



MEETING NOTES

TSESHAHT FIRST NATION COMMUNITY MEETING

December 2, 2019

7:00 PM

Great Room

Snacks provided

In Attendance

COUNCIL:

Hugh Braker (Chair)
Ken Watts

Richard Watts
Luke George

Melanie Cranmer

STAFF:

Darren Mead-Miller
Virginia Shrimpton, Recording Secretary

Melissa Bigmore

Chris Anderson

MEMBERSHIP:

Alfred Dick
Bobby Rupert
Brandee Sam
C. Ann Robinson
Chuck Watts
Clinton M. Fred
Connie Sam
Darlene Taylor
Dave Georg

Deb Foxcroft
Doug Sam
Ed Nicholson
Eric Mack
Fanny Mack
Gloria Ross
Grant Watts
Isabel Anderson
Jane Jones

Jean Thomas
Katrina Clutesi
Les Sam
Linda Pelech
Lisa Gallic
Lisa Watts
Marlene Dick
Matthew A. Fred
Naomi Nicholson

Ron Dick Jr.
Ron Dick Sr.
Sharon Fred
Shelbee Holtslag
Tammy Taylor
Tom Watts
Wendy Gallic
William Sam

WELCOME

CALL TO ORDER 7:06 PM

1. Adopt Draft Agenda December 2, 2019

MOTION 1: To adopt draft agenda of December 2, 2019 with additions.
6a) Housing policy update
14) Mission statement
15) Band audit
16) Forestry management
17) Beachkeepers
18) Fisheries
(20191202-01)

MOVED: Naomi Nicholson

SECONDED: C. Ann Robinson

QUESTION

MOTION CARRIED

2. Adopt August 22, 2019 draft minutes

MOTION 2: To adopt draft minutes of August 22, 2019 as presented.

(20191202-02)

MOVED: Ed Nicholson

SECONDED: Darlene Taylor

ABSTAINED: 0 **OPPOSED:** 1

QUESTION

MOTION CARRIED

3. Adopt September 16, 2019 draft minutes

MOTION 3: To adopt draft minutes of September 16, 2019 as presented.

(20191202-03)

MOVED: Will Sam

SECONDED: Lisa Gallic

QUESTION

MOTION CARRIED

- Josh Goodwill, CCP Champion, is working on the final draft of the working group Terms of Reference. This document will come to the community for approval.
- Hugh Braker will communicate with Josh the community's request to include in the Comprehensive Community Plan (CCP): forestry, fisheries, the management of those, as well as aquatic management. These gaps will be addressed and the nearly complete CCP will be updated.
- The Land Use Plan will be developed following completion of the CCP.
- Dangerous trees – there are no anticipated funds expected for the removal of dangerous trees. ISC advised us to submit a budget to them on tree removal and cleanup to avoid a potential fire hazard. During the wish list process there were no community requests to add dangerous trees as a priority for BC Gaming Funds.
- Community requests a report on homelessness following up from the NTC AGM discussion.

4. Adopt October 15, 2019 draft minutes

MOTION 4: To adopt draft minutes of October 15, 2019 as presented with amendment to attendance list.

(20191202-04)

MOVED: Lisa Gallic

SECONDED: David Georg

ABSTAINED: 0 **OPPOSED:** 1

QUESTION

MOTION CARRIED

5. Membership

MOTION 5: Motion to accept the membership committee report on newborns and children. Jordan Burnip, Aubree Clarke-Mack, Jesse Dick-Stewart, Zachary Frank-Barney, Cameron Peters, Koda Goodwill, Jason Rosengren, Erin Rosengren, Kyle Rosengren, Adaline Stewart, Margaret Watts.

(20191202-05)

MOVED: Marlene Dick

SECONDED: Clinton Fred

QUESTION

MOTION CARRIED

- There is a requirement of a letter of sponsorship from a non-family member when a newborn/child is registered to another tribe but is eligible for registration with Tseshaht.

MOTION 6: To accept the membership committee's recommendation and accept the transfer to Tseshaht First Nation of Bernice Newnham.

(20191202-06)

MOVED: Les Sam

SECONDED: Lisa Gallic

QUESTION

MOTION CARRIED

MOTION 7: To accept the membership committee's recommendation and accept the transfer to Tseshaht First Nation of Betty J. Knighton.

(20191202-07)

MOVED: Les Sam

SECONDED: C. Ann Robinson

QUESTION

MOTION CARRIED

MOTION 8: To accept the membership committee's recommendation and accept the transfer to Tseshaht First Nation of Jaidin Knighton.

(20191202-08)

MOVED: Clinton Fred

SECONDED: Jean Thomas

QUESTION

MOTION CARRIED

MOTION 9: To accept the membership committee's recommendation and accept the transfer to Tseshaht First Nation of Theresa Dick.

(20191202-09)

MOVED: Les Sam

SECONDED: Lisa Gallic

QUESTION

MOTION CARRIED

MOTION 10: To accept the membership committee's recommendation and accept the transfer to Tseshaht First Nation of Eric Mack.

(20191202-10)

MOVED: Lisa Gallic

SECONDED: C. Ann Robinson

QUESTION

MOTION CARRIED

6a. Housing policy update

- In February 2017 a motion was made to update the housing policy. Work has been done on the policy but the work remains incomplete.
 - The policy and process for building a house is incomplete and makes for a very stressful experience.
 - It is not clear what the \$1,000 deposit will be used for.
 - The maximum mortgage approval amount is only barely sufficient to build a spec house and doesn't cover landscaping.
 - The lot selection process needs to be improved. There are community members willing to assist with the work on the process.
 - Challenging to wait for council signatures for funding.
 - Sometimes correspondence says it was hand-delivered but was not.
 - A clear timeline with the process to build a home would be a useful tool to reduce the amount of uncertainty. This will be included in the new policy.
- The Housing Manager has applied for financial support to have the housing policy completed as quickly as possible.

- At the AGM there were people asking for the list of people wanting to build homes semi-public as there were concerns that people were being called out of order and that some people weren't being called at all.
- Ed and Naomi Nicholson's property lines are still unclear. They are working with a surveyor to put pegs in, even though it won't be considered a "legal survey". Katrina Clutesi is also struggling to clarify her property lines on a map.
- There was a feeling that some of the suggestions and recommendations made during Katrina's home build process were unprofessional. If someone doesn't know the answer to a question it is appropriate to state that they don't know but will find out.
- The Housing Committee wants a chance for community to review the policy for their feedback as well to ensure all the factors are addressed.
- The housing build list is being looked at to make it public to members.
- Band members who spoke today are thanked for speaking to be heard. All band members are encouraged to ensure their voices are heard; this is your home and you are not a guest here.
- Members are encouraged to write letters to the housing department and the housing committee when there are concerns.
- Request for housing for members with disabilities and a fair process to determine eligibility.

6b. Lot request – Melanie Cranmer

- The lot requested by Melanie Cranmer was generally understood to be eventually developed by Les Sam. He is concerned why it was allowed to be selected and brought to community for decision. Les did all the clearing and site preparation including gravel for the lot, etc. When Ed and Naomi Nicholson requested the lot there had been some discussion that Les would accept compensation for the lot development to allow someone to build there.
- When the site was allotted to Les years ago it was intended to be developed. Les did not develop it further at the time due to being elected as Chief Councillor and not having time available to dedicate to building. He expressed frustration at not having been called to meet about the lot.
- Community agrees there should be a set time limit for lot development before it returns to the pool of available lots.
- The opportunity to build was a pleasant surprise for Melanie and her family, and she selected the lot due to location and length of time it has been sitting unused. Two other lots were selected but not approved by council for presentation to the community.
- Conversely, there were concerns about the level of development required before a lot would revert to the pool of lots available. Melanie did approach Les about applying for the lot, but then it came to the band meeting for discussion. Les advocated that the matter of the lot should first have been addressed at a meeting with council and the housing committee.
- Ultimately at this point it is the community's decision as there is no real structure to the process at this time.
- Ed and Naomi Nicholson have raised the issue of safety for lots along the highway to the Tseshaht Executive Director and the Minister of Transportation. They continue to seek additional lighting and signage for hidden driveways. The Ministry says they only take care of the road and 10' on each side. They haven't approved signage, but the band has voiced concerns about liability if a sign is put up. The Nicholsons and Les have discussed putting in a horseshoe driveway to share for safety purposes.
- Community wants to ensure that lot selections are done without a popularity contest.

MOTION 11: To adjourn this lot selection until the revised housing policy is complete.

(20191202-11)

MOVED: Shelbee Holtslag

SECONDED: Naomi Nicholson

OPPOSED: 12 **ABSTAINED:** 4 **IN FAVOUR:** 15

QUESTION

MOTION CARRIED

- The Land Use Plan will be developed after the Comprehensive Community Plan (CCP) is complete.

MOTION 12: That Les Sam be required to make adjustments to his lot related to his business within the next 2 years or it reverts back to the band.

(20191202-12)

MOVED: C. Ann Robinson

SECONDED: Sharon Fred

OPPOSED: 1 **IN FAVOUR:** 19

QUESTION

MOTION CARRIED

7. Child welfare federal legislation

- New federal legislation is in effect January 1. This will come to band for direction as soon as possible in the new year.

8. Matrimonial property on reserve

- Workshops being planned with the CCP Champion, Josh Goodwill where this will be discussed along with the CCP.

9. Emergency Preparedness & Climate Change Committee – Terms of Reference

- Tabled.

10. Election of Land Claims Panel Youth representative

- Nominations:
 - Destani Dick. Declined.
 - Tamiko Rampanen. Unable to be reached.
 - Memphis Dick. Accepted.

MOTION 13: To cease nominations for the Land Claims Panel youth representative.

(20191202-13)

MOVED: C. Ann Robinson

SECONDED: Deb Foxcroft

QUESTION

MOTION CARRIED

MOTION 14: That Memphis Dick be accepted as the new Land Claims Panel youth representative.

(20191202-14)

MOVED: Jane Jones

SECONDED: Clinton Fred

QUESTION

MOTION CARRIED

11. Land Claims Panel update

- A handout was provided on the budget for specific claims and the title claim.
- There are outstanding legal invoices to be paid.
- The Director of Finance has concerns about future cash flow for these claims. He has been speaking with our lawyer, Chris Devlin at DGW regarding a 5-year plan for expenditures.
- There are alternatives to pay for these invoices such as borrowing from forestry revenue that will be paid back to the forestry company once the claim is settled.

- Funding application was made to the Specific Claims Branch. Some funds are expected but the total remains an unknown. The applications were made prior to the federal election which slowed the process.
- The Land Claims Panel has jurisdiction to negotiate the Maa-nulth infringement agreement. The treaty infringes on our rights and the province is in negotiations to settle the issue. Ken Watts and Hugh Braker attending a meeting on December 16 with the provincial lawyer in Victoria to restart the negotiations.
- The Notice of Claim for the title claim is nearly finalized. The lawyers have been waiting for the Tyee position to be determined. Darlene Taylor came forward as Adam Shewish's daughter to put her name forward. The elders met and recommended that Darlene hold the seat for now, pending determination by the tribe on next steps. This will allow Tseshaht to move forward with the claim in the courts.
 - The Notice of Claim could be filed in early 2020 which will get things moving more quickly.
 - The panel would like to hold a community celebration and dinner when it is filed.
- The next specific claims meeting to discuss Iwachis and the wolf village takes place December 6 in Vancouver.
- The Iwachis claim is awaiting a land valuation document as well as a second part to the claim which is for loss of fish. There were houses built there specifically for that.
- Once the specific claims are completed they go to discussions with the federal government regarding monetary settlement. The government has admitted that this claim has to be dealt with at the highest level. March 2020 is the goal for finalization of settlement. This timeline hasn't been altered so far.
- The Wolf Village claim is at a stage where we're trying to reach an agreement on the boundaries of the village.
- The fundraiser that was hired to seek money for the claims has advised there is nothing available for the title claim at this time, however there is money he advises is available to be applied for to aid in language. There could be research project funding available which can assist in the title claim.
- An application for nearly half a million dollars was made to ISC. We are confident we will receive funds but the total amount is to be determined.
- We currently do not have enough money for the long term budgetary requirements for the title claim. At this time we can cover the shortfall, but the cost is approximately a millions dollars per year for the next 10 years.
- Once we receive settlement funds from the Iwachis specific claim the panel will ask the community what to do with the money. The panel's hope is that our specific claims settlement dollars will help move along the title claim. Community concern that receiving these funds will not go towards running programs for the community and worry that we will get into more debt than we can manage.
- Members encouraged to bring their concerns about funding for programs to the budget meeting that will be held soon.
- Question about whether it would be possible to slow down expenditures for the title claim until there are more funds in the bank, e.g. received from specific claims. Specific claims will not be settled until final reports are complete. Funding applications have been made to the federal government to be able to complete the reports.
- Suggestion to pause the title claim until there is a specific claim settlement. The lawyers would need to be consulted about the legal implications of adjourning the claim until we have funds to continue.

- Motion put on the table: *To adjourn the comprehensive claim case (title claim) until we have monies come in from specific claims to pay for the case.*
 - We do not have advice from our lawyers about whether this action would end up costing us more. Motion amended:

MOTION 15: To refer the issue of continuing the comprehensive claim (title case) to the Land Claims Panel to consult with legal counsel to determine if the claim can be adjourned (put on hold), the implications of that, and then present to the community the first Monday in February 2020.
(20191202-15)

Moved: Deb Foxcroft

Seconded: Jane Jones

IN FAVOUR: 23 **OPPOSED:** 1

QUESTION

MOTION CARRIED

12. Declaration of Tseshaht Women

- There are still some amendments to the Declaration of Tseshaht Women to be made. It will be presented to community for adoption when complete.

13. Council updates on committees and portfolios

- None.

14. Mission statement

- There is still work to be done and there will be engagement with community in the new year.

15. Band audit

- Tabled.

16. Forestry management

- Tabled discussion regarding termination of Forestry Manager until council has met to discuss the issue.
- Council will have a discussion about the issue of the loss of staff.

17. Beachkeepers

- Tabled until budget meeting.

18. Fisheries

- Tabled.

MOTION 15: To adjourn.
(20191202-15)

Moved: Clinton Fred

Seconded: Lisa Gallic

QUESTION

MOTION CARRIED

*** * * * Meeting adjourned at 9:56 PM * * * ***

SUMMARY OF MOTIONS

Number	Motion	Moved by	Seconded by
20191202-01	To adopt draft agenda of December 2, 2019 with additions. 6a) Housing policy update 14) Mission statement 15) Band audit 16) Forestry management 17) Beachkeepers 18) Fisheries	Naomi Nicholson	C. Ann Robinson
20191202-02	To adopt draft minutes of August 22, 2019 as presented.	Ed Nicholson	Darlene Taylor
20191202-03	To adopt draft minutes of September 16, 2019 as presented.	Will Sam	Lisa Gallic
20191202-04	To adopt draft minutes of October 15, 2019 as presented with amendment to attendance list.	Lisa Gallic	David Georg
20191202-05	Motion to accept the membership committee report on newborns and children. Jordan Burnip, Aubree Clarke-Mack, Jesse Dick-Stewart, Zachary Frank-Barney, Cameron Peters, Koda Goodwill, Jason Rosengren, Erin Rosengren, Kyle Rosengren, Adaline Stewart, Margaret Watts.	Marlene Dick	Clinton Fred
20191202-06	To accept the membership committee's recommendation and accept the transfer to Tseshah First Nation of Bernice Newnham.	Les Sam	Lisa Gallic
20191202-07	To accept the membership committee's recommendation and accept the transfer to Tseshah First Nation of Betty J. Knighton.	Les Sam	C. Ann Robinson
20191202-08	To accept the membership committee's recommendation and accept the transfer to Tseshah First Nation of Jaidin Knighton.	Clinton Fred	Jean Thomas
20191202-09	To accept the membership committee's recommendation and accept the transfer to Tseshah First Nation of Theresa Dick.	Les Sam	Lisa Gallic
20191202-10	To accept the membership committee's recommendation and accept the transfer to Tseshah First Nation of Eric Mack.	Lisa Gallic	C. Ann Robinson
20191202-11	To adjourn this lot selection until the revised housing policy is complete.	Shelbee Holtslag	Naomi Nicholson

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20191202-12	That Les Sam be required to make adjustments to his lot related to his business within the next 2 years or it reverts back to the band.	C. Ann Robinson	Sharon Fred
20191202-13	To cease nominations for the Land Claims Panel youth representative.	C. Ann Robinson	Deb Foxcroft
20191202-14	To refer the issue of continuing the comprehensive claim (title case) to the Land Claims Panel to consult with legal counsel to determine if the claim can be adjourned (put on hold), the implications of that, and then present to the community the first Monday in February 2020.	Deb Foxcroft	Jane Jones
20191202-15	To adjourn.	Clinton Fred	Lisa Gallic

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