

**Uchucklesaht Tribe Special Peoples Assembly  
In Person and through ZOOM  
Saturday September 21, 2024**

**Attendance:**

Facilitator Marc Labrie	Chief Councillor Wilfred Cootes
Carla Halvorsen	Scott Coulson
Cultural/Prayer – Thomas Rush	Cultural/Opening- Marie Samuel
Cultural Youth – Karsen Cartlidge	Ryan Anaka
Cultural Youth – Koen Cartlidge	Laurissa Lucas
Gina Laing	April Martin
John Cootes	Charlie Cootes Sr.
Cheryl Cottrell	Moriah Cootes
Ethan Gonzales	Ellen Gonzales
Bruce Gonzales	James Robinson
Malachai Rosario	Maren Yeager
Martina Ginger	Mike Smith
Randall Ginger	Sabrina Crowley
Susan Leask	Tristan O’Daniel
Clifford Charles	Lauren Baader
Angela Jeffrey	Jane Jeffrey
Lorraine Cootes	Martha Titian
Helen Robinson	Samantha Robinson
Ronalda Robinson	Jersey Robinson
Steven Robinson	

Owl/Echo Issues – Gym not soundproofed enough – move event to Nucii Multipurpose Room.

Opening – Marc Labrie and Wilfred Cootes

Prayer/Chant – Thomas Rush and Marie Samuel

Agenda Overview – Complete.

### **BC Hydro Station Location Update:**

Chief Councillor – Executive have discussed the citizen concerns and did decide to move it as far away from the lake as possible and decided to keep going forward with the original Executive decision regarding location.

UTG Member: Still concerned – A2 was the rocky site – how much further away from the lake is this actually. It still looks close to the lake. Our Climate Action Group were worried about any spills in our lake or river. Is this still a suitable location?

Reply: Yes, we have a slip of bedrock here and it also has the safety containment for any possible spills. There are also other protections in place such as the double walls. DLR may reply to exact distance from the lake.

DLR: It was moved an additional approximately 58 meters southeast near the bedrock. There is a massive bluff on the A1 site. There will be spill preventative measures in place, it is double walled, as that storage tank and it also included the concrete berm. If the tank ruptured, it would not be able to get past that berm. The steel storage tanks and day tanks are in place and the fire shut off valves and temperature sensors would be in place. All areas are covered and there is a contingency plan and spill kit in place.

UTG Member: I am concerned about a previous spill that occurred many years ago, did that spill go into our land back then? We also asked for UTG to move the location. Is BC Hydro telling us what to do? I do not want this station near our lake. It is sacred land, sacred mountains, water. It should not be there. Why not move it further away?

Chief Councillor Reply: BC Hydro is not the one deciding on the location. UTG chose where to move it. We need it moved so that we can build new homes and rentals and build more septic systems. We also have on the go the Run of the River Project and Hybrid Solar Project in order to assist with our growing village. Unless we get 100% away from diesel use, we will have to move to the other location. Years ago the genset used to be by Vines home and the tanks dropped into the water and maintenance would roll them to the site. We have been dealing with diesel for years. Where it will be moved, will help us with developing in the future. It is only there for a matter of time. If we do not move it, we cannot complete our upgrades. We are doing our best and weighing out all the options and we have been listening to citizen concerns.

UTG Member: I have a few observations, one being the location. The location doesn't seem to have changed. 50 meters – minimal location change. There is a change in the way that there is additional protection against spills. The Climate Change group did create a vision for the group, and question is whether or not the Executive can ensure it complies with our vision. There are not many areas we can move this generation set and this is still an issue for me. The Climate Action Working Group did create a Vision Statement.

UTG Member: Is there an environmental Impact Report done that we can see?

DLR: No Environmental Impact Report in place yet. Not until we choose that final location.

CAO: The previous area was designed with batteries. Diesel Generation tanks had to be upgraded as well. Back then, BC Hydro did not upgrade it and so the spill ended up going over that liner due to that larger tank installation. BC Hydro was found liable and so they completely put in place additional securities. It cost them millions in restoration.

UTG Member: Is this site the best location? We need to look at the environmental risks.

UTG Member: 2.14 of the UTG Constitution speaks to Committees that council put in place to make final decisions. Our vote on our committee was against this site as the risk was too high. Other location proposed was A2 as it was a better location.

Chief Councillor: It is unfortunate that the new staff member made a mistake by calling your group a committee. Council did not approve nor put a committee in place. There is not approval there and no TOR was created for that group. The government decision stands.

UTG Member: I am an elder, our ancestors should be honored and respected. This area is sacred and was used for our food, fish and many stories about this area. It is a small area on our lake and spills can spread quickly. The Thunderbirds Nest is up there and we should protect this site. We need to prevent pollution and protect this lake at all costs. We need the plant closer to the village for quicker spill response. We can better

clean it up if closer to the ocean and not the lake. You need to respect me as an elder. Once that money is all gone, it will cost more to fix the issue.

UTG Member: I did hear someone note the constitution and I must say that yes the final authority is with the UTG government as that is where the jurisdiction falls. I wanted to ask about the trailer pad location space as a possible location and whether it still had room for expansion. We could use other spaces for trailers as alternate locations to consider. It is further away from the river and lake.

DLR: Yes, that area was considered but members wanted townhouses and lots so we have to save the space up there for that. We are working on building the village and we do not want the gen set in amongst the homes. We are trying our best to find all new locations to cancel out the noises.

UTG Member: Is the area, since it is far away, going to be under surveillance?

DLR: yes, we have hydro staff that monitor the area daily and yes we can also install additional security cameras.

UTG Member: Can we not chose the switch back location instead?

UTG Member: Agree, it does not need to be this location. Council needs to listen. November is our deadline to decide.

UTG Member: We need to know why it was moved in the first place.

Point of Order: Clarifying that this is a recommendation.

Chief Councillor: Correct, 2.3 Point of Order – UTG shall consider all motions of the Peoples Assembly.

UTG Member: I see a lot of power here. We want to protect this lake. Why no drive to protect our future. People need some sort of power. You are not a business. Nevermind BC Hydro, we do not want it located there.

Chief Councillor: We are not ignoring anyone. In order to build our village and grow, we need to move the location. We do follow our rules and the constitution.

UTG Member: You need to honor and respect your elders.

UTG Member: I hear that some want to go back to the way we used to operate but we operate according to our constitution now. Our people voted 98% in favor of our constitution and so we will follow process and procedures. People need to stop swearing in our meetings, have respect when you speak. Do not swear at the Executive, that is disrespectful. Eliminate that vocabulary in our meetings. Also, you need to refer to people according to their titles, well earned titles. Your speaking to your chief councillor and not your family member. I am concerned about the tangent going on here. We have a very long agenda, lets move on the motion.

UTG Member: Any agreement with BC Hydro yet regarding location?

Reply: No.

**Motion #01:** Uchucklesaht Tribe Peoples Assembly recommends to the Executive Council to move the future generation station location over to A2 Site over near the switchback.

Moved: James Robinson

Seconded: John Cootes

(All in Favor – 9)

(Abstentions – 7)

(Against – 3)

Motion Carried

### **Education Assistance:**

The education coordinator keeps in contact with the schools, CAN and US for grades k-12 with permission of the schools and families. This records attendance and success factors where the coordinator will set up family meetings and access recourses for any children recording low on both. For our post-secondary and training students the coordinator will check in with the student and college/university to assist with any support needed during their schooling to help graduate. The coordinator is available to assist with training/post-secondary requests as they come in. as well, offering a variety of workshops, career fair, and guidance in accessing career paths.

UTG Member: Can we add more services for our youth? Such as put a Youth Group in place, encourage them to stay off the streets, encourage them to participate in activities at the tribe?

Chief Councillor: Yes, our Human Services Department does do this and yes, we can mention to the DHS regarding putting a youth group in place. We also have a Warriors Group in place right now. We are also starting up Family Game Nights again.

UTG Member: Lask week the tribal council cut out the NETP program. It used to help students with tutoring and assist with preventing our students from falling through the cracks. We have an education worker, now lets look at what types of services NETP/NTC used to offer and add that to our own workers duties.

UTG Executive of Lands/Resources: Yes, for forward all your ideas to the department. Some people may want Wreaking Room or Jumping Jimminies trips incorporated, there are so many ideas.

**Final Land Title Documents:**

Documents and procedures were developed and we did meet with the lawyers. Paperwork should be ready to go by Christmas.

UTG Member: Village Rebuild Homes – my father wanted all us children to own the property but it went to my brother. How was the decision made? Why are we not notified? Why did the government make this decision?

Chief Councillor: The Executive made those decisions in the past and that was the past executive, the new executive were not part of the decision.

CAO: There was a process in place, it was followed and there were responses from other family members. This process is set out in our laws and we followed them.

UTG Member: I want to know the process and why my family opinions mattered more than my own siblings and I. None of my siblings were informed. I heard that maybe they did not want to assign ownership to more than one individual. I was away travelling and came home to find that UTG took my land and I was not informed. My house was given away. There was no process in place. I had no opportunity to apply for the land.



CAO: You were involved in the process and informed. We can meet but was threatened by this person in a previous meeting so next meeting must be done in a more respectful and safe manner.

Chief Councillor: We will note your concerns and response in a timely manner.

UTG Member: I disagree and still want to know what a timely manner means. I have a right to be informed in family affairs.

UTG Member: It is important to not leave anyone out. We have big families. Lets work together as a team and not leave anyone behind. Support a place of families coming together.

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## LUNCH BREAK

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### **Process for Applying for Lot on UTG Lands & Elders:**

DLR: We are working on a 25 lot subdivision so that we may develop new lots after we develop a needed septic system and work on the power needed for additional locations. We are in the process of developing a Village Rental Policy as well as some elders are interested in renting in the village.

UTG Member: We need housing for elders. In Japan they have a community that houses around 20 elders at a time. Could we create a community like this for our elders?

DLR: Yes, living space for elders would be great. We appreciate your valuable input. We have currently in our laws that the application for a lot is \$75 and the lot fee is \$2500.

UTG Member: Can we make our elders priority? Also, what if our elders cannot afford the \$75 or \$2500?

DLR: There will be opportunities for elders in the future but for now the quickest way is to rent through our UTG Village Rental Policy once that is in place.

Chief Councillor: The monetary value was put in place in our laws so that it prevented one person from trying to buy up all the lots. \$2500 for the first lot and then market value for other lots after that. We will consider finding alternate methods to make elders priority in the future once it is time and lots are in place.

### **Cultural Coordinator:**

We are in the process of hiring another worker, however HS department has continued to bring cultural activities to citizens. Events we have done throughout the year are: language classes( in person and zoom) , silent speaker course ( a series of 10 classes with cognitive therapy and culture to retrigger language in speakers who could have been fluent in the past ) , drum making workshops ( including drum sticks) , language bingo, opening prayers by elders at events, drumming and singing at larger events by the rush family, culture kits from UTG weaver ( tina halvorsen), rattle workshop, language revitalization surveys to indicate citizens readiness for language and culture, cedar harvesting, devils club harvesting and workshop on beading with it. HS department is hosting a truth and reconciliation lunch on September 27<sup>th</sup> where there will speakers, brushings, a traditional feast and unveiling of an art piece by

matt titian to recognize the event, as well as orange shirts. Woman's groups have been hosting traditional workshops, such as food harvesting and preparation of seafood with our elder Gloria Rush. Our youth Warriors program has launched this year teaching our youth UTG leaders how to be leaders, giving them the skills. Bringing youth together to learn cultural skills in community and being brought into other communities as well.

UTG Member: UTG used to have craft nights, like sewing and beading. I would like to see that happen.

UTG Member: Are there still housekeeping services available for people in the village and in Port Alberni? Please pass on question to the DHS.

UTG Member: Cultural activities are important and medicinal foods and plants are also very important. I would like to see a Cultural Planning Working Group in place to propose ideas. Would also like to propose ideas for the Grant Writer to apply for funding for some of those ideas and UTG to provide the resources such as our boats to harvest butter clams and other seafood. We also need to be careful who we show resource harvesting wise so that we do not wipe out an area.

Chief Councillor: Lands department can help by allowing the Warriors Program to participate as well as it is key to pass on this information. These are important values.

UTG Member: Traditional Foods and Medicine are very important. Using and caring for and managing those resources is important. Protect the knowledge of those areas.

### **Adding Additional Peoples Assembly to go over Annual Reports:**

Chief Councillor: We will go over those at our planned Peoples Assemblies where we discuss budget and audit and just ensure we provide

more time to go over those annual reports. If in the end we needed to, we could add a Special Peoples Assembly.

### **Secure File Access: UTG Website:**

CAO: We have been working on the website for 9 months now through Briteweb. We are linking our businesses and providing that secure access for council and citizens. It is a long process and very in depth. It is about a month away from going live.

UTG Member: I was looking at Coopers pictures of his art, I think we should upload to the UTG website.

CAO: Yes, we can do that as long as it is approved by administration. Lets post art, pictures, poems. We did want to post our artists work.

UTG Member: What is the coding language?

CAO: Will double check that.

UTG Member: Do we have a password generator?

CAO: Yes.

### **UTG Cannabis:**

In 2021, UTG updated our Economic Development Plan with the citizens as the citizens wanted us to start up a Cannabis Business.

We designed a facility and started a process with Health Canada. They approved the design and our reporting. We invested in an already licensed facility (Western Extraction) and we are already selling into the market.

We purchase a steak in Western through Tiitskin Spirit Ventures. They have the best in the world extraction machines.

We were purchasing Cannabis and putting into our own products. We decided to manage our own pipeline of materials. We grew our own cannabis – one in Abottsford and one in Niagra. Can Trust was amongst bankruptsy so we bought into it and now we have a large facility greenhouse. Up to 300 million in product will be sold with no taxes having to be paid.

UTG has 45% ownership in Chroma. UTG had to apply for their own license and we did get the license last Friday. 5000 plants in this one room and UTG has 8 zones this size. Most people have one client but we have several – three to four clients.

UTG will have 30 employees. We have rails and automatic machinery so we hire less employees. UTG bought western and will soon be 98% owners. We will be able to lead the market on pre rolls.

UTG Member: When will our membership see profit?

CAO: The loan is to be paid off and then UTG will pay off the facility in 18 months. Once you have that large ownership, then the nation can consider profits to pay dividends to citizens. The partners are the experts.

UTG Member: What is the product used for and what is the profit?

CAO: Eventually a profit of around 30 million per year. We are trying to fill the first 4 zones and we re using predator bugs to manage pests. There are no chemicals, we are run through pollimers.

UTG Member: What is the total assessable market of this business in Canada?

CAO: Our 8 zones, clients are waiting or more – we will be able to take over 2% of the market.

UTG Member: Worried that Cannabis can be misused.

CAO: Anything can be misused. It is not a gateway drug. It has healthy benefits. Packaging is childproof.

Note: Can we add more information regarding Cannabis in future newsletters.

### **UTG Monthly Business Newsletters:**

CAO: We can provide quarterly newsletters but not monthly. We are hiring on a communications coordinator that can keep up with the updates and this will be part of their job.

UTG Member: Can we not have four Peoples Assemblies to provide those updates?

CAO: No, this item is regarding newsletters – we will provide quarterly newsletters.

### **UTG Government Money/Member Allocation Considerations:**

UTG audit does get better and better each year. I have to clarify that the 14 million in funds from the federal government were not meant to be allotted to members. We did invest in Cannabis. We look like we are floating in cash but no, we are floating in assets. We do currently give allocations of Health and Wellness Distributions, Daycare Allotments.

### **Financial Budgeting Workshops:**

Human Services department has hosted 2-3 of these workshops this year either through the woman's group, the baby group for young families, or the educational department with the skills link series we host every year offering youth/young adults Career and life skills. We will continue to host budgeting workshops throughout the year to come

### **Business Ideas/Assistance:**

Business development classes to explain those processes NEDC offers business support in terms of structuring individual business plans and budgets. As well they offer support with financing and funding options. Director of human services will see if they provide workshops on the process to nations or hire an appropriate speaker for a workshop this year.

### **Village Townhouse Rental Units:**

DLR: We have an idea where to put these longer term rental units but we need the power and sewer first before we plan those developments.

UTG Member: What about the 15 plex?

DLR: No, those are short term hotel like units.

### **Fuse Box Issue:**

DLR: It was a panel issue. An issue with breaker blowing. The interior plugs are tripping due to the draw. Electricians looked at the issue and said the draws were too much for those breakers. New ones trip quicker than the old style. We will not go back to old style though due to the code.

The exterior plugs are also tripping so we need to send the electricians down one more time.

### **Fridge Delivery:**

DLR: The temporary fridge was installed and has since been replaced with the new fridge.

### **Non-Members of Council at Government Meetings:**

#### COUNCIL RULES OF ORDER AND PROCEDURE ACT 4.12 (PG 19)

Council recognizes the value of having individuals who are not members of Council attend Council meetings to provide information and opinions to assist the members of Council in their deliberations.

For issues to be discussed by Council that fall within the terms of reference of a committee, the committee chair may recommend to the chief councillor those individuals who are not members of Council the committee chair would like to attend a Council meeting.

The chief councillor will determine those individuals who are not members of Council that may attend Council meetings.



No individual who is not a member of Council may attend or table material at a meeting of Council without prior approval of the chief councillor, and in the case of committee meetings, the committee chair.

UTG Member: Another idea might be to have portions of a Peoples Assembly with only members in the room and/or general public.

UTG Member: General public should not be allowed and staff members need to be invited as they bring in valuable information.

### **Government Titles: Hawiuh in Council: Forming UTG Laws:**

#### 13.1.0 MAA-NULTH FIRST NATION GOVERNANCE

**13.1.1 Each Maa-nulth First Nation has the right to self-government, and the authority to make laws, as set out in this Agreement.**

**13.1.2 Each Maa-nulth First Nation has a Maa-nulth First Nation Government in accordance with its Maa-nulth First Nation Constitution and this Agreement.**

13.1.3 The rights, powers, privileges and authorities of each Maa-nulth First Nation will be exercised in accordance with:

- a. this Agreement;
- b. its Maa-nulth First Nation Constitution; and
- c. Maa-nulth First Nation Law enacted by its Maa-nulth First Nation Government.

13.1.4 Each Maa-nulth First Nation will act through its Maa-nulth First Nation Government in exercising its rights, powers, privileges and authorities, and in carrying out its duties, functions and obligations.

#### 13.2.0 LEGAL STATUS AND CAPACITY

13.2.1 Each Maa-nulth First Nation is a separate and distinct legal entity with the capacity, rights, powers and privileges of a natural person including the ability to:

- a. enter into contracts and agreements;
- b. acquire and hold property or an Interest in property and sell or otherwise Dispose of that property or Interest;
- c. raise, spend, invest and borrow money;
- d. sue and be sued; and e. do other things ancillary to the exercise of its rights, powers and privileges.

## MAA-NULTH FIRST NATION CONSTITUTIONS

13.3.1 Each Maa-nulth First Nation has a Maa-nulth First Nation Constitution, consistent with the Agreement, which will provide:

- a. for a democratic Maa-nulth First Nation Government, including its duties, composition and membership;
- b. that its Maa-nulth First Nation Government is democratically accountable to its Maa-nulth-aht and Maa-nulth First Nation Citizens with elections at least every five years;
- c. for a process for removal of Office Holders of its Maa-nulth First Nation Government;
- d. for a system of financial administration with standards comparable to those generally accepted for governments in Canada through which its Maa-nulth First Nation Government is financially accountable to its Maa-nulth-aht and Maa-nulth First Nation Citizens;
- e. for conflict of interest rules comparable to those generally accepted for governments in Canada;
- f. for recognition and protection of rights and freedoms of its Maa-nulth-aht and Maa-nulth First Nation Citizens;
- g. that every Maa-nulth-aht of that Maa-nulth First Nation is entitled to be a Maa-nulth First Nation Citizen of that Maa-nulth First Nation;

that every registered Indian of the applicable Maa-nulth Indian Band is entitled to be a Maa-nulth First Nation Citizen of that Maa-nulth First Nation;

i. the process for the enactment of laws by its Maa-nulth First Nation Government;

j. a process for challenging the validity of the Maa-nulth First Nation Laws of its Maa-nulth First Nation Government;

k. that a Maa-nulth First Nation Law of its Maa-nulth First Nation Government which is inconsistent or in Conflict with its Maa-nulth First Nation Constitution is, to the extent of the inconsistency or Conflict, of no force or effect;

l. for the establishment of the Maa-nulth First Nation Public Institutions of its Maa-nulth First Nation Government;

m. for conditions under which that Maa-nulth First Nation may Dispose of its lands or Interests in lands;

n. for amendment of its Maa-nulth First Nation Constitution;

o. that its Maa-nulth First Nation Government will establish processes for appeal or review of administrative decisions made by that Maa-nulth First Nation Government or its Maa-nulth First Nation Public Institutions; and

p. for other provisions as determined by that Maa-nulth First Nation.

13.3.2 At the discretion of each Maa-nulth First Nation, its Maa-nulth First Nation Constitution may provide for the appointment of Ha'wiih into its governance structure, including:

**a. the process for appointment of Ha'wiih;**

b. the duties of Ha'wiih; and

c. other related matters.

13.3.3 If a Maa-nulth First Nation exercises its discretion under 13.3.2, it will provide in its Maa-nulth First Nation Constitution that the majority of Office Holders within its Maa-nulth First Nation Government are elected.

Constitution 2.10 – Power and responsibilities to set out laws set out.

2.1 The Uchucklesaht government shall consist of a legislative branch, an executive branch and a Uchucklesaht People's Assembly.

2.2 The Uchucklesaht government may, in accordance with the amending provisions of this Constitution, establish a judicial branch of the Uchucklesaht government.

**A. The Legislative Branch**

2.3 All legislative powers assumed through this Constitution shall be vested in the Uchucklesaht Council.

2.4 The Uchucklesaht Council shall be composed of up to eleven members consisting of

(a) five members of Council elected individually on a family basis,

(b) one member of Council elected by those citizens not identified as belonging to one of the five Uchucklesaht families,

(c) one chief councillor elected at-large, and

(d) up to four Ha'wiih chosen by custom.

2.5 Except for the four Ha'wiih, the Uchucklesaht Council shall hold office for a term of four years.

At this point UTG has 73 laws in place.

**End of Agenda Items: Note any other items wanting answers to- or for future agenda items another day.**

**UTG Member:** Right to Equal Employment Opportunities and his Constitutional Right Update requested. When I worked for UTG I was fired and likely due to my crime in disagreeing with the government of Canada. I want a right to equal employment – I wanted that maintenance position in the village. I don't feel treated equal. I did not hear back about the jobs that I applied for. The constitution notes that the government should provide employment to citizens.

**UTG Member:** Member needs to follow the process. This member needs to start following processes and stop disrupting all of us by not following process. You also need to stop pitting people against each other.

**UTG Member:** My issues have never been addressed before and that is why I did not add to the agenda. I am being treated unfairly and no one will speak to me or give me answers but I did speak to the DLR about a dozen times.

**Chief Councillor:** An additional venue to discuss was provided and people were given opportunities to add to an agenda. We will follow proper process and procedures and we have always ensured that all constitutional rights are recognized. This member was given the opportunity to put concerns on the agenda and have them addressed properly.

**END OF MEETING**