

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

PUBLIC MINUTES

Tuesday, September 8, 2015

Start 9:00 am

Finish 4:28 pm

Chief Councillor

Bryan LaForme

Councillor

Erma Ferrell

Councillor

Arland LaForme

Councillor

R. Stacey Laforme

Councillor/Chair

Larry Sault

Councillor

Clynten King

Councillor

Cecil Sault

Councillor

Sharon Bonham

Executive Director

Cynthia Jamieson (Vacation)

Communications Director

Deanna Dunham

Recorder

Charlotte Smith

LMR Director

Margaret Sault

PW Director

Barbara Hill

Director of C & A

Mark LaForme

MRP Coordinator

Karin Duguay

Legal Counsel

Dan Shields (Legal Counsel)

Legal Counsel

Kim Fullerton & Alex Monem

Shared Value Solutions

Don Richardson

AGENDA ITEM NO. 1 – OPEN MEETING

Chair/Councillor Larry Sault opened the meeting at 9:00 am. Councillor Sharon Bonham will be a few minutes late. Executive Director is on vacation.

AGENDA ITEM NO. 2 - REVIEW & ACCEPT AGENDA

MOTION NO. 1

MOVED BY ARLAND LAFORME

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council accepts the Agenda.

Carried

AGENDA ITEM NO. 3 – REVIEW & ACCEPT INFRASTRUCTURE & DEVELOPMENT COUNCIL (PUBLIC) MINUTES FROM TUESDAY, AUGUST 4, 2015

MOTION NO. 2

MOVED BY CLYNTEN KING

SECONDED BY R. STACEY LAFORME

That the MNCFN Infrastructure & Development Council accepts the Infrastructure & Development Council (Public) Minutes of August 4, 2015.

Carried

AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES

There were no Matters Arising from the Minutes.

LANDS, MEMBERSHIP & RESEARCH

AGENDA ITEM NO. 5 – INTERIM POLICY FOR APPLCATIONS RECEIVED UNDER THE FAMILY HOMES ON A RESERVE & MATRIMONIAL INTERESTS OR RIGHTS ACT – APPOINTMENT OF A POLITICAL REPRESENTATIVE

Councillor suggested waiting until the final report is done before appointing a Political Rep to meet with OPP and Court Officials.

Another Councillor pointed out that the Residency By-Law is included in this Act, and the OPP can do nothing about the Residency By-Law at this time. And further, it is not known how the other Mississauga Nations feel.

Councillor believes that the reps (Councillors Sharon Bonham and Erma Ferrell) who were on the Committee should stay on this Committee.

MOTION NO. 4

MOVED BY CLYNTEN KING

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council NOT appoint a political rep from the table to meet with OPP representatives and Court Officials to introduce and make aware of Residency By-Law and MNCFN MRP Law.

Carried

Opposed: Councillor R. Stacey Laforme – reps should be left on the Committee.

LMR Director in at 9:15 am.

AGENDA ITEM NO. 6 – UPDATE ON STATUS CARDS

Councillor received information from a Band Member who was unable to get to the LMR Office on the days specified to apply for a Status Card. Councillor is suggesting that arrangements should be made for Off-Reserve Band Members to come and apply any day of the week.

LMR Director reiterated that since 1990 Status Cards have always been issued on Thursdays and Fridays. There appears to be an increase in the issuing of the orange Status Cards, and the LMR Director also assists Band Members in applying for the new Certificate of Indian Status Cards.

It was noted that AANDC issues Status Cards every day.

Councillor questioned when New Credit is supposed to be issuing their own Cards.

MOTION NO. 5

MOVED BY R. STACEY LAFORME

SECONDED BY BRYAN LAFORME

That the MNCFN Infrastructure & Development Council agrees to continue status quo on issuing of Status Cards.

Carried

2nd Reading Waived

Opposed: Councillors Erma Ferrell and Cecil Sault – Status Cards should be issued Monday to Friday.

AGENDA ITEM NO. 7 – FURTHER DISCUSSION - ATR (ADDITION TO RESERVE) – LETTER TO SEAN THOMPSON AT AANDC FROM BRIAN FINNIGAN DATED AUGUST 20, 2015; COPY OF LETTER TO CHIEF AVA HILL (SIX NATIONS) FROM SEAN THOMPSON

Councillor stated that AANDC is giving Six Nations another extension regarding the ATR Process, but MNCFN Chief and Council are not!

Council agreed that Executive Director would contact Legal Counsel and have him prepare a letter to Six Nations Council conveying that New Credit is finished giving Six Nations any more extensions. Letter will be addressed to AANDC with a copy to Six Nations Council.

DIRECTION NO. 1

That the MNCFN Infrastructure & Development Council gives direction to the Executive Director to contact Brian Finnigan (Legal Counsel) and convey to Mr. Finnigan to write a letter to AANDC regarding the ATR with a copy to Six Nations Council. The letter will say that MNCFN is finished trying to accommodate Six Nations.

AGENDA ITEM NO. 8 – OTHER/NEW BUSINESS

There was no Other/New Business.

LMR Director out at 9:30 am.

PUBLIC WORKS

AGENDA ITEM NO. 9 – ESTIMATE TO RELOCATE WATERLINE

Councillor questioned if this estimate included top soil, reseeding, capping off the old line etc. PW Director informed that she spoke to Councillor Arland LaForme during a break in the meeting & informed him that she was unable to contact the contractor & that the Infrastructure Manager told her:

- Topsoil is piled separately & the existing topsoil is reused
- Seeding is required when using new topsoil
- Doesn't need to be capped has its own curb stop on Ojibway Road & that will be turn off there
- Settling is general practice & if any settling after 1 year contractor will fix

AGENDA ITEM NO. 10 – OTHER/NEW BUSINESS

There was no Other/New Business.

SEPARATE ITEM FROM COUNCILLOR ERMA FERRELL

MOTION NO. 6

MOVED BY LARRY SAULT

SECONDED BY SHARON BONHAM

That the MNCFN Executive Finance Council gives approval for the purchase of Chief and Council plaques up to an amount of \$4,200.00 (120 plaques x \$35.00 per plaque). Payment will be made to Pro-Fab Plastics Ltd, Neil Tranmer. Dollars will come from the Enterprise Fund.

Carried

2nd Reading Waived

SEPARATE ITEM FROM COUNCILLOR ERMA FERRELL

MOTION NO. 7

MOVED BY SHARON BONHAM

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council approves the payment to Lesley Harris (Legal Counsel) for copyright consultations in August 2015, Invoice Number 202.255.2522, in the amount of \$2,400.00 (Two Thousand Four Hundred Dollars). Dollars will come from Casino Rama.

Carried

2nd Reading Waived

DIRECTION NO. 2

That the MNCFN Infrastructure & Development Council gives direction to Councillor Erma Ferrell to contact Lesley Harris and request that Ms. Harris create a proposal for further work she will be doing on copyright law.

Council moved In-Camera at 10:00 am.

Council moved out of the In-Camera session at 10:45 am.

LANDS, MEMBERSHIP & RESEARCH CONT'D

Legal Counsel Alex Monem and Kim Fullerton, Director of C & A, Don Richardson (SVS) and LMR Director in at 10:50 am for the next item. LMR Director back in at 10:50 am.

DSED in at 11:00 am.

AGENDA ITEM NO. 12 – GUESTS – KIM FULLERTON & ALEX MONEM (LEGAL COUNSEL) & DOCA TO GIVE PRESENTATION ON LAND CESSION REPORT

Councillor Larry Sault welcomed everyone and gave a brief overview of what will be discussed.

Kim Fullerton (Legal Counsel) stated that the back-up for this meeting is the Joan Holmes Report which Council had received in an earlier meeting. He stated that all the loose ends were being tied together including the Nanfan Deed. He sent a report to Ontario and attacked the Nanfan Deed and did very well. He reiterated that New Credit has to show that they surrendered their lands (see Joan Holmes Report – Page 17). The land that was surrendered is the Haldimand Deed.

Kim advised that the next step is to do the Draft Statements of Rights & Concerns.

Alex Monem (Legal Counsel) stated that there is a precedent that can be followed from the Saugeen First Nation. Saugeen sets out its case for why governments have to consult with (First Nations) New Credit for any actions it takes that impacts New Credit. What does New Credit say its rights are? How does that statement address the issues that are going on in your Traditional Territory right now? Alex further informed that the document/statement should be completed in four to six weeks' time.

Kim reiterated that the Rouge River Tract Claim has been filed. New Credit has asserted Aboriginal Title Claim to this property and now a claim needs to be filed for Unextinguished Aboriginal Title to Water Rights. He further stated that "Six Nations will cut your grass if you (New Credit) continue to let them do this". He suggested that the Chief meet with the Premier and inform her that Toronto is New Credit's Traditional Territory, not Six Nations.

Councillor questioned what could be done in the short term. Alex answered that a Direction is needed to consolidate action with various proponents; recommendations are needed from the group. He also advised not to hold off with immediate concerns i.e. legal advisors, tech advisors etc.

Councillor stated that a budget is needed for this Committee.

Kim questioned Councillor Clynten King if the two groups (on-line mapping) are doing similar work and are they talking? Councillor King will bring Fred McGarry to the meeting on Friday.

It was agreed that a meeting is scheduled for Friday, September 11, 2015 at the Consultation & Accommodation Office at 1:00 pm (This will be a four hour session). Those in attendance will be Chief Bryan LaForme, Councillors R. Stacey Laforme, Clynten King and Larry Sault, Director of C & A, Communications Director, DSED, Don Richardson of SVS, Legal Counsel Alex Monem and Kim Fullerton, LMR Director, Fred McGarry and Sebina.

Kim Fullerton (Legal Counsel) and LMR Director out at 11:41 am.

AGENDA ITEM NO. 13 – OTHER/NEW BUSINESS

There was no Other/New Business.

CONSULTATION & ACCOMMODATION

Don Richardson (SVS) and Mark LaForme (DOCA) in at 11:41 am.

AGENDA ITEM NO. 14 – GUEST – DON RICHARDSON (SVS) TO GIVE PRESENTATION ON SHARED VALUE SOLUTIONS LTD – SUMMATIVE REPORT

Don Richardson (SVS) requested this presentation to Council and highlighted the report he prepared for Council. He informed that SVS (Shared Value Solutions) got involved with New Credit when Carolyn King met him at a meeting at Six Nations. He gave background information that is in his handout.

Regarding Enbridge Line 9 (from Sarnia to Montreal) the pipelines are under the authority of NEB (National Energy Board). The key recommendation is there needs to be a focal point in which to negotiate.

Regarding the meeting set up for Friday, Councillor stated that what is required is a political move. Further, what is also needed is a bi-lateral agreement with the Premier.

Councillor pointed out that the mandate of Don was to assist in training our staff. She would like a clear picture of Don's work and DOCA's work.

Don stated that proponents should be paying all these costs.

Councillor stated that this information needs to be conveyed to the Community and this will also be discussed at Friday's meeting.

Don Richardson and Alex Monem out at 12:10 pm.

Regarding the DOCA budget, Mark LaForme stated that they do not require any more dollars from Council. He also pointed out that DOCA would have had more revenue had they not used Don Richardson. SVS was paid approximately \$430,000.00 and contributed \$130,000. Councillor stated that he would like to see some real numbers.

It was pointed out that the difference in dollars is that proponents were not invoiced and now they are.

Councillor reiterated that Union Gas provided \$80,000.00 for education and the project was never completed.

AGENDA ITEM NO. 15 – MONTHLY ACTIVITY REPORT

This was an FYI for Council.

AGENDA ITEM NO. 16 – PROPONENT CHART

This was an FYI for Council.

MOTION NO. 10

MOVED BY ERMA FERRELL

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council acknowledges the Proponent Chart and the Monthly Activity Report from DOCA.

Carried

LUNCH BREAK 12:25 TO 1:25 PM.

ECONOMIC DEVELOPMENT

DSED and Don Richardson (SVS) in at 1:30 pm for the next item.

AGENDA ITEM NO. 17 – SVS JOINT VENTURE

Councillor Larry Sault gave some background on the Joint Venture between SVS and New Credit. The Joint Venture will be titled “Ganawenjige Aki Inc.”

DSED noted that one reason for the Joint Venture is to separate DOCA and SVS. The Duty to Consult rests with DOCA. The Joint Venture could be hired by DOCA as there is no obligation to use the Joint Venture for the work the Monitors are doing or otherwise. The Joint Venture is aimed at looking at the amount of work outside New Credit’s Traditional Territory and would be an environmentally certified business. The intent with the Joint Venture is that no dollars would have to come from New Credit. The Corporation will oversee everything and report back to Council

Don stated that the market for services will be other First Nations. He also advised that New Credit should join the Canadian Council for Aboriginal Business.

DSED stated that the Joint Venture would compete with DOCA.

It was pointed out by DSED that the Board for the Business Corporation is not functional yet as one more Board Member from New Credit is required.

Councillor questioned who is the Board Members for the Joint Venture; how many people have been contacted; have the financial statements of SVS been reviewed etc.?

Councillor informed that if the Joint Venture does not work out, this structure could be used elsewhere.

Councillor informed that the Joint Venture will be separated from Council.

DSED questioned Don what kind of work would be done. Don answered that most of the work would be remediation ie. clean up of contaminated sites which is a big business. Don also stated that he is not interested in taking any work from DOCA

It was noted that Stackstone Ventures is owned by SVS. It is noted that the legal review and structure for the Joint Venture was paid by SVS.

Don Richardson out at 2:05 pm.

MOTION NO. 13

MOVED BY ERMA FERRELL

SECONDED BY SHARON BONHAM

That the MNCFN Infrastructure & Development Council proceed with the Climate Change Summit and approve budget as proposed by DSED. Dollars will come from Enterprise Fund.

Opposed: Chief Bryan LaForme, Councillors Arland LaForme, Clynten King, R. Stacey Laforme, and Cecil Sault.

Motion is Defeated

It was agreed that a budget of \$80,000.00 would be provided and the Summit will be held at the New Credit Community Centre with a Climate Change Expert Panel.

To move this item forward, Councillor suggested getting staff involved. SED Assistant and Communications Director can coordinate this. Councillor Clynten King can supply the names of the experts.

Communications Director will set a date for the Summit.

MOTION NO. 14

MOVED BY CLYNTEN KING

SECONDED BY CECIL SAULT

That the MNCFN Infrastructure & Development Council proceed with the Climate Change Expert Panel with a budget of \$80,000.00 (Eighty Thousand Dollars) to be held at the New Credit Community Centre. Dollars will come from Casino Rama.

Carried

2nd Reading Waived

DSED out at 3:25 pm. Councillor Clynten King left at 3:25 pm for personal business.

AGENDA ITEM NO. 19 – OTHER/NEW BUSINESS

There was no Other/New Business.

HOUSING

AGENDA ITEM NO. 20 – FYI/UPDATE – MNCFN CONSTRUCTION STAGES & SPECIFICATIONS

This is an FYI for Council.

AGENDA ITEM NO. 21 – FURTHER DISCUSSION REGARDING HOUSING AS A BUSINESS (HaaB)

This item is deferred to the next Infrastructure & Development Council Meeting on Monday, October 5, 2015.

AGENDA ITEM NO. 22 – OTHER/NEW BUSINESS

There was no Other/New Business.

Council moved to an In-Camera session at 3:26 pm.