

LOCAL GOVERNMENT – FIRST NATIONS' RELATIONS

A PARTNERSHIP STORY

Stz'uminus First Nation & the Town of Ladysmith

LGLA – January 29, 2015



Our Story of NAUT'SA MAWT (Working Together)

- Historical Context
- Communities in Conflict 2000-2005
- Relationship Building 2006-2014
- Challenges and Successes
- Lessons Learned



The Cowichan Region

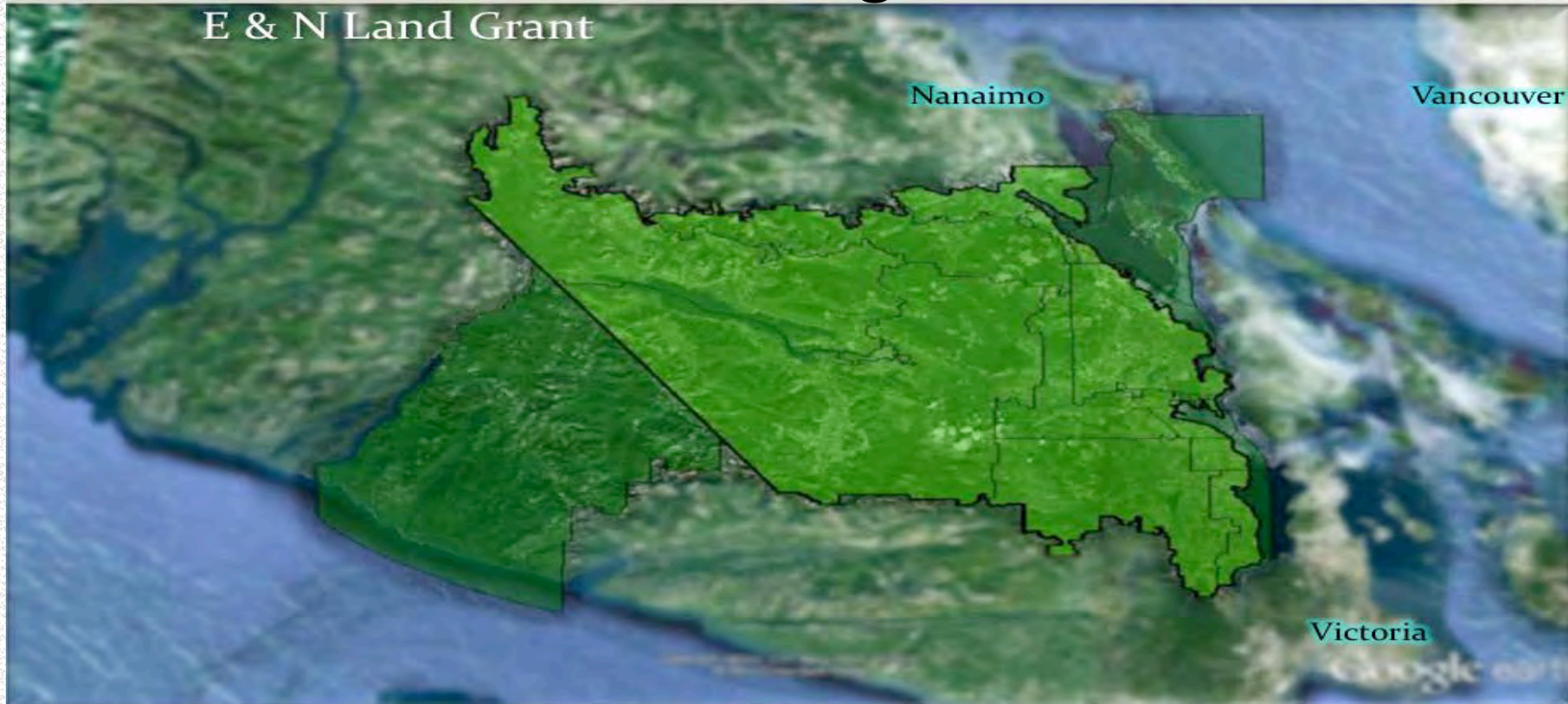


The Cowichan Region



The Cowichan Region

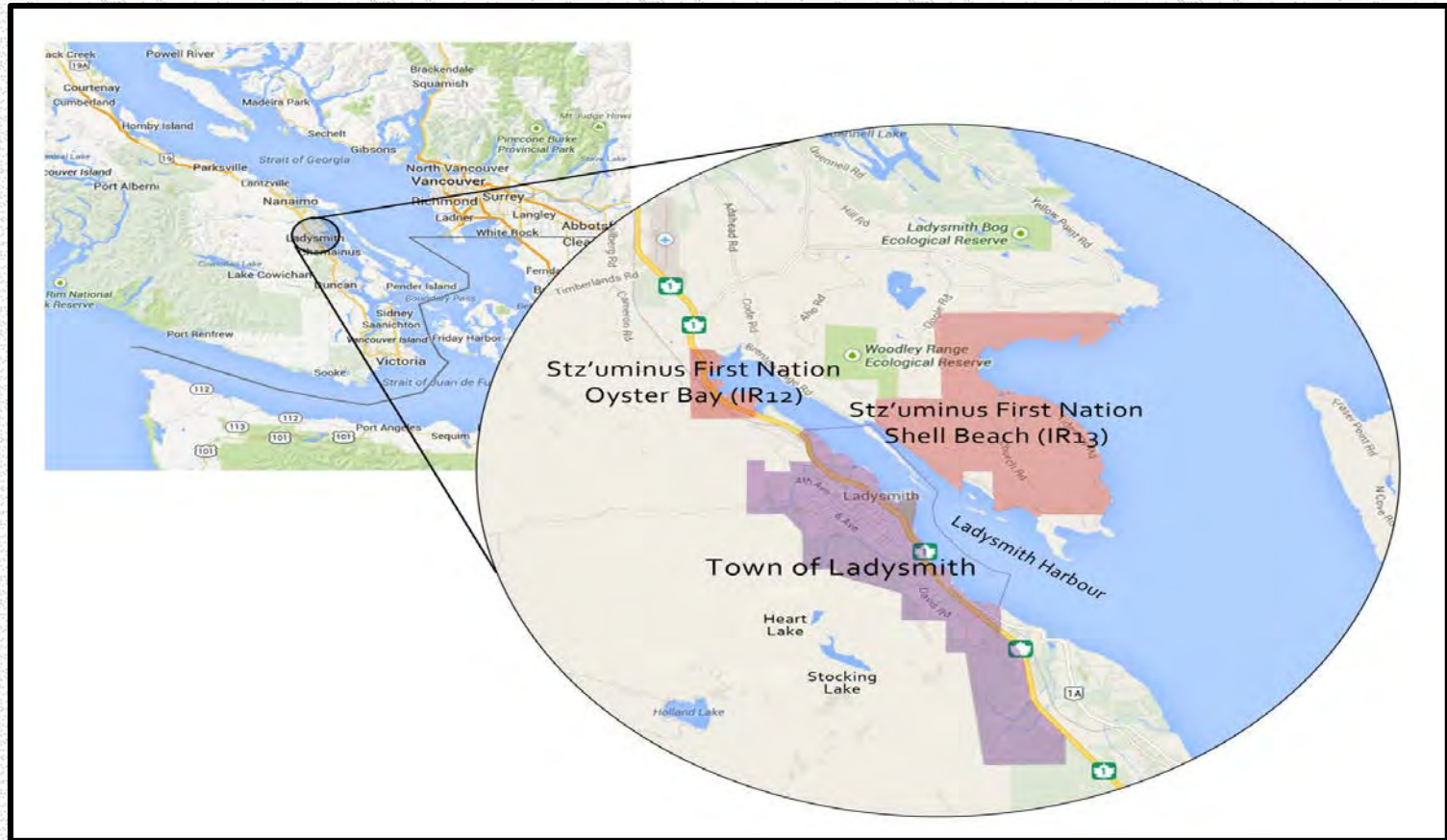
E & N Land Grant

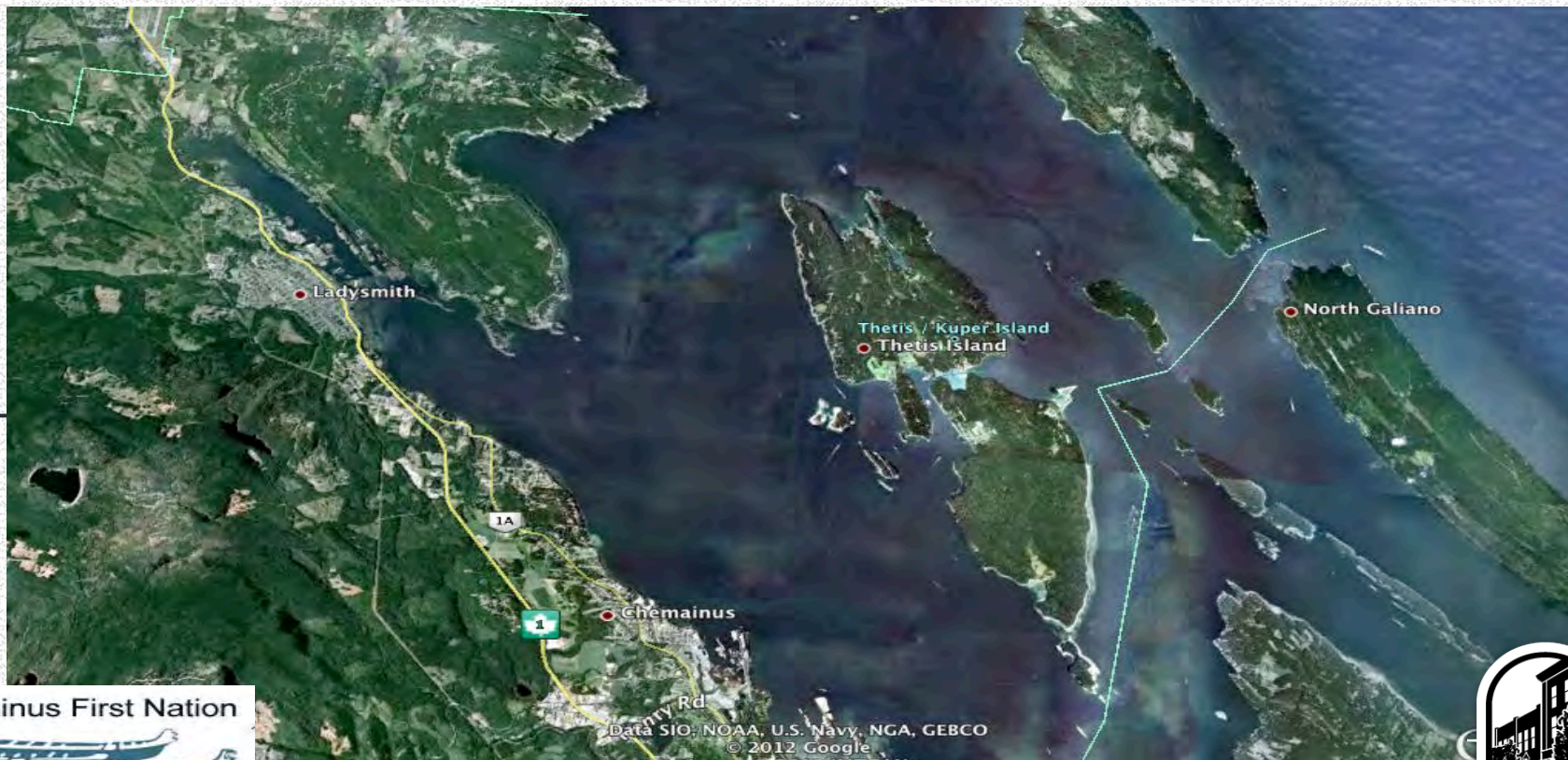


The Cowichan Region



We are located on the east coast of Vancouver Island





Stz'uminus First Nation



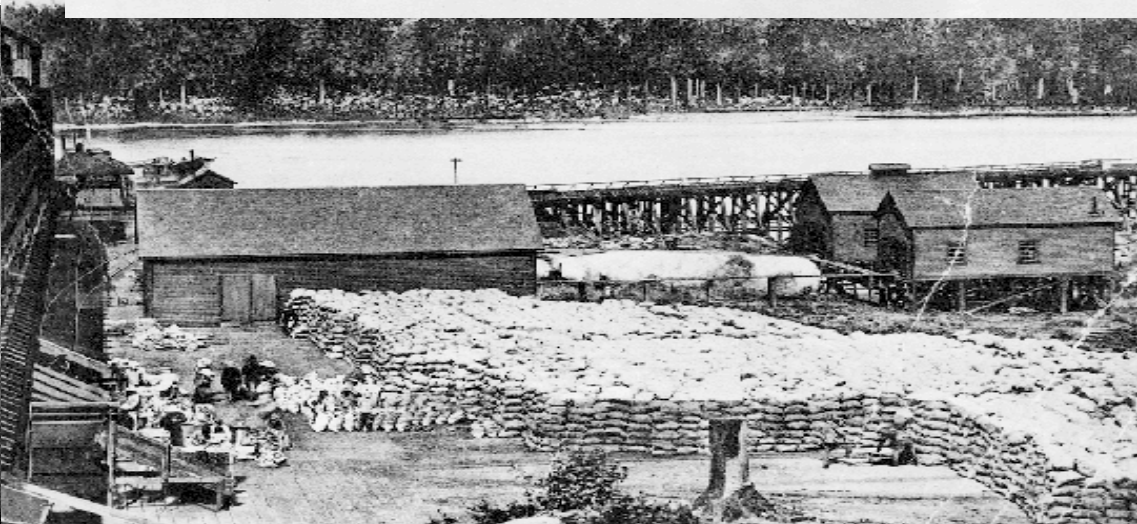
Stz'uminus Traditional Territory





Photo from BC Archives: Kulleet Bay Longhouses











Historical Context

- Population decimated by disease
- Relegated to Reserve Lands
- Loss of traditional territory
- Traditional food sources destroyed or disrupted
- Five generations of children sent to Residential Schools
- Population segregated and isolated
- Little or no Council to Council contact



Our Story of NAUT'SA MAWT (Working Together)

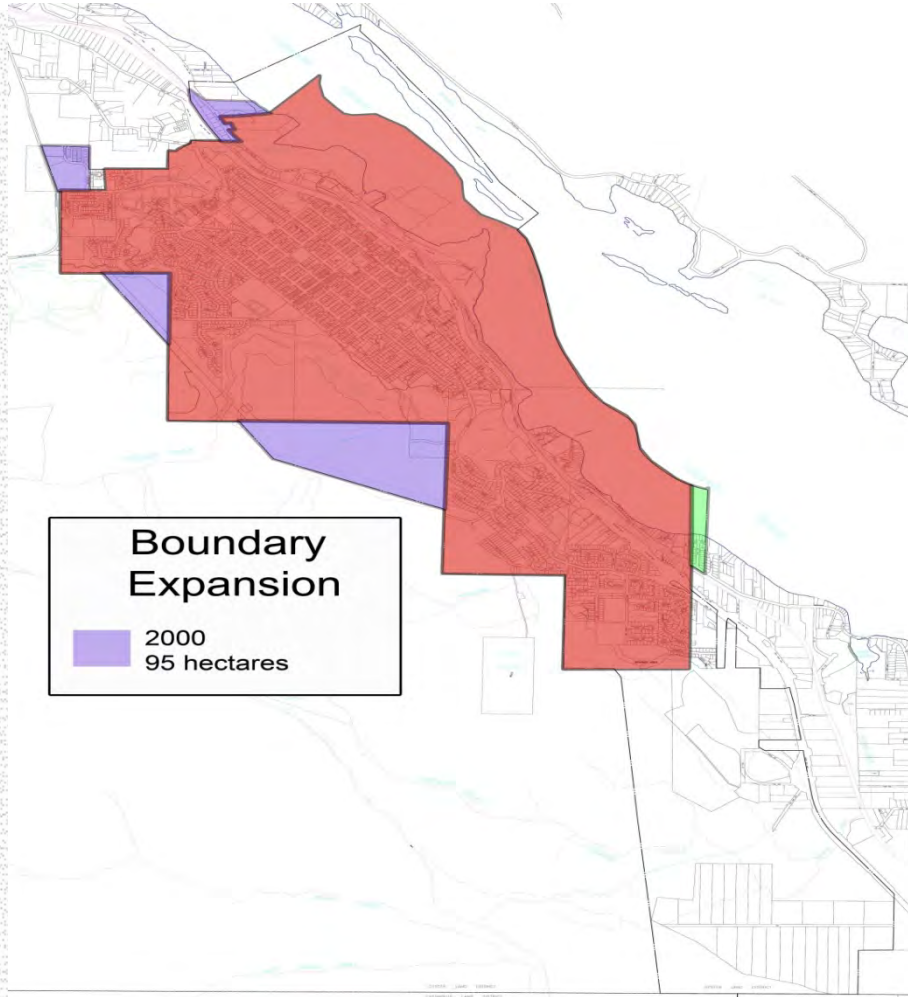
- Historical Context
- Communities in Conflict 2000-2005



2000

Boundary Expansion

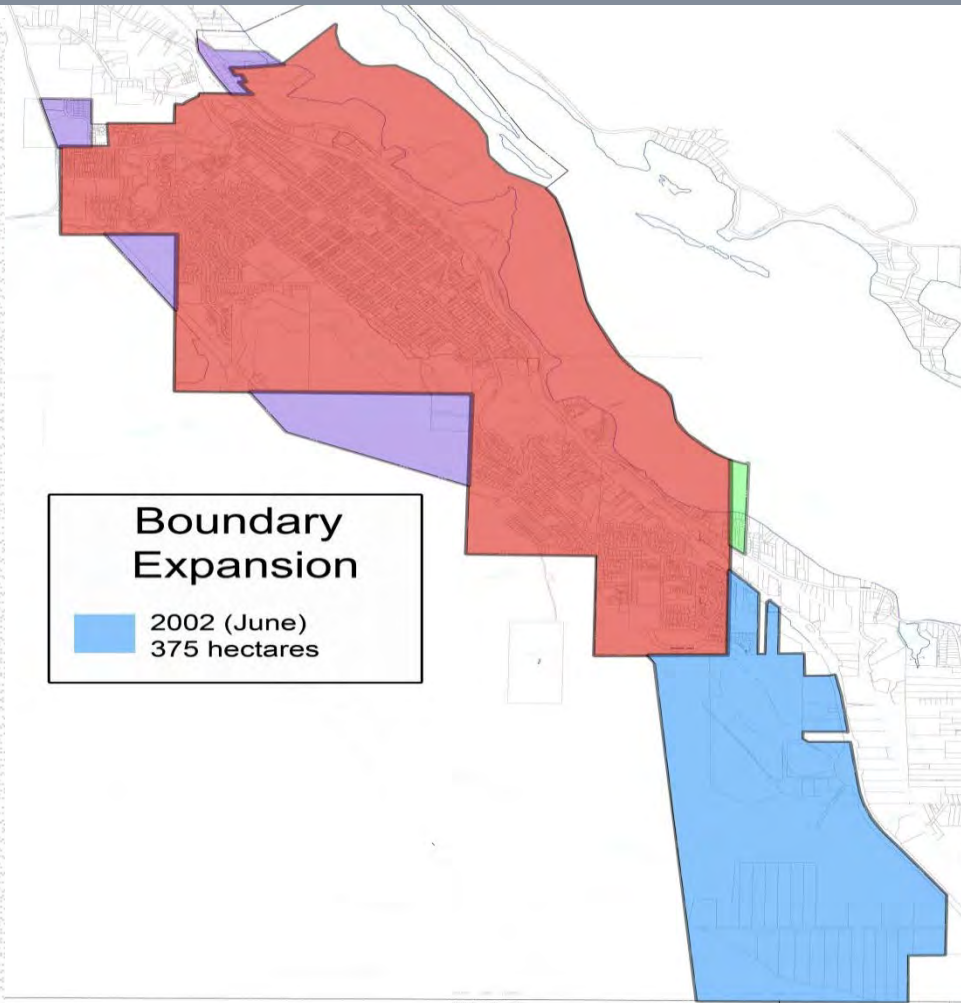
2000
95 hectares



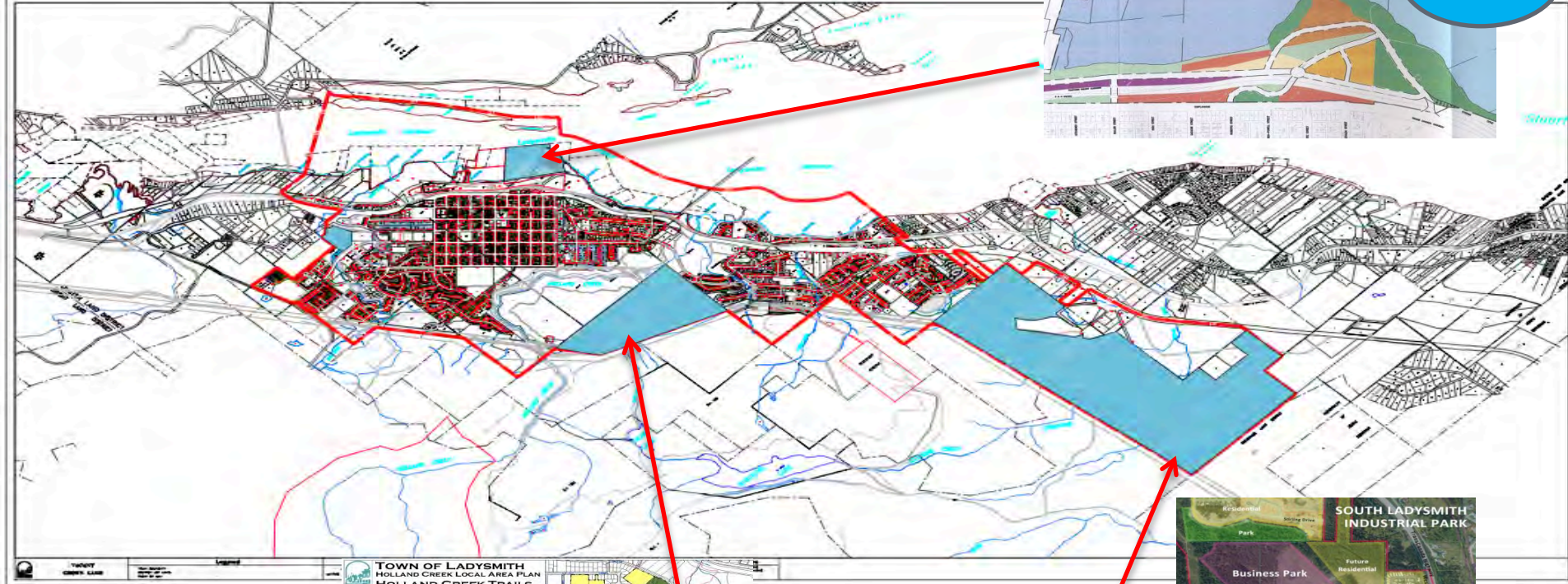
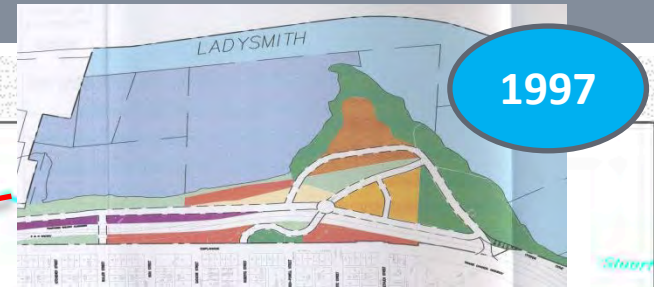
2002

Boundary Expansion

2002 (June)
375 hectares

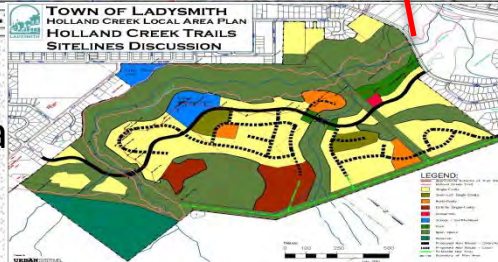


28% of Town Land Area is Crown Land



Holland Creek
Residential Area

2001



Industrial Park

2002



Open Reservoir

2001





New Arbutus Reservoir?

2004



Covered Reservoir Completed

2006





2004



2005



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BUILDING A SHARED HISTORY

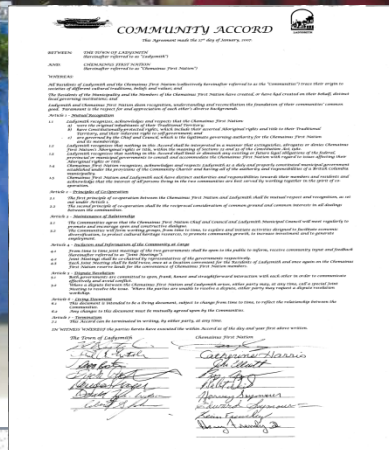
Starting in
2006

To realize our goals we had to do things differently.
We started with a shared goal to build a meaningful relationship.

- Monthly Joint Council meetings
- Held at the SFN Council table
- Over 40 joint council meetings and workshops since 2006
- Joint Council Dinners/Public Activities



COMMUNITY ACCORD SIGNING 2007





2007



2010





MEETINGS + DINNERS + CELEBRATIONS

We were starting to build a stronger relationship, trust, and friendship, Council to Council, but...to date there was no real action on shared interests.



LWMP statutory consultation required by MOE started the conversation.

2011

An “ah ha” Moment

SFN asked *“Is this consultation?”*

Town – “If this isn’t, what is consultation?”

- Awkward silence...
- Decision to have a joint session with respective lawyers
- Shared learning

2011



Our Story of NAUT'SA MAWT (Working Together)

- Historical Context
- Communities in Conflict 2000-2005
- Relationship Building 2006-2014
- Challenges and Successes



Taking Action

The Joint Councils formed a working committee with elected officials and staff to move beyond relationship building to working to achieve individual and joint initiatives

Working Committee - 3 appointed by each Council

- SFN – Chief, Administrator, Manager of Business Development
- Town – Mayor, City Manager, Director of Development Services

FIRST MEETING of Working Committee – FEBRUARY 2012

WHAT DID WE WANT TO DO?

- Outline shared & individual community interests
- Improve and access Town services (sewer and water)
- Develop a high-level MOU - how to move forward
- Develop process re consultation, using best practice guidelines
- Meet collectively to solve issues, include experts (legal
- Develop trust in the room (share food and experiences)
- Share governance models

WORKING COMMITTEE

Challenges

Successes

- Had little direction from the Joint Councils on our mandate.
- Had never worked together before in this manner.
- Had only a short history together.
- We all had agendas!
- The joint Councils didn't meet as regularly.

- We were all willing to spend time in the process.
- Learned about our organizations.
- Took on roles to move the process forward.
- Town learned to serve shortbread cookies!
- In the first year (2012) we met 14 times.

Sharing Knowledge AH HA!

When we reviewed our Community Accord of 2007.

- WHAT... No mention of implementation actions?
- WHAT... No inclusion of Stz'uminus language?
- WE CAN DO BETTER!
- OUR FIRST TASK WAS TO RENEW THE 2007 COMMUNITY ACCORD.



NAUT'SA MAWT (WORKING TOGETHER)

COMMUNITY ACCORD (May 2012)

New Article 4 – Implementation

- *The Communities agree to joint education on topics of mutual interest, including governance and consultation.*
- *The Communities agree to jointly develop external communication and messaging.*
- *The Communities agree to jointly develop further agreements such as Memorandums of Understanding, Protocols for Working Committees, Service Agreements and Joint Partnerships.*

NAUT'SA MAWT (WORKING TOGETHER) COMMUNITY ACCORD



NAUT'SA MAWT (WORKING TOGETHER) COMMUNITY ACCORD

This Agreement made the 25th day of May, 2012



BETWEEN: TOWN OF LADYSMITH
(hereinafter referred to as "Town of Ladysmith")

AND: STZ'UMINUS FIRST NATION
(hereinafter referred to as "Stz'uminus First Nation")

WHEREAS the Town of Ladysmith and Stz'uminus First Nation (collectively hereinafter referred to as the "Communities") trace their origins to different cultural traditions, beliefs and values; and
WHEREAS the Town of Ladysmith and Stz'uminus First Nation have created, or have had created on their behalf, different institutions; and
WHEREAS the Town of Ladysmith and Stz'uminus First Nation recognize and understand the foundation of their communities. Paramount is the recognition of each other's diverse backgrounds.

Mutual Recognition

The Communities recognize, acknowledge and respect that the Stz'uminus First Nation were the original inhabitants of their Traditional Territory; have Constitutionally protected rights, which include their asserted Aboriginal rights and title to their Traditional Territory, and their inherent right to self-government; and are governed by the Chief and Council, which is the legitimate governing authority for the Stz'uminus First Nation.

The Communities recognize that nothing in this Accord shall be interpreted in a manner that extinguishes, abrogates, diminishes or otherwise limits the meaning of Sections 25 and 35 of the Constitution Act, 1982.

The Communities recognize that nothing in this Accord shall limit or diminish any existing or future legal or equitable rights of the Stz'uminus First Nation with regard to issues affecting title and property ownership.

COMMUNITY ACCORD SIGNING 2012



JOINT COUNCILS CELEBRATE!



NEW WAYS OF WORKING TOGETHER

Over the next 12 – 18 months, we shared:

- History / Hurts Of The Past
- Community Interests
- Governance Models
- TIMELINES (We Didn't Always Agree!)
- Reasons Why We Couldn't Do Something
- Reasons Why We Had To Do Things A Certain Way
- Dreams And Ambitions
- Hopes Of Each Other

Other agreements quickly followed...

- Cooperation Protocol (July 2012)
- Memorandum of Understanding (October 2012)
- Terms of Reference for the Naut'sa mawt Steering Committee (October 2012)
- Used examples from other communities
- Used C2C Forum Guide

COOPERATION PROTOCOL

- Establishes a Steering Committee to implement the Protocol.
- Elected Councils meet annually to monitor and evaluate the implementation of the Protocol.
- Establishes cooperative planning and information sharing.
- **Lists 16 potential joint initiatives.**
- Protocol is in effect until July 1, 2017 or until replaced.
- It may be terminated with 6 months notice.

MEMORANDUM OF UNDERSTANDING

The Stz'uminus First Nation and the Town are building a working relationship based on mutual respect, cooperation, friendship and trust.

- Focus is on relations and partnerships
- Sets out expectations and goals

AGREEMENT SIGNING

- Water and Sewer Services
- Economic development initiatives on Crown Land
- Watershed Protection, etc.



STEERING COMMITTEE TERMS OF REFERENCE

The first task was to rename ourselves.

Naut'sa Mawt (Working Together) Steering Committee

- It sets out how we work together.
- All in attendance or don't meet.
- The meeting is chaired on an alternating basis.
- Meeting agendas are mutually determined.
- Meetings take place at Town Council Chambers.
- Town has taken on "secretariat" role – agenda, minutes, logistics, refreshments

TERMS OF REFERENCE continued

- Establish best practices
- Develop an information sharing and consultation framework.
- Joint Councils establish the strategic goals and priorities.
- NSC develops work plan for sign-off by individual councils.
- Report jointly to the regular joint Council meetings.
- Prepare an annual written report.

Meanwhile, Coast Salish Development Corporation was building a pipeline for economic development



SFN Request a Pause for Relationship Building C2C Event – March 2013 – Councils & Staff





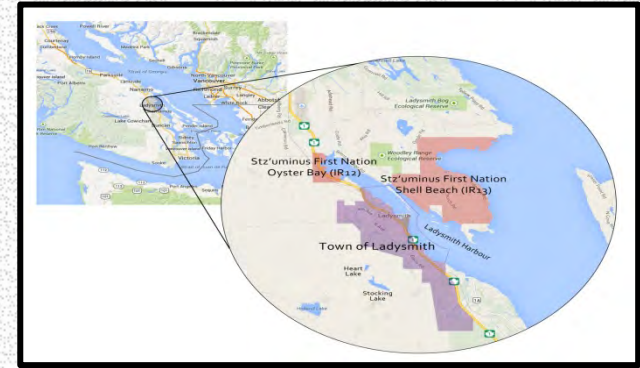


OUR PRINCIPLES GUIDE OUR AGREEMENTS

- We share the natural resources
- All residents should have access to services
- No subsidy / No profit
- Pay the same as a Ladysmith land developer / resident
- Fifth generation from now - no evidence of separate and divided communities

SERVICES AGREEMENT

- Initial focus: IR 12 Oyster Bay – Economic Development lands
- Access to the Town's water service and sewer service
- Used the FCM “First Nations – Municipal Community Infrastructure Partnership Program - Service Agreement Toolkit”
- Obtained legal assistance with drafting the agreement



OUR SERVICES AGREEMENT

The NSC spent 19 months on this Agreement from August 2012 to March 2014 – hundreds of hours of time.

We have staged our Agreements

- Interim Agreement – 100 units – due to our services capacity
- Final Comprehensive Agreement – due 18 months from now

The MOU and Interim Agreement establish service:

- IR 12 – 1000 units (Oyster Bay)
- IR 13 – 500 units (Shell Beach)

SERVICE AGREEMENT

Challenges

Successes

- Town was not familiar with AANAC funding.
- Our boundaries are not adjacent - Town had concerns about service connections on lands between SFN and Town.
- Town has capacity to run systems, SFN developing capacity
- Universal water metering is established in the TOL, but for the SFN it will be a challenge.
- Expertise and information from many staff required.
- Timing expectations drove the process.

- We received Capacity Building funding which assisted with this work.
- We were committed to success.
- Midden relocation was a hidden gem.
- Town is recognizing First Nation place names.
- The next agreement should be easier!





Dinner at the Mayor's House

OTHER WAYS WE ARE CONNECTING

2014

- SFN, Town, Chamber and LDBA are meeting together as a 'Partnership for an Economically Diverse Community'
- Town providing building inspection services for new construction on SFN lands

PADDLING TOGETHER COMMUNITY EVENT

- Bring the broader community into the work that you are doing.
- 80+ people attended
- Held at the new Stz'uminus community school
- Professional facilitator engaged us in fun activities
- We shared a meal together
- We mostly worked together in small groups
- We had one activity apart to speak to assumptions about ourselves that the other community might hold
- We grew in understanding and appreciation for one another



Challenges

- Hearing first hand about First Nations' experiences can be difficult.
- It is important to bring the broader community into your work.
- Confirm commitments frequently.
- CSDC seeking partners not necessarily with the Town.
- Town is a land use approval authority.

Successes

- We share meals together.
- We laugh and have fun.
- We can work together as one community.
- We have had unexpected insights.
- We had our first joint community event where 80+ people attended and it was a positive experience.

WORK PLAN IS IN PROCESS

2014

- Individual Councils review list of joint initiatives and make recommendations to Joint Councils
- Joint Council to set strategic goals and objectives
- NSC develops a yearly work plan and budget in response to Joint Councils' direction
- NSC Work Plan is signed-off by individual Councils

TOP 5 LESSONS

- #1 Spend time on relationship building
- #2 Don't rush the process - Our interests and priorities don't always agree
- #3 Bring new members along
- #4 Keep Councils involved & informed
- #5 Report to the community

WHERE WE ARE NOW

- The Chief and Mayor speak as one voice whenever possible.
- We are striving to be one together.
- SFN voted 96% in favour of First Nations' Land Management in 2013 ...one of only a few First Nations in Canada
- We have signed a MOU including water and sewer services for 1500 units.
- SFN has constructed water and sewer pipelines to connect Oyster Bay development lands to the Town.
- We have signed a Services Agreement for the first 100 units.

HOW WE ARE NOW

Quotes from TOL staff:

“It is quite natural to include SFN in our work.”

“We recognize SFN as part of the community.”

“Staff at all levels are engaging with SFN.”

“We often include the Chief in our media releases.”

“We no longer think of SFN in hindsight.”

“We know our peers and could pick up the phone to have difficult conversations.”

Questions?



Huy ch q'u.
Thank you.

