

Environmental Monitoring Advisory Board

Board Meeting – August 15, 2014

Blachford Lake Lodge, NT

Friday, August 15, 2014

Present:

Sean Richardson, *Chair*

Charlie Catholique, *Vice Chair*

Arnold Enge, *Secretary – Treasurer*

Seth Bohnet, *Director*

Doug Crossley, *Director*

Napoleon Mackenzie, *Director*

Tlicho Government

Lutsel K'e Dene First Nation

North Slave Metis Alliance

Diavik Diamond Mines Inc.

Kitikmeot Inuit Association

Yellowknives Dene First Nation

Staff:

Brenda McDonald, *Executive Director*

Holly Sansom, *Minute Taker*

Environmental Monitoring Advisory Board

Office Compliments

Absent:

Robert Eno, *Director*

Stephen Ellis, *Director*

Nunavut Government

Government of the Northwest Territories

<p>1) Call to Order The Chair called the meeting to order at 11:36 a.m.</p> <p>Charlie Catholique said the Opening Prayer.</p>
<p>2) Approval of Agenda The Chair presented the Agenda. The Wildlife workshop will be discussed in Item #5 - Business arising from the minutes.</p> <p>Motion: To approve the agenda of the August 15th, 2014 Board Meeting as presented. Moved: Doug Crossley Seconded: Napoleon Mackenzie Carried.</p>
<p>3) Conflict of Interest There were no conflicts of interest indicated.</p>
<p>4) Minutes – April 29th and 30th, 2014 Draft Minutes for April 29th were presented. No errors or omissions. Draft Minutes for April 30th were presented. There was one error noted: Charlie Catholique's title should be Vice-President.</p>

Motion: To approve the minutes of April 29th, 2014 as presented and April 30th as presented with one revision.

Moved: Doug Crossley

Seconded: Napoleon Mackenzie

Carried.

5) Business Arising from the Minutes

- Conflict of interest to be included in the Strategic Planning workshop
- Signing Authority papers have been signed
- Determine political will for adding two members (to be discussed in item 11)
- The commercial lease has been renewed for a 3 yr term
- Amendment to policy 2.2 has been completed
- Laptops have been ordered and distributed, including a record of the serial numbers and assignment to Directors.
- Standing offers have been extended to all scientific contractors
- Honoraria rates have been increased and reflected in the budget and current payment schedules.
- Email Vote sent out for Saaka Communications.
- Wildlife workshop

6) Executive Director's Report

The Executive Director provided the report on operational issues:

- Follow up on Board items from April
- Conducted one community consultation – Kugluktuk, NU. Invited Director Doug Crossley – Doug was unavailable. The Diavik Board Member requested a copy of the presentation and suggested that an effort be made to include a Director at these sessions.
- Ordered, Received and distributed laptops to Directors
- Completed the Audit, drafts submitted to the board for approval, audit for 2014 is complete
- Requested approval to attend a personal development conference in May.
- AEMP received into EMAB office
- Sent out three documents sent to EMAB for review and comments from the WLWB, Hazardous Materials, Operational Phase Contingency Plan
- Annual Report draft template is developed and circulated to the Board for feedback. None was received
- Plan Strategic Session and 2nd EMAB Board Meeting
- Forward Bathurst Caribou Management Plan to Directors for their information, regarding structure and participation
- Sent out draft Minutes for April meeting
- Community Consultation – Kugluktuk, NU – June 10th, 2014
- Received an invitation and visited the Ekati Diamond Mine site
- Used annual days from June 17th in the afternoon to June 27, 2014 to attend my sons graduation

- Compile the Directors orientation manual
- Received an invitation from KIA to attend their meeting in Gjoa Haven, however the ED was on annual.
- Sent off the EAAR Report (2013) for review and assessment
- Received notification that KIA now has an alternate, Jack Kaniak
- Commenced work on the Bios and Pic for Directors as part of the Annual Report
- Received a request for TK information on vegetation, we did not have any documents pertaining to that subject matter.
- Set up mentoring opportunities for our Chair
- Sent out information pertaining to Diavik's security review
- Logistics for Strategic planning session
- EAAR sent out for review
- Send a formal request for Diavik to provide electronic documents for our library
- Received an invitation from Diavik for the Traditional Knowledge panel, however, it conflicted with EMAB's Strategic session.
- Traditional Knowledge Workshop with Diavik – EMAB received an invitation for August 15th to August 18th, 2014, the dates conflict with EMAB's planning session and Board Meeting. The ED will attend the Monday session. The Diavik Board Member noted that a Director should attend future sessions.

Lunch Break: 12:30 a.m. to 1:37 p.m.

7) **Financial Report – YTD**

1st Quarter Financial Report to June 30, 2014

The Executive Director presented the financial statements and the variance report to the Directors.

The Diavik Director asked for clarification with respect to Board of Directors training – This cost of 1000k includes the cost of Microsoft office software for the Director's computers. Training to be scheduled on an individual Board Member basis.

The financial expenditures are in line with first quarter projections.

Allocation for TK Review – the Diavik Board member suggested that EMAB invite DDMI and the TK Panel for a discussion. The Executive Director will review the CSR and EA to clarify what the TK component entails, EMAB's role and then advise the Board for next steps.

Motion: To approve the financial report for the first quarter (April 1, 2014 to June 30th, 2014) as presented.

Moved: Doug Crossley

Seconded: Arnold Enge

Carried.

8) **Work Plan for the next two quarters**

The work plan for Directors was presented to indicate the expected major activities.

The Diavik Board member suggested that our Board meetings should be based upon program reports and the required timeframe for reviewing and providing feedback.

9) Staffing – Office Administrator

EMAB has two options for support staff: 1. To continue using short term contract staff or 2. Hire an employee.

The Executive Director made a request to the Board to move forward with the advertisement for a second position to support EMAB operations. Two members of Executive could support the Executive Director in the development of an appropriate job description and pay range, which would then be forwarded to the Board for approval. In addition, there would be an opportunity for Executive to participate in the interviewing process.

The Diavik Board member challenged the Executive Director to provide the board with a formal role justification to validate the need for additional support staff. The Executive Director indicated the large amount of work completed in the past six months, which is more than has been completed in the past two years. It would be beneficial for EMAB to have continuity and consistency with an added staff member, noting that this pace cannot be achieved by a single person for an indefinite period of time.

Motion: To undertake the following process for the hiring of a second EMAB employee to support the Executive Director.

Sean, Arnold and Charlie will work with the ED to:

- Develop an appropriate position and job description
- Pay range and benefits
- Submit the above two to the Board for approval
- Draft competition advertisement
- Interview and selection process
- Update results to the Board

Moved: Charlie Catholique

Seconded: Doug Crossley

Carried. With one abstention

The KIA Director requested that the Board receive regular updates on this matter.

10) Board of Directors

The Chairman read the Executive Committee Report

Follow up on Executive Director Compensation Review as per Board

The request to add two public members will be addressed later in the Agenda.

Motion to go in camera at 2:10 p.m.

Moved: Charlie Catholique

Motion to go out of camera

Moved: Arnold Enge

The Executive Committee will meet with the Executive Director for a 6 month performance review to determine an appropriate salary increment.

Moved: Arnold Enge

Seconded: Charlie Catholique

Carried.

The EMAB jackets were displayed by the three Board members and Executive Director. Other jackets and promotional items will be purchased by EMAB for giveaways during community visits.

Laptop bags were displayed for the Board of Directors to view the versatility.

Email motions will be noted in the next meeting.

Orientation Manuals were handed out in hard copy and electronically to Directors

11) Appointment of two public representatives

The follow up required by the minutes was to determine if there was political will. There was informal indication from two parties that this would not be supported.

The Diavik Director noted that the Board made a motion to communicate to the Parties and directed staff to do this and would like to know where we are in the process.

The Executive Director indicated that we knew, albeit informally from two parties that this was not going to be supported. At that time, it was not pursued as the investment of time and resources would be all for nothing.

The Diavik Director expressed his disappointment that that task has not been carried out.

The Executive Director noted that with one staff member, to follow up and go through all the steps of the process, only to find out at the end that it's not supported is not wise use of the limited human resources we have in the office to go through the entire process and then have it terminated. We have to be respectful that this is a party decision. When this issue was pushed, it was because we did not have an effective Manager to coordinate Board of Directors schedules. We have a limited budget to work with and with effective management in place, there is no longer a requirement to have additional Board members.

The NSMA Director noted that the Executive Committee tasked with following up on this item realized that there was not the political support to move forward and did not push the issue forward. The Diavik Director commented that the Executive Committee chose to override direction from the Board and therefore this negates the authority of the Board.

The KIA Director suggested that each Director follow up with the letter and their respective parties and lobby for a response.

The NSMA Director also noted that this issue was brought forth when the organization was in flux and now there is a change of heart with the new leadership and management in place.

<p>Moving forward: The Chair and the Executive Director will meet with the Parties and obtain a decision on this matter.</p>
<p>12) EA – AANDC Withdrawal The correspondence has been sent to AANDC. There has been no response from AANDC as there is a new Regional Director General coming on stream. The Diavik Director suggested that EMAB send a letter recommending a review of the EA as it has been 12 years since the EA has been signed. The Executive Director noted that this is not a task within EMAB’s mandate and we should not be concerning ourselves with the business of the Parties. The Diavik Director put a motion on the floor:</p> <p>Motion: Draft a recommendation to the Parties of the EA that a formal review of the amendments by Canada and recognize that it has not been revisited since implementation.</p> <p>The NSMA Director noted that prior to making such a recommendation, the EMAB Board should identify specific areas for review and have an evaluation on those areas.</p> <p>Motion was tabled to allow the Chair and the ED an opportunity to discuss with the Parties and report back to the Board on the results of those discussions.</p>
<p>13) Annual General Meeting The Executive Director presented the draft AGM letter and agenda, noting that the EA review will be removed. There was a request for availability of that date by all Directors. Directors confirmed their availability and the invites will be sent out.</p>
<p>14) AEMP Discussion on whether this document should be sent out for review. As we have missed the review date to provide comments, we will table this document and conduct a review of the 3 year AEMP.</p>
<p>15) Community Concerns The Lutsel K’e Director expressed his concern regarding his travel when he comes out of the camps. The KIA Director would still like to proceed with a Diavik Site visit. The YKDFN Director had no concerns The Diavik Director would like to see the Board participate when invited to all future TK sessions.</p>
<p>16) Other Business Wildlife Workshop – When we receive the 3 year WMP, then we will conduct the review and schedule a workshop.</p>
<p>17) Motion to Adjourn Moved by Charlie Catholique</p>

Board of Director

Board of Director