

**MISSISSAUGAS OF THE NEW CREDIT FIRST NATION
INFRASTRUCTURE & DEVELOPMENT COUNCIL**

PUBLIC MINUTES

Monday, November 2, 2015

Start 9:00 am

Finish 4:50 pm

Chief Councillor

Bryan LaForme

Councillor

Erma Ferrell

Councillor

Arland LaForme

Councillor

R. Stacey Laforme

Councillor/Chair

Larry Sault

Councillor

Clynten King

Councillor

Cecil Sault

Councillor

Sharon Bonham

Executive Director

Cynthia Jamieson

Recorder

Charlotte Smith

Housing Program Director

Lorraine LaForme

Director of C & A

Mark LaForme

DSED

Kevin Wassegijig

LMR Director

Margaret Sault

MRP Coordinator

Karin Duguay

HR Manager

Caitlin Montgomery

AGENDA ITEM NO. 1 – OPEN MEETING

Chair/Councillor Larry Sault opened the meeting at 9:00 am. Mark LaForme (DOCA) in at 9:00 am. Councillor R. Stacey Laforme will be leaving at 9:30 am for a doctor's appointment.

AGENDA ITEM NO. 2 - REVIEW & ACCEPT AGENDA

MOTION NO. 1

MOVED BY CECIL SAULT

SECONDED BY R. STACEY LAFORME

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

- Agenda Item No. 7a) – AFN Assembly on December 8 – 10, 2015 in Gatineau, Quebec. Who will be attending?
- Agenda Item No. 31a) – Financial Controls (CJ);
- Agenda Item No. 35b) – Paris Conference Update;
- Agenda Item No. 35c) – ATR – Update from Brian Finnigan (Legal Counsel).

Carried

HOUSING

Housing Program Director in at 9:24 am.

AGENDA ITEM NO. 5 – MNCFN TOWNLINE ESTATES LEASE AGREEMENT

Housing Program Director advised that both she and the lawyer went through this agreement, but basically it is all the same content as before.

Councillor Arland LaForme went through the whole agreement. Below is a list of corrections he would like to see corrected:

Page 1 – Logo is oval shaped, need to have the proper Logo;

Page 3 - 2nd to last para: is “agimaw gamig” capitalized?;

Last para: NSF – Executive Director will clarify the amount with accounting;

Page 4 – Para. 2. – cask is a typo;

Page 8 – are 10 and 4 saying the same thing?;

Page 9 – 28 – Do the tenants know that they will not be allowed to smoke in their apartments?

With regard to the tenants being unable to smoke in their apartments, Housing Program Director advised that this will not be enforced until the end of the fiscal year (April 1, 2016). She will send a letter to all tenants in advance so they will be aware. It is noted that the tenants have to sign a new lease every two years.

MOTION NO. 3

MOVED BY BRYAN LAFORME

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council accepts the 2016-2018 MNCFN Townline Estates Lease Agreement on November 2, 2015 as presented. Effective April 1, 2016.

Carried

2nd Reading Waived

AGENDA ITEM NO. 6 – MNCFN HRRS AGREEMENT

Housing Program Director advised that both she and the lawyer went through this agreement, but basically it is all the same content as before.

Councillor Arland LaForme also went through this agreement. Below is a list of corrections he would like to see corrected:

Page 1 – the oval shaped Logo;

Page 3 use AANDC instead of INAC (2nd para.);

Page 5 2nd para. – last bullet take out “meaning no service” and add “list”;

Page 10 – 3(a) – delete “the” after AND;

Page 11 – correct the numbering and move MISSISSAUGAS over to align with above;

Page 12 – align In Witness Whereof with the above para.

Councillor Clynten King stated that the ratio for the Logo is 1 to 1.

Councillor is not in favour of increasing the paybacks for both Seniors to 75% and Disabled to 50%.

MOTION NO. 4

MOVED BY CECIL SAULT

SECONDED BY CLYNTEN KING

That the MNCFN Infrastructure & Development Council accepts the 2016-2018 MNCFN HRRS (Housing/Repair/Renovation/Sanitation) Agreement on November 2, 2015 with noted revisions; effective April 1, 2016.

Carried

2nd Reading Waived

Housing Program Director out at 9:50 am.

OTHER/NEW BUSINESS

AGENDA ITEM NO. 7a) – AFN ASSEMBLY ON DECEMBER 8 – 10, 2015 , GATINEAU, QUEBEC – WHO WILL BE ATTENDING?

It is noted that Chief Bryan LaForme will be in Paris, France. It is agreed that Councillor Larry Sault will be the Chief's proxy at the AFN Conference in Gatineau, Quebec on December 8 - 10, 2015. It is also noted that Councillor Cecil Sault will attend and possibly Councillor Erma Ferrell.

MOTION NO. 5

MOVED BY ERMA FERRELL

SECONDED BY ARLAND LFORME

That the MNCFN Infrastructure & Development Council appoints Councillor Larry Sault as the Proxy for Chief Bryan LaForme to attend the upcoming AFN Assembly in Gatineau, Quebec on December 8 – 10, 2015.

Carried

2nd Reading Waived

It is noted that Councillor Cecil Sault (and possibly Councillor Erma Ferrell) will also be attending the above Assembly.

ECONOMIC DEVELOPMENT

DSED in at 9:55 am.

AGENDA ITEM NO. 8 – ABORIGINAL COMMUNITY ENERGY PLAN (ACEP) PROGRAM (IF APPROVED TWO COPIES OF BCR TO BE SIGNED)

MOTION NO. 6

MOVED BY CLYNTEN KING

SECONDED BY ERMA FERRELL

That the MNCFN Infrastructure & Development Council agrees to the following:

Whereas

1. the Aboriginal Community Energy Plan ("**ACEP**") program is an initiative funded by the Independent Electricity System Operator ("**IESO**") intended to provide financial support to assist Aboriginal communities in developing community energy plans; and
2. the board of directors of 8392692 Canada Inc. ("**839 Co.**") has resolved that the creation, development and implementation of an ACEP for the Mississaugas of the New Credit First Nation ("**MNCFN**") would be a way of helping MNCFN and 839 Co. develop energy independence and promote a greater interest, awareness and understanding about energy in the community.

Resolved that the Chief and Council of Mississaugas of the New Credit First Nation hereby:

- a. express their support for the submission of an ACEP application on behalf of MNCFN;
- b. confirm their intent to develop a community energy plan
- c. support the funding application to the IESO in the amount of \$90,000 to assist with the development of a Community Energy Plan for our community.

Carried
2nd Reading Waived

See BCR No. 141 – 2015-2016

AGENDA ITEM NO. 9 – NORTH AMERICAN INDIGENOUS GAMES – MEMORANDUM OF UNDERSTANDING – MOTION NO. 9 FROM EXECUTIVE FINANCE COUNCIL DATED OCTOBER 26, 2015 COMING BACK FOR 2ND READING

DSED had earlier sent the MOU to Brian Finnigan (Legal Counsel), and DSED presented this same item to Council on Monday, October 26th. Brian Finnigan later sent back the same agreement with some concerns. DSED spoke with AWSCO (Aboriginal Sport & Wellness Council of Ontario) and informed them that New Credit's lawyer had some concerns. Both lawyers got together and had a brief discussion. There is no signed agreement yet from Canada but the government is in support. Contracts are in place for venues; there are accommodations for the athletes etc. New Credit would be the Host Society. DSED advised that despite Brian Finnigan's Legal Opinion the agreement is still ok.

Councillor stated that New Credit will have to pay money at some point.

Executive Director pointed out that the lawyers could get together and work everything out as it appears that New Credit will be bearing the brunt of the dollars. Also, it is the Guarantor that is the issue. The challenge is to correct the wording in the Agreement. There should also be a glossary of legal terms.

Councillor informed that if New Credit is the Host Society we (New Credit) could go to other organizations and request dollars. American Tribes do not have much to do with NAIG and some of these tribes could be approached.

Chief stated that should New Credit put up any dollars they (New Credit) should be reimbursed.

It was agreed that the DSED would get together with the other lawyers and revise the Memorandum of Understanding and get a glossary of legal terms.

DIRECTION NO. 1

That the MNCFN Infrastructure & Development Council gives direction to the DSED to meet with Brian Finnigan (Legal Counsel) and the other lawyer for Aboriginal Sport & Wellness Council of Ontario (ASWCO) to review and revise the Memorandum of Understanding (MOU) between ASWCO and MNCFN and further, a glossary of legal terms will be added.

This item will come back to the next Education & Social Services Council Meeting on Monday, November 9, 2015 for further discussion and approval.

AGENDA ITEM NO. 10 – OTHER/NEW BUSINESS

There was no Other/New Business.

DSED out at 10:30 am.

CONSULTATION & ACCOMMODATION

AGENDA ITEM NO. 11 – CANADIAN ENVIRONMENTAL ASSESSMENT AGENCY PARTICIPANT FUNDING PROGRAM (IF APPROVED TWO COPIES OF BCR TO BE SIGNED)

MOTION NO. 7

MOVED BY CLYNTEN KING

SECONDED BY ARLAND LAFORME

That the MNCFN Infrastructure & Development Council approves the following:

WHEREAS the Mississaugas of the New Credit First Nation (MNCFN), made application to the Canadian Environmental Assessment Agency (the Agency), under the Agencies Participant Funding Program for participation opportunities during the environmental assessment (EA), of the Milton Logistics Hub Project; and

WHEREAS the Agency has approved funding for the MNCFN to a maximum amount of \$95,600.00 under its Participant Funding Program to assist MNCFN with their participation opportunities during the Milton Logistics Hub Project EA; now

THEREFORE BE IT RESOLVED that the Mississaugas of the New Credit First Nation authorize the MNCFN to enter into a Contribution Agreement with the Canadian Environmental Assessment Agency; and

BE IT FURTHER RESOLVED that Mississaugas of the New Credit First Nation designate and duly authorize signatories to be Chief Bryan LaForme and Cynthia Jamieson; MNCFN Executive Director, on behalf of the MNCFN, for the purposes of signing the application for funding, the Contribution Agreement, or any other documents required under the Contribution Agreement. Both designated signatories have the authority to sign all associated or required documents under the Contribution Agreement.

Carried

2nd Reading Waived

See BCR No. 142 – 2015-2016

AGENDA ITEM NO. 12 – FYI – MNCFN – NIAGARA REGION WIND CORPORATION DRAFT AGREEMENT

This is an FYI for Council. Mark LaForme stated that this same agreement is in the hands of Niagara Region Wind Corporation for review and comment. Once there is a final agreement it will be brought back to Council for review and approval.

AGENDA ITEM NO. 13 – FYI – MNCFN PROJECT STATUS REPORT

Chief and Council have acknowledged the Project Status Report from DOCA. There is an Open House with Enbridge and Councillor advised that the 30 minute video that captured what Enbridge did in Michigan should be viewed at the Open House. Enbridge Line 10 also belongs to the Seneca Nation in the US. It appears that Enbridge feels they do not have to deal with First Nations. However, Mark LaForme (DOCA) stated that he met with Enbridge on October 29, 2015 and Enbridge said they want a long term agreement with New Credit.

It is noted that there will be a meeting on November 11, 2015 at 10:00 am in the DOCA offices.

AGENDA ITEM NO. 14 – OTHER/NEW BUSINESS

There was no Other/New Business.

Mark Laforme (DOCA) out at 10:55 am.

PUBLIC WORKS

AGENDA ITEM NO. 15 – COLUMBARIUM IN MNCFN 1ST LINE CEMETERY

A columbarium is a room or building with niches for funeral urns will to be stored.

Councillor EF who is part of the Cemetery Committee informed that they have been working on this for two years. Administration will take care of the engraving.

Councillor questioned where the Columbarium would be located in the Cemetery, and would another one be built if it became necessary.

Direction was given to the Cemetery Committee to find a proper location to install the Columbarium.

MOTION NO. 8

MOVED BY ARLAND LAFORME

SECONDED BY ERMA FERRELL

That the MNCFN Infrastructure & Development Council approves the Cemetery Committee to proceed with the research & erection of a 48 niche columbarium, and whereas the cost is not to exceed \$25,000.00 (TWENTY-FIVE THOUSAND DOLLARS); dollars to be provided from the Enterprise Fund and the project will be included in the Public Works budget for the 2016/17 fiscal year.

Carried

2nd Reading Waived

DIRECTION NO. 2

That the MNCFN Infrastructure & Development Council gives direction to the Cemetery Committee to find a proper location at the 1st Line Cemetery to install the Columbarium.

This item will be brought back to Council for further discussion and approval.

AGENDA ITEM NO. 16 – RELOCATION OF HOMEOWNER'S WATERLINE (EF)

Councillor Erma Ferrell brought this item to Council as she feels the issue with relocating the waterline on Betty Wybenga's property has not been resolved.

It is noted that a letter will be sent from the Chief to Betty Wybenga and Rhonda Johnson informing them that the relocation of the waterline will be starting immediately at no cost to either Band Member.

Executive Director will make it clear to the PW Department that this work will start immediately.

MOTION NO. 9

MOVED BY ARLAND LAFORME

SECONDED BY ERMA FERRELL

That the MNCFN Infrastructure & Development Council approves the payment of the relocation of Mrs. Wybenga's waterline as per the previous quote submitted from the PW Director. The total cost of \$2,600.00 (Two Thousand Six Hundred Dollars) will be expensed to the Casino Rama Profit Centre.

Carried

2nd Reading Waived

AGENDA ITEM NO. 17 – OTHER/NEW BUSINESS

There was no Other/New Business.

LANDS, MEMBERSHIP & RESEARCH

LMR Director and MRP Coordinator (Karin Duguay) in at 11:10 am.

AGENDA ITEM NO. 18 – REQUEST TO MEET WITH THE MRP COMMITTEE

Karin Duguay is requesting a meeting with Council regarding the Matrimonial Real Property (MRP) for November 30, 2015. She stated that the Interim Policy is the pressing issue.

Some Councillors advised that the other Mississauga Nations say that there is no need for an Interim Policy and the courts agree.

Councillor questioned if there was going to be input from the Community.

It was agreed that the meeting with Council and the MRP Committee would be deferred to a later meeting.

It was also agreed that Chief Bryan LaForme would add Matrimonial Real Property (MRP) issues to the Agenda for the meeting with the Mississauga Chiefs.

LMR Director and MRP Coordinator out at 11:30 am.

AGENDA ITEM NO. 19 – OTHER/NEW BUSINESS

There was no Other/New Business.

OTHER/NEW BUSINESS

Council moved to Agenda Item No. 21.

AGENDA ITEM NO. 21 – CHIEF & COUNCIL HONORARIUM & TRAVEL POLICY

Councillor pointed out that the Office Clerk prepared a recommendation regarding this item, and it is not her role to do so.

Regarding Bullet No. 2 Councillor stated that external meetings should still require a written report to all of Council.

Some Councillors still want a corporate credit card.

It was suggested that some Councillors were using their own credit cards and not getting reimbursed. Executive Director answered that she was not aware of this.

What about new clothes for a special event? How would this be covered in the Policy?

Entertainment should also be covered in the Policy.

On the last page Councillor Clynten King suggested an insertion in the Policy regarding Missed Meetings according to the Indian Act. He feels that Council does not have the right to remove him from Council because of the meetings he missed.

Executive Director will review and revise the above Policy and will bring back to the next Education & Social Services Council Meeting on Monday, November 9, 2015.

LUNCH BREAK 12:20 TO 1:20 PM

Council moved back to Agenda Item No. 20.

AGENDA ITEM NO. 20 – EMPLOYMENT POLICY & PROCEDURES REVISIONS (PLEASE BRING YOUR COPY FROM LAST WEEK'S EXECUTIVE FINANCE COUNCIL MEETING)

HR Manager in at 1:15 pm.

HR Manager highlighted the 113 page Employment Policy & Procedures Manual. Attached are the revisions. The words in green are recommendations to be added in the Policy and the red stroked through words are recommendations to be removed. On pages 21, 22 and 42 (in blue) is where Chief and Council will stay involved in certain situations. Yellow is the signal for Chief and Council to also be involved.

Councillor questioned how this deals with Band Members working off-reserve. Executive Director replied that it is a contract with our staff.

Councillor noted that Chief and Council should have their own Policy.

The revisions for the above Policy will be brought back to the next Education & Social Services Council Meeting on Monday, November 9, 2015 for approval.

AGENDA ITEM NO. 22 – ANNUAL COMMUNITY TRUST UPDATE – TRUSTEE’S REPORT – TO BE PRESENTED AT THE TORONTO PURCHASE COMMUNITY TRUST MEETING ON SATURDAY, NOVEMBER 14, 2015

Executive Director advised that Georgina Villeneuve (Peace Hills Trust) will add two more slides to her Power Point Presentation on Socially Responsible Investing which will be presented at the Toronto Purchase Trust Community Meeting on Saturday, November 14, 2015. She will also discuss the Lobby Group called SHARE (Shareholder Association for Research & Education) who are sensitive to First Nations’ issues.

MOTION NO. 10

MOVED BY CLYNTEN KING

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council accepts the MNCFN Toronto Purchase Trust – Annual Community Trust Update – Trustees Report which will be presented at the Toronto Purchase Trust Community Meeting on Saturday, November 14, 2015.

Carried

2nd Reading Waived

AGENDA ITEM NO. 23 – MACKIE RESEARCH CAPITAL CORPORATION – ANNUAL REPORT TO BE PRESENTED AT THE TORONTO PURCHASE TRUST COMMUNITY MEETING ON SATURDAY, NOVEMBER 14, 2015

MOTION NO. 11

MOVED BY CLYNTEN KING

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council accepts the MNCFN Toronto Purchase Trust – Annual Report from Mackie Research Capital Corporation (Financial Advisors) which will be presented at the Toronto Purchase Trust Community Meeting on Saturday, November 14, 2015.

Carried

2nd Reading Waived

AGENDA ITEM NO. 24 – DRAFT AGENDA FOR CHIEF & COUNCIL ORIENTATION

Executive Director brought this item to Council for review and consideration.

It is agreed that the Council Orientation will be off-site, probably in Niagara Falls. Rooms will have to be booked for two nights.

Executive Director will bring this item back to the next Education & Social Services Council Meeting on Monday, November 9, 2015 with all revisions.

AGENDA ITEM NO. 25 – USE OF MNCFN LOGO FOR ANNUAL PROGRESS GALA

This Annual progress Gala is being hosted by the NDP Party. Councillor Clynten King will be attending and the festivities begin at 6:00 pm.

MOTION NO. 12

MOVED BY R. STACEY LAFORME

SECONDED BY CLYNTEN KING

That the MNCFN Infrastructure & Development Council agrees to permit the use of the MNCFN logo for the Progress Gala held at the Fairmont Royal York on 12 November 2015 for the purpose of being used as follows:

- Host Sponsor listing on all signage
- Logo recognition on all materials, signage and website
- 5 VIP guest passes
- Half page advertisement in the Progress Gala Programme

Carried
2nd Reading Waived

AGENDA ITEM NO. 26 – ORGANIZATIONAL REVIEW

Executive Director informed that the HR Manager is requesting a one year extension to complete the Organizational Review. HR Manager has a heavy workload and other ongoing projects and does not feel she can complete the Review in the amount of time specified.

MOTION NO. 13

MOVED BY CECIL SAULT

SECONDED BY ERMA FERRELL

That the MNCFN Infrastructure & Development Council approves the recommendation to extend the completion of the Organizational Review by 1 year to be completed by December 31, 2016 by the Human Resources Manager.

Carried
2nd Reading Waived

AGENDA ITEM NO. 27 – OTHER/NEW BUSINESS

There was no Other/New Business.

Council moved to an In-Camera session at 3:35 pm.