



Huu-ay-aht First Nations

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EXECUTIVE COUNCIL MEETING

Friday, October 24, 2014

10:00 am, PAGO

3483 3rd Avenue

Port Alberni, BC

Attendance: Jeff Cook (Chief Councillor), John Jack, Charlie Clappis, Tom Happynook, Sheila Charles, Jack Cook

Staff: James Edwards, Tracy Walker, Ian Benoit (Recording Secretary)

MINUTES OF THE MEETING

1. CALL TO ORDER

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

2. AGENDA

- “Peoples’ Assembly” was inserted as item 4, immediately following “Minutes of the Previous Meeting.”
- Items 9(h) “Introduction of *A Regulation to Amend the Purchasing Policy Regulation, 2014-2,*” 9(i) “Drafting Instructions for *Economic Development Act Consequential Amendments Regulation,*” and 9(j) “Presentation of *Correction and Consolidation of Laws Regulation*” were respectively moved to immediately follow item 4.

MOTION:

BE IT RESOLVED THAT the Executive Council approves the Agenda for the October 24, 2014 meeting as amended.

Moved by Tom Happynook
Adopted by Consensus

3. MINUTES OF THE PREVIOUS MEETING

Information only

4. PEOPLES ASSEMBLY

A discussion was held regarding outstanding logistical arrangements concerning the organization of the 2014 Peoples' Assembly.

The following actions were requested:

- Update the Agenda to include a 'to-be-determined' keynote speaker
- Contact the Hupacasath regarding holding the Peoples' Assembly on their territory.
- Administer the Oath collectively at the Peoples' Assembly.
- Offer to pay a limited (capped) mileage to citizens travelling from outside Port Alberni.

Action: James Edwards

5. ENFORCEMENT FRAMEWORK AMENDMENT ACT

John Jack and Legal Counsel reviewed the briefing note.

MOTION:

BE IT RESOLVED THAT EXECUTIVE COUNCIL HEREBY:

- 1) In accordance with the Government Act, s. 56(4)(c), waives the requirement that the written report regarding the Enforcement Framework Amendment Act, 2015 be delivered at least four working days in advance of its consideration;
- 2) Approves the draft Enforcement Framework Amendment Act, 2015 for introduction at the next regular session of the Legislature;
- 3) Directs that the draft Enforcement Framework Amendment Act, 2015 be presented to the People's Assembly so that it may approve the amendments to the Offence and Law Enforcement Act, the Freedom of Information and Protection of Privacy Act and the Financial Administration Act contained therein; and
- 4) Authorizes and directs the Law Clerk to make legal and legislative drafting changes to the Enforcement Framework Amendment Act, 2015 to finalize them for introduction to and passage by the Legislature.

**Moved by John Jack
Adopted by Consensus**

6. GOVERNMENT ACT AMENDMENT ACT

John Jack and Legal Counsel reviewed the briefing note.

MOTION:

BE IT RESOLVED THAT EXECUTIVE COUNCIL HEREBY:

- 1) In accordance with the Government Act, s. 56(4)(c), waives the requirement that the written report regarding the Government Act Amendment Act, 2015 be delivered at least four working days in advance of its consideration;
- 2) Approves the draft Government Act Amendment Act, 2015 for introduction at the next regular session of the Legislature;
- 3) Directs that the draft Government Act Amendment Act, 2015 be presented to the People's Assembly so that it may approve the amendments to the Government Act contained therein; and
- 4) Authorizes and directs the Law Clerk to make legal and legislative drafting changes to the Government Act Amendment Act, 2015 to finalize them for introduction to and passage by the Legislature.

**Moved by John Jack
Adopted by Consensus**

7. PURCHASING POLICY AMENDMENT REGULATION

John Jack and Legal Counsel reviewed the briefing note.

MOTION:

BE IT RESOLVED THAT:

- 1) The Purchasing Policy Regulation Amendment Regulation 2014-2 is hereby introduced.

**Moved by John Jack
Adopted by Consensus**

8. DRAFTING INSTRUCTIONS: ECONOMIC DEVELOPMENT ACT CONSEQUENTIAL AMENDMENTS REGULATION

John Jack and Legal Counsel reviewed the briefing note.

MOTION:

BE IT RESOLVED THAT:

- 1) Pursuant to section 97 of the Government Act, the Law Clerk is hereby instructed to draft a regulation with the purpose and objective of bringing into force the consequential

amendments to the Land Act and Code of Conduct and Conflict of Interest Act set out in sections 48 and 55 of the Economic Development Act (the “proposed regulation”) consistent with any recommendations of the Law and Policy Development Committee;

- 2) The reason for the proposed regulation is to bring into force the Amendments set out in sections 48 and 55 of the Economic Development Act once the required conditions have been met;
- 3) The Law Policy Development Committee will be responsible for overseeing the development of the proposed regulation;
- 4) The proposed regulation is authorized under section 56 of the Economic Development Act;
- 5) The proposed regulation should be drafted and enacted as soon as practicable after the conditions set out in section 56 of the EDA have been met.

Moved by John Jack
Adopted by Consensus

9. MINOR REVISIONS AND CONSOLIDATION REGULATION

John Jack and Legal Counsel reviewed the briefing note.

MOTION:

BE IT RESOLVED THAT EXECUTIVE COUNCIL HEREBY:

- 1) In accordance with the Government Act, s. 56(4)(c), waives the requirement that the written report regarding the Government Act Amendment Act, 2015 be delivered at least four working days in advance of its consideration; and
- 2) Approves the Minor Revisions and Consolidation Regulation, 2015.

Moved by John Jack
Adopted by Consensus

10. EXECUTIVE COUNCIL REPORT AND EXECUTIVE DIRECTOR REPORT

Executive Council members presented their reports.

John Jack’s report was not included in the meeting package. The report was made verbally.

John Jack requested that James Edwards forward him Huu-ay-aht Social Assistance reports

Action: James Edwards

11. FINANCIAL REPORT

Tom Happynook presented the Financial Report.

MOTION:

THEREFORE BE IT RESOLVED THAT EXECUTIVE COUNCIL ACCEPTS THE FINANCIAL REPORT AS AT SEPTEMBER 30, 2014 AS PRESENTED.

12. PAAWATS' PROPERTY

Kathy Waddell provided an update on the progress being made to acquire the property at 4665 Elizabeth Street

James Edwards was requested to continue to evaluate options for acquiring a property for Paawats'

Action: James Edwards

13. LIVING WAGE POLICY

Kathy Waddell reviewed the briefing note

MOTION:

BE IT RESOLVED THAT:

- 1) Pursuant to sections 97 of the Government Act, the Law Clerk is hereby instructed to draft a regulation with the purpose and objective of amending the Human Resources Policy Regulation to require that minimum salaries provide a living wage (the "proposed regulation") consistent with any recommendations of the Law and Policy Development Committee;
- 2) The reason for the proposed regulation is ensure that minimum salaries will provide a living wage;
- 3) The Law Policy Development Committee will be responsible for overseeing the development of the proposed regulation;
- 4) The proposed regulation is authorized under the Financial Administration Act; and
- 5) The proposed regulation will be drafted in accordance with a timeline to be set by the Law and Policy Development Committee.

**Moved by John Jack
Adopted by Consensus**

14. NEW BUS OR VAN FOR TRANSPORTING STUDENTS FROM ANACLA

James Edwards reviewed the briefing note.

Sheila Charles requested that James Edwards investigate the possibility of using the vehicle to service students from Bamfield

Action: James Edwards

MOTION:

BE IT RESOLVED THAT:

- 1) Executive Council approves the purchase of a 2014 Chevrolet Minotour 22-passenger School Bus from First Truck Centre in Vancouver Inc for a maximum of \$58,300 exclusive of fees and taxes.

**Moved by Tom Happynook
Adopted by Consensus**

MOTION:

BE IT RESOLVED THAT:

- 1) Executive Council accepts the Report of Executive Council, Report of Executive Director and Summary of Motions as presented

**Moved by Jack Cook
Adopted by Consensus**

15. TIMBER AND ROADS SPECIFIC CLAIMS

The meeting went in camera from 2:15 pm until 2:45 pm

MOTION:

BE IT RESOLVED THAT:

1. The Executive Council will go “in-camera” to review and discuss the Substantive Materials.

**Moved by John Jack
Adopted by Consensus**

MOTION:

BE IT RESOLVED THAT:

1. The Executive Council will go out of camera and proceed with the meeting.

**Moved by John Jack
Adopted by Consensus**

16. HDC REPORT

The report was delivered verbally by John Jack.

17. TIMBER LICENSE AGREEMENT

James Edwards reviewed the report.

MOTION:

BE IT RESOLVED THAT:

- 1) In accordance with the *Government Act*, s. 56(4)(c), Executive Council hereby waives the requirement that the report of the director regarding the NRFL application be delivered four working days in advance of consideration;
- 2) Executive Council hereby approves the NRFL application by HFN Forestry Limited Partnership; and
- 3) Executive Council hereby authorizes and directs the responsible director to enter into an agreement on behalf of the Huu-ay-aht with HFN Forestry Limited Partnership in substantially the form attached, amended to refer to the cutblocks that are the subject of the NRFL application, to update the dates to the relevant timeframe and to include the appropriate schedules.

Moved by John Jack
Adopted by Consensus

18. PAGO INFRASTRUCTURE PROJECT

This item was tabled to the subsequent Executive Council meeting

Action: James Edwards

19. LNG PROJECT MANAGEMENT

The meeting went in camera from 3:15 pm until 3: 28 pm

MOTION:

BE IT RESOLVED THAT:

1. The Executive Council will go “in-camera” to review and discuss the Substantive Materials.

Moved by John Jack
Adopted by Majority Vote

MOTION:

BE IT RESOLVED THAT:

2. The Executive Council will go out of camera and proceed with the meeting.

Moved by John Jack

There being no further business, the meeting adjourned at 3:30 pm.