EXECUTIVE COUNCIL MEETING

Wednesday, January 18, 2012
10 am, Administration Office, Anacla

Attendance: Jeff Cook (Chair), Jack Cook, John Jack, Tom Happynook, Connie Waddell, Larry Johnson, Deborah Smith (Recording Secretary)

Conference Call: Sheila Charles, Charlie Clappis

MINUTES OF THE MEETING

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1. CALL TO ORDER

The meeting was called to order at 10:07 am. The location of the meeting was moved to the Port Alberni Government Office due to winter weather conditions. Those Council members already in Anacla joined via conference call.

2. AGENDA

Food Fish Budget, Subdivision Clarification and Capital Projects Completion Costs were added to the Agenda.

MOTION:

BE IT RESOLVED that in the circumstances it is reasonably justified to add the Proposed Agenda items to the Agenda for the January 18, 2012 Executive Council meeting; and the Proposed Agenda items are hereby added to the Agenda for the January 18, 2012 Executive Council Meeting.

Moved by Tom Happynook
Adopted by Consensus
Resolution #2012-001

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 by Sheila Charles
Adopted by Consensus
Resolution #2012-002

3. APPROVAL OF MINUTES

With respect to the Motions passed at the meetings, it was requested that the Executive Director/Law Clerk prepare a grid each month and provide the status of each motion.

Action: Executive Director/Law Clerk

MOTION:

BE IT RESOLVED that Executive Council approves the Minutes of the December 14, 2011 meeting with minor changes.

Moved by Tom Happynook
Adopted by Consensus
Resolution #2012-003

4. STANDING ITEMS

a) Executive Council Report

For future meetings, the Executive Director/Law Clerk will combine "Emerging Issues" from each Councillors report into one report.

Action: Executive Director/Law Clerk

MOTION:

THEREFORE BE IT RESOLVED that Executive Council accepts the Executive Council Reports as submitted.

Moved by Sheila Charles
Adopted by Consensus
Resolution #2012-004

MOTION:

THEREFORE BE IT RESOLVED that Executive Council approves the attached format for the Executive Council Reports

Moved by Derek Peters
Adopted by Consensus
Resolution #2012-005

b) Executive Director's Report

Larry Johnson advised that his tenure as "Acting Executive Director" was action packed. Larry reviewed his report as it relates to the Economic Development Committee and HDC.

It was confirmed that Executive Council cannot dictate how the HDC runs the business; that is the responsibility of the Board of Directors.

John Jack advised that all issues that brought up in the Acting Executive Director's report have been addressed.

There will be a Council/Staff forum on January 27, 2012 at the House of Huu-ay-aht at 11:00 am.

MOTION:

BE IT RESOLVED that Executive Council accepts the Acting Executive Directors Report as submitted.

Moved by Jack Cook
Adopted by Consensus
Resolution #2012-006

c) Financial Report

Alan Legg reviewed the Financial Statements.

MOTION:

BE IT RESOLVED that Executive Council accepts the Financial Report as at November 30, 2012 as presented.

Moved by John Jack
Adopted by Consensus
Resolution #2012-007

The meeting broke for lunch at 12:05 pm. The meeting resumed at 12:47 pm and went to an "in camera meeting"

The meeting continued at 1:41 pm. The meeting broke for the day at 1:45 pm.

The meeting resumed on Thursday, January 19, 2012 at 9:10 am. As Connie Waddell was unable to attend, Deborah Smith was appointed as Acting Law Clerk

c) Financial Report cont…

Jeff Cook asked Alan Legg to join the meeting to provide Executive Council with the financial information necessary to make an informed decision regarding the HDC Business Plan. Alan advised that there is money available in the investment fund.

Stan Coleman joined the meeting to review the HDC Business Plan. The following items were clarified/recommended:

- Clarified that $400,000 was previously approved by Executive Council to March 31, 2012 and was now requesting an additional $460,000 to March 31, 2012.
- Clarified that Bam 400 - $50,000 was for a feasibility study.

- Clarified that this is a Business Concept Plan and that a Business Plan would be produced separately for each project.
- Recommended that Stage B – Development of a Business Case should be added to the list.
- Recommended that the list of existing businesses be added to the list of new projects.

The meeting broke for lunch at 12:10 pm. The meeting resumed at 1:04 pm.

MOTION "A"

THEREFORE BE IT RESOLVED that Executive Council approves the HDC Economic Concept Plan in principle as presented.

Moved by Derek Peters
Adopted by Consensus
Resolution #2012-007

MOTION "B"

THEREFORE BE IT RESOLVED that Executive Council Approve in principle HDC and its subsidiaries as the sole agency with the authority to harvest timber for commercial purposes on Huu-ay-aht Treaty Settlement Lands; and direct the Executive Director to take the steps necessary to transfer a long term forest harvesting tenure to Forestry Limited Partnership subject to HDC providing an acceptable Forest Management Plan, proposed Allowable Annual Cut level and receiving approval from the People's Assembly if needed in 2013/14.

Moved by John Jack
Adopted by Consensus
Resolution #2012-008

MOTION "C"

THEREFORE BE IT RESOLVED that Executive Council direct that the project be placed on the list of economic development projects identified by Executive Council under the Economic Development Policy Regulation at Stage (a) (identification of the concept and determination of feasibility; and the Economic Development Committee return to Executive Council with the business case as soon as possible for approval to proceed to Stage (b).

Moved by John Jack
Seconded by Sheila Charles
Adopted by vote
Resolution #2012-009

MOTION "D"

THEREFORE BE IT RESOLVED that Executive Council clarify that commercial fishing licenses be managed by HDC to maximize profit, including licenses purchased in the Treaty, and direct the Board of Directors of HDC to take the steps necessary to manage the licenses and purchase new licenses.

Moved by John Jack
Seconded by Sheila Charles
Adopted by vote
Resolution #2012-010

MOTION "E"

THEREFORE BE IT RESOLVED that Executive Council direct that the Sarita project be placed on the list of economic development projects identified by Executive Council under the Economic Development Policy Regulation at Stage (d) (development of a comprehensive business plan); and the BAM 400 be placed on the list of economic development projects identified by Executive Council under the Economic Development Policy Regulation at State (a) (identification of the concept and determination of feasibility; and the Economic Development Committee return to Executive Council for approval with the required business case for BAM 400 to proceed to Stage (b) and the required business plan for the Sarita Project to proceed to Stage (e).

Moved by John Jack
Adopted by Consensus
Resolution #2012-011

MOTION "F"

THEREFORE BE IT RESOLVED that Executive Council direct the aquaculture project be placed on the list of economic development projects identified by Executive Council under the Economic Development Policy regulation at Stage (d) (development of a comprehensive business plan); HDC to make the investments proposed in the HDC Business Plan; and the Economic Development Committee to return to Executive Council with the required documentation within one year.

Moved by John Jack
Adopted by Consensus
Resolution #2012-012

MOTION "G"

THEREFORE BE IT RESOLVED that Executive Council directs that the purchase of the Bamfield Restaurant and Store project be placed on the list of economic development projects identified by Executive Council under the Economic Development Policy Regulation at Stage (a) (identification of the concept and determination of feasibility); HDC undertake due diligence on the proposed purchase; and The Economic Development

Committee return to Executive Council with the business case as soon as possible for approval to proceed to Stage (b).

Moved by John Jack
Adopted by Consensus
Resolution #2012-013

MOTION "H"

THEREFORE BE IT RESOLVED that Executive Council directs the CEO of HDC to inform Transport Canada that the offer will not be purposed by HDC and further direct the Executive Director to inform Transport Canada that the offer will not be pursued by Huu-ay-aht First Nations.

Moved by John Jack
Adopted by Consensus
Resolution #2012-014

MOTION "I"

THEREFORE BE IT RESOLVED that Executive Council approve in principle the development of an expedited approval process to move quickly to seek Executive Council approval to purchase property if warranted and supported by a clear business case, and direct the Executive Director and HDC to work together to develop and implement the purchasing process.

Moved by John Jack
Adopted by Consensus
Resolution #2012-015

MOTION "J"

THEREFORE BE IT RESOLVED that Executive Council approve an investment of $460,000 in the Huu-ay-aht Development Corporation in 2011/2012 and $350,000 in 2012/13 pending a review from Finance Committee.

Moved by John Jack
Adopted by Consensus
Resolution #2012-016

The Finance Committee did not recommend to Executive Council to approve Motion at the January 11, 2012 meeting based on the financial information available at the time. It was clarified that the money requested would come from Capital not Contingency. The Acting Law Clerk clarified that this can be reviewed at the February 1, 2012 meeting and Finance Committee's recommendation can be brought to the February 15, 2012 Executive Council Meeting.

The meeting broke for the day at 2:00 pm. The meeting resumed at 1:03 pm on Friday, January 20, 2012.

5. NEW BUSINESS

a) Tribunal Remuneration

MOTION

THEREFORE BE IT RESOLVED that Executive Council appoints Jeff Cook re present Huu-ay-aht First Nations regarding Tribunal Remuneration.

Moved by John Jack
Adopted by Consensus
Resolution #2012-017

b) Food Fish Budget

Tom Happynook reviewed the briefing note.

Executive Council discussed the importance of Food Fish for Huu-ay-aht Citizens. The survey for Huu-ay-aht Citizens needs to be distributed as soon as possible so that the results can be shared.

In keeping with the Budget process, this was referred back to the Finance Committee to make recommendations at Budget Meetings.

c) Subdivision Clarification

Charlie reviewed briefing note.

MOTION :

BE IT RESOLVED that Executive Council accepts Finance Committees recommendation that the amount of lots in the upper Anacla subdivision has not yet been decided by this Government and to refer to the development as a "Subdivision" and not longer using 51 lots as the plan for phase one of the development.

Moved by Charlie Clappis
Adopted by Consensus
Resolution #2012-018

d) Capital Projects Completion Costs

MOTION :

BE IT RESOLVED that Executive Council accepts Finance Committees recommendation to approve the funds expenditure for the Water Project of $18,000 and for the Administration Health Building of $115,600.33.

Moved by Charlie Clappis
Adopted by Consensus
Resolution #2012-019

There being no further business the meeting adjourned at 2:04 pm.