SUMMARY REPORT

Objectives – The Okanagan Indian Band has established a productive working relationship with the City of Vernon over the past several years, attributable to a Government to Government Protocol Agreement which was signed between the City and the Band in 2002. Similar discussions have been held with a number of other local governments and a variety of common interests have arisen as a result. The local governments who are a party to these discussions support this application and all wish to pursue an effective working relationship with the Okanagan Indian Band.

The community to community meetings are intended to identify issues of mutual concern and build formal protocol agreements to create effective and efficient communications on these topics, and to seek opportunities for joint community economic development.

Our objectives for the three proposed community to community forums are:

* Identify the issues of importance to each party and identify common goals and objectives for a government to government protocol agreement.
* Develop a communications plan to monitor and evaluate progress towards identified goals.

District of Lake Country:

November 17, 2005
5:00 p.m.
District of Lake Country Council

The objectives for the forum were to identify the issues of importance to each party and identify common goals and objectives for a protocol agreement, and to develop a communications plan to monitor and evaluate progress towards identified goals.

Both governments agreed to build a formal protocol agreement to create effective and efficient communications around mutual concerns, and to seek opportunities for joint community economic development.
Main focus of the discussions was to move forward in executing an acceptable protocol agreement. The template copy was provided to the District of Lake Country, a review would be conducted at their next Council meeting prior to a final approval and official signing.

The Okanagan Indian Band raised the need to develop a cultural resource protection policy; the purpose of the policy is to ensure that future development does not impact Okanagan cultural resources (archaeology and other). A copy of the generic procedure was provided to the District of Lake Country, similar to the Armstrong-Spallumcheen Ice Arena Project.

Follow-up from the October 25 Public Hearing relating to the Lakeside Community Development Project, the Okanagan Indian Band provided a position paper, including the impacts of the development on Okanagan cultural sensitive areas. District of Lake Country apologized for the oversight. Randall Rose, DOLC Administrator providing the draft covenant to the amendment on the Official Community Plan to the Okanagan Indian Band. Further Chief Alexis will be meeting with the Lakeside Community Developers.

Development of Cultural Resources ‘Hot Spots’ inventory and assessments would map the existing and high potential sites or areas with archeological or cultural features/values and develop a policy for protection for incorporation into the future OCP. A project Terms of Reference will be jointly developed and resourced through collaborative fund-raising and carried out by Band technical staff. Any ‘Hot Spots’ identified are to be provided to each of the governments.

Fisheries and Aquatic Resources Management Issues be identified and to develop an action strategy to jointly address any issues. A map was provided by the Ministry, but was unaware of the cultural and historical knowledge of the areas of concern. A map of the shore-spawning areas will be provided to the Okanagan Indian Band by Randall Rose, DOLC Administrator for review and comment.

Protection of Watersheds, currently there is a two year moratorium on any sales in the watershed areas, the District of Lake Country will provide the Band, upon request. Mountain Pine Beetle has raised a concern, the Band agreed this was a common concern and further agreed to work with the District of Lake Country in lobbying on the protection of the Watershed.

Boundaries of Duck Lake Indian Reserve #7, currently Indian Reserve #7 is within the boundaries of the City of Kelowna; therefore all services and taxes are within this government’s control. A suggestion to move forward with a trilateral agreement between the three local governments.

November 29th, 2006 – The Okanagan Indian Band representative Allan Louis, Councillor attended the official signing of the Protocol Agreement between the Okanagan Indian Band and District of Lake Country.
Update – The Okanagan Indian Band had met with the District of Lake Country on April 19, 2006. The purpose was to initially meet and greet the newly elected members, further to discuss ongoing issues.

City of Revelstoke:

December 14, 2005
5:00 p.m.
City of Revelstoke Council

The Okanagan Indian Band presented a template protocol agreement template outlining the intent and purpose of the protocol agreement. *The template copy was provided to the City of Revelstoke, a review would be conducted at their next Council meeting prior to any comment to the Band. The Okanagan Indian Band Council appointed Rob Hutton and Sherry Louis as the key contacts to work with the City of Revelstoke.*

The discussion on overlap interests from other First Nations were raised and discussed and how they may be resolved, this issue was a wide area issue, as other First Nations throughout BC have similar concerns.

*The City of Revelstoke agreed in working with First Nations, and conflict resolution was necessary to move forward effectively, and that communications is a key area, and not with only the Okanagan Indian Band, but other First Nations as well.*

The concept of a joint venture into a Community Casino was also discussed, in particular due to the development of the Mount Mackenzie Ski Resort and the suitability within the plans, further explored the idea of a joint licensing between the communities that would greatly provide tourism and economic growth for the community as well as revenue generating possibilities. The City of Revelstoke noted this concept would not be a Council approval, but would require the City of Revelstoke Community. *A meeting with the appropriate key people from each of the communities, this may include other First Nations involvement, including the Mount Mackenzie Ski Resort, and Ministries of the Province would need to discuss this matter further. It was suggested of the new Ministry of Aboriginal Relations and Reconciliation would also be a benefit at the discussion table.*

The City of Revelstoke stated they were in the process of hiring a new CEO for the City; currently Graham Inglis is the key contact until the placement of the CEO. March was scheduled for the new CEO for the City of Revelstoke.

The end of January was targeted regarding language and communications between the two communities.

*There has no been no response from the City of Revelstoke, a follow-up letter will be sent to the City requesting a date for the next meeting.*
Village of Nakusp:

As to the Band’s relationship with the Village of Nakusp, the Band had made unsuccessful attempts on scheduling dates with the Village Council, this may have been due to the newly elected Council, and further attempts will be made in the near future.

Any questions, please do no hesitate to contact me at (250) 542-4328 or by email at okibcouncil@okangan.org.

Sincerely,

Okanagan Indian Band

[Signature]

Sherry Louis,
Executive Assistant

Encl.
<table>
<thead>
<tr>
<th>Council to Council Meetings</th>
<th>Budgets</th>
<th>Revelstoke</th>
<th>Lake Country</th>
<th>Sub-total</th>
<th>OKIB Portion</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meal Costs</td>
<td>675.00</td>
<td>-</td>
<td>-</td>
<td>754.36</td>
<td>-</td>
<td>754.36</td>
</tr>
<tr>
<td>Room Rental</td>
<td>450.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Facilitator/Project Consultant</td>
<td>3,500.00</td>
<td>3,249.31</td>
<td>-</td>
<td>3,249.31</td>
<td>457.77</td>
<td>3,707.08</td>
</tr>
<tr>
<td>Local Govt. &amp; Band Representatives</td>
<td>2,500.00</td>
<td>2,039.00</td>
<td>294.00</td>
<td>2,333.00</td>
<td>-</td>
<td>2,333.00</td>
</tr>
<tr>
<td>Band Representatives Honoraria</td>
<td>-</td>
<td>-</td>
<td>2,835.00</td>
<td>-</td>
<td>2,835.00</td>
<td>-</td>
</tr>
<tr>
<td>Local Govt. &amp; Staff time/travel</td>
<td>2,500.00</td>
<td>868.35</td>
<td>491.84</td>
<td>1,360.19</td>
<td>1,119.57</td>
<td>2,479.76</td>
</tr>
<tr>
<td>Materials &amp; Supplies</td>
<td>900.00</td>
<td>-</td>
<td>900.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>A/V Equipment Rental</td>
<td>450.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Communications</td>
<td>400.00</td>
<td>-</td>
<td>400.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Preparation &amp; reproduction of final reports</td>
<td>2,500.00</td>
<td>-</td>
<td>860.40</td>
<td>-</td>
<td>860.40</td>
<td>-</td>
</tr>
<tr>
<td>Project Administration Costs</td>
<td>2,000.00</td>
<td>745.00</td>
<td>500.00</td>
<td>1,245.00</td>
<td>755.00</td>
<td>2,105.40</td>
</tr>
<tr>
<td>Contingency</td>
<td>500.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>16,375.00</strong></td>
<td><strong>6,901.66</strong></td>
<td><strong>1,285.84</strong></td>
<td><strong>8,187.50</strong></td>
<td><strong>8,082.10</strong></td>
<td><strong>16,375.00</strong></td>
</tr>
</tbody>
</table>

Total Funding (50%) | 8,187.50 | -          | -            | -         | -            | -    |
COMMUNITY – TO – COMMUNITY FORUM
BETWEEN
OKANAGAN INDIAN BAND
AND
DISTRICT OF LAKE COUNTRY

NOVEMBER 17, 2005

5:00 p.m.

District of Lake Country Municipal Hall

Attendance:

Okanagan Indian Band:
Chief Fabian Alexis;
Jenelle Brewer, Councillor;
Peggy Joe, Councillor;
Allan Louis, Councillor;
Raymond Marchand, Councillor;
Jon Spotted Eagle.

District of Lake Country:
Mayor Rolly Hein;
Barbara Leamont, Councillor;
John Mardell;
Mike Reiley, Director of Development Services.

The meeting began at 5:00 p.m.

1. Welcome/Dinner to be served immediately.

Introductions were made by both parties, dinner followed.

Chief Fabian Alexis provided opening comments to the District of Lake Country. A letter was presented to Mayor Rolly Hein regarding a response to the District of Lake Country’s correspondence of October 27, 2005 relating to follow-up issues on the Public Hearing in Lake Country.


The Okanagan Indian Band discussed the purposes of the protocol agreement, which include:

- Establishes regular, structured communications
- Creates clear communications structure (i.e. lead contacts identified in agreement)
- Replaces or improves upon existing referral system, increasing the value and timeliness of information exchanges
- Outlines structured process for resolving disputes
- Identifies and tracks agreed upon action items, special projects
- Creates a formal mechanism for development of policies and procedures (i.e. cultural heritage resource protection).

The former Chief Lyle Brewer had provided the District of Lake Country with a draft protocol agreement, the District of Lake Country agreed to the agreement, but there was no response provided from the Band to proceed with the execution of the agreement.


The Okanagan Indian Band raised the need to develop a Cultural Resources Protection Policy; the purpose of the policy is to ensure that future development does not impact Okanagan cultural resources (archaeology and other). As well that one aspect of the policy could be to adopt a set of procedures for developers, similar to that developed for the Armstrong-Spallumcheen Ice Arena Project. A copy of the generic procedure was provided to the District of Lake Country.

4. Follow-up on Briefing Note delivered at Oct 25 Public Hearing - Proposed Lakeside Community Development project

At a October 25, 2005 Public Hearing in District Lake Country in regards to the 20/20 Development, the Okanagan Indian Band was present at this meeting and provided their position on the development, including the impacts of the development on Okanagan cultural sensitive areas. The question raised was whether the District of Lake Country endorses the recommendation of the Okanagan Indian Band Chief and council and work to implement the identified tasks with the Band?

The District of Lake Country apologized for the oversight of including the Okanagan Indian Band. According to the amendment in the OCP Plan, the development/application has received a covenant on the amendment. Randall Rose, Administrator will provide a draft covenant to the Okanagan Indian Band. At the past Lake Country Council meeting, the motion was passed on the OCP amendment, referring to the Okanagan Indian Band for mitigation. The Zoning Bylaw will be sent to the next Lake Country Council Meeting, as a reminder the last day for the present Council is December 5, 2005.

The Okanagan Indian Band put forth the idea of having the protocol agreement signed at the next Council meeting to execute the agreement. A copy of the draft agreement will be forwarded to the District of Lake Country for final review, as it was previously approved.

Chief Fabian Alexis stated the Okanagan Indian Band has agreed to meet with the developers of the 20/20 Development, but no confirmed dates have been scheduled.

5. Development of Cultural Resources 'Hot Spots' inventory and assessments.

The purpose of developing Cultural Resources 'Hot Spot's inventory and assessments project would map the existing and high potential sites or areas with archaeological or cultural features/values, and will develop a policy for protection, as linked with item of the agenda, for incorporation into the future OCP. A project Terms of Reference will be
jointly developed, resourced through collaborative fund-raising and carried out by Band technical staff.

The Communities agreed that if there are any 'Hot Spots' they will be dealt with immediately.

6. **Fisheries and Aquatic Resources Management Issues (i.e. Vernon Creek; Foreshore Spawning sites; land sales in upper watershed lakes).**

The Okanagan Indian Band asked that both communities identify issues and develop an action strategy to jointly address Fisheries and Aquatic Resources Management issues, for example Vernon Creek, Foreshore Spawning sites, and land sales in upper watershed lakes.

There were discussion on past issues relating to the Fisheries and Aquatic resource management within the District of Lake Country, Chief Fabian Alexis and past Chief Dan Wilson were doing technical work within the area, in particular to the Dam and Weir area. Sites were identified as sensitive areas, south of Hiram Walker – Siwash Bay, considered as a huge lakeshore spawning area. The OCP does allow encroachments to this area. The District of Lake Country had received a map of the present shore-spawning area, developed by Ministry of Water, Land and Air Protection, but Lake Country was unsure of historical areas.

The Fisheries Biologist for the 20/20 Development has worked with the Ministry and a report has been completed. The Ministry had concurred with the report.

A map of the shore-spawning areas will be provided to the Okanagan Indian Band by District of Lake Country Administrator.

7. **Discussions/Conclusion.**

The Communities agreed the importance of open communication and to move quickly on the execution of the Protocol Agreement. In regards to the 'hot spot' areas, copies would be provided to each community.

The matter of the District of Lake Country agreement with the Okanagan Indian relating to the pipeline through Indian Reserve No. 7 is set to expire in 2008, and would like begin negotiations on the agreement.

The District of Lake Country stated that at a meeting with past Chief Lyle Brewer, discussed the plan to extend the sewer services into the Mobile Home Park, but nothing has concluded.

In regards to the Upper Watershed, the Mountain Pine Beetle infestation has increased logging activity within the area, this creates impacts to the watershed, and the Okanagan Indian Band agreed this is a common concern and further agreed to work with the District of Lake Country in lobbying on the protection of the watersheds. The copies of the information of correspondence relating to the watershed, including letters to the appropriate governments will be provided. Currently there is a two year moratorium on any sales in the watershed area; the District of Lake Country has the information available for the Okanagan Indian Band, if required.
Currently in the Carrs Landing area, a planning process has been undertaken. The information will be distributed to all group interests, including the Okanagan Indian Band.

Chief Fabian Alexis also raised the matter of the Boundary within the Indian Reserve No. 7 – Duck Lake, presently the City of Kelowna has included this reserve area within their boundary, so all services and taxes are within their control. There are many issues of this boundary, including the 60 acres of reserve land that is land-locked. A suggestion to move forward with a trilateral meeting was agreed to by the communities, and that the City of Kelowna be approached to move forward with a meeting. There were further suggestions to open the meeting to other First Nations and communities in this area to discuss common concerns.

The Communities agreed to the November 29th, 2005 signing date for the Protocol Agreement, copies will be forwarded immediately. Further agreed, to move forward with a Community-to-Community meeting with the City of Kelowna, as well as the regional districts and Westbank First Nation, the priority of the meeting will include common concerns, i.e. Mountain Pine Beetle Infestation and watershed protection.

Chief Fabian Alexis informed the District of Lake Country that a video was developed by the Band relating to the Okanagan Indian Band’s Specific Claim on the Commonage Land. The Band is considering hosting a forum to present the video on the lands, and to provide the public a better understanding of the claim.

8. **Next Meeting/Adjournment.**

   **The Official Signing of the Protocol Agreement is scheduled for November 29th, 2005.**

   The meeting adjourned at 6:35 p.m.
FROM THE NOVEMBER 29th COUNCIL MEETING

- Council authorized the District to apply to the Ministry of Community Services for a $10,000 infrastructure planning grant to assist with the funding of the Lake Pine Water System assessment.
- Swallwell Park Plan Option C1 as prepared by Catherine Berris Associates Inc. was approved as the final plan for the park development. This plan is to be implemented in a phased construction process.
- **Adopted:**
  - Zoning Amendment (Royston) Bylaw 550, 2005 to allow for future subdivision and/or development at 9614 Chase Road.
  - 2005 Financial Plan Amendment Bylaw 565, 2005. The purpose of this Bylaw is to formalize four changes to the financial plan approved by Council resolution during 2005; to amend the funding sources of three major capital projects; and to increase the transfers to reserves as a result of expected budget surpluses.
  - Local Service Area (Lake Pine Assessment) Establishment Bylaw 563, 2005 to provide an assessment of the condition and upgrades necessary for water supply and distribution for the Lake Pine Water System.
- **Approved:**
  - Development Variance Permit for 16171 Butterworth Road reducing the side yard setback from 9 meters to 3 meters.

FROM THE DECEMBER 2, 2005 “SPECIAL” COUNCIL MEETING

- **Adopted:**
  - Zoning Amendment (The Lakes) Bylaw 544, 2005 to add a new zone entitled Direct Control-5 to allow for future development of the 2551 Shoreline Drive and the 2611 Stillwater Way properties.
  - Zoning Amendment (Roach) Bylaw 553, 2005 to change zoning classification of lands located at 111414 Bottom Wood Lake Road from RU-5 (Country Residential) to DC-5 (Direct Control Zone 6) to allow for the development of a +/- 20 unit multi-family building.

FROM THE DECEMBER 13th COUNCIL MEETING

- **Approved:**
  - The road name “Copper Hill Road” was approved for Phase II of the Copper Hill development.
  - The road names “Sunny Lake Court” and “Sandy Cove Court” were approved for Phase II of the Lakes development.

CHRISTMAS BUS VISITS COUNCIL MEETING

The December 13th, 2005 Regular Council meeting was recessed for a short time to receive Mr. & Mrs. Claus as they arrived on Kelowna Transit’s Christmas Bus for the Salvation Army’s Winter Relief Fund. In keeping with the Christmas spirit, the Mayor and Councillors loaded the bus with donations of toys and monies from past and present Council members and District staff.

COMMUNITY WORKS FUND AGREEMENT

At the November 29th Council meeting, Council authorized the Mayor and Municipal Clerk to sign the Community Works Fund Agreement. As set out by the “New Deal for Cities and Communities”, this agreement between the District and the Union of BC Municipalities will see the transfer of a portion of the federal gas tax revenue to the District on an annual basis for a five-year term.

HOLIDAY HOURS

The Municipal Office and the Fire Administration Office will be closed from:

Monday, December 26 to Friday, December 30.

For immediate EMERGENCIES ONLY – CALL 911.

The offices will re-open for regular business on Monday, January 2, 2006.

Happy Holidays!
INAUGURAL COUNCIL MEETING
DECEMBER 6TH, 2005
The Honourable Judge Chapman presided at the Swearing in Ceremonies on December 6, 2005 in Council Chambers. Judge Chapman, in a short address, offered encouraging words and emphasized the importance of ethical leadership to the newly-elected Council members. He then administered the Oath to each councillor. After Mayor Baker received the gavel from former Mayor Hein, he introduced the new Councillors. Along with developing a vision for the next century, the Mayor advised that the newly formed Council will be encouraging volunteers, including youth, to become involved in local government through Council Committees and Commissions.

District of Lake Country’s New Mayor & Council (2005-2008)
Back Row: Councillor Rees, Councillor Leamont, Councillor Witty, Councillor Clark
Front Row: Councillor Gambell, Mayor Baker, Councillor Guenther

BURNING SEASON EXTENDED
Due to poor venting conditions during the month of November, Council at its November 29th, 2005 Regular meeting approved an extension of the regular open burning season until December 18th, 2005.

Council also approved a special exemption to burn only beetle infested trees during the burning period of October 15th through April 15th.

THERESE CASGRAIN VOLUNTEER AWARD
The Therese Casgrain Volunteer Award acknowledges the contributions Canadian volunteers make to society. It is presented annually to one Canadian man and one Canadian woman whose pioneering spirit, social commitment and lifelong voluntary efforts have contributed significantly to the advancement of a social cause and the well-being of their fellow Canadians. Nomination brochures and information are available at the Customer Service Centre or can be found at www.sdc.gc.ca.

Councillor Allan Louis, representative of the Okanagan Indian Band, and Mayor Rolly Hein sign the Protocol Agreement.

2006 COUNCIL MEETING SCHEDULE

<table>
<thead>
<tr>
<th>January 10, 2006</th>
<th>July 11, 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 24, 2006</td>
<td>July 25, 2006</td>
</tr>
<tr>
<td>February 7, 2006</td>
<td>August 8, 2006</td>
</tr>
<tr>
<td>February 21, 2006</td>
<td>August 22, 2006</td>
</tr>
<tr>
<td>March 7, 2006</td>
<td>September 5, 2006</td>
</tr>
<tr>
<td>March 21, 2006</td>
<td>September 19, 2006</td>
</tr>
<tr>
<td>April 4, 2006</td>
<td>October 3, 2006</td>
</tr>
<tr>
<td>April 18, 2006</td>
<td>October 17, 2006</td>
</tr>
<tr>
<td>May 2, 2006</td>
<td>October 31, 2006</td>
</tr>
<tr>
<td>May 16, 2006</td>
<td>November 14, 2006</td>
</tr>
<tr>
<td>May 30, 2006</td>
<td>November 28, 2006</td>
</tr>
<tr>
<td>June 13, 2006</td>
<td>December 12, 2006</td>
</tr>
<tr>
<td>June 27, 2006</td>
<td></td>
</tr>
</tbody>
</table>
PROTOCOL AGREEMENT

Respecting a Local Government to Government Working Relationship

THIS AGREEMENT dated for reference the 29th day of November, 2005.

BETWEEN:

OKANAGAN INDIAN BAND
12420 Westside Road
Vernon, BC V1T 7Z3
(the "Band")

AND:

THE DISTRICT OF LAKE COUNTRY
(the "Lake Country")
10150 Bottom Wood Lake Rd
Lake Country, BC V4V 2M1

WHEREAS:

1. The Band and Lake Country each have responsibility and authority for provision of services and governance of their residents within their respective areas of jurisdiction;

2. Lake Country and the Band wish to set out in this Agreement statements regarding their future communications and cooperation with each other, based on the fundamental underlying principles of trust, honesty and mutual respect;

NOW THEREFORE, in consideration of the mutual promises set out herein, the parties hereto agree as follows:

Purpose

3. The purpose of this Protocol Agreement is to outline the overall intention of the Band and Lake Country to enter into a more formal arrangement respecting a long term, cooperative working relationship.

4. The three underlying and fundamental purposes in this Agreement are:

   (i) Effective, adequate communications;

   (ii) Cooperation which is aimed at mutual benefit; and
(iii) Partnerships which create lasting benefits.

Communications

5. The parties agree to open and transparent communications with each other on areas of mutual interest as described herein.

6. The parties agree that proper communications are fundamental to this Protocol Agreement and the working relationship between the Band and Lake Country to ensure consistent, effective and timely exchange of information on areas of mutual interest (see clause 14).

Contact Persons

7. The parties acknowledge and agree that they shall each, from time to time, appoint a principle representative who shall initially be, for Lake Country, the Chief Administrative Office and for the Band, the Manager, Band Governance, to coordinate such communications.

Public Statements

8. The Band and Lake Country will cooperate in communications and refrain from making public statements on issues of mutual interest or concern without prior consultation, except where such consultation is for emergency or other reasons not possible. A procedure for reaching agreement on any sole or joint disclosure of information to the public is attached as appendix A.

Confidentiality

9. The parties acknowledge and agree on the need for confidentiality in mutual communications, while recognizing the public nature of governance and, in particular, the application of the Freedom of Information and Protection of Privacy Act (see appendix B for relevant sections of the Act).

10. The parties understand the need to practice diligence and to exercise caution when engaging in information exchanges, in light of the potential for public release or legally-required access of this information by third parties.

11. Lake Country acknowledges and agrees that if it receives any documentation or information from the Band that later becomes subject to an inquiry under the applicable legislation, that it shall act reasonably to ensure that the Band receives prior notice of same.
12. The Band acknowledges and agrees that if it receives any documentation or information from Lake Country that later becomes subject to an inquiry under the applicable legislation, that it shall act reasonably to ensure that Lake Country receives prior notice of same.

Shared Objectives and Mutual Support

13. The parties have a number of shared objectives on which they wish to cooperate with each other and where mutually beneficial, establish partnerships, be they formal or informal, for their mutual benefit.

14. The areas of shared objectives that have been identified, but which may be expanded upon by mutual agreement, include:

a. effective, efficient communications;

b. joint economic development planning;

c. joint land use and community servicing planning;

d. development of a policy concerning the protection of cultural resources, including archaeology;

e. development of a plan to assess, identify and map cultural resources ‘hot spots’ within the District of Lake Country boundaries; and

f. development and implementation of an action strategy to identify, assess and address key issues of mutual concern respecting fisheries and aquatic resources management, and terrestrial environmental stewardship.

By June 1, 2006 the parties will ensure that preliminary terms of reference are developed for each of the above items. These terms of reference will be jointly approved by the Band Chief and Council and Lake Country Mayor and Council and added as schedules to this Agreement by July 1, 2006.

15. The Band and the Lake Country acknowledge and agree that they will support each other’s individual endeavors when they are consistent with their mutual objectives as described above for the betterment of both communities.

Dispute Resolution

16. The parties agree to maintain the terms of this agreement in good faith. In the event that a dispute arises over the terms of this agreement or the practices applied to the sharing and use of information subject to this agreement, the parties will agree to the following procedure:
a. Appoint, through mutual agreement, a facilitator to assist the parties. If this action fails to achieve resolution;

b. Appoint, through mutual agreement, a mediator to assist the parties. If this action fails to achieve resolution;

c. Terminate the Agreement, provided that either party provide 30 days’ written notice, or through mutual agreement, refer the matter to an Arbitrator.

IN WITNESS WHEREOF the parties have executed this Agreement.

SIGNED AND WITNESSED ON THE 29th DAY OF November, 2005:

[Signatures]

Chief Fabian Alexis
OKANAGAN INDIAN BAND

Witness

SIGNED AND WITNESSED ON THE 29th DAY OF November, 2005:

[Signatures]

Mayor Rolly Hein
DISTRICT OF LAKE COUNTRY

Witness
APPENDIX A
MEDIA CONTACT
POLICY

The parties recognize that it is beneficial for Lake Country and the Band to provide information to their respective communities. All media contact shall be jointly through the Mayor’s office and the Band Chief’s Office, unless the Mayor and/or Chief appoint alternate representatives.

PROCEDURE

PREPARATION OF MEDIA RELEASES

All media releases will be prepared by the appropriate, respective staff of Lake Country and the Band as directed by the Mayor and Band Chief. Once the release is completed, it shall be reviewed and approved by the Mayor and Band Chief. Any media release requested by the respective Councils shall require the approval of the Mayor and Band Chief.

MEDIA REQUESTS FOR COMMENTS

All requests from the media for comments will be directed to the Mayor’s and Band Chief’s Offices. In the event the Mayor is unavailable, the request will be directed to the Acting Mayor or other Council member who may be involved with a specific issue. In the event the Chief is unavailable, the request will be directed to the Acting Chief or other Band Council member who may be involved with a specific issue.

MEDIA CONFERENCES

Media conferences are organized jointly by the Executive Assistant and Administrator for Lake Country and the Executive Assistant and Director, Band Governance for the Band, as directed by the Mayor and Band Chief. All members of Council, the Band and appropriate staff will be invited to attend the conference.
APPENDIX B

Freedom of Information and Protection of Privacy Act – Excerpts pertaining to the exchange of information between the Okanagan Indian Band and the District of Lake Country

Section 16 (1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to

1. harm the conduct by the government of British Columbia of relations between that government and any of the following or their agencies:
   a. the government of Canada or a province of Canada;
   b. the council of a municipality or the board of a regional district;
   c. an aboriginal government;
   d. the government of a foreign state;
   e. an international organization of states,

2. reveal information received in confidence from a government, council or organization listed in paragraph (a) or their agencies, or

3. harm the conduct of negotiations relations to aboriginal self government or treaties.
City of Revelstoke – Okanagan Indian Band

5:00 pm, December 14, 2005
Revelstoke Council Chambers
Revelstoke, BC

ATTENDANCE:

City of Revelstoke:
Mayor Mark McKee;
Bryant Yeomans, Director of Engineering & Public Works;
Russ Gibbs, Councillor;
Graham Inglis, Director of Finance;
Matt Singh, Councillor;
Chris Johnston, Councillor.

Okanagan Indian Band:
Chief Fabian Alexis;
Tim Alexis, Councillor;
Jenelle Brewer, Councillor;
Tim Isaac, Councillor;
Peggy Joe, Councillor;
Allan Louis, Councillor;
Jon Spotted Eagle, Councillor
Kevin Ned, Acting Governance Manager;
Rob Hutton, Interim TSD Manager;
Sherry Louis, Executive Assistant.

1. **Introductions were made at 5:30 p.m.; dinner followed the introduction presentation.**

2. **Review Purpose of Meeting and Previous Discussion.**

   Opening Comments were provided by both Mayor Mark McKee and Chief Fabian Alexis.
The Communities have met previously in the summer to discuss common interests, including joint ventures and opportunities within the Revelstoke Area.

Currently the Okanagan Indian Band is working with the surrounding communities within the Okanagan Indian Band’s Area of Responsibility regarding title and rights of the Okanagan Indian Band, including economic resource plans that may affect the Band’s interest.

Presently, the Okanagan Indian Band has entered into Protocol Agreements with the Village of Lumby and in the process of finalizing a protocol agreement with the District of Lake Country.

As outlined in the draft agreement, the purpose of entering into the agreement would provide benefits and economic ventures for both communities. Further to outline the recognition that both communities have responsibility and authority for provision of services and governance of their residents within their respective areas of jurisdiction.

The basis for the Protocol Agreement will provide both communities that future communications and cooperation with each other, based on the fundamental underlying principles of trust, honesty and mutual respect.

3. **Protocol Agreement - Purpose and Review.**

The Okanagan Indian Band presented a draft protocol agreement template outlining the intent and purpose of the protocol agreement, which is to outline the overall intention of the Okanagan Indian Band and the City of Revelstoke entering into a more formal arrangement respecting a long term, cooperative working relationship.

Further stated by the Okanagan Indian Band is that the three underlying and fundamental purposes in the agreement are effective, adequate communications and cooperation which is aimed at mutual benefit. Partnerships that will create lasting benefits.

4. **Interests and Objectives.**

   a. Revelstoke
   b. Okanagan Indian Band

The Okanagan Indian Band had drafted proposed wording that outlined interest and objectives that they would like to see included in the Protocol Agreement. The areas of shared objectives identified, which may be expanded upon by mutual agreement, include:

   ▲ Effective, efficient communications;
A Joint economic development planning, including but not limited to Community Forestry and the Mount Mackenzie Resort development;
A Development of a policy concerning the protection of cultural resources, including archaeology;
A Development of a plan to assess, identify and map cultural resources within the City of Revelstoke boundaries; and
A Development and implementation of an action strategy to identify, assess and address key issues of mutual concern respecting fisheries and aquatic resources management, and terrestrial environmental stewardship.

5. **Process to Conclude Protocol Agreement**

   a. Key contacts/Working Team
   b. Timeline.

The Okanagan Indian Band Council appointed Rob Hutton and Sherry Louis as the key contacts to work with the City of Revelstoke.

Due to the protocol agreement not being fully reviewed by the City of Revelstoke, Mayor McKee felt that it would be appropriate to refer the document to the City Council Agenda for review as well to determine if it would be necessary to appoint a representative to the task, as well for a full review by the City’s Legal Counsel. The whole idea around a Protocol Agreement was new territory for the City of Revelstoke and felt it was premature to strike a committee. Another matter was raised was in regards to the Terms of Reference for the working groups, and the work that will be involved between the two communities.

Chief Fabian Alexis acknowledged the concerns, and noted the main key role of the protocol agreement was to improve communications and relationships.

Further agreed, the email system will be used as the process for communicating between the two communities.

The timeline will be determined, but agreement was made to ensure ongoing communication flow between the two communities.

6. **Other Business**

   The discussion on overlap interests from other First Nations were raised and discussed and how they may be resolved, this issue was a wide area issue, as other First Nations throughout BC have similar concerns.

   The Okanagan Indian Band raised the recent First Ministers Meeting in Kelowna. A Political Accord has been signed between BC, Canada, and First Nation Leaders.
The City of Revelstoke agreed in working with First Nations, and conflict resolution was necessary to move forward effectively, and that communications is a key area, and not with only the Okanagan Indian Band, but other First Nations as well.

The concept of a joint venture into a Community Casino was also discussed, in particular due to the development of the Mount Mackenzie Ski Resort and the suitability within the plans, further explored the idea of a joint licensing between the communities that would greatly provide tourism and economic growth for the community as well as revenue generating possibilities.

The City of Revelstoke noted this concept would not be a Council approval, but would require the City of Revelstoke Community.

A meeting with the appropriate key people from each of the communities, this may include other First Nations involvement, including the Mount Mackenzie Ski Resort, and Ministries of the Province would need to discuss this matter further. It was suggested of the new Ministry of Aboriginal Relations and Reconciliation would also be a benefit at the discussion table.

7. **Follow-up/Actions**

   Rob Hutton will be the contact for the Okanagan Indian Band on the Protocol Agreement.

   The City of Revelstoke stated they were in the process of hiring a new CEO for the City; currently Graham Inglis is the key contact until the placement of the CEO. March was scheduled for the new CEO for the City of Revelstoke.

   The end of January was targeted regarding language and communications between the two communities.

8. **Set Next Meeting Date.**

   A date will be coordinated by the key contact people.

9. **Adjournment.**

   The meeting adjourned approximately at 8:00 p.m.
Planning together in the North Okanagan

NORTH OKANAGAN > Located on seven reserves in the north Okanagan — between Kelowna, Vernon and Spallumcheen — the Okanagan Indian Band (OKIB) is forging ahead with a comprehensive community planning pilot project predicated on close relationships with local governments.

Band Community Development Manager Bob Osborne has met all his counterparts in the region and is working closely with many of them.

“The last few Band councils have taken shared planning very seriously,” Osborne says. “We’re working together to establish good working relationships in order to harmonize our approach to community planning.”

“We’re neighbours, after all,” Osborne says.

Indeed. Both OKIB and Westbank First Nation (see article this issue) to the south have made collaborative liaison with local governments a priority. Good, two-way communications helps each reach its planning objectives.

And, as Osborne explains, the OKIB have also applied and received Community to Community Forum funding to pursue formal government to government agreements with local governments in Revelstoke, District of Lake Country and Nakusp. The Community to Community Forum Program is jointly administered by the First Nations Summit and the Union of BC Municipalities and provides funding for meetings between elected officials from local governments and First Nations. For the OKIB, this process has already resulted in the signing of two agreements to date: one with Lumby and one with the District of Lake Country.

In 2002 the Band signed a similar agreement with the City...
leaders can set out concerns while taking advantage of early planning processes, if they choose. If OKIB decides to approve a particular project it may work with the District to access services and roads on its own lands.

This makes good sense, explains Osborne. “Many of the proposed developments border reserve lands so it is important to work together to resolve any difficulties that may arise.”

The two groups will also develop and implement a new strategy to protect local fish and aquatic resources. In another related initiative, the OKIB and Lake Country are in the process of sharing digital planning information so that comprehensive mapping can be developed and lead to a more harmonized approach, saving time and money.

This digitized information will provide the raw data needed to develop a sub-regional growth strategy wherein all neighbouring jurisdictions will work together to plan the future of the North Okanagan. These and related planning efforts are designed to preserve and protect one of the most spectacular land and aquatic ecosystems in the world.

Other initiatives in the region are also ongoing. To the north, near Revelstoke, a major ski resort has been proposed. Osborne says OKIB is reviewing the proposal very carefully.

“With regard to the ski proposal, OKIB, the Revelstoke Community Forest Corp (RCFC) and the Ministry of Forests and Range are working cooperatively to ensure our concerns are addressed in the RCFC’s Forest Stewardship Plan, which is the new planning tool for major forestry tenure holders under the Forest and Range Practices Act,” Osborne explains. And in Nakusp, a backcountry recreation proposal is being reviewed carefully using the same criteria.

Meanwhile the Band itself operates a cultural camp near its reserve located on Upper Arrow Lake just southwest of Nakusp.

Effective collaborative planning is needed for all of these initiatives, and helps to preserve and protect the quality of life for all residents in the region.

Both groups have also instituted quarterly planning meetings. In a series of relaxed, informal sessions, OKIB and Vernon. According to Osborne, the Band feels the good working relationship that has developed with the City is directly attributable to the signing of the 2002 agreement. Since then the two groups have signed a series of protocol agreements to foster community economic development. Each year Vernon and OKIB hold two special council to council meetings to discuss these agreements and planning matters of common interest.

Consider the Protocol with Lumby. As Robert Osborne explains, “it formalizes mutual objectives that include: effective, efficient communications, economic development, planning, regional growth, protection of cultural resources and archaeology, environmental stewardship and long-term sustainability.”

And while the Protocol with the District of Lake Country sets out many of the same objectives, it also calls for the development of a new plan to assess, identify and map sensitive heritage sites within District boundaries. That’s why planners from OKIB and District of Lake Country meet regularly to carefully review new development proposals, determining their short and long-term effects.

Reference to collaboratively establishing an action plan to address cultural resources is not often found in formal government to government agreements, and signals a real commitment from both parties to work together on what can be a difficult issue. Osborne gives credit to the new Lake Country Mayor, James Baker. A former anthropology professor, Mayor Baker is intent on charting a progressive course.

“Our lines of communication are open and active,” notes Mayor Baker. “Anything we do in our planning, we make sure the Band knows about it first. It is my position that the Band be consulted right away. Then, we can work together on projects. This policy is very important to me,” he explains.

Chief Alexis signs Protocol Agreement with Mayor Simpson of Lumby; looking over plans for ski area proposal at Mt. Mc Kenzie
Local Governments and First Nations Continue to Sign Formal Government to Government Agreements

As relationships between local governments and First Nations throughout BC continue to evolve and develop, more of them are turning to formal government to government agreements to establish the framework for their working relationship.

In February of 2005, UBCM and the Lower Mainland Treaty Advisory Committee produced a compendium of agreements between local governments and First Nations. One year later, the number of agreements continues to grow. The sidebar on the right highlights 11 agreements signed within the last year.

“Both parties bring much to the table and the joint commitment to work together will allow both of the communities to move forward together in areas where it might not be possible to do so otherwise.”

- Chief Wesley of the Snuneymuxw First Nation on the Nanaimo/Snuneymuxw Protocol Signing

All of the agreements are primarily political in nature. They do not represent legal contracts such as servicing agreements, but rather a commitment from the parties to further build relations and establish semi-formal or formal lines of communication.

While the majority of agreements focus primarily on opening up the lines of communication, some agreements, like the Memorandum of Understanding (MOU) regarding the Garden City Lands, define an action plan on a specific area of mutual interest or concern.

There are a number of elements common to formal government to government agreements. Most articulate the objective for initiating dialogue, dispute resolution mechanisms, and renewal terms and processes. Three other important questions that are often addressed in formal government to government agreements are:

> Where are our areas of mutual interest?
> How do we intend to communicate?
> How do we intend to achieve our objectives?

**Where are our areas of mutual interest?**

Many agreements list a number of areas of mutual interest that the parties wish to explore over the coming months and years, such as: economic development, servicing, planning, cultural and heritage protection, capacity building, and parks and recreation.

> Memorandum of Understanding and Protocol Agreement, Yale First Nation and the Fraser Valley Regional District, Jan 24, 2006
> Protocol Agreement Respecting a Local Government to Government Working Relationship, Okanagan Indian Band and the District of Lake Country, Nov 29, 2005
> Memorandum of Understanding, Ktunaxa Nation and Kootenay Region Local Governments, Nov 4, 2005
> Protocol Agreement, City of Nanaimo and Snuneymuxw First Nation, Oct 15, 2005
> Protocol Agreement, City of Williams Lake and the Cariboo Tribal Council Treaty Society, Sept 20, 2005
> Memorandum of Understanding, City of Williams Lake and the Xats’ull First Nation, Jul 14, 2005
> Memorandum of Understanding and Protocol Agreement, In-SHUCK-ch Nation and the Fraser Valley Regional District, Jun 15, 2005
> Memorandum of Understanding, City of Nanaimo and Snuneymuxw First Nation, Apr 20, 2005
> Memorandum of Understanding Regarding Garden City Property, Musqueam Indian Band, City of Richmond, Canada Lands Company CL Limited, Mar 18, 2005

Pictured a MOU Signing, Ktunaxa Nation Kootenay Region Local Government November 4,