

Kahukuraariki Trust Board Hui
Wednesday 16th September 2021
Zui, 5:30pm

Trustees in attendance: Teresa Tepania-Ashton (Chair), Norm McKenzie (Dep Chair), Roger Kingi, Glendith Samson, Luana Poata,
Manuhiri: Toko Kapea (Tuia Group)
Staff in attendance/Recorder: Geraldine Baker (GM), Rosie Conrad (BA)
Meeting commenced @ approx.5:30pm; Meeting closed @ 7:30pm

ISSUES	DISCUSSION	ACTION	RESPONSIBILITY
Karakia/Mihi	Norm McKenzie		
Apologies	Makare Karatea Sandra Heihei (maybe late)		

Resolution 01: *That the apologies be accepted*

Moved: Norman McKenzie **Tautoko:** Glendith Samson

CARRIED

Col/Rol Register Employment Status	Additions/Deletions.	Additions:	Trustees/Admin
		<ul style="list-style-type: none"> Admin to follow up the Col/Rol with all Trustees again. Need to provide Operations with a list of all “other” work/voluntary activities, i.e. Marae committee? 	

Resolution 02: *The minutes of meeting held 21st July^y 2021 are accepted as a true and correct record*

Moved: Glendith Samson **Tautoko:** Luana Poata

CARRIED

Resolution 03: *The minutes of meeting held 11th August 2021 are accepted as a true and correct record*

Moved: Luana Poata **Tautoko:** Glendith Samson

CARRIED

Minutes of Meeting held: 21 st July 2021 11 th Aug 2021 (Zui)	Matters arising:	Action List	
		<ul style="list-style-type: none"> The response from Te Arawhiti has been received about the database and the info they hold is nil The time to challenge the database was at the time of ratifying the DoS, what we are challenging is our ability to utilise the assets that are occupied The current process is via marae nominations. If no formal Marae structure then the iwi members who affiliate to that Marae vote for their preferred candidate. If the marae nominates a person does this mean no election is required, or that individual Iwi members who affiliate to each Marae can vote their preferred candidate in? The current deed allows for both so it is confusing, but we will wait for Toko to join 	

		<p>the Zui and answer some questions</p> <ul style="list-style-type: none"> • Hapu is finite vs Marae which produces territorial affiliations, there is potential for conflict hapu vs marae 	
<p>GM Report Geraldine Baker</p>		<ul style="list-style-type: none"> • Stoney Creek hui with whanau was postponed due to covid lockdown and inaction from Toko but the recommendation is to reschedule mid Oct or early Nov. Nominated persons attend with no agenda just to listen to the whanau. There is the potential for at least 2 hui. • Mihi to Sandra Heihei for the mahi she has put in during the Covid Lockdown and the marae/whanau deliveries • Kai pack for the iwi will arrive in Kaitaia apopo for distribution through TKoT - Sandra to organise and distribute on behalf of KTB. She is working with 3 hubs – Taemaro, Otangaroa and on the boundary between Kenana and Taipa (Ngati Kahu and Kahukuraariki). • Rock Oyster trials going well and on track, NIWA are pleased with the progress thus far and the resilience of the spat to the virus that decimated the pacific Oyster industry. • Database update – refer GB • AGM/SGM timeline attached to report – refer GB 	
<p>Tui Group - Toko Kapea</p>		<p><i>Trust Deed Review</i> The trust deed is a good simple trust deed approved by crown and iwi</p> <ul style="list-style-type: none"> • Accountability, Transparency and Representation are the 3 cornerstones of the deed • Who is Ngati Kahu ki Whangaroa? Different definitions are listed in the trust deed: - common ancestor, hapu, and marae, all are listed in the trust deed • Review of Stoney Creek ownership hinges on the updating of the beneficiary list, this will be managed leading up to the SGM and AGM. There will be a technical breach, but it will a minimal one. The iwi recognise and have told us over and over again that in order to have confidence in the results, we must have an updated database. 	

- The Crown should have sorted the whanau who occupied the farm before KTB received settlement.

Election for trustees

- Trustees are nominated by their primary marae committee as per the trust deed
- KTB should encourage the marae to have a charter or formal structure with rules about how they operate and how that marae nominates their own Trustees, as well as a KTB rep. This is to ensure that the decisions are not left to a couple or handful of people and everything is tika - Iwi members have trust in the process at that level. It also adds to protect the Marae.
- All marae nominations should take place at the marae AGM, Trustees should be supportive of maraes who want to have formal structures or have a charter to run by or a robust process to nominate and elect a Trustee.
- Roger questioned the role of Marae Committee versus Hapu sovereignty. The settlement was for hapu not Marae. Who has the mana to nominate? The general consensus was that it was too difficult to run election based on hapu as they were not formally constituted and therefore it was easier to delegate that responsibility to Marae instead.
- DoS discussed Hapu, whereas the current Trust Deed discusses Marae. There is different interpretation of the DoS and the Trust deed but as it stands now the Marae can nominate, as well as Iwi members who affiliate to Marae.
- Toko advised the trust deed is marae focussed but as trustees what is the best method for your trust?
- Are the hapu formalised? They are only listed in the DoS not the Trust Deed
- There are some marae with Ngati Kahu ki Whangaroa who choose not to participate or have formal structure or raruraru within themselves, so there will always be a casual vacancy on KTB until those Marae who presently do not participate – do, and other anomalies are sorted. The door will always be open

		<ul style="list-style-type: none"> The casual vacancy is the confusing part with the deed, formality and guidance from the marae is the key here, Trustees have concerns about the causal vacancy. Admin/ops are to contact each Marae on the rohe to ascertain their structure. <p>AGM Process</p> <ul style="list-style-type: none"> We are bound by the current deed as to the time to hold and carry out elections for this upcoming AGM. As long as everything is clarified, including the order of what will be carried out and when in panui prior to hui, we should be ok This may mean circulating multiple panui to the beneficiaries and posts on website and FB page We need to make sure we have a full sitting of the trustees to make this decision, once the lockdown levels come down, we may be able to make the next hui a marama a face to face. Trustees to take away Toko's paper and discuss with your marae & whanau then come back to trustee's hui to be organised by admin/ops 15 October 2021, to discuss once more and make some decisions about the recommended changes to the Trust Deed. Toko to be invited and included in hui Norm mentioned he was on the subcommittee to discuss the changes to the Trust Deed but now all the trustees will be a part of the changes so there is no need for the committee 	<p>Bus Admin/Rosie</p> <p>Bus admin/Rosie</p>
<p>Resolution 04: <i>The trustees acknowledge the receipt of report from Toko Kapea</i></p> <p>Moved: Roger Kingi Tautoko: Luana Poata</p> <p>CARRIED</p>			
<p>MTD YTD Financial Reports to 31st August 2021</p>	<ul style="list-style-type: none"> KTB P&L against Budget KTB Cashflow KTB Balance Sheet KTB Aged Payables Summary KTB Aged Receivables Summary 	<ul style="list-style-type: none"> Read in HAM reading material Portacom – sale and purchase agreement still needs to be completed and at the rate of current repayment, it will take many years to be paid off. This was not the intent of the Trustees when they agreed to sell the portacom. The intention was that it would be sold outright and not be an asset/liability with the Trust (as it will be until it is paid off completely). It is currently situated on the farm at Taemaro. 	

		<ul style="list-style-type: none"> • One whanau has been making fortnightly/monthly repayments. • Discussion amongst the trustee as to the value of the portacom. It was bought for \$24k – paid way too much for it, it is not worth that when purchased and is worth even less now. • The Trust cannot be seen to be favouring one or two lwi members over the rest. If others knew they could own a portacom in the same manner, they would also have wanted to be considered to purchase in the same way it currently is. • Norm suggested gifting the Portacom to a marae like Taemaro from the trust. This would mean the decision to sell or use it would be up to that Marae. Trustees agreeable to contacting the Chair of Taemaro Marae, Lisa King, and ask if they would be happy to receive it. 	
<p>Resolution 05: <i>The board receive and accept the Financial Reports as presented MTD and YTD to 31st August 2021 and recommendations</i> Moved: Roger Kingi Tautoko: Norm McKenzie CARRIED</p>			
<p>Resolution 06: <i>The board gifts the Portacom currently owned by KTB to Taemaro Marae to act as the governing body for the whanau who are paying for it.</i> Moved: Norman McKenzie Tautoko: Glendith Samson CARRIED</p>			
<p>Resolution 07: <i>The following recommendations be endorsed:</i></p> <ul style="list-style-type: none"> • <i>The Board agree to the GM setting up a meeting between Trust representatives and the whanau occupying the farm, with a view to listening to their concerns and views. These concerns and views to be brought back to a full Board meeting for further discussion and consideration</i> • <i>The Trustees approve inclusion to the 2021-2022 Budget of NROP NIWA Income and NROP SIL Expenditure</i> <p>Moved: Norman McKenzie Tautoko: Luana Poata CARRIED</p>			
<p>Chairs Report: Teresa Tepania-Ashton</p>		<ul style="list-style-type: none"> • Congratulate and thank Geraldine for her time and effort during her time as GM • Legal representation – Toko will get the trust through the AGM and SGM, but we will need a different lawyer to negotiate with the crown. Someone with a reputation and being a tough negotiator with the crown. Toko is a good lawyer and very amiable but we need a bulldog for this workstream. Geraldine advised the options she has explored top date for legal representation in this matter. As all of the lawyers approached are high profile, highly 	

		<p>recommended and the best in their respective fields, they are in high demand and very busy. Left with 2 options thus far – Annette Sykes has a conflict of interest, having represented Ngati Aukiwa in previous matters. John Kahukiwa, Corban Revell in Auckland who is tied up until possibly mid-2022, and Jamie Ferguson, Kahui Legal in Wellington, who we are waiting to hear back from – this option looks promising. Trustees agreed to discuss at next board hui.</p> <ul style="list-style-type: none"> • The next NICF will be hosted by Turwharetoa in Taupo in November. The one following that will be held in Waitangi and hosted by Te Runanga o Whaingaroa. Norm and Roger expressed an interest in attending the one to be held in Waitangi, on behalf of KTB along with Teresa (as Chair). Operations to organise • Teresa talked to her Chairs Report, as circulated. She discussed the highlights from the NCIF, held in Wanganui and how it is good to hear what other iwi are doing, particularly in the housing space Jamie Tuuta and Willie Te Aho leading this kaupapa. Collective procurement being just one of the initiatives to come out of that korero. Through the GM, Kahukuraariki have put their hand up to be part of the core group – contributing to and driving housing kaupapa. • The GM expressed her intention to take 2 weeks leave commencing the following week. Been employed with the Trust now for a year. Leave application to be directed to the Chair. 	
<p>Resolution 08: <i>the board receives and accepts the Chairperson Report for Aug 2021</i> Moved: Glendith Tautoko: Norman CARRIED</p>			
<p>Resolution 09: <i>the Chairperson is authorised to deal with leave applications for the General Manager</i> Moved: Norman McKenzie Tautoko: Glendith Samson CARRIED</p>			
<p>General Business</p>		<p>Database</p> <ul style="list-style-type: none"> • Update details panui for whanau to be place on the website and the FB page linking them to MaoriMe and the registrations email address • Contact Makere Karatea regarding Otangaroa Rep for 	<p>Rosie Rosie</p>

		<p>the validation committee</p> <ul style="list-style-type: none"> Admin/ops to send email to all Marae/post on website/fb page concerning activities being carried out in updating the Iwi Registration Database. <p>Elections services</p> <ul style="list-style-type: none"> Trust Deed review/Stoney Creek resolution to be made as simple as possible for voting at AGM/SGM Admin to check if the where votes on amendments or if is a postal vote for all beneficiaries to vote on The timeline and process for voting at SGM & AGM to be finalised at Trustees hui planned for 15 Oct 2021, with Toko Kapea. <p>FNDC Rates</p> <ul style="list-style-type: none"> Norm doesn't think it was a good decision to pay the outstanding rates to FNDC considering the Trust does not have possession of the farm, and therefore are making no money from it to cover the rates The invoice should have been sent to Te Arawhiti for them to pay them because the farm was settled to the Iwi as occupied at the time DoS was signed The trustees need to make sure that big "take" like the rates are flagged well in advance of any hui and be discussed more vigorously rather than just being landed on the night for vote (Waitaruke Marae). <p>Trustee Honorarium</p> <ul style="list-style-type: none"> Teresa and Norm discussed the resolution about honorarium fees and agreed the intention was different from the one captured in the resolution and currently being giving effect to. There is \$ 70k budgeted for Trustee expenditure per annum. If this is divided by the 8 marae (Trustee representatives), this is how it is to be paid. Of course, Taupo will be included in the equation but won't be paid because they have no participation. Teresa, Norm, and Geraldine work through a policy on how it is calculated and email out approval and ratify at our next hui, this policy is to be backdated to the original resolution concerning Trustee remuneration/Honararium. 	<p>Bus admin/Rosie</p> <p>Bus admin/Rosie</p> <p>Teresa/Norm Geraldine</p>
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Resolution 10: *that KTB refuse to pay the rates on Stoney Creek Block and refer FNDC to Te Arawhiti for payment*

Moved: Norman McKenzie **Tautoko:** Nil

MOTION NOT CARRIED

Resolution 11: *that the Chair and Deputy Chair work through and produce a policy regarding trustee honorarium, this is to be brought back to the next trustee hui for approval*

Moved: Teresa Tepania-Ashton **Tautoko:** Norman McKenzie

CARRIED

The meeting finished @ approx. 8.08pm with karakia from Roger Kingi

Summary of Resolutions 16th September 2021

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- *The Board agree to the GM setting up a meeting between Trust representatives and the whanau occupying the farm, with a view to listening to their concerns and views. These concerns and views to be brought back to a full Board meeting for further discussion and consideration*
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Action List 16th September 2021

Geraldine to follow up the Col/Rol with Noman, Teresa to update via email	Teresa and Geraldine
Trustees to take away Toko's paper and discuss with your marae & whanau then come back to trustee's hui in a month to discuss once more and make some decisions about the changes to the Trust Deed	Trustees
Norman suggested we should gift it to a marae like Taemaro from the trust, contact Lisa King if they are happy to receive it	Geraldine
Waitangi NICF will be in Waitangi, Norman and Roger will attend on behalf of TKB along with Teresa when they are opened	Rosie
Update details panui for whanau to be place on the website and the FB page linking them to Maorime and the registrations email address	Rosie
Contact Makere Karatea regarding Otangaroa Rep for the validation committee	Rosie
Admin to check if the whare votes on amendments or if is a postal vote for all beneficiaries to vote on	Geraldine and Rosie
Teresa, Norman and Geraldine work through a policy on how it is calculated and email out approval and ratify at our next hui, this policy can be backdated	Teresa, Norman, Geraldine