

MISSISSAUGAS OF THE CREDIT FIRST NATION
Executive Finance Council Meeting
PUBLIC MINUTES
Monday, May 27, 2019

Start: 9:07 am

Finish: 12:00 pm

Chief Councillor

R. Stacey Laforme

Councillor

Evan Sault

Councillor

Cathie Jamieson (Excused)

Councillor

Veronica King-Jamieson

Councillor/Chair

Erma Ferrell

Councillor

Rodger LaForme

Councillor

Larry Sault

Councillor

Stephanie LaForme (Vacation)

Executive Director

Cynthia Jamieson

Chief Operating Officer

Kailey Thomson

Recording Officer

Charlotte Smith

PW Director

Arland LaForme

DOCA Director

Mark LaForme

HR Manager

Kerri King

Peace Hills Trust

Georgina Villeneuve & Jeff Frketich

Band Member

Carolyn King

AGENDA ITEM NO. 1 – OPEN MEETING

Chair/Councillor Erma Ferrell opened the meeting at 9:07 am. Councillor Cathie Jamieson is away on other Council business.

AGENDA ITEM NO. 2 – REVIEW AND ACCEPT AGENDA

MOTION NO. 1

MOVED BY RODGER LAFORME

SECONDED BY EVAN SAULT

That the MCFN Executive Finance Council accepts the Agenda.

Carried

AGENDA ITEM NO. 3 – REVIEW & ACCEPT THE (PUBLIC) MINUTES OF EXECUTIVE FINANCE COUNCIL DATED MONDAY, APRIL 22, 2019

MOTION NO. 2

MOVED BY VERONICA KING-JAMIESON

SECONDED BY EVAN SAULT

That the MCFN Executive Finance Council accepts the Public minutes of Executive Finance Council Meeting dated Monday, April 22, 2019.

Carried

AGENDA ITEM NO. 4 – MATTERS ARISING FROM COUNCIL MINUTES

There were no Matters Arising from the Minutes.

Georgina Villeneuve and Jeff Frketich in at 9:12 am.

AGENDA ITEM NO. 5 – GUESTS – GEORGINA VILLENEUVE & JEFF FRKETICH FROM PEACE HILLS TRUST TO PRESENT THE TP TRUST PERFORMANCE REPORT & INTERIM REPORT DATED MARCH 31, 2019

Georgina highlighted the Interim Report. The net assets as of March 31, 2019 are \$121,682,749.00, and the liabilities are \$13,446.00.

On Page 2, Georgina calls Dixon Mitchell “cheapskates” because they buy companies that are selling very low and at a loss. Half of the capital gains amounts to \$1,104,204.00.

Page 3 – the capital and revenue have to be tracked.

Page 4 is good. The annual income estimate for 2019 is \$4,788,233.00.

Schedule 4 – Alternative Investments: Jeff informed that Zoompass and Newgioco are trading in the US. Zoompass and Newgioco trade on the OTC (Over The Counter) market in the US. All dollar values shown in this table are in Canadian dollars. The amount of shares traded daily are very small. If the Trust tried to sell all its shares, the price received may be far lower than the stated market value. Both are trying to get the shares up in price. Newgioco is doing well in Italy, and now in the US. The share value will eventually go up.

WeedMD is doing very well.

Councillor LS noted that Newgioco can break into the Native American market through Mohegan Sun. He also informed that Chief and Council are pursuing a Joint Venture with WeedMD. Councillor LS questioned if this would affect us in any way, and Jeff answered no.

Jeff stated that companies now have to make new revenue.

Jeff highlighted the Performance Report. He stated that the end of 2018 was very poor, but in the first quarter everything bounced back.

Beutel and Goodman bought in the downturn and did very well.

Jeff reminded everyone that we have to look at the long term, and do not panic.

Dixon is doing very well too. The Trust is in good shape. Jeff speaks with the Managers every week and everything is very good.

Councillor LS questioned if Mawer got swallowed up, and Jeff answered no, Mawer is doing well. He also stated that if Mawer gets taken out by one of the banks, then we have cause to be concerned.

As an aside, Georgina stated that regarding the Niagara Reinforcement Line, Hydro One wants

a heads up regarding all the documents.

Georgina and Jeff were thanked for their presentation and left at 9:42 am.

MOTION NO. 3

MOVED BY VERONICA KING-JAMIESON SECONDED BY RODGER LAFORME
That the MCFN Executive Finance Council accepts the Toronto Purchase Trust Performance Report and Interim Report dated March 31, 2019 from Peace Hills Trust.

Carried
2nd Reading Waived

DOCA Director and Archaeological Coordinator in at 9:25 am.

AGENDA ITEM NO. 6 – FIELD LIAISON REPRESENTATIVE (FLR) POLICY & PROCEDURE MANUAL (HR MANAGER & DOCA DIRECTOR)

By way of background, Executive director noted the FLR's (Field Liaison Representatives) had some concerns. She looked into the FLR Contracts, as well, the Lead FLR Contracts were reviewed by the HR Manager, and found to not be in line with the Canada Labour Code.

Policy is what is allowed, whereas Procedure is how to do the job.

The FLR's are fairly new to the organization, and initially they were contract employees. Proponents were concerned about liability eg. travel – the 407 was deemed more efficient. The Canada Labour Code allowed the FLR's to work 60 hours per week.

HR Manager's Briefing Note stated the following:

Presenting a jointly drafted Field Liaison Representative Policy and Procedural Manual is here for Council approval.

At the start of the 2019 field season, Lead FLR contracts were presented to the Executive Director for signature. As part of the process, the contracts were passed to the HRM for review. The FLR Operational Procedural Manual was referenced throughout. A review of this document should have a mixture of both policy (which is to be approved by Council) and procedure (which can be implemented internally). As a result, the above noted parties met to discuss the creation of a FLR Policy and Procedural Manual, with the understanding that it would be taken to Council for review and approval. At that point, the FLR's would have a consistent document that could be applied to their work arrangements.

Multiple meetings have taken place, resulting in the attached Policy & Procedural Manual.

Chief informed that he is frustrated that this has taken so long.

Councillor LS pointed out that Administration is in a vacuum, and that the DOCA Department has no oversight. He suggested that Councillor Cathie Jamieson and himself be allowed to close the vacuum.

Councillor LS also informed that the FLR's want an audience with Chief and Council. Collective Agreements equals Policy/Procedure. He questioned the Executive Director if the FLR's have a right to review this Policy before being accepted, to which Executive Director answered yes.

Councillor LS again referred to a "Whistle Blower Policy" to be put in place to protect the rights of the employees. In this case the FLR's. Councillor LS went on to say that he was elected to protect this Community, and that includes employees.

Chief suggested that Councillor Cathie Jamieson should be the oversight. The first step would be to have a discussion with the DOCA Director. Chief added that DOCA and Administration were out of line but are coming back in line now.

With regard to job creation, Councillor LS questioned where does it say we need to hire Band Members? Our people need training. He suggested hiring our own people even if it is from other First Nations. He further suggested that the HR Manager meet with the FLR's before Chief and Council sanction to the Policy/Procedural Manual.

DOCA Director informed that the FLR's were consulted on the previous policy. He also stated that only Band Members are working.

Administration will decide whether or not the HR Manager and DOCA Director should speak with the FLR's.

It was noted that the DOCA Department is a political body.

It was agreed that the Chief Operations Officer (Kailey Thomson) (COO), DOCA Director and HR Manager will meet before the Policy/Procedural Manual is sanctioned, and then the COO will meet with the FLR's.

DOCA Director noted that the proponents pay for the FLR's to use the 407.

In the meantime, Executive Director stated that our current practices will continue.

DIRECTION NO. 1

That the MCFN Executive Finance Council directs that the COO will provide an Administrative Directive to the DOCA Director that will permit the exercise of the FLR's as per established practice in the interim until the Policy/Procedure Manual is brought back to Chief and Council for review and approval.

DOCA Director and Archaeological Coordinator left at 10:30 am.

AGENDA ITEM NO. 7 – SPECIAL EVENTS & CULTURE UNIT – CULTURAL PROGRAMMING – APPLICATION TO THE COMMUNITY TRUST FOR 2019-2020 FISCAL

This item was cancelled today as the Culture & Events Coordinator got new dollars for her department. This item will be put on the next Infrastructure & Development Council Meeting as an update on Monday, June 3, 2019.

AGENDA ITEM NO. 8 – GOVERNMENT OF CANADA – SEEKING VIEWS OF

INDIGENOUS PEOPLES (RSL)

Chief received an email that said the Government of Canada is seeking views from Indigenous peoples, stakeholders, provinces, territories, and the public on a discussion paper for an Indigenous Knowledge Policy Network.

The Framework will help guide the implementation of the Indigenous knowledge provisions in the legislation proposed under Bills C-68 and C-69.

Chief informed that Bill C-68 is the Fisheries Act and Bill C-69 is the Impact Assessment Act. This has been discussed at the TARC meeting.

Councillor VKJ questioned if Chief and Council were participating on June 14th. Councillor LS answered that the writ may drop in a couple of weeks and it really will not matter. Chief added that it is legislation that impacts our rights, but we are limited now.

This item will be discussed with the Mississauga Chiefs on the 30th.

Council moved back to Agenda Item No. 6 for further discussion.

AGENDA ITEM NO. 6 – FIELD LIAISON REPRESENTATIVE (FLR) POLICY & PROCEDURE MANUAL (HR MANAGER & DOCA DIRECTOR)

Councillor EF questioned if Councillor LS could bring back a recommendation regarding further issues pertaining to the FLR's. FLR's do not get benefits.

Councillor LS reiterated that DOCA is a political department, as well as a for profit department..

It was noted that the DOCA Department does not use Chief and Council dollars, and because of that, DOCA feels they do not have to listen to Chief and Council.

Councillor LS reiterated that the problem is the vacuum that has been created between Administration and DOCA.

It was agreed that Councillor LS will bring something back to the next meeting.

Carolyn King in at 10:00 am.

AGENDA ITEM NO. 9 – CAROLYN KING PRESENTED AN UPDATE ON THE PARTNERSHIP WITH THE UNIVERSITY OF WATERLOO & ARBOR BUILD – THIS ITEM IS COMING BACK FOR FURTHER DISCUSSION (VKJ)

Councillor VKJ, in her email, noted that this item was discussed at the Regular Council Meeting on Tuesday, May 21, 2019. There were a couple of items brought forth to Council for review and requires further discussion.

It was brought to Council's attention that a written document "2019 agreement" has been signed by Chief Stacey LaForme without approval from Council. Councillor EF added that the Chief should have notified Council before signing the agreement.

It was noted at the Regular Council meeting on Tuesday, May 21, 2019 that this 2019 agreement document will be scanned with Chief's signature and forwarded electronically to Council, COO - Kailey Thomson and Recorder.

Carolyn King and PW Director have been included in this email.

The other item to be discussed is the MC structure project.

PW Director stated that the Pow Wow Committee does not fall under the Public Works Department. The Pow Wow Committee is at arm's length from Chief and Council. It would need to fall under someone else's department as the infrastructure Maintenance Worker (Craig King) and myself (PW Director) have our own work to do. Councillor VKJ answered that they (Pow Wow Committee) may be at arm's length from Chief and Council, but they are still using the infrastructure of Chief and Council.

This item will be under Councillor Cathie Jamieson's Pillar #3.

Councillor EF noted that last week we talked about a process which Councillor Cathie Jamieson and the PW Director could work out regarding the Arbor Project.

Councillor LS questioned why the Peter Smith Report was never clarified or followed up on. The report talked about the Pow Wow moving to moving to the former Green Willow Property.

Carolyn noted that when the Arbor is built it will stay here in the grove.

The Culture & Events Coordinator works for the Band, but does a lot of work for Carolyn.

PW Director reiterated that he developed a flow chart of the way the organization is structured.

Councillor LS questioned if the former Green Willow Property is sanctioned as social or cultural. The answer is the land has not been sanctioned at all.

Councillor EF will send the Peter Smith Report to everyone along with the Feasibility Study.

DIRECTION NO. 2

That the MCFN Executive Finance Council directs the COO to look at building a relationship with the New Credit Cultural Committee regarding the former Green Willow property, and the Public Works and Economic Development Departments.

PW Director out at 11:20 am.

AGENDA ITEM NO. 10a) – RECORDS MANAGEMENT POLICY CHANGE (RECORDS MANAGER)

MOTION NO. 4

MOVED BY LARRY SAULT

SECONDED BY VERONICA KING-JAMIESON

That the MCFN Executive Finance Council agrees to the following:

- 4.1 The Chief and Council or designate will ensure the retention date has been satisfied as per the ***Multi Institutional Disposal Authority*** from the Government of Canada and that the records are properly destroyed.

REPLACE WITH:

The Records Manager and Department head/designate will ensure the retention date has been satisfied as per the Multi Institutional Disposal Authority from the Government of Canada and that the records are properly destroyed.

- 4.2 Records designated for destruction will be approved by the Manager/Director of the originating department and by Council motion.

REPLACE WITH:

Records designated for destruction will be approved by the Records Manager and the Department Head/Designate.

Carried

2nd Reading Waived

MOTION NO. 5

MOVED BY RODGER LAFORME

SECONDED BY LARRY SAULT

That the MCFN Executive Finance Council moved In-Camera at 11:25 am.

Carried