

**Regular Council Meeting  
Aamjiwnaang First Nation  
Tuesday, August 2, 2016 - 5:00 PM**

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The Regular Council Meeting was held on the above-date in the Administration Complex Council Chambers scheduled for 5:00 PM.

**Council Members Present:** Chief Joanne Rogers, Councillor John Adams, Councillor Sherri Crowley, Councillor Errnol Gray, Councillor Phillip Maness, Councillor Shawn Plain, Councillor Dallas Sinopole

**Regrets:** Councillor Darren Henry (Vacation), Councillor Chris Plain (Vacation)

**Others Present:**

Kelly Williams, Acting Band Administrator	Sandy Waring, Community Information Officer
June Simon, Finance Coordinator	Tracy Williams, Housing Coordinator
Sharilyn Johnston, Environment Coordinator	Wilson Plain Sr., Anishinabe
Ted White Sr., Elder	

**Call to Order:**

Chief Joanne Rogers, called the meeting to order at 5:05 p.m. and offered a prayer.

**Regular Council Meeting Minutes, Monday, July 18, 2016**

**Discussion:** Page 6, Item 11 a) and b), noted Conflict of Interest declared added to minutes; Page 6, Item 11 b), noted Mover and Secunder added to minutes; Page 8, Item New Business h) additional information added to discussion; and, New Business i) brief discussion about Loan Approval, it was noted that there was no renegotiation of existing loan, a new loan was approved.

**Motion #1.** MOVED BY: Sherri Crowley  
SECONDED BY: Errnol Gray

That this Council adopts the Regular Council Meeting Minutes, Monday, July 18, 2016, as presented / with noted changes.

MOTION CARRIED

**Item #1: Ted White Sr. Request – Eagle Staff Gathering**

**Discussion:** Ted White Sr. was in attendance for discussion of his request. It was noted that Mr. White has been the staff carrier during his terms in office and that it is appropriate that he carry and attend the Eagle Staff Gathering at this time. It was also mentioned that there will need to be more discussion for the transfer of duties and teachings for the community Eagle Staff.

**Motion #2.** MOVED BY: Shawn Plain  
SECONDED BY: Errnol Gray

That this Council approves Ted White Sr., request with mileage being paid at half the approved Band rates to attend the Eagle Staff Gathering, September 23-24-25, 2016, at Hopkins, Michigan. Total amount of the request \$735.02 (seven-hundred, thirty-five and two cents) USD, request supported through Community Spirituality Funds.

MOTION CARRIED

**Item #2: Finance Coordinator – Re: 1<sup>st</sup> Quarter Financials**

**Discussion:** The Coordinator was in attendance and provided a detailed review of the submitted 1<sup>st</sup> Quarter Financial Statements, noting support documentation. Further discussion included: Public Works, tractor purchase; revenue and resources that are applied to the appropriate department; teepee repairs and possibility of replacement; KPMG report recommendations; development of a

**Follow-Up:**

➤ A/Band Council Clerk to complete changes.

**Follow-Up:**

➤ A/Band Council Clerk to complete cheque requisition.

**Follow-Up:**

➤ N/A

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financial strategy and finance committee; and, own source revenue. The Finance Coordinator was commended for the completed work and presentation of the information.

Motion #3.      MOVED BY: John Adams  
                    SECONDED BY: Sherri Crowley

That this Council accepts the Finance Coordinators' 1<sup>st</sup> Quarter Financial Report, for the three periods ending June 30, 2016, as presented.

MOTION CARRIED

**Item #3:      Housing Coordinator Briefing Note – Re: CMHC Retrofit PO's and Cheque Requisitions**

**Follow-Up:**

Discussion:    The Housing Coordinator was in attendance and reviewed the information for the Phase 1, Retrofit Funding and noted that the quotes being presented require Council approval per Finance Policy. An update was also provided for the RRAP Grant program and it was noted that in September, more funding may become available and all submitted applications will be reviewed and considered. Further discussion included: contractors and previous direction of Council; quality of materials used for house repairs; work monitored for quality and not just quick fixes; contractors providing a work plan that must be followed and adhered to; and, contractors must be able to provide WSIB clearance and proof of insurance.

- Housing Seminar to be planned to discuss all housing issues and concerns.
- Housing Committee to be briefed on concern and issues related to contractors. Report back to Council.
- A/Band Administrator to conduct research for background information and previous Council direction regarding contractors.

Motion #4.      MOVED BY: Shawn Plain  
                    SECONDED BY: Sherri Crowley

That this Council acknowledges the Housing Coordinators' briefing note and accepts the recommendations with the exception of Recommendation 1.f); and, Recommendation 2, Invoice for Dumouchel's Home Improvements, is to be amended to \$32,285.50.

MOTION CARRIED

MOVED BY: Errnol Gray  
SECONDED BY: Sherri Crowley

That this Council agrees to not accept future bids from Wright General Contractor, from this day forward.

2-Abstained

Councillor Shawn Plain, would like the new Chief and Council to be brought up to date on the concerns and issues before making a decision.

Councillor Phillip Maness, suggested that an internal investigation take place for clarification of previous Council direction before making a decision.

MOTION CARRIED

**Item #4:      Environment Department**

**Follow-Up:**

**a) Memo – Re: Environment Seminar Request**

Discussion:    The Environment Coordinator was in attendance and asked Chief and Council if they would prefer the seminars be held during the

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day or continued to be held in the evening. Council wishes the seminars to remain in the evening. It was also suggested that internal projects and business be the focus of discussion at the seminars.

Motion #6.      MOVED BY: Errnol Gray  
                    SECONDED BY: Shawn Plain

That this Council acknowledges the Environment Consultation Worker Memo regarding the Environment Seminar Request, as presented.

MOTION CARRIED

**b) Environment Committee Meeting Minutes, June 7, 2016, June 22, 2016 and July 5, 2016**      **Follow-Up:**

Discussion:      There was a brief discussion on the June 7, 2016 Minutes, Item #5, clarification was provided regarding the discussion where Enniskillen Lands were referred to. It was mentioned that there is a new wind project that Aamjiwnaang may wish to be involved with and appoint a community member to monitor the work based on the historical significance of the land, if the project receives approval. It was also mentioned that the treaty area should be considered when environmental decisions are made. It was also mentioned that the Consultation Protocol and Abatement Plan will be reviewed at the upcoming seminar.      ➤ N/A

Motion #7.      MOVED BY: Shawn Plain  
                    SECONDED BY: John Adams

That this Council acknowledges the Environment Committee Meeting Minutes, for June 7, 2016, June 22, 2016 and July 5, 2016, as presented.

MOTION CARRIED

**Item #5:      Community Services Committee Meeting Minutes, May 30, 2016 and June 16, 2016**      **Follow Up:**

Discussion:      None      ➤ N/A

Motion #9.      MOVED BY: Errnol Gray  
                    SECONDED BY: John Adams

That this Council acknowledges the Community Services Committee Meeting Minutes, for May 30, 2016 and June 16, 2016, as presented.

MOTION CARRIED

**Item #6:      A/Development Coordinator Memo – Re: Renewable Energy Projects Update and Corporate Structure Review**      **Follow-Up:**

Discussion:      Chief Rogers, briefed Council on the request and noted that confirmation of dates will be forwarded for the Meet and Greet with legal advisors on Monday, August 22, 2016, and the orientation session for the renewable energy projects/partnerships on Tuesday, August 23, 2016. An alternate date for the Corporate Structure Review along with a time is to be presented at the next Regular Council Meeting, on Monday, August 15, 2016, for Council consideration.      ➤ An alternate date for the Corporate Structure Review along with a time is to be presented at the next Regular Council Meeting, on Monday, August 15, 2016.

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**Item #7: Letter of Resignation – Councillor Joanne Rogers**

Discussion: None

Motion #10. MOVED BY: Errnol Gray  
SECONDED BY: Sherri Crowley

That this Council accepts the Letter of Resignation from Joanne Rogers, for the 2016-2018 Council Seat, as presented.

MOTION CARRIED

Motion #11. MOVED BY: Shawn Plain  
SECONDED BY: Sherri Crowley

That this Council adopts BCR 2016/2017 #14, regarding Joanne Rogers, Letter of Resignation from the 2016-2018, Council Seat, as presented

MOTION CARRIED

**Item #8: Council Vacancy – Legal Opinion**

Discussion: There was a lengthy discussion before the agenda item was Tabled. Discussion included: request for legal opinion; seeking direction from the community as to whether or not they wish to hold a by-election to fill the vacant Council seat; inform the community on all associated costs of holding a by-election and filling the vacant Council seat; whether or not to hold a community meeting; consider a permanent downsizing of Council; and, the importance of having a Constitution for future development of Aamjiwnaang. The A/Band Administrator noted that a complete package of information will be forwarded to Aboriginal Affairs and Northern Development Canada (AANDC), along with a request for an official review of the recent results of the election.

**Follow Up:**

➤ N/A

**Follow Up: TABLED**

➤ A/Band Administrator to follow-up with correspondence to AANDC.

**Item #9: Administration – A/Band Administrators’ Report – August 2, 2016**

Discussion: The A/Band Administrator, informed Council that the Senior Management staff will be preparing an agenda for Council based on what they want to know. All requested information will be presented at the Council orientation. Areas of interest for Council are: strategic planning session; budget planning; own source revenues; long term forecasting of revenue and expenditures; development of a finance committee; and, a formal review of audited Financial Statements. An update on the fenced walkway being constructed between White Circle and Maness Court, was also provided. Council was informed that the Health and Safety Committee will be comprised of all Program Coordinators and the Emergency Management Planner, they will develop written safety plans for each building on Aamjiwnaang, and a copy will be kept at each location. It was suggested that Standing Committee’s of Council transition of members to include; one meeting with members completing their two-year term appointment, and new members beginning their two-year term appointment.

**Follow Up:**

➤ A/Band Administrator to present agenda and dates for Council orientation at the next RCM.

Motion #12. MOVED BY: Shawn Plain  
SECONDED BY: John Adams

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That this Council acknowledges the A/Band Administrators' Report dated August 2, 2016, as presented.

MOTION CARRIED

**Item #10: Correspondence and Information**

**a) Minister of Indigenous Relations and Reconciliation – Visit to Aamjiwnaang, August 12, 2016**

**Follow Up:**

Discussion: The A/Band Administrator informed Council the Minister has requested a tour of the community and a meeting with Chief and Council, and noted that visit is being coordinated with the Ministers staff. It was suggested that Council draft a formal correspondence to be presented to the Minister with three major areas of concern. Discussion of concerns included: arts and culture; social conditions; policing-native liaison; seniors complex-expansion; land claims-re: Aamjiwnaang inside city limits; and, Ipperwash Inquiry.

➤ The Chief to draft a letter based on agreed concerns.

Motion #13. MOVED BY: Shawn Plain  
SECONDED BY: Sherri Crowley

That this Council acknowledges the Minister of Indigenous Relations and Reconciliation correspondence, as presented.

MOTION CARRIED

**b) County of Lambton Official Plan Review**

**Follow Up:**

Discussion: Chief Rogers, informed Council that the Environment Coordinator would like to offer comment on the Official Plan Review. The Official Plan Review is to be forwarded to the Environment Coordinator, who may also attend the Public meeting on Wednesday, September 17, 2016. It was noted that the County needs to consult with the Band on all matters that may have an effect or impact on the community. It was mentioned that the County Manager has extended an offer to meet with Chief and Council to review the revised draft Official Plan. The A/Band Administrator, is to contact and make arrangements for an official meeting.

➤ The A/Band Administrator, is to contact and make arrangements for an official meeting.

Motion #14. MOVED BY: Sherri Crowley  
SECONDED BY: Phillip Maness

That this Council acknowledges the County of Lambton Official Plan Review, as presented.

MOTION CARRIED

**Item #11: In-Camera Session**

Motions in Camera - #16, #17, #18

**Item #12: New Business**

**a) Environment Coordinator – Environment and Land Tribunals Ontario-Notice to all Owners of Nearby Lands and Interested Persons**

**Follow Up:**

Discussion: The Environment Coordinator provided an overview about the tribunal and the evidence that will be presented with regards to aquifers that are becoming unusable due to the vibration of the land from the wind turbines. The dates of the upcoming tribunal

➤ the Environment Coordinator to attend the Preliminary Hearing on Tuesday, August 23,

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hearing were pointed out with a recommendation for a staff member or community member to attend and gather information that is being presented. It was noted that aquifers and well water issues are substantial environmental concerns. Further discussion included: new standards and regulations being implemented by the Province; Impact Benefit Committee (IBC); Constitution development should include air, land, natural resources and responsibility of the Band; Shell fine monies; 1842 lower Reserve; waterway claims; and, previous direction of Council, that a correspondence to be forwarded to Clean Harbors. It was noted that a correspondence was drafted, and that Clean Harbors, contributes \$20,000.00 annually to support internal environmental programming.

2016, on behalf of Aamjiwnaang, as an observer.

Motion #8.      **MOVED BY:** Sherri Crowley  
                     **SECONDED BY:** Dallas Sinopole

That this Council directs the Environment Coordinator to attend the Preliminary Hearing on Tuesday, August 23, 2016, on behalf of Aamjiwnaang, as an observer.

MOTION CARRIED

**b) Councillor Phillip Maness – Request Special Council Meeting –  
Re: Band Administrator Position**

**Follow-Up:**

Discussion:      Councillor Maness, requested a Special Council Meeting, to further discuss the Band Administrator Position and Band Representative Position. Further discussion included: summary of past events regarding the Band Administrator; details of Band Representative Position, and what is in the current negotiation; and, preparation of information package for the Clench Defalcation. It was recommended that the Finance Coordinator attend the meeting.

- Special Council Meeting Tuesday, August 9, 2016, at 1:00 pm, Council Chambers, the Finance Coordinator to attend.
- A/Band Council Clerk to prepare information package for the Clench Defalcation.

**c) Councillor Sherri Crowley – Council Agenda Posting**

**Follow-Up:**

Discussion:      Councillor Crowley, informed Council that community members have requested that the Regular Council Meeting Agenda be posted at Maawn Doosh Gumig Community and Youth Centre. It was also suggested that the agenda could be sent electronically to Band Members. The Community Information Officer, informed Council that a notice could be sent requesting who would like to receive the agenda via email as there is already a data base for email list serve.

- The Community Information Officer, to prepare notice and develop new email list serve for distribution of the Council meeting agenda.

**d) Councillor John Adams – Joint Meeting with Kettle and Stony Point First Nation (KSPFN) – Re: Clench Defalcation**

**Follow-Up:**

Discussion:      Councillor Adams, requested that a meeting be scheduled with KSPFN to begin the negotiation process for the apportionment of the Clench Defalcation Land Claim.

- A/Band Administrator to send correspondence to KSPFN, for meeting dates.

**e) Councillor John Adams – Briefing Note – Re: 2401077 Ontario Inc. (Suncor Adelaide Wind Partnership) Revised Budget**

**Follow-Up:**

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Discussion: Councillor Adams, indicated that the presented information is an update and no action is required. The revised budget reflects an increase of expenditures for the insurance premium. It was noted as Shareholders of the corporation it is the responsibility to pay a portion of the insurance premium. It was suggested that a copy of the insurance policy be requested and kept with all records at the CIDL head office.

➤ Copy of the Insurance Policy to be requested and kept at CIDL head office.

**f) Councillor John Adams – Council Seat/Band Employee**

Discussion: Councillor Adams, asked Council if a member of Council applies for a Position with the Band, would they have to resign their Council Seat. The A/Band Administrator, provided a response and confirmed that there is a policy on place for that purpose. It was suggested that the Staff Policy be shared with the community.

**Follow-Up:**

➤ N/A

**g) Chief Joanne Rogers – Community Concerns**

Discussion: Chief Rogers, asked where, how, and who do community members bring their concerns to be addressed. The Chief wants to be assured that administrative issues are addressed by administration and not brought to the Council table. It was noted that the Organization Chart is posted on the website, so everyone knows what the work place organization looks like. The current process for community concerns needs to be shared with the community.

**Follow-Up:**

➤ N/A

**h) Sherri Crowley – Docks at the River**

Discussion: Councillor Crowley, informed Council that there are several young people swimming at the Docks and there are no ladders or anything for them to climb out of the water, and this is a safety issue. Further discussion included: placement of ladders and signage; Band liability; replacement of gravel; and funding for work to completed. It was mentioned that Minor Capital could be used for any associated costs.

**Follow-Up:**

➤ Public Works Coordinator to follow-up.

**i) Michel A Poirier Request – Re: Family Burial**

Discussion: Chief Rogers, provided a brief update on the matter and will send response to the request.

**Follow Up:**

➤ N/A

Motion #15. MOVED BY: Shawn Plain  
SECONDED BY: Phillip Maness

That this Council acknowledges Michel A. Poirier, request regarding the burial of his late sister, as presented.

MOTION CARRIED

**Item #13: Adjournment**

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

That this Council Adjourns at 9:15 P.M.

MOTION CARRIED

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