

**Regular Council Meeting
Aamjiwnaang First Nation
Monday, January 30, 2017 - 5:00 PM**

The Regular Council Meeting was held on the above-date at Maawn Doosh Gumig Community and Youth Centre, Banquet Room, scheduled for 5:00 PM.

Council Members Present: Chief Joanne Rogers, Councillor Darren Henry (excused 9:18 pm), Councillor Dallas Sinopole, Councillor Sherri Crowley, Councillor Phillip Maness, Councillor John Adams, Councillor Errnol Gray

Regrets: Councillor Shawn Plain (ILL)

Others Present:

June Simon, Band Manager	Jessica Pickett, Lands Management Officer
Vicki Ware, Education Coordinator	Brian Bois, Public Works Coordinator
Sharilyn Johnston, Environment Coordinator	Jacky Cunningham, Band Member
Jillian Rogers, Band Member	Marina Plain, Band Member
MaLynda Maness-Henry, Band Member	Deborah Plain, Band Member
Ron Simon, Band Member	Charles Rogers, Band Member
Tina Johnston, Band Member	Marie Nahmabin, Band Member
Randi Rogers, Band Member	Bonnie Plain, Band Member
Marie Simcoe, Band Member	Becky Maness, Band Member
Fenton Plain, Band Member	Charles Plain, Band Member
Matt Plain, Band Member	Ame Stoesser, Guest

Call to Order:

Chief Joanne Rogers called the meeting to order at 5:06 p.m. and Councillor Dallas Sinopole, offered a prayer.

Regular Council Meeting Minutes, January 16, 2017

Discussion: Page 1 of 8, Item #1, additional information to be included in the wording; Page 5 of 8, Motion #10, Moved by: Philip Maness, (Councillor Sherri Crowley, to confirm); Page 7 of 8, Motion #17, Seconded by: last name to be included.

Motion #1. MOVED BY: Sherri Crowley
SECONDED BY: Dallas Sinopole

That this Council adopts the Regular Council Meeting Minutes, Monday, January 16, 2017, with noted changes.

MOTION CARRIED

Follow-Up:

➤ A/BCC to complete changes.

Special Council Meeting Minutes, January 9, 2017

Discussion: Page 1 of 1, Job title change for Interim Band Administrator.

Motion #2. MOVED BY: John Adams
SECONDED BY: Errnol Gray

That this Council adopts the Regular Council Meeting Minutes, Monday, January 9, 2017, with noted change.

1-Abstained; Philip, not present
MOTION CARRIED

Follow-Up:

➤ A/BCC to complete change.

Item #1: Clench Defalcation Specific Claim Update – January 2017

Discussion: The Chief provided a brief overview of the joint meeting with Kettle and Stoney Point First Nation (KSPFN), and the joint decision to take the matter to arbitration. The mediation and arbitration processes were reviewed and it was noted that the decision of the arbitrator is final and may not be contested.

Community comments and concerns:

Follow-Up:

➤ N/A

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- The ratification process and percentage of voters necessary to ratify the apportionment of the settlement, and a successful vote in favor the arbitrator decision.
- Both communities accepting the final outcome of the arbitration process.
- Whether or not there would be a successful vote based on the 1919 population?
- KSPFN, rationale for wanting a 50/50 split of the apportionment?
- Whether or not the arbitrator decision be precedence setting for any future land claims?
- Who the arbitrator will be and when the process will begin?

It was noted that previous ratification votes were a simple majority of those who came out too vote on the matter. It was also noted that the terms of the ratification vote will need to be determined with the federal government. KSPFN rationale for requesting a 50/50 split, was due to historical timber sales, increased infrastructure need, growing population, and economic development. And, at this time it's unknown when the arbitration process will take place, details will be provided as they are known.

In closing, it was noted that the next joint meeting between the two Councils will be hosted by Aamjiwnaang and will be open to all community members.

Item #2: Jillian Raye Rogers – Request

Discussion: Miss Jillian Rogers was in attendance to speak to her request. Members of Council commended Miss Rogers, for her hard work and dedication and noted that they are very proud of her for her efforts. The Chief provided background information about Councils decision to place a cap of \$500.00 for all financial requests from community members. Further discussion pertained to the development of a Community Application process for requesting financial support. It was noted that there are many aspects to consider, whether or not an individual has ever been sponsored before, how many times they have been sponsored, events that are sponsored, amount requested, and contributions back to the community through volunteerism. It was also noted that when there is a process in place everyone would be treated equally.

Follow-Up:

➤ N/A

Motion #3. MOVED BY: Sherri Crowley
SECONDED BY: Errnol Gray

That this Council approves Jillian Rogers' request for financial support in the amount of \$500.00 (five-hundred dollars), request supported through Council Contingency Funds.

MOTION CARRIED

Item #3: Greg Gray – Request

Discussion: It was mentioned that support should be provided at the current established amount for Council support in the amount of \$500.00. It was also mentioned that requests such as one being considered should have a set budget, and that information be

Follow-Up:

➤ Mr. Gray to be informed that he is to bring information back to share with the

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brought back to the community and shared for others who may also benefit from the information sharing. The Band Manager provided Council with all figures associated with previous support provided to Mr. Gray. community.

Motion #4. MOVED BY: John Adams
 SECONDED BY: Dallas Sinopole

That this Council approves Greg Gray's request for financial support as per community travel rates not to exceed \$500.00 to attend the 60's Scoop Mini-Trial, February 2, 2017, request supported through Council Contingency Funds. Furthermore, information about the proceedings are to be brought back and shared with the community.

2-Opposed;
Councillor Errnol Gray, detailed budget not included with request.
Councillor Philip Maness, would like to request that a community process be put in place.

MOTION CARRIED

Item #4: Lands Management Briefing Note – Re: Hydro One Update – PIL/Land Appraisal

Follow-Up:

Discussion: Lands Management Officer was in attendance and provided an overview of the submitted information and reviewed specific information about the Payment in Lieu of Taxes (PIL). Reviewed outstanding payment and what is owed to the Band and noted that approval to have the land appraised to bring agreements up to date with regards to amounts owing. The Chief stated, that the Band had no involvement in selection of the appraiser. It was suggested that legal opinion be sought prior to moving forward with land appraisals.

➤ **TABLED**, until meeting can be scheduled with legal and opinion obtained.

Item #5: Environment Coordinator

a) Briefing Note – Re: Shell Consultation and Capacity Building Agreement

Follow-Up:

Discussion: The Environment Coordinator was in attendance, and noted that all Appendices in the agreement have been completed and are now being presented for approval. The Chief also provide additional information about the Terms of Reference and Work Plan, with regards to how they are developed for implementation. It was noted that if Shell has any plans to expand or complete any work Aamjiwnaang has the ability to conduct a third party review. There was a question about the Fish kill at Talfourd Creek, the Environment Coordinator provided a brief overview of winter die off which is an affect of lack of oxygen due to limited movement and rejuvenation of oxygen in the water. It was also noted that the Emergency Management Planner will be obtaining a full report from the Ministry of Natural Resources. Financial information in that agreement were discussed as well as, how can the funding may be used for the development of community legislation.

➤ N/A

The Environment Coordinator, noted that the Environment Committee and staff will be moving forward with development of a community environment legislation. And, information may be accessed/requested from other First Nations who have

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already completed their own legislation which can be used a template for further development here at Aamjiwnaang.

Motion #5. MOVED BY: Errnol Gray
 SECONDED BY: Darren Henry

That this Council acknowledges the Environment Coordinator briefing note, and agrees with the Capacity and Consultation Benefit Agreement with Shell and authorizes Chief Joanne Rogers to sign the agreement on behalf of Aamjiwnaang.

MOTION CARRIED

b) Briefing Note – Re: Letter to the MOECC

Follow-Up:

Discussion: Sharilyn, provided an update on the new correspondence, and noted that it has been updated to reflect Aamjiwnaang’s request for information that a response is expected. Further discussion included: the development of a community environmental legislation/regulation; approval process for businesses, reviewing all legal information that has been gathered over the years; and a proposed seminar date. It was mentioned that a memo will be on the next council meeting of February 6, the seminar dates will be presented then.

➤ N/A

Motion #6. MOVED BY: Sherri Crowley
 SECONDED BY: Darren Henry

That this Council acknowledges the Environment Coordinator briefing note, and authorizes Chief Joanne Rogers to sign the letter addressed to Minister of Environment, Glen Murray, as presented.

MOTION CARRIED

Item #6: Health Director

Follow-Up:

a) Briefing Note – Health Seminar – Substance Abuse Planning

Discussion: There was discussion about the date and the importance of issue that needs to be addressed. Look at the past substance abuse initiative and see what worked and what didn’t work at that time. CCP, today looks at environmental issues as priority. Need to talk about the mental health and wellbeing of children and youth and how they are being impacted, due to the substance use issues. Health centre has moved to incorporated mental health with the

➤ Notification sent to the Health Director, confirming date and time.

Motion #7. MOVED BY: Dallas Sinopole
 SECONDED BY: Sherri Crowley

That this Council acknowledges the Health Director briefing note and selects February 15, 2017, from 10:00 am – 1:00 pm, for a Health Seminar, to discuss substance abuse planning within the community.

MOTION CARRIED

b) Briefing Note – Re: Funding Applications

Follow-Up:

Discussion: None

➤ N/A

Motion #8. MOVED BY: Errnol Gray
 SECONDED BY: Dallas Sinopole

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That this Council acknowledges the Health Director briefing note regarding funding application approval for Canada Summer Jobs and Canadian Institutes of Health Research – Indigenous Wellness Catalyst Grant, as presented

MOTION CARRIED

c) Health Committee Meeting Minutes, December 15, 2016

Discussion: Item #5, committee orientation, regular meeting time noted.
Motion #9. MOVED BY: John Adams
SECONDED BY: Sherri Crowley

Follow-Up:

➤ N/A

That this Council acknowledges the Health Committee Meeting Minutes, December 15, 2016, as presented.

MOTION CARRIED

Item #7: Membership Officer – Register Change Report December 2016

Discussion: Membership officer to attend council meeting and explain the eligibility of members for registration. Someone from the ministry and INAC to be invited further explain the membership clause. Anishinabek nation with regards to citizenship for first nation. Who defines who is a member?
Motion #10. MOVED BY: John Adams
SECONDED BY: Dallas Sinopole

Follow Up:

➤ Membership officer to attend council meeting and explain the eligibility of members for registration.

That this Council acknowledges the Membership Officer – Register Change Report, December 2016, as presented.

MOTION CARRIED

Item #8: Community Services Committee Recommendations to Council

Discussion: There was a brief discussion regarding Item #2, Motion #2, recommendation to support an application to the Ontario Sports and Recreation Communities Fund. The Band Manager provided additional information regarding in-kind donations for funding applications.
Motion #11. MOVED BY: Ernol Gray
SECONDED BY: Sherri Crowley

Follow-Up:

➤ N/A

That this Council acknowledges the Community Services Committee Meeting Minutes of January 18, 2017, and accepts the recommendations regarding Jason Simon, regarding the Ontario Sports and Recreation Communities Fund Application and Ted White Sr., regarding Elder/Staff Carrier to attend LNHL.

MOTION CARRIED

Item #9: Education Coordinator and Public Works Coordinator Briefing Note – Re: Kitchen Renovations/Tenders – Recommendation

Discussion: The Education Coordinator and Public Works Coordinator, were in attendance to review the process for selection of the successful tender for the renovation of the daycare kitchen.
Motion #12. MOVED BY: Sherri Crowley
SECONDED BY: Ernol Gray

Follow-Up:

➤ N/A

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That this Council acknowledges the Education Coordinator and Public Works Coordinator briefing note and accepts the recommendation that Bill Hoekstra Contracting be approved for the daycare kitchen renovation tender in the amount of \$28,482.00 (twenty-eight thousand, four-hundred eighty-two, dollars); funds to be allocated from the minor capital account.

MOTION CARRIED

Item #10: BCR 2016/2017 #33 – Re: Councillor Resignation and Quorum Change **Follow-Up:**

Discussion: The Band Manager provided an update for the BCR and changing quorum to four (4) as opposed to five (5). ➤ N/A

Motion #13. MOVED BY: Dallas Sinopole
SECONDED BY: Sherri Crowley

That this Council adopts BCR 2016/2017 #33, regarding the resignation of Councillor Chris Plain, and reducing the Quorum of Council to Four (4).

MOTION CARRIED

Item #11: Band Manager Report – January 2017 **Follow-Up:**

Discussion: The Band Manager provided a brief overview of the submitted report noting required action of Council. Brief comments followed regarding the annual budgeting exercise and including the community in that process. It was suggested that established budgeting exercise practice remain the same and then an overall presentation take place with the community. ➤ N/A

The Education Coordinator, was in attendance and provided responses to questions and comments with regards to the submitted report. It was suggested that a presentation be planned for the roll out of the all-day kindergarten. Council was informed that the daycare evaluation along with pedagogy is being reviewed with the education committee for further program development where culture and language can be included in the overall programming to keep Aamjiwnaang values and teachings alive and not lost. It was also mentioned that further development of programming at the daycare and JK/SK will continue with the assistance of consultants who are experienced in the field of education.

A brief overview of the Anishinabek Education System (AES) was provided, and it was noted that Aamjiwnaang is located in region four (4) and has voting rights on the regional board, Kinomaadziwin Education Body (KEB). The Education Coordinator, has put her name forward for the KEB. Council was also informed that funding matters need to be sorted out and updates will be provided as they are known. It was also mentioned that the AES was ratified based on a presented governance model that should be honored. A forum will be held in Toronto, February 2017, to further discuss and the AES and continued development.

Motion #14. MOVED BY: John Adams
SECONDED BY: Sherri Crowley

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That this Council acknowledges the Band Managers Report, and accepts the recommendation to add the new Finance Coordinator as a signing authority for all Band bank accounts and investment portfolios, as presented.

MOTION CARRIED

Motion #15. MOVED BY: Dallas Sinopole
SECONDED BY: Darren Henry

That this Council acknowledges the correspondence regarding the merger of BDO and Hazlitt Steeves Dunn, as presented.

MOTION CARRIED

Motion #16. MOVED BY: Dallas Sinopole
SECONDED BY: Sherri Crowley

That this Council acknowledges the Band Managers Report – January 30, 2017, as presented.

MOTION CARRIED

Motion #17. MOVED BY: Dallas Sinopole
SECONDED BY: Sherri Crowley

That this Council acknowledges the Education Coordinator's Report – December 2016 & January 2017, as presented.

MOTION CARRIED

Item #12: Correspondence and Information

a) E'Maawizidijig Culture and Heritage Group

Discussion: The Chief provided a brief overview of the correspondences that have been submitted for Council consideration. The Band Manager provided information on tabs and links on the website, and the charitable number which has restrictions for use. It was mentioned that other groups and individuals have used the Band as a funding flow-through in the past with no issues.

Ms. Marina Plain, asked if staff or a specific department could assist with writing grants and the process required for grant writing. It was mentioned that an approved budget would have to be prepared and submitted and that all financials would be included in the annual audit. Council may wish to consider how the culture and heritage committee could be brought under the Council umbrella. It was mentioned that if there were a culture and heritage committee, they would be accountable to provide official meeting minutes, a budget and terms of reference.

Motion #18. MOVED BY: Sherri Crowley
SECONDED BY: Errnol Gray

That this Council acknowledges the E'Maawizidijig Culture and Heritage Group correspondence of January 12, 2017, and approves a link for the Culture and Heritage group on the Aamjiwnaang Website.

MOTION CARRIED

Follow Up:

➤ E'Maawizidijig Culture and Heritage Group, link information provided to the Community Information Officer.

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b) CIDL – Re: Compliance Approval for New Tenants in Industrial Park **Follow Up:**

Discussion: It was requested all CIDL information be distributed well in advance of meeting. It was noted that there will be a memo from Economic Development on the RCM agenda for February 6, 2017. ➤ N/A

Motion #19. MOVED BY: Sherri Crowley
SECONDED BY: Errnol Gray

That this Council acknowledges the CIDL correspondence regarding the Compliance Approval for New Tenants in Industrial Park, as presented.

MOTION CARRIED

c) Hydro One Inc. – First Nations Engagement **Follow Up:**

Discussion: There was question raised about the Hydro One rates and whether or not they will have an affect on Bluewater Power rates? It was mentioned that this is a question to be asked at the First Nation Engagement session and that it needs to be expressed that by attending, it does NOT, constitute a consultation. ➤ N/A

Motion #20. MOVED BY: Sherri Crowley
SECONDED BY: John Adams

That this Council acknowledges the Hydro One Inc. regarding First Nations Engagement sessions to discuss upcoming Distribution Rates Filing with the Ontario Energy Board. Furthermore, Councillor Errnol Gray is appointed to attend the Thursday, February 9th, 2017 session, at Toronto, Ontario.

MOTION CARRIED

d) Michael Bryant, Senior Counsel – Negotiator for Your Specific Claim **Follow Up:**

Discussion: The Chief provided brief comments on the information and noted that she felt Council should review the correspondence. ➤ The Chief will write a letter of acknowledgement.

Motion #21. MOVED BY: Errnol Gray
SECONDED BY: Dallas Sinopole

That this Council acknowledges Michael Bryant, Senior Counsel. Specific Claim Negotiator correspondence, as presented.

MOTION CARRIED

e) Ministry of Indigenous Affairs – Tobacco Forum **Follow Up:**

Discussion: The Chief informed council that she has contacted Chief Leslee Whiteye, of Chippewas of the Thames (COTT), and will be making arrangements to come to Aamjiwnaang and present the information that the COTT has been working on with regards to Tobacco. A brief discussion followed with regards to quota and tobacco received for the previous year and the process. It was requested that previous Tobacco Committee Meeting Minutes be reviewed for upcoming discussions. ➤ The Chief to make arrangements with COTTFN for a presentation date.

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Motion #22. MOVED BY: Sherri Crowley
SECONDED BY: Darren Henry

That this Council acknowledges the Ministry of Indigenous Affairs – Tobacco Forum correspondence and appoints Chief Joanne Rogers, Councillors Errnol Gray & Dallas Sinopole to attend March 1-2, 2017, at Toronto, Ontario.

MOTION CARRIED

f) Ministry of Environment – Letter Acknowledgement

Follow Up:

Discussion: None

➤ N/A

Motion #23. MOVED BY: Sherri Crowley
SECONDED BY: Errnol Gray

That this Council acknowledges the Ministry of Environment – Letter of Acknowledgement, January 16, 2017, as presented.

MOTION CARRIED

g) Six Nations Council – Sharing Our Lands II

Follow-Up:

Discussion: There was a brief discussion about the gathering that will be taking place and importance of proceeding with caution when there are joint discussions about land interests.

➤ N/A

Motion #24. MOVED BY: Sherri Crowley
SECONDED BY: Errnol Gray

That this Council acknowledges the Six Nations Council – Sharing Our Lands II gathering, as presented.

MOTION CARRIED

h) Southwest Regional Chief Miskokomon – Expression of Interest to Host 2017 Grand Council Assembly of the Anishinabek Nation

Follow-Up:

Discussion: The Chief commented briefly about the information and noted that the Southwest Regional Chief Joe Miskokomon, provided the information for consideration. It was suggested to appoint a task force to be comprised members of Council and the Culture and Heritage Club.

➤ N/A

Motion #25. MOVED BY: Darren Henry
SECONDED BY: Dallas Sinopole

That this Council acknowledges the Southwest Regional Chief Miskokomon email correspondence regarding – Expression of Interest to Host 2017 Grand Council Assembly of the Anishinabek Nation. Furthermore, a task force comprised of Chief Joanne Rogers, Councillors Darren Henry, Dallas Sinopole, and Errnol Gray to assist with planning for the event.

MOTION CARRIED

i) Chiefs of Ontario Health Forum

Follow-Up:

Discussion: The Band Manager informed Council that the Health Director will be attending and enquired as whether or not there was any member of Council was interested in attending so arrangements

➤ N/A

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may be confirmed.

Motion #26. MOVED BY: Dallas Sinopole
SECONDED BY: John Adams

That this Council acknowledges the Chiefs of Ontario Health Forum notification and appoints Councillor Darren Henry, to attend February 28-March 2, 2017, at Toronto, Ontario, along with Councillor Sherri Crowley, who will attend March 1, 2017, only.

MOTION CARRIED

Item #15: New Business

a) AES Leadership and Technicians Forum

Follow Up:

Discussion: There was a brief discussion with regards to the structuring of the Kinoomaadziwin Education Body, and results of the provincial ratification and how many communities are participating in the process.

➤ N/A

Motion #27. MOVED BY: Errnol Gray
SECONDED BY: Dallas Sinopole

That this Council appoints Councillor Shawn Plain attend the AES Leadership and Technicians Forum on February 14-15, 2017, at Toronto, Ontario.

MOTION CARRIED

b) Correspondence to Chief and Council – Re: Clench – Submitted by Ron Simon

Follow Up:

Discussion: None

➤ N/A

Motion #28. MOVED BY: Philip Maness
SECONDED BY: Errnol Gray

That this Council acknowledges the Clench correspondence submitted by Ron Simon, as received on January 30, 2017.

MOTION CARRIED

c) Councillor Sherri Crowley

Follow-Up:

- I. Council Orientation**
- II. Mayors Honour List – Jeff Plain – FYI**

Discussion: Councillor Crowley, wanted to know when Council orientation would be held, the Band Manager informed Council that the new Finance Coordinator is in the process of reviewing the Council binder and a date will be requested at the February 6, 2017, Regular Council Meeting.

➤ N/A

Councillor Crowley, just wanted to let fellow Councillors know that Jeff Plain, has been named in the Mayors Honour List for 2016.

Item #14: In-Camera Session

Motions in Camera - #27, #28, #29, #30, #31, #32

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Item #16: Adjournment

Motion #33. MOVED BY: Errol Gray
SECONDED BY: Sherri Crowley

That this Council Adjourns at 9:35 P.M.

MOTION CARRIED

Recorded by:
Lynn M. Rosales,
A/Band Council Clerk