



huu ayaht

ANCIENT SPIRIT, MODERN MIND

MINUTES of EXECUTIVE COUNCIL MEETING

Regular Executive Council Meeting

November 12, 2015

10:00am-10:40 AGO

1:30pm PAGO

Attendance: Robert Dennis (Chair), Trevor Cootes, Connie Waddell, Sheila Charles, Ben Clappis

Regrets: Derek Peters, John Jack

Resource: Karen Haugen, Nicole Otte (recording clerk)

1. CALL TO ORDER:

The meeting was called to order at 10:11am

2. ADOPTION OF THE AGENDA:

MOTION:

THEREFORE BE IT RESOLVED THAT EXECUTIVE COUNCIL approves the Agenda for the November 12, 2015 Regular Executive Council meeting as presented.

- Note the November 12th, 2015 meeting did adjourn at 10:40am, due to a power outage and a memo from Western Forest Products stating the people who needed to leave should depart immediately due to potential road flooding. The meeting reconvened at 1:30pm at the Port Alberni Government Office.

Adopted by Consensus
Resolution #EC-2015-11-001

3. GUESTS; Heather Castleden & Vanessa Sloan Morgan, Queen's University

- Due to the power outage, Heather was unavailable by phone.
- Update provided by Vanessa
 - They've created digital stories. Grant has engaged Citizens with implantation process, they've done interviews.
 - Proposed end date of August of 2018 with a budget of \$450,000.00
 - Connie would like Vanessa to have a table at the People's Assembly, with Jane present,
 - The Advisory Committee budget was included in the \$450,000.00.

Council would like to hear input on:

- report on constructive criticism, how are we doing, well in one area, not well in another.
- Benefits of Treaty Nation vs. Non-Treaty Nation.
- Is Treaty benefitting on patient travel and infrastructure. Is there more red tape now that prior to treaty. Ideally now is the time to change and hear it. Laws, Acts, Regulations.
- Citizen's idea on how they feel they should have benefited what their expectations were.
- What are Citizens expectations on LNG and Social Structure
- Video camera setup for interviews at the People's Assembly.

*Action Required
Vanessa Sloan
At November 2015 People's Assembly*

4. Waiver on Reduced Notice & Notice to Provide Substantive Matter

The Executive Council waives the requirement(s) that the 4 working days delivery requirement of Substantive Matter

MOTION PASSED re: Waiver on Reduced Notice & Notice to Provide Substantive Matter

**Adopted by Consensus
Resolution #EC-2015-11-002**

5. Transition Plan Update:

The transition plan is completed except the items that Executive Council had previously agreed. One being the councillors' portfolios, the Action Plan will be a living document and Huu-ay-aht 101.

Marty will be doing the presentation at the People's Assembly. This is an independent review of the financial situation. It is important that Citizens listen to the report to understand the financial situation of the Nation.

6. New Business:

(a) Ratcliff - Legislation in Progress

The non-replaceable forestry licence regulation amendment regulation In accordance with the drafting motion, Ratcliff made a few minor corrections and updates to the schedule. Drafting of this schedule, completes a portion of the work that Melinda Skeels is doing. Melinda Skeels will be drafting a memo showing which laws, regulations or acts that the previous Executive Council wanted her to work on. Executive Council will review the list. Each policy pertaining to committee will be reviewed by the committee, and then reported back to Executive Council.

Action Required
Executive Director
Send out Policies to Committees for review
Send list Melinda is working on to Executive Council

Conditions of the previous People's Assembly motion was to ensure that we have a sustainable management plan and provide a timber supply analysis that would establish the Annual Allowable Cut or AAC. Request that the law clerk makes the People's Assembly motion materials available for the next meeting, this item to be tabled and further materials be brought back.

Action Required
Law Clerk
Bring Materials to Dec 10th Executive Council Meeting

7. People's Assembly

(a) Appointment of Auditor

Executive Council recommends that Melinda Skeels drafts a new motion stating that after discussion with Executive Council, it was decided that Connie would nominate Degrossi and Norton this fiscal with the understanding that in April of 2016 it goes out to tender.

Action Required
Melinda Skeels-Ratcliff
Draft new motion to vote on at People's Assembly

- (b) Amendment to the Financial Administration Act re: Qualifications of Auditor – Qualifications have changed. "Certified General Accountant" is now referred to as "Certified Professional Accountant" A new piece of legislation came into force this past summer called the Chartered Professional Accountants Act. The Financial Administration Act does not refer to this body. Government won't be in compliance with the Financial Administration Act with the auditors that are appointed this year because they all now hold the "Chartered Professional Accountants" ticket. Recommend to the People's Assembly that they approve an amendment to the Financial Administration Act and then we have the Legislature make that amendment this spring.

MOTION PASSED re: Amendment to the Financial Administration Act re: Qualifications of Auditor

Adopted by Consensus
Resolution #EC-2015-11-003

(c) Rule of Procedure of People's Assembly re: Public Notice

MOTION PASSED re: To go into camera at 2:36pm

Adopted by Consensus
Resolution #EC-2015-11-006

MOTION PASSED re: To go out of camera at 2:49

Adopted by Consensus
Resolution #EC-2015-11-007

MOTION PASSED re: Rule of Procedure of People's Assembly re: Public Notice

Adopted by Consensus
Resolution #EC-2015-11-004

8. Ratcliff

(d) Specific Claim Update

IRA Roads Specific Claim – This claim has been filed with the Tribunal for a response from Canada. Document is in the review stage. .

Through IR 1 a road went through where our cemetery is and the bridge there. Our understanding is that the road is to be maintained, even after they're finished using it.

Timber Claims Update – Relates to the Harvest of Timbre from IR 1. First phase of the claim was heard and Canada was found to have breached its duties to HUU-AY-AHT. The second phase of the claim that is coming up next year, is going to determine the present value of the compensation that is owed. The hearing dates for this will be February 8th – February 12th, 2016 in Vancouver. This is the hearing of the expert witnesses and we're also expecting to call Robert as a witness. .

Parties will make written submission in February, March and April then there will be oral submissions in Anacla April 19th through the 21st. We filed the economist expert report with Dr. Josio's in September, and we just received back today Canada's expert report

GUEST: John Rich, HFN Tribunal chair

- Appointment of a Vice Chair. Hugh Braker has been the Vice Chair for the past four years. The four year term is now up. The Vice Chair is appointed by Executive Council in consultation with the Chair. The person appointed has to have at least twenty years' experience as a lawyer or judge. John Rich will check to see if there is someone who has the qualifications.
- Accessibility of the Tribunal. John is going to make a 3-fold pamphlet for information on understanding the Tribunal to give to Executive Council for approval and printing.
- Independence of the Tribunal. The registrar should be reporting to Tribunal chair first
- Disqualification under the Code of Conduct and Conflict of Interest Act.

Action Item
Executive Council
Amend the Legislation

- Freedom of Information Investigation. David reviewed the Act and Policies and filed a report. This will be presented to the People's Assembly next week.
- Elected Chief Councillor personally thanks John Rich for all his hard work and dedication to the Nation.

9. Financial Reports

- Karen is working on forecasting to the end of March
- Allocate land to be managed by HGB
- Consolidated revenue, TSL Harvest was budgeted to the Ha'wiih Council
- A freeze has been put on the capital, unless it's a necessity
- The food box freezer truck was a traded straight across for the 4x4 diesel transit van which included the racks
- Next season we need to consider funding for existing sewer
- Committee Annual Report, all portfolio's should show previous and new members

MOTION PASSED re: Financial Reports

**Adopted by Consensus
Resolution #EC-2015-11-005**

10. Meeting Adjourned at 4:30 pm