



Nisga'a Lisims Government Newsletter /// March 2013

# Sayt-K'ilim-Goot

one heart, one path, one nation



## President's Message /////

## BC in Breach, TNS, & Website

**THERE ARE SEVERAL SIGNIFICANT** issues in this edition that Nisga'a citizens need to be aware of and I hope you will read up on regarding Avanti-Kitsault Mine, Terrace Nisga'a Society, and our forthcoming new website.

As we report in this issue, the Nisga'a Nation commenced dispute resolution under the Nisga'a Treaty against British Columbia and Canada. The Nisga'a Nation was compelled to take this step in response to the referral by the BC

Environmental Assessment Office of the proposed Kitsault Mine to provincial Ministers for decision immediately before the upcoming provincial election. Any decision to approve an environmental assessment certificate for the proposed mine, if made on the basis of the existing information, would be a breach of the Nisga'a Treaty.

We are open for business and working well with project proponents in a variety of sectors in northwestern British Columbia. We look forward to participating in the many

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## New Nisga'a Lisims Government Website



[www.nisgaalisims.ca](http://www.nisgaalisims.ca)

The new Nisga'a Lisims Government website will launch on Thursday May 11 in the afternoon.

The new website is intended to provide an avenue where Nisga'a citizens of all ages can access relevant and current information,

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## The Nisga'a Nation demands a halt to proposed Kitsault Mine Project pending proper environmental assessments

Following are the two official NLG releases to the press on the Avanti/Kitsault Mine Project.

Gitlaxt'aamiks, BC, **March 13, 2013** – Today the Nisga'a Nation commenced dispute resolution under the Nisga'a Treaty against British Columbia and Canada. The Nisga'a Nation was compelled

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opportunities for economic growth. However, the Nisga'a Nation will not allow the health and welfare of Nisga'a people to be put at risk for this project.

In this issue, we also report on the Terrace Nisga'a Society (TNS). NLG recently sent a letter to all Nisga'a citizens ordinarily resident in Terrace over the age of 18 informing them that recent steps taken by the Terrace Nisga'a Society (TNS) have led the NLG Executive to reconsider the Nisga'a Nation's relationship with TNS and how services and government participation may be best provided to Nisga'a citizens ordinarily resident in Terrace. The letter further stated that

- NLG intends to terminate its funding agreement with TNS as of July 31, 2013; and
- NLG has advised TNS that its occupancy at 4441 Lakelse Ave (the Nisga'a Building which is owned by the Nisga'a Nation) will be terminated effective July 31, 2013.

But please note: NLG fully expects that during and after this period of transition, services will be maintained at least at the same levels as those that are currently provided. Nisga'a citizens will continue to receive those services at the Nisga'a Building in Terrace.

On a more positive note, we will be launching our new NLG website on May 11, 2013. It will be a vast improvement to have one, main, online resource that we can all turn to for news, information, and interesting events and happenings in the Nation and beyond. The new site will give us a more visible presence in our own communities, will be active, and should serve us better as we communicate with you, our Nisga'a citizens, and to the rest of the region and world.

My thanks to our dedicated hardworking staff.

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**The Nisga'a Nation demands a halt...** / continued from page 1

to take this step in response to the referral by the BC Environmental Assessment Office of the proposed Kitsault Mine to provincial Ministers for decision immediately before the upcoming provincial election. Any decision to approve an environmental assessment certificate for the proposed mine, if made on the basis of the existing information, would be a breach of the Nisga'a Treaty.

**Mitchell Stevens, President of the Nisga'a Nation, stated "Despite the Nisga'a Nation's best efforts to ensure that British Columbia and Canada properly assessed the potential impacts of the mine on the environment, the health of Nisga'a people, and the social and economic effects on the Nisga'a Nation, this has not yet been done. We fear that the current political environment could be driving a premature decision by provincial Ministers to approve this mine before all the facts are in."**

The Nisga'a Nation and leading scientists agree that the environmental assessments conducted by the BC Environmental Assessment Office and the Canadian Environmental Assessment Agency have not yet properly assessed the environmental impacts resulting from the discharge of heavy metals into the freshwater and marine environments. Moreover, the project effects will include a loss of approximately 50% of the aquatic life and habitat in a significant local watershed downstream of the mine site. This could have potential but as yet unknown corresponding effects in Alice Arm. The Nisga'a Nation has harvested food from Alice Arm and adjacent water bodies since time immemorial.

Information set out in the economic, social, and cultural impact assessment for the proposed mine suggests that the mine will likely have negative effects on Nisga'a people. Yet inexplicably, the report submitted by the EAO to the Ministers concludes that the project "may result in a modest improvement in the economic well-being of Nisga'a citizens".

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"The Nisga'a Nation hopes that a court action to halt the proposed project will not be necessary. We respect the provisions of our Treaty that contemplate that the parties will attempt to resolve disputes without the need for costly and unnecessary court proceedings," stated President Stevens.

"We are open for business and working well with project proponents in a variety of sectors in northwestern British Columbia. We look forward to participating in the many

opportunities for economic growth. However, the Nisga'a Nation will not allow the health and welfare of Nisga'a people to be put at risk for this project. The Nisga'a Nation fought hard to ensure that our Treaty guaranteed proper environmental assessment of projects within our area. We will not allow these constitutionally protected guarantees to be ignored," commented President Stevens.

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## British Columbia in breach of Nisga'a Treaty

British Columbia in breach of Nisga'a Treaty by decision of the Clark Government to issue environmental approval Proposed Kitsault Mine Gitlaxt'aamiks, BC, **March 19, 2013** – "Today, by issuing an environmental assessment certificate for this project, the Clark Government has caused British Columbia to breach the Nisga'a Treaty," stated President Stevens.

**"We are concerned that the timing of the decision to issue the EA certificate was largely motivated by electoral politics," stated Mitchell Stevens, President of Nisga'a Lisims Government.**

Last week, Nisga'a Nation announced in a press release that it had filed a Notice of Dispute under the dispute resolution provisions of the Nisga'a Final Agreement in anticipation of the Ministers making a decision to issue an environmental assessment certificate for the proposed mine.

"The Nisga'a Nation and its consultants, all of whom are acknowledged leaders in their fields, have been calling for the BCEAO to gather the information required to conduct a proper assessment for over two years. Many of the

Nisga'a Nation's concerns raised over this period have fallen on deaf ears. The BCEAO has not yet properly assessed the impacts on the health and well-being of Nisga'a people or the social or economic effects of the project, as required by the Treaty," stated President Stevens.

"The BCEAO has also not yet properly assessed the environmental impacts resulting from the discharge of heavy metals into the freshwater and marine environments on which the Nisga'a Nation relies. The conditions in the certificate that refer to developing plans sometime in the future fall well short of the Province's constitutional obligations under the Nisga'a Treaty," stated President Stevens.

**"We are still considering our legal options, and have followed the proper procedure under our Treaty by filing a Notice of Dispute. We intend to participate in this process in good faith. However, the Nisga'a Nation will not allow the health and well-being of Nisga'a people to be put at risk for this project," stated President Stevens.**

areas of interest, and encourage our citizens to contribute stories, videos, or articles of interest.

It was an interesting exercise to merge the contents of the NNKN site and the current NLG government site [nisgaalisims.ca](http://nisgaalisims.ca) into one site. In our workshop sessions — we determined that our resources and our ability to communicate real timely information would be better served by having one proprietary government site. It is designed to provide more relevant, and current information to all Nisga'a citizens.

The new site is very large, **over 300 pages** — we have lots of information, so we need to make sure all our departments are represented correctly.

#### A few of the features are

- The homepage is set up to make it easy to access information you are looking for, and the area in the site you wish to go to.
- The entire navigation system on the site has been looked at carefully so that it is easy to find areas of interest — when you go deeper into an area it is easy to know where you are in relation to the main navigation.
- We looked at, and analyzed many sites and had much discussion about designing the site so that it is easy to read and really easy as we say on the waters to “navigate”.
- Clicking and mousing ease were part of this research.
- We kept the top navigation bar to a minimum and focused on the key areas — making sure the secondary or inner navigation aligned well with it. Our research has shown us that viewers of websites get annoyed when the top navigation bar is crammed to the point of confusion.
- Information on the new site is presented in easy to follow levels. Some sections are quite concise, some sections have more information, and some sections have information where we post links, and PDFs that allow for more in-depth reading, and/or are for forms.
- On the homepage we have an image area featuring stunning Nisga'a photos. These images dissolve on a timed loop, and will be refreshed periodically in order to keep the visual look of the site fresh.
- In the site pages can have a photo or a few photos at the start of articles. For news stories a photo or a few photos that are specific to the article can be displayed at the start of it. These inner photos can be changed and updated easily.
- The new website has a good, simple to use content management system that will allow NLG communications staff to have no problem keeping it current.
- We took a hard look at the best (and areas that could be better) parts of both of our old sites ([nnkn.ca](http://nnkn.ca), and [nisgaalisims.ca](http://nisgaalisims.ca)) sites while developing the new site.
- Our focus and goal is to provide Nisga'a citizens with a good portal of information and create real connectivity.
- The new website is a live vehicle. As we launch, all contributors will find that information can be changed, re-worked, up-dated, shifted, expanded on, archived, and even removed quite easily.

Even though our prime focus is Nisga'a citizens, we are cognizant that the outside world will visit [www.nisgaalisims.ca](http://www.nisgaalisims.ca) often. We are proud of where we live, and as we expand our economic opportunities — we want visitors to see that the Nass is a beautiful place and we are a welcoming people.



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# Terrace Urban Local / Question & Answers

## From Nisga'a Lisims Government / March 26, 2013

### **What is happening between Nisga'a Lisims Government and the Terrace Nisga'a Society?**

The President of Nisga'a Lisims Government (NLG) has recently sent a letter to all Nisga'a citizens ordinarily resident in Terrace over the age of 18 informing them that recent steps taken by the Terrace Nisga'a Society (TNS) have led the NLG Executive to reconsider the Nisga'a Nation's relationship with TNS and how services and government participation may be best provided to Nisga'a citizens ordinarily resident in Terrace. The letter further stated that

- NLG intends to terminate its funding agreement with TNS as of July 31, 2013; and
- NLG has advised TNS that its occupancy at 4441 Lakelse Ave (the Nisga'a Building which is owned by the Nisga'a Nation) will be terminated effective July 31, 2013.

### **Why has NLG terminated its occupancy and funding agreement with TNS?**

These steps were required due to actions taken by TNS which the NLG Executive has concluded have the effect of rupturing the relationship between TNS and the larger Nisga'a Nation, including by:

- unilaterally and without notice, amending its bylaws effective December 13, 2012, to no longer provide for Nisga'a Urban Local Representatives to be members of the society's board of directors by virtue of their election; and
- further distancing itself from the Nation by commencing a lawsuit against the Nisga'a Nation, which the Nation considers to be without merit, alleging breach of trust and breach of fiduciary duty in addition to seeking substantial damages from the Nation.

### **How was this decision to terminate the occupancy and the funding agreement made?**

The decision to terminate the occupancy and the funding agreement was taken by the NLG Executive after conferring with members of the Council of Elders and upon careful consideration of what is best for the Nisga'a Nation, including Nisga'a citizens living in the Terrace Urban Local Area.

### **Will Nisga'a citizens continue to have a place to gather and receive services?**

Yes. Between now and the end of July, 2013, the NLG Executive will review the services currently provided to Nisga'a citizens residing in Terrace. NLG fully expects that during and after this period of transition, services will be maintained at least at the same levels as those that are currently provided. Nisga'a citizens will continue to receive those services at the Nisga'a Building in Terrace.

After July 31, NLG will ensure that Nisga'a citizens will continue to receive services provided through the Terrace Urban Local and have a place to gather at the Nisga'a Building in Terrace.

In addition, NLG will be hiring an individual to coordinate the transition from TNS to the Terrace Urban Local to assist in the delivery of urban local programs and services.

### **What is the difference between the Terrace Nisga'a Urban Local and the Terrace Nisga'a Society?**

The Terrace Nisga'a Urban Local is recognized under the Nisga'a Constitution for the purpose of providing political representation for Nisga'a citizens living in Terrace to NLG through the election of two Nisga'a Urban Local representatives. The TNS is a society which is a corporate entity under provincial law, established for the administration of funds for services to be provided to the Nisga'a citizens in Terrace. NLG has previously contracted with TNS for the provision of services to Nisga'a citizens living in Terrace.

### **How can I keep informed about what is happening?**

NLG will continue to provide information to Nisga'a citizens through our website at [www.nnkn.ca](http://www.nnkn.ca) and also through our Facebook page.

### **SUMMARY**

We want to assure you, and all Nisga'a citizens living in the Terrace Urban Local Area, that NLG has the needs of Nisga'a citizens foremost in mind during this period of transition.



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# Deo Gratias / Northern River 1998 /

From the book, First Burial in Spring by Alex Rose.  
Walhachin Press 2013. Used with permission.



Deo Gratias! Give thanks for a riverscape  
of rock and plunge pools  
For souse holes uncounted, tightly coiled eddies  
and noisy cascades  
For the Nass River estuary itself where summer  
light glazes the mint-green surface  
Where the current coils and tightens.

Give thanks for the wind-whipped stands of cottonwood  
lining the braided valley all the way to Meziadin  
For the purple colour of the lava fields whose  
luminescence brightens the dull monochrome of  
rain season  
Deo Gratias. Give thanks.

Give thanks for the sound of the river in the switchbacks  
at Canyon City  
Give thanks for the long strands of eelgrass  
For the eelgrass combed straight by the current.

Give thanks for a changing view, as we stand to look  
from the boat, riverbank to riverbank, where the  
water falls in a hundred different ways  
Here, everything is as it is, one way or the other  
What does it all add up to, after all?  
Deo Gratias.

Over the many years negotiating the issues leading up to our treaty,  
various consultants have worked for us. One constant has been how  
beautiful they have all thought the Nass River and Valley to be once  
they've experienced time in our territory. Alex Rose worked with us in  
Communications and Intergovernmental Relations. We knew he could  
write, but we didn't know he was a bit of a poet. Please enjoy the poem  
he wrote about the Nass River in 1998.

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## Interim CEO /

Further to previous correspondence regarding Mr. Fred Tolmie's decision to step down from the position of CEO of Nisga'a Lisims Government, I am pleased to advise that an interim CEO has been appointed until such time as the position can be filled on a permanent basis.

Mr. Collier Azak has accepted the appointment of interim CEO effective March 20, 2013. Collier's appointment is limited to a maximum of three months during which time the posting and selection for the permanent CEO will take place.

In addition, NLG Executive has approved a 3-month term appointment for Mr. Fred Tolmie as Advisor to the CEO, in order that he assist during this critical time of transition for Nisga'a Lisims Government.

Further information will be communicated regarding the plan to temporarily backfill the position of Director of Lands and Resources, once those details are ironed out.

Thank you, everyone for your continued support during this time of change for Nisga'a Lisims Government.



Nisga'a Lisims Government  
Human Resource Department  
hrdept@nisgaa.net



# Nisga'a Fisheries Technician

**POSITION:** Fisheries Technician (4-5 positions required)  
**SALARY RANGE:** Commensurate with Qualifications and Experience

**SUPERVISOR:** Fisheries Manager  
**HOURS:** Seasonal (Averaging Agreement)  
**TERM:** Full Time — Permanent  
**LOCATION:** New Aiyansh, British Columbia

## NATURE AND SCOPE OF POSITION

The Nisga'a Fisheries Program includes yearly research and monitoring of fish stocks and habitat. A majority of positions require working outdoors, often in poor weather conditions on the Nass River. There is also the possibility of working in remote field camps. All positions require adequate rain gear. The ability to collect and record accurate fisheries data is essential as the impact of error is significant to the Nation.

## EDUCATION, KNOWLEDGE, SKILLS and ABILITIES

- Grade 11 or higher education;
- Previous fisheries experience is an asset;
- Boat handling skills;
- Boat maintenance skills;
- Carpentry skills;
- Computer skills;
- Reliable transportation to and from work;
- Valid OFA Level I certification is an asset;
- MED A3 certification is an asset;
- SVOP certification is an asset.

If you are interested in this employment opportunity, please submit a complete resume package including:

- Cover letter
- Resume
- 3 recent work related references
- Copies of accredited certificates/diplomas

Applicants are required to submit their resume package complete with cover letter describing their qualifications and experience prior to 5:00 pm on April 30, 2013. We thank all applicants for their interest, however, only those selected for an interview will be contacted.



**ALL RESUME PACKAGES MAY BE  
DIRECTED TO:**

Nisga'a Lisims Government  
Attention: Human Resource Department  
PO Box 231, New Aiyansh, BC V0J 1A0  
F 250-633-2367 hrdept@nisgaa.net



# Director of Programs & Services

<b>POSITION:</b>	Director of Programs & Services	<b>HOURS:</b>	35 hrs per week
<b>SALARY RANGE:</b>	Commensurate with Qualifications & Experience	<b>TERM:</b>	Full Time – Permanent
<b>SUPERVISOR:</b>	Executive Director	<b>LOCATION:</b>	New Aiyansh, British Columbia

## JOB SUMMARY

Under the Nisga'a Final Agreement (Treaty), Nisga'a Constitution and applicable Nisga'a legislation, the Director of Programs and Services will be the senior administrator responsible for the establishment, development and operation of the Programs and Services Department of Nisga'a Lisims Government (NLG) in accordance with directions and delegations from the CEO, the Executive and Wilp Si'ayuukhl Nisga'a (WSN).

## RESPONSIBILITIES

- Reporting to the Executive Director, the Director of Programs and Services is the senior administrator responsible for implementing and overseeing programs and services for NLG regarding health, education and social services. The social service departments of NLG include: Nisga'a Child and Family Services (NCFS); Access to Justice; Citizenship and Enrolment; Youth Organizing Youth; and the Ayuukhl Nisga'a Department.
- The Director is responsible for administration of other public programs and service agreements with Canada, BC and other governments or institutions.
- The Director will recommend and implement appropriate program or service policies, practices, standards, controls, systems and reporting requirements and will evaluate programs and services for economy, efficiency and effectiveness.
- The Director will liaise and work with the Village Governments, Urban Locals, and other program and service providers internal and external to the Nisga'a Nation.
- The Director will provide advice and support to the Executive of NLG and WSN and will carry out other related duties as directed.

- In regard to program and service delivery and reporting, the Director will ensure compliance with the Treaty, Nisga'a Constitution, Nisga'a legislation, and other applicable acts and legislation.

## QUALIFICATIONS/KNOWLEDGE/SKILLS/ABILITIES

- A minimum of a bachelor's degree in: public administration; finance; economics; or social sciences such as social work, health or education, is required.
- Significant experience working in aboriginal communities on social programming issues at a senior administrative level of accountability is essential.
- Knowledge and understanding of program and service issues under Treaty is preferred.
- Knowledge of Nisga'a Language and culture is preferred.
- Dynamic ability to work effectively with other social service agencies, as well as the general public is required.
- Advanced comprehension and proven success in program development, monitoring, evaluation and financial management is essential.
- Proven success in accessing funds for needed programs from BC, Canada and other organizations is preferred.
- A motivated self-starter that is able to lead teams to achieve outstanding results is required.

## OTHER REQUIREMENTS

1. Valid BC Driver's license. The successful candidate will be required to complete/provide:
  - 3 recent work related references;
  - The successful candidate will provide a current driver's abstract;
  - Applicants must be able to work in Canada;
  - Criminal Records Check will be required of the successful candidate.



### ALL RESUME PACKAGES MAY BE DIRECTED TO:

Nisga'a Lisims Government  
Attention: Human Resource Department  
PO Box 231, New Aiyansh, BC V0J 1A0  
F 250-633-2367 hrdept@nsgaa.net

Applicants are required to submit a resume with cover letter describing their qualifications and experience prior to 5:00 pm on Friday, April 19, 2013. We thank all applicants for their interest, however, only those selected for an interview will be contacted.



# Highlights from NLG Executive Meeting March 2013

The following is a summary, and for certain resolutions an excerpt, of NLG resolutions from the most recent meeting of the NLG Executive.

## **Resolution / Adopted March 20, 2013**

### **Lands & Resources**

CONSIDERING THAT merchantable timber has been generated from the clearing of the Northwest Transmission Line on Nisga'a Lands and the Director of Lands & Resources (the "Director") has made a recommendation for the marketing of such timber cleared on Nisga'a Lands as appended to this motion as Appendix "A"; AND CONSIDERING THAT the Nisga'a Nation retains title to the merchantable timber on Nisga'a Lands pursuant to the terms and conditions of the Impact Benefit Agreement entered into between BC Hydro and the Nisga'a Nation on February 28, 2011; AND FURTHER CONSIDERING THAT the Executive may enter into contracts in the name of the Nisga'a Nation pursuant to subsection 12(a) of the *Nisga'a Financial Administration Act* and may dispose of property of the Nisga'a Nation pursuant to subsection 10(2)(b)(ii) of the *Nisga'a Financial Administration Act*;

#### MOVED THAT

1. Nisga'a Lisims Government Executive (the "Executive") authorize the Director and the Forest Manager to separate the merchantable timber into three categories:
  - a. cedar,
  - b. cedar which is suitable for power poles (the "Power Pole Cedar"), and
  - c. all other timber on Nisga'a Lands (the "Other Timber");
2. The Executive authorize the Chief Executive Officer to work with the Chief Financial Officer and General Counsel to determine which entity, the Nisga'a Nation, directly, or a commercial entity or limited partnership owned directly by the Nisga'a Nation (the "Entity"), is the preferred vehicle with which to dispose of the Other Timber and the Power Pole Cedar from an own source revenue or loss consolidation perspective;
3. After the Chief Executive Officer selects the Entity, the Executive delegate its authority to the Chief Executive Officer to:

- a. enter into a marketing agreement for the Other Timber on behalf of the Executive (the "Marketing Agreement") with the objective of maximizing the economic return to the Nisga'a Nation, subject to a legal review and review of taxation impacts by General Counsel; and
- b. authorize transfer of title to the Other Timber and Power Pole Cedar, on behalf of the Executive, subject to legal review and review of taxation impacts by General Counsel.

## **Resolution / Adopted March 20, 2013**

### **Lands & Resources**

CONSIDERING THAT merchantable timber has been generated from the clearing of the Northwest Transmission Line and the Director of Lands & Resources has made a recommendation for the marketing of such timber cleared on Crown lands as appended to this motion as Appendix "A"; AND CONSIDERING THAT it is expected that the Nisga'a Nation will receive title to the merchantable timber on Crown lands once title has been transferred from the Province of British Columbia to BC Hydro and Power Authority ("BC Hydro") and, ultimately, to the Nisga'a Nation pursuant to the terms and conditions of the Impact Benefit Agreement entered into between BC Hydro and the Nisga'a Nation on February 28, 2011; AND FURTHER CONSIDERING THAT the Executive may enter into contracts in the name of the Nisga'a Nation pursuant to subsection 12(a) of the *Nisga'a Financial Administration Act* and may dispose of property of the Nisga'a Nation pursuant to subsection 10(2)(b)(ii) of the *Nisga'a Financial Administration Act*;

#### MOVED THAT

1. Nisga'a Lisims Government Executive (the "Executive") authorize the Chief Executive Officer to work with the Chief Financial Officer and General Counsel to determine which entity, the Nisga'a Nation, directly,

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or a commercial entity or limited partnership owned directly by the Nisga'a Nation (the "Entity"), is the preferred vehicle with which to dispose of the timber from an own source revenue or loss consolidation perspective;

2. After the Chief Executive Officer selects the Entity, the Executive delegate its authority to the Chief Executive Officer to:
  - a. enter into a marketing agreement for timber on Crown lands on behalf of the Executive with the objective of maximizing the economic return to the Nisga'a Nation, subject to a legal review and review of taxation impacts by General Counsel; and
  - b. authorize transfer of title to timber on behalf of the Executive, subject to legal review and review of taxation impacts by General Counsel.

#### **Resolution / Adopted March 20, 2013**

##### **Finance**

CONSIDERING THAT under section 29 of the *Nisga'a Financial Administration Act*, the Nisga'a Lisims Government Executive (the "Executive") must recommend to Wilp Si'ayuukhl Nisga'a the draft provisional budget for the Nisga'a Nation for the next fiscal year by March 27, 2013;

MOVED THAT the Executive

1. approve the draft provisional budget for the 2013/2014 fiscal year, substantially in the form attached to this motion; and
2. direct the Chief Financial Officer to prepare a letter from the Executive to Wilp Si'ayuukhl Nisga'a, to be tabled at the next Wilp Si'ayuukhl Nisga'a meeting scheduled to begin on March 26, 2013, that includes:
  - a. the recommended provisional budget;
  - b. a statement, prepared by the Chief Financial Officer in accordance with the Nisga'a Nation established accounting policies, of the revenue and expenditure of the Nisga'a Nation from the end of the fiscal year to the most recent date practicable; and
  - c. a copy of the audited financial statements for the Nisga'a Nation for the most recently completed fiscal year.

#### **Resolution / Adopted March 20, 2013**

##### **Council of Elders**

CONSIDERING THAT:

vacancies have occurred in the office of one regular member and one alternate member of the Council of Elders for the term ending December 2013; under section 44(6)(a) of the *Nisga'a Government Act*, the President of Nisga'a Lisims Government has consulted with the Chairperson of the Council of Elders and has provided to the Nisga'a Lisims Government Executive (the "Executive") a list of names of persons who the Chairperson recommends for appointment to the Council of Elders to fill the vacancies; and under section 44(6)(b) of the *Nisga'a Government Act*, the Executive may, from the list provided by the Chairperson, appoint a person to the vacant office for the remainder of that term of office and designate that person as either a regular or an alternate member of the Council of Elders;

MOVED THAT:

1. under section 44(6)(b)(i) of the *Nisga'a Government Act*, the Executive appoint
  - a. Lorene Plante to fill the current vacancy that exists in the office of the regular member of the Council of Elders for the remainder of that term of office, to commence when Ms. Plante takes the oath of office in March of 2013 and to expire when any member of the Council appointed under section 44(4) of the *Nisga'a Government Act* takes the oath of office in December of 2013; and
  - b. Clyde Gary Davis to fill the current vacancy that exists in the office of the alternate member of the Council of Elders for the remainder of that term of office, to commence when Mr. Davis takes the oath of office in March of 2013 and to expire when any member of the Council appointed under section 44(4) of the *Nisga'a Government Act* takes the oath of office in December of 2013; and
2. under section 44(6)(b)(ii) of the *Nisga'a Government Act*, the Executive designate Mr. Davis as the alternate Council member for regular member Ms. Plante.

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**Resolution / Adopted March 26, 2013**

**Interim Nisga'a Settlement Trust**

CONSIDERING THAT the Executive of Nisga'a Lisims Government (the "Executive") has heard a presentation by the Trustees of the Interim Nisga'a Settlement Trust;

MOVED THAT the Executive

1. endorse the recommendation made by the Trustees in their presentation to hire PBI Actuarial Consultants Ltd. to provide services related to
  - a. an investment management search; and
  - b. ongoing monitoring and analysis of the investment manager performance;
2. authorize the Chief Financial Officer to sign any documentation required to give effect to this direction of Executive.

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**Resolution / Adopted March 27, 2013**

**Nisga'a Nation Provincial Sales Tax Revenue Sharing Agreement**

CONSIDERING THAT by Wilp Si'ayuukhl Nisga'a Motion 2013 / 16, Wilp Si'ayuukhl Nisga'a has ratified a proposed agreement with British Columbia under which British Columbia will share provincial sales tax revenues with the Nisga'a Nation, in the form attached as Appendix "A" to this motion (the "Nisga'a Nation Provincial Sales Tax Revenue Sharing Agreement"), and has recommended that the Nisga'a Nation, as represented by the Nisga'a Lisims Government Executive (the "Executive"), enter into an agreement with British Columbia substantially in the form of the Nisga'a Nation Provincial Sales Tax Revenue Sharing Agreement;

AND CONSIDERING THAT it would be of benefit to the Nisga'a Nation to enter into an agreement with British

Columbia substantially in the form of the Nisga'a Nation Provincial Sales Tax Revenue Sharing Agreement;

MOVED THAT:

1. the Nisga'a Nation, as represented by the Executive, enter into an agreement with British Columbia substantially in the form of the Nisga'a Nation Provincial Sales Tax Revenue Sharing Agreement; and
2. the Secretary-Treasurer, on behalf of the Nisga'a Nation as represented by the Executive, be authorized:
  - a. to execute an agreement substantially in the form of the Nisga'a Nation Provincial Sales Tax Revenue Sharing Agreement; and
  - b. to take such further and other steps as may be advisable to bring the Nisga'a Nation Provincial Sales Tax Revenue Sharing Agreement into effect.

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**Resolution / Adopted March 20, 2013**

**Provincial Sales Tax Revenue Sharing Agreement**

CONSIDERING THAT a proposal has been made for the Nisga'a Nation to enter into an agreement with British Columbia in the form attached to this motion as Appendix "A" (the "Nisga'a Nation Provincial Sales Tax Revenue Sharing Agreement");

AND CONSIDERING FURTHER THAT the Nisga'a Finance Committee has reviewed and approved the Nisga'a Nation Provincial Sales Tax Revenue Sharing Agreement;

MOVED THAT the Nisga'a Lisims Government Executive endorse the Nisga'a Nation Provincial Sales Tax Revenue Sharing Agreement and recommend its ratification to Wilp Si'ayuukhl Nisga'a.

*In addition to the items referenced above, regular business carried out by the Executive of Nisga'a Lisims Government includes opening prayer, adoption of agenda, minutes and financial statements.*



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