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Surrey BC, V3R 2J6

Wednesday, April 5<sup>th</sup>, 2017

Clara Morin Del Col  
President  
Métis Nation BC

**Re: Nova Response to Métis Nation BC Letter March 31<sup>st</sup>, 2017**

Dear MNBC President

Morin, **Via EMAIL**

The Nova Métis Heritage Association (Nova) board is further responding to the latest Métis Nation BC correspondence dated March 31<sup>st</sup>, 2017. We are disappointed that as President of the Métis Nation BC you did not respond and instead had staff respond on your behalf.

Our board is deeply disturbed by many aspects of this latest position/explanations which now further confuse the relationship that we believed we signed with Métis Nation BC. These statements are unclear and seem to dismiss the historic context that Métis Nation BC was formed and set up to serve the communities. This response makes it clear Métis Nation BC believes they are the “boss” and are dictating the process. A process which clearly is not applied consistently to all Charter Agreements in place with Métis Nation BC from throughout Canada. Therefore, it is our strong view that the motivations are political exclusively by Métis Nation BC.

Regardless of whether the first letter (Dated January 19<sup>th</sup>) sent out was political in nature or a mistake it was a surprise to the Nova Board. Since this time, now months later, no attempts were made to address these perceived breaches of our agreement with Metis Nation BC prior to them mailing out a letter with said "accusations." It is outrageous that Métis Nation BC has sent out these accusations directly to Nova members on the Metis Nation BC mailing list which has damaged our reputation creating distrust between our community members and the elected Nova board. Furthermore, the Nova Board is troubled by Métis Nation BC's inability to verify their unfounded accusations/claims before sending them out on official Métis Nation BC letterhead to members.

Does the Métis Nation BC not have an obligation to Nova and its members to do its homework before declaring the Nova Board to be in violation of the Charter Agreement?

Does not Métis Nation BC have the moral responsibility to act upon fact, which is defined as something that is indisputably the case? Madame President would you and your office be comfortable stating that the initial letter you sent out to the Nova Community is based on indisputable fact?

On behalf of Nova I immediately responded by email to the Metis Nation BC Chief Executive Officer Mr. Dale Drown that we need to meet after reading his response last Friday (March 31<sup>st</sup>, 2017). I stress this meeting must and should proceed in person as the latest Métis Nation BC responses are more confusing

and do not make sense to the questions Nova also posed, questions that were meant to help us better understand the rationale or motivations for the January Métis Nation BC threat to terminate our Charter Agreement. One would believe Métis Nation BC representatives would do all they could to resolve these situations as required in our Charter Agreement but given the fact that no action has been taken to meet in person as requested repeatedly by Nova, we question how this leadership can be supported as fair or just for our Métis community or members?

In terms of the latest Métis Nation BC March 31st response, it is clear your organization will dictate submission to false governance interpretations. Nova has complied and continues to comply with all aspects of the Charter Agreement as described in the February Nova response. Below I will provide a brief response to the initial accusations levied against us, in it I will directly reference our standing Community Governance Charter agreement as a means to make clear to Métis Nation BC and any other recipients of this letter that Nova has fulfilled its obligations to Métis Nation BC. Furthermore, we will once again seek to respond directly to your March 31st Letter.

### **1. That Nova is acting contrary to Article 2.6 of the Community Governance Charter and by extension the MNBC Citizenship Act.**

The Métis Nation BC letter claims that the composition of the Nova Board would be prevent it from upholding the MNBC Constitution and Citizenship Act.

*"A Community Board that is comprised of only 50% MNBC citizens falls short of its moral rights and duty to determine Community Acceptance for new MNBC citizenship applicants"(March 31st Letter).*

This has nothing to do with our Charter Agreement and is self serving fabrication on Métis Nation BC's part, it is a completely subjective statement as there is nothing in the Citizenship Act to support it. There is nothing implicit or explicit that states how our board of directors should be made up. As far as I am concerned this is a reason constructed by Métis Nation BC to make it appear that their actions are perceived to be more legitimate than they are. It is ironic in a way, here is Métis Nation BC stating that the Nova board will likely be unable to uphold the Constitution and Citizenship Act while at the same time working to manipulate the Citizenship Act in a way that would make Nova non-compliant. Who is Métis Nation BC to determine what constitutes as moral?

Nova was not aware that composition of our board could impede our duty to offer Community Acceptance for new Métis Nation BC citizenship applicants, would Métis Nation BC please expand on this claim and help Nova understand how this could be the case? Additionally, would MNBC please identify which part of the Citizenship Act they are referring to in their accusation?

### **2. MNBC allegations of failure by Nova to notify MNBC of community meetings for last 4 years**

The Métis Nation BC letter claims Nova is not in compliance with section 2.5 of the Charter Agreement that states:

*"The Nova Métis Heritage Association agrees to submit any and all notices of community meetings as may be considered appropriate, through the MPCBC/MNBC Regional Director."*

For the record the actual language Métis Nation appears to be falsely quoting states in section 2.5 "may" and not "will". Therefore, there is no requirement to be in compliance. This Métis Nation BC statement is inaccurate.

However, Nova has provided numerous opportunities for the former Métis Nation BC Regional Director Mr. Glen Ohs (2012-2016) to attend any Nova meeting. Other Métis Nation BC representatives are also always welcome. The Métis Nation BC woman's rep has consistently been invited to attend which to date has not been supported. Métis Nation BC has failed to communicate properly with Nova and that these accusations are not reflective of Nova so much as it is of Métis Nation BC and the Regional Director in particular.

To state that "Nova has failed to adhere to Article 2.5 for at least four years" is a testament to the failure of the Regional Director, this fact says more about Métis Nation BC than Nova.

Why is it that it has taken four years for MNBC to bring this forward?

Once again Nova seeks clarification given the Métis Nation BC statements specific to Section 2.5. The Nova board wants to know how Métis Nation BC defines how any Charter Agreement holder is to comply? What is Métis Nation BC's expectations and is there a specific notification process Métis Nation BC is seeking? Can Métis Nation BC provide clarity in order to assist Nova better understand?

The Métis Nation BC's March 31<sup>st</sup> response still is unclear. During this latest situation, Nova has requested to meet with Métis Nation BC and the Regional Director. Ironically Métis Nation BC does not seem to understand their obligation to meet to resolve as defined in the Charter Agreement and the March 31<sup>st</sup> response suggests this is still uncertain.

This is a failure by Métis Nation BC and not Nova.

### **3. That Nova has failed to comply with Article 3.1 of the Community Governance Charter**

The Métis Nation BC letter claims that Nova has not been financially accountable to MNBC for five years. Article 3.1 of the Community Governance Charter which states:

*"The Nova Metis Heritage Association acknowledges its fiduciary relationship and duties to the Metis Citizens/members of the Nova Metis Heritage Association and agrees to be financially accountable to its Citizens/members and the MPCBC/MNBC by producing certified financial statements being made available annually."*

The key words of this quote would be "available annually," no where does it state that Nova must provide them to Métis Nation BC so much as they need to be readily obtainable. Therefore, Nova is **NOT** in violation of Article 3.1.

Once again this is reflective of Métis Nation BC and not Nova, this is negligence on their part. The key question is why has it taken 5 years for Métis Nation BC to make a request regarding our financial statements?

The new request of 5 years financial reporting at the last 5 Nova AGM's seems absurd. Métis Nation BC is welcome to have the minutes that demonstrate the acceptance of all reporting by Nova members.

### **4. Métis Nation BC allegations that Nova did not notify members of Annual General Meetings**

Métis Nation BC quotes section 3.3 of the Charter Agreement that states:

*The Nova Métis Heritage Association will hold Annual General Meetings at least every 15 months based on requirements of the Society Act of the Province of British Columbia. The Nova*

*Métis Heritage Association agrees to provide at least two weeks' notice to all Nova Métis Heritage Association Citizens/members and the Regional Director of the date, location, and agenda for the Annual General Meeting.*

There seems to be misunderstandings on this issue as well. 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.

For example, the recent Nova Annual General Meeting held March 6th, 2016 was posted and notifications sent to members over 40 days in advance as follows:

*From: James Henry [mailto:jamescameronhenry@gmail.com]  
Sent: February 22, 2016 10:44 PM  
To: Nova Metis Cc: Amber Lee Geremia; Fisher, Ken; Kerry Marion; Sharon N D Eyford; Coles Gmail Ronald; Krilow Anthony Krilow; Harland Coles Subject:  
Re: Nova Metis Heritage Association -Annual General Meeting - Sunday, March 6th, 2016  
Hello Everyone:  
I have put the AGM on the Web Site calendar. Please let me know if there are any other events you would like me to add to the calendar.  
Thanks  
James  
On Mon, Feb 22, 2016 at 10:25 PM, Nova Metis <novametis@shaw.ca> wrote:  
Nova Metis Heritage Association  
Notice of Annual General Meeting  
All Nova Metis members in good standing are hereby notified and invited to attend our Annual General Meeting (AGM) at 1:00 PM on Sunday, March 6, 2016, at the Fleetwood Sports & Leisure Centre, 110- 16555 Fraser Hwy. meeting room M3, 2nd floor, Surrey, BC  
Our Nova Metis Board of Directors will share financial and other updates from the past calendar year 2015. Agenda of meeting to follow.  
  
Members present will be asked to participate and vote for the Nova Metis incoming Executive and Directors as there will be an election held. choose candidates including President, Ist & 2nd Vice presidents, Secretary Treasurer and a slate of directors (old & new)for the current year 2016.  
The meeting will be a potluck event as usual. This means refreshments and other finger foods are all welcome. All donated food you bring will be shared by all. All donations large and small are welcome. Thank you, on behalf of the Nova Metis Board of Directors - Ken J. Fisher - President. More information at 604-634-0119 - e-mail contact atnovametis@shaw.ca*

In addition to the posting the agenda was posted after on the Nova website at:  
[http://novametis.ca/content0/meetings/NovaMetis\\_AGM\\_Agenda-2016\\_March--Draft.pdf](http://novametis.ca/content0/meetings/NovaMetis_AGM_Agenda-2016_March--Draft.pdf)

This practice has been important for Nova to reach members as best we can with limited capacity and governance resources. The 2015 Nova Annual General Meeting minutes online [http://novametis.ca/content0/meetings/NovaMetis\\_AGM\\_Minutes\\_2015-Feb.pdf](http://novametis.ca/content0/meetings/NovaMetis_AGM_Minutes_2015-Feb.pdf) have also been posted and notification was sent over 30 days in advance.

These two examples of how Nova has done all it can to be in compliance with section 3.3 of the Charter Agreement create confusion about Métis Nation BC's interpretation of this item.

Furthermore, Métis Nation BC states, "*The Nova Metis Heritage Association will hold Annual General Meetings at least every 15 months based on requirements outlined by the Society Act of the Province of British Columbia. The Nova Metis Heritage Association agrees to provide at least two weeks notice to all*

*Nova Metis Heritage Association Citizens/members and the MPCBC/MNBC Regional Director of the date, location and agenda for the Annual General Meeting."*

Regardless of whether a newspaper article was required at the time, it is no longer according to the new societies act. Therefore, I find this grievance to be a moot point, one that can be complied with immediately were we to make a "provision." Métis Nation BC is using the rules in a dishonest manner, a way in which is meant to capitalize on what is clearly just the laws playing catch up to technology. To use this as a reason to terminate the Community Governance Charter with Nova would make evident their opportunistic nature and the personal politics associated with this latest attempt.

Finally, Nova continues to be proud to maintain good standing as a society, unlike many of the other Métis Nation BC Chartered Agreement holders as we have confirmed and shared with you previously, for our members.

In closing this is another unclear response and explanation from the Métis Nation BC. Nova has informed board members and how does Métis Nation BC assess all Chartered Agreement holders given what we can see clearly as unjust and certainly not fairly applied across all of the Chartered Agreement holders Métis Nation BC seems to support. If so can Métis Nation BC provide documentation to these Métis societies to confirm the assessment on these 4 issues now being incorrectly applied to Nova?

We reinforce that the Nova board requires clarification and is once again reinforcing the demanding that we hold a meeting with the Métis Nation BC Regional Director and MNBC President as per Article 7.1 of our Community Governance Charter that states:

*"Where a dispute arises among the Parties respecting the interpretation, application, implementation or operation of this Community Governance Charter agreement, the Parties will attempt to resolve by consensus."*

Despite this request on numerous occasions since January, Métis Nation BC still refuses to meet.

The latest Métis Nation BC letter appears to continue to suggest actions that will be taken to terminate the Charter Agreement with Nova.

As previously stated and we reinforce that the Nova board is prepared to meet at your earliest opportunity. Please confirm the meeting with our board as soon as possible. I can be reached by email [novametis@shaw.ca](mailto:novametis@shaw.ca) or phone 1-604-589-7879.

Thank you

Ken Fisher  
President  
Nova

cc Nova Board  
Nova Members  
BC Metis Federation  
Indigenous and Northern Affairs Canada  
Ministry of Aboriginal Relations and Reconciliation

Encl. MNBC Letter to Nova March 31, 2017