

Council Meeting

Wednesday December 20th, 2023
Virtual by Zoom
AGENDA

<https://us02web.zoom.us/j/81629133491?pwd=UkZxTVBPUGJaMjhaWFROYTnkTkQrdz09>

Meeting ID: 816 2913 3491

Passcode: 440970

Start time: 3:00 p.m.

Guest: Trudy Warner, Cam Challenger

Convening the meeting

Adoption of Agenda

Approval of minutes from November 16, 2023 p 2

STARTS CM00650

REGULAR BUSINESS

1) PETITIONS, DELEGATIONS & PRESENTATIONS

a) Cam Challenger of Holistic Emergency Preparedness & Response

i) Policy Group – Administration Emergency Program Roles and Responsibilities p 3

2) REQUEST FOR DECISION AND LEGISLATION

a) Request for Decision

i) Qacca Settlement Draft Budget 2024 p 43

THAT Council resolve to approve the Qacca Settlement Trust Budget Year Ending December 31, 2024.

3) INFORMATION FOR RECEIPT

a) Qacca Settlement Trust (QST)

i) Minutes from May 24, 2023 p 46

ii) Financial Statements from September 30, 2023 p 48

THAT Council resolve to receive the Qacca Settlement Trust Minutes and Financial Statement period ending September 30, 2023.

Additions/deletions

-
-

Adjourn meeting

Council

Thursday November 16th, 2023

Virtual by Zoom

DRAFT Meeting Minutes

Present: Kirsten Johnsen, Lisa Morgan, Kevin Mack, Noah Plonka

Absent: Anne Mack

Guest: Angela Polifroni, Trudy Warner

Chair: Kirsten Johnsen

Recorder: K Johnsen

Quorum was present throughout the meeting

Convened 3:00 p.m.

Agenda adopted by consensus

Minutes from October 18, 2023 approved by consensus

STARTS CM00649

1) PETITIONS, DELEGATIONS & PRESENTATIONS

2) REQUEST FOR DECISION AND LEGISLATION

a) Request for Decision

i) Q2 Financial Statements and Report dated September 30, 2023.

(1) Receive recommendation from Finance committee

CM00649 MOVED: Anne Mack SECONDED: Kevin Mack

THAT Council resolve to accept the finance committee's recommendation for approval of the Toquaht Nation 2nd Quarter financial report for 2023/24.

YES: 5

NO: 0

Motion Carried

3) LATE ADDITIONS

Adjourned 3:20 p.m.

Minutes prepared by

Chairperson

Law Clerk

Date



Policy Group – Administration Emergency Program Roles and Responsibilities





- Introductions
- Agenda – Timeline
- Facility – Emergency Procedures





BC Emergency Management System (BCEMS)

- Comprehensive management scheme
- Ensures coordinated & organized Provincial response & recovery

Five Parts:

- ✓ operations & control
- ✓ qualifications
- ✓ technology
- ✓ training
- ✓ publications



BCEMS - Benefits

- ✓ Common response culture
- ✓ Plans are similar
- ✓ Only one "system" to learn
- ✓ Eliminates duplication



BCEMS — Benefits Continued

Improved:

- ✓ Coordination
- ✓ Communication
- ✓ Capabilities
- ✓ Efficiencies
- ✓ Effectiveness
- ✓ Information Management
- ✓ Safety
- ✓ Risk Management

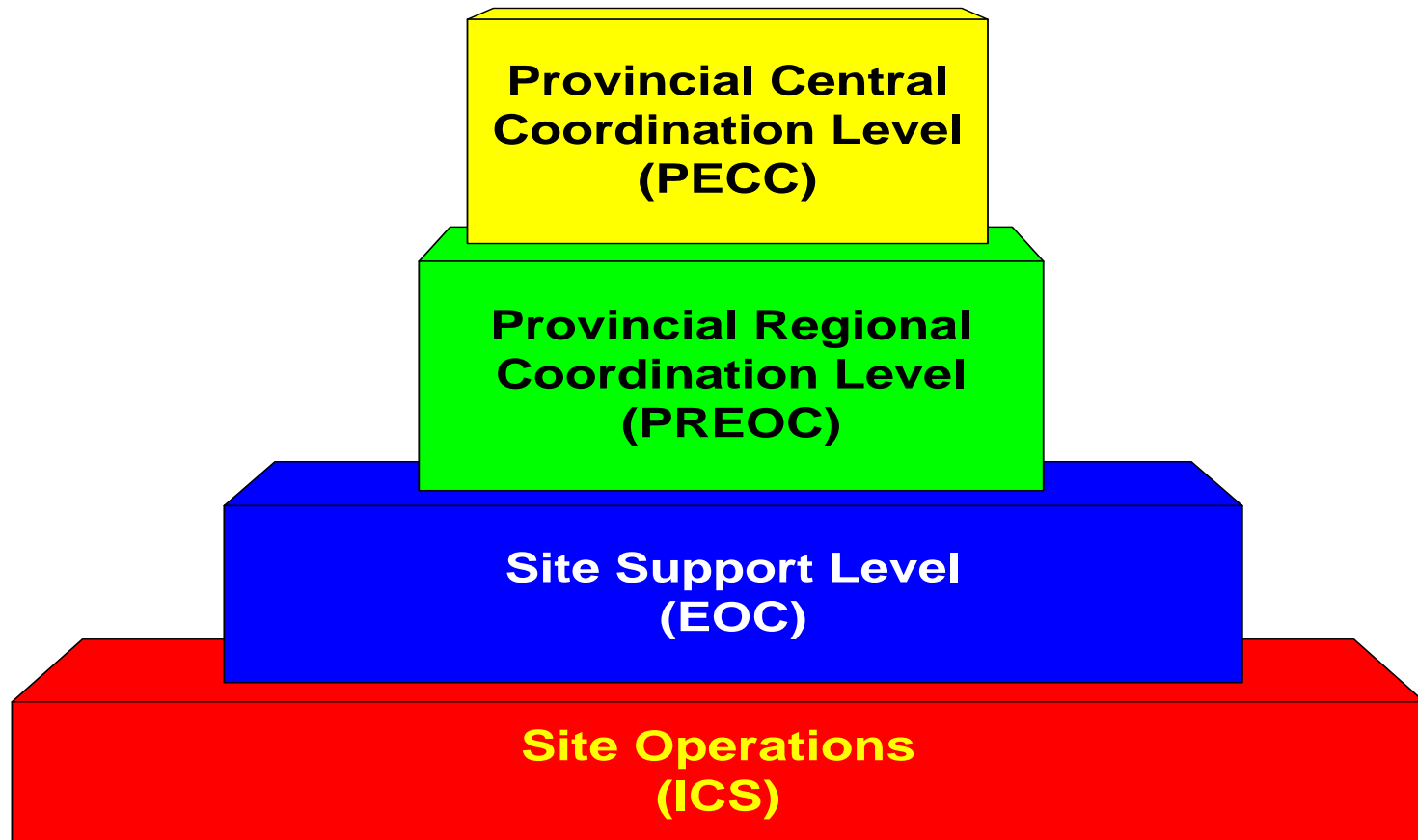


BCEMS - goals

1. Provide for Safety & Health of all Responders
2. Save Lives
3. Reduce Suffering
4. Protect Public Health
5. Protect Infrastructure
6. Protect Property
7. Protect the Environment
8. Reduce Economic & Social Losses



Levels of Response Structure





What is an EOC?

An EOC is a physical location designated by a jurisdiction or organization where key personnel from involved departments or agencies gather to collaboratively support site activities, coordinate information, and provide strategic direction during an emergency or disaster.





Why is an EOC required?

- Strengthens an organization's regular capacity during times of emergency or disaster
- A physical location for emergency personnel and representatives to gather collectively





- Pre-designated facility
- Activated away from response site, usually upon request of Incident Commander at ICP
- Activated by emergency coordinators, general manager, councilor
- Supporting site and larger overall response/recovery



EOC Responsibilities

- Policy & Strategic direction to ICP's
- Site Support (ICP's)
- Multi Event Management/ Allocation of Resources
- Information collection, evaluation, & distribution
- Coordination of agencies and/or departments
- Resource management
- Internal & external communications
- Facilitate long term operation





Where does the EOC fit?

System Interoperability

- Between agencies and jurisdictions

Common Response Model

- Use of Incident Command System
- BCEMS

Defined Response Goals

- Ensures consistency within response structure

System Components

- Maintains common management practices



Holistic Emergency Preparedness & Response



EOC

(Emergency Operations Center)

*An unfamiliar place
where uncomfortable officials
gather to make unpopular decisions
based on incomplete information
allocating inadequate resources
for unanticipated requirements
in too little time.*



When to open an EOC

- complex event
- multiple agencies
- pre-planned event
- multiple jurisdictions
- media issues
- site overwhelmed
- evacuations
- event grows rapidly
- declaration



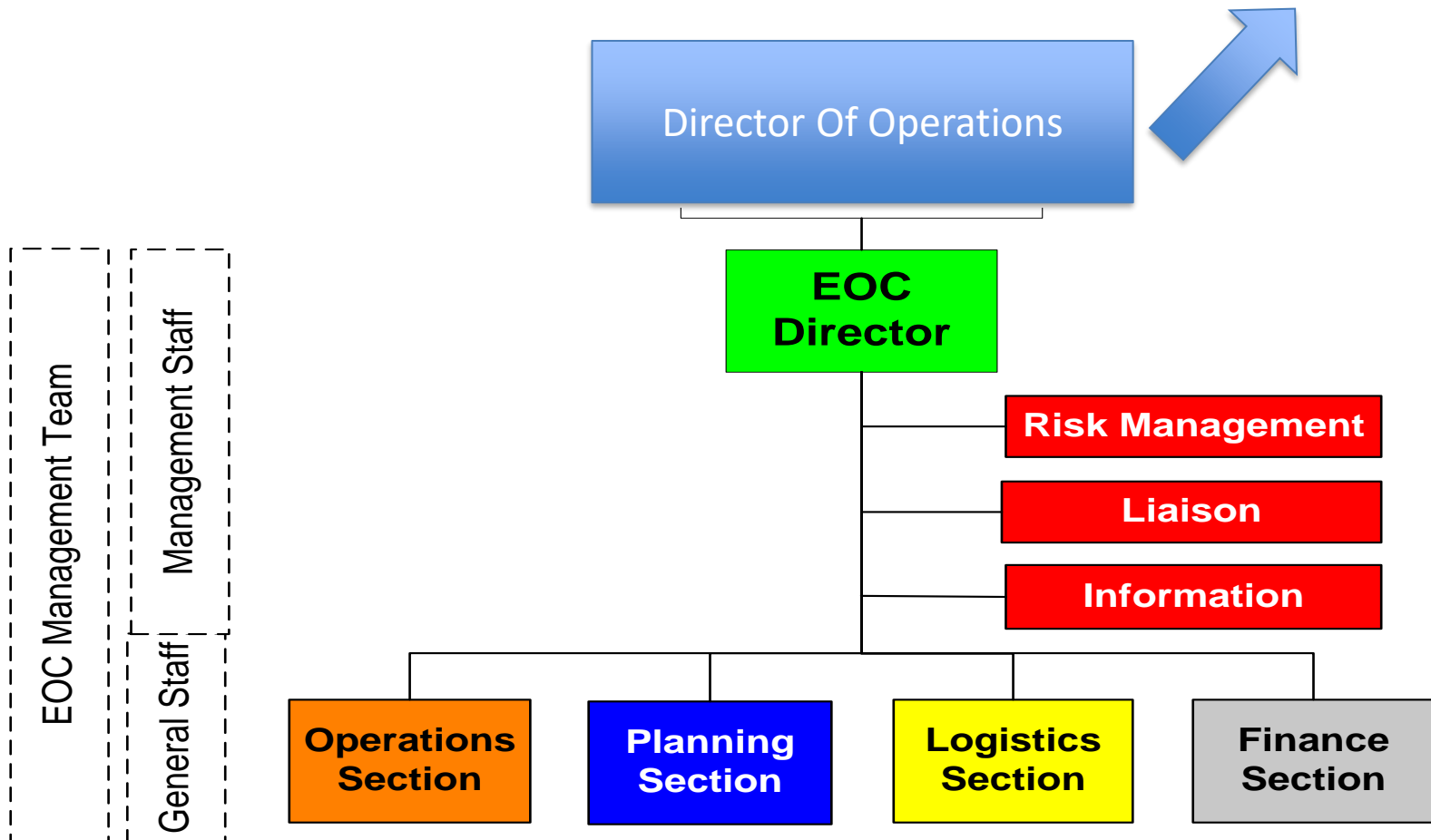
SITE versus EOC

<ul style="list-style-type: none">• Single incident focus	<ul style="list-style-type: none">• Overall event focus
<ul style="list-style-type: none">• Led by Incident Commander	<ul style="list-style-type: none">• Led by EOC Director
<ul style="list-style-type: none">• Operates from Incident Command Post (ICP) near site	<ul style="list-style-type: none">• Operates from pre-designated facility away from site



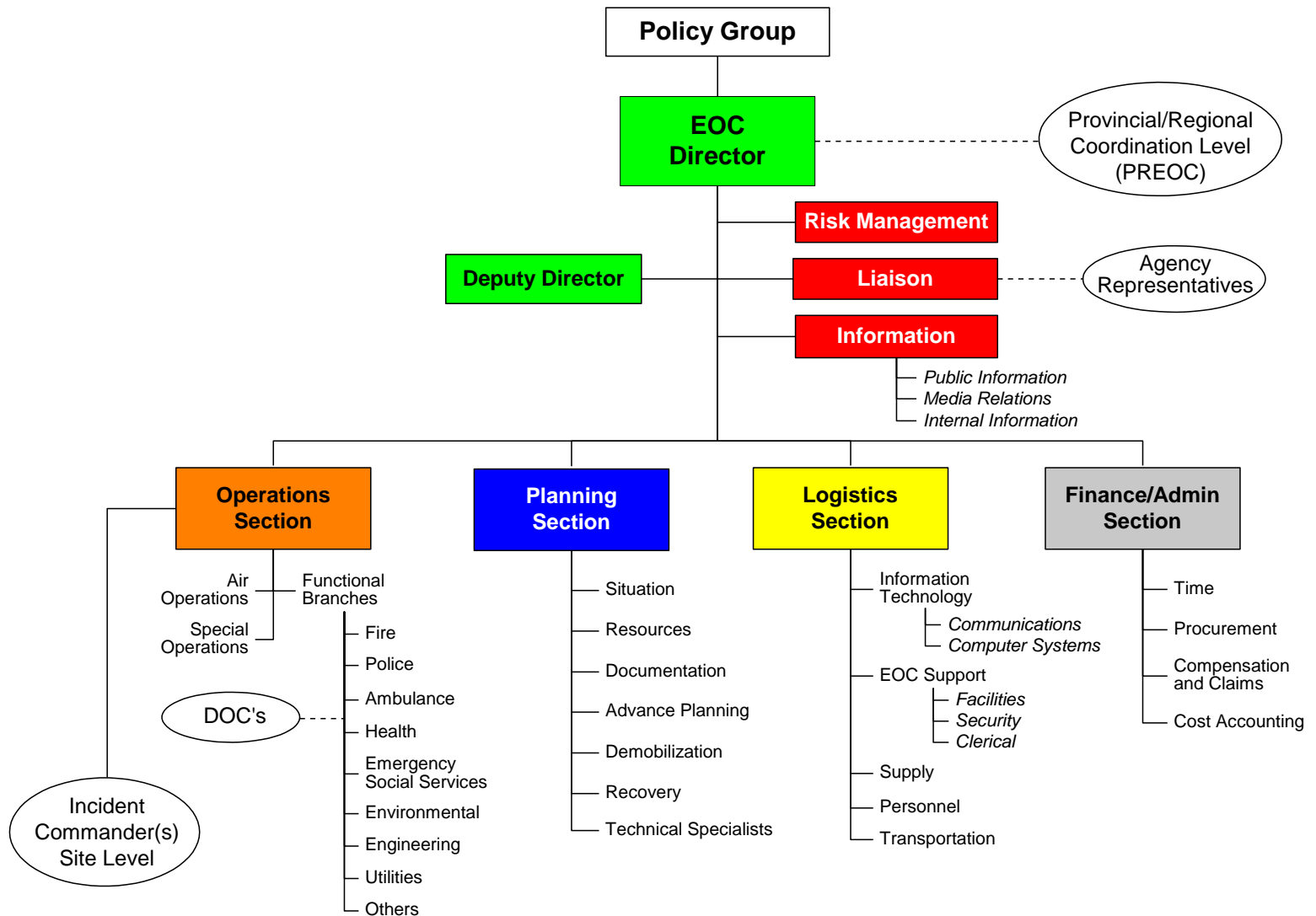
EOC Functions

Council and Executive
(Policy Group)





Holistic Emergency Preparedness & Response





Policy Group

- Increase Community Awareness of emergency preparedness

- Establish an Emergency Program Bylaw or Resolution to authorize and support the Emergency Plan and Program

- Consider and approve requests for emergency equipment and training



Policy Group

- Participate in emergency management training for elected officials(Workshop)

- Sets predetermined expenditure limits

- Must appoint a council rep to Emergency Management Committee



Policy Group

During an Emergency

- Trust and support the decisions of Emergency Management Team/EOC Director
- Provides overall policy direction (“Must Be available to sign “State of Local Emergency”)
- Issue Response Direction (accessing extraordinary powers)
- Formally requests higher level of support/resources



Holistic Emergency Preparedness & Response

6.4 Toquaht Nation State of Emergency - Example

	<p>ORDER OF THE Ḥaʔwíl</p> <p>Re: State of Emergency on Toquaht Lands</p> <p>Enacted under the Emergency Preparedness Act section 2.4(a) and (b)</p> <p>TNO ___/2020</p>
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BACKGROUND:

- A. A communicable and infectious disease known as novel coronavirus (“COVID-19”) has emerged in British Columbia and is rapidly spreading and causing serious illness and death in infected persons;
- B. A person infected with COVID-19 can infect other people with whom the infected person is in close contact;
- C. The risk of an outbreak of COVID-19 among the public constitutes a health hazard under the Emergency Preparedness Act;
- D. For precautionary reasons related to COVID-19, including to protect Toquaht citizens and all British Columbians from contracting COVID-19, maintain essential goods and services for Toquaht citizens and to support the Toquaht Nation’s ongoing response to COVID-19, the Ḥaʔwíl wishes to declare a state of local emergency on all Toquaht lands.

NOW THEREFORE THE ḤAʔWÍL ORDERS AS FOLLOWS:

- 1) Effective as of the date of this Order, the Ḥaʔwíl declares that a state of local emergency exists on all Toquaht lands pursuant to section 2.4 of the Emergency Preparedness Act;
- 2) The Executive’s authority under section 3.4 of the Emergency Preparedness Act to implement response measures, including any approved emergency plan, is hereby enabled;
- 3) The director of operations and the director of lands, public works and resources are hereby ordered to perform their duties and exercise their powers under sections 2.5 and 2.6 of the Emergency Preparedness Act, respectively;
- 4) Effective as of the date of this Order and in accordance with section 2.4(b)(i) of the Emergency Preparedness Act, the following response measures are ordered:
 - a. **ONLY RESIDENTS OF MACCOAH UNDER ESSENTIAL TRAVEL** (screened and approved by the Executive) will be allowed to enter Maccoah. Citizens not ordinarily resident in Maccoah should not return to Maccoah but should

instead remain where they normally reside and follow the Province of British Columbia’s COVID-19 safety guidelines;

- b. **DELIVERIES OF GOODS AND SERVICES** (screened and approved by the Executive) will be allowed onto Toquaht lands as directed by the Province of British Columbia’s COVID-19 safety guidelines and with minimal contact with Maccoah residents;
- c. **NON-ESSENTIAL TRAVELLERS AND NON-RESIDENTS** will be asked to **TURN AROUND** and not enter Maccoah; and
- d. **ALL PERSONS** on Toquaht lands must adhere to and abide by the most current orders, directives, protocols and guidelines issued by the Province of British Columbia or British Columbia’s Centre for Disease Control with respect to COVID 19 response measures.

- 5) 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;
- 6) Failure to comply with this Order is an offence under section 4.2 of the Emergency Preparedness Act and any person committing an offence is liable, on summary conviction, to a fine not exceeding \$10,000 or imprisonment for a term not exceeding six months.
- 7) This Order expires on April 10, 2020 and is subject to revision, cancellation or extension by the Ḥaʔwíl 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 _____, 2020

Signed _____
Anne Mack, Ḥaʔwíl of the Toquaht Nation

DEPOSITED IN THE REGISTRY OF LAWS AND OFFICIAL RECORDS
ON ___/___/___
_____ Signature of Law Clerk



Policy Group

During an Emergency - continued

- Assist with development and approval of media releases, council rep may act as Spokesperson
- Required to action any political needs



LNIB Flooding 2017



Director Of Operations Before an Emergency

- Work with Council to Establish EOC Expenditure Limits
- Work with Community EPC to inventory staff call out list
- Sit on Emergency Management Committee
- Make Recommendations to Council on emergency equipment and training purchases



Director Of Operations Before an Emergency - continued

- Oversee the development of a business recovery/resumption plan
- Ensure individual departments participate in emergency management committee meetings and provide EPC's support and resources
- Participate in Emergency Management Training





Director Of Operations During an Emergency

- Trust and support the decisions of Emergency management Team/EOC Director
- Attend to administrative needs of EOC
- Act as EOC Director, if required
- Participate in Council Daily briefings on status of EOC and current response efforts



Director Of Operations

— During an Emergency - continued

- Ensure EOC Director and other supporting agencies have information and resources

- Advise the Emergency Program Coordinator and Council on administrative details that may involve financial liability

- Keep a Log of decisions and actions taken

- Participate in any debriefs and ensure follow up activities occur



Emergency Coordinator Before an Emergency

- Update and maintain emergency plan
- Coordinate exercises to test and evaluate emergency plan
- Identify emergency resources (both internal and external).
- Build community awareness through activities to promote Emergency Preparedness



Emergency Coordinator Before an Emergency - Continued

- Promote, educate and involve community members in emergency preparedness.
- Identify and access funding for Emergency Preparedness.
- Coordinate training programs for staff and volunteers.



TFN – Kingcome Inlet Flood
2009



Emergency Coordinator Before an Emergency - Continued

- Receive emergency management training.
- Coordinate with outside agencies.
- Coordinate with EMCR Regional Manager.
- Prepare Purchasing and Vendor Agreements Prior to Emergencies

BCEMS - goals

1. Provide for Safety & Health of all Responders
2. Save Lives
3. Reduce Suffering
4. Protect Public Health
5. Protect Infrastructure
6. Protect Property
7. Protect the Environment
8. Reduce Economic & Social Losses



KATHY

KIRSTEN

DANE

Public Emergency Preparedness & Response

RISK MANAGEMENT





Emergency Coordinator

Before an Emergency - Continued

- Prepare agreements with outside agencies and supporting vendors
- Maintain Emergency Contacts
- Maintain Collaborative relationships with neighbouring jurisdictions







Emergency Coordinator During an Emergency

- Organize set up of EOC as required.
- Follow EOC guidelines as outlined in the Community Emergency Plan.
- Operate as part of a Committee to ensure EOC Director and other agencies have information and resources as required
- Task number is generated



Emergency Coordinator During an Emergency - Continued

- Arrange outside assistance as needed.

- Keep a log of actions taken.

- Take such action as is necessary to minimize the effects of the emergency on Community.

- Assess situation, make decision of opening EOC

- Assume your designated position in EOC once facility is open and running



Emergency Management Committee/Team – Before and Emergency

- Comprised of representatives from organization's emergency program
- Focused on identifying
 - Primary and secondary EOC
 - Equipment
 - Funding - Initial startup capital, ongoing operating budget
 - EOC plan – Activation – Role – Purpose
 - Minimum requirement and ideal



Emergency Management Committee

Before an Emergency - continued

- Meet quarterly.
- Regularly review the Emergency Plan.
- Regularly review the Emergency Support Services Plan.
- Assign on call schedule
- Negotiate Mutual Assistance Agreements with neighbouring communities and supporting agencies.
- Ensure that evacuation requirements are in place.
- Increase community awareness of emergency preparedness.
- Need Social Media person.



Emergency Management Committee – During an Emergency

- Consult with the Emergency Program Coordinator
- Provide support to the Emergency Program Coordinator and EOC Director as needed.





Future Outlook

- Emergency Plan updating

- Training and exercises
 - EOC staff survival
 - Macoah Evacuation Exercise
 - Crisis Communications
 - EOC wildfire exercise and training

- Updating Toquaht Nation Emergency Preparedness Act



Questions & Comments

Open Discussion

**Qacca Settlement Trust
Draft Operating Budget
Year Ending December 31, 2024**

	Approved 2023 Budget	Draft 2024 Budget	
Expenses			Comments on Draft Budget
Advisory & administration services	11,340	11,340	Estimate calculated on separate page (no change)
Audit fees	6,400	14,000	Cost has increased significantly
Bank charges	130	130	Estimated bank confirmation fees of \$25 plus safety deposit box of \$105
Insurance	6,200	6,200	2023 was \$5,891, roughly 5% increase
Investment manager fees	184,373	198,562	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	\$ 222,743	\$ 244,532	
Percentage of Investment Portfolio	0.48%	0.55%	

Qacca Settlement Trust
Estimate of Advisory and Administration Costs
Year Ending December 31, 2024

	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>	
	Total Hours	<u>72</u>	
Fee Calculation			
	At \$150/hour	<u>72</u>	<u>10,800</u>
	5% GST		<u>540</u>
			<u>\$ 11,340</u>

	Expected FMV Investments Dec 31, 2023	Projected Contributions April 2023	Projected Neg Loan Distributions April 2023	Projected FMV Investments April 2023
KCFN	\$ 31,190,951.70			\$ 31,190,951.70
TN	\$ 8,788,742.32			\$ 8,788,742.32
UT	\$ 9,508,069.30			\$ 9,508,069.30
	\$ 49,487,763.32			\$ 49,487,763.32

Fair Market Value
\$ 49,487,763.32

Projected Fee

Allocation

International Fund	12.49%	\$ 6,181,021.64	\$ 40,141.31
All Funds Ex. Intl	87.51%	\$ 43,306,741.68	\$ 158,420.23
		\$ 49,487,763.32	\$ 198,561.54

Fee Schedule

International Fund	0-2 Million	0.92%	\$ 2,000,000.00	\$ 18,400.00
	over 2 Million	0.52%	\$ 4,181,021.64	\$ 21,741.31
				\$ 40,141.31
All Funds Ex Intl	0-1 Million	0.80%	\$ 1,000,000.00	\$ 8,000.00
	1-10 Million	0.45%	\$ 9,000,000.00	\$ 40,500.00
	10-30 Million	0.35%	\$ 20,000,000.00	\$ 70,000.00
	Next 45 Million	0.30%	\$ 13,306,741.68	\$ 39,920.23
				\$ 158,420.23

**Qacca Settlement Trust
Minutes of Trustee Meeting**

Meeting Date: **May 24, 2023**

Start Time: 2:00 p.m.

Location: Canet & Co. Office or (via Zoom)

Attendees: Carla Halverson, trustee Gary Johnsen, trustee
 Kelly Johnsen, trustee Nicole Nicolaye, trustee
 Eli Horton, advisor Daren Atkinson, LW advisor

Absent: Scott Coulson, trustee
 Cynthia Blackstone, trustee

Chair: Eli Horton

Meeting called to order at 2:08 pm

1. Adoption of agenda

Motion to adopt the agenda.

Moved by Nicole, seconded by Gary

Motion carried

2. Approval of minutes of trustee meetings

Motion to approve the minutes of the March 29, 2023 trustee meeting, as previously distributed and approved via email.

Moved by Nicole, seconded by Carla

Motion carried

3. Review of March 31, 2023 Leith Wheeler quarterly investment report

Daren Atkinson distributed and reviewed a presentation of the investment portfolio results for the first quarter of 2023.

Motion to receive and file the March 31, 2023 quarterly investment report.

Moved by Gary, seconded by Carla

Motion carried

4. Review of March 31, 2023 internal quarterly financial statements

Motion to approve the March 31, 2023 quarterly internal financial statements reviewed by the trustees and to direct that the approved statements be forwarded to the legislative clerks of each Nation in accordance with the trustees' reporting requirements.

Moved by Nicole, seconded by Kelly

Motion carried

5. Approval of Canet invoice – March 2023

Motion to authorize invoice as distributed

Moved by Carla, seconded by Gary

Motion carried

6. Approval of Sabo, Jang and Co. invoice

Motion to authorize invoice as distributed

Moved by Kelly, seconded by Carla

Motion carried

7. Authorize transfer of \$12,000 from the investment portfolio to the Trust's bank for operating expenses

Motion to authorize the execution of a request to Leith Wheeler to transfer \$12,000.00 from the investment portfolios to the trust's bank account to cover future trust operating expenses

Moved by Nicole, seconded by Kelly

Motion carried

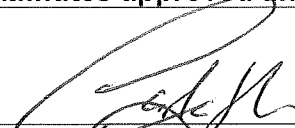
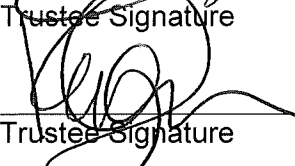
8. Adjournment

Motion to adjourn.

Moved by Kelly, seconded by Carla

Motion carried

Meeting adjourned at 2:34 pm

Minutes approved and certified as a true copy:		
	Name	Date
	Corra Hauersen	May 25/23
	Name	Date
	Kelly Johnson	May 30/23

Qacca Settlement Trust
Comparative Income Statement - period ended 30/09/2023
(Prepared for Management Purposes Only)

	Actual		
REVENUE			
Investment Revenue			
Investment income	\$ 1,324,753.26		
Interest income	52,418.28		
Gain on dispositions	96,942.66		
Exchange gain (loss)	<u>(5,377.78)</u>		
Total Investment Revenue	<u>1,468,736.42</u>		
TOTAL REVENUE	<u>1,468,736.42</u>		
EXPENSE		Annual Budget	Budget Remaining
General & Administrative Expenses			
Audit	6,075.00	6,400.00	5.1%
Advisory & administration services	7,852.95	11,340.00	30.8%
Investment management fees	150,015.56	184,373.00	18.6%
Insurance	5,891.00	6,200.00	5.0%
Interest & bank charges	122.50	130.00	5.8%
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>169,957.01</u>	<u>222,743.00</u>	<u>23.7%</u>
TOTAL EXPENSE	<u>169,957.01</u>	<u>222,743.00</u>	<u>23.7%</u>
NET INCOME	<u><u>\$ 1,298,779.41</u></u>		

Qacca Settlement Trust
Balance Sheet As at 30/09/2023

(Prepared for Management Purposes Only)

ASSETS

Chequing account	\$ 17,760.08
Investments - KCFN	30,129,795.26
Investments - Toquaht	8,453,395.89
Investments - Uchucklesaht	9,080,867.85
Loans - KCFN	827,381.95
Prepaid expenses	1,194.34

FMV of

Investments

30,744,132.80
8,655,024.00
9,363,753.08

TOTAL ASSETS

48,510,395.37

LIABILITIES

Accounts payable	<u>53,524.66</u>
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EQUITY

Trust Equity

Equity - previous year	47,158,091.30
Distributions to Nations	-
Contributions from Nations	-
Current earnings (loss)	1,298,779.41

Total Equity

48,456,870.71

KCFN

TN

UT

\$ 30,123,146.45 \$ 8,214,337.88 \$ 8,820,606.97

812,594.70

232,720.13

253,464.58

30,935,741.15

8,447,058.01

9,074,071.55

TOTAL LIABILITIES & EQUITY

\$ 48,510,395.37