

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

**July 27, 2020, 4:00 pm
Virtual Skype Meeting**

Present:	Bill Bose (Chair)	Madeline Lanaro	Louise Moses
	Hrolfe Joe (Co-Chair)	Robert Sterling	Sondra Tom (departed 5:49 PM)
Absent:	Gene Moses (excused)		
Guests:	Shawn Speirs, Lands Advisory Board Resource Centre (LABRC) Tyson Lamarsh, Miller Titerle & Company		
Staff:	Stephen Jimmie	Brandi O'Flynn	Jerrica Joe

1. MEETING OPENING

The meeting was called to order at 4:06 PM. All attendees participated via phone or computer.

1.1. OPENING PRAYER

An opening prayer was offered by Bill Bose.

1.2. INTRODUCTIONS

Tyson Lamarsh of Miller Titerle & Company and Shawn Speirs of the First Nations Lands Management Advisory Board Resource Centre (LABRC) provided introductions of themselves to the LMAC.

2. ADMINISTRATION

2.1. ADOPTION OF AGENDA

Motion (01): That the LMAC Meeting Agenda dated July 27, 2020, be adopted with the following amendment:

- Add 2.2 Conflict of Interest Declaration

Moved: Sondra Tom

Seconded: Madeline Lanaro

Motion Carried

2.2. CONFLICT OF INTEREST DECLARATION

During the presentation of item 3.1 Trans Mountain Expansion Project & LNIB Lands, it was discussed and determined that Robert Sterling had a conflict of interest regarding this topic.

2.3. ADOPTION OF MINUTES

Reference Materials: 2020-07-13 LMAC Meeting Minutes draft

Motion (02): That the LMAC Meeting Minutes dated July 13, 2020, be adopted as circulated.

Moved: Sondra Tom

Seconded: Hrolfe Joe

Motion Carried

3. PRESENTATIONS

3.1. TRANS MOUNTAIN EXPANSION PROJECT & LNIB LANDS

Reference Materials: 2020-07-22 Presentation to LMAC re TMEP Easement; LNIB TMEP Permits

Tyson Lamarsh presented the reference materials, overviewing the background and next steps for LMAC and LNIB regarding Trans Mountain and the Trans Mountain Expansion Project (TMEP).

Points of discussion and questions included:

- To the best of Tyson’s knowledge, most or all of the affected individual landholders have concluded their negotiations with Trans Mountain;
- Tax revenues for LNIB for the duration of operation of the pipeline through LNIB Lands, with the easement lasting 99 years and being renewed thereafter—this revenue is essentially indefinite;

Discussion ensued on whether Robert Sterling was in a conflict of interest regarding this topic. Sondra and Madeline both noted their opinions that Robert should not be present during this item and other LMAC members agreed. Robert departed the meeting at 4:57 PM—midway through the discussion of this topic—per LMAC’s determination.

The presentation and discussion resumed once Robert departed. Points of discussion and questions included:

- LNIB compensation from the TMEP, and monies received by LNIB through the Mutual Benefits Agreement with Trans Mountain;
 - Options to return to Trans Mountain for further negotiations and the fiduciary obligation of Council and committees to seek the best compensation for the community;
 - LNIB Band Lands may have been compensated significantly lower than individually-held lands;
 - LNIB membership’s referendum results that supported the Mutual Benefits Agreement and the fact that Trans Mountain has started the permitting process to bypass LNIB Lands;
 - Community needs that could benefit from additional compensation from Trans Mountain;

Decision (01): LMAC would like Tyson Lamarsh of Miller Titerle & Co. to pursue further compensation for the Trans Mountain Expansion Project easement across LNIB Band Lands, given LMAC’s fiduciary obligations to LNIB membership.

Tyson confirmed the next steps for this item and that updates shall be provided to LNIB through Kari Reilander (Executive Director), Leesa Mike (Director of Economic Development), and Stephen Jimmie (Director of Lands). Tyson departed the meeting at 5:48 PM. Sondra departed the meeting at 5:49 PM.

4. FOR INFORMATION AND DISCUSSION

4.1. ENFORCEMENT LAW REVIEW: COMMUNITY JUSTICE PROCESS

Reference Materials: ILRU Conflict of Interest Literature Review

Stephen reminded the LMAC of the ongoing discussion regarding a Community Justice Process to be included in the Enforcement Law. Stephen overviewed the reference materials. As not all members had a chance to review the materials, due in part to the small print, this will be reviewed at the next meeting.

Action (01): Jerrica will print out two additional, larger-print copies of the ILRU Conflict Resolution Literature Review document for Bill Bose and Madeline Lanaro to pick up from outside the Lands office.

4.2. BUSINESS LICENSING LAW REVIEW

Reference Materials: LNIB Business Licensing Law Draft 01

Review of the drafted Business Licensing Law continued, with a member reading aloud, from section 10. Questions and comments included:

- Possibility of a meeting motion having been passed at a Council meeting which determined that catered foods are to be prepared on-site, not in members' homes;
- Scope of the term "licensed professionals", which excludes professions such as hairdressing, and how to clearly include these non-licensed professions in section 11.2, so that they would not require a business license;
- Whether this Law considers logging, and other businesses based on-reserve through a home-based office, and for which business activities may be conducted off-reserve;
- Minor spelling or grammatical errors to be corrected throughout;
- The expiration of business licenses on December 31 and the responsibility of businesses to apply for their licenses far enough in advance to avoid being without a license at the start of the calendar year, when LNIB staff may be out of the office;
- Community consultation requirements for retail cannabis businesses despite the community survey whose results showed a majority of LNIB member respondents in favour of this type of business;

The review of this draft law shall continue at the next meeting, starting at *Part 6 – General Requirements for all Licenses*, section 33.

5. MEETING CONCLUSION

5.1. NEXT LMAC MEETING

Discussion ensued on when to hold the next LMAC meeting.

Decision (01): Next Meeting: Monday, August 24, 2020, at 4:00 PM.

Motion (04): That the Lands Management Advisory Committee meeting be concluded at 7:09 PM.

Moved: Bill Bose

Seconded: Madeline Lanaro

Motion Carried