

**MISSISSAUGAS OF THE NEW CREDIT FIRST NATION
REGULAR COUNCIL
PUBLIC MINUTES
Monday, December 17, 2018**

Start 9:00 am

Finish 1:10 pm

Chief Councillor

R. Stacey Laforme (Vacation)

Councillor

Erma Ferrell

Councillor/Chair

Veronica King-Jamieson

Councillor

Rodger LaForme

Councillor

Larry Sault

Councillor

Evan Sault (Sick)

Councillor

Cathie Jamieson

Councillor

Stephanie LaForme (Vacation)

Executive Director

Cynthia Jamieson

Recorder

Charlotte Smith

PW Director

Arland LaForme

SHS Director

Rachelle Ingrao

HR Manager

Kerri King

IBI Group

Natalie Marion

Guests from Vires Capital

Vincent Buron & Mike Gaul

Band Member

Carla Campbell

AGENDA ITEM NO. 1 – OPEN MEETING

Chair/Councillor Veronica King-Jamieson opened the meeting at 9:00 am. Chief is on vacation as well as Councillor Stephanie LaForme. Councillor Evan Sault is away sick.

AGENDA ITEM NO. 2 – REVIEW & ACCEPT AGENDA

MOTION NO. 1

MOVED BY ERMA FERRELL

SECONDED BY RODGER LAFORME

That the MNCFN Regular Council accepts the Agenda with the following additions:

- Agenda Item No. 7a) – Six Nations Natural Gas Company Limited – Amendment for an Extension to the Agreement (PW Director);
- Agenda Item No. 12b) – Capital Report – LSK Feasibility Study – Due date change (Education Director);
- Agenda Item No. 12c) – Mississauga Nation Chief’s Meeting (LS);
- Agenda Item No. 12d) – Brantford Friendship Centre (EF);
- Agenda Item No. 12e) – Fort York (EF);
- Agenda Item No. 12f) – Native Horizons Treatment Centre Update (RL).

Carried

AGENDA ITEM NO. 3 – REVIEW & ACCEPT THE PUBLIC MINUTES OF REGULAR COUNCIL DATED MONDAY, NOVEMBER 19, 2018

DIRECTION NO. 1

That the MNCFN Regular Council directs Councillors Larry Sault and Rodger LaForme to meet with the DOCA Minute Taker and get the Motions and Directions from the September 28, 2018 TARC Meeting, and bring them to the Council Table to be formalized.

MOTION NO. 2

MOVED BY RODGER LAFORME

SECONDED BY LARRY SAULT

That the MNCFN Regular Council accepts the Public Minutes of Regular Council dated Monday, November 19, 2018.

Carried

AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES

4.1 In-Camera Item - See letter dated Monday, November 19, 2018.

PW Director and Natalie Marion-Fazel in at 8:55 am.

Band Member Carla Campbell in at 9:25 am.

AGENDA ITEM NO. 5 – NEW ADMINISTRATION BUILDING PLAN – OPTIONS (PW DIRECTOR)

PW Director noted in his Briefing Note that a Motion of Council is required to acknowledge the New Administration Building Presentation from IBI Group (Natalie Marion) and authorize Public Works Department to proceed with the selected Option (either Option 2 or 3B) for the design of the New Administration Building. The Community Trust application stipulated a design completion deadline of March 2019. Finally, to have a “shovel ready” design complete should any funding become available from ISC and/or other funding agencies.

In an organizational report conducted at MNCFN, it was determined additional office space was required in order to address the space requirements for day-to-day operations for efficiency and effectiveness.

PW Director noted that after all the Options were presented, it was narrowed down to two – Options 2 and 3B.

Natalie went through the photos for both Options and made comparisons. These are very schematic right now. Option 2 has hard costs of \$9.2 Million and the space is 2,378 square metres. Option 3B has hard costs of \$6.7 Million plus a 10% contingency fee. The space is 1,769 square metres.

Councillor EF is not in favour of having a gym inside this new building. She would like to see a stand alone gym so everyone could utilize it. She also questioned if there is funding from the Social & Health Services Department for the present gym. PW Director replied that the funding comes from the Enterprise Fund.

Councillor LS questioned if the numbers would change since the gym is going to be eliminated, and Natalie answered no.

PW Director informed that the gym in Option 3B can be eliminated, and everyone agreed and would like to see this space turned into future office space.

MOTION NO. 3

MOVED BY ERMA FERRELL

SECONDED BY RODGER LAFORME

That the MNCFN Regular Council acknowledges the New Administration Building Presentation from IBI Group and authorizes Public Works Department to proceed with Option 3B, with the exception of the gymnasium (relocated gymnasium for future office space) for the design of the New Administration Building. The Community Trust application stipulated a design completion deadline of March 2019. Finally, to have a “shovel ready” design complete should any funding become available from ISC and/or any other funding agencies.

Carried

2nd Reading Waived

Natalie Marion-Fazel out at 9:40 am.

AGENDA ITEM NO. 6 – MASTER DRAINAGE & FLOOD REMEDIATION PLAN – MNCFN REPRESENTATIVE – WILF RULAND EXTENSION (PW DIRECTOR)

PW Director noted in his Briefing Note that a Motion of Council is required for the MNCFN Representative Extension for Wilf Ruland who is on the Project Team of the Master Drainage & Flood Remediation Plan for Boston and Roger’s Creek in a cost share agreement with Six Nations.

MNCFN Chief and Council had a presentation in March 2016 by Clynten King – Six Nations Environmental Technician. The presentation included Boston Creek and Roger’s Creek. The study area would include: examination of alternative solutions for flood reduction, identification of recommended solution using cost/benefit analysis, reports, project management/client liaison, installation of stream flow monitoring stations on Boston Creek.

In addition to Boston Creek flood remediation plan, analysis has been requested for Roger’s Creek within the Mississaugas of New Credit First Nation (MNC) and Six Nations of the Grand River Territory lands. Roger’s Creek study area would include: culvert and road crossing inspections, hydrologic and hydraulic analysis of drainage network, flood plain mapping for Six Nations and MNC Lands – Study Area, examination of alternative solutions for flood reduction, identification of recommended solution using cost/benefit analysis, reports, project management/client liaison.

MNCFN Chief and Council passed Motion No. 5 to support the initiative on the basis that MNCFN falls within the study area and MNCFN will be included on all the information and reports generated by the study.

Councillor LS questioned why the THLS dollars could not be used to pay Wilf Ruland. Councillor EF answered that those funds are invested.

MOTION NO. 4

MOVED BY ERMA FERRELL

SECONDED BY RODGER LAFORME

That the MNCFN Regular Council approve the recommendation that MNCFN's Representative Extension be approved for Wilf Ruland, P. Geo. at 766 Sulphur Springs Road, Dundas, Ontario, L9H 5E3 in the amount of \$2,200.00 (TWO THOUSAND TWO HUNDRED DOLLARS AND ZERO CENTS) from the Enterprise Fund to complete a final review on the report (dated November 2018) and provide technical advice as required to MNCFN Council.

Carried

2nd Reading Waived

SHS Director in at 9:50 am.

AGENDA ITEM NO. 7 – HEALTH & SOCIAL SERVICES DEPARTMENT – LOWER LEVEL KITCHEN RENOVATION (PW DIRECTOR & SHS DIRECTOR)

SHS Director noted in her Briefing Note that she requires Chief and Council authorization to undergo kitchen renovation at the Social and Health Services building. OFNTSC, H&S & PWD have assembled two (2) possible options as shown in the power point presentation.

The Kitchen at the Social and Health Services building was constructed to be functional for the programs and services being offered at the time (1994). The kitchen was designed for residential purposes, such as small meal preparation and basic dishwashing.

Main use of the kitchen includes food preparation and cooking for Meals on Wheels, currently serving 47 clients Monday to Friday. 11,025 meals are prepared annually for Meals on Wheels.

Recommendations from the Environmental Health Officer (EHO) and the Haldimand Fire Department have indicated that the kitchen, in its current condition, does not meet the standards for commercial use, and is posing various health and safety concerns to those who utilize it.

The SHS Director has procured up to \$100,000.00 (One Hundred Thousand Dollars) to put toward the project, with the stipulation that the funds are expended by the end of the 2018-2019 fiscal year (March 31, 2019).

PW Director prepared a power point presentation which gave more clarity to the renovations.

Councillor CJ questioned where the \$100,000.00 was coming from. SHS Director answered that there is a salary surplus of dollars as some staff are off on long and short term disability. She also contacted the funders and got approval to use these dollars.

Councillor EF questioned if the SHS Director met with the Finance Director. SHS Director answered no because the dollars are already in the budget. Executive Director added that the Finance Director will use the \$100,000.00.

MOTION NO. 5

MOVED BY ERMA FERRELL

SECONDED BY LARRY SAULT

That the MNCFN Regular Council authorizes the Project Team to proceed with the kitchen renovations at the Social and Health Services building Lower Level and award the contract to Sierra Construction General Contracting 1401 Dundas Street, P.O. Box 20053, Woodstock, Ontario, N4S 8X8 in the amount of ONE HUNDRED FIFTY THREE THOUSAND FOUR HUNDRED DOLLARS AND ZERO CENTS (\$153,400.00). \$100,000.00 secured by Director of Health & Social Services Department and \$53,400.00 to come from Gaming Revenue Fund with the understanding that the funding will be expended prior to March 2019 to satisfy the funding agency requirements.

Carried

2nd Reading Waived

SHS Director out at 10:45 am.

AGENDA ITEM NO. 7a) – SIX NATIONS NATURAL GAS COMPANY LIMITED – AMENDMENT FOR AN EXTENSION TO AGREEMENT (PW DIRECTOR)

PW Director noted in his Briefing Note that a Motion of Council is required to authorize the Chief and Executive Director to sign the “Gas Supply Agreement” prepared by Brian Finnigan (Legal Counsel).

It is noted that although this will be the fifth extension, negotiations have been progressing and final revisions are very close.

MOTION NO. 6

MOVED BY ERMA FERRELL

SECONDED BY RODGER LAFORME

That the MNCFN Regular Council authorizes Chief R. Stacey Laforme and Executive Director to sign the Amendment to the “Gas Supply Agreement” for an extension until February 28, 2019 prepared by Brian Finnigan (Legal Counsel) to allow sufficient renegotiation time.

Carried

2nd Reading Waived

SEPARATE ITEM

Councillor LS questioned if there was a written report from Hydro One. Executive Director replied that all the receipts have been gathered. Hydro One wanted financial statements and back-up. There is a cost of approximately \$149,000.00 to date. A transmittal letter has been sent to Hydro One. Sarajane from Hydro One informed that we could access extra dollars. MNCFN did not charge for an audit or admin fee.

Councillor EF requested that herself and Councillor ES be included in any correspondence.

Vincent Buron and Mike Gaul in at 10:33 am.

DSED in at 10:33 am.

AGENDA ITEM NO. 8 – GUESTS MICHAEL GAUL & VINCENT BURON FROM VIRES CAPITAL – PRESENTATION

Guests were introduced. Councillor LS gave a brief overview and informed that this item is about buying into the assets of Toronto Hydro, which is a huge deal. This is a Joint Venture between MNCFN and Vires Capital. Because of land rights there is never any downside risk for First Nations. Toronto Hydro needs a new feed from the east and it is worth a Billion dollars. Toronto Hydro cannot do anything without MNCFN approval. This project would grow in equity in about 30 years. Councillor LS also noted that we (Chief and Council) would be there as financial partners.

Mike Gaul stated that he used to play professional hockey. Through networking and contacts he was hired by Vires Capital.

Vincent Buron stated that Vires Capital has prepared a Draft Agreement. There is no cost to MNCFN. It is a 50/50 clause. Mr. Buron stated that Vires Capital looks for quality projects, and this would include First Nations Rights and stable and coherent leadership. Councillor LS added that this is about a 49% share in Toronto Hydro; these are not stocks.

Mr. Buron noted that this project is similar to the FIT Program.

Councillor LS stated that we (MNCFN) would be cementing ourselves in our Treaty Lands. This is a very straight forward deal. There is no risk because of the rate payers. MNCFN's investment would be our land rights and political power. MNCFN needs to do our due diligence eg. environmental issues, vegetation management, site decommissioning in our Treaty Lands etc.

Mr. Buron informed that there is a timeline that will take about a year for the project to get underway. The final decision would be approved by the Energy Board.

There was a question of whether or not any information could be obtained regarding the Saugeen Ojibway First Nation Partnership. Councillor CJ noted that perhaps Chief and Council could talk with Pape Salter (Legal Counsel) and the Saugeen First Nation.

It was agreed that Councillor LS and the DSED would set up a meeting with Pape Salter and get the information that is being requested, and also preparing a budget.

It was noted that Toronto Hydro has to go through the Ontario Energy board to get rate increases.

On another note, Councillor LS requested that Council consider MNCFN seeking intervener status to advocate for the rights of Natives in Toronto. The due date is tomorrow for requesting intervener status. Councillor LS informed that he would get a letter from his lawyers.

It was agreed that because of the tight timeframe, as soon as the letter is received from Councillor LS's lawyers, a poll can be done via email.

MOTION NO. 7

MOVED BY ERMA FERRELL

SECONDED BY RODGER LAFORME

That the MNCFN Regular Council authorizes Councillor Larry Sault and DSED to undertake due diligence on the Joint Venture Proposal by Vires Capital regarding the purchase of 49% of Toronto Hydro to include:

- Legal review;
- Financial projections;
- Consult with Pape Salter;
- A quick backgrounder on the Saugeen Ojibway Nation Partnership.

Carried
2nd Reading Waived

Guests out at 11:15 am.

DSED out at 11:40 am.

AGENDA ITEM NO. 9 – TWO RIVERS COMMUNITY DEVELOPMENT CENTRE FUNDING AGREEMENT FOR CANNABIS BUSINESS INVESTIGATION (PROPOSAL WRITER)

It is noted that Two Rivers Community Development Centre has approved the funding request and provided a Funding Agreement to MNCFN in the amount of \$65,000.00 dated December 5, 2018. The Funding Agreement has to be signed and returned to Two Rivers as the Project has to be completed by March 31, 2019.

MOTION NO. 8

MOVED BY LARRY SAULT

SECONDED BY RODGER LAFORME

That the MNCFN Regular Council authorizes the Executive Director and/or the Chief to sign the approved Funding Agreement provided by Two Rivers Community Development Centre in the amount of \$65,000.00 (Sixty Five Thousand Dollars) for the purpose of undertaking a Cannabis Business Investigation and the development of a draft MNCFN Cannabis Law/Regulation.

Carried
2nd Reading Waived

AGENDA ITEM NO. 10 – MNCFN – LEGAL NAME CHANGE – LETTER FROM KIM FULLERTON (LEGAL COUNSEL) SEE ALSO MOTION NO. 11 FROM EDUCATION & SOCIAL SERVICES COUNCIL MEETING DATED MONDAY, NOVEMBER 12, 2018

A letter/report was received from Kim Fullerton (Legal Counsel) regarding the MNCFN Legal Name Change. It is his legal opinion that MNCFN's decision to remove "New" from its name would have minimal to no impact legally.

MOTION NO. 9

MOVED BY LARRY SAULT

SECONDED BY ERMA FERRELL

That the MNCFN Regular Council acknowledges the Report from Kim Fullerton (Legal Counsel) regarding the MNCFN Legal Name Change.

Carried

2nd Reading Waived

AGENDA ITEM NO. 11 – OPP INSPECTOR PHIL CARTER SENDS HIS REGRETS THAT HE IS UNABLE TO BE PRESENT AS HE IS AT A TRIAL IN HAMILTON. ATTACHED IS HIS MONTHLY REPORT FOR NOVEMBER, 2018

Councillor EF noted that another car ended up in the ditch at the intersection of Townline and Springvale Road. She is concerned that drivers do not contact the police. She believes that the area needs better signage. Councillor EF will follow up.

MOTION NO. 10

MOVED BY LARRY SAULT

SECONDED BY ERMA FERRELL

That the MNCFN Regular Council acknowledges the Monthly Report for November 2018 from OPP Inspector Phil Carter.

Carried

AGENDA ITEM NO. 12a) – SIGNING (IN TRIPLICATE) OF THE CORPORATION OF NORFOLK COUNTY AGREEMENT FOR CHILD CARE START UP COSTS (ECC SUPERVISOR)

ECC Supervisor noted that Chief and Council approved the Journey Together Business Plan for the Indigenous Led Child Care Centre and EarlyON Child and Family Centre in Hagersville and funding in the amount of \$929,500.00, and for fiscal 2019 \$833,000.00.

The Child Care Agreement for purchase of supplies and equipment has been received and requires signing. Funds will be flowed from the Corporation of Norfolk County and will be expensed for the purchase of supplies and equipment for the start up of the childcare program as per the Journey Together Business Plan.

Councillor LS informed that at a September staff meeting for the Child Care Centre, the ECC Supervisor stated that Councillor LS was opposed to this endeavour. He would like to know what the intent is of the ECC Supervisor for relaying that information in a staff meeting. Executive Director will follow up with the ECC Supervisor.

MOTION NO. 11

MOVED BY CATHIE JAMIESON

SECONDED BY RODGER LAFORME

That the MNCFN Regular Council approves the signing (in triplicate) of the Corporation of Norfolk County Agreement for the purchase of Supplies and Equipment in the amount of \$300,000.00 (Three Hundred Thousand Dollars).

Carried

2nd Reading Waived

AGENDA ITEM NO. 12b) – CAPITAL REPORT – LSK FEASIBILITY STUDY – DUE DATE CHANGE (EDUCATION DIRECTOR)

Education Director noted in her Briefing Note that the Capital Projects Report for the LSK Elementary School Feasibility Study is due on December 31, 2018, however, the Statement of Work is still ongoing by Prologica Research Inc.

Jeremy Hull of Prologica Research Inc. is currently working on the revised enrolment projections as approved by Education & Social Council December 12, 2018. Once the enrolment projections are complete, he will begin work on the Formal Plan for School Space to complete the Statement of Work.

Due to the ongoing work, Indigenous Services Canada representative Lauren Dart and Kate Allen have indicated that they can escalate the report due date to March 31, 2019 at the request of MCFN Chief & Council.

Councillor EF questioned if having a Reverse Tuition Agreement would help our request for funding, to which Executive Director replied yes. The Education Director would have to initiate this.

MOTION NO. 12

MOVED BY ERMA FERRELL

SECONDED BY CATHIE JAMIESON

That the MNCFN Regular Council approves the request for escalated due date for the Capital Projects Report – Final Report – Lloyd S. King Elementary School Feasibility Study to March 31, 2019 due to the ongoing work of Prologica Research Inc.

Carried

2nd Reading Waived

DIRECTION NO. 2

That the MNCFN Regular Council directs the Education Director to pursue further discussion with the Grand Erie District School Board (GEDSB) regarding Reverse Tuition Agreements.

AGENDA ITEM NO. 12c) – MISSISSAUGA NATION CHIEF’S MEETING (LS)

Regarding the Mississauga Nation Governance Protocol, Councillor LS noted that the Chiefs and Council have agreed to meet here at the Mississauga Gathering on February 23 – 25, 2019 to discuss this Protocol. They are requesting \$450,000.00 for this Project and will likely be successful. A questionnaire will be sent to all Chiefs and Council. The Coordinator (Caitlin LaForme) for MNCFN will get an update and book rooms.

DIRECTION NO. 3

That the MNCFN Regular Council directs the Chief to bring the Culture & Events Coordinator up to date on the upcoming Mississauga Nation Meeting (tentatively scheduled for February 23 – 25, 2019) and next steps.

AGENDA ITEM NO. 12d) – BRANTFORD FRIENDSHIP CENTRE (EF)

Rick Mt. Pleasant from the Brantford Friendship Centre will come and present to Council on Monday, January 14, 2019.

Executive Director will follow up with the LMR Director regarding how many MNCFN Band Members live in Brantford.

AGENDA ITEM NO. 12e) – FORT YORK (EF)

DIRECTION NO. 4

That the MNCFN Regular Council directs Councillor Erma Ferrell to obtain all pertinent information regarding a sculpture that Wayne Reeves from Fort York would like to donate to MNCFN. This item will be put on the next Education & Social Services Agenda on Monday, January 14, 2019.

AGENDA ITEM NO. 12f) – NATIVE HORIZONS TREATMENT CENTRE UPDATE (RL)

Councillor Rodger LaForme who is the Representative from MNCFN Chief and Council presented an update on the Native Horizons Treatment Centre (NHTC). NHTC caught on fire and half the building was burned and destroyed. The whole building may have to be rebuilt. There was a lot of smoke and water damage. The staff are looking for space to use temporarily.

Councillor EF suggested using the former Country Style space.

Councillor LS questioned what the staff would be doing and for how long. He also noted that this building is not an asset for MNCFN.

Councillor RL will keep Council abreast of any development.

MOTION NO. 13

MOVED BY RODGER LAFORME

SECONDED BY CATHIE JAMIESON

That the MNCFN Regular Council moved In-Camera at 12:40 pm.

Carried

