

EXECUTIVE COUNCIL MEETING
Monday, March 2, 2015
10:00 am, Port Alberni Government Office

Attendance: Jeff Cook (Chair), John Jack, Jack Cook, Charlie Clappis, James Edwards

Conference Call: Sheila Charles, Tom Happynook

Absent: Derek Peters

Resource: n/a

MINUTES OF THE MEETING

1. CALL TO ORDER

The meeting was called to order at 10:11 am

2. AGENDA

MOTION:

THEREFORE BE IT RESOLVED that Executive Council approves the Agenda for the March 2, 2015 regular meeting of Executive Council as amended.

Adopted by Consensus
Resoluition #2015-052

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were removed from the dropbox as they were incorrect.

4. REPORT OF EXECUTIVE COUNCIL

The following items were highlighted:

- John Jack to provide detailed analysis on the ARCD Contribution for Finance Committee;
- Status report on process procedures and guidelines for Executive Council will be available for the regular meeting in March.

5. REPORT OF EXECUTIVE DIRECTOR

James reviewed his report and highlighted the following:

- LNG Advsiory Committee to be established by March 31; A call for committee members to be posted on the webpage.
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- The matter with the captured eagle to be referred to the Hawilth Council

Maanulth Treaty Society

There was discussion regarding HFN participation in the MTS.

MOTION:

BE IT RESOLVED THAT EXECUTIVE COUNCIL approves withdrawing from the Maanulth Treaty Society effective June 30, 2015 pending Huu-ay-aht First Nations' Finance Committees recommendation.

Adopted by Consensus
Resoluion #2015-038

MOTION:

THEREFORE BE IT RESOLVED THAT Executive Council accepts the Report of Executive Council and Report of Executive Director as presented.

Adopted by Consensus
Resoluion #2015-057

6. FINANCIAL REPORT

Tom Happynook reviewed the monthly financial report to January 31, 2015.

Motion:

THEREFORE BE IT RESOLVED that Executive Council accepts the monthly Financial Report as at January 31, 2015 as presented.

Adopted by Consensus
Resoluion #2015-056

7. HDC UPDATE

There was no update provided.

8. IN CAMERA SESSION

The meeting went in camera from 11:09 until 11:37 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.

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3. Executive Council will go “in camera” to review and discuss the report on the Substantive Matter.

Adopted by Consensus
Resoluion #2015-053

9. NEW BUSINESS

(a) Spring Session of Legislature

There was no update provided on the Spring Session of Legislature.

(b) Public Complaints Policy

John Jack reviewed the briefing note.

MOTION:

BE IT RESOLVED THAT EXECUTIVE COUNCIL approves the Public Complaints Policy as presented; and further agree that the reference to “working days” will be amended to the equavilent calendar days.

Adopted by Consensus
Resoluion #2015-058

(c) Economic Development Act Consequential Amendments Regulation

John Jack reviewed the briefing note.

MOTION:

BE IT RESOLVED THAT:

- (1) The *Economic Development Act Consequential Amendment Regilation* is hereby introduced.

Adopted by Consensus
Resoluion #2015-059

(d) Tribunal Fees Regulation

John Jack reviewed the briefing note.

MOTION:

Therefore be it resolved that:

- 1) The corrected proposed regulation is hereby passed;
- 2) Huu-ay-aht citizen Tom Happynook will sign in place of the Ta'yii Hawilth;
- 3) The following actions will be completed in compliance with the *Government Act* (sections 100 and 101):

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- a. The Chief Councillor will certify that the regulation has been passed by signing it today, March 2, 2015 (s. 100(1)(f));
 - b. Tom Happynook, in place of the Ta'yii Hawilth, will certify that the regulation is enacted as Huu-ay-aht Law by signing it today, March 2, 2015 (s. 100(1)(g));
 - c. The Law Clerk will:
 - i. Sign the regulation into force March 2, 2015 (s. 101(3));
 - ii. Place the signed regulation and a certified true copy in the registry no later than March 9, 2015 (s. 101(4)(a));
- Publish the regulation no later March 12, 2015 (s. 101(4)(b)).

Adopted by Consensus
Resoltuion #2015-060

(e) Registry Document Fees Regulation

John Jack reviewed the briefing note.

MOTION:

Therefore be it resolved that:

- 1) The proposed regulation is hereby introduced; and

Executive Council hereby decides that a delay in enacting the proposed regulation is not in the best interests of the Huu-ay-aht and that a motion to enact the proposed regulation should also be considered at this meeting.

Adopted by Consensus
Resoltuion #2015-062

MOTION:

Therefore be it resolved that:

- 1) The proposed regulation is hereby passed;
- 2) Huu-ay-aht citizen Tom Happynook will sign in place of the Ta'yii Hawilth;
- 3) The following actions will be completed in compliance with the *Government Act* (sections 100 and 101):
 - a. The Chief Councillor will certify that the regulation has been passed by signing it today, March 2, 2015 (s. 100(1)(f));
 - b. Tom Happynook, in place of the Ta'yii Hawilth, will certify that the regulation is enacted as Huu-ay-aht Law by signing it today, March 2, 2015 (s. 100(1)(g));
 - c. The Law Clerk will:
 - i. Sign the regulation into force today, March 2, 2015 (s. 101(3));
 - ii. Place the signed regulation and a certified true copy in the registry no later than March 9, 2015 (s. 101(4)(a));
 - iii. Publish the regulation no later than March 12, 2015 (s. 101(4)(b)).

Adopted by Consensus

(f) Residential Lease Regulation Amendment Regulation 2015

John Jack reviewed the briefing note.

MOTION:

Therefore be it resolved that:

- 1) The proposed regulation is hereby passed;
- 2) Huu-ay-aht citizen Tom Happynook will sign in place of the Ta'yii Hawilth;
- 3) The following actions will be completed in compliance with the *Government Act* (sections 100 and 101):
 - a. The Chief Councillor will certify that the regulation has been passed by signing it today, March 2, 2015 (s. 100(1)(f));
 - b. Tom Happynook, in place of the Ta'yii Hawilth, will certify that the regulation is enacted as Huu-ay-aht Law by signing it today, March 2, 2015 (s. 100(1)(g));
 - c. The Law Clerk will:
 - i. Sign the regulation into force today, March 2, 2015 (s. 101(3));
 - ii. Place the signed regulation and a certified true copy in the registry no later than March 9, 2015 (s. 101(4)(a));
 - iii. Publish the regulation no later March 12, 2015 (s. 101(4)(b)).

Adopted by Consensus
Resoluion #2015-061

(g) Bamfield Road

Charlie Clappis reviewed the briefing note. James Edwards to draft a letter to the Bamfield Road Safety Association for Jeff Cook to sign on behalf of Council.

Action: James Edwards / Jeff Cook

(h) Freedom of Information and Protection of Privacy Act

John Jack reviewed the briefing note.

MOTION:

Be it resolved that:

- 1) Pursuant to section 90 of the *Government Act*, the Law Clerk is hereby instructed to draft an Act with the purpose and objective of amending the *Freedom of Information and Protection*

of Privacy Act (the “proposed act”) to allow the Tribunal chair the discretion to extend the term of the Independent Review Commissioner appointed under s. 26 of the Act.

- 2) The reason for the proposed act is it is expected that the Independent Review Commissioner will be recommending an extension of the term so that he has further time to research and prepare a written report on the operation of the Act, but the Act does not provide a mechanism for the Tribunal Chair or anyone else to grant such an extension.
- 3) The Law and Policy Development Committee will be responsible for overseeing the development of the proposed act and determining a timeline for consultation with the Ha’wiih Council and HUU-ay-aht citizens.
- 4) The proposed act will be drafted and presented to Executive Council in time to be introduced to the Legislature at its spring session.
- 5) In accordance with the *Government Act*, s. 56(4)(c), Executive Council hereby waives the requirement that the report regarding an Act to Amend the *Freedom of Information and Protection of Privacy Act* be delivered four working days in advance of consideration.

Adopted by Consensus
Resoluion #2015-064

(i) Maanulth First Nations Final Agreement 1.14.11 Notice

Executive Council reviewed the Notice.

MOTION:

BE IT RESOLVED that Executive Council Approves the MAA-NULTH FIRST NATIONS FINAL AGREEMENT 1.14.11 NOTICE to correct errors pertaining to the identification of artifacts in Parts 1 and 2 of Appendices S-1 to S-4 of the Final Agreement; and directs Chief Councillor Jeff Cook and Councillor Jack Cook (on behalf of Ta’yii Ha’wilth), to sign on behalf of HUU-ay-aht First Nations.

Adopted by Consensus
Resoluion #2015-065