

**MISSISSAUGAS OF THE CREDIT FIRST NATION  
INFRASTRUCTURE & DEVELOPMENT COUNCIL  
PUBLIC MINUTES  
Monday, October 1, 2018**

**Start 9:02 am**

**Finish 12:25 pm**

**Chief Councillor**

**R. Stacey Laforme**

**Councillor**

**Erma Ferrell**

**Councillor**

**Cathie Jamieson**

**Councillor/Chair**

**Larry Sault**

**Councillor**

**Evan Sault**

**Councillor**

**Rodger LaForme**

**Councillor**

**Veronica King-Jamieson**

**Councillor**

**Stephanie LaForme**

**Executive Director**

**Cynthia Jamieson**

**Recorder**

**Charlotte Smith**

**HR Manager**

**Kerri King**

**Accounts Receivable Officer**

**Shirley Watson**

**Legal Counsel**

**Alex Monem**

**Band Member**

**Carla Campbell**

**AGENDA ITEM NO. 1 – OPEN MEETING**

Chair/Councillor Stephanie LaForme opened the meeting at 9:02 am. Councillor Veronica King-Jamieson will be leaving early to attend a Chiefs of Ontario Meeting on Education.

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

**MOTION NO. 1**

MOVED BY LARRY SAULT

SECONDED BY EVAN SAULT

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

- Agenda Item No. 6a) – Sky Solar Holdings (SL);
- Agenda Item No. 6b) – Settlement of MNCFN vs Canada and ITC;
- Agenda Item No. 6c) – Survey of LSK Principal.

Carried

**AGENDA ITEM NO. 3 – REVIEW & ACCEPT PUBLIC MINUTES OF INFRASTRUCTURE & DEVELOPMENT COUNCIL DATED TUESDAY, AUGUST 7, 2018**

**MOTION NO. 2**

MOVED BY LARRY SAULT

SECONDED BY EVAN SAULT

That the MNCFN Infrastructure & Development Council accepts the Public Minutes of Infrastructure & Development Council Meeting dated Tuesday, September 4, 2018.

Carried

**AGENDA ITEM NO. 3a) – REVIEW & ACCEPT PUBLIC MINUTES OF INFRASTRUCTURE & DEVELOPMENT COUNCIL MEETING DATED TUESDAY, AUGUST 7, 2018 (THESE MINUTES WERE NOT INCLUDED ON THE I & D AGENDA DATED TUESDAY, SEPTEMBER 4, 2018)**

Councillor EF stated that she would like to see someone who is in Administration proofread the Minutes.

**MOTION NO. 3**

MOVED BY R. STACEY LAFORME

SECONDED BY EVAN SAULT

That the MNCFN Infrastructure & Development Council accepts the Public Minutes of the Infrastructure & Development Council Meeting dated Tuesday, August 7, 2018.

Carried

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

There are no Matters Arising from the Minutes.

**AGENDA ITEM NO. 5 – TORONTO PURCHASE TRUST – THIRD QUARTER NEWSLETTER DATED SEPTEMBER 2018 FOR APPROVAL TO BE PUT ON THE WEBSITE**

**MOTION NO. 4**

MOVED BY LARRY SAULT

SECONDED BY RODGER LAFORME

That the MNCFN Infrastructure & Development Council approves the Toronto Purchase Trust Third Quarter Newsletter dated September 2018.

Carried

**AGENDA ITEM NO. 6a) – SKY SOLAR HOLDINGS (SL)**

Chair/Councillor Stephanie LaForme has received information from Walter Wanleithner of Sky Solar Holdings. Chair has no knowledge of this, and was reluctant to sign off on any of the documentation.

Councillor LS gave some background information. He noted that in 2013-2015 of the Council term, there were 60 Solar Programs under six companies in the Toronto area. Sky Solar was one of the six. New Credit got 15% of the company because of the Traditional Lands. Sky Solar has nothing to do with New Credit; Mr. Wanleithner is just giving notice that the company has changed. Councillor LS further stated that New Credit's interest is 839 Co. Councillor LS

and the Chair/Councillor Stephanie LaForme will speak with the A/DSED today and have this further clarified.

Council moved to Agenda Item No. 6c).

### **AGENDA ITEM NO. 6c) – SURVEY OF LSK PRINCIPAL**

Councillor EF brought this item back to the Council Table as she does not understand the survey. There is no cover letter explaining it. Further, it should not go to the Education Director, but directly to Mr. Forbeck. Another Councillor pointed out that the Education Director is only a point of access.

Band Member Carla Campbell stated that the parents of LSK students have received the survey, and she also questioned how to fill it out.

#### **DIRECTION NO. 1**

That the MNCFN Infrastructure & Development Council directs the Executive Director to find out if there is a covering letter that is to be attached to the Survey of the LSK Principal, and if so, the letter will be forwarded to Band Member Carla Campbell, and Chief and Council.

Alex Monem (Legal Counsel) in at 9:25 am.

### **AGENDA ITEM NO. 6b) – SETTLEMENT OF MNCFN VS. CANADA AND ITC**

Alex Monem (Legal Counsel) noted the following in his Memo to MNCFN dated September 28, 2018:

We are writing to provide an update on the *MNCFN v. Canada and ITC Lake Erie* judicial review settlement discussions. As further outlined below, we are pleased to report that Canada and ITC Lake Erie have agreed to all of the Mississaugas of the New Credit First Nation's ("MNCFN") terms for a proposed settlement of the litigation. This includes executing the MNCFN-Canada Consultation Protocol Agreement (the "Protocol Agreement") and paying \$75,000.00 to MNCFN for its costs in the litigation to defend your rights.

This is a positive development for MNCFN and an affirmation of the need for governments, industry, and others to respect MNCFN's rights across your territory. The Protocol Agreement, signed by Chief Laforme and Minister Carolyn Bennett on September 6, 2018, that was agreed to as a term of the settlement, is a significant achievement for MNCFN. We believe it sets a new high-water mark for the recognition of your rights and territory and commitment to achieving appropriate accommodations.

With regard to ITC, Alex informed that the behavior of Canada and ITC have to be dealt with. New Credit wanted part of an equity position with the company and that is where discussions broke down.

ITC is prepared to come back to the table.

Sheree Brant is no longer on this file. She now works with the new Hydro One Board.

ITC has no buyers for their projects so New Credit still has leverage through the Consultation Protocol.

Chief stated that Canada gave the go ahead to ITC. He also noted that New Credit needs to have everything in place to move ahead.

Alex pointed out that there are two dynamics: 1) Negotiating table with ITC; and 2) what leverage do we have? He stated that it is New Credit's title rights that they (ITC) need to talk about. New Credit has enormous leverage. Councillor LS stated that the whole process is on record, and Chief and Council need to see it. DOCA has some of the information. Alex added that we can compile this whole record.

Councillor LS stated that the shovel is not in the ground until 2020. Doug Motley from ITC is ready to sign. Sheree Brant is out of the way.

The second document titled "Framework Agreement on Advancing Reconciliation & Establishing a Renewed Relationship" can be discussed at the Exploratory Table to help settle MNCFN's land claims. Alex added that Canada is trying to shake out the tables that are no good. This is only a commitment to fund the agreement, but this could also be a precedent for Canada. The goal is to have this document signed by the end of the year. Initial discussions are most important. Minister Carolyn Bennett stated that the Exploratory Table is about lands.

Alex was thanked for his presentation.

**MOTION NO. 5**

MOVED BY R. STACEY LAFORME

SECONDED BY EVAN SAULT

That the MNCFN Infrastructure & Development Council authorizes Chief R. Stacey Laforme to sign the *Settlement of MNCFN v. Canada and ITC*.

Carried

2<sup>nd</sup> Reading Waived

**MOTION NO. 6**

MOVED BY EVAN SAULT

SECONDED BY VERONICA KING-JAMIESON

That the MNCFN Infrastructure & Development Council acknowledges the Draft Framework Agreement on Advancing Reconciliation and Establishing a Renewed Relationship.

Carried

Alex Monem (Legal Counsel) out at 10:30 am.

**MOTION NO. 7**

MOVED BY LARRY SAULT

SECONDED BY RODGER LAFORME

That the MNCFN Infrastructure & Development Council moved In-Camera at 10:40 am.

Carried