Council Meeting

Wednesday March 18th, 2026
Meeting by Zoom
AGENDA

https://us02web.zoom.us/j/87276347783?pwd=Dq1hWwtb44lqdIfBFM0AFcqm20irbP.1

Meeting ID: 872 7634 7783
Passcode: 026308
Start time: **3:30 p.m.**
Guest: **Robyn Rea, Kristine Brown, Donna Monteith, Brent Lehmann**

Convening the meeting
Adoption of Agenda
Approval of minutes from March 2nd,2026 P 3

STARTS CM00739
REGULAR BUSINESS

1) **PETITIONS, DELEGATIONS & PRESENTATIONS**
2) **REQUEST FOR DECISION AND LEGISLATION**
   a) **Request for Decision**
      i) Introduction and 1st Reading of the Draft Economic Development Act P 6
         (1) BN to be provided
         (2) Discussion on the Act with Brent Lehmann

THAT the Economic Development Act be introduced to the Council for first reading.

THAT Council resolve to waive the requirement for 24 hours between first and second reading regarding the Economic Development Act.

THAT Council resolve to adopt in principle the Economic Development Act and it be referred to the council committee of the whole for detailed consideration.

   b) **Request for Decision**
      i) Introduction and 1st Reading of the Draft Business Development Act P 23
         (1) BN to be provided
         (2) Discussion on the Act with Brent Lehmann

THAT the Draft Business Development Act be introduced to the Council for first reading.

THAT Council resolve to waive the requirement for 24 hours between first and second reading regarding the Draft Business Development Act.

THAT Council resolve to adopt in principle the Draft Business Development Act and it be referred to the council committee of the whole for detailed consideration.

BACK

c) Request for Decision

i) 2nd Reading of Annual Budget Act 2026-2027 P 45

(1) Receive recommendation from the Finance Committee

(2) Send Annual Budget Act to the People's Assembly

From the March 16th, 2026 Standing Committee on Finance meeting:

Recommendation TBD

THAT Council receives the recommendation from the finance committee and resolve to send the Annual Budget Act 2026-2027 to the March 28th, 2026 People's Assembly for citizen's review.

3) INFORMATION FOR RECEIPT

4) CORRESPONDANCE FOR RECEIPT

5) QUARTERLY DEPARTMENT REPORTS

6) REPORTS & DRAFT MINUTES

a) Finance Committee Minutes (draft) 2026-03-05 P 52

THAT Council resolve to receive the following:

a) Finance Committee Minutes (draft) 2026-03-05

7) LATE ADDITIONS

Additions/deletions

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Adjourn meeting

BACK

Council

Monday March 2nd, 2026
Meeting by Zoom
DRAFT Meeting Minutes

Present: Kirsten Johnsen, Anne Mack, Noah Plonka, Lisa Morgan, Donna Monteith, Robyn Rea, Kristine Brown
Absent: Kevin Mack
Chair: Kirsten Johnsen
Recorder: Lisa Strerath

Quorum was present throughout the meeting

Convened 4:01 p.m.

Agenda adopted by consensus
Minutes from February 12th, 2026 approved by consensus

1) **PETITIONS, DELEGATIONS & PRESENTATIONS**
2) **REQUEST FOR DECISION AND LEGISLATION**
   a) **Request for Decision**
      i) 3rd Reading of Miscellaneous Amendments Act No. 3
         (1) BN dated January 21, 2026
         (2) Draft Act

February 18th, 2026 Council – Committee of the Whole Meeting
MOVED: Noah Plonka SECONDED: Anne Mack
THAT the Committee of the Whole recommend the Miscellaneous Amendments Act No. 3 without amendment to Council for enactment.

YES: 3
NO: 0 **Motion Carried**

CM00731 MOVED: Lisa Morgan SECONDED: Anne Mack
THAT Toquaht Council receive the recommendation from the Council Committee of the Whole and resolve to enact the Miscellaneous Amendments Act No. 3 in the from now laid before the Council as TNS 1/2026.

YES: 5
NO: 0 Motion Carried

   b) **Request for Decision**
      i) Introduction and 1st Reading of the Annual Budget Act 2026-2027

CM00732 MOVED: Kevin Mack SECONDED: Noah Plonka
THAT the Annual Budget Act 2026-2027 be introduced to the Council for first reading.

YES: 5
NO: 0 Motion Carried

CM00733 MOVED: Noah Plonka SECONDED: Kevin Mack
THAT Council resolve to waive the requirement for 24 hours between first and second reading regarding the Annual Budget Act 2026-2027.

YES: 5
NO: 0 Motion Carried

CM00734 MOVED: Anne Mack SECONDED: Noah Plonka
THAT Council resolve to adopt in principle the Annual Budget Act 2026-2027 and it be referred to the standing committee on finance for detailed consideration.

YES: 5
NO: 0 Motion Carried

c) Request for Decision

i) Introduction and 1st Reading of the Five-Year Financial Plan Act 2026-2027 to 2030-2031

CM00735 MOVED: Kevin Mack SECONDED: Lisa Morgan
THAT the Five-Year Financial Plan Act 2026-2027 to 2030-2031 be introduced to the Council for first reading.

YES: 5
NO: 0 Motion Carried

CM00736 MOVED: Anne Mack SECONDED: Noah Plonka
THAT Council resolve to waive the requirement for 24 hours between first and second reading regarding the Five-Year Financial Plan Act 2026-2027 to 2030-2031.

YES: 5
NO: 0 Motion Carried

CM00737 MOVED: Kirsten Johnsen SECONDED: Kevin Mack
THAT Council resolve to adopt in principle the Five-Year Financial Plan Act 2026-2027 to 2030-2031 and it be referred to the standing committee on finance for detailed consideration.

YES: 5
NO: 0 Motion Carried

d) Request for Decision

i) TMX Socioeconomic Outcomes Survey

(1) Email re TMX Socioeconomic Outcomes Survey

(2) Due date is March 13th so included in this agenda

CM00738 MOVED: Kevin Mack SECONDED: Anne Mack
THAT Council resolve to participate in the TMX Socioeconomic Outcomes Survey.

YES: 5
NO: 0 Motion Carried

3) INFORMATION FOR RECEIPT or DISCUSSION

4) CORRESPONDANCE FOR RECEIPT

5) QUARTERLY DEPARTMENT REPORTS

6) REPORTS & DRAFT MINUTES

a) Finance Committee Minutes (draft) 2026-02-17

b) Fish & Wildlife Committee Minutes (draft) 2026-02-13

CM00739 MOVED: Noah Plonka SECONDED: Anne Mack
THAT Council resolve to receive the following:
a) Finance Committee Minutes (draft) 2026-02-17
b) Fish & Wildlife Committee Minutes (draft) 2026-02-13

YES: 5
NO: 0 Motion Carried

7) LATE ADDITIONS

Additions/Deletions

Adjourned at 4:15 p.m.

Minutes prepared by L. Strerath
Law Clerk

Date

DRAFT

BACK

TOQUAHT NATION GOVERNMENT

ECONOMIC DEVELOPMENT ACT

TNS ◆/2026

This law enacted on ◆

Signed _____
Anne Mack, ḥaʔwiɬ of the Toquaht Nation

DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS

ON _____/_____/_____

_____
Signature of Law Clerk

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PREAMBLE

As a government, Toquaht Nation plays a vital role in leading economic development by creating the conditions necessary for economic opportunity and growth on and off Toquaht Lands. This broad responsibility includes establishing a legal framework to provide for the development of long-term economic development planning in order to define and advance the vision, goals and objectives of the Toquaht Nation.

Toquaht Nation distinguishes between economic development and business development to clarify the complementary roles of government and enterprise in building prosperity. Business development is carried out through the Toquaht Nation's business entities and focuses on developing profitable, sustainable, and diverse enterprises consistent with the Toquaht Nation's vision.

This Act sets out the framework for the Toquaht Nation government's roles in advancing economic development, while the Business Development Act (Toquaht Nation) guides the work of Toquaht businesses to ensure alignment with the Toquaht Nation's vision. These Acts operate alongside each other to guide the work of Toquaht Nation and its businesses to advance collective long-term prosperity and wellbeing.

The Toquaht Nation adopts this Act based on these values.

PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This Act may be cited as the Economic Development Act (Toquaht Nation).

Executive oversight

1.2 The member of the Executive holding the lands, public works and environmental protection portfolio is responsible for the Executive oversight of this Act.

Authority

1.3 This Act is enacted under sections 13.11.1, 13.12.1 and 13.12.2 of Chapter 13 Governance of the Maa-nulth Treaty.

Application

1.4 This Act is enacted under sections 13.11.1, 13.12.1, 13.12.2 and 13.14.1 of Chapter 13 Governance of the Maa-nulth Treaty and applies to Toquaht Nation economic development.

Definitions

1.5 In this Act,

"economic development mission" means the mission of Toquaht Nation economic development, as set out in section 2.1;

"economic development officer" means the individual appointed to hold the economic development office under section 2.9(a);

"economic development plan" means the plan approved by Council in accordance with section 3.1(b);

"governance and fiscal agreement" has the meaning given to that term in the Business Development Act (Toquaht Nation);

"holdings board" has the meaning given to that term in the Business Development Act (Toquaht Nation);

"holdings general partner" has the meaning given to that term in the Business Development Act (Toquaht Nation);

"manager of business operations" means the individual retained to hold the office of manager of business operations under the governance and fiscal agreement;

"Toquaht business" has the meaning given to that term in the Business Development Act (Toquaht Nation).

PART 2 - ECONOMIC DEVELOPMENT MISSION AND OVERSIGHT

Economic development mission

2.1 The mission of Toquaht Nation economic development is to advance the economic well-being and quality of life of Toquaht citizens and community, including by

(a) fostering economic activity on Toquaht lands through enacting or adopting laws, rules, regulations and policies related to the regulation of business activity and taxation on Toquaht lands,

(b) establishing and maintaining relationships with other governments, non-Toquaht government owned businesses and organizations to attract business activity on Toquaht lands,

(c) developing the infrastructure necessary to support businesses, organizations, communities and residents on Toquaht lands, including schools, hospitals, green spaces, roads, sidewalks and utilities,

(d) providing sustainable and diversified sources of revenue for the Toquaht government through taxation, development service charges and other fees,

(e) advancing employment opportunities for Toquaht citizens,

(f) advancing contracting opportunities for Toquaht businesses, Toquaht citizens and businesses owned or operated by Toquaht citizens,

(g) accessing training opportunities for Toquaht citizens, and

(h) providing other practical economic benefits for the Toquaht Nation and Toquaht citizens,

in a manner that respects Toquaht heritage, culture, and responsibilities toward the ḥaḥuuƚi (the chiefly territories of the chief) and environment.

Economic development oversight

2.2 Subject to this Act, primary oversight responsibility for economic development is vested in the Executive.

Role of the Executive

2.3 Without limiting section 2.2, the Executive's oversight responsibility for economic development includes the following:

(a) negotiating rights under the Maa-nulth Treaty that may impact on economic development for the Toquaht Nation;

(b) establishing and maintaining relationships with other governments and non-Toquaht owned businesses and organizations to foster business activity on Toquaht lands; and

(c) performing any other duties or exercising any other powers related to economic development assigned to the Executive under this Act or any other Toquaht enactment.

Economic development committee continued and mandate

2.4 (a) The economic development committee is continued as a standing committee of Council in accordance with section 2.36(c) of the Constitution.

(b) The mandate of the economic development committee is to assist Council and the Executive in fulfilling their responsibilities in relation to economic development.

Duties and powers

2.5 Without limiting section 2.4, the duties and powers of the economic development committee include

(a) developing and recommending to the Executive and Council a proposed economic development plan, and

(b) overseeing the preparation of a review of the economic development plan

in accordance with Part 3.

Composition

2.6 (a) The economic development committee is composed of

(i) the member of the Executive appointed to hold the lands, public works and environmental protection portfolio,

(ii) the director of assets,

(iii) the director of lands and resources,

(iv) the manager of business operations, and

(v) the economic development officer.

(b) The economic development officer is a non-voting member of the economic development committee and the chairperson of the committee.

(c) In accordance with section 2.34 of the Constitution, if the economic development committee does not include representation from Toquaht citizens living on and off

Toquaht lands, Council may, upon recommendation of the Tyee Ha'wilth, appoint one additional committee member who

(i) is a Toquaht citizen, is not a member of Council and either

(A) resides on Toquaht lands, if the committee does not have representation by Toquaht citizens residing on Toquaht lands, or

(B) resides off Toquaht lands, if the committee does not have representation by Toquaht citizens residing off Toquaht lands, and

(ii) brings particular expertise or other considerations to the economic development committee.

Meetings

2.7 The economic development committee must meet as necessary to carry out its duties and exercise its powers under this Act.

Reporting

2.8 (a) The economic development committee must report to Council by oral or written report at a meeting of Council when requested by the Tyee Ha'wilth.

(b) The economic development committee must report to the Executive by oral or written report at a meeting of the Executive when requested by the member of the Executive holding the lands, public works and environmental protection portfolio.

Economic development officer

2.9 (a) The director of operations may appoint an individual to hold the office of economic development.

(b) If appointed, the economic development officer reports to the director of operations.

(c) If the director of operations has not appointed an individual to hold the office of economic development or if the office of economic development is vacant, the director of lands and resources must perform the duties and may exercise the powers of the economic development officer.

Duties of the economic development officer

2.10 The economic development officer must perform the following duties:

(a) identify and apply for grants or funding available from Canada, British Columbia or other persons for economic development, as directed by the director of operations;

(b) assist the economic development committee in the development, implementation and review of the economic development plan;

(c) at the request of the holdings board, assist in carrying out the duties of the manager of business under the governance and fiscal agreement;

(d) mentor Toquaht citizens and provide information, materials and resources to support citizen entrepreneurship and business development, and

(e) perform any additional duties or exercise any additional powers assigned to the economic development officer by the director of operations.

Delegation authority

2.11 (a) Upon the approval of the director of operations, the economic development officer may delegate, in writing, the performance of any of the economic development officer's duties or the exercise of any of the economic development officer's powers to

(i) a Toquaht director,

(ii) a Toquaht government employee, or

(iii) an independent contractor of the Toquaht Nation.

(b) Despite the delegation of any duties or powers under subsection (a), the economic development officer remains responsible for ensuring that the duties are performed properly and the powers are exercised appropriately.

PART 3 - ECONOMIC DEVELOPMENT PLAN

Economic development plan

3.1 (a) The economic development plan last approved in accordance with the Economic Development Act, TNS 03/2012 (repealed by this Act) continues in effect until replaced in accordance with this Part.

(b) On or before June 30, 2030 and at least every five years thereafter, Council must, as part of its overall strategic planning, approve an economic development plan recommended by the Executive under section 3.2(b), with any changes Council decides are necessary or desirable.

(c) The Executive must ensure that a copy of each economic development plan approved by Council under subsection (b) is

(i) provided to each Toquaht business, and

(ii) posted on the Toquaht Nation website.

Economic development plan development

3.2 (a) The economic development committee is responsible for developing, with the assistance of the economic development officer, a proposed economic development plan.

(b) The Executive is responsible for reviewing and recommending the proposed economic development plan, with any changes the Executive decides are necessary or desirable, to Council for approval.

(c) Before recommending the proposed economic development plan to Council for approval, the Executive must

(i) present the proposed economic development plan to Toquaht citizens at a People's Assembly and give full and fair consideration to any comments provided by Toquaht citizens, and

(ii) consult with the holdings general partner and give full and fair consideration to any comments provided by the holdings general partner.

Economic development plan contents

3.3 The economic development plan approved by Council under section 3.1 must identify goals and objectives for the next five years in relation to furthering the economic development mission, including

(a) any regulatory reviews or changes that the Toquaht government plans to pursue to better foster economic activity,

(b) the general types of industries and service providers that Toquaht government wishes to attract to Toquaht lands,

(c) the Toquaht lands that Toquaht government plans to make available for business activity,

(d) the infrastructure that Toquaht government plans to develop to support businesses, organizations, communities and residents on Toquaht lands,

(e) the alignment of economic activity and infrastructure development with environmental objectives and responsibilities,

(f) revenue expectations from taxation, development service charges and other fees,

(g) job creation goals for Toquaht citizens,

(h) contracting goals for businesses owned or operated by Toquaht citizens,

(i) training or mentorship opportunities for Toquaht citizens, and

(j) other practical economic benefits for Toquaht Nation or Toquaht citizens, as applicable.

Economic development plan review

3.4 (a) On or before the third anniversary of the approval of an economic development plan under section 3.1(b), the economic development committee is responsible for overseeing the preparation of a review of the implementation of the economic development plan.

(b) The review referred to in subsection (a) must include an assessment of the extent to which the goals and objectives referred to in section 3.3 have been met in that economic development plan.

(c) The economic development committee must ensure that a copy of each review prepared in accordance with subsection (a) is

(i) provided to each Toquaht business, and

(ii) posted on the Toquaht Nation website.

PART 4 - GENERAL PROVISIONS

Economic Development Act repealed

4.1 The Economic Development Act, TNS 3/2012 is repealed.

Consequential amendment to Interpretation Act

4.2 Section 3.3 of the Interpretation Act (Toquaht Nation) is amended by repealing the definition of "economic development committee" and replacing it with the following:

""economic development committee" means the standing committee on economic development continued under section 2.3(a) of the Economic Development Act (Toquaht Nation);"

Consequential amendments to Financial Administration Act

4.3 The Financial Administration Act (Toquaht Nation) is amended as follows:

(a) in section 1.4 the definition of "Toquaht business" is amended by striking out the words "Economic Development Act" and substituting "Business Development Act";

(b) section 6.1(e) is amended by adding "7.4, " between the numbers "7.3" and "7.5"; and

(c) by striking out every occurrence of the words "economic development account" and substituting "business development account".

Other consequential amendments

4.4 (a) The Environmental Protection Act (Toquaht Nation), the Resources Harvesting Act (Toquaht Nation) and the Government Act (Toquaht Nation) are amended by striking out every occurrence of the word "Hahoulthee" and substituting "ḥaḥuuɬi (the chiefly territories of the chief)".

(b) Section 3.3 of the Interpretation Act (Toquaht Nation) is amended by repealing the definition of "Hahoulthee".

Regulations

4.5 The Executive may make regulations that it considers necessary or advisable for the purposes of this Act.

Commencement

4.6 This Act comes into force on the date it is enacted.

LEGISLATIVE HISTORY

Economic Development Act TNS ◆/2026 enacted ◆, 2026.

BACK

TOQUAHT NATION GOVERNMENT

BUSINESS DEVELOPMENT ACT

TNS ◆/2026

This law enacted on _____, 2026

Signed _____
Anne Mack, ḥaʔwiɬ of the Toquaht Nation

DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS

ON _____/_____/_____

_____
Signature of Law Clerk

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PREAMBLE

Business development plays a central role in advancing Toquaht Nation's vision of self-determination, community well-being, and long-term sustainability. Strong businesses provide opportunities for citizens, support community services, and help generate the resources needed to govern effectively and build a vibrant future for generations to come.

Successful business ventures require clarity, discipline, and freedom from political interference. To support this, it is essential to maintain a clear and principled distancing between government and Toquaht businesses. This distancing allows businesses to act with agility and make informed decisions while operating with the transparency and accountability expected by Toquaht Nation.

A clear and forward-looking business development plan provides the foundation for this work by identifying priorities and opportunities and ensuring that business activities align with the community values and long-term goals of Toquaht Nation.

This Act sets out a framework for planning, implementing and operating businesses in a way that reflects Toquaht values, supports community goals, and upholds the principles of good governance. This Act operates alongside the Economic Development Act (Toquaht Nation) to advance the long-term prosperity and wellbeing of the Toquaht Nation and its citizens.

Toquaht Nation adopts this Act based on these values.

PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This Act may be cited as the Business Development Act (Toquaht Nation).

Executive oversight

1.2 The member of the Executive holding the lands, public works and environmental protection portfolio is responsible for the executive oversight of this Act.

Authority

1.3 This Act is enacted under sections 13.11.1, 13.12.1 and 13.12.2 of Chapter 13 Governance of the Maa-nulth Treaty.

Application

1.4 (a) This Act applies to business undertakings owned or carried out on behalf of Toquaht Nation.

(b) Business undertakings may only be owned or carried out on behalf of Toquaht Nation as

(i) Toquaht businesses, or

(ii) related business interests.

Businesses and interests to which this Act does not apply

1.5 (a) If approved by the Executive by Order, a Toquaht institution may establish a business or acquire an interest in a business that

(i) is necessarily ancillary or incidental to the provision of programs, services or other functions of government,

(ii) is not a business engaged in primarily for the purposes of profit,

(iii) derives income solely from granting an interest or licence in, or in respect of,

(A) lands or resources on or under Toquaht lands,

(B) any right of Toquaht Nation referred to in Chapter 10 Fisheries of the Maa-nulth Treaty, or

(C) any other property of Toquaht Nation, or

(iv) is authorized under section 7.3, 7.5 or 7.6 of the Financial Administration Act (Toquaht Nation).

(b) A business or interest referred to in subsection (a) is not subject to this Act.

Definitions

1.6 In this Act,

"Administrative Decisions Review Act" means the Administrative Decisions Review Act (Toquaht Nation);

"business development" means the establishment and operation of Toquaht businesses and the acquisition of related business interests;

"business development mission" means the mission of Toquaht Nation business development, as set out in section 2.1;

"business development plan" means the business development plan approved in accordance with the governance and fiscal agreement;

"economic development mission" has the meaning given to that term in the Economic Development Act (Toquaht Nation);

"economic development plan" has the meaning given to that term in the Economic Development Act (Toquaht Nation);

"governance and fiscal agreement" means the agreement entered into by the Executive and every Toquaht business in accordance with section 3.1;

"holdings board" means the board of directors of the holdings general partner;

"holdings general partner" means the general partner of the holdings limited partnership;

"holdings limited partnership" means the Toquaht Holdings Limited Partnership registered under the Partnership Act (British Columbia) under registration number 553540-11;

"new business opportunity" means a

(a) proposed Toquaht business, or

(b) proposed related business interest;

"operating board" means the board of directors of an operating general partner;

"operating general partner" means the general partner of an operating limited partnership;

"operating limited partnership" means a limited partnership registered under the Partnership Act (British Columbia) and the interest of which is wholly owned legally and beneficially by the holdings limited partnership;

"related business interest" means an interest held by a Toquaht business in another business, but does not include

(a) an interest in a Toquaht business, or

(b) an interest in a business referred to in section 1.5;

"Toquaht business" means

(a) the holdings general partner and holdings limited partnership,

(b) every operating general partner and operating limited partnership, and

(c) any other business wholly owned by the holdings limited partnership,

but does not include a business referred to in section 1.5.

PART 2 - BUSINESS DEVELOPMENT MISSION AND OVERSIGHT

Business development mission

2.1 The mission of Toquaht Nation business development is to establish profitable and independent businesses that provide sustainable and diversified sources of revenue for the Toquaht government in a manner that respects Toquaht heritage, culture, and responsibilities toward the ḥaḥuuɬi (the chiefly territories of the chief) and environment.

Business development oversight

2.2 Subject to this Act, primary responsibility for the oversight of business development is vested in the holdings general partner.

PART 3 - GOVERNANCE AND FISCAL AGREEMENT

Executive authority

3.1 The Executive must enter into a governance and fiscal agreement on behalf of Toquaht Nation with every Toquaht business.

Terms of agreement

3.2 The governance and fiscal agreement must contain terms addressing the following matters:

(a) the size and composition of the holdings board and operating boards;

(b) the term of holdings board and operating board members and the removal of board members;

(c) the holdings general partner's responsibilities in relation to the oversight of business development;

(d) major decisions of the holdings general partner that cannot be made without the approval of the Executive;

(e) major decisions of operating limited partnerships that cannot be made without the approval of the holdings general partner;

(f) the preparation, approval and review of a business development plan;

(g) planning and approval processes for new business opportunities;

(h) establishment and modification of business mandates;

(i) rules respecting distributions of available cash;

(j) reporting requirements; and

(k) dispute resolution.

New business opportunities

3.3 A new business opportunity may only be established and implemented if the opportunity is approved in accordance with the process set out in the governance and fiscal agreement.

PART 4 - BUSINESS DEVELOPMENT PLAN

Business development plan contents

4.1 The business development plan approved in accordance with the governance and fiscal agreement must contain the following information:

(a) an overview of the current portfolio of operating limited partnerships and related business interests, including for each a summary of the ownership structure, governance structure, business mandate or purpose and current major projects or activities;

(b) goals and objectives for the next five years to further the business development mission;

(c) an overview of the sectors, industries or opportunities the holdings general partner intends to develop or pursue for the next five years;

(d) for each operating limited partnership,

(i) an overview of the major projects and activities in which the operating limited partnership plans to undertake over the next five years to further its business mandate, and

(ii) revenue growth targets over the next five years; and

(e) a statement explaining how the goals and objectives identified in the business development plan advance the economic development mission and goals and objectives set out in the current economic development plan, as applicable.

PART 5 - DISTANCING OF GOVERNMENT AND BUSINESS

Definitions

5.1 (a) In this Part,

"interfere with" means to influence or attempt to influence, either directly or indirectly, an operational decision;

"operational decision" means a day-to-day management or administrative decision that is within the scope of authority of the operating limited partnership, in accordance with the governance and fiscal agreement;

"senior member of government" means a Toquaht government representative, the director of operations, a Toquaht director, a member of the economic development committee and, for certainty, the economic development officer.

(b) For certainty, "interfere with" and "operational decision" do not include any action that forms part of, or is necessarily ancillary or incidental to, any duty or power of a senior member of government under this Act, any other Toquaht enactment or the governance and fiscal agreement, provided that duty is performed or power is exercised in good faith and for a purpose other than to interfere with an operational decision.

Distancing of government and business

5.2 A senior member of government must not interfere with an operational decision of a Toquaht business or a business in which the holdings limited partnership holds a related business interest.

PART 6 - REVIEW OF BOARD MEMBER REMOVAL

Interpretation

6.1 This Part applies to any dispute contemplated under Part 9 of the governance and fiscal agreement and if such a dispute arises, this Part governs the interpretation of the obligations and powers of a person as they relate to the adjudication of that dispute in accordance with the Administrative Decisions Review Act.

Disputes regarding removal of holdings board member

6.2 (a) An individual who has been removed from the holdings board may dispute the removal on the basis that the removal was not made in accordance with the governance and fiscal agreement by applying to the Administrative Decisions Review Board in accordance with the Administrative Decisions Review Act.

(b) The referral of a dispute to the Administrative Decisions Review Board in accordance with subsection (a) is, for the purposes of interpreting the Administrative Decisions Review Act, deemed to be a review request filed under section 3.1 of the Administrative Decisions Review Act to which section 1.3(a) of that Act applies and, for the purposes of the review request,

(i) the removal of the board member is deemed to be a "determination" within the meaning of section 1.4 of that Act, and

(ii) the Executive is deemed to be the Toquaht institution responsible for the determination that is the subject of the review.

(c) If under section 4.7 of the Administrative Decisions Review Act the Administrative Decisions Review Board makes an order setting aside the decision to remove the applicant from the holdings board, the Executive must take all necessary steps to reinstate the applicant as a holdings board member.

Removal of operating board member

6.3 For certainty, an individual who is removed from an operating board in accordance with the governance and fiscal agreement has no right to dispute the removal.

PART 7 - GENERAL PROVISIONS

Offences

7.1 (a) An individual who contravenes section 5.2 commits an offence and is liable, on summary conviction, to a fine not exceeding $5,000.

(b) Nothing in this section displaces the standard offence and enforcement provisions set out in the Administration of Justice Act (Toquaht Nation).

Regulations

7.2 The Executive may make regulations that it considers necessary or advisable for the purposes of this Act.

Commencement

7.3 This Act comes into force on the date it is enacted.

LEGISLATIVE HISTORY

Business Development Act TNS ◆/2026 enacted ◆, 2026.

BACK

TOQUAHT NATION GOVERNMENT

ANNUAL BUDGET ACT, 2026-2027

TNS 2/2026

This law enacted on

DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS

ON

_____
Signature of Law Clerk

Signed _____
Anne Mack, ha'wilth of the
Toquaht Nation

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PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This Act may be cited as the Annual Budget Act, 2026-2027.

Executive oversight

1.2 The member of the Executive holding the finance portfolio is responsible for the executive oversight of this Act.

Definitions

1.3 Words or expressions defined in the Financial Administration Act that are also used in this Act will, except where the context requires otherwise or is otherwise indicated, have the same meaning as those words or expressions defined in the Financial Administration Act.

Adoption of annual budget

1.4 The annual budget attached as Schedule 1 is adopted for the 2026-2027 fiscal year.

Specific purpose revenue

1.5 (a) Subject to subsection (b), if during the 2026-2027 fiscal year the Toquaht Nation receives revenue for a specified purpose and that revenue and the associated expenses for the specified purposes are not budgeted for in Schedule 1, upon receipt of that revenue, the director of operations may, by order, amend Schedule 1 by

(i) adding additional revenue in an amount equal to the revenue received for the specified purpose, and

(ii) adding additional expenses in the amounts equal to the anticipated expenditures required to carry out the specified purposes.

(b) The revenue contemplated in this section may not be revenue received from a Toquaht institution or a Toquaht corporation.

Commencement

1.6 This Act comes into force on April 1st, 2026.

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SCHEDULE 1 - ANNUAL BUDGET
FOR THE TOQUAHT NATION FOR THE 2026-2027 FISCAL YEAR

BACK

Finance Committee

Thursday March 5th, 2026
Hybrid (In-Person & Zoom)
Draft Meeting Minutes

Present: Kevin Mack, Gale Johnsen, Gary Johnsen, Anne Mack
Absent: Rebecca Hurwitz
Guests: Donna Monteith, Robyn Rea, Kirsten Johnsen, Kristine Brown, Jackie Arsenault, Don MacKinnon, Kelly Johnsen, Lisa Morgan, David Johnsen, Brett Freake, Kathy Waddell, Rick Shafer
Chair: Kevin Mack
Recorder: Lisa Strerath
Quorum was present throughout the meeting

Convened 9:10 a.m.
Agenda adopted by consensus
Minutes from February 17th, 2026 adopted by consensus

AGENDA

1) REQUESTS FOR DECISION

a) Review and Recommendation of Annual Budget Act 2026-2027

i) Director's Budget Presentations

(1) Draft Annual Budget 2026-2027

(a) Capital Projects	Rick Shafer
(b) Administration	Donna Monteith
(c) Assets and Public Works	Jackie Arsenault & Don MacKinnon
(d) Language, Culture & Heritage	Kelly Johnsen
(e) Community Services	Lisa Morgan & Kathy Waddell
(f) Lands & Resources	David Johnsen & Brett Freake

- Directors, Managers, and Consultants presented each department's estimated expenses for the 2026-2027 fiscal year in a line-by-line review
- The Standing Committee on Finance was given time to ask questions and suggest amendments
- The budget presented today will be discussed further at the next meeting on Friday March 13th, 2026, and a recommendation will be made to Council

b) Review and Recommendation of Five-Year Financial Plan Act 2026-2027 to 2030-2031

i) Draft Five-Year Financial Plan Act 2026-2027 to 2030-2031

- This Act was not reviewed today and will instead be reviewed on Friday March 13th, 2026

2) INFORMATION FOR DISCUSSION

3) QUARTERLY DEPARTMENT REPORTS

4) LATE ADDITIONS

Additions/Deletions

- None

Meeting adjourned 4:10 p.m.

Minutes prepared by L Strerath

Law Clerk

Date

DRAFT