MISSISSAUGAS OF THE NEW CREDIT FIRST NATION INFRASTRUCTURE & DEVELOPMENT COUNCIL

PUBLIC MINUTES

Monday, April 4, 2016

Start 9:06 am Finish 4:40 pm

Chief Councillor R. Stacey Laforme

Councillor Erma Ferrell
Councillor Arland LaForme
Councillor Cathie Jamieson
Councillor/Chair Casey Jonathan
Councillor Evan Sault
Councillor Margaret Sault

Councillor Veronica King-Jamieson

Executive Director

Recorder

PW Director

Director of C & A

Communications Director

DSED

A/LMR Director

Cynthia Jamieson

Charlotte Smith

Barbara Hill

Mark LaForme

Deanna Dunham

Kevin Wassegijig

Julie Laforme

Housing Program Director Lorraine LaForme

Guests Grand Council Chief Patrick Madahbee, Deputy

Chief Glen Hare

Band Members Clynten King, Carolyn King

AGENDA ITEM NO. 1 - OPEN MEETING

Chair/Councillor Casey Jonathan called the meeting to order and Councillor Cathie Jamieson opened in prayer.

AGENDA ITEM NO. 2 – REVIEW AND ACCEPT AGENDA

MOTION NO. 1

MOVED BY EVAN SAULT

SECONDED BY R. STACEY LAFORME

That the MNCFN Infrastructure & Development Council accepts the Agenda with the following additions and changes:

- Agenda Item No. 11 was moved In-Camera to Agenda Item No. 27a);
- Agenda Item No. 12 was moved In-Camera to Agenda Item No. 27b).
- Agenda Item No. 12b) Update on Green Willow;
- Agenda Item No. 16a) DOCA Code of Conduct;
- Agenda Item No. 20a) Aboriginal Leadership Pavilion Committee;
- Agenda Item No. 20b) Band Member in Mississauga Needs Assistance;
- Agenda Item No. 20c) Letter from a Band Member;
- Agenda Item No. 20d) Brant Family & Children's Services Letter.

Carried

AGENDA ITEM NO. 3 – REVIEW & ACCEPT INFRASTRUCTURE & DEVELOPMENT COUNCIL (PUBLIC) MINUTES FROM MONDAY, MARCH 7, 2016

Regarding Agenda Item No. 7 – Friends of the Rouge (Page 3), Councillor questioned if political representation from Council would be needed on Friends of the Rouge Committee.

Regarding Agenda Item No. 20 – Code of Ethics (Page 11), Councillor will request follow-up when the A/LMR Director is present today.

Regarding Agenda Item No. 16 – Update on HaaB (Page 9), Councillor is requesting follow-up.

MOTION NO. 2

MOVED BY MARGARET SAULT

SECONDED BY CATHIE JAMIESON

That the MNCFN Infrastructure & Development Council accepts the Infrastructure & Development Public Council Minutes dated March 7, 2016, with noted corrections.

Carried

AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES

There were no Matters Arising from the Minutes.

AGENDA ITEM NO. 5 – GUESTS FROM UNION OF ONTARIO INDIANS TO DO A PRESENTATION

Guests have not arrived yet so Council moved to Agenda Item No. 6.

Band Member Clynten King (Environmental Technician) in at 9:10 am to do a presentation.

LANDS, MEMBERSHIP & RESEARCH

PW Director in at 9:22 am.

AGENDA ITEM NO. 6 – GUEST - BAND MEMBER CLYNTEN KING TO DO A PRESENTATION ON DRAINAGE & FLOOD STUDY OF BOSTON & ROGERS CREEK SUBWATERSHEDS

Band Member Clynten King who is the Environmental Technician at Six Nations was invited to do a power point presentation of the proposed Joint Project with Six Nations regarding the Boston and Rogers Creek on Six Nations and New Credit. The Reps for the Six Nations Drainage Committee are Chief Ava Hill and Councillor Dave Hill.

Clynt provided everyone with a handout. On page 1 there is a Proposal from Stragis Environmental Services who was hired by Six Nations to produce a Master Drainage and Flood Remediation Plan for Boston and Rogers Creek on Six Nations and New Credit. The total cost estimate is \$145,117.50. This does not include big storms that are now occurring. Clynt would like Council to consider a 50/50 split of the costs. He also stated that this proposed Joint Project is the foundation of a computer model where there are a lot of things to be worked out.

Councillor questioned the percentage of land at New Credit as opposed to Six Nations which could mean that should New Credit approve this proposal, New Credit could pay less because there is not as much land. Clynt replied that he just pulled the 50/50 split out of the air, but this can always be negotiated.

Clynt informed that the Industrial Building is built on a flood plain; this is Rogers Creek. Storm water prevention ponds need to be repaired near the Industrial Building. He went and checked and yes, there is a lot of flooding. Chief questioned if all the municipalities around New Credit have had this done. Clynt answered yes, but it will need to be updated.

With regard to the application to apply to INAC for dollars, it is unlikely that INAC would give the whole amount. The application has to go to INAC to get approval for sole sourcing. Clynt will work on a draft application and bring it back to Council for approval.

Councillor questioned if New Credit would have a seat on the Committee and Clynt answered yes.

Chief questioned how Clynt found Stragis. Clynt answered that he did a lot of research and Stragis has the best software called Canadian Watershed Evaluation Tool.

Clynt pointed out that everything has to be ready for April 29, 2016. He was thanked for the presentation and left at 9:50 am.

A/LMR Director in at 9:50 am.

DIRECTION NO. 1

That the MNCFN Infrastructure & Development Council gives direction to the A/LMR Director to draft a letter to Clynten King informing him that Council is interested in the proposal from Stragis for a joint project with Six Nations; and, MNCFN does support a joint application to INAC LEDSPT for this project. Mr. King will prepare a draft application and will present it to Council for further consideration.

PW Director and Band Member Clynten King out at 9:55 am.

Council moved back to Agenda Item No. 5 as the guests have arrived.

Patrick Madahbee and Glen Hare in at 10:00 am.

AGENDA ITEM NO. 5 – GUESTS FROM UNION OF ONTARIO INDIANS TO DO A PRESENTATION

Chief Madahbee thanked everyone for being invited to the First Nation. He gave some background information about his academics. He is from Manitoulin Island. There are 40 communities involved with the Union of Ontario Indians (UOI). UOI is one of the oldest political organizations in Ontario. There are four regions and from each region there is a Regional Chief, Board Member, Elder and a Youth. There is a meeting of the Leadership Council every year. This year the meeting is in June. The Head Office of UOI is in Nipissing. He stated that he is proud of the restoration of education services. He is continually working on the Anishnabe Education System. He is also working on a governance agreement as well as the MRP Law. Some communities have moved to three and four year terms of Chief and Council.

Mr. Madahbee stated that the Indian Act Registration is genocide. The Metis Declaration allows the Metis to claim rights within our Traditional Territory.

The UOI are working on a Child Well Being Law and this will be in place by 2017/2018.

Executive Director questioned if their Education Authority includes secondary students. Mr. Madahbee answered yes, but they are a bit behind and more work needs to be done at the secondary level.

Councillor questioned what is being done with the Certificate of Indian Status. Mr. Madahbee answered that this is one of the reasons they (UOI) are working on a Citizenship Law. If anyone registers with them (UOI) they follow lineage. He further added that they do not use the word "membership" anymore in their discussions. They use the "one parent rule".

There are election codes in each community and these elections should be done in August. Chief Laforme stated that synchronized elections should be kept in mind. It is also noted that Scugog can no longer register Band Members.

It was Glen Hare's turn to speak. He stated he was 60 years old, and has been on Council for 32 years. He talked about "Operation Rainbow" which is a charity donation where all the staff donate when hardship hits anyone.

The UOI have a First Nation Housing Steering Committee and they have now made it possible to include survey costs in the housing costs. Councillor questioned if UOI is working on the

CHMC funding and having those dollars come directly to the First Nation. Glen answered that they are still battling with this.

UOI has not done much regarding Missing and Murdered Women and they have no emergency funding, although they do have fund raising events.

Glen stated that these communities (all the communities involved with the Union of Ontario Indians) do not hold any strength without a Constitution.

With regard to the political level regarding education/mandatory items, Mr. Madahbee states that they have lobbied the provinces to make cultural relevance mandatory in the school curricului.

Glen informed that they made a law in their Day Care that no one speaks English and now that law is up to Grades One to Three.

Chief Laforme suggested that now is the time to move ahead as there is a lot of opportunity for Indigenous Knowledge.

Regarding Child Welfare there are no more adoptions. There are foster homes and one parent rules.

Glen stated that the children have the right to the matrimonial home. He also advised that on his Reserve there are 2,300 Band Members and 10 Councillors.

Mr. Madahbee stated that these communities still allow banishment.

Guests were thanked for their presentation and the Communications Director took picture of the guests and Chief and Council.

Communications Director and guests out at 11:35 am.

LANDS, MEMBERSHIP & RESEARCH CONTINUED

Council moved to Agenda Item No. 7.

AGENDA ITEM NO. 7 – ATR HALDIMAND HYDRO EASEMENT AGREEMENT (PERMIT) (TWO COPIES OF BCR TO BE SIGNED)

Executive Director informed that an Amendment to the Easement Agreement is necessary as Haldimand Hydro is being taken over by Hydro One.

MOTION NO. 3

MOVED BY MARGARET SAULT

SECONDED BY R. STACEY LAFORME

That the MNCFN Infrastructure & Development Council hereby agrees to the following amendment in the Permit (Easement Agreement) between the Minister of Indian Affairs and Northern Development and Haldimand County Hydro Inc., being the addition of section 38.1 which reads:

Her Majesty as used herein means and includes Her Majesty in right of Canada and Her Majesty's heirs and successors, and the Permittee as used herein means and includes the Permittee's successors. For the purposes of this section, successors of the Permittee means any person who has acquired two-thirds of the assets or common shares of the Permittee.

Carried

2nd Reading Waived

AGENDA ITEM NO. 8 – NATIONAL ABORIGINAL TRUST OFFICERS ASSOCIATION (NATOA) CONFERENCE

Chief stated that he sees no value in participating in a joint panel presentation. However, Councillor Margaret Sault has volunteered her expertise.

MOTION NO. 4

MOVED BY R. STACEY LAFORME

SECONDED BY EVAN SAULT

That the Infrastructure and Development Council agrees to participate in a joint power point presentation to be completed by Peace Hills Trust on MNCFN Trusts at the Annual NATOA Conference in late May 2016 with Councillor Margaret Sault (Chief's Alternate), Mark Sevestre and Peace Hills Trusts' involvement participating in a panel discussion as well.

Carried.

2nd Reading Waived

AGENDA ITEM NO. 9 - SECURE CERTIFICATES OF INDIAN STATUS

A/LMR Director informed that some Elders are having difficulty getting their new Certificate of Indian Status Cards renewed. When renewing these cards a Band Member has to get two passport pictures and other documentation if necessary ie. previous marriage certificates etc. This is difficult for an Elder as this renewal process has to take place at the Indian Affairs Office in Brantford. Once a Band Member has obtained this new card, they cannot revert back to the orange laminated cards. It was also pointed out that when an Elder passes the new status card is required to apply for the Estate Policy.

Councillor questioned when New Credit would be creating their own status cards.

MOTION NO. 5

MOVED BY MARGARET SAULT

SECONDED BY CATHIE JAMIESON

That the MNCFN Infrastructure & Development Council agrees to have the Chief send a letter to Mr. Goodale Minister of Public Safety and Indigenous & Northern Affairs Canada informing them the process for obtaining/renewing the new Secure Certificates of Indian Status is not acceptable as it creates a hardship on Elderly and Disabled Band Members. And further, Chief LaForme will bring this issue to the attention of the AFN and Minister of Indigenous and Northern Affairs Canada.

Carried

2nd Reading Waived

Opposed: Councillor Arland LaForme – New Credit needs to decide how to move forward before acting on this.

AGENDA ITEM NO. 10 - ANIMAL CONTROL

A/LMR Director informed that Ashley McKay is not really interested in taking on the responsibility of animal control as there is no kennel for her to keep the animals.

Councillor suggested tendering out the Community. A/LMR Director answered that this was tried and no one responded. People need to know what to do when animals act strangely ie rabies.

A/LMR Director would like to continue to meet with Six Nations on a partnership or investigate other alternatives.

MOTION NO. 6

MOVED BY EVAN SAULT

SECONDED BY ERMA FERRELL

That the MNCFN Infrastructure & Development Council directs LRM Department to continue to meet with Six Nations to investigate the possibility of retaining Six Nations Animal Control Officers and/or investigate other alternatives on a Service Agreement.

Carried

2nd Reading Waived

AGENDA ITEM NO. 11 - LAND LEASE LOTS

Moved In-Camera to Agenda Item No. 27a).

AGENDA ITEM NO. 12 - LAND LEASE - LOT 7, CONCESSION 2 TUSCARORA

Moved In-Camera to Agenda Item No. 27b).

AGENDA ITEM NO. 13 - OTHER/NEW BUSINESS

There was no Other/New Business.

LUNCH BREAK 12:00 TO 1:00 PM.

CONSULTATION & ACCOMMODATION

Mark LaForme (DOCA) in at 1:00 pm.

<u>AGENDA ITEM NO. 14 – FYI – REPORT OF MEETING AT DEPUTY MINISTER</u> RICHARDSON'S OFFICE

Mark LaForme from DOCA informed that on March 8, 2016 Assistant Deputy Minister (ADM) Hillary Thatcher, ADM David Didluck and Strategic Advisor Lise Chabot of the Ontario Ministry of Aboriginal Affairs met with Councillors and staff of DOCA. Minister Richardson had earlier stated that she would be meeting with MNCFN on a quarterly basis.

AGENDA ITEM NO. 15 – FYI - ACTIVITY REPORT OF DOCA DIRECTOR

This is an FYI for Council.

AGENDA ITEM NO. 16a) - DOCA CODE OF CONDUCT

Councillor questioned if this was a Policy or Procedure, and does it have to come to this Council Table for approval.

Some Councillors would like to take more time to review this item as some things reflect labour standards.

It is noted that Mark will be meeting this afternoon with the HR Manager. HR Manager is suggesting the FLR's become permanent employees. Mark stated if that was the case the FLR's would not be making \$25.00 per hour.

Executive Director reiterated that this item has already been resolved. FLR's are contracts and work seasonally. It was noted that the HR Manager stated that Labour Canada said they (FLR's) may have to become permanent employees.

Mark reiterated that the FLR's initially started out on Purchase of Service contracts. And then, it turned out that proponents needed insurance and WSIB for the FLR's.

Executive Director advised that this is a Procedure. The FLR's were at arm's length and not under Chief and Council employees.

This is more an administrative issue and should not be at this Table. It was agreed that Administration would deal with this item.

Mark stated that the FLR's are different from staff. This is a compilation of everything that has happened since inception. He further added that the Purchase of Service contracts end on April 8, 2016. Does the Executive Director have the authority to extend these contracts? Executive director answered yes. She also advised Mark to keep track of all issues, particularly in slow down times.

Mark LaForme out at 1:50 pm.

HOUSING

Housing Program Director in at 1:50 pm.

AGENDA ITEM NO. 17 - PLAYGROUND CONSTRUCTION AGREEMENT FOR SIGNATURE

MOTION NO. 7

MOVED BY MARGARET SAULT

SECONDED BY CATHIE JAMIESON

That the MNCFN Infrastructure & Development Council approves the Executive Director to sign the Playground Construction Agreement pertaining to Beautification of Townline Estates, Phase 1 – total cost up to \$198,273.59. Dollars will come from the Enterprise Fund.

Carried

2nd Reading Waived

Housing Program Director out at 2:00 pm.

AGENDA ITEM NO. 18 - OTHER/NEW BUSINESS

There was no Other/New Business.

OTHER/NEW BUSINESS

AGENDA ITEM NO. 19 - INAC NOTICE OF BUDGET ADJUSTMENT (NOBA) #5

MOTION NO. 8

MOVED BY R. STACEY LAFORME

SECONDED BY MARGARET SAULT

That the MNCFN Infrastructure & Development Council accept the Indigenous and Northern Affairs Canada 'Notice of Budget Adjustment No. 5' in the amount of \$72,475 set funding for 2015/16, which is comprised of the following:

Dept. of Education – Band Operated School-Direct Services for Fiscal Year 2015-16

Carried

2nd Reading Waived

AGENDA ITEM NO. 20a) - ABORIGINAL LEADERSHIP PAVILION COMMITTEE

Communications Director informed that there was a meeting of the Aboriginal Leadership Pavilion Committee in Toronto on March 24, 2016 and represented by Councillors Evan Sault, Veronica King-Jamieson and Cathie Jamieson, Communications Director and DSED via a telephone conference. Executive Director stated that previous Council did not want to be a part of this Committee. Chief stated that there was never a formal Motion from Council. He believes that New Credit should take a leadership role. New Credit should always be recognized first. Chief also stated that New Credit should insist on chairing the meetings.

Communications Director stated that New Credit needs to be ready and get in the door early and have an Advisory Board for Future Events ready, especially since the Invictus Games are coming to Toronto.

Direction was given to the Chief to contact Larry Frost.

DIRECTION NO. 2

That the MNCFN Infrastructure & Development Council gives direction to the Chief to contact Larry Frost and inform him that New Credit is interested in coming back to the ALP Committee. Chief will bring an update back to the next Education & Social Services Council Meeting on Monday, April 11, 2016. Chief will also find out when the next ALP Committee Meeting is scheduled.

AGENDA ITEM NO. 20b) - PERSON FROM MISSISSAUGA NEEDS ASSISTANCE (AL)

Councillor received an email from a person who believes he may be of Native descent. Email was given to the A/LMR Director for her to make a decision.

DIRECTION NO. 3

That the MNCFN Infrastructure & Development Council gives direction to the A/LMR Director to do as she sees fit regarding this item. Attached is the email that was sent to Councillor Arland LaForme from Cameron McKenna.

AGENDA ITEM NO. 20c) – LETTER DATED MARCH 8, 2016 FROM MINISTRY OF CHILDREN & YOUTH SERVICES

This item will come back to the Education & Social Services Council Meeting on Monday, April 11, 2016 for further discussion.

It was noted that should Council want to be on the Aboriginal Children and Youth Strategy Committee, representation would be the Education & Social Services Chairs and the SHS Director.

AGENDA ITEM NO. 20d) - ELLEN DESY LETTER

Councillor informed that Ellen Desy contacted her and said no one has followed up with her since her last letter to Council. Executive Director will follow up with the A/LMR Director regarding this item.

ECONOMIC DEVELOPMENT

DSED in at 3;15 pm.

AGENDA ITEM NO. 21 - TOBACCO ALLOCATION 2016/2017

The DSED highlighted his Briefing Note. He is suggesting that businesses pay .50 cents on each carton for community initiatives. Councillor suggested establishing a median and charge more than .50 cents. Another Councillor suggested sitting down with Toby's daughter and ask her to donate to the Community. DSED stated that he has already done this.

Executive Director pointed out that MNCFN has never signed the Retailer Agreement.

Councillor stated that since allocations cannot be tracked, would New Credit lose quota if the government finds out that NCVGB is selling quota cigarettes to non-Natives. DSED answered that by signing the Retailer Agreement New Credit would agree to the province's authority regarding who we can sell to and we (New Credit) would be responsible to track. Right now there is no way to track.

If the Retailer Agreement is not signed there will be no extra cartons forthcoming. Executive Director stated that if New Credit does not sign the Agreement, everything remains status quo and New Credit will get the same quota as last year. The document will go back unsigned by Council.

MOTION NO. 9

MOVED BY MARGARET SAULT

SECONDED BY

That the MNCFN Infrastructure & Development Council agrees to accept the allocation of tobacco from the Ministry of Finance. The base allocation of 24,441 cartons to be distributed between Toby's (7907) and NCVGB (16,534), as long as all business remain operational (reviewed quarterly) with special event allocation (2,444) allocated to NCVGB to offset community costs for community events.

Tobacco Quota will be distributed to businesses operating within the community that are: a convenience store service,

open for a minimum of one calendar year prior to quota distribution, operate as a full time business for a minimum of 50 hours per week.

Businesses receiving quota will pay \$0.50 per carton of tobacco allocation to support community programming (elders, youth as primary focus). Businesses cannot sell quota to any other retailer or business

Chair called for a Seconder three times – no one responded.

Motion Defeated

DIRECTION NO. 4

That the MNCFN Infrastructure & Development Council gives direction to the DSED to contact the Ministry of Finance regarding corrections to the allocation of the Cigarette Quota. DSED will bring a Motion with more clarification regarding this item to the next Education & Social Services Council Meeting on Monday, April 11, 2016

After further discussion Chair asked if anyone wanted to move the Motion again.

MOTION NO. 10

MOVED BY

SECONDED BY

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Chair called for a Seconder three times - no one responded.

Motion Defeated a second time.

DIRECTION NO. 5

That the MNCFN Infrastructure & Development Council gives direction to the DSED to bring back numbers associated with the dollar figures regarding the Tobacco Allocation.

AGENDA ITEM NO. 22 - PROPOSED REVISIONS TO THE NCVGB POLICY

The DSED would like to update and amend the Employee Policy for NCVGB. It is noted that statutory holidays are paid at time and a half. DSED suggested that Easter Sunday is not a stat holiday for the employees and it should be. Executive Director stated that Easter Sunday is not a work day.

MOTION NO. 11

MOVED BY EVAN SAULT

SECONDED BY R. STACEY LAFORME

That MNCFN Infrastructure & Development Council agrees to accept the recommended changes to New Credit Variety & Gas Bar Policy as listed below:

- 2. Benefits: Adding Family Day, Easter Sunday and Civic Holiday as paid holidays (not stat holiday pay)
- 3. Remuneration annual increases will reflect Cost of Living and are conditional on business remaining to be profitable
- 4. Standard of Conduct Discipline employee missing or late for 3 or more shifts during probationary period will result in dismissal
- 4. Standard of Conduct Cash Shortages reducing threshold reprimand threshold from \$20 to \$10
 - Shortages exceeding \$25 in a 30 day period may result in dismissal

Carried

2nd Reading Waived

Opposed: Councillor Erma Ferrell – Better process should be put in place for cash shortages; Chief R. Stacey Laforme – This is an administrative function and should not be here.

Councillor Arland LaForme out at 3:30 pm for a potential and future conflict in the next item.

AGENDA ITEM NO. 23a) - BOARD OF DIRECTORS - REMUNERATION

The DSED would like to see remuneration for the Board of Directors of 839 Co. and the Business Development Corporation.

Executive Director explained to the DSED that he will have to bring this item back as more information is required.

This item will come back to the next Infrastructure & Development Council Meeting on Monday, May 2, 2016 as more information is required.

Councillor Arland LaForme back in at 3:47 pm.

AGENDA ITEM NO. 23b) - UPDATE ON GREEN WILLOW

DSED gave a verbal update on the Green Willow property. Two companies have looked at the store and gas pumps etc. OFNTS was supposed to do something regarding the cracks in the foundation of the house. Councillor stated that neighbors are concerned because cars are going back there in the middle of the night. A gate needs to be put up.

Another Councillor informed that this is band owned property and people should be seeking permission to tap the maple trees.

Councillor stated that there were serious concerns brought forth at the Toronto Purchase Trust Community Meeting that the property is an eyesore and there are rabid animals hanging around the buildings.

Executive Director pointed out that everything has to be reconciled in the budget; to itemize renovations and improvements (amount allotted in the budget for repairs and renovations). At the Community Meetings a list was made up for the uses of Green Willow. This list was given to Peter Smith. Peter Smith then gave the report to Council and now Council has to do something. The remedial work has been done. The house has to be secured as Council was thinking of using it for office space. DSED stated that he went into the house and it is in very bad condition. Councillor reiterated that the list came to the Council Table and Peter Smith arranged high and low capital options.

This item will be discussed at the next Monthly Gathering.

DSED out at 3:55 pm.

Council moved to an In-Camera session.