

	<p style="text-align: center;">stqa?k^wniw` t WESTBANK FIRST NATION 515 Highway 97 South Kelowna, B.C. V1Z 3J2 Phone: (250) 769-4999 Fax: (250) 769-4377 www.wfn.ca <i>Community. Leadership. Pride.</i></p>	<p style="text-align: center;">MINUTES ADVISORY COUNCIL sp'ixəmtən (April) 9, 2019 Approved miktú?tin (May) 14, 2019</p>
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Meeting took place in the First Floor Boardroom of the Westbank First Nation Government Building.

ADVISORY COUNCIL IN ATTENDANCE:

Terry Turcan - Chair	Gord Couch – Vice-Chair
Ludwig Teichgraber	John Cole
Rick Ould	

STAFF IN ATTENDANCE:

Jeniffer Bellingham	Researcher
Pat Leitch	Director of Finance
Ernest Jack	Surveyor of Taxes
Adam Nerger	səx ^w k'əstq'əq'aym / Recording Clerk

DELEGATES IN ATTENDANCE:

Bill Dawson	Manager of First Nation Assessment, BC Assessment
Tracy Wall	Deputy Assessor, BC Assessment

CALL TO ORDER	Agenda is attached to these minutes as Exhibit "A."
<i>T. Turcan</i>	Called the meeting to order at 9:00 a.m. with P. Leitch present.
	<u>Motion to Adopt the Agenda of sp'ixəmtən (April) 9, 2019</u>
MOTION	MOVED BY J. COLE Seconded by L. Teichgraber THAT the Advisory Council hereby approves the agenda of sp'ixəmtən (April) 9, 2019 . <ul style="list-style-type: none"> • Home Advocacy Update (R. Ould) CARRIED
	<u>Motion to Adopt the Minutes of pəckttán (March) 12, 2019</u>
MOTION	MOVED BY G. COUCH Seconded by R. Ould THAT the Advisory Council hereby approves the minutes of pəckttán (March) 12, 2019 CARRIED



NEW BUSINESS	
<i>G. Couch</i>	On behalf of the Advisory Council I would like to express congratulations to WFN's Manager of Inter-Governmental Affairs/Title & Rights , R. De Guevara, and WFN Council in their efforts to negotiate and obtain funding through the Fiscal Transfer Agreement held with the Federal Government, as well as the waiver of treaty fees.
	<u>Monthly Financial Update</u> Financial Report is attached to these minutes as Exhibit "B."
<i>P. Leitch</i>	<p>Overviewed the report with the Advisory Council.</p> <p>In response to T. Turcan, clarified that donation and community enhancement grants can be separated within the budget to provide clarity to these individual amounts.</p> <p>A presentation on these grants will be made at an upcoming meeting of the Advisory Council. This is a positive approach to supporting community improvement projects and can involve external bodies to take the lead on community enhancements.</p>
	The Advisory Council accepted the report for informational purposes.
	<u>Discussion on EHog Online Testing</u>
<i>P. Leitch</i>	<p>Staff are currently in the testing phase for the implementation of the provision of services online. We are looking to have the Advisory Council test this new online process to provide feedback and review what has been prepared prior to the implementation of this service. This is an initial test run that will showcase the user the experience that would be anticipated upon release of the software. All feedback is welcome to ensure a smooth release that meets the expectations of all residents. At the upcoming Resident's Annual General Meeting staff will look to have an information booth as well.</p> <p>The software allows residents to look up their utility bills, property assessments, and the electronic submission for the home owner grant. In future, we will look to implement online payment services as well. This is reflective of a number of other local governments such as the City of West Kelowna who has provided a level of support to our undertaking of this initiative.</p> <p>This online portal will also allow users to search the assessment database which is not currently an option</p>



	available through WFN's online platform.
	The Advisory Council tested the new software with support offered through the Director of Finance.
	<u>BC Assessment Presentation</u>
Delegates Entered:	B. Dawson and T. Wall entered the meeting at 9:54 a.m.
Staff Entered:	E. Jack entered the meeting at 9:55 a.m.
<i>B. Dawson</i>	<p>Overviewed the presentation with the Advisory Council. Highlights from the presentation included:</p> <ul style="list-style-type: none"> • The BC Assessment Roll represents over 2 million properties with a total value of \$1.99 trillion, primarily located in the lower mainland; • Five frameworks are utilized for First Nations Property Assessment and Taxation; • WFN falls under section 83 of the Indian Act concerning taxation with BC Assessment as the assessment service provider; • The same principles are applied to each of the five frameworks; • Market value applies as of July 1st in identifying assessment value; • October 31st is the physical condition date utilized in the assessment of properties with zoning changes also considered at this time; • The three approaches to assessment include a cost approach, direct comparison approach, and income approach; • The income approach is considered on the leasehold and anticipated benefits from the ownership of the structure; • Lots with identified use for mobile homes are valued at a lower value than a lot identified for a residential use, each lot use is considered in the assessment; • Governing law states that the duration of a tenure is not applicable; • BC Assessment values the fee simple interest in determination of assessments as set out by governing legislation; • Assessments on and off reserve are comparable; and • Assessed value set by BC Assessment and property tax rate are set by the taxing authority in culminating the property taxes payable (assessed value x property tax rate = property taxes due).



<i>R. Ould</i>	When I speak with individuals residing off-reserve, it seems that their residence sells for more than their assessment while those living on-reserve sell for less than their assessment.
<i>B. Dawson</i>	<p>When looking at assessments our focus is the fee simple interest. These sales are affected by the leasehold interest as well as the market interest. Properties on-reserve have a declining value as a result of reduced lease lengths.</p> <p>In response to T. Turcan clarified how mobile homes are assessed and the factors considered in determining the assessment.</p>
<i>L. Teichgraber</i>	One concern is differences between assessment and market value which can be confusing for the purposes of selling a residence. It would make more sense that the assessment reflect the market value. A higher mill rate and lower assessment value would be an alternative approach to address this confusion.
<i>B. Dawson</i>	This would go against the current practice if we were to change the process that is set out by governing legislation. If there is confusion as to how an assessment and market value is derived, and this results in confusion, this is likely a concern to be best addressed by the supporting realtor.
<i>T. Wall</i>	<p>The purpose of providing an assessment is not in relation to the sale of a property.</p> <p>In response to R. Ould clarified the assessment is not created for the purpose of identifying the market value. This is a base for property tax for use by the local government. There are other mechanisms in the marketplace that can be utilized for this purpose such as through the services of a fee appraiser or listing realtor.</p> <p>In response to T. Turcan clarified that some of the sales information on Westbank lands is provided through WFN's land registry however some of this information is shared with the Federal agency and not directly with BC Assessment.</p>
<i>B. Dawson</i>	There are multiple registries utilized for the registration of home sales within the Province of BC. BC Assessment receives this information automatically, however this can show up in a number of locations. Mobile home sales can



	<p>also be found in the Mobile Home Registry. For sales within a First Nation jurisdiction, not all sale prices or transactions are received as the information does not always get provided. WFN does provide information for transactions but not sales information. I will review the Advisory Council's concerns however in this regard and provide a response.</p> <p>In response to T. Turcan clarified that WFN is charged the same amount for services provided by BC Assessment as those on non-First Nation land.</p>
	<p>The Advisory Council recommended that fee-simple value of off-reserve comparables be made available online through BC Assessment for use by residents of Westbank lands.</p>
<p><i>L. Teichgraber</i></p>	<p>I understand identifying comparables can be challenging however providing information on sales in the neighbourhood could be beneficial.</p>
<p><i>B. Dawson</i></p>	<p>In that situation, off-reserve comparables would be a more helpful approach to understanding a comparable value of a residence. I will review this concern and the feedback of the Advisory Council and follow up through E. Jack.</p> <p>In response to P. Leitch clarified that billboards can be assessed as an improvement to the land. The concern to date has been determining an appropriate value. Off-reserve they are typically a part of another property with the value largely associated to the other components on the property itself. Off-reserve, for a billboard on a plot of land with no other criteria, it is more difficult as there are no comparables to utilize in determining an appropriate value. BC Assessment is reviewing this with the potential of utilizing the income approach to determine an appropriate value. It is likely that these will be included in the 2020 assessment role.</p> <p>Less than 2%, approximately 1.6%, of property owners appeal their property assessment. This is reflective of statistics regarding appeals for First Nation assessments.</p> <p>In response to R. Ould clarified that appeal statistics can be shared to the Advisory Council for greater awareness.</p>
<p><i>G. Couch</i></p>	<p>We appreciate the opportunity for BC Assessment to attend and speak to our Advisory Council on this matter.</p>



Delegates Left:	B. Dawson and T. Wall left the meeting at 11:06 a.m.
Staff Left:	P. Leitch and E. Jack left the meeting at 11:06 a.m.
RECESS	The Advisory Council recessed for a short break at 11:06 a.m.
RECONVENE	The Advisory Council reconvened at 11:16 a.m.
	<u>Review of the Upcoming Residents Annual General Meeting ("AGM")</u>
<i>J. Bellingham</i>	Overviewed the proposed informational boards with the Advisory Council.
	The Advisory Council supported the information boards as presented.
	The Advisory Council determined to support an invitation to the Okanagan Regional Library to be present at the upcoming AGM.
	<u>Scheduling of the Council to Council Meeting</u>
	The Advisory Council determined to recommend meeting with WFN Council on June 17, 2019.
	<u>Review of the Upcoming Residents Annual General Meeting (Continued)</u>
<i>T. Turcan</i>	Overviewed the draft presentation and topics to be raised at the upcoming AGM. Topics included: <ul style="list-style-type: none"> • Update on sidewalk projects; • Donations made by the Advisory Council; • The upcoming Advisory Council election; • The recent RDCO election; • Development of dog parks; • Community enhancement grant project; • Update on meetings with BC Assessment; • Highlighting of the opening of the Okanagan Regional Library branch at the Lake Okanagan Shopping Centre; • Opening of the community sports court; • Update on the Sensisysten School Expansion and Renovation Project; and • Upcoming online services offered through WFN's Finance Department.
	<u>Overview of HUB Conference</u>
<i>T. Turcan</i>	R. Ould, L. Teichgraber, and I recently attended this event at the WFN Elders Hall. The focus of this project is to provide a joint approach to providing a level of social



	<p>assistance for those individuals in need through committee identification of appropriate social programming to assist the affected individual. Various representatives from organizations and local governments were in attendance for this event.</p>
<i>R. Ould</i>	<p>The desire is to address crime and support individuals identified as being at risk through taking preventative steps. An enforcement officer would typically identify a person at risk and raise awareness to the committee to then review appropriate services to support the individual. This program has proven successful in various jurisdictions across Canada and was well received. It is anticipated this program will be in effect by May, 2019.</p> <p>In response to L. Teichgraber noted that confidentiality was a key concern raised, however addressed during the meeting.</p>
	<p><u>Home Advocacy Update</u></p>
<i>R. Ould</i>	<p>Diane Roy's contract to support this initiative has been extended and her role has been clarified to have a focus on WFN Membership. It was noted by staff that this initiative may grow over time but the focus is currently on WFN Members. I will continue to be involved in this initiative for the time being. It was also identified that Diane's mandate was to participate in the HUB model from a regional perspective. There are some noted restrictions for WFN in applying for grants with this focus in mind. I understand that there are housing projects that will be brought forward to WFN Membership for consideration in the upcoming weeks as well. There is a concern that the focus is specific to WFN Members and not to the greater public as a whole as this was not my previous understanding.</p>
	<p><u>District Reports</u></p>
	<p><u>Lakeridge</u></p>
<i>L. Teichroeb</i>	<p>Overviewed concerns with speed bumps in the Lakeridge community and a lack of consultation with the community in the implementation of speed bumps when they were initially installed. A number of residents feel that rather than repairing the speed bumps, they should be removed. At the request of residents, I will follow up with the Ntityix Development Corp. who recently issued a notice concerning speed bumps to relay these concerns.</p>
	<p><u>Prairie</u></p>
<i>G. Couch</i>	<p>There are continued concerns with potholes on the</p>



	<p>Ministry of Transportation and Infrastructure roadway in front of the Sun Village development. There are also concerns with increasing concerns with individuals breaking and entering into this community as well. Sun Village is currently reviewing investing up to \$10,000.00 to support security improvements based on these increased concerns.</p>
	<p><u>Lakeshore</u></p>
<i>R. Ould</i>	<p>Overviewed a tenancy dispute situation that was brought to his attention by a neighbour of the affected tenant. This matter has since been heard by an arbitrator and a decision rendered.</p>
	<p><u>East Boundary</u></p>
<i>J. Cole</i>	<p>There is nothing to report at this time.</p>
	<p><u>Old Okanagan</u></p>
<i>T. Turcan</i>	<p>Overviewed a resident's concerns regarding the carbon tax matter previously addressed by the Advisory Council.</p>
	<p>The Advisory Council further expressed interest in preparing a team for the upcoming WFN golf tournament.</p>
	<p><u>Next Meeting</u></p>
	<p>The next meeting will take place on miktúʔtin (May) 14, 2019. (Ludwig to be absent)</p>
ADJOURNMENT MOTION	<p>MOVED BY G. COUCH THAT the Advisory Council meeting be adjourned. CARRIED The meeting adjourned at 11:57 a.m.</p>



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Westbank First Nation
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MINUTES
ADVISORY COUNCIL
sp'ixəmtən (April) 9, 2019

These minutes are certified correct:

Terry Turcan

Gord Couch

Ludwig Teichgraber

Rick Ould

John Cole