

Lands Committee Terms of Reference

All activity within the Lands Department follows the LFN Vision and Mission Statement.

Name of the Committee

The Committee may establish a new name based in our Nlaka'pamux language. If the Committee's name is changed it shall still fulfill the purpose of the Lands Committee within the meaning of the Lytton First Nation Land Code.

Vision Statement

We, the people of TikemchEEn, pledge to assert and exercise our inherent right, title and responsibility to practice and protect our traditional Indigenous self-government based on Nlaka'pamux values, culture and heritage.

Mission Statement

We will accomplish our goals of achieving a strong healthy self-sufficient First Nation with the wisdom and guidance of our elders, the energy and education of our youth and with respect to our fellow human beings and the natural environment.

Purpose

The LFN Lands Committee was established under paragraph 5.2.2 of the LFN TemEEwuh na Ta hheeymOt (Land Code) with the following purposes:

- to assist Council with the development of the Land administration system;
- to advise Council and its staff on matters respecting Lytton First Nation Land;
- to recommend Land Laws, Council Resolutions, policies and practices respecting Lytton First Nation Land to Council;
- to Consult with Membership and Interest and License holders on Lytton First Nation Land issues, and to make recommendations on the resolutions of those issues to Council;
- Oversee community meetings of Membership, Membership Approvals and Votes; and
- to perform such other duties as may be delegated or assigned by Council Resolution or Land Law under this Land Code.

In addition, the Lands Committee may advise Council and the Lands office on the following:

- Land related matters, including the granting of Interests and licenses;
- Land use plans;
- Lands related policies and Land Laws; and
- Recommendations from Membership and others regarding lands and environmental concerns and priorities.

Finally, the Lands Committee may advise the Lands Office and Council on the development of the Lands Department, and the building of capacities, including human resources, to support the assertion of our collective rights and title off-reserve and the stewardship of Lytton's Territory.

Land Law & Policy goals identified in the LFN Land Code

- Develop a Terms of Reference for the Lands Committee (Land Code, para. 5.2.6).

- Develop Land Laws and policies for the determination of administrative fees, rent, royalties, or other amounts for Interests and Licenses, services in relation to Land (including fees for application, registrations and transfers) and the taking of natural resources (Land Code, para. 5.2.10).
- Recommend to Council a membership process to develop, enact and implement Land Laws (Land Code, para. 5.2.12).
- Establish a policy to consider unregistered Interests and consider any claims for a traditional land holding (Land Code, para. 6.3.4).
- Establish a dispute resolution process or enact a Land Law for the resolution of disputes in respect of any matter related to Land, including the review of a land management decision where a person, whose Interest, License or right in Land is affected by a decision, disputes that decision (Land Code, para. 8.1.2).
- Adopt a Land Use Plan (Land Code para. 3.1.1(a)).

Lands Department Goals from the Community Comprehensive Plan and Strategic Land Use Plan

- Complete a land use planning and designation (zoning) process
- Complete land ownership studies and resolve Traditional Land Holdings and other unregistered Interests
- Support the protection of natural resources
- Identify, monitor and manage the extraction and commercialization of natural resources within the LFN traditional territory
- Identify and protect cultural and archaeological sites
- Educate members about the lands and waters based upon the wisdom of the Elders.
- Implement the Land Code

Committee Work Planning

In April of every year, the Lands Manager, in cooperation with the Chair and the Council representatives, will develop a work plan outlining the Committee priorities for that year.

Committee Composition (per paragraph 5.2.2 in the Land Code)

The committee shall always be composed of no less than 5 members of Lytton First Nation, and a maximum of 11 members. Council will make best efforts to ensure that the committee is represented by a broad cross section of community members, including elders, youth, men, women, on and off reserve members, and others.

Staff and Committee members

- 3 Council Members, including the Lands & Natural Resources portfolio holders
- The Lands Manager or other representative from the LFN Management Team as required.

The role of the Council members shall be to assist the Chair and the Lands Managers with identifying agenda items and work planning priorities for the Committee, and to represent the interests of Chief & Council at the committee table.

The role of the Lands Manager or other Management liaison is to arrange the meetings, working collaboratively with the Council representatives and the Chair person.

The Chair of the Lands Committee

Once the committee has been fully established with member appointees, the Committee will elect 1 chair from among its Committee Members. A chair will be elected for a two-year term every other year at the last March meeting. The chairperson can serve for a maximum 2 terms.

Chairperson Qualifications:

The chairperson must have:

- An understanding of the roles and responsibilities of the Lands Department Working Group & Committee collectively.
- An ability to provide democratic leadership for the Committee.
- An ability to represent the collective voice of the Committee inside Lytton First Nation and in the community
- A Desire to work constructively with staff and other Committee members
- The ability to be respectful of difference and supports the inclusion of all voices at the table

Duties of the Chairperson:

It is the duty of the Chair to:

- Call and chair meetings
- Support the Lands Manager and Council portfolio holders in developing meeting agendas
- Review and revise meeting minutes
- Communicate with Group members
- Ensure the committee members abide by the code of conduct
- Assist the Lands Manager in addressing issues on the committee, including violations of the code of conduct and related measures, including termination of Committee Members, based on this Terms of Reference.
- Confer with the Lands Manager, Band Administrator and Management Team on matters related to the Committee's work
- Write an annual report summarizing the Group's activities and achievements during the year
- Represent and speak on behalf of the Committee at Chief & Council Meetings

Termination of the Chairperson

The Chairperson may be either relieved of their duties as Chair or removed from the Committee by a quorum of the Committee or by Council Resolution if the Chairperson does not fulfill their obligations under this Terms of Reference, or if they meet any of the grounds for termination outlined in this Terms of Reference.

Committee Eligibility Criteria (per paragraph 5.2.2 in the Land Code)

An individual is eligible to participate in the Lands Committee if they meet the following criteria:

- They are a registered member of Lytton First Nation.
- Are 19 years of age or older.
- Complete a Criminal Records Check and be approved by LFN to sit on the committee.
- Have knowledge and appreciation for Nlaka'pamux knowledge and values and have a willingness to learn.
- Be a member considered in good standing with Lytton First Nation.
- Is interested in Lands Governance and committed to serving in the best interests of Lytton First Nation as a whole.

- They submit an application to the Lands Department outlining why they are interested in participating as a committee member, their commitment to the terms of reference and code of conduct outlined therein
- They are confirmed as a member of the Lands Committee in writing via Council Resolution
- They sign a Lands Committee Code of Conduct.
- They sign a Confidentiality Agreement with LFN.

Committee Selection Process (per paragraph 5.2.6(a) of the Land Code)

1. Council with support of Lands Department issues a notice to the community of any pending vacancies in the Lands Committee. Notice to be issued at least 28 Days in advance of any deadline or decision. Notice contains a deadline after which Council will make a decision to appoint a committee member(s) via Council Resolution at a duly convened meeting.
2. Members interested in applying must review the TOR, fill out an application by the Lands Department that contains basic information, including:
 - a. (demographics – age, gender, on/off reserve. Etc.)
 - b. contact info – email/phone/address
 - c. Brief statement of Lands experience, why they're interested, etc.
 - d. Confirmation that they've read and understood the TOR and are willing to abide by the code of conduct outlined in the TOR.
 - e. Other?
3. The Lands Department reviews all applicants and confirms that the member is eligible and meets the application requirements
4. Upon the expiry of the deadline, the Lands Manager presents all the applications to the Lands Committee and seeks a recommendation from the Committee on who should be selected as a committee member. In the event there is not an active committee or a quorum can't be met, the Lands Manager presents their recommendations to Chief & Council.
5. The Lands Manager brings any recommendations from the Lands Committee forward to Chief & Council for their consideration at a duly convened meeting.
6. Chief & Council appoint the selected applicant as a member of the Lands Committee via Council Resolution, which outlines the date of the appointment, the term and expiry of the appointment, and any other details considered necessary by Chief & Council or advised by the Lands Manager.
7. The Lands Manager will post an announcement to the community regarding the appointed Committee reps and their terms to the LFN newsletter, social media accounts, etc.

Accountability and reporting relationships

The Lands Committee is supported by the Lands Department via the Lands Manager (i.e. Management liaison), who serves as an Ex Officio member of the committee, and communicates with the Band Administrator and the Chief & Council on behalf of the Committee, and supports the Chair in developing Agenda's, workplans, distributing documents, scheduling meetings, processing remuneration, and preparing other Lands-related documents and information as required by the Committee in the discharge of its duties.

Term

A term on the committee lasts 2 years, except for the very first term in which half of the committee will serve for 3 years (see staggered terms, below).

Staggered terms:

The committee members will serve on staggered terms. For the first term of the committee, half of the committee members will serve a special term of three years, while the other half will serve a regular term of two years. The Lands Manager will select the half to serve the special three-year term. At least 28 days prior to the end of each term, LFN shall issue a notice and call-out for committee members to apply and follow the selection process outlined above. Following the conclusion of the first three-year term, the committee will then resume staggered 2 year terms.

Committee Member Requirements

Code of Conduct:

Committee members must:

- Respect diversity and differing opinions
- Participate in at least 12 meetings per year
- Participate in projects between meetings, including reading and reviewing briefing materials and other documents in advance of Committee meetings
- Inform the chair or Lands Manager if they will miss a meeting in advance where possible, or within 3 days after missing a meeting informs the Chair or Lands Manager why they were not able to attend.
- Abide by LFN Conflict of Interest rules, including the LFN Land Code (paragraph 4.1)
- Work collaboratively with staff and other members of the public
- Respect privacy and confidentiality
- Provides constructive advice
- Represent Lytton First Nation as a well-informed participant
- Adheres to LFN policies (e.g. workplace behavior, bullying and harassment, etc.).
- Other? (e.g. commitment to Nlaka'pamux traditions and cultural beliefs)
- Sign this terms of reference and agrees to the code of conduct
- Sign a confidentiality agreement with LFN.
- Attend meetings

Conflict of Interest

All members of the Lands Committee, including the members of Council and the Lands Manager and any other representative of the LFN Management Team, agree to abide by LFN rules pertaining to conflict of interest, including paragraph 4.1 of the LFN Land Code ("Conflict of Interest or Appearance of Conflict of Interest") and other relevant policies adopted by LFN. Violating the conflict-of-interest rules may result in disciplinary action, including removal from the Committee.

Remuneration (per paragraph 5.2.6 (b) of the Land Code)

Committee members are entitled to receive an honorarium for attending committee meetings, as follows:

- rates will follow the Lytton First Nation's approved rates.

For greater clarity, the honorarium rates identified above include any reading and prep time in advance of any committee meetings.

Conduct of Meetings

Standing Agenda: The Lands Committee will adopt a standardized agenda template and ensure that agendas are formally approved, that there is an opportunity to declare conflicts of interests, to review and approve previous meeting minutes, to receive updates on action items, and to ensure old business and new business is addressed based on the needs of LFN.

Frequency: The Lands Department Committee will meet at least once a month throughout the Year, aiming to meet one week before council meetings.

Notice: Meeting dates and documents will be distributed via email thru the Lands Manager and/or the Chair at least 3 to 5 days in advance of a committee meeting, unless an emergency meeting is called.

Decision-making: The Lands Department Committee will strive for consensus and will use voting when there is no clear agreement.

Quorum: At least 3 voting members must be present for a vote to take place.

Voting: A vote will take place via a show of hands or by secret ballot if requested.

Minutes: Minutes will be recorded for each meeting and distributed within 1-2week(s) of each meeting. Minutes will be sent by email to all members of the Committee, including the Lands Manager and Council portfolio holders, and to Others upon request. The minutes will be reviewed and approved at the following Committee meeting. Copies of all meeting minutes will be held by the Lands Office.

Termination of a Committee Member:

A member's appointment on the Lands Committee may be terminated by Council if:

- The member misses more than 3 consecutive meetings without having informed the Chair or Lands Manager as to their reason for missing a meeting
- The member has violated this Terms of Reference and Code of Conduct, and the Chairperson and Council is of the opinion that they should be removed from the Committee
- The member has violated LFN conflict of interest rules, and the Chairperson and Council is of the opinion that they should be removed from the Committee
- The member has violated LFN workplace behavior rules (e.g. bullying and harassment) and the Chairperson and Council is of the opinion that they should be removed from the Committee
- The term of their appointment expires.

Vacancies

If there are any vacancies on the Lands Committee, and there are less than 5 active members of the Committee, Council must issue a call for applications within 30 days of the vacancy following the selection process outlined in this Terms of Reference.

Terms of Reference Review

The Committee will review these terms of reference every 1 year(s) by April 1st and approve any revisions.

Committee Member Signatures:

Print Name

Signature

Print Name

Signature

Print Name

Signature

Print Name

Signature

Print Name

Signature

Print Name

Signature

Print Name

Signature

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