

## NGĀTI REHUA-NGĀTIWAI KI AOTEA TRUST BOARD

### TRUSTEE'S HUI #6, 5pm Wednesday 3 APRIL 2019 ZOOM HUI

1. **KARAKIA/MIHI:** Tavake
2. **In Attendance:** Tavake Afeaki (TA), Hillarey MacGregor (HM), Bruce Davies (BD)
3. **Apologies:** Valmaine on Aotea and not good internet coverage. TA not heard from Aperahama although understand he lives remote.
4. **Previous Meeting Minutes** – 13 March, 21 March, 27 March
  - 4.1. 13 March Draft Minutes provided for discussion, amended to add in that all trustees becoming Kiwibank trust bank account signatories and confirmation. Valmaine had confirmed earlier.  
Moved TA, seconded BD. Kua Mana. Unanimous
  - 4.2. TA still working on the other Drafts for Hui of 21 March, 27 March to be circulated for consideration, discussion, correction/amendment if necessary and confirmation.

#### **5. Correspondence & Matters Arising –**

- 5.1. Discussion: Kiwibank – TA applied for sealed orders, paid fee, got orders, went to bank and served on Kiwibank manager Manukau, very frustrating as the manager was rude, terse and unco-operative. Tavake had asked him politely to read the court orders to him and provide me the authority forms to sign as chair of his client trust's account. Manager did not even invite TA into a meeting room in private and did this grumpy behaviour in the public gallery of the bank with many people around. Unprofessional and he said he would take instructions from Ms Singh of Head Office, who had not copied him into her email to me. TA later emailed Head Office and Court Registrar and Manukau Manager. Now await Bank Head Office instructions to get trustees to sign up on account authorities and also – for Board to resolve that HM and VT be authorised to become signatories. TA to provide Resolution of Trustees for signing, scanning and circulating to Board.

Storage King Documents, Tavake (TA) checked and the newest files in the storage are from 2013-14. No documents from dates since. So far, could not see any NRNWTB beneficiary database but need to look further into the files.

HM – Ngaire said the Plaintiff's lawyer requested the trust's financial documents and so Ngaire gave them all to the Court, so Richard Harrison (RH) has them. HM suggests TA talk to RH to ask him what he has.

2014, 2015, 2016 – gap in financial trust records, and board minutes & correspondence needed. HM to ask Ngaire Pera (NP) for update and status of trust docts.

Need to fill the gap in our hold on the trust information/knowledge.

ElectionNZ – TA spoke to Warwick Lampp and waiting for him to send the database he has together with a list of all NRNWTB documents they hold.

Costs of ElectionNZ. \$20k \$10-12k – a lot of money & advised that the Maori Trustee paid for that. We definitely do not have that resource now. It is expensive.

Defendant lawyer Sarah Rowe (SR) had suggested Dale Ofsoske's company to run the elections. Apparently that election company had run the Ngāti Manuhiri elections for them.

Validation Hui Process DRAFT, TA reminded hui that BD suggested Ngati Rehua wānanga whakapapa kaumātua to discuss, plan and design the Validation Hui Process. BD has a List from Nicola MacDonald of who should attend the hui, who the court directed to attend and who actually attended but should not have. BD to send his list to Board and we continue to discuss.

TA - Aperahama to provide us a draft validation process proposal. Work needed for our planning.

Māori Land Court Jud Conf 15 April 2019 Motairehe Marae  
BD & HM & VT are attending and will report. Tavake to tender apologies to Chief Judge as he will be on leave.

Auckland City Capacity Grant, Trust to engage with Rama Ormsby of Auckland City for 'relationship agreement', TA has asked him for further information.

Hauraki Overlapping Claims Inquiry. 8 – 12 April, Wellington. Tavake not attending.

IRD & GST Returns.

IRD's Yvonne Moore (YM) called TA in response to my Letter to IRD and I explained that HM was taking the role of being the trust's IRD contact. And HM was working with former trust secretary NP to do returns and then YM IRD asked – when HM is ready, to please call her on 04 831 2208 to ask her to remove NP and appoint HM as contact person.

HM authorised Ngaire to submit the March GST Return to IRD.

Hillarey instructed Ngaire to do the GST returns because we already have one \$500 fine by IRD and another \$800 penalty. Then those will increase to \$2000 if any further delays etc and higher penalties – HM instructed her, NP, to prepare and file GST. – so we can avoid further penalties.

HM wants to commission Xero for NRNWTB Trust activities costs \$60 per month subscription cost for trust to work with – at least in the interim so that we can comply with the law, stay operative and pay bills

TA supported this and want to advise trustees to ratify this action immediately so we NRNWTB do not get struck off as a legal entity and further – to operate and bring XERO into the new trustees management.

HM – XERO will enable us to liaise with IRD, mesh the Bank accounts with the accounting system and manage our finances. And we need to be able to pay our taxes and cumulative \$1,300 penalty bill.

TA supported this & seeks trustees support.

HM moves that we resolve to accept HM's recommendations and actions in having filed GST returns, to become the trust's IRD contact person and to subscribe to Xero and operate that system for the trust.

BD seconded. Kua Mana. Unanimous.

HM – 2 Degrees bill \$1,300+ HM negotiated a month's grace from the account manager to 30 April to pay this. We need to get the phone bill statement from 2 Degrees to ascertain what the bill was for. HM to pursue. HM – do we need a trust

phone? Not necessary. Last thing the trust needs is to have a debt collection costs imposed on our trust, further costs etc.

HM Move to get a copy of phone statement, the contract, to determine then whether to pay the bill and to cancel the phone contract. Seconded BD. Unanimous. Kua mana.

HM – have not yet seen auditor’s invoice yet for YE 31 March 2018 auditor’s report on the Trust’s Financial Account Statements. Nicola said she would send his invoice through.

HM - Charities Commission requires some audited accounts and HM proposes that we submit the outstanding audited accounts to the Commission including YE 31 March 2018 and ask them to accept those, pending ratification of the accounts at the AGM to be held, following the Court-directed Validation of beneficiary roll.

HM seeks discussion and trustees resolution.

Possibly provide audited accounts ‘provisionally’ to the Commission.

Trustees discussed this.

BD moves HM being trusts, contact person for CC, and recommendations as above. Seconded TA. Unanimous. Kua mana.

## **6. Correspondence IN**

- 6.1. Auckland City resource consents lists received etc for information, action if necessary
- 6.2. High Court Orders 27 March Minutes & Directions trust records & bank accounts
- 6.3. Maori Land Court, setting down hearing on Mon 15 April, Motairehe Marae
- 6.4. Kiwibank – answer requiring original sealed court orders
- 6.5. Bills Payable –IRD, 2 Degrees, website domain site US\$295 – Paid by HM’s credit card, XERO \$60 per month subscription – Trust get finances. Bank account, capacity funding from City and thereby become fiscally viable and do our main work, validation, hui, database & AGM
- 6.6. Aotea uri email from Kelly Klink – TA sent to trustees & noted HM’s reply email and copied email thread to tangata whenua. Also about Hauraki Overlapping Waitangi Tribunal Inquiry claims.
- 6.7. Auckland city – Other than from Rama Ormsby, TA will just forward the emails to other trustees for action as they see fit and report to trust if necessary for discussion/decisions at a Trust Board hui

## **7. Correspondence OUT**

- 7.1. High Court - TA drafted memo to court, filed and attended High Court met Registrar, paid fee, got sealed orders and served on Kiwibank Manukau.
  - 7.2. TA email to Storage King
  - 7.3. TA Email to Kiwibank
  - 7.4. Emails & keep monitoring important emails/letters
  - 7.5. Others
8. Kaumatua Hui/Wananga to set up Validation Hui. We need to work on this and develop our plan, design, timetable, funding plan, providing safety for our kaumātua, whanau, mokopuna including kai, travel assistance if needed etc. Need to have it right in tikanga, kia tika te haere. Need to engage further with ElectionNZ to get database and all their information. Considered Dale Ofsoske election company who had done Ngati Mauhiri elections and get information and trustees’ thoughts on it.
9. AGM upon completion of beneficiary roll – need to plan, notify and fund it.

10. **Next Hui.** 4pm Friday 12 April, 2019 [for Tavake 9pm Thurs 11 April]

11. **Final Comments.** TA: Concerned at the slow time to get all the trust documents, records, database, information. Concerned and delays to get bank accounts and pay IRD, bills, etc – to relieve Hillarey of her costs and others. Thanks to trustees for their mahi and commitment to working to get to our goals of viable funding, to do proper and best run validation hui, convene an AGM & elections and move forwards. HM suggested other trustees take turns taking Hui Minutes to give Tavake a break.

12. **Karakia Whakakapi** –Tavake. Hui Ended 7:41 PM