



KITSELAS BAND COUNCIL

REGULARLY SCHEDULED MEETING – November 27, 2024 Minutes, Gitaus

Present: Chief Councillor Glenn Bennett, Councillors Cyril Bennett-Nabess, Geneva Mason, Jericho Collison (virtual), Gerald Nyce (virtual), Cheryl Campbell, Dr. David Try, David Hansen, Linda Morven

Regrets: Judy Gerow, Ken McDames Jr., Victor Wright

1. Call Meeting to Order & Opening Prayer – The meeting is called to order at 3:05 pm.
Opening prayer – Cyril.

2. Adoption of Agenda

MOTION 2024-11-27 (ONE)

THAT Kitselas Band Council approves the agenda for November 27, 2024 with one addition – Geneva's request to review Council initiatives for the remaining term.

Moved by: Cyril Bennett-Nabess

Seconded by: Geneva Mason

Carried

3. Adoption of Minutes

MOTION 2024-11-27 (TWO)

THAT Kitselas Band Council approves the minutes of November 13, 2024, 2024 as presented.

Moved by: Cyril Bennett-Nabess

Seconded by: Jericho Collison

Carried

4. Business Arising from the Minutes

Page 2 – Pet Policy, 3rd reading on December 10, 2024.

Page 3 – Facilities and Community Growth Planning including Post-Treaty planning with senior management and entities, December 11, 2024.

Page 4 – NIFCS will attend the December 10, 2024 meeting. A quick review of the Protocol Agreement will be provided followed by a signing with NIFCS and Chief Councillor Bennett.

Page 4 – K5T property purchase will be presented to community on December 11.

Page 5 – Darrin provided the minutes for the Shareholders Meeting, included in Council package.

Health, Geri Inkster, 3:15 pm

5. Master Funding Agreement, BC Aboriginal Child Care Society & MOTION HEA 2024-11-27 (ONE)

Geri provided a brief overview and read out the recommended motion.

Linda – How much is the funding and what will the funding cover?

Geri - Enhancing early learning and supports. Last year, there was \$75,000.00. This year, there will be \$50,000.00.

Jericho – Curious about head start in the morning, and daycare in the afternoon. Is there any way we can supplement child care?

Geri – It's a matter of putting plans together to hire more staff and have more hours. The plan is to have two more ECE and an ECE assistant. It's in the works.

Glenn – So it will eventually be factored in for daycare here in Gitauus?

Geri – Yes.

MOTION HEA 2024-11-27 (ONE)

Approval of Master Funding Agreement (2024-2028) with BC Aboriginal Child Care Society, including all attached schedules and appendices (the “Agreement”)

WHEREAS the Council considers it in the best interests of Kitselas First Nation to approve the Agreement, dated March 18, 2024, substantially in the form attached as Schedule “1”.

THEREFORE BE IT RESOLVED THAT:

1. The Agreement is hereby approved;
2. The Council enter into, comply with, and perform the terms of the Agreement;
3. Council confirms that Kitselas First Nations Director of Health is authorized to serve as the Authorized Signatory under the Agreement, and is hereby authorized and directed to:
 - (a) Execute the Agreement, including any schedules, amendments, or supplements thereto, and on behalf of the Council, which will be in such form and will contain such terms and conditions as they alone may approve, their signature there on being conclusive evidence of such approval;
 - (b) Appoint the Finance Signatory under the Agreement, who is authorized and directed to review, complete, and sign Finance Reports on behalf of Kitselas First Nation; and
 - (c) Do such other acts and things and execute such further documents as may be contemplated in or may be necessary to carry out the intent of such agreements and this resolution;
4. This resolution shall be deemed to be effective as at the date first written above.

SIGNED, SEALED AND DELIVERED by Kitselas First Nation pursuant to the consent of a majority of the Council of Kitselas First Nation present at a meeting duly convened on the date first written above.

Moved by: Geneva Mason

Seconded by: Jericho Collison

Carried

Treaty, Dr. David Try

6. Treaty Updates & TRM Briefing and MOTION TRE 2024-11-27 (ONE)

A number of Treaty events scheduled. David provides an overview of the events, and the TRM briefing.

Glenn – Was very disappointing with the Vancouver tour.

David – We figured out what happened, and addressed it with the staff person. We’re looking at rescheduling a Vancouver tour in January.

Geneva – Look at providing an opportunity for our members outside Kitselas to come home.

David – Homecoming event in July or August if it’s ratified.

MOTION TRE 2024-11-27 (ONE)

Whereas:

A. Kitselas First Nation (“the First Nation”) and Her Majesty the Queen in right of Canada as represented by the Minister of Crown-Indigenous Relations (“Canada”) and the Province of British Columbia as represented by the Minister of Aboriginal Relations and Reconciliation (“British Columbia”) are presently involved in Treaty negotiations;

B The Kitselas First Nation and Canada have agreed that they are at a stage of Treaty negotiations where a Treaty-Related Measure (“TRM”) negotiated by the Kitselas First Nation and Canada from time to time would assist them in furthering Treaty Negotiations;

C. The Kitselas First Nation and Canada have agreed that the Kitselas First Nation, an Indian Band under the Indian Act, will undertake the work and activities associated with each TRM in accordance with the terms and conditions agreed to by the Kitselas First Nation and Canada by way of a Funding Agreement for First Nations (“Funding Agreement”);

D Canada may agree to provide the Kitselas First Nation with contribution funding from time to time, for the purposes of enabling the Kitselas First Nation to undertake the work and activities associated with a TRM, by way of a Funding Agreement executed by the Kitselas First Nation and Canada on or before March 31, 2026.

THEREFORE BE IT RESOLVED THAT:

1. The Kitselas First Nation enter into a Funding Agreement to obtain contribution funding to undertake the work and activities associated with a TRM as described therein;

2. The following person(s):

David Try PhD
Senior Negotiator & Director of Treaty
Kitselas First Nation

who represent the Recipient, any are hereby authorized to:

a. Execute and amend (under seal or otherwise) and deliver a Funding Agreement for each TRM, such execution to be conclusive evidence of this and his or her approval, and

b. Execute and/or amend (under seal or otherwise) and deliver such other documents and take such further action or actions as may be desirable for the Kitselas First Nation to carry out this resolution and the obligations of the First Nation under any of the agreements;

3. The authority set out in paragraph 2 is effective until March 31, 2026.

Moved by: Cyril Bennett-Nabess

Seconded by: Gerald Nyce

Carried

7. Compensation, Door Prizes, Elders

Glenn – We should compensate elders who attend Treaty events. Look at increasing compensation for our elders. When it comes to door prizes, increase what is offered to our membership.

David – We do have elders only meetings and compensate them. Maybe we could have elder’s only door prizes.

Lands and Resources

8. Lax Kw’alaams Expansion of FSC - Cyril reviewed the briefing provided opposing the request.

MOTION 2024-11-27 (THREE)

THAT Kitselas Band Council opposes Lax Kw’alaams request for expansion of their FSC access citing increased pressure and conflict with Kitselas First Nation’s well established, legal, in-river salmon fishery, and provide a letter to their request citing the following:

1. Expansion of Lax Kw'alaams' FSC area will increase the pressure on Kitselas' indigenous food fishery making access to a key cultural food source more challenging than it currently is.
2. Lax Kw'alaams members already fish at Kitselas traditional fishing areas which causes conflict and stress for community members, and if FSC fishing is permitted via Lax Kw'alaams' FSC licence, then there is an expectation that fishing conflicts will rise.

Moved by: Geneva Mason
Seconded by: Gerald Nyce
Carried

9. Groundfish Trawl Advisory Committee

MOTION 2024-11-27 (FOUR)

THAT Kitselas Band Council supports the request to increase First Nations appointed seats on the Groundfish Trawl Advisory Committee (GTAC) from one to five, and approves the submission of a joint letter to DFO and GTAC in support of this request.

Moved by: Geneva Mason
Seconded by: Gerald Nyce
Carried

10. Exploration of a Proposed Specific Claim Cyril reviewed the briefing.

MOTION 2024-11-27 (FIVE)

THAT Kitselas Band Council approves the legal review and analysis of the Kitselas Specific Claim titled "Kitselas' Unmet Land Entitlements, Historical Reserve Request".

Moved by: Gerald Nyce
Seconded by: Jericho Collison
Carried

North Coast Transmission Line

11. First Nations Major Projects Coalition

MOTION 2024-11-27 (SIX)

THAT Kitselas Band Council approves engaging the First Nations Major Projects Coalition to support the Internal Kitselas Working Group with requirements on the North Coast Transmission Line, and that Kitselas will amend the scope of services for the Coalition to provide specific services to Kitselas that align with the direction and values Kitselas is taking with BC Hydro, BC, and K'uul Power on the project.

Moved by: Geneva Mason
Seconded by: Jericho Collison
Carried

Gitselasu Stewardship Society, Travis Freeland

12. Totem Pole Project

Glenn – Cemetery in Canyon, need to look at cleaning up and try to preserve the history with regard to the headstones.

Travis – Opportunity for conservator to take a look at the wood and steel fencing.

Cyril – Kitselas will drive the project and those organizations are helping us.

Gerald – Can we include the artist of the pole?

Travis – Stan was the point of contact, and is involved. Dempsey Bob is also another person who may be involved.

Glenn – Stan was the main artist on the 11 poles and his uncles.

MOTION 2024-11-27 (SEVEN)

THAT Kitselas Band Council moves to support Gitselasu Stewardship Society's next steps in the totem pole project including drafting the funding request and engaging with the Museum of Canadian History.

Moved by: Gerald Nyce

Seconded by: Jericho Collison

Carried

2025 Fishwheel – K5T, Lands and Resources, and Kitselas First Nation

13. Budget, Second Wheel, Funding Grants, Commercial Fishery & MOTION 2024-11-27 (NINE)

David provided a review of his briefing for the 2025 fish wheel.

Cyril – Wai Wah is not doing a good job of carrying out FSC requirements. Wai Wah stood idly by as other Nations set their nets in the Skeena River, and the only thing that they did was look at them with binoculars and talk to people on the beach. These people are fisheries monitors in the summer and wildlife monitoring in the winter. We need these people and we need these people on the land. We need to make that investment. We need this activity to take place. I can only imagine the things that go on in other areas. We have the potential to plan now. The monitoring is coming back to Lands and Resources.

Geneva – Look at harvesters and help with food security and other opportunities to build capacity.

Glenn – Conservation contact Kitselas if any road kill to send our people out to retrieve road kills. Cyril will send the letter to conservation.

MOTION 2024-11-27 (EIGHT)

WHEREAS:

1. Kitselas First Nation (KFN) is committed to ensuring sustainable fisheries management and the protection of salmon within its traditional territory;
2. The Kitselas Fish Wheel has demonstrated its efficacy as a selective fishing method to support Kitselas members' Food, Social, and Ceremonial (FSC) needs; and
3. Kitselas First Nation recognizes the importance of revitalizing and expanding its selective fishing operations, including a potential inland commercial fishery pilot project, to build capacity and provide economic opportunities for the Kitselas community;

THEREFORE BE IT RESOLVED THAT Kitselas Band Council authorizes Kitselas First Nation, in collaboration with K5T, to:

1. Lead and Operate the Kitselas Fish Wheel for the 2025 season, including management of all aspects of its operation, maintenance, and reporting.
2. Apply for Funding to support this important FSC selective fishery, including funding for the construction of a second fish wheel, extended operations, and a pilot inland commercial fishery project.
3. Authorizes K5T in partnership with Kitselas First Nation to act as needed to execute applications, manage project activities, and oversee funding related to the fish wheel initiative.
4. Kitselas First Nation and K5T will work collaboratively with Wai Wah Environmental, and other stakeholders to ensure the effective management and success of the project.

AND BE IT FURTHER RESOLVED THAT Kitselas First Nation and K5T will provide regular updates and reports to Kitselas Chief and Council, ensuring transparency and accountability throughout the project's implementation.

Moved by: Gerald Nyce
Seconded by: Jericho Collison
Carried

MOTION 2024-11-27 (NINE)

WHEREAS:

1. Kitselas First Nation (KFN) is committed to sustainable fisheries management and exploring economic opportunities for its members through initiatives that align with community goals and values; and
2. The introduction of an inland commercial fishery, operating in tandem with the existing Food, Social, and Ceremonial (FSC) fishery, has the potential to provide additional benefits to Kitselas members and enhance community resilience;

THEREFORE BE IT RESOLVED THAT Kitselas Band Council authorizes Kitselas First Nation, in collaboration with K5T, to:

1. Prepare and submit an Application for a Commercial Fishery to Fisheries and Oceans Canada (DFO) and any other relevant agencies to establish and demonstrate an inland commercial fishery operating alongside Kitselas's FSC selective fishery.
2. Identify opportunities and funding to support the operation and management of the commercial fishery initiative.

Moved by: Geneva Mason
Seconded by: Cyril Bennett-Nabess
Carried

MOTION 2024-11-27 (TEN)

WHEREAS:

1. Kitselas First Nation is committed to sustainable fisheries management and exploring innovative selective fishing methods to support the community's Food, Social, and Ceremonial (FSC) needs;
2. Kitselas First Nation recognizes the success of the Kitselas Fish Wheel as a selective fishing method and the need to expand its capacity through the construction and deployment of a second fish wheel;

THEREFORE BE IT RESOLVED THAT Kitselas Band Council authorizes Kitselas First Nation, in collaboration with K5T, to:

1. Lead the construction and deployment of a second fish wheel including all aspects of design, procurement, and operational setup.
2. Apply for and manage funding required to complete the construction and deployment of the second fish wheel and ensure its operational readiness for the 2025 season.
3. Authorize K5T in partnership with Kitselas First Nation to act as needed to execute applications, oversee construction activities, and manage funding to ensure the successful implementation of the second fish wheel.

Moved by: Cyril Bennett-Nabess
Seconded by: Jericho Collison
Carried

Finance

14. Finance and Audit Committee Presentation and Recommendations

FAC met yesterday, Jericho, Gerald, and Tyler. Isabel presented to us. Quarterly financial statements. One of the recommendations – lots of inactive accounts. Want Directors to look at their ledgers and close inactive accounts. Health and Lands and Resources have a lot. Community Services look at idle funding. There's one that gets clawed back every year. Emergency funding – not being used and recommend that give the 9 post secondary students some emergency funding or it will get clawed back. WAB has a lot of funding, and increase student incentives. Amended budget, 24-25, didn't approve as Isabel needs to review something.

Cyril – Thank you for going through the financial statements and going through the FAC meeting and accounts. We will be transferring funds out, and putting them into the general account, and followed up on department codes.

Geneva – Some of the surplus, if able to make different recommendations to support the community such as providing more lunches, etc. Sometimes, our community has power outages, and can have a common dinner at the office.

Glenn – We shouldn't have a surplus in post-secondary. Ms. Morven to provide direction to the Director of Community Services.

MOTION 2024-11-27 (ELEVEN)

THAT Kitselas Band Council accepts the Finance and Audit Committee recommendations as presented, and approves the 2023/24 Quarter 3 and Quarter 4 Financial Statements, the 2024/25 Quarter 1 and 2 Financial Statements, and the 24/25 budget pending the final clarification from the Finance Officer.

Moved by: Cyril Bennett-Nabess

Seconded by: Geneva Mason

Carried

15. Kitselas Five Year Capital Projects Plan

Cyril – With the CCP and other documents, one of the deliverables is the emergency access road, and entrenching it in this document is very much needed. Identifying it as a key deliverable in the plan is needed.

Geneva – Agrees with it and provides an overview of access in other areas – emergency route option.

MOTION 2024-11-27 (TWELVE)

That Kitselas Band Council approves the Kitselas Five Year Capital Projects Plan as amended with the addition of an emergency access road in and out of IR #1.

Moved by: Geneva Mason

Seconded by: Cyril Bennett-Nabess

Carried

16. Multi-Year Financial Plan 2024-25 to 2028-29

MOTION 2024-11-27 (THIRTEEN)

That Kitselas Band Council approves the Multi-Year Financial Plan 2024-25 to 2028-29f.

Moved by: Cyril Bennett-Nabess

Seconded by: Geneva Mason

Carried

CAO Report

17. Organization Chart & Pay Scale – The pay scale needs to be reviewed. We've amended the DOF job posting to reflect the mid-point wage scale.

18. ISC & FNFMB Compliance – Cameron Marshall and Isabel Majore have done significant work to help us meet requirements. We had a review earlier this week on our 10-year grant and compliance requirements. Within the one week that Cameron's been working with us, and with Cameron and Isabel's support, we're meeting ISC and FNFMB requirements. We have a deadline at the end of November for the documentation to be submitted. I met earlier in the week to review the monthly financial statements for the previous fiscal and will be reviewing the first 6 months of this fiscal. All of this work has been completed within this week.

19. Senior Management & Entities Planning (Facilities, Post-Treaty Organizational Chart, Community Growth) – We discussed this at senior team on Tuesday and have scheduled the planning meeting on December 11, 2024.

20. BC Cabinet & First Nations Leadership Gathering (Meeting Requests) – Deadline of December 15, 2024 – Minister, Geothermal, coordinate with Dr. Try; Meeting with Premier. Geneva will attend.

December 11, 2024 – Official opening of new hospital.

New Business

21. Geneva - Remaining months in our term, and some of the projects that we've been working on:

Emergency route

Community projects – routine maintenance.

Garbage disbursements to help with wildlife.

Soccer field – outdated, to add to the field, for example, bleachers.

Bus shelters.

Speed bumps.

Basketball court – rehome or will it remain at that state at that unit?

Land use planning projects that we can help facilitate.

Kulspai – Looking at land use. Regional district said they could help with speed bumps.

Beautification of our community.

Kitselas Canyon – sheltered area and should be able to give back.

Tents for events.

Support our emergency management branch – training. It is a gap in our region.

Donating equipment.

Culture camp coming up. What are some of the things that we can do to help them?

Glenn – Agree. Been talking about the speed bumps for the last 4 years. We also requested the security cameras.

22. Next Meeting Date & Adjournment – December 10, 2024 (Queensway)

MOTION 2024-11-27 (FOURTEEN)

THAT Kitselas Band Council adjourns the meeting (6:09 pm).

Moved by: Geneva Mason

Seconded by: Cyril Bennett-Nabess

Carried