Matter be delivered four working days in advance of consideration.

**Adopted by Consensus
Resolution #2012-194**

3. PEOPLE'S ASSEMBLY BUDGET

Jack Cook reviewed the briefing note.

MOTION:

THEREFORE BE IT RESOLVED THAT EXECUTIVE COUNCIL:

1. directs the Executive Director to limit costs for the December 8, 2012 People's Assembly and Community Rounds to a maximum of \$20,000; and
2. that the funds be taken from the Contingency and New Programs Budget.

**Adopted by Consensus
Resolution #2012-195**

There being no further business, the meeting adjourned at 1:35 pm

EXECUTIVE COUNCIL MEETING
Wednesday, November 14, 2012
10 am, Administration Office, Port Alberni

Attendance: Jeff Cook (Chair), Jack Cook, John Jack, Charlie Clappis, Tom Happynook, Sheila Charles, Derek Peters

Conference Call: Connie Waddell

Resource: Deborah Smith (Recording Secretary)

MINUTES OF THE MEETING

1. CALL TO ORDER

The meeting was called to order at 10:30 am.

2. AGENDA

MOTION:

BE IT RESOLVED THAT EXECUTIVE COUNCIL approves the Agenda for the November 14, 2012 Executive Council meeting

**Adopted by Consensus
Resolution #2012-190**

MOTION:

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 Matter be delivered four working days in advance of consideration.

**Adopted by Consensus
Resolution #2012-191**

3. AUDITED FINANCIAL STATEMENT

James Edwards reviewed the Audited Financial Statements.

MOTION:

THEREFORE BE IT RESOLVED that Executive Council approves the Audited Financial Statements as at March 31, 2012 as presented.

**Adopted by Consensus
Resolution #2012-192**

There being no further business, the meeting adjourned at 12.16 pm