

MISSISSAUGAS OF THE NEW CREDIT FIRST NATION
Executive Finance Council Meeting
PUBLIC MINUTES
Monday, August 28, 2017

Start: 9:05 am

Finish: 3:05 pm

Chief Councillor

R. Stacey Laforme

Councillor

Evan Sault

Councillor

Cathie Jamieson

Councillor

Veronica King-Jamieson

Councillor

Margaret Sault

Councillor/Chair

Erma Ferrell

Councillor

Casey Jonathan

Councillor

Stephanie LaForme

Executive Director

Cynthia Jamieson

Recording Officer

Charlotte Smith

ECC Supervisor

Patti Barber

HR Manager

Kerri King

HR Assistant

Diana Lomax

Guest

Justice Gethan Edwards

Culture & Events Coordinator

Caitlin LaForme

AGENDA ITEM NO. 1 – OPEN MEETING

Chair/Councillor Erma Ferrell opened the meeting at 9:05 am. Chief is at the University of Toronto and will be in later.

AGENDA ITEM NO. 2 – REVIEW AND ACCEPT AGENDA

MOTION NO. 1

MOVED BY MARGARET SAULT

SECONDED BY STEPHANIE LAFORME

That the MNCFN Executive Finance Council accepts the Agenda with the following additions:

- Agenda Item No. 16a) – Budget Adjustment No. 0021 from INAC (Executive Director);
- Agenda Item No. 16b) – Article in Two Row Times (EF);
- Agenda Item No. 16c) – Question regarding Strategic Plan (EF);
- Agenda Item No. 18a) – Follow-up regarding Agenda Item No. 7 – Justice Gethan Edwards.

Carried

AGENDA ITEM NO. 3 – REVIEW & ACCEPT THE (PUBLIC) MINUTES OF EXECUTIVE FINANCE COUNCIL DATED TUESDAY, JULY 24, 2017

MOTION NO. 2

MOVED BY MARGARET SAULT

SECONDED BY STEPHANIE LAFORME

That the MNCFN Executive Finance Council accepts the Public Minutes of Executive Finance Council Meeting dated Monday, August 28, 2017.

Carried

AGENDA ITEM NO. 3a) - REVIEW & ACCEPT SPECIAL COUNCIL MINUTES OF TUESDAY, AUGUST 1, 2017

MOTION NO. 3

MOVED BY MARGARET SAULT

SECONDED BY CATHIE JAMIESON

That the MNCFN Executive Finance Council accepts the Special Council Minutes of Tuesday, August 1, 2017.

Carried

AGENDA ITEM NO. 4 – MATTERS ARISING FROM COUNCIL MINUTES

There was no Matters Arising from the Minutes.

ECC Supervisor in at 9:10 am.

AGENDA ITEM NO. 5 – ECC FAMILY & STAFF MANUAL, ADMINISTRATIVE GUIDELINES UPDATES AS PER CHILD CARE EARLY YEARS ACT LICENSING REGULATIONS (ECC SUPERVISOR)

ECC Supervisor stated in her Briefing Note that the Annual Review of Policies and Procedures to reflect mandatory changes for September 1, 2017 comes to Chief and Council every year for approval.

Program Manual changes have been made to reflect the regulatory changes required with the Child Care Early Years Act for September 1, 2017.

Councillor questioned if the ECC Supervisor meets with the parents to discuss the Manual. ECC Supervisor answered that she meets with the parents after the changes have been made and approved.

Councillor questioned if parts of this Policy pertains to the MNCFN Policy, eg. holidays to be consistent with MNCFN Policy. Regarding the Resource Consultant do not list the person's name, only the position.

Page 6 – ECC Supervisor will bold the last two sentences. Councillor suggested changing “Mississaugas of the New Credit First Nation” to MNCFN.

Page 28 of the Administrative Guidelines – the only reference to the MNCFN Policy is that the Child Care Centre is a smoke free environment.

MOTION NO. 4

MOVED BY CASEY JONATHAN

SECONDED BY VERONICA KING-JAMIESON

That the MNCFN Executive Finance Council approves the Ekwaamjigenang Children's Centre Family Manual, Staff Manual and Administrative Guidelines, with noted revisions.

Carried

2nd Reading Waived

ECC Supervisor out at 9:40 am.

AGENDA ITEM NO. 6 – FINAL REPORT – MNCFN ECONOMIC DEVELOPMENT CORPORATION STRATEGY (COUNCILLOR CASEY JONATHAN)

Councillor Casey Jonathan highlighted the Final Report.

Page 13 – HR Manager (Kerri King) will not be utilized.

Page 14 – Finance Director will not be utilized either.

Councillor noted that the former Country Style space will not be used, but there will be another office set up. Councillor Jonathan informed that Doug Devlin from CN Rail has space available in Milton.

Councillor questioned if this document is going to the Community. Councillor Jonathan answered yes.

At the Monthly Gathering, only Option 3 on Page 18 will be presented.

Councillor Jonathan stated that she will note in the Final Report where the office location would be.

MOTION NO. 5

MOVED BY MARGARET SAULT

SECONDED BY STEPHANIE LAFORME

That the MNCFN Executive Finance Council accepts the Final Report of the MNCFN Economic Development Corporation Strategy dated June 29, 2017.

Carried

2nd Reading Waived

Justice Gethan Edwards in at 9:55 am

**AGENDA ITEM NO. 7 – PRESENTATION BY JUSTICE GETHIN B. EDWARDS ON
INDIGENOUS PEOPLES COURT – GLADUE REPORT COUNCILLOR VKJ**

Everyone was introduced and Justice Gethan Edwards was invited to speak. He extended an invitation to Chief and Council to an Opening Ceremony for Indigenous Peoples Court at the Cayuga Court House on October 18, 2017. Chief Laforme will give opening remarks and Elder Garry Sault will do an Ojibway Native opening. The Judge believes is very important. He also informed that he has been a Judge for 20 years.

Justice Edwards spoke of a two day Education Conference which would be an opportunity for Indigenous people. He sees a collaborative effort with all parties for meaningful justice which is

- a) to hear the offender's story;
- b) accused has to be accountable to the Community, victim etc.;
- c) create a meaningful plan for accused to move forward.

Day One of the conference would address the conference attendees i.e. Duty to Consult, talk to the Community and Protocol etc.

Day Two would be explaining the “nuts and bolts” of how the Court is run. Circles are very important as everyone involved is in the Circle. The most important initiative is the role of the victim, and Justice Edwards admitted that they are still trying to get this worked out.

The accused has to enter a guilty plea, and the Court will decide if the charges are serious or not.

What can be offered the accused is drug and alcohol rehabilitation, counseling, and other resources etc.

Justice Edwards requested a donation of \$10,000.00 and the use of New Credit Community Centre where the Education Conference can be held. He questioned how big the room is and how many it could hold. Councillor answered 240 with eight per table. Councillor questioned if he requested dollars from elsewhere. He advised that he could ask the Courts from the Chief Justice's Office.

Councillor questioned if Justice Edwards had a preliminary list of speakers for this event.

Justice Edwards suggested that the conference could be focused on the accused coming to court i.e. pre-charged diversion. The second day could start off with pre-charge or post-charge.

Deb Austin who is a Judge in Walpole Island informed that the people who have been through the Gladue Courts do not want to use academics.

Councillor informed that she would like to invite Judge Harry LaForme as a spectator. Justice Edwards suggested that Judge LaForme could be the luncheon keynote speaker.

Lisa Vanevery who is the Gladue Report Writer writes the Gladue Reports which are very good.

Councillor suggested a Planning Committee.

Justice Edwards informed that more and more Communities are interested in what the Gladue Courts are doing.

Justice Edwards was thanked for his presentation and left at 10:30 am.

A decision will be made later in the Agenda.

Council moved to Agenda Item No. 9.

AGENDA ITEM NO. 9 – FINANCIAL STATEMENTS (FINANCE DIRECTOR)

The Finance Director is on holidays so the Executive Director presented the Financial Statements as of June 30, 2017.

On Page 1 Councillor questioned the loans receivable of SN Technologies. Executive Director explained that the audit shows a write-off, but the Statements show that the loan is still owing. Councillor questioned if the DSED is pursuing a legal avenue. Executive Director answered that the company has no assets, and therefore, there is no recourse.

Councillor questioned if the \$500,000.00 has been transferred from NCVGB to the Enterprise Fund. Executive Director will check.

Councillor stated that she will email Legal Counsel and see if he transferred the dollars to 839 Co., and then she will speak to the Finance Director.

Regarding donations and gifts (page 10), Executive Director will follow up with clarification.

Page 13 – equipment rental/lease – Executive Director will get clarification.

The July 2017 Financial Statements will be done before the next Executive Finance Council Meeting on Monday, September 25, 2017.

DIRECTION NO. 1

That the MNCFN Executive Finance Council gives direction to the Executive Director to follow up with the DSED regarding an update to Council on the SN Technologies loan; and to the Finance Director to make certain that the 839 Co. loan has been zeroed out.

MOTION NO. 6

MOVED BY CASEY JONATHAN SECONDED BY VERONICA KING-JAMIESON
That the MNCFN Executive Finance Council accepts the Financial Statements as at June 30, 2017.

Carried
2nd Reading Waived

Council moved back to Agenda Item No. 8.

HR Manager and Acting HR Manager in at 10:35 am.

AGENDA ITEM NO. 8 – EMPLOYMENT POLICY REVIEW 2017 (HR MANAGER)

HR Manager introduced Diana Lomax who will be filling in for her (HR Manager) while she is on Mat Leave starting Friday, September 8, 2017.

On July 24th, OMT spent the better part of the day reviewing the proposed changes and coming to a consensus in areas. As such, the attached policy is a reflection of that work. Council spent a majority of the past Education and Social Services Council Meeting going over the policy and making recommended changes.

Council approved first reading of the Personnel Policy with the understanding that the final changes would come back to Executive Finance for second reading.

HR Manager would like to raise three additional items before second reading is approved.

1) Sick Leave (pg 32) – we have included item 12) which states “all employees on an extended sick leave (two (2) weeks in length or greater must provide a doctor’s note outlining their medical fitness to return to work and must list any accommodations required in the workplace to assist with the transition.

2) Employee Remuneration (pg 23) – a Director raised concern regarding the effective dates of Acting Pay. That is, acting pay is immediate if the position becomes vacant, but there is a requirement for an 8 day wait if the incumbent is placed on a leave. They felt that this isn’t very fair to the person who is put in the acting capacity, and that once they are in that position, the pay should be revised immediately. This is open for Council decision. I am recommending that this section remain as is, with the rationale being the policy is meant to recognize the additional workload for extended acting roles.

3) Christmas Fund (pg 33) – Eligibility has been questioned as there is no Council position on who would be deemed eligible to participate. A permanent employee recently resigned and I advised the department that their Christmas fund would have to be paid out. Finance informed the Director that the employee can participate in the Christmas fund as they are on a long term contract. When I inquired about the authority for this decision, it was realized that the decision was made by Finance and that there was no designated term for what would be a long-term contract. As such, I’d recommend that effective September 1st, eligibility for participation in the Christmas Fund be restricted to permanent employees. The current contract staff that are contributing at this time will be grandfathered in until the new sign up period, which is designated as November.

It is recommended that the second reading be approved, with the effective dates recognized below.

HR Manager stated that the Christmas Fund will only be for permanent staff.

On Page 6 Councillor suggested “Guiding Principles” instead of the 7 Grandfather Teachings.

On Page 14 – second bullet – change “Administration” to “First Nation”.

Page 51 – change “Manager” to “Unit”.

Page 64 – Employees have to meet WSIB requirements.

Sick leave has been changed to 7.5 from 9.3.

Page 41 – Teachers get increases with further training. LSK has its own grid.

Councillor stated that MNCFN may not be able to maintain the LSK grid regarding further training. A cap should be put on salaries.

MOTION NO. 7

MOVED BY STEPHANIE LAFORME

SECONDED BY MARGARET SAULT

That the MNCFN Executive Finance Council approves 2nd Reading of the MNCFN Personnel Policy as presented with an effective date of September 1st, 2017. It is further recognized that the change to the monthly sick time accumulation will become effective as of April 1st, 2018.

Carried

2nd Reading Waived

NOTE: Once all changes and corrections have been made HR Manager will give a copy to all staff, Chief and Council.

HR Manager and Acting HR Manager out at 11:45 am.

LUNCH BREAK 11:45 AM TO 12:45 PM.

Council moved to Agenda Item No. 10.

AGENDA ITEM NO. 10 – REQUEST FOR A PROPOSAL WRITER (COUNCILLOR EF)

Councillor Erma Ferrell stated in her Briefing Note that the financial situation for the Mississaugas of the New Credit First Nation has been reviewed over the past fiscal year, and again this current fiscal year. The financial review conducted was to determine where additional funding is required to sustain current and new positions.

During a recent workshop on design for the MNCFN Strategic Plan, a working group provided a time line for a Proposal Writer, and one Assistant.

Recently Chief & Council approved new positions, and granted part time positions to be increased to permanent full time. It is imperative to obtain new funding to sustain and support current and new positions to provide programs and services to the Band Membership.

Approval is required from Chief & Council to obtain funding within our current sources to hire a Proposal Writer, and an Assistant. (determine length of employment - 2 years, or a 5-year contract).

Suggestion: - After the contract is completed the Proposal Writer has the option of renewing his/her contract on the condition the Proposal Writer applies for, and receives another funding source other than MNCFN's current funds to sustain his/her position. Since there is no funding pot, another Councillor suggested that he/her could work on commission.

The HR Manager can create a Job Description for one Proposal Writer, and one Proposal Writer Assistant.

It was agreed that an Adhoc Committee consisting of Councillors Veronica King-Jamieson, Erma Ferrell, Margaret Sault and the HR Manager as tech support would be set up.

MOTION NO. 8

MOVED BY CATHIE JAMIESON

SECONDED BY STEPHANIE LAFORME

That the MNCFN Executive Finance Council approves the recommendation to begin procedures for a Proposal Writer and a Proposal Writer Assistant by forming an Adhoc Committee consisting of Councillors Erma Ferrell, Veronica King-Jamieson and Margaret Sault, and as technical support, the HR Manager. This Committee will bring details/options back to Council for approval.

Carried

2nd Reading Waived

Culture & Events Coordinator in at 1:05 pm.

AGENDA ITEM NO. 11 – ROYAL BOTANICAL GARDENS – INDIGENOUS PEOPLE & PLANTS TRAIL SIGNAGE (CULTURE & EVENTS COORDINATOR)

MOTION NO. 9

MOVED BY MARGARET SAULT

SECONDED BY VERONICA KING-JAMIESON

That the MNCFN Executive Finance Council approves the signage content, the map of the territory and usage of the MNCFN logo for the Royal Botanical Gardens interpretive sign for the Indigenous People and Plants Trail.

Carried

2nd Reading Waived

AGENDA ITEM NO. 12 – MONTHLY GATHERING AGENDAS – SEPTEMBER 23RD AND OCTOBER 28, 2017 (CULTURE & EVENTS COORDINATOR)

MOTION NO. 10

MOVED BY R. STACEY LAFORME

SECONDED BY CASEY JONATHAN

That the MNCFN Executive Finance Council approves the September 23rd and October 28th 2017 Monthly Gathering Agendas with the following revision on the September 23rd Agenda:

- The DSED will also discuss the MNCFN Business Development Corporation.

Carried

2nd Reading Waived

It is noted that Chief R. Stacey Laforme will give a brief update at the September 23rd Monthly Gathering regarding the Hydro One Shares.

AGENDA ITEM NO. 13 – UPDATE ON MISSISSAUGA NATION ITEMS (CULTURE & EVENTS COORDINATOR)

In her Briefing Note the Culture & Events Coordinator is providing an update on the Mississauga Nationhood/Coordinators Working Group.

The Culture & Events Coordinator agreed to take on the Mississauga Nation Coordinator position for MNCFN on May 16, 2017.

The next Mississauga Nation Meeting will be held on Friday, September 15, 2017 at Curve Lake First Nation. The Curve Lake Pow Wow begins Saturday, September 16 – 17, 2017. A flag unveiling of the Mississauga Nation Logo will be held during the Pow Wow on Saturday.

Please advise the Culture & Events Coordinator if Chief and/or Council will be attending the Pow Wow. Chief, Councillors Stephanie LaForme, Margaret Sault, Veronica King-Jamieson and Casey Jonathan will be attending the Mississauga Nationhood Meeting on September 14 – 5, 2017. The DSED should be attending as well. Quota Cigarettes and Hydro One Shares will be on the Agenda.

Chief would like a report on the Cigarette Quota and Hydro One Shares. Executive Director has emailed Legal Counsel Alex Monem and Colin Salter in this regard.

Chief reiterated that MNCFN committed \$20,000.00 to the Mississauga Nation, but MNCFN may be able to be reimbursed.

MOTION NO. 11

MOVED BY VERONICA KING-JAMIESON SECONDED BY CASEY JONATHAN
That the MNCFN Executive Finance Council accepts the Update/Report on the Mississauga Nation as information, and appoints the Chief (R. Stacey Laforme) to attend the Mississauga Nation Meeting on Friday, September 15, 2017 at the Curve Lake First Nation.

Carried
2nd Reading Waived

DIRECTION NO. 2

That the MNCFN Executive Finance Council directs the Chief to follow up with Legal Counsel Alex Monem and Colin Salter to meet with Chief and Council before the October 28rd Monthly Gathering regarding the Hydro One Shares.

Culture & Events Coordinator out at 1:35 pm.

AGENDA ITEM NO. 14 – ELECTORAL OFFICER APPOINTMENT (EXECUTIVE DIRECTOR)
(BCR TO BE SIGNED IF APPROVED)

An Electoral Officer is required for the upcoming election on Saturday, December 16, 2017. The closing for this appointment was August 18, 2017 and only one person applied.

The basic/mandatory requirements for the appointment are:

Training on conducting an election pursuant to the Indian Act & Indian Band Election Regulations electoral process
Knowledge and/or experience in preparation of the Electoral Officer's Report
Min of Grade 12 education or equivalent
Demonstrate good communication skills (written & verbal)
Willingness to work with the public

Council will review the application and decide on appointment. A BCR appointing Electoral Officer and setting date for nominations and elections will be approved by Council.

In the past New Credit did a contract of \$5,000.00 plus postage and other costs. If Vaughn Johnston is appointed, Executive Director will do a Purchase of Service Contract subject to receipts of actuals eg. postage.

The BCR has been signed by Chief and Council.

MOTION NO. 12

MOVED BY R. STACEY LAFORME

SECONDED BY MARGARET SAULT

That the MNCFN Executive Finance Council hereby appoints Vaughn Johnston as the Electoral Officer for the 2017 Mississaugas of the New Credit First Nation elections, which will be held on Saturday, December 16, 2017 and the Nominations will be held on Saturday November 4, 2017; and further authorizes the Lands/Membership/Research Department to request the Voter's List from INAC on behalf of the Electoral Officer and to provide the last known addresses of Off-Reserve Band Members to the Electoral Officer, with noted revisions.

Carried

2nd Reading Waived

See BCR No. 208 – 2017-2018.

AGENDA ITEM NO. 15 – ELECTORAL LIST REGARDING JURY ROLLS (EXECUTIVE DIRECTOR)

Executive Director will revise the letter to Nicole Burnett, Manager of Court Operations declining her request for a copy of the Band List of Members 18 years of age or older who live On-Reserve, however, Chief and Council would like to hear a presentation from Ms. Burnett to explain the Jury System and the role of First Nations people in the Justice System. Letter will be signed by the Chief.

AGENDA ITEM NO. 16a) – INAC NOTICE OF BUDGET ADJUSTMENT #21

MOTION NO. 13

MOVED BY CASEY JONATHAN

SECONDED BY R. STACEY LAFORME

That the MNCFN Executive Finance Council accepts Indigenous & Northern Affairs Canada budget amendment #21 in the amount \$34,280.00 (Thirty Four Thousand Two Hundred Eighty Dollars) Fixed funding for the 2017/18 fiscal which is allocated to the Public Works Department as follows:

- | | |
|--|----------|
| • Infrastructure & Capacity Water O & M | \$1,420 |
| • Infrastructure & Capacity Wastewater O & M | \$32,860 |

Further the Public Works Department shall follow up with the Director of Finance to determine profit centre allocations.

Carried
2nd Reading Waived

Chief and Council have signed the Amendment No. 0021 from INAC.

AGENDA ITEM NO. 16b) – QUESTION ON TWO ROW TIMES ARTICLE (EF)

There was an article in the Two Row Times (Bill Montour and the Nanfan Deed) which Councillor thought may need the correct history of the Traditional Lands of the Mississaugas. Chief advised that there is enough information provided everywhere and Chief and Council do not have to respond to the article.

Councillor suggested reaching out to our contacts and get the right history out there through a series of talks. The Traditional Knowledge & Land Use Coordinator (Darin Wybenga) could do a series on MNCFN history.

Chief suggested adding this item to a TARC Committee Agenda, and it can come back to Council at a later date.

AGENDA ITEM NO. 16c) – QUESTION ON STRATEGIC PLAN (EF)

Councillor informed that someone outside the MNCFN Community has accessed the Strategic Plan on the MNCFN Website. This was to be put on the Website under the Band Members Only section.

While on the subject of the Strategic Plan, Councillor stated that each pillar should have an action plan.

Chief stated that one more meeting with John Howe is required. John will do the final report and incorporate it into Draft 11 and will bring it to Chief and Council for approval. Mr. Howe will also need a copy of the Comprehensive Community Plan.

It was agreed that John Howe would present at the next Regular Council Meeting on Monday, September 18, 2017 at 11:00 am.

DIRECTION NO. 3

That the MNCFN Executive Finance Council directs the Executive Director to follow up with the Communications Department to ensure that the Strategic Plan is put on the MNCFN Website under the section Band Members Only.

MOTION NO. 14

MOVED BY MARGARET SAULT

SECONDED BY CATHIE JAMIESON

That the MNCFN Executive Finance Council moved In-Camera at 2:38 pm.

Carried