

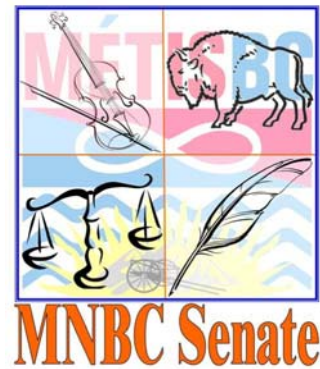
Senate Meeting Minutes

Kelowna, B.C., August 06, 2007

Senators present: Al Edkins, Ron Snider, Philip Gladue, Margaret Penner, Bob Adams and Bill Thibeault

Absent: Gerald Pope

Interim Senate Clerk: Dean Trumbley



August 06, 2007

1. Call to order at 09:45 hr
2. Opening prayer conducted by Senator Gladue.
3. Review and approval of agenda – modifications proposed to circulated agenda:
 - Adoption of decision document for Senate determinations
 - Discussion on actions for Senator absences

The agenda was accepted based on the above revisions.

Motion: *The agenda was motioned to be accepted.*

Moved by: *Senator Snider*

Seconded by: *Senator Adams*

Carried

4. Review of Motions and Records of Decision (March 09 and June 06, 2007)

March 09, 2007

- i. Senate clerk and senate chair to discuss assistance. Note that in regards to the division of duties between the Chair and the Clerk, the time period since the meeting has been very busy so that not much progress has been made, but the division of duties will be ongoing as business needs change.
- ii. The laminated prayer cards are very good and well appreciated. It was noted that individuals can add to the prayer to make it suitable for specific circumstances, but the prayer is an excellent generic opening for an occasion.
- iii. Senator Edkins and Senator Penner to meet with DFO. For the meeting with Department of Fisheries and Oceans (DFO) in Kelowna, during the meeting with Mr. Michie, he noted that he was nearing retirement and brought in the individual who will be replacing him. There is still a strong interest in the community justice concept, and DFO is willing to fund a training program in RCMP mediation training. There are about 65 community justice programs in B.C., about 30 are aboriginal programs that are funded. Clerk Trumbley has been lobbying with the Office of the Federal Interlocutor (OFI) for funds to set up a community justice program for MNBC, it appears there is \$75,000 that OFI can provide for this program.

June 06, 2007

- i. Senate packages and conference call. For the review of packages for appeals and challenges, if we require legal and research advice we have to offer the same opportunity to the client to have fair and transparent process.
- ii. Senate clerk to prepare an invoice template. The template was prepared and sent to all senators. The first template stated that it was a quarterly billing but specified a four month payment. There was some concern from MNBC financial group that the quarterly payment had to be for a three month period, and that was the period paid for with the fees for services payment.

***Motion:** That the invoices are modified to reflect a three-month period for quarterly payments.*

***Moved by:** Senator Adams*

***Seconded by:** Senator Gladue*

Carried

***Motion:** Accept the minutes of the March 09, 2007 meeting and the June 06, 2007 conference call.*

***Moved by:** Senator Adams*

***Seconded by:** Senator Snider*

Carried

5. Senator Updates

Region 1: Attended four community AGM's, and one special GM, two Cowichan Regional District meetings and one Regional Governance Council meeting. Mr. Edkins attended three regular community meetings for prayer purposes and to provide guidance to Community Executive. Additionally, Mr. Edkins attended two Municipal meetings for cultural purposes. Attended one Cowichan tribe elders meeting to conduct Metis prayer, and sash ceremony at Mikisew in Courtney for 22 graduating students. Worked with Clerk of the Senate on several development issues, and handled some of the duties of the Clerk while he was on vacation. Mr. Edkins conducted several guidance interviews without bias or involvement (semi-mediation). In total Mr. Edkins dedicated 318 hours and 2,378 km since April 01, 2007 on Senatorial issues.

Region 2: Attended a workshop with Qualicum First Nations on who the Métis are, how we came to be and our role in Canadian history. Continuing with school presentations has been requested to so sessions on environment, based on our history and culture. On June 6 at a small function on wellness program, June 7 MC at graduation ceremony for adults getting degrees. On June 21, National Aboriginal Day, Mr. Gladue attended ceremonies in Langley and Aldergrove. In July on cultural canoe journey from West Vancouver to Washington. On July 7 conducted a traditional Métis introduction for a wedding for a young man at Port Alberni. On August 8 will be at an elders gathering at BC Place.

Region 3: Attended a meeting with DFO in Kelowna on alternative justice systems. Mrs. Penner attended a Regional Governance Council meeting in June. On June 21, Mrs. Penner conducted the opening prayer at a ceremony in Kelowna. The Senator expressed concerned on tensions between Métis and Okanagan Indian Band, we all need to try working on relationship building.

Region 4: Attended Metis dancers practice session in Golden in April, and donated \$50 to group. Mr. Adams attended Treaty Council Ktunaya and Kinbasket session in Castlegar with provincial and federal representatives. Mr. Adams was selected to serve as aboriginal representative on B.C. Skills Force Initiative, as established by Community Futures to identify needed job skills for region. Attended panel session titled "Whose River Is It", a perspective on the Columbia River held at Touchstone Museum in Nelson. Mr. Adams attended three community meetings in Nelson. Additionally, Mr. Adams attended meeting to dissolve KRMA, with community presidents, Keith Henry, Dave Hodgson, Brittany Katernick and President Bruce Dumont.

Region 5: Attended one community AGM and two community meetings. On June 21 wore sash to activities at Ministry of Forests and Range recognition of Aboriginal Awareness Day. With work, and the general summer slowdown for meetings, have not been a lot of Senatorial duties.

Region 6: On June 21 in Terrace, Mr. Snider addressed and welcomed guests and elders to National Aboriginal Day activities. Mr. Snider then went to Prince Rupert at invitation of registry clerk to explain the Senate to a few people. Furthermore Mr. Snider carried out presentations in Hazelton and Smithers to local communities. Mr. Snider attended the Regional Governance Council in Terrace on July 29th. Mr. Snider was invited to Tri-Rivers B-B-Q in Hazelton, but it was cancelled due to flooding. Finally, Mr. Snider attended the Stone Soup celebration in Hazelton earlier in year.

Region 7: Senator unable to attend and report.

6. 2007-08 Fiscal Budget and 14. Review of 2007-08 Senate Related Workplans

Senate Clerk informed that the funding for 2007-08 for Senate business has been approved at \$140,000. This covers the work required on process for appeals for the forthcoming Electoral Act. The Senate does not get involved in the process of elections, but needs the process for appeals to be in place if the Act is passed at the AGM in September. If the Electoral Act does not pass, we still have the Electoral Code, so there would still be functions for the Senate with that aspect.

Negotiations are ongoing with Ministry of Aboriginal Relations and Reconciliation (MARR) for further funding for Senate activities, working with MARR to develop a cabinet document on an annual fund for cultural component of Senate Act, along with other aboriginal group's cultural activities.

7. Case Law Update

There have been two breaking cases since the last sitting, the Kip Kelly case in Alberta, where the interim harvesting agreement with the Alberta government was not accepted by Conservation Officers. Court upheld due to lack of legislation to uphold the political agreement, due to lack of action on government to legislate in proper time frame. The Senate Clerk spoke of a similar case in Ontario where the Ministry of Natural Resources had a regulation change and an agreement on Metis territory and reneged on the agreement. This case was upheld in favour of the MNO. Senate Clerk Trumbley presented the Senate with CDs containing a number of court case decisions on aboriginal case law, from 1983 to current. There are a number of other decisions expected in the near future; CDs can be updated as decisions come forward.

8. New Business

AGM will be held in September in Kelowna. Travel day is Sept. 19, Senate meeting Sept. 20, registration for AGM Sept. 21, Business days Sept. 22/23, with wrap-up by about 3:00 p.m. on the 23rd.

9. Adoption of Decision Document

Senate Clerk Trumbley presented the Senate with a suggested format for appeal decisions. In discussion it was suggested that wording be added at the end of the document on ability of individual to re-apply for citizenship if new information becomes available.

***Motion:** That the decision format be accepted with the additional wording as suggested above.*

***Moved by:** Senator Thibeault*

***Seconded by:** Senator Penner*

Carried

10. Restorative Justice Paper

At the meeting in Kelowna, it was iterated that if successful, this concept would expand our relationships in future for justice by the Metis. The Senate Clerk stated "*before moving forward, will need a motion from the Senate and from the Captain's assembly to move forward with the paper*". The concept would apply to all aboriginal people, thus a First

Nations person could request to be part of our process. Role of Senate is as mediator or facilitator only between the two parties, agreement is between BCMANR and “offender”. Process outlined in concept paper.

Motion: That the concept paper be accepted.

Moved by: Senator Snider

Seconded by: Senator Adams

Carried

11. Senatorial Absences

There is no provision in the Policies and Procedures regarding meeting absences. Concerns were expressed on Senator Pope missing two conference calls and a meeting and the need for presence of all Senators to effectively and efficiently carry on business. Need a firm and proper policy or procedure for Senate on absences and consequences. Suggest a letter of concern be sent to the Senator who misses three sessions, with a cc to the Regional Governance Council.

ROD - 001 - *Senate Chair will draft a letter to go to Senator Pope and the Regional Governance Council on the Senate’s concerns about missing three Senate sessions.*

12. Challenge Process

Concern on current legislation with challenge process, could inundate Senate with citizenship challenges. Process requires screening so that the individual making a challenge does so in writing and name of challenger to be made known to citizen challenged. Senate Chair to write letter to Secretariat to strengthen wording in legislation on issue of citizenship challenges

Motion: That the Chair writes a letter on behalf of the Senate to the Secretariat on the concerns with current legislation on citizenship challenges.

Moved by: Senator Thibeault

Seconded by: Senator Adams

Carried

13. Aboriginal Games - August 2008

In discussions of Senator Edkins with organizing committee, it was suggested that if there is a full Senate meeting at the time of the games, the Senate should attend the opening ceremonies. Thus it is suggested the second quarter meeting in 2008 be held in or near Duncan. Senator Edkins could look into availability of rooms for the Senate meeting.

Motion: That the 2008 second quarter meeting be held in Duncan in August 2008.

Moved by: Senator Adams

Seconded by: Senator Penner

Carried

14. Closing Prayer conducted by Senator Pope.

Motion: That the meeting be adjourned at the hour of 1:58 p.m.

Moved by: Senator Adams

Seconded by: Senator Gladue

Carried

15. Meeting adjourned: 1:58pm

Approved: _____

Alan Edkins, *Senate Chairperson*
for Bill Thibeault, *Senate Secretary*