

**WHEREAS:**

- A. Métis Nation British Columbia (MNBC) is a government, governed by the *Constitution* adopted by its Citizens, and represents the Métis peoples in British Columbia;
- B. The MNBC Board of Directors (the “Board”) convened an In Camera meeting on March 5, 2021, and, given the serious allegations regarding the President’s conduct, unanimously passed a motion authorizing the retention of an investigator to review the conduct of suspended President Clara Morin Dal Col (the “March 5 Motion”);
- C. Pursuant to the March 5 Motion the Board instructed its counsel, Layne Hellrung of Cassels, Brock & Blackwell LLP, to hire legally-trained investigator, Sarah Chamberlain of Southern Butler Price to conduct an investigation into allegations of potential misconduct pursuant to the conduct report process under the Board Policy Manual (the “Conduct Report”);
- D. President Dal Col was provided, through her legal counsel, particulars of the allegations on April 26, 2021, further details on May 17, 2021, and additional documents related to the investigation on May 26, 2021, however President Dal Col ultimately declined to participate in the investigation;
- E. On July 23, 2021 the Executive was in receipt of the Conduct Report from CEO/Deputy Minister Fontaine and on July 24, 2021, referred the matter to the full Board for review to allow for careful consideration and to ensure the Board acted in a prudent and fair manner;
- F. The Board engaged Wally Oppal, Q.C. of Boughton Law, to review the Conduct Report, the *Constitution* and the Board Policy Manual and provide a recommendation on next steps that would be appropriate given the factual findings and conclusions of the Conduct Report;
- G. In accordance with the Board Policy Manual, a hearing was scheduled for and held on August 12, 2021 (the “Hearing”);
- H. President Dal Col was provided a copy of the Conduct Report and notice of the Hearing on August 3, 2021;
- I. President Dal Col declined to attend the Hearing despite adequate notice and opportunity;
- J. After reviewing the Conduct Report, the *Constitution* and the Board Policy Manual, Mr. Oppal recommended that President Dal Col be removed from MNBC pursuant to articles 23.8 and 24 of the *Constitution*;
- K. After reviewing the Conduct Report, the *Constitution*, the Board Policy Manual and hearing Mr. Oppal’s recommendation at the Hearing, the Board has determined it is necessary, given the seriousness of the findings in the Conduct Report, to remove the President from the MNBC pursuant to articles 23.8 and 24 of the *Constitution*.
- L. Further, although the Conduct Report is confidential in nature, the Board has determined it is necessary, given the seriousness of the findings in the Conduct Report, to publicly disseminate the Conduct Report to the Nation;
- M. The Board sought and received confirmation from all individuals who participated in the investigation and identified in the Conduct Report that they support the Board publicly disseminating the Conduct Report to the Nation;
- N. The Conduct Report confirms the investigator made the following factual findings:

- President Dal Col engaged in behaviour amounting to bullying and harassment towards Vera LeFranc and Colette Trudeau in breach of the Respectful Workplace Policy;
- President Dal Col engaged in other conduct in breach of the Respectful Workplace Policy towards Mr. Fontaine;
- President Dal Col breached her fiduciary duties and Oath of Office through:

- Failing to follow her obligations set out in Board motions including the March 4, 2020 motion, the April 16, 2020 motion, and the December 14, 2020 motion;
  - Refusing to provide information to Board members;
  - Reviewing or attempting to review Vice-President Lissa Smith's personnel file and citizenship application without informing Vice-President Smith, and calling into question the validity of the registry;
  - Preferring the interests of Métis National Council over those of MNBC;
  - Posting letters written by herself dated January 11, 2021 and January 15, 2021 (together, the "Letters") that included copies of Board motions on social media that undermined the integrity of MNBC laws;
  - Continuing to engage in post-suspension work in her position as President; and
  - Misuse of MNBC finances;
- President Dal Col breached the Social Media and Networking Policy through posting the Letters and associated Board motions;
  - In reviewing or attempting to review Vice-President Lissa Smith's personnel file and citizenship application without a valid reason President Dal Col breached Vice-President Smith's personal privacy rights;
  - President Dal Col failed to post Board expenses, in breach of Article 9.2.1 of the *MNGA Act*;
  - President Dal Col breached the Travel Policy; and
  - President Dal Col breached the Conflict of Interest Policy by failing to comply with the disclosure requirements.

BE IT RESOLVED THAT:

1. Pursuant to articles 23.8 and 24 of the *Constitution*, President Dal Col shall be immediately removed from the MNBC (the "Removal");
2. President Dal Col's entitlement to salary and benefits shall terminate upon the Removal; however President Dal Col shall be entitled to be paid all of her regular wages due and owing up to the Removal, less required deductions; and
3. The Report shall be disseminated to the Nation via the MNBC website.