

Stz'uminus First Nation



Chief and Council Meeting Minutes
October 8, 2009 4:30 – 8:35 p.m.

ATTENDEES

Chief: John Elliott

Council: Edward Seymour Sr., Charlotte Elliott, Herb Seymour, Kevin Frenchy, John Vincent, Peter Seymour, Harvey Seymour Sr., Terry Sampson

Len Merriman – SLSS Principal

Stephen Olson – Administrator

Teoni Jameson – Executive Assistant

1. Adoption of the Agenda

- Add BCR re: A&W sale & lease to administration, 4j
- Add BCR re: application to CEOP to administration, 4k
- Add chief to agenda to set date for a special council meeting
- Add Councillor Edward Seymour to other, 6a

**It was moved and seconded to adopt the agenda as amended
Motion carried.**

2. Adoption of the Chief and Council Meeting Minutes

a. September 2, 2009 minutes

It was moved and seconded to approve the September 2, 2009 Chief and Council meeting minutes as presented.

Motion carried.

- Councilor Charlotte Elliott gives a brief update on the First Nations Summit meeting that she attended September 23-25th, 2009. On the first day HTG was recognizing all of the organizations that supported the OAS submission. The second day the topic was treaty, in regards to where everyone is in terms of common table. The Health minister attended and spoke about the H1N1 flu. For the new Health council that has been formed, one rep from the Hul'qumi'num area was suppose to be appointed and since we didn't appoint anyone they appointed someone for us. Most of the chiefs were not aware of this, so we need to be more involved.

b. September 14, 2009 minutes

It was moved and seconded to approve the September 14, 2009 Chief and Council meeting minutes as presented.

Motion carried.

3. New School Update – Len Merriman

- New primary school – January 1st the students will be in the new school.
- APTN paid a visit to the daycare last week to film the grade one students practicing Hul'qumi'num. APTN was filming for its show Tiga Talk. The segment will air in the New Year.
- SLSS – this year we have 150 students registered, the most we have had. We had to add another teacher due to the amount of students. This year we will have our first youth grads at SLSS.
- New High school is at the design stage and we will be putting it to tender soon. We need to make sure we know exactly what we want before it goes to tender; it's easier to make changes before construction occurs.

4. Administration

a. Ratify BCR re: application for Hul'qumi'num language program

It was moved and seconded to support the application to FNESC to continue to offer the Hul'qumi'num Language Teacher Development program.

Motion carried.

b. Ratify BCRs re: application to First Nations Infrastructure Fund (FNIF)

- There were three different BCRs signed and each need to be ratified separately.
- The first BCR is for road repairs to IR 12. Council requests detail on the BCRs.
- Also, there are potholes forming on the road to the Shaker Church. There is another section by the Shell Beach cemetery that is also cracking. That work should be under warranty. Stephen will look into it.

It was moved and seconded to support the application to FNIF to repair and resurface approximately 12 km of roadways in IR 12, including improving drainage to reduce flooding, repairing potholes and other roadbed weaknesses, and resurfacing the 14 year old road surface.

Motion carried.

- The second BCR deals with expanding the bridge in Kulleet Bay.

It was moved and seconded to support the application to FNIF to expand the existing single lane bridge to a 2-lane bridge with pedestrian walkway.

Motion carried.

- The last BCR is for a new transfer station for recyclables.
- We have a service agreement with CVRD, what will the positive impacts be for the community?
- This is just a transfer station. We are not proposing to do our own recycling or disposal of these goods.
- Is this something we gain revenue from or do we incur more expenditures? Will this be servicing all the reserves? Stephen will look into it.

It was moved and seconded to support the application to FNIF to build a new transfer station for drop-off and diversion of residential solid waste by on-reserve residents.

Motion carried

c. BCR re: designation of IR 12

- Is there still a process for zoning? Yes, that comes after the designation.

It was moved and seconded to request that the Minister hold a vote by way of referendum by secret ballot to determine if the majority of the electors of the Band are in favor of and assent to the designation.

Motion carried.

d. BCR re: application to CSETS for a receptionist/employment counselor position

It was moved and seconded to support the application to CSETS in the amount of \$9812 for a Receptionist/ Employment Counselor position.

Motion carried.

e. BCR re: CSETS HET representative

- We need to address this because of CSETS inability to perceive how we read the constitution. Technical people should be on the committee and elected leaders should be at the board level.
- Council would like Teoni to remain on the committee and would like Terry to be on the committee as well, so we could possibly get him on the board.

It was moved and seconded that Council support that Teoni Jameson is the HET representative at CSETS and Terry Sampson is the alternate.

Motion carried.

f. BCR re: sewer litigation

- This BCR authorizes the Chief to negotiate and consent to a settlement agreement with the defendants of the sewer litigation, at the mediation scheduled for October 20-21, 2009. The defendants would not enter the litigation unless the chief comes to the litigation with authority to settle. We can caucus and get an agreement with council anytime during the litigation.
- The BCR states that CFN wishes to receive reimbursement for some of the costs associated with the litigation; we want all of the costs. Stephen contacted Gary and questioned this and no judge will accept all of the costs, so that is why the BCR is worded this way.
- What percentage of costs do the lawyers say we are liable for? 1%. We are looking to recover 99% of costs and we will see what they come back with. This forces them to put an offer on the table.

- We were looking at how to get council support that day. A quorum of council could be here waiting for a conference call to caucus or Stephen could bring the phone numbers with him and phone each councilor individually. A quorum of council will be available for the conference call.
- There will be a mediator there and if this fails we will be in court.

It was moved and seconded to grant Chief John Elliott the authority to negotiate and consent to a settlement agreement with the defendants of the Sewer Litigation, at the mediation scheduled for October 20-21, 2009. Motion carried.

g. Memo re: Building for IR 11

- Staff has explored the option of moving an existing building from IR 12 to IR 11. Two buildings have been under consideration – the former communications building and the building recently vacated by HTG. The cost is about the same to move either building.
- The old HTG Communication building cost a lot of money to get it here. Maybe we need to look for a building that is more suitable. We have a relationship with School District 79 and we could see if they have anything available. We should have a third choice, check with Nickel Brothers.
- Is there a life span on that building? Stephen can get a building inspector in to inspect it.
- Kwumut Lelum will be auctioning off all of their office equipment.

h. SOPPADA re: BC Hydro Gabriola Island Crossing Archaeological Issues

- BC Hydro seeks to install an underground power supply between Mudge Island and Gabriola Island. The location of proposed drilling on Gabriola is Crown lands and is a designated archaeological site (DgRw-4). Heath is recommending that we notify BC Hydro that all of DgRw-4 is off limits because the block of land is full of archaeological remains.
- Council would rather SFN not be used in letters since it could be confusing with Snuneymuxw involved, so it should say Stz'uminus. Also, add to the letter that consultation continue between Stz'uminus and BC Hydro.
- Snuneymuxw – they are prepared to remove the remains and rebury them. We want to leave the remains where they are.

It was moved and seconded to direct the letter as amended to Integrated Land Management Bureau, Snuneymuxw First Nation and BC Hydro Motion carried.

i. Name the new primary school contest

- Education put out a contest to name the new primary school and 22 people entered. The names have been provided in the package and we would like Council to select one.
- After discussion council chose Shxixne-tun for the name of the new primary school.

j. BCR re: Sale of A&W

- Do we have a signed contract with Ray? No. Has this Purchasing agreement been reviewed by our lawyers? No.
- Council recommends that our lawyers review this.
- The Chief is requesting a special meeting with council re: council concerns. He would like this meeting to take place next week and we could get Ray present this and bring more information to the table.
- Council sets a date for the meeting – Tuesday, October 13, 2009 at 4:30 p.m.

k. BCR re: Community Economic Opportunities Program

- This BCR was approved by council in the past but it didn't have an amount on it, so they have requested a new BCR.

It was moved and seconded to support the application to Community Economic Opportunities Program (CEOP) 2009-2010 fiscal year by contributing \$55,000 towards the Chemainus First Nation 5-year Economic Development and Land Use Plan. Motion carried.

5. Meeting requests

a. Meeting with Snuneymuxw First Nation re: shared territory

- We are looking for alternative dates to meet with Snuneymuxw. They had suggested October 6th at 4:30 p.m. at their office but that would have been our council meeting.

- Council doesn't feel like we have enough information to meet with them. We need a strategic approach. SFN is more aggressive. We should find out what the agenda items are.
- Maybe we should talk to HTG. Heath seems to be quite knowledgeable as well.
- Council suggests either October 27th or October 29th.

b. Robert Morales request to be on a council agenda

- The Chiefs requested to meet with Anita Boscarion, the governments of Canada's Director General of Treaty Negotiations and the primary focus of the meeting will be interim agreements. They want to know where we will negotiate on the 6 issues at the common table. We have been firm that we want 100% but we won't get it, so where will we negotiate?
- When are the chiefs meeting with Anita? John will find out.
- If we are not negotiating, we are wasting time. We need to find options and determine how we want to proceed with treaty.
- Invite Robert to one of the next council meetings.

c. Tour of RCMP detachment

- Council was supposed to tour the RCMP detachment yesterday but that was postponed, so we would like council to suggest another date.
- Council chose October 22nd at 4:00 p.m. to tour the RCMP detachment.

Next council meeting – October 21st at 4:30 p.m.

6. Other

a. Councillor Edward Seymour Sr.

- Wondering about big house wood
- Natural Resources is looking into that.

Meeting adjourned at 8:35 p.m.