

Qames ʔams tala Settlement Trust Handbook

Economic Development Grant Application Handbook May 2020

Any and all handbooks and applications previously adopted by the Trustees are repealed and superseded by this handbook and applications dated **May 2020**. It is the sole responsibility of the applicant to submit the correct application in accordance with the current handbook.

Trustees: Ann Paul, Chair; Kristi Thiele, Secretary/Treasurer; Alexander Hugenschmidt; Alisha Point; Beth Harry

Qames ʔams tala Settlement Trust Handbook
Grant Applications for the Economic Development Fund

Please submit completed applications as follows:

- (a) E-mail PDF copies of the application to: Kristi.Thiele@tn-bc.ca; or
 - (b) Mail: 6686 Sliammon Road, Powell River, BC V8A 0B8; or
 - (c) Phone to make other arrangements: (604) 414-7895.
-

1. What is the Economic Development Fund?

The Trustees are directed to hold the economic development monies provided under the *Tla'amin Final Agreement* in an investment fund separately from the other monies contributed to the Qames ʔams tala Settlement Trust (the “Trust”). This separate investment fund is called the “Economic Development Fund” and it constitutes part of the Trust.

The Economic Development Fund’s main objective is to allow for the pursuit and generation of economic opportunities for the Tla’amin Citizens. These funds are intended to be spent to grow our economic base. The Trustees are responsible to administer the application process for the beneficiaries of the Tla’amin Nation.

To ensure the Economic Development Fund will be available to Tla’amin Citizens and their businesses for at least fifteen years, no more than \$670,000 will be available for disbursement each year amongst successful applicants. If the cumulative amount of the approved applications exceeds this \$670,000 cap, the Trustees may prorate the available application funding amongst each successful applicant. The Trustees will facilitate two application intake processes each year.

Citizens must use these funds to grow their business for a minimum of 5 years. Should the business be sold before the 5-year time period is over, the grant money will be repayable to the Trust.

2. Who can apply?

- Tla’amin Citizens who are in “good standing” with the Tla’amin Nation and live in Canada. This means that an applicant cannot have arrears or debts owed to the Tla’amin Nation or its entities pursuant to a court judgment or a default under a contract with the Tla’amin Nation, such as a rental agreement, or non-compliance with program and service programs provided by the Tla’amin Nation, such as education or social assistance funding, unless the Tla’amin Nation confirms that a repayment schedule or other arrangements have been made.
- Businesses in Canada, that have a Tla’amin Citizen(s) as a majority owner.

If an applicant previously received a grant from the Economic Development Fund, that Citizen or his or her business is not eligible to make another application for three (3) years from the date that his or her previous application was approved by the Trustees.

3. What you cannot apply for

- Purchase of real estate. But application funds may be used as a down payment for specific property if is part of the project and permitted under the signed contribution agreement signed by the Trustees and the applicant.
- Purchase of an existing business. Trust funds may be used as a down payment for the purchase of an existing business, but the entire purchase price will not be covered.
- Personal vehicles.
- Wages.
- Repayment of existing loans.
- Individual health care expenses.
- Travel costs to attend conferences or competitions.
- Costs for attending or hosting workshops or conferences.
- Funding for education and training programs that are available from the Tla'amin Nation.
- Duplication of programs or services provided by the Tla'amin Nation.
- Reimbursement of an asset sold between a business and an owner(s) or shareholder(s).
- Reimbursement of a project already completed before the application date.

4. Timelines to apply

Stage 1 applications are accepted each year in intake processes facilitated by the Trustees in April and October. Due to COVID-19, the next intake is scheduled May 18 - 29, 2020. Completed applications must be submitted in accordance with this Application Handbook no later than 4:00 pm PST on May 29, 2020. Applications received after this time will be disqualified. Incomplete applications submitted to the Trustees will not be considered.

It is the responsibility of applicants to ensure that their applications are completed and submitted in accordance with this Application Handbook. Please submit Stage 1 applications by email, mail or scheduled hand delivery to the Trustees listed on page 1.

5. Response to applicants

Applicants can expect a response to their applications within two weeks of the Stage 1 deadline. All applicants will receive a written response.

The Trustees have a legal obligation to act in the best interests of the beneficiaries of the Trust in accordance with its deed. They retain the full discretion to approve or reject applications and request further information or documentation from applicants. They will act fairly and objectively in the consideration of applications.

If a real or perceived conflict of interest arises with respect to an application, the Trustees will act appropriately in accordance with the conflict of interest provisions of their code of conduct.

Any decision to approve or reject an application will be made by the Trustees, following their review of the application and any relating documentation, at a meeting convened in accordance with the Trust's deed.

If an application is rejected, the Trustees will provide written reasons to the applicant setting out the basis of the decision and encourage the applicant to re-apply for the next intake.

There is no appeal process.

6. Application process

For applications up to \$5,000 there is a one-stage application process. This will require an interview with the Trustees before a decision is made.

For applications over \$5,000 there is a two-stage application process with one or more scheduled interviews. If the Stage 1 application is approved, the Trustees will provide a Stage 2 application to the applicant.

If you have any questions about the application process, or wish to review your application before the deadline, you may schedule an appointment with two or more Trustees. Please email Kristi to arrange the appointment. A Trustee is not permitted to speak to a prospective applicant or applicant about his or her application, except at a meeting made by appointment with two or more Trustees.

7. Personal equity or business contribution

If an applicant applies for an amount that is less than \$50,000, he or she would be required to have 10% cash in-hand at the beginning of the project.

From \$50,001 to \$150,000, the applicant is required to have 20% cash in-hand contribution.

Over \$150,001, the applicant is required to have 30% cash in-hand contribution.

Other in-kind contributions will be considered as part of the applicant's 10-30% contribution. In-kind contributions must be discussed with the Trustees prior to submission of the application and approved. Also, it must be a tangible asset that will be used towards the project. It is the applicant's responsibility to provide the asset valuation of his or her in-kind contribution to the Trustees as part of his or her application.

The applicant's residence or property and his or her wages for project management, are not acceptable forms of in-kind contributions.

8. Stage 1 requirements

1. Letter of request in accordance with Appendix 1 of this Trust Handbook.
2. Proof of Tla'amin Nation citizenship at time of application.
3. Letter of "In Good Standing" from the Tla'amin Nation. If there is more than one applicant who is a Tla'amin Citizen, each Citizen must submit a form. The "In Good Standing" letter must be completed by you and submitted to Losa Luaifoa, Executive Assistant at the Tla'amin Governance House. The form is attached to the Stage 1 application document.
4. Completed application form and supporting documentation.
5. An interview may be requested within one week after the application deadline.
6. Before any application funds are provided, successful applicants are required to sign a contribution agreement that sets out legally-binding terms and conditions with respect to the use of the application funds and reporting requirements.

**** Please note that Stage 2 is only for applicants who are applying for more than \$5,000 and have been notified in writing that their Stage 1 application has been approved by the Trustees. ****

9. Stage 2 requirements

1. Completed Stage 2 business plan in accordance with Appendix 2 of this Trust Handbook and any related documentation.
2. Participation in one or more scheduled interviews with the Trustees.
3. Before any application funds are provided, successful applicants are required to sign a contribution agreement that sets out legally-binding terms and conditions with respect to the use of the application funds and reporting requirements.

10. REPAYMENT OF ECONOMIC DEVELOPMENT FUNDS

****Applies to all successful applicants of Economic Development Fund Grant funding**

(A) Unless otherwise agreed in writing by the Trustees, if a Recipient wishes to sell, transfer, gift or otherwise dispose of any asset or thing purchased, in whole or in part, with funding provided by the Trustees from the Economic Development Fund (the "**Funds**"), the Recipient will provide a repayment to the Trustees as follows.

(B) If the sale, transfer, gift or disposal of the asset or thing purchased with the Funds occurs:

- (i) before the first anniversary of the date that the Funds were provided to the Recipient (the "**Funding Date**"), the Recipient will repay an amount equal to 100 percent of the Funds to the Trustees;
- (ii) before the second anniversary of the Funding Date, the Recipient will repay an amount equal to 80 percent of the Funds to the Trustees;
- (iii) before the third anniversary of the Funding Date, the Recipient will repay an amount equal to 60 percent of the Funds to the Trustees;
- (iv) before the fourth anniversary of the Funding Date, the Recipient will repay an amount equal to 40 percent of the Funds to the Trustees; or
- (v) before the fifth anniversary of the Funding Date, the Recipient will repay an amount equal to 20 percent of the Funds to the Trustees.

(C) The Trustees will contribute the full amount of any funding repaid by a Recipient under this Policy to the Economic Development Funding so that it is available for other Beneficiaries.

If a person defaults, then the Trust would be able to pursue legal remedies. A defaulting recipient would be ineligible for further distributions.

This Agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, transferees and assigns of the Recipient.

APPENDIX 1

STAGE 1: LETTER OF REQUEST, PROOF OF CITIZENSHIP, GOOD STANDING LETTER AND APPLICATION FORM

The letter of request should be no longer than 3 pages. It should be accompanied by:

- the completed Stage 1 application and any required documentation;
- a letter from the Tla'amin Nation confirming citizenship; and
- a signed "good standing" letter from the Tla'amin Nation consistent with the attached template.

The letter of request should include the following information.

Who. Name(s). Background and experience relevant to this project. Group of applicants or team overview.

What and How. Provide a description of the proposed project. How will this project benefit the Tla'amin Nation or its Citizen(s)? How will the project be carried out? What are some other anticipated achievements and outcomes?

When. State the timeframe for this project.

How much. How much will this project cost? How much are you requesting from the Trust? How much are you requesting from other sources? Where else are you requesting funding from? Provide the dates your project would require the cash.

Why. Describe the financial need for these monies in your project.

The deadline for completed Stage 1 submissions is 4:00 pm PST on May 29, 2020. Late applications or incomplete applications will not be considered.

TRUSTEE REVIEW – STAGE 1

All completed Stage 1 applications and related documents will be reviewed by all the Trustees and approved or rejected at a meeting of the Trustees convened in accordance with the Trust's deed. The only exception would be if a Trustee was in a conflict of interest with the applicant.

The Trustees may consult with experts, advisors and organizations that have expertise or experience relating to the projects proposed in the applications, as necessary.

The Trustees will maintain the confidentiality of applications.

Applicants will be notified within two weeks of submission deadline as to whether or not your request has been approved or denied. A letter will be provided to the applicants.

The successful applicants requesting less than \$5,000 will receive a letter containing further instructions on scheduling an interview, and information on how/when the funds are to be provided in accordance with the signed contribution agreement.

The successful applicants requesting more than \$5,000 will receive written confirmation of Stage 1 approval. A Stage 2 business plan template will be provided and the applicant must be complete the business plan and submit it to the Trustees within two weeks of the written Stage 1 approval date. Upon request from the applicant, the Trustees may grant an extension for the submission of the business plan, taking into account the applicant's specific circumstance.

If a Stage 1 application is rejected, the Trustees will provide written reasons setting out the basis of that rejection. Unsuccessful applicants will be invited to re-apply at a future intake of applications.

All decisions are final. There is no appeal process.

APPENDIX 2

STAGE 2: BUSINESS PLAN APPLICATION FORM

Stage 2 applications are over \$5,000 and have already completed Stage 1 successfully. Stage 1 has been approved in writing by the Trustees.

Projects that require the use of land owned by the Tla'amin Nation will require a formal resolution by the Tla'amin Government Executive approving such use and provide a copy of this resolution with the Stage 2 business plan.

Applicants will be required to provide supporting documentation as indicated in the application form, such as quotes from vendors, letters of community support, financial statements and detailed budgets.

The deadline for completed Stage 2 submissions is 4:00 pm PST on Saturday May 30, 2020. Late applications or incomplete applications will not be given further consideration.

TRUSTEE REVIEW – STAGE 2

Stage 2 applications are to be completed and submitted to the Trustees in accordance with this Trust Handbook. The same rules for Stage 1 are applied to Stage 2 as follows:

- Stage 2 applications will be reviewed by the Trustees at a meeting of the Trustees convened in accordance with the Trust's deed.
- The Trustees may consult with experts, advisors and organizations that have expertise or experience relating to the projects proposed in the applications, as necessary.
- The Trustees will maintain the confidentiality of applications.
- If a Stage 2 application is rejected, the Trustees will provide written reasons setting out the basis of that rejection. Unsuccessful applicants will be invited to re-apply at a future intake of applications
- All decisions are final. There is no appeal process.

All Stage 2 applications must be submitted in accordance with the contact information on page 1. Please be aware of mail delivery dates or delays.

Once an applicant has submitted a complete Stage 2 application to the Trustees, the Trustees will require at least one interview. This should be scheduled within two weeks of the date that the Stage 2 application was submitted.

The applicant will be notified within 30 days as to whether or not his or her request has been approved or rejected. A letter will be provided to the applicant that sets out any reasons for the Trustees' decision.

Project Administration

If the application is approved for funding at either Stage 1 or Stage 2, the applicant will be provided with a contribution agreement for your review and signature. Among other terms and conditions, this contribution agreement would set out the following.

- ✓ Requirement for compliance with all the terms and conditions set out between the Trustees and the applicant.
- ✓ Repayment of the application funds by the applicant if he or she does not use the application funds for the project as identified in the application and contribution agreement.
- ✓ Submission of interim and final reports (financial and descriptive) as set out in the contribution agreement.
- ✓ Prior written consent from the Trustees for any amendments to the project, including changes to vendor estimates where equipment, capital assets, renovations or construction are part of the project.

Application funding will not be released until:

1. the Trustees and the applicant have signed the contribution agreement; and
2. the Trustees have approved a project cash flow and budget that has been submitted by the applicants.

An application will not be considered if an applicant is in breach of conditions of a previous Contribution Agreement. If so, no application funding would be released until the applicant has complied with the terms and conditions of the previous contribution agreement.

Thank you for your interest. We look forward to receiving your application.