



LOWER KOOTENAY BAND

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February 21, 2023

Notice to the LKB Membership - Upcoming Referendum

1. STATUS OF THE CLAIM:

LKB has received payment of **\$534,850** from the Government of Canada to settle the 1930s and 1950s Improvements to the Porthill Hwy. Specific Claim. ("Porthill Hwy Improvements Claim") LKB settled the claim for \$550,000, understanding that a negotiating loan of \$15,150 would have to be repaid from the settlement amount. Details of the claim can be found in the accompanying letter from First Peoples Law dated November 1, 2023.

2. REFERENDUM QUESTION:

The following is the Referendum Question:

Choose either #1 or #2

- 1. I am in favour of distributing 100% of Porthill Hwy Improvements Claim to the LKB membership. **Each member would receive approximately \$ 2000.**
- 2. I am in favour of distributing 50% of the Porthill Hwy Improvements Claim to the LKB membership.
Each member would receive approximately \$1000.

The remaining 50% of the Porthill Hwy Improvements 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.)

***** all payments are subject to the provisions of the LKB Per Capita Distribution Policy which accompanies this Notice

3. DATE OF REFERENDUM:

The date of the Referendum is scheduled for **Wednesday, March 1, 2023**.

4. HOW TO VOTE:

LKB members over the age of 18 may vote by one of the following methods:

- phoning (250) 428 – 4428 between the hours of 9:00am – 4:00pm on March 1, 2023. You must state your name, your status number and whether you choose option 1 or 2.
- emailing reception@lowerkootenay.com prior to 4:00pm on March 1, 2023. You must state your name, your status card number and whether you choose option 1 or 2.
- utilizing the drop box at the front of the Wilfred Jacobs Building prior to 4:00pm on March 1, 2023. You must provide a written statement which states your name, your status card number and whether you choose option 1 or 2.

5. MINOR CHILDREN

Any specific claim distribution money owed to a member under the age of 19 years will be held in an interest-bearing trust account until that member reaches the age of 19.

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 (March 1, 2023)** 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 for housing rental arrears, legal judgements and personal loans. In respect to the Porthill Hwy Improvement Claim, Band Council has authorized the deduction of up to **20%** of a member’s distribution payment to be used to repay outstanding debt.

8. DISTRIBUTION

Any money that is distributed to the membership, will be in the form of a cheque. There will be no e-transfers or wire transfers available. A member may pickup their cheque **on March 15, 2023 between the hours of 9:00am to 4:00pm** at the Wilfred Jacobs Building. Alternatively, cheques may be mailed via Canada Post.

If you wish someone else to pick up your cheque, you must contact reception at the Wilfred Jacobs Building and provide your name, status number and give direction as to who may pick up your cheque. Everyone who picks up cheques will be required to sign for them.