

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

PUBLIC MINUTES

Monday, October 5, 2015

Start 9:03 am

Finish 4:42 pm

Chief Councillor

Bryan LaForme

Councillor/Chair

Erma Ferrell

Councillor

Arland LaForme

Councillor

R. Stacey Laforme

Councillor

Larry Sault

Councillor

Clynten King

Councillor

Cecil Sault

Councillor

Sharon Bonham

Executive Director

Cynthia Jamieson

Recorder

Charlotte Smith

PW Director

Barbara Hill

Director of C & A

Mark LaForme

DSED

Kevin Wassegijig

Band Member

Carolyn King

AGENDA ITEM NO. 1 – OPEN MEETING

Chair/Councillor Erma Ferrell opened the meeting at 9:03 am. Mark LaForme (DOCA) in at 9:03 am.

AGENDA ITEM NO. 2 - REVIEW & ACCEPT AGENDA

MOTION NO. 1

MOVED BY LARRY SAULT

SECONDED BY SHARON BONHAM

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

Agenda Item No. 8a) – FYI for Council – Niagara Region Wind Farm (NRWF);

Agenda Item No. 16a) – Agreement for Curbside Recyclables and Refuse;

Agenda Item No. 18 – Deferred to a Later Date;

Agenda Item No. 19a) – ATR – Further Letter to AANDC Dated September 18, 2015;

Agenda Item No. 24a) – Deferred Until Council Has Had a Chance to Review;

Agenda Item No. 24b) – Chief Speech (Letter for Approval from Nathan Tidridge);

Agenda Item No. 24c) – Letter from Dave Levac Requesting Council's Assistance With the 2015 Thank-A-Vet Luncheon;

Agenda Item No. 29 – Deferred to a Later Date.

Carried

AGENDA ITEM NO. 3 – REVIEW & ACCEPT INFRASTRUCTURE & DEVELOPMENT COUNCIL (PUBLIC) MINUTES FROM TUESDAY, SEPTEMBER 8, 2015

Page 7 – Agenda Item No. 12, paragraph 5 – Chief has not yet met with the Premier.

Page 14 – Agenda Item No. 21 – Housing Program Director and DSED have not yet had a chance to discuss any relevant issues, and still need more time.

MOTION NO. 2

MOVED BY BRYAN LAFORME

SECONDED BY CLYNTEN KING

That the MNCFN Infrastructure & Development Council accepts the Infrastructure & Development Council (Public) Minutes of September 8, 2015.

Carried

AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES

There were no Matters Arising from the Minutes.

CONSULTATION & ACCOMMODATION

AGENDA ITEM NO. 5 – DARLINGTON NUCLEAR GENERATING STATION (DGNS) LICENCE RENEWAL HEARING

At the Mississagi 8 First Nation – Gathering of Nations Conference it was pointed out that Darlington wants to bury its nuclear waste and re-license the plant. Burial of nuclear waste is not a new issue, particularly in the North. Councillor is suggesting that New Credit not move ahead until they hear from the other Mississauga Nations as it would be stronger to have a unified voice.

Chief will arrange a conference call with all the other Chiefs

DOCA stated that there is a very long list of Interveners from other First Nations, and he will obtain the list.

One of the issues is that nuclear waste is being transported across New Credit's Traditional Territory. Six Nations is also an issue through the Nanfan Deed and HDI.

Councillor noted that Ontario's maps and New Credit's maps do not match.

DOCA suggested that there should be a political person from New Credit to do the oral presentation and he (DOCA) will provide the necessary background material. He will also find out the length of the presentation.

It was agreed that the Chief would attend and be the spokesperson and Mark LaForme (DOCA) would attend as a resource person.

Mark LaForme (DOCA) will bring an update back to Council after the presentation is completed.

MOTION NO. 3

MOVED BY ARLAND LAFORME

SECONDED BY R. STACEY LAFORME

That the MNCFN Infrastructure & Development Council agrees to provide an Oral Presentation at the Canadian Nuclear Safety Commission Hearing regarding the Darlington Nuclear Generating Station Licence Renewal and, it is further agreed that Chief Bryan LaForme shall be designated to provide this Oral Presentation. The Director of Consultation & Accommodation (Mark LaForme) will attend as a Resource Person.

Carried

2nd Reading Waived

MOTION NO. 4

MOVED BY LARRY SAULT

SECONDED BY SHARON BONHAM

That the MNCFN Infrastructure & Development Council agrees to arrange a meeting with the other Mississauga Nations regarding the Darlington Nuclear Generating Station (DGNS) Licence Renewal Hearing (to take place from November 2 – 5, 2015) via a telephone conference call. Chief will find out what time is convenient for Council to have the conference call, and further will find out what other items need to be discussed and put on an Agenda.

Carried

2nd Reading Waived**DIRECTION NO. 1**

That the MNCFN Infrastructure & Development Council gives direction to Chief Bryan LaForme to prepare a list of Agenda Items to be discussed during the telephone conference call to the other Mississauga Nations.

DIRECTION NO. 2

That the MNCFN Infrastructure & Development Council gives direction to Mark LaForme (DOCA) and Office Clerk to find out what other items need to be discussed during the telephone conference call (date to be determined) Council will make to the other Mississauga Nations.

AGENDA ITEM NO. 6 – NATIONAL ENERGY BOARD PARTICIPANT FUNDING PROGRAM CONTRIBUTION AGREEMENT TO BE SIGNED

Councillor advised that New Credit needs to do its homework regarding TransCanada in Quebec, Ontario, Manitoba and BC. He also stated that the signing of the Contribution Agreement is somewhat premature as New Credit should first find out what the other Mississauga Nations are doing.

Chief will contact Chief Isadore Day for an update on the TransCanada Pipeline Energy East & Eastern Mainline Project.

MOTION NO. 5

MOVED BY CLYNTEN KING

SECONDED BY R. STACEY LAFORME

That the MNCFN Infrastructure & Development Council approves for signature the Contribution Agreement with the National Energy Board for the Energy East & Eastern Mainline Project for the amount of \$55,000.00 (Fifty Five Thousand Dollars) to provide traditional oral evidence.

Carried

2nd Reading Waived

Opposed: Councillor Larry Sault – premature to be accepting dollars without finding out what the other Mississauga Nations are doing.

NOTE:

Chief Bryan LaForme signed above Contribution Agreement today (October 5, 2015).

DIRECTION NO. 3

That the MNCFN Infrastructure & Development Council gives direction to Chief Bryan LaForme to contact Chief Isadore Day regarding an update on the TransCanada Pipelines Energy East & Eastern Mainline Project. Chief will also find out about the alliance to stop the process.

AGENDA ITEM NO. 7 – DOCA ACTIVITY REPORT FOR SEPTEMBER 2015

Councillor R. Stacey Laforme had a meeting with AANDC. Another Councillor questioned why Councillor Laforme attended this meeting instead of the Chief's Alternate – Councillor Cecil Sault. Chief was away and normally Councillor Cecil Sault would attend meetings on Chief's behalf. Councillor Laforme stated that the Office Clerk asked him to attend this meeting.

Another Councillor pointed out that there is a lot of work before us. If Council just sits back and does nothing, New Credit will get left behind. He further suggested that New Credit needs to find out what is happening and solidify the other Mississauga Nations with New Credit. They (Mississauga Nations) would like to have a meeting on Nationhood.

It was noted that Gord Peters (Grand Chief of AIAI) does not recognize New Credit's Traditional Territory in Toronto.

Councillor stated that it is imperative that New Credit be involved at the Political Confederacy Table.

DIRECTION NO. 4

That the MNCFN Infrastructure & Development Council gives direction to the Executive Director to speak with the Office Clerk regarding a meeting that Councillor R. Stacey Laforme had with AANDC. Councillor Cecil Sault is the Alternate for the Chief when Chief is away. Why was Councillor Sault not contacted to attend this meeting?

MOTION NO. 6

MOVED BY ARLAND LAFORME

SECONDED BY SHARON BONHAM

That the MNCFN Infrastructure & Development Council accepts the Activity Report for September 2015 from DOCA (Mark LaForme).

Carried

AGENDA ITEM NO. 8a) – FYI FOR COUNCIL – NIAGARA REGION WIND FARM (NRWF)

It is noted that DOCA (Mark LaForme) will do a background on the Niagara Region Wind Farm. This is an FYI for Council from DOCA (Mark LaForme).

Councillor advised to table this issue until DOCA and DSED meet. This item is under the 839 Co. as it is renewable energy. DOCA advised that Zizzo Allan DeMarco could prepare an agreement.

Councillor suggested that a high level document is required to distinguish between Council and 839 Co.

DOCA out at 10:15 am.

ECONOMIC DEVELOPMENT

DSED in at 10:30 am

AGENDA ITEM NO. 9 – COMMUNITY CENTRE BOARDROOM REQUEST

It is confirmed that the Youth Group does not use the Community Centre for their meetings.

Councillor reiterated that the Community Centre was to be a revenue generator for New Credit. He also stated that New Credit is regurgitating its own money for the Community Centre. What does the budget look like? Is there a clause in the agreement for any damages. DSED replied that when renters sign an agreement they accept responsibility for damages.

Direction was given to the SED Assistant to amend the agreement to reflect that there will be no cost, but the person renting will be responsible for any damages incurred.

MOTION NO. 7

MOVED BY LARRY SAULT

SECONDED BY ARLAND LAFORME

That Mississaugas of the New Credit First Nation Infrastructure and Development Council approves the request from Don Tobicoe to use the Youth/Elder room at the Community Centre for the AA Alumni meetings for a period of 3 months (at no cost). After 3 months, Don Tobicoe will resubmit a request to Council to continue for an additional 3 months.

Carried

2nd Reading Waived

Opposed: Councillor R. Stacey Laforme

DIRECTION NO. 5

That the MNCFN Infrastructure & Development Council gives direction to the SED Assistant (Aimee Sault) to amend the agreement to say “there is no cost, but person renting the Community Centre will be responsible for any damages that may be incurred”.

AGENDA ITEM NO. 10 – WINGER’S LEASE – NEEDS APPROVAL

Executive Director questioned DSED what the timeline is for Winger Cabinets to take possession of the property, and what does the old lease say? DSED answered that he would find out.

Direction has been given to the DSED to make necessary changes/amendments to the Agreement with Winger’s Cabinets. DSED will get some input from the Executive Director.

DIRECTION NO. 6

That the MNCFN Infrastructure & Development Council gives direction to the DSED to make changes/amendments to the Agreement with Winger's Cabinets. DSED will speak with the Executive Director regarding the amendments. This item will be brought back to the next Education & Social Services Council Meeting on Tuesday, October 13, 2015.

AGENDA ITEM NO. 11 – GAS LINE EASEMENT

DSED informed that this Agreement has been going back and forth between the lawyers and Six Nations Gas. This Agreement goes as far back as 1998. The easement along the Townline was not in the original Agreement. He also advised that this is time sensitive as the residents will soon have to buy propane or oil if they cannot access natural gas during the winter months.

Councillor would like to see an update on the Tom Howe Landfill Site dollars. However, these dollars have been invested with Mackie Research Capital Corporation. Councillor also questioned if new builders would have to pay the costs for the gas line running into their homes. This will need further discussion.

This item will be brought back to the next Education & Social Services Council Meeting on Tuesday, October 13, 2015.

AGENDA ITEM NO. 12 – OTHER/NEW BUSINESS

There was no Other/New Business.

DSED out at 11:30 am.

HOUSING

AGENDA ITEM NO. 13 – A GUIDE – CONSTRUCTION STAGES & SPECIFICATIONS

Councillor stated that this Guide should look more professional ie. See Page 11 of 25 – cannot see the letters.

MOTION NO. 8

MOVED BY CLYNTEN KING

SECONDED BY R. STACEY LAFORME

That the MNCFN Infrastructure & Development Council accepts the updated/revised document “MNCFN – A Guide – Construction Stages & Specifications” dated October 2015.

Carried

2nd Reading Waived

Opposed: Councillor Arland LaForme – would like to see a more professional document.

AGENDA ITEM NO. 14 – OTHER/NEW BUSINESS

There was no Other/New Business.

PUBLIC WORKS

PW Director in at 11:30 am.

AGENDA ITEM NO. 15 – FIRST NATION INFRASTRUCTURE INVESTMENT PLAN

Councillor questioned why the Waterline was not included. PW Director answered that there are only four houses on Tuscarora Road, one house on Cayuga Road and five houses on 2nd Line (Road 136). PW Director went to OMT last year and this year for projects and received one response from the Education Department for the LSK Expansion. Councillor pointed out that Council committed to completing the Waterline.

It was agreed that the Waterline would be added to the Plan. This will include Tuscarora Road - \$2 Million, Cayuga Road - \$2 Million, and 2nd Line (Road 136) \$2 Million for construction. Councillor requested that all three be designed the first year. PW Director will talk to Kevin Martin and get figures for the Waterline; however, Public Works was instructed to use 6% of \$6 Million for design.

The proposal project was prioritized as follows:

- 1 - Bridge 13, Mississauga Road No. 126
- 2 - Completing of the waterline for Tuscarora Road, Cayuga Road & 2nd Line road 136
- 3 - LSK Expansion
- 4 - Water/Wastewater for Eagle Lane Estates

Executive Director wanted to inform Council that Kevin Martin, First Nations Engineering sent an email stating that he would waive the fees for providing estimated costs for Eagle Lane Estates water/wastewater which was \$900.00.

MOTION NO. 9

MOVED BY CLYNTEN KING

SECONDED BY SHARON BONHAM

That the MNCFN Infrastructure & Development Council approves the 2015-2016 First Nation Infrastructure Investment Plan (FNUP) as presented by the Public Works Department with noted amendments.

Carried

2nd Reading Waived

LUNCH BREAK 12:15 TO 1:15 PM

PW Director back in at 1:20 pm.

AGENDA ITEM NO. 16a) – AGREEMENT FOR CURBSIDE RECYCLABLES & REFUSE

PW Director went through the agreement and highlighted certain areas.

Regarding Page 7 under **B.3 – Manner of Collection**: PW Director further informed that containers are already on site. People can request more containers if needed. More people will now be using this method of garbage pick-up.

Regarding **B.3 b – Interruption of Service**: Brian Finnigan (Legal Counsel) wrote this and included all parties.

Regarding **B.3.c – Contamination and Improper Set Out**: Councillor questioned what would happen if the garbage was not taken. PW Director replied that is it the responsibility of the homeowner. PW Director will prepare a letter to the Community from the Public Works Department if necessary.

See Page 9 **B.6** – PW Director will make an updated list.

PW Director stated the need to promote recycling as this would lower the number of bags of garbage.

See Page 9 **C.3 – Collection Procedures**: PW Director informed that she would notify new homeowners and EmTerra.

See Page 9 – **C.4 – Set Out Procedures (below)**:

Serviced Units shall place Refuse into Refuse Containers and place a maximum of four (4) bags/items at curbside for collection (provided that such maximum limit shall not apply to Band Facilities). Amount of refuse will be restricted to no more than 40 carts in total to accommodate refuse generated at Band Facilities. Overflow material shall be placed adjacent to the Refuse Container(s) in plastic garbage bags or other easily handled container. The Contractor shall collect all Refuse that is set out in this manner and placed within two (2) metres of the curbside. Curbside refers to that portion of right-of-way adjacent to paved or traveled roadways (including alleys). Refuse shall be set out in a manner that will not interfere with or endanger the movement of vehicles or pedestrians. When construction work is being performed in the right-of-way, Refuse shall be placed as close as practicable to an access point for the collection vehicle. Contractor may decline to collect any refuse not set out in accordance with this Section.

The collection point shall provide a safe and efficient accessibility to Contractor's collection crew and vehicle. In the event an appropriate location and schedule cannot be agreed upon, First Nation shall mediate the dispute and designate the location and schedule for pick-up.

See Page 11 – **C.5: Location of Disposal Facility**: Dave Pressey was told that Norfolk has nothing to do with New Credit. There is a meeting scheduled for Friday, October 9th at 10:00 am to discuss the 200 tonnes of tipping fees. PW Director will clarify to Dave Pressey that they (Haldimand) have to pay for the 200 tonnes.

LANDS, MEMBERSHIP & RESEARCH

AGENDA ITEM NO. 17 – DONATION REQUEST

Executive Director noted that these dollars are in the LMR Budget, but because of the amount requested it has to come to Council for approval.

MOTION NO. 11

MOVED BY CLYNTEN KING

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council approves the donation request from the Lloyd S. King Elementary School in the amount of \$3000.00 for the “Annual Toy Bingo” to be held on November 21, 2015 at the Six Nations Bingo Hall. The funds to be paid from the Donation Policy Fund.

Carried

2nd Reading Waived

AGENDA ITEM NO. 18 – MEMBERSHIP TRANSFER POLICY (COMMUNICATIONS DIRECTOR & LMR DIRECTOR)

Councillor suggested setting a date aside to discuss the Membership Transfer Policy. Another Councillor advised that Community input is needed.

The MRP, Residency By-Law and Membership Transfer Policy will be taken off the Chief & Council Strategy Meeting of October 19, 2015. This item will be discussed more thoroughly at a later date.

AGENDA ITEM NO. 19a) – ATR – FURTHER LETTER FROM AANDC DATED MONDAY, OCTOBER 5, 2015 (SEE EMAIL)

Executive Director explained that copy of this letter from Sean Thompson (AANDC) to Brian Finnigan (Legal Counsel) has been forwarded to her from Mr. Finnigan. This is the latest reply from AANDC. AANDC has given Six Nations another extension of October 16, 2015 for a response to the ATR process.

Executive Director questioned why New Credit would need to meet with Six Nations, as this is between Six Nations and AANDC, not New Credit. She will keep Council updated on any changes. Everything is stale dated now.

OTHER/NEW BUSINESS

AGENDA ITEM NO. 20 – THIRD QUARTER NEWSLETTER FROM PEACE HILLS TRUST

The 3rd Quarter Newsletter from Peace Hills Trust will be posted on the MNCFN Website under the Band Members Only Section, and also in the Eaglepress Newsletter.

MOTION NO. 12

MOVED BY ARLAND LAFORME

SECONDED BY LARRY SAULT

That the MNCFN Infrastructure & Development Council gives approval that the 3rd Quarter Newsletter of the Mississaugas of the New Credit First Nation Toronto Purchase Trust as prepared by Peace Hills Trust will be placed on the MNCFN Website under Band Members Only Section. And further, will be placed in the Eaglepress Newsletter.

Carried

2nd Reading Waived

AGENDA ITEM NO. 21 – CLIMATE CHANGE EVENT (COMMUNICATIONS DIRECTOR)

Communications Director informed that she has all the speakers lined up for the Conference, but one person cancelled last night. The date for this event is October 21 and 22, 2015 at the New Credit Community Centre.

Communications Director will arrange the catering for this event.

Who will be invited? For example, Provincial and Federal government people, Band Members, staff etc.

Councillor questioned if the other Mississauga Nations were invited.

It was agreed that the Communications Director would promote this conference and stay within the budget. She would also like to open a Facebook and Twitter account.

Councillor informed that Andrea Carmen works at the United Nations on behalf of AFN. Chief Bryan LaForme could be accredited through the AFN to go to the Paris Conference.

DIRECTION NO. 7

That the MNCFN Infrastructure & Development Council gives direction to the Communications Director to promote (staying within the budget) the “Climate Change: An Indigenous Discussion on the Road to Paris” hosted by the Mississaugas of the New Credit First Nation to be held on October 21 – 22, 2015 at the New Credit Community Centre. Invitations will be extended to MOECC, Chiefs of Ontario, Scotiabank and AANDC. Communications Director will follow up with the Executive Director regarding staff attending both days.

AGENDA ITEM NO. 22 – REQUEST FOR APPROVAL TO ACCEPT MINISTRY OF EDUCATION (MEDU) HEALTH & SAFETY FUNDING DOLLARS – TIME SENSITIVE

Executive Director informed that this needs approval for auditing purposes.

MOTION NO. 13

MOVED BY SHARON BONHAM

SECONDED BY ARLAND LAFORME

That the MNCFN Infrastructure & Development Council accepts the MEDU Health and Safety dollars for the roofing covers to be replaced and all additional repairs set out in the specifications for the storage building and garage (at the Day Care) at a cost of \$5,012.00 (Five Thousand Twelve Dollars). And further, accepts the MEDU Health and Safety dollars for the Automatic Handicap door opener at the main entrance of the Centre in the amount of \$2,995.00. (Two Thousand Nine Hundred Ninety Five Dollars). Any remaining monies will be returned to MEDU when the work has been completed, approved, and payments have been made.

Carried

2nd Reading Waived

AGENDA ITEM NO. 23 – ATM AT THE PLAZA

DIRECTION NO. 8

That the MNCFN Infrastructure & Development Council gives direction to the Recorder to retrieve the Minutes from December, 2015, and put this item back on the Education & Social Services Council Agenda for Tuesday, October 14, 2015.

This item was not in the Minutes for September, October, November and December 2014. The only time this was discussed was at the Infrastructure & Development Council Meeting on January 5, 2015, Agenda Item No. 11 – DSED brought this to Council.

AGENDA ITEM NO. 24a) – CHIEF & COUNCIL HONORARIUM & TRAVEL POLICY CONSIDERATIONS

This item has been deferred until Chief and Council have had a chance to review the changes and further, this will come back to the next Infrastructure & Development Council Meeting on Monday, November 2, 2015.

AGENDA ITEM NO. 24b) – CHIEF'S SPEECH (LETTER FROM NATHAN TIDRIDGE)

Chief and Council did not have any input. This item will come back to the next Infrastructure & Development Council Meeting on Monday, November 2, 2015.

AGENDA ITEM NO. 24c_ LETTER FROM DAVE LEVAC REQUESTING COUNCIL'S ASSISTANCE WITH THE 2015 THANK-A-VET LUNCHEON

There was no decision made as to who would attend the Thank-A-Vet Luncheon on Saturday, November 7, 2015 at 11:30 am at Assumption College, 257 Shellard's Lane, Brantford, Ontario.

Council moved to an In-Camera session at 4:10 pm.

