

Kitselas Band Council Special Meeting Draft Minutes

Date: April 13, 2023

Attendance - Chief Councillor: Glenn Bennett (Chair)

Councillors: Cyril Bennett Nabess
Jericho Collison (Regrets)
Geneva Mason
Ken McDames Jr.
Gerald Nyce
Victor Wright

Staff Sam Harris
Chris Apps

Guest
Minute Taker Cheryl

Kitselas Band Council Meeting called to order 5:07pm

1. Opening Prayer
2. Adoption of Agenda

MOTION #2023-04- 13(ONE)

Moved by: Councillor Cyril Bennett Nabess for Kitselas Band Council to approve the meeting agenda for April 13, 2023.

Seconded by: Councillor Gerald Nyce. Carried

3. Minutes
 - No Minutes to review

4. New Business

Finance – Sam Harris

a) Finance and Audit Committee Recommendations

2023-024 Budgets

According to the Financial Administration Law (2020) the Finance Audit committee Financial Planning Responsibilities are as followed; 14. (1) The Committee must carry out the following activities in respect of the financial administration of the First Nation: review draft annual budgets and recommend them to the Council for approval

Finance and Audit Committee had a scheduled meeting on April 3, 2023 after reviewing the budgets previously presented.

Finance and Audit Committee made a motion for recommendation; Adopt 2023-2024 budgets as presented-subject to review of deficits with regards to end of fiscal years surplus carryovers.

- Discussion

b) Update Kitselas Paygrade Scale

In accordance with the HR Policies and Procedures Manual, external wage comparisons are conducted at least once every three years. These comparisons aim to determine competitive wages for similar job responsibilities in comparable communities, utilizing proper wage survey techniques. Kitselas First Nations (KFN) may initiate surveys or obtain them from reputable external organizations.

To remain competitive with wage changes in the external market, pay range structures are established by the Chief and Council and reviewed every three years. The Chief and Council hold the responsibility of approving any range structure used within KFN. The Chief Administrative Officer, Director of Finance and Administration, or a designated representative is tasked with establishing Benchmark Jobs for which competitive wage information may be sought in the external market, following the outlined procedures.

Market pricing studies are conducted for Benchmark Jobs as needed, with a minimum frequency of once every three years.

During discussions at the senior team table and by the Finance and Administration Committee (FAC), it was acknowledged that the last review had taken place in 2016. Consequently, the Finance department conducted research in 2019 to address this matter. However, due to the onset of the COVID-19 pandemic in early 2020, the work undertaken in 2019 was not fully implemented. Recently, the topic resurfaced, leading to the presentation of the work done in 2019 to the senior team table. The senior team has agreed to update the paygrade scale based on the figures presented in 2019. The Finance department is currently in the process of updating the paygrade scale again to reflect the rates for 2022/2023, following the procedures outlined in the HR policy.

Next Steps is as follows, please consider adopting and approving the recently presented paygrade scale (2019/2020) figures. In the subsequent stage, the senior team will collaborate with the Finance Manager to finalize an updated paygrade scale incorporating the latest figures (2022/2023).

MOTION #2023-04- 13(TWO)

Moved by: Councillor Cyril Bennett Nabess for Kitselas Band Council to approve the 2019/2020 updated paygrade scale as presented.

Seconded by: Councillor Geneva Mason. Carried.

c) Update of Chief's Councillor's Indemnity

The council has assigned Finance the task of conducting research on the concept of potentially increasing the chief's indemnity and comparing it to the compensations of

other chiefs. I have conducted thorough research at the national, provincial, and regional levels.

Next Steps: Maintain the chief's indemnity at the current rate of \$75,000 per year. Raise the chief's indemnity to \$80,000 per year, with two possible effective dates, Immediate implementation or Implementation at the beginning of the next term.

No motion because it was decided to keep the current rate.

d) Update Guaranteed Investment Certificate with Royal Band of Canada

A choice must be made regarding the reinvestment strategy. Initially, the decision was to continue reinvesting in the existing terms until a plan for the funds was established. However, upon reviewing the updated GIC rates, it is being proposed to consider a 90-day term (5.21%) instead of another 60-day term (5.11%).

MOTION #2023-04- 13(THREE)

Moved by: Councillor Ken McDames Jr. for Kitselas Band Council to approve the re-investment into a 180-day term into the Guaranteed Investment Certificate.

Seconded by: Councillor Gerald Nyce. Carried.

MOTION #2023-04- 13(FOUR)

Moved by: Councillor Gerald Nyce for Kitselas Band Council to approve after the 180-day term of investment Guaranteed Investment Certificate Ladder Approach to increase the funds.

Seconded by: Councillor Geneva Mason. Carried.

e) Update Finance Positions

In-camera 5:57

Out of In-camera 6:06pm

Lands and Resources – Chris Apps

a) Environmental Assessment Office Agreement & Band Council Resolution

The Kitselas community asserts their longstanding presence in northwest British Columbia and their traditional territory known as the Kitselas Territory. They claim Aboriginal rights, including inherent rights and Aboriginal title, as recognized by Section 35 of the Constitution Act, 1982. These rights, referred to as the Kitselas Interests, are separate from and in addition to their Section 35 Rights.

The Kitselas Citizens continue to exercise their Kitselas Interests throughout their territory, and their governance involves implementing Kitselas Laws, which reflect their laws, policies, and cultural values, in all decisions within the Kitselas Territory.

The Declaration on the Rights of Indigenous Peoples Act was enacted in November 2019, providing a framework for implementing the United Nations Declaration on the Rights of Indigenous Peoples in British Columbia.

The Environmental Assessment Office (EAO) is responsible for environmental assessments under the Environmental Assessment Act, and the Province of British Columbia has obligations to consult and accommodate Kitselas in relation to all environmental assessments in the Kitselas Territory.

The Parties involved aim to establish a strong working relationship and conduct all Environmental Assessment Processes within the Kitselas Territory in a manner consistent with the Act, the UN Declaration, common law, the Kitselas Reconciliation Agreement, and Kitselas Laws.

To facilitate this, the Parties wish to enter into an agreement that outlines a framework for conducting Environmental Assessment Processes for projects within the Kitselas Territory or those that may impact Kitselas Interests.

MOTION #2023-04- 13(FIVE)

Moved by: Councillor Cyril Bennett Nabess for Kitselas Band Council to approve to execute and deliver, on behalf of Kitselas, the Kitselas – Province of BC Environmental Assessment agreement and Band Council Resolution LMO-023-04-13-#2 as presented.

Seconded by: Councillor Geneva Mason. Carried

b) Band Council Resolution – Funding Application to the Impact Assessment Agency of Canada Indigenous Capacity Support Program

On behalf of the Kitselas First Nation the Director of Lands and Resources Director Christopher Apps, has submitted a funding application to the Impact Assessment Agency of Canada's Indigenous Capacity Support Program. The purpose of the funding is to develop a framework for assessing potential project-related impacts on the specific values of the Kitselas First Nation. The Council resolves to authorize the Band Council to enter into a Contribution Agreement with the Canadian Environmental Assessment Agency and designates Christopher Apps as the authorized signatory for signing the funding application, Contribution Agreement, and other related documents.

MOTION #2023-04- 13(SIX)

Moved by: Councillor Victor Wright for Kitselas Band Council to approve to authorize to sign or for e-signature the Band Council Resolution for the Funding application to the Impact assessment Agency of Canada Indigenous Capacity Support Program, LMO-023-04-13-#01 as presented.

Seconded by: Councillor Ken McDames Jr. Carried.

c) Certificate of Allocation – Lot 61

Certificate of Allocation and Kitselas Land Register to be issued to Mel Stanley Bevan.

MOTION #2023-04- 13(SEVEN)

Moved by: Councillor Gerald Nyce for Kitselas Band Council to approve to authorize to sign or for e-signature the Band Council Resolution The Certificate of Allocation to be issued to Mel Stanley Bevan lot 61, LMO-023-04-13-#03 as presented.

Seconded by: Councillor Ken McDames Jr. Carried.

d) Fishwheel

- Update and discussion

e) Port Authority – Volpack

- Update and discussion

5. Adjourn

MOTION #2023-04- 13(EIGHT)

Moved by: Councillor Cyril Bennett Nabess for Kitselas Band Council to adjourn at 7:06pm.

Seconded by: Councillor Victor Wright. Carried.