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'kitsilano' agreement
TRUSTEES
Bulletins:
SN Trustee's Bulletin No. 4 | October 3, 2000

> [BULLETIN 1 | Plan of Action for Squamish Nation Trust](#)

Kitsilano, Bouillon, & Omnibus Trust Actions Settlement

Administering the Settlement Funds from the Kitsilano, Bouillon and Omnibus Trust Actions

> [BULLETIN 2 | The "Comprehensive Plan"](#)

[See Below for Information Meetings Scheduled](#)

On September 15th, 2000, the government of Canada presented a cheque to the Squamish Nation in the amount of \$92,500,000. This money was immediately put into a Trust Account in the name of the Squamish Nation and will be held in trust until membership determines how it wishes to use these Funds.

> [BULLETIN 4 | Frequent Questions / Information Meetings & Vote](#)

According to the Trust Agreement which governs the Trust Funds and the Trustees, the wishes of the membership must be expressed in a document known as a "[Comprehensive Plan](#)". This Plan will be voted on by membership after extensive consultation and discussions. In order for the community to have these discussions, it will require a great deal of information and will raise a number of questions. This Bulletin begins to provide some of that information and address some of those questions. As time goes on, there will be many more questions. The Trustees will attempt to answer all questions.

> [SURVEY 1 | Developing a Comprehensive Plan](#)

Questions and Answers

Who is responsible for managing these Funds and carrying out the wishes of the membership?

Under the Trust Agreement, the Trust Funds are administered by five Trustees. One Trustee, known as the Administrative Trustee, is a professional trust company. The other four Trustees, known as the Nation Trustees, are



members of the Squamish Nation and appointed by the Squamish Nation. The Nation Trustees are Dick Williams, Bertha Joseph, Joanne Nahanee and Linda Calla.

Can the membership vote to distribute all of the Trust Funds?

No. The Trust Agreement prohibits a distribution of the full \$92,500,000. Section 4.5(o) of the Trust Agreement allows a one time distribution of up to 20% of the \$92,500,000. The Trustees would be prevented by law from distributing any more than 20%. In addition, section 4.5(p) of the Trust Agreement allows the Trustees to make a distribution every year of up to 20% of the income earned on the Trust monies.

Can there be a distribution before the members vote on a Comprehensive Plan?

No, section 4.6 of the Trust Agreement allows Trustees to pay out of the Trust Fund only for those purposes that are set out in the Comprehensive Plan. There must, in other words, be a Comprehensive Plan in place before the Trustees can pay out any money.—

Section 64(1) of the Indian Act allows for a possible distribution of up to 50% of capital monies.

Why can't the Trustees distribute up to 50%?

Section 64(1) of the Indian Act relates to "capital monies" of a band. Capital monies, in turn, are part of what is known as "Indian monies". These are monies that are held by the Department of Indian Affairs on behalf of the Band. However, under section 7 of the Settlement Agreement, the Squamish Nation and Canada agreed that the \$92,500,000 is specifically not "Indian monies". In other words, the Indian Act does not apply to these monies. The management and use of the money is governed by the Trust Agreement, not the Indian Act.

Does the Indian Act allow for a possible distribution greater than 20%? Why can't the Trustees distribute more than 20%?

Distribution under the Indian Act relates to "capital monies" of a band. Capital monies, in turn, are part of what is known as "Indian monies". These are monies that are held by the Department of Indian Affairs on behalf of the Band.

However, under section 7 of the Settlement Agreement, the Squamish Nation and Canada agreed that the \$92.5 million is specifically not "Indian monies". In other words, the Indian Act does not apply to these monies. The management and use of the money is governed by the Trust Agreement, not the Indian Act.

If membership votes for a distribution, will minors (members under the age of 19) be paid their distribution immediately?

No, section 4.7 of the Trust Agreement requires that a minor's distribution remains in trust until that person reaches the age of 19.

Will a minor's distribution earn interest until that person reaches the age of 19?

How do we know that the minor's distribution will actually receive the interest?

The Trustees are required to keep accurate accounts and show all interest earned on monies held in trust.

Why do we need a Comprehensive Plan?

A Comprehensive Plan is required by the Trust Agreement. More importantly, it is only through a Comprehensive Plan that membership can clearly express their desires about the best ways to use the Trust Fund.

Why are surveys of the members being conducted at this time?

Surveys are being conducted to gain information from the members about their wishes in using the money in trust. It is a method for the Trustees to better understand what the membership priorities are for developing a Comprehensive Plan. The Trust Agreement allows for a broad range of possible uses for the money. Some of these uses may be more important to membership than others. The Trustees need to know which possible uses are the most important to membership.

How will membership be assured that the Comprehensive Plan reflects their wishes?

The membership will have the final authority over the

Comprehensive Plan because that Plan must be passed by a Referendum Vote.

Squamish Nation Trust Referendum on Comprehensive Plan | Information Meetings Scheduled

| DATE | TIME | PLACE |
|------------------------------------|-------------------|---|
| Oct 18, 2000 (Wed) | 6:00 - 10:00 pm | RecCentre |
| Oct 19, 2000 | 6:00 - 10:00 pm | Squamish Valley - (Totem Hall) |
| Oct 21, 2000 (Sat) | 12:00 - 5:00 pm | Seattle - Doubletree |
| Oct 23, 2000 (Mon) | 6:00 - 10:00 pm | Youth - (Totem Hall) |
| Oct 25, 2000 (Wed) | 12:00 noon | Elders Luncheon - (Totem Hall) |
| Oct 26, 2000 | 6:00 - 10:00 pm | Youth - (SN RecCentre) |
| Oct 27, 2000 (Fri) | 12:00 noon | Elders Luncheon - (SNRecCentre) |
| FOLLOW-UP MEETINGS: | | |
| Nov 21, 2000 | 6:00 - 9:00 pm | 2nd Mtg - Squamish - (Totem Hall) |
| Nov 23, 2000 | 6:00 - 9:00 pm | 2nd Mtg - N Van - (SN RecCentre) |
| ADVANCED POLLING SCHEDULED: | | |
| Friday, November 24, 2000 | 8:30 am - 4:30 pm | 1.) N Van - EsIha7an Learning Centre, 345 West 5th St., N Van, BC 2.) Squamish Valley - Totem Hall, Squamish, BC |
| VOTING DAY SCHEDULED: | | |

| | | |
|------------------------------|----------------------|--|
| Sunday, November 26, 2000 | 9:00 am - 6:00 pm | 1.) N Van - Elders Centre, 100 Mathias Road, N Van, BC 2.) N Van - Eslihan Learning Centre, 345 West 5th St. N Van, BC |
| | 8:00 am - 5:00 pm | 3.) Squamish Valley - Totem Hall, Squamish, BC |

Please return your completed [survey](#) to our office as soon as possible. We look forward to seeing you at these upcoming meetings. We will keep you informed on the issues surrounding the Trust and the Comprehensive Plan.



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