

	<p style="text-align: center;"><b>stqa?kʷɬníw` t</b>  <b>WESTBANK FIRST NATION</b>  515 Highway 97 South  Kelowna, B.C. V1Z 3J2  Phone: (250) 769-4999 Fax: (250) 769-4377  <a href="http://www.wfn.ca">www.wfn.ca</a>  <i>Community. Leadership. Pride.</i></p>	<p style="text-align: center;"><b>MINUTES  ADVISORY  COUNCIL</b></p> <p style="text-align: center;">ɬɬʷɬɬʷtán  <b>(July) 21, 2020</b></p> <p style="text-align: center; color: red;">Approved xʷiʷxʷiʷtán  <b>(August) 11, 2020</b></p>
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Meeting took place via the 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
Carla Znak	səxʷkʷəʔqʷəqʷəym / Recording Clerk
Ashley Mazur	Executive Assistant to the Council Secretariat
Della Elliott	Legal Services Supervisor
Ernest Jack	Surveyor of Taxes
Pat Leitch	Director of Finance
Ron McKenzie	Controller
Warren Kootenay	Funding Coordinator

**GUESTS IN ATTENDANCE:**

Jeff Collins	Resident
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<i>T. Turcan</i>	Introduced Jeff Collins who is a resident and will be observing today. There will be an opportunity for questions and comments after the meeting.
<b>CALL TO ORDER</b>	<b>Agenda is attached to these minutes as Exhibit "A."</b>
<i>T. Turcan</i>	Called the meeting to order at 9:03
	<b><u>Motion to Adopt the Agenda of ɬɬʷɬɬʷtán (July) 20, 2020</u></b>
<b>MOTION</b>	<b>MOVED BY G. COUCH</b> <b>Seconded by L. Teichgraber</b> <b>THAT</b> the Advisory Council hereby approves the agenda of ɬɬʷɬɬʷtán (July) 20, 2020. <b>CARRIED</b>
	<b><u>Motion to Adopt the Minutes of siyaʔtən (June) 9, 2020</u></b>
<b>MOTION</b>	<b>MOVED BY L. TEICHGRABER</b> <b>Seconded by J. Cole</b> <b>THAT</b> the Advisory Council hereby approves the minutes



	of siyaʔtən (June) 9, 2020. <b>CARRIED</b>
<b>NEW BUSINESS</b>	
Staff Entered	P. Leitch, W. Kootenay and E. Jack entered the meeting at 9:05 a.m. via Zoom meeting platform.
<i>R. MacKenzie</i>	Continuing the report: <ul style="list-style-type: none"> <li>• Advisory Council has a carryforward of \$5,000 for the Community Enhancement Project which will stay in the grant budget. \$4,000 for advertising and promotion that can be used for the election or another event in the future.</li> <li>• Advisory Council, Recreation Facility Operations, Law Enforcement and Residential Tenancy we within budget.</li> <li>• Public Works and Recreate &amp; Youth Programs were both lower than budgeted.</li> <li>• Capital projects was \$932,000 in expenses with the largest project being the sidewalk program.</li> <li>• In the last quarter the largest increase is in taxation by 1.7 million.</li> </ul> <p>Building permits – all those rev were form larger projects. And \$499 transferred to reserve.</p>
<i>T. Turcan</i>	It is great to see that the Law Enforcement and Residential Tenancy Department is within budget this year.
<i>R. MacKenzie</i>	Overviewed the various reserve funds: <ul style="list-style-type: none"> <li>• Contingency Fund - we take 5% of our budget and put that into the reserve for future use. We had a balance of \$16.4 million at the end of the fiscal year.</li> <li>• Capital Projects Fund (162) – has a balance of \$2.9 million.</li> <li>• Stabilization Fund (163) – has a balance of \$763,000.</li> </ul>
<i>P. Leitch</i>	In response to T. Turcan, the Public Work’s truck was ordered but there was a six month delivery timeline so it will be purchased in 2020/2021 fiscal year.
<i>R. MacKenzie</i>	Overall there has been a considerable amount of surplus that has increased WFN’s reserves.
<i>T. Turcan</i>	Even with the COVID-19 pandemic it appears that it has had little impact on the budget. It is pleasing to see that the revenues and savings continue to grow.



<i>L. Teichgraber</i>	In previous reports, we would see inter-governmental transfers, do the totals already include that. They account a significant amount. It was to cover overhead expenses.
<i>R. MacKenzie</i>	I am not sure of the numbers off the top of my head. It may be on the first page that may have been hidden so you wouldn't not have seen the outflows from property taxation.
<i>P. Leitch</i>	In response to L. Teichgraber's question about the inter-governmental transfers, these appear on the detailed printout and are shown as the transfers to other departments and included in the total, which is located on property tax printout.
	The Advisory Council acknowledged the Quarterly Financial Report update.
	<b><u>Tax Collection Update</u></b> <b>Tax Collection Report is attached to these minutes as Exhibit "C."</b>
<i>E. Jack</i>	<p>I provided a report to the Advisory Council prior to this meeting but will speak to updated numbers today. We have a property taxation budget of over \$15 million. To date, we have collected around 38% of that amount, being \$6,028,111, consisting of:</p> <ul style="list-style-type: none"> <li>• 45% of residential, amounting to over \$4 million.</li> <li>• 16% of utilities.</li> <li>• 28% of business, which amounts to just over \$1.6 million. The deadline has been extended to September so many of the smaller businesses have not paid yet.</li> </ul> <p>Collection amounts have been down from previous years. Normally, by the due date we would be in the 90<sup>th</sup> percentile.</p> <p>We have made it as easy as possible for people to pay their taxes.</p>
<i>E. Jack</i>	In response to L. Teichgraber concern as to why business tax collection amounts are so low, the deadline has been extended to September so they still have time to pay. Some businesses are saying they aren't receiving revenues because their business depends on group gatherings, such as birthday parties, but they will pay their taxes when they are able to do so. They are trying to apply for the COVID-19 funding but when they pay it



	<p>will be late, but that would be the first time for them. We've extended it from July 1 to September 30, so October 1 they would be in arrears and would then be subject to the 10% interest.</p> <p>In response to T. Turcan, in comparison to other municipalities, WFN is doing quite well with respect to collection percentages.</p>
<i>P. Leitch</i>	<p>I met with the CFOs from Peachland, City of West Kelowna, City of Kelowna and Lake County. Half of the municipalities extended due date, and half didn't charge penalties until September 30. Those that changed the due date have collected 25-30% of their taxes, and we are above that at 38%. Those that moved the penalty calculation date, have collected other 70-80%.</p> <p>In talking to the businesses, those impacted by COVID-19 had to make a business decision as to what bill they will pay later. Risk is hard to determine but is probably more the seasonal businesses, however, many have made accommodations such as patios, etc. I suspect that we will have higher penalties that we will be charging this year. We will likely lose some businesses but Mandi Carroll, Manager, Economic Development &amp; Communications, is working with businesses and providing information about any aids they may be eligible for out to them, like the wage subsidy that has been extended. If you do hear of any businesses that need help, W. Kootenay could help with that and they can reach out to him. The more we can support the businesses the more they will be able to pay their taxes.</p>
<i>T. Turcan</i>	<p>Supportive of the efforts of WFN. I thought the percentage collected from residents would have been higher.</p>
<i>P. Leitch</i>	<p>We haven't done the breakdown between mobile homes and residential property yet. In June we had three times the amount of Home Owner Grants submitted electronically, which is great because they could pay online and not have to come in person. Any of the Home Owner Grants that haven't been paid are the ones that WFN hasn't been able to process yet. We are working on getting them processed and can provide an update every month so you can see where we are at.</p>
<i>R. Ould</i>	<p>Pat can you comment on whether or not we should have considered keeping the due date the same but deferring the interest penalty start date?</p>



<p><i>P. Leitch</i></p>	<p>Based on what the other CFOs in the other municipalities said, they had 70-80% paid. We had difficulty changing the penalty date because in our by-laws it was tied directly to the due date.</p>
<p><i>E. Jack</i></p>	<p>In response to R. Ould, we have not received any feedback on issues collecting electronically. Feedback has been that there was a huge increase and is time consuming because staff have to lead individuals through the process.</p>
<p><i>G. Couch</i></p>	<p>Given the current state that we are in, with regards to the capital projects, if the financing doesn't change to the degree that we hope it does, will it impact those capital projects.</p>
<p><i>P. Leitch</i></p>	<p>In response to G. Couch, the COVID-19 pandemic is not affecting the order of the capital projects but the timing have been impacted due delays. Certain ones are a seasonal thing and need to be completed during construction season. For those we will still go ahead with as we have sufficient reserves to fund them. It may change future budget considerations and may need to reconsider next year on our 2022 capital plans projects.</p>
<p><b><u>Community Enhancement Grant Update</u></b></p>	
<p><i>W. Kootenay</i></p>	<p>We had \$5,000 carried over so that means there will be \$10,000 available for next year. Adam Nerger, Communications Coordinator, provided assistance with the communication strategy for this initiative which included having brochures inserted in the utilities letters, and posting it on social media. We are hopeful that the information starts to get out there. We decided on a deadline of August 10. There were only four inquiries and only one application received this morning.</p> <p>In response to L. Teichgraber, the short timeframe was as a result of the COVID-19 pandemic. We decided that we wanted to get it out as soon as we could. We weren't able to roll this out earlier but still wanted to make sure there was enough time to complete the projects.</p>



<p><i>W. Kootenay</i></p>	<p>In response to L. Teichgraber’s question of the process if there is only one applicant, I will review the application to ensure it is complete and fits our criteria, bring it forward to the Advisory Council for approval at your next meeting, and then bring it to Council for their approval.</p> <p>In response to J. Cole, provided a brief background on the submitted application. They requested \$5,000 to map out semi-established trails in the open space west of Campbell Road in IR #10.</p> <p>Being the first time rolling out the grant, it is important to communicate this initiative to the community about the grant.</p>
<p><i>P. Leitch</i></p>	<p>In response to concerns raised by the Advisory Council that residents living in stratas or mobile home parks would not have received the brochure since many don’t pay for the utilities, it was suggested to try to get this information in the tax notices and on the bulletin boards at the MHPs. We could provide a several brochures for the Advisory Council to distribute.</p>
<p><i>T. Turcan</i></p>	<p>Requested 5-10 for each member on the Advisory Council and thanked them for their efforts.</p>
	<p>Next meeting will be August 11, 2020 and we request P. Leitch to advise them of this and a start time of 9:15 a.m.</p>
<p>Advisory Council Member and staff left:</p>	<p>P. Leitch, W. Kootenay, E. Jack and T. Turcan left the meeting at 10:02 a.m.</p>
<p>Staff entered:</p>	<p>D. Elliott and A. Mazur entered via Zoom at 10:05 a.m.</p>
<p>Advisory Council Member entered:</p>	<p>T. Turcan returned to the meeting at 10:06 a.m.</p>
<p><i>A. Mazur</i></p>	<p><b><u>Election Update</u></b>  <b><i>Draft Critical Path for the October 15, 2020 Advisory Council Election is attached to these minutes as Exhibit “D.”</i></b></p>
<p><i>D. Elliott</i></p>	<p>D. Elliott greeted the Advisory Council and introduced A. Mazur as the point person for the upcoming election and will provide the update.</p>
<p><i>A. Mazur</i></p>	<p>We have appointed Marcus Hadley as the Electoral Officer and Karly Scott as the Adjudicator. M. Hadley has done two of our elections so we are looking forward to working with him again.</p>



<i>D. Elliott</i>	M. Hadley was WFN’s former Council Secretariat and has previously met some of the Advisory Council members.
<i>A. Mazur</i>	<p>The Appointment and Oaths of the Deputy Electoral Officers need to be filed by next Monday. I have prepared a draft Critical Path that M. Hadley will review and provide his decision on the date. The dates can happen earlier than what’s on there but not later. A notice of the election will be sent out to the Members by email. An overview of the process and proposed dates were provided to the Advisory Council and included:</p> <ul style="list-style-type: none"> <li>• Nominations must be posted by August 13, 2020.</li> <li>• First period for receiving nominations is August 14, 2020 and ends 7 days later on the 21<sup>st</sup>.</li> <li>• The second period commences and will continue until there are nominations for all districts.</li> <li>• If there is only one then they will be acclimated and no poles opened for that district.</li> </ul>
<i>D. Elliott</i>	In response to T. Turcan, it is a 7 day period and Ashley will be available on the weekend. Because of the COVID-19 pandemic, we are not sure what the election is going to look like. We are going to appoint several Deputy Electoral Officers in case there needs to be multiple locations. A. Mazur has sent out a notice to all tax payers.
<i>A. Mazur</i>	<p>The oaths will be drafted today and I will provide an email update to the Advisory Council once I reconnect with M. Hadley.</p> <p>The nomination forms still need to be drafted by M. Hadley. The nomination process is still in the works but may be that a table is set up outside the office to encourage social distancing and to limit the number of people in the office.</p>
<b>ACTION ITEM:</b>	A. Mazur to provide the Critical Path draft to the Advisory Council and will also send the finalized Critical Path once Marcus approves it.
<i>D. Elliott</i>	In response to R. Ould’s question on procedure, she confirmed that in the first round you have to run in the area in which you live. For the second round, you can run in any area.
<b>Staff left</b>	D. Elliott and A. Mazur left the meeting at 10:17 a.m.



	<b><u>District Reports</u></b>
	<b><u>Lakeridge</u></b>
<i>L. Teichgraber</i>	I received an email from West Harbour regarding the development taking place nearby that I followed up on by phone but was unable to reach anyone yet.
	<b><u>Prairie</u></b> <b>Letter to WFN regarding tree issues on Butt Road attached as Exhibit "E"</b>
<i>G. Couch</i>	I recently saw in the newspaper the graduates graduating this year and thought the Advisory Council could offer its congratulations to the students graduating.
	Read over a request letter received regarding the trees along Sun Village next to Butt Road. This letter was a request for the removal or funding for removing or maintenance of the problem trees. Sun Village has maintained the boulevard with the problem trees but at a cost to the homeowners.  In response to the Advisory Council's questions, the purpose of the letter is to create awareness to the Advisory Council and request that this matter be rectified. His recommendations are to trim the trees, however, the roots will be an issue and removal may be necessary. A letter form the strata has previously been sent to both WFN and MOTI.
<i>T. Turcan</i>	I was copied on that letter and forwarded that on to G. Couch. This is a complicated matter. They are asking WFN to remove trees that were planted by the developer on their frontage. I contacted Graeme Dimmick, Senior Planner, who advised that they have been in communications and it is their position that the strata is responsible for what the developers have done.  If it becomes a safety issue, the Ministry may order Sun Village that it has to be dealt with.  There has been previous instances where WFN has gone above and beyond what is required of them to do, which is commendable but the problem is that it creates an expectation.





	<p>Various other comments include:</p> <ul style="list-style-type: none"> <li>• The responsibility is by the developer and whoever takes over the development who would have the responsibility to take over the issues unless there is a policy that is developed that changes this.</li> <li>• I could see eventually WFN Public Works becomes involved if they have the equipment and are concerned about the appearance.</li> <li>• A shared effort to deal with that problem would work best to deal with it.</li> </ul>
<i>T. Turcan</i>	G. Couch is going to clarify what he is asking for in the letter and forward to Joe Mocilac and to C. Znak to attach to the minutes
<i>G. Couch</i>	Advised that there is also a new council at Sun Village.
	<b><u>Lakeshore</u></b>
<i>R. Ould</i>	There is nothing to report at this time.
	<b><u>East Boundary</u></b>
<i>J. Cole</i>	There is nothing to report at this time other than the referral from T. Turcan.
	<b><u>Old Okanagan</u></b>
<i>T. Turcan</i>	I received a call from someone who is looking at purchasing on Cougar Road and wanted information on the lease. I referred them to WFN to the property registration department in hopes they could help this person.
<i>J. Bellingham</i>	In response to T. Turcan, they could contact Porrelli Law for specific questions or the realtor.
	<b><u>General Discussion</u></b>
<i>J. Bellingham</i>	<p>In response to the question of when Zoom will be discontinued and Council commence meeting in person, it is likely that the Advisory Council will continue using 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 COVID-19 pandemic occurring in September with the return to school and flu season.</p> <p>I will prepare a Staff Report to Council and request a meeting.</p>



	<b>Next Meeting</b>
	The next meeting will take place on August 11, 2020 at 9:00 a.m.
<b>ADJOURNMENT MOTION</b>	<b>MOVED BY J. COLE</b> <b>Seconded by R. Ould</b> <b>THAT</b> the Advisory Council meeting be adjourned. <b>CARRIED</b> The meeting adjourned at 10:37 a.m.

**These minutes are certified correct:**

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Terry Turcan

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Gord Couch

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Ludwig Teichgraber

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Rick Ould

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John Cole