

Teslin Tlingit First Nation  
Implementation Plan

February 1992

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TESLIN TLINGIT FIRST NATION  
IMPLEMENTATION  
PLAN

FEBRUARY 1992

## INTRODUCTION:

### What is Implementation?

Implementation planning can be understood as the specific actions that need to be taken to put into effect a complex agreement, such as the Umbrella Final Agreement or in this case, the Teslin Tlingit First Nation Final Agreement. Implementation planning also identifies the options - both explicit and implicit - contained in a complex agreement. The task here is to identify the best way that Teslin Tlingit people can use the contents of the Final Agreement to bring about positive change for themselves and their future generations.

The Teslin Tlingit First Nation recognizes that implementation of their Final Agreement will greatly increase their responsibilities and costs. The management and government regime envisioned in the Final Agreement implies a significant redistribution of management powers away from Governments. The success of their Agreement will be measured in terms of the degree to which it improves the social and economic conditions within their traditional territory. It will also be measured in the degree to which the Teslin Tlingit First Nation moves from a state of dependency upon other governments to a state of autonomy, managing their own affairs.

Though Government separates the Final Agreement and Self-Government Agreement for political reasons, there cannot, in reality, be any such separation. Self-government powers are found throughout the Final Agreement, and these powers have already been exercised to some degree in the Teslin Tlingit First Nation Clan system of government. A variety of new structures will be built up around this Clan system, to meet the needs of Teslin Tlingit citizens and the demands of implementation. The end result must be sharing of government powers between Yukon public government and Teslin Tlingit aboriginal self-government.

## Implementation Structures

The creation of new governing structures for implementation is a difficult process. The main difficulty lies in resistance to new ways of doing things that are unfamiliar to government officials and the local people. Old ways die hard - non-native people must be educated about the new forms and philosophies of aboriginal government and about the changing roles they will play in Yukon society. Aboriginal people on the other hand must be brought through a healing process to a point where they can contribute their own energies and philosophies to their own autonomous governments. Both these processes must be supported by all Yukon people.

As Self-Government structures develop, they require greatly increased administrative and management capacity. The intention of the Teslin Tlingit First Nation is not to fill this capacity with non-aboriginal persons; by necessity this may occur in the preliminary stages. But training of Tlingit people to fulfil the responsibilities of government - both short and long term - is the priority.

The ultimate goals of the Teslin Tlingit First Nation are self-reliance and autonomy. All Teslin Tlingit citizens are important to the successful achievement of these goals. All Teslin Tlingit citizens deserve the chance to work toward these goals to the best of their abilities. To reach these goals of self-reliance and autonomy, it is crucial that adequate resources are provided by Governments for the implementation process. With mutual co-operation and respect by all Governments these goals can be achieved.

### Implementation Funding

Crucial to the process of implementation of negotiated agreements is the issue of funding. All terms of the Final Agreement will be meaningless unless sufficient resources are made available by Governments to allow the empowerment of Teslin Tlingit First Nation Government and the participation of its citizens in Yukon affairs. The nature and adequacy of funding is the major stumbling block toward successful implementation, as shown in other Canadian land claims.

At present there appears to be differing views between Yukon First Nations and Governments about the basis upon which funding will be provided and on the factors affecting funding levels. For Yukon First Nations, careful examination of the UFA and their own Final Agreements have produced a detailed list of responsibilities and requirements flowing directly from the agreements. This is not a "wish list" but a list based on the responsibilities agreed to by all negotiating parties. These agreement requirements and responsibilities must be funded in the implementation process.

As well, funding for Self-Government costs is viewed differently by First Nations than by Governments. Formula Financing proposals for multi-year funding must include not only continuing program ~~services~~ at historic levels, but also funding for Self-Government start-up costs and new on-going administrative costs, plus "catch-up" costs to bring up the level of First Nation community services and infrastructure to Yukon standards.

Government views these financial components differently. Government will not fund proposals on the basis of what they perceive to be a "needs or wish list" arising from the Agreements. And regarding funding levels for formula financing they base projections on current levels of service to status Indians only. They do expect to allow minor increases in relation to start up costs for Self-Government and in support of implementation activities. In reality the two positions are far apart in terms of anticipated costs. The bridging of this philosophical and financial gap will be crucial to the success of implementation and to the fulfilment of expectations of Teslin Tlingit citizens.

TESLIN TLINGIT FIRST NATION

SELF - GOVERNMENT

Draft Implementation Plan

Developed by:

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Thomas Munson

February, 1992

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## 1.0 INTRODUCTION

This Implementation Plan is based on the content of the Teslin Tlingit First Nation (TTFN) Final Agreement signed with the Governments of Canada and Yukon in November 29, 1991. The plan reflects the spirit and intent of the TTFN Constitution which contains the fundamental principles of TTFN Self-Government. Specific Terms - of - Reference for preparation of the Implementation Plan come from Section (24.19) of the TTFN Self-Government Agreement.

Self-Government activities are the basis of a successful transition from the status of Teslin Indian Band to the new structure of the Teslin Tlingit First Nation. These activities are found not only in the Self-Government section of the TTFN Final Agreement, but are incorporated throughout this Agreement. It is important to note that this Implementation Plan will make reference to, but try not to duplicate these Self-Government activities contained in other sections of the TTFN Final Agreement, and as discussed by other drafters of the overall Final Agreement Implementation Plan.

## 2.0 BACKGROUND - TESLIN TLINGIT FIRST NATION SELF - GOVERNMENT

One fundamental fact under lies any consideration of TTFN Self - Government implementation : the Teslin Tlingit First Nation has already implemented substantial sections of the Agreement. The Teslin Indian Band was the first Indian Act Yukon Band to develop, discuss and adopt their own Constitution. The TTFN Constitution has been functioning since 1988, with the following self-governing bodies defined:

- i) the General Council,
- ii) the Elders Council,
- iii) the Board of Directors (now the Executive Council),
- iv) the Tribal Justice Council.

Similarly, many of the administrative and financial systems are in place to deal with day-to-day TTFN affairs. The Land Claims negotiations process has also prepared many staff for the transition process to TTFN Self-Government. The Constitution has been reviewed and revised since 1988, and further work is being done to develop the governing bodies before the Final Agreement has been signed with the other levels of Government.

This process of Nation-building undertaken by the TTFN has put them in a unique position - to be able to move ahead with a solid foundation of Teslin Tlingit Government and processes already in place. Implementation from this point forward will be based on the fundamental principles and objectives found in the TTFN Constitution:

- i) to promote a respect for the land, language and culture of the Teslin Tlingit people;
- ii) to create an environment of physical and spiritual health for Teslin Tlingit people;
- iii) to ensure protection of the human, civil and legal rights of the Teslin Tlingit people;
- iv) to provide a unified voice and representation of the interests of Teslin Tlingit people;
- v) to accept a trust responsibility for Teslin Tlingit members in need;
- vi) to promote and strengthen the traditional Clan system of the Teslin Tlingit people;
- vii) to promote and strengthen the social, economic, political and educational growth of the Teslin Tlingit people;
- ix) to safeguard the traditional territory of the Teslin Tlingit Nation in perpetuity;

The TTFN systems of government have their basis in the traditional Clan system and will embody these principles and objectives. The success of implementation will depend upon building from this existing base, rather than in duplication of some foreign structure or form of government.

The challenge will be to expand the influence of the TTFN from this base in the community to influence throughout their traditional territory. Government of the traditional territory requires an expansion in scale of activities, in area of influence, in levels of services to Teslin Tlingit members and in numbers of staff involved in this government. The TTFN will also have to educate other local and regional levels of government and non-aboriginal residents of their territory regarding the structure and operations of TTFN Government. With the ultimate goal of autonomy for TTFN Government, the challenge is immense, but achievable.

### 3.0 OBJECTIVES OF THE IMPLEMENTATION PROCESS

The Implementation Plan objectives to achieve are listed in Section (24.19) of the TTFN Final Agreement:

- Sec. 24.19.1 - Orderly and effective forms of First Nation Governments;
- Sec. 24.19.2 - Community development based on a healthy and socially strong community;
- Sec. 24.19.3 - Respect for application of traditional Teslin Tlingit spirituality, values and practices;
- Sec. 24.19.4 - Socio-economic development and prosperity of Teslin Tlingit citizens;
- Sec. 24.19.5 - Governing institutions responsive to the needs of citizens;

Sec. 24.19.6 - Training for citizens to participate in the institutions of First Nation Government.

For purposes of this Report, the objectives will be grouped under the following headings:

- (1) INSTITUTION BUILDING - Objectives (24.1.1), (24.1.5)
- (2) COMMUNITY DEVELOPMENT - Objectives (24.1.2), (24.1.4)
- (3) RESPECT FOR TRADITION - Objective (24.1.3)
- (4) TRAINING AND STAFF NEEDS - Objective (24.1.6)

Another major objective may be identified, in relation to the need to inform Teslin Tlingit citizens, non-aboriginal residents and other levels of government about the nature of TTFN Self-Government:

- (5) COMMUNICATIONS.

The specific activities required to obtain these objectives will be grouped under these (5) main categories.

#### 4.0 METHODOLOGY OF IMPLEMENTATION PLAN

\* At the outset, it should be again noted that many of the specific activities, programs and services related to Self-Government will be found in other sections of the overall Implementation Plan. If this is the case, these will be noted in the Worksheets and work will not be duplicated. \*

The specific content of the Implementation Plan is recommended in Section (24.19.2) of the TTFN Self-Government Agreement. For the main section of the Plan, there is a need to identify:

- i) specific activities, research, projects, programs and services required to implement the Agreement; and
- ii) responsibility for time frames, costs, and who will bear the costs of the specific activities in (i).

This work will be laid out on Worksheets which are grouped under the (5) categories mentioned above. Each section will have a brief introduction. Other details of the plan will follow these Worksheets.

## 5.0 IMPLEMENTATION WORKSHEETS

### 5.1 Institution Building

As indicated earlier, a substantial proportion of the necessary institution - building activities (including the literal building of new offices) have been completed or are underway. This work has flowed directly from the TTFN Constitution. Some further development of the Tribal Justice Council is necessary; otherwise implementation activities in this area relate to the expanded role and operation of those governing bodies, the role and responsibilities of members of these bodies, and communication and relationship between the governing bodies.

No work is contained in this report on structures and operations of the Tlingit Nation - the Daak ka Tlingit. This omission is not intentional; the Daak ka Tlingit Constitution is in draft form and further work is being done to revise this Constitution. It is assumed that the Daak ka Tlingit will be a functioning Governing Body at some point in the future.

**INSTITUTION BUILDING**

**SPECIFIC ACTIVITY:** Ratification process for Self-Government Agreement, TTFN Final Agreement.

**WORK COMPLETED:** TTFN has designed Ratification Process for Final Agreement, including the Self-Government Agreement.

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST WHO PAYS</u>
Approval of TTFN Ratification Process by Governments	G of C YTG	ASAP	N.A.
----- Citizen information campaign and Ratification Process to be completed by General Council	TTFN	Mar - Apr 1992	-----

**SPECIFIC ACTIVITY:** Preparation of TTFN Consitution  
Establishment of Governing bodies.

**WORK COMPLETED:** TTFN Constitution approved in 1988; General Council, Elders Council and Board of Governors all in operation; Tribal Justice Council process initiated.

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
Approve Implementation Plan for Tribal Justice Council; begin Implementation of Tribal Justice System.	TTFN General Council	1992	See details of T.J.C. Implement ation plan.
----- Negotiate a TTFN Justice Agreement with other Governments	----- TTFN G of C YTG	----- 1992	-----

**SPECIFIC ACTIVITY:** Completion of Enrollment and citizenship activities.

**WORK COMPLETED:** Draft Citizenship Code prepared for ratification - 1991

<b><u>FURTHER WORK REQUIRED</u></b>	<b><u>RESPONSIBILITY</u></b>	<b><u>TIMEFRAME</u></b>	<b><u>COST\WHO PAYS</u></b>
- Ratification of TTFN citizenship code -----	TTFN internal -----	March 1992 -----	
- Continue with enrollment of TTFN citizens	TTFN internal	Ongoing over (2)	Enrollment commission funds

**SPECIFIC ACTIVITY:** Review and assessment of decision-making processes of established Governing bodies;

**WORK COMPLETED:** Strengths, Weaknesses, Opportunities, Expectations (SWOE) workshop - 1990  
Review of TTFN Constitution

<b><u>FURTHER WORK REQUIRED</u></b>	<b><u>RESPONSIBILITY</u></b>	<b><u>TIMEFRAME</u></b>	<b><u>COST\WHO PAYS</u></b>
- Assessing Council(s) decision-making processes to ensure: (i)members are informed about and satisfied with process; (ii)minutes and decisions are recorded, stored and made available to citizens; (iii)information is exchanged between Council(s) (iv)new members are provided orientation about system of government	TTFN Internal Review	Ongoing over (5) years.	



**SPECIFIC ACTIVITY:** Review and assessment of staffing needs for expanded operations of Governing Bodies

**WORK COMPLETED:** Successful operation of Councils for (3) years; Preparation of Implementation Plan (including staffing needs) for Tribal Justice Council.

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
- Assess need for additional staff to support the larger operations of the Councils under Self-Government	TTFN Internal Review	March 1992	
- Provide training for existing and new support staff to handle additional work under new Self-Government regime	TTFN G of C YTG	Ongoing over (5) years	Gov't Implement ation costs

**SPECIFIC ACTIVITY:** Establish Public Registry of Laws

**WORK COMPLETED:**

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
- Determine legal procedures for establishment of TTFN Registry of Laws	TTFN	1992	G of C Implementation costs
- Determine the necessity of establishing central Yukon Indian registry of laws	All YFN's	1992	G of C Implementation costs

**SPECIFIC ACTIVITY:** Teslin Tlingit First Nation law making powers (on and off settlement lands)

**WORK COMPLETED:** TTFN Constitution - 1988  
Establishment of General Council

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
<ul style="list-style-type: none"> <li>- Review of legislative powers contained in Self-Government Agreement;</li> <li>- Redrafting of existing Band bylaws before transfer</li> </ul>	TTFN	Prior to Final Agreement	
<ul style="list-style-type: none"> <li>- Ongoing review and modification of existing Government laws in relation to or conflict with TTFN laws, modification of Government regulatory regimes</li> </ul>	TTFN G of C YTG	Ongoing over (5) years	Gov't Implementation costs
<ul style="list-style-type: none"> <li>- Research into other first Nation law-making powers across Canada</li> <li>- Confirmation of traditional TTFN laws by enacting them in modern context</li> <li>- Education of General Council on process of law-making</li> <li>- Hiring of para-legal support staff for General Council</li> </ul>	TTFN	Ongoing over (5) years	G of C Implementation costs

**SPECIFIC ACTIVITY:** Teslin Tlingit First Nation use,  
~~management administration~~ and protection of Settlement and  
 Non-Settlement lands in traditional territory

**WORK COMPLETED:** - Implementation Plan for Department of  
 Renewable and Non-Renewable Resources (D.Cooley October 1991)  
 - Implementation Plan for Land Resource Office (Lamerton  
 January 1992)

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
- Review and approval of Implementation Plans for Resources and Lands Departments	TTFN General Council	Feb-Mar 1992	
- Training and hiring of additional staff for Resources and Lands Departments	TTFN		See details of Implementation Plan

## 5.2 Community Development

Much of the activities required under Community Development will be included in the Implementation Plan for Social Development included in this package. As well, the administrative programs and services required to carry out these activities in the TTFN office will be included in the sections of the Implementation Plan on Structures and Systems. However, there are some aspects of Community Development related to self-government and the political process that will be included here. These relate to the revival of the traditional Clan system as a means of Self-Government in the modern context.

Another important aspect of Self-Government as it relates to Community Development is the whole issue of Devolution of Programs and Services. At this point in time, the Teslin Tlingit First Nation has identified the following areas of responsibility to be devolved over time to the control of TTFN:

- (i) Social Programs;
- (ii) Tribal Justice
- (iii) Culture
- (iv) Management and Administration
- (v) Renewable Resources
- (vi) Non-Renewable Resources
- (vii) Land Management and Use
- (viii) Finance
- (ix) Economic Development

For each of these areas, work plans, schedules and resource needs will have to be prepared, and negotiations commenced with Government.

COMMUNITY DEVELOPMENT

**SPECIFIC ACTIVITY:** Further development of the traditional TTFN Clan system

**WORK COMPLETED:** Adoption of TTFN Constitution - 1988  
Use of TTFN Clan system in government decision-making

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST/WHO PAYS</u>
- Assist each Clan in training potential Clan Leaders in areas of traditional custom, law-making, and justice	TTFN	Ongoing over (5) years	
- Hold community meetings or assemblies to educate citizens concerning Clan system and traditional forms of self-government	TTFN	Ongoing over (5) years	
- Train and hire Clan Self-Government Implementation Co-ordinator to assist with further evolvement of the Clan system	TTFN	1992	Gov't Implementation costs
- Determine the needs of particular groups of TTFN (Elder's, Youth) for more effective involvement in the Clan system (for example, Youth Council organization)	TTFN	Ongoing over (5) years	
- Proceed with planning and construction of a traditional longhouse to serve as Clan and community meeting place	TTFN		

**SPECIFIC ACTIVITY:** Devolution of programs and services from Government to TLEN

**WORK COMPLETED:** Identification of areas of responsibility:  
(i) Social Programs; (ii) Tribal Justice; (iii) Culture;  
(iv) Management and Administration; (v) Renewable Resources  
(vi) Non-Renewable Resources; (vii) Land Management  
(viii) Finance; (ix) Economic Development

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST WHO PAYS</u>
- Priorize the list of programs and services to be devolved from Government; table list of prioritized devolution subjects by April 1	TTFN	Feb-Mar 1992	
- Develop workplans, schedules and resources needed to devolve specific programs and services - Negotiate program transfer agreements	TTFN G of C YTG	Ongoing over (5) years	

### 5.3 Respect For Tradition

Given the unique degree to which the TTFN is restoring major elements of its self-government traditions to use and prominence it would be beneficial to strengthen this base of tradition and culture. Language renewal and cultural historical research are two sources of support and guidance for strengthening the existing governing system. A people's history - both distant and recent - provides source and rationale for the basic philosophy and general principles that guide the system of government. Language provides not only the traditional terms and concepts but also another way of thinking about government and politics. Knowledge of their history and past forms of self-government are essential to the citizen's pride in their government, and confidence in their ability to hold it to account for their needs.

At present the surviving Elders are the major repositories of both Teslin Tlingit history and language. This knowledge should not be lost, but must be recorded and used to strengthen the basis of TTFN Self-Government.



RESPECT FOR TRADITION

**SPECIFIC ACTIVITY:** Research project on Teslin Tlingit First Nation history and culture

**WORK COMPLETED:** Past researchers, consultants work carried out in Teslin (not centralized)

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMPERAME</u>	<u>COST WHO PAYS</u>
- Collection and centralization of existing information on Teslin Tlingit history and culture from across North America	TTFN	Ongoing over (5) years	
- Begin full-scale oral history project with Teslin Tlingit Elders,	TTFN	Ongoing over (2) years	
- Construct space (existing or new) for holding of material on TTFN history, culture and language	TTFN		

**SPECIFIC ACTIVITY:** Research project on Teslin Tlingit First Nation language

**WORK COMPLETED:** Collection of information by Yukon Native Language Centre (Whitehorse)  
Training of Tlingit instructors for school system by Yukon Native Language Centre

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
- Organized project to record Tlingit language from Elders	TTFN	Ongoing over (5) years	
- Training of Tlingit interpreters to be used in functioning of Governing Bodies	TTFN Govt's	1992-3	
- Training of instructors to teach Tlingit language to all citizens in need - Construct space (existing or new) for holding of materials on TTFN language, for teaching of Tlingit language	TTFN Govt's	1992-3	

#### 5.4 Communications

To maximize the effectiveness of the TTFN Self-Government system, communications about the system and about its decisions and laws must be carried out. Communication flow must be in place within the Teslin Tlingit First Nation (ie) for its citizens, and with other outside governments and non-aboriginal people. To ensure that both citizens and others understand the system of government, and are aware of its' decisions, both ongoing and single-time forms of information can be developed and distributed.

**SPECIFIC ACTIVITY:** Information strategy for TTFN agreement and Implementation Plan

**WORK COMPLETED:** Regular Clan meetings to inform citizens of contents of TTFN Final Agreement  
Community meetings to inform citizens of TTFN Implementation Plan

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
<ul style="list-style-type: none"> <li>- Joint tripartite information strategy to inform both native and non-native people about TTFN Final Agreement</li> </ul>	TTFN G of C YTG	1992	Gov't Implement ation costs
<ul style="list-style-type: none"> <li>- Preparation of information booklet for distribution to other Governments, media</li> <li>- Hiring of Clan Self-Government co-ordinator to assist with Clan meetings, information distribution</li> </ul>	TTFN	1992	

\* See worksheets for INSTITUTION BUILDING

COMMUNICATIONS

**SPECIFIC ACTIVITY:** Communications by Tealin Tlingit First Nation Governing Bodies.

**WORK COMPLETED:**

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
<ul style="list-style-type: none"> <li>- Design, publication and distribution of information booklet about TTFN Governmetn (Tlingit and English)</li> </ul>	TTFN	1992	
<ul style="list-style-type: none"> <li>- Organize information potlaches to inform local non-aboriginal people about TTFN Government and Land Claim Agreement</li> <li>- Ensure distribution of records of decisions from Governing Bodies to TTFN citizens in written form (Tlingit and English) and through community meetings.</li> </ul>	<p>TTFN</p> <p>TTFN internal</p>	Ongoing over (5) years	

## 5.5 Training and Staff Needs

The following section will be a projection of anticipated staffing and training needs in order to carry out the activities laid out on the Worksheets. The staffing needs will be summarized under the same headings used in the previous section. Detailed job descriptions and salary levels will be developed at a later date.

### General Principles

As noted in the Manpower and Training section of the TTFN Tribal Justice System Implementation Plan, the training and staffing of positions in the Government systems should be carried out in a wholistic manner. In other words, training will involve both a self-healing program followed by a skills training program. People who work in services to the governing Bodies of the TTFN should be people of high esteem in the community; people who can be trusted to deal with other citizens in a fair and just manner. These people should embody the principles and objectives laid out in the TTFN Constitution.

#### 5.5.1 Institution Building

##### 1) Specific Activity:

Ratification process for TTFN Final Agreement.

##### Positions Required:

##### a) Clan Ratification Co-ordinator

There should be (1) temporary full-time Ratification Co-ordinator to serve the five Clans. This person should preferably speak both Tlingit and English. They will be responsible to the Executive Council and have the following duties:

- co-ordinating information flow to/from the Executive Council to the Clans
- organization and recording of meetings on Agreement ratification
- liaison on ratification process with:
  - (i) Clan Leaders
  - (ii) Executive Director
  - (iii) Chief
  - (iv) Clerk of the Councils (when appointed)

ii) Specific Activity:

Implementation of Tribal Justice System.

Positions Required:

See specific Implementation Plan for TTFN Tribal Justice Systems.

iii) Specific Activity:

Expand operation of existing TTFN Governing Bodies.

Positions Required:

a) Clerk of the Elders Council and General Council.

There should be (1) full time clerk to provide administration support to the General and Elders Council. The clerk should preferably speak both Tlingit and English and be responsible for:

- recording minutes and resolutions of these two Council's meetings,
- distributing summaries of minutes and resolutions to citizens,
- maintaining a central file of Councils information of access to citizens,
- providing notice to citizens about upcoming Council meetings.

iv) Specific Activity:

\* NOTE: These positions may be overlapped with Tribal Justice Plan.

Establishment of Public Registry of Laws.

Positions Required:

a) Legal Counsel

There should be (1) full-time trained Legal Counsel to oversee the operations of the Public Registry of Laws. This person should preferably speak both Tlingit and English, and be responsible for:

- assisting the General Council in enacting laws on and off Settlement land,
- interpreting traditional TTFN laws in modern context,

- interpreting other ~~Government~~ laws in relation to activities of TTFN citizens,
- administration of laws in relation to rights ~~and~~ benefits of TTFN citizens,
- legal research regarding modification of existing ~~Government~~ regulatory regimes in relation to TTFN laws.

b) Researcher - Clerk

There should be (1) person working full-time to assist the Legal Counsel in the Public Registry. That person will be responsible for:

- para-legal research regarding modification of Government laws and regulations in relation to TTFN laws,
- maintaining a registry of all laws enacted by General Council,
- collecting and maintaining a registry of other Government laws relevant to TTFN citizens.

5.5.2 Community Development

i) Specific Activity:

Development of Traditional TTFN Clan System.

Positions Required:

a) Clan Self-Government Co-ordinator

There should be (1) full time permanent Clan Self-Government Co-ordinator to serve the five Clans. This person could move into a full-time position after training as temporary Clan Ratification Co-ordinator. This Co-ordinator should preferably speak both English and Tlingit and be responsible to the Executive Council, with the following duties:

- organizing Clan community meetings to educate members on functions and structures of TTFN Government,
- assist specific groups of the community (Elders, Youth) to be more effectively involved in TTFN Government,
- assist with production and distribution of educational materials for both citizens and non-aboriginal public regarding TTFN Government structures,
- assist with research projects on Teslin



- Tlingit First Nation culture and history,
- assist with training of Clan members to become involved in Government system,
  - assist Clerk of the Councils to distribute information from Council meetings.

5.5.3 Respect For Tradition

\* NOTE: Some positions in this section may be contained in the Social Development Plan.

i) Specific Activity:

Teslin Tlingit First Nation Cultural Research Project

Positions Required:

a) Co-ordinator - Cultural Research Project.

There should be (1) full-time position as Co-ordinator of this project. The person hired should preferably speak both English and Tlingit and be responsible for:

- collection and centralization of existing information on Teslin Tlingit history and culture from all known sources.
- design and implementation of an Oral History data collection project to begin in local community.

b) Field Staff - Cultural Research Project

There should be (2) temporary full-time positions to carry out the Oral History data collection. These people should preferably have a knowledge of Tlingit and English and be responsible for:

- field collection of information from Elders,
- organization of information for storage and/or use in public education

c) Curator - Cultural Centre

Assuming construction of a permanent facility for housing Teslin Tlingit historical information and cultural materials, a full-time Curator position is needed. This person should speak both Tlingit and English and

will be responsible for:

- maintaining collection of existing historical information and materials related to Teslin Tlingit culture,
- liaison with local Teslin museum regarding collection of TTFN artifacts,
- continuing efforts to secure or repatriate Teslin Tlingit cultural material from other institutes.

ii) Specific Activity:

Teslin Tlingit First Nation Language Project

Positions Required:

a) Co-ordinator - Language Project.

There should be (1) full time position as Co-ordinator of this project. The person hired should be fluent in Tlingit and English and be responsible for:

- co-ordination of a Tlingit language data collection project in co-operation with Yukon Native Language Centre
- maintenance of information bank on Tlingit language,
- supervision of field staff involved in language project.

b) Field Staff - Language Project

There should be (2) temporary full-time positions for this project. These people should preferably have a knowledge of Tlingit and English; these people could also transfer from the Oral History project upon completion of data collection there. They would be responsible for:

- field collection of data from Elders,
- organization of information for storage and/or use in public education and teaching.

c) Interpreters - TTFN Government

There should be (1) full-time and (1)

alternate Interpreter position to serve the needs of the TTFN. These people must be fluent in Tlingit and English and be responsible for:

- interpretation of proceedings of TTFN Governing Bodies to the Elders,
- translation of important information from other Governments into Tlingit language,
- assistance to the Elders in other situations requiring interpretation, such as medical emergencies, travel, etc.

d) Language Instructors

There should be at least (2) full-time permanent positions as Tlingit Language Instructors.

These people must be fluent in Tlingit and English. Instructors can be trained at Yukon Native Language Centre or some similar institution. They would be responsible for:

- teaching of Tlingit language on a regular basis in elementary school system,
- teaching of Tlingit language on as-needed basis to secondary school students and adults,
- preparation of curriculum for Tlingit language instruction.

5.5.4 COMMUNICATIONS

Specific Activity:

TTFN Government Information Booklet

Positions Required:

a) Graphic Designer - Writer

There should be (1) temporary full-time position as Graphic Designer. The person should be familiar with computer desktop publishing. They will be responsible for:

- design and production of information booklet (Tlingit and English) on structures and principles of TTFN Government,
- assistance in distribution of information booklet to TTFN citizens, non-aboriginal public

and other Government,  
- development of information strategy to increase  
public awareness of TTFN Agreement.

SUMMARY OF STAFFING NEEDS

1. Institution Building

- T - Clan Ratification Co-ordinator - (1)
- P - Clerk of Elders Council/General Council - (1)
- P - Legal Counsel - (1)
- P - Researcher - Clerk - (1)

2. Community Development

- P - Clan Self-Government Co-ordinator - (1)

3. Respect For Tradition

- P - Co-ordinator - Cultural Research Project - (1)
- T - Field Staff - Cultural Research Project - (2)
- P - Curator - Cultural Center - (1)
- P - Co-ordinator - Language Project - (1)
- T - Field Staff - Language Project - (2)
- P - Interpreter - (2)
- P - Language Instructor - (2)

4. Communications

- T - Graphic Designer - Writer - (1)

\* NOTE TO CODE: T - Temporary  
P - Permanent

## 6.0 ADDITIONAL IMPLEMENTATION TASKS

There are a number of specific activities identified in the ~~Self-Government Agreement~~ that do not fall under the previous categories of Objectives. Additional Worksheets have been completed to include these activities. The First Nation Implementation Plans that pave the way for others will require major co-ordinated effort between the First Nation and the other Governments. Expert assistance will be needed to complete the enormous amount of work ahead, especially in areas of:

- i) preparation of legislation to give effect to the Final Agreement;
- ii) revision of Government regulatory regimes and Legislation relevant to the Final Agreement;
- iii) modification of Government policies and programs to assist with implementation;
- iv) identification of all training needs required to implement the Final Agreement.

Work in these areas is still very preliminary, and will evolve as the task ahead becomes clearer.

ADDITIONAL IMPLEMENTATION TASKS

**SPECIFIC ACTIVITY:** Transitional provisions of Self-Government Agreement - Transfer from Teslin Indian Band to Teslin Tlingit First Nation

**WORK COMPLETED:**

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST WHO PAYS</u>
<ul style="list-style-type: none"> <li>- Detailed inventory of all employees, rights, titles, interests, assets, and liabilities of Teslin Indian Band prior to transfer</li> <li>- Formal signing over of all assets and liabilities upon effective date of transfer</li> </ul>	<p>TTFN internal</p>	<p>1992</p>	

SPECIFIC ACTIVITY: Legal status of Teslin Tlingit First Nation

WORK COMPLETED: Revision of TTFN Constitution - 1991

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
- Development of First Nation legislation, laws and policies regarding: (i) authority to enter into contracts; (ii) authority to acquire, hold and dispose of property; (iii) authority to raise, invest, spend and borrow money; (iv) authority to form a corporation or other legal entity	TTFN internal	1992	

**SPECIFIC ACTIVITY:** Development of Self-Government Legislation

**WORK COMPLETED:** Development of Yukon First Nation model Self-Government Agreement; completion of TTFN constitution

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST WHO PAYS</u>
- Development of Federal Self-government legislation with input from TTFN	G of C TTFN	1992	G of C costs
- Development of First Nation laws, policies and legislation for legal status (see other worksheet)	TTFN	1992	



**SPECIFIC ACTIVITY:** Delegation of TTFN powers

**WORK COMPLETED:**

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
- Tripartite discussion regarding necessary delegation of powers at effective date of Self-Government Agreement	TTFN G of C YTG CYI	1992 -prior to Final Agreement	
- Determine whether any powers should be delegated to CYI or other central organization, to tribal council, to public body or official, to government, to municipality or school board, etc.	TTFN	1992	

SPECIFIC ACTIVITY: Joint Land Use Agreements

WORK COMPLETED:

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST WHO PAYS</u>
- Determine necessity of agreements for joint planning, zoning, or local land use control	TTFN YTG G of C	1992	
- Establish relationship between municipal government and TTFN regarding land and land use	TTFN YTG	1992	
- Conclude overlap agreements with other First Nations	TTFN other FN's	1992	

**SPECIFIC ACTIVITY:** Establishment of TTFN taxation regime

**WORK COMPLETED:**

<b>FURTHER WORK REQUIRED</b>	<b>RESPONSIBILITY</b>	<b>TIMEFRAME</b>	<b>COST WHO PAYS</b>
- Resolution of negotiations on financial compensation and taxation in Umbrella Final Agreement	CYI-FN's G of C YTG	1992	
- Research and establishment of local taxation regime on TTFN settlement lands, development of taxation laws	TTFN G of C YTG	1992	
- Negotiations with Government regarding tax agreements for TTFN authority on <u>income tax</u>	G of C TTFN	Within (3) years of Final Agreement	Gov't Implementation costs
- Negotiations with YTG for TTFN authority on <u>property taxes</u> ; - Negotiations with YTG regarding efficient delivery of local services and programs	TTFN YTG	Ongoing over (5) years	Gov't Implementation costs

**SPECIFIC ACTIVITY:** Formula Financing Arrangements between TTFN and ~~Government~~ of Canada

**WORK COMPLETED:**

<b>FURTHER WORK REQUIRED</b>	<b>RESPONSIBILITY</b>	<b>TIMEFRAME</b>	<b>COST\WHO PAYS</b>
- Negotiate detailed Formula Financing Agreement with regard to ongoing costs of TTFN Government and costs of program transfers from Government	TTFN G of C CYI	1992	G of C Implement ation costs
- Ongoing Formula Financing negotiations	TTFN	Ongoing over (5) years	G of C Implement ation costs

**SPECIFIC ACTIVITY:** Review of Terms of Self-Government Agreement

**WORK COMPLETED:**

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
<p>- Five year review of TTFN Self-Government Agreement regarding whether:</p> <p>(i)other First Nation Agreements have more effectively incorporated Self-Government provisions, implementation or fiscal transfer arrangements;</p> <p>(ii)the objectives of the training and implementation plan are being acheived;</p> <p>(iii)the negotiated transfer of programs and services has been successful</p> <p>-----</p>	<p>TTFN G of C YTG</p>	<p>Within (5) years</p>	<p>Gov't Implement ation cost</p>
<p>- Parties may re-negotiate parts of Self-Government Agreement to attain more favourable terms for TTFN</p>	<p>TTFN G of C YTG</p>		

**SPECIFIC ACTIVITY:** Monitoring, reporting on, evaluating and amending the Implementation Plan

**WORK COMPLETED:** Regular Clan meetings, General Council meetings to inform citizens of contents of TTFN Final Agreement

<b><u>FURTHER WORK REQUIRED</u></b>	<b><u>RESPONSIBILITY</u></b>	<b><u>TIMEFRAME</u></b>	<b><u>COST\WHO PAYS</u></b>
- Discussion among Clan Leaders/General Council about best means of monitoring success and progress of Implementation Plan	TTFN internal	February 1992	
- Discussion with Government regarding regular evaluation and amendment of TTFN Implementation Plan	TTFN G of C YTG	March 1992	

**SPECIFIC ACTIVITY:** Co-ordination of Land Claims Implementation Plans

**WORK COMPLETED:** Ongoing TTFN participation in UFA Implementation Planning meetings  
 Ongoing TTFN participation in Implementation Planning for (4) First Nations with Final Agreements

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
- Information sharing between (4) First Nations with Final Agreements -----	TTFN NND Cham-Aish Vun-Gw CYI -----	Ongoing through 1992 -----	-----
- Continuation of Government - First Nation information sharing and Implementation Planning meetings	----- Gov'ts FN Gov'ts CYI	Ongoing through 1992	Gov't Implementation costs

**SPECIFIC ACTIVITY:** Modification of Government regulations, policies and programs

**WORK COMPLETED:**

<u>FURTHER WORK REQUIRED</u>	<u>RESPONSIBILITY</u>	<u>TIMEFRAME</u>	<u>COST\WHO PAYS</u>
- Develop list of Government regulations, programs and policies to be modified to assist Implementation	CYI (4) FN's G of C YTG	1992	Gov't Implement ation costs
----- - Government to modify regulations, programs and policies to assist in Implementation Planning	----- G of C YTG	----- Ongoing over (5) years	----- Gov't Implement ation costs



D R A F T

TESLIN TLINGIT COUNCIL  
CONSTITUTION

FEBRUARY, 1992

TESLIN TLINGIT COUNCIL  
CONSTITUTION

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# TESLIN TLINGIT COUNCIL CONSTITUTION

## PREAMBLE

We, the Teslin Tlingit people, by virtue of our inherent rights as aboriginal people of the Teslin region, and desiring to assume and exercise full responsibility for our well-being and to protect the land and resources of our lands for ourselves and our children and future generations, do hereby adopt this Constitution on this day \_\_\_\_\_.

## PART I

Interpretation, General Application, Citizenship,, Government Organization, Powers and Responsibilities

### 1. INTERPRETATION

- 1.1 The following definitions are given to provide for better understanding of this Constitution.

Board - means the Management Board established by the General Council under section 21.

Citizen - means any person of Teslin Tlingit ancestry who belongs to one of the Teslin Tlingit Clans.

Consensus - means unanimous decision by those persons present in a meeting who are eligible to vote in the matter under consideration.

Consolidated Revenue Fund - means the Teslin Tlingit Council consolidated revenue fund established under section 28.

Chief Executive - means the Chief Executive officer of the Executive Council established under section 11, and commonly referred to as the "Chief" of the Council.

Chairperson - means the leader or presiding person at any meeting or gathering.

Contract - means any agreement or undertaking providing for the expenditure of public money or the giving of any consideration in exchange for goods or services, and includes purchase orders, service contracts, construction contracts, employment and any other contracts.

Council - when used by itself, means the General Council of the Teslin Tlingit First Nation established under section 9.

Department - means any department or agency of the Teslin Tlingit Government.

Executive - means the Executive Council established under section 11.

First Nation - means the Teslin Tlingit First Nation as provided for in section 4.

Fiscal Year - means April 1 of one year to March 31 of the following year as provided for in section 23.

Fund - means a fund established within the consolidated revenue fund, and includes a trust fund, special fund, revolving fund or any other approved fund.

Government - means the government of the Teslin Tlingit First Nation or other government referred to from time to time.

Governing Body - means any governing body of the Teslin Tlingit First Nation, established under the Constitution, and includes the General Council, Executive Council, Justice Council, Elders Council, Management Board and may include corporations, institutions and other boards, commissions or organizations to be established.

Legislative Powers - means powers to enact and pass laws, by-laws, regulations and resolutions.

Presiding Officer - means the leader or chairperson of the meeting or gathering.

Public Accounts - means the annual accounts of the Teslin Tlingit government, required to be prepared and presented to the General Council as prescribed by section 24.

Public Money - means all money received, held or collected, for or on behalf of the Teslin Tlingit Council.

Public Officer - means a person who is an employee of the Teslin Tlingit government and includes permanent, casual, part-time or employees on contract.

Public Property - means all property, other than money, belonging to the Teslin Tlingit government.

Public Use - means to be used by the government for the general good of the Teslin Tlingit people.

Remission - means to forgive a debt owing as provided for under section 34.

Redress - means a process to correct a wrong as provided for under section 8.

- 1.2 The Teslin Tlingit Council is composed of five Clans of Tlingit ancestry who have traditionally resided in the Teslin Tlingit region.
- 1.3 Clans are a specific grouping of people who have their own language, culture, values and other traditions which have evolved over time.
2. OBJECTS (objectives)
  - 2.1 The objects of the Teslin Tlingit Council are as follows :
    - (a) To have the General Council act as the legislative authority in respect of the Teslin Tlingit people;
    - (b) To promote and enhance the general welfare of the Teslin Tlingit people;
    - (c) To use, manage, administer and regulate the lands of the Teslin Tlingit First Nation including the natural resources thereof;
    - (d) To use, manage and administer the money and other assets of the Teslin Tlingit Council, including any and all benefits to be realized from the settlement of the land claims.
    - (e) To promote and carry out community development and charitable works for the benefits of the Teslin Tlingit Council.
    - (f) To promote, at all times, a respect for our land, our language, our culture and our Teslin Tlingit people.
    - (g) To work towards the creation of an environment that will allow Teslin Tlingit people to enjoy spiritual and physical health and to live with dignity and pride in our heritage.
    - (h) To ensure the protection of the human, civil, legal and aboriginal rights of the Teslin Tlingit people.
    - (i) To work towards the entrenchment in the Constitution of Canada, of the aboriginal rights of the Teslin Tlingit people.
    - (j) To provide a unified voice for the Teslin Tlingit people.

- (k) To negotiate with Governments, as required, and to plan negotiations and implementation of any Land Claims Agreement or settlement, whether in Yukon, British Columbia, or elsewhere in Canada, which involves Teslin Tlingit people.
- (l) To support and represent the interests of the Teslin Tlingit Council members in all areas of the First Nations responsibility on local, regional, territorial and national levels.
- (m) To accept a trust responsibility for those First Nation members who have such a need.
- (n) To maintain an up-to-date register of the citizens of the Teslin Tlingit Nation.
- (o) To promote and strengthen the educational, social, economic and political growth of the Teslin Tlingit Council.
- (p) To safeguard the territories of the Teslin Tlingit Council, as their heritage in perpetuity.
- (q) To ensure that any sale or exchange of the Teslin Tlingit First Nation land shall be subject to the terms of this Constitution.

2.2 And, to carry out such other functions, activities, and responsibilities as may be necessary, to fulfil the objectives of this, and other sections of this Constitution.

2.3 The seat of government of the Teslin Tlingit Council shall be located within the traditional territory of the Teslin Tlingit people as the General Council in its sole discretion deems advisable.

### 3. GENERAL PROVISIONS

3.1 The Teslin Tlingit First Nation is hereby recognized as successor to the Indian Act Teslin Indian Band.

3.2 For greater certainty, nothing in this Constitution shall be construed so as to abrogate or derogate from existing aboriginal or treaty rights of citizens of the First Nations, or any other aboriginal peoples of Canada, under Section 35 of the Constitution Act, 1982.



4. APPLICATION

- 4.1 The exclusive authority of the Teslin Tlingit Council shall extend over all Tlingit lands selected by the Teslin Tlingit First Nation in any Land Claims Agreement or acquired by the First Nation in any way, and the First Nation shall have authority to share in jurisdiction over other lands with Canada, Yukon, municipal or other aboriginal governments.
- 4.2 Citizenship in the Teslin Tlingit Council shall be open to persons of Teslin Tlingit ancestry who belong to one of the Teslin Tlingit Clans and shall be extended as provided for in the Citizenship Code which is attached as Schedule A, and forms part of this Constitution.

5. GOVERNMENT

- 5.1 The government of the Teslin Tlingit Council shall be based upon the traditional Clan system of government.
- 5.2 The citizenship and organization of each Clan shall be determined by the customs inherited and observed by the Clan.
- 5.3 Each Clan has a Leader and other Elders recognized as such by the Clan membership.
- 5.4 Each Clan shall maintain an up-to-date list of its members and shall keep a copy of this list posted in the Longhouse or other recognized public place.
- 5.5 The Teslin Tlingit Clans have emblems which are a part of their tradition, these are as follows:

CLAN	EMBLEM	LEADERS
Yanyeidi	Wolf	Mathew Thom
Daxaweidi	Eagle	Tom Smith
Daishetaan	Beaver	Watson Smarch
Ishketaan	Frog	Sam Johnston
Xooxetaan	Raven Children	Frank Jackson

6. ORGANIZATION

- 6.1 The powers, authority, jurisdiction, responsibility and duties of the Teslin Tlingit Council shall be exercised by one or more of the four branches of the government: the General Council; Executive Council; Elders Council and the Teslin Tlingit Justice Council.

- 6.2 The four branches of government shall not exercise any of the powers and/or responsibilities belonging to any of the others, except as provided for in this Constitution.
- 6.3 The General Council may, by order, prescribe the procedures to be followed such as General Assembly or referendum for the purpose of ratifying agreements or to consider other important matters.
- 6.4 In matters requiring government decisions, it is the tradition of the Teslin Tlingit Council to use the consensus method. The term "consensus" as used in relation to any branch of government means unanimous decision by the members of that branch.

## 7. RIGHTS OF CITIZENS

- 7.1 All citizens of the Teslin Tlingit First Nation shall have the rights and freedoms bestowed on all citizens of Canada, by the Constitution and the Charter of Rights and Freedoms of Canada.
- 7.2 All citizens of the Teslin Tlingit Council shall enjoy equal rights to life and liberty, and the pursuit of a way of life that promotes their language, culture, heritage and material well-being.
- 7.3 In exercising its powers the Teslin Tlingit Council shall not:
- (a) Make or enforce laws which are unlawful or contrary to the Laws of General Application of Canada.
  - (b) Make or enforce laws which unnecessarily restrict the freedom of religion, speech, the press, or the right of citizens to assemble peaceably, and to petition for redress of grievances.
  - (c) Violate the right of First Nation citizens to be secure in their persons, homes, papers, and effects against unreasonable search and seizure, nor issue warrants except under probable cause supported by oath or information specifically describing the place or person or thing to be searched or seized.
  - (d) Subject any person to be twice put in jeopardy for the same offenses.
  - (e) Compel any person in any criminal case to be witness against himself or herself.

- (f) Deny to any person in any proceeding against that person the right to know the nature and causes of any accusation, the right to confront any witness against him or her, the right to have compulsory process for obtaining witnesses in his or her favour, the right to have defence counsel, and the right to a speedy trial and decision.
- (g) Inflict cruel or unusual punishment.
- (h) Deny any person or Clan within its jurisdiction the equal application of its laws, or deprive any person or Clan of protection of liberty or property without due process.
- (i) Take without just compensation any property, or interest, for public use.

## 8. REDRESS

- 8.1 In seeking redress for any actual or alleged violation of rights, as described in section 7, by any person or Clan, except the Teslin Tlingit Justice Council, a person or Clan shall first appeal to the Teslin Tlingit Justice Council.
- 8.2 The Teslin Tlingit Justice Council may hear such appeal, and may thereupon direct remedial action from the person or Clan in question.
- 8.3 The person or Clan in question shall be obliged to follow the direction given by the Tribal Justice Council.
- 8.4 A redress against the Teslin Tlingit Justice Council, which is of an administrative nature, and does not involve tribal justice as such, may be brought before the General Council for adjudication and disposition.

## 9. GENERAL COUNCIL

- 9.1 There shall be a General Council, consisting of twenty five members, composed of five representatives from each of the five Teslin Tlingit Clans. Each Clan shall according to their traditional custom, select five representatives from their Clan and appoint them to be members of the General Council for a term of four years.
- 9.2 The General Council shall be presided over by the Chief Executive of the Executive Council, or in his or her absence or incapacity, by a deputy designated by the General Council.

- 9.3 The quorum of the General Council shall be 20 Clan representatives, provided that at least three representatives from each Clan are in attendance.
- 9.4 In the absence of a quorum, the General Council may, subject the unanimous agreement of the members present, and providing that at least one representative from each Clan is in attendance, have a meeting to deal with urgent matters.
- 9.5 There shall be an annual meeting of the General Council between June 1, and September 30, of each year. The Executive Council shall prepare a notice of the time, place and the agenda of the meeting, and deliver a copy of the notice to each Clan Leader at least 21 days before the time of the meeting.
- 9.6 Other meetings of the General Council may be held at such times as the General Council considers necessary or at the request of the Executive Council, the Elders Council, or the Management Board. Notice of such meetings shall be delivered to the Clan Leaders at least seven days prior to the meeting. Such meetings may deal only with agenda items stated in the notice.
- 9.7 Agreement by consensus shall be encouraged at all meetings of the General Council. When consensus has not been reached, the presiding officer may rule that a motion may be considered.
- 9.8 A person addressing a meeting of the General Council may speak in Tlingit and the Chief Executive shall make every effort to ensure that translation is made available.
- 9.9 All meetings of the General Council shall be open to every citizen of the Teslin Tlingit First Nation and all citizens shall be encouraged to attend and to speak on issues before the meeting. However, only General Council members may introduce motions or vote in the meeting.

#### 10. POWERS OF GENERAL COUNCIL

- 10.1 The General Council shall have exclusive legislative powers to enact Teslin Tlingit First Nation laws, and shall include those powers recognized by the Royal Proclamation of 1763, and those powers recognized or extended to the First Nation by any Land Claims Agreement or any other law of Yukon, British Columbia or Canada. Such powers shall be exercised subject to any limitations imposed by this Constitution.

- 10.2 The General Council shall be the ultimate government authority to act on behalf of and for the Teslin Tlingit citizen.
- 10.3 The General Council shall establish an Executive Council, which shall be the executive body of the Teslin Tlingit Government and shall at its annual meeting, every fourth year, appoint one representative from each of the five Clans, to be members of the Executive Council for a term of four years.
- 10.4 The General Council shall establish land use policy and regulations to govern land use on Teslin Tlingit First Nation lands.
- 10.5 The General Council may enact laws to govern development of First Nation lands and of natural resources associated with First Nation lands and of natural resources associated with First Nation lands for industrial or other uses provided that such development is designed for the general good of the First Nation as a whole.
- 10.6 The General Council may, subject to any agreement with the governments of Canada, Yukon, or to recognition of First Nation powers in any Land Claims Agreement, enact laws in respect of the following:
  - (a) Administration of the affairs, operations and internal management of the Teslin Tlingit Council;
  - (b) Adoption of citizens and adoption by citizens of the Teslin Tlingit First Nation;
  - (c) Guardianship, custody, care and placement of Teslin Tlingit First Nation citizens;
  - (d) Education, schooling and training of First Nation citizens;
  - (e) Health care and health services for citizens;
  - (f) Recognition, protection and enhancement of spiritual and cultural beliefs and practises of citizens;
  - (g) Recognition, protection and enhancement of the traditional languages of the Teslin Tlingit people;
  - (h) Procedures for determining the competency or ability of citizens and provisions for safeguarding the interest of those found incapable of responsibility for their own affairs providing that such procedures and provisions shall be in accord with the principles of natural justice;
  - (i) Resolution of disputes and prevention of mistreatment involving citizens within families;

- (j) Inheritance, wills, intestacy and administration of estates of citizens, including rights and interest in settlement lands;
  - (k) Management and administration of rights or benefits that are realized by the beneficiaries according to the Final Agreements and which are to be controlled by the Teslin First Nation; and
  - (l) Such other powers as may be ancillary to the foregoing.
- 10.7 The General Council may enact laws to protect First Nation lands, surface and sub-surface, and the environment, including water and air space, for First Nation citizens.
- 10.8 The General Council may enact laws for renewable and non-renewable resources in respect of Teslin Tlingit First Nation lands.
- 10.9 The General Council shall have the power to:
- (a) Establish governing bodies and provide for their powers duties and responsibilities, composition, membership, policies and procedures;
  - (b) Request, receive and approve reports from all the governing bodies;
  - (c) Receive and approve the Annual Budget;
  - (d) Provide for management systems, including financial management, audits and publication of reports by all governing bodies to show their accountability to the Teslin Tlingit citizens;
  - (e) Establish rules and procedures to be followed and conditions to be met to effect any disposition, or eliminate of rights or interest, by the First Nation in Settlement Lands;
  - (f) Recognize and protect the rights and freedoms of the citizens of the Teslin First Nation;
  - (g) Provide for the challenging of the validity of First Nation laws and for the quashing of any individual law;
  - (h) Provide for a register of Teslin Tlingit Council laws; and,
  - (i) Make, receive and approve rules and regulations, in respect of any matter affecting the good government, and well-being, of the Teslin Tlingit First Nation.

10.10 The General Council, may delegate any of it's powers to the Executive Council, or other governing body, of the Teslin Tlingit Council.

## 11. EXECUTIVE COUNCIL

11.1 Pursuant to section 10.3 the Teslin Tlingit First Nation shall have an Executive Council which shall be the executive body of Teslin Tlingit government.

11.2 The Executive Council hereafter referred to as the Executive, shall be composed of six members, one member from each of the five Clans, who shall be appointed for four year terms by the General Council at it's annual meeting every fourth year. And one member, an Elder, shall be appointed by the Elder's Council who shall serve at the pleasure of the Elder's Council.

11.3 The General Council shall, at it's annual meeting, every fourth year, appoint one of the members of the Executive Council to be the Chief Executive, referred to here after as the "Chief". The Chief Executive shall serve for the same four year term as the other members of the Executive Council but may be removed from office at any time by the General Council for any circumstance it deems appropriate. In case of such removal, the General Council shall appoint another member of the Executive, within 30 days, to be Chief Executive for the remainder of the four year term.

11.4 The Executive Council shall conduct it's business by consensus.

11.5 The quorum of the Executive Council shall be four members.

11.6 For purposes of the Indian Act, the Executive Council shall be the Band Council.

## 12. POWERS OF THE EXECUTIVE COUNCIL

12.1 Subject to the approval of, the General Council and/or the Elder's Council, the Executive council shall have authority to:

(a) Lease Teslin Tlingit First Nation lands;

(b) Sell or exchange only such pieces of lands that may be designated in any Land Claims Agreement as subject to sale or exchange or that are acquired for the purpose of possible sale or exchange;

(c) Borrow, loan and invest money;

- (d) Assess property and to establish and collect taxes, user fees and other charges from Teslin Tlingit First Nation citizens and from non-citizens using, residing on, or doing business on, First Nation lands;
  - (e) Establish boards, commissions, and committees or other institutions, as may be required;
  - (f) Recommend for approval, to the General Council, budgets, reports and other policies for the Teslin Tlingit Council;
  - (g) Make, receive and approve regulations in respect of administrative and financial matters of government.
  - (h) Approve salaries, and other benefits and compensation, and honoraria, to Teslin Tlingit employees, Boards, Council members and other governing bodies;
  - (i) Approve personnel, administrative and financial policies, and procedures;
  - (j) Approve reports from governing bodies, or consultants, consistent with good management practices; and
  - (k) Exercise such other powers as may be delegated or assigned by the General Council.
- 12.2 Subject to section 19, the Executive Council may, delegate any of its authority, and responsibility to any governing body of the Teslin Council.

### 13. CHIEF EXECUTIVE

- 13.1 The Chief Executive, hereafter referred to as the Chief, of the Executive Council, or in his or her absence or incapacity, a deputy shall:
- (a) Serve as presiding officer in meetings of the Executive Council, the General Council and the General Assembly;
  - (b) Represent the Teslin Tlingit First Nation at meetings with officials of the government of Canada, Yukon, or other governments;
  - (c) Act as spokesperson for the First Nation in its relations with other organizations and represent the First Nation on boards, commissions, or committees, which may be established in respect to Land Claims and/or Self-Government;



- (d) Have authority to call special meetings of the Executive and/or the General Council according to procedures established by the Executive Council.
  - (e) Exercise such other authority, duties and responsibilities as may be authorized by the General Council, the Executive Council or provided for elsewhere, by the laws of the Teslin Tlingit Council.
- 13.2 The Chief Executive shall hold no other office besides that of a member of Executive Council and a member of the General Council.

#### 14. VACANCIES ON THE EXECUTIVE COUNCIL AND REMOVAL OF MEMBERS

- 14.1 Any member who fails to attend three consecutive regular meetings of the Executive, other than absence on Executive business, shall cease to be a member of the Executive Council, except if such failure to attend is excused by the Executive for reasons of health or other good reason.
- 14.2 A member may resign by tendering a written statement of resignation to the Executive Council
- 14.3 An appointment to the office of member of the Executive Council is a privilege and not a right, and therefore, sections 7 and 8 of this Constitution shall not apply in relation to any proceedings or decisions relating to removal from office of any member of the Executive Council.
- 14.4 The General Council may upon consultation with the respective Clan, remove from office any member of the Executive Council whose conduct or behaviour the General Council judges to have called into question, the dignity or integrity of the member in question, of the Executive Council, or of the Teslin Tlingit First Nation.
- 14.5 A member shall cease to hold office upon receipt by the Council Executive of a statement of dismissal, signed by the Leader of the Clan which appointed him, and at least three other members of that Clan.
- 14.6 The General Council may return to office a member who was previously removed from the Executive Council.
- 14.7 The unexpired term of office of any member who was appointed by the General Council and who has, for whatever reason, ceased to hold office shall be filled by appointment made by the Clan which that member represented. The appointment shall be made in a

written statement presented to the Executive Council Executive and signed by the Clan Leader and at least three other members of that Clan.

15. ELDERS COUNCIL

- 15.1 The Teslin Tlingit First Nation shall have an Elders Council composed of all Elders 55 years of age and older and headed by the Leaders of the respective Clans.
- 15.2 The Elder's Council can be likened to the Senate of Canada, whose purpose is to take a second look at things, and provide timely and wise advice and direction. Elders have a lifetime appointment to the Elder's Council.
- 15.3 The Elder's Council have a responsibility to provide advice and direction on any matter to the General Council, Executive Council, the Tribal Justice Council, to Clan Leaders and to Clan members.
- 15.4 The Elders Council have a responsibility to safeguard, encourage and instill the heritage, culture, language, and other traditions of the Teslin Tlingit First Nation.
- 15.5 As soon as possible after the General Council has appointed members to the Executive Council, the Council shall appoint one of its members to the Executive Council for the same four year term as the other members.
- 15.6 The Elder's Council shall appoint three members from among it's own members to the National Justice Council of the Daak Ka Tlingit.
- 15.7 The Elder's Council shall make its decisions by consensus.
- 15.8 The Elder's Council may assume other traditional responsibilities according to the traditions and needs of the Teslin Tlingit First Nation.

16. TESLIN TLINGIT JUSTICE COUNCIL

- 16.1 The judicial powers of the Teslin Tlingit First Nation shall be vested in the Teslin Tlingit Justice Council.
- 16.2 The Teslin Tlingit Justice Council shall be composed of the five Clan Leaders.
- 16.3 Subject to removal for misconduct or other circumstances, members of the Justice Council shall have lifetime appointments.

16.4 The specific authorities and responsibilities of the Teslin Tlingit Justice Council shall be established in accordance with traditional principles of Tlingit customary law and upon the advice of the Elder's Council, and approved by the General Council.

16.5 The Teslin Tlingit Justice Council shall establish their own procedures and exercise their authority and responsibilities in accordance with the traditional principles of Tlingit customary law.

#### 17. REVIEW PROCESS

17.1 Any Clan Leader in consultation with his or her Clan, may sign and submit to the Executive Council a petition demanding a review by the General Council of any proposed law, proposed resolution, or other proposed action under consideration, by any of the governing bodies.

17.2 Upon receipt of the petition, and until the General Council has reviewed the matter, the governing body shall take no further action on the matter in question, except to withdraw it from consideration or to declare that it will not be considered.

17.3 Failing such withdrawal or declaration within ten days of the submission of the petition, the Chief Executive shall call a meeting of the General Council to consider the matter.

17.4 In the meeting, the General Council shall either give its approval on the matter in question, or give direction to the Executive Council as to the disposition of the matter.

17.5 No review conducted pursuant to this section shall serve to abrogate, modify or amend any properly approved law, resolution, contract or agreement of the Teslin Tlingit First Nation.

#### 18. LEGAL CAPACITY OF THE TESLIN TLINGIT COUNCIL

18.1 The Teslin Tlingit Council is a legal entity and has the capacity, rights, powers and privileges of a natural person and, without restricting the generality of the foregoing may:

(a) Enter into contracts or agreements;

(b) Acquire and hold property or any interest therein, sell or otherwise dispose of property or any interest therein;

- (c) Raise, invest, expend and/or borrow money;
- (d) Sue or be sued;
- (e) Form corporations, boards, commissions or other governing bodies; and
- (f) Do such other things that are conducive to the exercise of its rights, powers and privileges.

18.2 Subject to any delegation as provided for in this Constitution, the capacity of rights, powers and privileges referred to in section 18.1 shall be exercised by the General Council.

## 19. DELEGATION AND JOINT AGREEMENTS

- 19.1 The General Council may delegate any of its authority and responsibility contained in this Constitution, to the Executive Council or other governing body, or person of the Teslin Tlingit First Nation. Delegation shall be by resolution, or other formal written process, and shall be specific and shall be acceptable to both parties.
- 19.2 Any governing body or person authorized pursuant to sub-section (1) to exercise any of the authority and perform any of the functions of the General Council or other governing body may, subject to and in accordance with the authorization given, authorize other governing bodies or persons under their jurisdiction to exercise such powers and perform such functions.
- 19.3 Pursuant to sub-section (1), the Management Board shall establish policies and procedures, in respect of delegations.
- 19.4 By joint agreement, the General Council may delegate any of its legislative and/or other authority to any public body performing a function of government in Canada, including other Yukon First Nations, if the public body consents to the delegation.
- 19.5 The General Council may enter into agreements to provide for joint planning and zoning or other land use control by the Teslin Tlingit Council and other municipalities of Teslin or other governing bodies of any area adjacent to or extending across any boundary.

20. LAWS OF YUKON

- 20.1 For greater certainty, the Teslin Tlingit First Nation shall have the authority to adopt any law of the Yukon as its own law.
- 20.2 The Statutory Instruments Act does not apply to a law enacted by the Teslin Tlingit First Nation.

PART II

FINANCIAL ADMINISTRATION

21. MANAGEMENT BOARD

- 21.1 The Executive Council shall establish a management committee to be known as the Management Board, hereafter referred to as the Board, which shall consist of the Executive Director of Administration and at least five other senior managers representing the broad spectrum of the Teslin Tlingit Government. The Management Board will be chaired by the said Executive Director or in his or her absence, the designate of the Executive Director.
- 21.2 Subject to the direction of the Executive Council, the management board may determine its own rules and procedures.
- 21.3 Functions of the Management Board
- The Management Board shall act as a management committee in respect of:
- (a) General administration and financial policies and practices.
  - (b) Accounting policies and practices, including the form and content of the Teslin Tlingit Council annual public accounts;.
  - (c) Budget policies and practices, including preparation, review and recommendation for approval of the Teslin Tlingit government annual or other budgets;
  - (d) Management practices and systems;
  - (e) Financial management and control of revenue, disbursements and assets of the Teslin Tlingit Council;

- (f) Evaluation of government programs and activities as to economy, efficiency and effectiveness;
- (g) The management, control and direction of the Teslin Tlingit public service, including the organization, staff establishments, salaries and other benefits;
- (h) Internal audit; and,
- (i) Such other matters as may be referred to it by the Executive Council.

21.4 The Management Board may, for the performance of its duties and responsibilities under this or any other Act, issue directives as it deems appropriate.

21.5 Subject to approval of the Executive Council, the Management Board may delegate any of its authority and responsibilities to any governing body of the Teslin Tlingit First Nation.

## 22. FINANCIAL ORGANIZATION

22.1 There shall be established a Department of Finance, within the Teslin Tlingit government, which will have authority and responsibility for carrying out the financial function of the Teslin Tlingit Council.

22.2 The head of the Department of Finance shall:

- (a) Ensure the proper collection, receipt, recording and disposition of public money and ensure that proper authority exists for the disbursements of public money;
- (b) Establish the method by which the accounts of the Teslin Tlingit government are to be kept and the method by which any public officer or other person shall account for public money which comes into his/her hands;
- (c) Maintain the accounts and other appropriate financial records of the Teslin Tlingit government;
- (d) Prepare any financial statements and reports required by the General Council, the Executive Council or other governing bodies; and,
- (e) Perform such other duties consistent with the requirements of this Constitution, and/or as prescribed by regulations.

23. FINANCIAL PLANNING AND BUDGETING

- 23.1 The Management Board may establish a five year financial planning system as part of the annual budgetary process of the Teslin Tlingit Council.
- 23.2 The budgetary estimates of revenue and expenditure for the Teslin Tlingit government for each fiscal year shall be prepared by the Finance Department in a from directed by the management board, for presentation to the General Council by the Executive Council.
- 23.3 The Executive Council shall review the annual budget and on acceptance, present the Annual Budget (estimates), to the General Council, for approval, prior to the beginning of the next fiscal year.
- 23.4 In the event that the General Council is not meeting or otherwise available to approve the annual budget, prior to the new fiscal year, the Executive Council may, approve up to one quarter of the proposed budget, as an emergency measure, to ensure continuity of on-going programs and activities for the general good of the First Nation citizens. Such approval by the Executive shall be confirmed by the General Council, in their subsequent deliberation of the said annual budget. This action by the General Council shall be completed prior to the expiration of the first quarter of the new fiscal year.
- 23.5 Copies of proposed budgets and of approved budgets prepared at the request of, or prepared by the Board, in respect of any and all programs and activities of the Teslin Tlingit government shall as soon as practicable be made available to Clan Leaders and shall be posted in the main administrative office of the Teslin Tlingit Council for inspection during normal office hours by any member of the Teslin Tlingit First Nation.
- 23.6 The fiscal year of the Teslin Tlingit Council shall begin on April 1 of one year and end on 31 March of the following year.

24. TESLIN TLINGIT COUNCIL PUBLIC ACCOUNTS

- 24.1 A report called the Teslin Tlingit Council Public Accounts shall be prepared, by the Finance Department for each fiscal year, and presented to the Board, who shall present it to the Executive Council for acceptance and presentation to the General Council at their annual meeting following the end of the fiscal year.

24.2 The public accounts shall be in such form and in accordance with the accounting policies as established by the Management Board, and shall contain:

- (a) Statements of assets and liabilities showing the government's financial position as at the end of the fiscal year;
- (b) Statements of the revenues and expenditures of the government showing the results of operations for the fiscal year;
- (c) Statements of changes in the financial position of the government for the fiscal year;
- (d) The Auditors Report on the examination of the accounts and financial transactions, for the fiscal year; and
- (e) Such other information as may be necessary to show the financial position of the Teslin Tlingit Council government in respect of the fiscal year.

## 25. MANAGEMENT REPORTING

25.1 The Management Board shall establish a Financial Management Reporting system, appropriate to the needs of the Teslin Tlingit Council government, and in keeping with current public sector practices. Such system shall be designed to compare budgetary estimates to periodic actual revenues and expenditures, and shall be made available to the Board, the Executive Council and other management.

25.2 The Management Board may, establish other periodic financial reporting, as it deems appropriate.

## 26. AUDIT (EXTERNAL)

26.1 The books, accounts and other financial records of the Teslin Tlingit Council government shall be audited and reported upon, at least once each fiscal year, by a Certified Public Auditor (Accountant), consistent with accepted public sector practice.

26.2 The Auditors report shall be made to the Executive Council, for presentation to the General Council at the annual meeting, and shall be made available for inspection by any citizen of the First Nation, in attendance.



26.3 Immediately upon receipt, copies of the audited financial statements and the report thereon, shall be made available to the Executive Council, the Clan Leaders, and shall be available in the Teslin Tlingit Council main administrative office for inspection during regular office hours, by any citizen of the Teslin Tlingit First Nation.

27. INTERNAL AUDIT

27.1 Subject to the approval of this Executive Council, the Management Board may appoint a person to be the Internal Auditor for the Teslin Tlingit First Nation.

27.2 The Internal Auditor has the mandate to audit and report on the following:

- (a) Public money, trust money and public property that are the responsibility of any division, department or public officer;
- (b) The accounts and financial transactions of any division, department, or public office;
- (c) Securities belonging to the Teslin Tlingit government;
- (d) Systems of financial management, control and reporting in the government;
- (e) The organization, management and operations of any department or public office; and
- (f) The compliance of any department or public office with regulations, and/or directives the governing bodies.

27.3 The Internal Auditor shall report to the Management Board in such manner and at such times as the Board may direct.

R E V E N U E

28. TESLIN TLINGIT COUNCIL CONSOLIDATED REVENUE FUND

28.1 All public moneys and revenue, over which the Teslin Tlingit Council has power of collection and expenditure, shall form a fund to be known as the Teslin Tlingit Council Consolidated Revenue Fund.

- 28.2 All public moneys and revenue belonging to the Teslin Tlingit Council shall be deemed to be paid into and paid out of the Teslin Tlingit Council Consolidated Revenue Fund.
- 28.3 Subject to the approval of the Executive Council. The Board may establish, in the name of the Teslin Tlingit Council, accounts for the deposit of public money with :
- (a) Any bank or trust company who are members of the Canadian Payments Association; and/or,
  - (b) Any local cooperative credit society that is a member of a central cooperative society having membership in the Canadian Payment Association.
- 28.4 Any money held with Her Majesty in right of Canada for the use and benefit of the Indian Act Teslin Indian Band shall be transferred to the Teslin Tlingit Council Consolidated Revenue Fund.
- 28.5 Any money transferred to the Teslin Tlingit Council either under this section or under Settlement Agreements shall form part of the Consolidated Revenue Fund and shall be administered in accordance with the Constitution.

## 29. TESLIN TLINGIT COUNCIL PUBLIC MONEY

- 29.1 All public moneys and revenue received, held or collected by, for or on behalf of the Teslin Tlingit Council, shall be deposited to the credit of the Teslin Tlingit Council Consolidated Revenue Fund.
- 29.2 Every person who collects or receives public money shall pay or give all public money coming into his/her hands to the head of the Finance Unit, or such other person designated to receive such money, or deposit to a bank account authorized by the Board.
- 29.3 The head of the Finance Unit or his or her designate, shall deposit all public money received to the credit of the Teslin Tlingit Council Consolidated Revenue Fund.
- 29.4 Every person who collects or receives public money shall keep a record of receipts and deposits thereof in in such form and manner as prescribed by the Board.
- 29.5 No person shall open or close a bank account for the receipt, deposit or transfer of public money or trust money except as authorized by the Management Board.

29.6 The Board shall ensure that regulations are established and give direction in respect of:

- (a) The form and manner by which public money shall be collected, received and deposited;
- (b) Rates for the payment of fees or commissions to persons collecting, managing, or accounting for public money as remuneration for all services performed; and,
- (c) The Methods by which fees or commissions may be paid.

29.7 The remuneration referred to in sub-section (b), does not apply to employees of the Teslin Tlingit Council, whose duties may include collection and receipt of public money.

29.8 The Management Board establish make such other regulations and give direction respecting the collection, receipt or deposit or transfer of public money or trust money, as it deems appropriate.

### 30. TRUST MONEY

30.1 Trust money shall be paid into and shall be maintained in trust accounts established by the Board within the consolidated revenue fund.

30.2 All trust money shall be receipted in a manner which will set out the amount received, and cause, reason, or matter in respect of which the trust money is received.

### 31. REFUNDS

31.1 Money that is received by the Teslin Tlingit government by mistake, and/or money received for any purpose that is not fulfilled shall be refunded from the consolidated revenue fund in part or in full as circumstances require.

### 32. WRITE - OFF OF UNCOLLECTIBLE DEBTS

32.1 The Management Board may by directive:

- (a) Write off all or part of a debt or obligation that it considers to be unrealizable or uncollectible; and,
- (b) Authorize specified persons to write-off all or part of a debt or obligation that is due and owing to the government and that the authorized person considers to be uncollectible.

32.2 The write-off of all or part of a debt or obligation under this section does not extinguish the right of the government to collect the debt or obligation written off.

32.3 This section does not apply to a forfeiture, fine, pecuniary penalty, tax, royalty, fee or other sum imposed or authorized to be imposed by any law.

32.4 Every account written off shall be reported in the public accounts for the fiscal year in which the account is written off.

### 33.0 REMISSIONS

33.1 Where the Executive Council consider it in the public interest to do so, in a case or class of cases, where great public inconvenience, great injustice or hardship to a person has occurred or is likely to occur, the General Council may authorize the remission of :

(a) Any tax, royalty, fee or other sum that is paid or payable to the Teslin Tlingit government and that is imposed or authorized to be imposed by any law; and,

(b) Any forfeiture, fine, or pecuniary penalty imposed or authorized to be imposed by any law.

33.2 A remission authorized under sub-section (1) may be total or partial, conditional or unconditional.

33.3 Money required to be paid by the government under this section may be paid from the consolidated revenue fund.

33.4 Every remission under section, shall be reported in the public accounts for the fiscal year in which the remission is made.

## E X P E N D I T U R E S

### 34. PAYMENTS

34.1 All payments for goods and services received by the Teslin Tlingit Council shall be made in accordance and for purposes specified in the annual budget, which was duly approved by the General Council. Such payments shall be made from the consolidated revenue fund.

34.2 The Management Board may establish regulations and issue directives respecting payments made from the consolidated revenue fund, providing for the form in which payments

shall be made, the way in which payments shall be authenticated and the places from which payments shall be made.

34.3 The Management Board may establish regulations respecting the verification of debt obligations of the government prior to their payment.

### 35. CONTRACTS

35.1 The Management Board may, by directive, authorize public officers to enter into contracts subject to such terms and conditions as the Board considers necessary.

35.2 Where the Management Board has authorized a public officer to enter into contracts, it may by directive authorized him/her to delegate all or part of that authority to another public officer, subject to such terms and conditions as the board considers necessary.

35.3 The Management Board may establish regulations establishing terms and conditions that shall apply to contracts, or any class or contracts specified in the regulations.

### 36. RECORDS OF COMMITMENTS

36.1 Every public officer who has spending authority shall keep a record of commitments for expenditures that are chargeable to programs and activities for which he/she has assigned responsibility.

36.2 The Management Board may direct the form and manner in which records of commitments under sub-section (1) shall be kept.

### 37. CERTIFICATES OF PERFORMANCE

37.1 No payments shall be made from the consolidated revenue fund unless a certificate is signed by a public officer authorized to do so under this section.

37.2 A certificate shall contain such of the following information as may be applicable :

(a) In the case of payment for goods that have been supplied, or services performed, under a contract, a statement to that effect, and a statement that the proposed payment is in accordance with the contract;

- (b) In the case of a payment for goods that have yet to be supplied or services that have yet to be performed, a statement to that effect and a statement that the proposed payment is in accordance with the contract;
- (c) In the case of a payment not provided for in para (a) or (b), a statement that all conditions for making the payment have been met; and,
- (d) In any other case, such further statements as the Management Board may direct.

37.3 The Management Board may by directive authorize public officers to sign certificates, subject to such terms and conditions as it considers necessary.

37.4 Where the Management Board has authorized a public officer to sign certificates, it may by directive authorize him/her to delegate all or part of the authority to another public officer, subject to such terms and conditions it considers necessary.

#### 38. REQUISITION FOR PAYMENT

38.1 No payment shall be made from the consolidated revenue fund unless a requisition for payment containing the required statement is processed.

38.2 A requisition for payment shall contain the following statements respecting the proposed payment :

- (a) A statement that the payment is lawful and is made to correct account, or program and activity;
- (b) A statement that there is sufficient money in the account or fund to make the payment;
- (c) A statement that the making of the payment does not contravene any regulation or directive of the government; and,
- (d) A statement that the making of the payment will not reduce the balance in the account or fund so that it would not be sufficient to meet commitments recorded under section 36 for other payments to be made.

38.3 The Management Board may by directive authorize public officers to sign payment requisitions, subject to such terms and conditions as it considers necessary.

38.4 Where the Management Board has authorized a public officer to sign requisitions for payment, it may by directive authorize him/her to delegate all or part of such terms and conditions as it considers necessary.

38.5 The authority of a public officer to sign requisitions for payment extends only to payments to be made from those accounts or funds for which the said public officer has been assigned responsibility.

39. ACCOUNTING FOR PUBLIC MONEY

39.1 Every person authorized to spend public money shall account for it in the manner provided under this Constitution or prescribed regulations, authorizing the expenditures.

39.2 The Management Board may prescribe by regulation, and/or directive, the manner in which public money shall be accounted for.

40. MONEY NOT APPLIED

40.1 Where a person has received money from the Teslin Tlingit government to be applied to any purpose and has not applied it to that purpose within the time or manner required, the Board may :

- (a) Demand repayment of the money not so applied;
- (b) Recover the money not applied, from the person or governing body or agency, as a debt due to the government, and
- (c) In the meantime, authorize an equal sum be applied to the purpose for which the money ought to have been applied.

41. SET-OFF OF AMOUNTS OWED

41.1 The Management Board may by directive authorize the head of the Finance Unit, to retain money in specified circumstances, by way of set-off from any money due or payable to a person where :

- (a) The person owes money to the Teslin Tlingit government.
- (b) An overpayment has been made by the government to the person; or,
- (c) An advance made to a person for travel or other purposes, has not been repaid or accounted for.

41.2 Notwithstanding sub-section (1), the Director of any Department may direct the head of Finance Unit to recover any overpayment made from the consolidated revenue fund on account of salary, wages, pay or allowances out of any sum of money that may be due and payable by the government to the person to whom the overpayment was made.

42. PAYMENT AFTER A FISCAL YEAR END

- 42.1 Where a debt obligation has been incurred by the government for goods supplied, or services performed, prior to the end of the fiscal year under a contract, payment of the obligation shall be made from the account for that fiscal year.
- 42.2 Every branch and/or department head shall at the end of each fiscal year, prepare and send to the head of the Finance Unit, a list of the payments to be made after the end of the fiscal year under this section, from accounts for which he/she is responsible, together with certificates of performance required by section 37.

A S S E T S

43. POWER TO INVEST

- 43.1 Where money in the consolidated revenue fund, other than money in a trust fund, is not immediately required for payments, it may be invested in any of the following:
- (a) Securities that are obligations of or guaranteed by Canada or a province;
  - (b) Fixed deposits, notes, certificates and other short term paper of or guaranteed by a bank; and/or,
  - (c) Commercial paper issued by a company incorporated under the laws of Canada or a province.
- 43.2 Subject to any other law, where money in a trust fund is not immediately required for payments, it may be invested in accordance with the trust laws of Canada or province.
- 43.3 An investment held under this section may be disposed of, or exchanged or traded for another investment authorized under this section.
- 43.4 Subject to any other law, where money from a trust fund or money from a fund designated as a special fund by the Board is invested, interest earnings or proceeds from an exchange, trade or disposition in respect of the trust fund or the special fund may, be paid into the appropriate trust fund or special fund.



43.5 Any net income resulting in any fiscal year from the purchase, holding or sale of securities pursuant to this section shall be credited to revenues of that fiscal year any net loss shall be charged to an account established for that purpose.

43.6 With the approval of the Executive, the Board may, appoint a committee or person to provide advice on the exercise of handling, and other matters relating to investments.

#### 44.0 LOANS ADVANCES AND EQUITY INVESTMENTS

44.1 No loan of the Teslin Tlingit public money shall be made without the authority of the General Council.

44.2 Notwithstanding any other law, the power to make loans, advances, or direct equity investments from the consolidated revenue fund, shall be by resolution of the General Council, and exercised in accordance with regulations.

44.3 The General Council may make regulations in respect of loans and investments as necessary.

#### 45. PUBLIC PROPERTY

45.1 No disposition or loan of public property shall be made to any person except as provided for by this Constitution or other appropriate law.

45.2 Subject to regulations, the Management Board may issue directives in respect of public property as follows:

- (a) The acquisition of property by the Teslin Tlingit government;
- (b) The Custody and control of public property, including the maintenance of inventories;
- (c) The sale of public property; and,
- (d) The deletion of public property from inventory.

45.3 The General Council may make regulations in respect of public property, as necessary, including providing for the recovery of loss or damage to public property caused by negligence or wilful misconduct of a public officer who is responsible for the operation, care or custody of the public property.

46. PROVISION OF SERVICES OR USE OF PUBLIC PROPERTY

46.1 Subject to any other law or regulations, the Management Board may issue directives to:

- (a) Establish fees for the provision of a service by the Teslin Tlingit government to any person or for the use of public property by any person;
- (b) Establish conditions subject to which a service may be provided by the government to any person or to which public property may be used by any person; and,
- (c) Authorize public officers to provide to any person a service or the use of public property and to make agreements for the provision of the service or use of public property.

47. REVOLVING FUNDS

47.1 The General Council may authorize the Management Board, by resolution, to establish revolving funds.

47.2 Revolving funds shall only be established for specific purposes such as:

- (a) Central stores fund, to be used for the maintenance of the central stores inventories;
- (b) Garage parts and fuel inventory fund, to be used for the maintenance of garage parts and fuel inventories for government owned vehicles;
- (c) Highway materials fund, to be used for the maintenance of highway materials inventories; and
- (d) Such other similar, revolving funds as the General Council deems necessary.

47.3 All revolving funds established under this section shall remain part of the consolidated revenue fund.

47.4 Any revolving fund established under this section shall be specific as to its purpose and shall include a dollar limit which shall not be exceeded without prior approval of the General Council.

47.5 Where a revolving fund has been authorized, the Management Board may issue directives in respect of the following:

- (a) The accounts and records to be kept;
- (b) The method of charging and crediting the fund;

- (c) The method of valuing the inventory of the fund; and,
- (d) Any other matter it considers necessary governing the operation of the fund.

47.6 For each revolving fund there shall be included in the public accounts a statement for the year showing;

- (a) The assets and liabilities of the fund; and,
- (b) A summary of the transactions of the fund.

#### 48.0 CORPORATE SEAL

48.1 The Teslin Tlingit First Nation shall have a Corporate Seal. The features of the Seal shall be determined by the Elder's Council. The Chief Executive or in his or her absence or incapacity, the Executive Director of Administration or other public officer designated by the Executive Council shall have custody of the Seal.

48.2 The Seal shall be affixed to all documents required to be under Seal.

#### 49. AMENDMENT OF THIS CONSTITUTION

49.1 This Constitution of the Teslin Tlingit First Nation may be amended at the annual meeting of the General Council, providing that a notice of motion, which shall state the nature of the proposed amendment, is delivered to each Clan Leader and posted in the First Nation main administrative office at least twenty one (21) days before the meeting.

49.2 An amendment of this Constitution shall require a consensus/approval of General Council.

49.3 Notwithstanding the preceding sections, this Constitution may be amended at any meeting of the General Council provided there is unanimous consent by all members recorded as being in attendance to both the introduction of the amendment and the amendment itself.

#### 50. REPEAL OF PREVIOUS CONSTITUTIONS AND TRANSITION

50.1 Any Constitutions previously adopted by the Teslin Tlingit First Nation are hereby repealed and are superseded by this Constitution.

50.2 All By-laws, Ordinances, Agreements and resolutions enacted by the Teslin Tlingit Band shall remain in full force and effect to the extent that they are consistent with this Constitution.

50.3 The Teslin Tlingit Band shall be the Executive Council Executive until an Executive Council is selected and appointed, according to this Constitution, and the Chief of the Teslin Tlingit Band shall be the Chief Executive of the Executive Council, until a Chief Executive of the Executive Council is appointed according to this Constitution.

DRAFT

TESLIN TLINGIT COUNCIL

MANAGEMENT BOARD - TERMS OF REFERENCE

\*\*\*\*\*

1. INTRODUCTION

- 1.1 In accordance with section 21 of the Constitution, the Executive Council has established a Management Board, hereafter referred to as the Board, which will act as a management committee, in matters relating to general program operations, administration and financial management of the Teslin Tlingit government.
- 1.2 Except where otherwise provided for in the Constitution the Management Board shall get its direction from and be accountable to the Executive Council.
- 1.3 This document, which is subject to the approval of the Executive Council constitutes the Terms of Reference for the Management Board.

2. MEMBERSHIP OF BOARD

- 2.1 The management Board shall consist of the following:
  - Executive Director; Teslin Tlingit Government;
  - Director, Community and Program Services;
  - Director, Land Claims;
  - Director, Nisutlin Developments; and
  - Director, Tle'nax Tawei.
- 2.2 The Board will be chaired by the Executive Director and in his or her absence by the designate of the Executive Director.
- 2.3 Except as provided for in section 2.2, any member of the Board, may designate a replacement to represent them, in their area of responsibility, in his or her absence.
- 2.4 The chairperson shall appoint a person to act as secretary to the Board.

3. CONDUCT OF BUSINESS

- 3.1 The Board will conduct its business on an agenda basis which will be prepared and distributed, in advance, at the direction of the chairperson.
- 3.2 Decisions of the Board shall be resolution and by consensus. Where a consensus has not been reached, and the chairperson rules that the matter needs to be resolved, and sufficient time has been given for discussion, the matter under

consideration may go to motion and pass, if there is a two thirds majority in favour of the motion.

3. The quorum of the Board shall be four regular members. In the absence of a quorum, the chairperson may, with the unanimous consent of the members present, rule to proceed with the meeting to deal with urgent matters.
- 3.4 Individual members of the Board, will report to the Board as a whole, on their departmental activities and are encouraged to bring forward for discussion and possible resolution concerns in respect of program operations, administration, finance, and management issues. The intent of the Board, in addition to being a policy review and approval body, as outlined in section 6, is to encourage and achieve improvements in all areas of government service, for the common good of all Teslin Tlingit citizens.
- 3.5 Board meetings will be recorded and the minutes distributed to all Board members and to the members of the Executive Council.

#### 4. MEETINGS SCHEDULE

- 4.1 To obtain the best efforts of the Board, and to facilitate an orderly flow of information, the following meeting schedules are encouraged:
  - (a) Individual Director's management meeting should be held on a weekly basis.
  - (b) The Management Board will meet bi-weekly.
  - (c) The Executive Director will meet with the Executive Council on a monthly basis.
- 4.2 Urgent meetings, at any level of government, may be held at any time. Urgent Board meetings may be called at any time at the discretion of the chairperson.
- 4.3 The Management Board will arrange for mutually acceptable meeting dates to provide for an orderly flow of information to all levels of government and the general Teslin Tlingit public.

#### 5. ACCOUNTABILITY / REPORTING

##### 5.1 MANAGEMENT BOARD

- (a) The board as a whole is accountable and reports to the Executive Council. This reporting will be by passing the bi-weekly Board minutes to the members of the Executive Council and a formal report by the Executive Director on a monthly basis.

- (b) The Executive Director will report, on behalf of the Board, to the General Council and other governing bodies, as may be required from time to time and as appropriate in the circumstances.
- (c) More frequent reporting may be established, as the need arises, by mutual agreement between the Board and the Executive Council, or any other governing body.

## 5.2 EXECUTIVE COUNCIL

- (a) The Executive Council is accountable and reports to the General Council, on all concerns and matters of responsibility, on a quarterly basis, on dates as agreed upon by the General Council. Since the Chief Executive of the Executive Council also chairs the General Council, individual members of the Executive Council and the Executive Director will be involved in the discussion at the General Council meetings.
- (b) Members of the Executive Council are responsible to report to the General Council members of their respective Clans.
- (c) Members of the Executive Council are responsible to hold a meeting with their Clan members who sit on the General Council, prior to any General Council meeting.
- (d) Members of the Executive Council and respective General Council members, should hold an internal caucus meeting, prior to their open Clan meeting.

## 5.3 GENERAL COUNCIL

- (a) General Council members are responsible to report and/or communicate on all matters, to their respective Clan members, at their regular Clan meetings.
- (b) Other reporting responsibilities of the General Council are as required by sections 9.5 and 9.6 of the Constitution.

## 5.4 METHOD OF REPORTING

It is most important to keep all levels of government and the general Teslin Tlingit public, well informed on all matters. Reporting and/or communication, may therefore, be verbal, and/or written or both.

## 6. AUTHORITY AND RESPONSIBILITY OF THE BOARD

- 6.1 The management Board will act under the authority of section 21 or other applicable sections of the Constitution, and in

other areas specifically assigned and delegated by the Executive Council or other governing body.

6.2 The management effort undertaken by the Board, is not intended to relieve line managers and staff from their regular operational authority and responsibilities but rather, to provide a coordinated management approach for the benefit of all. Individual line managers and staff are expected to carry out their authority and responsibilities, including the development of programs and policies, in accordance with their regular terms of reference, within the organizational structure of the Teslin Tlingit government.

6.3 The Management Board will act as the review, recommending and where appropriate, approving authority for the Teslin Tlingit government in respect of the following:

(a) GENERAL ADMINISTRATION

- Policy matters, which require deliberation, dealing with the general administration of the Teslin Tlingit government.

(b) PERSONNEL ADMINISTRATION

- Policy matters, which require deliberation, dealing with government staffing and general personnel administration, including:

- \*\* The management, control and direction of the Teslin Tlingit public service, including organization, establishments, salaries and other benefits.

- \*\* Review and approve new positions.

- \*\* Review and approve changes to positions.

- \*\* Review and approve position descriptions.

- \*\* Review and approve recruitment of staff.

- \*\* Review and approve staff evaluations.

- \*\* Review and edjuicate on staff redresses.

- \*\* Review and approve dismissal of staff.

- \*\* Review, set and approve salary scales.

- Such other policy matters in respect of personnel administration as may be required from time to time.

(c) FINANCIAL ADMINISTRATION

- Accounting policies, procedures and practices.
- Financial planning and budgeting, including policy, procedure and practices.
- Review and recommendation for approval of annual and other budgets.



- Financial management policies, procedures and systems - including management reporting.
- Management and control of Teslin Tlingit public money (including the Consolidated Revenue Fund); disbursements (expenditures); and public property (assets).
- Evaluation of government programs and activities as to economy, efficiency and effectiveness.
- Internal audit.
- Public Accounts - including the form and content of the annual public accounts.
- Delegation procedures.
- Write-off of uncollectible debts.
- Remissions.
- Contracts.
- Loans and Investments.
- Public property.
- Revolving funds.

6.4 Such other matters as may be directed by the Executive Council.

6.5 It is emphasized that in all matters of responsibility described above or which may come before the Board, the primary role of the Management Board is one of review, recommendation and approval where appropriate. The Board has no direct line responsibility to carry out specific operational duties. All direct operational responsibilities, including the development of programs and activities and related policies and procedures, are the responsibility of the specific departments or sections of the government.

## 7. REGULATIONS / POLICIES / PROCEDURES

7.1 Regulations, policies and procedures required to implement, support and/or amplify various legislation, programs and activities shall be developed by the departments or sections of government having responsibility for the same. The responsibility of the Management Board in this regard, shall be to review and recommend approval, and approve, as may be appropriate.

7.2 The Management Board may, to exercise its authority, and for the performance of its duties and responsibilities, establish regulations and issue directives and/or instructions, as it deems appropriate.

7.3 Unless otherwise provided for, program legislation, regulations, policies and procedures will define the appropriate approval authorities in respect of programs, activities, general, personnel and financial administration.

7.4 All regulations, and this document, are subject to the approval of Executive Council.

## 8. POLICIES AND PROCEDURES MANUAL

8.1 Detailed policies and procedures in respect of:

- General Administration;
- Personnel Administration;
- Financial Administration; and
- Other related matters.

8.2 A policies and procedures manual will be developed and implemented, covering the above noted areas, in support of Self-Government.

## 9. AMENDMENTS

Amendments to these Terms of Reference may be proposed by any member of the Board, or other governing body, and processed by the Board to the Executive Council for approval.

## 10. APPROVAL

This document, which constitutes the Terms of Reference for the Management Board, shall be approved by the Executive Council.

DRAFT

TESLIN TLINGIT COUNCIL  
FINANCE DEPARTMENT PROCEDURES  
FEBRUARY 26, 1992

MARCH 1992

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TESLIN TLINGIT COUNCIL  
FINANCE DEPARTMENT PROCEDURES  
FEBRUARY 26, 1992

The following procedures do not assign specific tasks to specific individuals in the office. They attempt to follow specific tasks from beginning to end of the transaction. When preparing job descriptions these procedures can be used to divide duties.

Some points to keep in mind when assigning tasks are:

1. Division of duties:
  - a) Separation of operational responsibility from record keeping responsibility. (The accounting function should be separate from the departments).
  - b) Separation of the custody of assets from accounting. (A different person should receive the cash as records the cash).
  - c) Separation of the authorization of transactions from the custody of related assets. (A different person should authorize purchase of an asset than the person controlling the asset).
  - d) Separation of duties within the accounting function. (An employee should not record a transaction and post the transaction.)
2. Accounting control:
  - a) To ensure accuracy of numbers a different person should check all work performed.
  - b) One person should authorize items to be processed for payment once all the documentation is in place and checked.
  - c) One person should do all the posting to ensure everything has been checked and is accurate before being posted.
3. Financial policy:
  - a) Policies should be established on a number of routine transactions. This ensures fairness and consistency when making decisions.
  - b) Decisions should be made on various scheduling items (ie frequency of manual cheque runs and accounts payable runs).

## ACCOUNTS PAYABLE

### Criteria for Accounts Payable run.

A schedule should be established for Accounts Payable run(s). You may choose to do one or two runs per month with a special run in between if necessary. All urgent requests can be handled by the Manual Cheque function in Accounts Payable.

### Documentation required for initiating cheques.

Most of the items in these runs will be invoices supported by a purchase order. You may also process some travel claims and cheque requisitions.

### Preparing invoices to input to Accounts Payable.

1. Prior to receiving an invoice a purchase order is prepared by the department initiating the work or purchase of goods. The purchase order includes supplier's name and address, date of purchase, item or service purchased, coding and two signatures approving this transaction. Included on the invoice is whether or not this transaction is to be billed to another company or government department. A copy of the purchase order is sent to the Finance Department from the initiating Department. This copy is kept in a numerical file in finance to be matched with the invoice when received.
2. When invoices are received they are stamped and calculations are checked. An invoice stamp includes a space for: initials indicating extensions and prices are correct, initials that goods or services are received, the amount of payment, the coding of the invoice, the date the invoice was received and the signature approving the invoice for payment.
3. Once all the checks are done record the vendor number on the invoice. If the supplier is a new vendor, add them under Vendor Maintenance in the Accounts Payable program.

### Entering invoices in Accounts Payable - ACCPAC Version 6.

1. Select Accounts Payable from your Accpac start list. At the master menu, select #3 Transaction Processing.

2. Select #1 Invoice Processing and then #1 Add/Modify/Delete Invoice Batches. If you are starting a new batch answer yes to assign a new number. If you are modifying or deleting a batch you will be prompted for the batch number.
3. Enter Vendor #. Now enter header information. Use the purchase order number for the reference. Once you have entered all the header information you must select detail to enter the general ledger accounts and amount of transaction.
4. After all information is entered press escape. The program will give you the choice of editing, saving or cancelling the invoice. If you are finished, save the invoice.
5. Continue to enter the rest of your batch, approximately 15-20 invoices per batch. Save and escape to the Invoice processing menu when that batch is complete.
6. Press #4 Print invoice batches. Check that all information (ie fiscal period, source journal, description etc.) is accurate.
7. From the invoices calculate totals for the amount, departments and account numbers. Total these same amounts on the invoice batch printed in #6 above. These two sets of totals should balance and be entered in a control log. If it is necessary to make any changes repeat steps 2 through 6 except in step #2 enter the batch number you want to edit. Once the sets balance, the batch may be posted.

Posting Invoice batches.

1. Back up your data before posting.
2. If on a network make sure no one else is using Accpac. From the Master Menu select #3 Transaction processing, #1 Invoice processing and then #5 Post Invoice Batches. Select post if you have backed up data and want to post all outstanding batches. If you want to post less than all the batches listed select edit and enter the batch numbers to be posted. If have not backed up your data select cancel and back up data first.
3. Once posting is complete select #6 Print invoice

posting journal from the Invoice Processing menu.  
Unless you need additional copies of this journal purge  
the data.

Entering adjustments.

This selection is used in accounts payable when you don't  
want to affect the vendor statistics. Two common types of  
adjustments are:

- a) Correcting distributions to the wrong general ledger account.
  - b) Applying accounts receivable against a vendor's accounts payable.
1. Select #3 Transaction processing, #2 Adjustment processing and then #1 Add/modify/delete adjustment batches. If you are starting a new batch answer yes to assign a new number. If you are modifying or deleting a batch you will be prompted for the batch number.
  2. The difference when entering the adjustment as opposed to invoices is there will be two sides to the entry.
  3. In a) above debit the correct account and credit the account that was previously debited in error.
  4. In b) above debit the expense account and credit an Accounts receivable suspense account.
  5. After all information is entered press escape. The program will give you the choice of editing, saving or cancelling the invoice. If you are finished, save the invoice and escape to the Adjustment processing menu.
  6. Press #2 Print adjustment batches. Check that all information (ie fiscal period, source journal, description etc.) is accurate.
  7. From the adjustments calculate totals for the amount, departments and account numbers. Total these same amounts on the invoice batch printed in #6 above. These two sets of totals should balance and be entered in a control log. If it is necessary to make any changes repeat steps 2 through 6 except in step #2 enter the batch number you want to edit. Once the sets balance, the batch may be posted.



Posting adjustment batches.

1. Back up your data before posting.
2. If on a network make sure no one else is using Accpac. From the Master Menu select #3 Transaction processing, #1 Adjustment processing and then #3 Post Adjustment Batches. Select post if you have backed up data and want to post all outstanding batches. If you want to post less than all the batches listed select edit and enter the batch numbers to be posted. If have not backed up your data select cancel and back up data first.
3. Once posting is complete select #4 Print Adjustment posting journal from the Adjustment processing menu. Unless you need additional copies of this journal purge the data.

Generating Cheque Run.

1. From the Master Menu select #4 Payment processing, #3 Cheque processing and then #1 Print pre-cheque register. Enter the date of run and the number of days until the next run. Keep hitting enter until the register starts printing. The register will indicate how many cheques will be issued.
2. To ensure a vendor requiring payment was not missed, select #5 Reports from the Master menu, #1 Analysis reports and #1 Open Payables. Keep hitting return until the Open Payables report prints. Check to ensure an invoices requiring payment is not in the Open Payalbes report.
3. If an invoice is to be "placed on hold" or "forced" follow setting controls on payment (next paragraph). For an invoice of \$20.00 or less place it on hold until another invoice for that company is received.

Setting controls on payments.

From the Master Menu select #4 Payment processing and #2 Control payments. Select either one vendor or a range of vendors.

- a) Placing a hold on payment: Enter Vendor #, Invoice # and "H" to hold payment. When finished save and escape.

- b) Forcing Payment: Enter Vendor #, Invoice # and "F" to force payment. When finished save and escape.
- 4. If you either placed a payment on hold or if you forced a payment you must repeat step #1 above to generate your cheque information again.
- 5. Select #2 Print/post cheques & advices. Answer questions as prompted.
- 6. Once the cheques print answer (Y) if cheques are satisfactory. If there was a problem while printing answer (N) if cheques are unsatisfactory and repeat step #4 above.
- 7. Select #3 Print cheque register and unless you need an additional copy purge the information.
- 8. From the Payment processing menu select #4 Print cheque number and audit list.

(See "Issuing cheques" below)

#### MANUAL CHEQUES

##### Criteria for Manual cheque.

Most items should be processed through the Accounts Payable run(s) either once or twice monthly (determined by policy). A quick cheque run may be processed once a day when necessary. The schedule for cheque runs should be set and concerned individuals notified (ie. Runs done at 9:00 a.m. each day. All backup must be in by 4:30 p.m the day before). Items that would probably be included are travel claims and emergency cheques. A policy should be developed on the criteria.

##### Documentation required for Initiating Cheques:

Travel claims, cheque requisitions and infrequently invoices paid before the Accounts payable run.

Preparing documentation to enter in Manual cheque processing.

1. Individual departments initiate paperwork, including coding and approving for payment. Finance receives from departments complete documentation.
2. The finance department checks to ensure that extensions are calculated correctly; coding is correct; only authorized individuals have approved item for payment; receipts, travel advances and trip reports or purchase orders are attached; and that travel regulations and financial policy are being adhered to.
3. The documentation, with all attached backup, is verified and approved by the supervisor before inputting to computer.

Entering the manual cheques.

1. From the Master Menu select #4 Payment processing, #1 Manual cheque processing and #1 Add/modify/delete manual cheque batches.
2. The process the same for manual cheques as it was for accounts payable cheques. The difference is you are working from the Manual cheque processing menu instead of the Invoice processing menu.
3. You have the choice of three payment types when entering manual cheques. They are cash invoice, payment or prepayment.
  - a) Cash payment: This will likely be used the most often. It is used when you purchase and pay for an item at the same time. You will input a vendor number or name and invoice number.
  - b) Payment: This is selected when you want to pay a vendor's invoice (already in system) prior to run date. The program will display all transactions in the system for that vendor.
  - c) Prepayment: This is used when you make a payment prior to receiving the invoice. When you receive the invoice you enter it under Add/modify/delete invoice batches function, and then post it.
4. Unless you have issued a cheque outside the computer system you will always answer yes when asked if you want to print a cheque.

5. Once a batch of manual cheques is entered and saved, from the Manual cheque menu select:
  - a) #2 Print manual cheque batches. Check that all information is correct. From the documentation calculate totals for the amount, departments and account numbers. Total these same amounts on the manual cheque batch. These two sets of totals should balance and be entered in a control log. If it is necessary to make any changes repeat steps 2 through 6 except in step #1 enter the batch number you want to edit.
  - b) Once the sets balance, select #4 Print/post manual cheques.
  - c) Select #3 Print cheque register.
  - d) From the Payment processing menu select #4 Print cheque number and audit list.

Issuing Accounts Payable or Manual cheques.

1. After the cheques are printed, they are separated. One copy is filed numerically and one copy is attached to the backup and filed under the individual supplier's name or the individual's travel file. The original is attached to a copy of the documentation for the recipient.
2. Now the cheques are ready to be signed by two authorized people. Prior to distribution, the supervisor ensures the information is complete and both signatures are on the cheques.
3. Cheque number, amount and payee is recorded on a list. Method and date of distribution is entered. If the cheque is picked up, the individual signs for it.

Prior to Closing Month End or Retrieving Data to General Ledger.

1. From main menu select #5 Reports then #3 Print GL/consolidate transactions. Consolidate the transactions but do not purge them. You may select #3 again and print the consolidated report also. Make sure you do not purge data in this menu. This is the data you will retrieve into the General Ledger.
2. Once the reports are printed you may retrieve accounts payable data to General Ledger (see Retrieving subledger batches below).

3. Once all batches are posted and all reports printed you can close off your month or year end. Select #6 Period end processing. Now select either #1 Period end or #2 Year end. The program will notify you if everything is not posted and printed.

#### CASH RECEIPTS

1. Cheques and cash are coded and recorded in receipt book when received. The back of the cheque is stamped with "Deposit to account number". The amounts are also listed on a daily log sheet. These daily sheets are totalled and balanced to deposits at the end of each month.
2. Two copies of cash receipt are sent to Finance. One goes on file and one to department.
3. Cash and cheques are put in safe until threshold amount is reached for bank deposit (this amount should be determined by policy).
4. Coding is verified for accuracy. If there is not enough information on the cheque stub to code the receipt, the contribution agreement's cash flow schedule, accounts receivable listing or the managers of the departments may provide the information.
5. If no agreement or invoice number can be found, then the funding agency may be contacted to find out the information.
6. Cash receipts are entered in the Accounts Receivable from the cash receipts book. The receipts are batched in groups of twenty.
7. Once the data has been input three totals are calculated on the batch; the total of accounts, total of departments and total dollar amount. These amounts are recorded in a control journal.
8. A "batch listing" is printed and the same three totals as in #7 above are calculated. These totals are also entered in the control journal. The two sets of totals are compared to ensure keypunching accuracy. Once the two sets balance the batch may be posted.

9. Each time a bank deposit is prepared, the cash receipts up to that date are totalled and balanced to the deposit. The amount of the deposit is written in red in the cash receipt book after the last receipt of that deposit. At the end of the month the totals are added and balanced to both the total bank deposits and the daily log sheets. This grand total is written in the cash receipts book after the last receipt for the month.

### GENERAL LEDGER

#### Retrieving subledger batches

This is based on using ACCPAC General Ledger Version 6.

1. Before retrieving subledger batches, ensure all necessary reports are printed in the Subledger module.
2. From the general ledger Master menu, select #3 Transaction processing, #1 Batch Processing and then #2 Retrieve subledger batches.
3. If more than one file is listed, select the one you want to retrieve. It is not necessary to retrieve all the listed files.
4. The program will assign a batch number to this file.
5. Once retrieved escape to the Transaction processing menu and select #2 Print batches. Check listing to ensure all information is correct and that no error messages are printed.
6. Record information in the control log. You may backup your data and post now or wait and post all batches at one time.

### JOURNAL ENTRIES

#### Journal Entry Control Log

A standard control log is used each month. This log lists all the regular and recurring monthly journal entries. Journal entries have the same number each month. This way it is easy to find a particular entry in any given month. All recurring entries are archived and retrieved monthly.

Preparing journal entries.

A standard journal entry form is used. The information includes: fiscal period, archive or transaction batch number, a complete description, account and department number, the amount of the debits and credits, month and journal entry number. The person preparing the journal entry and the person approving signs their names. Four totals are calculated to ensure accuracy. The totals are by account number, department number, debits and credits.

Once the journal entry is complete it is assigned a number from the control log sheet. The information from the journal entry is then recorded in the computer input log sheet. This record is to ensure the information is accurate before being posted in the computer. It indicates to the auditor the type of controls on keypunching.

Entering the journal entry

This is based on using ACCPAC General Ledger Version 6.

1. Visually check journal entry that the total debits and credits balance, and that signatures are in place.
2. From the general ledger Master menu select #3 Transaction processing, #1 Batch processing and then #1 Add/Modify/Delete batches.
3. If you are starting a new batch answer yes to assign a new number. If you are modifying or deleting a batch you will be prompted for the batch number.
4. Next choose normal or quick entry. Use quick entry if the journal entry has only one description. For more than one description ie. bank, corrections use the normal entry.
5. In order to standardize the appearance of the general ledger, input all journal entries in CAPITALS. Also try to use the same description from month to month, ie.  
    ALLOCATE PHOTOCOPY CHGS - MAR/91  
    ALLOCATE PAYROLL PP#1  
    ALLOCATE TELEPHONE EXP - MAR/91
6. An entry number will be assigned. Enter all required information.

7. The period is the fiscal period you want the entry posted to. (April - 1, May - 2, etc. with March - 12).
8. Source is always 4 for journal entries.
9. Reference use the journal entry number only ie. 70-3, 20-12, 10, 11, etc.
10. When the journal entry is complete press escape. If the entry does not balance you will have to edit the entry before saving.
11. When the journal entry balances save and escape to the Transaction processing menu.
12. Select #2 Print batches.
13. If Print is selected all outstanding batches will print or edit to print only the batch you are working on.
14. Once the journal entry has been entered have the totals checked by the supervisor or person designated to check for accuracy of keypunching. The account, dept. and amount totals should equal the journal entry totals. Check that the fiscal period, source description and reference has been input correctly.
15. Once the information is accurate, enter the totals in the control log and have both persons inputting and checking initial.

#### Recurring Journal Entries

Journal entries that occur each month without significant changes (ie rent, CMHC mortgage, etc.) can be archived and retrieved to eliminate rekeying.

To archive and retrieve journal entries:

1. From the general ledger Master menu select #3 Transaction processing, #1 Batch processing then #4 Create/archive/delete recurring batches.
2. When archiving, use the journal entry number for the archive batch number. This way it is easy to identify the batch being retrieved. You will be prompted for both current batch number and archive batch number to assign.



3. To retrieve a batch saved in a previous month, select create a recurring batch. Select the archived batch number from the displayed list. The program will prompt you whether or not to change the date and the fiscal period to the one you are working in. The program allows you to reverse the entry when retrieving. This is necessary if the batch is an accrual from the previous month (ie. at year-end).
4. All posting can be done at one time once the data has been backed up and all entries have been totalled and entered in control logs.

DRAFT

**Teslin Tlingit Council**  
**Local Area Network Requirements**

**Northwestel**  
**December 24, 1991**

**Teslin Tlingit Council**  
**December 24, 1991**

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## **INTRODUCTION**

Northwestel is currently the only Novell *Gold Level Dealer* in the Yukon. To achieve this level of authorization Northwestel has one Certified Netware Engineer on staff in Whitehorse.

Northwestel specializes in Local Area Networks and obtained this authorization to fulfil the Novell Requirements.

Northwestel is an authorized reseller for all microcomputer hardware and software quoted.

Northwestel has over 40 Novell Local Area Networks installed in its operating area.

## **INSTALLATION DETAILS AND DESCRIPTIONS**

Northwestel will be responsible for making arrangements to set-up a suitable time for the installation of equipment and network systems. The installation shall include the following:

- Delivery of the equipment and software to the installation location
- On-site unpacking and set-up of all computer components and network peripherals.
- On-site installation of all network equipment and computer components to ensure the equipment provided operates as a functional network system.
- Installation of all software.
- The labelling of all computer ports (IE. COM1, SPT1), network interface cards, and cables to be numbered or identified by workstation.
- Complete system testing and trial operations to ensure all equipment functions.

## **SUPPORT SERVICES**

Technical Support for the Novell Network is offered through Northwestel's trouble reporting line. If the trouble requires on-site technical service a technician will be dispatched to the customer site.

This trouble reporting number gives you access to Northwestel's Certified Netware Engineer.

**TROUBLE REPORTING NUMBER: 668-2111**

## **ON LINE SUPPORT**

Northwestel's Business Systems Division Service Department has the capabilities of modem dial-up to customer networks to provide on-line support. This service is available if the customer's Local Area Network has modem capabilities.

Northwestel has a service depot in Whitehorse. If the equipment can not be repaired on-site it will be taken to the service depot for repair.

## **TRAINING**

The Novell training course will be instructed by Northwestel's Certified Netware Engineer. A course outline has been provided for your review.

Schedule:

- Directory Structure
- Login scripts
- Novell Backup/Restore
- Security
- Printing
- Menu Creation
- Drive Pointers
- Supervisor and Console Commands

**QUOTATION**

**FILE SERVER**

Equipment	Price
Mind 386-33 Computer complete with: <ul style="list-style-type: none"> <li>• Intel 80386 33 Mhz processor</li> <li>• 8MB RAM</li> <li>• 250 Watt power supply</li> <li>• 3½" 1.44 MB Floppy Disk Drive</li> <li>• Datatrain 14" Monochrome Monitor</li> <li>• Monochrome Video Card</li> <li>• Two Serial Ports</li> <li>• Parallel Port</li> <li>• QS101 Keyboard</li> <li>• Full Size Tower Case</li> <li>• MS-Dos Version 5.0</li> <li>• 360 MB Hard Drive</li> <li>• Hard Drive Controller card</li> <li>• 250 MB Internal Tape Back Up</li> <li>• Tape Back Up Controller Card</li> </ul>	\$5,475.00

**WORKSTATIONS**

EQUIPMENT	QTY	EQUIPMENT PRICE	EXTENDED PRICE
Mind 386-25 Computer complete with: <ul style="list-style-type: none"> <li>• Intel 80386 25 Mhz processor</li> <li>• 4MB RAM</li> <li>• 250 Watt power supply</li> <li>• 3½" 1.44 MB Floppy Disk Drive</li> <li>• Datatrain 14" Monochrome Monitor</li> <li>• Monochrome Video Card</li> <li>• Two Serial Ports</li> <li>• Parallel Port</li> <li>• QS101 Keyboard</li> <li>• Slimline Case</li> <li>• MS-Dos Version 5.0</li> </ul>	3	1,600.00	4,800.00

**Teelin Tingit Council**  
**December 24, 1991**

**QUOTATION**

**PRINTER**

<b>EQUIPMENT</b>	<b>QTY</b>	<b>EQUIPMENT PRICE</b>	<b>EXTENDED PRICE</b>
Hewlett-Packard Laserjet III	1	2,700.00	2,700.00

**NETWORK HARDWARE**

<b>EQUIPMENT</b>	<b>QTY</b>	<b>EQUIPMENT PRICE</b>	<b>EXTENDED PRICE</b>
Pure Data PDI516 Plus 16 Bit Arcnet Adapter	1	\$405.00	405.00
PDI507 Interface Cards	8	150.00	1,200.00
PDC508A-T 8 Port Active Hub	2	425.00	850.00
LANW-ARC Arcnet Boot Prom	3	50.00	150.00
American Power Smart-UPS 600 with monitoring board	1	835.00	835.00
<b>Total</b>			<b>\$3,440.00</b>

**NETWORK SOFTWARE**

<b>SOFTWARE</b>	<b>PRICE</b>
Novell Netware 2.2 - 50 user version	3,675.00
WordPerfect Office - 5 Users	440.00
ACCPAC Network Windowing System Manager	160.00
ACCPAC Lanpack - 5 Users	325.00
<b>TOTALS</b>	<b>4,600.00</b>

**Teslin Tingit Council**  
**December 24, 1991**

## QUOTATION

### INSTALLATION AND CABLING

Installation and Training will be charged at Northwestel's hourly rate of \$65.00. The figures listed below are estimates only. Actual time will be charged.

Northwestel will use coaxial cable which will be charged at \$0.68 per meter.

SERVICE	ESTIMATED TIME	ESTIMATED PRICE
Travel Time	4 Hours	260.00
Cabling	16 Hours	1,040.00
Hardware set up and Installation	12 Hours	780.00
Software Configuration	12 Hours	780.00
Training and system adjustments	4 Hours	260.00
<b>TOTALS</b>	<b>48.00 Hours</b>	<b>3,120.00</b>

### ASSOCIATED EXPENSES

ASSOCIATED EXPENSE	COST
Accommodation	450.00
Meals	174.00
Mileage	115.00
<b>TOTAL</b>	<b>\$739.00</b>

Teslin Tlingit Council  
December 24, 1991

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### QUOTATION

#### SUMMARY

NETWORK AREA	COST
File Server	\$5,475.00
Workstations	2,400.00
Laser Printer	2,700.00
Network Hardware	3,440.00
Network Software	4,600.00
Installation	3,120.00
Associated Expenses	739.00
<b>TOTAL</b>	<b>\$22,474.00</b>



DRAFT

FIVE YEAR IMPLEMENTATION PLAN

YEAR	TASK	TIME	TIG'S COST	RESPONSIBILITY FOR TASK	RESPONSIBILITY FOR COSTS	RESOURCES REQUIRED
BEFORE ONE	<p>1. From the attached report:</p> <ul style="list-style-type: none"> <li>Ensure that all eligible IT are registered.</li> <li>Assess land selection to verify that potential royalty earning selections have been selected.</li> </ul>	IMMEDIATE	costs recovered elsewhere	TIG	TIG	TIG land & citizenship staff
	<p>2. Lobby for the initiation and participate in the study of the harvesting support program (16.15.2). This will tie into the economic development plan and the Regional Land use plan.</p>	Immediate	unknown	CVI, YG + Feds	Government	Iggy Larusic type expertise + TIG leadership
ONE	<p>1. TIG internal planning process which will answer the following questions:</p> <ul style="list-style-type: none"> <li>What are the economic interests of the TIG?</li> <li>What is the role of economic development in the TIG vision of IT society?</li> <li>How does TIG want to manage the assets of the SA to further its economic interests</li> <li>What priority does economic development have among the other interests of TIG, and what resources are to be allocated to it?</li> <li>In regards to TIG interests, what are the priority SA boards and processes?</li> <li>What strategy will TIG use to promote its interests through these processes?</li> <li>What goods and services does TIG require that can generate economic development?</li> <li>What is the state of the human resource?, the community development corporations?, the IT private sector?</li> <li>What, if any, of the compensation will be used for economic development?</li> <li>What is TIG's active investment strategy?</li> </ul>	Immediate start; 6 mths to complete.	\$14,250	TIG	TIG + Government	Economic policy planner / facilitator + TIG leaders + community
	<p>2. Complete the economic development plan as per the TIGFA, including the economic opportunity plan. The most time consuming and costly element of the plan will be the examination of the regional economy. This examination will involve: an examination of the traditional and modern economies and a survey of the natural and human resources. It would be best if it was done in conjunction with the Teslin Regional Land Use Plan.</p>	Start immediately after internal planning process; 6 mths to complete.	\$51,500	TIG, YG + Village of Teslin	Government	Govern. staff + TIG advisors + Village

YEAR	TASK	TIME	TTG'S COST	RESPONSIBILITY FOR TASK	RESPONSIBILITY FOR COSTS	REQUIRED
ONE	3. Plan & prepare for surveying opportunity. This will involve the TTG determining how best to organize itself so that it will increase the probability of securing the range of economic opportunities that result from the surveying of SL.	Immediate start; 6 mths to complete.	\$30,500	TTG	TTG + YG programs	Business advisor + TTG land staff
	4. Implement Teslin traditional territory specific land use planning process. As this plan will be one of the key bench marks for development within the Region, it is important that the TTG initiate the process early and in a fashion that maximizes its involvement.	Immediate start. Plan to complete 1 year	see land implementation plan	Regional land use plans; commission	Government	TTG land staff
	5. Plan and implement Economic development capacity building plan. TTG will have to build the necessary internal capacity to manage the community based economic initiatives, that will be driven, in large part, by the economic development plan and the need to create employment and business opportunities at or near Teslin. This will require a CED process which: makes IT ready for economic development through basic lifeskills training; provides financial and technical support to entrepreneurs; provides aftercare to start up businesses; provides a basic business incubation service; and which manages the community risk in the outputs of the process.  Some of the organizational work has been accomplished already. This work will have to be revisited in the context of the TTGFA.  As well, TTG will need the capacity to make and manage active investments outside Teslin, which are aimed at other objectives than employment of IT.	Immediate  3 mths to complete.	\$22,500	TTG	TTG EDD + advisors	EDD or economic consultant + TTG.

YEAR	TASK	TIME	TIG'S COST	FOR TASK	FOR COSTS	REQUIRED
TWO	1. Plan & negotiate economic development agreement. This will involve developing programs around the economic priorities established by the plan.	Start immediately after economic plan complete; 3 mths to complete.	\$30,000 + Require funds to implement aspects of plan and for core funding of TIG economic mgs. The latter is estimated at \$150,000/yr.	TIG + Govern.	Government	TIG program planners + TIG negotiators and program development advisors
	2. Monitor the completion of the feasibility of a Yutan India's owned and controlled trust company (22.8.21).	Early in year 2.	none	TIG	n/a	EDO
	3. Monitor government commitment to develop a plan for achieving a representative public service.	Early in year 2.	none.	TIG	n/a	n/a
THREE FOUR FIVE	3. Continue implementation of economic plan, ECA, and economic development capacity building.	on going	on going	TIG	TIG + Government	TIG EDO + TIG corporation

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SCHEDULE FOR TESLIN IMPLEMENTATION PLAN

ACTIVITY	Before	YR												YR			YR			YR																		
	Settle. Log. 1 (Settlement Log.)	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	
1. TT registration																																						
2. Verify land selection re resources																																						
3. Prepare for surveying																																						
4. Harvesting support program																																						
5. Plan and imple Econ. develop. cap.																																						
6. TTG land use planning																																						
7. TTG internal econ. dev. planning																																						
8. Economic development plan																																						
9. EDA negotiations																																						
10. Monitor gov't re repres public ser.																																						
11. Monitor feasibility re financial im																																						

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FEB 22, 1992

COSTS FOR THE IMPLEMENTATION OF THE TTG IMPLEMENTATION PLAN  
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Assumptions  
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1. Economic opportunities cut across virtually all of the Agreements.
2. Implementation costs for economic measures fall into two categories:
  - costs directly associated with implementing Chapter 22 (1 time costs) and
  - costs associated with having the capacity to take advantage of economic opportunities arising from the Settlement (on going costs).
 Whether the costs are one time or on going, both are bona fide implementation costs.

ON TIME COSTS  
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1. Office equipment - 2 desks, 2 chairs, 2-2line phones, fax, file cabinets computer + printer	\$5,000
2. Economic measures coordinator	\$40,000
3. Internal policy and planning process - facilitator - 25 days @ \$450 =	\$11,250
- out of pockets =	\$3,000
	----- \$14,250
4. Economic development plan - planner - 40 days @ \$450 =	\$18,000
- specialists - 50 days @ \$500 =	\$25,000
- out of pockets -	\$8,500
	----- \$51,500
5. Survey preparation - legal, finance, due diligence, negotiate -	\$35,000
- out of pockets -	\$3,500
	----- \$38,500
6. Capacity building plan - planner - 40 days @ \$500 =	\$20,000
- out of pockets	\$2,500
	----- \$22,500
7. EDA - program design - 25 days @ \$500 =	\$12,500
- negotiation - 25 days @ \$500 =	\$12,500
- out of pockets	\$5,000
	----- \$30,000

TOTAL ONE TIME IMPLEMENTATION COSTS

\$201,750

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ON GOING COSTS

1. Training for corporation managers, bookkeepers, Board and shareholders, entrepreneurs, etc. Detailed costing and plans will be developed in the capacity building plan.
2. So that TT and TTG is prepared to become involved in current and future opportunities that arise from the Claim, core funding for their community corporations is required for a development period of 5 years.

President	\$40,000 x 1/2	\$20,000
Management		\$40,000
Legal + specialists		\$40,000
Overheads		\$50,000
		-----\$150,000

TOTAL 5 YEAR ON GOING COSTS

\$150,000 + training costs  
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SIXTH DRAFT

TESLIN TLINGIT FIRST NATION  
RENEWABLE RESOURCES DIVISION  
GOALS AND OBJECTIVES  
STRUCTURE

3 March, 1992

## INTRODUCTION

General organization

Renewable resource management in the Teslin Tlingit Traditional Territory should be approached by a Teslin Tlingit - Government team. The team should identify general management issues and then assign resources to address the issues in the most efficient and effective manner. However, the Teslin Tlingit Council (TTC) must have the capacity to independently evaluate management problems and the results of management decisions. The TTC also has obligations for renewable resource management assigned to it by the Teslin Tlingit Final Agreement (Appendix I) that it must attend to. The following goals, objectives and organization of the Teslin Tlingit Renewable Resources Division reflect these obligations.

The TTC will have two Departments designed to provide the Executive Council with advice and support. These will be the Administration and Land Claims Coordination Departments. Three Divisions will report to the Land Claims Coordination Director: Renewable Resources, Land, and Self Government (Fig. 1).

The Teslin Tlingit Renewable Resources Council (TTRRC) will also aid the TTC with renewable resource management decisions. The TTRRC will be composed of five members, one from each of the Teslin Tlingit Clans. These same five members will comprise half of the 10-member Teslin Renewable Resources Council (TRRC). The other five members will be nominated by Government (Fig. 2; 16.6.2.1\*).



The Teslin Tlingit Renewable Resources Division will serve as a resource to both the TTC and the TTRRC. The Division will take direction from both Councils through the Director of Land Claims Coordination. They will enable the Councils to oversee and direct:

1. Management of fish and wildlife (16.1, 16.5, 16.11),
2. Management of forests and watersheds (14.1, 14.5, 14.8, 14.9, 17.2, 17.4, 17.5),
3. Environmental assessment and pollution control (12.2, 12.8, 12.10),
4. Management of the extraction of minerals (11.2-4),
5. Co-management of Special Management Areas (10.5, App. I, 6.1),
6. Law-making as it applies to Teslin Tlingit People in the area of renewable resource management on Settlement Land (5.5, 16.5, 24.1),
7. Coordination of management of renewable resources within the Traditional Territory with other First Nations and with Government (11.2), and
8. Management of heritage resources (13.3-4, 13.8).

With a TTC - Government team approach, the Division will also be able to resolve most problems at the technical level, leaving policy issues to the TTC and TTRRC.

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\*This and the following references are to the Comprehensive Land Claim, Teslin Tlingit Final Agreement, 1991.

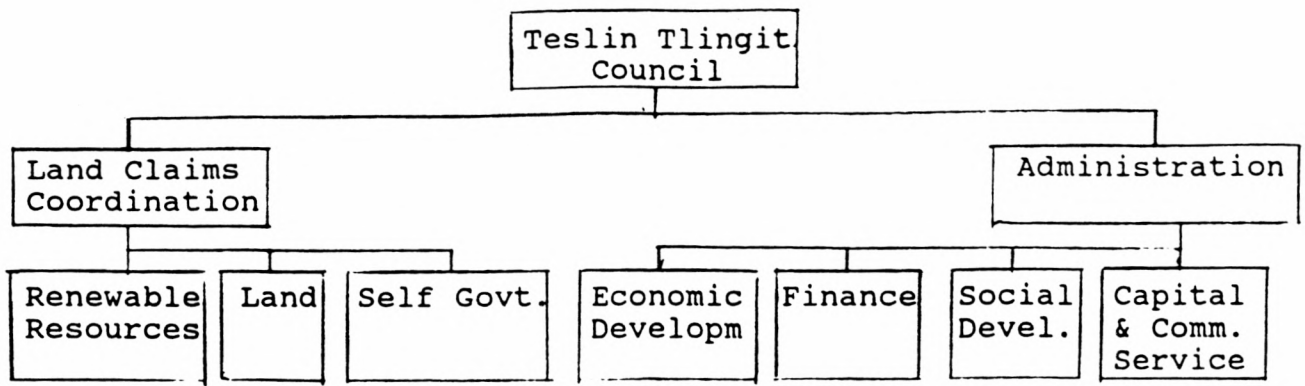


Fig. 1. Departmental organization of the Teslin Tlingit Council.

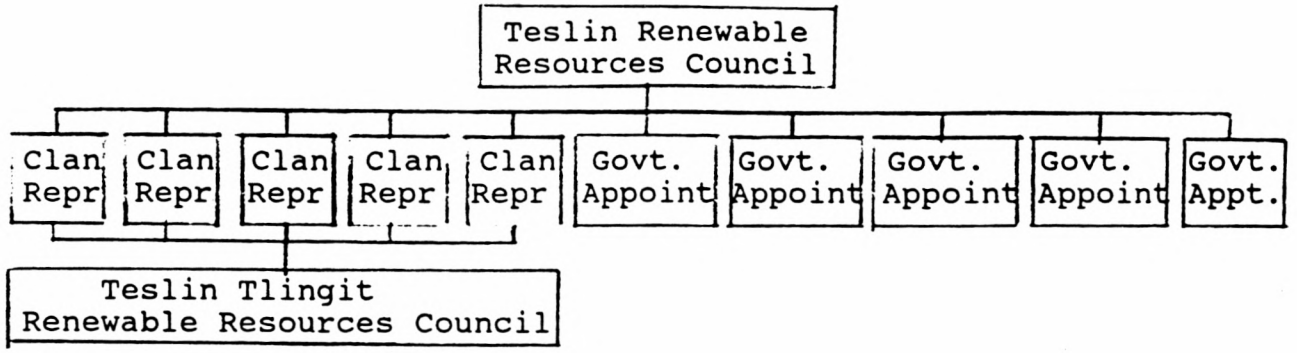


Fig. 2. Organization of the Teslin Renewable Resources Council and the Teslin Tlingit Renewable Resources Council.

The Renewable Resources Division will have to maintain a close and continuing liaison with the Land Division and the Social Development Division to deliver its service. Surface Rights, Land Use Planning, Development Assessment, Water Management, and Training and Education, tasks which will require the attention of these two Divisions, involve decisions that must reflect the policies and programs of the TTRRC and the TRRC.

#### RENEWABLE RESOURCES DIVISION

##### Division goals and objectives

The following are the three goals, with relevant objectives, of the Division of Renewable Resources. The objectives will be reviewed at least once every five years and possibly changed or modified.

1. Provide advice and support to the Teslin Tlingit Council and the Teslin Tlingit Renewable Resources Council by:
  - a. Conducting surveys and inventories on Settlement Land and, in coordination with Government, elsewhere in the Traditional Territory (10, App I, 6.1, 13.3-4, 16.1, 16.5, 16.11, 17.2, 17.5, 24.1);
  - b. Defining harvest zones ( 10, App. I, 6.1; 16.5; 16.11; 17.2-3);
  - c. Setting seasons and quotas on Settlement Land (10, App 1, 6.1; 16.5; 16.11; 17.2-3);
  - d. Education and enforcement (24.1);
  - e. Proposing legislation (24.1); and

- f. Monitoring the results of management decisions.
2. Plan for management by:
    - a. Analyzing information from surveys, inventories, monitoring, and enforcement;
    - b. Developing responses to management plans; and
    - c. Drafting and participating in the drafting of management plans (10, App. I, 6.1; 16.5; 16.11; 17.2; 17.5).
  3. Coordination of renewable resource management by:
    - a. Attending TRRC meetings;
    - b. Maintaining contact with
      - 1) Other First Nations' Renewable Resources Councils, and with central and regional Boards, Commissions, and Councils; and
      - 2) With Government.

Figure 3 shows the proposed organization of the Division and a summary of tasks by priority. Once the goals, objectives, and structure of the Division have been approved by the Director of Land Claims Coordination and the TTRRC, the Director will refine the position description of the Superintendent of Renewable Resources and hire the person so that the Division can be formed. The Superintendent, in turn, will review, and if necessary amend, the position descriptions for his Division and hire the Section Heads for Fish and Wildlife and Forest and Watershed Management, so that the highest priority tasks for the Division can be addressed.

First on the agenda of the Section Heads and the Superintendent will be the review of legislation and commencement of drafting proposals for new legislation appropriate to management of renewable resources on Settlement Land and in the Traditional Territory (Appendix II, Teslin Tlingit Council Renewable Resources Division Five Year Implementation Plan). Later, the Superintendent can bring on the Heritage Resources Section Head. The new Section Heads will review and perhaps amend their Technician position descriptions, and participate with the Director in the hiring of Section staff.

Initially, the Department of Administration will provide administrative support to the Department of Renewable Resources. As workloads increase, the Department may justify its own Finance and Administration Section to provide budgeting, auditing, secretarial, and other services to the Superintendent and to the Sections.

#### Division staff

The initial emphasis of the Teslin Tlingit Department of Renewable Resources will be on management. The Division may bring on specialists on term or contract to design and supervise inventories, surveys, and research projects conducted by Division staff and seasonal employees. The Division may also use Government services for the same purpose. To reflect the emphasis on management needs, the Division will seek to employ as Section Heads

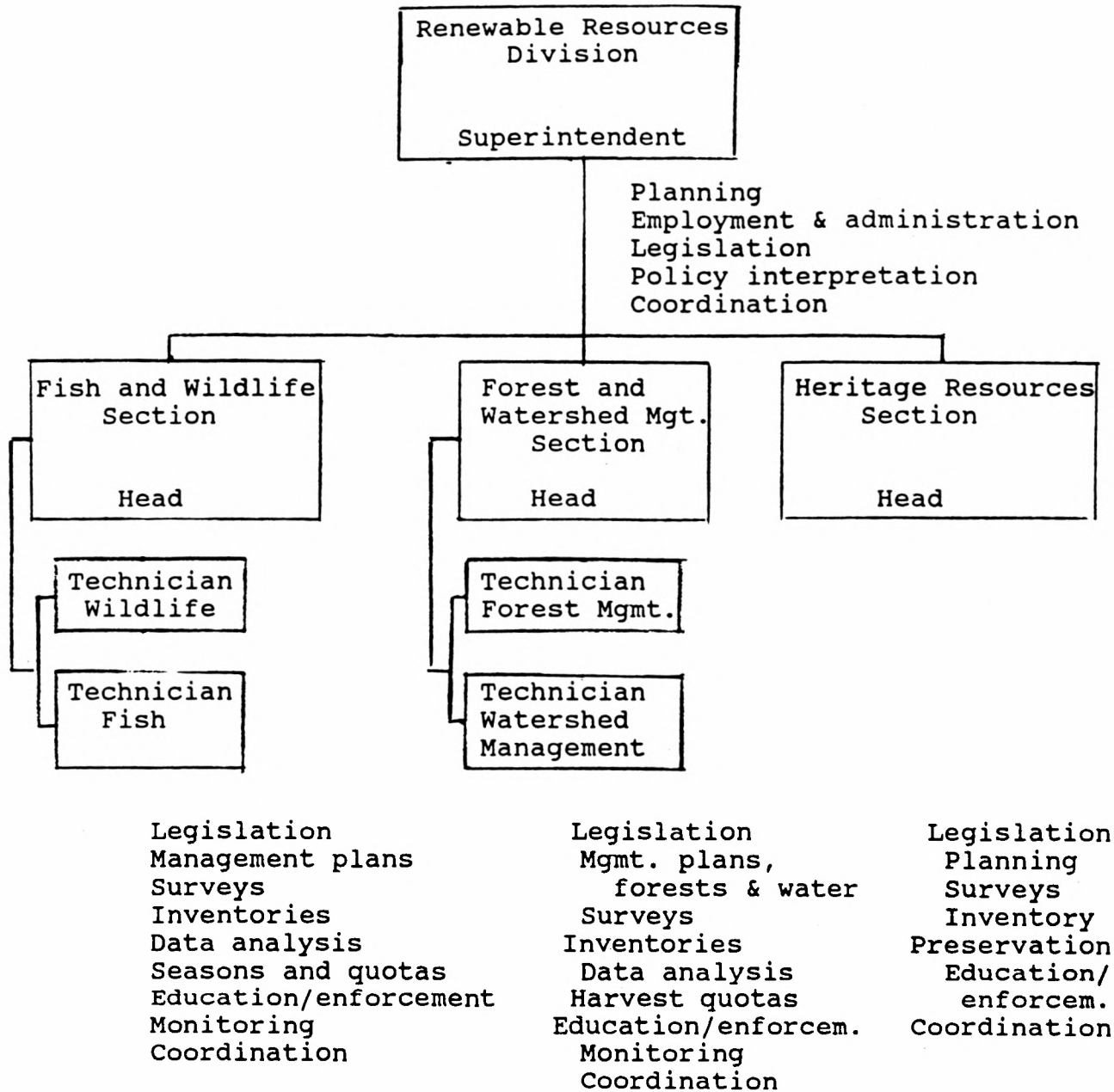


Fig. 3. Organization and general responsibilities of the Teslin Tlingit Renewable Resources Division.

people trained in renewable resource management, rather than specialists in particular sectors such as big game management. They should ideally have BSc degrees in renewable resource management and, for Heritage Resources, anthropology, or considerable experience in those areas. Technicians may be specialists, depending on task demands, and should have diplomas from Renewable Resource Technology Schools such as those in the N.W.T and the Yukon or experience in the appropriate fields. Appendix III includes proposed position descriptions for Division staff.

APPENDIX I  
SECTIONS OF THE  
COMPREHENSIVE LAND CLAIM  
TESLIN TLINGIT COUNCIL FINAL AGREEMENT (1991)  
RELATING TO THE RESPONSIBILITIES OF  
THE TESLIN TLINGIT FIRST NATION  
OF RENEWABLE AND HERITAGE RESOURCES MANAGEMENT



## Heritage Resources Management

- 13.3.1 Own and manage Moveable and Non-Moveable Heritage Resources and Non-Public Records.
- 13.3.2 Own and manage ethnographic Moveable Heritage Resources and Documentary Heritage Resources that are not Public Records and are not personal private property.
- 13.4.3 Develop programs, staff and facilities with Government assistance.
- 13.4.5 Consult with Government on the formulation of Legislation and related Government policies.
- 13.5.3 Review recommendations of the Yukon Heritage Resources Board.
- 13.7.1 Review Government research or interpretative reports.
- 13.8.1 Review Government lists of Heritage Sites, request protection of Sites, and negotiate with Government on ownership and management of the Sites.
- 13.8.2 Plan with Government to consider other land use activities in the management of interpretative and research activities on Heritage Sites.
- 13.8.3 Institute a permit system for research with Government and consult with Government on the issuance of such permits.
- 13.8.4 Approve Site management plans.
- 13.8.5 Control access to Designated Heritage Sites.
- 13.8.7 Receive and analyze reports of discoveries of Heritage Resources, consider applications for permission to

disturb Heritage Resource Sites, report to Government the discovery of Documentary Heritage Resources and analyze such discoveries.

- 13.9.1 Establish with Government procedures to manage and protect Burial Sites.
- 13.9.4 Conduct or supervise exhumations, examinations and reburials.
- 13.10.2 Study and/or copy Government Documentary Heritage Resources.
- 13.10.3 Consult with Government on formulation of Legislation on Documentary Heritage Resources.
- 13.10.4 Consult with Government on the management of Documentary Heritage Resources.
- 13.10.5 Consult and cooperate with Government on the preparation of displays and inventories of Documentary Heritage Resources.
- 13.10. Work with Government and Elders on the interpretation of Documentary Heritage Resources.
- 13.10.8 Own non-public Documentary Heritage Resources found on Settlement Land other than documents in private ownership.

#### Forest and Watershed Management

- 14.8.1 Assure the right to have water flowing through Settlement Land in an unaltered form as to quality, quantity and rate of flow.

- 14.8.2 Assure that water flowing through or adjacent to Settlement land is unaltered as to quality, quantity, and rate of flow.
- 14.8.3-4 Assure that licences for water use are not issued that would result in interference with the rights of the First Nation, such as the rights to harvest fish and wildlife.
- 14.8.6-8 Obtain compensation from licensed (if the licensee acted contrary to the terms of the license) and unlicensed persons who alter water quality, quantity and rate of flow through or adjacent to Settlement Land.
- 14.8.9-11 Shall have standing in court.
- 14.9.1 Receive from the Board and review water use License applications.
- 14.10.2 Consult with Government and affected First Nations about water use in shared drainage basins.
- 14.11.1 Request information from the Board about licences, licensees, and license applications.
- 14.12.1 Prove loss or damage for purposes of compensation pursuant to Chapter 14.
- 16.1 See Fish and Wildlife below. Many clauses apply to forest and watershed management as well.
- 17.2.1 Own, manage, allocate and protect forest resources on Settlement Land.
- 17.4.1 Consider recommendations by the TRRC regarding management of forests within the Traditional Territory.
- 17.4.2 Make available to the TRRC information on inventories,

management plans, research proposals, policies and programs regarding forest resources.

- 17.4.4 Cooperate with other First Nations and Renewable Resource Councils on forest resource management matters of common concern and explore ways of coordination.
- 17.5.2 Prepare, approve, and implement forest resource management plans for Settlement Lands.
- 17.5.3-4 Consult with Government on order of development of forest resource management plans.
- 17.6.2 Consider Development Assessment recommendations on forest resource management, allocation, and protection.
- 17.7.1-2 Consult with Government on the application or permission to apply pesticides and herbicides.
- 17.7.3 Act with Government to control pests or diseases that affect forest resources on Settlement Land.
- 17.8.2 Consult with Government on forest fire fighting priorities on Settlement Land or adjacent land.
- 17.8.4 Consider notice by Government to fight fire on Settlement Land.
- 17.10.2-4 Consider requests to cross Settlement Land to gain access to commercial timber permit areas.
- 17.14.1 Consider notices of tenders for forest resources management or protection within the Traditional Territory.
- 17.14.2 Apply for commercial timber harvest permits, and consider notices of tender for silviculture.

## Fish and Wildlife

- 10.4.1-2 negotiate rights, interests and benefits of the First Nation in the establishment, use, planning, management, and administration of a Special Management Area.
- 16.1 Signatories to the Agreement must ensure conservation of fish and wildlife and their habitats, preserve and enhance the renewable resource economy, preserve and enhance the culture, identity, and values of Yukon Indian People, guarantee rights of Yukon Indian People to harvest and manage renewable resources on Settlement Land, integrate the management of all renewable resources, integrate the relevant knowledge and experience of both Yukon Indian People and the scientific community to achieve conservation, develop responsibilities for renewable resource management at the community level, enhance and promote full participation of Yukon Indian People in renewable resource management.
- 16.3.5 Represent interests of Teslin Tlingit People in international negotiations on fish and wildlife management.
- 16.4.4 Negotiate with Government with a view toward amending this clause pertaining to maintenance of traditional sharing among Yukon Indian People.
- 16.4.7 Provide proof of enrolment.
- 16.5.1 Manage, administer, allocate or otherwise regulate rights of Yukon Indian People under 16.4.0., including final

allocation authority for Category 1 traplines, alignment, realignment, or grouping of Category 1 traplines, work with Board and Council to establish methods of administering BNL's, identify and propose adjusted BNL's, distribute the BNL, manage local populations of fish and wildlife on Settlement Lands and, when coordination is necessary, coordinate management with Government, participate in the management of fish and wildlife in the Traditional Territory, make recommendations to the TTRRC on Government applications for survey and research permits within Settlement Land, screen and may approve applications for private research and survey permits within Settlement Land, provide harvest information, may charge fees or obtain benefits for granting access or for services on Category A Settlement Land.

- 16.5.3 Participate in public proceedings of any agency, board or commission dealing with fish and wildlife in the Traditional Territory.
- 16.5.4 Consult with Government on Government action to be taken on fish and wildlife matters which may affect the TTC's management responsibilities or harvesting rights.
- 16.6.10 Consider recommendations from the TRRC on furbearer management, use of traplines, and reassignment of traplines, and on the TTC's management of fish and wildlife on settlement land.
- 16.6.12 May merge with other Councils with the affected First

Nation's and the Minister's consent.

- 16.6.17 Make available information to the TTRRC.
- 16.7.11 Consider recommendations from the Board on any matter having to do with fish and wildlife management, legislation, research, policies, and programs.
- 16.7.12 Consider Board recommendations on management plans.
- 16.7.17 Consider recommendations of the Salmon Sub-Committee on allocation of salmon, and determine basic needs levels that will be assured by the Sub-Committee.
- 16.8.6 Consider Ministerial proposals to vary or set aside Board recommendations or decisions.
- 16.9.3 Request Government to allocate portion of harvest levels surplus to the BNL.
- 16.9.5-6 Determine BNL's.
- 16.9.7 Conduct, with Government, studies to determine BNL's.
- 16.9.8 Recommend adjustment to the BNL.
- 16.9.17 Explore with Government methods to obtain edible meat that is a by product of harvests conducted for purposes other than to obtain food.
- 16.10.3 Negotiate with Government Basic Needs Allocations.
- 16.10.16 Notify Government of the allocation of salmon licenses issued pursuant to 16.10.15.
- 16.11.10 Consider TRRC recommendations on assignment and reassignment of traplines, establish additional criteria for allocation of Category 1 traplines, consider requests for changes in status of trapline category, maintain a

registry of Category 1 traplines, serve as the final authority of allocation of Category 1 traplines, and refer disputes to the dispute resolution process (26.4).

- 16.12.8 Negotiate with outfitting concession holders the terms and conditions of impact mitigation.
- 16.13.2 Collaborate with Government on the design of trapper training programs.
- 16.13.3 Cooperate with Government in providing cross-cultural orientation and education for Board, Sub-Committee, and Council members.



APPENDIX II

TESLIN TLINGIT COUNCIL  
RENEWABLE RESOURCES DIVISION  
FIVE-YEAR IMPLEMENTATION PLAN

YEAR ONE

1. The Director of Land Claims Coordination, in consultation with the Teslin Tlingit Renewable Resource Council (TTRRC), reviews the position description of the Superintendent, Renewable Resources Division, and the Division budget, amends them if necessary, and hires the Superintendent. Office space for the Division is obtained.
  
2. The Superintendent prepares for duties by reviewing the TTC Final Agreement, the availability of human resources to staff his department, the position descriptions of Division staff, and current legislation applying to the Division's responsibilities. The Superintendent forecasts training needs for submission to the Social Development Division. Basic references and office supplies and equipment are purchased for the Superintendent and staff.
  
3. The Superintendent seeks direction from the TTRRC on priorities for tasks to be addressed by the Division. Section Heads for Fish and Wildlife and Forest and Watershed Management are hired by the Superintendent. Draft legislation is prepared for review and approval by the TTRRC and/or other appropriate authorities.

4. The new Section Heads prepare themselves by reviewing the TTC Final Agreement and legislation relevant to their Sections. They assist the Superintendent with his review of and preparation of proposals of new legislation. They review Technician position descriptions and begin the search for future employees, term or permanent, or contracted assistance.

YEAR TWO

1. The Superintendent, with the assistance of the Section Heads and possibly term or contract personnel, prepares preliminary area and species management plans for Settlement Lands, including plans for management of fish and wildlife and their habitats, forest stands, and watersheds, for submission to the Director and the TTRRC.
2. Staff training is planned and scheduled.
3. The Superintendent and Section Heads develop a plan and budget for assumption of responsibilities to be devolved according to the TTC Final Agreement for approval by the Director and the TTRRC.

YEAR THREE

1. The Superintendent implements the devolution plan.

Essential equipment and supplies for assumption of renewable resource management responsibilities are purchased.

2. The Heritage Resources Section Head is hired by the Superintendent. The Section Head prepares for duties by reviewing the TTC Final Agreement and legislation applying to the Section.
  
3. The Heritage Resources Section Head begins an inventory of heritage resources and develops a management plan in consultation with the Director, the TTC, and the Museum.

YEAR FOUR

1. The Superintendent coordinates the development of an apprenticeship program with the Social Development Division and Yukon College.
  
2. Priorized surveys and inventories of renewable resources on Settlement Lands are begun by the Sections. Monitoring programs are designed and implemented.
  
3. The Superintendent, in consultation with the Social Development Division, develops a conservation education program proposal for approval of the Director and the

TTRRC.

YEAR FIVE

1. Divisional review of goals and objectives by the Superintendent and staff. Preparation of Division revised goals and objectives for approval by the Director and the TTRRC and for subsequent publication and public review and comment.
  
2. Implementation of the conservation education program in the Teslin schools. Implementation of the apprenticeship program.

APPENDIX III

POSITION DESCRIPTIONS  
TESLIN TLINGIT FIRST NATION  
RENEWABLE RESOURCES DIVISION

Superintendent, Renewable Resources Division

The Superintendent of the Renewable Resources Division will provide general direction to Division staff and will be responsible for employment, review of legislation, administration, planning of management, coordination of renewable resource management with other agencies, and interpretation of Teslin Tlingit Council and Teslin Tlingit Renewable Resources Council policies.

Hiring priority: 1 out of 8.

Immediate supervisor: Director, Land Claims Coordination.

Salary: Starting \$65,000/year + benefits

Skills:

	Mandatory/Desirable
Leadership, planning, organization	M
General office management	M
Written and oral communication	M
Negotiation	M
Public relations, internal and external	M
Conflict resolution	M
Mediation	D
Cross-cultural awareness and sensitivity	M
General knowledge of history and current political issues of the YTG, CYI, TTFN,	M

and other YFN and non-Indian organizations  
in the field of renewable resource  
management.

General knowledge of renewable and non- M  
renewable resource management agencies  
and their relevant issues and legislation.

Education/experience required:

BSc in renewable resource management and experience in the  
management of renewable resources in the N.W.T. or Yukon.

General responsibilities:

Personnel management

Policy interpretation

Development of management plans, including legislation,  
seasons and quotas, harvest zones, habitat improvement  
or recovery, watershed management and protection,  
conservation education, and enforcement of legislation.

Coordination of renewable resource management with other  
agencies.

Service as Executive Secretary to the Teslin Tlingit Renewable  
Resources Council.



Head, Fish and Wildlife Section

Under the direction of the Superintendent, Renewable Resource Division, the Section Head will deliver the fish and wildlife management program of the Renewable Resources Division and the Teslin Tlingit Renewable Resources Council. He will direct the activities of the Fisheries Management Technician and the Wildlife Management Technician and provide advice and support to other Sections and Divisions in the Department.

Hiring Priority: 2 out of 8.

Immediate supervisor: Superintendent, Renewable Resources Division.

Salary: Starting \$55,000/year +benefits.

Skills:

	Mandatory/Desirable
Leadership, planning, organization	M
General office management	M
Written and oral communication	M
Negotiation	M
Public relations, internal and external	M
Conflict resolution	D
Mediation	D
Cross-cultural awareness and sensitivity	M

General knowledge of history and current political issues of the YTG, CYI, TTFN, and other YFN and non-Indian organizations in the field of renewable resource management. D

General knowledge of renewable and non-renewable resource management agencies and their relevant issues and legislation. M

Education/experience required:

BSc in zoology or fisheries or wildlife management and experience in fish and wildlife management in the Yukon or Northwest Territories.

General responsibilities:

Development of management plans for fish and wildlife for Settlement Lands and, in coordination with other agencies, for entire Traditional Territory.

Conduct surveys and inventories of fish and wildlife and habitat.

Recommend seasons and quotas for fish and wildlife harvests.

Conduct the fish and wildlife education and law enforcement program for the Teslin Tlingit People.

Propose fish and wildlife legislation.

Monitor the results of fish and wildlife management decisions.

Conduct analyses of fish and wildlife surveys and inventories,

education and enforcement efforts, seasons and quotas,  
and monitoring results in order to evaluate management  
plans and recommend changes.

Coordinate fish and wildlife management programs with those  
conducted by other agencies in the Traditional Territory  
and elsewhere in the Yukon and British Columbia.

Head, Forest and Watershed Management Section

Under the direction of the Superintendent, Renewable Resource Division, the Section Head will deliver the forest and watershed management program the Renewable Resources Division and the Teslin Tlingit Renewable Resources Council. He will direct the activities of the Forest and Watershed Management Technicians and provide advice and support to other Sections and Divisions in the Department.

Hiring priority: 3 out of 8.

Immediate supervisor: Superintendent, Renewable Resources Division

Salary: Starting \$55,000/year + benefits

Skills:

	Mandatory/Desirable
Leadership, planning and organization	M
General office management	M
Written and oral communication	M
Negotiation	D
Public relations, internal and external	M
Conflict resolution	D
Mediation	D
Cross-cultural awareness and sensitivity	M

General knowledge of history, and current D  
political issues of the YTG, CYI, TTFN,  
and non-Indian organizations in the field  
of renewable resource management.

General knowledge of renewable and non-renewable M  
resource management agencies and their  
relevant issues and legislation.

Education/experience required:

BSc in Forest Management with training and experience in  
forest and watershed management, preferably in the N.W.T. or  
the Yukon.

General responsibilities:

Conduct surveys and inventories of forest resources and  
watershed characteristics.

Draft management plans for forests and watersheds on  
Settlement Lands, and in coordination with other agencies  
for the Traditional Territory.

Propose forest harvest quotas.

Conduct the forest and watershed education and enforcement  
program for the Teslin Tlingit People.

Monitor results of management decisions.

Analyze results of harvest quotas, and education and  
enforcement efforts in order to evaluate management  
plans.

Coordinate management of forests and watersheds with other agencies within the Traditional Territory and in adjacent Territories and British Columbia.

Wildlife Management Technician

The Wildlife Management Technician will assist the Head of the Fish and Wildlife Management Section in the delivery of the wildlife management program of the Division of Renewable Resources and the Teslin Tlingit Renewable Resources Council.

Hiring priority: 4 out of 8.

Immediate supervisor: Head, Fish and Wildlife Management Section.

Salary: Starting \$44,000/year + benefits

Skills:

	Mandatory/Desirable
Leadership, planning and organization	M
General office management	D
Written and oral communication	M
Negotiation	D
Public relations, internal and external	M
Conflict resolution	D
Mediation	D
Cross-cultural awareness and sensitivity	M
General knowledge of history and current political issues of the YTG, CYI, TTFN, and other YFN and non-Indian organizations	D

in the field of renewable resource  
management.

General knowledge of renewable and non-renewable M  
resource management agencies and their  
issues and legislation.

Education/experience required: Diploma from a renewable resources  
technology school, preferably in the Yukon or N.W.T. Experience in  
wildlife management would be desirable.

General responsibilities:

Assisting the Head of the Fish and Wildlife Management Section  
in the following tasks:

- Wildlife surveys
- Wildlife inventories
- Education and enforcement
- Data analysis
- Monitoring



Draft

TESLIN TLINGIT TRIBAL JUSTICE SYSTEM

PROPOSED IMPLEMENTATION PLAN

Prepared and Submitted by  
Sheila I. Clark, B.A., LL.B.

February 24, 1992

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## TESLIN TLINGIT TRIBAL JUSTICE SYSTEM

### PROPOSED IMPLEMENTATION PLAN

February 24, 1992

#### 1.0 INTRODUCTION

This report describes a proposed five year plan for implementation of the tribal justice system set out in the Tribal Justice Agreement For Teslin Tlingit First Nation (hereinafter "Agreement"). As the Agreement has not been finalized at the date of this report, the proposed implementation plan is based on the provisions set out in the May 24, 1991 Draft of the Agreement.

#### 2.0 TERMS OF REFERENCE

The objectives to be met in this report were stated as follows:

- To complete the overall five year plans for the Teslin Tlingit Council's Tribal Justice Division and a Law Enforcement Agency.
- To identify the areas of responsibility and define specific tasks required to implement the Teslin Tlingit Council Tribal Justice Agreement.
- To identify the overall costs for the Tribal Justice implementation plan.
- In particular, to define the following:
  - (a) the various functions required for the Teslin Tlingit Council to operate in the tribal justice field as effectively and efficiently as possible;
  - (b) the organizational structures;
  - (c) a training and human resources plan; and
  - (d) an overall operating budget for five years.

### 3.0 PRELIMINARY ISSUES - THE CHARTER AND THE CRIMINAL CODE

The function and structure of the Teslin Tlingit Tribal Justice System, at least where it concerns offenses under the Criminal Code, will depend on jurisdictional arrangements negotiated with Government, and on whether the Canadian Charter of Rights and Freedoms is found to apply to the Self-Government Agreement. If the Charter does apply, upon assuming jurisdiction over offences under the Criminal Code, the Tribal Courts will be bound by due process procedural rules used in the mainstream system. In effect, this will require adoption of the adversarial system. If it is found the Charter does not apply, there are still implications for the Teslin Tlingit Tribal Justice System. These will arise primarily from the influence of the mainstream system, assuming there will be a right of appeal from the tribal system into the mainstream system. There is a risk that aboriginal law will be assimilated.

### 4.0 GENERAL COMMENTS ON TRIBAL JUSTICE

Philosophically, tribal justice embodies an approach to justice that differs sharply from the mainstream justice system. The Teslin Tlingit Tribal Justice System will be a holistic system. In the mainstream system, justice tends to be imposed on an individual. Little consideration is given to the offender's overall life circumstances and almost no consideration is given to the victim.

In the Teslin Tlingit Tribal Justice System an individual will be considered in the context of the family and the community, with a view to healing and reparation. Punishment will not be imposed without also imposing a healing regime. The objective is to get an offender to truly accept responsibility for his or her actions, and to recognize the seriousness of the offense within the cultural and community context of the Teslin Tlingit First Nation. The values to be promoted first and foremost are the healing of the individual, the safeguarding of the family and the achievement of a healthy community.

All sections of the Teslin Tlingit Tribal Justice System must reflect this holistic approach, and function accordingly. This means that the people in positions of responsibility, from the Clan Leaders to the Clerks, should be people who have engaged in their own healing process. They should be people in a position to assist both offenders and victims in the healing process.

It has been said that formal structure is anathema to a traditional system, and that our customary law, being of a spiritual nature, is something which cannot be codified. Success in retaining the cultural essence of customary law will depend, not on formal structures, but on the individuals who operate the structure and on the receptiveness of the community at large.

The Clan Leaders will be the focal point of the System. These people will ensure the system follows the traditional way. The structure will not matter that much in the end, as long as the structure complements the direction the Clan leaders take, it is unlikely there will be a threat of the System being swallowed up by procedure, etc. The System provides an opportunity for the Clan Leaders to disseminate their knowledge of Tlingit traditions to the community.

Where feasible and appropriate, decisions of Tribal Justice bodies should be either made in consultation with the community, or disseminated widely throughout the community.

It is recommended that a General Statement of Underlying Principles of the Teslin Tlingit Tribal Justice System be prepared, and circulated widely through incorporation into the community legal education plan. This General Statement should include, to the fullest extent possible, the traditional philosophy of tribal justice.

## 5.0 COMPONENTS OF THE TESLIN TLINGIT TRIBAL JUSTICE SYSTEM

### General Council

The General Council will have exclusive jurisdiction to pass tribal laws.

### Elders Council

The Elders Council will act as an advisory body to the General Council, the Tribal Justice Council and the Board of Directors on any matter relating to the administration of justice.

### Sentencing Panel

The Sentencing Panel will consist of the five Clan Leaders, plus the Clerk of the Court. Any increase in

the membership will be such as to ensure a gender balance on the Court as a whole.

The Sentencing Panel will continue to provide advice to the mainstream judicial system, to the extent that the mainstream system continues to exercise Criminal Code jurisdiction over the Teslin Tlingit First Nation.

It is envisioned that the Sentencing Panel will, in effect, be the same body as the Court of All Clan Leaders (discussed below). The difference in title reflects the difference in function.

### Tribal Justice Council

The Tribal Justice Council will make policy and program decisions based on information and research provided to them by the Administrative Director, on the advice of the Elders and on the direction of the General Council.

The Tribal Justice Council will oversee the operation and administration of the Teslin Tlingit Tribal Justice System, including supervision of the activities of the Administrative Director, the Administrative Clerk, the Clerk of the Court, Tribal Police Officers, the Trustee of Tribal Laws, and the Healing and Reparation personnel.

In particular, the responsibilities of the Tribal Justice Council will include the following:

- final approval of all budgets
- making all appointments
- establishing salary levels
- acting as employer in employer/employee relations
- maintaining police discipline
- ombudsman - investigation of complaints by community against all justice system officials, including Tribal Police Officers
- review and evaluation of Teslin Tlingit Tribal Justice System on an annual basis

### Administrative Director

Under the general direction of the Tribal Justice Council, the Administrative Director will act as the administrative arm of the Teslin Tlingit Tribal Justice System.

The Administrative Director will notify the Trustee of Tribal Laws and the Clerk of the Court when their services are required.

In particular, the responsibilities of the Administrative Director will include the following:

- coordinating administrative and clerical support for all sections of the Teslin Tlingit Tribal Justice System
- coordinating budget and financial infrastructure for all sections of the Teslin Tlingit Tribal Justice System
- providing building management and equipment supply and services to all sections of the Teslin Tlingit Tribal Justice System
- acting as Secretary to the Tribal Justice Council
- provide liaison with mainstream system as required
- administering community legal education programs and services
- supervising codification of laws (substantive and procedural)
- supervising the drafting of rules of court, practise and procedure
- coordinating training for all sections of the Teslin Tlingit Tribal Justice System
- establishing a Tribal Police agency
- establishing and maintaining translation services, as required

### Administrative Clerk

Under the specific direction of the Administrative Director, the Administrative Clerk will assist in carrying out the responsibilities of the Administrative Director.

### Clerk of the Court

Under the general direction of the Administrative Director, the Clerk of the Court will provide administrative support to the Peacemaker Courts and the Court of All Clan Leaders.

In particular, the responsibilities of the Clerk of the Court will include the following:

- docket preparation (scheduling court dates, ensuring availability of participants, etc.)
- maintaining a registry of Tlingit laws
- receiving payment of fines and fees
- managing court records (reports of decisions, appeal documentation)
- liaison with mainstream system as required
- member of the Sentencing Panel.

### Tribal Police Officers

As the Teslin Tlingit Tribal Justice System is unique, its enforcement mechanism will also be unique. The enforcement unit will have regular police responsibilities, such as apprehending offenders, but will have a further responsibility to coordinate its actions, where possible, with Teslin Tlingit social services.

Under the general direction of the Tribal Justice Council, the responsibilities of Tribal Police Officers will include the following:

- enforcing all laws passed by General Council or arising out of settlement legislation



- enforcing offenses under the Criminal Code and of quasi-criminal offences, to the extent that the Teslin Tlingit First Nation has jurisdiction in these areas
- acting in a social intervention capacity and coordinating with Healing and Reparation personnel and other Teslin Tlingit social services personnel as appropriate

#### Trustee of Tribal Laws

Under the general direction of the Tribal Justice Council, the Trustee of Tribal Laws will maintain the integrity of all laws within the jurisdiction of the Teslin Tlingit First Nation.

The role of the Trustee of Tribal Laws will not be restricted to the prosecutorial function which prevails in the mainstream justice system. The methods of the Trustee of Tribal Laws will reflect the underlying philosophy of the Teslin Tlingit Tribal Justice System, as described above.

A person may come into contact with this office in two ways:

- Through intervention and apprehension by Tribal Police Officers or agents of the mainstream judicial system.
- Through referrals from the community at large. The community will play a "watchdog" role in this process. Any person with knowledge of an offence against laws within the jurisdiction of the Teslin Tlingit First Nation has a responsibility to report it to the Trustee of Tribal Laws. Any person may request the Trustee of Tribal Laws to investigate a suspected offense.

In particular, the responsibilities of the Trustee of Tribal Laws will include the following:

- apprising an alleged offender of the nature, gravity, and possible consequences of the alleged offence
- gathering all pertinent information on the

circumstances of the offense, the offender and the victim

- assessing community and individual offender's resources to determine a strategy for reparation and healing, in cooperation with Healing and Reparation personnel
- ensuring alleged offenders are brought before Tribal Courts
- providing Tribal Courts with a report of the overall circumstances of the offender and the victim and available resources to help both
- suggesting appropriate determinations and dispositions to the Tribal Courts
- cooperation with Tribal Police Officers, Elders and Teslin Tlingit social services personnel, as appropriate
- may assume prosecution of offences under the Criminal Code, with discretion to screen charges (ordering diversion; decisions not to proceed with charges)

### Healing and Reparation

This component will be another unique feature of the Teslin Tlingit Tribal Justice System. As aboriginal citizens, our main complaint against the mainstream justice system is its readiness to incarcerate us without offering any meaningful opportunity for rehabilitation. Healing and reparation strategies will be an essential element in dealing with both offenders and victims. Without this, the Teslin Tlingit Tribal Justice System will not fulfil its potential.

Personnel will comprise a director/psychologist and two trained therapists.

The responsibilities of the Healing and Reparation personnel will include provision of the following services:

- alcohol and drug therapy
- sexual abuse counselling

- job training/career development
- life skills training
- cultural revival/rediscovery programs
- suicide prevention
- community service programs
- family violence counselling
- counselling and support for all Tselin Tlingit Tribal Justice System personnel
- cooperation with the Trustee of Tribal Laws

### Tribal Courts

The Tribal Courts will be independent entities, but will receive administrative support from the Tribal Justice Council, including the services of the Clerk of the Court and other support as required. There will be three levels:

- Peacemaker Courts
- Court of All Clan Leaders
- Supreme Court of the Tlingit Nation

## 6.0 COURT STRUCTURE

### Peacemaker Courts

There will be five Peacemaker Courts, one for each Clan. These will be the courts of first instance, and at this level the majority of issues dealt with will be familial.

The jurisdiction of the Peacemaker Courts is set out in the Agreement.

A decision of a Peacemaker Court may be appealed to the Court of All Clan Leaders.

It is recommended the Agreement be modified to incorporate the following provisions relating to Peacemaker Courts:

- Where an issue involves only one Clan, the Clan Leader of that Clan shall sit with two senior members (one male and one female) of that Clan.
- Where an issue involves two or more Clans, the Clan Leaders of each affected Clan shall sit with two senior members (one male, one female) from each affected Clan.
- Where there is a dispute as to whether an issue within the jurisdiction of the Peacemaker Courts involves more than one Clan, the Court of All Clan Leaders will decide the appropriate composition of the Peacemaker Court for that issue.

#### Court of All Clan Leaders

There will be one Court of All Clan Leaders. Its jurisdiction is set out in the Agreement, and includes:

- a general supervisory function, to ensure proper execution and enforcement of all Self Government laws
- review/appeal body for all Self Government bodies, including Peacemaker Courts and Tribal corporations

It is recommended the Agreement be modified to incorporate the following provisions:

- The Court of All Clan Leaders will have jurisdiction to hear Criminal Code offenses and offenses prescribed by Teslin Tlingit First Nation laws
- The Court of All Clan Leaders will consist of the five Clan Leaders, plus at least two senior Teslin Tlingit citizens elected by the community at large, one male and one female. Any increase in the community-elected membership will be such as to ensure a gender balance on the Court as a whole.

It is envisioned that the Court of All Clan Leaders will also act as the Sentencing Panel (discussed above). The difference in title reflects the difference in function.

Decisions of the Court of All Clan Leaders may be appealed to the Supreme Court of the Tlingit Nation if the matter is deemed to affect the entire Tlingit Nation.

### **Supreme Court of the Tlingit Nation**

The Supreme Court of the Tlingit Nation will have nine members, three from each Tlingit Nation.

It is recommended that the Agreement be modified to clarify under what circumstances an appeal to the Supreme Court of the Tlingit Nation is available, and who will make that decision. It should be sufficient if two of the three Tribal Justice Councils are affected.

## **7.0 MANPOWER AND TRAINING**

### **General Principles**

As described above, the Teslin Tlingit Tribal Justice System embodies a holistic approach, and the training of its personnel will match this approach. Training for all personnel will incorporate both a self healing program and a skills training program, and will include courses such as relationship training and communication and healing workshops.

People working in the Teslin Tlingit Tribal Justice System should be people who are good role models. They should be healthy people who are held in high esteem by the community. They have to be people who can be trusted to deal with others in a fair and just manner. They will be people dedicated to maintaining the health and integrity of the community.

The first year of implementation of the Teslin Tlingit Tribal Justice System will be devoted primarily to the training of personnel.

A healing program will be developed for the initial training of personnel. Workshops, such as the one on

"relationships" held recently in Teslin, will help all personnel to heal and will foster the skills necessary to interact and communicate with others in a healthy manner. In the course of time, this program may be modified for use on a continuing basis, in order to promote the further personal growth of all personnel.

Once the selection process is completed, a retreat should be planned for all personnel. The retreat will begin a healing process and provide a forum for discussion of the underlying philosophy and the concrete goals of the Teslin Tlingit Tribal Justice System.

### Tribal Justice Council

It is recommended that the Tribal Justice Council be comprised of five persons, one from each Clan, who are held in high esteem by the community.

A brief course will be designed to explain the overall operation of the Teslin Tlingit Tribal Justice System, the principles underlying it, and possibly an overview of the mainstream justice system, if necessary.

As this body will be responsible for making key decisions and effecting the smooth operation of the entire system, the membership will receive training in conflict resolution, ethics, etc.

It is suggested that honorariums would be sufficient remuneration. Initially, members of the Tribal Justice Council will bear a heavy workload, but once the system is established, the workload will be considerably reduced.

### Clan Leaders

Clan Leaders will be the focal point of the Teslin Tlingit Tribal Justice System. Through them, Teslin Tlingit customary law will be preserved and disseminated to the community, and to the mainstream judicial system.

The Clan Leaders, to the extent it is felt to be necessary, should undergo a healing regime and a brief training program on mediation and conflict resolution training.

### Sentencing Panel

The non-Clan Leader membership of the Sentencing Panel/Court of All Clan Leaders will hold permanent, part time paid positions. They will receive training in mediation and conflict resolution, and other brief courses as are necessary.

### Administrative Director

There will be one permanent, full time and paid Administrative Director.

This position will require a high degree of knowledge and administrative skill, and, in practical terms, will be the key to successful implementation and operation of the Teslin Tlingit Tribal Justice System. This position is roughly equivalent to the general manager of a corporation.

The Administrative Director will receive the same training and healing program as the membership of the Tribal Justice Council, as well as other brief management courses through Yukon College.

Many of the specialized tasks within the Administrative Director's mandate will be completed in a most cost-effective manner by letting contracts to specialists in the field. Therefore, training/experience in contract management will be necessary.

### Administrative Clerk

There will be one permanent, part time paid Administrative Clerk.

Secretarial training will be required.

### Clerk of the Court

There will be one permanent, part time paid Clerk of the Court.

This position will require a training program which should include attendance for up to two months at the Government of Yukon Court Registry Office in the Law Centre in Whitehorse. This will be coordinated with the Registry. As this individual participates in the

Sentencing Panel, he/she should have conflict resolution and mediation training.

### **Tribal Police Officers**

The role of Tribal Police Officers will be an especially challenging one. They will be expected to ensure Tlingit laws are enforced but will also have a quasi-social worker role. The challenge will be to ensure the system of enforcement reflects the overall philosophy of the tribal justice system. The objective is to ultimately heal the offender and victim. Therefore, Tribal Police Officers will have training in cultural and spiritual awareness, drug and alcohol counselling, family violence and suicide prevention, in addition to meeting the regular requirements for police officers.

It is recommended that all Tribal Police Officers complete the course offered by the First Nations Tribal Justice Institute (discussed below).

It is recommended that four to six Tribal Police Officer trainees be selected initially.

### **Trustee of Tribal Laws**

There will be one permanent, part time paid Trustee of Tribal Laws.

The Trustee of Tribal Laws will receive training in a variety of areas, including conflict resolution and the social science (brief, workshop type of courses).

### **Healing and Reparation**

Training will be coordinated with Teslin Tlingit social services. It will be conducted by a psychologist or other person with a background in healing work.

## **8.0 AVAILABLE RESOURCES**

There are a number of organizations in British Columbia that offer six to 12 month courses for alcohol and drug counsellors, sexual abuse counsellors, etc. These



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organizations include the following:

- Tillicum Haus Friendship Centre, Nanaimo
- Hey-way'-Nogu' Healing Circle for Addictions Society, Vancouver
- Nicola Valley Institute, Merritt

#### Justice Institute of British Columbia

The Justice Institute of British Columbia, located in Vancouver, offers a program of courses in conflict resolution, which it will adapt, under contract, to meet the specific needs and location of a group. It has facilities for bringing the program to the community, as an alternative to forcing community members to travel to Vancouver. The objectives of the program are stated as follows:

- to provide participants with the theoretical base and practical skills needed to resolve conflicts in which they are directly involved
- to enable participants to facilitate the resolution of conflict between other individuals and groups
- to assess participants' ability to apply their knowledge and skills in conflict situations
- to enable participants to specialize in a particular application of conflict resolution, such as family, organizational or cross-cultural

The JIBC offers a variety of other short courses which may meet the needs of the various components of the System.

#### First Nations Tribal Justice Institute

The First Nations Tribal Justice Institute, located in Mission, British Columbia, was established to assist First Nations in dealing with the problems its citizens face in the mainstream justice system, such as high incarceration rates, etc. It provides a one year training program for tribal police, resource material and expertise in tribal justice initiatives and

implementation. It provides a standard of training equivalent to that received by mainstream police officers, but expands the training program to include dispute resolution, counselling and community relations. It includes training in cultural and spiritual awareness, drug and alcohol counselling, family violence and suicide prevention.

The training program is designed to equip graduates to meet the challenge of working in an aboriginal community and meeting the special needs and requirements of that community.

## 9.0 PHASE-IN AND WORK PLAN

### YEAR ONE

- Tribal Justice Council appointed pursuant to section 16 of the Teslin Tlingit First Nation Constitution.
- Tribal Justice Council appoints Administrative Director.
- Administrative Director designs own training package.
- Subject to approval and appointment by Tribal Justice Council, Administrative Director selects:
  - four to six Tribal Police Officer trainees
  - Administrative Clerk
  - Clerk of the Court
  - Trustee of Tribal Laws
- Administrative Director sets up administration infrastructure - develops policy and procedures, job descriptions, etc.
- Administrative Director designs training packages for:
  - Court Clerk
  - Tribal Justice Council
  - Clan Leaders/Sentencing Panel
  - Trustee of Tribal Laws
- Tribal Police Officer Trainees go to academy in Mission for one year course.

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- Subject to Tribal Justice Council approval, Administrative Director lets contracts for:
  - codification of laws
  - design of healing program for System personnel
  - development of enforcement section
  - development of healing/reparation section, in conjunction with Teslin Tlingit Social services design of court practice and procedure
- Peacemaker Courts become operational.
- Clerk of the Court begins development of court registry.
- Administrative Director initiates community legal education campaign.
- Continue operation of programs in place, such as Sentencing Panel.
- Formalize agreement with government on operation of the Sentencing Panel.
- Work toward finalization.

## YEAR TWO

- Codification of laws completed.
- Clerk of the Court training completed and court registry development completed.
- Establishment of administrative support structure for courts completed by Administrative Director.
- Trustee of Tribal Laws training completed.
- Court of All Clan Leaders becomes operational.
- Tribal Police training completed. Enforcement structure in place.
- Healing and Reparations section operational.
- Continue community legal education programs.
- Work toward finalization

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**YEAR THREE**

- All staff healing and skills training ongoing.
- Continue consolidation and integration of all programs and services.
- Review and evaluation of progress in all elements of System.
- Continue community legal education program.

**YEAR FOUR**

- System fully operational except for jurisdiction over Criminal Code offenses.
- Ongoing evaluation and review of all elements of System.
- Work toward finalization.
- All staff healing and skills training ongoing.

**YEAR FIVE**

- Assume jurisdiction over Criminal Code offenses.
- All staff healing and skills training ongoing.
- System fully operational.

**10.0 BUDGET**

Includes (6%) increase in honorariums, salary/benefit packages and operating costs in each of Years Two through Five.

**YEAR ONE**

Tribal Justice Council honorariums		
200/session x 24 x 5		24,000
Administrative Director		
salary/yr	70,000	
15% benefit pkg	<u>10,500</u>	
		80,500

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Tribal Police training		
tuition	6,000	
room & board	5,400	
training allowance	6,000	
	<u>17,400</u> x 4	69,600
Administrative Clerk (part time)		
salary - 18.00/hr		
x 25 hrs/wk x 52 wks	23,400	
15% benefit pkg	<u>3,510</u>	
		26,910
Clerk of the Court (on call)		
salary - 22.00/hr		
x 25 hrs/wk x 52 wks	28,600	
15% benefit pkg	<u>4,290</u>	
		32,890
Trustee of Tribal Laws (on call)		
salary - 25.00/hr		
x 25 hrs/wk x 52 wks	32,500	
15% benefit pkg	<u>4,875</u>	
		37,375
Clan Leaders (as judges)		
500/mo x 5 x 12		30,000
Staff Training Packages		
Tribal Justice Council		10,000
Administrative Director		10,000
Clerk of the Court		10,000
Clan Leaders		10,000
Trustee of Tribal Laws		10,000
Staff Healing Program		20,000
Community legal education		15,000
Operations		
Rent (minimum 5000 sq ft)	10,000/mo x 12	120,000
Utilities		
electric	700/mo x 12	8,400
waste removal	50/mo x 12	600
propane heat	2,000/mo x 12	24,000
(?) water		
telephone	800/mo x 12	9,600
Insurance	620/mo x 12	7,440

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Postage and freight	250/mo x 12	3,000
Janitorial		
wages	2,125	
15% benefit pkg	<u>318</u>	
	2,443/mo x 12	29,316
supplies	100/mo x 12	1,200
Office supplies	1,500/mo x 12	18,000
Training/communication aids	2,000/mo x 12	24,000
Equipment		50,000
Contracts for System Development		
codification of laws		25,000
staff hearing program design		10,000
enforcement section development		15,000
hearing/reparation section development		10,000
court practice and procedure design		<u>8,000</u>
<b>Total</b>		<b>749,843</b>

## YEAR TWO

Tribal Justice Council honorariums		
212/session x 12 x 5		12,720
Administrative Director		
salary/yr	74,200	
15% benefit pkg	<u>11,130</u>	
		85,330
Tribal Police		
salary/yr	40,000	
15% benefit pkg	<u>6,000</u>	
	46,000 x 4	184,000
Administrative Clerk (part time)		
salary - 19.08/hr		
x 25 hrs/wk x 52 wks	24,804	
15% benefit pkg	<u>3,720</u>	
		28,524
Clerk of the Court (on call)		
salary - 23.32/hr		
x 25 hrs/wk x 52 wks	30,316	

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15% benefit pkg	<u>4,547</u>	34,863
Trustee of Tribal Laws (on call)		
salary - 26.50/hr		
x 25 hrs/wk x 52 wks	34,450	
15% benefit pkg	<u>5,167</u>	39,617
Healing and Reparation		
Director/psychologist		
salary/yr	50,000	
15% benefit pkg	<u>7,500</u>	57,500
Therapists		
salary/yr	40,000	
15% benefit pkg	<u>6,000</u>	
	46,000 x 2	92,000
Clan Leaders (as judges)		
530/mo x 12 x 5		31,800
Community legal education		10,000
Operations		
Rent (minimum 5000 sq ft)	10,600/mo x 12	127,200
Utilities		
electric	742/mo x 12	8,904
waste removal	53/mo x 12	636
propane heat	2120/mo x 12	25,440
(?) water		
telephone	848/mo x 12	10,176
Insurance	657/mo x 12	7,886
Postage and freight	265/mo x 12	3,180
Janitorial		
wages	2,252	
15% benefit pkg	<u>337</u>	
	2,589/mo x 12	31,068
supplies	106/mo x 12	1,272
Office supplies	1,590/mo x 12	19,080

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Training/communication aids	2,120/mo x 12	25,440
Equipment		10,000
Other healing/reparation costs		20,000
Ongoing training and healing, all staff		<u>20,000</u>
<b>Total</b>		<b>886,636</b>

## YEAR THREE

Tribal Justice Council honorariums	225/session x 12 x 5	13,483
Administrative Director		
salary/yr	78,652	
15% benefit pkg	11,798	
		90,450
Tribal Police		
salary/yr	42,400	
15% benefit pkg	<u>6,360</u>	
	48,760 x 4	195,040
Administrative Clerk (part time)		
salary - 20.22/hr		
x 25 hrs/wk x 52 wks	26,292	
15% benefit pkg	<u>3,944</u>	
		30,236
Clerk of the Court (on call)		
salary - 24.72/hr		
x 25 hrs/wk x 52 wks	32,135	
15% benefit pkg	<u>4,820</u>	
		36,955
Trustee of Tribal Laws (on call)		
salary - 28.09/hr		
x 25 hrs/wk x 52 wks	36,517	
15% benefit pkg	<u>5,477</u>	
		41,994
Healing and Reparation		
Director/psychologist		
salary/yr	53,000	
15% benefit pkg	<u>7,950</u>	
		60,950



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Therapists		
salary/yr	42,400	
15% benefit pkg	6,360	
	<u>48,760</u> x 2	97,520
Clan Leaders (as judges)		
562/mo x 12 x 5		33,708
Community legal education		10,000
Operations		
Rent (minimum 5000 sq ft)	11,236/mo x 12	134,832
Utilities		
electric	787/mo x 12	9,444
waste removal	56/mo x 12	674
propane heat	2,247/mo x 12	26,966
(?) water		
telephone	898/mo x 12	10,786
Insurance	696/mo x 12	8,357
Postage and freight	280/mo x 12	3,370
Janitorial		
wages	2,387	
15% benefit pkg	<u>358</u>	
	2,745 /mo x 12	32,940
supplies	112/mo x 12	1,348
Office supplies	1,685/mo x 12	20,224
Training/communication aids	2,247/mo x 12	26,966
Equipment		10,000
Other healing/reparation costs		25,000
Ongoing training and healing, all staff		<u>20,000</u>
<b>Total</b>		<b>941,243</b>

## YEAR 4

Tribal Justice Council honorariums		
238/session x 12 x 5		14,280

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Janitorial

wages	2,252	
15% benefit pkg	<u>337</u>	
	2,589/mo x 12	31,068
supplies	106/mo x 12	1,272
Office supplies	1,590/mo x 12	19,080

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Administrative Director			
salary/yr	83,371		
15% benefit pkg	<u>12,505</u>		95,876
Tribal Police			
salary/yr	44,944		
15% benefit pkg	<u>6,741</u>		
	51,304 x 4		205,216
Administrative Clerk (part time)			
salary - 21.43/hr			
x 25 hrs/wk x 52 wks	27,863		
15% benefit pkg	<u>4,179</u>		32,042
Clerk of the Court (on call)			
salary - 26.20/hr			
x 25 hrs/wk x 52 wks	34,063		
15% benefit pkg	<u>5,109</u>		39,172
Trustee of Tribal Laws (on call)			
salary - 29.77/hr			
x 25 hrs/wk x 52 wks	38,708		
15% benefit pkg	<u>5,805</u>		44,513
Healing and Reparation			
Director/psychologist			
salary/yr	56,180		
15% benefit pkg	<u>8,427</u>		64,607
Therapists			
salary/yr	44,944		
15% benefit pkg	<u>6,741</u>		
	51,685 x 2		103,370
Clan Leaders (as judges)			
595/mo x 12 x 5			35,700
Community legal education			10,000
Operations			
Rent (minimum 5000 sq ft)	11,910/mo x 12		142,921
Utilities			

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electric	834/mo x 12	10,010
waste removal	59/mo x 12	712
propane heat	2,381/mo x 12	28,581
(?) water		
telephone	951/mo x 12	11,422
Insurance	781/mo x 12	9,374
Postage and freight	296/mo x 12	3,561
Janitorial		
wages	2,530	
15% benefit pkg	379	
	<u>2,909/mo x 12</u>	34,908
supplies	119/mo x 12	1,424
Office supplies	1,786/mo x 12	21,433
Training/communication aids	2,381/mo x 12	28,581
Equipment		10,000
Other healing/reparation costs		25,000
Ongoing training and healing, all staff		20,000
<b>Total</b>		<u><b>992,703</b></u>

## YEAR 5

Tribal Justice Council honorariums		
253/session x 12 x 5		15,180
Administrative Director		
salary/yr	88,373	
15% benefit pkg	<u>13,255</u>	
		101,628
Tribal Police		
salary/yr	47,640	
15% benefit pkg	<u>7,145</u>	
	54,782 x 4	217,528
Administrative Clerk (part time)		
salary - 22.71/hr		
x 25 hrs/wk x 52 wks	29,534	
15% benefit pkg	<u>4,430</u>	
		33,964

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Clerk of the Court (on call)			
salary - 27.77/hr			
x 25 hrs/wk x 52 wks	36,106		
15% benefit pkg	<u>5,415</u>		
			41,522
Trustee of Tribal Laws (on call)			
salary - 31.55/hr			
x 25 hrs/wk x 52 wks	41,030		
15% benefit pkg	<u>6,153</u>		
			47,183
Healing and Reparation			
Director/psychologist			
salary/yr	59,550		
15% benefit pkg	<u>9,250</u>		
			68,483
Therapists			
salary/yr	47,640		
15% benefit pkg	<u>7,145</u>		
	54,786 x 2		109,572
Clan Leaders (as judges)			
630/mo x 12 x 5			37,842
Community legal education			10,000
Operations			
Rent (minimum 5000 sq ft)	13,381/mo x 12		160,585
Utilities			
electric	884/mo x 12		10,608
waste removal	63/mo x 12		750
propane heat	2,523/mo x 12		30,286
water (?)			
telephone	1,008/mo x 12		12,096
Insurance	838/mo x 12		10,061
Postage and freight	313/mo x 12		3,765
Janitorial			
wages	2,681		
15% benefit pkg	<u>401</u>		
	3,083/mo x 12		36,996

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supplies	126/mo x 12	1,514
Office supplies	1,893/mo x 12	22,718
Training/communication aids	2,523/mo x 12	30,286
Equipment		10,000
Other healing/reparation costs		25,000
Ongoing training and healing, all staff		<u>20,000</u>
Total		1,057,567

## FIVE YEAR TOTAL COST

Year One	749,843 ✓
Year Two	886,636 ✓
Year Three	941,243 ✓
Year Four	992,703 ✓
Year Five	<u>1,057,567</u> ✓
TOTAL	4,627,992

TESLIN TLINGIT TRIBAL JUSTICE SYSTEM

THE GENERAL COUNCIL

Exclusive jurisdiction to pass tribal laws.

TRIBAL JUSTICE COUNCIL

- final approval of all budgets
- make all appointments
- establish salary levels
- employer/employee relations
- police discipline
- judiciary (selection, terms of office, training)
- ombudsman
- review and evaluate tribal justice system annually
- investigate complaints by public against the justice system officials including police.

Elders Council

Advisory body to Tribal Justice Council in all matters

Administrative Director

Administrative arm of System:  
administrative and clerical support for all depts.  
budget and financial infrastructure for all depts.  
welfare mgmt; supply and services to all depts.  
secretary to the Tribal Justice Committee  
liaison with mainstream system where required

are completion of following tasks:  
administer public legal education programs and services  
codification of laws (substantive and procedural)  
drafting rules of court, practice and procedure  
coordinate training for all depts.  
establish a police force

Administrative Clerk

will assist Admin. Director in carrying out  
via Director's responsibilities.

Clerk of the Court

- docket preparation
- registry of Tlingit laws
- payment of fines, etc.
- records (reports of decisions)
- liaison with mainstream courts

Trustee of Tribal Law

Will maintain integrity of all laws within  
jurisdiction of Teslin Tlingit First Nation.  
Role will not be restricted to prosecutorial  
function which prevails in the mainstream  
justice system.

- initially prosecute all offences against  
General Council's laws
- may assume prosecution of Criminal Code  
offences

Enforcement/Police

- enforcement of all General Council's laws
- enforcement of Criminal Code offences  
and quasi-criminal offences
- intervention role/integration with Teslin  
Tlingit social services dept.

Tribal Courts

Peacekeeper Courts

Court of All Clan Leaders

Supreme Court of the Tlingit Nation

Sealooing Panel

Will consist of the five Clan Leaders,  
plus at least two senior Teslin Tlingit  
citizens elected by the community at large,  
one male and one female. Any increase in  
the community-elected membership will be  
such as to ensure a gender balance on the  
Panel as a whole. (The composition identical  
to Court of All Clan Leaders.)

Healing and Reparation (rehabilitation)

- alcohol and drug therapy
- sexual abuse counselling
- job training (career development)
- life skills training
- cultural revival (recovery programs)
- suicide prevention
- community service programs
- family violence counselling
- counselling and support for System staff

TESLIN TLINGIT LAND CLAIM  
SETTLEMENT IMPLEMENTATION PLAN  
(Lands)

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TESLIN TLINGIT LAND CLAIM  
SETTLEMENT IMPLEMENTATION PLAN  
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## 1.0 INTRODUCTION

### 1.1 Background and Purpose

The Teslin Tlingit Traditional Territory is a vast area, comprising several thousand km<sup>2</sup>. Within the Traditional Territory are \_\_\_ large Rural Blocks and 166 specific sites selected by the Teslin Tlingit as Settlement Land. Under the Teslin Tlingit Council Final Agreement, the Teslin Tlingit have attained 1230 km<sup>2</sup> of Category A land and 1165 km<sup>2</sup> of Category B land.

The Teslin Tlingit Council will create a Lands Department and a Lands Committee to manage Site Specifics, Rural Blocks, and all Traditional Territory. This will be a large and complex task. Pressures upon this land will come in many forms. There is a need for building in order to provide for the Teslin Tlingit people. Recent studies suggest the immediate need for 89 new housing units, and at least 20 new housing units each year (Nairne and Associates, 1992). Also, the Teslin Tlingit will have to build other structures to support Land Claims Implementation and Self-Government. New buildings will include: a Tribal Justice Court, a Police Barracks, an Alcohol/Drug Treatment Centre, a Safe House, a Group home, a DayCare Centre, Self-Government Offices, and facilities to support garbage, water, and sewage services. The Teslin Tlingit have also expressed a wish to build line cabins and support other land uses such as ski-doo trails, where there should be a padded corridor.

The purpose of this plan is to describe the proposed structure of the Lands Department, its responsibilities, and tasks which are to be performed in its implementation.

### 1.2 Objectives

Section 28 of the Teslin Tlingit Council Final Agreement sets objectives for an Implementation Plan to be prepared after the effective date of Settlement Legislation. Implementation of Settlement Provisions will require several steps.

The Implementation plan is required to set (TTCFA 28.3.2):

- Specific activities and projects required to implement the Settlement Agreement
- Economic Opportunities for Yukon Indian People resulting from the Settlement Agreement
- Responsibility for specific activities and projects, time frames, costs, and who will bear the costs
- An Information Strategy to enhance community and general

public awareness of the Settlement Agreement and Implementation Plan

- A Process to monitor, inspect, and evaluate implementation and to amend the Implementation Plan
- Means of implementing and coordinating the Yukon First Nation Final Agreement and Self-Government Agreement

The Implementation Plan also addresses the question of creating all proposed Boards (TTCFA 28.3.5). This includes consideration of funding for:

- cross-cultural orientation and education
- other training
- facilities to allow board members to operate using their traditional languages

All of which are to be a charge to the Government (TTCFA 28.3.6).

The Implementation Plan is also to be governed by principles of **accountability and economy** (TTCFA 28.3.4).

### 1.3 Process

This Implementation Plan will be reviewed and edited by the Teslin Tlingit Council, after which it will be forwarded to the Implementation Plan Working Group. This group will consist of one representative of the Government of Canada, one representative of the Government of the Yukon, and two representatives of the Teslin Tlingit. The Implementation Plan Working group will produce the final version of the Implementation Plan which will be attached to the Settlement Agreement.

## 2.0 OVERVIEW

### 2.1 Teslin Tlingit Implementation

The Implementation Process for the Teslin Tlingit Council will be as follows:

1. Accept the Final Implementation Plan
2. Select an Implementation Committee
3. Information Strategy Implementation
4. Complete revision of the Teslin Tlingit Constitution to conform to the Agreement
5. Review and Formalize Proposed Departmental, Board and Committee Organization
6. Review and Formalize Branch Organization for each Department
7. Appoint Management Staff
8. Delegate Basic Responsibilities to Departments and Branches
9. Budget Allocation
10. Process Development
11. Regulations Development
12. Staffing and Training
13. Begin Inventory Work
14. Begin Activities identified in Issue and Task Descriptions Section
15. Self-Government Planning

### 2.2 Government Implementation

The Implementation Process for both the Government of Yukon and the Federal Government will be as follows:

1. Acceptance of the Implementation Plans and passing of Settlement Legislation
2. Selection of an Implementation Committee

3. Revision of Relevant Legislation
  - for Development Assessment, Surface Rights Board, etc.
  - set mechanisms for addressing these
4. Notify departments of new responsibilities
5. Develop a Strategy to inform the public
6. Budget Allocation
7. Specific tasks as identified in Tasks section of the Plan

2.3 Parallel Activities for all parties:

The following activities will be addressed throughout the Implementation Process.

- Capital Development
- Process Development
- Regulations Development
- Human Resource Development/training
- Monitoring, Evaluation, and Amendment
- Development of a Land Registry System

### 3.0 METHODOLOGY

The following is a step-by-step description of implementation methodology for the Teslin Tlingit Council.

#### 3.1 Acceptance of the Final Implementation Plan

- Once an agreement has been reached by the Working Group, and the Implementation Plan meets with the approval of the Teslin Tlingit representatives, it is to be presented to the Teslin Tlingit Council and put to the vote. If accepted by the Council, Implementation of the Settlement Agreement will begin.

#### 3.2 Selection of the Implementation Committee

- The Teslin Tlingit Council will review options for an Implementation Committee. This committee may consist of a Chairperson, representatives of the Community, Council, and/or Government, and others (such as consultants).

#### 3.3 Information Strategy Implementation

- Commencement of the information strategy as identified in this Plan. This would include production of materials and use of electronic media such as videos and public service announcements on television and radio. A door to door information campaign may also be appropriate. All information is to be available in Tlingit and English.

#### 3.4 Teslin Tlingit Constitution Revision

- Revision of Legislation to conform to the Settlement Agreement. This includes formalization of regulations, conditions, and policies regarding: Access, Resource Management, Economic Development etc.

#### 3.5 Review and Formalize Proposed Departments, Boards, and Committees

- The Council and Implementation Committee is to evaluate the organization of Departments, Boards, and Committees as proposed in this Plan. The need for each is to be evaluated and revised if it appears inappropriate. Organization of these groups is to be finalized through Council declaration.

#### 3.6 Review and Formalize Proposed Departmental Infrastructure

- The Implementation Committee is to evaluate the organization of the Branches within each Department as identified in this Plan. It may revise the proposed Infrastructure if it so determines.

### 3.7 Appoint Management Staff

- Interviews will be conducted, candidates evaluated, and staff appointed for management of the new Departments, Boards, and Committees identified in 3.5

### 3.8 Delegate Responsibilities

- The Implementation Committee will set the processes and delegate the responsibilities of each Department, Branch, Board, and Committee in order to effectively Implement the Agreement and eliminate duplication.

### 3.9 Budget Outline

- Teslin Tlingit Council is to determine Costs by Department, Board, and Committee. It will set spending limits and secure Government funding for implementation and training.

### 3.10 Process Development

- Each Department, Board, and Committee is to develop processes for their operation, based upon the recommended approach as identified by the Implementation Committee. This will allow efficient management and work. Examples of this are the processes of Land Registry, Land Conflict Resolution, and Land Use Planning within the Lands Office.

### 3.11 Regulations Development

- The Departments, Boards, and Committees are to Develop Regulations. These will need to be approved and enacted by the Teslin Tlingit Council. These include regulations regarding Access, Land Use, Resource Use etc.

### 3.12 Staffing and Training

- Each Department, with direction from the Council, will conduct interviews, evaluate, hire, and train staff. Training will be needed in Surveying, Mapping, GIS, Planning, Resource Management and other areas. Workshops and seminars must be organized in order for members of the community and new employees to have a better understanding of the goals and processes of the new Departments, Boards, and Committees.

### 3.13 Begin Inventory Work

- The Lands Office will start research of Land and Resources for the entire Teslin Tlingit Traditional Area. This will include investigation of all current land uses and a public

land registry.

### 3.14 Begin Activities Identified in Task Descriptions Section

- There are many activities to be performed by all Departments, Branches, Boards, Committees, and the Council. These are identified in the Issue and Task Description Section of this Plan (5.0). The delegation of each responsibility is described in the Specific Task Delegation Section (6.0).

### 3.15 Self-Government Planning



## 4.0 PROPOSED INFRASTRUCTURE

### 4.1 GENERAL

The main governing body, the Council, will maintain current responsibilities as well as having jurisdiction over new Departments, Branches, Boards, and Committees which are to be formed as a result of the Land Claims Settlement Agreement and the Self-Government Agreement.

#### 4.1.1 New Teslin Tlingit Departments include:

- Lands Office
- Administration and Finance
- Economic Development
- Social Development
- Renewable Resources
- Community and Capital Development

#### 4.1.2 New Teslin Tlingit Committees include:

- Implementation Committee
- Lands Committee

### 4.2 LANDS OFFICE

#### 4.2.1 Background and Jurisdiction

Once the Teslin Tlingit Land Claim Settlement has been signed, one of the first steps towards Self-Government by the Council will be the establishment of a Land Management System. The Teslin Tlingit will use an integrated Management approach to deal with Land Registry and Land Use Issues. This will be accomplished through the creation and development of a Teslin Tlingit Lands Office.

The Lands Office will deal with the following Regimes:

- Land Registry (Tenure and Management of Settlement Land)
- Reserves and Land Set Aside
- Access
- Expropriation
- Surface Rights Disputes
- Special Management Areas
- Land Use Planning
- Development Assessment
- Heritage
- Water Management
- Boundaries and Measurement (Surveying System)
- Non-Renewable Resources

- the Nisutlin Special Management Area
- traditional territory

All of these regimes are interrelated and must be dealt with as such.

One of the main resources of this Office will be the Geographic Information System, which will be the basis of such integration. This system will contain an inventory of all land and resource information and aid in any analysis that is needed in the resolution of issues and conflicts.

#### 4.2.2 Structure of the Lands Office:

##### Management and Planning

- Implementation of Land and Resource Elements
- Land Use Planning

##### Survey and Land Registry

- Conduct Surveys
- Create and Maintain Land Registry System
- Regulate Tenure

##### Resource Inventory and Research

- Conduct Inventories
- Maintain database and maps
- Perform Resource Research

##### Mapping

- Map and Data Support for other Lands Offices
- Maintain the Geographic Information System
- Act as a link between other Offices

#### 4.3 LANDS IMPLEMENTATION COMMITTEE

##### 4.3.1 Background and Jurisdiction:

Having completed the Implementation Plan and signed the Settlement Agreement, a Lands Implementation Committee will be created. This Committee will be composed of 4 to 5 members as outlined below. The Lands Implementation Committee will direct Settlement Implementation as outlined in this Plan. Acting under the direction of the Teslin Tlingit Council, it will monitor, evaluate, and amend the Implementation Process, ensuring that all runs smoothly. The Committee will ensure that costs are not overrun and that the development of Capital and Human Resources is maximized. It will also administer the Information Strategy.

#### 4.3.2 Structure/Membership

The Implementation Committee will consist of:

- the General Manager
- the appointed director of the Lands Department
- 2-3 members from the Council

#### 4.4 LANDS COMMITTEE

##### 4.4.1 Background and Jurisdiction

A Lands Committee will be created in order to review Land Applications, Issues and Conflicts. It will also aid Implementation and address "loose ends" in Settlement Land issues.

This Committee will be formed near the end of Implementation and will continue to function afterwards. It will consist of representatives of the Lands Office, the Council, and other relevant departments. This Committee will hear grievances and make decisions on land use and land use conflicts, forwarding recommendations to the Decision Body (Teslin Tlingit Council). Technical support will be supplied by the Lands Office and the Renewable Resources Office.

##### 4.4.2 Structure/Membership

The Lands Committee will consist of:

- 1 member from the Elders Council - chairperson
- 1 member from the Land Registry Section
- 1 member from the Management and Planning Section
- 1 member from the Economic Development Department
- 1 member from the Renewable Resource Department
- 1 member from the Community and Capital Development Department (optional)

#### 4.5 GOVERNMENT

##### 4.5.1 Background and Jurisdiction

Although the Settlement Agreement moves the Teslin Tlingit one step closer to Self-Government, the Government of the Yukon and the Federal Government have obligations to perform many duties in the Implementation of the Agreement and afterwards. There must be new bodies created, and amendments to current Legislation. There will also be more responsibilities within certain Government departments. It will be necessary to form a body similar to the Teslin Tlingit Implementation Committee in

order to ensure implementation of the Settlement Agreement takes place within the Government.

Government plays a large role in the Implementation Process. The creation of Boards and Committees will be the first responsibility of Government. With the aid of the First Nations, they must set up a fair system for nomination to these bodies. They must also set up processes for the support and operation of these groups. This support includes funding, services, supplies, space, etc.

These boards include:

- Surface Rights Board (TTCFA 8.1.1)
- Regional Land Use Planning Commission (TTCFA 11.4.1)
- Yukon Land Use Planning Council (TTCFA 11.3.1)
- Development Assessment Board (TTCFA 12.7.1)
- Yukon Heritage Resources Board (TTCFA 13.5.1)
- Settlement Land Committee (TTCFA 15.3.1)
- Renewable Resources Council (TTCFA 16.6.1)
- Fish and Wildlife Management Board (TTCFA 16.7.1)
- Salmon Sub-Committee (TTCFA 16.7.17)
- Dispute Resolution Board (TTCFA 26.5.1)
- Training Policy Committee (TTCFA 28.7.1)
- Special Management Area Advisory Board (TTCFA 10.5.7)
- Enrollment Committee (TTCFA 3.5.0)
- Enrollment Commission (TTCFA 3.6.0)
- Yukon Geographical Place Names Board (TTCFA 13.11.1)
- Yukon Water Board (TTCFA 14.4.0)

The government has other tasks in implementation, both discrete and ongoing, but with the development of Self-Government, the role of the Federal and Territorial Governments will diminish. For a list of Government Responsibilities, see Appendix A7.

## 5.0 ISSUE AND TASK DESCRIPTIONS

### 5.1 INTRODUCTION

The issues and tasks described in the following section relate to various Departments, Boards, and Committees. These, for the most part, will be the responsibility of the Lands Office. Needs for training and management of various bodies will be discussed, as will the establishment of procedures for their formation and operation.

### 5.2 LAND USE PLANNING (TTCFA Ch.11)

#### 5.2.1 Issue

The Lands Office Management and Planning Section will create a Land Use Plan for the Teslin Tlingit Traditional Territory, independent of the Regional Land Use Planning Commission's Land Use Plan (TTCFA 11.8.3). This Teslin Tlingit Plan will integrate Regional and Community Land Use Planning. It will be the basis upon which many land decisions will be made, regarding issues such as Access and Development Assessment. There is a need to perform this Land Use Planning at an early stage, as it is to be the basis upon which land use decisions and economic development strategies would be developed. Through the better Management of Land, goals of Sustainable Development and Conservation can best be met.

A Teslin Tlingit Regional Land Use Planning Commission may also be established after Settlement. This would require members nominated by the Teslin Tlingit, the Federal Government, and Yukon Territorial Government (TTCFA 11.4.2).

Any Land Use Plans resulting from this Commission which include Teslin Tlingit Traditional Territory require the approval of the Teslin Tlingit Council (TTCFA 11.6.4). The best approach to this would be to have the Lands Office review any Land Use Plan. This office would compare the Land Use Plan to any Teslin Tlingit Land or Resource Management Plans to ensure there is no conflict. The Lands Department would also analyse the practicality of the Plan and ensure redundancy is minimized. The Lands Office would then make recommendations to the Teslin Tlingit Council regarding modification, rejection, or acceptance of the Land Use Plan.

#### 5.2.2 Tasks

1. Set mechanisms for nomination to the Regional Land Use Planning Commission (TTCFA 11.4.2).
2. Set processes for any Land Use Plan review, approval, and

implementation (TTCFA 11.8.3).

3. The Plan itself may set provisions whereby the Teslin Tlingit would be responsible for the monitoring of land uses to ensure they conform to the Land Use Plan (TTCFA 11.7.2).
4. Research and develop a preliminary Land Use Plan. This will be applied to Economic and Capital Development planning guidelines.

### 5.3 SURVEYS AND LAND REGISTRY

#### 5.3.1 Issue

A system for management of Settlement Lands must be created in order to keep track of land tenure (TTCFA 5.5.1.4). This is to be called the Teslin Tlingit Land Registry System. This system will manage and record all Settlement Land tenure in such a manner as to minimize land use conflicts. The Surveys and Land Registry branch of the Lands Office will be responsible for this Land Registry System. The survey of lands will also be the responsibility of this branch.

There are further responsibilities related to the Land Registry System. The Lands Office would keep a corporate registry and grant Business Licenses and various permits for land uses based upon policies developed in the Implementation process. The Lands Department would also be responsible for Land Assessment for the purpose of property taxation, which may be levied to support Teslin Tlingit Self-Government.

A further issue in Land Registry is the formation of the Settlement Land Committee (TTCFA 15.3.0), upon which Teslin Tlingit representatives will sit (TTCFA 15.3.1). This Committee will identify and select site specific settlement land from proposed sites. It is related to the areas of Surveying and Land Registration in that it will direct the prioritizing of the survey of settlement land and identify the Special Management Area Boundaries which need to be surveyed (TTCFA 15.3.4).

#### 5.3.2 Tasks

1. Create the process a Land Registry and inform the public of this process (TTCFA 5.5.1.4).
2. Create forms and regulations for Land Application and Acquisition.
3. Register all title to Fee Simple Land and supply all survey plans to the Government's Land Titles Office (TTCFA 5.2.3).

4. Register Fee Simple Land and Title with Mines and Minerals on/under Category A and B Settlement Lands (TTCFA 5.2.4).
5. Define all of the final Boundaries (TTCFA 5.3.2).
6. Enact bylaws for use and occupation of land (TTCFA 5.5.1.1).
7. Develop Land Management Programs (TTCFA 5.5.1.2).
8. Assess the possibility of rent and fee charges for Land and Land Use (TTCFA 5.5.1.3).
9. Set a process, as with other bodies to nominate individuals for the Settlement Land Committee (TTCFA 5.5.3.1).
10. Form priorities and processes for the Settlement Land Committee (TTCFA 5.5.3.4).
11. Form a system for review, approval, or rejection of Explanatory and Administrative Plans (TTCFA 5.5.6.6).
12. Negotiate for the participation of Teslin Tlingit or other First Nation People in surveying (TTCFA 15.7.1).
13. Set up a process for Corporate Registry, Business Licence provisions, and permit distribution.
14. Consider Property Assessment and taxation, and establish appropriate policies.

#### 5.4 INFORMATION STRATEGY (TTCFA 28.3.2.4)

The Settlement Agreement states that an information strategy is to be formed to enhance community and general public awareness of the Settlement Agreement and the Implementation Plan itself (TTCFA 28.3.2.4).

This Information Strategy will involve the creation of written documents such as pamphlets and newsletters for public distribution as well as the use of electronic and print media. Also, workshops and seminars on subjects such as the new Teslin Tlingit Infrastructure and the Land Registry System would be held. These would benefit the public, the Teslin Tlingit, and the Government. As much material as possible should be produced in Tlingit and English. A door to door information campaign might also be utilized to inform those members of the community who might not be reached by either the printed material or the use of electronic media.

One member of the Implementation Committee would be in charge of "Public Relations", having input from other members of

the Committee and various Teslin Tlingit and Government Departments. This person would have the resources of various Teslin Tlingit and Government Departments at his or her disposal and the means for publication would be made available to him or her.

Once Implementation is complete, this process of informing the public would also be completed. There would be no separate budget or costs for these activities, as costs would be internalized within existing operations.

## 5.5 DEVELOPMENT ASSESSMENT (TTCFA Ch.12)

### 5.5.1 Issue

Development Assessment is a system which will be set up to study projects to see if damage to land, air, water, people, or animals will result. The Agreement allows for the creation of an Executive Committee, Development Assessment Board and Panels of the Board, but also delegates responsibility of Development Assessment to the Teslin Tlingit Office.

The Teslin Tlingit Lands Office may conduct a review or request the review, auditing, or monitoring of any Project it is concerned about (TTCFA 12.6.1). The Development Assessment Executive Committee may independently decide to conduct such activities (TTCFA 12.9.1.3). These would be conducted by the Yukon Development Assessment Board (YDAB) or a Panel of the YDAB. The result would be a recommendation to the Teslin Tlingit Council or the Government, or both, depending upon jurisdiction. This recommendation could include: mitigative measures to be taken, continued monitoring, project cancellation, project approval etc.

The members of the Executive Committee are to be nominated by CYI and Government, therefore there are no provisions for the direct involvement of the Teslin Council in the Executive Committee. Half of the members of the Development Assessment Board are to be nominees of the First Nations (TTCFA 12.7). Where an issue involving the Teslin Tlingit Traditional Region occurs, the Teslin Tlingit will nominate a number of individuals to sit on the Board, but CYI is to make the final nominations regarding First Nation representation.

The Teslin Tlingit Lands Office and Council have many responsibilities as outlined below, including approval of a Project where a Project is wholly or partially on Settlement Land and within their jurisdiction (TTCFA 12.13.1). Any decision is to take the form of a Decision Document. A development assessment review is not required when the Teslin Tlingit Lands Office decides that the Project poses no harm to land, air, water,



people, or animals (TTCFA 12.6.1).

#### 5.5.2 Tasks

1. The Lands Office, Resource Research Section will conduct an inventory of all development on and around settlement land. This office will supply this information (and all other Land Registry information) to the Board.
2. Train Teslin Tlingit Members in Development Assessment Techniques such as Environmental Impact Assessment.
3. Conduct preliminary development assessment research (TTCFA 12.8.1.8) and develop criteria for determining whether an assessment of a Project should be demanded.
4. Conduct studies of cumulative effects of all projects in the area (TTCFA 12.8.1.8). One example would be the water quality of Teslin Lake.
5. Identify critical zones where development should be restricted from (eg. wildlife harvest areas, heritage resources). This could be accomplished as a part of a Land Use Plan. These areas would result in the automatic request for a review from the Development Assessment Board.
6. Choose a system for compensation based upon: Market value of the land, loss of use and opportunity, land use interference, fish and wildlife harvesting impact, damage to land, nuisance, noise, inconvenience, cultural value, special value, and expense of implementation.
7. According to the Final Agreement (TTCFA 12.6.1) the Teslin Tlingit Council and Lands Office will be responsible for:
  - review of all projects
  - establishing information requirements for project proponents
  - ensuring that interested parties have the opportunity to participate in the assessment process
  - recommending and implementing the position on whether to allow a project to proceed, to proceed with terms and conditions, or not to proceed at all
  - referring projects to the YDAB, if necessary
  - determining the type of review of a project by the office
  - establishing procedures for review of a project by the office
  - making recommendations to the council that a project audit or monitoring of effects occur
  - carry out other duties provided in Legislation
  - maintaining a public registry (TTCFA 12.6.2)
- this requires the creation of a body to deal with such responsibilities and formation of a process for their

implementation. This body would be a branch of the Lands Office called the Management and Planning Section.

8. The Teslin Tlingit Council needs to set up a process for Decision Document Creation (TTCFA 12.13.1). That is, after the analysis has been completed by the Lands Office, how the Council will review the recommendation and present their Decision.

## 5.6 SURFACE RIGHTS BOARD (TTCFA Ch.8)

### 5.6.1 Issue

A Surface Rights Board will be set up to deal with any disagreements that come up regarding Access, Expropriation, or Surface and Sub-Surface Rights. The members of the board are to be nominated by CYI and Government, therefore there are no provisions for the direct involvement of the Teslin Council in the Board at the present time (TTCFA 8.1.2).

### 5.6.2 Tasks

1. Determine the best process for negotiation regarding any conflict. This is to be performed before any conflict is brought before the Surface Rights Board (TTCFA 8.1.9).
2. Choose method by which any negotiating team would be set-up. A similar process should be instituted to set up the negotiating team for Access Issues.
3. Set up training and funding of negotiating team as well as operating procedures.
4. Set up a procedure to nominate Teslin Tlingit members who could sit on the Surface Rights Board.

## 5.7 ACCESS

### 5.7.1 The Issue

Access is the right of any person to enter, cross, or stay on Settlement or Non-Settlement Lands. This Agreement allows certain types of access to Settlement Lands by third parties. The Teslin Tlingit will allow access to Settlement Land where all Terms and Conditions, set by the Council, are met (TTCFA 6.6.1). Access will be allowed for emergency purposes, to cross lands for non-commercial purposes, for occasional recreation, and for other casual uses. Access for commercial purposes will require the approval of the Teslin Tlingit (TTCFA 6.6.3). Existing access for commercial use, trap lines, mining, and forestry will continue

(TTCFA 6.3.5), but new access proposals will be reviewed by the Teslin Tlingit Council. Access for mineral exploration on Category B Lands will be allowed. Outfitters may have access through Settlement Land, but may not hunt on the Settlement Land without prior permission of the Teslin Tlingit Council.

Where conflicts arise or compensation is demanded regarding access, negotiation between the concerned parties or individuals will be conducted by the Teslin Tlingit Council (TTCFA 6.6.1). If the negotiation process fails, conflicts will be referred to the Surface Rights Board (TTCFA 6.6.2). The formation of a negotiating body requires the creation of mechanisms for review of current access and access needs which arise in the future.

#### 5.7.2 Tasks

1. Establish the terms and conditions for the Teslin Tlingit to allow access onto or through settlement lands (TTCFA 6.6.1). This would be done by the Lands Office and require approval from the Council.
2. Set up a mechanism for addressing the access conflicts as they arise.
3. Determine the process for negotiation in order to resolve access conflicts.
4. Create a Body to conduct Access negotiation as well as receive the reports of damage to settlement land inflicted by access (TTCFA 6.1.5).
5. Do an inventory of current and traditional access routes and land uses on and off settlement land. This would include native and non-native Outfitters, Trappers/trap lines, Recreation Seekers, Hunters, traditional trails etc. This inventory would be conducted by the Resources Research Section and entered into the Geographic Information System.
6. Have the Resource Research Section of the Lands Office review all access use and access conflicts.
7. Define the term 'significant damage' as identified in the agreement (TTCFA 6.1.6.1).
8. Form a data exchange agreement and process by which land and access information can be gathered from and given to YTG Lands, Federal Lands, and the Yukon Development Assessment Board.
9. Choose a system to be used for determination of compensation for significant damage caused by access of third parties based upon land use interference, fish and wildlife

harvesting impacts, damage to land, nuisance, noise, inconvenience, and expense of implementation.

## 5.8 EXPROPRIATION

### 5.8.1 Issue

Expropriation refers to the power Governments have to take over lands for particular projects. The land the Government needs is either bought, traded for other land, or a combination of the two (TTCFA 7.5.1). Other forms of compensation may also be negotiated.

### 5.8.2 Tasks

1. Set a mechanism for dealing with Expropriation, including:
  - a method for selecting a body to deal with it. This body will determine whether or not to agree to the Expropriation and what form the compensation should take.
  - a method selecting the Negotiating Team. The negotiating team will:
    - (a) Negotiate the location and extent of the expropriation/acquisition (TTCFA 7.4.1)
    - (b) Negotiate compensation (TTCFA 7.5.1)
    - (c) Represent the interests of the Teslin Tlingit before the Surface Rights Board and in public hearings (TTCFA 7.5.2)
  
2. The Lands Office will be responsible for selection of compensation land if this is the option chosen. It will also be responsible for determining monetary compensation where necessary, based upon market value of the land, land use interference, fish and wildlife harvesting impacts, damage to land, nuisance, noise, inconvenience, loss of opportunity, and expense of proceedings (TTCFA 7.5.2.7). This office may also identify other forms of compensation to be obtained such as a wildlife enhancement program.

## 5.9 NISUTLIN RIVER DELTA SPECIAL MANAGEMENT AREA (TTCFA Ch.10)

### 5.9.1 Issue

The Nisutlin River Delta Special Management Area will be designated a National Wildlife Area and jointly managed by the Teslin Renewable Resource Council and the Canadian Wildlife Service (only the Renewable Resource Council will have Teslin Tlingit Members). A Management Plan will be prepared with input from both bodies (TTCFA Appendix - 6.1). This Plan is to emphasize management of fish and wildlife resources.

## 5.9.2 Tasks

1. As with other Issues, set up a process for nomination to the Renewable Resource Council (TTCFA 16.6.2).
2. Develop a work plan to establish rights, interests and benefits in the use, planning, management, and administration of the Nisutlin River Delta (TTCFA 10.4.1.1).
3. Study the rights for harvesting fish and wildlife within the Special Management Area (TTCFA Appendix - 3.1 & 4.1).
4. Assess the possibility of economic and employment opportunities, through activities such as wilderness tourism (TTCFA 10.4.2.2).

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note:

The subjects of Surface Rights and Development Assessment are not seen to be current issues as there are no immediate economic or mineral potential conflicts in the Teslin area. Further, both the Surface Rights Board and Development Assessment Board members are to be nominated by the Council for Yukon Indians, therefore there are no provisions for the direct involvement of the Teslin Tlingit at the present time on the Boards.

## 6.0 SPECIFIC TASK DELEGATION

### 6.1 LANDS OFFICE

#### 6.1.1 Management and Planning Section

##### 6.1.1.1 General

- office space acquisition.
- oversee the implementation and operation of the Lands Office.
- perform Land Use Planning and Lands Management.
- develop work plans for the Lands Department, for implementation and for operation

##### 6.1.1.2 Development Assessment (TTCFA Ch.12)

- establish procedures for Project review (TTCFA 12.6.1).
- set process for project recommendation and recommendation approval from Council (TTCFA 12.8.1.8).
- establish information requirements for Project proponents (TTCFA 12.6.1).
- determine the types of review to be done based upon Project types (TTCFA 12.6.1).
- review all Projects (TTCFA 12.6.1).
- refer selected Projects to the Yukon Development Assessment Board (TTCFA 12.6.1).
- ensure interested parties have the opportunity to participate in the assessment process (TTCFA 12.6.1).
- identify critical zones (eg. key wildlife habitat) where development should be restricted.
- determine a system for compensation, based upon market value of land, loss of opportunity and use, land use interference, fish and wildlife harvesting impact, damage to land, nuisance, noise, inconvenience, cultural value, special value, and expense of implementation.

##### 6.1.1.3 Access (TTCFA Ch.6)

- recommend Terms and Conditions for Access to Settlement Land (TTCFA 6.6.1).
- set up a mechanism for dealing with access conflicts.
- define the term "Significant Damage" (TTCFA 6.1.6.1).
- determine a system for compensation based upon land use interference, fish and wildlife harvest impacts, damage to land, nuisance, noise, inconvenience, and expense of implementation.

##### 6.1.1.4 Expropriation (TTCFA Ch.7)

- determine compensation land, money, or other to be

demanded in negotiations with Government (TTCFA 7.5.1).

#### 6.1.1.5 Land Use Planning (TTCFA Ch.11)

- Set up a process for Land Use Planning (TTCFA 11.8.3).
- Develop Land Management Programs (TTCFA 5.5.1.2).
- set a process for review, approval and implementation of plans forwarded by any Regional Land Use Planning Commission (TTCFA 11.8.3).

#### 6.1.1.6 Nisutlin River Delta

- develop a work plan for the establishment of rights, interests and benefits regarding use, planning, management and administration in the Special Management Area (TTCFA 10.4.1.1).

#### 6.1.2 Surveys and Land Registry Section

- surveying (Land Selection, Site Specifics, Nisutlin River Delta Special Management Area, etc.).
- assess the possibility of rent and fee charges for land and land use (TTCFA 5.5.1.3). Submit the results of this assessment to the Council.
- define all final boundaries (TTCFA 5.3.2).
- Land Registry Processes (TTCFA 5.5.1.4).
- integration of Land Registry with Court Registry, Corporate Registry, Business Licenses, and other permits.
- Public Registry of Projects for Development Assessment (TTCFA 12.8.3).
- run the data exchange system for Land Registration and Access. This would include registering all titled and fee simple land with the Land Titles Office (TTCFA 5.2.3).
- create various forms and regulations for Land Applications (TTCFA 5.5.1.4).
- set categories for use and occupation of Settlement Land (TTCFA 12.19.2.5).
- set up a system of review for all Explanatory and Administrative Plans (TTCFA 15.6.6).

#### 6.1.3 Resource Inventory and Research Section

##### 6.1.3.1 General

- conduct inventories of all land information in the Teslin Tlingit Traditional Territory. This includes current and traditional Access.
- assist the Management and Planning Section in all issues through data provision and research support.

#### 6.1.3.2 Development Assessment

- set up and perform Development Assessment research (TTCFA 12.8.1.8).
- determine criteria for whether or not to demand Development Assessment of a Project (TTCFA 12.19.2).
- study the cumulative effects of all Projects which contribute to the quality of the environment within the Traditional Territory (TTCFA 12.8.1.8).

#### 6.1.3.3 Access

- review all Access routes onto settlement land.
- identify conflicts between Access and Use of the land.
- receive and review reports of damage to settlement land by various Access routes.

#### 6.1.4 Mapping Section

- provide map and data support for the other Lands Sections.
- record inventory data for Resource Inventory and Research Section.
- perform analysis and produce maps for the Management and Planning Section.
- maintain plans and maps for the Survey and Land Registry Section.
- perform Implementation of the Geographic Information System, as outlined in the GIS Implementation Plan.

### 6.2 TESLIN TLINGIT COUNCIL

#### 6.2.1 Council Tasks

- set the Teslin Tlingit Infrastructure as outlined in Section 4.0 (review and formalize boards and departments).
- create the Implementation Committee (see 4.3).
- set the Budget.
- set up a procedure for the creation of Decision Documents (TTCFA 12.13.1).
- set processes for nomination to Boards and Councils (Regional Land Use Planning Commission, Settlement Land Committee, Negotiating teams for Expropriation, Land Use Issues, and Access conflicts, etc.).
- set up a process for negotiating regarding Land Use Issues, Expropriation, employment participation, and Access conflicts.
- set up a mechanism for dealing with Expropriation
- Review Terms and Conditions for Access as proposed by the Lands Department (TTCFA 6.6.1).



- form a data exchange agreement with the Government for information such as Lands and Access.
- enact bylaws for the use and occupation of Settlement Land (TTCFA 5.5.1.1).
- set a process for Development Assessment recommendation approval, modification, or rejection (TTCFA 12.6.1).
- assume the responsibilities of the Enrolment Committee. That is, ensure all Teslin Tlingit Members are enrolled with the Teslin Tlingit Office (TTCFA 3.9.3).
- negotiate participation of Teslin Tlingit and in Surveying of Settlement Land (TTCFA 15.7.1)
- set up a process for Corporate Registry, Business Licence provisions, and permit distribution.
- Consider the feasibility and set up a policy for Property Assessment and taxation.

#### 6.2.2 Implementation Committee

##### 6.2.2.1 General

- manage implementation as specified in "Methodology" (see 3.0).
- ensure that all Tasks are being addressed.
- develop and implement the Information Strategy (see 5.10). Assign staff to produce documents and perform the required activities.
- outline Budget disbursement.
- develop process, regulations, capital, human resources.
- monitor, evaluate, and amend Implementation Process
- set up the Settlement Lands Committee. Designate powers, procedures, etc. (TTCFA 15.3.0).
- research the possibilities for economic and employment development through opportunities such as Wilderness Tourism (example: TTCFA 17.14.2).

##### 6.2.2.2 Training Programs

- Lands: Surveying, Drafting, CAD Drafting, GIS, Land Use Planning, Resource/Land Management, Development Assessment (Environmental Impact Assessment) Techniques.
- Council and other staff: Negotiation Techniques

#### 6.3 LANDS COMMITTEE

- review land applications, issues and conflicts.
- negotiate land use conflicts with third parties.
- resolve land use conflicts within the Teslin Tlingit.
- resolve conflicts over Access.

- make final decisions regarding Development Assessment.
- set processes whereby the Lands Committee can play a primary role in Expropriation Issues. Decide whether or not to accept the expropriation and what form the compensation should take. Negotiate extent and location of expropriation and compensation.
- implement the Land Registry System.
- establish Terms and Conditions for Access.
- set guidelines and processes for Development Assessment etc.
- assist Implementation and address loose ends in settlement land issues

#### 6.4 OTHER

notes:

## 7.0 TESLIN TLINGIT STAFFING

### 7.1 Lands Office:

#### 7.1.1 Director

The Director will be responsible for hiring and monitoring staff and ensuring that the lands department is operated smoothly and efficiently. Other responsibilities will include office space acquisition, overseeing the implementation, and development of work plans for the Lands Department. This person will also initiate liaison with other Teslin Tlingit Departments and Government.

#### 7.1.2 Support Staff

The Support Staff will act as receptionist, office clerk, and administrative assistant. This person will report directly to the Director, but will also supply limited services for the rest of the department.

#### 7.1.3 Planners/Resource Managers (2)

The Planners will report to the Director of Lands and will delegate tasks to the Researchers and GIS Technician. These persons will have the responsibility of creating a Land Use Plan. This will engage the bulk of their time. They will also be responsible for dealing with Access Issues as they arise and managing the Nisutlin River Delta Special Management Area.

#### 7.1.4 Researchers/Cartographers (2)

The Cartographers/Researchers will report directly to the Planners. The main responsibility of these persons will be to conduct inventories as well as to maintain and update information with regard to land resources.

#### 7.1.5 Survey Technicians (2)

The Survey Technicians will manage all surveying activities, including field work, drafting, calculations, and plan production as well as be responsible for advising and informing others in the department and Council in any matter regarding surveying. This person will also have a limited role in the GIS development and activities.

#### 7.1.4 GIS Technician

The GIS Technician will act as both survey assistant and GIS Technician, and will be responsible for all GIS tasks, from digitizing and editing digital maps, to analysis and plotting, as delegated by the planners/managers. This person will also administer the GIS land registry system and participate in workshops to familiarize Teslin Tlingit members with the purpose and benefit of the GIS. This position may be phased in as the GIS is developed (see Appendix A - p.vii).

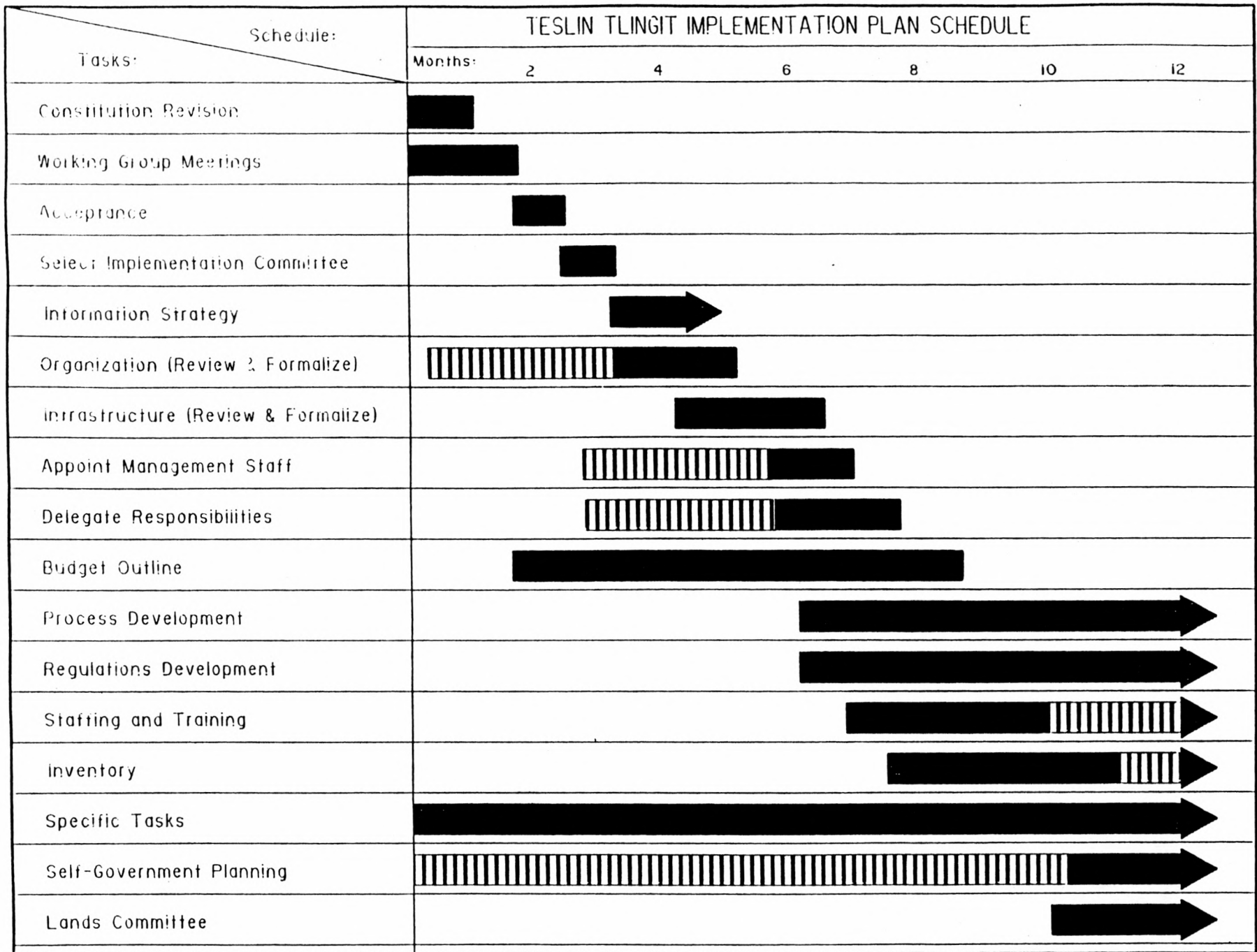
#### 7.2 Other Implementation Staff:

The following staff will be employed in order to aid in the implementation of the Lands Department. These persons will no longer be needed once the Land Department is in operation, staff is trained, and the Land Registry System is in place. However, the above staff will be permanent.

- Lands Department Implementation Committee (3-5)
- Land Registry Designer (1)
- Instructors for Surveying, GIS, Resource Management (3-5)
- Support Staff (2)

## 8.0 SCHEDULE

(see graph)



Subsidiary Activity ▤

Primary Activity ■

## 9.0 COSTS/BUDGET

### 9.1 IMPLEMENTATION

- 9.1.1 Lands Department Implementation Staff
  - Implementation Committee (4-5)
  - Land Registry Designer (1)
  - Support Staff (2)
- 9.1.2 Staff Training
- 9.1.3 Data, Computer System, and Supplies Acquisition
- 9.1.4 Equipment Acquisition:
  - vehicles, survey equipment, drafting materials etc.
- 9.1.5 Acquisition of Office space and Furniture

### 9.2 OPERATION AND MAINTENANCE

- 9.2.1 Lands Office Staff:
  - Director (1)
  - Support Staff (1)
  - Surveyors (2)
  - GIS Technician (1)
  - Researchers/Mappers (1-2)
  - Planners/Resource Managers (1-2)
- staffing costs will include:
  - salaries, benefits, travel, upgrading, honoraria
- 9.2.2 Equipment Maintenance
  - survey equipment
  - vehicles
  - drafting equipment
- 9.2.3 Software Maintenance
- 9.2.4 Consumables
- 9.2.5 Studies, Consultants, Boards, and Committees
- 9.2.6 Office space rental

### 9.3 OTHER

- 8.3.1 Data conversion

(See Costs Sheets - Appendix A4)

## APPENDIX A

### GIS IMPLEMENTATION PLAN

#### OUTLINE:

- 1.0 TESLIN TLINGIT GIS BACKGROUND
  - 1.1 BACKGROUND INTRODUCTION
  - 1.2 GIS HARDWARE AND SOFTWARE
  - 1.3 DATA ACQUISITION
  - 1.4 GIS UPGRADE AND STAFFING
- 2.0 EXECUTIVE SUMMARY
- 3.0 IMPLEMENTATION OVERVIEW
  - 3.1 THE PROCESS
  - 3.2 IMPLEMENTATION CONSIDERATIONS
  - 3.3 SCHEDULE
  - 3.4 WORK BREAKDOWN
- 4.0 IMPLEMENTATION STAFFING
  - 4.1 BACKGROUND
  - 4.2 ROLES AND RESPONSIBILITIES
  - 4.3 TRAINING
- 5.0 IMPLEMENTATION SCHEDULE
  - 5.1 PRELIMINARY NEEDS EVALUATION
  - 5.2 ONGOING ACTIVITIES
  - 5.3 OPERATING PROCEDURES AND SYSTEM DESIGN
  - 5.4 SYSTEM ACQUISITION AND COMMISSIONING
- 6.0 BUDGET/COSTS
  - 6.1 IMPLEMENTATION
  - 6.2 SYSTEM
  - 6.3 OPERATION AND MANAGEMENT
  - 6.4 DATA CONVERSION
  - 6.5 COST SUMMARY
- 7.0 DESCRIPTION OF TASKS
  - 7.1 PRELIMINARY NEEDS EVALUATION
  - 7.2 ONGOING ACTIVITIES
  - 7.3 OPERATING PROCEDURES AND SYSTEM DESIGN
  - 7.4 SYSTEM ACQUISITION AND COMMISSIONING

1.0 TESLIN TLINGIT GIS BACKGROUND

## 1.0 TESLIN TLINGIT GIS BACKGROUND

### 1.1 BACKGROUND

The GIS system belonging to the Teslin Tlingit Council, resides in the CYI building. It is not being used, but would be beneficial in Land Claims Settlement and for land and resource management, once the Claims are settled. Uses of the GIS would include: Land Registry, Access Issues, Resources and Heritage Inventory (fish, wildlife, minerals, water etc.), Development Assessment, LandUse Planning Issues, SurfaceRights Disputes, Trap line Registration, WaterManagement, Surveying, ResourceManagement and harvesting, Recreational Development, InformationStrategy Maps (public awareness, see Ch-28).

### 1.2 GIS HARDWARE AND SOFTWARE

The Teslin Tlingit GIS consists of:

- AST 286 hard drive with 30 Mb of memory
- VGA Monitor
- Calcomp Digitizing Tablet (half size - 24" x 36")
- Logitech Mouse
- PAMAP Mapper software

PAMAP software:

- PAMAP Analyser, Topographer, and Translator are Recommended in order to conduct analyses needed for adequate data supply to decision makers

notes:

- there is no plotter, but there is a need for one
- a 386 or 486 with 300 Mb of memory is recommended to run the Lands GIS

### 1.3 DATA ACQUISITION

Data is being acquired at the current time, in order that the GIS will have an up to date database once it is implemented. Current mapping by the Teslin Tlingit is based upon Land Claim updating. Implementation of the GIS will occur once the appropriate funding has been approved.

GIS data which is currently in the Teslin Tlingit System includes: topography, hydrography, trails, recreation sites, wildlife habitat, forestry, registered trap lines and outfitting concessions. All this information is at a scale of 1:250,000. There is a requirement for much more information to be input. It is also recommended that the current data be upgraded to a larger scale also. Data needs include land tenure, geology, mineral claims, current forestry data and current wildlife data.



#### 1.4 GIS UPGRADE AND STAFFING

Based upon data quantities and apparent analysis needs, it is apparent that purchases will need to occur to upgrade or find an alternative geographic information system. This is necessary if the system is to be useful for serious resource inventory or analysis. Capabilities of the current system are restrictive, as there is little memory, no plotter, and limited software analysis abilities. The purchase of a 300 Mb Hard Drive, a Plotter, a Digitizing Tablet, and Analytical Software are the basic requirements of a system appropriate for the needs of the Teslin Tlingit Lands Office.

There are several options for the Teslin Tlingit GIS. The suggested option is to temporarily set up the system at the offices of Lamerton and Associates as the implementation process occurs because Whitehorse is where most of the required resources are located. Once the implementation process is complete, the entire system would be relocated to the Teslin Tlingit Lands Office.

Increases in staff would include a GIS Technician. The personnel hired for surveying will also double as a GIS assistant. The efforts of these individuals will combine to maintain the system and perform any analysis demanded. Any extra work would be contracted out. This element should be limited, as the bulk of the work is anticipated to involve initial digitizing and other data conversion, which will be performed by Lamerton and Associates along with Teslin Tlingit staff.

#### 2.0 EXECUTIVE SUMMARY

This portion of the Implementation Plan describes the process by which the Teslin Tlingit Geographic Information System will be developed, in a manner that will best represent the interests of the Teslin Tlingit and provisions of the Land Claims Settlement. The GIS implementation will include System Design, Operation Procedures, Acquisition and Commissioning and will take place over a period of 6 months. This plan includes a task schedule, costs and staffing needs in order to implement a successful GIS which meets the needs of the Teslin Tlingit Decision Makers.

### 3.0 IMPLEMENTATION OVERVIEW

#### 3.1 THE PROCESS

Section 28 of the Teslin Tlingit Council Final Agreement ("Implementation and Training for Settlement Implementation") sets objectives for an Implementation Plan to be formed after the effective date of Settlement Legislation. This section of the document is a plan for implementing the Teslin Tlingit GIS, which currently resides at the CYI building in Whitehorse. The GIS will be moved to Teslin and shall form the basis for data supply to the Teslin Tlingit Lands Office. The GIS will facilitate the integrated management approach to Land and Resources throughout the Teslin Tlingit Traditional Territory.

#### 3.2 IMPLEMENTATION CONSIDERATIONS

The key issues which will be considered when planning the implementation of the GIS are: Staffing, Scheduling, Costs/Budget, Tasks, Organization Structure, Procedures, Standards, Parallel Activities, and Assumptions. Each of these issues is discussed in this plan.

#### 3.3 SCHEDULE

The general schedule for the entire Implementation plan is as follows. (put graph here)

#### 3.4 WORK BREAKDOWN

##### 3.4.1 PRELIMINARY NEEDS EVALUATION

##### 3.4.2 ONGOING ACTIVITIES

- office site preparation
- staff training
- steering committee
- map inventory and filing

##### 3.4.3 OPERATION PROCEDURES AND SYSTEM DESIGN

- work plan
- operations analysis
- data architecture
- operation design
- system design
- design validation
- alternate evaluation/GIS selection

##### 3.4.4 SYSTEM ACQUISITION AND COMMISSIONING

- work plan
- acquisition, installation, testing of system
- begin staff training
- system documentation and customizing

- data collection and conversion
- COGO interface
- develop system applications

#### 4.0 IMPLEMENTATION STAFFING

##### 4.1 BACKGROUND

The proposed organizational structure is shown in Figure \_\_. This structure assumes there will be a Cartographer/GIS Manager a GIS Technician/Survey Assistant and a Survey Technician/GIS Assistant. The consultant would only be used in the implementation process and in situations where there is too much work for these positions to cover.

The GIS Manager and consultant will be responsible for the GIS implementation, with the GIS Manager directing subsequent operations. The technician will report to the Manager regarding GIS activities only. Standards, guidelines and schedules will be discussed by a committee formed from these parties and any designated members of the council (this is referred to as the Steering Committee).

For the proposed organization structure see table \_\_.

(insert Organizational Chart here)

## 4.2 ROLES AND RESPONSIBILITIES

### 4.2.1 GIS Manager/Cartographer

The GIS manager will be responsible for the overall supervision of the GIS implementation (along with the consultant) and ongoing management of the system once the implementation is complete. Strategic and Operational planning will be managerial responsibilities of this position. He/She will also delegate work when necessary (to the technician). It will be his/her responsibility to prioritize projects to enable goals to be met, for the maximum benefit of decision-makers. The GIS Manager will also be responsible for site preparation and running workshops to familiarize Teslin Tlingit members with the GIS.

### 4.2.2 GIS Technician:

The Technician will act as both survey assistant and GIS Technician, and will be responsible for all GIS tasks, from digitizing and editing digital maps to analysis and plotting, as delegated by the GIS Manager. He/She will also administer the GIS land registry system and participate in work shops to familiarize Teslin Tlingit members with the purpose and benefit of the GIS. This position may be phased in as the GIS develops.

### 4.2.3 Survey Technician:

The Survey Technician will manage all surveying activities and will have a limited role in the GIS development and activities. If feasible, she will participate in training, workshops etc.

### 4.2.4 Consultant:

The consultant will be responsible for GIS Implementation along with the GIS Manager. He/She will focus on Acquisition, Training, Installation, documentation and customizing the system. It will be the responsibility of the consultant to provide ongoing training and support for the GIS Manager and Technician, as well as any other GIS users.

### 4.2.5 Other:

It is possible that, with periods of intensive activity, there could be too much work for the GIS Manager, GIS Technician and Survey Technician. In this event, there is the option to use the services of the survey technician, hire temporary personnel or use the consultant to conduct basic GIS functions such as digitizing.

#### 4.3 TRAINING

Linda:

Training Needs:

- has taken a month long course on PAMAP GIS
- will need a refresher as she has not used it since the PAMAP GIS course
- will need to be trained fully w.r.t. analysis and applications

Structure:

1. Applications
2. Basics
3. Database
4. Analysis
5. Review

Connie:

Training Needs:

- is presently enrolled in the Yukon College Surveying Course
- will need basic training on the system
- might have some experience working with computers

Structure:

1. GIS Background and Theory
2. GIS Basics
3. Plotting

Wilbur:

Training needs:

- has much mapping and resource knowledge
- a little GIS Knowledge
- Needs basic training and knowledge of applications

Structure:

1. GIS Theory
2. GIS Applications
3. GIS Basics

Other Personnel (Decision-Makers):

Training Needs:

- Assuming there is no knowledge of GIS capabilities
- Seminars and Demonstrations will be appropriate

Schedule:

1. GIS Theory and Background
2. GIS Applications and Analysis

5.0 IMPLEMENTATION SCHEDULE

5.1 PRELIMINARY NEEDS EVALUATION

5.2 ONGOING ACTIVITIES

- site preparation
- staff training
- steering committee
- map inventory and filing

5.3 OPERATION PROCEDURES AND SYSTEM DESIGN

DATES:

- |                                      |                  |
|--------------------------------------|------------------|
| - work plan                          | week 1 - week 3  |
| - operations analysis                | week 3 - week 5  |
| - data architecture                  | week 5 - week 7  |
| - operation design                   | week 7 - week 9  |
| - system design                      | week 9 - week 11 |
| - design validation                  | week 11- week 13 |
| - alternate evaluation/GIS selection | week 13- week 15 |

5.4 SYSTEM ACQUISITION AND COMMISSIONING

- |  |                   |
|--|-------------------|
| - work plan                            | week 15 - week 15 |
| - acquisition, installation, testing   | week 16 - week 18 |
| - begin staff training                 | week 19 - week 19 |
| - system documentation and customizing | week 20 - week 21 |
| - data collection and conversion       | week 20 - week 25 |
| - COGO interface                       | week 25 - week 25 |
| - develop system applications          | week 21 - week 25 |
- (insert graph here)

note: Implementation will commence once the appropriate funding has been supplied.



6.0 BUDGET/COSTS

6.1 IMPLEMENTATION

- 6.1.1 Teslin Tlingit Staffing
- 6.1.2 Consultant Staffing
- 6.1.3 Staff Training

6.2 SYSTEM

- 6.2.1 Personal Computer Hard drive (486)
- 6.2.2 Plotter
- 6.2.3 GIS Purchase
- 6.2.4 DBase IV (?)
- 6.2.5 Miscellaneous Initial Supplies
- 6.2.6 Installation Costs (?)

6.3 OPERATION AND MANAGEMENT

- 6.3.1 Support Staff - Manager, Technician, Consultant
- 6.3.2 Equipment Maintenance
- 6.3.3 Software Maintenance (GIS, DBase, etc.)
- 6.3.4 Consumables (pens, paper, ink)

6.4 DATA CONVERSION COSTS

- 6.4.1 Data acquisition from CYI (?)
- 6.4.2 Data acquisition from other sources (?)
- 6.4.3 Digitizing

6.5 COST SUMMARY

The total estimated costs for GIS implementation are shown on the following graph:

(insert graph here)

## 7.0 DESCRIPTION OF TASKS

### 7.1 PRELIMINARY NEEDS EVALUATION

- this includes editing the needs evaluation which has resulted from this Implementation Plan. Data will be reviewed with respect to scale, accuracy, volume, type, location, relationships, current uses, intended uses, priorities, and analyses to be performed.
- determination of the Organization Structure

### 7.2 ONGOING ACTIVITIES

#### 7.2.1 Site preparation

- a suitable site for a GIS system must be located. It then must be cleared and set-up with the necessary tables, chairs, bulletin boards etc. All elements of the GIS are then set-up.

#### 7.2.2 Staff training

- this must occur from the outset, so that there is an understanding why the system gets set the way it is. The most intensive training will be once the GIS has been installed. Ongoing training will be necessary because of software updates and staff turn-over. The degree of training will be based upon the Needs Evaluation.

#### 7.2.3 Steering committee

- this committee will guide and inform the process of GIS implementation with respect to scheduling, staffing, financial control, data standards and review. It will consist of the GIS Manager, GIS Technician, Survey Technician, Consultant and Planners.

#### 7.2.4 Map inventory and filing

- do an inventory of all existing maps and resource data. File these in an orderly fashion, archive them, and morgue outdated information.

### 7.3 OPERATING PROCEDURES AND SYSTEM DESIGN

#### 7.3.1 Work plan

- a detailed plan of the Operation Procedures and System Design, including a revised schedule and specific activities to be performed

#### 7.3.2 Operations analysis

- review of current operations
- analysis of data sources, map use, planning methods, data flow, input/output, desired products, data sharing options

### **7.3.3 Data architecture**

- set up the data storage system and include functional models of data flow, standards etc.

### **7.3.4 Operations Design**

- build a system of procedures for operation of the GIS
- set standards, operating procedures, system processes, specifications, archaiving, communication and other database management specifics

### **7.3.5 System Design**

- determine software and hardware needs based upon the Needs Evaluation above
- determine level of training that will be necessary to operate such a system

### **7.3.6 Design Validation**

- evaluation of the above design recommendations by the Steering Committee and determination of further needs

### **7.3.7 Alternate Evaluation/GIS Selection**

- review of GIS literature and interviews with appropriate vendors.
- benchmark testing of systems shortlisted
- selection of best GIS option

## **7.4 SYSTEM ACQUISITION AND COMMISSIONING**

### **7.4.1 Work plan**

- a detailed work plan for system acquisition and commissioning, including a review of schedules, costs and staffing based upon the system design and design validation stated in the last section

### **7.4.2 Acquisition, installation, testing of system**

- purchase of hardware and set up
- GIS acquisition
- Testing all elements of the system: Digitizing, plotting, analysis

### **7.4.3 Begin staff training**

- GIS background, theory, basics, analysis, applications, output

### **7.4.4 System documentation and customizing**

- Document all processes and procedures for the operation of the GIS. Set and record function key settings, produce Map Request forms, set data update and backup procedures, produce reference sheets (for GIS settings), set layers, set line indices, make a map file log book, and produce a manual of procedures for common operations.

7.4.5 Data collection and conversion

- Priorize, collect and convert data
- Acquire Maps, and data(hard copy and digital),digitize, scan and update according to standards as set above
- data checks (error checks)

7.4.6 COGO interface

- test and apply conversion to survey system and back if the survey software has been set up
- document the methods for data conversion

7.4.7 Develop system applications

- Analyse the possibility of using the GIS in Planning, Settlement Issues, Resource Management, Land Management and Economic Development.
- Set priorities for such applications, as identified by decision-makers
- this would include GIS education for other staff members so that there is an understanding of possible applications of the GIS and data available (DTM's, Interviewability, Perspective Views etc.)

## APPENDIX A

## COMPREHENSIVE TRAINING STRUCTURE

## 1. GIS Background and Theory

- Why use a GIS?
- abilities of the GIS
- UTM and Geographic Co-ordinates
- Specific Applications of a GIS
- Elements of the system - familiarize with hardware and software

## 2. GIS Basics

- Map creation
- Digitizing
- Plotting

## 3. Database

- GIS database creation
- GIS data modification
- Data export
- Introduction to DBaseIV
- DBaseIV Data modification
- Data import

## 4. Analysis Methods

- Polygon formation and theming
- Polygon overlay and theming
- Corridor creation
- Digital Elevation Models
- Perspective Views
- X-Hatching
- Interviewability

## 5. Review and other projects

## APPENDIX D

### LANDS OFFICE IMPLEMENTATION COSTS/BUDGET (Includes GIS Implementation Costs)

Lands Implementation Committee:  
4 people X 12 months:

(\$65,000/year)(12 months)(1 person)(80%)	=	\$ 52,000
(\$75,000/year)(12 months)(3 people)(10%)	=	25,000
(\$30,000/year)(10 months)(2 people)(30%) (support staff)	=	20,000

Land Registry Designer:

(\$55,000/year)(6 months)(1 person)(100%)	=	28,000
		-----
		\$ 125,000

---

#### LANDS STAFFING:

Director: (\$65,000/year)(8 months)	=	\$ 45,000
Support: (\$30,000/year)(6 months)	=	15,000
Survey Tech.: (45,000/year)(6 months)	=	23,000
Researchers(2): (40,000/year)(6 months)	=	40,000
Cartographer: (50,000/year)(8 months)	=	35,000
Planner: (45,000/year)(6 months)	=	22,000
GIS Technician: (40,000/year)(6 months)	=	20,000
		-----
		\$ 200,000

#### ON THE JOB TRAINING: (see Training Section)

- hardware (workstation, etc.)	=	\$ 5,000
- software	=	\$ 3,000

---

#### Hardware and Software:

##### Survey Equipment:

EDM	=	\$ 20,000
Transit	=	5,000
Legs	=	1,500
Prisms	=	1,500
Rods	=	200
Pogo, shovel, sledge	=	200
2-way Radios	=	2,000
Books, plumbobs, etc.	=	200
Other	=	500
		-----
		\$ 31,100

Computer Systems:

GIS (see GIS Implementation Plan)		
CAD	=	\$ 8,000
Word Processors(2)	=	4,000
Backup System	=	2,000
		-----
		\$ 14,000

Drafting Materials:

Tables	=	\$ 1,500
Electronic Scriber	=	2,500
Pens	=	1,000
Electric Eraser	=	100
Drawing Materials	=	1,000
Miscellaneous	=	500
		-----
		\$ 6,600

Transportation:

2 pick-ups	=	\$ 40,000
ski-doo (long track)	=	6,500
boat (14',20HP,Trailer etc.)	=	6,500
ATV (4WD)	=	6,500
		-----
		\$ 59,500

Office Space (1600 square ft.):

Acquisition	=	\$ 15,000
Maintenance/Utilities/phones (9 months)	=	\$ 5,700

Furniture:

Tables, chairs, lamps	=	\$ 5,000
Map Storage	=	\$ 2,000

Library	=	\$ 3,000
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Other Costs: (Information Supply, Board Services)	=	\$ 5,000
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**TOTAL = \$ 479,900**

## APPENDIX B

### FOREST RESOURCES (TTCFA Ch.17)

#### Issue

Management of forest resources on Teslin Tlingit Settlement Land will become mainly the responsibility of the Teslin Tlingit (TTCFA 17.2.1). The Council and Renewable Resource Department will need to set processes for dealing with pest and disease control, terms and conditions for harvesting (TTCFA 17.5.6), standards for use of the forest resources, and forest fire-fighting. A Management Plan will be created to ensure effective, defined management of the forest resources (TTCFA 17.5.2). This will be performed by the Teslin Tlingit Renewable Resources Department.

A forest fire Management Plan will also be created by the Teslin Tlingit Renewable Resources Department. The Settlement Agreement states that forest fire fighting will be conducted by the Government for a period of five years, after which an agreement will be reached between the Government and the Teslin Tlingit Council (TTCFA 17.8.3).

Although the Teslin Tlingit have complete control over Settlement Forest Resources, the rest of the Traditional Territory falls under other jurisdictions. The Government will continue to manage all Crown land, but the Renewable Resource Council will have certain responsibilities in Forest Resources (TTCFA 17.4.0). This council will develop Forest Resource Management Plan recommendations. Furthermore, the Fish and Wildlife Management Board will have a say in the Management of Forest Resources (TTCFA 16.7.12.3).

#### Tasks

1. Preparation, approval, and implementation of the Forest Resources Management Plan (TTCFA 17.5.2). This would include policy and program design.
2. A plan for a forest fire unit (TTCFA 17.6.1) is to be formed, including training and program development OR Negotiations with the government for forest fire protection.
3. Nomination of 3 people to the Renewable Resource Council (TTCFA 16.6.2) and 6 people to the Fish and Wildlife Management Board (TTCFA 16.7.2), and subsequent preparation of Budgets (TTCFA 16.6.7 & 16.7.10).
4. A process for consultation between the Teslin Tlingit and the Government regarding Forest Resource Management.



## APPENDIX C

### TRAINING PLAN

With the development of a Teslin Tlingit Lands Department, there will be distinct employment positions created with diverse levels of responsibility, skill attainment, and education requirements. These positions and their basic qualifications are identified below:

- Director of Lands should already possess a high level of education. Additional training could be supplied in community administration, personnel management, budgeting, and other management skills. The ideal candidate would have a post-secondary degree and experience in Public Administration or related fields, with experience in Land Management.
- Planners should also possess a fairly high level of training, with knowledge of principles such as sustainable development. They should also be familiar with the Teslin Tlingit Traditional Territory; the land, land uses, wildlife, and other elements. These individuals should receive further training in northern land use planning, resource management, environmental impact assessment, and Geographic Information Systems. The result would be an individual with knowledge in the management of lands as well as Teslin Tlingit needs and desires for land.
- Survey Technician will need to have basic skills in mathematics and will be required to take training courses in surveying. The goal would be to achieve certification as a survey technician, with abilities to operate: a transit, an EDM (Electromagnetic Distance Measurement) device, drafting equipment/software, COGO (Coordinate Geometry) Software, and GIS software. The candidate should also have the potential to become a Canada Lands Surveyor (C.L.S.).
- Land Registry Designer should have the necessary education, skills, and experience in the Land Registry field prior to attaining this position. The candidate should possess a post-secondary degree and in-depth knowledge of Territorial and Federal Lands Acts and other Legislation relating to land.
- GIS Technician will need a basic understanding of computers and geography. Once this is confirmed or attained, training in cartographic theory and the specific GIS, mapping, and CAD software will be the priorities (see Appendix A for more specific qualifications).
- Cartographer will need knowledge of the geography of Teslin and will be required to attain skills in drafting and cartographic theory. Will also need to be computer literate in order to assist the GIS Technician (see Appendix A for

GIS qualifications).

- Support Staff will need only a basic level of educational. Developmental studies would be supplied if needed, and the candidates would attain college instruction in administrative services.

In order to accomplish Settlement Implementation, and staff the new departments developed in the process, it will be essential to provide both training and education. There are several levels of skill and knowledge required to fulfill the different employment opportunities as outlined in the Implementation Plan. This, combined with the reality that candidates for these positions will have a wide variety of educational backgrounds, results in the need for a broad and flexible training strategy.

A 'quick fix' training plan is not recommended. Rather, a comprehensive training strategy should be developed to adequately address both short and long term goals. The focus of the training strategy would be to map out a direction that will assist in fulfilling human resource requirements. As defined in the Final Agreement, Teslin Tlingit members should receive training in order to participate effectively in employment opportunities.

Although there are specific training requirements identified in the sub-agreements, many training needs are not exclusive. This training strategy should not be specific to the development of the Lands Department. This approach should be taken to the staffing of other Teslin Tlingit Council Departments that will be developed in the Implementation process. In some cases, training of members of the Lands Department will overlap with that of other departments, such as Support Staff and the Director. For this reason the approach to training should be integrated.

It must be recognized that staffing should consist of the most skilled local labour available, but at the same time, not sacrifice quality of performance. This may mean hiring staff from outside Teslin for term positions as local candidates are being trained. A combination of formal training and on-the-job (shadow) training with experienced personnel represents the best possible combination to fulfil the training requirements for the positions. These experienced personnel will fulfil the roles of both temporary managers and educators.

The following process is suggested for an effective training plan:

1. Hiring a Training Coordinator

The dimensions of the training strategy warrant the employment of a Training Coordinator. The coordinator, in

consultation with the council, would develop a human resource inventory to assist in assessment of training needs and occupational requirements.

The Coordinator would also be responsible for developing and implementing a comprehensive training strategy.

## 2. Inventory of Teslin Tlingit human resources

A detailed inventory of the human resources that are available will be prepared by the training coordinator. This will allow a baseline to develop a training strategy from. Once the necessary background information is gathered, then the development of a comprehensive training strategy can proceed.

## 3. Development of a Training Strategy

The Coordinator will develop the training strategy in consultation with the Teslin Tlingit Council, and Territorial and Federal governments.

The training strategy will be developed to work in conjunction with the revised Yukon Training Strategy (1991).

## 4. Implementation of Training Strategy

Once a training strategy is developed then the implementation of the strategy will incorporate many different elements.

It will be necessary to match training needs to various delivery agents. These include:

- Teslin Community College;
- Yukon College;
- Public Service Commission;
- I.N.A.C.;
- C.E.I.C.; and
- Universities and Colleges outside the Yukon.

An examination and evaluation of existing programs will ensure training or education needs can be met. Selection of these delivery agents will be an important component of implementation of the training strategy. When possible, community or Territorial agencies will be utilized for training. Outside institutes will provide education and training when local alternatives cannot supply necessary training.

Training could also be attained through the use of consultants either in Teslin, Whitehorse, or elsewhere. The

decision between these is based upon the requirements of the individuals and that of their respective positions.

Funding for all courses should be investigated adequately before training programs begin. Funds may be available through Canadian Employment Immigration Commission (CEIC), Secretariat of State, Indian and Northern Affairs Canada (INAC), Yukon College, Yukon Literacy Council, and the private sector.

## APPENDIX D

### LANDS OFFICE IMPLEMENTATION COSTS/BUDGET (Includes GIS Implementation Costs)

Lands Implementation Committee:  
4 people X 12 months:

(\$65,000/year)(12 months)(1 person)(80%)	=	\$ 52,000
(\$75,000/year)(12 months)(3 people)(10%)	=	25,000
(\$30,000/year)(10 months)(2 people)(30%) (support staff)	=	20,000

Land Registry Designer:

(\$55,000/year)(6 months)(1 person)(100%)	=	28,000
		-----
		\$ 125,000

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#### LANDS STAFFING:

Director: (\$65,000/year)(8 months)	=	\$ 45,000
Support: (\$30,000/year)(6 months)	=	15,000
Survey Tech.: (45,000/year)(6 months)	=	23,000
Researchers(2): (40,000/year)(6 months)	=	40,000
Cartographer: (50,000/year)(8 months)	=	35,000
Planner: (45,000/year)(6 months)	=	22,000
GIS Technician: (40,000/year)(6 months)	=	20,000
		-----
		\$ 200,000

ON THE JOB TRAINING: (see Training Section)

- hardware (workstation, etc.)	=	\$ 5,000
- software	=	\$ 3,000

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#### Hardware and Software:

Survey Equipment:

EDM	=	\$ 20,000
Transit	=	5,000
Legs	=	1,500
Prisms	=	1,500
Rods	=	200
Pogo, shovel, sledge	=	200
2-way Radios	=	2,000
Books, plumbobs, etc.	=	200
Other	=	500
		-----
		\$ 31,100

Computer Systems:

GIS (see GIS Implementation Plan)		
CAD	=	\$ 8,000
Word Processors(2)	=	4,000
Backup System	=	2,000
		-----
		\$ 14,000

Drafting Materials:

Tables	=	\$ 1,500
Electronic Scriber	=	2,500
Pens	=	1,000
Electric Eraser	=	100
Drawing Materials	=	1,000
Miscellaneous	=	500
		-----
		\$ 6,600

Transportation:

2 pick-ups	=	\$ 40,000
ski-doo (long track)	=	6,500
boat (14', 20HP, Trailer etc.)	=	6,500
ATV (4WD)	=	6,500
		-----
		\$ 59,500

Office Space (1600 square ft.):

Acquisition	=	\$ 15,000
Maintenance/Utilities/phones (9 months)	=	\$ 5,700

Furniture:

Tables, chairs, lamps	=	\$ 5,000
Map Storage	=	\$ 2,000

Library = \$ 3,000

Other Costs: = \$ 5,000  
(Information Supply, Board Services)

**TOTAL = \$ 479,900**

## APPENDIX E

### LANDS DEPARTMENT IMPLEMENTATION COSTS FOR YEAR TWO

#### Salary + Benefits(10%)

Director:	\$ 65,000
Support:	30,000
Survey Technician:	45,000
GIS Technician:	40,000
Cartographer:	50,000
Researchers(2):	80,000
Planners(2):	90,000
	-----
	\$400,000

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#### Operating Expenses:

Survey Equipment:	\$ 5000
Software Support:	2000
Consumables:	5000
Transport:	
Vehicle Maintenance (3)	7000
Vehicle Fuel	8000
ATV Operation	500
Boat Operation	500
Ski-doo Operation	500
	-----
	\$28,500

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Training:	\$ 4,000
(hidden costs)	
Library Maintenance:	\$ 500
Office Space:	\$ 27,500
(rent, utilities, maintenance, and phones)	
Other Costs:	\$ 1,000
(Board support, information supply etc.)	

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**TOTAL :** \$ 459,500

## APPENDIX F

### GIS IMPLEMENTATION COSTS

#### Teslin Tlingit Staffing:

Cartographer/GIS Manager: (6 months)(50%) = \$15,000  
(50% on other Mapping)

GIS Technician: (2 months)(50%) = \$ 5,000  
(50% on inventory and surveying)

Survey Technician: (2 months)(20%) = \$ 2,000  
(80% surveying)

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#### System Costs:

CPU (486): = \$ 7,000  
Digitizing Tablet = 1,500  
Plotter: = 10,000  
Mapping Software: = 10,000  
Other Software: = 1,000  
Backup System = 2,000  
Supplies (paper, pens, chairs, tables etc.): = 2,500  
GIS Software = 40,000  
(upper limit of cost for IBM compatible system) -----  
\$ 74,000

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#### Consultant Staffing:

- Assistance in Implementation: = \$10,000  
- GIS Training: = \$20,000  
(For other training costs, see Training Plan)

#### GIS Software Evaluation Process:

- Benchmarking: = \$10,000  
- Evaluation & Recommendation: = \$ 4,000

**TOTAL (UPPER LIMIT): \$ 140,000**



## APPENDIX G

### GOVERNMENT RESPONSIBILITIES

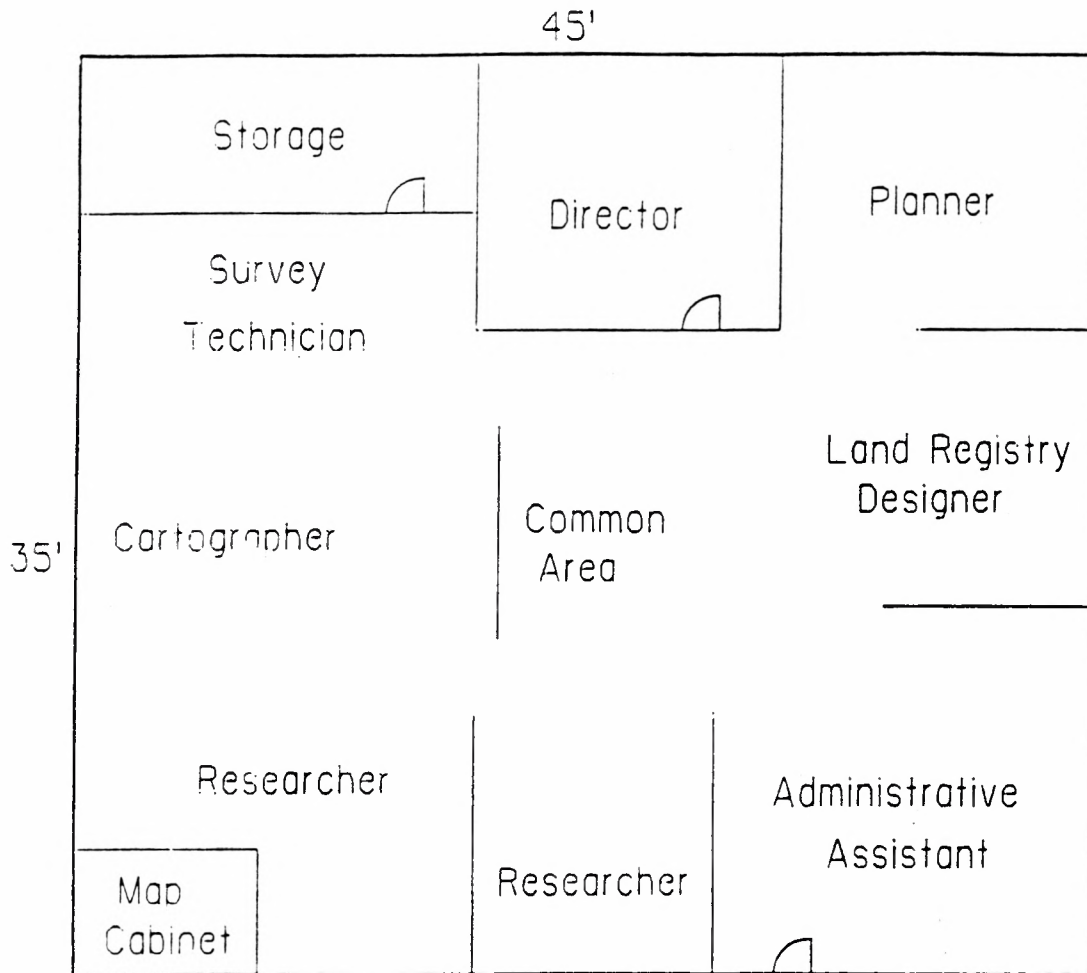
#### General

- ammend current Legislation and enact new Legislation to conform to the Teslin Tlingit Council Settlement Agreement.
- set up an Implementation Committee, independent of the Teslin Tlingit Implementation Committee.
- set up processes for the creation, support and operation of all bodies created by the Settlement Agreements (see section 4.5 of this Plan).
- provide support for these bodies, such as funding, services, supplies, space, etc.
- with the aid of the First Nations, set up a fair system for nomination to these bodies.

#### Specific Tasks

- quarry site identification (TTCFA 18.2.2).
- disclosure of Government Interests in Settlement Land (TTCFA 5.7.1).
- hydro-electric dam Water Storage Site Identification (TTCFA 7.8.0). note: done - the Morley River is a potential Micro-hydro Site.
- incorporation of Development Assessment measures into Government operations.
- set process for Forestry Management Plans to be developed (TTCFA 17.5.1).
- supply of all forestry inventory to the Teslin Tlingit (TTCFA 17.5.9).
- provide Implementation Fund (TTCFA 28.2.0) and Training Trust Funds (TTCFA 28.6.0).
- establish control survey monuments along unsurveyed major highways (TTCFA 15.2.6).
- establish the Special Management area - Nisutlin River Delta Wildlife Area (TTCFA Appendix 1 - 2.1)





Proposed Floor Plan  
For The Lands Office

# TESLIN TLINGHT LANDS IMPLEMENTATION PLAN

