

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

Start 9:00 am

Finish 2:30 pm

Chief Councillor

Bryan LaForme

Councillor

Erma Ferrell (Vacation)

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

Director SED

Kevin Wassegijig

LRM Director

Margaret Sault

PW Director

Barbara Hill

LMR Director

Margaret Sault

Housing Program Supervisor

Lorraine LaForme

Guests from Kayanase

Cathy Smith and Matt Robertson

AGENDA ITEM NO. 1 – OPEN MEETING

Councillor/Chair Larry Sault opened the meeting at 9:00 am. Councillor Erma Ferrell is on vacation. Executive Director will be a bit late and the Executive Assistant is taking Executive Director's place until she (Executive Director) arrives. It is noted that the AFN elections in Manitoba starts on Tuesday, December 9 – Thursday, December 11, 2014.

AGENDA ITEM NO. 2 – REVIEW & 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. 11a) – CAS Rep;
- Agenda Item No. 17a) – Water & Wastewater Systems Training;
- Agenda Item No. 19a) – Verbal Update from DSED (Economic Development);
- Agenda Item No. 28a) – Letter from Katherine Hensel (re McMaster Children's Hospital);
- Agenda Item No. 28b) – Letter of Intent from Mohegan Sun.

Carried

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

With regard to the Separate Note on Page 5 – Chief informed that Premier Kathleen Wynne’s office will be sending interns to come and do a tour of the First Nation. Council does not need to be present.

MOTION NO. 2

MOVED BY R. STACEY LAFORME

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council accepts the Minutes from Infrastructure & Development Council dated July 7, 2014.

Carried

AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES

There were no matters arising from the Minutes.

LANDS, MEMBERSHIP & RESEARCH

LMR Director in at 9:05 am.

AGENDA ITEM NO. 5 – NOTES FROM THE JUNE 24 – 25, 2014 MEETING WITH CHIEF & COUNCIL, SHARED VALUE SOLUTIONS, CONSULTATION & OUTREACH DEPARTMENT AND LMR DEPARTMENT

LMR Director went through her notes and everyone followed along. Councillor pointed out that one of the issues is with Enbridge.

MOTION NO. 3

MOVED BY R. STACEY LAFORME

SECONDED BY BRYAN LAFORME

That the MNCFN Infrastructure & Development Council acknowledges the notes from the session held on June 24 and 25th, 2014 with Shared Value Solutions (SVS), Council, Consultation and Outreach Department, and LMR Director along with Legal Counsel.

Carried

2nd Reading Waived

MOTION NO. 4

MOVED BY R. STACEY LAFORME

SECONDED BY ARLAND LAFORME

That the MNCFN Infrastructure & Development Council approves the Letter of Agreement for Capacity for Line 11 Project Review between Enbridge and MNCFN and that the Chief signs on behalf of MNCFN.

Carried

2nd Reading Waived

(NOTE: Chief signed letter and it was sent today)

AGENDA ITEM NO. 6 – SHARED VALUE SOLUTIONS – “GTA OPPORTUNITIES SCAN” PROJECT

SVS's contract with New Credit expires on Tuesday, August 6, 2014. LMR Director would like to retain the services of SVS for one more year, but some Councillors are not in agreement.

It was noted that the Geomatics Environmental Technician and her Assistant's positions expire at the end of August 2014. LMR Director pointed out that there is still money to pay for their positions as they have a working relationship with SVS. SVS are the experts. She also stated that CK and FS will never have the expertise to run the Consultation and Outreach Department.

It was agreed that this item would be put on hold until Councillor Larry Sault and the DSED meet with Don Richardson (SVS).

AGENDA ITEM NO. 7 – RETAINER FEES FOR PAPE SALTER TEILLET – ALEX MONEM-FOR LEGAL ADVICE ON MNCFN’S MAJOR INITIATIVES PORTFOLIO

LMR Director pointed out that Alex Monem (Legal Counsel) needs to be paid until the budgeting dollars from the proponents come in.

MOTION NO. 5

MOVED BY ARLAND LAFORME

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council agrees to add \$20,000 to be applied to the contract for the Purchase of Service Agreement with Pape Salter Teillet LLP, for legal advice on MNCFN’s Major Initiatives Portfolio (legal-duty to consult and advocate duties). The funds to come from the Casino Rama Fund.

Carried

2nd Reading Waived

AGENDA ITEM NO. 8 – AMENDING BCR FOR HYDRO ONE AGREEMENT

Chief and Council were not in agreement to sign the BCR. Chief stated that AANDC should not be issuing permits to Hydro One. Hydro One should be coming to New Credit to request these.

It was agreed that the LMR Director would contact Alex Monem (Legal Counsel) to review the Hydro One Agreement before any decisions are made.

DIRECTION NO. 1

That the MNCFN Infrastructure & Development Council gives direction to the LMR Director to have Alex Monem (Legal Counsel) review the Hydro One Agreement and consider the following:

- Outstanding payments to MNCFN;
- Language of the Agreement;
- Process;
- Future considerations.

AGENDA ITEM NO. 9 – ADDITIONS TO RESERVE – SIX NATIONS (LETTER IS PREPARED ON LETTERHEAD TO BE SIGNED BY THE CHIEF IF APPROVED)

A letter was prepared by Legal Counsel – Kim Fullerton addressed to Sean Thompson of AANDC regarding Addition to Reserve. Included with the letter is a copy of a letter from Six Nations Council. LMR Director pointed out that the Notification Agreement has been sent and as yet, there has been no response. Executive Director noted that there also was a letter from Marie Trainer (previous Mayor of Haldimand County) agreeing to everything regarding Addition to Reserve. It was also noted by the Executive Director that Haldimand has no veto power.

Executive Director suggested that the letter should be sent to someone else instead of Sean Thompson. Councillor stated that a meeting should be set up with Minister Vallcourt directly. It was agreed that the LMR Director in consultation with Legal Counsel – Kim Fullerton, would revise the letter.

DIRECTION NO. 2

That the MNCFN Infrastructure & Development Council gives direction to the LMR Director to review the letter in consultation with Kim Fullerton - Legal Counsel, to be revised as follows:

- To be addressed to Minister Vallcourt and cc'd to Sean Thompson;
- Letter will be revised to reflect AANDC – ATR Policy wherein those consulted have no veto power;
- The system is flawed as the AANDC notice period for a response from Six Nations had expired.

AGENDA ITEM NO. 10 – PORT RYERSE WIND PROJECT

Councillor questioned what the going rate was for megawatts, but LMR Director did not know. Councillor advised that there should be a 2% per year increase.

Councillor pointed out that Travis Allen vets things like this and the Geomatics Environmental Technician and her Assistant should not be vetting these. It should be vetted through Legal Counsel and Economic Development. LMR Director stated that this Briefing Note did not come from CK and FS. It came from the Review Committee.

LMR Director informed that there is a meeting for the Review Committee scheduled for August 2014.

It was noted that NextEra and Con Energy would like to partner with New Credit.

MOTION NO. 6

MOVED BY CLYNTEN KING

SECONDED BY R. STACEY LAFORME

That the MNCFN Infrastructure & Development Council agrees to support the Port Ryerse Wind project and accept the Port Ryerse Offer as outlined in the Term Sheet with Boralex dated April 10, 2014 and an annual amount of \$550.00 per megawatt for the life of the Feed in Tariff contract of 20 years.

Carried

2nd Reading Waived

Opposed: Councillor Arland LaForme – would like this reviewed by Legal Counsel and would like confirmation of the price per megawatt.

Abstainer: Councillor Sharon Bonham

LMR Director out at 10:07 am.

AGENDA ITEM NO. 11 – CAS REPRESENTATIVE

This item was put on hold until later on the Agenda.

PUBLIC WORKS

PW Director in at 10:15 am.

AGENDA ITEM NO. 12 – TUSCARORA BOUNDARY ROAD 251 – THIS REPORT NEEDS TO BE ADDRESSED WHEN ACCEPTING MINUTES OF JULY MEETING

MOTION NO. 7

MOVED BY CECIL SAULT

SECONDED BY CLYNTEN KING

That the MNCFN Infrastructure & Development Council approves the quote as submitted by Norjohn Contracting & Paving Ltd for the resurfacing of New Credit/Six Nations Tuscarora Boundary Road No. 251 in the amount of approximately \$178,697.00 (One Hundred Seventy Eight Thousand Six Hundred & Ninety Seven Dollars) to be cost shared 50/50 between Six Nations & Mississaugas of the New Credit First Nation

Carried

2nd Reading Waived

NOTE: Above Motion will take the place of Motion No. 6 of Infrastructure & Development Council meeting of July 7, 2014 (see below):

MOTION NO. 6

MOVED BY R. STACEY LAFORME

SECONDED BY ARLAND LAFORME

That the MNCFN Infrastructure & Development Council approves the quote as submitted by Norjohn Contracting & Paving Ltd for the resurfacing of New Credit/Six Nations Tuscarora Boundary Road No. 251 in the amount of approximately \$89,348.50 (Eighty Nine Thousand Three Hundred Forty Eight Dollars and Fifty Cents) to be cost shared 50/50 between Six Nations & Mississaugas of the New Credit First Nation.

Carried

2nd Reading Waived

Rationale – So that work can commence as soon as possible.

AGENDA ITEM NO. 13 – DEVELOPMENT OF A “WATER MAP”

MOTION NO. 8

MOVED BY CECIL SAULT

SECONDED BY ARLAND LAFORME

That the MNCFN Infrastructure & Development Council denies Conredge Solomon's request per email dated July 9, 2014, to participate in Mennonite Central Committee Ontario 'Water Map' project because of the numerous studies that have already been conducted.

Carried

2nd Reading Waived

AGENDA ITEM NO. 14 – UNIVERSITY OF GUELPH – WATER TREATMENT PLANT OPERATOR RETENTION PROJECT

MOTION NO. 9

MOVED BY ARLAND LAFORME

SECONDED BY BRYAN LAFORME

That the MNCFN Infrastructure & Development Council denies Elliott Corston-Pine's request per email dated July 15, 2014, to participate in the University of Guelph's study funded by RBC Blue Water Project, to discern the many causes of high water treatment plant operator employee turnover rates in First Nations communities across Ontario because of the numerous studies that have already been conducted.

Carried

2nd Reading Waived

AGENDA ITEM NO. 15 – APPROVE QUOTE FOR DOORS & HARDWARE AT LSK ELEMENTARY SCHOOL

Councillor stated that this is an administrative item, but Executive Director reiterated that she can only approve up to \$10,000.00 according to the Financial Policy. This will be a discussion for Chief and Council at their Strategy Meeting on Friday, August 22, 2014.

MOTION NO. 10

MOVED BY CLYNTEN KING

SECONDED BY R. STACEY LAFORME

That the MNCFN Infrastructure & Development Council approves the quote as submitted by APR Lock & Safe Co. Ltd, Brantford, Ontario in the amount of \$12,204.00 (Twelve Thousand Two Hundred and Four Dollars) to replace doors and hardware at Lloyd S. King Elementary School.

Carried

2nd Reading Waived

Rationale: So that work can be completed prior to the return of LSK Elementary School staff and students.

AGENDA ITEM NO. 16 – PHRAGMITES

It was agreed that nothing would be done at this time. PW Director will send a letter to Cathy Smith at Kayanase and will inform her that New Credit is putting this on hold for time being.

Councillor stated that giant hogweed is worse than phragmites.

AGENDA ITEM NO. 17a) – 2014-15 WATER & WASTEWATER SYSTEMS TRAINING

MOTION NO. 11

MOVED BY CLYNTEN KING

SECONDED BY ARLAND LAFORME

That the MNCFN Infrastructure & Development Council authorizes the participation of the MNCFN Public Works employees in the Northern Waterworks Inc. Circuit Rider Training Program for the remainder of the 2014-15 year.

Carried

2nd Reading Waived

PW Director out at 10:45 am.

ECONOMIC DEVELOPMENT

DSED in at 11:00 am.

AGENDA ITEM NO. 18 – DISCOVERY GUIDE – BRANTFORD TOURISM

It was suggested by a Councillor that New Credit should do its own booklet. DSED suggested having a look at on-line presence for advertising for New Credit. It was agreed that DSED would write to the Discovery Guide and inform them that New Credit will no longer be a part of their advertising.

DIRECTION NO. 3

That the MNCFN Infrastructure & Development Council gives direction to the DSED (Kevin Wassegijig) regarding the Discovery Guide: DSED will write a letter to the Discovery Guide and inform them that MNCFN will no longer be taking part in the advertising. DSED will bring back some suggestions/alternatives for advertising.

AGENDA ITEM NO. 19a) – VERBAL UPDATE FROM DSED ON ECONOMIC DEVELOPMENT

NCVGB & Country Style

DSED advised that Lucy Popolie (accountant hired to look over the financial books of both businesses) is making some improvements at the store. One of the things she is doing is separating the tobacco sales instead of everything being under general sales. She is also making improvements on managing margins on gas and tobacco. Once her reports are completed for NCVGB and Country Style she will be making a presentation to Council.

Country Style needs a new Manager. DSED removed the Manager to regular duties. The challenges far exceeded what the Manager was able to do. DSED is suggesting a six month contract for a new Manager until he can figure out the best solution for Country Style. Some suggestions are just to have a drive-through express service. Other parents companies are Subway and A & W etc. People come into Country Style to take advantage of the WIFI.

Some other suggestions are put both companies together; open a smoking area and have premium coffee; move a Tim Horton's franchise in instead of Country Style; downsize and get another business along with Country Style; a mini food court; have a music/jam session etc.

New Credit must get more involved with the MTO process regarding a stop light at No. 6 Highway and First Line. It was also suggested to provide some kind of marketing for the promoting of the Pan Am Games.

DSED stated that New Credit has to have a tighter maintenance schedule with regard to the Plaza. For example air conditioners need to be repaired promptly.

With regard to training DSED stated that someone needs to be trained on fuel handling which training costs \$50.00 at First Nations Tech Service in London; also needed are two people to be trained on Accpac. DSED will touch base with the Finance Director regarding Accpac training.

DSED noted that staff has been having potlucks once per month and it has been good.

Green Willow Property

DSED informed that the gas pumps need to be decommissioned and he will have to send out RFP's. It will cost approximately \$25,000.00 The canopy also has to be removed. This should all be done before the end of October 2014.

Regarding office space for Chief and Council seven offices will be needed and at least 2,000 square feet. The basement is too low and does not meet code requirements. The restaurant is only 1,500 square feet and there will not be enough space. Renovations will cost more than anticipated.

Another decision that needs some consideration is whether the Pow Wow will be moved to this property instead of at the grove.

DIRECTION NO. 4

That the MNCFN Infrastructure & Development Council gives direction to the DSED to explore renovations for the store and restaurant at the Green Willow property. And further, DSED will get quotes for decommissioning of the gas pumps and the canopy removal.

Industrial Building

DSED would like to review the electrical in the section where Royal Flush used to be as this part of building has no meter and it has to be metered separately.

Armbruster

DSED informed that there is still a lot of work to be done. The Contractor is putting the house back to its finished state. The basement still smells and needs more repair. Executive Director informed that the garage door is damaged. She also advised that the DSED has arranged to do a pre grow-op evaluation.

Winger's Cabinets

Winger's Cabinets will do an expansion of the site in two to three years. DSED will bring information back to Chief and Council at the next Infrastructure & Development Council meeting on Tuesday, September 2, 2014.

Business Development Corporation

All "for profit generators" will go under the Corporation, including own source revenue. Own source revenue does not have to be reported to anyone except the Community, and it will focus on solar and retail etc.

DSED will endeavor to put together capital costs and an ROI (Return on Investments) as Chief and Council will need to know this information..

There will be a Joint Venture agreement with Consultation coming under Economic Development.

DSED out at 11:55 am.

OTHER/NEW BUSINESS

AGENDA ITEM NO. 20 – SALARY INCREASES

Executive Director informed that all Senior Managers will have a cap of five years.

MOTION NO. 12

MOVED BY R. STACEY LAFORME

SECONDED BY BRYAN LAFORME

That the MNCFN Infrastructure & Development Council approves the 2014/15 salary increases based on grid placement as of one`s anniversary date effective April 1, 2014; and salary increases in the amount of 1.69% (as of her/his anniversary date) for those staff who have reached the top of their grid placement, and a 2% increase to Council honoraria.

Carried

2nd Reading Waived

AGENDA ITEM NO. 21 – OTHER/NEW BUSINESS

There was no Other/New Business.

Council moved to the In-Camera items beginning with Agenda Item No. 28a).

AGENDA ITEM NO. 29 – ADJOURNMENT

MOTION NO. 20

MOVED BY R. STACEY LAFORME

SECONDED BY BRYAN LAFORME

That the MNCFN Infrastructure & Development Council adjourns this meeting at 2:30 pm.

Carried