

**MISSISSAUGAS OF THE CREDIT FIRST NATION
INFRASTRUCTURE & DEVELOPMENT COUNCIL
PUBLIC MINUTES
Monday, November 5, 2018**

Start 9:02 am

Finish 12:04 pm

Chief Councillor

R. Stacey Laforme

Councillor

Erma Ferrell

Councillor

Cathie Jamieson (Excused)

Councillor/Chair

Larry Sault

Councillor

Evan Sault (Excused)

Councillor

Rodger LaForme

Councillor

Veronica King-Jamieson

Councillor

Stephanie LaForme

Executive Director

Cynthia Jamieson (Vacation)

Recorder

Charlotte Smith

PW Director

Arland LaForme (Filled in for Executive Director)

A/DSED

Lewis Staats

Guests from MCBC

Wade Griffin, Neil Freeman, Warren Sault, Scott Serson, Aaron Unger, Kevin Rose

Band Members

Sonya Sault, Abbey Sault

AGENDA ITEM NO. 1 – OPEN MEETING

Chair/Councillor Larry Sault opened the meeting at 9:02 am. Councillor Cathie Jamieson is away at the First Nations Labour Market Strategy Meeting. Councillor Evan Sault is away at the 2018 Parliament World's Religions Summit.

Chair noted that this meeting will be adjourned at 12:00 pm in order for people to attend the funeral of Band Member Cecilia LaForme.

If there are any Agenda Items remaining they will be put on another Agenda.

AGENDA ITEM NO. 2 – REVIEW AND ACCEPT AGENDA

MOTION NO. 1

MOVED BY RODGER LAFORME

SECONDED BY R. STACEY LAFORME

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

- Agenda Item No. 9 – Update on Economic Development Department – deferred to another meeting;
- Agenda Item No. 11 – MNCFN New Election Process & Code of Conduct – deferred to another meeting;
- Agenda Item No. 12 – In-Camera Item – deferred to Education & Social Services Council Meeting on Monday, November 12, 2018;
- Agenda Item No. 13 – In-Camera Item – deferred to Education & Social Services Council Meeting on Monday, November 12, 2018.

Carried

AGENDA ITEM NO. 3 – REVIEW & ACCEPT PUBLIC MINUTES OF INFRASTRUCTURE & DEVELOPMENT COUNCIL DATED MONDAY, OCTOBER 1, 2018

MOTION NO. 2

MOVED BY R. STACEY LAFORME

SECONDED BY ERMA FERRELL

That the MNCFN Infrastructure & Development Council accepts the Public Minutes of Infrastructure & Development Council Meeting dated Monday, October 1, 2018.

Carried

It is noted that “Mississaugas of the Credit First Nation” will be used from now on instead of “Mississaugas of the New Credit First Nation.

AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES

There are no Matters Arising from the Minutes.

PUBLIC WORKS

AGENDA ITEM NO. 5 – SIX NATIONS NATURAL GAS AGREEMENT - APPROVAL OF EXTENSION – TIME SENSITIVE (PW DIRECTOR)

PW Director noted in his Briefing Note that a Motion of Council is required to authorize Chief R. Stacey Laforme and Executive Director, Cynthia Jamieson to sign the “Gas Supply Agreement” prepared by Brian Finnigan of Waterous Holden Amey Hitchon, LLP.

Public Works Department informed MNCFN of the now expired “Gas Supply Agreement” with Six Nations Natural Gas Company Limited.

MNCFN directed PWD via Motion No. 18 to compile revision comments and organize a meeting with Brian Finnigan (Legal Counsel) of Waterous Holden Amey Hitchon to determine best interests of MNCFN.

Brian Finnigan prepared a letter on behalf of MNCFN and has received review comments from Six Nations Natural Gas’ (SNGG) Lawyer.

A meeting on August 9, 2018 with Brian Finnigan, PW Department, Economic Development Department and I&D Chair (Councillor Larry Sault) met to discuss the received response from SNGG’s Lawyer.

Current Amendment on file has been extended until October 31, 2018.

PW Department and Brian Finnigan are recommending that we extend the Agreement through an amendment to allow time for renegotiation.

Please note that although this will be the fourth extension, negotiations have been progressing and final revisions are very close.

MNCFN may want to contact Enbridge directly as they are the overall supplier of the gas that SNGG uses to establish “Right of Way Fees” OR “Revenue Sharing” arrangement.

PW Director reiterated that he does not think the Agreement for Right of Way fees or Revenue Sharing will happen with SN Natural Gas, but is suggesting that New Credit speak directly with Enbridge.

Chief advised signing the Agreement and moving forward. PW Director added that the Agreement could be signed now, but deal with Enbridge later.

Chair stated that his issue is the fees (\$1,000.00) that Band Members have to pay to be hooked up to SN Natural Gas. He believes that Chief and Council should negotiate a better deal. Chief stated that this is a difficult position after the fact. Councillor Erma Ferrell added that this is a service to our Membership.

MOTION NO. 3

MOVED BY STEPHANIE LAFORME

SECONDED BY RODGER LAFORME

That the MNCFN Infrastructure & Development Council authorizes Chief R. Stacey Laforme and Executive Director, Cynthia Jamieson to sign the "Gas Supply Agreement" prepared by Brian Finnigan of Waterous Holden Amey Hitchon, LLP.

Carried

2nd Reading Waived

Opposed: Councillor Veronica King-Jamieson – Band Members should not have to pay the hook-up fee.

AGENDA ITEM NO. 6 – APPROVAL OF AGENDA FOR THE MONTHLY GATHERING ON SATURDAY, NOVEMBER 24, 2018 (CULTURE & EVENTS COORDINATOR)

MOTION NO. 4

MOVED BY ERMA FERRELL

SECONDED BY RODGER LAFORME

That the MNCFN Infrastructure & Development Council approves the Monthly Gathering Agenda for Saturday, November 24, 2018.

Carried

2nd Reading Waived

AGENDA ITEM NO. 7 – RICH FRANCIS – COUNTRY STYLE UNIT RESTAURANT PARTNERSHIP

The former A/DSED brought this item to Council. She noted in her Briefing Note that Chef Rich Francis has met with the A/DSED with respect to the potential to develop an entity he termed as a “community-based” restaurant partnership with MNCFN, which he would like to locate within the former Country Style unit at the New Credit Commercial Plaza. Before asking the individual to provide a full plan, complete with all necessary due diligence, the A/DSED advised that it would be prudent to first obtain direction from Chief & Council as to whether there was interest from the table on pursuing this type of entity in partnership with an individual, earmarked specifically for this location.

The former Country Style unit remains empty.

Rich Francis has a professional history as a chef, however, no additional business management details have been requested of this individual until such time as it is deemed that there is an interest to partner.

Mr. Francis has verbally identified a working partnership with Niagara College as well as Liaison College for training of restaurant staff in the hospitality industry.

He has an interest in developing a restaurant which draws from local talent as well as local food products.

Councillor SL reported that Mr. Francis was here two years ago, and was to bring back a business plan, which he never did. Chief also added that he met with Mr. Francis and asked him (Mr. Francis) to bring a business plan, which he did not.

Councillor EF stated that a Band Member had applied to rent this space and was denied. She would like to be fair to our Band Members and give them a chance if Council decides to rent this space.

Chair noted that 30 days would be plenty of time for Mr. Francis to prepare a business plan and present it to Council. All were in agreement.

DIRECTION NO. 1

That the MNCFN Infrastructure & Development Council directs the A/DSED (Lewis Staats) to contact Rich Francis and request that he (Rich Francis) prepare a Business Plan regarding a restaurant partnership (former Country Style Unit) with Chief and Council within the next 30 days. This item will come back to the next Infrastructure & Development Council Meeting on Monday, December 3, 2018.

AGENDA ITEM NO. 8 – CANNABIS DISCUSSION – NEXT STEPS (A/DSED)

A/DSED noted in his Briefing the following information:

Recreational use of Cannabis became legal in Canada effective October 17, 2018. Canada under Health Canada has retained the authority to administer the growth/production of cannabis within the same parameters that have been in place for medical marijuana for a number of years. The growth facilities are highly regulated and closely monitored through Health Canada. This is expected to remain the same for growth facilities targeting the recreational cannabis market

The authority for regulating the “dispensing/distribution” of recreational cannabis has been delegated to the Provinces and Territories as to how the sale of Cannabis takes place within their provincial or territorial jurisdictions. **In doing so the Federal government once again did not consult with the First Nations or take into consideration their fiduciary responsibilities to the First Nations. I believe that the Federal government recognizes their mistake and therefore would be willing to work with the First Nations who choose to develop Cannabis laws/bylaws/regulations for their Nation.**

The government of Ontario under Premier Ford has made the decision to privatize the dispensary/retail side of the Cannabis business in Ontario. However, Ontario as of now, does not have and will not have their provincial legislation as it pertains to dispensing/retailing Cannabis in Ontario for a number of months. This suite of legislation dealing with dispensing/retailing Cannabis in Ontario is not expected to be tabled and approved by the Ontario legislature until April of 2019.

This time gap/lag between now (November 2018) and the expected passing of Ontario’s Cannabis legislation (April 2019) represents a unique window of opportunity for First Nations who are decisive and are prepared to move quickly in the Cannabis sector.

From a purely economic development perspective the Cannabis business sector represents a potentially very lucrative business opportunity to the MNCFN. If MNCFN chooses to enter the Cannabis sector and develops its own laws/bylaws/regulations before the Ontario legislation is passed and enacted the provincial legislation would be secondary to the MNCFN Cannabis regulations already in place.

A/DSED reiterated that there is no provincial approval until April 2019. He also stated that this is an economic generator.

Chair stated that WeedMD is producing medical cannabis. MNCFN’s investment in WeedMD is doing very well. Also, WeedMD is the only company with a business plan. Three Mississauga Nations (New Credit, Scugog, Mississauga 8) have invested in WeedMD.

Chair advised that MNCFN could brand our own Native brand.

As a side note, PW Director informed that someone dropped off some weed caplets for him at Reception. He emphatically refused the caplets.

A/DSED stressed that the time to move on the cannabis is now.

A/DSED informed that he met with Dave Vince of Two Rivers Community Development Centre to do a feasibility study on the former Green Willow property for a Cultural Centre. Two Rivers has \$25,000.00 for another project, as well as \$90,000.00 to offset whatever plan of action MNCFN has. Chair questioned if MNCFN could access both. A/DSED answered yes.

Chair questioned who was looking after the Ambassador Program. This program is for cultural dollars.

It was agreed that these dollars would go to the Events & Culture Coordinator's Department and Councillor Erma Ferrell would assist.

MOTION NO. 5

MOVED BY R. STACEY LAFORME

SECONDED BY RODGER LAFORME

That the MNCFN Infrastructure & Development Council agrees to access up to \$65,000.00 (Sixty-Five Thousand Dollars) from Two Rivers Community Development Centre through the community economic grants to put together a Business Case for an opportunity in the Cannabis industry process which will include regulations.

Carried

2nd Reading Waived

Opposed: Councillor Veronica King-Jamieson

DIRECTION NO. 2

That the MNCFN Infrastructure & Development Council directs the Culture & Events Coordinator to follow up regarding the Ambassador Program and dollars that are available from Two Rivers Community Development Centre. Councillor Erma Ferrell will assist Culture & Events Coordinator.

AGENDA ITEM NO. 9 – UPDATE ON THE ECONOMIC DEVELOPMENT DEPARTMENT (A/DSED)

This item has been deferred to another meeting.

Guests Neil Freeman, Warren Sault, Aaron Unger, Scott Serson, Kevin Rose and Wade Griffin in at 10:20 am.

AGENDA ITEM NO. 10 – GUEST - WADE GRIFFIN – PRESENTING MCBC UPDATE & INTRODUCTION OF ALL MCBC BOARD OF DIRECTORS

Chair stated that Chief and Council have been trying to put together a Development Corporation for 25 years. Today, the Mississaugas of the Credit Business Corporation (MCBC) is finally an up and running Corporation. Warren Sault, who is a Board Member, was part of the early discussions. Chair stated that the Corporation is now positioned very well to move forward. There are a lot of opportunities in MNCFN's Treaty Lands. Chair is suggesting a two-day meeting with the Board of Directors and Chief and Council. He has invited the Chair and Board Members of MCBC to introduce themselves to Chief and Council.

Neil Freeman is the Chair of MCBC. He provided some background of his credentials. He has extensive knowledge and is highly educated. His business strength is the ability to identify new opportunities for value creation through deep research and analysis of market and policy data. He is presently the Principal/CEO of NBF Group Inc., Executive Advisor of Power Advisory LLC, Corporate Director of Blue Box Technology BBT, Senior Executive Fellow of WISE (Waterloo Institute of Sustainable Energy). He has been exposed to good business practices.

Warren Sault (Band Member) is Board Member of MCBC. He is presently with First Nations Engineering as the Project Manager.

Scott Serson is a Board Member of MCBC. As Deputy Secretary to the Cabinet, Intergovernmental and Aboriginal Affairs in 1989, he provided strategic advice on federal-provincial relations and Aboriginal constitutional issues. He also co-chaired the Working Group on Indigenous Peoples Rights in the process that led to the Charlottetown Constitutional Accord.

In September 1995, Mr. Serson was appointed Deputy Minister of Indian Affairs and Northern Development. In that role he was instrumental in the development of the Government's response to the Royal Commission on Aboriginal Peoples. He also provided public service leadership in the final stage of the creation of Nunavut. In May 1999, Scott received the Public Service Outstanding Achievement Award for his efforts in the field of social justice and his commitment to public service leadership.

Mr. Serson has a BA with a major in Sociology from Carleton University. For nearly ten years he was a member of the Auditor General's Advisory Committee on First Nation Issues. For four years he was an external member of the Audit Committee of the Canadian Food Inspection Agency. Scott also served for nine years on the Board of the Institute on Governance, including two years as Chair. He continues to serve as Co-chair of their Indigenous Advisory Circle.

Aaron Unger is a Board Member of MCBC. Mr. Unger has an LL.B. from Osgoode Hall Law School in Toronto and an MBA from The European University in Montreux, Switzerland. He is a member of the Law Society of Upper Canada and sits on the board of several private companies.

Mr. Unger is a seasoned corporate finance professional with extensive experience in structuring and executing financings (equity and debt) and mergers and acquisitions. He is currently the President and Founder of Dorylin Capital Advisors, a merchant bank and financial advisory

business engaged in providing companies with funding and advisory services related to fund raising, corporate strategic alternatives and go-public transactions.

Kevin Rose (Band Member) is a Board Member of MCBC. Mr. Rose owns his own consultant company.

Wade Griffin is the Transition Phase Project Officer for MCBC. He reiterated that the Board is up and running, and all the right steps are being taken.

Chief stated that Ni'Akinde needs to expand their base of opportunity. He went on to say that Chief and Council are trying to develop their Pillar Leads, so he would like to hear about the relationship between Chief and Council and the Board. Wade pointed out that the Board wants to begin the engagement with Chief and Council.

Mr. Freeman reiterated that on August 21, 2018 the Board was installed. The Board has advertised for an Elder in the Two Row Times and on Facebook. The advertisement was not specific on age, and we did not ask for someone with business experience, but only to have an interest in the Board. The Elder is representing the Community. Councillor EF stated that the Board should be more specific in what they are looking for in an Elder. Mr. Freeman answered that the advertisement would be revised.

Mr. Freeman stated that the Board wants to do a two-day workshop with Chief and Council about how the Board is governed, the Charter, ongoing communication with Chief and Council and the work plan and budget for 2019. The Board has a regularly scheduled meeting that everyone is agreeable to which is the third Tuesday of every month. The first meeting is today, and another one is scheduled for Tuesday, November 20th.

With regard to funding, Wade stated that the Corporation needs to be responsible for itself. Moving forward we will be engaging the Directors. There is sufficient funding for Year 1, but the Board will be applying to LEDSP.

Mr. Serson noted that regarding dollars from the federal side, there are no results so far with Nation to Nation governments and talks. It is a difficult position right now.

Chair stated that we have to get these big projects before 2019. Mr. Serson stated that First Nations should get a fair share.

Regarding business opportunities, we have to have business opportunities in place.

Mr. Serson questioned if we should move forward with New Credit Variety & Gas (NCVGB).

The Tron Joint Venture has many opportunities. MCBC is a 51% partner. Chief questioned Wade as to how close is the Board to developing this Joint Venture. Wade answered by the end of the month, and he would like to have Band Members fill these positions, and eventually get the Band Members into project engineering. Wade informed that TRON will carry the office in terms of skilled labour until Band Members are trained. Joint Ventures are critical. PSAP (Procurement Strategy for Aboriginal People) exists so governments can work with First Nations.

Chair stated that we want our Band Members to have high positions, and we should use other models, not just PSAP. We need to build strong relationships with other First Nations.

The Department of Defense Project closes on November 20th. This is a 25 year job. Anyone who wants to work with us will have to stay with us.

Regarding NCVGB, Councillor EF informed that a lot more discussion is required. She questioned if there are bench marks for business. She also questioned where the \$100,000.00 is coming from. Transportation would be an issue for Band Members to get to work.

Regarding the Freshwater Fish Marketing Corporation, due diligence is being done right now to see if this is a benefit to First Nations.

Chair informed that we cannot talk reconciliation without business development. Chair asked Mr. Unger how we can access dollars. Kevin Rose stated that you need dollars to get dollars. Due diligence has to be conducted, and a good business case has to be demonstrated.

Chief questioned why the Board would go to the bank if they can come to the First Nation. We can invest in our own business.

PW Director questioned where is the Charter and the nine other companies.

Mr. Freeman stated that we need to keep moving forward and have to develop a strategy. We have to sift out what we do not want.

Mr. Freeman informed that the Relationship Agreement is the Management Agreement. We are working on a draft Management Agreement and will come back in early December to get it finalized. We need confirmation of objectives for MCBC eg. NCVGB – what MNCFN keeps and what MNCFN hands over. Do you want to give the board ownership or management?

Mr. Serson stated that a Management Agreement is very important to both sides

Councillor VKJ requested a phone number of MCBC.

Wade stated that the end goal is to create long term income for the First Nation.

Mr. Freeman said he would like to hear Chief and Council's thoughts.

Warren Sault stated that the Board can take over management of NCVGB and make more dollars. He also stated that the Board will look at each business case individually.

Kevin Rose stated it is a "we", not "us and you".

Councillor RL questioned if the businesses are here or off reserve, and do we just keep investing in off reserve businesses.

Wade stated that we have to look at opportunities and make sure they are solid.

Councillor EF stated that she is hesitant to do any investing because of our failed businesses on reserve eg. Country Style, Glam, and Royal Flush.

Chief informed that we can all benefit from further discussion. The Management Agreement should include the moral compass of the Community. PW Director added that it should be as

complete as possible eg. confirmed office hours and staff, communication, and there are drainage issues to be worked out.

Chair stated that we will have an in-depth discussion on the Management Agreement in the near future. He also added that he is comfortable with the MCBC Board.

Guests were thanked for presenting and left at 12:02 pm.

MOTION NO. 6

MOVED BY RODGER LAFORME

SECONDED BY STEPHANIE LAFORME

That the MNCFN Infrastructure & Development Council acknowledges the update on the Mississaugas of the Credit Business Corporation (MCBC).

Carried

Council moved to Agenda Item No. 15.

AGENDA ITEM NO. 15 – ADJOURNMENT

MOTION NO. 7

MOVED BY RODGER LAFORME

SECONDED BY STEPHANIE LAFORME

That the MNCFN Infrastructure & Development Council adjourned this meeting at 12:04 pm.

Carried