



MÉTIS NATION GOVERNING ASSEMBLY
held September 26, 2021
DRAFT MINUTES

Minutes of the Métis Nation British Columbia 2021 Special Métis Nation Governing Assembly held September 26, 2021 via videoconference

OFFICIAL DELEGATES IN ATTENDANCE:

BOARD OF DIRECTORS:

Lissa Smith, Acting President
Kate Elliott, Métis Women BC Chair
Shaughn Davoren, Métis Youth BC Chair
Patrick Harriott, Region 1 Regional Director (Vancouver Island and Powell River)
Louis De Jaeger, Region 2 Regional Director (Lower Mainland)
Dean Gladue, Region 3 Regional Director (Thompson Okanagan) and Treasurer
Debra Fisher, Region 4 Regional Director (Kootenays)
Raynie Gervais, Region 5 Regional Director (North Central)
Susie Hooper, Region 6 Regional Director (Northwest)
Paulette Flamond, Region 7 Regional Director (Northeast)

REGIONAL REPRESENTATIVES:

Region 1 – Vancouver Island

Caitlin Bird, President, The Métis Nation of Greater Victoria Association
Shawn James, President, Métis Nation Powell River
Joy Bremner, President, Mid Island Métis Nation
Lauren Dean, President, Miki'siw Métis Association
June Graham, President, Alberni Clayoquot Métis Association
Charlotte Lever, Vice President, North Island Métis Association
Richard Lewis, President, Cowichan Valley Métis Association

Region 2 – Lower Mainland

Peter Lang, President, Chilliwack Métis Association
Kelly Sears, President, Waceyá Métis Society
Lisa Shepherd, Vice President, Golden Ears Métis Society
Pixie Wells, President, Fraser Valley Métis Society

Region 3 – Thompson Okanagan

David Allard, President, Salmon Arm Métis Association
Ron Caron, President, Vernon and District Métis Association
Cheryl Dodman, President, Kelowna Métis Association
Betty Ann McDonnell, President, Nicola Valley and District Métis Society
Trish Plant, President, Two Rivers Métis Society
Trudi Turner, President, Vermillion Forks Métis Society

Region 4 – Kootenays

Don Courson, President, West Kootenay Métis Society

Monica Fisher, President, Columbia Valley Métis Association
Alex Ibbotson, President, Rocky Mountain Métis Association
Travis Jobin, President, Métis Nation Columbia River Society
Myrtle Servatius, President, Kootenay South Métis Society
Jean Sulzer, President, Elk Valley Métis Association

Region 5 – North Central

Alexander Norquay, President, The Cariboo Chilcotin Métis Association
Kelly Roberts, President, Prince George Métis Community Association

Region 6 – Northwest

Bonnie Merlo, President, Tri-Rivers Métis Association
Darcie Petuh, President, Northwest BC Métis Association
Joy Sundin, President, Prince Rupert and District Métis Society

Region 7 – Northeast

Jacqueline Alderking, President, Fort St. John Métis Society
Darlene Campbell, President, Moccasin Flats Métis Society
Walter Mineault, President, North East Métis Association

ALSO PRESENT:

Dave Peltier, MNGA Speaker
Chris Gall, MNGA Clerk
John Bieker, MNGA Deputy Clerk
Daniel Fontaine, MNBC Chief Executive Officer
Nick Hosseinzadeh, Associate Director, Communications and Stakeholder Relations

RECORDING SECRETARY:

Christel Guenette, Raincoast Ventures Ltd.

1. OPENING PRAYERS

Region 4 Regional Director Debra Fisher provided an Opening Prayer.

2. ANTHEMS

O Canada and the Métis Ballad were provided through a video presentation.

3. CALL TO ORDER

The Official Business of the 2021 Special MNGA scheduled September 26, 2021, was called to order on September 26, 2021, at approximately 9:22 a.m.

4. ROLL CALL – QUORUM ANNOUNCED

MNGA Clerk Chris Gall read aloud the names of delegates and welcomed them to verbally indicate their presence. After concluding the Roll Call, he confirmed that 41 official voting delegates were in attendance, which met quorum.

5. ACCEPTANCE OF THE 2021 SPECIAL MNGA DRAFT AGENDA

Related materials distributed in the MNGA 2021 Agenda package: Draft Agenda of the Special Métis Nation British Columbia Governing Assembly scheduled September 26, 2021

Amendment to the Main Motion

It was MOVED (Paulette Flamond) and SECONDED (June Graham)

That the Agenda for the Métis Nation British Columbia 2021 Special Métis Nation Governing Assembly scheduled September 26, 2021, be accepted with the addition of Item 6.1, Resolution A – Acceptance of Kelly Lake as a Chartered Community.

Point of Information

In response to a Point of Information raised regarding the definition of “urgent and pressing matter”, MNGA Speaker Peltier clarified that in order for an item to be added to the agenda, it must be submitted to the Clerk 30 days prior to the meeting. If submitted after, the MNGA must agree that it is of an urgent and pressing nature to be added to the agenda.

Discussion on the Motion

During discussion, comments were offered regarding:

- Living conditions of residents in Kelly Lake; many Elders did not have heat or drinking water, roofs leak, etc.
 - MNBC has mechanisms to support Chartered Communities in need
- Acknowledgement that Kelly Lake was a historical community in the Homeland
- Process for approving Chartered Communities
- Receiving resolutions in advance of the MNGA, including relevant documentation
- Past efforts to accept Kelly Lake as a Chartered Community
- Ability for Chartered Communities to be affiliated with MNBC and the BC Métis Federation
- Timing of receipt of the resolution.

Amendment to the Motion

It was MOVED (David Allard) and SECONDED (June Graham)

That the Main Motion be amended to consider Resolution A following Resolution 1.

Discussion on the Amendment

During discussion, it was noted that it was prudent that resolutions pertaining to the by-election remain together.

Question on the Amendment

The question was called on the amendment. Voting was conducted via the poll function. MNGA Clerk Gall announced the results of the poll. MNGA Speaker Peltier then declared that the motion was:

DEFEATED

(31 delegates opposed; one delegate abstained from the vote)

Friendly Amendment to the Main Motion

MOTION: where should Resolution A be considered?

- A. After adoption of agenda (14 delegates voted in favour)
- B. After Resolution 3 (27 delegates voted in favour)

Main Motion as Amended

That the Agenda for the Métis Nation British Columbia 2021 Special Métis Nation Governing Assembly (MNGA) scheduled September 26, 2021, be accepted with the addition

of Item 6.4, Resolution A – Acceptance of Kelly Lake as a Chartered Community.

Question on the Motion as Amended

The question was called on the motion as amended. MNGA Clerk Gall conducted a roll call vote. MNGA Speaker Peltier then declared that the motion was:

CARRIED UNANIMOUSLY (MNGA2102-01)

Health Break

The meeting recessed at 10:41 a.m. and reconvened at 10:48 a.m.

6. RESOLUTIONS

6.1 Resolution #1 – Chief Electoral Officer

It was MOVED (Lisa Shepherd) and SECONDED (Shaughn Davoren)

WHEREAS:

- A. The positions of President of the MNBC, Métis Women British Columbia Regional Representatives for Region 3 and 6, and Métis Youth British Columbia Regional Representative for Region 7 are currently vacant;
- B. The positions of Métis Women British Columbia Regional Representatives for Region 2 and 5, and Métis Youth British Columbia Regional Representative Region 5 are filled by interim representatives;
- C. Article 3.7 of the *Electoral Act* provides for the appointment of the Chief Electoral Officer to be appointed by the MNGA;
- D. Article 46 of the *MNBC Constitution* requires a by-election be called to fill any vacancy on the MNBC Board of Directors;
- E. Lawrence Lewis of Victoria, and his business, OneFeather, served as Chief Electoral Officer for MNBC in the 2020 MNBC Provincial Election, and is qualified to carry out the role.

BE IT RESOLVED THAT:

- A. Lawrence Lewis of Victoria be appointed Chief Electoral Officer to manage and conduct the MNBC 2021 by-elections, to fill the vacant positions of the MNBC

Discussion on the Motion

During discussion, comments were offered regarding:

- The necessity of the motion, as Article 5 of the *Electoral Act* set out the appointment term of the Chief Electoral Officer
- Services provided by OneFeather, which were unsatisfactory due to numerous issues arising with mail-in ballots, and inconsistencies in following election processes
- Impacts of appointing a new Chief Electoral Officer, including the need to receive requests for proposals (RFPs), which could delay the by-election, and issues related to breaking the contract with OneFeather.

Question on the Motion

The question was called on the motion. MNGA Clerk Gall conducted a roll call vote. MNGA Speaker Peltier then declared that the motion was:

CARRIED (MNGA2102-02)

(11 delegates opposed; two delegates abstained from the vote)

Speaker Peltier encouraged staff to take note of concerns raised during discussion, and to forward these to the Chief Electoral Officer.

6.2 Resolution #2 – Election Date

It was MOVED (Louis De Jaeger) and SECONDED (Betty Ann McDonnell)

WHEREAS:

- A. The positions of President of the MNBC, Métis Women British Columbia (MWBC) Regional Representatives for Region 3 and 6, and Métis Youth British Columbia (MYBC) Regional Representative for Region 7 are currently vacant;
- C. The positions of MWBC Regional Representatives for Region 2 and 5, and MYBC Regional Representative Region 5 are filled by interim representatives;
- D. Article 46 of the MNBC *Constitution* requires a by-election be called to fill any vacancy on the MNBC Board of Directors;
- E. Article 41 of the *Constitution* states that the President and the Vice-President of the MNBC, the Chairperson for the Métis Women of British Columbia, and the Chairperson for the Métis Youth of British Columbia shall be elected by a province-wide ballot;
- F. Article 3 of the *Electoral Act* defines “candidate” as “meaning a person nominated and qualified to compete for an office in the MNBC election for President, Vice-President, Regional Director, Chairperson and Regional Youth Representatives of Métis Youth of British Columbia, and Chairperson and Regional Representatives of the Métis Women of British Columbia”;
- G. Article 8.1 of the *Electoral Act* requires the Chief Electoral Officer to give 60 days’ notice of the elections, meaning that once the Chief Electoral Officer is appointed, the earliest time that a general election could be held is 60 days after the notice is given; and
- H. Article 4 of the *Electoral Act* states that the date of the election shall be established by the MNGA, in conjunction with the terms outlined in the *Constitution*.

BE IT RESOLVED THAT:

- A. MNBC hold a by-election for the following positions:
 - a. MNBC President
 - b. MWBC Regional Representative in Regions 2, 3, 5, and 6
 - c. MYBC Regional Representative in Regions 5 and 7
- B. The date of this by-election will be: (select by majority vote)
 - a. March 10, 2022
 - b. January 24, 2022
 - c. December 15, 2021.

Discussion on the Motion

During discussion, comments were offered regarding:

- Benefits and challenges of each date named in the motion, and included the following:
 - Competition with the Christmas season
 - Providing sufficient time for citizens to research candidates
 - Time needed for candidates to draft their platforms
- Whether a budget was identified for the by-election

- Responsibility of the Senate to outline remedies should the former President appeal her removal
- Process as outlined in the *Electoral Act*, which called for an election 120 days following a vacancy
- Sufficient funds available as identified during the AGM's financial audit presentation
- Suggestion to split the by-election into two: regional elections could be held quickly while the President by-election should be provided sufficient time
- Upholding MNBC's *Constitution* and the provisions therein
- Urgency in filling the President's position to ensure the business of the MNBC continues.

Motion to Close Debate

It was MOVED (Trudi Turner) and SECONDED (Kelly Roberts)

That debate on the motion be called to a close.

CARRIED (MNGA2102-03)

(Three delegates opposed; one delegate abstained from the vote)

John Bieker, MNGA Deputy Clerk, outlined the process for the vote, which required a majority in favour of one of the choices.

Point of Order

In response to a Point of Order questioning why a vote was taking place without resolving the suggestion to separate the President Election from regional elections, Speaker Peltier advised that the motion was neither moved nor seconded.

MNGA Clerk Gall conducted a roll call vote, in which delegates voiced their preference for by-election dates:

- December 30 delegates voted in favour
- January 7 delegates voted in favour
- March 1 delegates voted in favour.

MNGA Speaker Peltier then declared that the motion was:

CARRIED (MNGA2102-04)

(Two delegates abstained from the vote)

It was MOVED

That the MNBC Métis Nation Governing Assembly recess for 10 minutes for a health break.

CARRIED (MNGA2102-05)

(14 delegates opposed; five delegates abstained from the vote)

Health Break

The meeting recessed at 12:23 p.m. and reconvened at 12:32 p.m.

6.3 Resolution #3 – Campaign Financing

Main Motion

It was MOVED (Betty Ann McDonnell) and SECONDED (Pixie Wells)

WHEREAS:

- A. It is of the utmost importance that MNBC elections are conducted in a democratic, fair, and transparent manner;
- B. That Métis Citizens are protected by outside influence in their elections, reinforcing Articles 4, 5, 9, and 10 of the MNBC *Constitution*;
- C. Unfettered monetary funding in MNBC Elections could result in candidates being elected that are beholden to outside interests, or using their monetary advantage to stifle democratic participation;
- D. The *Electoral Act* is currently being reviewed, with the expectation that it will be amended before the 2024 MNBC Provincial Election; and
- E. The *Electoral Act* is silent on the issue of campaign financing.

BE IT RESOLVED THAT:

Any candidate for the office of MNBC President must agree in writing to the following conditions and principles prior to the Chief Electoral Officer approving them as a candidate; and

Failure to adhere to these conditions and principles in their entirety may be considered a breach of fiduciary duty to MNBC, resulting in a removal from public office.

A. PUBLIC DISCLOSURE:

All Candidates will:

- a. Publicly disclose the names of all individual contributors to their campaign that have contributed an amount to their campaign of more than \$100.00;
- b. Ensure that cash contributions are not to exceed \$100.00;
- c. Ensure that anonymous contributions shall not exceed \$20.00;
- d. Be responsible to maintain a full record of the contributor, and form of contribution;
- e. Record and report the value of all ‘in-kind’ contributions, including such as but not limited to:
 - i. Staff resources;
 - ii. Telemarketing services;
 - iii. Office space; and
 - iv. Legal.
- f. This disclosure be made through the Chief Electoral Officer by completing the “President – Campaign Finance Reporting Form”; and
- g. This disclosure is to be made within five (5) business days after the results of the by-election for President are announced by the Chief Electoral Officer.

B. CONTRIBUTION LIMITS:

- a. It is prohibited for any person or entity, other than an individual, to make a contribution to a candidate;

- b. No individual or business enterprise can reimburse an individual for a contribution to a Presidential candidate;
- c. The maximum amount an individual can contribute to a candidate is \$1,000.00; and
- d. Only individuals that have ordinarily resided in British Columbia for at least six (6) months prior to the election can contribute to a candidate.

C. CAMPAIGN EXPENDITURE LIMITS

- a. The maximum amount of all contributions that a candidate can accept for an election is \$50,000.00.
- b. The maximum amount a Presidential candidate can spend during the writ period is \$50,000.00.

BE IT FURTHER RESOLVED:

For greater clarity, these principles do not apply to any other by-elections conducted by MNBC.

Discussion on the Motion

During discussion, comments were offered regarding:

- Support for ensuring equity for all candidates seeking to run in the by-election
- Recording of donations between \$20-\$100, which were not publicly disclosed
 - The method of recipient of donations was not relevant
- Striking of a Committee to review the *Electoral Act* to provide suggestions and recommendations on issues within; these would be received prior to the 2024 election
- Reporting of in-kind contributions, which included volunteer hours and office space, but were not included in expenditure limits
 - These contributions indicated who supported a particular campaign and ensured transparency
- Concerns around interference from organizations outside of BC.

Amendment to the Motion

It was MOVED (David Allard) and SECONDED (Bonnie Merlo)

That “BE IT RESOLVED” of the Main Motion be amended by inserting “*Any candidate for President of the MNBC, in the upcoming by-election (December 15, 2021) must disclose any affiliation with any organizations, political or otherwise, that may have an effect on any affairs of the MNBC, and this be included in the ‘President – Campaign Finance Reporting Form’.*” prior to “A. Public Disclosure”.

Discussion on the Amendment to the Motion

During discussion, comments were offered regarding:

- Intent to ensure voters have a fulsome picture of any potential candidates
- Ensuring candidates only hold membership cards for MNBC
- Future reporting of all Board Members in disclosing affiliations with other organizations; conflicts of interest, including sitting on the Boards of other organizations, should be included during the *Electoral Act* Review Committee’s deliberations
- Need for this disclosure to occur prior to the by-election, as the President – Campaign Finance Reporting Form was not submitted until five days following the vote.

Amendment to the Amendment of the Main Motion

That “BE IT RESOLVED” of the Main Motion be amended by inserting “*Any candidate for President of the MNBC, in the upcoming by-election (December 15, 2021) must disclose any affiliation with any organizations, political or otherwise, that may have an effect on any affairs of the MNBC, and this be included when a candidate submit nomination papers to the Chief Electoral Officer, and this disclosure be made public.*” as the second paragraph.

Discussion on the Amendment to the Amendment to the Motion

During continued discussion, comments were offered regarding:

- Expectation that gifts and contributions would be reported
- Included affiliations, which may or may not be Métis, but affects the purpose and affairs of the MNBC.

Question on the Amendment to the Amendment to the Main Motion

Question was called on the amendment (with friendly amendment) to the motion. MNGA Clerk Gall conducted a roll call vote. MNGA Speaker Peltier then declared that the motion was:

CARRIED (MNGA2102-06)

(Four delegates abstained from the vote)

Discussion on the Motion as Amended

During discussion, comments were offered regarding:

- Responsibility of candidates to comply with the provisions outlined in the motion
 - Candidates would be informed prior to submitting nomination papers, and must agree to the term prior to beginning their election.

Question on the Motion

The question was called on the motion as amended. MNGA Clerk Gall conducted a roll call vote. MNGA Speaker Peltier then declared that the motion was:

CARRIED (MNGA2102-07)

(One delegate opposed; three delegates abstained from the vote)

6.4 Resolution A - Acceptance of Kelly Lake as a Chartered Community

It was MOVED (Alex Ibbotson) and SECONDED (Paulette Flamond)

WHEREAS:

- A. Article 56.1 of the MNBC *Constitution* provides for a Métis Community meeting certain requirements to seek interim Chartered designation, if they have at least 25 members who are Métis Citizens, which is required for full Chartered Community status;
 - 56.1. *If a group of Métis Citizens residing in a city, town, municipality or unincorporated municipal unit in which there is no existing Chartered Community, that group of Citizens may apply to the applicable Regional Governance Council for interim Chartered Community designation (hereinafter referred to as an “Interim Chartered Community” or having “Interim Chartered Community Status” as the case may be) provided the application is signed by at least 15 Members who are Métis Citizens eighteen (18) years of age or older.*
- B. The Métis Community Society of Kelly Lake is legally registered with the BC Registrar of Societies, and now has more than 25 members, who are MNBC Citizens;

- C. Pursuant to Article 57 of the *Constitution*, the Métis Community Society of Kelly Lake has committed to enter into a Community Governance Charter with MNBC; and
- D. Pursuant to Article 55.1 of the *Constitution*, communities seeking any chartered designation shall require written approval by motion of seventy-five percent (75%) of the Applicable Regional Governance Council (RGC) members, and such motion be submitted to the Métis Nation Governing Assembly (MNGA) for final ratification; and

BE IT RESOLVED THAT:

- A. The Métis Nation Governing Assembly accepts the application by the Métis Community Society of Kelly Lake to enter into the Métis Nation British Columbia as a Full Chartered Community; and
- B. The geographic boundaries of the Métis Community Society of Kelly Lake shall include the municipalities of Kelly Lake, and Tumbler Ridge.

Discussion on the Motion

During discussion, comments were offered regarding:

- Ability for MNBC to be the voice for vulnerable populations that do not have amenities
- Advocating for additional rural rights specific to land use issues; rural population rights were not being heard
- Providing additional time for consultation with Chartered Community directors and citizens.

Question on the Motion

The question was called on the motion. MNGA Clerk Gall advised that 75% (29) of MNGA delegates in attendance voting in favour of the motion was required for it to pass.

Point of Order

In response to a Point of Order questioning the number of votes required in favour, MNGA Speaker Peltier advised that both the Regional Governance Committee and the MNGA required 75% of votes in favour of the motion.

A roll call vote was conducted. MNGA Speaker Peltier then declared that the motion was:

CARRIED (MNGA2102-08)
(One delegate voted in opposition)

MNGA Speaker noted that past practice was to swear in the new President immediately. However, due to the virtual meeting, it would not be completed at this time, but would be scheduled for the near future.

7. CLOSING PRAYER

MNGA Speaker Peltier expressed appreciation for the respectful participation from all Delegates.

Region 7 Regional Director Paulette Flamond provided a Closing Prayer.

Appreciation was expressed to MNBC staff and community Presidents who made the meeting successful. Kelly Lake was welcomed as a MNBC Chartered Community. Further appreciation was expressed to the Board of Directors, who had experienced a difficult year with the suspension of the MNBC President.

CONCLUSION

It was MOVED (Patrick Harriott) and SECONDED (Dean Gladue)

That the Métis Nation British Columbia 2021 Special Métis Nation Governing Assembly scheduled September 26, 2021, now conclude.

CARRIED UNANIMOUSLY (MNGA2102-09)

(Time: September 26, 2021 at 2:06 p.m.)

This is a true and correct copy of the Minutes of the Métis Nation British Columbia 2021 Special Métis Nation Governing Assembly scheduled September 26, 2021 and incorporates any and all corrections made at the time of adoption.

Susie Hooper, Secretary

Lissa Smith, Acting President

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