

**Regular Council Meeting
Aamjiwnaang First Nation
Tuesday, April 3, 2018 – 5:00 PM**

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 Darren Henry, Councillor Dallas Sinopole, Councillor Sherri Crowley, Councillor Marina Plain, Councillor John Adams, Councillor Errnol Gray, Councillor Tom Maness

Regrets: Councillor Mike Jackson (Vacation), Councillor Shawn Plain (Personal)

Others Present:

June Simon, Band Manager

Rose John, Finance Coordinator

Vicky Ware, Education Coordinator

Sandy Waring, Community Information Officer

Lorrie Guggisberg, Human Resource Officer

Jessica Pickett, Lands Management Officer

Wilson Plain, Emergency Management Planner

Call to Order:

Chief Joanne Rogers, called the meeting to order at 5:02 p.m. and offered a prayer.

Regular Council Meeting Minutes, Monday, March 19, 2018

Follow-Up:

Discussion: An update was requested for education funding, it was noted that the Education Coordinator is in attendance and an update will be provided when the agenda item is discussed.

➤ Noted change to be completed.

Motion #1. MOVED BY: Errnol Gray
SECONDED BY: Marina Plain

That Aamjiwnaang Chief and Council, adopts the Regular Council Meeting Minutes, of Monday, March 19, 2018, with noted change.

2-Abstained; Councillor Sherri Crowley and Councillor Dallas Sinopole – both were not present at the listed meeting.

MOTION CARRIED

Item #1: Lands Management Planner

a) Briefing Note – Re: Nova – Pipeline Permit One-Year Renewal/Draft Agreements #47404, #56531 and #264591 (TABLED March 19, 2018)

Follow-Up:

Discussion: The Lands Management Officer was in attendance and provided a brief overview of past practice. A lengthy discussion followed regarding the importance of negotiating a new agreement with NOVA Chemicals as opposed to having year to year agreements. It was noted that previous direction was given to resolve, however, due to circumstances with staffing changes there has been disruption in the process. It was suggested that a target date for completion be determined and meetings be scheduled with legal representative and staff to negotiate a final agreement. It was noted that a draft agreement was provided to INAC and Nova Chemicals in August 2017, for their review. Further comments included:

➤ See Motion #2, for Council direction.
➤ Chief Rogers will contact legal and convey Council concerns regarding the outstanding matter.

- Terms that need to be negotiated were noted; Memorandum of Understanding, Agreement and Permit fees, Environmental Surcharge.
- Nova Chemicals and another agreement were negotiated without Crown involvement.
- Locatees must be involved and agree to the final agreement.

**Regular Council Meeting
Aamjiwnaang First Nation
Tuesday, April 3, 2018 – 5:00 PM**

- The matter has been outstanding far too long and must be resolved, Council direction is to have an agreement in place within the next three (3) months.

Motion #2. MOVED BY: Tom Maness
 SECONDED BY: Errnol Gray

That Aamjiwnaang Chief and Council directs the Lands Management Officer to work with Mr. Ronald Rowcliffe, QC, to complete the NOVA Chemical Pipeline Permit Agreement negotiation in three-months.

MOTION CARRIED

Motion #3. MOVED BY: Sherri Crowley
 SECONDED BY: Darren Henry

That Aamjiwnaang Chief and Council acknowledges the Lands Management Officer briefing note and Nova Chemicals correspondence of February 16, 2018, and approves the Aamjiwnaang First Nation and NOVA Chemicals Pipeline Permit, request for a one-year period for pipeline #47404, to continue to operate, maintain, repair, replace, and access said pipeline. Further that, Chief Joanne Rogers is authorized to sign the same.

MOTION CARRIED

Motion #4. MOVED BY: Sherri Crowley
 SECONDED BY: Darren Henry

That Aamjiwnaang Chief and Council acknowledges the Lands Management Officer briefing note and Nova Chemicals correspondence of February 16, 2018, and approves the Aamjiwnaang First Nation and NOVA Chemicals Pipeline Permit, request for a one-year period for pipeline #56531, to continue to operate, maintain, repair, replace, and access said pipeline. Further that, Chief Joanne Rogers is authorized to sign the same.

MOTION CARRIED

Motion #5. MOVED BY: Sherri Crowley
 SECONDED BY: Darren Henry

That Aamjiwnaang Chief and Council acknowledges the Lands Management Officer briefing note and Nova Chemicals correspondence of February 16, 2018, approves the Aamjiwnaang First Nation and NOVA Chemicals Pipeline Permit, request for a one-year period for pipeline #264591, to continue to operate, maintain, repair, replace, and access said pipeline. Further that, Chief Joanne Rogers is authorized to sign the same.

MOTION CARRIED

b) Land Transfer/BCR Allotment for Lot 7 Wahboose Circle Sub-division

**Regular Council Meeting
Aamjiwnaang First Nation
Tuesday, April 3, 2018 – 5:00 PM**

- Discussion: There was a question regarding the estate, the Lands Management Officer to confirm estate status. ➤ Lands Management Officer to confirm estate status.
- Motion #6. MOVED BY: Darren Henry
SECONDED BY: Sherri Crowley ➤ Lands Management Officer to update spelling of Wahboose in the C.L.S.R.
- That Aamjiwnaang Chief and Council adopts BCR 2018/2019 #1, regarding the land allotment of the Whole of Lot 7, Wahboose Circle Subdivision, for payment in full of mortgage loan.

MOTION CARRIED

c) Ontario Aboriginal Lands Association (OALA) Gathering – May 15-17, 2018

- Discussion: The Lands Management Officer, provided a brief overview of the organization and her working relationship. The OALA gathering is a regional engagement where professionals can come together and participate in information sessions to enhance and strengthen knowledge of the sector. ➤ Community Information Officer to send out a reminder to the community that from time to time, alternative locations may be required for funerals, due to business events and activities.
- Motion #7. MOVED BY: Sherri Crowley
SECONDED BY: Errnol Gray
- That Aamjiwnaang Chief and Council:
1. Acknowledge and approves of the Ontario Aboriginal Lands Association Gathering be hosted by Aamjiwnaang at the Maawn Doosh Gumig Community and Youth Centre on May 15, 16, and 17, 2018;
 2. Further that, the Lands Management Officer will provide updates on the agenda and possibility of extending an invitation to attend a portion of the meeting; and,
 3. Further that, on behalf Aamjiwnaang, the use of the Maawn Doosh Gumig Community and Youth Centre, and provide lunches, will be provided in kind, as a token of welcome and support of the OALA Gathering. Aamjiwnaang contribution for the gathering would be \$3,200.00.

1-Opposed; Tom Maness, not in favor of waiving the fees.

MOTION CARRIED

Item #2: Human Resources Officer (In-Camera)

Item #3: Education Coordinator

a) Briefing Note re: Child Care Licensing Monitoring Visit

Follow-Up:

- Discussion: The Education Coordinator reviewed the non-compliance issue and noted that the situation has already been corrected through internal procedures. It was also noted that it is the responsibility of the parent/caregiver to ensure that medication needs for their child/children are up to date per doctor's orders. It was also noted that the monitoring visit was an unannounced visit. ➤ None Required.

- Motion #14. MOVED BY: Marina Plain
SECONDED BY: John Adams

That Aamjiwnaang Chief and Council acknowledges the summary of the Ministry of Education Child Care Quality Assurance and

**Regular Council Meeting
Aamjiwnaang First Nation
Tuesday, April 3, 2018 – 5:00 PM**

Licensing Visit, of March 13, 2018, as presented.

MOTION CARRIED

b) Kinoomaadiziwin Education Body (KEB) – Funding Agreement Update

Follow-Up:

Discussion: The Education Coordinator provided a brief update to Council and noted that information from the Southern First Nation Secretariat was not received in a timely manner for the allocation of funds and was therefore split equally between Aamjiwnaang and Munsee Delaware, which has resulted in the error. Council was also informed that the Chief and Band Manager did meet with Anne Scotten, Regional Director General, INAC, at Ottawa, and the issue will need to be resolved between the parties involved. The Finance Coordinator mentioned that funding does need to be transferred to Aamjiwnaang for educational services.

- Legal will be contacted.
- Meeting to be arranged with Munsee Delaware, the Union of Ontario Indians, KEB, and DIAND

Motion #16. MOVED BY: John Adams
SECONDED BY: Marina Plain

That Aamjiwnaang Chief and Council, acknowledges the Education Coordinator update and E-mail correspondence of March 27, 2018 and April 3, 2018, regarding the Post-Secondary, funding agreement with the Kinoomaadiziwin Education Body (KEB), as presented.

MOTION CARRIED

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

That Aamjiwnaang Chief and Council, under pressure, is prepared to sign the Funding Allocation Agreement between Kinoomaadiziwin Education Body and Aamjiwnaang First Nation, however, negotiations must continue with regards to funding shortfall for Post-Secondary due to a calculation error.

MOTION CARRIED

c) Memorandum re: Aamjiwnaang Education Post-Secondary Financial Assistance Policy

Follow-Up:

Discussion: The Education Coordinator provided a brief update to Council on the process of transferring information from the SFNS to Aamjiwnaang and only minor changes are needed now for the Aamjiwnaang Education Post-Secondary Financial Assistance Policy. It was further noted that it is a living document and can be amended from time to time, or as needed.

- Final copy to be brought back to the Council table, for final review and comment.

Motion #17. MOVED BY: Sherri Crowley
SECONDED BY: Tom Maness

That Aamjiwnaang Chief and Council acknowledges the Education Department memorandum and approves in principle, the Aamjiwnaang Education Post-Secondary Financial Assistance Policy, with noted changes.

MOTION CARRIED

**Regular Council Meeting
Aamjiwnaang First Nation
Tuesday, April 3, 2018 – 5:00 PM**

d) Memorandum re: Education Committee Meeting Minutes for December 13, 2017, January 17, 2018 and February 14, 2018

Follow-Up:

Discussion: There were brief comments regarding a motion in the minutes of February 14, 2018, regarding funding and it was noted that by September, there should be more accurate information available for student funding.

➤ None Required.

Motion #18. MOVED BY: Marina Plain
SECONDED BY: Dallas Sinopole

That Aamjiwnaang Chief and Council acknowledges the Education Department memorandum and Education Committee Meeting Minutes of December 13, 2017, January 17, 2018, and February 14, 2018, as presented.

MOTION CARRIED

Item #4: Public Works Coordinator – Re: Health Centre Parking Lot

Follow Up:

Discussion: The Band Manager, provided a brief overview and noted that the parking lot will be more accessible for all patrons of the health centre.

➤ None Required.

Motion #20. MOVED BY: Errnol Gray
SECONDED BY: Dallas Sinopole

That Aamjiwnaang Chief and Council acknowledges the Public Works Coordinator briefing note, and accepts the recommendation to award Avanti Paving Inc. the contract to pave the E'Mino Bmaad-Zijig Gamig – Health Centre Parking Lot, in the amount of \$55,000.00 (fifty-five thousand dollars).

MOTION CARRIED

Item #5: Emergency Management Planner – Re: Update Information for Odour Complaints and Suncor Tank Emissions

Follow Up:

Discussion: The Emergency Management Planner, provided an overview of the incident that took place on March 15, 2018. There was a release of H₂S, which resulted in several calls to the MOECC with complaints of strong odour causing adverse health effects and medical distress for some community members. It was noted that a meeting was held with Suncor officials regarding the lack of immediate notification and the details of the notifications. Staff noted that the H₂S release is unacceptable and suggested that a letter to the MOECC be drafted with the assistance of legal counsel, which reflects Aamjiwnaang concerns and recommending that charges be laid for the incident.

➤ Environment, ER Planner, to assist with drafting a letter with legal, regarding community concerns about transparency and reporting to the public – negligent. Cc'd to CEO/upper management.

Motion #19. MOVED BY: Sherri Crowley
SECONDED BY: Marina Plain

That Aamjiwnaang Chief and Council acknowledges the Emergency Management Planner update Information E-mail for Aamjiwnaang regarding the Odour Complaints and Suncor Tank Emissions, of March 22, 2018.

MOTION CARRIED

**Regular Council Meeting
Aamjiwnaang First Nation
Tuesday, April 3, 2018 – 5:00 PM**

Item #6: Finance Coordinator

a) Briefing Note re: Appointment of Auditors for OFNLP

Follow Up:

Discussion: The Finance Coordinator, provided a brief update for the request.

➤ None Required.

Motion #21. MOVED BY: Errnol Gray
SECONDED BY: John Adams

That Aamjiwnaang Chief and Council acknowledges the Finance briefing note and approves the Appointment of Auditors for Ontario First Nation Limited Partnership (2008), for the 2017/2018 fiscal year; and, authorizes Chief Joanne Rogers to sign the draft letter, dated April 4, 2018, for the appointment of BDO Canada LLP, as Aamjiwnaang Auditors.

MOTION CARRIED

b) Tobacco Allocation 2018/2019

Follow Up:

Discussion: The Finance Coordinator, updated Council on the need for a BCR. Additional updates included:

➤ None Required.

- The Fire Services Agreement and the need to have inspections for businesses listed in the terms.
- Ontario Works is moving to direct deposit, a trial run has been completed and everything went well. The direct deposit will be fully implemented for May 1, 2018.
- It was also noted that soon, Chief and Council, monthly transactions will also be moved to direct deposit.

Motion #22. MOVED BY: Sherri Crowley
SECONDED BY: Dallas Sinopole

That Aamjiwnaang Chief and Council acknowledges the Finance Coordinator briefing note and adopts BCR 2018/2019 #2, regarding Tobacco Allocation 2018/2019, changes.

MOTION CARRIED

Item #7: Environment Memo – Re: Aamjiwnaang Earth Day 2018 – Saturday, April 21, 2018

Follow Up:

Discussion: It was noted that the memo is being presented to keep everyone informed of the upcoming event.

➤ None Required.

Motion #23. MOVED BY: Errnol Gray
SECONDED BY: John Adams

That Aamjiwnaang Chief and Council acknowledges the Environment memo regarding the Aamjiwnaang Earth Day 2018 to be held on Saturday, April 21, 2018.

MOTION CARRIED

Item #8: Correspondence and Information

a) Kinoomaadziwin Education Body – Re: Invitation to the Official Launch of the Anishinabek Education System

Follow Up:

Discussion: It was mentioned that the planned event has been cancelled due to weather conditions and will be rescheduled.

➤ None Required.

Motion #24. MOVED BY: Dallas Sinopole

**Regular Council Meeting
Aamjiwnaang First Nation
Tuesday, April 3, 2018 – 5:00 PM**

SECONDED BY: John Adams

That Aamjiwnaang Chief and Council acknowledges the Kinoomaadziwin Education Body invitation to the official launch of the Anishinabek Education System, as presented.

MOTION CARRIED

b) Chiefs of Ontario – Re: 44th Annual all Ontario Chiefs Conference Host Community – June 26-28, 2018

Follow Up:

Discussion: It was noted that June is a busy month for Aamjiwnaang and the time required to focus on planning and preparations are not sufficient.

➤ None Required.

Motion #25. MOVED BY: Marina Plain
SECONDED BY: Errnol Gray

That Aamjiwnaang Chief and Council acknowledges the Chiefs of Ontario, Request for Proposals, to host the 44th Annual all Ontario Chiefs Conference, from June 26-28, 2018, as presented.

MOTION CARRIED

c) Ministry of Indigenous Relations and Reconciliation re: Freedom of Information and Protection of Privacy Act (FIPPA) and Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

Follow Up:

Discussion: The Chief provided brief comments and noted that due to previous environmental related studies the use and release of information should be protected and the correspondence is intended to keep everyone up to date.

➤ None Required.

Motion #26. MOVED BY: John Adams
SECONDED BY: Errnol Gray

That Aamjiwnaang Chief and Council acknowledges the Ministry of Indigenous Relations and Reconciliation correspondence regarding Freedom of Information and Protection of Privacy Act (FIPPA) and Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), dated March 15, 2018, as presented.

MOTION CARRIED

d) Bluewater Community Advisory Panel (BCAP) – Re: Invitation to Participate in the Group

Follow Up:

Discussion: The Chief mentioned that it may be beneficial for a member of Council to represent Aamjiwnaang on the BCAP.

➤ None Required.

Motion #27. MOVED BY: Errnol Gray
SECONDED BY: Sherri Crowley

That Aamjiwnaang Chief and Council acknowledges the Bluewater Community Advisory Panel invitation to participate in the Bluewater Community Advisory Panel (BCAP) group, and appoints Councillor Marina Plain, to attend meetings and report back to Chief and Council.

MOTION CARRIED

**Regular Council Meeting
Aamjiwnaang First Nation
Tuesday, April 3, 2018 – 5:00 PM**

e) Councillor Marina Plain – Re: UNDRIP Update (verbal)

Follow Up:

Discussion: Councillor Plain, provided a brief update for the City of Sarnia UNDRIP committee and noted that a community engagement session will be planned to take place in the upcoming months and there will be a summer and fall conference. Chief and Council will be invited to participate in a joint meeting sometime in May, more information will be provided.

➤ None Required.

Motion #28. MOVED BY: Sherri Crowley
SECONDED BY: Errnol Gray

That Aamjiwnaang Chief and Council acknowledges Councillor Marina Plain's, verbal update of the United Nations Declaration on the Right of Indigenous People, as presented.

MOTION CARRIED

f) Anishinabek Nation re: Support for Legal Services relating to Kiikeewaniikaan Healing Lodge

Follow Up:

Discussion: The Chief noted that the information is being provided to keep everyone up to date and informed about the financial support being provided by the Anishinabek Nation. It was also noted that the financial support must be shared between four First Nations.

➤ None Required.

Motion #29. MOVED BY: John Adams
SECONDED BY: Dallas Sinopole

That Aamjiwnaang Chief and Council acknowledges the Anishinabek Nation correspondence of March 22, 2018, regarding financial Support for Legal Services relating to the Kiikeewaniikaan Healing Lodge.

MOTION CARRIED

Item #10: New Business

a) Lands Management Officer – Shell Addition to Reserve (ATR) Update

Follow Up:

Discussion: The Lands Management Officer noted that through discussion with Shell officials it has been determined that the ten (10) acres buffer zone is non-negotiable, they want the buffer zone to remain in place. The ATR package is ready and the Environmental Assessment will need to be completed as soon as possible. Information will be brought forward as the negotiations of the proposed ATR progresses.

➤ None Required.

b) Councillor Darren Henry – Re: Speeding on River Road

Follow Up:

Discussion: Councillor Henry, noted that speeding along the River Road is becoming an issue, vehicles are passing on bike/walking lane that runs adjacent to the roadway. The Chief noted that she has reached out to the officials, with no response, she will reach-out again. It was also noted that an application for "Community Safety Zone" designation was submitted and approved. Speeding violations are now doubled. Lambton County will also be contacted again regarding the speed zone on LaSalle Line.

➤ The City of Sarnia and Lambton County to be contacted for special designation and speed zones.

c) Councillor Errnol Gray

Follow-Up:

Discussion: i. Councillor Gray, informed Council that he has received

➤ None Required.

**Regular Council Meeting
Aamjiwnaang First Nation
Tuesday, April 3, 2018 – 5:00 PM**

calls regarding driveways being blocked at night on the southwest circle of Chippewa Crescent.

- ii. Councillor Gray, noted that he has Governance Working Group information for the Governance Committee portfolio holders.

d) Councillor Dallas Sinopole – Fishing Permit

Discussion: Councillor Sinopole, requested an update for the fishing permit. It was noted that the Development Committee has been working on the permit and a draft should be ready soon. It was suggested that the draft permit be presented at the next Council meeting.

Follow-Up:

- Draft Fishing Permit to be presented at the next RCM.

e) Councillor Marina Plain

Discussion: Councillor Plain, informed Council that the culture club will be hosting a workshop entitled Grandmothers Roles.

Follow-Up:

- None Required.

f) Councillor John Adams

Discussion: Councillor Adams, asked who looks after the pipeline bridge and who should be contacted to have questions answered. The Band Manager, noted that she has met with the Lands Management Officer regarding the matter and an update will be brought back to the table once information is confirmed.

Follow-Up:

- Lands Management Officer to follow-up and report back to Council.

g) Chief Joanne Rogers – Updates

- Discussion:
- i. Chief Rogers, noted that a meeting is scheduled with environment and Suncor regarding notifications and the incident in March. Discussion will include the development of IBA, where funding can be secured to have data analysed for the fence line monitoring project.
 - ii. Chief Rogers, provided a brief update on the Women's Leadership Summit that she attended in Ottawa, with the Band Manager. It was noted that there is limited involvement of women sitting in political positions representing their communities, and she expressed appreciation for Aamjiwnaang Council and the respectful relationship that is shared at this table, as it is not the same across the province. It was also noted that First Nations communities across the province are facing the same issues. The women's summit was a direct result of a resolution passed at a chief's meeting.

Follow-Up:

- None Required.

Item #11: In-Camera Session

Motions in Camera - #8, #9, #10, #11, #12

Item #12: Adjournment

Motion #30. MOVED BY: Errnol Gray
SECONDED BY: Darren Henry

Aamjiwnaang Band Council Adjourns at 9:25 P.M.

MOTION CARRIED

Recorded By: Lynn M. Rosales, Band Council Clerk