

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

PUBLIC MINUTES

Monday, May 7, 2018

Start 9:03 am

Finish 4:25 pm

Chief Councillor

R. Stacey Laforme (Vacation)

Councillor

Erma Ferrell

Councillor

Cathie Jamieson

Councillor/Chair

Larry Sault

Councillor

Evan Sault

Councillor

Rodger LaForme

Councillor

Veronica King-Jamieson

Councillor

Stephanie LaForme (Sick)

Executive Director

Cynthia Jamieson

Recorder

Charlotte Smith

DSED

Wade Griffin

DOCA Director

Mark LaForme

DOCA Office Manager

Dale Sault

LMR Director

Margaret Sault

Education Director

Amanda Sault

Legal Counsel

Kent Elson, Yadira Flores, Taleen Ohanessian

Guest

Dan Matten

AGENDA ITEM NO. 1 – OPEN MEETING

Chair/Councillor Larry Sault opened the meeting at 9:03 am. Chief is on vacation. Councillor Stephanie LaForme is away sick. Councillor Cathie Jamieson will be a few minutes late.

AGENDA ITEM NO. 2 – REVIEW AND ACCEPT AGENDA

MOTION NO. 1

MOVED BY EVAN SAULT

SECONDED BY RODGER LAFORME

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

- Agenda Item No. 5 – Not In-Camera;
- Agenda Item No. 14a) – Moved from Agenda Item No. 20;
- Agenda Item No. 14b) – Other Matters from DOCA;
- Agenda Item No. 14c) – In-Camera Item;
- Agenda Item No. 23 - Was combined with Agenda Item No. 22 to become one item;
- Agenda Item No. 25 – Deferred to Regular Council;
- Agenda Item No. 36a) – In-Camera Item (LS).

Carried

AGENDA ITEM NO. 3 – REVIEW & ACCEPT PUBLIC MINUTES OF INFRASTRUCTURE & DEVELOPMENT COUNCIL DATED MONDAY, APRIL 2, 2018

MOTION NO. 2

MOVED BY RODGER LAFORME

SECONDED BY ERMA FERRELL

That the MNCFN Infrastructure & Development Council accepts the Public Minutes of Monday, April 2, 2018 of the Infrastructure & Development Council Meeting.

Carried

AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES

There are no Matters Arising from the Minutes.

Council moved to Agenda Item No. 6.

Dan Matten in at 9:10 am.

AGENDA ITEM NO. 6 – GUEST – DAN MATTEN (LIBERAL CANDIDATE FOR HALDIMAND COUNTY) TO GIVE A PRESENTATION TO COUNCIL (EF & SL)

Dan Matten was introduced. He had requested to be on the Agenda to speak to Chief and Council as he is the Provincial Liberal Candidate for Haldimand County. He came from Germany 22 years ago and decided to stay. He lives on First Line across the No. 6 Highway. He has always been liberally oriented.

Mr. Matten feels that Tobey Barrett, after 22 years in office, is not energetic anymore.

The Liberal Party has put out a lot of good programs – free prescription drugs for Youth etc. Canada needs good health care, and there is a lot more good to come.

He (Mr. Matten) is concerned about issues in rural areas such as the internet which leave rural families at a disadvantage, natural gas, transportation, environment and climate. He owns an environmental company. He says Canada cannot sit back, but we have to keep going and care for our environment. He feels that everyone in Canada has to come together as a Nation.

Executive Director noted that there is anger at Premier Kathleen Wynne for allowing the carbon tax. Mr. Matten answered that we have to do this. There is no coal and the money has to come from somewhere.

With regard to the Cap and Trade Program, consumers can get dollars back. We pay, but also trade. If we want something good we have to pay for it.

Councillor pointed out that that electric cars are being produced in Africa through child labour. Electric cars may be good for this country, but not other countries. Mr. Matten answered that it is profit and greed that uses child labour. Child labour is all over the world and this should be addressed all over the world. This is a difficult subject and companies in other countries have humanitarian and capitalism issues. This has to be worked on at the federal level.

Chair questioned Mr. Matten what he knew about New Credit, and how Mr. Matten would support New Credit issues. Chair went on to say that the problem with the Liberals is assertion of jurisdiction. The carbon taxes are approximately \$19 Billion from New Credit's Treaty (Traditional) Lands. With regard to OEB (Ontario Energy Board), the Liberals do not help New Credit. Mr. Matten answered that New Credit moved from Mississauga. There are strained relations with Six Nations. Land issues are a big thing as New Credit is not being consulted and accommodated. Mr. Matten informed that he will go to Parliament and work on behalf of New Credit.

Chair suggested that Mr. Matten hire Youth or the younger generation in his office to help work with New Credit's issues.

Councillor informed Mr. Matten that there is a lot of information and history about MNCFN in our library. She made it abundantly clear that New Credit is separate from Six Nations. Mr. Matten answered that he is in touch with Carolyn King, and he noted that he will have Native Advisory on his Council.

Mr. Matten was thanked for his presentation and left at 9:40 am.

Council moved back to Agenda Item No. 5.

Kent Elson (Legal Counsel) and Education Director in at 9:05 am.

AGENDA ITEM NO. 5 – GUEST – KENT ELSON (LEGAL COUNSEL) TO PRESENT ON SPECIAL EDUCATION HUMAN RIGHTS CASE (PLEASE BRING YOUR PACKAGES FROM EXECUTIVE FINANCE COUNCIL MEETING OF MONDAY, APRIL 23, 2018 – AGENDA ITEM NO. 17a)

Kent Elson highlighted some background information regarding the Special Education Human Rights case, and how we have arrived at where we are today.

The federal government agreed to fund a review of First Nations special education in Ontario as part of MNCFN's human rights complaint. The purpose of this review is to begin to address "bigger picture" problems with the federal government's special education program. These bigger picture problems impact First Nations across the province and country.

Chief and Council decided to try to help tackle these bigger picture issues to help make sure that MNCFN does not end up with another situation like the one with the two Band Members. That requires fixing some of the underlying problems with the overall program (which impact all First Nations). In addition, Chief and Council started the human rights case in part to help other First Nations children with special needs across the province. Chief and Council believed that they had an opportunity to take a leadership role and to make a bigger difference.

Kent further highlighted his letter to Chief and Council dated May 2, 2018. There is now a cap on special education and costs. The old agreement said MNCFN had to pay. The new agreement says that a cap will include all dollars for special education students.

There will be fights under the new agreement.

Grand Erie District School Board (GEDSB) has to give all the stats to MNCFN, and then you (MNCFN) can meet with GEDSB and decide if New Credit wants to hire their own staff.

Executive Director noted that there will be an official signing of this new agreement in June 2018. GEDSB will be here to sign the agreement.

Councillor questioned overcrowding in schools, but Kent answered that this issue was not raised.

With regard to the systemic discrimination against two New Credit students, this has been put on hold. The first year a study was coordinated which resulted in 26 recommendations. Last year these recommendations are now being implemented.

There are three major improvements on the Provincial side: 1) Fix the problem of overcharging First Nations – a cap on funding was established; 2) New regulations – there is a clause that talks about equity for First Nations; 3) This will also help First Nation students to come to on reserve schools.

Councillor questioned if our First Nations off reserve know this. Education Director answered no, but she will follow up.

Kent reiterated that we need to follow through with regulations. Councillor added that it is Chief and Council's responsibility to make sure dollars get to the students.

Councillor questioned Kent if he could get a Briefing Note to Doug Ford. Kent answered that he will consider this request. He also stated that the Federal government is working to improve their funding formula for First Nations. The Provincial government wants to use Federal government regulations and this is not good.

On another note, Council agreed that for the purposes of continuity, Council will continue with Kent Elson; and it is understood that Murray Klippenstein is in agreement. Kent is no longer with Klippensteins. He has his own practice called Kent Advocacy.

MOTION NO. 3

MOVED BY ERMA FERRELL

SECONDED BY EVAN SAULT

That the MNCFN Infrastructure & Development Council authorizes the signing of the Education Services Agreement between the Mississaugas of the New Credit First Nation and the Grand Erie District School Board which is dated 2018 – 2021.

Carried

2nd Reading Waived

Kent Elson and Education Director out at 10:23 am.

MOTION NO. 4

MOVED BY VERONICA KING-JAMIESON

SECONDED BY RODGER LAFORME

That the MNCFN Infrastructure & Development Council moved In-Camera at 10:30 am.

Carried

MOTION NO. 8

MOVED BY EVAN SAULT

SECONDED BY RODGER LAFORME

That the MNCFN Infrastructure & Development Council moved Out of Camera at 12:30 pm.

Carried

LUNCH BREAK 12:30 TO 1:30 PM

Council moved to Agenda Item No. 20.

AGENDA ITEM NO. 20 – DOCA VEHICLE

This item was moved to Agenda Item No. 14b).

AGENDA ITEM NO. 21 – OTHER/NEW BUSINESS

There was no Other/New Business.

OTHER/NEW BUSINESS

AGENDA ITEM NO. 22 – REVISED – WRITERS GROUP – MNCFN HISTORY (EF)

It was agreed that Councillor Erma Ferrell will approach the MNCFN Community Trust with a revised Briefing Note. Once further information is received from the Trust, Councillor will bring the information back to Council for approval.

AGENDA ITEM NO. 23 – BUDGET SUBMISSION TO THE MNCFN COMMUNITY TRUST (EF)

This item was combined with Agenda Item No. 22.

LANDS, MEMBERSHIP & RESEARCH

Council moved back to Agenda Item No. 15.

AGENDA ITEM NO. 15 – HISTORICAL GATHERING REPORT

LMR Director highlighted the Historical Gathering Report. The Historical Gathering has taken place each year since 2011. The event was moved to the third week in February of each year.

LMR Director informed that the Committee (for the Historical Gathering) is preparing for the 10th anniversary. Since David Moses has filmed most of the Gatherings, perhaps he could put something together for the anniversary.

MOTION NO. 9

MOVED BY CATHIE JAMIESON

SECONDED BY RODGER LAFORME

That the MNCFN Infrastructure & Development Council acknowledges the 8th Annual Historical Gathering Report as prepared by Laura Jamieson.

Carried

2nd Reading Waived

AGENDA ITEM NO. 16 – UPDATE ON ROUGE VALLEY & WATER CLAIM

LMR Director stated in her Briefing Note the Rouge River Valley Claim was submitted in 2015 and the Water Claim was submitted in 2016 to both levels of Government.

Canada will be done their counter research by the end of April 2018 and will send it to Justice for a legal opinion. Once that is done the water claim will follow right behind it.

Kim Fullerton believes it is time for Council to start thinking about what they want for the Rouge River claim and that it may be time to establish a land claim negotiating team. In the past it has been the Chief, Legal Counsel and Director of LMR.

For the time being the Negotiating Team consists of Councillors Larry Sault and Cathie Jamieson, LMR Director and Kim Fullerton.

DIRECTION NO. 1

That the MNCFN Infrastructure & Development Council directs the LMR Director to set up a Special Council Meeting for the purpose of updating on the claims to discuss next steps.

AGENDA ITEM NO. 17 – ATR – SIX NATIONS

There was some confusion as to whether a letter addressed to Lauren Pierce, Lands Negotiations Officer at INAC was actually sent.

Councillor asked for clarification of the Office Clerk's position since she is Assistant to Chief and Council.

LMR Director confirmed that the above letter did go out, and INAC wants to meet with Chief and Council on Thursday, June 7, 2018.

Councillor stated that he will not meet with Sean Thompson or any other underling from INAC. LMR Director replied that we (MNCFN) have to deal with Sean Thompson for our ATR. Councillor then suggested that Chief and Council meet with Kim Fullerton first because of New Credit's other Traditional Lands. Councillor further questioned when can we (Chief and Council) interject on the Nanfan Deed.

This item will be added to the Special Council Meeting that the LMR Director is setting up.

AGENDA ITEM NO. 18 – FYI – NOTES ON MEETING WITH LEGAL COUNSEL ON CLAIMS – APRIL 19, 2018 & UPDATE OF MARCH 28, 2018 WITH KELLY McMANN OF INAC

This is an FYI for Chief and Council.

AGENDA ITEM NO. 19 – OTHER/NEW BUSINESS

There was no Other/New Business.

OTHER/NEW BUSINESS CONTINUED

Council moved to Agenda Item No. 24.

AGENDA ITEM NO. 24 – FYI - PRIORITIZED TOP 10 LIST OF DEPARTMENTAL FUNDING PLANS (PROPOSAL WRITER)

This is an FYI for Chief and Council.

AGENDA ITEM NO. 25 – DIRECTION NO. 4 – CHIEF TO PREPARE A WRITTEN FORMAL REPORT OF MEETING WITH MINISTER PHILPOTT & DAVID DIDLUCK

This item was deferred to the next Regular Council Meeting on Tuesday, May 22, 2018.

AGENDA ITEM NO. 26 – CHIEF & COUNCIL TO PREPARE AN AGENDA FOR UPCOMING MEETING WITH MAYOR JOHN TORY ON MAY 14, 2018

Chief and Council will prepare a list of items that the Chief will discuss with Mayor John Tory when they meet on Tuesday, May 15, 2018 at 3:00 pm. The list will come to the next Education & Social Services Council Meeting on Monday, May 14, 2018.

DIRECTION NO. 2

That the MNCFN Infrastructure & Development Council directs Councillors Erma Ferrell and Evan Sault to investigate at Old City Hall in Toronto and see if there is an office that MNCFN Chief and Council could rent as Chief and Council would like have to have a presence in Toronto.

AGENDA ITEM NO. 27 – MOSS PARK COMMUNITY JUSTICE CENTRE UPDATE – NEXT STEPS (VKJ)

It was agreed that Councillor Veronica King Jamieson will contact Paul Boniferro Deputy Attorney General and invite his team to come and present to Council on Monday, May 28, 2018 – Executive Finance Council Meeting.

Council moved to Agenda Item No. 29.

AGENDA ITEM NO. 29 – LETTER TO MAYOR OF TORONTO REGARDING TORONTO BIOGAS MEETING – WHERE IS THE LETTER?

The letter was sent to Mayor John Tory on April 2, 2018.

Councillor LS asked the Mississauga Chiefs if they were still interested in the Toronto Biogas Project to which the Chiefs answered yes. The lawyer said Scugog and New Credit are the Treaty Holders (this is what the research said).

Council moved back to Agenda Item No. 28.

AGENDA ITEM NO. 28 – INAC NOTICE OF BUDGET AMENDMENT #001 (EXECUTIVE DIRECTOR) (AMENDMENT TO BE SIGNED BY CHIEF AND COUNCIL)

MOTION NO. 10

MOVED BY VERONICA KING-JAMIESON

SECONDED BY EVAN SAULT

That the MNCFN Infrastructure & Development Council accepts and authorizes the signing of Department of Indigenous Services Canada Amendment #001 which provides fixed funds in the total amount of \$19,442.50 to the Education Department and Set Funds in the amount of \$2,460.00 to the Department of Social & Health Services for the 2018/19 fiscal to be allocated as follows:

Education Department – New Paths for Education

• School Effectiveness	\$6,250.00
• Parental & Community Engagement	\$1,325.00
• Teacher Recruitment & Retention	\$4,750.00
• Language & Culture	\$7,117.50

Social & Health Services Department

• Social Assistance – Employment & Training	\$2,460.00
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Carried

2nd Reading Waived

AGENDA ITEM NO. 29 – LETTER TO MAYOR OF TORONTO REGARDING TORONTO BIOGAS MEETING – WHERE IS THE LETTER?

This item has already been dealt with.

AGENDA ITEM NO. 30 – FURTHER DISCUSSION ON CONFIDENTIALITY & TRANSPARENCY (LS)

Councillor reiterated that the LMR Department wants \$100,000.00 for the Donation Policy. He believes that Council has the right to see a list of names of the Band Members who utilize the Donation Policy. He further stated that Council should have access to the Voter's List with up to date addresses.

It was agreed that the Executive Director would seek a legal opinion regarding confidentiality and transparency.

Another Councillor informed that this item was brought up at the last TARC meeting and Kim Fullerton (Legal Counsel) commented on this.

Executive Director pointed out that the legal premise is a "need to know" basis. For example, Social & Health Services have highly confidential files. She further stated that she would need to see some of the case notes on a "need to know basis".

Councillor questioned if a legal opinion was needed and the majority of Councillors said yes.

DIRECTION NO. 3

That the MNCFN Infrastructure & Development Council directs the Executive Director to seek a Legal Opinion regarding confidentiality and transparency.

AGENDA ITEM NO. 31 – MOCCASIN IDENTIFIER PROJECT

MOTION NO. 11

MOVED BY VERONICA KING-JAMIESON SECONDED BY RODGER LAFORME
That the MNCFN Infrastructure & Development Council approves the request to have the full application for the Growth and Expansion of the Moccasin Identifier Project submitted to the Friends of the Greenbelt Foundation in the amount of \$183,000.00, which if approved, will be provided over the next three years.

Carried
2nd Reading Waived

AGENDA ITEM NO. 32a) – NEWGIOCO DEBENTURE & LETTER FROM PEACE HILLS TRUST

A conference call was placed to Georgina Villeneuve and Jeff Frketich of Peace Hills Trust to discuss whether a Debenture with Newgioco would be the best decision for the TP Trust.

Newgioco is now planning to move to the NASDAQ Exchange in the US. It is also starting to move up in price and is now trading around \$1.00 US.

Jeff advised that there is still time to buy into the Debenture if Council wishes to do so. With trading at a higher price, the risk is somewhat reduced.

Councillor questioned if Newgioco is needing dollars and Jeff answered yes. They need \$5 Million dollars. MNCFN has the right of first refusal.

The timeframe is short as in a decision has to be made within the next couple of days. Georgina added that this will be a cost to New Credit. She also reiterated that MNCFN is also committing \$10 Million dollars to Hydro One.

It was agreed that Councillor Erma Ferrell will contact Jeff Frketich of Peace Hills Trust and inform him that MNCFN Chief and Council are not in favor of buying into a Debenture at this time.

MOTION NO. 12

MOVED BY VERONICA KING-JAMIESON SECONDED BY RODGER LAFORME
That the MNCFN Infrastructure & Development Council moved In-Camera at 3:50 pm.

Carried