

Regular Council Meeting
Aamjiwnaang First Nation
Monday, December 18, 2017 - 4:00 PM

The Regular Council Meeting was held on the above-date in the Maawn Doosh Gumig Community and Youth Centre, Meeting Room A, scheduled for 4:00 PM.

Council Members Present: Chief Joanne Rogers (arrived 4:20 pm), Councillor Darren Henry, Councillor Dallas Sinopole, Councillor Sherri Crowley, Councillor Shawn Plain, Councillor Marina Plain, Councillor John Adams, Councillor Errnol Gray, Councillor Mike Jackson (arrived 4:25 pm)

Regrets: Councillor Tom Maness (Personal)

Others Present:

June Simon, Band Manager

Rose John, Finance Coordinator

Andrew Williams, Green House Technician

Greg Plain, CIDL Board Member

Vicki Jacobs, CIDL Board Member

Sandy Waring, Community Information Officer

Sharilyn Johnston, Environment Coordinator

Frank Adams, CIDL Board Member

Doug Henry, CIDL Board Member

Brad Brownlee, Consultant

Motion #1. MOVED BY: Shawn Plain
 SECONDED BY: John Adams

That Aamjiwnaang Council appoints Councillor Errnol Gray as the meeting Chairperson in the absence of the Chief.

MOTION CARRIED

Call to Order:

Councillor Errnol Gray, called the meeting to order at 4:10 p.m.

Corporate Review and Restructuring – Brad Brownlee

Discussion: Introductions were made around the room prior to the presentation of the Corporate Review and Restructuring, as presented by Mr. Brad Brownlee. Mr. Brownlee noted that he will focus on the key areas that require attention.

Follow-Up:

Key points of presentation:

- Current state of affairs of Chippewa Industrial Developments Limited (CIDL) was reviewed.
- Reviewed the Fiduciary Duty of Council, and CIDL board members.
- The current corporate structure was reviewed and all active and in-active business entities.
- The proposed corporate restructuring was reviewed, with the focus on creation of a Bare Trust Company (simplest form) for all off-reserve investments.
- The Bare Trust Company would simply require a management agreement between CIDL and Bare Trust for a pre-determined length of time.
- Council would give all direction for revenue of the Bare Trust Company.
- Head Lease for CIDL needs to be a development priority.
- Limited Partnerships board structure and purpose was reviewed.

In closing it was suggested that a follow-up meeting should be scheduled to further discussion corporate training, investment policy development and next steps for the restructuring of the corporate structure.

It was also suggested that the Corporate Review and Restructuring to be approved in principle, with the Band Manager, responsible to bring forward changes and complete all associated tasks.

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Regular Council Meeting Minutes, Monday, December 4, 2017

Discussion: One noted change in Motion #8, page 3 of 7.

Motion #2. MOVED BY: Shawn Plain
SECONDED BY: Dallas Sinopole

That Aamjiwnaang Band Council adopts the Regular Council Meeting Minutes, of Monday, December 4, 2017, with noted change.

2-Abstained; Councillor Sherri Crowley, was not present at the meeting. Councillor Marina Plain, was not present at the meeting.

MOTION CARRIED

Follow-Up:

➤ Change to be completed.

Special Council Meeting Minutes, Monday, December 11, 2017

Discussion: Noted change for time of meeting.

Motion #3. MOVED BY: Marina Plain
SECONDED BY: Errnol Gray

That Aamjiwnaang Band Council adopts the Special Council Meeting Minutes, of Monday, December 11, 2017, with noted change.

2-Abstained; Councillor Sherri Crowley, was not present at the meeting. And, Councillor Shawn Plain, was not present at the meeting

MOTION CARRIED

Follow-Up:

➤ Change to be completed.

Item #1: E'Maawizidijig Heritage Club

Discussion: Councillor Marina Plain, informed Council that the heritage club has decided to hold an Honoring Ceremony for Chief Joanne Rogers, as she is the first female Chief for Aamjiwnaang. It was also mentioned that the club is celebrating their 4th year anniversary. All members of Council are invited to attend on February 24, 2018, the proposed date for the ceremony.

Follow-Up:

➤ None Required.

Item #2: Lands Management Officer

a) Briefing Note – Re: Land Transfer/Certificate of Possession

Discussion: No Comments.

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

Aamjiwnaang Band Council acknowledges the Lands Management Officer briefing note regarding Land Transfer/Certificate of Possession and adopts BCR 2017/2018 #27, regarding the Whole of Lot 3, Virgil Subdivision, Plan 66921 C.L.S.R., as presented.

MOTION CARRIED

Follow-Up:

➤ None Required.

b) Briefing Note – Re: Matrimonial Real Property Law Funding Agreement and Approval

Follow-Up:

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Discussion: Councillor Errnol Gray, provided a brief update for the upcoming Matrimonial and Real Property (MRP) workshop that will be taking place in the new year. It was also noted that Matt Stone, Lawyer, has reviewed the draft MRP Law, but has not offered comment. ➤ None Required.

Motion #5. MOVED BY: Mike Jackson
SECONDED BY: Sherri Crowley

That Aamjiwnaang Band Council acknowledges the Lands Management Officer briefing note regarding the MRP Law Funding Agreement and approval and accepts the following recommendations:

1. Authorizes Chief Joanne Rogers, and June Simon, Band Manager, to execute Agreement C1-010-MRP17-18;
2. A Notification letter to be sent to the Attorney General;
3. A Presentation to the Development Committee on Wednesday, December 13, 2017, to review next steps and work plan.

MOTION CARRIED

Item #3: Environment Coordinator Briefing Note – Re: Shell Fine Money for 2013 Release – Follow-Up Follow-Up:

Discussion: The Environment Coordinator, was in attendance and provided an update to Council for the fenceline monitoring data and noted that by releasing the data to Global News Correspondent, Carolyn Jarvis, would allow for a second analysis of the data for Aamjiwnaang's records. It was also noted that the Benzene levels are actionable measures that need to be taken into consideration. It was also mentioned that the Ministry of Environment and Climate Change, may be more willing to revert more resources back to the local area as opposed to other municipalities.

Further comments included:

- Health Study should include data specific to Aamjiwnaang.
- Community engagement to include technical information for any information that is released to the community.
- Important to limit the anxiety and re-traumatization of community members every time new information is released, develop a strategy to address this concern.
- Media release to be developed.
- Focus on regulators so they can respond as to how they will be addressing the issues and how they will address enforcement of infractions.

- Environment Coordinator and Community Information Officer, to develop a statement for the community, first.
- Environment Coordinator, to request a copy of the 500 reports that were obtained by Global News, in the development of the documentary "Canada's Toxic Secret".
- A signed agreement to be obtained from Global News correspondent Carolyn Jarvis, as stated in Motion #6.

Motion #6. MOVED BY: Marina Plain
SECONDED BY: Darren Henry

That Aamjiwnaang Band Council acknowledges the Environment Coordinator briefing regarding the Shell fine money for the January 11, 2013, release of a contaminant into the natural environment, and accepts the following recommendations:

1. That, a press release be prepared by the Environment Coordinator, Communication Officer and Nahwegahbow Corbiere, for the release of information related to the fenceline monitoring data; and,
2. That, Aamjiwnaang prepare a correspondence to the

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Ministry of Environment and Climate Control to indicate actions need to be enforced related to the determination of the Benzene results.

3. To release only the raw data set of six-months collection for the USEPA Method 325 fence line monitoring project to Global News correspondent Carolyn Jarvis, through a signed agreement and must provide a copy of any analysed data that may be obtained by Global News, back to Aamjiwnaang Environment Coordinator.

1-Opposed; Councillor John Adams, don't like sharing information with the press or outside people.

MOTION CARRIED

Item #4: Health Director Briefing Note – Re: Congregate Dining Program 2018-2019 **Follow Up:**

Discussion: There were brief comments to clarify the funding source. ➤ None Required.

Motion #7. MOVED BY: Errnol Gray
SECONDED BY: John Adams

That Aamjiwnaang Band Council acknowledges Health Director briefing note regarding the Congregate Dining Program 2018-2019, and accepts the recommendation to approve the Aamjiwnaang First Nation's 2018-2019 Community Accountability Planning Submission to the Erie St. Clair Local Health Integration Network.

MOTION CARRIED

Item #5: Emergency Management Planner – Notification Report November 2017 **Follow Up:**

Discussion: No Comments. ➤ None Required.

Motion #8. MOVED BY: Shawn Plain
SECONDED BY: Marina Plain

That Aamjiwnaang Band Council acknowledges the Emergency Management Planner, Notification Report for November 2017, as presented.

MOTION CARRIED

Item #6: Funding Agreement 1617-ON-000063 – Amendments No. 0007 and No. 0008

Discussion: The Finance Coordinator, noted that the funding is for the Environment department budget. ➤ Signed agreements to be forwarded to INAC

Motion #9. MOVED BY: Errnol Gray
SECONDED BY: Mike Jackson

That Aamjiwnaang Band Council acknowledges and accepts the Indigenous and Northern Affairs Canada Funding Agreement 1617-ON-000063 – Amendments No. 0007, as presented.

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Motion #10. MOVED BY: Mike Jackson
SECONDED BY: Sherri Crowley

That Aamjiwnaang Band Council acknowledges and accepts the Indigenous and Northern Affairs Canada Funding Agreement 1617-ON-000063 – Amendments No. 0008, as presented.

MOTION CARRIED

Item #7: Community Services Committee

Discussion: There were brief comments about associated fees for the upcoming New Year's Eve Round Dance. It was noted that there was only one submission for planning and organizing the event and they have been informed that invoicing and cheques will be issued for the event.

Follow Up:

➤ None Required.

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

That Aamjiwnaang Band Council accepts the Community Services Committee Recommendations of December 12, 2107, regarding the New Year's Round Dance, as presented.

MOTION CARRIED

Motion #12. MOVED BY: Mike Jackson
SECONDED BY: Errnol Gray

That Aamjiwnaang Band Council accepts the Community Services Committee Recommendations of December 12, 2107, regarding the New Year's Feast, as presented.

MOTION CARRIED

Item #8: Correspondence and Information

- a) **Chippewa Industrial Developments Board of Directors/Structural Technical Corporation – Board of Directors Meeting Minutes – Tuesday, May 2, 2017, Wednesday, May 24, 2017, Thursday June 22, 2017, Wednesday August 2, 2017, Tuesday September 12, 2017, Thursday, November 16, 2017**

Follow Up:

Discussion: There was noted concern about the length of time that has passed for submission of board minutes. It was also noted that there was a discussion about the gas bar and a recommendation will be forthcoming for Council consideration.

➤ None Required.

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

That Aamjiwnaang Band Council acknowledges the Chippewa Industrial Developments Board of Directors/Structural Technical Corporation – Board of Directors Meeting Minutes – Tuesday, May 2, 2017, Wednesday, May 24, 2017, Thursday June 22, 2017, Wednesday August 2, 2017, Tuesday September 12, 2017, Thursday, November 16, 2017, as presented.

MOTION CARRIED

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b) Anishinabek Nation – Re: Southeast/Southwest Regional Round Table

Follow Up:

Discussion: The Chief, enquired about the topic of discussion and whether it was relevant for a representative to be at the planned session. It was suggested that the Band Manager, consult with Tecumseh Community Development Corporation (TCDC) regarding report writing for members of Council.

- Band Manager to consult with TCDC, for Report Writing Training for members of Council.

Motion #14. MOVED BY: Marina Plain
SECONDED BY: Sherri Crowley

That Aamjiwnaang Band Council acknowledges the Anishinabek Nation notification of the Southeast/Southwest Regional Round Tables, and appoints Councillors Errnol Gray to attend at Vaughn, Ontario, January 10-11, 2018.

MOTION CARRIED

c) Anishinabek Nation – Re: Respecting and Honouring our Past, Present and Future Conference.

Follow Up:

Discussion: The Chief, indicated that she was interested in attending the session and wanted to know if there were any other members of Council available and interested.

- Registration and accommodations to be confirmed.

Motion #15. MOVED BY: John Adams
SECONDED BY: Mike Jackson

That Aamjiwnaang Band Council acknowledges the Anishinabek Nation notification of the Respecting and Honouring our Past, Present and Future Conference, and appoints Chief Joanne Rogers, Councillors Errnol Gray and Marina Plain, to attend at Sault Ste. Marie, Ontario, February 13-15, 2018.

MOTION CARRIED

d) Snow Arbitration and Mediation Inc – Re: Adjudication Under Division XIV – Part III of the Canada Labour Code – Two Complaints of Alleged Unjust Dismissal

Follow-Up:

- Item moved to IN-CAMERA

e) Waawayaatanoong Treaty Council (WTC) Meeting – November 16, 2017, Kettle and Stony Point – Chief Joanne Rogers Meeting Notes

Follow Up:

Discussion: The Chief, noted her concerns about monthly meetings for the WTC. Councillor Errnol Gray, noted that there has been a request that the coordinator have a contract in place before any additional funds are transferred to support the initiative. It was also noted that financial reports will be prepared for all participating First Nations.

- Next WTC Meeting is January 25, 2018

Motion #17. MOVED BY: Shawn Plain
SECONDED BY: Marina Plain

That Aamjiwnaang Band Council acknowledges the Waawayaatanoong Treaty Council Meeting notes of November 16, 2017, that took place at Kettle and Stony Point and submitted by Chief Joanne Rogers.

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f) Ronald Rowcliffe Correspondence – Re: Hydro One Shares

Follow Up:

Discussion: The Chief, noted that the correspondence has legal comment for the Sovereign Wealth LP. An additional correspondence was distributed from BDO commenting on the same.

➤ All documents are to be prepared for signature and forwarded to legal.

Motion #18. MOVED BY: Mike Jackson
SECONDED BY: Marina Plain

That Aamjiwnaang Band Council acknowledges Ronald E. Rowcliffe, QC, correspondence of December 14, 2017, and BDO Canada LLP, memorandum of December 18, 2017, regarding the acquisition of Hydro One Shares, through the Ontario First Nation Sovereign Wealth LP.

MOTION CARRIED

Motion #19. MOVED BY: Darren Henry
SECONDED BY: Marina Plain

That Aamjiwnaang Band Council adopts BCR 2017-2018 #24, for the Ontario First Nations Sovereign Wealth Limited Partnership, who desires to become a limited partner of the Sovereign Wealth LP and a shareholder of the OFN Asset Management GP Corporation.

MOTION CARRIED

Motion #20. MOVED BY: Darren Henry
SECONDED BY: Sherri Crowley

That Aamjiwnaang Band Council authorizes Chief Joanne Rogers and June Simon, Band Manager, to sign the following documents per requirements to “OPT-IN” to the Ontario First Nation Sovereign Wealth LP:

1. Equity Participation Certificate, four (4) originals required;
2. Torys’ Waiver, four (4) originals required;
3. Signature pages for the Limited Partnership (Ontario First Nations Sovereign Wealth LP), four (4) originals required;
4. Signature pages for the General Partner (OFN Asset Management GP Corp.), four (4) originals required.

MOTION CARRIED

g) TODA Advanced Materials Inc – Re: Invitation to Attend Information Session

Follow Up:

Discussion: The Chief, noted that perhaps the information should be forwarded to Environment for follow-up, due to the proposed timeline noted in the letter of invitation.

➤ Information to be forwarded to Environment.

Motion #21. MOVED BY: Sherri Crowley
SECONDED BY: John Adams

That Aamjiwnaang Band Council acknowledges the correspondence from TODA Advanced Materials Inc. regarding an Invitation to Attend Information Session, in 2018.

Darren-Conflict of Interest

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MOTION CARRIED

h) Chief Joanne Rogers – Activity Report (to be distributed at meeting)

Follow Up:

Discussion: The Chief, noted that her schedule has been very busy, as indicated in her Activity Report.

➤ None Required.

Motion #22. MOVED BY: Shawn Plain
SECONDED BY: John Adams

That Aamjiwnaang Band Council acknowledges Chief Joanne Rogers, Activity Report for 2017, as presented.

MOTION CARRIED

i) Anishinabek Nation – Specific Claims Work Plan 2018-2019 (discussion)

Follow Up:

Discussion: The Chief, noted that the information was received from the staff at Anishinabek Nation. The organization will be working on an annual workplan for 2018 and encouraged members of Council to forward their thoughts and ideas for specific claims research to Anishinabek Nation staff listed in the email. There were brief comments with regards to outstanding claims that lay within the city limits. Legal will be consulted on the matter.

➤ None Required.

Item #9: New Business

a) Community Information Officer Briefing Note – Re: Draft Communication Strategy

Follow Up:

Discussion: The Community Information Officer was in attendance and provided a brief overview of the Draft Communication Strategy along with the consultation process with senior staff. It was also noted that an open house will be planned in 2018, more information will be forwarded as it's developed.

➤ None Required.

Motion #23. MOVED BY: Mike Jackson
SECONDED BY: Errnol Gray

Aamjiwnaang Band Council acknowledges the Community Information Officer briefing note regarding the draft Communication Strategy and approves the Communication Strategy, as presented.

MOTION CARRIED

b) London District Chiefs Council – Jennifer Whiteye, Briefing Note – Re: Mnaasged Child and Family Services

Follow Up:

Discussion: There was a brief discussion regarding the information in the briefing note. The Chief, noted that she will be attending a meeting with the London District Chiefs Council and Mnaasged Board to discuss all matters pertaining to Mnaasged.

➤ None Required.

Motion #24. MOVED BY: Mike Jackson
SECONDED BY: Errnol Gray

That Aamjiwnaang Band Council acknowledges Jennifer Whiteye, Executive Director, briefing note, of December 15, 2017, as presented.

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MOTION CARRIED

c) Councillor John Adams – Council Stipend for January

Discussion: Councillor Adams, asked if the January stipend payment for Council members could be arranged for payment prior to the holiday break. The Finance Coordinator, take care of the matter.

Follow-Up:

➤ Finance Coordinator, to take care of the matter.

Item #10: In-Camera Session

Motions in Camera - #16, #25, #26, #27

Item #11: Adjournment

Motion #28 MOVED BY: Errnol Gray
SECONDED BY: John Adams

Aamjiwnaang Band Council Adjourns at 9:30 P.M.

MOTION CARRIED

Recorded By: Lynn M. Rosales, Band Council Clerk