



LOWER KOOTENAY BAND

830 Simon Road, Creston, BC V0B 1G2 Ph: 250.428.4428 Fax: 250.428.7686

September 15, 2020

Notice to the LKB Membership - Upcoming Referendum

1. STATUS OF THE CLAIM:

Chief and Council have done everything to facilitate the quick payment of the Porthill Specific Claim by the Government of Canada. The Agreement was signed on July 31, 2020 and was immediately couriered to our lawyer, who in turn immediately sent it to the federal government. For over a month, the Agreement has been at the headquarters in Ottawa awaiting the Minister's signature. Once the Minister signs the Agreement, the Porthill Specific Claim must be paid out to LKB within 45 days. We are hopeful that LKB will receive the \$1,384,144.00 payment by the end of October, 2020 but are no longer in control of the process. Chief Louie has sent two letters to the federal government encouraging the timely distribution of the funds.

2. DATE OF REFERENDUM IS YET TO BE DETERMINED:

Chief and Council do not wish to set a date for the referendum until it is known when the payment will arrive from Ottawa. It is our best guess that the referendum will be scheduled mid to late October 2020.

3. REFERENDUM QUESTION:

Chief and Council are appreciative of the community feedback they received concerning the upcoming referendum. The following Referendum Question has been drafted taking into account the variety of opinions that have been voiced by the LKB membership.

Choose either #1 or #2

- 1. I am in favour of distributing 100% of Porthill Specific to the LKB membership. **Each member would receive approximately \$5000.**

- 2. I am in favor of distributing 50% of the Porthill Specific Claim to the LKB membership. **Each member would receive approximately \$2500.**

The remaining 50% of the Porthill Specific Claim would be spent on community initiatives such as **housing development, support for elders, youth programs, post-secondary support and cultural initiatives.**

(These community initiatives would require further direction and approval by the membership.)

4. MINOR CHILDREN

Any specific claim distribution money owed to a member under the age of 18 years will be held in an interest bearing trust account until that member reaches the age of 18.

5. OPTION FOR A PAYMENT PLAN

An option will be made available for members to receive their distribution payment in smaller payments rather than one lump sum. If a member wants this option, they will have to sign a direction giving LKB this authority.

The purpose of this option is to assist members manage their money. Please speak to your family members about this option, particularly those who are struggling with addiction issues whose life could be put at risk with the receipt of a large payment.

6. DATE OF MEMBERSHIP TO RECEIVE DISTRIBUTION

A “cut-off date” has to be set by which an individual has to be an LKB member in order to be entitled to receive a distribution payment. We have received legal advice that the cut-off date chosen cannot be a random or arbitrary date.

For the purposes of this distribution, anyone who is on the Official ISC Band List as of the **Date of the Referendum** will be considered a member.

7. DEBT OWED TO THE BAND

There are a number of the Lower Kootenay Band members that owe money to the Band.

The Band may deduct up to a maximum of 50% of a member’s distribution payment order to repay outstanding debt owed by that same LKB member.