



LOWER KOOTENAY BAND

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

OFFICIAL MINUTES

Type of Meeting: Lower Kootenay Council Meeting		Date of Meeting: October 25, 2019
Participants: Chief: Jason Louie Councillors: Robert Louie Sr., Jared Basil, Sandra Luke Absent: Councillor Josie Fullarton Guests: Robin Louie, Chad Luke, Tim Dickson of JFK Law Corporation (via teleconference)	Chair: DoO: Heather Suttie	Recorder: Administrative Assistant: Chantelle Morin
Location: LKB Boardroom		

APPOINTMENTS

Time: 9:30am Name: Robin Louie	Discussion: <ul style="list-style-type: none"> • There is a 2013 Agreement between LKB & Robin Louie allocating a CP to him subject to him constructing of a house on the lot within a given timeframe. That time frame has expired. • Robin Louie is interested in constructing a mill, to be placed in the middle of property & possibly a barber shop • Ground work – will build a road and a shop & house on back of property. Will have a temporary living constructed • Plans to work on the construction a few hours a day during the week so no disturbance to neighbors, etc. • Land use plan/site plan requested by Curtis Wullum, Robin Louie states that he will use professional contractors for the construction • Concerns discussed regarding noise complaints & risk of worker injury which could result in legal issues & potentially involve the Band • Concerns: has there been enough research done on the land & soil? Past experiences shared regarding problems due to hard soil/clay & underground springs • Jared Basil speaks of noise complaints as well and states that if all done in accordance, will need to provide information & answers to the community • Jason Louie speaks of the Veterans Allocation Act & when Robin Louie returned home from serving in the military • Robin Louie will ensure that he will follow the appropriate protocols when constructing and will provide a site/land plan
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	<ul style="list-style-type: none"> • Contract to be redrafted and proper process to be followed to move forward • To be discussed further
<p>Time: 10:20am Name: Chad Luke</p>	<p>**** Sandra Luke leaves the meeting due to a conflict regarding this agenda item</p> <p>Discussion:</p> <ul style="list-style-type: none"> • In regard to Lot 13, Chad Luke would like to move forward with land swap instead of being paid out • Chad Luke would like to have land for his family and speaks of future plans of having a modular home put on the property • Proposal for swap: Chad Luke's serviced Lot 13 to be exchanged for Lot 62 on Riverview Road. In addition the Band will construct road access, a building pad and power to Lot 62. The each lot is valued at \$10,000 and the services to each lot are valued at \$10,000. • The Band will have access to demolish the building on Lot 13 by November 1, 2019 • Jason Louie states that the exchange of CP needs to be transparent for the community members due to emotional & historical attachment • Chad Luke is in agreement to inform community members of the land swap • All council members are in favor
<p>Action:</p>	<p>Heather Suttie will construct a contract</p>
<p>Time: 10:40am Name: Tim Dickson, JFK Law Corp. via telephone conference call</p>	<p>**** Sandra Luke returns to the meeting</p> <p>Discussion:</p> <ul style="list-style-type: none"> • Background: JFK Law Corp specializes in Aboriginal Law, representing Indigenous people and is familiar with the Treaty Process • Heather Suttie states that Chief & Council are seeking advice on a proper consultation process to inform and engage the community • Jared Basil states the concerns with the treaty process and that the community wants to pull out. Wants to ensure that entitlements to benefits of previous agreements will still be honored. • Tim Dickson speaks of the processes of pulling out & the constitutional issues • Robert Louie Sr. suggests to contact other nations that have withdrawn from treaty & to provide a profile of the Lower Kootenay Band to the lawyer that will be representing LKB • Conflict of interest with previous lawyer via telephone conference discussed



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	<ul style="list-style-type: none"> Jared Basil speaks of the strength of the claim & the ability of a society to act on behalf of LKB 	
DEBRIEFING OF APPOINTMENTS		
Time: 11:25am Discussion:	Telephone Conference with Tim Dickson, JFK Law <ul style="list-style-type: none"> Jason Louie suggests that if it is decided that Tim Dickson is retained, to keep track of all costs \$20,000.00 retainer cost for Tim Dickson - \$445.00/hr, Tim Dickson was recommended by Catherine Boies Parker Council also expressed an interest in obtaining intervenor status in the Sinixts' case to be heard at the SCC 	
Motion: #1	Moved By: Robert Louie Sr. Seconded By: Jason Louie	THAT: LKB retain Tim Dickson of JFK Law to assist with legal issues regarding Treaty and the relationship with KNC. Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/>
Action:	Heather Suttie to sign the retainer agreement	
Discussion:	Robin Louie <ul style="list-style-type: none"> Suggestion of allowing Robin to explore ideas and plans & then to discuss further Input wording regarding the Robin's veteran background to establish legitimacy & fairness into the final decision that will be made Extension of agreement with conditions suggested & financial and other potential issues with construction, etc. to be placed solely upon Robin Louie In regards to liability, LKB not to be responsible. Third party liability suggested to cover financial, theft, clean up Proper security of property to be implemented To be discussed further 	
Discussion:	Chad Luke <ul style="list-style-type: none"> To be added to the agreement: consent letter for Fortis to access land, to be signed by Chad Luke 	
Motion: #2	Moved By: Robert Louie Sr. Seconded By: Jared Basil	THAT: LKB approves the agreement to exchange Chad Luke's Lot 13 for Lot 62 plus providing road access, a building pad and power to Lot 62. Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/>



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CALL TO ORDER

Time: 12:00pm

AGENDA

Review of Agenda:	Additions: <ol style="list-style-type: none"> 1. 8c. Allowing access 2. 8d. Council update (sector update) 3. 8e. Health Update 4. 8f. Heritage Tuesdays 	Deletions:
Motion: #3	Moved By: Jared Basil Seconded By: Sandra Luke	THAT: The Agenda of October 25, 2019 be accepted. Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled

PREVIOUS MINUTES

Review of Minutes:		
Motion: #4	Moved By: Jared Basil Seconded By: Sandra Luke	THAT: The previous minutes of October 11, 2019 be approved Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled

BUSINESS ARISING FROM MINUTES

1. Shane Gottfriedson

Discussion:	<ul style="list-style-type: none"> • Email sent to Shane Gottfriedson to arrange for a community meeting in respect to Project Reconciliation
Action:	<ul style="list-style-type: none"> • Heather Suttie to send option of date in November

2. Gaming Revenues

Discussion:	<ul style="list-style-type: none"> • Zina Kwan, Director of Finance, to be part of further discussion
Action:	Zina Kwan to be present and added to discussion at next council meeting

3. Ad Hoc Addition to Agenda re: New Gym Considerations (Basement of Yellow House)

Discussion:	<ul style="list-style-type: none"> • Finish date to be November 18th, security discussed • "Name the Gym" contest posters have been distributed, winner to be decided and announced on Nov 8th at the next meeting • Suggestions of grand opening – acknowledge workers involved • Jason Louie to open up the gym in the mornings, staff to lock up in the evening • Proposed to have a tutorial/orientation of gym equipment, gym users must attend before being able to use the gym
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	<ul style="list-style-type: none"> • Sign in sheet required to keep track of people using the gym in case of theft, damage, etc. 	
Time: 12:45pm	Checking In	
NEW BUSINESS		
8a. Treatment Centre		
<p>Discussion:</p> <p>Presenter: DoO Heather Suttie</p>	<ul style="list-style-type: none"> • BCR needed for LKB referendum of designation of treatment centre • Council needs to affirm that they accept the results of the referendum for the designation • Designation to last for 99 years, can be subleased • Currently in the Design phase – construction to begin next spring/summer • Discussion of having knowledgeable person(s) to assist with keeping the treatment centre successfully operating • LKB must ensure that there is representation from this community on the board/society that is going to be making decisions in respect to programming at the treatment centre • Must have set programs in place, wanting to avoid it from becoming a drop-in centre (Scottie's) • Failure of previous treatment centre discussed • Sandra Luke suggests to have Anne Jimmie & Angie Louie involved • Jason Louie suggests to prepare members for employment opportunities 	
Motion: #5	<p>Moved By: Jared Basil</p> <p>Seconded By: Sandra Luke</p>	<p>THAT: BCR Approved</p> <p>Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled</p>
8b. Amendment to Log Purchase Agreement		
<p>Discussion:</p> <p>Presenter: DoO Heather Suttie</p>	<ul style="list-style-type: none"> • Proposed amendment to the original log purchase agreement with Canfor to add an additional 38,099 m3 to the agreement for a new total of 55,215 m3 • Agreement ends December 31, 2022 	
Motion: #6	<p>Moved By: Jared Basil</p> <p>Seconded By: Robert Louie Sr.</p>	<p>THAT: Authorize LKDLP to enter into the amended agreement with Canfor</p> <p>Carried <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled</p>
8c. Allow Access to Fortis re: new Health Building		
<p>Discussion:</p> <p>Presenter:</p>	<ul style="list-style-type: none"> • LKB to allow access to Fortis BC to hook up power to new building 	



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DoO Heather Suttie		
Motion: #7	Moved By: Robert Louie Sr. Seconded By: Sandra Luke	THAT: LKB gives permission to Fortis BC to install power to the new Health building Carried <u> X </u> Defeated <u> </u> Tabled
8d. Council Update (Sector Update)		
Discussion: Presenter: Jared Basil	<ul style="list-style-type: none"> • The KNC Education and Employment Sector plans to go to colleges in the surrounding communities to find out what programs are being provided for indigenous people • Changes to operations to be made • The Employment and Education Sector is no longer planning a meeting with the Ministry of Education but LKB can try to arrange its own meeting to deal with its own issues 	
Action:	Heather Suttie to contact the Ministry of Education directly to arrange a meeting with the Minister.	
8e. Medical Services Update		
Discussion: Presenter: Jason Louie	<ul style="list-style-type: none"> • Issues with current KNC health funding outlined • We will have a 5-million-dollar Health Centre and not enough health funding to properly staff it • Proposal of bringing in a physician (Dr. Kettner) for community members • Meeting with Dr. Kettner to be arranged, to discuss what he can offer • Suggestions of bringing in a dental hygienist 	
Action:	Jason Louie to attend Health Caucus and meet with Dr. Kettner.	
8f. Heritage Tuesdays		
Discussion: Presenter Robert Louie Sr.	<ul style="list-style-type: none"> • Robert Louie Sr. to start teachings on Tuesday, Nov 5th in the LKB gym from 6 – 7:30pm • Members are interested in learning about the lands & the history • Grandparents Group Funding could be used for meals • Posters to be made and distributed to members 	
Action:	Heather Suttie will arrange for staff to assist in the organization of the event.	
ADJOURNMENT		
Next Meeting:	November 8, 2019	
Adjournment:	2:15pm – Jared Basil	