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HFN Executive Council Briefing Note on Economic Development Committee Expansion

Date: September 15, 2011

To: HFN Executive Council and Law Clerk

From: John A. Jack, Chair of Economic Development Committee

Issue

The HFN Economic Development Committee serves as the Board of Directors of the Huu-ay-aht Development Corporation (HDC). Currently, there sits only two (or three*) official members of the HDC's Board of Directors: John A. Jack as the Chairman and Tommy Joe as a member (and possibly Derek Peters as well). Recent meetings of the Economic Development Committee have underlined the need for more members, since there are individuals who have been members before Effective Date who have either resigned or may not (yet) be reappointed.

Background

The HFN Economic Development Committee serves as the political body that focuses on policy issues surrounding economic development in HFN territory. By *Paragraph 5, Section F, Part 2* of the Financial Administration Act (FAA), it also serves as the business-oriented Board of Directors for the Huu-ay-aht Development Corporation.

According to *8(1)B* of the FAA, the committee may have three but no more than five not including the Chairperson. Furthermore, *8(2)* of the FAA goes on to state that the membership of this committee may be made up of a minority of non-citizens. If there are at least two citizens sitting as members, then there may be one additional non-citizen Director sitting at the table.

*Special Considerations

Before the Effective Date of the Maa-nulth Final Agreement, Derek Peters was a full member of the Economic Development Committee. With to our Constitution establishing him as the first appointed Ha'wiih Representative on the HFN Council, there

arose the question on whether he is automatically a member of the Economic Development Committee.

Upon earning an elected seat on HFN Council, Jack Cook resigned his position with the Economic Development Committee due to the amount of work required possibly conflicting with what would be his portfolio duties. As a result, the same concept could apply here and it needs to be determined whether Derek Peters feels that his current duties would not suffer from further (re)involvement in an official capacity and that this body agrees with that assessment.

As such, unless the Law Clerk or Legal Counsel come back with official word on the matter, it would be wise to make this decision sooner than later. Therefore, there are two decisions that need to be made that will affect one-another: (**1**) "Does Derek Peters want to be a member of the Committee and Board, and does Executive Council agree with his membership?" and (**2**) "Will we expand the Committee and Board, and by how many seats?"

Options

1. The first option would be to not appoint any more members of the committee.

2. The second option would be to expand the Economic Development Committee to include the full allotment of members, 3 (or 2) citizens and 2 non-citizens. Please note that this would create a committee whereupon tie votes could occur.

3. Another option would be to fill fewer positions such as 3 citizens and 1 non-citizen or some variation thereof.... This would be a decision to ensure that there is an odd number of seats on the Committee and Board to ensure that decisions will not be deadlocked, though such a result could be more a fault of Chairmanship rather than the system.

Recommendations

The only recommendation that the Economic Development Committee (such as it is with two or three members) is that the committee be expanded as soon as possible. If Derek Peters wishes to be reappointed a member, then this committee would recommend that Executive Council deeply consider this as his involvement in the committee before the Effective Date was valuable.

Huu-ay-aht First Nations – Written Motion

(*Government Act*, s. 52)

For ease of reference, this motion may be referred to as:

Motion Regarding _____Economic Development Committee Expansion_____

Motion

Be it resolved that the Huu-ay-aht Executive Council designates that 2 positions on the HFN Economic Development Committee be filled by Huu-ay-aht citizens and 2 positions be filled by non-citizens.

Follow-up action to be taken:

Date for completion of follow up action: _____

Appendices attached to Motion:

☐ Written report prepared by _____John A. Jack_____.

Note: Section 56 of the *Government Act* requires that the report on any substantive matter to be considered by Executive Council must be provided to Executive Council at least 4 working days in advance of its consideration.

☐ The following documents:

Note: Any documents or records referred to in the motion MUST be attached (*Government Act*, s. 52(5)).

_____

_____

_____

_____

_____

_____

_____

Introduced by: John Jack

Executive Council member

Huu-ay-aht First Nations – Record of Motion

If passed, becomes

Record of a Resolution of Executive Council

(Sections 52 and 53, *Government Act*)

Motion

Introduced by:

John A. Jack — Executive Council member

Economic Development — Councillor's portfolio (if applicable)

Sept. 15 / 11 — Date

John Jack. — Signature of Councillor

Decision to be made:

Adopt or reject motion regarding:

Agenda item 3a Economic Development Committee Expansion of Committee Members, attached.

Record of decision:

☑ Adopted by consensus **OR**

☐ Recorded vote called by _____ (Executive Council member)

Record of vote:

Councillors in Favour:	Councillors Opposed:	Abstentions:

Resolution Number

☐ Did not pass

☐ Passed by Executive Council

Resolution #: 2011 - 57

Date effective: _____

Sept. 15 / 11 — Date

_____ — Signature of Chair