

SHARING OF BEST PRACTICES ON GOVERNANCE

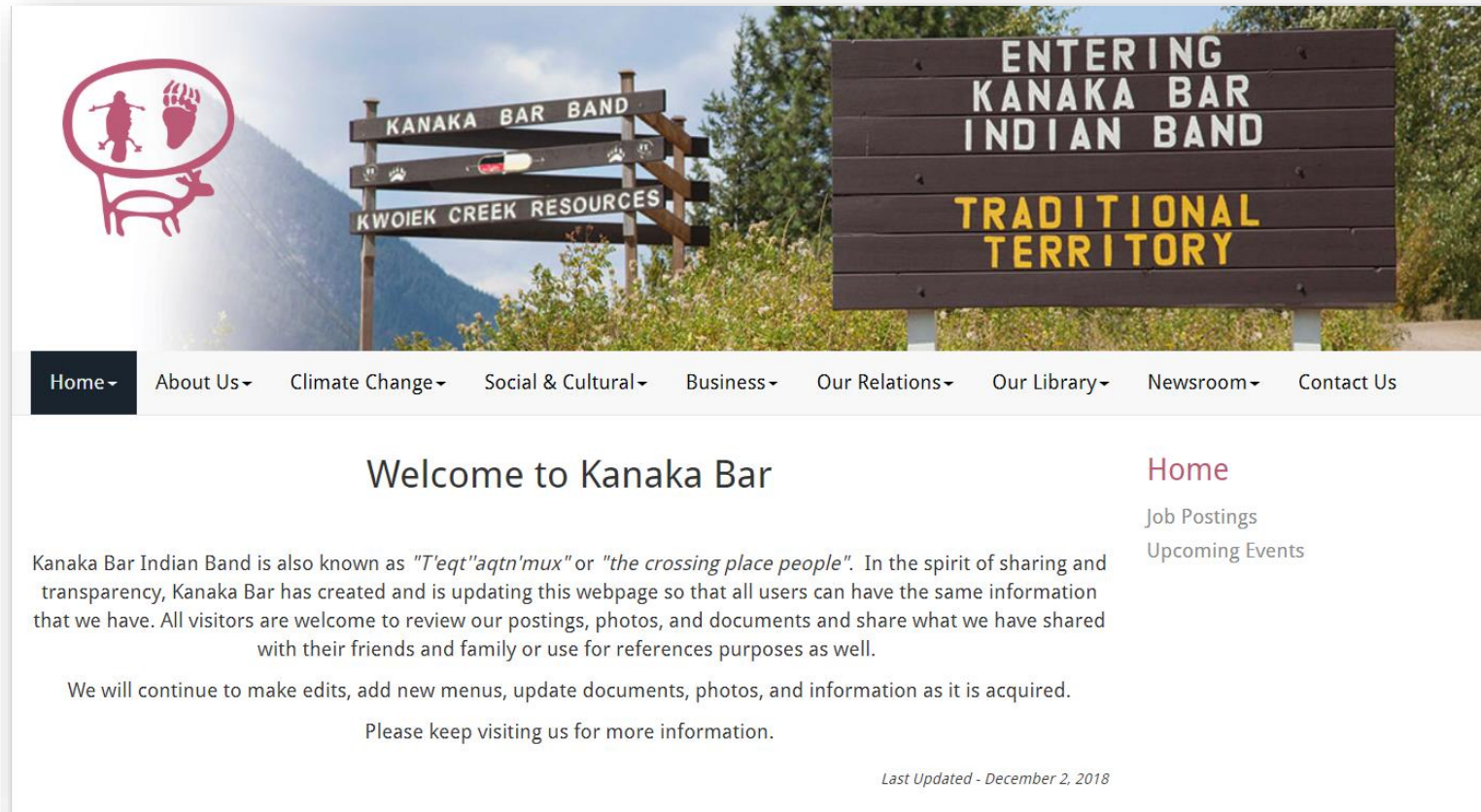
AFOA Financial Management and HR Conference— December 6, 2018

Chief Patrick Michell and Zain Nayani



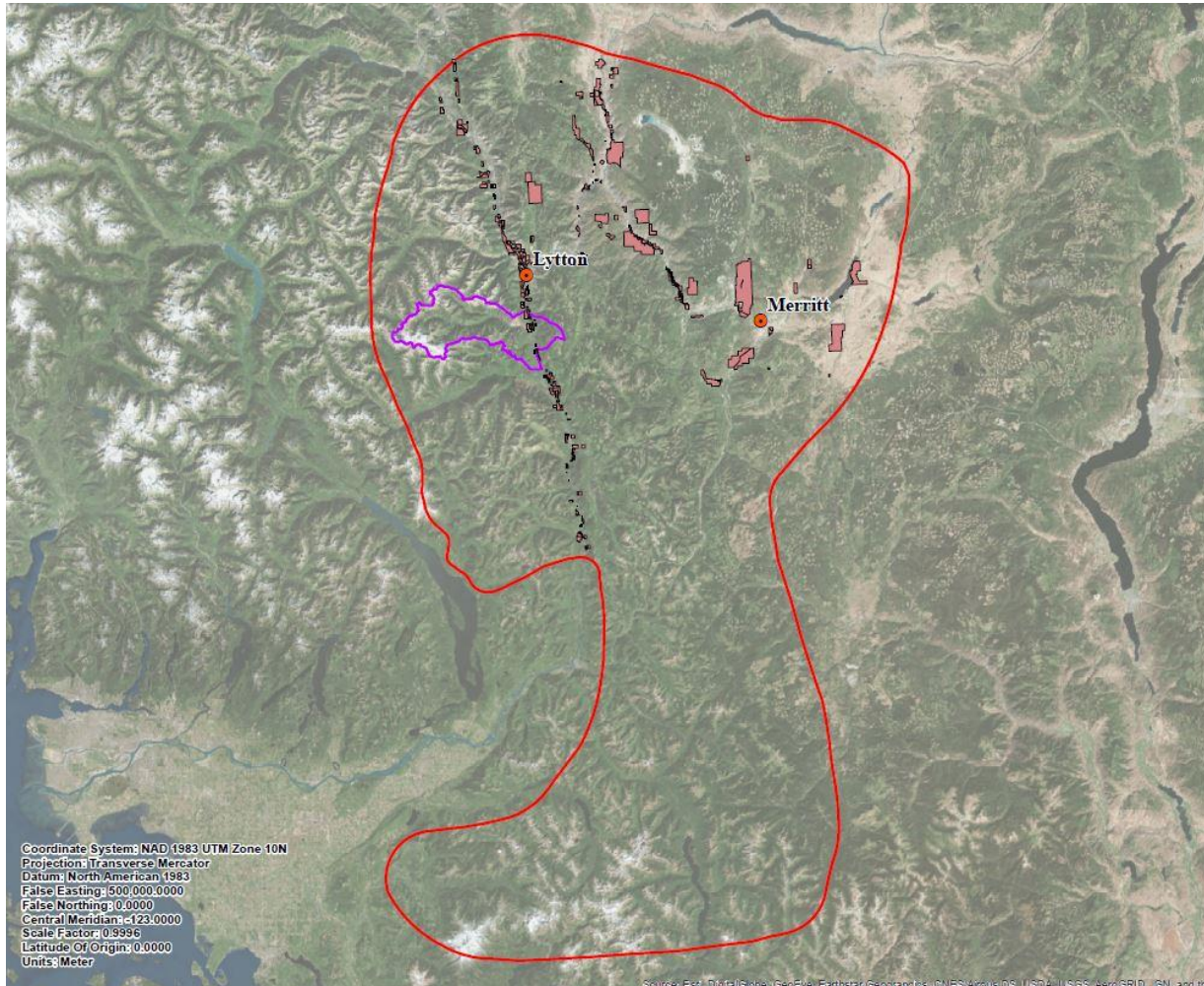
SHARING OF BEST PRACTICES ON GOVERNANCE

- ❑ Information is power and Kanaka gives it away for free
- ❑ Check us out:
www.kanakabarband.ca
- ❑ Sharing our story:
 - Attend community meetings and events
 - Visit us whenever you can
 - Write us an email
 - Call us
 - Talk to our people



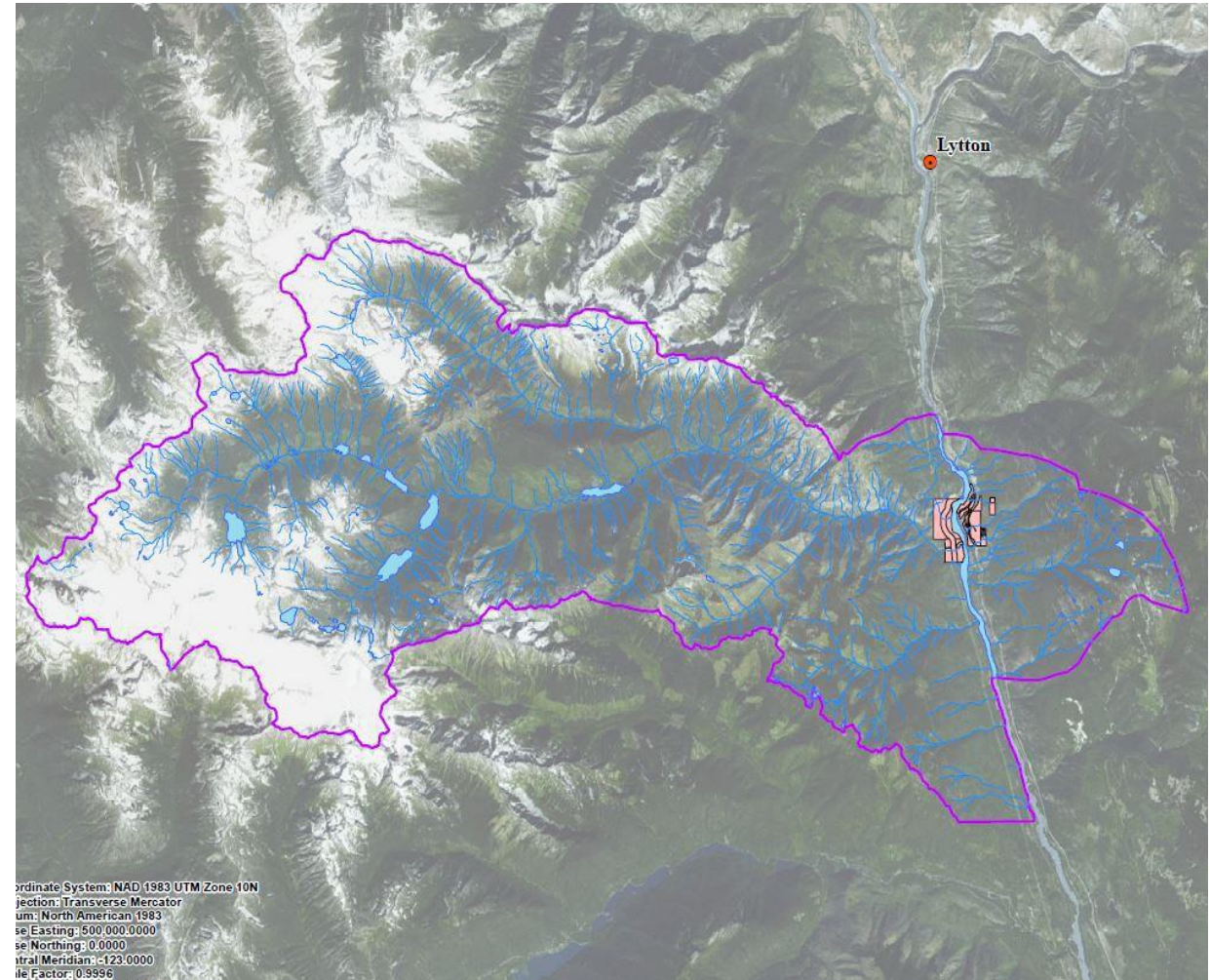
NLAKA'PAMUX

(the people here)



TEQT'AQTN'MUX

(the crossing place people)



CONTACT AND COLONIZATION...

Time immemorial then... change!

1808	First contact with the Nlaka'pamux
1846	Colony of Vancouver Island established
1858	Gold rush and the Fraser Canyon War
1858	Colony of British Columbia declared
1867	Canada's Confederation
1871	British Columbia joins Canada
1876	Indian Act is established
1967	Canada's 100 th birthday

Where are we now?

1973	Calder decision
1982	Constitution Act of Canada
1990	Sparrow decision
1997	Delgamuukw decision
2003	Nlaka'pamux Writ in BCSC
2014	Tsilhqot'in decision
2016	UNDRIP
2017	Canada's 150 th birthday

FROZEN IN TIME...

- ❑ Indian Act
 - 69 Nlaka'pamux communities now 15 Bands
 - Indian Act defines 'Chief and Council'
 - Jurisdiction defined and limited to reserve boundaries
- ❑ Reserve Lands
 - Kanaka has 6 reserves (700 acres) from which 250 acres were appropriated for public rights of way
- ❑ Residential Schools
 - Closed in 1976 (no language, disconnection from land, family and traditional knowledge transfer)
- ❑ Court Cases
 - Indigenous rights and titles still denied?
- ❑ Never evolved into a Nation state



- ❑ Anger
- ❑ Frustration
- ❑ Despair
- ❑ Dependency
- ❑ Addictions
- ❑ Suicides
- ❑ Other social ills

CHALLENGING THE STATUS-QUO...

1978

Let's do something!

Acquired Private Land

New Housing

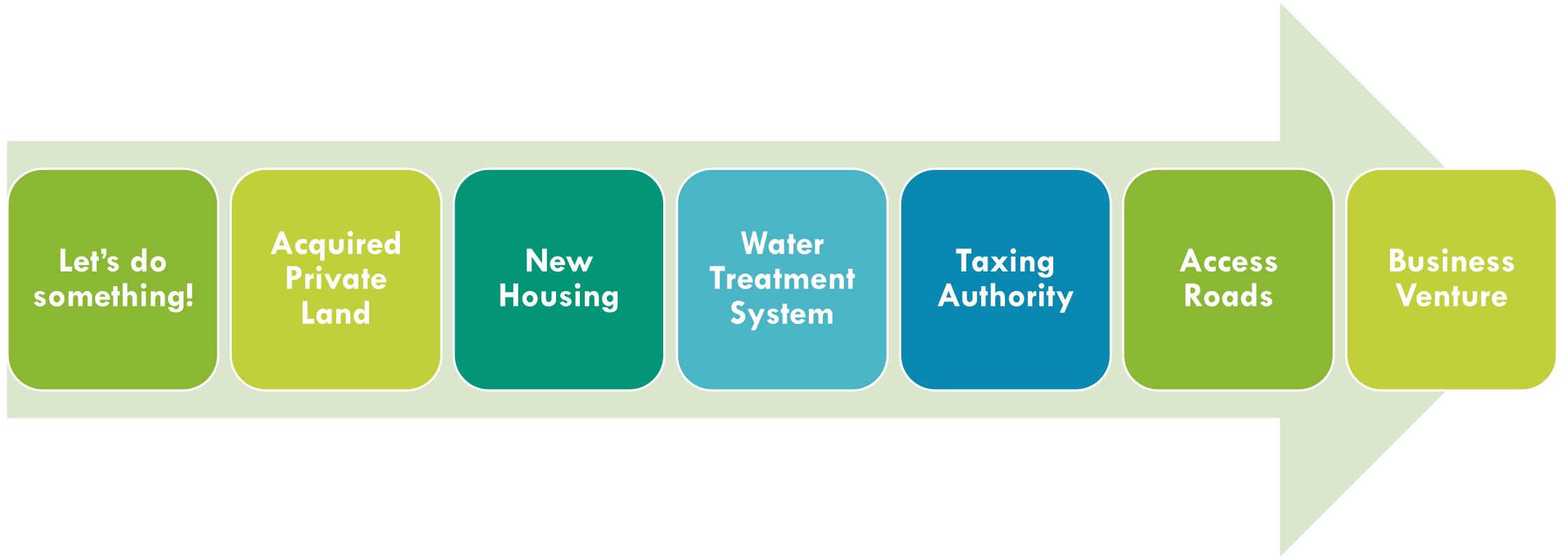
Water Treatment System

Taxing Authority

Access Roads

Business Venture

2011



QUESTIONS IN 2012...

- How to get people together?
- Who gets to say in community matters?
- What constitutes a decision-making body?
- How are we doing financially?
- What does transparency, accountability and fairness look like?
- How can community hold leaders accountable?
- How often and when should the community meet?
- How can we separate politics from business, and decision-making from implementation?
- Can we create a system to manage our own-source revenues and reinvest the surplus back in the community?
- Who and how will we administer this new system?



“Where are we at?” and “Where we go from here?”

Kanaka is starting a **transition** phase coming from an **INAC administered** and controlled *government transfer dollars* regime that has existed from 1876 to a **hybrid system** where our community will also begin to receive new monies called *own source revenues* from the Kwoiek Creek Hydro Project. Use of **own source** revenues is not administered nor controlled by INAC. The two systems we have in place today that provide both governance and financial management are the Kanaka Bar Indian Band and our band company, Kwoiek Creek Resources.

To help with understanding the existing systems and with implementation of a review process, Kanaka has asked Zain Nayani, a student intern with SFU, to do initial research and to summarize and present on options for our community in regards to both **governance and financial management planning**

Our lawyer and our financial advisor have also both recommended that Kanaka develop a 3rd new system to **reduce liability and taxes and to create certainty** for our community. This new system would receive monies from both Kanaka and KCR and then flow the monies back to the Band, the band’s company or directly to the membership based on clearly understood policy and procedure.

What we develop today will be the **policy and procedure for our future**

ENGAGED COMMUNITY



Identified the community needs, got a mandate and set the foundation for a long-term vision



Developed Foundational Codes

Membership Code

- Basic membership rules
- Process to become a member of Kanaka Bar
- Role of Council pertaining to membership
- Requirement to maintain the membership list
- Membership Committee
- Appeal procedures
- Losing membership

Election Code

- Election process of the community
- Eligibility to be on Council?
- Removing Council for non-compliance
- Causing an election
- Conducting elections and voting requirements
- Appeal procedures
- Code of Conduct for Council

Governance Code

- Rules around governance
- Council's mandate, role and functions
- Chief's authority and impartiality
- Baseline for how the Council was to govern themselves and the community
- Requirement for regular meetings
- Voting on decisions
- Separates of business from politics
- Roles and responsibilities of CEO

Encouraged due process, fairness, equality and accountability within the community

BUILT A TEAM

- ❑ **Community members** who showed interest in the community life
- ❑ **Champions** who gathered the members and organized meetings
- ❑ **Legal advisors** who assisted with creating a fair, transparent and accountable system
- ❑ **Financial advisors** who helped understand current and future revenues
- ❑ **Business partners** who helped us understand whether our businesses are sustainable
- ❑ **Planners** who assisted us in developing a road map
- ❑ **Funders** who were providing us with grants and various other forms of funding
- ❑ **Bankers** who we were dealing with on a day to day basis
- ❑ **Governments** who we share our territory with



CONDUCTED MEETINGS

□ Council Meetings

- 1st Monday at 9 a.m.
- 3rd Thursdays at 1 p.m.
- Annual Planning Meetings
- Special Meetings

□ Community Meetings

- 3rd Thursday at 5 p.m.
- Annual General Meetings
- Winter Gathering
- Special Meetings

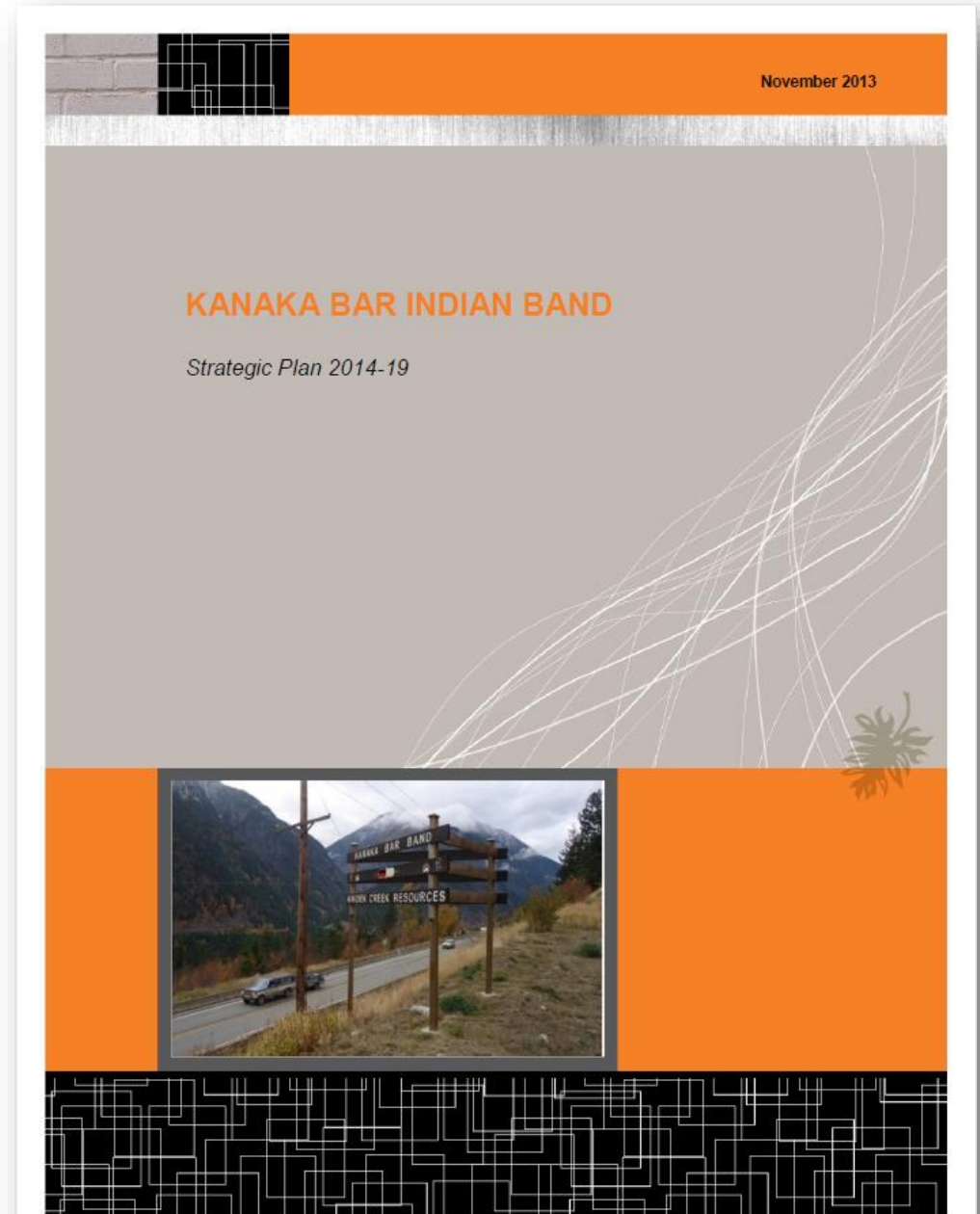
□ Usual Agenda

- Membership concerns
- Employment metrics
- Financial position
- Updates on:
 - Lands and governance
 - Education and training
 - Health and culture
 - Social development
 - Infrastructure and housing
 - Economic development
- Other (recall...)



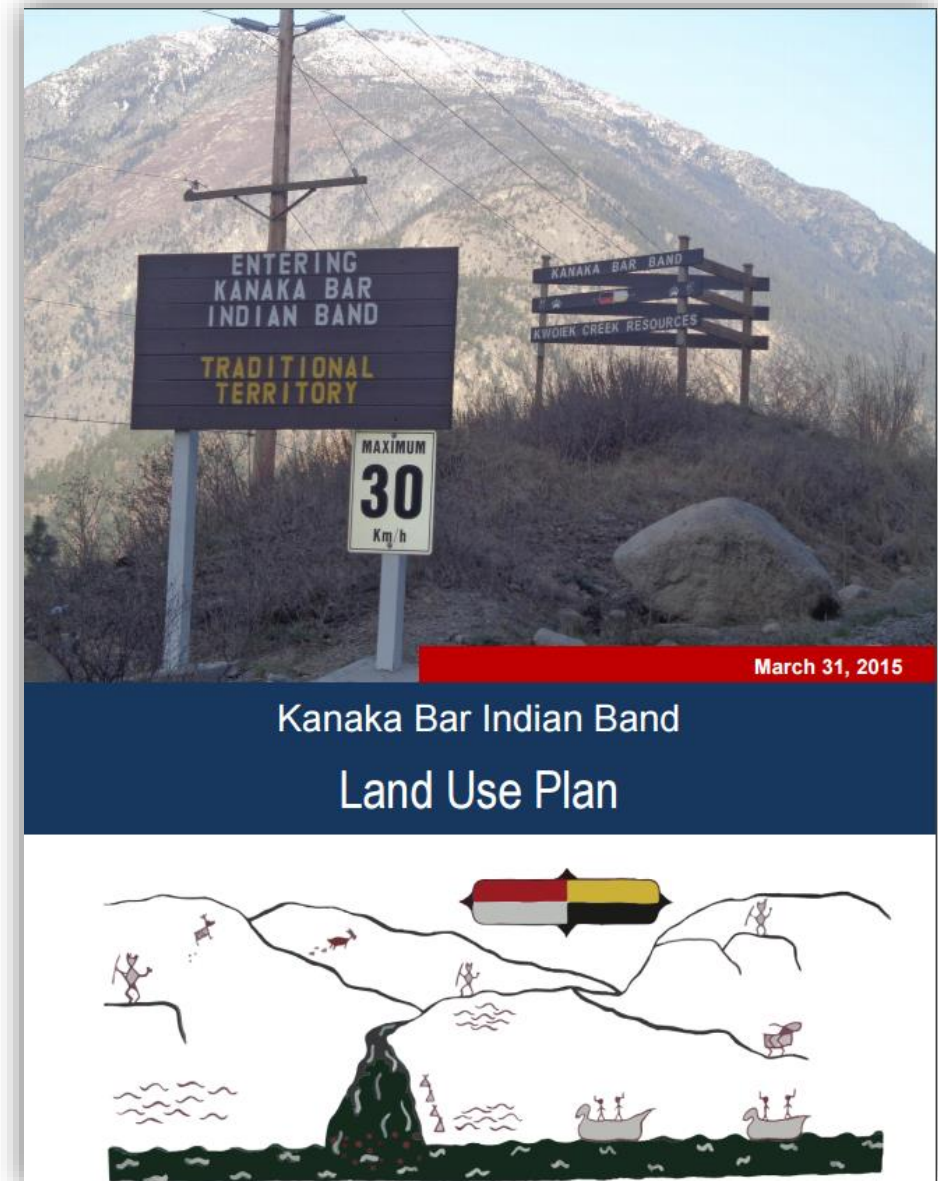
CREATED A STRATEGY

- ❑ Developed after a simple situational analysis of the community and organizational needs
- ❑ Created by talking with members, leaders and staff at the time
- ❑ Priorities identified:
 - Governance
 - Natural and Man-made Infrastructure
 - Healthcare, Culture and Personal Well-being
 - Education and Training
 - Employment and Economic Development
- ❑ Each priority had an objective, various implementation strategies and an action plan



DEVELOPED A LAND USE PLAN

- ❑ Codified the community vision of using land and resources to maintain a self-sufficient, sustainable and vibrant community
- ❑ Formal record of the known past and present uses on Kanaka's reserve land to plan for future
- ❑ Lists down global land use and site specific challenges along with 65 potential land use activities
- ❑ Conducted over 60 one-on-one interviews
- ❑ Funded by BCCI and OSR, and facilitated by Urban System
- ❑ Completed in March 2015 and available online at:
 - <http://www.kanakabarband.ca/downloads/land-use-plan-march-31-2015.pdf>
- ❑ Since 2015, Kanaka has acquired over 100 acres of fee-simple land and completed an off-reserve land use plan as well



RESTRUCTURED ORGANIZATION



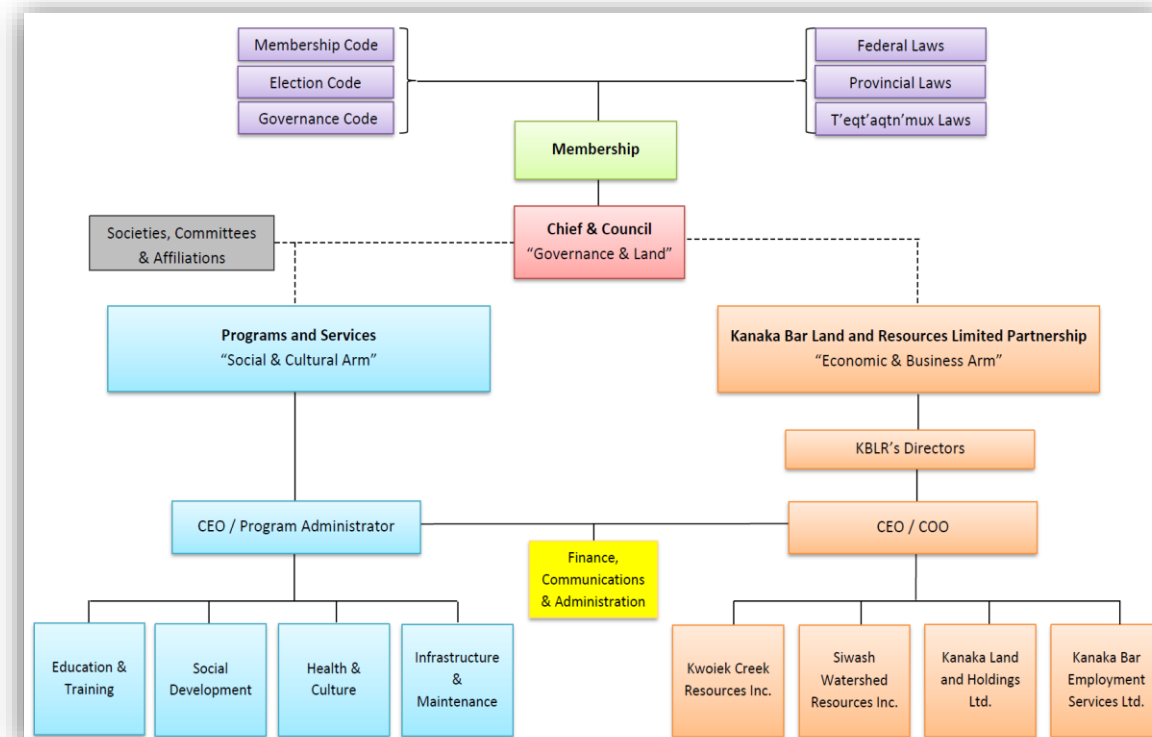
Used colors to separate the following:

- Politics from business
- Decision-making from implementation
- Non-profit from for-profit activities
- Social programming from economic development

It improved lines of communication:

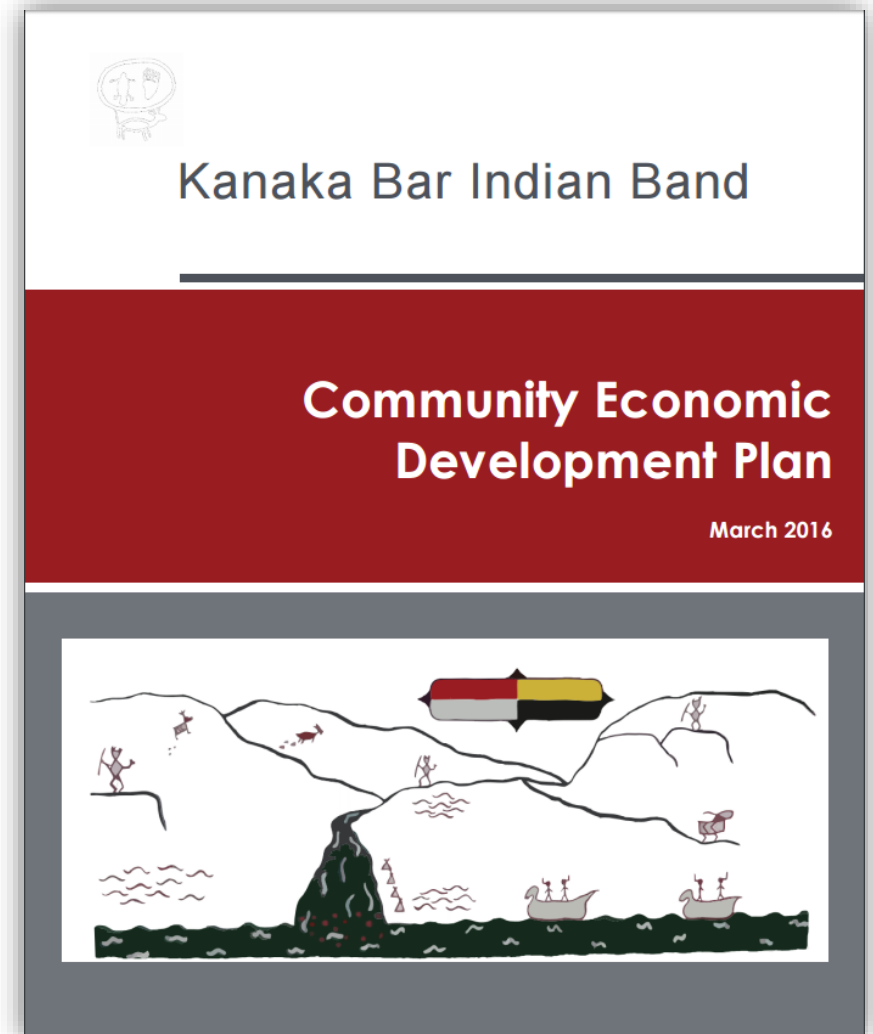
- Blue became Social and Cultural arm – mainly funded by ISC and FNHA
- Red became Land and Governance arm – mainly funded through taxation and revenue sharing agreements
- Orange became the Economic Development arm – mainly funded through profitable business enterprises

It allowed us to manage our finances and personnel issues in a streamlined and focused way



CREATED AN IMPLEMENTATION PLAN

- ❑ Talks about how to achieve the vision and establishes following implementation themes:
 - Food Self-sufficiency
 - Energy Self-sufficiency
 - Employment Self-sufficiency
 - Financial Self-sufficiency
 - Foundational Infrastructure and Policy
- ❑ Evaluates opportunities and constraints for development as well as community readiness for it
- ❑ Assesses all opportunities with goals and potential next steps
- ❑ Prioritizes the ones that can be implemented over four years
- ❑ Funded by LEDSP (targeted) and OSR, and facilitated by Urban System
- ❑ Completed in March 2016 and available online at:
 - <http://www.kanakabarband.ca/downloads/community-economic-development-plan.pdf>



ESTABLISHED FOUNDATIONAL POLICY

- ❑ In 2016, created a Housing Policy and Personnel Policy to treat people fairly and create accountability at Kanaka
- ❑ Allows leadership to set a basic standard and focus on other critical work areas
- ❑ Guides management and workers by establishing rules and principles
- ❑ Gives Kanaka something to fall back on when there is turbulence
- ❑ Currently working on:
 - Occupational Health, Safety and Environmental Policy
 - Financial Management Policy

Kanaka Bar Indian Band Housing Policy

March 31, 2016



p. (250) 455-2200
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KANAKA BAR INDIAN BAND

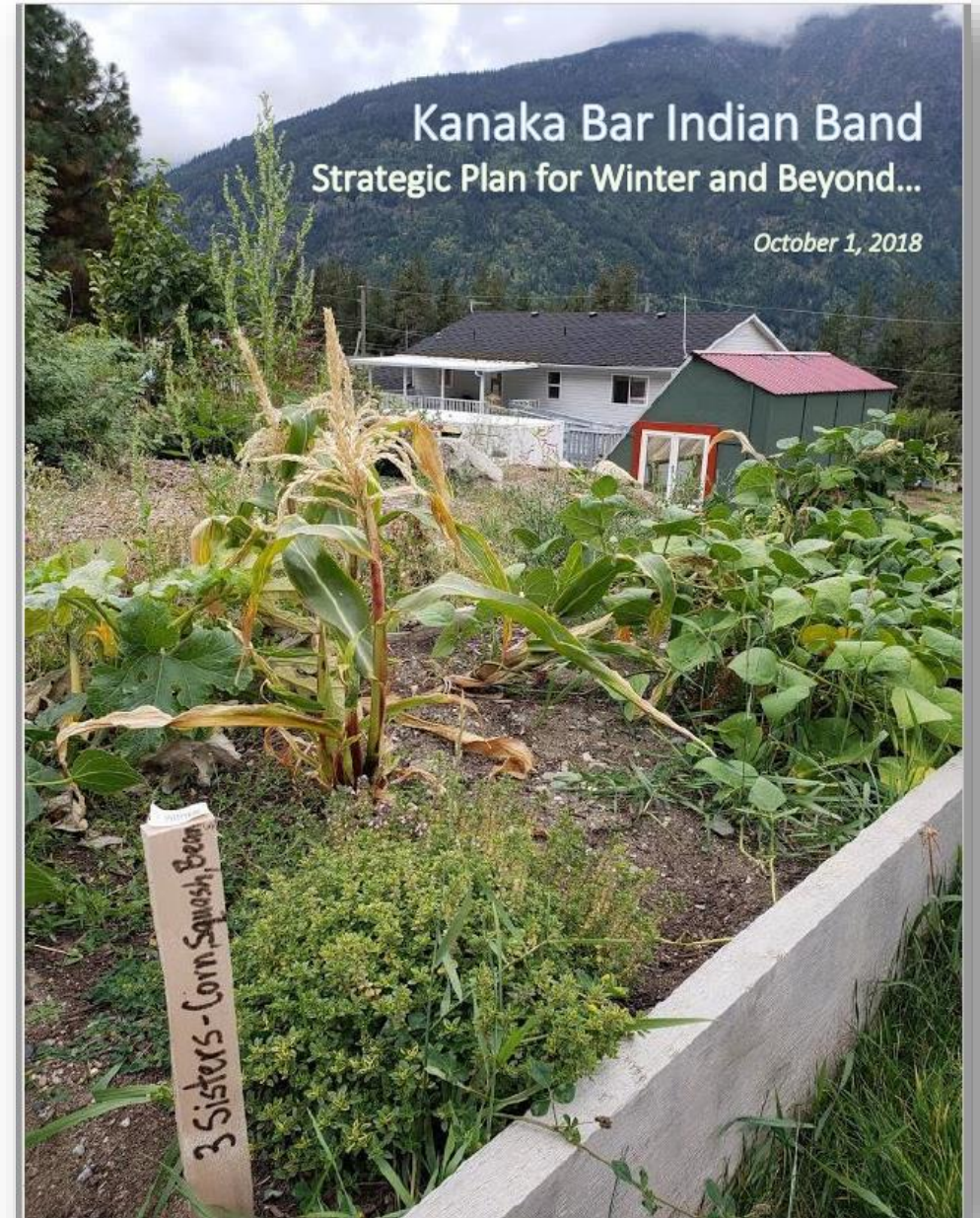
PERSONNEL POLICY

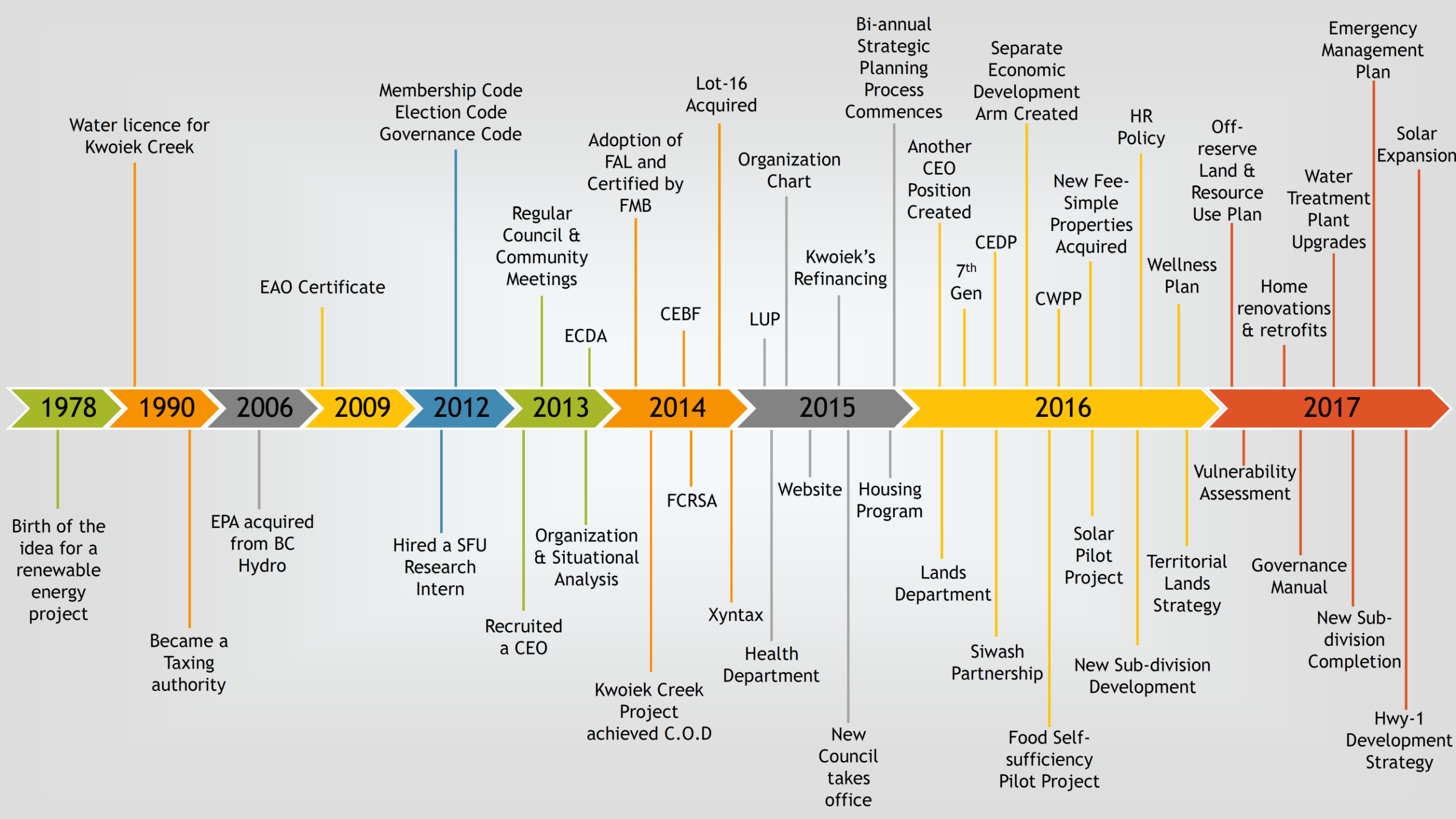
December 5, 2016



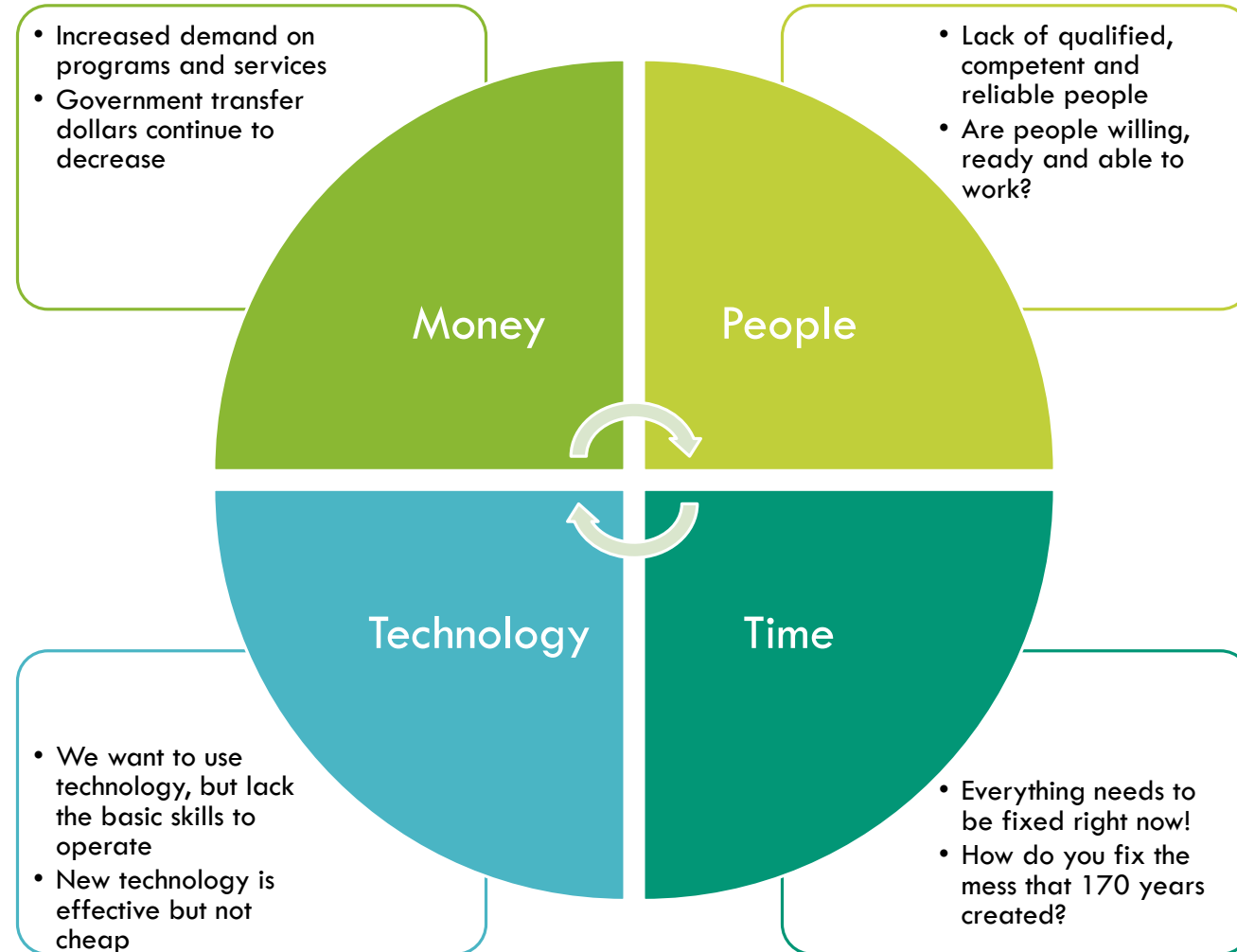
STAYING FOCUSED

- ❑ Started creating bi-annual strategic plans to stay focused
- ❑ Backward and forward looking document that reports on the last six months and plans for next six
- ❑ Assists in maintaining focus on the projects and opportunities listed in CEDP implementation schedule and be realistic about them
- ❑ Communicates with members, leadership, staff, governments, funding agencies, financial institutions, business partners, advisors and professionals
- ❑ Completed twice each year and available online at:
 - <http://www.kanakabarband.ca/our-library/bi-annual-plans>

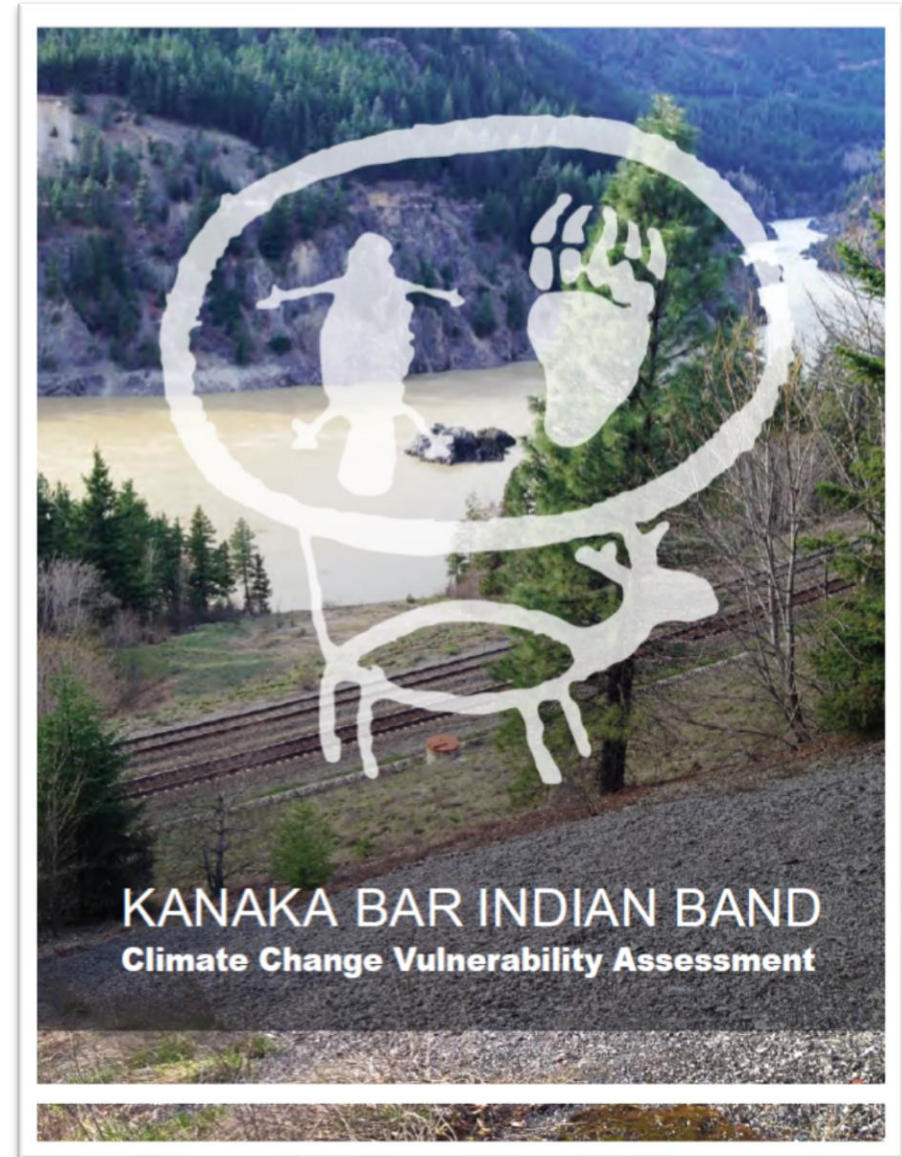
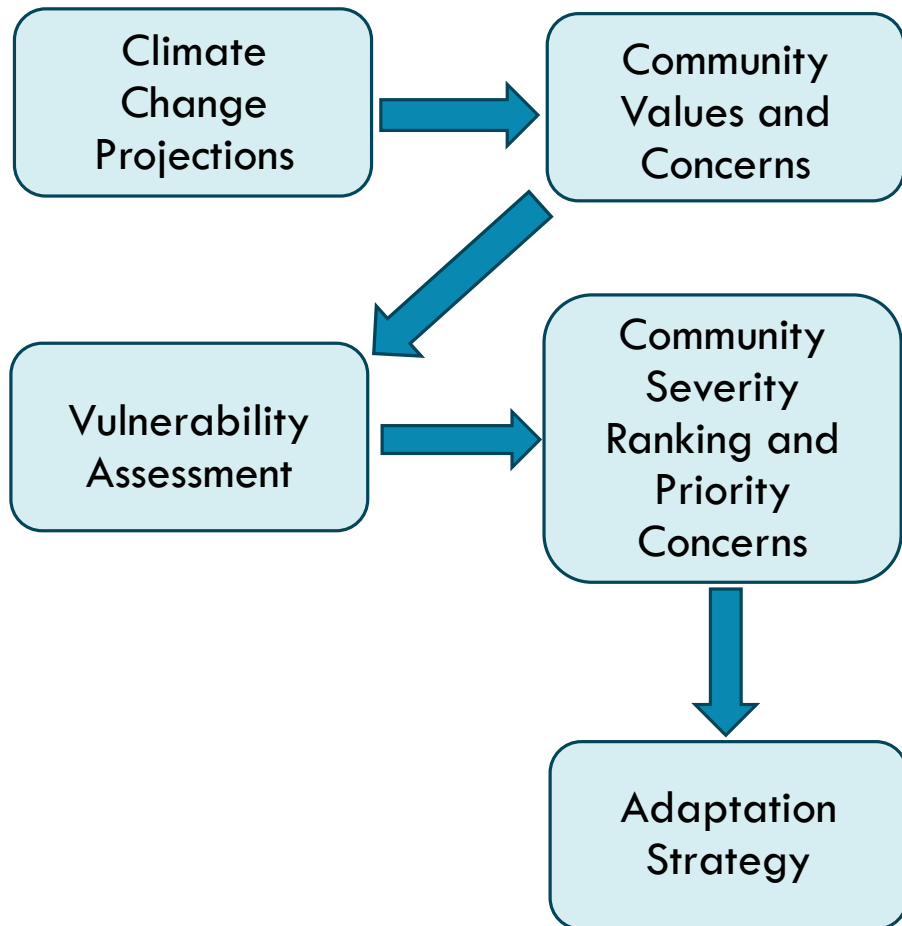




CHALLENGES STILL EXIST...



THEN, OF COURSE, THERE IS CLIMATE CHANGE...



Available online at: www.kanakabarband.ca

HOW ARE WE DEALING WITH CHALLENGES?

Idea

- Identify a need
- Find an opportunity
- Establish goals
- Explore with funders
- Find a champion
- Start running initial numbers (site spec.)
- Identify risks
- Consider constraints
- Seek approvals

Planning

- Develop a team
- Finalize permitting
- Develop business case
- Create a schedule
- Plan to mitigate risks
- Arrange for procurement
- Continue to explore with funders
- Communicate with community

Execution

- Manage teams
- Have the funds ready to disburse
- Implement the development plan
- Document progress
- Communicate
- Get feedback from teams
- Start thinking above operations phase

Monitor

- Monitor progress against the plans
- Collect data, especially deviations
- Take corrective measures
- Compare budgets with actual
- Communicate progress

Reality

- Indicate closing to decision-makers
- Ensure it is complete
- Celebrate success
- Document what was achieved
- Learn from failures
- Finalize reporting
- Communicate final completion

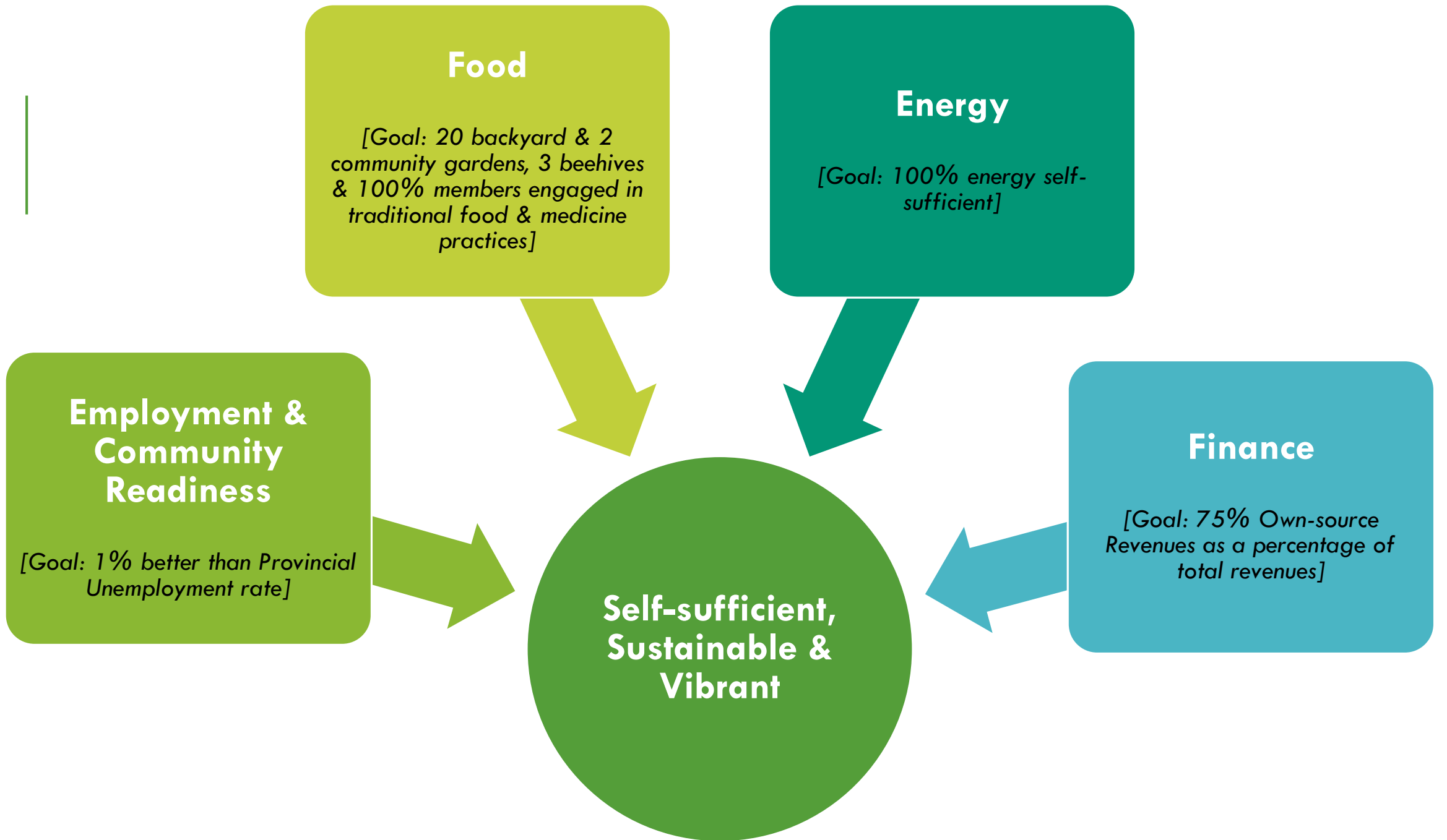
LET'S HEAR IT FROM OUR YOUTH...



Available online at: <http://www.kanakabarband.ca/our-library/videos>



WHAT'S **NEXT**
FOR KANAKA?



2015 Community Vision Statement

To become a self-sufficient, sustainable and vibrant community!

Has evolved into 4 intertwined goals

Employment & Community Readiness

- Office
- Field
- Commercial
- Retail

Food

- Meats
- Fruits
- Vegetables
- Beverages

Energy

- New builds
- Renovations
- Demand-side management
- Production

Financial

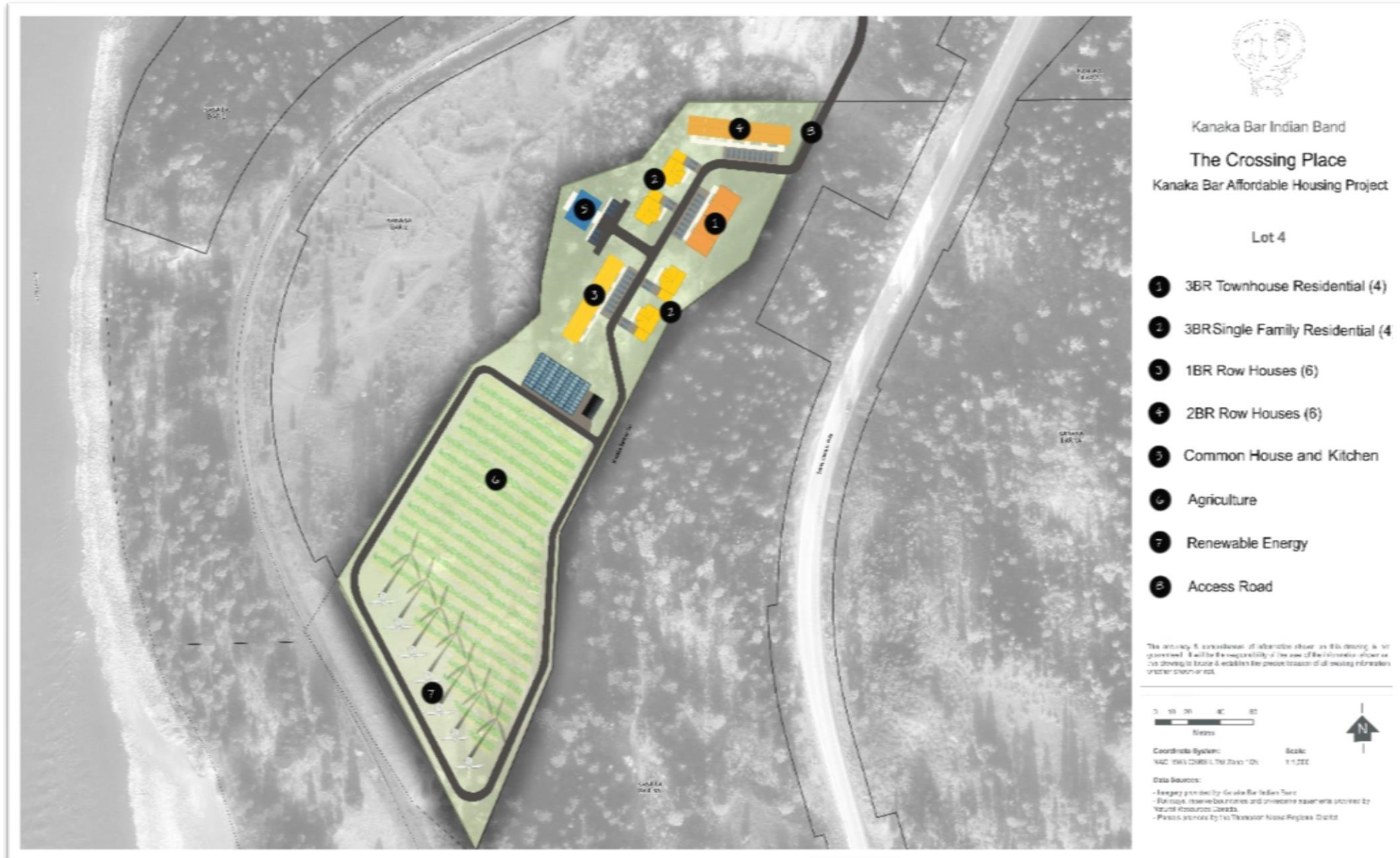
- Royalty
- Taxation
- Revenue Sharing Agreements
- Business Revenues

Lets start small and see what happens!

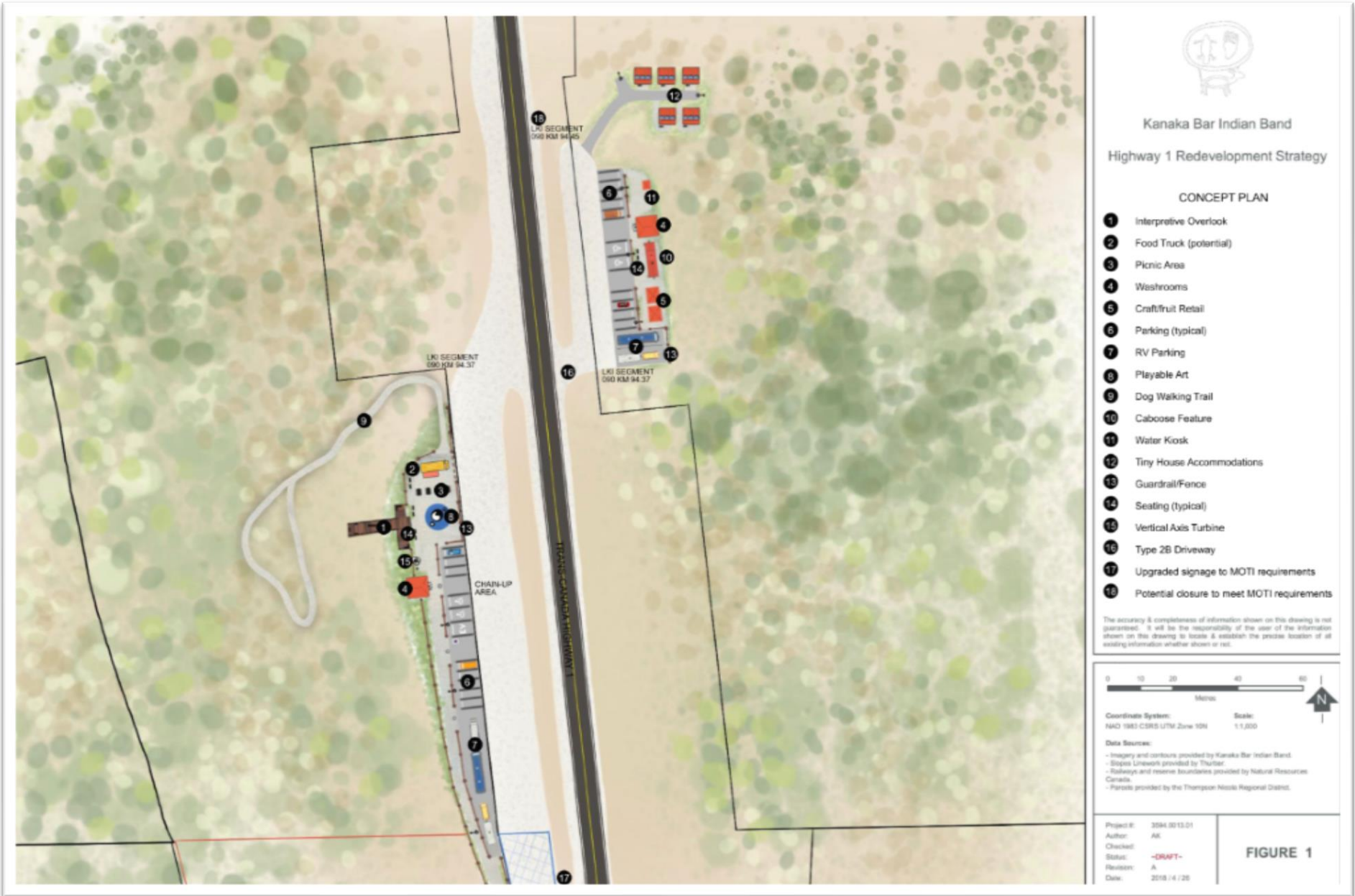


Economic Development Theme		Year 1 2016-2017	Year 2 2017-2018	Year 3 2018-2019	Year 4 2019-2020	Year 5 2020-2021
1	Employment Self-Sufficiency and Community Readiness	<ul style="list-style-type: none"> Launch Seventh Generations Trust Implement strategies that introduce Kanaka Bar membership to land and resource uses. 	<ul style="list-style-type: none"> Strategic investment into Kanaka's youth Invest in the development and implementation of a Kanaka Bar library. 	<ul style="list-style-type: none"> Provide hands on experience to members that are eager to work 	<ul style="list-style-type: none"> Provide hands on experience to members that are eager to work 	<ul style="list-style-type: none"> Review and update economic development plan
2	Financial Self-Sufficiency	<ul style="list-style-type: none"> Develop Siwash Creek Hydropower Project Implement Community Housing Policies 		<ul style="list-style-type: none"> Complete water bottling feasibility study 	<ul style="list-style-type: none"> Complete large wind power feasibility study 	<ul style="list-style-type: none"> Review and update economic development plan
3	Energy Self-Sufficiency	<ul style="list-style-type: none"> Develop pilot solar project Implement home energy efficiency upgrades 	<ul style="list-style-type: none"> Raise financial resources to implement other community energy projects <ul style="list-style-type: none"> Micro-hydro Micro-wind 	<ul style="list-style-type: none"> Develop larger net metering clean energy project(s) to support energy self-sufficiency 		<ul style="list-style-type: none"> Review and update economic development plan
4	Foundational Community/Infrastructure Development to Support Self-Sufficiency	<ul style="list-style-type: none"> Acquire key off-reserve lands of interest including: <ul style="list-style-type: none"> Kanaka Bar Restaurant lands Lot 4 Crown lands of interest 		<ul style="list-style-type: none"> Confirm desired development on key lands of interest off-reserve with a highest and best use study Develop site and conceptual plans for select properties 	<ul style="list-style-type: none"> Initiate land development project #1 <ul style="list-style-type: none"> HWY 1 redevelopment High density housing (Apartments/alternative housing) and/or Elders complex 	<ul style="list-style-type: none"> Initiate land development project #2 Review and update economic development plan
5	Food Self-Sufficiency	<ul style="list-style-type: none"> Develop community garden (permaculture project) Provide educational resources (books, soil, seedlings) to members who wish to do home gardens Establish a community bee hive 	<ul style="list-style-type: none"> Assist members to prepare residential backyard gardens Plant fruit trees throughout community 	<ul style="list-style-type: none"> Prepare lands for larger agricultural venture (as identified in the Land Use Plan) Establish community canning infrastructure 	<ul style="list-style-type: none"> Use prepared lands for community agriculture venture Invest in greenhouse(s) if feasible 	<ul style="list-style-type: none"> Review and update economic development plan

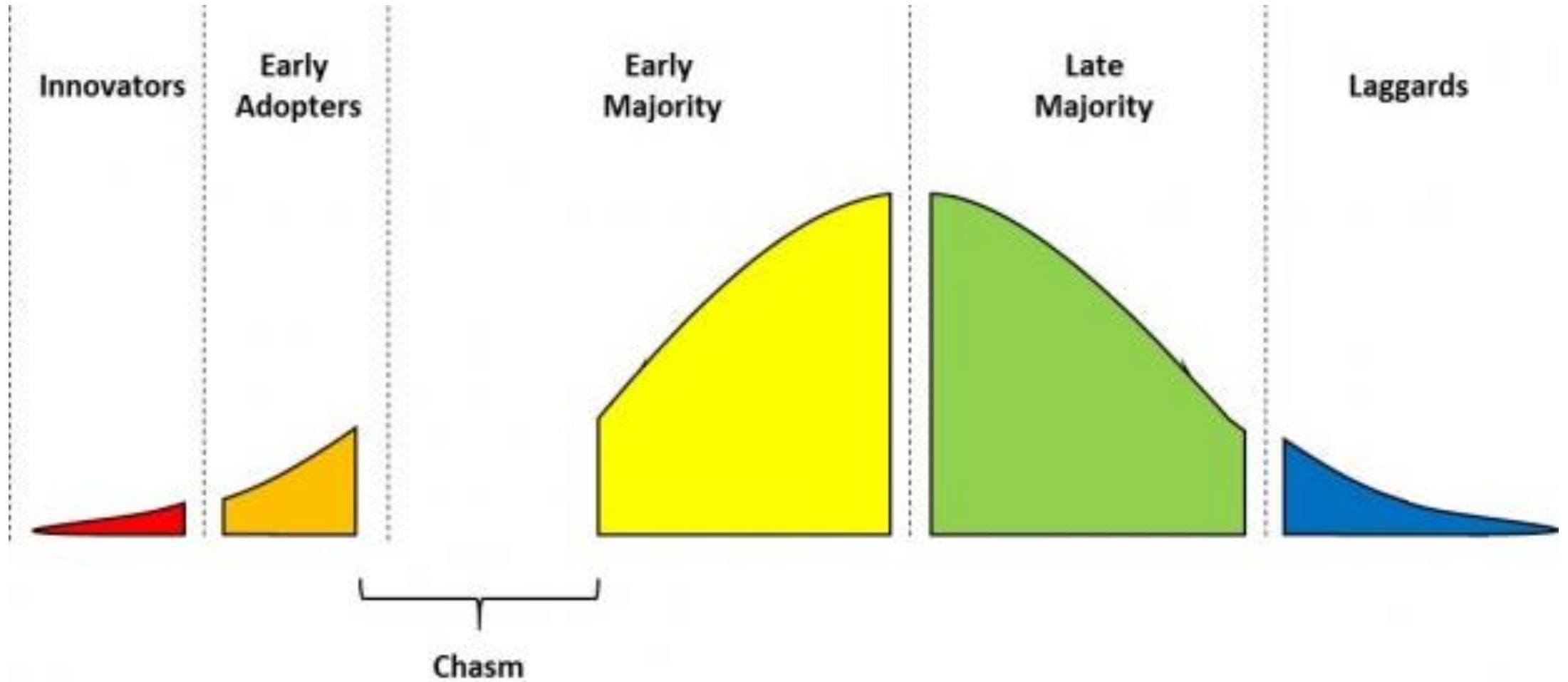
LOWER KANAKA DEVELOPMENT



HIGHWAY-1 REDEVELOPMENT



WHERE ARE WE ON THIS CURVE?



THANK YOU



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