

**TYENDINAGA MOHAWK COUNCIL MINUTES
SEPTEMBER 2, 2009**

A meeting of the Tyendinaga Mohawk Council was held on Wednesday, September 2, 2009 at 10:30 a.m. in the Council Chambers.

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

Council met with Stewart Niven, Department of Fisheries and Oceans, at 10:45 a.m. to discuss the draft Memorandum of Understanding that establishes a process to review and assess future shoreline projects on the Tyendinaga Mohawk Territory.

MOTION #1: Moved by Velma Hill-Dracup, seconded by Trevor Lewis that this Council acknowledge the Memorandum of Understanding (MOU) between the Department of Fisheries and Oceans and the Mohawks of the Bay of Quinte and schedule a meeting on November 18, 2009 at 10:30 a.m. to allow Stewart Niven time to review the MOU further.

Carried.

Council continued with the regular agenda at 11:15 a.m.

MOTION #2: Moved by Velma Hill-Dracup, seconded by Trevor Lewis that the Tyendinaga Mohawk Council Local Business Minutes of August 26, 2009 be accepted as read.

Carried.

Council acknowledged the following meetings:

- September 4 - Five Large Bands Meeting with Patrick Macklem in Toronto
- September 9, 7:00 p.m. – Tyendinaga Mohawk Council Local Business Meeting
- September 10, 2009 – Kagita Mikam Annual General Meeting in Belleville
- September 14 & 15, 2009 – Aboriginal Housing Forum in Kanata
- September 16, 9:00 a.m. – Tyendinaga Mohawk Council Meeting
- September 17 & 18, 2009 – Iroquois Caucus in Ottawa
- September 23, 7:00 p.m. – Tyendinaga Mohawk Council Local Business Meeting at the Community Centre to discuss Recreation plan

MOTION #3: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve the following meetings outside the Territory:
Chief Maracle – attending meeting with Patrick Macklem on September 4; attending AIAI Lobby re: MRP, HST, PSE & NIHB on September 16 in Ottawa; attending Ontario Chiefs Committee on Health on September 24; attending AIAI Chiefs Council on September 30; attending Ontario Chiefs Committee on Health on October 1; attending AIAI Chiefs Council - Strategic Plan on October 1 & 2; attending Ontario Chiefs Committee on Health on October 7 & 8
TMC - attending Court re Johnson Brant issue on September 8 in Ottawa; attending the Iroquois Caucus on September 17 & 18 in Ottawa
Chief and Velma – attending the Aboriginal Housing Forum on September 14 & 15 in Kanata

Carried.

Velma left at 11:35 a.m. for an emergency.

MOTION #4: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve to schedule a meeting with Waste Management of Canada at the Administration Office and ask Waste Management to provide dates of availability in October.

Carried.

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

Chief Maracle has issues regarding the meeting in that it may be construed by Waste Management that it is consultation or mediation.

Council will inform them that the meeting is not consultation and will restate our position.

MOTION #5: Moved by Barry Brant, seconded by Trevor Lewis that this Council acknowledge the verbal update from Brian Hamilton regarding the implications of MBQ withdrawing from the Association of Iroquois and Allied Indians and Council directs the CAO to pursue other avenues with the appropriate funding agencies. Carried.

MOTION #6: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve payment of invoice #176997 from Hicks Morley in the amount of \$79.00 re: Labour Matters. Carried.

MOTION #7: Moved by Barry Brant, seconded by Trevor Lewis that this Council approve the 2009/2010 Canada's Economic Action Plan, Single Capital Contribution Arrangement for Housing in the amount of \$725,000.00 for multi-unit housing project and market based sale of two houses. Carried.

MOTION #8: Moved by Barry Brant, seconded by Trevor Lewis that this Council break for lunch. (12:10 p.m.) Carried.

Council reconvened at 12:45 p.m.

MOTION #9: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve 2009/2010 Indian and Northern Affairs Canada, Notice of Budget Adjustment #2, Arrangement #0910-04-000107 increase for Band Advisory Services – \$22.00, Non Stat Benefits – \$7,900.00, Pension/ CPP – \$19,300.00, Band Support Funding – \$13,651.00 and send a letter to Indian and Northern Affairs Canada requesting a further increase of Non Stat & Pension/ CPP dollars and request a meeting to review Band Support Funding Formula. Carried.

MOTION #10: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve the Ministry of Community and Social Services, Ministry of Children and Youth Services, 2009/2010 Service Contract #C21834-1 for Child Welfare in the amount of \$402,154.00. Carried.

MOTION #11: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve the Health Canada 2009/2010 Notice of Budget Adjustment #ON0900124-A08 in the amount of \$4,000.00 for the Drinking Water Safety Program. Carried.

MOTION #12: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve the Association of Iroquois and Allied Indians Memorandum of Agreement 2009/2010 in the amount of \$2,000.00 for the development and coordination of Health and Social Services community committees and to develop linkages with other member Nation's Health and Social committee/structures on initiatives, issues and planning. Carried.

- MOTION #13: Moved by Trevor Lewis, seconded by Barry Brant that this Council acknowledge the Technical Services Department Projects Update.
Carried.
- MOTION #14: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve the proposed renovations at the Elder's Lodge: HVAC Replacement, Wheelchair accessible front door, Windows in all units and common room, Screen in current back area, Kitchens replaced in units. Canada Mortgage and Housing Canada has allocated \$524,166.00 for the renovations and any overages will come from the Housing account as recommended.
Carried.
- MOTION #15: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve the tender from G & F Roofing in the amount of \$35,380.00 to install new shingles on units 10, 12, 20, 21, 23, 40, 54, 62 and 64 in the subdivision. No other tenders were submitted.
Carried.
- MOTION #16: Moved by Barry Brant, seconded by Trevor Lewis that this Council approve the Land Transfer from Clarence Green to Roger Mitchal and Patricia Eloise Brant, the whole of Lot 1-2-2, Concession A as shown on Plan No. 6683R, and the whole of Lot 2-3, Concession A as shown on Plan No. CLSR 94463, subject to right of way over Lot 1-2-2, Concession A.
Carried.
- MOTION #17: Moved by Barry Brant, seconded by Trevor Lewis that this Council rescind Motion #17 dated January 9, 2008, Land Transfer from Leonard Laverne Hill to Dale Lavern Hill due to incorrect spelling of name.
Carried.
- MOTION #18: Moved by Barry Brant, seconded by Trevor Lewis that this Council approve the Land Transfer from Leonard Laverne Hill to Dale Lavern Hill, the whole of Lot 10A-2-1, Concession 1, as shown on Plan No. 76096 CLSR.
Carried.
- MOTION #19: Moved by Barry Brant, seconded by Trevor Lewis that this Council rescind Motion #18 dated January 9, 2008, Land Transfer from Dale Lavern Hill to Leonard Laverne Hill due to incorrect spelling of name.
Carried.
- MOTION #20: Moved by Barry Brant, seconded by Trevor Lewis that this Council approve the Land Transfer from Dale Lavern Hill to Leonard Laverne Hill, the whole of Lot 10A-2-3, Concession 1, as shown on Plan No. 76096 CLSR.
Carried.
- MOTION #21: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve the Land Transfer from Angel Sheri Maracle to Corey Robert Lloyd, the whole of Lot 6D-3, Concession 2, as shown on CLSR 63201.
Carried.
- MOTION #22: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve the Land Transfer from Roy Austin Maracle to Douglas Oliver and Twila Elsie Brant as joint tenants, the whole of Parcel D, Lot 34, Concession A, as shown on Plan No. 50400 CLSR.
Carried.

- MOTION #23: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve to sign the Indian and Northern Affairs Canada Minor Capital Plan – Annual Update for 2009/2010.
Carried.
- MOTION #24: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve to award the tender for the new six-unit Townhouse Design to G.D. Jewell in the amount of \$24,800.00. No other tenders were received.
Carried.
- MOTION #25: Moved by Barry Brant, seconded by Trevor Lewis that this Council approve to schedule a meeting with Brent Ballingall, CN's System Manager of Aboriginal Relations, on September 9, 2009 at 9:00 a.m. in the Council Chambers regarding the Government of Canada's program to enhance VIA Rail Canada passenger service in the Montreal-Toronto corridor, namely Marysville Passing Track.
Carried.
- MOTION #26: Moved by Trevor Lewis, seconded by Barry Brant that this Council approve to send a response to the letter dated August 26, 2009 from First Nations Technical Institute regarding the President position.
Carried.
- MOTION #27: Moved by Barry Brant, seconded by Trevor Lewis that this Council approve to send the letter to the Honourable John Gerretsen, Minister of the Environment, regarding the Richmond Landfill Meeting held June 29, 2009 in the XCG Consultants Boardroom in Kingston, Ontario.
Carried.
- MOTION #28: Moved by Trevor Lewis, seconded by Barry Brant to go in private.
(1:15 p.m.)
Carried.

Summary of Private Minutes:

- Approval of Private Minutes: August 24, 2009 Special and August 26, 2009 Local Business
- Approved ten (10) Mortgage Discharges and nine (9) Rewrites
- Approved one (1) home renovation loan totaling \$14,105.08

Recorded by:
Shelley Bowden

Brian Hamilton
Chief Administrative Officer

Chief R. Donald Maracle