

**Gwich'in Tribal Council
27th Annual General Assembly
August 10th to 12th, 2010**

Resolutions

Motion #01:2010 AGA

BE IT RESOLVED THAT we appoint James B. Firth and Grace Blake as the Co-Chairs for the 27th Gwich'in Annual General Assembly.

Moved by: President Richard Nerysoo
Seconded by: President Charlie Furlong

Question called: **CARRIED**

Motion #02:2010 AGA

BE IT RESOLVED THAT Eliza Greenland, Mabel Brown, Chief Frederick Blake, Edward Wright and Brian Grindey will comprise the Resolutions Committee for the 27th Gwich'in Annual Assembly.

Moved by: President Charlie Furlong
Seconded by: Melba Mitchell

Question called: **CARRIED.**

Motion #03:2010 AGA

BE IT RESOLVED THAT the Agenda of the 27th Gwich'in Annual Assembly be adopted as presented.

Moved by: Eddie Wright
Seconded by: Johnny Peterson

Question Called: **CARRIED**

Motion #04:2010 AGA

BE IT RESOLVED THAT the minutes of the 26th Gwich'in Annual Assembly be approved as presented.

Moved by: Eliza Greenland
Seconded by: Chief William Koe

Question called: **CARRIED**

Motion #05:2010 AGA

BE IT RESOLVED THAT the Consolidated Financial Statements of the Gwich'in Tribal Council for the year ended March 31, 2010, be approved as presented.

Moved by: Chief Frederick Blake

Seconded by: Melba Mitchell

Question Called: **CARRIED**

Motion #06:2010 AGA

BE IT RESOLVED THAT the Gwich'in Tribal Council appoint KPMG as its auditor for the year ending March 31, 2011.

Moved by: Edward Wright

Seconded by: Chief William Koe

Question Called: **CARRIED**

Motion #07:2010 AGA

WHEREAS:

- A. The Gwich'in living in the South Mackenzie and Yukon communities wish to formalize their relationship with the Gwich'in Tribal Council;
- B. The Gwich'in Tribal Council provides support to bring two (2) participants each from the Izhii Kaii'kit Tat Gwich'in in Yellowknife and the Gwich'in in the Yukon who presently have observer status at Gwich'in Tribal Council assemblies;
- C. It is desirable for the By-laws of the Gwich'in Tribal Council to be amended to reflect two (2) additional delegates from the Izhii Kaii'kit Tat Gwich'in in Yellowknife and the Gwich'in in the Yukon to attend Gwich'in Tribal Council assemblies and special assemblies and have full voting delegate status at Gwich'in Tribal Council assemblies and special assemblies;
- D. The *Canadian Corporations Act* and By-laws of the Gwich'in Tribal Council provide that the Gwich'in Tribal Council may, by Special Resolution, amend its By-laws;

BE IT RESOLVED THAT:

- 1. Section 4.2 of Gwich'in Tribal Council Amended and Restated By-law No. 1 be deleted in its entirety and replaced with the following:

"Composition of the Assemblies. Assemblies shall be composed of the following:

- (a) one (1) delegation of Active Participants from each of the four (4) Gwich'in Communities with each delegation from a Gwich'in Community consisting of:
 - (i) no fewer than five (5) and no more than ten (10) elected members from the applicable Gwich'in Community;
 - (ii) where possible, one (1) Elder (who shall serve as a representative of all the Elders in the applicable Gwich'in Community); and
 - (iii) where possible, one (1) Youth (who shall serve as a representative of all the Youth in the applicable Gwich'in Community);

with the individuals described in section 4.2(a)(i) being elected by the applicable Gwich'in Council in accordance with its own election procedures and the individuals in sections 4.2(a)(ii) and 4.2(a)(iii) being selected by the applicable Gwich'in Council in accordance with its own procedures;

- (b) ten (10) persons consisting of the Board, including the Executive;
- (c) two (2) delegates each from the Izhii Kaii'kit Tat Gwich'in in Yellowknife and the Gwich'in in the Yukon with such individuals being selected by the election procedures of the Izhii Kaii'kit Tat Gwich'in in Yellowknife and the Yukon Gwich'in respectively; and
- (d) as many observers as the Board agrees to have attend provided always that such observers shall not have the status of "Delegate".

- 2. Any two directors or officers of the Gwich'in Tribal Council be, and the same are hereby authorized, to do all things necessary or desirable to give effect to the foregoing.

Moved by: Edward Wright

Seconded by: Eliza Greenland

Question Called: CARRIED.

Motion #08:2010 AGA

WHEREAS the Gwich'in Comprehensive Land Claim Agreement provides for Gwich'in ownership of twenty one (21) parcels of land (comprising 6,158 square kilometres) over which the Gwich'in were granted full ownership over the surface of such lands (save for 93 square kilometres) and full ownership of all the mines and minerals thereunder;

AND WHEREAS the Gwich'in Tribal Council wishes to explore possibilities for oil and gas development and commercial opportunities with respect to such 21 parcels;

BE IT RESOLVED THAT the Gwich'in Tribal Council Board of Directors be directed to explore the possibilities for oil and gas development and commercial opportunities with respect to such 21 parcels and manage and enter into such legal arrangements respecting such lands when such commercial opportunities arise.

Moved by: Johnny Peterson

Seconded by: President Richard Nerysoo

Question Called: CARRIED

Motion #09:2010 AGA

WHEREAS Section 12.9.3 of the Gwich'in Comprehensive Land Claim Agreement provides that all Renewable Resource Councils shall be established by the community designated Gwich'in organizations but is silent with respect to the selection of individuals for such councils, their term, etc.;

BE IT RESOLVED THAT the Gwich'in Tribal Council be directed to work with the designated Gwich'in organizations to put in place bylaws that address the election, term and responsibilities of Renewable Resource Council members.

Moved by: Chief William Koe

Seconded by: Melba Mitchell

WITHDRAWN

Motion #10:2010 AGA

WHEREAS the community of Fort McPherson has the largest population of elders in the four Gwich'in communities;

AND WHEREAS the community has been lobbying for a Level 3 long term care facility to be located in Fort McPherson for some time;

AND WHEREAS there are also concerns about the long term viability of the Joe Greenland Centre in Aklavik having regard for the current state of funding;

BE IT RESOLVED THAT the Gwich'in Tribal Council be directed to support:

- (a) the Tetlit Gwich'in Council in its lobbying efforts to the Government of the Northwest Territories with respect to the establishment of a Level 3 long term care facility in Fort McPherson; and
- (b) the Ehdiiat Gwich'in Council in its lobbying efforts to the Government of the Northwest Territories with respect to ensuring sustained funding for the Joe Greenland Centre in Aklavik.

Moved by: Edward Wright

Seconded by: Kathy Nerysoo

Question called: CARRIED

Motion #11:2010 AGA

WHEREAS Section 3.5.1 of the Yukon Transboundary Agreement provides that the Tetlit Gwich'in shall manage and control the use of Tetlit Gwich'in Yukon lands including:

- (a) the development and administration of the land management programs and policies; and
- (b) the charging of rents or other fees for the use and occupation of Tetlit Gwich'in Yukon lands;

AND WHEREAS Section 7.1.1 of the Gwich'in Comprehensive Land Claim Agreement provides that all rights exercisable by a designated Gwich'in organization and all obligations to which a designated Gwich'in organization is subject may be assigned by the Gwich'in Tribal Council and reassigned from time to time provided that such reassignment shall not adversely affect the exercise of rights or the performance of obligations contemplated by the Gwich'in Comprehensive Land Claim Agreement;

AND WHEREAS Section 3.1.2 of the Yukon Transboundary Agreement provides that title to the Tetlit Gwich'in Yukon land shall rest in the Gwich'in Tribal Council;

BE IT RESOLVED THAT the Gwich'in Tribal Council work with the Tetlit Gwich'in Council to develop a common understanding of the provisions of the Yukon Transboundary Agreement as they apply to the Tetlit Gwich'in Yukon lands and from that take such steps as may be necessary to give effect as to the agreed upon intent.

Moved by: Johnny Peterson

Seconded by: Chief William Koe

Question Called: CARRIED

Motion #12:2010 AGA

WHEREAS the Gwich'in Annual General Assembly in 2009 passed the following resolution:

“Resolution #12

WHEREAS the construction of the Mackenzie Highway would represent significant opportunities for the Gwich'in people; *BE IT RESOLVED THAT* the Gwich'in Tribal Council be directed to develop and implement a plan with respect to taking steps to facilitate the construction of the Mackenzie Highway and to prepare the Gwich'in people for the possible construction of the Mackenzie Highway; *BE IT FURTHER RESOLVED THAT* the Gwich'in Tribal Council prepare a report on the status and results of the work for 2009 and 2010 and present to the 2010 Gwich'in Tribal Council Annual General Assembly. Moved by: Chief Herbert Blake; Seconded by Bernice Furlong; Question called: CARRIED”

AND WHEREAS the Gwich'in Tribal Council, with support from the Mackenzie Aboriginal Corporation, took the lead role and submitted a proposal to the Government of the Northwest Territories and the Government of Canada for funds to begin the preliminary design on an all weather road and the installation of fibre optic cable from Inuvik to Wrigley and, importantly, through the Gwich'in Settlement Area;

AND WHEREAS in January 2010 in response to the leadership of the Gwich'in Tribal Council and Mackenzie Aboriginal Corporation, the two governments committed \$7 million dollars to conduct Project Description studies ("PDR") from Wrigley to Inuvik in the three Dene/Gwich'in regions - the first "phase" of the overall project;

AND WHEREAS the Gwich'in Tribal Council signed an agreement with the Government of the Northwest Territories to manage the PDR work within the Gwich'in Settlement Area and subsequently the Gwich'in Tribal Council hired Mackenzie Aboriginal Corporation and work on the PDR began in May 2010 and will continue until spring 2011;

AND WHEREAS the initial consultation about the PDR in each community suggests general support for an all-weather highway through the Gwich'in Settlement Area provided:

- (a) the road alignment and development is approved by the governing institutions created pursuant to the Gwich'in Comprehensive Land Claim Agreement;
- (b) the project is planned to be environmentally sensitive with specific concerns about the use of bridges rather than culverts; and
- (c) appropriate surface treatments are utilized to minimize impact through the Travaillant lake area and to improve the approaches to bridges; institutions created pursuant to the Gwich'in Comprehensive Land Claim Agreement;

AND WHEREAS the completion of the PDR is the first phase or step towards opening of the Mackenzie Valley highway, but additional support and funds will be needed from the two other levels of government for the next phases of the overall project;

AND WHEREAS the two other levels of government have indicated that their further support for the Mackenzie Valley Highway is contingent upon all of the aboriginal regions publicly committing to work together on the Mackenzie Valley highway project as a priority for the Mackenzie Valley region;

AND WHEREAS the Premier of the Northwest Territories has invited the leaders of each of the regions to work with the Government of the Northwest Territories to develop a "vision" for the future and to work together to make that vision a reality;

AND WHEREAS the Government of the Northwest Territories have indicated that there are 4 priority projects between them and the federal government - one of which is the Mackenzie Valley highway;

BE IT RESOLVED THAT:

1. The 27th Annual General Assembly confirms that the construction and operation of the Mackenzie Valley highway and installation of fibre optic cable in the "*Mackenzie Valley Highway to Tuktoyaktuk*" project through the Gwich'in Settlement Area is the priority project;

2. Further, the 27th Annual General Assembly directs the President and the Gwich'in Tribal Council to work publicly and actively with the leaders of the Sahtu, Deh Cho and Inuvialuit regions to reach an agreement or understanding of cooperation to promote the Mackenzie Valley highway including the installation of fibre optic cable from Wrigley to Tuktoyaktuk;
3. Further, the 27th Annual General Assembly directs the President to work with the Premier and to actively support a vision that includes the construction and operation of the Mackenzie Valley highway as a priority project;
4. Further, the 27th Annual General Assembly directs that the President and the Gwich'in Tribal Council Board of Directors continue to report progress to communities with an emphasis on early identification of job and training opportunities in this and the other phases of this project; and
5. Further, the Gwich'in Tribal Council be directed to work with the other regions affected by the Mackenzie Valley highway in an effort to have the Government of the Northwest Territories and Aurora college offer training programs targeted to job opportunities associated with the operations and construction of the highway (e.g. business, construction, tourism, etc.).

Moved by: Chief Herbert Blake

Seconded by: James Cardinal Jr.

Motion # 13:2010 AGA

WHEREAS the yearly funding which is received for operating the Gwich'in Teaching and Learning Centre, also known as the Gwich'in Language Centre in Fort McPherson, from the Beaufort Delta Education Council has been decreased again, from \$115,000 to \$90,000, and which has not positively changed since 1989;

AND WHEREAS the second language curriculum for the Gwich'in is being piloted since 2006 into the schools within the Beaufort Delta communities of Aklavik, Inuvik, Tsiigehtchic, and Fort McPherson;

AND WHEREAS the second language curriculum has been enhanced to promote our Gwich'in Language and our funding has been decreased with little or no concern regarding the status of our ever declining language and for funding future workshops to be held to truly enhance and modify the current second language curricula;

AND WHEREAS the most recent Government of the Northwest Territories statistics regarding our Gwich'in language show that it is headed for extinction, such that the situation calls for immediate reconsideration as a result of the changes that are predicted;

BE IT RESOLVED THAT the Gwich'in Tribal Council's leadership be directed to seriously lobby the Government of the Northwest Territories Minister of Education, Culture and Employment to reconsider further reinstating and increasing funding levels for the operation of the Gwich'in Teaching and Learning Centre.

Moved by: Edward Wright

Seconded by: Kathy Nerysoo

Question Called: CARRIED

Motion #14:2010 AGA

WHEREAS the community of Tsiigehtchic is the only one of the four Gwich'in communities without a high school such that is a parental responsibility to find appropriate accommodations for children - either in Inuvik or Fort McPherson;

AND WHEREAS the community of Tsiigehtchic would like to establish a facility for these children in Inuvik with a safe and positive environment with tutor's and weekend land activities available;

BE IT RESOLVED THAT the Gwich'in Tribal Council be directed to coordinate a meeting with representatives from the Gwich'in Tribal Council, the Gwichya Gwich'in leadership, the appropriate ministries in the Government of the Northwest Territories and Indian and Northern Affairs Canada with a view to exploring the possibility of funding such a facility.

Moved by: John Firth

Seconded by: Georgie Niditchie

Question called: CARRIED

Motion #15:2010 AGA

WHEREAS in the area of Fort Providence the ferry operation starts at 6:00 am;

AND WHEREAS the Mackenzie and Peel River ferry system commence operations at 9:00 am which creates significant difficulty for the community;

BE IT RESOLVED THAT the Gwich'in Tribal Council be directed to lobby the appropriate governmental ministers to have the Mackenzie and Peel River ferry system commence operations no later than 7:00 am.

Moved by: Chief Frederick Blake

Seconded by: James Cardinal Jr.

Question called: CARRIED

Motion #16:2010 AGA

WHEREAS currently each community is given a certain number of grizzly bear tags;

AND WHEREAS most Gwich'in who harvest grizzly bears have difficulty receiving a fair price for their harvest;

AND WHEREAS there is currently no clear policy on guided hunts in the Gwich'in Settlement Area including those relating to grizzly bears or moose;

BE IT RESOLVED THAT the Gwich'in Tribal Council be directed to work with the Gwich'in Renewable Resources Board and the Renewable Resource Councils develop a policy on commercial harvesting in the Gwich'in

Settlement Area to carry out commercial outfitting in the Gwich'in Settlement Area (having regard to the provisions of the Gwich'in Comprehensive Land Claim Agreement).

Moved by: Chief Frederick Blake

Seconded by: Johnny Peterson

Question called: CARRIED

Motion #17:2010 AGA

WHEREAS there is no clear and consistent policy with respect to the use of alternates at Gwich'in Tribal Council assemblies;

AND WHEREAS it is generally recognized that the use of alternates can be an efficient way to ensure that meetings are sufficiently attended so as not to lose quorum;

BE IT RESOLVED THAT the Gwich'in Tribal Council be directed to consider establishment of a clear and consistent policy with respect to the use of alternates at assemblies.

Moved by: Chief William Koe

Seconded by: John Norbert

WITHDRAWN

Motion #18:2010 AGA

WHEREAS the Gwich'in Comprehensive Land Claim Agreement is absolutely fundamental to the Gwich'in people;

AND WHEREAS, given this fundamental importance, it is critical that the Gwich'in people understand the contents of the Gwich'in Comprehensive Land Claim Agreement;

AND WHEREAS, it is particularly important to ensure that Gwich'in participants have a good knowledge and a working understanding of the Gwich'in Comprehensive Land Claim Agreement with special emphasis on teaching the youth who represent the future leadership of the Gwich'in people;

BE IT RESOLVED THAT, the Gwich'in Tribal Council recommend to the Implementation Committee that they develop an educational program with the goal of educating Gwich'in participants as to the contents and importance of the Gwich'in Comprehensive Land Claim Agreement with a particular focus on ensuring the youth understand the importance, contents and impact of the Gwich'in Comprehensive Land Claim Agreement and Treaty 11 so as to prepare them for future leadership.

Moved by: Bella

Seconded by: Charlie Snowshoe

Question called: CARRIED with 1 opposed, 1 abstention

Motion #19:2010 AGA

WHEREAS Section 5.2 of Gwich'in Tribal Council Bylaw No. 1 provides that the Annual General Assembly must be held on an annual basis;

AND WHEREAS the Gwich'in Tribal Council is now fully responsible for the costs of Annual General Assemblies and it is recognized that the costs of holding an Assembly are significant;

BE IT RESOLVED THAT the Gwich'in Tribal Council be directed to examine various options to ensure that the Annual General Assembly be as cost effective as possible with possible solutions examined including holding the Annual General Assembly once every two years and the use of fundraising to assist with defraying costs;

AND BE IT FURTHER RESOLVED that the Gwich'in Tribal Council be directed to report its findings to the next Annual General Assembly.

Moved by: Eliza Greenland

Seconded by: President Charlie Furlong

Question called: CARRIED with 8 opposed, 2 abstentions

Motion #20:2010 AGA

WHEREAS the Gwich'in Tribal Council has established a Land Use Fee Schedule (as part of the Gwich'in Tribal Council Land Management and Control Guidelines) that addresses, among other things, fees payable with respect to applying for and accessing a quarry with the application fee being \$8,637.83 and the access admin fee being \$12,956.77 per year;

AND WHEREAS the fee schedule in this respect is prohibitively expensive for small Gwich'in contractors engaged in small scale gravel use to access the gravel they need;

BE IT RESOLVED THAT the Gwich'in Tribal Council be directed to review the Land Use Fee Schedule as it relates to quarry permits with a view to determining whether the fees are suitable and equitable for small Gwich'in contractors engaged in small scale gravel use.

Moved by: Chief William Koe

Seconded by: Johnny Peterson

Question called: CARRIED with 5 opposed and 1 abstention

Motion #21:2010 AGA

WHEREAS the Premier of the Northwest Territories has an initiative to engage students/youth to discuss issues of importance and concern with them and, in particular, to discuss their vision for the future and the role of government moving forward;

AND WHEREAS a meeting with the Premier would present an excellent opportunity for Gwich'in youth to have their voices heard and unique perspectives addressed;

BE IT RESOLVED THAT the Gwich'in Tribal Council be directed to work with the Government of the Northwest Territories to coordinate a meeting with the Premier of the NWT for Gwich'in youth so as to give them an opportunity to be a part of the Premier's initiative and to have their voices heard.

Moved by: John Norbert

Seconded by: Elizabeth Hansen

Question called: CARRIED