

MINUTES
Cowichan Tribes Council Meeting
Cowichan Tribes Council Chambers
May 11, 2011 @ 7:00 PM
Confidential

Present:

Chief Lydia Hwitsum	
Wayne Charlie	
Cindy Daniels	Diane Daniels
Darin George	
William Seymour	Dora Wilson

Excused:

Lloyd Bob - Cultural
Andrew Canute - Sick
Albie Charlie – Funeral
Charles Seymour - Meeting
Calvin Swustus – Sick

Absent:

Howard George

Others present:

Maureen Tommy, General Manager
Jessica George, Assistant General Manager
Melissa Bellamy
Darlene Sharpe
Brennan MacDonald
Larry George
Charlene La Fortune
Audrey George
Shelly Thorne
Katie Roland
Patti Williams
Sandra Seymour, Council Secretary

1. Order: 7:00 PM
Prayer: Wayne Charlie

2. Adoption of Agenda
Move Item 4 to #10
11 – HST Sales Tax
MOTION #1
TO ADOPT THE AGENDA WITH THE CHANGE AND ADDITION.

MOTION CARRIED.

3. Adoption of Minutes
a) May 3, 2011
MOTION #2
TO ADOPT THE MINUTES OF MAY 3, 2011 WITH THE CORRECTIONS.

MOTION CARRIED.

4. Business arising from Minutes

March 2, 2011

Chief and Council discussed the March 2nd minutes and passed the following motion:

MOTION #3

THAT A SPECIAL COUNCIL MEETING BE SET UP ON MAY 18, 2011 @ 6:00 PM TO GO OVER THE MINUTES OF MARCH 2, 2011, THAT THE MEETING BE IN CAMERA AND THAT ALL COUNCILLORS BE IN ATTENDANCE.

MOTION CARRIED.

5. Old Business

a) Citizen Request – In Camera

Education and other Community Concerns, Citizen Agenda request form Council Approved.

In Camera

Harassment

End of In Camera

Charlene – reads a letter concerning the following:

Education

HR Contract

Council Attendance

Minutes

General Meeting

Constitution, Election Code

Chief – Charlene could you please forward a copy of your document to Sam and then we can take an opportunity to properly respond in writing.

b) Cowichan Tribes Elders Advisory Committee

The Agenda request from Melissa Bellamy the Elders Advisory Committee is appointing Ernest Elliott as the Rep to sit on Treaty Committee and Elders Advisory Committee.

Melissa – As the Chief said this had come to the Council table and there was a recommendation for it to go to our Elders Advisory Committee. It went to the Committee on April 18th there was a bit of a discussion on the benefits that Ernie brought to the table. So I don't know if everyone has had a chance to read the discussion that took place at the Elders Advisory Committee but there was support for Ernie to be on the Treaty Committee as well as the Elders Advisory. In the minutes it outlines the Elders who felt that Ernie did have knowledge that he is bringing to the table being involved in the treaty negotiations since Hul'qumi'num Treaty Group began and also being in the role as a former Chief Negotiator through the Hul'qumi'num Treaty Group table. So there was support around the Elders Advisory Committee table for Ernie to sit on those 2 committees.

Chief and Council discussed the request from the Elders Advisory Committee and passed the following motion:

MOTION #3

THAT ERNEST W. ELLIOTT BE APPOINTED TO THE COWICHAN TRIBES TREATY COMMITTEE AND THE COWICHAN TRIBES ELDERS ADVISORY COMMITTEE.

2 OPPOSED

1 ABSTAINED

MOTION CARRIED.

c) Cowichan Tribes Treaty Committee

HTG Community Consultation Committee

The Agenda request from Melissa Bellamy the Treaty Committee is appointing Melissa Bellamy, Melissa Charlie and Stephanie Charlie to represent Cowichan on the HTG Community Consultation Committee.

Melissa – This is all part of the review process that HTG went through for the last year and a half and as a result of that there is a work plan that they're bringing forward for the 2011 and 2012 fiscal year and part of the work plan a big thrust of it is communication to our community. So HTG Executive Director has sent out a letter to all the Hul'qumi'num Nations asking for representation on a Community Consultation Committee that they are going to be starting. They are currently waiting for all the First Nations to respond with who their representatives will be. We received the letter on March 31st from HTG and it went to our Treaty committee on April 15th and there was a bit of discussion around who the committee felt should be on this committee. At our community meeting we held at QCCC on March 31st the HTG laid out their work plan for the 2011-12 fiscal year and they outlined the committees they would be striking to enhance the communications to our community. Stephanie Charlie was in attendance at this meeting and she expressed an interest to be on this committee. I brought the information forward to the Treaty Committee April 15th the Treaty Committee was in support of Stephanie being our CT representative but they also felt that I and Melissa Charlie as our Treaty Assistant who also carries responsibility of communications should also be on the committee. So along with Stephanie, Melissa Charlie and myself are being recommended to this Community Consultation committee for the Hul'qumi'num Treaty Group.

The following motion was passed:

MOTION #4

THAT MELISSA BELLAMY, MELISSA CHARLIE AND STEPHANIE CHARLIE BE THE COWICHAN TRIBES REPRESENTATIVES ON THE HUL'QUMI'NUM TREATY GROUP CONSULTATION COMMITTEE AND THAT EAMON GAUNT BE THE TECHNICAL SUPPORT.

MOTION CARRIED.

6. Ts'ewulhtun Health Centre

The Agenda request from Judith Gohn, the Health Advisory Committee recommends the Governance work books be presented to Chief & Council in reference to Legal Agreement vote on May 24th to 27th, 2011. Brennan Gohn will be in attendance to brief Council.

Brennan – I appreciate Council's time tonight to look at the package that was put together the new Governance agreement that is being put forward for consideration by the Chiefs at the end of this month. My work with the Hul'qumi'num Health Hub has kept me involved in receiving information about the new governance that is being looked at in terms of how Health is being delivered to our communities.

Basically this goes back to a number of agreements that were achieved over the last few years like the Leadership Accord, the Transformative Change Accord, and Tripartite First Nations Health Plan. One of the goals of the First Nations Health Plan that was signed in 2007 was to establish a new health partnership that includes a new administrative arrangement for designing a delivery of health services of First Nations in BC. There has been a lot of work on this in the last 3 years and I think over 100 meetings held within all the regions of BC by First Nations Health Council and their representatives on the governance working group to really understand what's important to our communities as they start to negotiate this transfer. The transfer will mean that the authority for managing the dollars delivered to health from Health Canada is going to be transferred to a First Nations provincial health authority. The agreement is a historic agreement we've been working on it for the past 3 years through the province the meetings have been held they've talked to a number of the Chiefs, our Leaders, our Health Directors, our Hub Co-coordinators, Elders, Youth they brought them all together to solicit their feedback and report into this process. We wanted to ensure that the agreement that as it's being developed is reflective of the needs and priorities that communities have identified for themselves. Where we're at now is the agreement has been initialed by the First Nations Health Council, the Government of Canada and the Province of BC. So they've done all this negotiating and got it to a point where they're ready to present it to our Chiefs, that is going to happen this month at the conference in Vancouver on May 24th 25th and 26th. There will be a vote that takes place at that time it will be for the Chiefs to either support or not the agreement that's been drafted.

I have included in the package a memo from the First Nations Health Council on a Governance work book that's been developed to help provide further input on this process. The agreement itself is really administrative and what we will need to happen there is define what this new process with Health Authority looks like and how it is implemented over the next few years. The work that was approved that was collected by the Health Council was to collect feedback from the Chiefs and Councillors, Health Directors from all Nations and they're compiling this data into regional consensus documents. So there have been many presentations by Health Council of this particular book and I bring it to this table after having brought it to the Health Advisory Committee and many of the Committee members have filled out the documents so I have collected those. It was their recommendation to bring it to this table to provide the Council with an opportunity to review it and if you have specific ideas that you would like to write down I can collect them and bring them over to Health Council to put into their consensus documents. If you're not comfortable with writing down your thoughts I'm happy to come and talk with any one of you and take the information down and relay it back to them. There are different sections in here that describe it's really about visioning and looking at what is it that you really want to see as an ideal situation from 3 different perspectives – Community what do you want to see improved, regional and provincially. If the agreement is supported by the Chiefs they expect the transfer will start in September and carry on over the next few years. There is a timeline at the back of the fact sheet document that shows the process for the transfers and how the transfer would happen.

Brennan Gohn gave a report to Council on the Governance work books and requested that Council fill in the questionnaire.

Chief and Council discussed the recommendation from the Health Advisory Committee:

Chief recommended that Brennan provide copies of the Tripartite Framework Agreement, Transformative Change Accord to Sam to give to Council and that Council fill in the questionnaire and give workbook to Sam.

7. Lands & Governance

The Agenda request from Larry George requesting a BCR in support of application to New Relation Trust for \$25,000 to complete the Custom Law and Ratification Vote in December.

Larry – I'm here about an application that we've prepared on behalf of Cowichan Tribes to New Relations Trust, it's a funding initiative that's available for the 2011-2012 fiscal year. The purpose of the application is to support the ongoing work on the final we're hoping the final process part of the Custom Election law. The main components that we're looking to target is presenting the Custom Election law in various forms of communication; the forms of communication include Community meetings, radio, advertisement, definitely community meetings will be the main focus. We believe we are at or near the final draft of the custom election law and want to present for another round of discussion with community with the target of bringing a vote to the community in December 2011. To assist some community members we also would like to provide an opportunity to have individuals go to some of the Elders in our community and walk through the election law and give the time hopefully to provide an understanding of it and to allow for questions and clarification. There is a proposed BCR [reads wording of BCR]

The following concerns were stated by Council:

- JJ talks about having a vote on whether staff members can run for Council is that included in the \$25,000 budget?
- Low attendance at the Custom Election meetings being held at the gym, can we go into next year before we have the final vote?
- You will be sending to off reserve just like a regular voting procedure
- Elders visits could be at least 3-4 hours explaining the election code they need to understand what it is we're asking them to vote on.
- 4600 population yet there is only 100 surveys received.
- When the Membership code was done there were 7 people going house to house day and night getting the people's consent.
- Community meeting at the gym re election code there is 30-40 people and it's always the same people.
- People do not like voting combined with picking up their tobacco tax they feel they are being forced to vote before they can pick up their cheque.
- What is the process that JJ does regarding questions being asked by the Elders
- Councillor Cindy question whether Larry or committee received her questions, she will forward to Larry.

Larry responded:

- It is the plan to have a separate vote because there is a lot of discussion on that issue and we want to be sure we have the right draft.
- Yes we will be sending to all off reserve members.
- The election code will not come into effect until the next election which would be 2013, if we were to extend it we will be looking for further funds for that
- In the application there is an allocation towards Elders visits and meetings
- The surveys were more like 280, planned to have the vote last December, comments were coming back it was too quick, needed more time.

- The questions or information is brought back to Larry and the working committee.
- Larry asked Cindy to e-mail her statements/questions to him

The following motion was passed:

MOTION #5

THAT THE COWICHAN TRIBES CHIEF AND COUNCIL SUPPORT THE FUNDING APPLICATION TO THE NEW RELATIONSHIP TRUST CAPACITY INITIATIVE DIRECT SUPPORT FOR THE AMOUNT OF \$25,000 WHICH WOULD PROVIDE SUPPORT FOR THE COMPLETION OF THE CUSTOM ELECTION CODE AND RATIFICATION VOTE THROUGH COMMUNITY ENGAGEMENT.

1 OPPOSED

MOTION CARRIED.

8. Appointment to KDC Board

The Chief will give a verbal update on Appointments to KDC Board of Directors Chief – Regarding the Khowutzun Development Corporation and the work that has been done in advancing the recommendations that came out of our assessment done by Neil Sterritt and Steven Cornell. What is going around is the background information to inform Council of the recruitment process with respect to the KDC Board of Directors. Out of the 26 recommendations that came forward as part of the Neil Sterritt and Dr. Cornell report what we did was pull the Development Corporation Governance recommendations out and work planned them to start moving forward a number of these governance issues. 1 – Was get a functioning Development Corporation Board with filled seats, so what we've done is went through the exercise of development a board recruitment package. So it was actually the exercise of developing a Board of Directors skills matrix, what are all the skills we want to see around the Development Corporation Board table. We put that together so that we can find the right mix of people with skills around the table so we wanted to have a rational at the advertising and selection of Board of Directors for the Development Corporation. You will see a copy of the Board of Directors skills matrix because each of the successful candidates were asked to do an assessment based on a skills competency. The Board will have 5 positions under the current Constitution & Bylaws they will have 3 outside business people, 1 Cowichan Tribes member and the incumbent Chief. We put a call out for Directors it was also sent out to the Citizens, a copy of the call is circulated in the package. [Chief reviews with Council the applications received]

Chief and Council discussed the appointment to the KDC Board and passed the following motion:

- Council requested that a Call of Directors be put out to get application from Cowichan Tribes members and the other vacant seat.

MOTION #6

TO TABLE THE APPOINTMENT TO THE KDC BOARD TO THE NEXT COUNCIL MEETING AND POST CALL FOR DIRECTORS.

MOTION CARRIED.

9. **IN CAMERA** - General Manager – Four month review

10. Adjourned 11:30 PM