



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: October 20 2023	
Participants: Chief: Jason Louie Councilors: Josie Fullarton, Cherie Luke, Robin Louie Absent: Chad Luke Guests: Denice Louie, Anthea Darychuk, Curtis Wullum	Chair: CAO: Heather Suttie	Recorder: Executive Coordinator: Doreen Cardwell

Location: Council Chambers & Zoom

CALL TO ORDER

Time: 9:01

AGENDA

Review of Agenda:	Additions: 4. Appointments Curtis Wullum – Rykerts Property Appraisal Curtis Wullum – Moratorium on Mining 7c. Letter of support for Kaslo Community Forestry Society 7d. Traplines Lardo 7e. Crosby Jersey	Deletions: N/A
Motion:	Moved by: Josie Seconded by: Cherie	THAT: Chief and Council approve the amended agenda. Carried X Tabled Defeated

APPOINTMENTS

Time: 9: 05 a.m. Name: Denice Louie	Discussion: <ul style="list-style-type: none"> • Would like to split CP that Robert Louie Sr. left to Laz Louie in his will. She is asking for Council’s approval to move forward with dividing the property. • Denice would purchase second CP that Legend Logos is on. Laz wants to keep the house. • Once surveyor shows how he is splitting lot – the survey will be sent to NRCAN. Then Council would sign a BCR approving the survey.
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	<ul style="list-style-type: none"> • Council would then approve fees to pay surveyor. Denice said she will copy the costs for the surveyor. • Could be longer than 6 months for the full process. • Once two lots are split, then you can purchase. • Each separate lot already has separate water, septic, driveway. • Council recommends that there needs to be a policy around division of property for the future. Have a max amount of \$10,000 for survey. In case by case, 50% of whatever the case is with cap. Include in policy that septic, power, water be CP holder's responsibility. • Possibility that LKB could purchase land that Legend Logos is situated on and Denice could mentor a Band Member to take over the business. Denice would be ok with that. • Heather will draft policy for next Council Meeting. • Then make it public. • Something to consider: If we split cp lots, do we have enough water – easements of access = additional cost for survey. If cp owner wants mortgage, LKB has to co sign mortgage and hold that property until mortgage is paid.
<p>Time: 9:32 am Name: Anthea Darychuk (via Zoom)</p>	<ul style="list-style-type: none"> • Work for Castleman Group. Relates to self determination. • Hired to Support the collaborative view of IMBA. • How have you been involved in review process? First time for LKB. Curtis had heard rumors but didn't know when it was happening. • Anthea showed process on the screen. Issues that we want to come back to you with. • Looking at state of shared vision – endurance partnership for a healthy and prosperous future. • Anthea will send LKB the information. • Is there time in coming months to have about an hour and a half of your time to have extended conversation. • Nov. 9 Robin is taking Teck on the land. Robin invited Anthea. She said yes she will come. • Heather will send Anthea Robin's email address. • What is the end goal of these discussions is to do a 5 year review. Also to improve assets of the IMBA – spend our time reviewing how to improve procurement, etc.
<p>Time: 9:52 am Name: Curtis Wullum</p>	<ul style="list-style-type: none"> • Argenta Appraisal • Appraisal came back at \$690,000. Does not include timber value. • Possibly \$300000 - \$400000 of timber value • October 31, 2023 is date to remove conditions.



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<p>Motion:</p>	<p>Moved By: Josie Fullarton Seconded By: Cherie Luke</p>	<p>THAT: Chief and Council negotiate with seller to a current value of \$700,000 with a maximum of \$750,000.</p> <p>Carried X Tabled Defeated</p>
<p>Time: 10:35 am Name Curtis Wullum</p>	<ul style="list-style-type: none"> • Rykerts Property Appraisal • 47 acres situated at 200 Hwy 21 • \$1.3 Million negotiated price. No formal offer. • Seller provided appraisal dated 2022. Cost could be less due to rise in interest rates • 40 acres cleared land, 7 acres with timber • Unfinished log home • We could bring community members to see the property • We could get a new appraisal from someone in Cranbrook/Nelson 	
<p>Motion:</p>	<p>Moved by: Josie Fullarton Seconded by: Cherie Luke</p>	<p>THAT: Council & Community tour the property and get a new appraisal, renegotiate a new lower price.</p> <p>Carried X Tabled Defeated</p>
<p>Time: 10:55 Name: Curtis Wullum</p>	<ul style="list-style-type: none"> • Initial moratorium was placed on Goat River and another mineral exploration up the lake, back in March 2023. • Legend Property at Loss Creek, expanded moratorium this summer. • Moratorium includes 4 mines on Ferguson Creek. Letter was sent that we did not want mine to move forward. • Newspaper article came out Oct. 17 – Taramis Resources Inc. re permitting delays. Says Indigenous Nations do not have a say as the Crown owns the land. • Company has filed a petition with BC Supreme Court. There is a chance BC supreme court will dismiss it. • This is a concern as it may set a precedent for all mining territories within the province. • Looking for council’s position – lay low or work with the Nation to address this. • Council has asked Curtis Wullum to respond forcefully and to make Nations aware • Give this info to First Nations Summit • Curtis will put something together and get back to Council next week. • Get communications person at KNC to send to other First Nations communities. • Curtis will have our lawyer look at it. 	



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PREVIOUS MINUTES

Review of Minutes:	Discussion: October 6, 2023 C&C Meeting Minutes		
Motion:	Moved By: Robin Louie Seconded By: Cherie Luke	THAT: Chief and Council approve the October 6, 2023 Meeting Minutes	
		Carried	X Tabled Defeated

BUSINESS ARISING FROM PREVIOUS MINUTES

	Discussion: n/a		
Motion:	Moved By: Seconded By:	THAT: Chief and Council	
		Carried	X Tabled Defeated

NEW BUSINESS

7 a. Legacy Fund BCR

Discussion:	<ul style="list-style-type: none"> • Getting a process in place for Legacy Fund • Any expenditure of Legacy Fund requires approval of KNEC • KNEC could distribute funds equally to each community in Canada 		
Motion:	Moved By: Robin Louie Seconded By: Josie Fullarton	THAT: Chief and Council, for and on behalf of the Lower Kootenay Band, direct that the Chairperson of the KNEC, place the following motion on the next KNEC Meeting Agenda: The Ktunaxa Nation Executive Council directs that the balance of Ktunaxa Nation Legacy Fund as of March 31, 2024 be distributed equally to the each of the four Canadian Ktunaxa communities, Yaqan nuʔkiy, ʔakisq̓nuk First Nation, ʔaq'am and Yaq̓it ʔa-knuq̓i'it.	
		Carried	X Tabled Defeated

7. b – Sinixts

Discussion:	<ul style="list-style-type: none"> • Does yaqan nukiy want it's own legal counsel • Who do we want at the table negotiating this • Council suggested that yaqan nukiy leadership sit with Sinixt leadership, bring out the pipe at the Round House. Invite the media to record. 		
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	<ul style="list-style-type: none"> • Then afterwards, once everyone has a chance to speak, we can say we came to an understanding • If no resolution in sight, then we fight. • Maybe we should hear from others in our community about their concerns with the Sinixt. • Jason to reach out to Richard De Soto. 	
7. c – Crosby Jersey		
Discussion:	<ul style="list-style-type: none"> • Jenni Jacobs is coming to the end of her sight. • She is a Sydney Crosby fan. • Family is willing to partner with us to get the jersey which is part of the silent auction of the Thunder Cats. • Kat will have a school Jersey day and if Jason can secure it via bid. • Does Jenni have covering over her house and vehicle that protects her. Heather will look into it. 	
Motion:	Moved by: Josie Fullarton Seconded by: Robin Louie	THAT: Chief and Council authorize Jason Louie to bid on the Crosby Jersey up to a maximum of \$10,000. Carried X Tabled Defeated
7.d Trap lines		
Discussion:	<ul style="list-style-type: none"> • Robin will put together cost for two traplines and will get these back to Curtis. 	
7.e – Support for the Kaslo Community Forest Society	<ul style="list-style-type: none"> • Moved by Robin Louie • Seconded by Jason Louie 	THAT: Council will provide a letter of support to Kaslo Community Forest Society for them to conduct a feasibility study on biomass Carried X
IN CAMERA		
Motion:	To Go In Camera: n/a Moved By: Seconded By:	To Go Out Of Camera: Moved By: Seconded By:
ADJOURNMENT		
Next Meeting:	November 3, 2023	
Adjournment:	Moved by: Josie Fullarton – 1:11 p.m.	