

**MISSISSAUGAS OF THE NEW CREDIT FIRST NATION
INFRASTRUCTURE & DEVELOPMENT COUNCIL MINUTES
Monday, May 5, 2014**

Start 9:00 am

Finish 3:40 pm

Chief Councillor

Bryan LaForme

Councillor

Erma Ferrell

Councillor

Arland LaForme

Councillor

R. Stacey LaForme

Councillor/Chair

Larry Sault

Councillor

Clynten King – sick

Councillor

Cecil Sault

Councillor

Sharon Bonham

Executive Director

Cynthia Jamieson

Executive Assistant/Recorder

Deb Aaron

Recorder

Charlotte Smith-excused

A/Director SED

Aimee Sault

LRM Director

Margaret Sault

Director Public Works

Barbara Hill

LRM staff

Carolyn King, Fawn Sault

Guests

Clara MacCallum Fraser, Tim Sault

AGENDA ITEM NO. 1 – OPEN MEETING

Councillor/Chair Larry Sault opened the meeting at 9:00 am.

Carolyn King, Fawn Sault in at 9:00am.

AGENDA ITEM NO. 2 – REVIEW AND ACCEPT AGENDA

MOTION NO. 1

MOVED BY ARLAND LAFORME. SECONDED BY BRYAN LAFORME.

That the MNCFN Education & Social Services Council accepts the agenda with the noted additions:

8a) Council House Ontario Trillium Foundation (OTF) – Project Coordinator

9a) Pan Am Games – signing of Protocol Agreement

9b) Green Willow Property – renovations

25a) Sierra Construction Schedule Extension Costs – follow-up

27a) Response to letter from band member (LRM)

39a) Wampum Friendship Belt for AIAI

Item #12 will be addressed after agenda item #5.

Carried.

**AGENDA ITEM NO. 3 – REVIEW & ACCEPT INFRASTRUCTURE & DEVELOPMENT
COUNCIL MINUTES FROM MONDAY, APRIL 7, 2014**

MOTION NO. 2

MOVED BY BRYAN LAFORME. SECONDED BY CECIL SAULT.

That the MNCFN Infrastructure & Development Council accepts the Infrastructure & Development Council minutes from Monday, April 7, 2014

Carried.

AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES

FYI - Three letters attached.

Regarding RR&R Wholesale, the owner presented at an AIAI meeting. He stated that he is being charged \$5M in back taxes on cigarettes. He is delivering to the reserve and should be tax exempt. AIAI put a committee in place to look at this issue. AIAI is concerned with the bigger picture, i.e. if the government is trying to charge taxes on cigarettes, we should expect them to try and do same on other products being delivered by wholesalers to the reserve (eg pop, chips, etc).

Councillors have been approached by different New Credit businesses concerned with Bill C-10.

Chief stated that because the FN decided to withdraw from AIAI, we will have to do our own investigation.

Councillor stated that because the government prorogued last Friday, any Bills, etc that were outstanding are now off the table.

Council agreed to invite business people in to hear their concerns and discuss tax issues.

DIRECTION NO. 1

Councillor Larry Sault to invite business group (i.e. NCVGB, Toby's, Jay's Variety) in to the May 20/14 Regular Council meeting to discuss tax issues.

AGENDA ITEM NO. 5 – GUEST – TIM SAULT RE: CHAMPS LITTLE LEAGUE

It was general consensus of Council that Tim Sault should make a presentation to the Recreation Committee regarding his idea for Champs Little League. The Recreation Committee's next meeting and election (3 available seats) is scheduled for May 21, 2014.

Tim Sault left the meeting at 9:30am.

AGENDA ITEM NO. 12 – CLARA MACCALLUM FRASER (CMF) – MUNICIPAL-FIRST NATION INITIATIVE

CMF explained that the idea behind the project is the need to influence the municipal planning process. Carolyn King advised that we have been successful in influencing the provincial policy statement as it now has the word 'aboriginal' included.

CMF's contract ends May 2014. She has applied for trillium funding and has passed the first stage. CMF explained that the changes to the new contract include:

- The end product (website) is NC (New Credit) owned property versus owned by CMF
- 2 year contract vs 1 year to tie in with the Trillium funding

CMF advised that she hopes to run workshops for municipalities and FNs, and she hopes to hold a conference at the end of the 2 year period.

Councillor asked which department received the \$2000 administration fee from the first contract. This will have to be looked into.

In the past year, CMF received donations from an archeological firm and private foundation which acted as SEED funding to get the project up and running. She did a lot of meetings and travel. She was not able to meet all of the objectives due to a lack of funding.

Carolyn stated that this work is also related to the COMAP and Mitacs projects – it is another tool for FN use.

CMF is not asking for financial support from MNCFN; only support. If the council does not support the project, she cannot apply for trillium funding.

Director LRM in at 9:47am.

Carolyn King and Clara MacCallum Fraser left the meeting at 9:50am.

MOTION NO. 3

MOVED BY ERMA FERRELL. SECONDED BY CECIL SAULT.

That the MNCFN continues to support the development of a template/toolkit for Ontario Municipalities to use in the development of an Archaeological Management Planning Manual. This would include an approved Purchase of Service Agreement and two year budget and other related items through the MNCFN Consultation and Accommodation Office. It is further understood that this is subject to successful funding application(s) by Clara MacCallum Fraser, and at no cost to the MNCFN.

Carried

Opposed – Arland LaForme – failed to fulfill the original contract obligations.

2nd Reading waived

PUBLIC WORKS

AGENDA ITEM NO. 6 – PURCHASE OF EQUIPMENT – JOHN DEERE 6125M TRACTOR

Director of Public Works in at 9:55am.

MOTION NO. 4

MOVED BY R. STACEY LAFORME. SECONDED BY ERMA FERRELL.

That the MNCFN Infrastructure & Development Council approves the quote as submitted by Cubex Limited, 189 Garden Ave, Brantford, Ontario N3S 0A7 for a 30' telescoping Maverick Boom, & John Deere 125 ph @ 102PTO HP 6125M Tractor, with 4x4, cab and Air, Joystick mount kit, and Lexan glass windows (mounting included), 60" Rotary w/Ctr Hyd door, blade bar & Swivel, Now plow attachment with 10 ft blade training sessions in the amount of Two Hundred Twenty-Three Thousand Six Hundred Seventy-Nine dollars and Fifty-Three cents (\$223,679.53) & the purchase to come from the T.O. Purchase Community Development Funds.

Carried

2nd Reading Waived – Rational: Needed for the upcoming roadside maintenance

DIRECTION NO. 2

Director of Public Works to bring back recommendations regarding the disposal/sale of the old grader and boom.

AGENDA ITEM NO. 7 – PURCHASE OF EQUIPMENT – KUBOTA F3990 TRACTOR

MOTION NO. 5

MOVED BY ERMA FERRELL. SECONDED BY ARLAND LAFORME.

That the MNCFN Infrastructure & Development Council approves the quote as submitted by W.J. Heaslip Ltd, 1030 Haldimand Road 20, Hagersville, Ontario N0A 1H0 in the amount of Twenty-Eight Thousand Five Hundred Dollars (\$28,500.00) & the purchase to come from the T.O. Purchase Community Development Funds.

Carried

2nd Reading Waived – Rational: Needed for the upcoming grass cutting

Councillor asked if the new equipment fell under the MMS timelines. Director PW advised that they run the equipment until it quits pretty much. Haldimand replaces their equipment at a certain amount of kilometers but we don't have a policy in place for replacement of equipment. Our MMS is only done on buildings. She confirmed that there will be a maintenance schedule in place for the new equipment.

Councillor noted that the FN should remember to approach these businesses for financial support when needed for fundraisers, etc because the FN is spending a lot of money at their place of business.

AGENDA ITEM NO. 8 – FIRE AGREEMENT

DIRECTION NO. 3

With regard to Haldimand County's proposal for Fire Protection & Emergency Services for New Credit Indian Reserve 40A dated April 15, 2014, that the Chief raise this issue at his meeting with Ken Hewitt, Mayor on May 6/14. Concerns discussed by Council include: the wording is too vague regarding billing – the FN could be billed for any calls where the person calling in identifies as being on New Credit territory; if we sign this agreement the cost will be double that of last year.

AGENDA ITEM NO. 8A) – COUNCIL HOUSE ONTARIO TRILLIUM FOUNDATION (OTF) – PROJECT COORDINATOR

MOTION NO. 6

MOVED BY ERMA FERRELL. SECONDED BY ARLAND LAFORME.

That the MNCFN Infrastructure & Development Council agrees to engage Laura Dent, Dent Planning & Consulting, 145 Water Street, Stratford ON N5A 3C3 as project coordinator for the Council House Ontario Trillium Foundation grant approved March 6, 2014, Application ID No. 124874 for the amount specified in Schedule A of the agreement as the project coordinator (\$20,100.00); subject to Laura Dent's approval.

Carried.

Second Reading Waived – Rational: project needs to be completed within the timeframe of the agreement.

Director PW left meeting at 10:15am.

AGENDA ITEM NO. 9A) – SIGNING OF PAN AM PROTOCOL AGREEMENT

MOTION NO. 7

MOVED BY R. STACEY LAFORME. SECONDED BY CECIL SAULT.

That the Infrastructure & Development Council authorizes the Chief to sign the Protocol Agreement between the MNCFN and the Toronto Organizing Committee for the 2015 Pan American and Parapan American Games (TO2015).

Carried

Second Reading Waived

There will be two signings – one in Toronto and one at NC.

AGENDA ITEM NO. 9B) – GREEN WILLOW PROPERTY – RENOVATIONS

Chief advised that the PAGS (Pan Am Games Secretariat) will need space for staff and he is suggesting that the house could be renovated into office space. In the interim, staff will be housed in the cloak room at the community centre.

Councillor noted the following concerns/questions:

- office space would have to be handicap accessible
- was a master plan done by a consultant? If so, what did it include?
- the Recreation Committee was also hoping to have office space there

- more office space is needed for the consultation unit and housing.

Councillor agreed that more discussion is needed as office space is needed by several departments. Council agreed to add this to their Niagara Falls meeting.

LANDS, RESEARCH & MEMBERSHIP

AGENDA ITEM NO. 10 – Motion #7 from April 28/14 ExFin Council – for 2nd reading approval

MOTION NO. 8

MOVED BY R.STACEY LAFORME. SECONDED BY CECIL SAULT.

That the MNCFN Executive Finance Council approves sending the attached funding request to the Ministry of Transportation for the **GTA West Transportation Corridor and MTO Workshop**. Once full funding of \$96,242 is provided by MTO, SVS will invoice MNCFN in the amount of \$50,532 and Bill Fitzgerald will invoice MNCFN for \$5,000. The remaining funding of \$40,710 will be provided to MNCFN to cover project costs. If the funding approved by MTO differs from the amount proposed in this budget, SVS will revise and present a new budget for Chief and Council consideration.

3 – in favour

Opposed – Arland LaForme – Director LRM going on leave, dept restructure, long term plan, current financial expenses to date, culture/elder participation.

Opposed – Erma Ferrell – more clarity needed, process, lack of information, dept head should have been at this meeting today.

Opposed – Sharon Bonham – more clarity needed, would like to see workshop focus expanded.

Chair – broke tie - voted against – would like to see the workshop done on a broader scale.

Motion Defeated.

DIRECTION NO. 4

Council directed that above Motion #8 be brought back to the May 12/14 E&SS Council meeting re: GTA West Transportation Corridor & MTO Workshop.

AGENDA ITEM NO. 11 – CONSULTATION IMPLEMENTATION PLAN

MOTION NO. 9

MOVED BY ERMA FERRELL. SECONDED BY ARLAND LAFORME.

That the MNCFN Infrastructure & Development Council approves in preparation for the relocation of the Consultation and Accommodation Unit to the Industrial Building where the former Royal Flush Company was housed. Further that the required repairs and major clean-up be carried out by independent contractors. The actual relocation move will be the responsibility of the Consultation and Accommodation Unit.

Carried

2nd reading waived

NOTE: Council raised the following points with regard to the above: three quotes to be obtained to do repairs, hire someone to do the moving, ensure that fire resistance between units is up to standards.

NOTE: Dollars are coming from the approved 3 year consultation department budget.

AGENDA ITEM NO. 13 – MRP CONFERENCE

MOTION NO. 10

MOVED BY BRYAN LAFORME. SECONDED BY ERMA FERRELL.

That MNCFN approves of covering the cost of two (non-staff/non Council member) MRP Committee members to attend the National Forum on the Technical Aspects of Matrimonial Real Property in Toronto on June 17-19th, 2014. The cost of travel, meals and honoraria (\$100/day) for four (4) days to be covered out of acct #65300 Dept #100200.

Carried

2nd reading waived

AGENDA ITEM NO. 14 – EXPANSION OF CONTRACT FOR ALEX MONEM

MOTION NO. 11

MOVED BY ERMA FERRELL. SECONDED BY CECIL SAULT.

That the MNCFN Council approves the expansion/addition to the contract for Alex Monem of Pape Salter Teillet LLP for the services to work on the MNCFN's major initiatives Portolio; in regards to the Duty to Consult.

Carried

2nd reading waived.

AGENDA ITEM NO. 15 – ATR: SURVEYS

MOTION NO. 12

MOVED BY BRYAN LAFORME. SECONDED BY R. STACEY LAFORME.

That the MNCFN approves the following survey plans; Parts of Lots 27 & 28 Range West of Plank Road Geographic Township of Oneida, former County of Haldimand, Town of Haldimand Regional Municipality of Haldimand-Norfolk;

- Project : 2013-14-106
- Plan No. 6-L4072-2

And Further that the Chief sign them on behalf of Council and that they may be registered in the provincial and Federal lands sytem.

Carried.

2nd reading waived

AGENDA ITEM NO. 16A) – OTHER/NEW BUSINESS

A) Draft Monitor letter

Chief has concerns with the draft letter – the message is good but the messenger is wrong. This is something that council could use as a political tool. We don't need to get the workers involved in the political fight. The letter should simply state that this is our traditional territory and our workers have a right to be on site as monitors.

Councillor agreed that this letter is a valuable tool for council. He has been told that the working environment is good now and he would not want to do anything to upset that relationship.

Councillor stated that NC should have a representative in the field to match HDI's rep. He suggested A. Mark Laforme be appointed as a lead monitor. A lead monitor could address any issues with our monitors. Another Councillor agreed that a lead monitor would be useful and that A. Mark LaForme (AML) would be a good candidate; he advised that he talked to AML and told him to bring a proposal to council.

Director LRM advised that the monitors are on several sites; these sites are in different areas. Our department has been discussing with Golder the idea of having a point person on each site. Director also advised that the consultation unit plan includes an Archeological Coordinator to do this work.

Council agreed that further discussion is needed and agreed to add this item to their Niagara Falls meeting.

With regard to the SVS 2-day workshop, the dates of June 24 & 25 work for council. Director will coordinate dates with all parties.

DIRECTION NO. 5

Council agreed to table the draft Monitor Letter to the 2-day Council meeting in Niagara Falls (May 31-June1). Council will discuss the draft letter along with the overall monitoring process (e.g. having a lead monitor). Director LRM advised that the SVS Implementation plan for the consultation unit includes an archeological coordinator, responsible for working with the monitors. Councillor advised that the numbered company has also discussed the monitor program.

MOTION NO. 13

MOVED BY R. STACEY LAFORME. SECONDED BY ARLAND LAFORME.
That the Infrastructure & Development Council agrees to move in-camera at 11:27 a.m.
Carried.

ECONOMIC DEVELOPMENT

AGENDA ITEM NO. 17 – COMMUNITY CENTRE – YOUTH & ELDER ROOM QUOTE

MOTION NO. 16

MOVED BY R.STACEY LAFORME. SECONDED BY ERMA FERRELL.

That the MNCFN Infrastructure and Development Council approves the attached quote from Jeff's at Work to purchase 2 credenzas and small table for the Gathering of Minds Room at the Community Centre in the amount of \$1,944.00 (One thousand Nine hundred Forty-four dollars). Dollars to come from Casino Rama.

Carried.

Second Reading Waived.

AGENDA ITEM NO. 18 – COMMUNITY CENTRE – BELL CANADA

MOTION NO. 17

MOVED BY BRYAN LAFORME. SECONDED BY ARLAND LAFORME.

That the MNCFN Infrastructure and Development Council approves up to \$3,000.00 for the installation of telephone jacks, telephones and conferencing equipment for the Community Centre. Dollars to come from Casino Rama.

Carried.

Second Reading Waived.

AGENDA ITEM NO. 19 – COMMUNITY CENTRE – KITCHEN STOCK QUOTES

MOTION NO. 18

MOVED BY R. STACEY LAFORME.

That the MNCFN Infrastructure and Development Council approves the attached quote to purchase of supplies to stock the Community Centre kitchen from STOP Restaurant Supplies in the amount of \$7,960.92. Dollars to come from Casino Rama.

Motion withdrawn.

AGENDA ITEM NO. 19 – COMMUNITY CENTRE – KITCHEN STOCK QUOTES

Chief questioned how the kitchen supplies would be tracked. The A/Director SED confirmed that this is a key concern for the Public Works department because the worker would have to do inventory before and after a rental which will add to the hours worked.

Councillor stated that many halls have their own people doing the cooking to prevent supplies from disappearing. Concern with this option was that it would cut out other caterers in the community from getting work.

The A/Director SED thinks that there is enough space to store these supplies. She added that the previous council motion stipulates the deposit for rentals will be increased from \$100 to \$250 once the kitchen is stocked.

MOTION NO. 19

MOVED BY ERMA FERRELL. SECONDED BY SHARON BONHAM.

That the MNCFN Infrastructure and Development Council approves the attached quote to purchase of supplies to stock the Community Centre kitchen from Butcher and Restaurant Equipment in the amount of up to \$10,000.00 USD. Dollars to come from Casino Rama.

Carried

Second Reading Waived.

AGENDA ITEM NO. 20 – COMMUNITY CENTRE – AED UNIT

MOTION NO. 20

MOVED BY ERMA FERRELL. SECONDED BY ARLAND LAFORME.

That the MNCFN Infrastructure & Development Council approves the purchase of an AED unit (Automatic External Defibrillator) from SOS Emergency Response Technologies at a cost of \$2,295.00 (two thousand two hundred ninety-five dollars) and approves installation costs up to \$100.00; dollars to come from Casino Rama fund. Unit to be placed in the Community Centre.

Carried

2nd reading waived.

AGENDA ITEM NO. 21 – BUSINESS GRANTS PROGRAM

MOTION NO. 21

MOVED BY ERMA FERRELL. SECONDED BY R. STACEY LAFORME.

That the MNCFN Infrastructure & Development Council approves \$45,000.00 to continue with the Business Grants Program for the 2014/2015 fiscal year. Dollars to come from Casino Rama; and further that the MNCFN Infrastructure & Development Council approves the A/DSED to submit a funding application to the MNCFN Community Trust in the amount of \$45,000.00 to continue the Business Grants Program for the 2014/2015 fiscal year.

Carried

Opposed – Arland LaForme – needs to be further developed/investigated; needs more accountability to those who receive grants.

Second Reading Waived.

NOTE: For the interim and until funding is approved from the MNCFN Community Trust, the business grants program will be restricted to the \$45,000 that the MNCFN is contributing.

The A/Director SED advised that the former DSED did bring recommendations to council regarding changing the business grants policy. She would have to check to see if those changes were approved. Councillor stated that there is too much paperwork required for \$5000. Another Councillor responded that when he looked after this program, he did not require all of

the documentation all of the time – it would depend on what the individual was looking for (e.g. a piece of equipment vs a full business plan). He agrees that the business grants program should come back to the table for more discussion.

AGENDA ITEM NO. 22 – GRE PRODUCTS

Councillor stated that she had a different understanding [from that laid out in briefing note] of how GRE worked. Her information came from an employee of GRE. Her understanding was that if the FN had set it up properly in the beginning we would have been able to buy direct from GRE. Councillor stated that until she learns more, she will have to go by the information laid out in the briefing note. Another councillor stated that he had to buy from ARROW also and explained that the buying arrangements are laid out in a partnership agreement. She suggested that maybe GRE would work out a different arrangement with the FN (i.e. allow us to buy wholesale) because the store is owned by the FN versus an individual.

MOTION NO. 22

MOVED BY BRYAN LAFORME. SECONDED BY ARLAND LAFORME.

With regard to the direction from the April 7/14 council meeting “to investigate and bring back information from the NCVGB on why GRE products are not coming directly from GRE as opposed to Arrow Express, and further, the difference in the costs from Arrow Express and costs directly from GRE”, that the MNCFN Infrastructure and Development Council accepts the follow-up to Direction No. 7 from the April 7/14 I&D Council meeting as information.

Carried

Second Reading Waived

AGENDA ITEM NO. 23 – COUNTRY STYLE DIAGNOSTIC – PETER SMITH &

Councillor stated that the consultant did a good job in evaluating the business but Council didn't do a good job in terms of triggering the consultant's recommendations. Another Councillor asked if the FN will be in the same place this time next year – i.e. who was responsible to follow through on the recommendations. Executive Assistant asked if anyone was aware of what the original direction/motion stated. Councillor stated that she was speaking in general terms, with regards to any department, i.e. the feedback to Council from staff is that they didn't have time to do the work or didn't understand the direction/motion. Councillor questioned who will take responsibility if this doesn't get finished. Another Councillor stated that Council needs to take ownership; it is a serious issue that the business is losing money. Chief stated that he understands the Councillor's issue and suggested that further discussion on this matter be tabled to the May 30-31/14 meeting. Councillor added that Council did take ownership in the beginning and shared examples of how councillors helped with marketing the business.

It was agreed that Council needs to decide if they want to keep the business open and try the suggestions or just close it down. Councillor suggested that we have Mackie Research review the consultant's report for feedback.

DIRECTION NO. 8

With regard to Agenda Item #23 – country style diagnostic – Peter Smith and Agenda Item #24 – country style franchise agreement, Council agreed to table these items to the 2-day council meeting in Niagara Falls (May 31 & June 1). Councillor Larry Sault will ask Mackie Research Capital Corporation to review the country style diagnostic and provide feedback for review at the Niagara Falls meeting.

AGENDA ITEM NO. 24 – COUNTRY STYLE FRANCHISE AGREEMENT

See Agenda item #23 – Direction #8.

AGENDA ITEM NO. 25A) – SIERRA CONSTRUCTION SCHEDULE EXTENSION COSTS – FOLLOW-UP

Councillor stated that he takes offence to item #3 (“The kitchen layout was reviewed and approved back during the design...”). Councillor stated that the kitchen is not functional; why would a contractor do that. Another Councillor stated that the location of the outlets was a safety issue (cords wouldn’t reach outlet) and feels that Sierra should have fixed it at their cost.

MOTION NO. 23

MOVED BY R. STACEY LAFORME. SECONDED BY BRYAN LAFORME.

That the MNCFN Infrastructure & Development Council approves the attached schedule extension quote from Sierra Construction in the amount of \$10,160.15 (ten thousand one hundred sixty dollars and fifteen cents), as more information has been provided. Dollars to come from Casino Rama.

Carried

Opposed – Sharon Bonham – contractor should be held responsible for some of this.

Erma Ferrell - contractor should be held responsible for some of this.

Second Reading Waived.

A/Director SED left the meeting at 1:55pm.

MOTION NO. 24

MOVED BY ERMA FERRELL. SECONDED BY CECIL SAULT.

That the Infrastructure & Development Council agrees to move in-camera at 1:55pm.

Carried.

MOTION NO. 35

MOVED BY ARLAND LAFORME. SECONDED BY ERMA FERRELL

That the Infrastructure & Development Council agrees to move out of camera.

Carried.

AGENDA ITEM NO. 40 – ADJOURNMENT

MOTION NO. 36

MOVED BY ARLAND LAFORME. SECONDED BY ERMA FERRELL.

That the Infrastructure & Development Council adjourn this meeting at approximately 3:40pm.

Carried.