



LOWER KOOTENAY BAND

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

OFFICIAL MINUTES

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| Type of Meeting: Lower Kootenay Council Meeting | | Date of Meeting: October 11, 2019 | |
| Participants: Chief: Jason Louie Councillors: Robert Louie Sr., Jared Basil, Sandra Luke, Josie Fullarton Guests: Catherine Boies Parker, QC, Arvay Finlay, LLP | | Chair: DoO: Heather Suttie | Recorder: Administrative Assistant: Chantelle Morin |

Location: LKB Boardroom

APPOINTMENTS

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| Time: 10:00am Name: Catherine Boies Parker, QC & Sebastien Ennis, Arvay Finlay, LLP, Rachel Stace-Smith, via telephone conference | Discussion: <ul style="list-style-type: none"> • Council discussed what questions to be asked to the lawyer prior to the conference call • Negotiations w/KNC – how to proceed & explore options for potentially leaving Treaty • Concerns about ECDA and IMBA • If constitution is finalized, LKB may not be able to get out of Treaty process • Catherine Boies Parker advises to contact KNC and Treaty Commission lawyers and obtain relevant documents • LKB will need legal advice prior to explaining the consequences to members of voting to withdraw completely from Treaty • Does the community want out of the treaty process altogether or does LKB want to negotiate its own treaty? • Need to consider the distribution of powers between KNC and LKB • Economic & social effects & impacts discussed – must present to members • Jared Basil discusses the obligations w/KNC & signed agreements, wants to ensure that LKB is entitled to revenues & previous agreements if withdrawn from Treaty • Catherine Boies Parker suggest to invite Arvay Finlay negotiator, Murray Rankin, to assist & advise on how to move forward |
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DEBRIEFING OF APPOINTMENTS

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| Appointment: 10:35am Discussion: | <ul style="list-style-type: none"> • Suggestion made by Jason Louie to cease discussing further with KNC in order to not jeopardize future proceedings, have the lawyer speak on behalf of LKB |
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| | <ul style="list-style-type: none"> BCR needed to attain Catherine Boies Parker & Associates to represent the Lower Kootenay Band for the purpose of assisting with the legal issues regarding Treaty and the relationship with KNC | |
| Motion: To retain Arvay Finlay LLP | Moved By: Sandra Luke Seconded By: Robert Louie Sr. | THAT: LKB retain Arvay Finlay LLP to assist with legal issues regarding Treaty and the relationship with KNC. Carried <u> X </u> Defeated <u> </u> Tabled <u> </u> |
| Discussion: | Upcoming Community Meeting <ul style="list-style-type: none"> Next community meeting is to be held on Wed, Oct 16th @ 5pm Must update community members on the outcome & process Give options to the community and discuss Mary Basil to come in for an interview Thurs, Oct 17th @ 1pm Map of territory & lands (ownership of land), Eldon Stanley to record interview | |

CALL TO ORDER

Time: 11:00am

AGENDA

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| Review of Agenda: | Additions: | Deletions: |
| Motion: #1 | Moved By: Jared Basil Seconded By: Sandra Luke | THAT: The Agenda of October 11, 2019 be accepted. Carried <u> X </u> Defeated <u> </u> Tabled <u> </u> |

PREVIOUS MINUTES

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| Review of Minutes: | Discussion: Discrepancies of previous meeting minutes <ul style="list-style-type: none"> Spelling errors, incomplete names, inconsistent formatting Errors to be corrected – minutes be amended | |
| Motion: #2 | Moved By: Jason Louie Seconded By: Robert Louie Sr. | THAT: The amended minutes of October 11, 2019 be approved Carried <u> X </u> Defeated <u> </u> Tabled <u> </u> |

BUSINESS ARISING FROM MINUTES

1. Dates for Community Meetings – Project Reconciliation

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| Discussion: | <ul style="list-style-type: none"> Shane Gottfriedson is the best person to present the community concerning the Project Reconciliation opportunity |
| Action: | <ul style="list-style-type: none"> Heather Suttie will contact Shane Gottfriedson to find out dates when he is available |



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2. Chris Luke's Sr. Letter

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| Discussion: | <ul style="list-style-type: none"> • Heather Suttie received a letter from Chris Luke Sr. concerning the property known as the "The Point" • Chris Luke Sr. is asking for acknowledgement that the land is his • There remain concerns as there is no CP, no record of a BCR and no record of a survey being done. • Included in the Chris Luke Sr's letter is a letter signed by Mary Basil stating that while she was on Council, a BCR was signed giving a CP to Chris Luke Sr. for "The Point" • Suggestion for Chris Luke Sr. to take this matter to Indian Affairs • INAC has no record and the BCRs' are claimed to be lost in a flood |
| Action: | Heather Suttie will speak with Mary Basil in person to get her information and knowledge of "The Point." |
| Time: 11:30am | Checking In |

NEW BUSINESS

BCRs Funding for the Health Building

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| Discussion: | <ul style="list-style-type: none"> • LKB Construction funding request to FNHA for the new Community Health Facility | |
| Presenter: DoO Heather Suttie | <ul style="list-style-type: none"> • Amount requested in the amount of \$2,486,788, budget prepared by dk Architecture • Construction contract awarded to T.A. Rendek & Associates • Robert Louie Sr. suggests that the new Health Building be called "dam-u-matzupi Community Health Centre" in recognition of Mary Basil and Christine Louie | |
| Motion: #3 | Moved By: Jared Basil | THAT: Chief and Council approve the BCR as presented. |
| | Seconded By: Robert Louie Sr. | Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> |
| Motion: #4 | Moved By: Josie Fullarton | THAT: Chief and Council approve the BCR as presented. |
| | Seconded By: Jason Louie | Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> |

Kitchen Renovations

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| Discussion: DoO Heather Suttie | <ul style="list-style-type: none"> • Total cost of renovations = \$48,863.05 • Donations = \$27,500.00, shortfall of \$16,363.05 – proposed to be funded by LKB funds • Current staff members to conduct most of the renos • Proposed to inform kitchen users on how to use new equipment • Keep inventory log of all equipment and implement a new user agreement • Change current lock(s) and inventory new keys provided to staff & community members |
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| Motion:#5 | Moved By: Jared Basil Seconded By: Sandra Luke | THAT: LKB will pay up to \$17,000 of their own funds towards the renovation of the kitchen in the Administration Building. Carried <u> X </u> Defeated <u> </u> Tabled <u> </u> |
| Discussion: (not on agenda) | <ul style="list-style-type: none"> • RDCK funds – upon receipt of the (\$300,000) a community vote will be required to distribute – issue will put on next agenda to include input from DoF | |
| GAMING REVENUES | | |
| Discussion: Presenter: | <ul style="list-style-type: none"> • \$290,000 (based on population) expected beginning of November & to continue annually for 25 years • This money can not be distributed on a per capita basis to the community members • Ideas discussed on use of money – paving community roads, renos for the fitness building, transportation • Issue will be placed on the next Chief and Council Meeting agenda | |
| ADJOURNMENT | | |
| Next Meeting: | Oct 25, 2019 | |
| Adjournment: | 1:25pm – Robert Louie Sr. | |