



LOWER KOOTENAY BAND

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

OFFICIAL MINUTES

Type of Meeting: Lower Kootenay Council Meeting		Date of Meeting: Nov 27, 2020	
Participants: Chief: Jason Louie		Chair: DoO: Heather Suttie	Recorder: Administrative Assistant: Chantelle Morin
Councillors: Sandra Luke, Robert Louie Sr., Josie Fullarton			
Presenter: Zina Kwan, Director of Finance			
Absent: Councillor Jared Basil			

Location: LKB Gymnasium

CALL TO ORDER

Time: 9:42AM

AGENDA

Review of Agenda:	Additions: 5h. LKB Businesses Updates	Deletions: n/a
Motion:	Moved By: Josie Fullarton Seconded By: Robert Louie Sr.	THAT: Chief and Council approve the amended agenda Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/>

PREVIOUS MINUTES

Review of Minutes:	Discussion: <ul style="list-style-type: none"> 8C. Add "Sr." to Andrew Phypers name 	
Motion:	Moved By: Sandra Luke Seconded By: Jason Louie	THAT: Chief and Council approve the amended previous meeting minutes Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/>

BUSINESS ARISING FROM MINUTES

5a. Communication Policy and Protocols

Discussion:	<ul style="list-style-type: none"> Heather Suttie has spoken with lawyer David Hughes in regards to getting his assistance in drafting a Communication Policy that covers the process for interactions with membership This policy will provide a process to respond member's questions, concerns and comments
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	<ul style="list-style-type: none"> • It is suggested that the policy should have input from Lower Kootenay Band members • Opportunity to hire a community communications liaison 	
5b. Request from Robin Louie		
Discussion:	<ul style="list-style-type: none"> • Robin Louie is requesting permission to construct a home on the south end of Lower Kootenay, no CP requested for this land • Discussion of implementing an Allotment Policy due to the high volume of members inquiring about housing and property • Allotment Policy needs to be in place before this can proceed 	
5c. Request from Ki Louie Re: Wayne's House		
Discussion:	<ul style="list-style-type: none"> • Ki Louie attended a Chief and Council on December 13, 2019 and requested a CP for the late Wayne Louie's property (Lot #40) • Chief and Council agree in principle that Ki Louie be granted the CP if all of Wayne Louie's children agree in writing to Ki Louie receiving the CP to lot 40. • Ki Louie has stated that all of his siblings are in agreement and will sign the necessary documents • Allotment Policy needs to be in place prior before this can proceed 	
5d. Request for Additional Fortis Connection for Lot #4.1		
Discussion:	<ul style="list-style-type: none"> • Fortis is requiring a BCR before providing power to buildings on reserve. LKB has made a request for a connection to the two new mini homes on Lot 4.1. 	
Motion:	<p>Moved By: Robert Louie Sr. Seconded By: Sandra Luke</p>	<p>THAT: Chief and Council grant permission to Fortis BC and their contractors to access Creston IR #1 to provide an overhead power service to new buildings located Lot 4.1 CLSR Plan 104484 Creston IR #1</p> <p>Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/></p>
5e. Requestion for additional Fortis Connection for Lot 46		
Discussion:	<ul style="list-style-type: none"> • Carrie Luke has requested that Fortis install a second power line on her CP property on Lot 46 for a trailer. She plans to turn the trailer into a cannabis dispensary • Carrie Luke has not come to Council to discuss her plans and address issues such as the dispensary's legality, its proximity to Yaqaan Nukiy School and the increase in traffic it is likely to create in the core of the community 	



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	<ul style="list-style-type: none"> • Council does not have enough information to proceed with a BCR at this time 	
5f. Minor's Trust Fund – Presented by Zina Kwan – Director of Finance		
Discussion:	<ul style="list-style-type: none"> • As a result of the Porthill Specific Claim there is money to held in trust for the benefit of Band members under the age of 19 years of age. • There are a couple of options for how this money may be held in trust: <ol style="list-style-type: none"> 1. CIBC Trust – Chief & Council as Trustees This arrangement would have Chief & Council as Trustees, with Trust activities done internally by the Finance department. Pros: <ul style="list-style-type: none"> • Less costly, estimated \$3,000 per year Cons: <ul style="list-style-type: none"> • Chief & Council are trustees, ultimately responsible for administering and investing Trust assets • Possibility of future council decisions negatively affecting Trust assets • Room for administrative errors 2. Scotiabank Third Party Trustee This arrangement would appoint an outside Trustee, who would be responsible for all Trust activities including investing, tracking of balances for each minor, payments and reporting. Pros: <ul style="list-style-type: none"> • Third party trustee responsible for administering and investing Trust assets • Separation from council and band administration means low likelihood of future council decisions negatively affecting the Trust • Less likely to have administrative errors Cons: <ul style="list-style-type: none"> • More costly, estimated \$6,000 per year not including start-up costs of \$4,000. Scotia suggests investments whose returns could offset these costs 	
Motion	Moved By: M. Jason Louie Seconded By: Sandra Luke	THAT: Chief and Council direct the Minors' Trust Arrangement for the Porthill Specific Claim Distribution be administered by a third – party trustee. Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/>



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5g. LKB Constitution

Discussion:	<ul style="list-style-type: none">• Ron Stevenson, Constitution Lawyer has put together a retainer agreement to provide legal representation through an LKB Constitution process• Wide support for moving ahead with a constitutional process; Heather Suttie, will look into grant opportunities to assist with the cost of the process.
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5h. Issues with Treaty, KNEC, Etc.

Discussion:	<ul style="list-style-type: none">• Concerns expressed with the behavior of the Chair of the KNEC• Concerns expressed about the lack of commitment to the KNEC motion to put the treaty process in abeyance
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5i. LKB Businesses Updates

Discussion	<ul style="list-style-type: none">• Request made there should be quarterly reports to the community including the financials for LKB businesses.
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ADJOURNMENT

Next Meeting:	Dec 11, 2020 @ 9am
Adjournment:	12:35pm – Chief Jason Louie