

KITSELAS



Committee to the Council Act, K.B.C. 2010-01

Kitselas Band Council enacted this law by Resolution on October 5th, 2010

Glenn Bennett, Chief Councillor of the Kitselas Band, under the authority of the Kitselas Band Council, signed this law on October 5th, 2010.

Signature

Original Signed Copy
is in the Kitselas Lands Management Office

Kitselas Band Council

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KITSELAS COMMITTEE TO THE COUNCIL ACT, 2010

WHEREAS pursuant to section 3.3 of the *Kitselas Reserve Lands Management Act*, the Chief and Council of Kitselas may, through the development of laws, exercise Kitselas' inherent right of self-government and provide for governance that is accessible, stable, effective, accountable and transparent; and

WHEREAS pursuant to section 6.1 of the *Kitselas Reserve Lands Management Act*, the Chief and Council of Kitselas may make laws necessary to give effect to the *Kitselas Reserve Land Management Act*; and

WHEREAS pursuant to section 6.2 (m) of the *Kitselas Reserve Lands Management Act*, the Chief and Council of Kitselas may make laws necessary to the creation of management and administrative bodies or agencies;

The Chief and Council of Kitselas deem it necessary to create a public service law to establish an effective civil service to provide for good governance.

PART I

INTERPRETATION AND APPLICATION

Short Title

1.(1) This law may be cited as the *Kitselas Committee to the Council Act, K.B.C. 2010-01*.

Definitions

2.(1) Except as otherwise provided in this law, words and expressions used in this law have the same meanings as in the *Kitselas Interpretation Act, 2010*.

Interpretation

3.(1) Except as otherwise provided in this law, the rules of interpretations set out in the *Kitselas Interpretation Act, 2010*, apply.

Scope and Application

4. (1) This law applies to the financial and general administration of Kitselas.

PART II

ADMINISTRATION

*Division One – Chief and Council**Responsibilities of the Chief and Council*

- 5.(1) The Chief and Council are responsible for all matters relating to the financial and general administration of Kitselas, whether or not they have been assigned or delegated to an officer, employee, committee, contractor or agent by or under this law or any other law.

Chief and Council Policies, Procedures and Directions

6. (1) The Chief and Council may establish policies and procedures and give directions respecting any matter relating to the financial and general administration of Kitselas.
- (2) All policies shall require the approval of Chief and Council.
- (3) The acquisition, management, safeguarding of Kitselas' assets and the management of human resources shall be directed by approved policies.
- (4) The Chief and Council shall, by Order, establish departments and the authority to manage the department.
- (5) The Chief and Council may, by Order, establish new officer positions, including duties, functions and responsibilities.
- (6) On the recommendation of the Committee to the Council, the Chief and Council may, by Order, make and amend regulations respecting:
- (a) the appointment and remuneration of officers; and
- (b) the establishment of management positions.
- (7) Chief and Council shall approve and amend from time to time an organizational chart of the Kitselas First Nation government and related bodies.

*Division Two - Committee to the Council**Committee to the Council Established*

- 7.(1) The Committee to the Council is established.

- (2) The Committee to the Council members shall consist of:
- (a) the Chief Councillor;
 - (b) the senior administrative officer;
 - (c) the senior finance officer;
 - (d) the lands and resources officer;
 - (e) the health and social services officer; and,
 - (f) any other officer established under section 6(5).
- (3) The Chief Councillor has the authority to appoint additional non-voting members to the Committee to the Council to assist the Committee to the Council in the performance of any of its responsibilities.

Chair

8.(1) The Chief shall be the Chair of the Committee to the Council.

Committee to the Council Procedures

- 9.**(1) The Committee to the Council shall establish its own processes and procedures in order to meet its responsibilities under this law.
- (2) The Committee to the Council may make rules for the conduct of its meetings.
- (3) The Committee to the Council may identify priorities for action.

Financial Planning Responsibilities

- 10.**(1) The Committee to the Council shall carry out the following activities in respect of the financial and general administration of Kitselas:
- (a) annually review, develop, and recommend to the Chief and Council for approval, short, medium and long term:
 - (i) strategic plans, projections and priorities;
 - (ii) operational plans, projections and priorities; and
 - (iii) financial plans, projections and priorities.
 - (b) review draft annual budgets and recommend them to the Chief and Council for approval;

- (c) provide input on business plans, projections and priorities as directed by Chief and Council; and
- (d) on an ongoing basis, monitor the performance of Kitselas and its related bodies against the budget, business plans and work plans and report any significant variations with recommended changes to the Chief and Council.

Community Responsibilities

- 11.** (1) The Committee to the Council shall be responsible to monitor and prioritize community issues on an ongoing basis and:
- (a) for matters requiring immediate action, give direction to respond; or
 - (b) develop policies for recommendation to Chief and Council if required.

Division Three – Officers and Employees

Senior Administrative Director

- 12.**(1) The Chief and Council shall appoint a person as senior administrative director of Kitselas and shall set the terms and conditions of that appointment.
- (2) Reporting to the Chief and Council, the senior administrative director has the authority for leading the planning, organization, implementation and overall management of all Kitselas' day-to-day operations.
 - (3) The senior administrative director has the power to:
 - (a) oversee, supervise and direct the activities of all officers and employees of Kitselas;
 - (b) oversee and administer the contracts of Kitselas;
 - (c) identify and take action on community issues;
 - (d) assume the duties and responsibilities of the human resources manager if a human resources manager has not been appointed by Chief and Council;
 - (e) perform any other duties of the senior administrative officer under the *Kitselas Financial Administration Act*; and
 - (f) perform any other duties required by Chief and Council.
 - (4) The senior administrative director may establish management positions, including duties, functions and responsibilities.

Senior Financial Director

- 13.(1) The Chief and Council shall appoint a person as senior financial director of Kitselas and may set the terms and conditions of that appointment.
- (2) Reporting to the senior administrative director and, upon request, to Chief and Council, the senior financial director has the authority to administer the day-to-day management of the systems of the financial administration of Kitselas.
- (3) The senior financial director has the power to:
- (a) administer and maintain the accounts of Kitselas, including the local revenue account;
 - (b) administer and maintain the financial administration systems, policies, procedures, directions and internal controls are appropriately designed and operating effectively in compliance with the *Kitselas Financial Administration Act*;
 - (c) prepare, with the senior administrative director, the draft annual budgets for all departments and any draft amendments to the component of the annual budget respecting Kitselas' local revenue account;
 - (d) perform any other duties of the senior financial officer under the *Kitselas Financial Administration Act*; and,
 - (e) carry out any other activities specified by the Chief and Council.
- (4) The senior financial director shall prepare a consolidated monthly report in the form set out by Chief and Council for all department revenues and approved funding sources that includes:
- (a) the previous year's surpluses and deficits;
 - (b) the total dollar amount available for the year, including surpluses and deficits;
 - (c) the actual amount spent to date;
 - (d) the balance remaining to the end of the fiscal year;
 - (e) an estimate of spending to the end of the fiscal year; and
 - (f) recommendations for adjusting work plans to address expected deficits or surpluses.

Lands and Resources Officer

- 14.(1)** The Chief and Council shall appoint a person as lands and resources officer of Kitselas and may set the terms and conditions of that appointment.
- (2) Reporting to the senior administrative director and, upon request, to Chief and Council, the lands and resources officer has the authority to monitor lands and resources management within the Kitselas traditional territories.

Health and Social Services Officer

- 15.(1)** The Chief and Council shall appoint a person as the health and social services officer of Kitselas and may set the terms and conditions of that appointment.
- (2) Reporting to the senior administrative director and, upon request, to Chief and Council, the health and social services officer has the authority to monitor health and social services.