

**TYENDINAGA MOHAWK COUNCIL MINUTES
JANUARY 8, 2009**

A regular meeting of the Tyendinaga Mohawk Council was held on Thursday, January 8, 2009 at 9:00 a.m. in the Council Chambers.

Present: Chief R. Donald Maracle was absent due to dentist appointment
Councillors: Barry Brant, Roy C. Maracle and Trevor Lewis. Velma Hill-Dracup was absent due to a doctor's appointment.
Staff: Angela Maracle, A/CAO, and Brant Bardy, Director of Nation Building

MOTION #1: Moved by Trevor Lewis, seconded by Roy C. Maracle that Barry Brant act as Chair in Chief Maracle's absent.
Carried.

- January 14 – Association of Iroquois and Allied Indians Chief's Council with Minister Deb Matthews in Toronto
- January 14, 7:00 p.m. – Tyendinaga Mohawk Council Local Business Meeting
- January 20, 7:00 p.m. – Community Meeting re: Audit & Community Wellbeing Building
- January 21, 9:00 a.m. – Tyendinaga Mohawk Council Regular Meeting
- January 21, 11:00 a.m. – Karen Davis, Indian and Northern Affairs Canada re: Secure Certificate of Indian Status Cards Presentation
- January 28, 7:00 p.m. – Tyendinaga Mohawk Council Local Business Meeting
- January 27-28 – Iroquois Caucus Meeting in Ottawa

MOTION #2: Moved by Trevor Lewis, seconded by Roy C. Maracle that this Council approve to move the Local Business Meeting scheduled for January 28, 2009 at 7:00 p.m. to January 29, 2009 at 7:00 p.m. due to the conflict with the Iroquois Caucus Meeting in Ottawa.
Carried.

MOTION #3: Moved by Trevor Lewis, seconded by Roy C. Maracle that this Council approve the following meetings outside the Territory:
Chief Maracle: Association of Iroquois and Allied Indians Chief's Council with Minister Deb Matthews in Toronto on January 14
Council: Iroquois Caucus Meeting in Ottawa on January 27-28
Carried.

Barry Brant informed Council about setting up a meeting with Indian and Northern Affairs Canada regarding the clean-up of the Dies Property – recommending week of February 2-5 for a meeting in Toronto at 11:00 a.m. – suggest February 3.

MOTION #4: Moved by Trevor Lewis, seconded by Roy C. Maracle that this Council approve to grant temporary signing authority for Brant Bardy while Angela Maracle, Acting Chief Administrative Officer, is off on vacation from January 12 to January 27, 2009.
Carried.

MOTION #5: Moved by Roy C. Maracle, seconded by Trevor Lewis that this Council approve payment of the following invoices from Alan Pratt:
Inv. #3310 in the amount of \$4,794.00 – Turton Penn Loss of Use Claim and Inv. #3311 in the amount of \$1,116.52 – Culbertson Tract Negotiations.
Carried.

MOTION #6: Moved by Trevor Lewis, seconded by Roy C. Maracle that this Council approve payment of Invoice #161214 from Hicks Morley in the amount of \$111.00 for the period ending November 30, 2008 re: Labour Matters.
Carried.

Disclaimer: Comments of individual members may not necessarily reflect the opinion of the whole Council.

- MOTION #7: Moved by Roy C. Maracle, seconded by Trevor Lewis that this Council acknowledge receipt of Indian and Northern Affairs' 2007/2008 Audited Financial Statements Review. Carried.
- MOTION #8: Moved by Roy C. Maracle, seconded by Trevor Lewis that this Council approve to proceed with temporary power to the Community Wellbeing Site in the amount of \$14,100 and the purchase of five Legalett heaters at a price of \$1,500 each utilizing contingency funds. Carried.
- MOTION #9: Moved by Trevor Lewis, seconded by Roy C. Maracle that this Council rescind Motion #8 in the September 15, 2008 Minutes and Motion #19/Mohawk Council Resolution #2008/09-122 in the December 17, 2008 Minutes regarding the renewal of Phase 2 Canada Mortgage and Housing Corporation mortgage as the lender was incorrectly named. Carried.
- MOTION #10: Moved by Trevor Lewis, seconded by Roy C. Maracle
WHEREAS, the Mohawks of the Bay of Quinte Band Council requests or has requested the Minister of Indian Affairs and Northern Development to guarantee repayment of a loan in the amount of \$595,597.83 as of October 1st 2008 to the Bank of Montreal as lender.
AND WHEREAS, the outstanding principal balance of this existing loan will be refinanced for which loan, the Mohawks of the Bay of Quinte Band is a party to a Project Operating Agreement for the receipt of operating subsidies under Section 95 of the National Housing Act.
AND WHEREAS, Project operating subsidies under Section 95 of the National Housing Act will be available to assist with the rental housing project's financial viability while the Band is in compliance with the Section 95 Project Operating Agreement
AND WHEREAS, The Band is responsible for the management of the project under the terms of the Section 95 Operating Agreement as long as the loan is in effect.
AND WHEREAS, Financing shall be as follows:
Outstanding Principal Balance \$595,597.83
Of Loan at Renewal
AND WHEREAS, The loan is to be amortized over a period of 14 years, 9 months at an interest rate and term maturity to be determined by the Bank of Montreal as lender, and pursuant to the provision of the National Housing Act.
AND WHEREAS, Monthly payments on the loan will be the responsibility of the Band.
AND WHEREAS, The rental housing project shall remain the property of the Band while the loan is in effect.
THEREFORE BE IT RESOLVED, Property insurance shall be provided as required under the terms and conditions of the project countersigned Offer to Lend for a loan under Section 15.1(1) of the National Housing Act.
AND BE IT FURTHER RESOLVED The Minister of Indian Affairs and Northern Development is hereby authorized to direct the transfer of Indian monies of the Band to the extent that such monies are or may become available, for the purpose of reimbursing Her Majesty the Queen in right of Canada as represented by the Minister of Indian Affairs and Northern Development for any payment made by her Majesty to the Bank of Montreal as lender at any time in the future in respect of repayment of the loan requested by this resolution. Repayment of which we

hereby request the Minister to guarantee. The authority conferred herein is irrevocable. M.C.R. #2008/09-130

Carried.

MOTION #11: Moved by Trevor Lewis, seconded by Roy C. Maracle that this Council approve that the construction management working group for the six-plex building project has accepted the tenders from and will be awarding the following bidders with contracts specific to their bids:

Tenders Roofing – one storey – \$15,500.00 – McMurter Home Centre, Roofing – two storey – \$9,885.000 – G&F Roofing; Trimming – one storey – \$23,651.00 – Build-All Contractors, Trimming – two storey – \$27,378.00 – Build-All Contractors; Cabinetry – one storey – \$15,750.00 – Kitchen Designs, Cabinetry – two storey – \$19,200.00 – Tyendinaga Kitchens; Flooring – one storey – \$17,041.94 – Quinte Bay Contract Flooring, Flooring – two storey – \$18,531.96 – Quinte Bay Contract Flooring; Painting – one storey – \$10,500.00 – DDL Painter, Painting – two storey – \$12,322.00 – Green Painting; Landscaping and Walkways – one storey – \$13,080.00 – Triple K Rock, Landscaping and Walkways – two storey – \$14,700.00 – Triple K Rock. Other tenders received were Roofing – one storey – \$14,821.00 – G&F Roofing, Roofing – two storey - \$12,000.00 – McMurter Home Centre, Trimming – one storey - \$27,588.00 – KC Builders, Trimming – two storey - \$33,924.00 – KC Builders, Cabinetry – one storey - \$15,720.00 – Tyendinaga Kitchens, Cabinetry – two storey - \$21,120.00 – Kitchen Designs, Flooring – one storey - \$30,135.00 – Dean Thomas and \$18,500.00 – Tyendinaga Renovations, Flooring – two storey - \$25,605.00 – Dean Thomas and \$20,000.00 – Tyendinaga Renovations, Painting – one storey - \$12,282.00 – Green Painting, Painting – two storey - \$11,500.00 – DDL Painting, Landscaping and Walkways – one storey - \$27,396.00 – Build-All Contractors, Landscaping and Walkways – two storey - \$21,425.00 – Build-All Contractors. The six-plex construction management working group acknowledges that the lowest bid may not have been accepted in all cases and has agreed that the focus of the project is on maximizing benefits and efficiencies throughout the community and ensuring that the work can be completed in a simultaneous fashion. This will help ensure that we can build the 12 housing units quickly and therefore provide affordable housing in a more timely fashion to help offset our housing shortage. As per the tendering portion of the 2003 Finance Policy of the Mohawks of the Bay of Quinte under Section 15 J, “the lowest bid may not necessarily be acceptable if the Tyendinaga Mohawk Council deems it in the best interest of the Mohawks of the Bay of Quinte not to give the project to the lowest tender.”

Carried.

MOTION #12: Moved by Roy C. Maracle, seconded by Trevor Lewis that this Council approve of letters granting permission for the students of First Nations Technical Institute’s Aviation Program to ice fish, for personal use, in the Bay of Quinte in 2009.

Carried.

MOTION #13: Moved by Trevor Lewis, seconded by Roy C. Maracle that this Council approve to meet with Prowind Canada on February 4, 2009 or within the first two weeks of February to discuss proposed wind farm sites in the Kingston-Ottawa area.

Carried.

MOTION #14: Moved by Trevor Lewis, seconded by Roy C. Maracle
WHEREAS the Ontario Government through its Ministry of
Aboriginal Affairs recently announced the New Relationship Fund;
AND WHEREAS the Tyendinaga Mohawk Council is interested in
developing a community consultation process to engage and inform
its members on capacity building initiatives;
AND WHEREAS the Tyendinaga Mohawk Council is interested in
developing a process to participate in Government of Ontario and
industry-related consultation processes;
AND WHEREAS the Tyendinaga Mohawk Council is interested in
developing a process to participate in consultation processes
between other First Nations, industry and government processes;
AND WHEREAS the Core Consultation Capacity funding aspect of
the Relationship Fund will assist the Mohawks of the Bay of Quinte
in developing such consultative processes;
THEREFORE BE IT RESOLVED that the Tyendinaga Mohawk
Council supports an application to the Core Consultation Capacity
component of the Ontario Ministry of Aboriginal Affairs' New
Relationship Fund in the amount of \$60,000 to develop a
consultation process. M.C.R. #2008/09-131

Carried.

MOTION #15: Moved by Roy C. Maracle, seconded by Trevor Lewis that this
Council approve to sign the agreement between the Mohawks of
the Bay of Quinte and the First Nations Technical Institute for the
transfer of 2008/09 funding in the amount of \$227,984.00 for
delivery of the Ohahase program.

Carried.

Angela Maracle and Brant Bardy updated Council about a meeting with the Insurance
Adjustor on January 7, 2009 re: additional information about the Quarry and Asphalt
Plant lawsuits.

MOTION #16: Moved by Trevor Lewis, seconded by Roy C. Maracle that this
meeting adjourn. (10:24 a.m.)

Carried.

Recorded by:
Molly Kohoko

Angela Maracle
A/Chief Administrative Officer

Barry Brant, Acting Chair