

**TYENDINAGA MOHAWK COUNCIL MINUTES  
MARCH 23, 2011**

A meeting of the Tyendinaga Mohawk Council was held on Wednesday, March 23, 2011 at 9:15 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 (9:35 a.m.)  
Staff: Brian Hamilton, CAO, and Angela Maracle, AO  
Guests: Megan John and Marco Giambra from Mr. LeSage's class at St. Theresa

Council reviewed the March 9, 2011 Minutes and had the following updates:

H2O Pros/H2O Global Issue – since Council was notified of an allegation against Bruce Carson of H2O Pros, Chief Maracle asked staff to complete a chronology on this issue. Chief Maracle also informed staff to cease and desist with any communication with H2O Pros or the parent company H2O Global.

Ministry of Natural Resources Meeting – discussed the Elk hunt.

Water consumption reports for Deseronto water and sewer may need to be a standing item due to current levels.

MOTION #1: Moved by Douglas E. Maracle, seconded by Keith A. Sero that the Tyendinaga Mohawk Council Minutes of March 9, 2011 be accepted as corrected. Carried.

MOTION #2: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve adding a question period to each agenda after the Council Minutes section. Carried.

Jake Brant, FNTI, is holding a Career Fair at the Community Centre tomorrow and a community member is asking to utilize both floors of the Community Centre tomorrow for a funeral luncheon as they are expecting a large number of people. Staff spoke to Jake who is willing to move his function to the Orange Lodge to accommodate the funeral luncheon. Council agreed to cover the cost to move the Career Fair to the Orange Lodge and extended their thanks to Jake.

MOTION #3: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Local Business Minutes of March 16, 2011 be accepted as corrected. Carried.

MOTION #4: Moved by Keith A. Sero, seconded by Velma Hill-Dracup that Council request that staff provide a written analysis of the final report on the Tobacco Allocation for the Mohawks of the Bay of Quinte submitted by Barry Brant. Carried.

MOTION #5: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council acknowledge the Kanhiote Tyendinaga Territory Public Library Minutes of March 1, 2011. Carried.

MOTION #6: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council acknowledge the Tyendinaga Education Committee Minutes of November 17, 2010, January 5, 2011 and February 16, 2011. Carried.

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

Council confirmed the following scheduled meetings:

- March 28-29 – Chiefs of Ontario Meeting on All Day Kindergarten in Toronto – Doug Maracle – not able to attend now
- March 29-30 – Assembly of First Nations Pre-Confederation Treaties Roundtable in Ottawa – Chief Maracle, Keith Sero and Velma Hill-Dracup – Chief Maracle not able to attend now
- March 28 – Lands Meeting – Chief Maracle will attend this meeting as Matrimonial Real Property is being discussed
- March 29 – Examination for Discovery for Fergusson Fuels lawsuit – Chief Maracle
- March 30, 7:00 p.m. – Tyendinaga Mohawk Council Local Business (start at 6:00 p.m. now)
- March 30-31 – Sharing Our Lands Gathering in Toronto
- April 5, 7:00 p.m. – Concerned Citizens Meeting in Melrose
- April 7 – Ontario Chiefs Committee on Health in North Bay (**Postponed**)
- April 12-14 – Chiefs of Ontario (COO) Special Chiefs Assembly in Toronto
- April 27-28 – Association of Iroquois and Allied Indians (AIAI) Health/Social Advisory Board & Chiefs Forum in Niagara
- April 29, 7:00 p.m. – Gord Miller, Environmental Commissioner of Ontario, in Belleville

**MOTION #7:** Moved by Keith A. Sero, seconded by Velma Hill-Dracup that Council approve the following meetings outside the Territory:  
 Chief Maracle: attending Ontario Chiefs Committee on Health Meeting in North Bay when meeting is re-scheduled; attending meeting with Patrick Macklem, University of Toronto once a date has been determined  
 Chief Maracle and Velma Hill-Dracup: attending COO Special Chiefs Assembly in Toronto on April 12-14  
 Chief Maracle, Roy Maracle, Keith Sero and Velma Hill-Dracup: attending AIAI Health/Social Advisory Board & Chiefs Forum in Niagara Falls on April 27-28

Carried.

**MOTION #8:** Moved by Velma Hill-Dracup, seconded by Keith A. Sero that Council approve the following Council Meetings for April 2011:  
 Regular: April 6 and 20, 2011 at 9:00 a.m.  
 Local Business: April 13 and 20, 2011 at 7:00 p.m.

Carried.

**MOTION #9:** Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve meeting on March 24, 2011 at 10:00 a.m. with Infrastructure and Housing to review the 2011/2012 Proposed Budgets.

Carried.

Jim Pine, Project Co-Lead, Eastern Ontario Wardens' Caucus Regional Broadband Project, requested to speak with the Tyendinaga Mohawk Council to ask if the Mohawks of the Bay of Quinte is interested in participating in the Request for Proposal for this project that will offer broadband across eastern Ontario.

**MOTION #10:** Moved by Douglas E. Maracle, seconded by Keith A. Sero that Council approve the recommendation from Brian Hamilton, CAO, and Chris Maracle, IT Manager, that the Mohawks of the Bay of Quinte not be part of the Request for Proposal for the Eastern Ontario Wardens' Caucus Regional Broadband Project; however, we would be willing to share expertise down the road, as we are already involved in our own fibre optic project.

Carried.

Council discussed the fibre project – want to see workplan from FiberNet on completing project; make sure the Ministry of Transportation Permit is in place; make sure all insurance is in place; fix the service agreement; clarifying if the fibre project is a program and updating a communiqué for release.

MOTION #11: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council requests a workplan from FiberNet by April 1, 2011 outlining the plan to complete the fibre project.

Carried.

MOTION #12: Moved by Roy C. Maracle, seconded by Velma Hill-Dracup that Council approve that the Fibre-to-the-Home Project will be a program of the Mohawks of the Bay of Quinte when it's ready to be operational unless the Tyendinaga Mohawk Council directs otherwise.

Carried.

Keith A. Sero – negative; the Council should not be in service delivery of a commercial undertaking.

MOTION #13: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve meeting with Greg Brant on April 4 or 7, 2011 at 10:00 a.m. to discuss two community members' issues.

Carried.

MOTION #14: Moved by Douglas E. Maracle, seconded by Velma Hill Dracup that Council approve meeting with Christine Claus on April 4 or 7, 2011 at 1:00 p.m. to discuss the Annual Report.

Carried.

MOTION #15: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council decline Richard Brant's request to place an ad in the Newsletter about a gaming establishment as this is in violation of the Casino Rama Agreement.

Carried.

Council did not wish to nominate anyone for the Association of Iroquois and Allied Indians Elections for Grand Chief and Deputy Grand Chief.

MOTION #16: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve paying the invoice from Blaney McMurtry dated February 28, 2011 in the amount of \$4,362.48 regarding the former Bench Tech Building.

Carried.

MOTION #17: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve paying invoice #537 from Patrick Schindler dated February 28, 2011 in the amount of \$2,940.00 regarding claims against the Federal Government on the Airport Lands.

Carried.

MOTION #18: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve paying invoice #538 from Patrick Schindler dated February 28, 2011 in the amount of \$2,205.00 regarding the Waste Management litigation.

Carried.

MOTION Moved by Keith A. Sero, seconded by \_\_\_\_\_ that Council decline utilizing the Casino Rama funds in the amount of \$295,647.97 for the 2010/2011 Fibre to the Home – Operations Budget.

No Secunder.

MOTION #19: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council approve to utilize the Casino Rama funds under the Economic Development Component in the amount of \$295,647.97 for the 2010/2011 Fibre to the Home – Operations Budget. M.C.R. #2010/11-111

Carried.

Keith A. Sero – negative; the Council should not be in service delivery of a commercial undertaking.

Provide an explanation of what activities have taken place.

MOTION #20: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council defer the revised Memorandum of Understanding between Hastings Children's Aid Society and the Mohawks of the Bay of Quinte, Mohawk Family Services for review of the document.

Carried.

MOTION #21: Moved by Velma Hill Dracup, seconded by Douglas E. Maracle Whereas, the Mohawks of the Bay of Quinte believe that the conservation of resources is the first and foremost, important aspect of life; and Whereas, the Mohawks of the Bay of Quinte understands that if the resource isn't managed, our Hunting and Fishing Rights would be useless; and Whereas, the Tyendinaga Mohawk Council understands that walleye return to the same waters where they spawned; Therefore be it Resolved that the Tyendinaga Mohawk Council hereby request that the Tyendinaga Mohawk Police Services monitor and remove all nets from the creeks and rivers and the mouth of these watercourses within the Tyendinaga Mohawk Territory during the 2011 spawning season, and every year thereafter. M.C.R. #2010/11-112

Carried.

MOTION #22: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve allowing the Harvest Managers to practice their conservation measures in the Moira River as well as the Salmon River and the Bay of Quinte in order to help boost the stock for years to come and ensure a healthy walleye population.

Carried.

MOTION #23: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve signing the Agreement between the Fisheries and Oceans Canada, Sea Lamprey Control Centre, and the Mohawks of the Bay of Quinte regarding the Salmon River Trapping Study Operations for 2011 and approve of Carter Maracle continuing as the contractor for this project.

Carried.

MOTION #24: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council approve the Land Transfer from Gary Robert Sero to Nicholas Michael Sero, the whole of Parcel L, Lot 5, Concession 2 as shown on Plan No. 5184.

Carried.

MOTION #25: Moved by Douglas E. Maracle, seconded by Keith A. Sero that Council approve the Land Transfer from Shirley Eileen Maracle, Debra Ann Vincent and Linda Susan O'Coin as joint tenants to Debra Ann and Thomas Hector Vincent as joint tenants, the whole of Lot 4-2, Concession A, as shown on Plan No. RSO 2826.

Carried.

Council recessed for lunch at 12:25 p.m. and returned at 2:30 p.m. Velma Hill-Dracup did not return due to a medical appointment.

MOTION #26: Moved by Roy C. Maracle, seconded by Keith A. Sero that Council approve the Land Transfer from Robert Austin Lowry to Gregory Paul Lowry, the whole of Lot 22A-8-1, Concession A as shown on Plan No. RSO 5795.

Carried.

MOTION #27: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council defer the Land Transfer from Terry James Claus to the Mohawks of the Bay of Quinte until the April 20, 2011 Council Meeting to see if we receive a response to the letter dated March 15, 2011.

Carried.

MOTION #28: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve posting for sale Lot 33S-1 and 33T-1-1, getting clarification on who owns Lot 33T-1-2 and providing a report on MBQ expenses to TMC to confirm a minimum bid before posting.

Carried.

Roy C. Maracle – negative; we shouldn't sell land that we may be able to use ourselves.

MOTION #29: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve requesting to appear as a witness before the Standing Committee on Aboriginal Affairs for land claims over \$150 million as the majority of our claims have the potential for being in excess of \$150 million.

Carried.

MOTION #30: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve scheduling a half hour at a regular Council meeting to hear a presentation from Melinda Commanda, Field Operations Supervisor, about the 2011 Census and the National Household Survey; but this is not consultation.

Carried.

MOTION #31: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve the request from the Mohawk Fair Board to waive the rental fees for the Ball Diamonds and Canteen and one level of the Community Centre for fundraising purposes on May 7, 2011

Carried.

MOTION #32: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council approve meeting with Jamie Maskill, Belleville and Quinte West Community Health Centre, on April 4 or 7, 2011 to discuss Nurse Practitioner services.

Carried.

MOTION #33: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council defer selecting a date for signing a Memorandum of Understanding (MOU) with Corrections Canada to construct a modular home for more information; i.e. floor plan, costs, where will unit go, MOU, technical review and sign off. Bring forward at budget meeting tomorrow.

Carried.

Keith Sero – grocery store in Picton charges HST and will not exempt the PST when a band card is used – obtained copy of store's policy – Chief forwarded notice to Chris McCormick at AIAI.

MOTION #34: Moved by Douglas E. Maracle, seconded by Keith A. Sero that Council approve getting a survey done for the road allowance off of Iona's Road.

Carried.

Roy C. Maracle – negative; other roads in such bad shape.

Stake out exactly where the road goes.

MOTION #35: Moved by Roy C. Maracle, seconded by Douglas E. Maracle to go in private. (3:57 p.m.)

Carried.

Summary of Private Minutes:

- Approval of Private Minutes: March 9, 2011 and March 11, 2011 Special
- Acknowledged Foreclosure Notice delivered
- Approved two (2) Human Resources issues

Recorded by:  
Angela Maracle

Brian Hamilton  
Chief Administrative Officer

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Chief R. Donald Maracle