

Aamjiwnaang Regular Council Minutes

The Regular Council Meeting was held in the Council Chambers, at 5:00 PM on Monday, October 21, 2019

- Present** Chief Chris Plain, Councillor Shawn Plain, Councillor Dallas Sinopole, Councillor John Adams, Councillor Mike Jackson, and Councillor Tom Maness
- Regrets** Councillor Marina Plain - Anishinabek Nation Business
Councillor Janelle Nahmabin - ILL
- Staff Present** June Simon, Band Manager, Lynn Rosales, Council Clerk, Carole Delion, Economic Development Coordinator/Project Manager, Christine James, Environment Consultant Worker, and Rose John, Finance Coordinator
- Guests Present** Arnold Norman Yellowman - Community Member
Steve DeGurse - Community Member
Kevin Martin - KL Martin & Associate Corporation
Daniel Gagne - CN Manager Aboriginal Relations

1. CALL TO ORDER

The Regular Council Meeting was called to order by Chief Chris Plain, at 5:00 P.M. and Councillor Shawn Plain, offered a prayer.

2. ADOPTION OF MINUTES

Item #1: Regular Council Meeting - Monday, October 7, 2019

Motion #01-2019

Moved by: Shawn Plain
Seconded by: John Adams

That Aamjiwnaang Council adopts the Regular Council Meeting Minutes, of Monday, October 7, 2019, with noted changes.

CARRIED.

3. PRESENTATIONS

Item #2: Daniel Gagné, Manager - Aboriginal Relations, CN Services

The Chief welcomed Daniel Gagne, Aboriginal Relations for CN Railway Service, and noted that CN presence was requested by a member of Council. Mr. Gagne, provided brief details about the derailment that happened several months ago, comments included:

- An invitation was extended to have the Environment Committee visit the site where the derailment happened.
- Details of the cleanup effort was reviewed and it was noted that the Sulphuric Acid was contained and there was no off-site impact.
- The Emergency Management Planner was the primary contact for Aamjiwnaang throughout the incident.
- There were comments with respect to dangerous goods being moved through the community and it was noted that the Emergency Management Planner would be the staff member to focus on that matter.
- There were further comments with respect to employment or contract opportunities for interested individuals who may want to work with CN Railway Services.
- It was noted that details of the hazmat team procedures would be most beneficial for a community presentation, staff can assist with planning a community event.
- Council was informed that the Transportation Safety Board will draft a report that should be ready in approximately 18 months after the incident, that report can be forward upon its completion.

4. FINANCE

Item #3: Indigenous Services Canada - Agreement No.: 1920-ON-000025 Amendment No.: 005

The Finance Coordinator, was in attendance and noted that signatures are required for transfer of funds.

Motion #02-2019

Moved by: Shawn Plain

Seconded by: Tom Maness

That Aamjiwnaang Council acknowledges the Finance Coordinator briefing note and accepts the amending Indigenous Services Canada - Consolidated Financial Agreement No.: 1920-ON-000025, Amendment No.: 0005, as presented.

CARRIED.

5. EDUCATION

Item #4: Kinoomaadziwin Education Body - Staffing Update from Board of Directors

Motion #03-2019

Moved by: John Adams

Seconded by: Mike Jackson

That Aamjiwnaang Council acknowledges the Kinoomaadziwin Education Body Board of Directors - Staffing Update dated October 18, 2019 and the Kinoomaadziwin Education Body Organizational Review for October 2019, as presented.

CARRIED.

Item #5: BCR 2019/2020 #16 - Reciprocal Education Approach (Kindergarten Program)

Motion #04-2019

Moved by: Shawn Plain

Seconded by: John Adams

That Aamjiwnaang Council adopts BCR 2019/2020 #16 - for the Reciprocal Education Approach, and that Aamjiwnaang is an eligible participant to receive funding from the Ministry of Education for the Aamjiwnaang Daycare School.

CARRIED.

6. ENVIRONMENT

Item #6: Enbridge Community Benefit Agreement (TABLED) October 7, 2019

The Environment Coordinator was in attendance and reviewed the information that was presented in the briefing note and noted that there has been discussion with respect to developing a separate agreement that can be negotiated in parallel with a land easement. It was noted that the legal has reviewed the document and changes have been completed per Environment Committee discussion. There were further comments with respect to wording in the agreement and reference to Aamjiwnaang never disputing the pipeline and the replacement project, no protesting or blockades, and ownership of the riverbank. It was noted that the historical agreement needs to be reviewed and existing pipelines need to be identified with respect to location and if they are active or decommissioned. It was noted that a project agreement should be developed aside from any agreement that directly involves Line 5 St. Clair River

Replacement Project.

It was suggested that the matter be TABLED until further legal review takes place with respect to pipeline location, replacement and operation.

There was expressed concern about the condition of Marlborough Lane and who is responsible for maintenance and resurfacing. It was suggested that a conversation take place with the City of Sarnia, to a plan for resurfacing at a future date.

Arnold Yellowman, community member, was in attendance and noted that there is a duty and responsibility to all Nations who share the shoreline and who have an interest in water. It was noted that the government has stated that the pipeline is critical infrastructure and in the best interest of Canada. It was mentioned that the importance of the Water needs to be kept in mind and that Aamjiwnaang has a responsibility to ensure water safety for other lands and people along the river. It was noted that Aamjiwnaang is attempting to assert inherent rights in the best interest of the community.

It was suggested that the Waawayaatanong Treaty Council (WTC) to be briefed about the National Energy Board (NEB) approval of the Line 5 St. Clair River Replacement Project. The Environment Coordinator, was directed to prepare a briefing report to the WTC for their review.

Item #7: Memo - Quarterly Environment Seminar - Thursday, November 28, 2019

Motion #05-2019

Moved by: John Adams

Seconded by: Mike Jackson

That Aamjiwnaang Council acknowledges the Environment department memo regarding the Quarterly Environment Seminar, to be held on Thursday, November 28, 2019.

CARRIED.

7. ECONOMIC DEVELOPMENT

Item #8: Memorandum - Health Centre Expansion (TABLED October 7, 2019)

There were brief comments with respect to funding for the proposed expansion project and if it was a Band funded project. The Finance Coordinator, noted that the Health Director, has submitted a proposal to Health Canada for the expansion and it is

anticipated that a decision for funding may be approved in the new year. It was also noted that it could be a shelved project until funding is received and or identified. Council asked if the infrastructure has been considered in the project? It was noted that the Public Works Coordinator, has been involved is one of the key members of the project team. It was noted that if this project is self-funded then there would be a different tendering process for the expansion.

The Economic Development Coordinator, was in attendance along with KL Martin, who provided a detailed review of the tendering process. It was noted that identifying local labours was a requirement for that process. The elimination process for tenders was also reviewed and was followed up with the final recommendation.

Noted concerns were:

- financial policy states that any work over the amount of \$25K requires 3-bids
- were all infrastructural needs built into the project - yes, all needs have been looked at and are included in the project costs
- final grading, has that been built into the work - yes, all grading has been included in the bid
- if the project is self funded, Aamjiwnaang would prefer to utilize local as opposed to reaching out to an external company - when looking at a tendering process the community is looked at first to determine if there is a company in existence to completed the work - it was noted that in the past Aamjiwnaang hired their own project manager who overlooked a project
- it was noted that liability in any project needs to be considered to protect the community
- If Aamjiwnaang wishes to proceed with self-build on a project, a manager would be hired who would then have the responsibility to manage the project, develop a budget, hire the trades, work within existing policies, develop work plan, develop sub-contracts for the trades and move forward based on a project plan and schedule
- historically, Aamjiwnaang use to build their own homes utilizing community members who took pride in their work and community

Motion #06-2019

Moved by: Mike Jackson

Seconded by: John Adams

That Aamjiwnaang Council acknowledges the Economic Development Coordinator, memorandum regarding the Health Centre Expansion and KL Martin's Tender Results for the Health Centre Expansion. Further that, an alternative option be presented for consideration for Aamjiwnaang to

hire a project manager for the proposed project.

CARRIED.

Item #9: Memorandum - Special Project/Entrepreneur Consent Form (Release of Information)

The Economic Development Coordinator, was in attendance and informed Council that the form was developed based on need for interdepartmental use. It was noted that there is a need for the Special Projects worker to have information for client eligibility in a program. It was noted that Council does not want to see any barriers for clients who are wanting to participate in programs or training. Staff are here to serve the community and personnel need to work together for each individual community member/client that is seeking assistance, and need to work collaboratively in that process.

Item #10: Entrepreneurship & Training Centre Feasibility & Business Plan - CORP Grant

The Economic Development Coordinator, was in attendance and provided an overview of the CORP Grant funding noting that a revised budget was prepared and resubmitted to the founding source and has been approved. A BCR is required for release of funds. The funding would help determine the feasibility of a the development of a training centre and/or an entrepreneur incubator space for entrepreneurship.

There was a question about how Aamjiwnaang would make money from the proposed project? It was noted that the different phases of the project will assist in identifying training needs, entrepreneur needs and an overall business plan. The revised BCR is for Phases 1 and 2, the original BCR was inclusive of all 3 Phases of the proposed study.

Item #11: BCR 2019/2020 #17 - Community Opportunity Readiness Program

Motion #07-2019

Moved by: Tom Maness

Seconded by: John Adams

That Aamjiwnaang Council adopts BCR 2019/2020 #17 to support the Economic Development - Community Opportunity Readiness Program grant through Indigenous Services Canada, as presented.

2-Opposed - Councillor Shawn Plain and Councillor Dallas Sinopole - Concerns about the feasibility of the proposed Economic Development project.

MOTION DEFEATED.

8. LANDS MANAGEMENT

Item #12: Briefing Note - Plains Midstream Canada - Depth of Cover Project

The Lands Management Officer, was in attendance and provided a brief overview of the steps moving forward with PMS - Depth of Cover Project.

Revise Motion per notes in briefing note

Motion #08-2019

Moved by: Shawn Plain

Seconded by: Mike Jackson

That Aamjiwnaang Council acknowledges the Lands Management Officer briefing note regarding Plains Midstream Canada (PMS) - Depth of Cover Project and approves the following:

1. that legal opinion be sought form Aamjiwnaang Legal Counsel;
2. Indigenous Services Canada is to confirm that the proposed method for the depth of cover meets legal obligations required to protect Aamjiwnaang Lands and all matters of interests;
3. third party review of environment documents provided by Plains Midstream Canada staff;
4. legal fees are to be covered by Plains Midstream Canada; and
5. Plains Midstream Canada will cover the cost for community outreach to all locatees with interest in the area for the Depth of Cover Project.

CARRIED.

Item #13: Briefing Note - Fishing Permit/Hunting Permit Processes

The Lands Management Officer, was in attendance and provided a brief overview of the discussion that was held at the Lands and Resources Committee meeting and previous efforts for the proposed berm.

Motion #09-2019

Moved by: Shawn Plain

Seconded by: Mike Jackson

That Aamjiwnaang Council acknowledges the Lands Management Officer briefing note regarding the Fishing and Hunting Permit processes and accepts the recommendations that:

1. the Lands department along with Councillor Dallas Sinopole, will host a meeting for all interested community members to consult on the matter of a shooting range and suitable location; and
2. develop a plan and budget for interested community members to participate in a Hunters Safety Course and Firearms Safety Course; and
3. develop a plan and tendering process for the construction of a berm for a firearms practice range and report back to Council; and
4. determine acceptance of soil and approval for the construction company in access Aamjiwnaang and assist with build of berm, once location is confirmed.

CARRIED.

Item #14: Lands and Resource Committee Meeting Minutes - October 9, 2019

Motion #10-2019

Moved by: Mike Jackson

Seconded by: John Adams

That Aamjiwnaang Council acknowledges the Lands and Resource Committee Meeting Minutes of October 9, 2019, as presented.

CARRIED.

9. HEALTH SERVICES

Item #15: Briefing Note - Funding Agreements - Indigenous Healing and Wellness Strategy

Motion #11-2019

Moved by: Mike Jackson

Seconded by: Dallas Sinopole

That Aamjiwnaang Council acknowledges the Health Director's briefing note regarding Funding Agreements for the Indigenous Healing and Wellness Strategy and accepts the recommendation to approve the Anishinabek Nation - Memorandum of Agreement, as presented. Further that, Chief Chris Plain or June Simon, Band Manager, are authorized to sign same.

CARRIED.

10. COMMUNITY INFORMATION OFFICER

Item #16: Open House Report (information is forthcoming)

There were brief comments with respect to the Public Works department being located under the pavilion and are not as visible as the other departments. It was noted that plans for next year will include a new location for Public Works.

Motion #12-2019

Moved by: Shawn Plain

Seconded by: Dallas Sinopole

That Aamjiwnaang Council acknowledges the Community Information Officer report for the Aamjiwnaang 2nd Annual Open House, as presented.

CARRIED.

11. MEMBERSHIP

Item #17: Register Change Report - August 2019

Motion #13-2019

Moved by: Mike Jackson

Seconded by: Shawn Plain

That Aamjiwnaang Council acknowledges the Membership Officer submission of the Register Change Report for August 2019, as presented.

CARRIED.

12. STANDING COMMITTEE OF COUNCIL

Item #18: Housing Committee Meeting Minutes - 10 September 2019

There were comments with respect to classification for Seniors Complex or Seniors Retirement, it was note that a final policy will be presented once it has been completed with changes and amendments.

Motion #14-2019

Moved by: Shawn Plain

Seconded by: John Adams

That Aamjiwnaang Council acknowledges the Housing Committee Meeting Minutes of September 10, 2019, as presented.

CARRIED.

13. CHIEF AND COUNCIL

Item #19: Bmaadzwin - Cannabis Legislation Report for October 16, 2019 - Final

The Chief informed Council that a follow-up plan will be forthcoming once discussions take place with Bmaadzwin personnel.

Motion #15-2019

Moved by: John Adams

Seconded by: Mike Jackson

That Aamjiwnaang Council acknowledges the October 16th, Cannabis Session Report for Aamjiwnaang First Nation and the Draft Letter to Aamjiwnaang Community Members for Cannabis Strategy and Law Development, as presented.

CARRIED.

14. CORRESPONDENCE AND INFORMATION

Item #20: BCR 2019/2020 #18 - MCFS Annual General Assembly Delegates

Motion #16-2019

Moved by: Shawn Plain

Seconded by: Dallas Sinopole

That Aamjiwnaang Council adopts BCR 2019/2020 #18 - for Mnaasged Child and Family Services Annual General Assembly delegates, with noted change.

CARRIED.

Item #21: Lambton College - Indigenous Student Council - Request

Motion #17-2019

Moved by: John Adams
Seconded by: Mike Jackson

That Aamjiwnaang Council acknowledges the Lambton College - Indigenous Student Council request dated October 4, 2019, and approves a donation in the amount of \$1,000.00 (one-thousand dollars) to support two noted Cultural events for the 2020/2021 academic year. Donation supported through Council Contingency Funds.

CARRIED.

Item #22: London District Chiefs Council Meeting Minutes - May 22, 2019 and July 12, 2019

Motion #18-2019

Moved by: Shawn Plain
Seconded by: John Adams

That Aamjiwnaang Council acknowledges the London District Chiefs Council Meeting Minutes for May 22, 2019 and July 12, 2019, as presented.

CARRIED.

Item #23: Southern First Nation Secretariat Board of Directors Meeting Minutes - August 8, 2019 and September 11, 2019

Motion #19-2019

Moved by: Dallas Sinopole
Seconded by: Shawn Plain

That Aamjiwnaang Council acknowledges the Southern First Nation Secretariat Board of Directors Meeting Minutes for August 8, 2019 and September 11, 2019, as presented.

CARRIED.

15. NEW BUSINESS

Item #24: BCR 2019/2020 #19 - Stepping Stones Support Services - AGA Delegates

Motion #20-2019

Moved by: Mike Jackson

Seconded by: Tom Maness

That Aamjiwnaang Council adopts BCR 2019/2020 #19 - for the Stepping Stones Support Services - 2019 Annual General Assembly Delegates, as presented.

CARRIED.

Item #25: BCR 2019/2020 #20 - Shell Land Purchase Agreement

Motion #21-2019

Moved by: Dallas Sinopole

Seconded by: Mike Jackson

That Aamjiwnaang Council adopts BCR 2019/2020 #20 - finalizing purchase of Shell Canada Limited Lands, PT LT 1-2 Range 6 PL 122 Sarnia City PT 6, 25R2775, Sarnia.

CARRIED.

Motion #22-2019

Moved by: Mike Jackson

Seconded by: Dallas Sinopole

That Aamjiwnaang Council accept the Easement Agreement and that Chief Chris Plain, is authorized to sign the Donation Receipt for the Shell Land Purchase.

CARRIED.

16. ADJOURNMENT


Motion #23-2019

Moved by: John Adams

Seconded by: Dallas Sinopole

That Aamjiwnaang Chief and Council Adjourns at 9:30 P.M.

CARRIED.


June Simon, Band Manager


Lynn Rosales, Band Council Clerk