

**TYENDINAGA MOHAWK COUNCIL MINUTES
OCTOBER 6, 2010**

A meeting of the Tyendinaga Mohawk Council was held on Wednesday, October 6, 2010 at 9:30 a.m. in the Council Chambers.

Present: Chief R. Donald Maracle
Councillors: Douglas E. Maracle and Keith Sero. Velma Hill-Dracup was absent due to illness and Roy C. Maracle was absent due to H/SAB meeting in Batchewana.
Staff: Brian Hamilton, CAO and Angela Maracle, AO

MOTION #1: Moved by Keith A. Sero, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Special Minutes of July 28, 2010 be accepted as corrected.

Carried.

MOTION #2: Moved by Douglas E. Maracle, seconded by Keith A. Sero that the Tyendinaga Mohawk Council Special Minutes of September 9, 2010 be accepted as corrected.

Carried.

MOTION #3: Moved by Keith A. Sero, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Minutes of September 15, 2010 be accepted as corrected.

Carried.

MOTION #4: Moved by Keith A. Sero, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Local Business Minutes of September 20, 2010 be accepted as read.

Carried.

MOTION #5: Moved by Douglas E. Maracle, seconded by Keith A. Sero that the Tyendinaga Mohawk Council acknowledge the Kanhiote Public Library Minutes dated September 21, 2010.

Carried.

MOTION #6: Moved by Douglas E. Maracle, seconded by Keith Sero that this Council approve to write a letter to CN & VIA Rail stating Council has declined signing the in-kind contribution agreement.

Carried.

Chief Maracle – negative vote.

Council acknowledged the following meetings:

- October 13, 7:00 p.m. – Tyendinaga Mohawk Council Local Business
- October 14, 1:00 p.m. & 7:00 p.m. – Community Meeting re: Water Program
- October 18, 9:00 a.m. – Tyendinaga Mohawk Council
- October 20, 2010 – Ontario Chiefs Committee on Health
- October 20-21, 2010 – Iroquois Caucus in Wahta
- October 22, 9:00 a.m. – Management Team/Managers
- October 27, 7:00 p.m. – Tyendinaga Mohawk Council Local Business
- November 17-18, 2010 – AIAI Fall General Assembly at the Caldwell First Nation
- November 23-25, 2010 – Special Chiefs Assembly

MOTION #7: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve the following meetings outside the territory:
TMC – attend a meeting with Chris Bentley, Minister of Aboriginal Affairs, on October 20 in Toronto;
Chief – attending the Special Chiefs Assembly on November 23 – 25 in Toronto;

Chief & Keith – attending the Iroquois Caucus on October 21 in Wahta; attending the AIAI Fall General Assembly on November 17 & 18 in Caldwell.

Carried.

MOTION #8: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve to send the TMT Triple Play contract, the Ontario First Nations Limited Partnership, our insurance policy the Client Service Contract and the business plan to Wayne Gay and Dan Dickinson to provide a business administrative practice and risk management for the communications business/service.

Carried.

MOTION #9: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to extent the Fiber Optic contract until October 31, 2010, with no cost to MBQ the reason is because of the arson to the cable. Council was informed by staff the contractor has insurance to cover the costs.

Carried.

MOTION #10: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council acknowledge the First Nations Technical Institute (FNTI) audit letter.

Carried.

MOTION #11: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council acknowledge the letter from O'Flynn Weese on behalf of the Town of Deseronto regarding the Culbertson Tract Land Claim and request Alan Pratt, Legal Counsel, review.

Carried.

MOTION #12: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve to schedule a meeting with Kris Hill, Indian and Northern Affairs Canada on October 19, 2010 at 10:00 a.m. and invite the parent group to attend regarding the Mohawk Immersion School.

Carried.

MOTION #13: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council acknowledge the survey for 189 Bayshore Road and approve to proceed with the renovations and sale of 189 Bayshore Road house.

Carried.

MOTION #14: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council acknowledge the letter from the Iroquois Caucus Coordinators and approve the contract extension until December 31, 2010.

Carried.

MOTION #15: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council acknowledge the Hastings & Prince Edward District School Board Trustee Report for September submitted by Mike Brant.

Carried.

MOTION #16: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve payment from Hicks Morley for invoice # 205917 in the amount of \$796.50, #205918 in the amount of \$155.51 and #205919 in the amount of \$1,947.00 re: employment matters.

Carried.

- MOTION #17: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve payment from Alan Pratt for invoice #3531 in the amount of \$1,546.60 for General Matters and #3532 in the amount of \$5,542.76 for Culbertson Tract Land Claim.
Carried.
- MOTION #18: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council defer the Mohawk Council Resolution for the use of the Casino Rama Funds for the Tyendinaga Fitness Centre.
Carried.
Douglas E. Maracle declared conflict of interest; his daughter works at the fitness centre.
- MOTION #19: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to utilize the Casino Rama Funds under the Health component for the Recreation Program in the amount of \$19,396.78. M.C.R. #2010/11-061.
Carried.
- MOTION #20: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve to open a new bank account for the fundraising for the Youth.
Carried.
- MOTION #21: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to sign the amendment for the Transitional Agreement ON 0900124-A12 to include the Aboriginal Diabetes Initiative enhancement of \$9,362.00 in 2010/11 and extend this agreement by two (2) years to fiscal year 2012/13 including Maternal Child Health.
Carried.
- MOTION #22: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve to sign the rental agreement between the Ontario Provincial Police and MBQ for the Tyendinaga Police Service Building.
Carried.
- MOTION #23: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to support the proposals to Corda for funding to implement two programs 2011/2012 – Composter in the amount of \$13,450.00 and Harvest Management in the amount of \$13,330.10.
Carried.
- MOTION #24: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council defer the policy change for the Before & After School Program.
Carried.
Keith A. Sero declared conflict of interest; his sister works with the program.
- MOTION #25: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council appoint Mike Brant as the Hastings & Prince Edward District School Board Trustee from December 2010 to November 2014. M.C.R. #2010/11-062
Carried.
- MOTION #26: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to sign the New Relationship Fund Agreement for the Community Safety Working Group in the amount of \$50,000.00.
Carried.

- MOTION #27: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve the 3 year Agricultural Lease with Kim & Karen Baptiste for Lot 5A-16, Concession 2. Carried.
- MOTION #28: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve the New Business Registration for Top Notch, owner Russell Loft – type of business: sewing Carried.
- MOTION #29: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council rescind Motion #4 from May 26, 2008 changing ownership of 49 Quick Stop and approve the Business Registration for 49 Quick Stop Convenience, owner Robin Brant – type of business: convenience store and 49 Quick Stop Gas Bar, owner John Brant – type of business: gas bar. Carried.
- MOTION #30: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve the Tobacco Quota Allocations to the following:
- | Business Name: | Business Owner: |
|-----------------------------|-------------------------------|
| 49 Quick Stop Convenience | Robin Brant |
| 49 Frozen Foods | Robin Brant |
| Arnie's Appliance & Variety | Arnold Sager |
| Arnie's Frozen Foods | Arnold Sager |
| Bayview Variety | Helen Brant |
| Bear Clawz Variety | Patrick Maracle Jr |
| Bearflat Station | Terry Amey |
| Coffee Shop | Lorne Loft |
| Confederate Variety | Jacqueline Maracle |
| First Nation Petroleum | Debora Maracle |
| Flint & Feather | Clifford Maracle |
| Free Flow | Robin Brant |
| Kahswenta Trading | John Baptiste |
| L & M Enterprises | Sharon Maracle |
| Loft's Variety | Lorne Loft |
| M & L Distributors | Randy Scero |
| Maracle Duty Free & Gifts | Harvey Maracle |
| McDonuts | Clifford Maracle |
| McMurter Home Centre | Jim McMurter |
| Millside Ceramic | Marlene Murphy |
| Miracle Mart | Clifford Maracle |
| Mohawk One | John Baptiste |
| Mohawk Trading | Robert F. Greenwood |
| Nation 2 Nation | Kevin Brant |
| Native Renaissance II | Thomas B. Maracle |
| North Shore Tobacco | Terry Maracle |
| Onkwehonwe Neha Enterprise | John Baptiste |
| Rainbow Garden & Gifts | Sharon Maracle |
| Rez Mart | Charlene Maracle/ Shawn Sager |
| Riverside Variety | Brian Brant |
| Roxanne's Place | Roxanne Lewis |
| Salmon River Enterprises | Phillip Maracle |
| Sam's Lil Variety | Sam Martin |
| Skyway Express | Lillie LeFort |
| Smokin Coffee Xpress | Brian Brant |
| Smokin Joe's | Andrew Maracle |
| Smokin Pit Stop | Lisa Maracle-Sexsmith |
| Snookie & Sons Hide-away | Lloyd Green |

Soaring Eagle Variety	Tonya Maracle
Telegraph Narrows Bait & Tackle	Randy Scero
The Sacred Circle	Charlene Maracle
The Work Gear	Keith Maracle
Two Hawks Tobacco	Audie Brant
Two Toes Variety	Howard Brant
Tyendinaga Propane	Keith Maracle
V & M Variety	Vernon Minaric
Village Variety	Keith Maracle
Ward's Auto & Sales	Phillip Maracle
York Road Restaurant	Phillip Maracle

Carried.

MOTION #31: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council acknowledge the Canada Mortgage and Housing Corporation, Section 95 Client Visit report.

Carried.

MOTION #32: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve to schedule a meeting with Housing, Health and Social Programs and Tyendinaga Mohawk Police on October 28, 2010 at 10:00 a.m. and ask Vince Panetta for an update on the sharing of client files between MBQ program also to invite him come to the meeting.

Carried.

MOTION #33: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve the tender for the attic insulation in the MBQ rental units as listed in the Amerispec report to RB Contracting in the amount of \$57,600.00. Other tenders received were Build All Contractors - \$85,038.00, McMurter Construction - \$80,700.00 and Reitzel Insulators - \$86,400.00.

Carried.

MOTION #34: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve the tender for the Low Flow Toilets in the MBQ rental units as listed in the Amerispec report to KTA General Maintenance in the amount of \$15,039.03. Other tenders received were MC Plumbing – \$15,245.62, Burnett's Plumbing - \$16,200.00, Conger's Plumbing - \$19,780.00 and Pat Gartland Plumbing - \$17,780.00.

Carried.

MOTION #35: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve the tender for the High Efficiency Furnaces in the MBQ rental units as listed in the Amerispec report to Rosebush Heating & Air Conditioning in the amount of \$24,916.44. Other tenders received were MCAL Heating and Air Conditioning - \$33,902.00 and Controlled Air Systems - \$28,750.00.

Carried.

MOTION #36: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve the tender for the Installation of the Doors in the MBQ rental units as listed in the Amerispec report to RB Contracting in the amount of \$64,361.00. Other tenders received were Tyendinaga Doors and Windows - \$72,950.00, Build All Contractors - \$79,684.00 and McMurters Construction - \$96,250.00.

Carried.

- MOTION #37: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve the tender for the installation of Windows in the MBQ rental units as listed in the Amerispec report to RB Contracting in the amount of \$205,267.00. Other tenders received were McMurter Con - \$235,000.00, Tyendinaga Doors and Windows - \$245,000.00 and Build All Contractors - \$374,913.00.
Carried.
- MOTION #38: Moved by Keith Sero, seconded by Douglas E. Maracle that this Council approve to schedule a meeting with Greg Geddes, The Elstree Group, on October 13, 2010 at 10:00 a.m.
Carried.
- MOTION #39: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve to sign the Canada's Economic Action Plan (CEAP) Agreement for the Conversion to Market Based Housing program through Indian and Northern Affairs Canada (INAC).
Carried.
- MOTION #40: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to schedule a meeting with the President from Hydro One Networks Inc. regarding a Community Members hydro connections.
Carried.
- MOTION #41: Moved by Douglas E. Maracle, seconded by Keith A. Sero
Whereas, the Christ Church Her Majesty's Royal Chapel of the Mohawk require critical rehabilitation of the existing stained glass windows that have incurred extensive deterioration due to their age; and
Whereas, the Mohawks of the Bay of Quinte are eligible for funding under the Human Resources and Skills Development Canada's (HRSDC) New Horizon for Seniors Program (NHSP) to rehabilitate the 4 Nave Windows and the Small Arch Trio (South Wall) at Christ Church; and
Whereas, the total amount required to repair the deficiencies \$24,715.00;
Therefore be it resolved that the Tyendinaga Mohawk Council agrees to support the application to the New Horizon for Seniors Program rehabilitate the 4 Nave Windows and the Small Arch Trio (South Wall) at Christ Church for the amount of \$24,715.00.
M.C.R. #2010/11-063.
Carried.
- MOTION #42: Moved by Douglas E. Maracle, seconded by Keith A. Sero
Whereas, the Mohawks of the Bay of Quinte are eligible for funding under the Human Resources and Skills Development Canada's (HRSDC) New Horizon for Seniors Program (NHSP) to complete repairs and upgrades to the Elders Lodge.
Whereas, the total amount required to install a Direct Vent Free Standing Propane Gas Stove in the sitting enclosure, replace the existing Range Hoods, and to replace and upgrade the exterior doors to meet Building Code, including project contingency, totals \$25,000.00;
Therefore be it resolved that the Tyendinaga Mohawk Council agrees to support the application to the New Horizon for Seniors Program required to install a Direct Vent Free Standing Propane

Gas Stove in the sitting enclosure, replace the existing Range Hoods, and to replace and upgrade the exterior doors to meet Building Code for the amount of \$25,000.00. M.C.R. #2010/11-064.
Carried.

Council scheduled a call with Patrick Schindler and Kevin Shipley on Thursday, October 7, 2010 regarding the Airport Litigation.

MOTION #42: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this meeting adjourn. (4:05 p.m.)
Carried.

Summary of Private Minutes:

- Approval of Private Minutes: September 9, Special and September 15, 2010
- Approved ten (10) Mortgage and five (5) Discharges and Rewrites
- Approve one (1) Bank of Montreal Loan Guarantee in the amount of \$125,000.00
- Approve three (3) Home Renovation Loan in the amount of \$66,801.35

Recorded by:
Shelley Bowden

Brian Hamilton
Chief Administrative Officer

Chief R. Donald Maracle