

**Lower Nicola Indian Band
Lands Management Advisory Committee
Meeting Minutes**

**May 11, 2020, 4:00 pm
Virtual Skype Meeting**

Present:	Bill Bose (Chair)	Gene Moses	Louise Moses	Madeline Lanaro
	Hrolfe Joe (Co-Chair)	Robert Sterling	Sondra Tom	
Council:	Robin Humphrey	William Sandy		
Guests:	Shawn Speirs, Lands Advisory Board Resource Centre (LABRC)			
Staff:	Stephen Jimmie	Brandi O'Flynn	Jerrica Joe	

1. MEETING OPENING

The meeting was called to order at 4:12 pm. All attendees participated via phone or computer.

Motion (01): That the LMAC Meeting of May 11, 2020 commence at 4:12 pm.

Moved: Louise Moses **Seconded:** Gene Moses

Motion Carried

1.1. OPENING PRAYER

An opening prayer was offered by Bill Bose.

2. ADMINISTRATION

2.1. ADOPTION OF AGENDA

Motion (02): That the LMAC Meeting Agenda dated May 11, 2020 be adopted with the following amendment:

- Add item: Allotment Law Update

Moved: Louise Moses **Seconded:** Gene Moses

Motion Carried

2.2. ADOPTION OF MINUTES

Reference Materials: 2020-04-22 LMAC Meeting Minutes draft

Motion (03): That the April 22, 2020 LMAC Minutes be adopted with the following amendments:

- Spell out LABRC acronym beside Shawn Speirs' name
- Note that all attendees are via phone

Moved: Sondra Tom **Seconded:** Madeline Lanaro

Motion Carried

3. PROJECT UPDATES

3.1. TRADITIONAL HOLDINGS PROJECT: PHASE 1 REPORT

Reference Materials: THP Phase 1 PowerPoint; Executive Summary Phase 1 Report

Angie Bain and Gretchen Fox presented the Traditional Holdings Project Phase 1 and the Report of this phase of the project. They provided a summary of the project, activities, and findings so far, following the reference material *THP Phase 1 PowerPoint* presentation from the LMAC meeting package.

Discussion ensued on traditional land holdings and ensuring that the needs of Elders, ranchers, and others are met while working towards resolving these lands issues; as well as the importance of planning for the long term rather than shortsighted resolutions.

Angie explained that an important part of this project, which took a lot of time in Phase 1 and continues, is taking a comprehensive inventory of the LNIB's documents, organizing and conducting as much internal research as possible before sourcing additional documents from members regarding their traditional land holdings. The new LNIB Lands Researcher, Kristopher Por, will be putting the document management recommendations from Phase 1 into action and conducting further research into LNIB lands.

Discussion ensued on planning for Phase 2 of the Traditional Holdings Project. Discussion regarding general plans for the next phase of this project included the following:

- Spring 2020: Develop steps and priorities for Phase 2 tasks;
- Summer 2020: Review past work towards an application process and develop drafts;
- Fall 2020: Engage with the community – in-person or otherwise – to revise a drafted process and ensure that outcomes reflect the community;
- Next steps will include implementation of some Phase 1 recommendations;
- Given some of the gaps in LNIB files, next steps will include working to get additional files from ISC and others to help fill these gaps.

Discussion ensued on the importance of continuing to move forward on this topic as a community, respecting different people's perspectives, and sharing a complete picture of the situation with members so that they can more fully understand the issues and make informed decisions. It was mentioned that a big challenge in addressing traditional holdings is competing land interests.

Request (01): Bill would like a map of LNIB Reserves which visualizes land parcels status (traditional land holdings, certificates of possession, etc.)

Discussion ensued on how the mapping of land parcel status might fit into LNIB's Land Use Planning. This visualization could assist with understanding the history of the land, which may assist with research and future planning. There was a cautionary reminder that mapping can create some misunderstandings with imperfect lines, "donut holes" left unused for cultural or intangible reasons, etc. It was also mentioned that some lands which were previously connected to various rites of passage have been lost for these purposes over time.

Angie and Gretchen will be tweaking and finalizing their Phase 1 Report after their presentations to LMAC and Council, and this will be shared with members.

4. FOR INFORMATION AND DISCUSSION

4.1. LMAC QUARTERLY REPORT

Reference Materials: 2019-2020 LMAC Quarterly Report Q4

Brandi presented the LMAC Quarterly Report for the fourth quarter of 2019-2020. This report is for review at this table prior to being sent to the Executive Director, Kari Reilander, and possibly on to Chief and Council for information. There were no amendments suggested to this report.

Discussion ensued on past agenda items, with a desire for updates on the Shulus Forest Enterprises (SFE) Timber Permit seeding.

Action (01): Brandi to follow up with Don Gossoo of SFE to request an update regarding seeding and a timeline for when it will be completed, if not already complete

4.2. ENFORCEMENT LAW REVIEW (continued)

Reference Materials: Indian Act By-Laws – Police Enforcement COVID-19 and Pandemic Concerns; LNIB Enforcement Law draft

Stephen provided a summary of the Enforcement Law Review from the last meeting, and mentioned that Angie and Gretchen have agreed to assist with the addition of cultural language. Having previously reviewed by reading aloud up to Part 8 - *Offences and Penalties*, attendees continued to review the draft *LNIB Enforcement Law* together by reading sections aloud.

During review of the draft Enforcement Law, discussion ensued on topics including:

- Section 33 (Penalty): fine amount could be modified up to “not exceeding” \$5,000, and some communities have added provisions that allow for fines or imprisonment to exceed these penalty amounts in cases of environmental offenses or damage;
- Minor errors throughout, including:
 - Numbering for *Part 9 – Amendments* and following parts
 - Spelling errors
 - Lands Advisory Committee rather than Lands Management Advisory Board (section 36)
 - Having numbers spelled out then written as a number in parentheses (i.e.: six (6) months), inconsistencies in practice;
- Amendments process for this Law, and additions or amendments to associated schedules.

Stephen explained that he will be working with a lawyer to consider comments and amendments, including revising errors throughout, and will then bring back a “tracked changes” copy that clearly shows the changes to the LMAC. This copy will also be posted on the LNIB website for member review.

Stephen provided an overview of the reference material document regarding Indian Act By-Laws, discussing how this relates to First Nation Laws made under Land Code, and the process of law enforcement.

There was a question regarding the enforceability of “locals only” signs posted at Rocky Pines and restricting access. Discussion ensued on additional work around enforcement that would be required to effectively uphold restricted access, and process of enforcement and opportunity in the future for enforcement officers to provide education to those in non-compliance as a first step towards enforcement.

4.3. ALLOTMENT POLICY UPDATE

Stephen provided an update regarding the creation of an Allotment Policy prior to moving forward with a LNIB Allotment Law. This was previously proposed as an option to address home lot transfers from housing programs – such as Canada Mortgage and Housing Corporation (CMHC). Some of these homes have existing rent-to-own agreements which provide guideline for the transfer of the home lot, while some others do not have such an agreement, likely due to changes in LNIB policy at some point in time.

Given Stephen’s investigation into the situation, the best option seems to be to move forward with the transfer of homes with rent-to-own agreements and to develop a homeowner’s policy to create guidelines to address eligibility and transfer of homes without such agreements, without creating an Allotment Policy.

5. MEETING CONCLUSION

5.1. NEXT LMAC MEETING

Discussion ensued on when to hold the next LMAC meeting. There was mention that Stephen would like to include the Conflict of Interest Training at the next LMAC meeting, and will confirm the availability of the training provider before confirming the next meeting date.

Decision (01): Next Meeting: Monday, May 25, 2020 at 4:00pm (tentatively)

Motion (04): That the Lands Management Advisory Committee meeting be concluded at 7:00 pm.

Moved: Madeline Lanaro

Seconded: Louise Moses

Motion Carried

SUMMARY OF ACTION ITEMS:

01. Brandi to follow up with Don Gossoo of SFE to request an update regarding seeding and a timeline for when it will be completed, if not already complete