

	<p style="text-align: center;">stqa?kʷnínw` 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 siya?tən (June) 9, 2020 Approved ʔxʷʔxʷtán (July) 21, 2020</p>
---	--	---

Meeting took place via Zoom Meeting Platform

ADVISORY COUNCIL IN ATTENDANCE:

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

STAFF IN ATTENDANCE:

Jeniffer Bellingham	Self-Government Implementation Coordinator/Researcher
Pat Leitch	Director of Finance
Warren Kootenay	Funding Coordinator
Ernest Jack	Surveyor of Taxes
Mandi Carroll	Manager, Economic Development & Communications
Graeme Dimmick	Senior Planner
Holli Hyatt	Planner I
Adam Nerger	səxʷkʷəʔqʷəqʷaym (Recording Clerk)

CALL TO ORDER	Agenda is attached to these minutes as Exhibit "A."
<i>T. Turcan</i>	Called the meeting to order at 9:01 a.m. with J. Bellingham, P. Leitch, W. Kootenay, and E. Jack present via Zoom meeting platform.
	<u>Motion to Adopt the Agenda of siya?tən (June) 9, 2020</u>
MOTION	MOVED BY R. OULD Seconded by G. Couch THAT the Advisory Council hereby approves the agenda of siya?tən (June) 9, 2020. CARRIED
	<u>Motion re: Absences of Members</u>
	There were no absences to report.
	<u>Motion to Adopt the Minutes of pæckítán (March) 10, 2020</u>
MOTION	MOVED BY L. TEICHGRABER Seconded by G. Couch THAT the Advisory Council hereby approves the minutes of pæckítán (March) 10, 2020. CARRIED
NEW BUSINESS	



	<u>Bi-Annual Meeting with WFN Council</u>
<i>J. Bellingham</i>	Previously the Advisory Council expressed a preference to meet with Council in person. Given current pandemic circumstances and social distancing restrictions, this is not possible however by July it is anticipated an update will be available on whether restrictions will ease. We can review this opportunity to meet face to face then, or if restrictions remain in effect we can consider alternative meeting approaches.
	<u>4xʷ4xʷtán (July) 14, 2020 – Zoom Meeting Platform</u>
<i>J. Bellingham</i>	It is likely that the Advisory Council will be meeting utilizing the Zoom meeting platform going forward until such time that restrictions are lifted. This practice will likely be continued for the duration of summer, and reviewed in the Fall, as there is concern of a second wave of pandemic occurring in September with the return to school and flu season.
	<u>Community Enhancement Grant Update</u>
<i>W. Kootenay</i>	A budget of approximately \$10,000.00 has been identified to support this initiative. In discussion with the WFN Chief Black Bear Committee, it was determined to proceed with initiating this grant funding opportunity in the community. This initiative previously received support from the Advisory Council and will support a community driven projects.
	<u>Taxation Update</u>
<i>E. Jack</i>	Yesterday WFN received notice from the First Nation Tax Commission (“FNTC”), clarifying that the laws provided by WFN for taxation purposes, had received final approval and could be implemented. Notice will prepared and delivered shortly to the community with clarity to taxation deadlines and amounts. There has been some delay as a result of amendments required in light of the COVID-19 pandemic which required rate changes and extensions to payment deadlines. A number of residents have attended the office however to pay their bills to date, as staff are able to make this information available.
<i>P. Leitch</i>	Information specific to each resident was prepared in advance of the pandemic, however staff were waiting to receive final approval from the FNTC before proceeding as is required.
<i>G. Couch</i>	Expressed appreciation for the communication prepared by staff and recently received by residents. This was an



	informative communications piece that helped raise a greater level of awareness and understanding amongst residents.
Staff Entered:	M. Carroll entered the meeting at 9:10 a.m. via Zoom meeting platform.
	<u>Community Enhancement Grant Update (Continued)</u>
<i>P. Leitch</i>	<p>This is a previous initiative that was supported by the Advisory Council. It will be important to develop a supporting communication plan to raise awareness to community residents so they understand the intent of this funding and how it is administered.</p> <p>In response to T. Turcan, clarified that all administrative processes and supporting documentation have been developed by administration and are ready for use. Staff were awaiting direction from the Chief Black Bear Committee in order to proceed, however have now received this.</p>
<i>W. Kootenay</i>	Previously, staff had identified an opportunity to promote this initiative through a T. Turcan announcement during the Residents Annual General Meeting, however due to the COVID-19 pandemic this event was cancelled.
<i>M. Carroll</i>	<p>In response to T. Turcan, clarified that releases will be coordinated through various communications channels such as the newsletter, WFN social media, and the WFN website.</p> <p>In response to G. Couch, confirmed that there has been continued growth of WFN' social media presence as a result of the COVID-19 pandemic. Continued engagement through these channels will be a focus of Communications going forward to continue to engage and inform residents.</p> <p>In response to T. Turcan, clarified that staff can identify upcoming key dates concerning the Advisory Council election to be shared publicly for greater resident awareness.</p> <p>In response to T. Turcan, clarified that Legal Services has planned advertisements for the election through external media which includes the Westside Weekly and Capital News.</p>
Staff Left:	P. Leitch left the meeting at 9:21 a.m.



<p><i>W. Kootenay</i></p>	<p>In response to T. Turcan, confirmed that staff continue to work towards the identification of grants with a notable level of success in identifying and receiving additional funds.</p> <p>In response to L. Teichgraber, clarified there has been no impact to the Advisory Council’s budget as a result of the COVID-19 pandemic.</p> <p>A number of grant funds are largely administered through Indigenous Services Canada (“ISC”) and have supported the provision of assistance to the community through various initiatives and benefits.</p>
<p>Staff Left:</p>	<p>M. Carroll, E. Jack and W. Kootenay left the meeting at 9:25 a.m.</p>
<p><u>Advisory Council Motion Provision to Council Update</u></p>	
<p><i>J. Bellingham</i></p>	<p>I recently presented a report to Council following the motion passed by the Advisory Council. Through discussion, Council directed the formation of a working group of staff members to review WFN’s taxation laws. WFN’s Intergovernmental Affairs will support this process. This will be conducted with the intent to modernize the existing language, and the potential to transition to the Fiscal Management Act. WFN will further review the existing relationship with BC Assessment, however at this time WFN is largely satisfied with their efforts to date. As this matter progresses, we will continue to provide updates to the Advisory Council.</p>
<p><i>T. Turcan</i></p>	<p>From my perspective, I am supportive of continuing to utilize BC Assessment and feel that their use provides a level of comfort amongst our residents.</p>
<p><i>L. Teichgraber</i></p>	<p>I feel that BC Assessment will need to work towards enhancing their level of service provided to WFN. There are a number of changes to assessment practices on indigenous lands and this needs to be considered.</p>
<p><u>Resident Concern</u></p>	
<p><i>R. Ould</i></p>	<p>A resident of the community requested to attend today’s meeting, however based on the short notice, and as the meeting is being held via Zoom, I noted that I would raise their concern for further discussion amongst the Advisory Council members.</p>
<p><i>J. Bellingham</i></p>	<p>In response to the Advisory Council clarified that notice is a requirement for the Chairperson in order to accept the</p>



	<p>attendance of a resident to speak at the Advisory Council. Typically this individual would be identified as a delegation, and be required to provide any information specific to their request to support greater awareness of those present.</p> <p>If the Advisory Council looks to have a resident attend with the intent to observe, they will need to be clear that they are present as an observer and are not able to engage in discussion unless approved by the Chairperson as noted by the WFN Advisory Council Law. If a resident is looking to attend to speak to an issue, then appropriate notice is required and they will be identified as a delegate on the agenda.</p>
	<p>Various comments from the Advisory Council concerning resident attendance to Zoom meetings included:</p> <ul style="list-style-type: none"> • Concerns with potential conflict or interruptions that will frustrate this communication platform; • Recommendation to consider the recording of meetings to share digitally with residents; • Reviewing the use of Zoom in future for individuals to attend remotely as observers; and • Support for clear identification of obligations for those seeking to attend and the provision of clarity to their role as an observer or participant as established by the WFN Advisory Council Law.
<i>J. Bellingham</i>	<p>In response to the Advisory Council, clarified that for the time being all meetings will continue to be held utilizing the Zoom meeting platform. This is a precautionary measure in light of the COVID-19 pandemic and will likely be the approach going forward until such time that greater clarity is provided by the Provincial Health Authority. The Advisory Council needs to be clear on how residents can attend these meetings and what their obligations are in order to participate.</p>
	<u>District Reports</u>
	<u>Lakeridge</u>
<i>L. Teichgraber</i>	There is nothing to report at this time.
	<u>Prairie</u>
<i>G. Couch</i>	I am aware of signage along the corner of Old Okanagan advertising a forthcoming residential development project, however was not aware that this received approval from WFN. I will follow up with G. Dimmick on this matter.



	The Sun Village community will be hosting a community meeting tomorrow over Zoom and this will be a first occurrence for our community.
	<u>Lakeshore</u>
<i>R. Ould</i>	I have received a concern from a resident regarding the upcoming, potential end of a lease term for a mobile home park community in 2021. According to the resident, there has been communications received by park tenants that they lease may be extended, however other residents have been notified that they will be leaving. This has raised a number of concerns in that community and they are seeking clarity.
<i>A. Nerger</i>	In response to R. Ould clarified the requirements as set out by the WFN Residential Premises Law with respect to the termination of a tenancy due to the owner's use of land. Residents requiring greater clarity, should speak directly with their park management, or can seek clarity to their rights through the WFN Residential Premises Administrator.
<i>R. Ould</i>	There is a further instance of concern where a resident recently received notice from WFN Law Enforcement that their dog had been deemed dangerous. This is further complicated as the resident claims that their dog is a service animal. The resident is seeking clarity on their ability in this matter.
<i>A. Nerger</i>	In response to R. Ould clarified service dog requirements and what level of certification is required to support the presence of a service dog. Concerning the notice the resident has received, the resident can seek clarity on the notice and their ability to dispute under the WFN Dispute Adjudication Law, through discussion with WFN's Legal Services Branch.
	<u>East Boundary</u>
<i>J. Cole</i>	I also received communication from a resident expressing concern with an impediment to the sale of their mobile home due to an expiring lease term. It is concerning that this is possible, however I recognize that all residents should be aware of considerations such as lease terms when purchasing a home.
Staff Entered:	G. Dimmick and H. Hyatt entered the meeting via Zoom at 10:13 a.m.
<i>T. Turcan</i>	Unfortunately law dictates that notice in the event of a



	<p>year is required in this regard if a lease may expire. This notice period is standard and is reflective of the law in British Columbia under the Residential Tenancy Branch.</p>
	<p><u>Old Okanagan</u></p>
<i>T. Turcan</i>	<p>There is nothing to report at this time. There is a notable increase in home sales within my community despite the current pandemic.</p>
	<p><u>Development Services Update</u></p>
<i>G. Dimmick</i>	<p>Introduced Holli Hyatt to the Advisory Council. Holli is a new member of our Planning Department as a Planner I.</p> <p>Overviewed the update with the Advisory Council. Highlights from this included:</p> <ul style="list-style-type: none"> • The Ariva Project continues to proceed in undertaking development requirements, this is a substantial develop of approximately 360 residential units; • The Shelter Bay project continues to supply and update engineering requirements, and will be building a multi-use path along their frontage connecting to the bridge; • Expressions of interest for the bluff area on Tsinstikeptum I.R. No.10 continue to be received by staff; • Ongoing discussion has continued with the Ministry of Transportation and Infrastructure (“MOTI”) concerning the Boucherie Road Interchange which remains in a pre-design phase; • Carrington Hotel project is underway with anticipated opening of April 2021. A requirement of this design is to improve the Elk Road and Carrington Road intersection to a four way stop to occur July 2020; • The Broad Street project has received approval for design and will initiate construction efforts shortly; and • Staff have continued to engage with the Carrington Road and Butt Road intersection to support roadway improvements. <p>In response to T. Turcan, clarified that the transfer of ownership for Carrington Road to WFN is underway and will support traffic improvement works. A memorandum of understanding has been signed between WFN and MOTI, which is a first step to support this initiative and supports the Federal Government providing approval for the transfer of land.</p>



	<p>Continuing the report:</p> <ul style="list-style-type: none"> • The Sky Green project has received approval and construction is underway at this time; • Trasolini is working towards their development permit requirements to support a mixed-use zoning with the intent of a mixed use office and light industrial development; • The RV park on Marmot Lane is finalizing their development requirements and these are anticipated to be completed shortly; and • There continues to be a notable level of interest in Westbank lands and last year showcased a high degree of development. <p>In response to G. Couch concerning the potential for development along Butt Road, clarified that no applications have been received at this time, however rezoning has previously been granted to a developer for the identified lot. This developer has approached staff on a number of occasions previously however this has not proceeded with a development application. Concerning the widening Butt Road, no traffic study was conducted during the rezoning phase, however this would be a requirement during the development permit process. This would further include an analysis of a pedestrian crossing and further consideration would be required with this in mind.</p> <p>In response to J. Cole, clarified that no community future planning has occurred with mobile home/manufactured home parks along Highway 97. This is privately held property and these lands continue to be recognized for this specific purpose in the WFN Community Plan in recognition that it is up to the private land holders to determine an alternative use if desired.</p> <p>In response to J. Cole, clarified that if there was intent of redeveloping a mobile home park there are requirements set out by WFN in established policy instruments that would need to be abided by. A years' notice would be required to be provided to tenants. The requirements are onerous in nature and an appropriate level of planning would be required by the landowner. This is typically a rare occurrence.</p>
Staff Left:	J. Bellingham left the meeting at 10:35 a.m.
<i>G. Dimmick</i>	WFN is moving towards consultation on the Comprehensive Community Plan which will see a



	<p>substantial level of engagement and will include the Advisory Council. A review of the WFN Housing Strategy will also be conducted, and feedback from the Advisory Council will be sought in consideration of the current policy. This will further seek clarity to support WFN's position on matters such as microsuites, housing needs, and future development.</p> <p>In response to L. Teichgraber clarified that a draft zoning law has been reviewed, and this document speaks to AirBNB units, modifies rules specific to suites and rentals, and considers other approaches to residency of this nature.</p>
<i>L. Teichgraber</i>	Given current circumstances and the housing market, consideration to RVs and how they are utilized to support various housing situations should be considered by staff.
<i>G. Dimmick</i>	With respect to RV rentals, there have previously been concerns identified with this practice as this is not addressed by the WFN Residential Premises Law and limits any rights individuals that residents would typically have as recognized tenants.
<i>L. Teichgraber</i>	It is important that we consider the presence and use of RVs and identify ways to support taxation of these uses. This is likely a growing approach to housing options and staff will need to be aware of this. Appropriate policy or regulation around this matter will need to be reviewed or developed.
<i>G. Dimmick</i>	As this law goes through the review process, the opportunity for the Advisory Council to provide feedback can support further discussion and consideration on this matter.
	The Advisory Council expressed appreciation for the update as provided.
Staff Left:	G. Dimmick and H. Hyatt left the meeting at 10:52 a.m.
	<u>Next Meeting</u>
	The next meeting will take place on ɬɔ́wɬɔ́wtán (July) 14, 2020 via Zoom meeting platform.
ADJOURNMENT MOTION	MOVED BY G. COUCH Seconded by J. Cole THAT the Advisory Council meeting be adjourned.



stqa?k^w4niw` t
Westbank First Nation
Community. Leadership. Pride.

**MINUTES
ADVISORY COUNCIL
siya?tən (June) 9, 2020**

	CARRIED The meeting adjourned at 10:54 a.m.
--	---

These minutes are certified correct:

Terry Turcan

Gord Couch

Ludwig Teichgraber

Rick Ould

John Cole