# EXECUTIVE COUNCIL MEETING

Wednesday, February 17, 2012
9 am, Port Alberni Government Office

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**Attendance:** Jeff Cook (Chair), Derek Peters, Jack Cook, John Jack, Tom Happynook, Sheila Charles, Charlie Clappis,

**Resource**: Rob Botterell, Deborah Smith (Recording Secretary)

**Absent:** Connie Waddell

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## MINUTES OF THE MEETING

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## 1. CALL TO ORDER

The meeting was called to order at 9:00 am.

## 2. AGENDA

MOTION:

BE IT RESOLVED that in the circumstances it is reasonably justified to add the Proposed Agenda items to the Agenda for the February 17, 2012 Executive Council meeting; and the Proposed Agenda items are hereby added to the Agenda for the February 17, 2012 Executive Council Meeting.

**Moved and Seconded**
**Adopted by Consensus**
**Resolution #2012-034**

The meeting went "in camera" at 9:15 am. The special meeting resumed at 11:15 am.

## 3. PRESENTATION OF BUDGET ACT, FREEDOM OF INFORMATION ACT AND REAL PROPERTY TAX ACT

Rob Botterell reviewed the Budget Act, Freedom of Information Act and Real Property Tax Act. With respect to the Budget Act, Budget Line #1 will be reduced by $37,260 and Budget Line #2 will be reduced by $37,260; a new provision entitled "Special Programs Fund" will be inserted. The finalized budget numbers will be circulated once available.

MOTION:

BE IT RESOLVED that Executive Council hereby approves the draft Proposed Act, with changes as discussed at the February 17, 2012 Executive Council Meeting, for introduction

at the March 2012 Session of the Legislature; and authorizes and directs the Law Clerk to make legal and legislative drafting changes to the Proposed Acts to finalize them for introduction to and passage by the legislature.

**Moved and Seconded**
**Adopted by Consensus**
**Resolution #2012-034**

## 4. PERSONNEL MATTERS

MOTION:

BE IT RESOLVED THAT Executive Council considers that in light of the special circumstances set out above a delay in consideration of the matter is not in the best interests of the Huu-ay-aht; and Executive Council hereby waives the requirement(s) that the report regarding the Substantive Matter be in writing and be delivered four working days in advance of consideration.

**Moved and Seconded**
**Adopted by Consensus**
**Resolution #2012--036**

MOTION:

BE IT RESOLVED THAT Executive Council will, as soon as possible:

1) Write and send a letter from the Huu-ay-aht Council to Norman and Rita Dennis:

    a. Advising them that their communication to members of Huu-ay-aht government and administration constitutes harassment and contain discriminatory statements, which are serious violations of Huu-ay-aht and Canadian law.

    b. Directing them to immediately cease communicating with Huu-ay-aht employees, both in writing and verbally.

    c. Advising them that Executive Council is referring the matter of their conduct and communication to the Huu-ay-aht Tribunal for review and adjudication under Huu-ay-aht Law.

    d. Stating that their actions have constituted serious violations of law, and recommending that they seek legal advice.

    e. Copying the letter to Connie Waddell, and to the Acting Executive Director, and the Huu-ay-aht Directors.

2) Refer the matter of their communications to government and administration, and the consequences of those communications, to the Huu-ay-aht Tribunal for review, adjudication and determination:

   a. Under s. 17(1)(b) and s. 28; and

   b. Under s. 17(1)(g), directing the Tribunal to investigate the circumstances of their communications to government and administration and the consequences of those communications, and to make any recommendations to Executive Council toward addressing and preventing future discriminatory and harassing communication from Huu-ay-aht citizens to employees.

3) Draft and circulate an open letter to Huu-ay-aht Citizens

   a. Stating that over the last few months Huu-ay-aht government and administration have received concerning communication from Huu-ay-aht citizens directed at Huu-ay-aht employees. The communications contain discriminatory statements and constitute harassment. These are serious violations of Huu-ay-aht and Canadian law.

   b. Advising that Executive Council has an obligation to and will ensure that it provides its employees with a safe, respectful, and harassment-free workplace.

   c. Advising that Executive Council has directed the citizens to cease the harassing communication.

   d. Advising that Executive Council is referring the matter of the harassing communication, and its consequences, to the Huu-ay-aht Tribunal for an independent determination of the matter under Huu-ay-aht Law.

   e. Reminding citizens that citizen correspondence with Government is welcome, but that all Huu-ay-aht Citizens are bound to follow the principles of ii-saak, and to uphold and respect the Huu-ay-aht Constitution and Laws. The letter will remind citizens of the proper means to bring questions, comments and criticism to the attention of Government.

**Moved and Seconded**
**Adopted by Consensus**
**Resolution #2012--037**

There being no further business the meeting adjourned at 2:10 pm.