



Notice of Meeting and Meeting Agenda First Nations Relations Committee

Wednesday, May 26, 2021

1:30 PM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

M. Tait (Chair), G. Isitt (Vice Chair), B. Desjardins, F. Haynes, D. Howe, J. Olsen, G. Orr, J. Ranns,
L. Seaton, K. Williams, C. Plant (Board Chair, ex-officio)

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

1. Territorial Acknowledgement

2. Approval of Agenda

3. Adoption of Minutes

[21-135](#) Minutes of the November 25, 2020 First Nations Relations Committee Meeting

Recommendation: That the minutes of the First Nations Relations Committee meeting of November 25, 2020 be adopted as circulated.

Attachments: [Minutes - November 25, 2020](#)

4. Chair's Remarks

5. Presentations/Delegations

6. Committee Business

6.1. [21-323](#) 2021 First Nations Relations Standing Committee Terms of Reference

Recommendation: That the First Nations Relations Standing Committee receive the 2021 Terms of Reference attached at Appendix A.

Attachments: [Staff Report: 2021 First Nations Relations Standing Committee Terms of Refere](#)
[Appendix A: 2021 First Nations Relations Standing Committee Terms Of Refere](#)

6.2. [21-451](#) Inclusive Governance & Decision-Making Update

Recommendation: That the First Nations Relations Committee recommends to the Capital Regional District Board:
That this report be received for information.

Attachments: [Staff Report: Inclusive Governance & Decision-Making Update](#)
 [Appendix A: Letter to Esquimalt First Nation on Inclusive Governance](#)

6.3. [20-756](#) First Nations Cultural Honorarium Policy

Recommendation: That the First Nations Relations Committee recommends to the Capital Regional District Board:
That this report be received for information.

Attachments: [Staff Report: First Nations Cultural Honoraria Policy](#)
 [Appendix A: First Nations Honoraria Guidelines](#)
 [Appendix B: First Nations Honorarium Policy](#)

6.4. [21-452](#) Intercultural Skills Training for Board Directors

Recommendation: That the First Nations Relations Committee recommends to the Capital Regional District Board:
That staff be directed to work with the Board and First Nations representatives to develop and offer Intercultural Skills Training for CRD Directors.

Attachments: [Staff Report: Intercultural Skills Training for Board Directors](#)

7. Notice(s) of Motion**8. New Business****9. Adjournment**

Next Meeting: September 22, 2021

Meeting Minutes

First Nations Relations Committee

Wednesday, November 25, 2020

1:30 PM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

PRESENT

Directors: M. Tait (Chair), G. Orr (Vice Chair)(EP), M. Brame (for B. Desjardins)(EP), P. Brent (for D. Howe), B. Isitt (1:47 pm), J. Loveday, R. Martin (EP), N. Taylor (1:33 pm)

Staff: K. Morley, General Manager, Corporate Services; D. Elliott, Manager, First Nations Relations; E. Kelch, First Nations Engagement Assistant; M. Lagoa, Acting Deputy Corporate Officer; S. Closson, Committee Clerk (Recorder)

EP – Electronic Participation

Regrets: Directors B. Desjardins, D. Howe, C. Plant, R. Windsor

The meeting was called to order at 1:31 pm.

1. Territorial Acknowledgement

Chair Tait provided a Territorial Acknowledgement.

2. Approval of Agenda

MOVED by Director Loveday, **SECONDED** by Alternate Director Brent,
That the agenda for the November 25, 2020 First Nations Relations Committee
meeting be approved.
CARRIED

3. Adoption of Minutes

- 3.1. [20-757](#) Minutes of the February 26, 2020 and September 30, 2020 First Nations Relations Committee Meetings

MOVED by Director Loveday, **SECONDED** by Alternate Director Brent,
That the minutes of the First Nations Relations Committee meetings of February
26, 2020 and September 30, 2020 be adopted as circulated.
CARRIED

4. Chair's Remarks

The Chair wished everyone good health and to be well in these most interesting times.

5. Presentations/Delegations

5.1. [20-762](#) Shar Wilson - Coast Salish People of Galiano Island Society: Re: First Nations Families

S. Wilson presented to the Committee on the topic of First Nations Families of the Coast Salish People of the Galiano Island Society.

6. Committee Business

6.1. [20-755](#) Amendment to CRD Board Remuneration and Travel Expense Reimbursement Policy to Include First Nation Members

K. Morley spoke to the Amendment to CRD Board Remuneration and Travel Expense Reimbursement Policy to Include First Nation Members.

Discussion ensued on the following:

- FN consultation
- fairness and equity
- approval of FN representation at committees

MOVED by Director Isitt, **SECONDED** by Director Loveday,
That the First Nations Relations Committee and the Governance and Finance Committee recommends to the Capital Regional District Board:
a. That the proposed amendments to the Board Remuneration and Travel Expense Reimbursement Policy are approved pending the adoption of Bylaw No. 4368, Capital Regional District Procedures Bylaw, 2012, Amendment Bylaw No. 11.
b. That the amended Schedule 1 of the Board Remuneration and Travel Reimbursement Policy is approved pending the adoption of Bylaw No. 4368, Capital Regional District Procedures Bylaw, 2012, Amendment Bylaw No. 11, thereby setting the remuneration rates for First Nation Members at \$110 per committee/commission meeting for only those identified in the policy including expenses.
CARRIED

MOVED by Director Isitt, **SECONDED** by Director Taylor,
That the Committee reiterates its support for First Nations representation on CRD Committees and recommends that the Board move forward with representation in cooperation with First Nations Governments in the region.
CARRIED

7. Notice(s) of Motion

There were no Notice(s) of Motion.

8. New Business

There was no new business.

9. Motion to Close the Meeting**9.1. [20-763](#) Motion to Close the Meeting**

MOVED by Alternate Director Brent, **SECONDED** by Director Taylor,
That the meeting be closed for Intergovernmental Negotiations in accordance
with Section 90(2)(b) of the Community Charter.
CARRIED

The First Nations Relations Committee moved into closed session at 2:10 pm and
rose without report at 2:25 pm.

10. Adjournment

MOVED by Director Loveday, **SECONDED** by Director Taylor,
That the November 25, 2020 First Nations Relations Committee meeting be
adjourned at 2:25 pm.
CARRIED

Chair

Recorder

**REPORT TO FIRST NATIONS RELATIONS COMMITTEE
MEETING OF WEDNESDAY, MAY 26, 2021**

SUBJECT **2021 First Nations Relations Standing Committee Terms of Reference**

ISSUE SUMMARY

This report is to provide the 2021 Terms of Reference for the Committee's review.

BACKGROUND

Under the *Local Government Act* and the CRD Board Procedures Bylaw, the CRD Board Chair has the authority to establish Standing Committees and appoint members to provide advice and recommendations to the Board.

On December 9, 2020, the Regional Board approved the 2021 Standing Committee Terms of Reference. Terms of Reference (TOR) serve to clarify the mandate, responsibilities and procedures of standing committees and provide a point of reference and guidance for the committees and members.

In addition to refining the defined purpose of the Committee, minor housekeeping changes were made to the pro-forma provisions of the standing committees' TOR, including updates to the language under committee composition to clarify that all Board Members can attend all committees, but not vote unless a member; and, clarification to the provision regarding creation of the committee agenda to clarify Board Members may raise items for the agenda through the notice of motion process.

At the January 13, 2021 CRD Board meeting, the TOR for all CRD standing committees were amended to allow for First Nation Member participation.

The TOR are being provided for review by the committee. Any proposed revisions to the TOR will require ratification by the Board.

CONCLUSION

Terms of Reference serve to clarify the mandate, responsibilities and procedures of committees and provide a point of reference and guidance for the committees and their members.

RECOMMENDATION

That the First Nations Relations Standing Committee receive the 2021 Terms of Reference attached at Appendix A.

Submitted by:	Caitlyn Vernon, Manager, First Nations Relations
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)

Appendix A: 2021 First Nations Relations Standing Committee Terms of Reference

Terms of Reference

The logo for the Capital Regional District (CRD) is located in the top right corner of the header. It consists of the letters 'CRD' in a stylized, bold, sans-serif font, positioned above a series of three curved, overlapping lines that suggest a landscape or water.

FIRST NATIONS RELATIONS COMMITTEE

PREAMBLE

The Capital Regional District (CRD) spans the traditional territories of over 20 First Nations, of which 11 have Reserve lands and 9 of those are populated. The First Nations Relations Committee is a standing committee established by the CRD Board to provide support to the Board in building strong government-to-government relationships with First Nations, and to provide advice and direction to the Board on matters that directly or indirectly affect those relationships.

The Committee's official name is to be:

First Nations Relations Standing Committee

1.0 PURPOSE

- a) The mandate of the Committee includes providing advice and making recommendations to the Board regarding the following functions relating to First Nation governments:
 - i. Advise on programs and activities that strengthen relationships between the CRD and First Nations within the region;
 - ii. Understand and provide advice to the Board on the implications of the BC Treaty process where it intersects with local government interests;
 - iii. Provide guidance on the coordination of regional events such as a Forum of all Councils;
 - iv. Make recommendations to the Board on the initiatives identified in the First Nations Task Force Final Report; and
 - v. Review progress on Reconciliation with First Nations and make recommendations to support continued efforts.

2.0 ESTABLISHMENT AND AUTHORITY

- a) The Committee will make recommendations to the Board; and
- b) The Board Chair will appoint the Committee Chair, Vice Chair and Committee members annually.

3.0 COMPOSITION

- a) Committee members will be appointed CRD Board Members;
- b) All Board members are permitted to participate in standing committee meetings, but

not to vote, in accordance with the CRD Board Procedures Bylaw; and

- c) First Nation members are permitted to participate in standing committee meetings at their pleasure, in accordance with the CRD Procedures Bylaw, where the Nation has an interest in matters being considered by the committee.

4.0 PROCEDURES

- a) The Committee shall meet quarterly and hold special meetings as required;
- b) The agenda shall be finalized in consultation between staff and the Committee Chair and any Committee member may request that a matter be placed on the agenda through the Notice of Motion process;
- c) With the approval of the Committee Chair and the Board Chair, Committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for considerations;
- d) A quorum is a majority of the Committee membership and is required to conduct Committee business; and
- e) The above procedures may be relaxed or suspended by majority vote of the Committee in order to facilitate unstructured discussions and consensus-based outcomes.

5.0 RESOURCES AND SUPPORT

- a) The General Manager of Corporate Services with support from the Manager of First Nations Relations will provide strategic support and act as liaison to the committee; and,
- b) Minutes and agendas are prepared and distributed by Corporate Services.

Approved by CRD Board January 13, 2021

**REPORT TO FIRST NATIONS RELATIONS COMMITTEE
MEETING OF WEDNESDAY, MAY 26, 2021**

SUBJECT **Inclusive Governance & Decision-Making Update**

ISSUE SUMMARY

To provide an update to the First Nations Relations Committee on the CRD Board Priority 3a-1: 'Look to First Nations for leadership in understanding how to create new regional planning & decision-making systems together on their Traditional Territories.'

BACKGROUND

Inclusive Governance

Following the endorsement of the CRD Board to include First Nation Members at Standing Committees in early January 2021, letters were distributed to all nine First Nations (see example at Appendix A).

The WSÁNEĆ Leadership Council has nominated Tsartlip First Nation Councillor Joni Olsen and her alternate Phillip Tom to join the CRD committee tables. Staff have provided an initial orientation session and will continue to provide any further assistance they may require to attend meetings. Pauquachin First Nation has indicated they would like a formal presentation at a future Chief and Council meeting which CRD staff will coordinate. The Esquimalt First Nation will be reviewing the proposal at an upcoming Chief and Council meeting and will provide feedback to the CRD.

In the course of reaching out to the Nations to seek appointments, staff have received additional feedback. At a recent Lekwungen Liaison table, the Nations indicated an interest in participating, however shared that elected representatives have limited capacity to attend. The Songhees representative raised the possibility of traditional knowledge keepers attending with observer status. The Nations expressed concern that the current compensation rate for member participation is insufficient in comparison to compensation they would typically receive for similar meetings.

Follow up conversations have taken place with Pacheedaht and Sc'ianew First Nations where there is an interest in participation but their elected officials have limited capacity to attend. The Nations indicated that it may be more feasible for their staff or other representatives to attend. The Board Chair has met with T'Sou-ke First Nation Chief and Council. They indicated they would be discussing the item further at an upcoming Chief and Council meeting and will provide feedback to the CRD. While there are some questions and concerns that have emerged from this process, the response has generally positive towards the effort CRD has made towards inclusion, and CRD staff will continue engaging with local First Nations to share information and assist those that are interested in attending CRD standing committees.

To reinforce that participation in standing committees is intended to support a government-to-government relationship, direct outreach from CRD Directors would assist in inviting participation. Where CRD Directors have existing relationships with local Nations within their jurisdiction, staff

recommend they reach out to discuss the inclusive governance model, answer any questions and hear any feedback that might be brought forward. This would align with the request from First Nations to establish leadership to leadership relationships. Staff are able to support CRD Directors with any of their outreach efforts.

Collaborative Decision-Making across CRD operations

Implementing the CRD's Statement of Reconciliation and related Board Priorities requires increasing communication between CRD staff and First Nations on a wide scope of topics across all CRD service delivery, in order to incorporate First Nations' perspectives into our work. CRD staff regularly request assistance from the First Nations Relation Division staff to facilitate input from the Nations on topics ranging from archaeology, land acquisition, parks planning, ecological restoration, active transportation, water and waste water servicing, parks interpretive programming, food security programming, and emergency management, to name a few. The ability of the First Nations Relations team to facilitate an increasing level of collaboration in CRD service delivery is hindered by the overstretched capacity of the Nations. First Nations are often over extended in their ability to respond to all the agencies working in their territory and do not have dedicated resources to respond to CRD requests.

Where program funding for liaison positions exists, communication is enhanced and CRD staff are more able to incorporate First Nations' perspectives into plans and day-to-day operations.

Under the agreements entered into as part of the Core Area Wastewater Treatment Project, liaison positions were funded with the Esquimalt and Songhees First Nations for 4 years, and the WSÁNEĆ Leadership Council for 2 years. The contract with the Esquimalt and Songhees First Nations ended in March of this year and the contract with the WSÁNEĆ Leadership Council ends in December of 2021. These positions have been incredibly valuable to the design and construction of the Wastewater Treatment Project, while also supporting other CRD project work and strengthening relationships.

In 2020 alone, CRD staff brought 30 unique items to the Lekwungen liaison table for discussion, supporting those CRD divisions and municipal partners asking for assistance in engaging the Nations on various projects, plans, strategies, grant applications, land acquisitions and decisions. Through the regularly scheduled liaison tables, staff were able to bring these requests in a respectful and coordinated manner, and the liaisons were able to do the work of connecting with people within their Nation (elected leadership, staff, knowledge keepers, subject experts) so as to provide input and feedback to the CRD on these initiatives. The liaison tables provided the space and dedicated resources to properly discuss, review and revisit projects brought forward by the CRD as well as a reciprocal opportunity for the Nations to bring forward requests of the CRD.

Funded liaison tables have been a regular ask by First Nations to assist their ability to meaningfully engage with CRD referrals. Most recently the Pacheedaht have requested resources for a liaison position to facilitate engagement with CRD inclusive governance and the development of a governance MOU which would enhance service delivery in the region.

Staff will connect with other regional districts and other levels of government, including First Nations, to compile options and best practices for facilitating ongoing respectful engagement with local First Nations on CRD projects in a manner that supports the CRD's Statement of

Reconciliation theme of self-determination.

Information Sharing Regarding Land Altering Activities

In December of 2019, the CRD entered into an MOU with the W̱SÁNEĆ Leadership Council (WLC) as part of the Core Area Wastewater Treatment Project which included a commitment to develop an information sharing protocol to ensure the WLC is informed of CRD activities within W̱SÁNEĆ territory. One of the ways staff are demonstrating this commitment is by engaging in more information sharing on planned capital projects within W̱SÁNEĆ traditional territory and working towards more inclusive decision-making on mitigating concerns where a site overlaps with sacred, cultural or archeologically significant areas.

Currently this initiative is a pilot project guided by the principles in the Protection and Conservation of Heritage Sites policy. CRD staff and the WLC have held the first two of what are to be quarterly meetings, and together are addressing on a project-specific basis the level of deployment of Cultural Monitors on CRD projects in W̱SÁNEĆ territory, based on a review of project information and an understanding of the archeological significance of an area. First Nations Relations Division staff are assisting project managers on working to bring capital budgets and planning cycles into alignment with this new policy and model of enhanced mitigation for the protection of cultural heritage resources. Staff anticipate reporting back prior to the end of 2021 with more information on how this initiative is progressing.

ALTERNATIVES

Alternative 1

The First Nations Relations Committee recommends to the Capital Regional District Board:
That this report be received for information.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Intergovernmental Implications (e.g. First Nations)

Through the CRD's statement of reconciliation, the CRD Board has committed to working with First Nations through the governance systems they choose and to support First Nations when there's an interest in working with CRD's governance system. This commitment requires ongoing work to continue to build familiarity, trust and to respond to queries and suggestions from local First Nations. First Nations continue to have an expectation that their rights and authority is respected and addressed in their territory and while the CRD's inclusive governance model does not fully address that request it has been noted that it is a step in the right direction.

Service Delivery Implications

Our collective ability to build strong relationships with First Nations based on trust and mutual respect, partnerships and working together on shared goals will be significantly aided by having First Nations representatives actively participating in Standing Committee discussions and engaging with CRD staff. This level of engagement at both the governance and staff level will support and enable service delivery that is informed by Indigenous perspectives as a result of

deepening relationships with First Nations.

Alignment with Board & Corporate Priorities

The 2019 – 2022 CRD Board Priorities include Reconciliation with First Nations, specifically:

- 3a Look to First Nations for leadership in understanding how to create new regional planning and decision-making systems together on their Traditional Territories.
- 3b Seek partnerships, share information and deliver fair and equitable services in working with First Nations on achieving their economic goals.
- 3c Work with First Nations on taking care of the land and water while providing space for cultural and ceremonial use, food and medicine harvesting, traditional management practices and reclaiming Indigenous place names.

Alignment with Existing Plans & Strategies

The following strategies have been identified as related to the Reconciliation with First Nations Board Priority:

- Special Task Force on First Nations Relations Final Report and the Statement of Reconciliation
- Regional Climate Action Strategy
- Regional Food and Agricultural Strategy
- Regional Growth Strategy
- Regional Housing Affordability Strategy
- Regional Parks Strategic Plan
- Regional Water Supply Strategic Plan
- Organizational Development Plan
- Corporate Asset Management Strategy

CONCLUSION

The CRD is continuing to explore ways to look to First Nations for leadership in creating new regional planning and decision-making systems together on their Traditional Territories. One opportunity is through the CRD's inclusive governance model. Outreach is taking place with local First Nations however the government-to-government nature of this opportunity could be elevated through targeted outreach from CRD elected leadership. Liaison tables have been another method to support First Nations inclusion in CRD projects. These liaison tables, funded by time-limited projects, have been very valuable and effective for their duration. CRD staff are working towards more inclusive decision-making with the WSÁNEĆ Leadership Council regarding land altering activities and mitigating any potential impacts on WSÁNEĆ cultural heritage resources. CRD staff will be continuing to explore options for supporting strategic engagement of First Nations in CRD operations and decision-making.

RECOMMENDATION

The First Nations Relations Committee recommends to the Capital Regional District Board: That this report be received for information.

Alternative 2

Submitted by:	Caitlyn Vernon, MES, Manager, First Nations Relations
---------------	---

Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)

Appendix A: Letter to Esquimalt First Nation on Inclusive Governance



Making a difference...together

Executive Office
625 Fisgard Street, PO Box 1000
Victoria, BC V8W 2S6

P: 250.360.3125

F: 250.360.3130

www.crd.bc.ca

January 29, 2021

File: 0400-60

Chief Rob Thomas
Esquimalt Nation
1189 Kosapsum Crescent
Victoria, BC V9A 7K7
Via email: rob@esquimaltnation.ca ; Katie@esquimaltnation.ca

Dear Chief and Council:

RE: FIRST NATION INCLUSION IN REGIONAL GOVERNANCE

Following up from our presentation to your Nation, the Capital Regional District (CRD) Board has approved a number of bylaw changes to provide for the inclusion of First Nations elected representatives on CRD standing committees. First Nations have expressed a desire for an increased role in regional decision-making and this opportunity creates space for more inclusive discussions and First Nations involvement in CRD governance.

The approved bylaw changes create a flexible model of inclusion where First Nations elected representatives can formally participate and vote on items of interest at CRD standing committees. This is not meant to replace the need for ongoing government to government discussions but to offer another means to include First Nations at decision-making tables.

If you are interested in being involved, we request that your Nation designate an elected representative, and an alternate to sit on CRD Committees. Attached is a form to fill out with this information and a list of CRD standing committees currently proposed to include First Nations participation. Once we gather a list of names and contact information, we will be providing an orientation session outlining our regional governance structure which will also provide the opportunity to receive feedback and any additional questions or concerns you may have.

Please feel free to reach out to Erich Kelch at ekelch@crd.bc.ca or by phone at 250-893-7848 should you have any questions about this inclusive governance work. Staff could also offer a presentation to Chief and Council if that would be of further benefit. Thank you for your time and we look forward to continuing to build a respectful working relationship that serves the region.

Sincerely,

Colin Plant
Chair, Capital Regional District Board

Attachment: First Nations Member CRD Committee Appointment Form

cc: Katie Hooper, Administrator, Esquimalt Nation
Robert Lapham, CAO, Capital Regional District
Kristen Morley, GM Corporate Services, Capital Regional District



CRD standing committees

*meetings are on Wednesdays during the day

The CRD Board has amended its bylaws to create spaces for each Nation to appoint an elected representatives to sit as a First Nation Member on CRD standing committees. It is a flexible model where First Nations can choose to attend only for items that may be of particular interest to them.

Please use this form to designate an elected First Nations member who could be the point of contact for the CRD to send committee agendas and details to in order to seek participation. The CRD would also like to host an orientation for those representatives who will be attending to share information about the process and to answer any questions that may come up.

If you could please list a contact and an alternate and send back to Erich at ekelch@crd.bc.ca

First Nation:

Name of appointed First Nation Member:

Contact email:

Contact phone:

Preferred method of communication:

Name of Alternate First Nation Member*:

Contact email:

Contact phone:

Preferred method of communication:

The Board remuneration policy recognizes the time commitment of First Nations representatives while serving on these committees and offers the following compensation in line with what is paid to CRD alternate directors, at \$110 per committee meeting attended, including expenses. Reimbursement for mileage at \$0.50/ kilometre is available for any travel required to attend meetings.

Once appointment is confirmed, and prior to attending the first meeting, Members and Alternates will be provided with forms required by CRD Payroll department to confirm direct deposit information for remuneration.

**Alternate First Nation Members may attend in the absence of the appointed member.*

CRD standing committees

*meetings are on Wednesdays during the day

Environmental Service Committee

***meets at 1:30pm on the 3rd Wednesday of each month (monthly)**

- Regional solid waste function
- Environmental Protection, monitoring and compliance
- Community Climate Action and Resource recovery opportunities

First Nations Relations Committee

***meets at 1:30pm on the 4th Wednesday every 3 months (quarterly)**

- Initiate and engage in programs and activities that strengthen relationships between the CRD and First Nations within the region;
- Make recommendations to the Board on CRD's initiatives relating to Reconciliation

Planning and Protective Services Committee

*** meets at 10:00am on the 3rd Wednesday of each month (monthly)**

- Fire Dispatch; Community Health Service; Community planning, roundtable environmental monitoring; Regional Emergency Program Support
- Regional Growth Management;

Regional Parks Committee

***meets at 10:00am on the 4th Wednesday of each month (monthly)**

- Regional parks and trails, including land acquisition, management, and operations

Governance Committee –

***meets at 10:00am on the 1st Wednesday of every other month (bi-monthly)**

- Board, committee and commission governance and meeting procedures
- Corporate administration and intergovernmental relations
- Recommendations to the Board for advocacy to provincial and federal governments

Finance Committee

***meets at 10:00am on the 1st Wednesday of every other month (bi-monthly)**

- Corporate budget, financial monitoring, reporting and forecasting.
- Financial impacts related to strategic Board priorities and initiatives

Transportation Committee

***meets at 10:00am on the 3rd Wednesday of every other month (bi-monthly)**

- Regional transportation matters, receives reports from Traffic Safety Commission
- Advocacy to other levels of government on regional transportation issues
- Advocacy to Victoria Regional Transit Commission

CRD standing committees

*meetings are on Wednesdays during the day

Hospitals and Housing Committee

***meets at 1:30pm on the 1st Wednesday of each month (monthly)**

- Makes recommendations to CRD Board, Capital Regional Hospital District and Capital Regional Housing Corporation regarding:
 - Land Banking and Housing; community health planning; implementation of housing affordability models; options for procurement of health care facilities; Real estate matters relating to health care facilities and housing

Electoral Areas Committee

***meets at 11:00am on the 2nd Wednesday each month (monthly)**

- Oversees services in the Electoral areas Juan De Fuca, Salt Spring and Southern Gulf Islands including:
 - Building inspection, Bylaw enforcement, Animal Control, Grants-in-aid, soil deposit and removal, storm water quality, Fire protection, Local emergency management and Local economic development

**REPORT TO FIRST NATIONS RELATIONS COMMITTEE
MEETING OF WEDNESDAY, MAY 26, 2021**

SUBJECT **First Nations Cultural Honorarium Policy**

ISSUE SUMMARY

To advance, for information, the CRD's First Nations Honorarium Policy (the "Policy") which establishes consistency in how First Nations are recognized for voluntary work such as blessings, welcomes, and cultural ceremonies, in support of CRD projects and activities.

BACKGROUND

Increasingly, the CRD is looking to engage First Nations in support of CRD projects and activities as a way to strengthen relationships, share information, and operate respectfully.

The Policy seeks to standardize the process by which honoraria are issued, and to provide some guidelines for staff on how to proceed in a consistent and respectful way when requesting the involvement of First Nations in events and projects. The First Nation Honorarium Guidelines (Appendix A) include brief descriptions of activities and approximate cost ranges that would be appropriate when First Nations are engaging in voluntary work at CRD's request. The policy approach outlined within the staff report builds on past corporate practice and seeks to standardize the process for staff across the organization when considering providing honorarium for First Nations (Appendix B).

Key background includes:

- *Year End Report on the Activities of the Special Task Force on First Nations Engagement (2016)* – Direct staff to develop options for increased resourcing and financial implications to accommodate greater participation, engagement and reconciliation.
- *Special Task Force on First Nations Relations: Final Report (2018)* – That the Board pursue a proposed First Nations Remuneration Policy, and direct staff to provide recommendations for consideration by the incoming Board.
- CRD Board Motion, March 2020 – That staff bring back a draft First Nations Remuneration Policy that establishes compensation for specific cultural, technical or subject matter expertise on CRD projects and activities.

The information contained within this staff report is specific to CRD providing honoraria when First Nations share their culture or traditional knowledge in support of events or initiatives. Remuneration for First Nation Members for committee participation is included in the Board Remuneration and Travel Expenses Reimbursement Policy. Additionally, the scope of this policy does not include circumstances where CRD engage First Nations under contract on a fee-for-service basis for specific technical or professional cultural services, such as cultural monitoring, or project-specific liaison positions. Honorarium, by definition, is a payment provided in recognition of voluntary work.

ALTERNATIVES

Alternative 1

The First Nations Relations Committee recommends to the Capital Regional District Board:
That this report be received for information.

Alternative 2

The First Nations Relations Committee recommends to the Capital Regional District Board:
That the report be sent back to staff for additional information.

IMPLICATIONS

Intergovernmental Implications

Appropriately compensating First Nations' elders, knowledge keepers or cultural leaders for their contributions in support of CRD activities can be difficult for staff to navigate without appropriate guidance. The goal of this policy is to help build an understanding across the CRD about when, how and why First Nations could be engaged in projects and activities and what an appropriate range of honoraria may be. Further, this type of approach to more effectively support collaboration between the CRD and First Nations demonstrates the CRD understands the importance of creating space for Indigenous forms of knowing and doing. This will be especially important should the CRD continue to move in the direction of more inclusive governance and collaborative decision-making.

Financial Implications

Generally, the resources needed to support cultural honoraria are drawn from available project funds. It is not expected there will be any consequential financial impacts resulting from this policy as events where honoraria are paid are relatively infrequent. In addition, the costs are minor and can be contained within available project funds.

As a part of establishing a baseline to support future project planning and budget development, the First Nations Relations Division will be working to coordinate First Nations involvement in CRD projects so the costs can be tracked. This information through Q3 and Q4 of 2021 will be used to get a better understanding across the CRD of which divisions make most frequent use of First Nations where honoraria is used. This data will help to inform budget planning going forward should minor adjustments be necessary.

Service Delivery Implications

Though the primary function of this policy is to support greater consistency across the CRD when looking to engage First Nations in various projects and initiatives, the policy, along with support provided by the First Nations Relations Division, will also create more opportunity to discuss where, when and how First Nations' culture can be incorporated into CRD activities.

Alignment with Board & Corporate Priorities

This aligns with the Board priority of taking measurable steps toward developing respectful government-to-government relationships and partnerships with First Nations to foster shared prosperity for all.

Alignment with Existing Plans & Strategies

This work aligns with the CRD's Task Force Report on First Nations Relations and complements

the CRD's ability to engage with First Nations on all relevant plans and strategies.

CONCLUSION

The First Nations Honorarium Policy provides guidance to staff on the process for paying honoraria to First Nations when sharing traditional knowledge or participating in cultural activities. It builds on work the First Nations Relations Division has been initiating over the last number of years and rolls it out across the CRD in a consistent and effective way, with a standardized practice that will enhance financial tracking when honoraria are paid. The key outcomes from this type of approach include greater clarity for CRD staff and First Nations as to how First Nations can be recognized for their voluntary contributions to CRD projects and events as well as enhanced CRD staff competency when looking to invite First Nations into ceremonial or cultural work.

RECOMMENDATION

The First Nations Relations Committee recommends to the Capital Regional District Board:
That this report be received for information.

Submitted by:	Caitlyn Vernon, MES, Manager, First Nations Relations
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)

Appendix A: First Nations Honoraria Guidelines
Appendix B: First Nations Honorarium Policy

Appendix A

FIRST NATIONS HONORARIA GUIDELINES

This chart includes definitions of various activities and typical remuneration ranges for First Nations engagement. Please note, the presented ranges are based on previous engagements and feedback from First Nation community liaisons. First Nations may request specific amounts that are outside of the presented ranges.

Title / Term / Role	Description	Amount
<u>səlɣwəyn/ SELWAN (sull-whane), In Lekwungen and SENĆOTEN means "Elders."</u>	The title of səlɣwəyn/SELWAN is bestowed upon individuals who demonstrate character, knowledge of traditional ways, generosity of spirit and connection to community. For non-ceremonial work, but nonetheless important roles, it is customary that First Nations honour the Elders and knowledge keepers who attend and participate in a meeting, and receive an honorarium out of respect for the extensive knowledge they bring to the table.	\$150-\$250 per attendance or as agreed in advance.
Knowledge Keepers	Term used to refer to someone in the community who has Traditional knowledge in a range of areas such as native plants, spiritual matters, protocol or language speakers. They are often asked to provide feedback for a Nation on a number of projects.	\$150-\$250 per attendance or \$50/hr up to a maximum of 6 hours
Spiritual Ceremony	<p>The participants in a ceremony for the ancestors varies according to the activity.</p> <p>It is tradition in First Nations communities, to provide members who offer an important spiritual service be given a 'handshake' for their work. The contribution varies and is typically discussed prior to the event with the spiritual elder with whom we are working. The amount typically reflects the person's ability to pay, and the time contribution of the service provider. It is less about the amount of money, and more about respecting their knowledge, their commitment, and their role in the community.</p> <p>In addition to a handshake, a blanket is typically offered in these ceremonies. The blanket is a symbolic gesture with no expectation that it be expensive. The giving of a blanket conveys the message of wrapping our friend in warmth.</p>	<p>Range of Contribution: \$100 - \$250</p> <p>Blanket: \$10-\$50</p>
Territorial Welcome, Acknowledgement or Blessing	These terms are often used to refer to how a meeting or event is opened by First Nations. Each term can mean different things to different people. When we are asking for First Nations involvement in the opening of an event or meeting we ask for a territorial acknowledgment as it should be up to the Nation whether they want to do a welcome or a blessing. It may also be appropriate to	\$150-\$250

	provide a small token gift if we are asking Chief or Council to be a part of this work or when working with Elders.	
Burning Ceremonies	<p>For larger Burning Ceremonies, which involve re-interment of ancient remains uncovered during excavation, the event is more elaborate (typically beginning at 5 am with the making of food for the ancestors to be burned in ceremony and ending late in the evening with a community feast for the living). There are several roles involved in a burning ceremony:</p> <p><i>The Speaker</i> – Usually an elder, and someone who speaks the first language in order to communicate between worlds. They will be in service for the duration of the ceremony.</p> <p><i>Burners</i> – These roles are held by spiritual elders. They work the entire day of the ceremony and many days in advance preparing the clothing to be burned and organizing the roles.</p> <p><i>Cooks for the Ancestors</i> - These members are specially trained to cook in the traditional ways, and in a state of reverence as they prepare the meals that will eventually be burned in the ceremony. They begin in the early hours of the morning and finish just before the burning.</p> <p><i>Feast Cooks</i> - prepare the meal for the living, after the ceremony. They do the shopping for the food in advance, prepare, serve during the feast and clean up.</p> <p><i>Helpers</i> –assist the feast cooks. It is typical that the spiritual elder will ask the CRD to provide helpers to participate in the work. Regardless of whether they are paid employees, they must be paid, like everyone else, with a handshake.</p> <p><i>Woodcutter</i> –is a person assigned to the task of chopping the wood, stacking it and building the table (essentially a pyre) on which the food is burned for the ancestors.</p> <p><i>Gravedigger</i> – is brought into the ceremony if there is re-interment. The gravedigger is a role that is handed down within a specific family and is highly honoured.</p> <p><i>Honoured Guests</i> – usually the Chiefs of local Nations are invited to attend and honoured with a contribution for attending.</p>	<p>Range of Contribution \$100-\$500 per person. Total Cost of the event can range from \$8k to \$15k depending on the number of people involved.</p> <p>\$350 / day has been identified as the amount for a gravedigger's responsibilities</p>
Traditional Welcome from Chief or Council	For events where there are visitors to the region, it is common to invite the Chief of the Traditional Territory on which the event is held, to provide a welcome. Sometimes this is considered as part of the role of the Chief and sometimes this welcome comes with compensation or a thoughtful gift.	\$150-\$250

Dancers or Drummers	Sometimes to open events a request is made to start with a performance by Dancers or Drummers to start the proceedings off in a good way.	Up to \$1,500 depending on the number of dancers.
Speaker	This a role performed by a speaker of the Indigenous language who facilitates the proceedings, usually for spiritual or cultural protocol related to an event.	\$150-\$400
Witnessing	This is a cultural protocol where people are asked to observe an event to share with others afterwards about what took place. As a symbolic way to thank them, people place quarters (representing the cost of what a blanket used to be) in their hands or pouches. Staff in attendance would be encouraged to have quarters on hand.	Provide quarters (typically two) to those witnessing.

Policy Type	Administrative		
Section			
Title	FIRST NATIONS HONORARIUM POLICY		
Adopted Date		Policy Number	ADM84
Last Amended			
Policy Owner	First Nations Relations Division		

1. POLICY:

This policy provides honorarium protocol for CRD staff when engaging First Nation individuals, who are not employees of the CRD, for cultural events and traditional knowledge sharing. For information related to remuneration for committee membership by First Nations, refer to the Board Remuneration and Travel Expense Reimbursement policy.

2. PURPOSE:

This policy supports the CRD's commitment to Reconciliation and its efforts to follow the Truth and Reconciliation Commission's calls to action and the United Nations Declaration on the Rights of Indigenous peoples. In order to build relationships and include Indigenous voices in its process the CRD may ask First Nation members to be a part of activities and events related to CRD operations. It is customary and appropriate to demonstrate respect to those who are asked for their time by offering an honorarium. An organization-wide policy that guides staff is needed to support the CRD's ongoing relationship building efforts with First Nations.

3. SCOPE:

The policy applies to CRD, CRHC and CRHD staff when engaging First Nations or their appointees (who are not employees of the CRD) where an honorarium is appropriate such as blessings, welcomes, presentations, cultural work or CRD engagement. This list is not exhaustive. This policy does not apply to a situation where First Nations are engaged in a contract with the CRD or are representatives on Board Committees or commissions.

4. DEFINITIONS

HONORARIUM: An expression of recognition in the form of remuneration to a member of a First Nation providing a voluntary service to the CRD. It is intended as a gesture of respect and gratitude to show CRD's appreciation for the work. It is typically a nominal payment made on a special or non-routine basis to an individual who is not an employee of the respective First Nation. An honorarium is not a fee for service arrangement.

CULTURAL WORK: Works or activities performed by First Nations that is connected to Indigenous culture or protocol.

NON-CASH GIFTS: An expression of recognition and thanks to an Elder or knowledge keeper. First Nations cultural protocol often includes gift giving as a way to show respect. Example of non-cash gifts would include scarves, coffee, tea, tobacco, glassware, and plant seeds. Please note that gift cards are

considered near-cash gifts and should not be used. Non-cash gifts provided to an individual should not exceed \$500 in fair market value in a calendar year. It is the responsibility of First Nations Relations staff to track non-cash gifts provided and notify payroll in the event that non-cash gifts exceed this dollar threshold.

4. PROCEDURE:

1. Connect with First Nations Relations staff regarding outreach activities to local Nations to coordinate outreach efforts across the organization.

2. Receive direction from First Nations contact on who to work with and what is appropriate for honorarium. In some cases, this work has already been done by First Nations Relations Division staff. A guideline for honorarium levels will be maintained by the First Nations Relations Division, however expectations can differ between communities and depending on the work undertaken.

3. It is the responsibility of First Nations Relations staff to track non-employee honoraria paid to First Nations, in accordance with subsections (a) and (b):

(a) If honorarium is not expected to exceed \$500 the payment can be made through the cheque requisition process managed by Accounts Payable;

(b) If the total honoraria to a First Nations individual is expected to exceed \$500 in the calendar year, the CRD is required to issue a T4A to that individual. In this case, First Nations Relations Division staff will contact Payroll to ensure that honoraria is paid through payroll and tax implications are reviewed.

4. If the participant is eligible for travel compensation, the CRD will only provide mileage compensation at a rate that is consistent with established CRD mileage reimbursement rates.

5. If this is a new relationship with an Elder, or if the Elder is giving a blessing or a welcome at a public event, it is customary to also give a non-cash gift to honour that person for their time and for the words they had to share. First Nations Relations staff will offer advice on appropriate non-cash gifts.

6. Staff shall submit approved cheque requisition forms to Accounts Payables at least 2 weeks in advance to ensure a cheque is available at the time of the work. This is especially important for cultural work from Elders where it is respectful protocol to give the honorarium at the time of the event.

7. Attendance by Elders or other community leaders can occur unplanned. It is encouraged that CRD staff be prepared to honour their attendance. The First Nations Relations Division is able to offer support in the way of petty cash or non-cash gifts on hand. If petty cash is used, staff must ensure all Corporate Guidelines for petty cash are followed.

6. SCHEDULE:

A. REQUEST FOR HONORARIUM PAYMENT

7. AMENDMENT(S):

Adoption Date	Description:
None	<i>(Brief description of adoption conditions – ELT, Board, CAO)</i>

8. REVIEW(S)

2022	Description: To review if amounts and protocols are still appropriate
-------------	--

9. RELATED POLICY, PROCEDURE OR GUIDELINE:

SCHEDULE A
REQUEST FOR HONORARIUM PAYMENT (*For Finance*)

Event Name: _____

Date of Event: _____

***AP must receive this form completed and approved 2 weeks prior to the event date.**

Describe the event, including rational for Honorarium amount:

Honorarium Recipient Name:

Address: _____

Honorarium amount: _____ **GL:** _____ **Cost Center:** _____

Mileage amount: _____ **GL:** _____ **Cost Center:** _____

Total: _____

***If total amount is \$500 or greater in a calendar year, the recipient must complete both a Provincial and Federal TD1 form. Please attach and forward the completed TD1 forms with this form to the Payroll Department for processing. Off-cycle pay runs will not be made for these requests – see Payroll Calendar on CRD Central for payroll pay dates.**

SIN: _____ (only complete SIN if total honorarium is \$500 or greater)

Prepared by (staff): _____

Approved by (Manager): _____

**REPORT TO FIRST NATIONS RELATIONS COMMITTEE
MEETING OF WEDNESDAY, MAY 26, 2021**

SUBJECT Intercultural Skills Training for Board Directors

ISSUE SUMMARY

To support CRD Directors in building positive, respectful and reciprocal working relationships with First Nations participating in CRD Board standing, advisory, select committees and commissions.

BACKGROUND

Number 6 in the First Nations Task Force Report's recommendations directs staff to draft a program of future concrete actions to support the CRD's commitment to Reconciliation. While some of these efforts are coordinated by the First Nations Relations Division, the work of Reconciliation falls to all staff and Directors at the CRD.

In order to move forward in a good way, a common level of understanding regarding Indigenous-settler relations and responsibilities is needed amongst CRD staff and Directors. This is in keeping with the Truth and Reconciliation Commission's calls to Actions which directs municipal governments to provide education "on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism."

The CRD's Statement of Reconciliation recognizes that commitment to reconciliation alone is not enough and that action is needed to show that the CRD is taking measurable steps towards a better relationship with Indigenous peoples. To this end, through the CRD's inclusive governance commitment, First Nations elected representatives have been invited to participate at CRD standing committees, and some advisory committees and commissions.

As has been shown at other local governments and public institutions in recent years, there is a political and reputational risk to elected officials and staff when Indigenous participation is invited into spaces that do not feel welcoming or safe. Specifically, where there has not been a proactive effort to build cultural competency skills or where steps have not been taken to examine and shift institutional practices that perpetuate systemic racism.

The CRD Board's Diversity and Inclusion statement reads: "The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected."

The First Nations Relations Division has organized some cultural training for the previous Board and will be developing cultural competency training for all CRD staff. Offering intercultural skills training for the CRD Board is one component of supporting and operationalizing the Board's Diversity and Inclusion commitment as well as the commitment to inclusive governance.

Rather than focusing on understanding the history and legacy of Indigenous-Crown relations,

which many Board members may have already received trainings on, the intention will be to focus on intercultural skills training such as understanding cultural protocols, recognizing unconscious biases, how to respectfully approach building reciprocal relationships, what to do when mistakes are made, and how to resolve conflicts. By way of a survey, Board members will be canvassed for input on what skills training would be most helpful.

ALTERNATIVES

Alternative 1

The First Nations Relations Committee recommends to the Capital Regional District Board: That staff be directed to work with the Board and First Nations representatives to develop and offer Intercultural Skills Training for CRD Directors.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Intergovernmental Implications

Intercultural skills competency of CRD Board Directors will support implementation of inclusive governance commitments. Building understanding of cultural protocols, unconscious biases and approaches to building reciprocal relationships and conflict resolution will help support committee meetings to be welcoming, inclusive spaces for all participants – a necessary precursor to respectful dialogue and decision-making.

Social Implications

Recent high-profile examples where leadership did not fully embrace the need for intercultural awareness training have led to resignations and negative media. For example earlier this year an Indigenous elected councilor in Terrace resigned after twice unsuccessfully trying to persuade Terrace council to participate in cultural awareness training. She claimed systemic and internalized racism as the reason why her colleagues were not able to respect and understand her diverse perspectives.

At the Royal BC Museum, the Indigenous head of the First Nations Department and Repatriation Program resigned in 2020, claiming the institution was home to discrimination, bullying and white privilege. Since then the CEO has stepped down, and both staff and board are receiving unconscious bias training.

In May 2021, an Indigenous member of School District 61's Indigenous Ad Hoc committee stepped down, citing a pattern of systemic racism and calling for public apologies for the 'cynical and flagrant' use of the word reconciliation by the Board and Administration, and asking for a transparent plan to raise the competency of the Board and Administration regarding ongoing colonialism, patriarchy and systemic racism.

There is vulnerability for CRD directors and staff if all levels of the organization are not actively engaged in deepening their intercultural awareness and taking actions towards better incorporating equity, diversity and inclusion across the organization. This training is one small step that helps demonstrate a commitment to ongoing learning and transformation.

Financial Implications

It is estimated that intercultural skills training for Board Directors will cost \$10,000 in 2021. Funding is available through the First Nations Relations existing 2021 budget; specifically by redirecting surplus funds from the budget allocated for the First Nations Relations Standing Committee as well as the Forum of All Councils.

Alignment with Board & Corporate Priorities

This training supports the CRD's Statement of Reconciliation, specifically the acknowledgement of the fundamental right of self-determination to Indigenous peoples and the recognition that beyond commitments, action is needed to show that the CRD is taking measurable steps towards a better relationship with Indigenous peoples.

This training also supports Board Priority 3a-1 regarding looking to First Nations for leadership in understanding how to create new regional planning and decision-making systems together on their Traditional Territories. Increased skill in intercultural awareness will facilitate and enhance how we are able to work together.

This training is also in line with the CRD Board's diversity and inclusion statement.

CONCLUSION

Intercultural skills training will support CRD Directors in building positive, respectful and reciprocal working relationships with First Nations participating in CRD Board committees and commissions. This training will help operationalize the Board's Statement of Reconciliation, commitment to inclusive governance with First Nations, and Diversity and Inclusion statement. Deepening understanding of cultural protocols, unconscious biases and approaches to building reciprocal relationships and conflict resolution will support committee meetings to be welcoming, inclusive spaces for all participants – a necessary precursor to respectful dialogue and decision-making with First Nations.

RECOMMENDATION

The First Nations Relations Committee recommends to the Capital Regional District Board: That staff be directed to work with the Board and First Nations representatives to develop and offer Intercultural Skills Training for CRD Directors.

Submitted by:	Caitlyn Vernon, MES, Manager, First Nations Relations
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer