

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

June 01, 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			
Guests:	Shawn Speirs, Lands Advisory Board Resource Centre (LABRC) Rae-Lynne Mills, Trans Mountain Corporation (TMC)			
Staff:	Stephen Jimmie	Brandi O'Flynn	Jerrica Joe	

1. MEETING OPENING

The meeting was called to order at 4:09 pm. All attendees participated via phone or computer.

1.1. OPENING PRAYER

An opening prayer was offered by Bill Bose.

2. ADMINISTRATION

2.1. ADOPTION OF AGENDA

Motion (01): That the LMAC Meeting Agenda dated June 01, 2020 be adopted with the following amendment:

- Add Lot Allotments as item 3.2

Moved: Sondra Tom

Seconded: Louise Moses

Motion Carried

2.2. ADOPTION OF MINUTES

Reference Materials: 2020-05-11 LMAC Meeting Minutes draft

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

- 4.2 Remove "Discussion ensued on" and "Questions arose regarding"

Moved: Sondra Tom

Seconded: Gene Moses

Motion Carried

It was mentioned that LMAC would still like the topic of fencing along Highway 97C to be added as an agenda item for discussion at a future meeting. Staff – Brandi O'Flynn from the Lands Department and Suzette O'Flynn from the Infrastructure Department – are looking into files at LNIB regarding any agreement with the Cattle Association about this fencing and its maintenance. Discussion ensued on the specific fencing in question.

3. NEW BUSINESS

3.1. TRANS MOUNTAIN 2020 SURVEY REQUEST

Reference Materials: TM LNIB Survey Request Presentation; Ownership Sketch; Proposed Resolution 2020-04 – two options

Rae-Lynne Mills introduced herself and provided a presentation outlining the survey work planned and anticipated for the year, as well as Trans Mountain Corporation's (TMC) request for survey permission on Zoht IR No. 5 for 2020. It was noted by Rae-Lynn that this area was missed during previous preparation stages during which permission would typically have been sought.

Rae-Lynne briefly overviewed the surveys listed in the presentation and the usual process taken for receiving permission for surveys and next steps once work progresses. It was discussed that to date there has been an ownership sketch completed, and next would be the sweeps and staking for existing utilities in the right of way and a legal survey in the area.

Discussion ensued the areas for which permission is being sought, land ownership and title, and other areas which may be involved with TMC requests. Rae-Lynne overviewed the process of the sweep and survey activities for which they are seeking permission, which are expected to span one day on reserve, and that TMC would be willing to compensate for a cultural monitor to attend. It was additionally mentioned that TMC could be flexible in working around when LNIB is open to having these activities carried out.

Discussion ensued on the need for TMC to seek permission from the Certificate of Possession (CP) holder(s) for a parcel of private member-owned land which their planned activities cross (Zoht IR No.5 Lot 3). Disconnect between various systems may have caused a gap in knowledge regarding land ownership on reserve, resulting in TMC not having contacted the CP holder(s) for permission at this time.

Rae-Lynne left the meeting at 4:39 pm.

Questions arose regarding TMC's timeline for proceeding with work on the Trans Mountain Expansion Pipeline (TMEP); it was discussed that the timeline is unknown to Lands staff due to many variables and discussions between TMC and landowners, though it is likely quite some time away – public media comments may have suggested around a 2 year timeline. Comments were made regarding the desire for clearer lines of communication regarding projects such as the TMEP.

Discussion ensued on the reference material proposed resolution options, and land title for the area which TMC is requesting access. It was mentioned that LMAC members would prefer to revisit this topic after staff follow up regarding land ownership in the area.

DECISION (01): LMAC members requested that this item be tabled until staff can confirm that affected CP holder(s) are contacted for permission, and would only like to see a proposed motion permitting the legal survey, sweeps and staking (*Proposed Resolution Option B in the 2020-06-01 LMAC Meeting Package*).

ACTION (01): Lands staff will follow up regarding CP holders being contacted by TMC for permission for surveys and sweeps for 2020.

3.2. LOT ALLOTMENTS

Madeline brought up that she is seeking a home lot on LNIB reserve near Shulus, given the recent sale of her home off-reserve. She mentioned a willingness to pay for a home lot, and that she is under the impression that there are some lots which may be available near the Band School.

Discussion ensued on the availability of home lots for members, including the necessity for the enactment of an Allotment Law and the resolution of traditional land holdings prior to home lots being made available for allotment to members. At this time, the only option for purchasing lots on LNIB reserve is to purchase from a member who possesses a CP for their lot. Discussion ensued on the timeline for progression on this issue, and the Traditional Holdings Projects Phase 2 commencing this year, which includes the drafting of a process to resolve traditional land holdings.

ACTION (02): Bill would like to see a map of ownership and availability of lots in the Shulus area – CP'd, etc.

Discussion ensued on the re-survey of the Shulus Village area on Nicola Mameet IR No.1, which is planned for summer 2020. LMAC members expressed a desire for lots to be made available for members to build homes in the next few years. Discussion ensued on CMHC home lots, equitable process for home lot allotments, and an Allotment Law. It was noted that Madeline will have a conflict of interest regarding discussion and decision making related to LNIB home lot allotments.

4. FOR INFORMATION AND DISCUSSION

4.1. ENFORCEMENT LAW REVIEW (continued)

Reference Materials: LNIB Enforcement Law Draft 02 with tracked changes

Stephen provided a high-level summary of the changes made since the previous draft of the Enforcement Law, considering feedback received throughout the review process at LMAC meetings to date. Stephen then reviewed the document in detail, discussing each revision from past discussions.

Discussion ensued on community justice process considerations, and the need for ticketing to be carried out in an unbiased manner. The group discussed decision making, LNIB values, inter-nation decision making possibilities, and ensuring that activities are in line with what the LNIB community wants. Stephen mentioned that if a community justice process were added to this law, as a schedule, it would need to go through community engagement, which would ensure that it is community minded. Stephen asked that LMAC members start thinking further about what a community justice process could look like for planning and discussion at a later date.

Discussion ensued on examples of past enforcement carried out by LNIB staff. Concerns were raised with the amount of responsibilities within the Enforcement Law which all seem to fall onto the Lands Manager, the capacity of one person to handle all of these responsibilities and duties, and the future need for increased staff.

Comments mentioned during the discussion of the LNIB Enforcement Law included:

- Favourable thoughts about the community involvement included in the law development;
- It was mentioned that Darwin Hanna, a former indigenous lawyer, may have good insights into the inclusion of Indigenous law or xitlix (pronounced "hee-t-lee"), and it may be a good idea to invite him to a meeting or to review this draft law;
- Discussion ensued on the benefit of inviting members and families directly to join into the review and the importance of asking individual members in community meetings for their input on topics or questions, as some will only share comments if asked individually.

ACTION (03): Stephen requests that the LMAC review Section 13 (*Community Justice Process*) for consideration and discussion at a later date regarding composition, eligibility, etc.; and proposed discussing this section with members' families for additional ideas and feedback.

Stephen mentioned that section 13 (*Community Justice Process*) will continue to be reviewed at future meetings, and that the LMAC will continue to look at the next draft LNIB law while considering options and ideas for the Community Justice Process.

5. MEETING CONCLUSION

5.1. NEXT LMAC MEETING

Discussion ensued on when to hold the next LMAC meeting, June 08 or June 15, 2020.

Decision (02): Next Meeting: Monday, June 15, 2020 at 4:00pm

Motion (03): That the Lands Management Advisory Committee meeting be concluded at 6:47 pm.

Moved: Sondra Tom

Seconded: Gene Moses

Motion Carried

SUMMARY OF ACTION ITEMS:

01. Lands staff will follow up regarding CP holders being contacted by TMC for permission for surveys and sweeps for 2020.
02. Bill would like to see a map of ownership and availability of lots in the Shulus area – CP'd, etc.
03. Stephen requests that the LMAC review Section 13 (*Community Justice Process*) for consideration and discussion at a later date regarding composition, eligibility, etc.; and proposed discussing this section with members' families for additional ideas and feedback.