

SCHEDULE “B”

TO THE ALEXIS FIRST NATION CUSTOMARY ELECTION REGULATIONS

DUTIES OF CHIEF AND COUNCIL OF THE ALEXIS FIRST NATION

1. GOVERNANCE AUTHORITY AND LEADERSHIP OF THE FIRST NATION

The Chief and Council (hereafter “The Council”) are the elected leaders of the Alexis First Nation whose powers, duties and obligations are governed by the following considerations:

- (a) The culture, traditions, and values as expressed by the elders and ancestors of the Alexis people.
- (b) The Treaty, Aboriginal, and inherent rights and Tribal Government powers of the Alexis First Nation.
- (c) The statutory and administrative authorities and responsibilities, as set out in the Indian Act.
- (d) The fiduciary obligation to manage and administer the property, funds, and other assets of the Band in a reasonable and careful manner.
- (e) Contractual obligations and responsibilities set out in the terms of Contribution Agreements or other contracts with funding agencies of other governments.

2. COMMUNICATION WITH MEMBERS OF THE FIRST NATION

The Council shall ensure on going and regular communication with members by undertaking the following:

- (a) The Council shall consult regularly with the members of the Band by holding quarterly Band meetings and special Band meetings as necessary.
- (b) The Council shall review all proposed by-laws and major policies with the members of the Band prior to their final approval by the Council.
- (c) The Council shall keep the members of the Band informed of the financial circumstances of the Band through regular quarterly financial reports to Band members.

- (d) The Council shall establish an Elders' Advisory Council and regularly and consistently consult with the elders of the Alexis First Nation
- (e) In the event of disputes between members of the Council or between the Council and membership, the Council will seek the advice and wisdom of the Elders' Advisory Council in resolving such disputes.
- (f) Minutes of Band meetings and Council meetings shall be posted in the Band office and at other locations as set by the Council.
- (g) As some information the Council receives in the course of their business is strictly confidential, they must not give confidential information to Band members or to outside third parties.

3. ATTENDANCE AT COUNCIL AND BAND MEETINGS

- (a) Regular Council meetings shall be held for two days at least twice per month and special meetings, as necessary. The agenda shall be prepared by the Chief in advance of each meeting and distributed to Councillors.
- (b) The Councillors shall attend all Band and Council meetings unless due to sickness or other exceptional circumstances they are unable to attend. Notification of absence should be provided prior to the meeting and reasons for extended absences shall be provided in writing.
- (c) Council shall represent the First Nation at functions, meetings, and other occasions, both on and off Reserve, as required from time to time.
- (d) Council shall be on time for all meetings and stay until the meeting is over. Meetings will open and close with prayer.
- (e) Council shall prepare in advance for each meetings by reading reports and minutes.
- (f) Council shall regularly attend at the Band Office.

4. FINANCIAL MANAGEMENT AND RESPONSIBILITY

- (a) The Council will endeavour to keep members regularly informed about the financial situation of the First Nation.
- (b) The Council shall develop and implement structures, by-laws, and policies to ensure the proper financial management and control of all funds.
- (c) The Council shall ensure the financial affairs of the Band in a prudent, responsible, and careful manner at all times keeping in mind the best long term interests of the First Nation. This will be a priority for each member of the Chief and Council.
- (d) Each Councillor will be responsible for fully informing himself of the financial responsibilities and resources of the First Nation's finances in general.
- (e) The Council shall annually prepare a budget and present it to the members. The Council shall meet quarterly to review variance reports and monitor the expenditures as being in compliance with the budget.
- (f) The Council shall ensure managers operate programs and deliver services of the First Nation in accordance with their annual budget.
- (g) The Chief and Council shall maintain a balanced budget by carefully and prudently monitoring all expenditures to ensure they are necessary for the benefit of the First Nation and in accordance with the budget and the Band's financial capacity.
- (h) The Council shall ensure all funds received from Governments are expended in accordance with program funding guidelines.
- (i) The Council shall obtain professional investment advice to ensure the safe and prudent investment of the Settlement Capital Account.
- (j) The Council will make the Annual First Nation Financial Audit available to members at the Band office.
- (k) The Chief and Councillors shall fully and properly account in writing to the Chief and Council for any salary or travel advances within thirty (30) days of receipt of such advances.

5. ADMINISTRATION

- (a) The Council shall ensure the stable, competent, and efficient administration of the Band.
- (b) The Council shall develop and implement a personnel policy to cover all staff.
- (c) Priority for hiring First Nation staff shall be given to Alexis members.
- (d) All hiring and termination of staff by managers and Council shall be fair, legal, and according to the personnel policy or an Alexis Labour Code.
- (e) The Council shall ensure all councillors, managers and staff have clear job descriptions.
- (f) The Council shall develop and implement:
 - (i) a land and resource management by-law and policy;
 - (ii) a financial management by-law and policy;
 - (iii) a housing by-law and policy;
 - (iv) a social and economic development by-law and policy;
 - (v) other by-laws and policies as required from time to time.
- (g) The Council, through appointment of Directors, shall be responsible for the operation of all First Nation owned corporations.

6. EXTERNAL RELATIONS

- (a) The Council shall honourably and effectively representing the interests of the Alexis First Nation, including Treaty and Aboriginal rights, to other levels of government, including the Federal, Provincial, Municipal and First Nation governments.
- (b) When engaged in external relations, the Chief and Councillors shall conduct themselves in a manner which fully, properly, and fairly represents the interests of the Alexis First Nation.

- (c) The leadership shall report to the members about the topics and outcomes of their meetings held outside the community.

7. PEACE AND ORDER

- (a) The Council shall take such measures as necessary to ensure peaceful and lawful relations among members residing on the Reserve.
- (b) The Council shall work with the RCMP, Courts, and legal systems to ensure fair and just treatment of Alexis people.
- (c) The Council will pass such by-laws to promote and protect the safety, health, and property of the members.

8. RULES OF CONDUCT

- (a) The Council shall conduct themselves in a manner which does not bring themselves, the leadership, or the people of the Alexis First Nation into disrespect and disrepute.
- (b) When conducting the business of the First Nation, with other governments, businesses, or third parties, the Council will act in a considerate, professional, and responsible manner.
- (c) Each Councillor will fully inform himself of his duties, responsibilities, and the rules and guidelines governing his conduct.
- (d) Each Councillor will fully honour the promises and commitments made under oath upon taking office.

9. CONFLICT OF INTEREST

- (a) The Council will deal fairly and impartially with the members of the Band, showing no favouritism, prejudice, or bias in any decisions affecting their rights or interests of the Alexis members.

- (b) The Council will not make decisions or use their office or powers to provide extraordinary benefits only for themselves personally or for their immediate families.
- (c) The Council will follow the attached Conflict of Interest Guidelines set out in Schedule “C” to avoid and prevent any conflicts of interest between their personal interests and those of the Alexis First Nation.

10. LOANS, GIFTS, AND GRATUITIES

- (a) The Council must be beyond challenge or reproach in every business transaction. They must not allow themselves to be put into a position where their judgments may appear to be unduly influenced by personal considerations.
- (b) The Council shall not accept gifts, personal loans, entertainment, or other special considerations from any members or an individual, business or organization doing business with the Band, unless such an individual or organization is in the business of making loans to independent third parties.
- (c) Any Councillor who is offered or receives such payments or gifts of more than a nominal value shall refuse it or return it to the giver in a tactful and dignified manner, advising the giver of this policy prohibiting its acceptance.
- (d) The Chief and Council are not eligible to receive loans from the First Nation while in office.
- (e) Upon assuming office, any Chief or Councillor who has an outstanding loan with the Band-owned business, shall make arrangements to promptly pay off the loan.

SCHEDULE “C”

CONFLICT OF INTEREST GUIDELINES FOR CHIEF AND COUNCIL

Elected officials must not directly or indirectly engage in any personal or business activity which competes or conflicts with the interests of the Alexis First Nation’s interest or compromises their ability to serve the interests of the First Nation.

These activities include, but are not limited to the following:

1. MISUSE OF INFORMATION

Elected officials must not use or communicate information acquired in their capacity as elected officials for their personal gain or that of any other person.

2. OUTSIDE BUSINESS AND OTHER INTERESTS

- (a) Elected officials must divulge, in writing, the nature and extent of their outside business interests to the Alexis First Nation Council.
- (b) Any activity which demands excessive time and attention and thus deprives the Alexis First Nation of best efforts on the job, is considered a conflict of interest unless it is deemed necessary for health, personal, family, or spiritual activity. Those activities would have to be supported by the Alexis First Nation Council and subject to reasonable limits by Council.

3. FINANCIAL CONSIDERATION AND “ENTERTAINMENT”

- (a) Elected officials and staff must not accept costly entertainment gifts or favours from customers, potential customers, or suppliers.
- (b) Although the Alexis First Nation generally discourages accepting gifts from customers, potential customers, or suppliers, it does not consider it practical to rule out the acceptance of modest gifts, favours, or entertainment if the acceptance is culturally appropriate (i.e. pow-wow, giveaways, and recognition awards).

4. OTHER INTERESTS

A conflict arises if the elected official uses Alexis First Nation equipment or facilities to conduct any outside interest or business, unless prior written approval has been obtained from Alexis First Nation Council or CEO.