

	<p style="text-align: center;">stqa?kʷ4níw`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 sʔaslásq̓t, skʷəlwístən (Tuesday, September) 8, 2020 Approved skʷaytan (October) 13, 2020</p>
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Meeting took place via Zoom.

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
Ernest Jack	xatus iʔ k̓l̓ s̓x̓ađəq̓ (Surveyor of Taxes)
Ashley Mazur – Entered at 9:56 a.m.	Executive Assistant to Council Secretariat

DELEGATES IN ATTENDANCE:

Mike Trenn	Acclaimed Soon-To-Be Advisory Council Member
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REGRETS:

Carla Znak - s̓x̓kʷkʷəqʷəqʷaym (Recording Clerk)	Council Meeting
Alix Larsen – xatus k̓l̓ iʔ sq̓law̓ (Interim Director of Finance)	Council Meeting
Joe Mocilac – Director of Development Services	Council Meeting

TRANSCRIBER:

Laurie Bowen	Acting Recording Clerk
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CALL TO ORDER	Agenda is attached to these minutes as Exhibit "A."
<i>T. Turcan</i>	Called the meeting to order at 9:53 a.m.
	<u>Recognition of Any Absences of Advisory Council Members</u>
	There were no absences.
MOTION	<u>Motion to Adopt the Agenda</u> MOVED BY J. COLE Seconded by R. Ould THAT the Advisory Council hereby approves the agenda. CARRIED



OLD BUSINESS ADMINISTRATION	<u>Motion to Adopt the Minutes of ǎʷiʔǎʷiʔtán (August) 11, 2020</u>
MOTION	MOVED BY R. OULD Seconded by J. Cole THAT the Advisory Council hereby approves the minutes of ǎʷiʔǎʷiʔtán (August) 11, 2020 CARRIED
NEW BUSINESS ADMINISTRATION	<u>Review of Donation Considerations</u>
<i>J. Bellingham</i>	The budget for donations is \$2,000.
<i>T. Turcan</i>	I don't believe the Advisory Council has received any donation requests to date. In the past, the Advisory Council has made donations to the Westside food bank and the Westside homeless shelter but we are not tied to that.
	Various comments from various Advisory Council members included: <ul style="list-style-type: none"> • Suggestion that donations could potentially be used to support successful Community Enhancement Grant applications that the Advisory Council sees as especially viable.
Staff entered:	A. Mazur entered the meeting.
	<ul style="list-style-type: none"> • Due to COVID-19, the food bank might needs some extra assistance this year. • Preference to apply it to something other than that which we already have a separate budget set aside for.
	The Advisory Council agreed to revisit this topic at their kətc'ac'aʔtən (November) meeting.
FINANCE	<u>Draft WFN Local Revenue Law 20-LRL-01</u> (Draft law, WFN Staff Report to Council from J. Mocilac prepared on August 14, 2020, and Development Services Memorandum from K. Derrickson to J. Mocilac dated August 13, 2020 are attached to these minutes as Exhibit "B.")
<i>E. Jack</i>	Overviewed the draft law with the Advisory Council. The draft law received First Reading by Council this morning. A notice of Second, and Third and final Reading to take place on September 21, 2020 will be posted by sc̓lktasq̓t (Friday), September 11, 2020.



	<p>In response to the request for the size of the parcel, indicated that the size is .652 acre.</p>
	<p>Various comments from various Advisory Council members included:</p> <ul style="list-style-type: none"> • Disappointed in the short amount of time the Advisory Council is given to consider, ask questions, and receive answers about these kinds of land purchases. This is not the first time this has happened. • A real estate appraisal was not included in the Advisory Council’s information package, which makes it difficult to ascertain whether or not fair value is being paid for the property. • Though the technical review sounded pretty good, the rationale for locating a reservoir there is not totally convincing. Because of the shortness of the time, it makes it difficult to ask the right people questions about this. • There is no information on whether there were other options and if so, why this option was chosen. • No issues with the purchase if the valuation and technical evaluation for the property are correct but it’s difficult to know how to vote on this in the absence of the necessary information. • The approval process is lacking. The role of the Surveyor of Taxes is to present the Advisory Council with the legal documentation regarding use of local government services funds. Unfortunately, the person responsible for the technical side is unavailable to address the Advisory Council’s questions. That person should be co-presenting with the Surveyor of Taxes.
<p><i>E. Jack</i></p>	<p>In response for the request for further information on this property, indicated that it is not often that Certificate of Possession land becomes available for purchase.</p> <p>It was chosen because the line runs right through that area, which would provide for a natural hook up.</p>
	<p>Various comments from various Advisory Council members included:</p> <ul style="list-style-type: none"> • It would appear that a good economic opportunity arose, which made more sense than going out and doing an expensive study on other options and potentially losing a good building site. • That may be so but that is the kind of information that should have been included in the Advisory Council’s information package. • This opportunity did not come up in the last 24 hours. There must have been more thought and time that went



	<p>into considering this matter. Despite not being part of the thought process, the Advisory Council is being requested to make a decision on whether or not to recommend this purchase. This is not the first time this has happened.</p> <ul style="list-style-type: none"> • This is not the fault of the Surveyor of Taxes but those who require him to present the financial information to the Advisory Council without the benefit of more time for questions to be answered.
<p><i>E. Jack</i></p>	<p>Overviewed the memorandum with the Advisory Council.</p> <p>If the property is recommended by the Director of Development Services, I presume he will have had a look at the property.</p> <p>I will recommend to Development Services that in the future, they provide an information package to the Advisory Council prior to the Advisory Council being requested to make a recommendation on the local revenue law.</p>
	<p>The Advisory Council agreed that would make a better process.</p>
<p>MOTION</p>	<p>MOVED BY G. COUCH Seconded by J. Cole THAT the Advisory Council hereby recommends approval of WFN Local Revenue Law 20-LRL-01. CARRIED</p>
	<p><u>Assessment Review</u></p>
<p><i>E. Jack</i></p>	<p>In response to the question regarding whether he has anything more to report on this review, indicated that the Board of Review had a significant number of appeals this year due to the reassessment of manufactured home parks. As a result, the cost for the Board of Review this also doubled from previous years. Though we were expecting an increase, we didn't realize it would be that high.</p> <p>In response to a question regarding how quickly the appeals were settled, indicated that there are two parts to the review. The commercial value was reviewed by the Appeals Manager and he resolved all of the issues with the exception of 1, which went to a Board review. The Board made a recommendation on that issue. For the residential value, the Board of Review chose 3 sites to use as their benchmarks to help resolve the residential value issues.</p> <p>I believe once some corrections have been reviewed, the Board's duties will be concluded.</p>



	<p>In response to the question regarding how this review impacts the collection of taxes, indicated that residents are required to pay their tax bill as rendered, with any adjustments and refunds being made at a later date.</p>
<p>Staff left:</p>	<p>E. Jack left the meeting at 10:13 p.m.</p>
<p>LEGAL SERVICES</p>	<p><u>Election Update</u> (Notice of Polls for the Lakeridge District Advisory Council Election is attached to these minutes as Exhibit "C.")</p>
<p><i>A. Mazur</i></p>	<p>John Cole will be acclaimed in the Prairie District. Rick Ould will be acclaimed in the Old Okanagan District. Michael Trenn will be acclaimed in the Lakeshore District. There will be an election held for the Lakeridge District between Steven Gilroy and Ludwig Teichgraber. The advance polls will be open on Sunday, September 20, 2020 between 8 a.m. and 8 p.m. at the Lindley Building. The regular polls will be open on Thursday, October 15, 2020.</p> <p>In response to a question regarding the status of the East Boundary District, indicated that Ludwig Teichgraber is standing for election in both the Lakeridge District and the East Boundary District.</p> <p>Because his name is still standing in the Lakeridge District, he can't be acclaimed in the East Boundary District. If S. Gilroy is elected in the Lakeridge District, then L. Teichgraber would be acclaimed in the East Boundary District. If L. Teichgraber is elected in the Lakeridge District, then no one will be installed in the East Boundary District.</p> <p>In response to a question regarding whether the Advisory Council could recommend that S. Gilroy fill the Advisory Council position in the East Boundary District if L. Teichgraber is elected to the Lakeridge District, indicated that S. Gilroy indicated to her that he was not interested in serving in any district other than the one he resides in.</p> <p>In response to a question regarding whether the Advisory Council could recommend that someone else fill the Advisory Council position in the East Boundary District if L. Teichgraber is elected to the Lakeridge District, indicated that the Advisory Council can make a recommendation to the Director of Operations once the election is over and the Advisory Council position in the East Boundary District is confirmed vacant. If no one is appointed, then it will remain vacant.</p>



	<p>In response to the question regarding whether notices of the acclamations can go out before the election, indicated she will check with the Electoral Officer on this matter and get back to the Advisory Council with an answer.</p> <p>In response to the question regarding who gets to vote in the election, indicated that only Lakeridge residents will get to vote.</p>
<i>T. Turcan</i>	<p>Notice of the election was in last week's Westside Weekly.</p>
<i>A. Mazur</i>	<p>There will be a notice prior to the advance poll as well as prior to the regular poll.</p>
<i>G. Couch</i>	<p>Offered his congratulations to John Cole for his acclamation in the Prairie District.</p>
<i>A. Mazur</i>	<p>In response to a question regarding whether there has been any thought put towards other ways of advertising and promoting Advisory Council elections, such as sending a letter to every registered resident, indicated that the Advisory Council Law does not require that to be done.</p>
<i>J. Bellingham</i>	<p>Notice of the election went out with the taxation notices.</p> <p>In response to the question regarding how residents will know that there is an election only in the Lakeridge District now, indicated that it is the responsibility of the Advisory Council to communicate with the constituents in their district.</p>
<i>A. Mazur</i>	<p>In response to the question regarding why a notice can't be sent to electors in Lakeridge District confirming the election, indicated that the Advisory Council Law does not require that to be done.</p>
<i>J. Bellingham</i>	<p>In response to the suggestion that extra effort should be made to inform the Lakeridge residents, indicated that the advertising done for other WFN elections is the same as that which is done for Advisory Council elections.</p> <p>WFN successfully uses social media rather than relying heavily on print media.</p> <p>Any extra effort to advertise the election must be consistent across districts. One district can't do more than is done for another district.</p> <p>In response to the question regarding whether the Advisory Council could send a letter, indicated they could do that as long as it could be done in time.</p>



	A mail out to that many people will require some time to complete.
	<p>Various comments from various Advisory Council members included:</p> <ul style="list-style-type: none"> • The Advisory Council can go over and above what the Law requires as laws tend to specify what the minimum requirements are. • Suggestion that Advisory Council members canvass the Lakeridge District to advise residents of the election.
<i>A. Mazur</i>	<p>In response to the question regarding whether the Advisory Council can post notices of the election, indicated that only official notices of the polls can be posted.</p> <p>People can't unilaterally create election materials. Any material regarding the election should be official election material. If the Advisory Council wishes to post further notice in Lakeridge District, I recommend it be the notice of polls. If the Advisory Council wishes to post notice of the polls on mailboxes within the Lakeridge District, you can do that.</p> <p>Some people don't know the Advisory Council exists; some don't know what the function of the Advisory Council is. This is due to a lack of education.</p>
	<p>Various comments from various Advisory Council members included:</p> <ul style="list-style-type: none"> • Disagreement with A. Mazur's comments on the basis that despite being educated on the Advisory Council, some see the Advisory Council as being a Council with no power. Because of that, there is little motivation on the part of some to vote in the election. • A willingness to assist L. Teichgraber with posting notice of the polls throughout Lakeridge District. • Posting on mailboxes is not allowed.
	The Advisory Council agreed that they will let A. Mazur know how many copies of the notice of polls they would like her to have printed for them and then they will make arrangements to post them throughout Lakeridge District.
Staff left:	A. Mazur left the meeting.
ADMINISTRATION (Continued)	<u>Follow Up Discussion re: Council to Council Meeting</u>
	<p>Various comments from various Advisory Council members included:</p> <ul style="list-style-type: none"> • The meeting was very positive.



	<ul style="list-style-type: none"> Excitement about the economic development activity, especially with regard to that involving education and the new high school.
<i>J. Bellingham</i>	<p>In response to the comment regarding disappointment with the agenda for the meeting not making it to Council until just recently, indicated that the reason for the short notice was because of the timing of the Advisory Council meeting and WFN Council's meeting.</p> <p>In response to the question regarding whether a date for the next Council to Council meeting can be set, indicated that a new date can be set in November once the new Advisory Council has been elected.</p> <p>The agenda can be prepared at that time. These Council to Council meetings are generally held around 6 months apart but one could be scheduled in the new year prior to the end of WFN's fiscal year.</p> <p>In response to the comment that the reason this current meeting was delayed was because of COVID-19 but that the new Advisory Council should be introduced to WFN Council as soon as possible after the election, indicated that they will do their best to accommodate this but that social distancing requirements only allow 9 people in the Council Chambers at one time.</p>
	<p>Various comments from various Advisory Council members included:</p> <ul style="list-style-type: none"> A Zoom meeting would be satisfactory as well. This matter can be dealt with by the new Advisory Council after the election at one of their first meetings.
FINANCE (Continued)	<p><u>Audit Review – Follow Up Questions</u> (Email from A. Larsen dated September 4, 2020 re Advisory Council reply is attached to these minutes as Exhibit "D.")</p>
<i>L. Teichgraber</i>	<p>I may have a few more questions once Financial Services staff are available to meet with us.</p>
	<p>The Advisory Council requested that the Director of Finance be available to meet with them at their next meeting in order to answer any questions they may have.</p>
DEVELOPMENT SERVICES	<p><u>Project and Capital Plan Update</u></p>
	<p>Due to the absence of Development Services staff, this item</p>



	was deferred to the October Advisory Council meeting.
DISTRICT REPORTS	<u>Lakeridge</u> <u>Speedbump Removal</u>
<i>L. Teichgraber</i>	The speedbumps on Tomat Avenue have been entirely removed, which have made a lot of residents very happy. Those residents who have concern about the removal have put up B.C. Automobile Association signs that say "Children Playing on Road" and have put their own speed limits on them.
Delegate left:	M. Trenn left the meeting.
<i>L. Teichgraber</i>	The regular speed limit along Tomat Avenue is 50 kilometre per hour (kph) but the signs that have been erected by residents along the roadway have a posted speed of 30 kph. From my casual observation, there have been no issues, and no phone calls, regarding traffic since the removal of the speedbumps. <u>Use of Sewer Right-of-Way</u> A concern was raised by a resident regarding another resident who was using the sewer right-of-way to do some construction in their backyard and made a rather big mess in the right-of-way.
Delegate entered:	M. Trenn entered the meeting.
<i>L. Teichgraber</i>	The one resident was concerned because it was occurring behind their house and it created a lot of dust and noise. I advised them to raise this concern with WFN Public Works.
Staff left:	J. Bellingham left the meeting.
<i>L. Teichgraber</i>	I assume that was done and Public Works addressed the situation because it appears that some corrective action was taken. In response to a question about a referral made to him of a resident inquiring about manufactured home park fees, indicated that he called the resident, offered to discuss the matter with him, and provided him with his contact information, but that the resident has not followed up with him on it.
Staff entered:	J. Bellingham entered the meeting.
	<u>Prairie</u>
<i>G. Gouch</i>	The issue of the Butt Road trees continues. There is fault on



	<p>the part of all parties involved – Ministry of Transportation and Infrastructure (MOTI), WFN, Sun Village – but it makes no sense to keep pointing fingers. The situation is what it is. I have learned that MOTI has a definition of dangerous trees that they use. I understand that MOTI will have one of their contractors check 3 trees along Butt Road to determine if they meet the criteria of what they define as a dangerous tree. If it is determined that any of the trees are dangerous, they will place their removal on a priority list along with other items to be addressed by MOTI. So there's no guarantee that the trees will be addressed within the next month or even within the next year. I would like to see a meeting convened with representatives of Sun Village and WFN in order to review this issue, get the concerns and different perspectives on the table, and resolved it to everyone's satisfaction because it is a safety issue. I'm disappointed that I have not yet received any reply from WFN about the possibility of a meeting such as this. Hopefully this will happen as I will continue to try and make this arrangement.</p> <p>In response to a question regarding why someone from the Sun Village community can't just prune the trees instead of having them removed, indicated that a contractor engaged by Sun Village is gravely concerned with the danger represented by him using his equipment very close to the trees, alongside the danger posed by the proximity of the traffic along Butt Road.</p> <p>This contractor doesn't have the equipment to trim major limbs off trees. At one point, he did attempt to do some trimming but came very close to being struck by a vehicle so he has decided that he cannot do that. Therefore, there has to be some other way of meeting these needs. Sun Village is not saying they don't want to take care of certain maintenance needs. They installed an irrigation system in order to water the grass. Each week, they mow the grass and clean up the leaves. But they need some help and a meeting with WFN could go a long way to promoting safety and resolving outstanding issues.</p> <p>In response to encouragement to find a solution that will save the trees, indicated that he is in favour of this as long as safety can be maintained.</p> <p>I have tried to find out if there are any similar situations like this anywhere on Westbank Lands but so far have not come across any.</p>
<p><i>J. Cole</i></p>	<p>In response to the suggestion that a contractor be engaged to</p>



	do the work since MOTI would simply do the same anyway, indicated that this scenario would require clarity on who will pay for the work to be done.
<i>T. Turcan</i>	Sun Village planted the trees on public property in order to improve the frontage and has maintained them until now. Private owners are allowed to beautify their frontage in this way but I believe the expectation is then that they also take care of any maintenance needs, including the costs associated with that maintenance.
<i>G. Couch</i>	In response to the comment that WFN has been very generous in taking care of similar types of situations, such as repairing the pothole in front of Sun Village several times even though the responsibility for doing so should lie with MOTI since the pothole is on MOTI's property, indicated that he feels that is a completely different situation.
<i>J. Cole</i>	When a safety issue is introduced, the context changes. The safety issue should be resolved first. Then it can be decided later who will pay for it.
	<u>Lakeshore</u>
<i>R. Ould</i>	There are no issues to report.
FINANCE (Continued)	<u>Draft WFN Local Revenue Law 20-LRL-01 (Continued)</u>
<i>R. Ould</i>	Is there any way we can draft a law that requires WFN to provide the Advisory Council with evidence of fair market value whenever the Advisory Council is being asked to provide their recommended approval for the purchase of property by WFN? If this matter is not dealt with now, the situation we faced earlier today will reoccur. This is a fair request.
<i>T. Turcan</i>	In the past, WFN did provide this information to the Advisory Council, for example when land was being purchased around the school and playground. In my view, this was missed this time but your point is valid.
<i>J. Bellingham</i>	I will ensure the Advisory Council's concerns make their way to the appropriate parties so that step is not missed in the future.
DISTRICT REPORTS (Continued)	<u>East Boundary</u>
<i>J. Cole</i>	There are no issues to report.
	<u>Old Okanagan</u>
<i>T. Turcan</i>	There are no issues to report.



FOR YOUR INFORMATION	<u>Next Meeting</u>
	The next Advisory Council meeting will take place on skʔaytan (October) 13, 2020.
ADJOURNMENT MOTION	MOVED BY R. OULD THAT the Advisory Council meeting be adjourned. CARRIED The meeting adjourned at 11:03 a.m.

<u>Items Requiring Closure</u>
<p>Items that still require closure include the following:</p> <ul style="list-style-type: none"> • Printing of hard copies of notice of Lakeridge District election polls for pick up by the Advisory Council (A. Mazur upon confirmation of number of copies required) • Referral of Advisory Council’s concerns passed on to the appropriate party(ies) regarding gaps in the information provided to them when requesting them to approve WFN Local Revenue Law 20-LRL-01 (J. Bellingham)Attendance of Director of Finance at an Advisory Council meeting to answer audit-related questions (October meeting) • Project and capital plan update (deferred to the October meeting) • Review of donation considerations (November meeting) • Scheduling of next Council to Council meeting (November meeting)

These minutes are certified correct:

Terry Turcan

Gord Couch

Ludwig Teichgraber

Rick Ould

John Cole