

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

PUBLIC MINUTES

Monday, March 4, 2019

Start 9:00 am

Finish 3:40 pm

Chief Councillor

R. Stacey Laforme (Sick)

Councillor

Erma Ferrell

Councillor

Cathie Jamieson

Councillor/Chair

Larry Sault

Councillor

Evan Sault

Councillor

Rodger LaForme

Councillor

Veronica King-Jamieson

Councillor

Stephanie LaForme

Executive Director

Cynthia Jamieson

Recorder

Charlotte Smith

PW Director

Arland LaForme

DOCA Director

Mark LaForme

LMR Director

Margaret Sault

Project Governance Coordinator

Caitlin Beresford

DSED

Nick Hogewoning

Proposal Writer

Lewis Staats

Legal Counsel

Sara Mainville

Guests

**Don Moss, Chris Metcalfe, Stephanie Allen,
Andrew Palmer, Wilf Ruland, Ivan Ross Vrana**

Band Members

Carolyn King, Sonya Sault

AGENDA ITEM NO. 1 – OPEN MEETING

Chair/Councillor Larry Sault opened the meeting at 9:00 am. Chief is away sick. Councillor Cathie Jamieson has to leave at 12:00 pm.

AGENDA ITEM NO. 2 – REVIEW AND ACCEPT AGENDA

MOTION NO. 1

MOVED BY EVAN SAULT

SECONDED BY VERONICA KING-JAMIESON

That the MCFN Infrastructure & Development Council accepts the Agenda with the following addition:

- Agenda Item No. 14a) – In-Camera Item.

Carried

AGENDA ITEM NO. 3 – REVIEW & ACCEPT PUBLIC MINUTES OF INFRASTRUCTURE & DEVELOPMENT COUNCIL DATED MONDAY, FEBRUARY 4, 2019

MOTION NO. 2

MOVED BY STEPHANIE LAFORME

SECONDED BY EVAN SAULT

That the MCFN Infrastructure & Development Council accepts the Public Minutes of Infrastructure and Development Council Meeting dated Monday, February 4, 2019.

Carried

AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES

There were no Matters Arising from the Minutes.

PUBLIC WORKS

PW Director in at 9:00 am

AGENDA ITEM NO. 5 – ASSETS FUTURE/END USE

PW Director noted that a Motion is required to authorize MCFN Public Works Department to meet with Pillar 6 (Councillor Stephanie LaForme) Lead/Departments/Committees and determine the Future/End Use of assets shown below:

Agimaw Gamig: fire separations of stairwells, washroom/lift installation for accessibility compliance, modifications to HVAC ductwork south-end of building

Rumpus Hall: ACRS Report describes but not limited to the following items that require attention, accessibility issues, investigate entry issue, replace asphalt concrete entry, replace asphalt walkways, fire separation mechanical room. Council to provide direction on this project. July 4, 2018 - Direction No. 1: That the MCFN I&D Council directs Councillor Stephanie LaForme to meet with the NC Cultural Committee, Library Committee and Powwow Committee to identify a date for their next meeting. To date PWD was informed that a meeting occurred however, is not aware of the status or next steps.

Council House: No items budgeted for in 2017/2019 due to preliminary project costs for renovations (\$2,000,000 – \$3,000,000). Council to provide direction on this project.

Dining Hall (Church): ACRS Report describes but not limited to the following items that require attention, replace shingles, investigate & repair floor structure, fire dampers in mechanical room ductwork. Council to provide direction on this project.

Councillor VKJ advised that this item does not need to be here at the Council Table. It can go through the Pillars.

PW Director informed that the discussion did not get followed through. These are major items that need to be discussed.

Councillor SL informed that she had met with the Cultural Committee, but can meet with them again.

Councillor EF advised that the PW Director can meet with the Executive Director to find pots of money that could be used.

It was agreed that Councillor Stephanie LaForme (Pillar 6 Lead), Councillor Veronica King-Jamieson (Pillar 4 Lead), Councillor Larry Sault (Pillar 1 Lead), DSED and PW Director will set up a meeting to discuss this item more in-depth.

Dr. Chris Metcalfe in at 9:00 am.

AGENDA ITEM NO. 6 – WASTEWATER IN SMALL RURAL COMMUNITIES – LAGOON PROJECT

Dr. Chris Metcalfe was introduced to Chief and Council.

PW Director noted in his Briefing Note that a Motion is required to acknowledge the Wastewater in Small, Rural Communities: Integrated sewage lagoon and ozone treatment Final Report prepared by Dr. Chris Metcalfe, School of the Environment – Trent University and project partners.

In the Fall of 2017/2018, a pilot-scale study/system was operated at the west lagoon of the wastewater treatment lagoon that serves the Mississaugas of the Credit First Nation.

Using an ozonation unit supplied by Aclarus Ozone Water Systems, ozone was injected into wastewater pumped from the west lagoon, and the ozonated water was then returned to the lagoon.

Results indicated that the quality of the wastewater improved over the monitoring period prior to discharge and all water quality parameters were below the regulatory limits.

In both years, the wastewater was non-toxic to rainbow trout and no evidence of stress in caged mussels.

Ms. Erin Hayward and Dr. Patty Gillis attended a monthly gathering in May 2018 to present the freshwater mussels survey data collected from Boston Creek.

Dr. Metcalfe reiterated the above information and stated that in 2017 a test was done to see if ozonation could improve wastewater. In 2018 the results were inconclusive. The quality of wastewater met the federal requirements. This is a good lagoon and is discharging properly. Fresh water mussels were also monitored which turned out good.

Dr. Metcalfe requested that he would like to use this report and the findings in future workshops; the Study Team is seeking direction from Chief and Council on whether to identify the MCFN as the study site and to acknowledge the contribution of community staff to the project in scientific publications and presentations.

It was noted that Pillar 3 (Councillor Cathie Jamieson) deals with water; Pillar 5 (Councillor Erma Ferrell) deals with outreach, and MCFN would like the recognition.

Stephanie Allen would like to present this report as well in her presentations.

Councillor LS reiterated that Chiefs of Ontario (COO) need to set the record straight regarding our Treaty Lands in the Golden Horseshoe.

On another note, Dr. Metcalfe would like someone to do a welcoming for the 40th Annual Meeting of SETAC North America on November 3 – 7, 2019 at the Metro Toronto Convention Centre. Councillor ES stated that MEC (Major Events Committee) will look after the speakers for the meeting. Councillor Cathie Jamieson will work with everyone to set up the speakers.

Dr. Metcalfe was thanked for his presentation and left at 9:25 am.

MOTION NO. 3

MOVED BY CATHIE JAMIESON

SECONDED BY EVAN SAULT

That the MCFN Infrastructure & Development Council acknowledges the report from Dr. Chris Metcalfe, of Trent University and Project Partners. Further, approves the request to be identified as the "Study Site – A Lagoon Serving the Mississaugas of the Credit First Nation" in scientific publications and presentations, as of Monday, March 4, 2019, of former students: Mr. Beau Schlageter – Chemical Engineering, Ms. Erin Hayward – Masters of Science Thesis and Ms. Simina Alungulesa – Masters Level Student.

Carried

2nd Reading Waived

Don Moss, Andrew Palmer, Wilf Ruland, Stephanie Allen in at 9:05 am.

AGENDA ITEM NO. 7 – MASTER DRAINAGE & FLOOD REMEDIATION PLAN FOR BOSTON CREEK/ROGER’S CREEK (MDFRP) – STRAGIS/GREENLAND CONSULTING ENGINEERS

Guests were introduced.

PW Director noted in his Briefing Note that a Motion is required in order to authorize MCFN Public Works to proceed with a cost share agreement for the benefit of Mississaugas of the Credit First Nation (MCFN) with Six Nations of the Grand River First Nation (SNGRFN) to address a Master Drainage and Flood Remediation Plan for Boston Creek and Roger’s Creek.

In addition to Boston Creek Flood Remediation Plan, analysis has been requested for Roger’s Creek within the Mississaugas of Credit First Nation (MCFN) and Six Nations of the Grand River Territory lands. The tasks with the Flood Remediation Plan for Roger’s Creek include: culvert and road crossing inspections, hydrologic and hydraulic analysis of drainage network, flood plain mapping for Six Nations and MCFN Lands – Study Area, examination of alternative solutions for flood reduction, identification of recommended solution using cost/benefit analysis, preparation of draft and final "Master Drainage and Flood Remediation Plan" reports, project management/client liaison.

SNGRFN sole sourced Stragis Environmental Services Inc. based on their integrated science and technology tools used to execute similar studies in the past.

In addition, an approval letter also is included in which SNGRFN have received in principle the amount of: Forty Thousand Six Hundred Seventy-One Dollars and Twenty-Five Cents (\$40,671.25) which was funded from Ministry of Municipal Affairs.

The total project cost is: (\$145,117.50) minus the (\$40,671.25) already received by SNGRFN leaving a remaining amount of: (\$84,516.25) that would be cost shared 50/50 for a total amount of: (\$42,258.13) required to be funded by MCFN.

The Elected Councils of SNGRFN/MCFN jointly retained Stragis Environmental Services Inc. to produce a second MDFRP in the area, this time for the southern Boston Creek and Rogers Creek sub watersheds. The type of flooding investigated through this work is watercourse-related and caused by inadequacies in the capacities of channel or culvert crossings at both creeks, which in turn cause flooding to adjacent uses. The MDFRP also includes regard for

climate change adaption and identified solutions using cost-benefit and life cycle costing factors.

Don Moss informed that the full package they are presenting today is for sustainable water.

Mr. Moss also noted that the area around the Industrial Park on First Line will flood in 100 years. In order to solve this a culvert has to be installed down stream. The road will need to be raised and 100 cubic measures of fill will be needed. This will cost a total of \$4 Million. This area is a linear wetland feature and there will be funding available.

Councillor LS informed that MCFN needs to meet with Six Nations.

Wilf Ruland informed that he has reviewed this report and it is very good. The flood mapping is excellent. The only issue he sees is he would like to meet with Six Nations and work out the calculations as Six Nations sees it one way and it is not the right way.

MOTION NO. 4

MOVED BY STEPHANIE LAFORME

SECONDED BY RODGER LAFORME

That the MCFN Infrastructure & Development Council acknowledges the presentation by Stragis/Greenland Consulting Engineers for the Master Drainage & Flood Remediation Plan for Boston Creek and Roger's Creek. Further, authorizes Pillar 6 Lead, Sustainable Economic Development Department and Public Works Department to coordinate meetings as required with Haldimand-Norfolk to share the report in efforts to address areas related to Mississaugas of the Credit First Nation.

Carried

2nd Reading Waived

Guests out at 10:00 am.

CONSULTATION & ACCOMMODATION

DOCA Director in at 9:00 am.

AGENDA ITEM NO. 8 – 407 ETR TOLL HIGHWAY EXEMPTION

DOCA Director noted in his Briefing Note that since June 2018, the Field Archaeologist is now using the DOCA work vehicle to travel to archaeological sites, both along the 407 ETR corridor and in the northern GTA. This will continue for the unforeseeable future during continued FLR participation in archaeological assessments.

Previously, in the course of her duties, the Archaeological Coordinator was granted an exemption to use the 407 ETR to visit archaeological sites both along the 407 ETR corridor and in the northern GTA.

With the introduction of the Field Archaeologist position, it is now that individual who regularly visits these archaeological sites in the course of his duties. The Archaeological Coordinator (now the Archaeological Operations Supervisor) also must continue to attend meetings at Rouge National Urban Park and occasionally visit the above mentioned archaeological sites in the course of her duties.

DOCA Director will revise the recommendation regarding the 407 ETR Toll Highway Exemption and will bring it to the next Education & Social Services Council Meeting on Monday, March 11, 2019.

AGENDA ITEM NO. 9 – MCFN WATER FRAMEWORK & COMMITTEE

DOCA Director would like to know the next steps for the MCFN Water Framework.

Early in 2017, the Water Committee, a sub-committee of TARC, was created and mandated with the task of advising TARC on the stewardly management of water, beds of water, and floodplains within the Territory of the Mississaugas of the Credit First Nation for the benefit of the MCFN. The mandate included discovering how the First Nation's membership valued water and then use those values to inform discussions around the MCFN water claim. In conjunction with University of Guelph doctoral student, Renee LeRoux, the Committee devised and implemented a research strategy that uncovered MCFN's values regarding water and its stewardship in its Treaty Lands and Territory. Out of the research strategy emerged the MCFN Water Framework: "A Framework for Water Governance on MCFN Treaty Lands and Territory" (The Framework). The Framework contained, as identified by the community, nine objectives to promote the following water principles: (1) sustaining ourselves by reclaiming Treaty and Aboriginal title rights to water; (2) protecting the water by asserting our voice in water regulating activities and processes; (3) rediscovering and reconnecting our cultural and spiritual relations to water.

The MCFN Water Committee has completed its mandate to develop a Framework for the First Nation's governance of water within its Treaty Lands and Territory.

Councillor LS pointed out that Bill C68 and 69 will change the face of consultation.

MOTION NO. 5

MOVED BY CATHIE JAMIESON

SECONDED BY ERMA FERRELL

That the MCFN Infrastructure & Development Council approves partial implementation of Framework objectives-mandate a committee to take action on some of the objectives within the framework including the development of a water code; renaming of some of the waters within the Treaty Lands and Territory; education of Conservation Area Authorities regarding MCFN stewardship over its waters."

Carried

2nd Reading Waived

DOCA Director out at 10:15 am.

OTHER/NEW BUSINESS

AGENDA ITEM NO. 10 – MOTION TO BE READ INTO THE MINUTES REGARDING EARLY LEARNING & CHILD CARE FUNDING DISTRIBUTION

A decision was required by Tuesday, February 26, 2019 by Chief and Council as COO (Chiefs of Ontario) is submitting the Ontario First Nations Funding Directive. This was done via email by a Quorum of Council.

ECC Supervisor will draft a letter for the Chief's signature in this regard.

MOTION NO. 6

MOVED BY RODGER LAFORME

SECONDED BY STEPHANIE LAFORME

That the MCFN Infrastructure & Development Council authorizes the flow of its approximately \$87,000.00 (Eighty Seven Thousand Dollars) 2018/2019 Early Learning & Child Care Funds through the Chiefs of Ontario; and further authorizes the MCFN ECC Supervisor, Patti Barber, to draft a letter for the Chief's signature communicating this agreement and to include the Plan for the expenditure.

Carried

2nd Reading Waived

Sara Mainville (Legal Counsel) and Ivan Ross Vrana and Proposal Writer in at 10:25 am.

AGENDA ITEM NO. 11 – GUEST – SARA MAINVILLE (LEGAL COUNSEL FROM OKT LAW FIRM) TO PRESENT ON MCFN CANNABIS CONTROL LAW

Sara Mainville (Legal Counsel) and Ivan Ross Vrana of Hill + Knowlton were introduced to Council.

Proposal Writer reiterated that he started to work on the Cannabis File in late November 2018 with Councillor Larry Sault and Evan Sault. Councillor LS stated that he added the word "Government" to the Cannabis Control Law.

Ms. Mainville informed that she is working with northern First Nations and they have decided that they will not allow dispensaries. She informed that it is an uphill battle with Ontario, but not so much with BC.

The big picture is "inherent jurisdiction". See Page 1 – Paragraph 7.

Federal law does apply here as your jurisdiction is here. Federal law supersedes Provincial law in Cannabis.

Ms. Mainville referred to Page 3, Section 2.6 - it is creating a law that controls Cannabis.

Page 4 – Section 3.1 (b) – All persons and business entities situated or found within the Nation's Treaty Lands and Territory.

Page 4 – Section 5.1 - ...shall include government to government cooperation to provide benefits to the Nation's rights and interests.

Councillor LS wanted to see something in this Law that reflects free enterprise.

Regarding enforcing the licensing regime (cooperation), Ms. Mainville stated that the major tool is criminal enforcement and this will cost. The main concern is that businesses have to be legal, not illicit. If this is conflicting with other laws, this one has to be right. Councillor LS noted that Youth will find whatever they want to find.

Councillor CJ noted that the Commission will be validated by Chief and Council. The Commission must remember the difference between medical and recreational Cannabis. The main activity of the Commission is to establish rules.

Ms. Mainville reiterated that the Black Market is here and some Cannabis is laced with fentanyl.

This Law does not restrict growing for personal use.

See Page 7 – a Dispensary is not a licensed store. It means a dispensary licensed to sell medical Cannabis and medical Cannabis supplies.

Ms. Mainville advised that someone should be watching AGCO (Alcohol & Gaming Commission of Ontario) and inform all the stores in MCFN Territory with updates.

Regarding Policy Choices packaging is very important.

With regard to a home based business, Ms. Mainville will research this further.

Standards and qualities have to be met regarding medical Cannabis.

Legal Counsel (Ms. Mainville) stated that it will cost anywhere from \$12 to \$15,000.00 for each store. These dollars will go to the Commission.

Executive Director noted that the license fee and an 8% community contribution will be a huge cost.

It was noted that all Cannabis will have to be tracked. This will have to be enforced as a safety precaution in the MCFN Community.

Councillor EF questioned if Chief and Council would be liable if a child were to die. Ms. Mainville answered no.

See Page 9 – 10.2 and Page 17 – 22.1 – Ms. Mainville will consider changing the wording.

Regarding Section 24 on Page 20 – Ms. Mainville stated that a Trespass Law should be enacted as an enforcement.

Ms. Mainville pointed out that Health Canada will not let you hold a Certificate of Possession. This is where you need to assert your jurisdiction and do something. Alderville is self-regulating themselves.

Councillor LS reiterated that the selling of Cannabis is already happening in our Community.

Sara Mainville was thanked for her presentation and left at 12:00 pm.

AGENDA ITEM NO. 12 – GUEST - IVAN ROSS VRANA TO PRESENT ON CANNABIS SECTOR BUSINESS ANALYSIS

Ivan Ross Vrana, regarding the Business Case Analysis referred to the Executive Summary on Page 3. Regarding a Licensed Producer MCFN would have to find one who is licensed. The application will cost anywhere between \$150 to \$200,000.00, and it could take two years. Rental agreements are between \$2 and \$3 Million. In Toronto the landlords are holding the bag as they have the Cannabis storefronts. Six Nations will be MCFN's competition and the next closest is Burlington.

There can be the issue of a consistency of supply.

Mr. Vrana stated that it is important to make the business as compliant as possible.

Councillor RJ questioned if this business is only for recreational Cannabis to which Mr. Vrana answered no.

It is noted that this item will go to the Community again.

Ivan Ross Vrana was thanked for his presentation and left at 12:30 pm.

LUNCH BREAK 12:30 TO 1:15 PM

LMR Director and Project Governance Coordinator in at 1:05 pm.

AGENDA ITEM NO. 13 – ELECTION CODE & CODE OF CONDUCT MEMBERSHIP QUESTIONNAIRE

LMR Director stated that today we will be continuing with the Election Code and going through the document titled "MCFN Code of Conduct Membership Questionnaire".

Councillor LS informed that Chief and Council unanimously agreed to having the Election Code completed by September 2019, not 2021. Caitlin Beresford added that the documents will be coming in April 2019.

Councillor LS stated that he would like to see the Orientation Procedural Manual and the strata level; for example, the salary range of Chief and Councillors – someone with 30 years of experience as opposed to 10 years.

LMR Director informed that the salary ranges do not need to go to the Community. She further questioned how high would the salaries go.

Executive Director noted that the Administration Budget can be adjusted.

With regard to the Election Code, Caitlin questioned if Council wanted calendar or business days. Calendar days was chosen.

Councillor VKJ questioned if the Appeals Board would be set up before notice goes out to the Community before nominations. If so, the budget will have to be adjusted.

Also, regarding the CPIK, it was suggested that these will have to be obtained before nominations.

LMR Director stated that she has the Questionnaire that can be handed out during the time when Band Members come to fill out their applications for the Community Wellness Distribution.

A Governance Manual will be added.

Councillor EF suggested having an Oversight Board for the duration of the sitting Council. Councillor LS added that we should have a full-time Board but pay them as they are needed eg. for each meeting.

It was noted that Chief and Council agreed that they are not ready for online voting. Caitlin suggested leaving the email addresses in.

Page 14 – Item 72 - remove (a) and (b).

Page 19 – 105 – take out “and 48 hours prior to polling day”.

Page 19 – 106 – Remove entirely.

Page 30 – 102 – Wait to appoint and send to Membership.

Page 34 – Can be put elsewhere.

On another note, LMR Director requested that her Department be allowed to move to the Community Centre from April 1 – 3, 2019 each day until 4:00 pm, and then April 4th they will return to their own office. LMR Director is requesting two photocopiers.

She (LMR Director) stated that before Band Members receive their PCD application, they will fill out the Questionnaire regarding the Election Code before they can proceed to fill out their PCD application.

NOTE: the next Infrastructure & Development Council Meeting on Monday, April 1, 2019 will be held in the Board Room (downstairs) of the Administration Office.

MOTION NO. 7

MOVED BY RODGER LAFORME

SECONDED BY EVAN SAULT

That the MCFN Infrastructure & Development Council moved In-Camera at 3:20 pm.

Carried