

Council Meeting

Tuesday December 15th, 2020
Toquaht Boardroom
AGENDA

<https://us02web.zoom.us/j/89686451763?pwd=ZWZJY0NFSitKNE9sVFJlY0s2TzcxUT09>

Start time: 5:00 p.m.

Guest: Angela Polifroni

Convening the meeting

Adoption of Agenda

Approval of minutes for December 1, 2020

STARTS CM00526

REGULAR BUSINESS

1) PETITIONS, DELEGATIONS & PRESENTATIONS

2) DECLARATION

- a) Discussion regarding extending the Toquaht State of Emergency another week

Effective as of the date of this Order and pursuant to section 2.4(a) of the Emergency Preparedness Act, the ƛaʔwii declares that a state of local emergency continues on all Toquaht lands (see full Order TNO 49/2020)

3) CORRESPONDENCE FOR ACTION

- a) Qacca Settlement Trust Draft Operating budget

THAT Council resolve to approve the Qacca Settlement Trust Draft Operating Budget Year Ending December 31, 2021

4) CORRESPONDENCE FOR INFORMATION

- a) ACRD Bulletins
- b) Qacca Settlement Trust financial statements period ended 2020-09-30

THAT Council resolve to receive agenda item 4a-c for information.

5) REQUEST FOR DECISION AND LEGISLATION

6) REPORTS

a) Staff Reports

i) Citizen Transfer report

THAT Council resolve to receive agenda item 6 a for information.

7) LATE BUSINESS

Additions/deletions

-
-

Adjourn meeting

Next Council meeting: Tuesday February 16, 2021, 5:00 p.m.
By Zoom

Council Meeting

Tuesday, December 1st, 2020
Teleconference
DRAFT Meeting Minutes

Present:

Call-In: Kevin Mack, Anne Mack, Kirsten Johnsen, Naomi Mack

Absent: Noah Plonka

Chair: Kirsten Johnsen

Guest: Angela Polifroni

Recorder: Naomi Mack

Quorum was present throughout the meeting

Council Meeting convened at 5:00 p.m.

Agenda adopted by consensus

Minutes from August 11, 2020 approved by consensus

STARTS CM00519

AGENDA

REGULAR BUSINESS

1) PETITIONS, DELEGATIONS & PRESENTATIONS

2) Declaration

a) Public notice from YFN

b) Discussion regarding extending the Toquaht State of Emergency another week

Effective as of the date of this Order and pursuant to section 2.4(a) of the emergency

Preparedness Act, the ɥaʔwił declares that a state of local emergency on all Toquaht lands

(see full Order TNO47/2020)

c) Clarity was sought for who receives the COVID-19 relief

CM00519

MOVED: Kevin Mack

SECONDED: Anne Mack

THAT Toquaht Council resolve that all citizen youth under 18 years of age receive \$300 in COVID-19 relief funding to be distributed to their parents or guardians. Youth enrollees are to receive \$200 to be distributed to the Children's Fund as well as \$300 to their parent or guardian.

YES: 4

NO: 0

Motion Carried

Council Meeting

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DRAFT Meeting Minutes

3) Information for discussion

4) Information for receipt

- a) ACRD bulletins
- b) Qacca Settlement Trust financial statements period ended 2020-06-30
- c) Qacca Settlement trust minutes

CM00520	MOVED: Anne Mack	SECONDED: Naomi Mack	
THAT Toquaht Council resolve to receive agenda item 4 a-c.			
YES: 4			
NO: 0			Motion Carried

5) Request for decision and legislation

- a) Appointment to fish and wildlife committee
 - i) Noah Plonka is forwarding Daryl Keeble's name

CM00521	MOVED: Anne Mack	SECONDED: Kevin Mack	
THAT Toquaht Council resolve to appoint Daryl Keeble as a Fish & Wildlife committee member.			
YES: 4			
NO: 0			Motion Carried

- b) Appointment to Economic Development Committee
 - i) Executive recommends Ken Matthews

CM00522	MOVED: Anne Mack	SECONDED: Kevin Mack	
THAT Toquaht Council resolve to appoint Ken Matthews to the Economic Development Committee.			
YES: 4			
NO: 0			Motion Carried

- c) Appointment of Clayoquot Biosphere Trust
 - i) CBT Appointment Request
 - (1) Review CBT letter in agenda package

Council Meeting

Tuesday, December 1st, 2020
Teleconference
DRAFT Meeting Minutes

CM00523**MOVED: Anne Mack****SECONDED: Kevin Mack**

THAT Toquaht Council resolve to appoint Naomi Mack to her second term as alternate director on the Clayoquot Biosphere Trust Board.

YES: 4**NO: 0****Motion Carried**

6) Directors reports

a) Financial report

- i) As recommended by the standing committee on finance

CM00524**MOVED: Kevin Mack****SECONDED: Anne Mack**

THAT Toquaht Council resolve to receive the recommendations from the standing committee on finance and approve the Toquaht Nation 2nd Quarter financial report for 2020/21.

YES: 4**NO: 0****Motion Carried**

b) Ec Dev & Capital Projects Report (to be supplied Monday)

c) Community Services Report (to be supplied Monday)

d) Lands Report (to be supplied Monday)

CM00525**MOVED: Anne Mack****SECONDED: Naomi Mack**

THAT Toquaht Council resolve to receive agenda item 6 b-d.

YES: 4**NO: 0****Motion Carried**

Adjourned: 6:00 p.m.

Minutes prepared by Naomi Mack

Chairperson

Law Clerk

Date



ORDER OF THE ȤA?WIL

Re: State of Emergency on Toquaht Lands Extended

Enacted under the Emergency Preparedness Act
section 2.4(a)

TNO 49/2020

BACKGROUND:

- A. Because of the novel coronavirus (COVID-19) pandemic, on March 30, 2020, pursuant to section 2.4(a) of the Emergency Preparedness Act, the Ȥa?wil declared a state of emergency on all Toquaht lands which was extended on April 9, 16, 23, 30, May 7, 14, 21, 28, June 4, 11, 18, 25, July 2, 9, 16, 23, 30, August 6, 20, 27, September 3, 10, 17, 24, October 1, 8, 15, 22, 29, Nov 5, 12, 19, 26, December 3 and 10, 2020; and
- B. The continuing risk of an outbreak of COVID-19 among the public remains a health hazard under the Emergency Preparedness Act.

NOW THEREFORE THE ȤA?WIL ORDERS AS FOLLOWS:

- 1) Effective as of the date of this Order and pursuant to section 2.4(a) of the Emergency Preparedness Act, the Ȥa?wil declares that a state of local emergency continues on all Toquaht lands;
- 2) The Executive's authority under section 3.4 of the Emergency Preparedness Act to implement response measures continues;
- 3) The authority of the director of operations and the director of community services to perform their duties and exercise their powers under sections 2.5 and 2.6 of the Emergency Preparedness Act, respectively, is continued;
- 4) Without limiting the directives issued in this Order, the Executive may at any time during the local state of emergency enable additional response measures in accordance with the Emergency Preparedness Act; and
- 5) This Order expires December 24, 2020 and is subject to revision, cancellation or extension by the Ȥa?wil in accordance with section 2.4(a) of the Emergency Preparedness Act.

Thank you for your cooperation and understanding during this difficult time.

This Order enacted on December 17, 2020

Signed _____
Anne Mack, Ȥa?wil of the Toquaht Nation

DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS

ON

Signature of Law Clerk

Qacca Settlement Trust
Draft Operating Budget
Year Ending December 31, 2021

	Approved 2020 Budget	Draft 2021 Budget	
Expenses			Comments on Draft Budget
Advisory & administration services	11,340	11,340	Estimate calculated on separate page (no change)
Audit fees	4,800	4,925	2020 was \$4,830, roughly 2% increase
Bank charges	200	130	Estimated bank confirmation fees of \$25 plus safety deposit box of \$105
Insurance	5,005	5,005	No change
Investment manager fees	152,022	174,614	Estimate calculated on separate page
Legal and professional services	12,500	12,500	Legal (\$2,000) plus independent investment performance review (\$10,500) (no change)
Office supplies	300	300	Estimated supplies at \$25/month (no change)
Workshops/training	1,500	1,500	No change
Total	\$ 187,667	\$ 210,314	
Percentage of Investment Portfolio	0.62%	0.63%	

Qacca Settlement Trust
Estimate of Advisory and Administration Costs
Year Ending December 31, 2021

		Time Estimates	
		Hours	Total
		Per Task	Hours
Ongoing Tasks			
Quarterly Meetings			
Preparation (agenda, statements, materials)	2.5	10	
Meeting	1.5	6	
Followup (minutes, etc.)	2.5	10	
Circulate reports & materials	1	4	
Monthly Accounting			
Bank transactions/reconciliation	1.5	18	
Post accounting records	1	12	
		<u>60</u>	
One-Time Tasks			
Budget			
Prepare draft annual budget	2		
Reporting			
Assist with drafting of annual report	5		
Audit			
Coordinating audit	5		
		<u>12</u>	
		<u><u>72</u></u>	
Total Hours			
Fee Calculation			
	At \$150/hour	72	10,800
	5% GST		<u>540</u>
			<u><u>\$ 11,340</u></u>

	Expected FMV Investments Dec 31, 2020	Projected Contributions April 2021	Projected Neg Loan Distributions April 2021	Projected FMV Investments April 2021
KCFN	\$ 23,157,275.14	\$ 2,206,368.00	\$446,371.00	\$ 24,917,272.14
TN	\$ 7,356,959.46	\$ 482,724.00	\$173,534.00	\$ 7,666,149.46
UT	\$ 8,518,204.22	\$ 678,629.00	\$216,726.00	\$ 8,980,107.22
	\$ 39,032,438.82	\$ 3,367,721.00	\$836,631.00	\$ 41,563,528.82

		Fair Market Value	Projected Fee
Q1 (Jan-March, 2021)		\$ 37,064,097.61	
Allocation			
International Fund	13.98%	\$ 5,181,560.85	\$ 8,736.03
All Funds Ex. Intl	86.02%	\$ 31,882,536.76	\$ 31,272.22
		\$ 37,064,097.61	\$ 40,008.25

Q2, Q3, Q4 (April-Dec 2021)		\$ 41,563,528.82	
Allocation			
International Fund	13.98%	\$ 5,810,581.33	\$ 28,661.27
All Funds Ex. Intl	86.02%	\$ 35,752,947.49	\$ 103,976.49
		\$ 41,563,528.82	\$ 132,637.75

		Total Ex Infr	\$ 172,646.00
		Total	\$ 174,614.34

Fee Schedule				
International Fund	0-2 Million	0.92%	\$ 2,000,000.00	\$ 4,600.00
	over 2 Million	0.52%	\$ 3,181,560.85	\$ 4,136.03
				\$ 8,736.03
All Funds Ex Intl	0-1 Million	0.80%	\$ 1,000,000.00	\$ 2,000.00
	1-10 Million	0.45%	\$ 9,000,000.00	\$ 10,125.00
	10-30 Million	0.35%	\$ 21,882,536.76	\$ 19,147.22
				\$ 31,272.22

Fee Schedule				
International Fund	0-2 Million	0.92%	\$ 2,000,000.00	\$ 13,800.00
	over 2 Million	0.52%	\$ 3,810,581.33	\$ 14,861.27
				\$ 28,661.27
All Funds Ex Intl	0-1 Million	0.80%	\$ 1,000,000.00	\$ 6,000.00
	1-10 Million	0.45%	\$ 9,000,000.00	\$ 30,375.00
	10-30 Million	0.35%	\$ 25,752,947.49	\$ 67,601.49
				\$ 103,976.49

USD Money Market	Balance	0.10%	\$ 1,968,341.21	\$ 1,968.34
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Highlights from the Alberni-Clayoquot Regional District (ACRD) Board of Directors' Meetings - November 2020



NOVEMBER 12TH BOARD MEETING

ELECTION OF CHAIR AND VICE-CHAIR OF THE ACRD BOARD OF DIRECTORS

John Jack was re-elected as chairperson and John McNabb was elected as vice chairperson of the ACRD Board of Directors for the upcoming year. Elections for these two positions are held each year at the first meeting of the Board in November.

DELEGATION

Hugh Grist, Jean McIntosh & Ken Watson, Alberni Valley Community Foundation

The delegation presented the 2020 Vital Signs Report for the Alberni Valley. Vital signs is a community check-up conducted by community foundations across Canada. It measures the vitality of communities, identifies significant trends and supports action on issues that are critical to quality of life. Visit www.albernifoundation.ca for more information on the Alberni Valley 2020 Vital Signs report.

ALBERNI VALLEY CURBSIDE AND RECYCLING DEPOT CONTRACT EXTENSION

The Board execute contract extensions with Waste Management for curbside and recycling depot collection in the Alberni Valley until March 2021 with the ability to extend up to October 2021.

BC INFRASTRUCTURE PLANNING GRANT – SPROAT LAKE VOLUNTEER FIRE DEPARTMENT (SLVFD).

The Board will enter into an Infrastructure Planning Grant agreement for \$7,500 with the Ministry of Municipal Affairs and Housing for the Asset Management Plan Implementation – SLVFD project.

NOVEMBER 25TH BOARD MEETING

DELEGATIONS

Amira Strain, Marianne Paquette, Bob Hansen & Mandy Ross, Wildsafe BC

The delegations provided information and stats from the WildSafe BC Program on the number of recorded interactions between wildlife and humans throughout various locations of the ACRD in 2020, as well as other program activities. Visit <https://wildsafebc.com/> for more info.

ALBERNI VALLEY REGIONAL AIRPORT (AVRA)

Public Request to Lease Lot #9

The Board approved a 3-year lease with Formula Photographic Inc for lot #9 at the AVRA from January 2021 to Dec 2024 at a rate of \$1529.78 per year plus applicable taxes and yearly BC CPI increases.

Public Request to Lease Lots #18 & #19

The Board approved a 3-year lease with Dan Newnham for lots #18 & #19 at the AVRA from January 2021 to Dec 2024 at a rate of \$3084.28 per year plus applicable taxes and yearly BC CPI increases.

ORGANICS

The Board approved a 3-year contract with options for renewal with Earth, Land and Sea Compost Corporation for the processing of organic waste in the Alberni Valley.

The Board also approved a contract with Rollins Machinery for the supply and distribution for household waste collection carts as well as authorizing the purchase of carts for phase 1 of the organics diversion project for the contract value of \$1,723,624.

Watch for more information coming soon.

Board of Directors

Chair: John Jack
(Huu-ay-aht First Nation)

Director Bob Beckett
(Electoral Area "A"
Bamfield)

Director Tanya Shannon
(Electoral Area "B"
Beaufort)

Director Kel Roberts
(Electoral Area "C"
Long Beach)

Director: Penny Cote
(Electoral Area "D"
Sproat Lake)

Director John McNabb
(Electoral Area "E"
Beaver Creek)

Director Dianne Bodnar
(Electoral Area "F"
Cherry Creek)

Mayor Sharie Minions
(City of Port Alberni)

Councillor Debbie Haggard
(City of Port Alberni)

Councillor Tom Stere
(District of Tofino)

Councillor Rachelle Cole
(District of Ucluelet)

Councillor Kirsten Johnsen
(Toquaht Nation)

Councillor Wilfred Cootes
(Uchucklesaht Tribe
Government)

Councillor Alan McCarthy
(Yuułu?itʔath Government)

UPCOMING MEETINGS – input on upcoming meetings may be emailed to: responses@acrd.bc.ca

AVRA Advisory Committee - Dec 2nd, 1:30 pm; via Zoom

Board of Directors – Dec 9th, 1:30 pm, followed by the **Regional Hospital District**; via Zoom

This is not the official minutes, but an information report summarizing the Regular Board of Directors Meeting. For more information visit the ACRD Website at www.acrd.bc.ca or contact the General Manager of Administrative Services at 250-720-2706 or e-mail wthomson@acrd.bc.ca.

COVID-19 INFO

The health, safety and wellbeing of our citizens continues to be a top priority. Please visit the ACRD website at <https://www.acrd.bc.ca/583> or Let's Connect Lets Connect for up to date information.



Qacca Settlement Trust
Comparative Income Statement - period ended 30/09/2020

(Prepared for Management Purposes Only)

	Actual		
REVENUE			
Investment Revenue			
Investment income	\$ 675,485.02		
Interest income	28,668.84		
Gain on dispositions	316,802.10		
Exchange gain (loss)	(35,521.20)		
Total Investment Revenue	<u>985,434.76</u>		
TOTAL REVENUE	<u>985,434.76</u>		
		Annual	Budget
EXPENSE		Budget	Remaining
General & Administrative Expenses			
Audit	30.00	4,800.00	99.4%
Advisory & administration services	6,497.40	11,340.00	42.7%
Investment management fees	114,775.85	152,022.00	24.5%
Insurance	4,570.00	5,005.00	8.7%
Interest & bank charges	130.00	200.00	35.0%
Legal and professional services	0.00	12,500.00	100.0%
Office supplies	0.00	300.00	100.0%
Workshops & training	0.00	1,500.00	100.0%
Total General & Admin. Expenses	<u>126,003.25</u>	<u>187,667.00</u>	<u>32.9%</u>
TOTAL EXPENSE	<u>126,003.25</u>	<u>187,667.00</u>	<u>32.9%</u>
NET INCOME	<u><u>\$ 859,431.51</u></u>		

Qacca Settlement Trust
Balance Sheet As at 30/09/2020
(Prepared for Management Purposes Only)

ASSETS

Chequing account	\$ 4,091.37
Investments - KCFN	21,323,806.65
Investments - Toquaht	6,795,826.88
Investments - Uchucklesaht	7,853,123.38
Loans - KCFN	3,631,308.33
Prepaid expenses	533.72

TOTAL ASSETS	<u><u>39,608,690.33</u></u>
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LIABILITIES

Accounts payable	<u>42,094.66</u>
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EQUITY

Trust Equity

Equity - previous year	36,500,796.16
Distributions to Nations	-
Contributions from Nations	2,206,368.00
Current earnings (loss)	859,431.51

Total Equity	<u><u>39,566,595.67</u></u>
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TOTAL LIABILITIES & EQUITY	<u><u>\$ 39,608,690.33</u></u>
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FMV of

Investments

21,929,898.93
6,970,893.33
8,070,286.42

KCFN	TN	UT
\$ 22,213,153.80	\$ 6,628,713.53	\$ 7,658,928.83
2,206,368.00		
513,092.98	160,120.85	186,217.68
<u>24,932,614.78</u>	<u>6,788,834.38</u>	<u>7,845,146.51</u>



INFORMATION REPORT

To Toquaht Council

From Lisa Morgan

Meeting Date Monday Nov 23, 2020

Subject Update on Citizenship Committee meeting – Transfer for Lawrence Luke Ralph Johnson

Recommendation:

THAT Council receive the information report.

Update

Lawrence Luke Ralph Johnson is officially unenrolled from the Toquaht Nation as of Oct 16, 2020.

Background & Summary

March 30, 2020, Lawrence Luke Ralph Johnson, born 1959-05-24 sent a letter addressed to Chief Anne Mack requesting his decision to transfer from Toquaht to Huu-ay-aht First Nations.

April 15, 2020, the transfer request letter was sent to the Citizenship Committee Registrar Naomi Mack for paperwork to begin for ISC and TN Government.

Oct 16, 2020, the Citizenship Committee reviewed and approved application of renunciation and enrolment.

Oct 23, 2020, letter was sent to Lawrence regarding the approval of the decision of renunciation under the Maa-nulth Treaty.

Nov 10, 2020, ISC *have yet* to confirm and send letter to Lawrence Luke Ralph Johnson confirming his is officially transferred from Toquaht to Huu-ay-aht First Nation.

Next Steps:

Once ISC sends a letter to the Toquaht Nation confirming the Citizen is officially transferred

- 1) Citizen Registrar removes the citizen information from the registry binder and
- 2) Posts the band change report on bulletin board.

Submitted by: Lisa Morgan

Date produced: November 10, 2020