

**MISSISSAUGAS OF THE CREDIT FIRST NATION  
REGULAR COUNCIL  
PUBLIC MINUTES  
Tuesday, February 19, 2019**

**Start 9:02 am**

**Finish 3:05 pm**

**Chief Councillor/Chair**

**R. Stacey Laforme**

**Councillor**

**Erma Ferrell**

**Councillor**

**Veronica King-Jamieson**

**Councillor**

**Rodger LaForme**

**Councillor**

**Larry Sault**

**Councillor**

**Evan Sault**

**Councillor**

**Cathie Jamieson**

**Councillor**

**Stephanie LaForme**

**Executive Director**

**Cynthia Jamieson**

**Recorder**

**Charlotte Smith**

**Culture & Events Coordinator**

**Caitlin LaForme**

**Education Director**

**Katelyn LaForme**

**LMR Director**

**Margaret Sault**

**DOCA Director**

**Mark LaForme**

**Legal Counsel**

**Kent Elson**

**OPP Inspector**

**Phil Carter and Belinda Rose**

**Governance Project Coordinator**

**Caitlin Beresford**

**Band Member**

**Carla Campbell**

**AGENDA ITEM NO. 1 – OPEN MEETING**

Chair/Chief opened the meeting at 9:02 am.

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

**MOTION NO. 1**

MOVED BY LARRY SAULT

SECONDED BY VERONICA KING-JAMIESON

That the MCFN Regular Council accepts the Agenda with the following addition:

- Agenda Item No. 11b) – DOCA Letters regarding issues around Ontario Place and Waterfront.

Carried

**AGENDA ITEM NO. 3 – REVIEW & ACCEPT THE PUBLIC MINUTES OF REGULAR COUNCIL DATED MONDAY, JANUARY 21, 2019**

**MOTION NO. 2**

MOVED BY LARRY SAULT

SECONDED BY STEPHANIE LAFORME

That the MCFN Regular Council accepts the Public Minutes of Regular Council dated Monday, January 21, 2019.

Carried

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

There were no Matters Arising from the Minutes.

Council moved to Agenda Item No. 7.

Education Director in at 9:00 am.

**AGENDA ITEM NO. 7 – LSK EXPANSION – BRIDGING STUDY – ENROLMENT PROJECTIONS – FORMAL PLAN OF SCHOOL SPACE (EDUCATION DIRECTOR)**

Education Director noted in her Briefing Note that Jeremy Hull of Prologica Research Inc. has provided the Formal Plan of School Space that will require a BCR to proceed to next step.

Education Director stated that these are only recommendations, not the final document.

Attached is the Formal Plan of School Space from Prologica Research Inc. A BCR from Chief & Council will be required in order to proceed to the next step; Project Approval Request (PAR). This will involve working with Indigenous Services Canada (ISC) on bringing together the Enrolment Projections, the Formal Plan of School Space, and the two versions of the existing study completed by Two Row Architect. The PAR will produce a recommendation as a result of the above mentioned documents, i.e. expand by square feet, and various renovations to existing space.

The next step is going into the Project Approval Request.

It was noted that more background information is needed on the current school space.

Councillor LS informed that the Agenda Item in the government today is the Education File. He questioned what Ontario is doing and how will this affect MCFN.

Councillor VKJ stated that the Chiefs of Ontario and education funding is blocked and they (COO) are in discussions.

Councillor EF suggested that the Education Director talk to ISC regarding janitorial services per square footage.

This item will come back to the next Executive Finance Council Meeting on Monday, February 25, 2019 with more information for further discussion and approval.

Council moved back to Agenda Item No. 5.

Kent Elson (Legal Counsel) in at 9:20 am.

**AGENDA ITEM NO. 5 – KENT ELSON (LEGAL COUNSEL) TO PRESENT AN UPDATE ON SPECIAL EDUCATION**

Kent Elson (Legal Counsel) noted in his letter that he is updating Chief and Council today regarding the ongoing work relating to special education. No immediate decisions or resolutions are required today.

MCFN has been coordinating work to improve the federal government's First Nations Special Education Program. MCFN has special leverage because it launched a human rights case against Canada about federal underfunding and mismanagement of the First Nations Special Education Program. That case is on hold but can be resurrected if the government does not live up to its promises. When Chief and Council launched the case in 2009, they wanted to affect change that would benefit First Nation children with special needs across the country. The ongoing work is intended to do that.

In 2016-2017, we coordinated a major report on special education. This year we have been working to implement the recommendations of that report. For further details, see our letter to Chief and Council of April 18, 2018. Kent is updating on that work today.

Kent stated that there are systemic issues across the province regarding the Human Rights Case. The systemic part has been put on hold. A new government came in and assisted. We are now pressing to implement the recommendations. The government is fully in support of this and it should come into force later this year. They will be doing a new funding model because the old one does not work. The model Kent is proposing is a "needs based" model that includes an application because it may not be enough. Every year we can apply. The federal government is applying the provincial model to First Nations, and it is not working, and that is why we are saying "needs based". We need to have a full set of statistics.

If Chief and Council have any comments please forward them to Kent and they will get incorporated.

The next item is Early Childhood Education – 0 to 4 which is lacking in First Nations. Councillor EF questioned if there was any push back from other First Nations, and Kent answered no, none.

Councillor CJ questioned if there was a concern that this could interrupt ASETS dollars. Kent answered that he does not want to upset the apple cart. Early Childhood Education is a mess. He added that we have to make sure this does not interfere with other work.

Executive Director questioned if Kent foresees a problem with the comparator eg moving off reserve to access programs. Kent replied that equality is an equality of dollars.

Councillor LS questioned if we should be concerned with education and what the government is doing. Kent answered yes.

Direction was given to Kent Elson (Legal Counsel) to draft a resolution for the Chiefs of Ontario Assembly along with a draft letter to the RoseAnne Archibald Ontario Regional Chief.

Kent was thanked for his presentation and left at 10:00 am.

Education Director out at 10:00 am.

OPP Inspector Phil Carter and Belinda Rose (OPP Operations) in at 9:20 am.

**AGENDA ITEM NO. 6 – OPP INSPECTOR PHIL CARTER TO PRESENT HIS MONTHLY REPORT FOR JANUARY 2019**

**MOTION NO. 3**

MOVED BY CATHIE JAMIESON

SECONDED BY STEPHANIE LAFORME

That the MCFN Regular Council accepts the following OPP Monthly Report for January 2019 from OPP Inspector Phil Carter:

**Re: Mississaugas of the New Credit, Monthly Police Incident Report:**

**January: 30** Incidents: 3 year Average: 25 (2018: 22, 2017: 29, 2016: 25).

**Calls for Service:**

**Alarm x 3:** 2 calls were cancelled by Alarm Company prior to officer arrival. Other incident Officer attended Variety Plaza property was secure.

**Ambulance Assist:** EMS personnel initially requested assistance, then cancelled.

**Animal complaint x 3:** 2 calls were related to injured dog. Other incident was for dog off leash.

**Assist other Police Agency:** Collision on Six Nations involving stolen vehicle and driver fled scene. Area patrolled, suspect located, arrested and turned over to Six Nations Police.

**Breach of Probation:** Surety wants to remove themselves and report of breach of conditions.

**Community Service x 3:** Provincial Liaison Team contact & outreach activities.

**Dangerous Condition:** Railway crossing light malfunctioning, Rail system contacted and repair completed.

**Domestic/Family Dispute X 3:** Verbal arguments and uncooperative youth suspected of drug abuse.

**Impaired Driver:** Collision scene Mississauga Road & Tuscarora, Driver arrested for impaired driving.

**Motor Vehicles Abandoned x 2:** Police attended to confirm not stolen, advice provided for removal.

**Motor Vehicle Collisions X 4:** All minor in nature.

**Police Assistance:** Theft from ATM in other police jurisdiction, advice & direction provided.

**Recovered Stolen Vehicle:** Vehicle located in bush lot. Investigation revealed vehicle was reported stolen in 2016.

**Sexual Assault: Reported to Six Nations Police:** investigation revealed it occurred on New Credit. Crime Unit is continuing investigation.

**Theft x 2:** Mail box and alleged theft of mail.

**Traffic Hazard:** Pedestrian wandering on Ojibway road late in the evening. Police located intoxicated person and provided transport to friend's residence in Hagersville.

**Warrant:** Traffic enforcement investigation revealed passenger had a warrant for their arrest.

Carried

OPP Inspector Phil Carter and Belinda Rose out at 10:20 am.

Council moved to Agenda Item No. 8.

**AGENDA ITEM NO. 8 – FURTHER DISCUSSION ON COUNCIL STRATEGIC PLAN & PILLARS & EXECUTIVE DIRECTOR’S POSITION & TIME FRAME (RSL)**

Councillor EF reiterated that Diane Carrier was hired to revise the Job Description of the Executive Director’s position. The contract was signed and Ms. Carrier started working on the Job Description in January 2019. Members of Council will be a part of the interviews.

Executive Director questioned if there was a final Job Description, and if so, she would like a copy. She also questioned if there would be an additional position. Chief answered no, not yet. Executive Director explained that she would like to give the Directors an update.

Regarding the Strategic Plan, Chief noted there is a lot of overlap. Guidelines and processes have to be put in place. A meeting is needed to remove the old system.

It was agreed that the next meeting would be on Tuesday, March 5, 2019 from 9:00 am to 1:00 pm.

**DIRECTION NO. 1**

That the MCFN Regular Council directs Councillor Erma Ferrell to obtain a final copy of the Job Description for the Executive Director’s position and forward same to Chief and Council. 1225

**MOTION NO. 4**

MOVED BY ERMA FERRELL

SECONDED BY EVAN SAULT

That the MCFN Regular Council moved In-Camera at 11:00 am.

Carried

**MOTION NO. 5**

MOVED BY ERMA FERRELL

SECONDED BY LARRY SAULT

That the MCFN Regular Council moved Out of Camera at 11:20 am.

Carried

**AGENDA ITEM NO. 10 – MAJOR EVENTS COMMITTEE (MEC) – REVISION TO TERMS OF REFERENCE (CULTURE & EVENTS COORDINATOR)**

Councillor ES stated that the Major Events Committee (MEC) held a meeting on January 24, 2019. One of the topics of discussion was revising the Terms of Reference to allow Committee Members to participate in meetings via teleconference, Skype, Facebook etc. if any Member cannot physically attend. A Motion was passed by the Committee to this effect.

Staggered terms will also be a revision in the Terms of Reference.

The “New” will be taken out of the First Nations Treaty Lands and Territory in order to be consistent with the Communications Departments’ approved Land Recognition Statements and Communications Policy.

Councillor LS advised that MEC is community based and the Members of the MEC Committee should live here.

**MOTION NO. 6**

MOVED BY EVAN SAULT

SECONDED BY ERMA FERRELL

That the MCFN Regular Council accepts the Major Events Committee’s Revised Terms of Reference.

Carried

2<sup>nd</sup> Reading Waived

**AGENDA ITEM NO. 11a) – LETTER FROM TD WEALTH RE CALDWELL FIRST NATION’S CHALLENGE TO TAXATION OF FIRST NATIONS TRUSTS**

Chief received a letter from TD Wealth regarding Caldwell First Nation’s Challenge to Taxation of First Nations Trusts. TD Wealth is seeking support from MCFN Chief and Council for a legal challenge by Caldwell against the Ontario Minister of Finance. The Canada Trust Company is the Corporate Trustee for Caldwell and they jointly engaged Gowling (Legal Counsel) with Caldwell to address this taxation matter which impacts Caldwell’s Trust and ultimately their Nation and Members.

It was noted that Caldwell has no land base, although they have a commitment for a land base.

Councillor LS informed that Peace Hills Trust did all our taxes and the US taxes as well. TD Wealth did not do anything for us. Councillor LS suggested that Caldwell Chief and Council could come here and meet with us, and we could share information with them regarding Peace Hills Trust. Councillor LS and EF do not support TD Wealth.

**DIRECTION NO. 2**

That the MCFN Regular Council directs the Office Clerk to draft a letter to be signed by the Chief to Caldwell First Nation and invite them to come here and have a meeting with Chief and Council regarding tax issues.

**MOTION NO. 7**

MOVED BY CATHIE JAMIESON

SECONDED BY LARRY SAULT

That the MCFN Regular Council moved In-Camera at 11:45 am.

Carried

**MOTION NO. 10**

MOVED BY STEPHANIE LAFORME

SECONDED BY RODGER LAFORME

That the MCFN Regular Council moved Out of Camera at 11:55 am.

Carried

## **LUNCH BREAK 11:55 AM TO 12:30 PM**

LMR Director and Governance Project Coordinator (Caitlin Beresford) in at 12:10 pm.

### **AGENDA ITEM NO. 15 – FURTHER DISCUSSION ON THE NEW ELECTION CODE (MS & CAITLIN BERESFORD) (PLEASE BRING YOUR ELECTION CODE PACKAGES FROM LAST WEEK’S MEETING)**

#### Continuation of Election Code

Caitlin continued starting on Page 15.

69 (a) – will be taken to the Membership.

Page 16 – Item No. 76. Caitlin questioned if there is a way to let Band Members know there will be an Interpreter. It was agreed that this would be left to the discretion of the Electoral Officer. LMR Director informed that we have never had this problem because there was always lots of assistance.

Page 16 – Items No. 78 – 80 – will be left in. Online voting will be put to the Band Members. The wording can be left in, but will not be done this year. The next sitting Council can do it. Caitlin informed that she has been in touch with “One Feather” who does online voting and they could have this up and running very quickly.

Page 17 – Item No. 84 – This item will be left as is and taken to the Band Members.

Page 19 – Item No. 102 – Leave as is.

Page 20 – Item No. 103 – Remove.

Page 21 – Item No. 113 – This will come into force at a later date or as Council decides.

Page 22 – Item No. 121 – LMR Director noted that Chief and Council would like this simplified and put in the Procedures section.

Page 23 – Item No. 126 – Change “candidate’s agent” to “scrutineer”.

Page 26 – Item No. 149 – Change “agents” to “scrutineers”

Page 28 – Item No. 155 (a) – Leave in.

Page 29 – Item No. 160 – This will be removed.

Page 30 – Item No. 170 – Leave as is.

Page 31 – 175 (a) – This will be revisited later.

Page 31 – Item No. 178 – Chief stated that the Appeals Board can deal with Chief and Council issues as well as other issues. Caitlin stated having an Appeals Board that can deal with everything would simplify things. Councillor VKJ feels that the Appeals Board should only deal

with the Election Code. If Band Members vote Chief and Council in, can they also vote Chief and Council out? Councillor LS informed that it is difficult to have an unbiased group. A recall mechanism should be put in place.

Page 32 – Item No. 183 (c) – How would you hold the Appeals Board accountable? How many days can one appeal? Councillor CJ believes that (c) does not apply and should be removed.

Page 33 – Items No. 185 and 187 – Remove both.

Page 34 – Item No. 194 – add fourteen (14) “business” days.

Councillor EF would like this item added to the Agenda of the Mississauga Nations meeting. Councillor LS stated that the Electoral Officer has to be involved in an Appeal. Caitlin will redraft this section.

Councillors Veronica King-Jamieson and Stephanie LaForme left at 2:25 pm.

Page 35 – Item No. 200 – This item will be removed. Councillor LS stated that it reeks of Indian Affairs. He also advised staying away from government language.

Privacy is a pretty loose word from a leadership perspective; what is private and what is not?

Page 36 – Item No. 210 – Councillor EF noted that we still need something to give to the Band Members.

Councillor LS questioned how we would receive a 50% majority. This will have to be taken to the Band Members. Some regulations are also needed. Chief stated that under Regulations there are no guidelines set out, and this needs to be done eg. timelines, acceptance etc.

Councillor LS questioned that since we are moving away from Indian Affairs, how do we move to a more cultural process?

Page 36 – Item No. 211 - Leave this in and keep it as a placeholder.

DOCA Director informed that strategies/sessions are in place.

The next date to deal with the Election Code has not yet been clarified yet.

#### **AGENDA ITEM NO. 16 – ADJOURNMENT**

**MOTION NO. 11**

MOVED BY EVAN SAULT

SECONDED BY CATHIE JAMIESON

That the MCFN Regular Council adjourned this meeting at 3:05 pm.

Carried