



Unit# 103, 5668 - 192<sup>nd</sup> Street  
Surrey, BC  
V3S 2V7  
Tel: 604.557.5851  
Fax: 604.557.2024

March 31, 2017

Mr. Ken Fisher, President  
Nova Métis Heritage Association  
Unit 3 – 10604 King George Blvd.,  
Surrey, BC  
V3T 2X3

By Email

Dear Mr. Fisher:

Further to our exchange of emails following your letter of March 1, 2017, we have had the opportunity to review your letter, which was in response to ours dated January 19, 2017 regarding non-compliance with the MNBC Constitution and Community Governance Charter.

On behalf of President Clara Morin Dal Col, I can advise that after reviewing your letter we are not satisfied that Nova Métis Heritage Association is fulfilling its responsibilities and obligations to the MNBC Citizens in the Community.

The initial areas of concern are as follows:

Part 1 - Re: Number of Board members who are or are not Citizens

Your question: Can MNBC clarify how they formed their statement of 7 and the names?

Our response: In our letter of January 19, 2017 to the Board of Directors of Nova, MNBC stated (in part) the following in Part 1:

*“Upon review of the Nova society documents it reveals that only one member of the Nova Board of Directors is currently registered as a Citizen with MNBC. Three of the other Board members have their Citizenship on hold for renewal, and four other Board members are non-Citizens.”*

A careful review of that paragraph shows that MNBC referenced a total of 8 members of the Board, not 7 as you state in your question. The number 8 was based on the last Annual Report filed by Nova with the BC Registry Services on June 2, 2016. According to that report that information was based on the last annual general meeting held on March 6, 2016.

The 2016 annual report lists a total of 11 directors at that time, but we confirm that at least 3 of the individuals listed have since resigned (or are no longer on your Executive), leaving Nova with 8 directors.

It was based on that number and the names of the directors cross-referenced with our Registry of Citizens that we arrived at the conclusion we did.

In your correspondence dated March 1, 2017 you state that the number of Board members for Nova is now down to 6 and of that number 3 have MNBC Citizenship cards.

In cross-referencing the 3 names that you provided, I can confirm that 2 of the 3 have current Citizenship cards with MNBC and 1 is not current due to failure to renew since 2014.

You did not provide the names of the other 3 members of your Board so we are unable to ascertain whether the other three individuals are MNBC Citizens or not.

In an email to you dated March 16, 2017 MNBC did request the names and positions of the Nova Board to assist us in trying to know who is actually on the Nova Board but at this time of writing we have not had any reply to our email.

It is clearly inconsistent with the purpose and intent of the MNBC Citizenship Act and the spirit of the MNBC Constitution for a MNBC Chartered Community to have only half of its Board members comprised of MNBC Citizens and the other half being non-Citizens and, as in your case, of the three Board members that are Citizens, one has inadvertently or advertently neglected to renew his Citizenship card.

That raises a significant question about that Community's commitment to upholding the MNBC Constitution and the constitutional rights of MNBC Citizens in that Community.

Further, a Community Board that is comprised of only 50% MNBC Citizenship falls short of its moral right and duty to determine Community acceptance for new MNBC Citizenship applicants.

Part 2 - Re: Article 2.5 - Failure to submit any and all notices of community meetings as may be considered appropriate, through the MPCBC/MNBC Regional Directors

Your questions: Given the MNBC statements specific to Section 2.5 the Nova Board wants to know how to comply? What is MNBC's expectations and is there a specific notification process MNBC is seeking? Can MNBC provide clarity in order to assist Nova (to) better understand?

Our response: The MNBC Regional Director is duly elected by the Citizens of a region to work with each of the Communities and their Boards to help ensure their governance obligations to the Citizens are met, and that issues of concern can be taken back to the MNBC Board of Directors.

The Regional Director acts as the liaison between Communities and Citizens in a region with the Board of Directors.

In order for the Community to be compliant with Article 2.5 and for the Regional Director to be able to fulfill his/her regional governance responsibilities, the Regional Director must be informed of all meetings of the Community so that he or she may attend. Adequate notice to the Regional Director is done by email at least 14 days in advance of any meeting which is the same minimum notice period required for Citizens and members of any Community under the *Societies Act*.

Part 3 - Re: Article 3.1 - Failure by Nova to uphold the requirement that “Nova be financially accountable to its Citizens and members and to MNBC by producing certified financial statements being made available annually.”

Your question: “Nova is requesting clarification about the process MNBC is seeking as Nova has always remained compliant with section 3.1 of the Charter Agreement”.

Our response: Although MNBC is unable to verify your statement that “*Nova has provide(d) updated financial reporting for their membership at the Annual General Meeting. The members in attendance have approved regular financial reports on a consistent basis.*”, we can confirm that MNBC has not been provided with a copy of the financial statements for at least the last 5 years.

In your letter you state that “*the Board and member are always welcome to request to review the financial information and have always been made available, as Nova would with MNBC if requested*”.

This constitutes our formal request for Nova to forward us copies of the Nova financial statements for its past 5 annual general meetings.

Part 4 - Re: Article 3.3 - Failure by Nova to provide proper notification to members and the Regional Director of annual general meetings.

Your comments (in part): “Nova members and partners are notified well in advance through email, phone calls, website posting, weekly Métis Matters Radio Show notifications and other social media channels.”

Our response: Under the new Societies Act, email notification can be used if the membership is larger than 250 which the membership of Nova is, however in addition to the email notification Nova is also required to place ads in local

newspapers each week for three weeks in advance of the meeting, or notification can be posted on a website maintained by the Community for at least 21 days in advance of the meeting. However in order to use this type of notification (email and website), the Community's by-laws must make such provision.

Most important, for the period of time our initial letter was referencing which was up to and including your last annual general meeting in 2016, written notice was required under the Societies Act of the day and Nova failed to provide written notice to its members in advance of the annual general meeting. Under the provisions of the original Societies Act, email, phone calls, website posting, weekly Métis Matters Radio Show notifications and other social media channels did not meet the notification requirement.

Finally you have requested a meeting with the MNBC President and Regional Director pursuant to Section 7.1 of the Charter. A decision on your request has not been made at this time.

In the event you wish to provide additional information to us on any of the above matters, please do so by Thursday, April 13, 2017.

Should you choose not to provide a further response by that date, then your request for a meeting will be considered based on the content of your March 1<sup>st</sup> letter.

Also, please note that our request of March 16, 2017 for a list of your Board of Directors and the positions that they hold is still outstanding. Please forward that information to us as soon as possible.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Drown', written over a horizontal line.

Dale Drown, CAE  
Chief Executive Officer  
Métis Nation British Columbia

Cc: Clara Morin Dal Col, President, MNBC  
Gary Biggar, Regional Director, Region 2, MNBC