



July 17, 2020

Re: Shxwhá:y Village Council Response to Membership

Dear Shxwhá:y Village Membership:

Today we are writing to provide clarity to our Membership concerning a meeting of some Members of our community scheduled for July 18, 2020. We understand that communications distributed to some Shxwhá:y Village Members have caused confusion about the purpose and authority of this meeting.

We want to be transparent and let you know that Chief and Council will not be attending the July 18th meeting because it is an unofficial membership meeting that does not follow Shxwhá:y Village laws or customs. The individuals hosting the meeting have no authority to do so.

The summary from Shxwhá:y Village Legal Counsel is as follows:

1. The meeting scheduled to occur on July 18, is not an official membership meeting as it does not follow the rules and procedures laid out for convening the Membership of Shxwhá:y Village.
2. Shxwhá:y Village laws and rules were not honoured in the following ways:
 - The Meeting Notice was issued by individual member(s) of Shxwhá:y Village.
 - There is no authority in Shxwhá:y Village laws or custom that supports individual Band Members' ability to call a Membership Meeting. Council must convene a Membership Meeting.
 - The Notice period was insufficient and not provided to all Shxwhá:y Village Members in the manner required under either the Land Code or the Election Code.
 - A 30-day Notice of a Membership meeting must be sent to all Members by mail and by posting the announcement at the administration office.
 - The intent of the meeting does not follow Shxwhá:y Village laws or customs.
 - There is no authority or provision made in Shxwhá:y Village laws or customs that provide for use of proxy voting or electronic voting.

If you have any questions or concerns, please don't hesitate to contact any member of the Shxwhá:y Village Council.

Stay safe Shxwhá:y Village.

Sincerely,

Shxwhá:y Village Chief and Council