

**MISSISSAUGAS OF THE NEW CREDIT FIRST NATION  
INFRASTRUCTURE & DEVELOPMENT COUNCIL MINUTES  
February 3, 2014**

**Start 9:00 am**

**Finish 4:37 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**

**Executive Assistant**

**Deb Aaron**

**Recorder**

**Charlotte Smith**

**SED Assistant**

**Aimee Sault**

**LMR Director**

**Margaret Sault**

**Housing Program Supervisor**

**Lorraine LaForme**

**Geomatics Environmental Technician**

**Carolyn King**

**Guests**

**Frank Hochsteaboch, M. Favell, & Dan Green**

**Cathy Giesbrecht & Leslie Currie from MTO**

**AGENDA ITEM NO. 1 – OPEN MEETING**

Councilor/Chair Larry Sault opened the meeting at 9:00 am. All In-Camera items will be dealt with together.

**AGENDA ITEM NO. 2 – REVIEW AND ACCEPT AGENDA**

**MOTION NO. 1**

MOVED BY BRYAN LAFORME

SECONDED BY ARLAND LAFORME

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

- Agenda item No. 12c) – CAS;
- Agenda Item No. 12d) – Reilly Security;
- Agenda Item No. 21b) – Follow up to Protocol Agreement – Host First Nation;
- Agenda Item No. 23a) – Another issue of EF;
- Agenda Item No. 23b) – Issue of AL;
- Agenda Item No. 24a) – Youth request – EF;
- Agenda Item No. 25a) – Finalizing Details for New Numbered Company – Wednesday’s meeting at Best Western, Brantford;
- Agenda Item No. 25b) – Treaty Meeting (LS);
- Agenda Item No. 25c) – Community Centre Meeting on February 10, 2014;
- Agenda Item No. 25d) – Peace Garden Project
- Agenda Item No. 25e) - Organizational Review
- Agenda Item No. 28a) – Service Agreement with Wendy Johnson & MNCFN
- Agenda Item No. 28b) – Reilly Security.

Carried

**AGENDA ITEM NO. 3 – REVIEW & ACCEPT INFRASTRUCTURE & DEVELOPMENT  
COUNCIL MINUTES FROM JANUARY 6, 2014**

**MOTION NO. 2**

MOVED BY R. STACEY LAFORME

SECONDED BY SHARON BONHAM

That the MNCFN Infrastructure & Development Council accepts the Minutes of Infrastructure & Development Council dated Monday, January 6, 2014.

Carried

**AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES**

There were no matters arising from the Minutes.

## LANDS, MEMBERSHIP & RESOURCES

LMR Director in at 9:15 am.

### **AGENDA ITEM NO. 5 – NEW RELATIONSHIP FUND ENHANCED – SINGLE APPLICATION FOR 2014-2015 (BCR TO BE SIGNED)**

LMR Director stated that these dollars are for Fawn Sault's position. Carolyn King and Fawn Saults' positions both end on March 31, 2014.

There is over \$300,000.00 in Casino Rama from the Archaeological Monitoring Program.

The BCR was passed around for Chief and Council's signatures.

#### **MOTION NO. 3**

MOVED BY R. STACEY LAFORME

SECONDED BY ERMA FERRELL

That the MNCFN Infrastructure & Development Council approves the New Relationship Fund Enhanced Application, to the Ministry of Aboriginal Affairs for the period April 1, 2014 to March 31, 2015, in the amount of \$50,000.00 (Fifty Thousand Dollars).

Carried

2<sup>nd</sup> Reading Waived

See BCR – No. 84 – 2013/2014

### **AGENDA ITEM NO. 6 – COMMUNICATIONS PROTOCOL – DON RICHARDSON TO BE DESIGNATED AS THE CONTACT PERSON TO SPEAK WITH PROPONENTS**

LMR Director explained that the reason she was requesting that Don Richardson be the contact person for New Credit is because her staff does not have the expertise required for this area. She is suggesting that proponents would contact Don who would give the information to the LMR Department and the LMR Department would bring any items to Chief and Council.

Councillor stated that it has been four years since Carolyn King was hired to do this job and this recommendation is coming to Council. This is clearly a lack of project management. It would appear that New Credit is not in control, and there seems to be much confusion. He suggested that Carolyn King, Margaret Sault and Chief and Council meet together to discuss this whole area of consultation. Another Councillor stated that an outside person is coming in and doing Carolyn's work. LMR Director informed that Shared Value Solutions was hired because there is too much work and not enough time.

It was agreed by Chief and Council that Carolyn King would be the contact person for consultation and accommodations with proponents.

Once the Organizational Review has been completed there will be further discussion and in all likelihood some changes to various departments, including Consultation & Accommodation.

**MOTION NO. 4**

MOVED BY R. STACEY LAFORME

SECONDED BY CLYNTEN KING

That the MNCFN Infrastructure & Development Council agrees that the Geomatics Environmental Technician (Carolyn King) be designated as the contact person on behalf of MNCFN in regards to consultation and accommodation with proponents, and that she will distribute the information to the Consultation Committee, Consultation Unit and Council on a regular basis. This will ensure that MNCFN's leverage is protected in negotiations with proponents until such time as a formal review is approved.

Carried  
2<sup>nd</sup> Reading Waived

Opposed: Councillors Erma Ferrell and Cecil Sault

**AGENDA ITEM NO. 7 – CALDWELL REQUEST & TORONTO PURCHASE TRUST & HST (CJ)**

Councillor informed that he attended a tax meeting at Six Nations and there was some discussion regarding Gowlings lawyers. Gowlings has lost every case dealing with the tax issue for First Nations. Gowlings received \$14 Million dollars from the government to assist Natives in this regard.

Councillor Larry Sault will bring a report regarding the tax issue to the next Executive Finance Council meeting on Monday, February 24, 2014.

It was agreed the Chief would contact Chief Hillier and inform her of Council's decision.

**MOTION NO. 5**

MOVED BY CLYNTEN KING

SECONDED BY ARLAND LAFORME

The MNCFN Infrastructure and Development Council direct:

Chief Bryan LaForme to contact Chief Hillier to inform her that based on legal advice it is not feasible to partner with Caldwell First Nation in obtaining a CRA (Canada Revenue Agency ruling given the differing situations. Chief LaForme will send a letter to Chief Hillier informing her of MNCFN's decision.

Carried  
2<sup>nd</sup> Reading Waived

See attached letter.

**AGENDA ITEM NO. 8 – OTHER/NEW BUSINESS**

There was no Other/New Business.

## **AGENDA ITEM NO. 9 – GUESTS FROM MTO TO GIVE PRESENTATION ON HIGHWAY NO. 6 & FIRST LINE IMPROVEMENTS**

Guests were introduced, and Kathy Giesbrecht went over the Agenda. Frank Hotchstenboch is with Planning & Design at MTO (Ministry of Transportation Ontario).

Dan Green, who is also with MTO is suggesting an alternative for the intersection. The preferred plan is traffic signals. Left turning lanes would have to be built coming and going. There are rear-end collisions at this intersection. With regard to the direction coming from the Reserve, a left, straight through and right turning lanes will have to be built. There is a new Act now that requires pedestrian signals. Property will need to be purchased from three owners and this will take some time. The entry into the Commercial Plaza is very dangerous. Regarding changes to the Plaza it would need a left in lane and a right in lane, and also MTO would need a right in lane only. The entrance to the Plaza will need to be further away from the intersection.

Councillor stated that these improvements are not a priority with the province and Dan Green from MTO agreed. Councillor suggested that Council does not have the right people here today from MTO to discuss these improvements. He also suggested moving these issues through the politicians.

Councillor informed that the Ministry has stated that the “Road to Nowhere” would take a long, long time, and Mr. Green answered that that was a strong statement to say. Councillor answered that she wrote the statement in her notes when the MTO were at a meeting earlier at the Community Centre. Mr. Green said MTO is not prepared to discuss this item.

Kathy Giesbrecht questioned who would be the contact at New Credit and Councillor answered that New Credit would contact them. She advised that she is the contact person for MTO.

Mr. Green informed that the traffic signals are already in the planning stages. He went on to say that arrow lights have not yet been adopted by Ontario. Ms. Giesbrecht advised that MTO is still going through the design purposes and there are no timelines because this issue is not on the table at MTO. She estimated that the total cost could be anywhere from 1 to 1.5 Million dollars.

Chief questioned that if New Credit was in a position to cost share would this be prioritized higher. The answer was a definite yes. Property Acquisition takes anywhere from 12 to 18 months.

Guests were thanked and left at 10:40 am.

It was agreed that Council would do follow-up with the Minister of Aboriginal Affairs. Chief advised that if New Credit wants to contact the Minister we have to be clear on what we are going to discuss.

With regard to the Industrial Park direction has been given to the LMR Director to bring forward planned uses for same.

**DIRECTION NO. 1**

That the MNCFN Infrastructure & Development Council gives direction to the LMR Director to bring forward planned uses for the Industrial Park.

**MOTION NO. 6**

MOVED BY ARLAND LAFORME

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council acknowledges the presentation from representatives of Ministry of Transportation and that it is information only at this time.

Carried

LMR Director out at 10:40 am.

## ECONOMIC DEVELOPMENT

SED Assistant in a 10:40 am.

### **AGENDA ITEM NO. 10 – DISCOVERY GUIDE – BRANTFORD TOURISM**

Direction has been given to the SED Assistant to investigate the value added side for New Credit as Councillor has advised that New Credit can develop its own guide.

#### **DIRECTION NO. 2**

That the MNCFN Infrastructure & Development Council gives direction to the SED Assistant to review the Discovery Guide to look at the value added side for New Credit.

#### **MOTION NO. 7**

MOVED BY CLYNTEN KING

SECONDED BY R. STACEY LAFORME

The MNCFN Infrastructure & Development Council approves the Sustainable Economic Development Department to pay up to \$2,500.00 (Two Thousand Five Hundred Dollars) in distribution costs to The Corporation of Brant County for the Discovery Guide. Dollars to come from Casino Rama.

Carried

2<sup>nd</sup> Reading Waived

Opposed: Councillor Erma Ferrell – MNCFN can do its own guide.

Guest – Peter Smith in 11:05 am.

### **AGENDA ITEM NO. 11 – GUEST – PETER SMITH – WILLOW PARK FEASIBILITY STUDY**

Mr. Smith presented a hand out and everyone followed along. He completed the report in early December 2013. He advised the best thing to do was create a Profit Centre. Councillor questioned if the store, restaurant etc. needs to be demolished and rebuilt. Mr. Smith stated that these buildings do not have a professional appearance. Councillor questioned where the numbers came from and Mr. Smith answered that he did a web search and he believes New Credit will have to spend some money.

Councillor pointed out that the demographics is missing in the report. Perhaps the LMR Department would have this information. She also noted that the cost for repairs is not listed.

With regard to a car wash New Credit has an agreement with Haldimand County regarding water and a car wash would use too much.

Mr. Smith advised that there is a Business Plan still to come back to Council for approval. However, Executive Director pointed out that the furtherance of the Business Plan will be discussed with Chief and Council.

Peter Smith out at 11:30 am.

**MOTION NO. 8**

MOVED BY CLYNTEN KING

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council acknowledges the Asset Use Study as prepared/presented by Peter Smith of Commerce Assessment Group.

Carried

2<sup>nd</sup> Reading Waived

**AGENDA ITEM NO. 12a) – HARMONY HOMES PROPOSAL**

Councillor stated that Mr. Shoemaker appears to be very aggressive. It sounds like this investment is too good to be true.

Executive Director gave some background as to why this item is here. The former DSED was outside his authority to have Harmony Homes come and do a presentation to Council. There is already a Council Motion to deny this kind of proposal.

Councillor advised that Mr. Shoemaker understands dollars and real estate, but he has no money.

It was agreed that the Chief would prepare a letter to Mr. Shoemaker declining the Harmony Homes Proposal.

**MOTION NO. 9**

MOVED BY ERMA FERRELL

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council approves a letter to be written to Harvey Shoemaker of Harmony Homes. The letter will be written by the Chief declining the Harmony Homes Proposal.

Carried

2<sup>nd</sup> Reading Waived

Opposed: Councillor R. Stacey LaForme

See attached email.

**AGENDA ITEM NO. 12b) – CMU GAMING – CHIEF AND COUNCIL TO BRING BACK THEIR COMMENTS**

There was an Agreement between CMU Gaming, Global Gaming & Hospitality Gaming and MNCFN. Council had a copy of this before today's meeting and were to peruse same and bring their comments back to Council. It was noted that input from the Council table is still ongoing. There is a timeframe of 45 days to exit this Agreement, however, Councillor believes this Agreement would be beneficial to New Credit. CMU Gaming wants 7% of all gaming dollars.

Councillor advised that the Duty to Consult needs to be worked into the Agreement, and that CMU Gaming needs to be aware of New Credit's Traditional Territory. He would feel more comfortable if this was spelled out in the Agreement as opposed to "general". Also add an "unsuccess fee" if CMU Gaming fails to get the bid.



Councillor reiterated that New Credit is paying \$90,000.00 to the consultant (CMU Gaming), but what is the equity they are investing? Councillor answered that the added value is clear and that 7% is very good from a business perspective. It was pointed out that no one has entered into any agreement yet. It was suggested that New Credit could be a proponent or investor.

Councillor questioned if this item could be put under 8392692 CANADA INC.

It was agreed that this item would be put on hold until the Chief can call Cameron Uhren for a telephone conference. Chief reiterated that New Credit has been put under a tight timeline.

SED Assistant out at 12:20 pm.

**AGENDA ITEM NO. 12c) – CAS LOOKING FOR OFFICE SPACE FOR NATIVE SERVICES BRANCH**

This is the second time that the Native Services Branch in Ohsweken has requested office space from New Credit. There are no timelines for Native Services Branch to exit from Six Nations. Councillor suggested that New Credit could make an agreement with the Native Services Branch whereby they would pay for the improvements of the Green Willow Diner.

Five Councillors are in agreement to decline and two (Councillor Erma Ferrell – stated that this could create revenue and jobs, and Councillor Arland LaForme – possible revenue generator) would like to see this move ahead. It was agreed that MNCFN would decline the request.

**DIRECTION NO. 3**

That the MNCFN Infrastructure & Development Council directs the Executive Director to contact Pat Banning and inform him that Council is in the process of reviewing a Proposed Usage Report for Green Willow property in which many internal entities/initiatives have already identified a need for space, and for this reason Council is unable to accommodate his request for space.

**Lunch Break 12:35 to 1:15 pm.**

Council moved to an In-Camera session.

**MOTION NO. 25**

MOVED BY R. STACEY LAFORME

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council moves out of the In-Camera session at 3:40 pm.

Carried

Council moved to Agenda Item No. 24.

**AGENDA ITEM NO. 24 – YOUTH COUNCIL - (COUNCILLOR R. STACEY LAFORME TO BRING BACK SOME INFORMATION)**

With regard to the Youth Council and the Youth Coordinator who was hired Councillors R. Stacey LaForme and Kerri King met with the Youth and the Youth Coordinator. The Youth Council did not succeed.

Councillor advised that he met with the former Youth Coordinator. He advised her to have sessions such as self-esteem issues with Youth Council. He stated that it appeared that the Youth Coordinator had a lot of political and family interference.

It was noted that Chief and Council wanted Youth Council to make their own decisions.

It was agreed that this would be further discussed after the Organizational Review has been completed as this item is being addressed in the Review.

**AGENDA ITEM NO. 25a) – FINALIZING THE DETAILS OF 8392692 CANADA INC. – MEETING ON WEDNESDAY, FEBRUARY 5, 2014 AT THE BEST WESTERN IN BRANTFORD**

Meeting to commence at 8:30 am at the Best Western in Brantford, On. Thirteen people will be present. Items to be discussed are CMU Gaming and Service Agreement with Wendy Johnson. SED Assistant does not have to attend. Everything will be paid through the Chief's credit card.

**AGENDA ITEM NO. 25b) – TREATY MEETING**

Councillor Larry Sault will be attending the Treaty Meeting in Toronto on Friday, February 7, 2014 as the Chief will be on vacation.

**AGENDA ITEM NO. 25c) – MEETING ON FEBRUARY 10, 2014 AT THE COMMUNITY CENTRE**

Councillor Erma Ferrell will be attending this meeting and will not be present at the Education & Social Services Council meeting of same day.

**AGENDA ITEM NO. 25d) – PEACE GARDEN PROJECT – REQUEST FOR DOLLARS**

**MOTION NO. 26**

MOVED BY R. STACEY LAFORME

SECONDED BY CLYNTEN KING

That the MNCFN Infrastructure & Development Council approves funding up to \$2,000.00 (Two Thousand Dollars) from the Casino Rama Account, and which will come through the Consultation and Accommodation Department for 12 people to attend the Peace Garden Project Gathering.

Carried

2<sup>nd</sup> Reading Waived

**DIRECTION NO. 4**

That the MNCFN Infrastructure & Development Council gives direction to Councillor Erma Ferrell to bring back a budget with regard to the Peace Garden Project Gathering.

**AGENDA ITEM NO. 25e) – ORGANIZATIONAL REVIEW**

Executive Director informed that there were many errors in the Review. Stone Circle will bring this Review back once all the errors are fixed. A Special Council Meeting is required for this because it is a long process. A tentative date of Tuesday, February 18, 2014 at 9:00 am has been scheduled for this meeting. Councillor Clynten King will not be in attendance as he has a dental appointment.

**SEPARATE ISSUE**

It was noted that there is no coat rack in the coat room at the Community Centre, and there are no mats. SED Assistant and Executive Director will follow up immediately. Also, the plaque replica has not been hung on the wall. Councillor Erma Ferrell will take care of this.

**SEPARATE ITEM**

Carolyn King in at 4:27 pm.

With regard to the Nan Fan Treaty the Ministry of Natural Resources is going to recognize this Treaty for hunting and fishing. New Credit has a vested interest because this is New Credit's Traditional Lands.

**DIRECTION NO. 5**

That the MNCFN Infrastructure & Development Council gives direction to the Geomatics Environmental Technician (Carolyn King) to draft a letter for the Chief's signature regarding Nan Fan Boundary. Copies of the letter will be sent to Six Nations, HDI, Ministry of Natural Resources etc.

**AGENDA ITEM NO. 29 – ADJOURNMENT****MOTION NO. 27**

MOVED BY CECIL SAULT

SECONDED BY ERMA FERRELL

That the MNCFN Infrastructure & Development Council adjourns this meeting at 4:37 pm.

Carried

