



Huu-ay-aht First Nations

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EXECUTIVE COUNCIL MEETING

Monday - Tuesday, February 2-3, 2015
10:00 am, HFN PAGO

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

Absent: Sheila Charles

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

MINUTES OF THE MEETING

1. CALL TO ORDER

The meeting was called to order at 10:07 am

2. AGENDA

Executive Council approved the agenda as amended; striking the item "HDC Update."

MOTION:

BE IT RESOLVED THAT the Executive Council approves the Agenda for the February 2, 2015 regular meeting of the executive Council as amended.

Moved by Tom Happynook
Adopted by Consensus

3. MINUTES OF THE PREVIOUS MEETING

Executive Council reviewed the minutes of the previous meeting. No changes were made.

4. EXECUTIVE COUNCIL AND EXECUTIVE DIRECTOR'S REPORT

Executive Council reviewed their report. The four year time period defined by the Treaty for retrieving Huu-ay-aht artifacts is culminating. A letter is being drafted requesting an extension.

James Edwards introduced the Executive Director's Report and highlighted:

- The budget planning process is underway with a new template in accordance with the strategic plan
- Council will be given an opportunity to question elements of the budget
- Terms of reference for Council Operations are incomplete, an extension to the subsequent Executive Council was granted

Executive Council went into camera at 10:40 am

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;
2. Executive Council hereby waives the requirement(s) that the report regarding the Substantive Matter be delivered in writing and four working days in advance of consideration.
3. Executive Council will go "in camera" to review and discuss the report on the Substantive Matter.

**Moved by John Jack
Adopted by Consensus**

Executive Council went out of camera at 11:54 am

MOTION:

THEREFORE BE IT RESOLVED THAT:

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

**Moved by Jack Cook
Adopted by Consensus**

- Drafting instructions were sought for a prescribed fee regulation
- Drafting instructions were sought for a purchasing policy exemption for HFN Group of Business
- A sponsorship request was submitted on behalf of Aubrey Raynor to the sum of \$2500.00. This sponsorship will be included in next year's budget.

MOTION:

THEREFORE BE IT RESOLVED THAT

1. The Law Clerk is hereby directed to draft a regulation under the *Government Act*, s. 108 with the purpose and objective of prescribing a reasonable fee for copies of records or documents kept in the registry of laws (the “proposed regulation”).
2. The reason for the proposed regulation is to offset administrative costs associated with providing copies of registry documents.
3. The Law and Policy Development Committee is responsible for overseeing the development of the proposed regulation and will be responsible for determining the nature and extent of the consultation required with citizens and/or the Ha’wiih Council and the timeline for the enactment of the proposed regulation.

**Moved by John Jack
Adopted by Consensus**

MOTION:

THEREFORE BE IT RESOLVED THAT

2. The Law Clerk is hereby directed to draft a regulation under the *Government Act*, s. 108 with the purpose and objective of prescribing a reasonable fee for copies of records or documents kept in the registry of laws (the “proposed regulation”).
2. The reason for the proposed regulation is to offset administrative costs associated with providing copies of registry documents.
3. The Law and Policy Development Committee is responsible for overseeing the development of the proposed regulation and will be responsible for determining the nature and extent of the consultation required with citizens and/or the Ha’wiih Council and the timeline for the enactment of the proposed regulation.

**Moved by Charlie Clappis
Adopted by Consensus**

MOTION:

THEREFORE 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 Tom Happynook
Adopted by Consensus**

5. HFN VEHICLES

The Executive Director is expecting to submit a Government Vehicle Use Policy in March

6. ANIMAL CONTROL ON TSL

Two verbal warnings have been issued to the owner of vicious dog. Discussions were held on the subject of nuisance policy, and animal licensing. It was decided that the Ha'wiih Council will be consulted on the matter of culturally appropriate measures and possible fines/penalties.

Action: James Edwards

7. FINANCIAL REPORTS

Monthly Financial Report

Tom Happynook introduced the monthly financial report

MOTION:

THEREFORE BE IT RESOLVED that

1. Executive Council accepts the monthly Financial Report as at December 31, 2014 as presented.

**Moved by Tom Happynook
Adopted by Consensus**

Quarterly Financial Statements

Tom Happynook introduced the quarterly financial statements

MOTION:

THEREFORE BE IT RESOLVED THAT EXECUTIVE COUNCIL

1. accepts the Quarterly Financial Statements as at December 31, 2014 as presented.

**Moved by Tom Happynook
Adopted by Consensus**

Three Year Budget Forecast

Tom Happynook introduced the Three Year Forecast

MOTION:

THEREFORE BE IT RESOLVED THAT EXECUTIVE COUNCIL

1. approves the three year budget forecast as presented

**Moved by Tom Happynook
Adopted by Consensus**

8. HUU-AY-AHT SETTLEMENT TRUST AUDITOR

Tom Happynook introduce the briefing note regarding the HUU-ay-aht Settlement Trust Auditor

MOTION:

THEREFORE BE IT RESOLVED THAT:

1. Executive Council Appoints MNP as auditor of the HUU-ay-aht Settlement Trust

**Moved by Tom Happynook
Adopted by Consensus**

9. SPRING LEGISLATURE

John Jack introduced the report and agenda for the Spring Legislature

MOTION:

Be it resolved that Executive Council hereby:

- 1) calls a regular session of the Legislature to commence on March 20, 2015;
- 2) approves the proposed agenda in the form attached, subject to any minor edits or clarifications that may be advisable in the view of the Law Clerk.

**Moved by John Jack
Adopted by Consensus**

10. ENFORCEMENT ADVISORY COMMITTEE

Jack Cook introduced the report on appointments to the Enforcement Advisory Committee

MOTION:

THEREFORE BE IT RESOLVED THAT:

1. Executive Council appoints John Jack to represent HUU-ay-aht First Nation on the Enforcement Advisory Committee, and
2. Executive Council appoints Director of Government Services (“Stephen Raynor”) to be the alternate.

**Moved by Jack Cook
Adopted by Consensus**

11. GOVERNANCE AND FISCAL AGREEMENT

John Jack Introduced the briefing note regarding changes to the Governance and Fiscal Agreement

It was decided that HUU-ay-aht First Nations will seek a legal opinion surrounding the requirement of individual audits for HUU-ay-aht businesses with minimal activities and transactions. Legal Counsel will respond to this inquiry on the February 12, 2015 Executive Council meeting.

The meeting went into recess for the remainder of the day at 1:40 pm, and was called to order again the following day, February 3, 2015 at 10:00am at the Port Alberni Government Office.

12. DRAFTING INSTRUCTIONS ECONOMIC DEVELOPMENT ACT AMENDMENT ACT

John Jack introduced the briefing note.

MOTION:

THEREFORE BE IT RESOLVED THAT:

1. The Law Clerk is hereby instructed to draft the Economic Development Act Amendment Act, 2015 with the purpose and object of amending the Economic Development Act so that the second member of the economic development committee as set out in s. 9(1)(b) of the Economic Development Act is the Ha'wiih Councillor or another member of Executive Council designated by the Ha'wiih Council, rather than the Ta'yii Hawilth.
2. The Law Clerk is hereby instructed to draft the Economic Development Act Amendment Act, 2015 with the purpose and object of amending the Economic Development Act so that the second member of the economic development committee as set out in s. 9(1)(b) of the Economic Development Act is the Ha'wiih Councillor or another member of Executive Council designated by the Ha'wiih Council, rather than the Ta'yii Hawilth.
3. The Law Clerk is hereby instructed to draft the Economic Development Act Amendment Act, 2015 with the purpose and object of amending the Economic Development Act so that the second member of the economic development committee as set out in s. 9(1)(b) of the Economic Development Act is the Ha'wiih Councillor or another member of Executive Council designated by the Ha'wiih Council, rather than the Ta'yii Hawilth.
4. The Ha'wiih Council and the public should be consulted on the proposed amendment prior to its introduction to the legislature.
5. The Ha'wiih Council and the public should be consulted on the proposed amendment prior to its introduction to the legislature.

**Moved by Tom Happynook
Carried by Consensus**

13. PRESENTATION OF THE TRIBUNAL FEES REGULATION

Melinda Skeels introduced the briefing note regarding the Tribunal Fees Regulation. The regulation establishes a fee structure for Huu-ay-aht citizens to bring claims to a Huu-ay-aht Tribunal.

MOTION:

Be it resolved that:

- 1) The proposed regulation is hereby presented to Executive Council; and
- 2) The proposed regulation is hereby approved.

**Moved by John Jack
Adopted by Consensus**

14. DRAFTING INSTRUCTIONS ELECTION ACT FORMS REGULATION

John Jack introduced the briefing note regarding the Election Act Forms Regulation. This regulation permanently establishes forms for Huu-ay-aht elections that were previously introduced in accordance with transitional provisions in the Government Act thereby rendering those forms temporary and subject to expiry.

MOTION:

THEREFORE BE IT RESOLVED THAT:

1. The Law Clerk is hereby instructed to draft the Election Act Forms Regulation with the purpose and objective of prescribing the forms required and authorized under the Election Act.
2. The reason for the proposed regulation is that the forms need to be in place for the purposes of the 2015 election.
3. The Law and Policy Development Committee is responsible for overseeing the development of this regulation and will be responsible for determining if other committees need to be consulted and the nature and extent of the consultation required with citizens and/or the Ha'wiih Council
4. The proposed regulation should be enacted in time for the 2015 election

**Moved by John Jack
Adopted by Consensus**

Executive Council went into camera at 11:20 am

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;
2. Executive Council hereby waives the requirement(s) that the report regarding the Substantive Matter be delivered in writing and four working days in advance of consideration.
3. Executive Council will go "in camera" to review and discuss the report on the Substantive Matter.

**Moved by John Jack
Adopted by Consensus**

The meeting was called to adjournment at 12:06 pm

