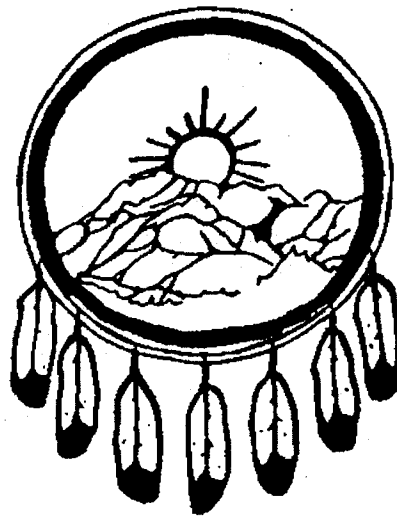


?AKISQNUK FIRST NATION

**COUNCIL
CODE OF CONDUCT**

APRIL 2004



?AkisqnuK First Nation
PO Box 130
Windermere, BC
V0B 2L0
250 342 6301

ʔAKISQNUK CODE OF CONDUCT

All Council members duly elected to the ʔAkisqnuq Council (hereinafter referred to as the "Council Members") recognize and acknowledge all responsibilities and liability prescribed by custom and by-laws and by current ʔAkisqnuq Policies and those, which are duly put into force during the counsellors term in office.

The undersigned ʔAkisqnuq Council Member(s) do hereby promise to conduct themselves as per the following code of conduct and accept that breaching of this promise will be cause for termination of their position on Council *pursuant to the Columbia Lake Indian Band (ʔAkisqnuq First Nation) Custom Election Regulations*.

CONDUCT

The office of Council carries with it certain obligations, each Council member will take diligent personal responsibility to ensure these obligations are carried out.

To Band Membership:

I will endeavour at all times to protect the interests of Band Membership on the whole. I will strive to practice and promote sound leadership and accountability. I will listen to concerns with an open mind and implement decisions respectfully. I will act as a role model at all times.

To Myself, as a member of Council:

I will guard my competence, professionalism and effectiveness as a valuable asset. I will work to maintain them despite challenging situations and changing circumstances. I will demonstrate the highest personal standards of moral responsibilities, character, and integrity when acting in my Council capacity. I also recognize that the Band members have varying opinions and will do my best to differentiate between an individual's concern and the best interest of the Band as a whole.

To My Fellow Council Members:

I will treat my fellow Council members with integrity and respect. I acknowledge that each Council member has a right to their own opinion based on their own values. I will listen with both, my head and my heart, and will not pass judgement. I will contribute to the Band business at hand, to the best of my ability. If my own emotions or biases are a hindrance to constructive discussions and practical decisions, I will respectfully express my concern, and either go on record as refraining from the discussion and subsequent decision or support the majority.

To the Band as an Organization:

I will give conscientious service to further the Band's best interests as guided by the current strategic plan. I will support the Nation's Vision Statement, the Community Mission Statement and the Organizational Goals.

To the Band's Employees:

I will respect their rights as individuals. I will interact with Band employees with respect and diplomacy. I will refrain from interfering with day to day work related activities, and will observe the processes set out for interacting with employees. I will refrain from passing judgement or making accusations against employees. I will utilize proper procedures when providing constructive feedback.

- 1) Council members shall be in attendance at all duly convened Akisqnuq Community and Council meetings, unless excused by the Council or prevented from attending by illness, family crisis, conflicting Band Business, or other reasons beyond the individual's control.
- 2) Council members shall conduct their personal and professional lives in such a manner as not to discredit the Band's image or reputation in any way. Council member shall act as role models and will always be expected to set a good example for Band members.
- 3) Council members shall be committed to the progress of the Band as a whole. This includes the preservation and maintenance of the Ktunaxa Language and Culture, as well as the economic and social well being of the Band.
- 4) Council members shall abstain from involving him/herself in Band Business, which may be perceived as a conflict of interest or nepotism. Any such conflicts must be fully disclosed prior to discussion of the business at hand.
- 5) Council members shall not knowingly exclude or prevent another Council member from receiving information, which may lead/mislead that discussion and subsequent decisions regarding Band business.
- 6) Council members shall not knowingly misrepresent the Band or provide misleading information when conducting business on behalf of the Band.
- 7) Council members shall not use their Council status for the personal gain of themselves, their family and/or their friends.
- 8) Council members shall not knowingly submit, support, or withhold information of a false statement of expenditure.
- 9) Council members shall not accept payments, loans, services, entertainment and travel and or gifts of any nature from any individual or from the representative of any business doing, or seeking to do, business with the Band.
- 10) Any incidence of embezzlement, fraud, or misappropriation of funds will be cause for immediate expulsion from Band Council.

- 11) Council members shall accept responsibility for informing him/herself as to the particulars of all cheques, Band Council Resolutions, contracts, etc, before placing his/her signature on them. Council members shall not sign any cheque, Band Council Resolution, contract, etc., which is contrary to Band policies and procedures in force at the time. Failure to inform oneself of the current policies and/or procedures does not relieve the Council member from this responsibility.
- 12) Council members shall, in representing the Band, do so in a manner, which reflects the best interest, aspiration, and beliefs of the Band membership as a whole. Council members shall do so to the best of his/her abilities in all aspects of Band business. All Council members shall be fully accountable to the Band membership for his/her actions regarding Band business.
- 13) Council members shall, in representing the Band ensure that the other Council members and Band membership is kept informed of information in regards to decisions, programs, services etc., which may affect or be of interest to them.
- 14) Council members shall involve themselves in community functions and activities, and will remain approachable.
- 15) Council members shall provide unbiased leadership and demonstrate respect, honesty, reliability and integrity.

Chief

Councillor

Councillor

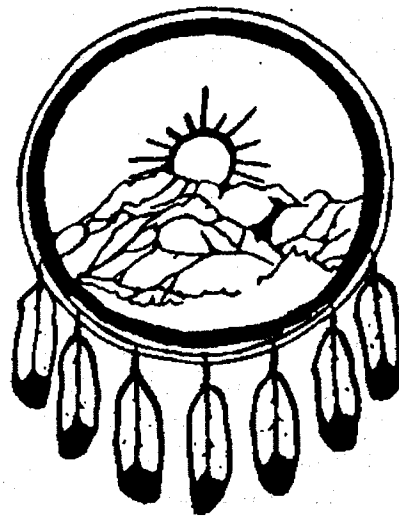
Councillor

Councillor

?AKISQNUK FIRST NATION

**COUNCIL
TERMS OF REFERENCE**

APRIL 2004



**?Akisqnuq First Nation
PO Box 130
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ʔAKISQNUK COUNCIL TERMS OF REFERENCE

The ʔAkisqnuq Council shall be elected by the members of the ʔAkisqnuq Community following the Columbia Lake Indian Band (ʔAkisqnuq) Custom Election Regulations (CLIBCER) as amended from time to time. There shall be one (1) Chief and four (4) Council members to serve a four or three year term respectively.

ROLES AND RESPONSIBILITIES

Governance

The governance role of Council is to develop and implement policy that will strive to:

1. Ensure accountability of Band Council, staff and membership.
2. Ensure fair and equitable treatment of individuals who use Band administered programs and services.
3. Ensure the health and safety of persons residing within reserve boundaries.
4. Ensure that the Band's assets and resources are utilized in an economical and respectful manner.

Leadership

The leadership role of Council is:

1. To act as role models for the community.
2. To provide general direction in regards to the Band's economic, cultural and social growth through strategic planning.
3. To interact with other levels of government including other First Nations and the Ktunaxa/Kinbasket Tribal Council.
4. To represent and uphold, to the best of their ability, the Band's interests, rights and responsibilities in regards to Aboriginal Rights and Titles, land claims and other relevant issues.
5. To employ and empower the Directors.

ʔAkisqnuq COUNCIL MEETINGS

Frequency:

Meetings shall be held preferably twice per month but at least once monthly, as determined by Chief and Council. There shall be no regular ʔAkisqnuq Council meetings during the month of August, unless urgent business arises.

Quorum:

The quorum of Council shall be three. The Chairperson shall be included when determining quorum.

Chairperson:

The Chief Councillor shall also serve as the Chairperson. The Chairperson shall determine if quorum is present, facilitate the meeting and maintain order for the duration of the meeting.

The Chairperson shall conduct the meeting in accordance with Robert's Rules of Order.

The Chairperson shall be allowed to introduce, second and vote on motions. The Chairperson shall not have casting vote.

Decisions:

All efforts shall be made to reach consensus when making decisions. However, after reasonable effort has been made to reach consensus without success, a Council member may call for a vote.

Majority shall rule.

Prayer:

Each meeting will start with a prayer. The prayer shall be given on a rotational basis, by each Council member in turn.

Agenda:

The agenda shall be prepared by the Council Administrative Assistant. Council, Staff and Band membership shall be given the opportunity to add items to the agenda for discussion. All agenda items must be forwarded at least three working days prior to the meeting date.

The agenda, and any information pertaining to the agenda, shall be forwarded to Council members in advance of the meeting in order for Council members to review the agenda and information.

Only items of the utmost urgency shall be added to the agenda after the agenda has been prepared and circulated. Additional agenda items, not added to the agenda between the time that the agenda is prepared and the commencement of the meeting, shall be placed on the agenda of the next scheduled meeting.

The Department Directors will review the council meeting agenda prior to the meeting, in order to determine if there are any items that could be handled by the Directors.

The meeting agenda shall be accepted by a formal motion.

Minutes:

The Administrative Assistant shall record the meeting minutes and shall distribute the minutes to Council members for review at least one week prior to the next scheduled meeting.

The minutes of the previous meeting shall be reviewed as the first order of business after the acceptance of the agenda. Corrections, omissions and other changes shall be identified at that time and the minute will be revised accordingly.

Minutes of all Council meetings shall be placed in a binder by the Administrative Assistant in sequential order and kept at the Band Office.

As the minutes are the official record of decisions, Members wishing to review the minutes, can do so in the presence of a Council or Staff member.

Old Business Arising From the Minutes:

The Chairperson shall review the minutes to identify items which do not appear on that meeting's agenda, but remains outstanding from those minutes. An update on these items shall be provided by the Administrative Assistant.

Old Business:

Any items that were left outstanding from previous meeting agendas should be placed on the agenda under this heading. These items shall be addressed before new business.

New Business:

All new items of business for discussion shall be placed on the agenda. Any information that must be reviewed by Council prior to the discussion shall be provided to Council in advance of the meeting.

Adjournment:

After all agenda items have been dealt with, a Council member may call for adjournment. No business shall be dealt with once the call for adjournment has been made.

ACCOUNTABILITY

The Chief and Council shall ensure that proper policies and procedures are in place in order to ensure accountability by Council, Staff and Membership in regards to Financial

Resources, Human Resource, Band property (land, housing, equipment, infrastructure, Band owned businesses, etc.).

All Chief and Council shall abide by all policies and procedures. Should it become necessary to temporarily deviate from established policy and/or procedure, a quorum of council must first determine that the deviation is warranted. Agreement to allow the deviation shall be duly recorded and signed by those Council members who have allowed such deviation.

Council shall ensure, through the delegation of duties to designated staff that important financial processes and documents including, contracts, leases, agreements, monthly and annual financial statements, annual audits, are duly prepared, initiated, and/or monitored.

All Council meetings and Council meeting minutes shall be open to the Band membership. The Band Council reserves the right to call in-camera sessions.

REPRESENTATION

From time to time, specific Council members will be asked to represent the Band Council at meetings, legal proceedings, political and other functions. In doing so, Council members shall set their personal interests aside and conduct themselves in a respectful manner, with the best interests of the Band in mind.

Representatives shall prepare for meetings by reviewing all information provided in advance of the meeting. The representative(s) shall arrive on time prepared to discuss any business or issues at hand.

Council members shall receive an honoraria for their service, as determined annually by the Chief and Council. This monthly honorarium shall include all representation on behalf of the Band. However does not include honorariums provided by an external source.

If any decision or dissemination of information is require as a result of the meeting, the representing Council member shall ensure that such is communicated to the rest of Council in a timely manner.

COMMUNITY MEETINGS

The Council shall schedule at least four Community meetings annually. Each Council member shall chair a Community meeting on a rotational basis. Council members are required to attend Community meetings. The Council member Chairing the meeting shall also deliver a Council report to membership and shall provide a report back to Council summarizing the Band meeting and identifying any direction given as a result of the Band meeting.

The Office Manager shall be responsible for preparing the agenda and taking minutes of the meeting.

?Akisqnuq Council

Terms of Reference

Approved April 5, 2004

Although a degree of criticism from membership is expected, Council and staff members are not expected to endure personal attacks, verbal or physical abuse. It is to the discretion of the respective Council member to determine when the line between criticism and abuse has been crossed or when they, or their staff, are in danger of physical abuse. At that time, the Council member is advised to close the meeting.

PLANNING

Council shall initiate and participate in long and short term planning in regards to the Band, its programs, property, and other resources. In particular, the Council will work co-operatively with the staff to update the Organizational goals, review and approve staff workplans and budgets prior to March 31 of each year.

The Council shall set aside one meeting a year to review and update the Physical Development Plan and the 5 year Capital Plan.

DECISION MAKING

Council shall make all decisions as a whole. No one council member shall take it upon him/herself to make a decision in isolation of the rest of Council.

If a matter requires an immediate decision, all efforts shall be made to contact, brief and poll each Council member through phone or email. If it is absolutely impossible to reach all Council members, at least three Council members must be polled.

In the event that a decision must be made as a matter of life, death or other imminent danger, one Council member may make the decision in his/her best judgement.

Decisions made outside a duly called Council meeting, shall be reported and recorded as part of the minutes at the next scheduled Council meeting.

INTERVENTION

Council shall refrain from intervening in the day to day operations of the Band. However, if it becomes necessary for the Council to intervene the following steps shall be followed:

1. The Director responsible shall be made aware of the problem/issue by Council, and asked to correct it.
2. If the problem is still not resolved, Council will sit down with the Director to further discuss the problem, look at efforts made to correct the problem to date, and determine further action.
3. If the problem remains unresolved, the Council may seek professional advice on the matter or if professional advice is deemed to be unwarranted, deal with the problem directly.

CONFLICT OF INTEREST

Conflict of interest may occur when a Council member is involved in making a decision that might result in the Council member or their immediate family receiving a direct benefit.

If there is a possibility that a Council member is in a Real or Perceived conflict of interest, the Council member involved shall disclose the possibility of conflict. The Council may then ask the Council member to withdraw from discussions and subsequent decisions regarding that specific matter. The Council member who declared a conflict of interest will remove themselves from the room. The time of the declaration, the time the Council member left the room, and the time the Council member returned to the meeting will be duly noted in the minutes.

If a Council member knowingly conceals a conflict of interest from the rest of Council, the remaining Council will assess the severity of the conflict, and shall deal with the situation accordingly, which may include a request for that Council member to resign from Council.

AMENDMENTS:

The Council shall review this Terms of Reference annually.

Changes to the Terms of Reference shall be made by a quorum of Council.

PROMISE TO ABIDE

We, the undersigned members of the ?Akisq̄nuk First Nation do hereby promise to abide by terms set out herein for the duration of our Council terms and accept the consequences prescribed in breach of the aforementioned.

Councillor Jason Nicholas

Councillor Beatrice Stevens

Councillor Lorne Shovar

Councillor Nelson Phillip

Chief Mary Jimmy