

HUU-AY-AHT FIRST NATIONS



**Report of Executive Director for
the month of November &
December, 2013**

**For review and consideration at the
Executive Council Meeting
on Tuesday, December 10, 2013**

A. EMERGING ISSUES

(1) ACQUISITION OF PORT ALBERNI GOVERNMENT OFFICE (IN CAMERA)

- Please see the attached briefing note.

(2) SPECIFIC CLAIMS TRIBUNAL

- Specific Claims Tribunal was held in Anacla on November 12 – 14, 2013.
- The Judge will decide on three questions:
 - i. Did Canada breach their duty to HUU-AY-AHT in 1948 by continuing with the long-term license to Bloedel instead of retendering the timber at a higher price?
 - ii. What revenue should the Nation have received in the late 1940s and early 1950s?
 - iii. Must HUU-AY-AHT be compensated for the reduced value of the current timber standing that resulted from the long-term licence?
- If the judge decides in our favour there will still be a process required to bring forward any amounts payable from the late 1940s and early 1950s to current dollars. Canada and HUU-AY-AHT might be able to negotiate the ‘bring forward’ or it might go back to a hearing. That process could take up to a year or more.

(3) SPECIFIC CLAIMS

- Pursuant to Resolution 2013-99 (May 16, 2013, which authorized filing the IR1 Roads Claim) Ratcliff intends to file the IR1 Roads Claim with the Specific Claims Tribunal in December.

(4) FIRST NATIONS TAX TREATMENT AGREEMENT

- Please see the attached briefing note.

(5) HUU-AY-AHT DISCLOSURE FORM: GIFTS & PERSONAL BENEFIT

- The Law Clerk received the attached Disclosure form from Sheila Charles.

(6) RETAINER AGREEMENT WITH RATCLIFF

- See attached briefing note.

(7) STRATEGIC PLAN (IN CAMERA)

- Please see the attached briefing note.

(8) ORGANIZATIONAL REVIEW (IN CAMERA)

- Please see the attached briefing note.

(9) IMMEDIATE IMPLEMENTATION OF SOCIAL SERVICES JURISDICTION (IN CAMERA)

- Please see the attached briefing note.

(10) P&C MEMO RE: COMPLIANCE WITH LAWS (IN CAMERA)

- Please see the attached briefing note.

(11) TRIBUNAL APPLICATION #2013-002 (IN CAMERA)

- As per Tribunal Directive 2011-2 Tribunal Rules of Practice and Procedure: Section D (1): Upon receipt of a complete Notice of Application, the Tribunal Registrar will deliver a copy of the Notice of Application to the Executive Council by leaving a copy with the Executive Director.

The attached Tribunal Application #2013-002 was delivered to me on Tuesday, December 3, 2013. The Tribunal Registrar, Deborah Smith, has declared a potential conflict of interest and an “Acting” Tribunal Registrar will be appointed for Tribunal Application #2013-002.

B. PROGRESS ON KEY INITIATIVES

(1) ADMINISTRATION

- Esketemc visit on Monday, November 4, 2013 was successful.
- The Executive Council Strategic Planning session was on Saturday, November 9 and Sunday November 10, 2013. Executive Council identified five long term goals. The senior management team will be meeting on November 28, 2013 to review and develop the logic models to support each of the five goals.
- Met with Fortis BC on Monday, November 18, 2013.
- The People’s Assembly was on Saturday, November 30, 2013 at the Barclay hotel in Port Alberni with video conference participation at the Executive Inn in Burnaby. We successfully achieved quorum and were able to conduct the necessary business required.
- The Conflict Resolution Workshop #2 – Situation Based Exercises will be held in smaller groups of 6 – 8 employees, for three hours on Wednesday, December 4 and Thursday, December 5, 2013 at the Barclay Hotel. The workshop will be facilitated by Theresa Kingston.

(2) FINANCE & GOVERNMENT SERVICES

- Kim Chretien has been appointed the Temporary Director of Finance and Government Services

(3) HUMAN SERVICES

- Maggie has been working after school with the children at BCS on a performance for the PA.
- Brent attended the North Island College Aboriginal Service Plan meeting. The College presented “An Indigenization Framework for North Island College – (A beginning)”. This framework supports the College’s goal of Improving access and success for aboriginal learners (2011 -2015 Strategic Plan). Kathy met with Erin Ryding from the College’s Safer Campuses to discuss possible collaborations for an Elder in Residence program.
- Brent has registered for the First Nations Education Steering Committee conference in December.
- The transfer of the BC First Nations Health Tripartite Agreement is complete. We have not seen any major changes yet, but the plan was to keep on the status quo for the first while to ensure no disruptions in service. As time goes on we will likely see some changes to policies and programs.
- Coral reported that we currently have 7 people on Social Assistance, 2 people on Social Assistance Disability and 1 person accessing Child and Youth Social Benefit. These numbers up slightly from last report due to seasonal employment.
- Coral will be Acting Director of Human Services for the month of December (Kathy is on holidays).
- The NTC nurses have been busy immunizing Anacla citizens against the flu.
- NTC is hosting a diabetes screening at the end of November.
- On December 2, 2013 the RCMP will be in the community hosting a booster seat and car seat safety session. Families bring their car and child seats to make sure they are properly secure with child in them.
- Jane Peters was contracted by NTC Health Services to conduct an evaluation survey on their behalf.
- Cheryl completed work assisting the Dennis family with the November potlatch.
- Cheryl has continued to work with Department of LNR, organizing and facilitating the food fish distribution.
- Cheryl attended two week long training sessions hosted by NTC on Community Wellness.

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- Clara has done really well on her ECE training. Her marks are mostly A's and she has only one more formal course and another practicum to complete. She is on practicum for the month of November at the Tseshaht Daycare.
 - Clara attended the Aboriginal Child Care Association conference in October.
 - Paawats hosted a community Halloween party that was attended by all the children and parents in Anacla and some of the Bamfield families as well.
 - Maggie attended the Pursuit of Excellence seminar at the beginning of November.
 - Kathy continued to work with USMA to edit the protocol agreement. The agreement is almost ready to be finalized. Citizen Development Committee will be reviewing it on December 11.
 - Supporting and advocating for citizens with regards to MCFD and USMA.
 - Working on another proposal for Community Action Initiative.

(4) LANDS & NATURAL RESOURCE

- On October 29, 2013 Larry attended a meeting at HDC office with representatives of Western Forest Products, HFN Forestry LP and HFN Government. The purpose was to release documents and EMS review for Western Forest Products and their subcontractors for Road construction, harvesting and seasonal deactivation of HFN Treaty Settlement Lands Cut Blocks; 853201, 962101 and 9711021. Mark Godard led us through EMS pre-work checklist and checked of as we went through the release documents. He specifically followed areas for example Falling and Bucking, Grade, Structure Projects, Yarding and Loading. Minor Forest Products, Forestry, General Requirements and Corrective Action Log. We also covered Safety, Incident report forms, Road and Harvest Inspection Forms, and all these apply to the three Cut Blocks. The review was very thorough with notes on edits so the release was understood and clear.
- Larry took a moment to say a few words about this being the first harvest on Treaty Settlement Lands and that we all need to be clear and no misunderstandings in any of the phases of this harvest. He explained that as the Director of Lands & Natural Resources we have to pass the red face test in my community and assure them that the HFN Government has done our due diligence. He thanked them all for being so thorough and for paying attention to detail; He also thanked them for asking questions regarding stream instructions, CMT disc sampling and delivery to Anacla.
- “WE MUST take care of the Land for the future generations, so let's do a good job”.
- November 21, HFN hosted a meeting with Conservation Officers regarding the unauthorized killing of Elk. The outcome was a media press release from the Chiefs of the Nuu-chah-nulth denouncing the illegal elk slaughter.
- November 22, 2013 Trevor Cootes, Manager for the Pachena Bay Campground hand delivered a Non-Residential Interest application for HFN lands Anacla Lot

53. Larry sent a letter acknowledging receipt and requested more assessments. Upon receiving the assessments he will deem the application complete and move the application along through the process outlined in the Land Act.

- The HFN have completed the TSL survey with McElhanney Associates Land Surveying Ltd. For surveying of the Sarita West Phase 1 in the Maa-nulth First Nations Final Agreement. Stephen Smith has been busy surveying the TSL and also surveying for Western Forest Products.
- The Fisheries department has completed brood stock capture for Sarita, Sugsaw and need to catch brood stock from the Pachena River. We have completed our DFO contract to seining and tagging fish then radio telemetry surveys. All food fish distribution are completed for 2012, the surplus sockeye will be distributed as an incentive at the People's assembly on November 30, 2013.

(5) PUBLIC WORKS & COMMUNITY INFRASTRUCTURE

- HFN PWCI will build a French drain wall in front of the houses to intercept the water before it gets into crawl spaces. It is anticipated to get the work done as soon as the PW can get time.
- Quotes for the electrical room/generator and sensors upgrades have been researched from Houle Electric and the upgrades will be completed as soon as possible.
- The old fisheries office in Lower Anacla has been demolished and all debris was hauled out to land fill.
- The PWCI grounds crew have been cleaning up the garbage at the burn pile site on the old Malsit Road in Lower Anacla. A demo-bin will be brought down on December 6 and the garbage will be removed to the landfill. There will be an investigation as to the possibility of this site being contaminated. A hazard assessment will have to be completed to address any contamination and a plan to make the place safer.
- Work to the second unit at tri-plex is underway and is expected to be completed before the holidays this year.
- A new pump is being installed at the pump house. Well number 1 pump failed in September and the system has been running on the back-up well and pump. The new pump will be installed December 4-5, 2013.
- Wilfred Dennis (John) has completed six (6) driver training lessons. He will be tested for his new drivers' in December. It is anticipated he will have his (N) before the end of December.