

**TYENDINAGA MOHAWK COUNCIL MINUTES
NOVEMBER 2, 2011**

A meeting of the Tyendinaga Mohawk Council was held on Wednesday, November 2, 2011 at 9:00 a.m. in the Council Chambers.

Present: Chief R. Donald Maracle
Councillors: Roy C. Maracle, Douglas E. Maracle, Keith A. Sero and Velma Hill-Dracup
Staff: Angela Maracle, A/CAO, Lisa Maracle, Senior Manager and Bryce McMurter, Senior Manager

Keith A. Sero asked to review the Tyendinaga Mohawk Council Minutes later.

Council confirmed the following scheduled meetings:

- November 3, 9:00 a.m. – HR Interviews
- November 7, 2011 – OFNPA Meeting in Toronto
- November 7, 10:30 – Tour at Loyalist College
- November 9, 7:00 p.m. – Tyendinaga Mohawk Council Local Business
- November 9 & 10, 2011 - CANDO Conference in British Columbia
- November 10, 2011 – Court Regarding Andrew Clifford Maracle (Miracle) Chattel Issue
- November 14, 1:00 p.m. – Interviews for CAO
- November 15, 9:00 a.m. – Policing Meeting
- November 15, 10:00 a.m. – Interviews for CAO
- November 15, 1:00 p.m. – Meeting with Ross Maracle Jr., Ross Maracle Sr. – Land Issue
- November 16, 9:00 a.m. Tyendinaga Mohawk Council
- November 23, 7:00 p.m. Tyendinaga Mohawk Council Local Business
- November 30, 9:00 a.m. Tyendinaga Mohawk Council

MOTION #1: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council approve rescheduling the Tyendinaga Mohawk Council Local Business Meeting scheduled for Wednesday, November 23, 2011 at 7:00 p.m. to Tuesday, November 22, 2011 at 7:00 p.m.
Carried.

MOTION #2: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council request Chief R. Donald Maracle cancel his trip to British Columbia for the CANDO Conference to attend Court on November 10, 2011 regarding Andrew Clifford Maracle (Miracle) Chatel Issue
Carried.

MOTION #3: Moved by Keith A. Sero, seconded by Roy C. Maracle that Council decline to meet with Ross Maracle Jr and Sr and the Bible College Members if this is mediation.
Douglas E. Maracle – Negative Vote
Velma Hill-Dracup – Negative Vote
Chief R. Donald Maracle – Negative Vote

MOTION #4: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council approve to meet with Ross Maracle Jr and Sr and the Bible College Members as long as everyone is aware this is not mediation it is an information session.
Carried.

- MOTION #5: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council acknowledge receipt of the Hastings Prince Edward District School Board Trustee Report for October 2011 submitted by Mike Brant.
Carried.
- MOTION #6: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council acknowledge receipt of the Woodland Cultural Centre Board of Directors report/minutes for July to September 2011 submitted by Barbara Brant.
Carried.
- MOTION #7: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council defer the revision to Preferential wording statements in the Mohawks of the Bay of Quinte Job Postings.
Carried.
- MOTION #8: Moved by Keith A. Maracle, seconded by Roy C. Maracle that Council approve to change the Internal Posting definition to be Band Membership and all existing employees.
Carried.
- MOTION #9: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve the Canadian National Railway Company (CN) – MBQ Scholarship Agreement.
Carried.
- MOTION #10: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve staff to inquire about options and costs for Health Care Benefit packages for all staff.
Carried.
- MOTION #11: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that Council acknowledge the Health Canada Notice of Budget Adjustment ON0900124-A17 for an increase for the Aboriginal Diabetes Initiative for Food Security in the amount of \$2,750.00, for the Aboriginal Diabetes Initiative for a Physical Activity Project in the amount of \$3,500.00; for the Aboriginal Health Human Resources Initiative for one time Home Careers promotion funding in the amount of \$5,000.00 and for the Drinking Water Safety Program for community based drinking water quality monitor activities in the amount of \$7,500.00.
Carried.
- MOTION #12: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve payment of Blaney McMurtry invoice #463075 in the amount of \$5,498.84 regarding the Former Bench Tech/ Mohawk Liquidation Building.
Carried.
- MOTION #13: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve payment of Blaney McMurtry invoice #461273 in the amount of \$1,057.00 regarding the Land Purchase for the Water Treatment Plant from Casino Rama Funds.
Carried.
Keith A. Sero – Negative Vote disagrees with using Casino Rama Funds.

- MOTION #14: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council approve payment of Blaney McMurtry invoice #459860 in the amount of \$4,072.00 regarding the Land Purchase for the Water Treatment Plant from Casino Rama Funds.
Carried.
Keith A. Sero – Negative Vote disagrees with using Casino Rama Funds.
- MOTION #15: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve payment of Blaney McMurtry invoice #462900 in the amount of \$933.71 regarding the Land Purchase for the Water Treatment Plant from Casino Rama Funds.
Carried.
Keith A. Sero – Negative Vote disagrees with using Casino Rama Funds.
- MOTION #16: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve payment of Templeman Menninga invoice #33418 in the amount of \$1,583.89 regarding the FibreNet Contract.
Carried.
- MOTION #17: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Education component in the amount of \$66,620.00 for the Before & After School Program for 2011-12. M.C.R. #2011/12-085. Approved on October 19, 2011 – Motion #17
Carried.
- MOTION #18: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$63,767.01 for the Fire Program for 2011-12 fiscal year. M.C.R. #2011/12-086.
Carried.
- MOTION #19: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Health component in the amount of \$65,978.23 for the Tyendinaga Fitness Resource Centre for 2011-12. M.C.R. #2011/12-087.
Carried.
Douglas E. Maracle – Conflict of Interest.
- MOTION #20: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community development component in the amount of \$239,541.27 for the Industrial Park Surface Treatment Project. M.C.R. #2011/12-088.
Carried.
- MOTION #21: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$135,264.04 for the Nation Building Program for 2011-12 fiscal year. M.C.R. #2011/12-089.
Carried.
Douglas E. Maracle – Conflict of Interest.

- MOTION #22: Moved by Velma Hill-Dracup, seconded by Roy C. Maracle that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$139,334.91 for the New Police Building for the 2010-11. M.C.R. #2011/12-090. Approved on May 26, 2011 – Motion #13.
Carried.
- MOTION #23: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$155,788.00 for the New Police Building for the 2011-12. M.C.R. #2011/12-091.
Carried.
- MOTION #24: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Education component in the amount of \$44,929.64 for the Post Secondary Education Program for 2011-12. M.C.R. #2011/12-092. Approved on July 20, 2011 – Motion #25.
Carried.
- MOTION #25: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Health component in the amount of \$14,076.78 for the Recreation Program for 2011-12. M.C.R. #2011/12-093.
Carried.
- MOTION #26: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$79,644.20 for the Tech Program for 2011-12 fiscal year. M.C.R. #2011/12-094.
Carried.
- MOTION #27: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Health component in the amount of \$123,845.00 for the Water Delivery Program for 2011-12 fiscal year. M.C.R. #2011/12-095.
Carried.
- MOTION #28: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$64,012.30 for the Water Treatment Plant Design for the 2010-11. M.C.R. #2011/12-096. Approved on May 26 – Motion #12.
Carried.
- MOTION #29: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$270,101.44 for the Water Treatment Plant Project for 2011-12. M.C.R. #2011/12-097.
Carried.
- MOTION #30: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$1,055,343.00 for the Airport Road Reconstruction Project. M.C.R. #2011/12-098. Approved on October 3, 2011 – Motion #21.
Carried.

Disclaimer: Comments of individual members may not necessarily reflect the opinion of the whole Council.

- MOTION #31: Moved by Keith A. Sero, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$184,100.57 for the lands Research Program for 2011-12 fiscal year. M.C.R. #2011/12-099.
Carried.
Douglas E. Maracle – Conflict of Interest.
- MOTION #32: Moved by Keith A. Sero, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$1,865,875.00 for Sadies Lane Infrastructure Project. M.C.R. #2011/12-100.
Carried.
- MOTION #33: Moved by Keith A. Sero, seconded by Velma Hill-Dracup that the Tyendinaga Mohawk Council approves to utilize the Casino Rama funds under the Community Development component in the amount of \$276,212.50 for the Council Program for 2011-12 fiscal year. M.C.R. #2011/12-101.
Carried.
- MOTION #34: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council acknowledge the Draft Casino Rama Projections for 2011/12 to 2015/16.
Carried.
- MOTION #35: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that WHEREAS, the Tyendinaga Mohawk Council recognizes the need to purchase equipment for the Fitness Centre, THEREFORE BE IT RESOLVED that the Tyendinaga Mohawk Council hereby approve to utilize \$30,572.40 from the Revenue Trust Account in Ottawa. M.C.R. #2011/12-102.
Carried.
Douglas E. Maracle – Conflict of Interest.
Keith A. Sero – Negative Vote disagrees with the use of the Revenue Trust Account for Non Status Members.
- MOTION #36: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that WHEREAS, the Tyendinaga Mohawk Council recognizes the need to purchase an International Plow for the Roads Program, THEREFORE BE IT RESOLVED that the Tyendinaga Mohawk Council hereby approve to utilize \$164,880.00 from the Revenue Trust Account in Ottawa. M.C.R. #2011/12-103.
Carried.
Keith A. Sero – Negative Vote disagrees with the use of the Revenue Trust Account.
- MOTION #37: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the New Business Registration for Speedway Gas – Owner Virginia Maracle, Lisa Maracle Sexsmith and Andrew Maracle III – type of business: Gas Station & Convenience Store.
Carried.
- MOTION #38: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the New Business Registration for Xpress Gas & Variety – Owner Brian Brant – Type of business: Gas Station & Convenience Store.
Carried.

- MOTION #39: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve the New Business Registration for Simply Monkey'n Around – Owner Laura Wood – type of business: Mail Order Children's Products.
Carried.
- MOTION #40: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that the Tyendinaga Mohawk Council approve to support this application to the Ministry of Revenue for this Gas Bar Application for the following business:
Salmon River Enterprises
Owner: Philip S. W. Maracle. M.C.R. #2011/12-104.
Carried.
- MOTION #41: Moved by Velma Hill-Dracup, seconded by Keith A. Sero that the Tyendinaga Mohawk Council approve to support this application to the Ministry of Revenue for this Gas Bar Application for the following business:
Speedway Gas
Owner: Virginia Maracle, Andrew Maracle III and Lisa Maracle Sexsmith. M.C.R. #2011/12-105.
Carried.
- MOTION #42: Moved by Velma Hill-Dracup, seconded by Keith A. Sero that Council defer the contract for services extension for Willard Brant for an estimated number of hour.
Carried.
- MOTION #43: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council approve to post the Roads Equipment Operator Seasonal Position with the possibility of permanent position.
Carried.
- MOTION #44: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council approve the Land Transfer from Bryan Melvin Donald and Carol Lorraine Isaacs to Jason Randy William Pitt, the whole of Lot 5A-5-3, Concession 2, as shown on Plan CLSR 76773.
Carried.
- MOTION #45: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve the Land Transfer from Daniel Wayne Brant to Daniel Wayne and Linda Jean Brant, the whole of Lot 16G-12, Concession A as shown on Plan CLSR 92773.
Carried.
- MOTION #46: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve the Land Transfer from Francis Randall Brant to Terry Allen Maracle, the whole of Lot 33J-14-2, Concession A, as shown on Plan CLSR 99420.
Carried.
- MOTION #47: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council approve the Land Transfer from Robert Frederick Greenwood to Lillie Ethel Lefort, the whole of Lot 31E-4-3, Concession A, as shown on Plan RSO 5473.
Carried.
- MOTION #48: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve to set up financing with Ally for 2 new vehicle leases with Belleville Dodge dealership for the Home Support Program.
Carried.

- MOTION #49: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that Council acknowledge the letter from Health Canada regarding outstanding reports and all funding will be held effective November 1, 2011.
Carried.
- MOTION #50: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that Council approve the contract with eSolutions MN Inc. in the amount of \$11,000.00 to conduct a Security Audit.
Carried.
- MOTION #51: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that Council acknowledge the letter from the Ministry of Health and Long-Term Care regarding allowing the \$43,631.00 in expenditures for 2009/10.
Carried.
- MOTION #52: Moved by Douglas E. Maracle, seconded by Keith A. Sero that Council approve awarding the tender to Build All Contractors in the amount of \$110,230.50 for the Sero's Road / Airport Road Drainage. Other tender received by Fitzgibbon Construction in the amount of \$198,135.00.
Carried.
- MOTION #53: Moved by Keith A. Sero, seconded by Velma Hill-Dracup that Council approve to post the Housing Accounts Manager Position.
Carried.
- MOTION #54: Moved by Keith A. Sero, seconded by Velma Hill-Dracup that Council approve scheduling a meeting Thursday, November 3, 2011 at 9:00 a.m. to review the outstanding Tyendinaga Mohawk Council Minutes.
Carried.
- MOTION #55: Moved by Keith A. Sero, seconded by Velma Hill-Dracup to go in private. (3:45 p.m.)
Carried.

Summary of Private Minutes:

- Acknowledged a Community Members Complaint
- Approved two (2) home renovation requests totaling \$27,451.50
- Addressed two (2) Human Resource Issue

Recorded by:
Shelley Bowden

Angela Maracle
A/Chief Administrative Officer

Chief R. Donald Maracle