

**TYENDINAGA MOHAWK COUNCIL MINUTES
MAY 31, 2013**

A special meeting of the Tyendinaga Mohawk Council was held on Friday, May 31, 2013 at 10:00 a.m. in the Council Chambers to hear a presentation by TransCanada on the Napanee Generating Station and Horizon Wind Power Project.

Present: Chief R. Donald Maracle
Councillors: Roy C. Maracle, Douglas E. Maracle, Barry Brant and Carl Ted Maracle
Staff: Dan Brant, CAO, Lisa Maracle, Director of Community Services and Amy Cowie, Research
Guests: John Mikkelson, Victoria Sedgwick, Christine Cinnamon, Dan Armitage.

Chief opened the meeting with a Prayer

MOTION #1: Moved by Barry Brant, seconded by Douglas E. Maracle that WHEREAS, the Tyendinaga Mohawk Council understands the need to monitor the groundwater conditions at the former landfill and to monitor for potential water quality impacts to ensure that there are no negative impacts to the community health or the surrounding environment.

WHEREAS, the Tyendinaga Mohawk Council understands the importance of ensuring that the community health and environment is a high priority for the Mohawks of the Bay of Quinte,

WHEREAS the Mohawks of the Bay of Quinte are eligible for funding under AANDC's Lands and Environmental Action Fund to complete a monitoring program for the 2013-14 fiscal year at the Former Tyendinaga Landfill.

THEREFORE BE IT RESOLVED, that the Tyendinaga Mohawk Council supports the grant application to Lands and Environmental Action Fund in the amount of \$80,845.00 to perform a monitoring program for the 2013-14 fiscal year at the Former Tyendinaga Landfill located at 1846 York Road. M.C.R. #2013/14-017.

Carried.

MOTION #2: Moved by Barry Brant, seconded by Douglas E. Maracle That the Tyendinaga Mohawk Council hereby approve Chief R. Donald Maracle, Councillors Barry Brant, Douglas E. Maracle, Roy C. Maracle and Carl E. (Ted) Maracle as the Mohawks of the Bay of Quinte's voting delegates at the Association of Iroquois and Allied Indians Annual General Assembly being held on June 4 - 6, 2013 at the New Credit First Nation. M.C.R. #2013/14-018.

Carried.

Cherie Brant and Michael Perron, attended Council to discuss the Ernestown Wind Project.

MOTION #3: Moved by Barry Brant, seconded by Roy C. Maracle that Whereas, the Tyendinaga Mohawk Council has received a request from Horizon Legacy Group to invest in a 10MW wind power project in Earnestown (the "Project");

Whereas, the Tyendinaga Mohawk Council is interested to generate own source revenues and promote economic development;

Whereas, the Project is expected to commence its construction process by the end of June, 2013

Whereas, the Ontario Power Authority offers a financial incentive to developers to partner with First Nations and the Ontario Financing Authority permits MBQ to borrow funds for participation

Whereas, the investment by the Tyendinaga Mohawk Council on behalf of the Mohawks of the Bay of Quinte would require the creation of a company and limited partnership agreement to protect the Council and the Mohawks of the Bay of Quinte against liability

Whereas, the investment by way of limited partnership agreement will also permit the Mohawks of the Bay of Quinte to preserve its tax exemption rights on an investment off-reserve lands

Whereas, to complete this investment:

- a. MBQ will borrow 100% of the funds required to complete the investment in the Project by way of loan from BMO (the "BMO Loan")
- b. MBQ will obtain a temporary loan from Horizon Legacy Group to meet the OPA requirements for the financial incentive program
- c. MBQ will create a company controlled by MBQ to protect against project liability who will be the investor on behalf of MBQ
- d. MBQ will apply for a loan guarantee from the Ontario Financing Authority to act as security for the BMO loan
- e. Additional transaction documents will need to be approved and executed by MBQ

Therefore Be It Resolved, let it be resolved that MBQ hereby agrees to make an investment of 40 % into the Project and instruct its solicitor to proceed with completing the transaction documents for further review and acceptance by MBQ;

Therefore Be It Further Resolved, The Mohawks of the Bay of Quinte hereby accepts the retainer of Willms & Shier for the purpose of completing the transaction.

Carried.

MOTION #4: Moved by Barry Brant, seconded by Roy C. Maracle that this meeting be adjourned. (1:40 p.m.)

Carried.

Recorded by:
Shelley Bowden

Dan Brant
Chief Administration Officer

Chief R. Donald Maracle