

**TYENDINAGA MOHAWK COUNCIL MINUTES
OCTOBER 7, 2009**

A meeting of the Tyendinaga Mohawk Council was held on Wednesday, October 7, 2009 at 1:10 p.m. in the Council Chambers.

Present: Chief R. Donald Maracle
Councillors: Barry Brant, Roy C. Maracle and Velma Hill-Dracup.
Trevor Lewis was absent.
Staff: Brian Hamilton, CAO and Angela Maracle, AO

MOTION #1: Moved by Roy C. Maracle, seconded by Barry Brant that the Tyendinaga Mohawk Council Minutes of September 16, 2009 be accepted as read.
Carried.

MOTION #2: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that this Council acknowledge the Tyendinaga Education Committee Minutes of June 3, 2009.
Carried.

MOTION #3: Moved by Barry Brant, seconded by Roy C. Maracle that this Council approve to move the Tyendinaga Mohawk Council Local Business Meeting from October 14, 2009 at 7:00 p.m. to October 21, 2009 at 7:00 p.m. due to scheduling conflicts.
Carried.

Council acknowledged the following meetings:

- October 8 – Ontario Chiefs Committee on Health
- October 19, 10:00 a.m. – Janet Brant Nelles re: LHIN's
- October 19, 1:00 p.m. – Georgina Thompson & Paul Huras, South East LHIN's
- October 14, 7:00 p.m. Tyendinaga Mohawk Council Local Business Meeting
- October 21, 9:00 a.m. Tyendinaga Mohawk Council Meeting
- October 28, 7:00 p.m. Tyendinaga Mohawk Council Local Business Meeting

MOTION #4: Moved by Roy C. Maracle, seconded by Barry Brant that this Council approve the following meetings outside the Territory:
Chief Maracle and Velma Hill-Dracup: attending Environmental Commissioner of Ontario's Annual Report on October 8, 2009 in Toronto;
Chief: attending Five Large Bands Meeting on October 9, 2009 in Toronto.
Carried.

MOTION #5: Moved by Velma Hill-Dracup, seconded by Roy C. Maracle that this Council acknowledge the Hastings and Prince Edward District School Board Trustee Report for September 2009 submitted by Mike Brant, MBQ Representative.
Carried.

MOTION #6: Moved by Barry Brant, seconded by Velma Hill-Dracup
WHEREAS, the Tyendinaga Mohawk Council wishes to further contribute to the Iroquois Caucus;
THEREFORE BE IT RESOLVED that the Tyendinaga Mohawk Council hereby approve to utilize \$10,000 (ten thousand dollars and zero cents) from the Revenue Account in Ottawa. M.C.R.
#2009/10-068
Carried.

MOTION #7: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup
WHEREAS child abuse is a complex and ongoing problem in society, affecting many children; and
WHEREAS every child is entitled to be loved, cared for, nurtured and secure and to be free from neglect, as well as verbal, emotional, sexual and physical abuse; and
WHEREAS the Mohawks of the Bay of Quinte sees a need to support community-based programs to prevent child abuse and neglect; and
WHEREAS it is the responsibility of every adult who comes in contact with a child to protect that child's unconditional right to a safe, nurturing childhood; and
WHEREAS the Mohawks of the Bay of Quinte has dedicated individuals and organizations who work daily to counter the problem of child abuse and neglect and to help parents obtain the assistance they need; and
WHEREAS Hastings Children's Aid Society invites the community at large to our Child Abuse Prevention Campaign and Use Your Voice Challenge, in support of child Abuse Prevention Month, October 1st at the Society's Belleville location, 363 Dundas Street West; and
WHEREAS our community is stronger when all members become aware of child abuse and neglect prevention and become involved in supporting parents to raise their children in a safe, nurturing environment; and
WHEREAS Mohawks of the Bay of Quinte members celebrate children, our community's greatest resource and the community leaders of tomorrow;
THEREFORE, we, the Tyendinaga Mohawk Council, do hereby proclaim the month of October 2009 as
CHILD ABUSE PREVENTION MONTH
in the community of the Mohawks of the Bay of Quinte and commend this observance of the members of this Territory.
M.C.R. #2009/10-069

Carried.

MOTION #8: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup
WHEREAS the lives of many members of the Mohawks of the Bay of Quinte have been directly or indirectly impacted by the high numbers of children in care; and
WHEREAS foster parents are individuals or couples with a genuine interest in children and a sense of community responsibility; and
WHEREAS 196 foster parents in Hastings County provide a caring and safe environment for children in care; and
WHEREAS foster parents of the Hastings Children's Aid Society (HCAS) provided approximately 86,773 days of care to foster children last year; and
WHEREAS the number of children who received in care service from the HCAS for the year 2008/2009 was 623
THEREFORE BE IT RESOLVED that members of the Mohawks of the Bay of Quinte are encouraged to support and embrace the community of foster parents during this special week; and
THEREFORE BE IT FURTHER RESOLVED that the Mohawks of the Bay of Quinte declares the week of October 18, 2009 to be Canadian Foster Family Week;
THEREFORE, we, the Tyendinaga Mohawk Council, do hereby proclaim the week of October 18-24, 2009 to be
CANADIAN FOSTER FAMILY WEEK
in the community of the Mohawks of the Bay of Quinte and commend this observance of the members of this Territory.
M.C.R. #2009/10-070

Carried.

MOTION #9: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup Every Child Deserves to be a Kid. They also deserve to be loved, nurtured and have a permanent family. Unfortunately, abused and neglected children enter the care of Hastings Children's Aid Society and are waiting for such a home. These children are not the newborns most people picture when they think of adoption. Generally they are older boys and girls and sibling groups as well as children with emotional and behavioural challenges. Adoption gives them a brighter future and brings great joy to the adoptive parents. It offers permanency and security to children and gives them the opportunity to develop healthy, nurturing relationships in a family setting.

WHEREAS potentially 44 children in Hastings County are waiting for an adoptive family; and

WHEREAS many of these children have special needs, which may include medically fragile infants or children with emotional, physical, social, behavioural and/or educational challenges; and

WHEREAS many school age children and in some cases sibling groups or older children become available for adoption; and

WHEREAS these children require extra patience and support to help them overcome previous hardships; and

WHEREAS in 2008/09 twenty-three children were placed into adoptive families in Hastings County; and

WHEREAS families are able and willing to adopt children who have emotional and behavioural challenges, are older children or belong to a sibling group; and

WHEREAS, it is important to stress that people regardless of income and marital status, or not owning a home do not disqualify individuals from adopting; and

WHEREAS, children waiting for adoptive parents and families who have adopted these children require and deserve community and Society support;

THEREFORE BE IT RESOLVED, we, the Tyendinaga Mohawk Council, do hereby proclaim

NOVEMBER 2009 as ADOPTION AWARENESS MONTH
in the community of Mohawks of the Bay of Quinte

In honour of this event, we encourage community agencies, religious organizations, businesses and others to celebrate adoption, honour families that grow through adoption, further an awareness of the challenges and issues in adoption, and focus attention on those children who live in the shadow of an uncertain future while they await permanent families. M.C.R. #2009/10-071

Carried.

The Tyendinaga Mohawk Council presented a cheque in the amount of \$1,140 to Mary McCauley, Chair, Tyendinaga Mohawk Food Bank Committee. The funds were raised from the sale of computers to the community.

MOTION #10: Moved by Velma Hill-Dracup, seconded by Barry Brant that this Council decline to meet with Waste Management of Canada now as Council acknowledge and support the recommendation made by Gord Miller, Environmental Commissioner of Ontario, that the Ministry of Environment require the immediate closure of the Richmond Landfill Site.

Carried.

MOTION #11: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup That the Tyendinaga Mohawk Council approve the following staff as signing authorities to the investment accounts at BMO Nesbitt Burns – Brian Hamilton and Angela Maracle subject to the continued requirement that all investment commitments and withdrawals are authorized by Council resolution. M.C.R. #2009/10-072

Carried.

- MOTION #12: Moved by Velma Hill-Dracup, seconded by Roy C. Maracle that this Council approve that the Finance Committee is to consist of the Chief, one Councillor, the Chief Administrative Officer, two Finance Officers and one Director.
Carried.
- MOTION #13: Moved by Velma Hill-Dracup, seconded by Roy C. Maracle that this Council approve payment of invoice #6954 from Wayne Gay & Associate in the amount of \$651.00 re: Registrations for First Nations Technical Institute Aircraft.
Carried.
- MOTION #14: Moved by Velma Hill-Dracup, seconded by Barry Brant that this Council approve payment of invoice dated August 31, 2009 from Blaney McMurtry in the amount of \$8,673.83 for period ended August 31, 2009 re: Former Bench Tech Building.
Carried.
- MOTION #15: Moved by Roy C. Maracle, seconded by Barry Brant that this Council approve payment of the following invoices from Alan Pratt for the period ended September 30, 2009:
Inv. #3405 in the amount of \$2,228.42 re: Culbertson Tract Claim
Inv. #3404 in the amount of \$394.07 re: Former Bench Tech Building/Mohawk Liquidation
Carried.
- MOTION #16: Moved by Barry Brant, seconded by Roy C. Maracle that this Council approve payment of invoice #408 from Patrick Schindler in the amount of \$8,154.08 for the period ended August 31, 2009 re: Johnson Brant Litigation.
Carried.
- MOTION #17: Moved by Barry Brant, seconded by Roy C. Maracle that this Council approve payment of invoice #179817 from Hicks Morley in the amount of \$790.00 for the period ending August 31, 2009 re: employment matters.
Carried.
- MOTION #18: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that this Council approve to sign the Indian and Northern Affairs Canada Comprehensive Funding Arrangement 2009/10, Amendment #1- New Paths for Education Proposal Driven Projects - \$25,000.00, First Nations and Inuit Summer Work Experience Program - \$14,600.00, and Operation & Maintenance of Infrastructure Assets and Facilities – Bottled Water - \$6,857.00.
Carried.
- MOTION #19: Moved by Barry Brant, seconded by Velma Hill-Dracup that this Council approve to sign the 2009 – 2010 Funding Arrangement between the Mohawks of the Bay of Quinte and First Nations Technical Institute for Ohahase funding in the amount of \$270,036.00 – 2009/10 200,504.00 and \$69,532.00 deferred 2008/09.
Carried.
- MOTION #20: Moved by Barry Brant, seconded by Velma Hill-Dracup that this Council formally approve to sign the Ministry of Aboriginal Affairs New Relationship Fund Agreement for Core Consultation Capacity 2009/2010 in the amount of \$100,000.00.
Carried.

- MOTION #21: Moved by Barry Brant, seconded by Roy C. Maracle that this Council approve the Land Transfer from Raymond Glen Clement to Amos Carl Maracle, the whole of Lot 12 in Part of Lot 31, Concession A, as shown on Plan No. CLSR 62997. Carried.
- MOTION #22: Moved by Barry Brant, seconded by Roy C. Maracle that this Council approve the Land Transfer from Francis Glenn Hill to Christopher Lee Jacobs, the whole of Lot 22K-3, Concession A, as shown on Plan No. 6616R. Carried.
- MOTION #23: Moved by Roy C. Maracle, seconded by Barry Brant that this Council approve the Land Transfer from Geraldine Brant to Kristen Marie Lynn Hill, the whole of Lot 3-1 in Part of Lot 32, Concession A, as shown on Plan No. 62997. Carried.
- MOTION #24: Moved by Barry Brant, seconded by Roy C. Maracle that this Council approve the Land Transfer from Leslie Jack Hill $\frac{1}{2}$ undivided interest and Laura Ann Hill $\frac{1}{2}$ undivided interest to Leslie Jack Hill and Laura Ann Hill, as joint tenants and not as tenants in common, the whole of Lot 6A-3-1, Concession A, as shown on Plan No. 76094. Carried.
- MOTION #25: Moved by Barry Brant, seconded by Roy C. Maracle that this Council approve the three year Agricultural Lease for the period January 1, 2009 to December 31, 2012 between William Ivan Maracle and Fred Lang, Parcel B, Lot 23, Concession 2, as shown on Plan 4498 CLSR. Carried.
- MOTION #26: Moved by Barry Brant, seconded by Roy C. Maracle that this Council approve the three year Recreational Lease for the period May 1, 2010 to April 30, 2013 between Elwood Brant and Lucie Cote, Lot 6E-2, Concession A, Cottage Lot #18 as shown on Plan RSO 696. Carried.
- MOTION #27: Moved by Velma Hill-Dracup, seconded by Barry Brant that this Council approve the one year Agricultural Lease for the period April 1, 2009 to March 31, 2010 between Ralph & Robert Hill and Eugene Farrell, Lot 18B-2, Concession A, as shown on Plan #6489R RSO and Lot 18E, Concession A, as shown on Plan #4673 CLSR. Carried.
- MOTION #28: Moved by Barry Brant, seconded by Roy C. Maracle that this Council approve the one year Agricultural Lease for the period April 15, 2009 to April 14, 2010 between Ken Brant and Garry Tucker, Lot 20D-4, Concession A, as shown on Plan RSO 3921, Lot 20E, Concession A as shown on Plan 4673 CLSR, and Lot 20G, Concession A, as shown on Plan RSO 1012 and a one year Agricultural Lease for the period April 1, 2009 to March 31, 2010 between Carm Scero and Garry Tucker, Lot 20F-1, Concession A, as shown on Plan RSO 5475, Lot 20H, Concession A as shown on Plan RSO 1012, Lot 21N, Concession A, as shown on Plan RSO 2686, Lot 21J, Concession A, as shown on Plan RSO 5072, Lot 22E-1, Concession A, as shown on Plan RSO 2668 and Lot 22M, Concession A as shown on Plan RSO 2687, and a one year Agricultural Lease for the period April 1, 2009 to March 31, 2010 between Glenn Hill and Garry Tucker, Lot 22H, Concession A as

shown on Plan 5072 CLSR, Lot 22K-4, Concession A as shown on Plan RSO 6616, Lot 22N, Concession A as shown on Plan 768 LTS, Lot 23, Parcels F, G, J and M, Concession A as shown on Plan 5072 CLSR, 1495 LS.

Carried.

MOTION #29: Moved by Velma Hill-Dracup, seconded by Barry Brant that this Council approve the one year Agricultural Lease for the period April 1, 2009 to March 31, 2010 between Freda & Huron Maracle and Clayton Long, Lot 15C-2, Concession 1, as shown on Plan 93997 and a one year Agricultural Lease for the period April 1, 2009 to March 31, 2010 between Freda & Victor Maracle and Clayton Long, Lot 14C-1, Concession 1, as shown on Plan 93997 and a one year Agricultural Lease for the period April 1, 2009 to March 31, 2010 between Freda & Dael Maracle and Clayton Long, Lot 15C-2, Concession 1, as shown on Plan 92997.

Carried.

MOTION #30: Moved by Velma Hill-Dracup, seconded by Roy C. Maracle that this Council defer the one year Agricultural Lease for the period May 1, 2009 to April 30, 2010 between Carman Maracle and Herb Hart, Lot 27A-1-1, Concession 2, as shown on Plan RSO 5511 and a three year Agricultural Lease for the period May 1, 2009 to April 30, 2012 between Tracey Hill and Herb Hart, Lot 18A-3, Concession A, as shown on Plan RSO 5185R and a three year Agricultural Lease for the period May 1, 2009 to April 30, 2012 between Ruth Brant and Herb Hart, Lot 13G-1-3, Concession 2, as shown on Plan RSO 5163R and a three year Agricultural Lease for the period May 1, 2009 to April 30, 2012 between Ruth & Percy Brant and Herb Hart, Lot 14E & Lot 15D, Concession 2, as shown on Plan 4488 CLSR for further clarification.

Carried.

MOTION #31: Moved by Roy C. Maracle, seconded by Barry Brant that this Council formally approve a temporary Application for Business Registration for Kuda Transport, Ogwari Brant – owner; type of business: transportation so vehicle can be purchased and then insurance provided. This was verbally approved on September 16, 2009.

Carried.

MOTION #32: Moved by Roy C. Maracle, seconded by Barry Brant that this Council formally approve the Application for Business Registration Renewal for Razor's Edge, Bev Hill – owner; type of business: auto repair and fabrication. This was verbally approved on Oct 1 & 2, 2009 and approve the Application for Business Registration Renewal for Ontario Will Register Ltd, Jeff Maracle – owner; type of business: financial / estate planning.

Carried.

MOTION #33: Moved by Barry Brant, seconded by Roy C. Maracle that this Council approve to sign the 2009/10 Rental Agreement between the Mohawks of the Bay of Quinte and The First Nations Technical Institute.

Carried.

MOTION #34: Moved by Velma Hill-Dracup, seconded by Barry Brant that this Council approve to award the tender to MCal Heating, Air Conditioning & Refrigeration as the lowest tender for furnace cleaning of the Mohawks of the Bay of Quinte rental units in the amount of \$61.20 per hour. One other quote was received by Besco Heating.

Carried.

- MOTION #35: Moved by Velma Hill-Dracup, seconded by Barry Brant that this Council approve to sign the Canada Mortgage and Housing Corporation Agreement to Adjust Maximum Federal Assistance for the Elders Lodge with the subsidy increase from \$4,509.00 per year to \$52,344.00 per year.
Carried.
- MOTION #36: Moved by Barry Brant, seconded by Velma Hill-Dracup that this Council approve to meet with Ron Plain, Turtle Island Environmental Resources, on October 21, 2009 at 10:00 a.m. during the regular Council Meeting to discuss potential funding opportunities.
Carried.
- MOTION #37: Moved by Barry Brant, seconded by Velma Hill-Dracup that this Council approve the proposal submission from Oakridge Environmental Ltd. in the amount of \$28,950.00 to conduct a Species at Risk survey on the Tyendinaga Mohawk Territory and utilize the funding received from Aboriginal Funds for Species at Risk.
Carried.
- MOTION #38: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that this Council approve to submit a Tim Horton's Franchise Questionnaire.
Carried.
- MOTION #39: Moved by Barry Brant, seconded by Roy C. Maracle
Whereas, the Airport Road is in an advance stage of deterioration with a substandard base that has resulted in severe pot holing and frost boiling at times; and
Whereas, the Mohawks of the Bay of Quinte are eligible for funding under the First Nations Infrastructure Fund (FNIF) to undertake the complete road reconstruction of the Airport Road to ensure compliance to MTO standards; and
Whereas, the total amount required to repair deficiencies on the Airport Road including contingency, contract administration and engineering fees totals \$1,551,128.69
Therefore be it resolved that the Tyendinaga Mohawk Council agrees to support the application to the First Nations Infrastructure Fund (FNIF), to fully reconstruct 2.70 kilometers of the Airport Road for the amount of \$1,551,128.69. M.C.R. #2009/10-073
Carried.
- MOTION #40: Moved by Barry Brant, seconded by Roy C. Maracle
Whereas, The Mohawks of the Bay of Quinte propose to purchase GIS equipment, GIS software and AutoCAD software to allow the Mohawks of the Bay of Quinte to provide a more efficient and effective approach to maintaining, upgrading, and operating physical assets; and
Whereas, the Mohawks of the Bay of Quinte are eligible for funding under the First Nations Infrastructure Fund (FNIF) to purchase the equipment and software for the amount of \$64,417.25
Therefore be it resolved that the Tyendinaga Mohawk Council agrees to support the application to the First Nations Infrastructure Fund (FNIF), to purchase the equipment and software for the amount of \$64,417.25. M.C.R. #2009/10-074
Carried.
- MOTION #41: Moved by Barry Brant, seconded by Roy C. Maracle
Whereas, Bell's Road is in an advance stage of deterioration with a substandard base that has resulted in severe pot holing and frost boiling at times; and

Whereas, the Mohawks of the Bay of Quinte are eligible for funding under the First Nations Infrastructure Fund (FNIF) to undertake the complete road reconstruction of Bell's Road to ensure compliance to MTO standards; and

Whereas, the total amount required to repair deficiencies on Bell's Road including contingency, contract administration and engineering fees totals \$1,275,372.47

Therefore be it resolved that the Tyendinaga Mohawk Council agrees to support the application to the First Nations Infrastructure Fund (FNIF), to fully reconstruct 2.22 kilometers of Bell's Road for the amount of \$ 1,275,372.47. M.C.R. #2009/10-075

Carried.

MOTION #42:

Moved by Barry Brant, seconded by Roy C. Maracle

Whereas, the Milltown Road is in an advance stage of deterioration with a substandard base that has resulted in severe pot holing and frost boiling at times; and

Whereas, the Mohawks of the Bay of Quinte are eligible for funding under the First Nations Infrastructure Fund (FNIF) to undertake the complete road reconstruction of the Milltown Road to ensure compliance to MTO standards; and

Whereas, the total amount required to repair deficiencies on the Milltown Road including contingency, contract administration and engineering fees totals \$1,028,340.85

Therefore be it resolved that the Tyendinaga Mohawk Council agrees to support the application to the First Nations Infrastructure Fund (FNIF), to fully reconstruct 1.79 kilometers of the Milltown Road for the amount of \$1,028,340.85. M.C.R. #2009/10-076

Carried.

MOTION #43:

Moved by Barry Brant, seconded by Roy C. Maracle

Whereas, the Mohawks of the Bay of Quinte are proposing to design and construct a 124 lot sub-division located on the Tyendinaga Mohawk Territory; and

Whereas, the Mohawks of the Bay of Quinte are eligible for funding under the First Nations Infrastructure Fund (FNIF) to undertake the complete design and construction of the proposed sub-division;

Therefore be it resolved that the Tyendinaga Mohawk Council agrees to support the application to the First Nations Infrastructure Fund (FNIF), to complete the design and construction of a 124 lot sub-division. M.C.R. #2009/10-077

Carried.

MOTION #44:

Moved by Barry Brant, seconded by Roy C. Maracle

Whereas, the York Road has critical deficiencies due to its age and has incurred extensive deterioration of the traveled portion and shoulder; and

Whereas, the Mohawks of the Bay of Quinte are eligible for funding under the First Nations Infrastructure Fund (FNIF) to pulverize and pave 4.1 kilometers of the York Road from the Upper slash West Intersection to Norway's Road Intersection; and

Whereas, the total amount required to repair deficiencies on York Road including contingency, contract administration and engineering fees totals \$1,522,146.23;

Therefore be it resolved that the Tyendinaga Mohawk Council agrees to support the application to the First Nations Infrastructure Fund (FNIF), to pulverize and pave 4.1 kilometers of the York Road for the amount of \$1,522,146.23. M.C.R. #2009/10-078

Carried.

MOTION #45:

Moved by Velma Hill-Dracup, seconded by Barry Brant to go in private. (3:05 p.m.)

Carried.

Summary of Private Minutes:

- Approval of Private Minutes: September 16, 2009, September 21, 2009 Special, September 22, 2009 Special, September 29, 2009 Special
- Approved five (5) Mortgage Discharges and six (6) Rewrites
- Approve two (2) Bank of Montreal Loan Guarantee in the amount of \$132,000.00
- Approve five (5) Home Renovation Loans in the amount of \$129,330.00

Recorded by:
Shelley Bowden

Brian Hamilton
Chief Administrative Officer

Chief R. Donald Maracle