

**TYENDINAGA MOHAWK COUNCIL MINUTES
SEPTEMBER 15, 2010**

A meeting of the Tyendinaga Mohawk Council was held on Wednesday, September 15, 2010 at 9:30 a.m. in the Council Chambers.

Present: Chief R. Donald Maracle
Councillors: Roy C. Maracle, Douglas E. Maracle and Keith A. Sero. Velma Hill-Dracup was ill.
Staff: Brian Hamilton, CAO, and Angela Maracle, AO

Chief R. Donald Maracle opened the meeting with prayer in the Mohawk language.

MOTION #1: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Special Minutes of August 27, 2010 be accepted as corrected. Carried.

MOTION #2: Moved by Keith A. Sero, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Minutes of September 1, 2010 be accepted as corrected. Carried.

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

MOTION #4: Moved by Roy C. Maracle, seconded by Keith A. Sero that the Tyendinaga Mohawk Council Special Minutes of September 7, 2010 be accepted as corrected. Carried.

MOTION #5: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that the Tyendinaga Mohawk Council Local Business Minutes of September 8, 2010 be accepted as corrected. Carried.

Council spoke with Tom Kring, Senior Capital Projects Officer, regarding inspections for the Tyendinaga Skatepark.

MOTION #6: Moved by Keith A. Sero, seconded by Roy C. Maracle that this Council approve to contract with The Greer Galloway Group Inc. in the amount of \$5,735 to conduct inspections for the Tyendinaga Skatepark. Other quote received from G.D. Jewell Engineering Inc. in the amount of \$5,830. Carried.

Council acknowledged the following meetings:

- September 15, 3:30 p.m. – Catherine Renwick, Healthtech Consultants, via phone
- September 15, 4:00 p.m. – Meeting with AIAI Representatives re: Data Sharing Protocol Agreement
- September 16 – Joint Chiefs of Ontario/Chiefs Committee on Health and Ontario College of Family Physicians Meeting in Toronto
- September 20, 4:00 p.m. – Tyendinaga Mohawk Council Local Business Meeting
- September 21 – AFN – First Nations Advocacy Day in Ottawa with Focus on Education
- September 22 – AIAI Chiefs Council Meeting (Tentative) in Ottawa
- September 23 – Education Rally in Ottawa
- September 28-29 – Southern Tribal Council and Large/Unaffiliated First Nations Meeting in London
- October 20-21 – Iroquois Caucus in Wahta

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

- MOTION #7: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to make arrangements for a bus so the Community can go to the Education Rally on September 23, 2010 in Ottawa.
Carried.
- MOTION #8: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that this Council approve the following meetings outside the Territory: Chief Maracle, Keith Sero and Velma Hill-Dracup: attending meeting with Honourable John Wilkinson, Minister of Environment, on September 23, 2010 in Toronto and have XCG Consultants Inc., R.J. Burnside and Dr. Poh-Gek Forkert attend as well Chief Maracle: attending Southern Tribal Council and Large/ Unaffiliated First Nations Meeting on September 28-29, 2010 in London
Carried.
- Council convened for an early lunch at 11:25 p.m. and re-convened at 12:35 p.m.
- MOTION #9: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve the following Council Meetings for October 2010: Regular: October 6 and 18 at 9:00 a.m. Local Business: October 13 and 27 at 7:00 p.m.
Carried.
- MOTION #10: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve to hold a conference call on September 17, 2010 at 3:00 p.m. with Alan Pratt, MBQ's lawyer, and Yves Siciliano, VIA Rail, to discuss the VIA agreement.
Carried.
- MOTION #11: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve to contract with Michelle Sault to facilitate the meeting with the Management Team/Managers on September 24, 2010 at 9:00 a.m. at the Community Centre.
Carried.
- MOTION #12: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that this Council confirm the meeting with Honourable Chris Bentley, Minister of Aboriginal Affairs, on October 4, 2010 at 12:15 p.m. in Toronto re: Police Building Expenses and the meeting with Saga Williams, Senior Policy Analyst, on October 4, 2010 at 1:00 p.m. in Toronto re: Culbertson Tract Claim.
Carried.
- MOTION #13: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council acknowledge receipt of the various letters regarding First Nations Technical Institute (FNTI) and seek permission to share and discuss the letters with FNTI.
Carried.
- MOTION #14: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that this Council approve payment of the following invoices from Hicks Morley: invoice #204115 in the amount of \$1,190.50 and invoice #204116 in the amount of \$88.50 re: employment matters.
Carried.
- MOTION #15: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that this Council approve payment of invoice #470 from Patrick Schindler in the amount of \$4,432.00 re: potential Airport litigation.
Carried.

- MOTION #16: Moved by Keith A. Sero, seconded by Roy C. Maracle that this Council approve to inform Patrick Schindler that the agreement reached in the Johnson Brant Claim has not yet been implemented and it's been over a year.
Carried.
- MOTION #17: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to schedule a meeting with Wayne Gay, lawyer, and Dan Dickinson, auditor, to discuss the best way to set-up a structure that includes TMT TriplePlay.
Carried.
- MOTION #18: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council defer the revised Draft TMT TriplePlay Service Agreement for discussion with Wayne Gay and Dan Dickinson.
Carried.
- MOTION #19: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that this Council approve to sign the Association of Iroquois and Allied Indians 2010/2011 Health/Social Advisory Board (Aboriginal Healing and Wellness) Community Support Memorandum of Agreement in the amount of \$2,000 for the development and coordination of Health and Social Services community committees and to develop linkages with Member Nations Health and Social committee/structures on initiatives, issues and planning.
Carried.
- MOTION #20: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to sign the Contribution Agreement between the Aboriginal Labour Force Development Circle and the Mohawks of the Bay of Quinte in the amount of \$106,420 for the period April 1, 2009 to March 31, 2010 and \$53,210 for the period April 1, 2010 to September 30, 2010 to fund child care spaces at the Eksa'okon:'a Child Care Centre.
Carried.
- MOTION #21: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council request estimates for rehabilitation of the Airport Road from the Bus Barn to the Ridge Road and estimates to fill-in holes and put gravel on Gordon's Point Road.
Carried.
- MOTION #22: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to survey the road allowance behind Iva Brant's house.
Carried.
Roy C. Maracle – negative vote
- MOTION #23: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council defer the distribution of information and setting of a Community Meeting for the Water Delivery Program until the Council Meeting on September 20, 2010 for further review.
Carried.
- MOTION #24: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve the following change orders as recommended by G.D. Jewell for the Six-Plex Building Construction Contract with the funds being taken from the built-in contingency:
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|---|-----------|
| Change Order #7 – Stair Well Modification 1-2 | \$ 600.00 |
| Change Order #8 – Stair Well Modification 1-6 | 3,000.00 |
| Change Order #9 – Plumbing | 1,600.00 |
| Change Order #10 – Gas Meter | 2,800.00 |

Change Order #11 – Clean Out Cover	640.00
Change Order #12 – Attic Access	600.00
Change Order #13 – IT Panels	300.00
Change Order #14 – By Pass Doors	1,200.00
TOTAL	\$10,740.00

Carried.

MOTION #25: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve to release the security bonds by returning the certified cheques to McMurter Home Centre and Triple K Rock Coring as the building construction and site works contracts for the Six-Plex have been completed.

Carried.

MOTION #26: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that this Council approve the Land Transfer from Patricia Eloise Brant to Virginia Ann Maracle, Lisa Yvette Maracle Sexsmith and Andrew Clifford Maracle III, the whole of Parcel B, Lot 30, Concession 1 as shown on CLSR 52231.

Carried.

MOTION #27: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve the Land Transfer from Audie Leonard Brant to Timothy James Barnhart, the whole of Lot 8B-2-3, Concession 1 as shown on CLSR 97360 and agree and allow access on the existing right of way over Lot 8B-2-1, Concession 1 of approximately 20 feet as shown on Plan No. 97360 CLSR for the purpose of ingress and egress to Lot 8B-2-3, Concession 1.

Carried.

MOTION #28: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that this Council approve the Land Transfer from Christopher Blaine Brant to Cheryl Ann Joyce Brant and Kevin Joseph Brant, the whole of Lot 23C-1-1, Concession 1 as shown on Plan No. 6943R.

Carried.

Chief Maracle declared conflict of interest as Christopher and Cheryl Ann Brant are family and asked all Council to sign the transfer

MOTION #29: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that this Council approve the Land Transfer from Morris Lester Brant, Roy Nelson Brant, Richard Eldon Brant, Joan Brant, Willard Herbert Brant, Daniel John Brant, Carl Delbert Brant and Eleanor Wilma Pyke to Carl Delbert Brant, the whole of Lot 26-23, Concession A as shown on Plan No. RSO 6977.

Carried.

Chief Maracle declared conflict of interest as Lester Brant is family and asked all Council to sign the transfer

MOTION #30: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council approve the Land Transfer from Carl Delbert Brant, Morris Lester Brant, Roy Nelson Brant, Richard Eldon Brant, Joan Brant, Willard Herbert Brant, Daniel John Brant and Eleanor Wilma Pyke to Morris Lester Brant, the whole of Lot 26-19, Concession A as shown on Plan No. RSO 6977.

Carried.

Chief Maracle declared conflict of interest as Lester Brant is family and asked all Council to sign the transfer

MOTION #31: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that this Council approve the Land Allotment from the Mohawks of the Bay of Quinte to Lorna Maureen Whalen, the whole of Lot 8A-7, Concession 2 as shown on Plan CLSR #97362. M.C.R. #2010/11-059

Carried.

MOTION #32: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that this Council approve the Recreational Lease Renewals between Daniel Elwood Brant and the following Lessees for a three year term, the portion of Lot 6E-2, Concession A as shown on Plan #696 RSO and together with a Right of Access through Lot 7D, Concession A as shown on Plan #4670 CLSR as shown on attached Plan #696 RSO:

1. Iva Bernard Barker
2. Lucie Cote
3. Gisele Crites
4. Larry and Diane Fritz
5. Sylvia Kleinow
6. James Mosher
7. David Pericak
8. Garry and Julie Riddell
9. Robert Graves and Geraldine Rushlow
10. Wayne and Linda Trice
11. Keith Payne and Teresa Mason
12. Eldon Smith

Carried.

MOTION #33: Moved by Keith A. Sero, seconded by Douglas E. Maracle that this Council defer the request from Crystal Dawn Martin to transfer to the Mohawks of the Bay of Quinte for more information as outlined in the Transfer of Membership from Other First Nations Policy.

Carried.

NOTE: Market-Based Housing – Council wants to discuss program with Indian and Northern Affairs Canada when a meeting is set.

MOTION #34: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council approve to go in private. (3:23 p.m.)

Carried.

Council returned to regular business for a conference call with Catherine Renwick, Healthtech Consultants, at 3:30 p.m. to review the concerns raised regarding the assessment of the Association of Iroquois and Allied Indians' Data Sharing Protocol Agreement as previously requested.

Council then met with Association of Iroquois and Allied Indians' representatives: Grand Chief Randy Phillips, Geoff Stonefish, Office Manager, and Amanda Doxtator, Data Coordinator, along with Janet Brant Nelles, Director of Community Wellbeing, and Catherine Renwick via phone to discuss the concerns with the Data Sharing Protocol Agreement as identified in a letter sent to Grand Chief Phillips dated June 2, 2010.

MOTION #40: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that this Council approve to discuss this issue further with Catherine Renwick, Healthtech Consultants, on September 20, 2010 at 3:00 p.m.

Carried.

MOTION #41: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that this meeting adjourn. (5:33 p.m.)

Carried.

Summary of Private Minutes:

- Requested a report re: community member's situation
- Approval of Private Minutes: September 1, 2010 and September 8, 2010 Local Business
- Approved two (2) home renovation loans totaling \$42,000

Recorded by:
Angela Maracle

Brian Hamilton
Chief Administrative Officer

Chief R. Donald Maracle