

**TYENDINAGA MOHAWK COUNCIL MINUTES
APRIL 20, 2011**

A meeting of the Tyendinaga Mohawk Council was held on Wednesday, April 20, 2011 at 9:00 a.m. in the Council Chambers.

Present: Chief R. Donald Maracle
Councillors: Roy C. Maracle and Douglas E. Maracle.
Keith A. Sero absent conducting interviews and Velma Hill-Dracup absent due to illness.
Staff: Angela Maracle, AO

Chief opened the meeting with a prayer

MOTION #1: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Special Minutes of March 3, 2011 be accepted as read.
Carried.

MOTION #2: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that the Tyendinaga Mohawk Council Special Minutes of March 4, 2011 be accepted as read.
Carried.

MOTION #3: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Local Business Minutes of March 30, 2011 be accepted as read.
Carried.

MOTION #4: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that the Tyendinaga Mohawk Council Minutes of April 6, 2011 be accepted as corrected.
Carried.

MOTION #5: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Local Business Minutes of April 13, 2011 be accepted as corrected.
Carried.

MOTION #6: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that the Tyendinaga Mohawk Council acknowledge the Kanhiote Public Library Minutes dated April 5, 2011.
Carried.

MOTION #7: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council acknowledge the Kanhiote Public Library and approve a road toll on May 28, 2011 on the York Road for a fundraiser for the Library.
Carried.

Council confirmed the following scheduled meetings:

- April 27 & 28, 2011 – Association of Iroquois and Allied Indian – H/SAB Meeting in Niagara Falls.
- May 18 – 20, 2011 – Association of Iroquois and Allied Indian – Annual General Assembly

MOTION #8: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve the following Council Meetings for May 2011:
Regular: May 4 and 17 at 9:00 a.m.
Local Business: May 11 and 25 at 7:00 p.m.
Carried.

Linda Commandant, Grand River Enterprise regarding a draft by-law regulation of tobacco sales to minors.

MOTION #9: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve to direct Kelly Maracle, Economic Development Officer to complete an assessment on the proposed Grand River Enterprise by-law and submit to Council for review.
Carried.

MOTION #10: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the following meetings outside the territory:
Chief: attending a meeting Chiefs Committee on Health on May 9, 2011 in Ottawa;
Doug: attending the Woodland Cultural Centre Board meeting on April 29, 2011 in Brantford.
Carried.

MOTION #11: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council acknowledges the letter from Elections Ontario regarding Tyendinaga being a potential voting location for the Provincial General Election on October 6, 2011.
Carried.

MOTION #12: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve Lynn Brant, Nurse-in-Charge replacing Janet Brant Nelles as the Mohawks of the Bay of Quinte technical representative on the Association of Iroquois and Allied Indians Health and Social Advisory Board.
Carried.

Melinda Commanda, Statistic Canada attended Council to discuss the Census Survey that they want to conduct on the Territory.

MOTION #13: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council deferred Statistics Canada conducting the Census Survey until full Council is present.
Carried.

MOTION #14: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve the 3 awards for \$250.00 each to Moria Secondary School graduates 2011 the students are chosen by a committee at Moria Secondary School – 1 for a Native student furthering education at College, 1 for a Native student furthering education at University, 1 for a Native student who has made a notable contribution to Moria Secondary School and 1 award for \$250.00 – Tyendinaga Education Committee – Chief Earl Hill Memorial award.
Carried.

MOTION #15: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve payment of Templeman Menninga invoice dated March 30, 2011 in the amount of \$775.00 for Mortgage Foreclosures.
Carried.

Councillor Keith A. Sero and Brian Hamilton, CAO arrived at 2:20 p.m.

MOTION #16: Moved by Douglas E. Maracle, seconded by Keith A. Sero that Council approve payment of Blaney McMurtry invoice dated March 21, 2011 in the amount of \$1,538.06 for the Asphalt Action and in the amount of \$1,819.50 to draft a Land Purchase and Sale agreement for the water treatment plant.
Carried.

MOTION #17: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council acknowledge Indian and Northern Affairs Canada Notice of Budget Adjustments #0009 increase for Fire Deficiencies in the amount of \$68,500.00, #0010 increase for Roads & Bridges (Guiderails) in the amount of \$64,000.00 and #0011 for increase for Roads & Bridges (Miscellaneous Road Work and \$75,000.00 toward a new loader.)

Carried.

Barry Brant attended Council to provide an update on the Tobacco Policy and to propose a contract for additional work on policy development.

MOTION #: Moved by Keith A Sero, that Council defer to contract with Barry Brant to complete phase 2 of the tobacco policy.

No Secunder

MOTION #18: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve to contract with Barry Brant to complete phase 2 of the tobacco policy in the amount of \$22,500.00

Carried.

Keith A. Sero negative vote Disagrees with the methodology of the work.

MOTION #19: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council acknowledge the letter from Indian and Northern Affairs Canada dated February 3, 2011 regarding Quinte Mohawk School Deficit Recovery – the Mohawks of the Bay of Quinte received \$58,491.13 for 2007/2008; \$54,953.38 for 2008/2009 and \$66,864.00 for 2009/2010.

Carried.

MOTION #20: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council acknowledge Indian and Northern Affairs Canada Notice of Budget Adjustments #0008 increase to 2010/2011 Bottled Water Program in the amount of \$6,565.00.

Carried.

MOTION #21: Moved by Douglas E. Maracle, seconded by Keith A. Sero that Council approve the New Business Registration for New Concepts FX, owner Denis Brant, type of business: Kitchen and Bath Counter Top Sales.

Carried.

MOTION #22: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve the New Business Registration for JM Developments, owner Jim McMurter, type of business: building and renovating properties.

Carried.

MOTION #23: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the New Business Registration for Deb's Restaurant, owner Deborah Maracle, type of business: restaurant

Carried.

MOTION #24: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve the New Business Registration for Native Expressions – Lil Crow Café – Stage Red, owner David Maracle, type of business: gallery, gifts, music – coffee snacks, outdoor concerts venue (seasonal).

Carried.

MOTION #25: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the Business Registration renewal for Roxanne’s Place, owner Roxanne Lewis, type of business: restaurant
Carried.

MOTION #26: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the Business Registration renewal for McMurter’s Home Centre, owner James McMurter, type of business: building supplies retail.
Carried.

MOTION #27: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Tyendinaga Mohawk Council approve to the following new vendor for Tax Exempt Tobacco allocation:

Owner	Business	Address	Wholesaler
Work Gear	Trevor Lewis Band-2680	5717 Old Hwy 2 Shannonville, ON K0K3A0	W.R. McRae Company Ltd.

M.C.R. #2011/12-007.

Carried.

MOTION #28: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve the Open House on June 11, 2011 for the Community Wellbeing Centre.
Carried.

MOTION #29: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council acknowledge the briefing note from Red Cedars Shelter regarding the lobby package on inequitable funding issues.
Carried.

MOTION #30: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the Memorandum of Understand with Quinte Health Care, the job description and the job posting for the Nurse Practitioner. Councillor Keith A. Sero and Lynn Brant, Nurse in Charge be on the interview panel.
Carried.

MOTION #31: Moved by Douglas E. Maracle, seconded by Keith A. Sero that this Council does hereby approve of the following lease with the stipulation that it is agreed between the parties that the land and the premises subject of this lease shall be deemed not to be “designated lands” or otherwise subject to statutory provisions in that behalf.

LESSEE: Fred Lang R. R. # 2 Shannonville, On K0K 3A0
LESSOR: Mohawks of the Bay of Quinte, Tyendinaga Mohawk Territory
TERMS: Three year term April 1, 2011 to March 31, 2014 at an annual rental of Three Hundred and Thirty Dollars (\$330.00) per year due and payable on or before April 1, in each year of the lease.

LAND DESCRIPTION: Lot 23A-1-1 Concession 2 as shown on Plan 5502R RSO

MCR #2011/12-008

Carried.

- MOTION #32: Moved by Douglas E. Maracle, seconded by Keith A. Sero that Council approve the Land Transfer from Terry Claus to the Mohawks of the Bay of Quinte the whole of Lot 33J-6, Concession A as shown on Plan No. RSO 6311 due to the foreclosure for non-payment.
Carried.
- MOTION #33: Moved by Roy C. Maracle, seconded by Keith A. Sero that Council approve the Land Transfer from Robert George Hill and Marion Hill to the Mohawks of the Bay of Quinte the whole of Lot 15E-3-1, Concession A, as shown on Plan No. 93028 for Ridge Road widening.
Carried.
- MOTION #34: Moved by Keith A. Sero, seconded by Roy C. Maracle that Council approve the Land Transfer from Olive L. Brant to Olive L. Brant and Wanda Ellen Martin the whole of Lot 33G-1, Concession A, as shown on Plan No. CLSR 98346.
Carried.
- MOTION #35: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the Land Transfer from John Thomas Baptiste Jr. to James Earl Brant the whole of Lot 8B-1, Concession 1, as shown on Plan No. RSO 6690.
Carried.
- MOTION #36: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve posting the Hay Tender for 2011.
Carried.
- MOTION #37: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the signing of the Canada Mortgage and Housing Corporation Phase 4 Mortgage Renewal.
Carried.
- MOTION #38: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve the transfer of the water & sewer connection for Terry Maracle from Lot 33J-4, Concession A Hwy #2 to Lot 33J-7, Concession A Church Lane.
Carried.

Note: Council agrees to meet with the NDP Candidate and the Liberal Candidate before the election on May 2, 2011.

The Candidate's party need to confirm location, date and time.

- MOTION #39: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council defer the Guidelines for the water storage unit incentive program for staff recommendations and portfolio holder to review.
Carried.
- MOTION #40: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve scheduling a meeting with the Town of Deseronto Water Board regarding proposed expansion of the wastewater plant.
Carried.
- MOTION #41: Moved by Douglas E. Maracle, seconded by Keith A. Sero that Council recess until 6:00 p.m. for Local Business.
Carried.

Summary of Private Minutes:

- Approval of Private Minutes: March 11, 2011 Special; March 30, 2011 Local Business; April 6, 2011; April 13, 2011;
- Addressed a Human Resource Issue
- Approved seven (7) Mortgage Discharges, seven (7) Rewrites and one (1) mortgage paid in full

Recorded by:
Shelley Bowden

Brian Hamilton
Chief Administrative Officer

Chief R. Donald Maracle