



# LOWER KOOTENAY BAND

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

## OFFICIAL MINUTES

<b>Type of Meeting: Lower Kootenay Council Meeting</b>		<b>Date of Meeting: July 31, 2020</b>	
<b>Participants:</b> Chief: Jason Louie		<b>Chair:</b> DoO: Heather Suttie	<b>Recorder:</b> Doreen Cardwell
<b>Councillors: Robert Louie Sr., Josie Fullarton, Sandra Luke, Jared Basil</b>			
<b>Guests: Myriam Brulot, Donovan &amp; Co. via telephone conference</b>			
<b>Location: LKB Boardroom</b>			

### APPOINTMENTS

<b>Time: 10:09am</b>	<b>Discussion:</b>
<b>Name: Myriam Brulot, Donovan &amp; Co.</b>	<ul style="list-style-type: none"> <li>• Myriam outlined Canada's obligations and LKB's obligations</li> <li>• Effective date of agreement is the date signed by the Minister; Canada must pay within 45 days of the signature date</li> <li>• Agreement signed by Chief and Council is to be sent to Myriam</li> </ul>

### DEBRIEFING OF APPOINTMENTS

<b>Appointment:</b>	• No debrief
<b>Discussion:</b>	

### CALL TO ORDER

**Time: 10:25am**

### AGENDA

<b>Review of Agenda:</b>	<b>Additions:</b> 8b. SEM BCR 8c. Email from Tanya Brewer	<b>Deletions:</b>
<b>Motion:</b>	<b>Moved By: Sandra Luke</b> <b>Seconded By: Josie Fullarton</b>	<b>THAT: Chief and Council approve the agenda</b>  Carried <u> X </u> Defeated <u>    </u> Tabled <u>    </u>

### PREVIOUS MINUTES

<b>Review of Minutes:</b>	<b>Discussion:</b>
	• Approval of previous minutes put off until subsequent meeting

### BUSINESS ARISING FROM MINUTES

#### 8a. Specific Claim Settlement



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<b>Discussion:</b>	<ul style="list-style-type: none"> <li>BCR needed for the Establishment of the Specific Claim Agreement &amp; for the Resolution for payment &amp; direction</li> </ul>	
<b>Motion:</b>	<p>Moved By: Sandra Luke Seconded By: Josie Fullarton</p>	<p>THAT: Chief and Council approve the BCR for the Lower Kootenay Band to enter into the Establishment of the Porthill Highway on IR 1 Specific Claim Settlement Agreement with Her Majesty the Queen in right of Canada</p> <p>Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/></p>
<b>Motion:</b>	<p>Moved By: Josie Fullarton Seconded By: Sandra Luke</p>	<p>THAT: Chief and Council approve the BCR authorizing and directing Canada to pay the Compensation in Article 2 of the Agreement in accordance with the Direction to Pay</p> <p>Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/></p>
<b>8b. SEM BCR</b>		
<b>Discussion:</b>	<ul style="list-style-type: none"> <li>BCR needed for the Lower Kootenay Band to support the addition of the Ktunaxa Nation as a shareholder/limited partner to the St. Eugene Resort Limited Partnership and authorizing either the Director of Development Services, Curtis Wullum, or the Director of Operations, Heather Suttie, to negotiate on their behalf, with Holdco, the Ktunaxa Nation Council and any other current partner in the St. Eugene Limited Partnership to sell the Lower Kootenay Band's interest</li> </ul>	
<b>Motion:</b>	<p>Moved By: Sandra Luke Seconded By: Robert Louie Sr.</p>	<p>THAT: Chief and Council approve the BCR regarding the Lower Kootenay Band's interest in St. Eugene Limited partnership</p> <p>Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/></p>
<b>8c. Tanya Brewer's Email</b>		
<b>Discussion:</b>	<ul style="list-style-type: none"> <li>Tanya Brewer, the Band Administrator for Tobacco Plains, sent an email to Chief &amp; Council in regards to the Treaty issue and their interest in wishing to separate from Treaty as well</li> <li>LKB will need to get a legal opinion and possibly speak to their current lawyer, Avnish Nanda, to see if he is able to represent Tobacco Plains and if not, he may be able to suggest another law firm</li> <li>The protection of LKB assets is discussed</li> </ul>	
<b>Action:</b>	<ul style="list-style-type: none"> <li>Heather Suttie will contact lawyer Avnish Nanda</li> </ul>	
<b>ADJOURNMENT</b>		
<b>Next Meeting:</b>	TBD	



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**Adjournment:**  
**11:34am**

**Sandra Luke**