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ANCIENT SPIRIT, MODERN MIND

**REPORT TO CITIZENS
REGARDING STATUS OF
PEOPLE'S ASSEMBLY RECOMMENDATIONS**

**REGARDING RECOMMENDATIONS MADE AT THE
2017 REGULAR PEOPLE'S ASSEMBLY**

September 30, 2017

Prepared by: Coraleah Bauer, Law Clerk
& Melinda Skeels, Legal Counsel
on behalf of the Executive Director

Date: August 21, 2018

Executive Council is required to consider any recommendations made by resolution of the People's Assembly at its first meeting after a session of the People's Assembly.

It was recommended by the September 2017 People's Assembly that Executive Council commit to responding to recommendations of the People's Assembly at least three months prior to the next regular People's Assembly. In response to this recommendation, Executive Council adopted the "Reporting on the Status of the People's Assembly Recommendations Policy (2018)" on June 6, 2018 (available on the Huu-ay-aht website at: <https://huuayaht.files.wordpress.com/2018/06/reporting-on-the-status-of-peoples-assembly-recommendations-policy-2018-015206801.pdf>)

This report is prepared on behalf of the Executive Director in accordance with the policy.

Please find following a table summarizing each People's Assembly recommendation, Executive Council's consideration of each recommendation and action taken in respect of each matter, including its current status as well as a more detailed discussion with respect to implementation of the recommendation regarding \$5,000 distributions to Elders.

Attached to this report are copies of Executive Council resolutions passed on October 12, 2017 following consideration of the recommendations made at the September, 2017 People's Assembly.

Summary of Consideration: September 30, 2017 People's Assembly Recommendations

Recommendation	Consideration by Executive Council	Action taken
<p>\$5,000 Distribution for Elders Recommendation: 1) That all citizens each receive \$5,000 from the Huu-ay-aht Nation on their 50th birthday and; 2) That all citizens who have turned 50 since April 1, 2011 receive \$5,000 from the Huu-ay-aht Nation.</p>	<p>Executive Council resolved to make a decision on this matter as part of the budgeting process for the 2018-2019 fiscal year.</p>	<p>Implementation complete Since the recommendation was made, Executive Council has made a number of decisions regarding distributions, which relate to this matter. These are summarized on the following page.</p>
<p>Time Limit for Response to People's Assembly Recommendation: That Executive Council commit to publicly responding to recommendations of the People's Assembly at least three months prior to the next regular People's Assembly.</p>	<p>Executive Council directed that the Law and Policy Development Committee (LPDC) review and provide input on this recommendation.</p>	<p>Implementation complete In accordance with a recommendation of the LPDC, Executive Council approved the <i>Reporting on the Status of People's Assembly Recommendation Policy</i> (available on the Huu-ay-aht website) on June 6, 2018, which directs that within 3 months after the People's Assembly makes recommendations to Executive Council, a report will be prepared and posted.</p>
<p>Transportation for Anacla Paawats Recommendation: That a vehicle suitable for transporting all of the students be provided to the Anacla Paawats program to be used both for program activities and in case of emergency.</p>	<p>Executive Council accepted the recommendation and directed that it be implemented.</p>	<p>Implementation in progress The Community Services Department is in the process of purchasing two new vans for the Anacla and Port Alberni Paawats programs.</p>
<p>Banishment for Sexual Assault Convictions Motion:*</p> <p>That anyone who has been convicted of offences of a sexual nature, such as sexual assault, not be allowed on Treaty Lands.</p> <p>*This motion was deferred by the People's Assembly</p>	<p>Despite the matter having been deferred by the People's Assembly, Executive Council nonetheless considered the matter and directed that the issue be referred to the Social Services Implementation Task Force.</p>	<p>Under consideration The matter is with the Social Services Implementation Task Force now and will be the subject of further recommendations to Executive Council.</p>

Implementation of Recommendation re \$5,000 Distribution for Elders

The recommendations from the People's Assembly were:

- 1) that all citizens each receive \$5,000 from the HUU-AY-AHT Nation on their 50th birthday and;
- 2) that all citizens who have turned 50 since April 1, 2011 receive \$5,000 from the HUU-AY-AHT Nation.

The implementation of these recommendations is somewhat complicated and requires background information to provide context for the decisions made by Executive Council in relation to the recommendations.

The \$5,000 distributions to citizens on their 50th birthdays were the product of a decision made by the Ohiat Band Council in 1989 in respect of funds received as a result of the "cut-off lands settlement". Band members who were over the age of 60 at the time of the settlement received \$10,000, while those under 60 received \$4,728.89. It was subsequently decided, on June 4, 1995, that Band members would receive \$5,000 when they turned 50 in perpetuity (the "50th birthday program"). Effectively, those who had received roughly half of the \$10,000 received by Elders from the cut-off lands settlement would receive the remaining \$5,000 when then turned 50.

The 50th birthday program was discontinued on April 1, 2011.

On March 13, 2018, Executive Council decided to distribute \$5,000 each to each of those individuals who have been Ohiat Band members over the age of 18 in 1995 and who had not turned 50 before April 1, 2011. This addressed the second People's Assembly recommendation set out above.

When it passed the March 13, 2018 resolution, Executive Council was under the impression that Ohiat Band members who were minors as of June 4, 1995 received \$5,000 as well as the \$4,728.89 cut-off lands distribution, all of which was put in trust for them. In fact, minor members of the Ohiat Band as of June 4, 1995 did receive the \$4,728.89 cut-off lands distribution but did not receive the additional \$5,000 in trust.

On July 6, 2018 Executive Council directed that people who were Ohiat band members on June 4, 2000 and were born between June 4, 1977 and June 4, 1995, be given a payment of \$5,000. This addressed the first People's Assembly recommendation set out above, insofar those who were Ohiat Band members at the relevant time would receive approximately the same amount as was given to Elders in 1989.

The 50th birthday program was not reinstated, but through the resolutions described above the individuals who were Ohiat band members at the time of the cut-off lands settlement that gave rise to the 50th birthday program all became entitled to receive a \$5,000 payment.

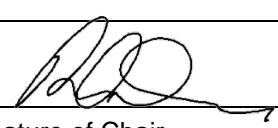


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ANCIENT SPIRIT, MODERN MINE

Record of WRITTEN Resolution of EXECUTIVE COUNCIL

(Government Act, s. 52, 53)

Motion		
Motion Regarding: <i>People's Assembly Citizen Motion Regarding \$5,000 Distribution for Elders</i>		
Date of Meeting: <i>October 12, 2017</i>		
Introduced by:	Seconded by:	
John Jack	Derek Peters	
Executive Council member	Executive Council member	
Record of decision:		
<input checked="" type="checkbox"/> Adopted by consensus	OR	<input type="checkbox"/> Recorded vote called by _____ Executive Council member
Record of vote:		
Councillors in Favour:	Councillors Opposed:	Abstentions:
_____	_____	_____
_____	_____	_____
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Resolution Number		
<input type="checkbox"/> Did not pass OR <input checked="" type="checkbox"/> Passed by Executive Council as Resolution #: <u>EC2017-260</u>		
October 12, 2017		
Date	Signature of Chair	



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of EXECUTIVE COUNCIL

(Government Act, s. 52)

For ease of reference, this motion may be referred to as:

Motion Regarding People's Assembly Citizen Motion Regarding \$5,000 Distribution for Elders

Whereas:

- a) Executive Council has had a discussion on the People's Assembly citizen motion regarding a \$5,000 distribution for elders.

Be it resolved that Executive Council hereby:

- 1) Resolves to make a distinct decision regarding this citizen motion during the budgeting process prior to March 31, 2018.

Appendices attached to Motion:

Written report prepared by *nil*.

Introduced by: John Jack
 EXECUTIVE COUNCIL MEMBER

Date: October 12, 2017
 DATE OF EXECUTIVE COUNCIL MEETING

Administrative Requirements

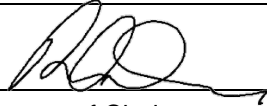


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ANCIENT SPIRIT, MODERN MINE

Record of WRITTEN Resolution of EXECUTIVE COUNCIL

(Government Act, s. 52, 53)

Motion		
Motion Regarding: <i>People's Assembly Citizen Motion Regarding Time Limit for Response to People's Assembly Recommendations</i>		
Date of Meeting: <i>October 12, 2017</i>		
Introduced by:	Seconded by:	
John Jack	Trevor Cootes	
Executive Council member	Executive Council member	
Record of decision:		
<input checked="" type="checkbox"/> Adopted by consensus	OR	<input type="checkbox"/> Recorded vote called by _____ Executive Council member
Record of vote:		
Councillors in Favour:	Councillors Opposed:	Abstentions:
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Resolution Number		
<input type="checkbox"/> Did not pass OR <input checked="" type="checkbox"/> Passed by Executive Council as Resolution #: <u>EC2017-261</u>		
October 12, 2017		
Date	Signature of Chair	



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of EXECUTIVE COUNCIL

(Government Act, s. 52)

For ease of reference, this motion may be referred to as:

Motion Regarding People's Assembly Citizen Motion Regarding Time Limit for Response to People's Assembly Recommendations

Whereas:

- a) Executive Council has had a discussion on the People's Assembly citizen motion regarding Time Limit for Response to People's Assembly Recommendations.

Be it resolved that Executive Council hereby:

- 1) Directs the Law and Policy Development Committee to develop a practical way to implement the motion passed by the People's Assembly and bring that recommendation back to Executive Council by the December 2017 meeting.

Appendices attached to Motion:

Written report prepared by *nil*.

Introduced by: John Jack
 EXECUTIVE COUNCIL MEMBER

Date: October 12, 2017
 DATE OF EXECUTIVE COUNCIL MEETING

Administrative Requirements

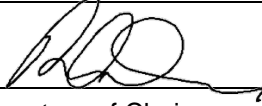


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ANCIENT SPIRIT, MODERN MINE

Record of WRITTEN Resolution of EXECUTIVE COUNCIL

(Government Act, s. 52, 53)

Motion		
Motion Regarding: <i>People's Assembly Citizen Motion Regarding Transportation for Anacla Paawats</i>		
Date of Meeting: <i>October 12, 2017</i>		
Introduced by:	Seconded by:	
Connie Waddell	John Jack	
Executive Council member	Executive Council member	
Record of decision:		
<input checked="" type="checkbox"/> Adopted by consensus	OR	<input type="checkbox"/> Recorded vote called by _____ Executive Council member
Record of vote:		
Councillors in Favour:	Councillors Opposed:	Abstentions:
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Resolution Number		
<input type="checkbox"/> Did not pass OR <input checked="" type="checkbox"/> Passed by Executive Council as Resolution #: <u>EC2017-262</u>		
October 12, 2017		
Date	Signature of Chair	



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of EXECUTIVE COUNCIL

(Government Act, s. 52)

For ease of reference, this motion may be referred to as:

Motion Regarding People's Assembly Citizen Motion Regarding Transportation for Anacla Paawats

Whereas:

- a) Executive Council has had a discussion on the People's Assembly citizen motion regarding Transportation for Anacla Paawats.

Be it resolved that Executive Council hereby:

- 1) Accepts the resolution and will communicate with citizens once the motion has been implemented.

Appendices attached to Motion:

Written report prepared by *nil*.

Introduced by: Connie Waddell
 EXECUTIVE COUNCIL MEMBER

Date: October 12, 2017
 DATE OF EXECUTIVE COUNCIL MEETING

Administrative Requirements

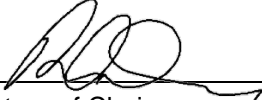


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ANCIENT SPIRIT, MODERN MINE

Record of WRITTEN Resolution of EXECUTIVE COUNCIL

(Government Act, s. 52, 53)

Motion		
Motion Regarding: <i>People's Assembly Citizen Motion Regarding Banishment of Individuals Who Have Been Convicted of Sexual Offences</i>		
Date of Meeting: <i>October 12, 2017</i>		
Introduced by:	Seconded by:	
John Jack	Trevor Cootes	
Executive Council member	Executive Council member	
Record of decision:		
<input checked="" type="checkbox"/> Adopted by consensus	OR	<input type="checkbox"/> Recorded vote called by _____ Executive Council member
Record of vote:		
Councillors in Favour:	Councillors Opposed:	Abstentions:
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_____	_____	_____
Resolution Number		
<input type="checkbox"/> Did not pass OR <input checked="" type="checkbox"/> Passed by Executive Council as Resolution #: <u>EC2017-259</u>		
October 12, 2017		
Date	Signature of Chair	



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of EXECUTIVE COUNCIL

(Government Act, s. 52)

For ease of reference, this motion may be referred to as:

Motion Regarding People's Assembly Citizen Motion Regarding Banishment of Individuals Who Have Been Convicted of Sexual Offences

Whereas:

- a) Executive Council has had a discussion on the People's Assembly citizen motion regarding banishment of individuals who have been convicted of sexual offences.

Be it resolved that Executive Council hereby:

- 1) Refers the matter to the Social Services Implementation Task Force; and
- 2) Adds this matter as a standing item at every regular Executive Council meeting.

Appendices attached to Motion:

Written report prepared by *nil*.

Introduced by: John Jack

 EXECUTIVE COUNCIL MEMBER

Date: October 12, 2017

 DATE OF EXECUTIVE COUNCIL MEETING

Administrative Requirements