

**Special Council Meeting  
Aamjiwnaang First Nation  
Friday, June 5, 2015 - 9:00 AM**

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The Special Council Meeting was held on the above-date in the Administration Complex Council Chambers scheduled for 9:00 AM

**Council Members Present:** Chief Chris Plain, Councillor Darren Henry, Councillor Sherri Crowley, Councillor John Adams, Councillor Errnol Gray, Councillor Lareina Rising, Councillor Randi Rogers

**Council Members Absent:** R. Codey Simon (Work), Councillor Shawn Plain (Regrets), Councillor Ted White Sr. (Regrets)

**Others Present:**

Linda Henry, A/Band Administrator

Kelly Williams, Assistant Band Administrator

Carole Delion, Business Development Officer

Ron Rowcliffe, Band's Legal Counsel

**Call to Order:**

Chief Chris Plain called the meeting to order at 9:15 A.M.

**Item #1: Adelaide Wind Project**

**Discussion:** Prior to discussion two separate documents were provided for review. The A/Band Administrator provided notes for the Suncor Adelaide Wind Project. And, the Business Development Officer provided a briefing note regarding the Waiver for the same.

**Follow Up:**

➤ Special Council Meeting for June 11, 2015, 5:00 PM, Council Chambers.

Chief Plain opened up the floor for discussion as he was not in attendance at the last Regular Council Meeting and only returned to the office this morning.

Councillor Darren Henry:

- Provided an overview about why he requested the proposed BCR to be TABLED at the last Council meeting. He also noted that he requested legal opinion regarding the impact that the agreement and BCR may have on Aamjiwnaang Chief and Council and Community as a whole.
- Concerned that the waiver may conflict with Treaty Rights. He also mentioned that Band Council has the responsibility to ask questions about agreements, wavers and all business as it relates to making decisions on behalf of the Band. Band Council needs to be that strong voice when making decisions.
- It was also mentioned that corporations and others look for ways to get around Treaty Rights, there is a need to be aware of Treaty Rights and ensure that they are being protected.

Councillor Errnol Gray:

- Additional information was shared regarding the agreement and this agreement is very similar to the Northland Agreement.
- The members of Council who were appointed to work on the development of the Adelaide Wind Project have been working diligently to protect the interest of the Band. Economic Development staff were able to identify funding sources to pay for legal and other fees for the project.
- It was mentioned that he has always supported the work of Economic Development and feels as though they do keep in mind the next seven generations when presenting ideas, options and business endeavours. Continued development of the industrial park will also ensure revenues flow for future generations.
- Treat rights have never been surrendered in any respect, any First Nation in the traditional land base has the right to express concern.

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- Once the BCR is signed, legal representatives will finalize all paperwork and it will be presented to Band Council upon completion.

Chief Plain:

- Questioned as to whether or not there was a written opinion received regarding the financial benefits of the proposal? Board members noted, only verbal. The Band Administrator was asked, if corporate obligation to Chief and Council or the First Nation were stated? No.
- What assurances are in place to ensure that the revenues are transferred to the Band?
- Also mentioned was the fact that Chief and Council speak on behalf of the Band and have the responsibility to look out the best interest of the Band.

Councillor Lareina Rising:

- The board of the corporation also has a concern with one person being named as a signer and this issue has been discussed and reviewed with changes having been completed to the agreement.
- The corporation is the one who ultimately has the responsibility for the debt, not the future (children). Protection provisions can be put into place and Band Council can determine what the wording will be in the agreement.
- The Band can be bought out by Suncor at any time and feels as though the revenue spending should include the community. Offer to lead in the development of a community strategy for generated revenue. It was mentioned that the Band has capacity for the completion of a strategy.
- Also mentioned that corporations can change by-laws at any time.

Councillor Sherri Crowley:

- Stated that the purpose of the meeting was to hear the opinion of Ron Rowcliffe, Legal Counsel, about the wording of the BCR and waiver.
- The project has always carried a split decision when brought forward.

Councillor John Adams:

- Previous direction was given to proceed with the project being discussed and expressed concern about whether or not there will be more issues of concern brought to the table.

Carole Delion, Business Development Officer:

- Stated that she cannot comment on treaty rights as any First Nation can raise questions regarding treaty rights at any time.

Ron Rowcliffe, Legal Counsel:

- Mr. Rowcliffe commented on the Waiver and not the other aspects of the BCR or Project. The Waiver clause, #9 of the proposed BCR, deals only with “– the Manulife Security to which Aamjiwnaang First Nation is a Party”. I understand this relates solely to whatever interest is

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created by the documents in favour of the Band in the  
Wind Project.

At the conclusion of all discussion, a motion was called for and once the results of the motion was determined it was asked what Council would like to see in an agreement and BCR?

- a) How to be accountable to the membership.
- b) Need to be aware of the Treaty Rights and ensure that they are being protected.
- c) Need to look at Section K. of the proposed BCR and revise.

Motion #1. MOVED BY: Errnol Gray  
SECONDED BY: John Adams

That this Council approves BCR 2015-2016 #7, as presented.

3-For; Councillors Lareina Rising, Errnol Gray, John Adams  
3-Against; Councillors Sherri Crowley, Randi Rogers, Darren Henry  
Meeting Chair – Tie Breaking Vote – Against

MOTION DEFEATED

**Item #2 Adjournment**

Motion #2. MOVED BY: Sherri Crowley  
SECONDED BY: Errnol Gray

That this Council Adjourns at 10:10 A.M.

MOTION CARRIED

Recorded By:  
Lynn M. Rosales  
A/Band Council Clerk