

# EXECUTIVE COUNCIL MEETING

Thursday, May 29, 2014  
Government Office, Anacla

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

**Resource:** Deborah Smith, Deputy Law Clerk

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## MINUTES OF THE MEETING

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### 1. CALL TO ORDER

The meeting was called to order at 10:00 am.

Derek Peters advised that it was his late father, Spencer Peters' birthday.

Tom Happynook advised that Stephen Raynor's daughter is a national BMX Champion who wants to promote HFN. James Edwards advised that a request should be put in writing. Tom also advised that he had a family dinner and invited the Sport and Johnson families to welcome them to his House. A number of names were given out. Tom has formally taken on the Heredity Chiefs name, Hup in yook.

### 2. AGENDA

MOTION:

THEREFORE BE IT RESOLVED THAT EXECUTIVE COUNCIL approves the Agenda as amended.

Adopted by Consensus  
Resolution #2014-135

### 3. MINUTES OF PREVIOUS MEETING

Minutes of the April 10, 2014 and April 24, 2014 Executive Council Meeting were included in the package for review.

### 4. REPORT OF EXECUTIVE COUNCIL

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;
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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;
  3. Executive Council will receive and review the Executive Council Reports, Executive Director's Report and Summary of Motions.

**Adopted by Consensus  
Resolution #2014-136**

Sheila Charles advised that there was no update to her progress report this month.

John Jack requested a joint meeting with Economic Development Committee and Citizen Development Committee during July and August, 2014.

There was discussion around the upcoming Community Rounds. The Communications Coordinator starts on June 23, 2014 and will be of great assistance in the coordination of Community Rounds. It was also suggested that the People's Assembly Planning Team assist with Community Round Agenda's.

## **5. REPORT OF EXECUTIVE DIRECTOR**

James Edwards advised that sixty interviews had been completed for the eleven positions. Ten citizens applied and all were interviewed; four citizens are being offered positions and a fifth with ties to Nuu-chah-nulth.

There was discussion on HFN can strategize to increase citizen employment.

James reviewed the Report of Executive Director and the two briefing notes regarding the purchase of the Fisheries Truck and Office Car. All vehicles will be white with the logo on the side. James to check to see if Chrysler will match the price for the truck.

MOTION:

BE IT RESOLVED that Executive Council approves the purchase of a 2014 Ram 3500 Crew Cab St. 4X4 for a total purchase price of \$40,532 including taxes.

**Adopted by Consensus  
Resolution #2014-137**

MOTION:

BE IT RESOLVED that Executive Council approves the purchase of a 2014 Chevy Sonic for a total purchase price of \$26,122.

**Adopted by Consensus  
Resolution #2014-138**

## **6. FINANCIAL REPORT**

James Edwards advised that we were unable to produce the report this month in the prescribed reporting format. James highlighted:

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- There is approximately \$10,365,000 (\$5 million to be transferred) in the Invested Wealth Fund, \$2.4 Million in the Settle Trust and \$5.7 Million in the Bank.
  - We have switched from Accpac to Simply Accounting; developing a custom report to provide high level summaries.
  - All Elders cheques are direct deposit except for out of country. Far more efficient for the elder and for the administration.

## **7. HDC UPDATE**

John Jack advised that he will provide a report at the next meeting. Forestry is doing well and we anticipate a payment to the Nation for profit and stumpage.

## **8. IN CAMERA**

There was no in camera session.

## **9. NEW BUSINESS**

### *a) Law & Policy*

John 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 to prescribe fees for applications to the HUU-AY-AHT Tribunal, prescribing the circumstances in which an award of costs may be made by the Tribunal and prescribing a tariff of costs payable under an order to pay part or all of the costs of a party or intervenor (the "proposed regulation").
- 2) The purpose and objective of and reasons for the proposed regulation are:
  - a. to create a fee regime for applications to the HUU-AY-AHT Tribunal that discourages the filing of frivolous or vexatious applications and allows for the recovery of some administrative costs by the HUU-AY-AHT administration, while appropriately balancing these objectives with considerations of access to justice; and
  - b. to allow for the recovery of partial or full costs by a successful party at the Tribunal against an unsuccessful party.
- 3) The Law and Policy Development Committee will be responsible for overseeing the development of the proposed regulation.

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- 4) The proposed regulation is authorized under sections 33(1) and 37(2) of the Tribunal Act.
  - 5) The Law and Policy Development Committee will be responsible for determining the timeline for drafting and consideration of the proposed regulation.

**Adopted by Consensus  
Resolution #2014-139**

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 amending the Purchasing Policy Regulation (the “proposed regulation”) consistent with the recommendations of the Finance Committee and the Law and Policy Development Committee.
- 2) The reason for the proposed regulation is to reduce the administrative burden created by the Purchasing Policy Regulation while still ensuring appropriate financial accountability. In particular, the requirement in s. 4(1)(a) that a purchase of goods or services with a cost of more than \$1000 in a fiscal year must not be made until at least 3 quotes have been received and considered should be changed by increasing the amount triggering the requirement for three quotes. Further, other means of achieving this goal may be implemented, including through the addition of an exemption to the requirements of s. 4(1) in the case of goods or services provided by a contractor who has been pre-approved by Executive Council.
- 3) The Law and Policy Development Committee will be responsible for overseeing the development of the proposed regulation in consultation with the Finance Committee.
- 4) The proposed regulation is authorized under section 76(3) of the Financial Administration Act.
- 5) The Law and Policy Development Committee will be responsible for determining the timeline for drafting and consideration of the proposed regulation.

**Adopted by Consensus  
Resolution #2014-140**

*b) Music by the Sea presentation (timed for 1:30 pm)*

Chris Donison, Music Director for Music by the Sea, joined the meeting. Music by the Sea is in July and it consists of 11 concerts in 9 days. They have succeeded in branding “Music by the Sea” and are now working on the funding. This is Season 9 for Music by the Sea and they are hopeful that in Season 10 they will be able to announce the Endowment Fund that will put them on the path to sustainability.

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There are a lot of ways that HUU-ay-aht First Nations can be involved ie: Board member, associate member, funding.

*c) 6 Month Review of Executive Director*

The meeting went “in camera” from 3:00 – 3:33 pm.

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 Matters be delivered in writing four working days in advance of consideration.
3. Executive Council will go “in camera” is review and discuss the substantive materials.

**Adopted by Consensus  
Resolution #2014-142**

*d) Crisis Grant Policy*

Jeff Cook reviewed the briefing note. A notice will be going on the webpage regarding the Crisis Grant Policy and anticipate that we will have applications shortly thereafter. We will measure success if citizens are accessing and there is consistency.

MOTION:

THEREFORE BE IT RESOLVED THAT Executive Council approves the Crisis Grant Policy as presented.

**Adopted by Consensus  
Resolution #2014-141**

*e) Cultural Heritage Protection Protocol*

Tom reviewed the briefing note. HFN fought back that there were a couple of the nations who weren't going to use all of their 60 hectares, we approached and took on hectares that they weren't using. HFN has up to 105 hectares to use to protect our cultural heritage resources.

Non treaty settlement land for protecting – 16 hectares protected.

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MOTION:

BE IT RESOLVED THAT EXECUTIVE COUNCIL:

- 1) approves the Cultural Heritage Protection Protocol as presented; and
- 2) directs Ta'yii Hawilth, Derek Peters & Chief Councillor, Jeff Cook to sign on behalf of Huu-ay-aht First Nations.

**Adopted by Consensus  
Resolution #2014-134**

There being no further business the meeting adjourned at 3:35 pm.