

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

A meeting of the Tyendinaga Mohawk Council was held on Tuesday, September 20, 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
Staff: Angela Maracle, A/CAO, Lisa Maracle, Senior Manager Trainee and Bryce McMurter, Senior Manager Trainee

MOTION #1: Moved by Keith A. Sero, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Minutes of July 20, 2011 be accepted.
Carried.

MOTION #2: Moved by Velma Hill-Dracup, seconded by Keith A. Sero that the Tyendinaga Mohawk Council Special Minutes of July 28, 2011 be accepted.
Carried.

MOTION #3: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that the Tyendinaga Mohawk Council acknowledge the Kanhiote Public Library Minutes dated September 6, 2011.
Carried.

Council confirmed the following scheduled meetings:

- September 22, 3:00 p.m. – First Nation Technical Institute Annual General Meeting
- September 28, 7:00 p.m. – Tyendinaga Mohawk Council Local Business Meeting

MOTION #4: Moved by Velma Hill-Dracup, seconded by Keith A. Sero that Council approve the following meetings outside the territory:
Chief: attended the AIAI Chiefs Council meeting on September 19, 2011 in Hiawatha; attending the Iroquois Caucus on October 4, 5 & 6, 2011 in Ottawa; attending a meeting with OFNLP Human Rights Case in Ottawa on October 25, 2011; attending the Chiefs Committee on Health date to be determined;
Carried.

MOTION #5: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve the following Council Meetings for October 2011:
Regular: October 6 at 11:00 a.m. and 19 at 9:00 a.m.
Local Business: October 12 and 26 at 7:00 p.m.
Carried.

MOTION #6: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve Kristen Bird, Tyendinaga Secondary School Native Liaison and Matt Sager, Tyendinaga Secondary School Native Liaison escorting approximately 15 high school students to Syracuse University on September 23, 2011.
Carried.

MOTION #7: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve the editorial amendments to the Mohawks of the Bay of Quinte Post Secondary Education Policy and Procedures for Application.
Carried.

MOTION #8: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council acknowledge the Thank You Certificate from the Mohawk Agricultural Society for the Mohawks of the Bay of Quinte Donation.
Carried.

MOTION #9: Moved by Keith A. Sero, seconded by Velma Hill-Dracup that Council approve the Terms of Reference for the Mohawks of the Bay of Quinte Executive Team and the Management Forum.
Carried.

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

- MOTION #10: Moved by Velma Hill-Dracup, seconded by Keith A. Sero that Council approve an additional 45 hours to the Elstree Group Contract for Management Human Resources Consultant services if needed.
Carried.
Douglas E. Maracle – Negative Vote
- MOTION #11: Moved by Velma Hill-Dracup, seconded by Roy C. Maracle that Council approve payment of Alan Pratt invoice #3652 in the amount of \$6,521.76 regarding the Culbertson Tract Land Claim and #3651 in the amount of \$972.00 regarding General Matters.
Carried.
- MOTION #12: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council acknowledge the Indian and Northern Affairs Canada 2010/11 Audit Review.
Carried.
- MOTION #13: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the Health Canada Notice of Budget Adjustment – ON0900124-A16 for the increase funding of \$29, 473 annually for the Aboriginal Head Start On-Reserve Program; increase funding of \$4,000 annually for the Maternal and Child Health Program; 2011/2012 one time funding of \$18,088 for the Early Learning and Child Care Program; 2012/2013 funding allocation of \$58,747 for the Maternal and Child Health Program and 2012/2013 funding allocation of \$29,473 for the Head Start Program.
Carried.
- MOTION #14: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve signing the Iroquois Caucus Flow-through Agreement for Caucus activities.
Carried.
- MOTION #15: Moved by Keith A. Sero, seconded by Velma Hill-Dracup that Council defer signing the Ontario First Nations Policing Agreement 2011/2012 until November 1, 2011 for the meeting to review the agreement at the Chiefs of Ontario Office in October 2011.
Carried.
- MOTION #16: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve the Aboriginal Affairs and Northern Development Canada Notice of Budget Adjustment 0001 for an increase funding in the amount of \$108,537 for Busing.
Carried.
- MOTION #17: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council formally approve purchasing a new truck for the busing program in the amount of \$24,184.00 as the 1999 truck has high mileage, an increase cost to repair and for safety reasons.
Carried.
Keith A. Sero Negative Vote as this request was not tendered as per policy and was not brought to Council for discussion.
- MOTION #18: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve to post the 1999 truck for sale.
Carried.
- MOTION #19: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council formally approve purchasing a new physical disability 52 passenger bus in the amount of \$95,540.00.
Carried.
Keith A. Sero Negative Vote as this request was not tendered as per policy and was not brought to Council for discussion.

- MOTION #20: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve to hire monitors to ride the school buses on a as needed basis.
Carried.
- MOTION #21: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve that all employees receiving vacation pay weekly must comply with the Canada labour code.
Carried.
- MOTION #22: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve signing the Funding Arrangement between the Mohawks of the Bay of Quinte and First Nations Technical Institute for the Ohahase Program.
Carried.
- MOTION # 23: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council acknowledge receipt of funding from Aboriginal Affairs and Northern Development Canada – Lands Environment Action Fund in the amount of \$7,370.00 for the Ministry of the Environment Licensing Groundwater Monitoring – Class 5 License and approve Liz Brant, Crystal Maracle, Kristin Maracle, Tom Kring and Aaron Maracle attend the training.
Carried.
- MOTION #24: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve signing the Land Easements with Cherie Brant and Joseph Brant for Lot 15F-2, Concession A, as shown on Plan No. CLSR 99194 and Lot 15F-4-4, Concession A, as shown on Plan No. CLSR 9913 for the Water Treatment Plant
Carried.
Keith A. Sero Abstained
- MOTION #25: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve the Land Transfer from Cherie Lynn Brant and Joseph Jay Brant to the Mohawks of the Bay of Quinte the whole of Lot 15M-2-1, Concession A as shown on Plan No. CLSR 99193. For the Water Treatment Plant.
Carried.
Keith A. Sero Abstained
- MOTION #26: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve the Land Transfer from Cherie Lynn Brant and Joseph Jay Brant to the Mohawks of the Bay of Quinte the whole of Lot 15K-4-2, Concession A as shown on Plan No. CLSR 99193. For the Water Treatment Plant.
Carried.
Keith A. Sero Abstained
- MOTION #27: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the Land Transfer from Cherie Lynn Brant and Joseph Jay Brant to the Mohawks of the Bay of Quinte the whole of Lot 15K-4-3, Concession A as shown on Plan No. CLSR 99193. For the Water Treatment Plant.
Carried.
Keith A. Sero Abstained
- MOTION #28: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the Land Transfer from Joseph Jay Brant to the Mohawks of the Bay of Quinte the whole of Lot 15K-3, Concession A as shown on Plan No. CLSR 99193. For the Water Treatment Plant low lift station.
Carried.
Keith A. Sero Abstained

- MOTION #29: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council approve the Land Transfer from Gregory Philip Brant and Gail Elizabeth Brant to Gregory Philip Brant the whole of Lot 18C-2, Concession A, as shown on Plan No. CLSR 75639.
Carried.
- MOTION #30: Moved by Velma Hill-Dracup, seconded by Keith A. Sero that Council approve the Land Transfer from Shirley Eileen Maracle and Linda Susan O'Coin to Debra Ann and Thomas Hector Vincent the whole of Lot 5-2, Concession A, as shown on Plan No. RSO4328R.
Carried.
- MOTION #31: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve the Land Transfer from Seth James Lefort to John Thomas Jr. Baptiste the whole of Lot 6E-2, Concession 2, as shown on Plan No. CLSR 60495.
Carried.
- MOTION #32: Moved by Roy C. Maracle, seconded by Douglas E. Maracle that Council approve the Land Transfer from Kenneth Wayne Brant, John Edward Thohate Maracle and William Arthur Brant all as joint tenants to Kenneth Wayne Brant, John Edward Thohate Maracle, William Arthur Brant and Glenn William Maracle all as joint tenants the whole of Lot 31E-6-1, Concession A, and the whole of Lot 31E-5-1, Concession A as shown on Plan No. RSO 5474R.
Carried.
- MOTION #33: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle That the Tyendinaga Mohawk Council give notice to the Registrar of the acceptance of
Name: Gilbert Stephen Schwager
Birthdate: February 28, 1956
Registry No.: 1591256401
in the membership of the Mohawks of The Bay of Quinte Band and to request that departmental records be amended to reflect his addition to our Registry group. MCR #2011/12-058
Carried.
- MOTION #34: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council acknowledge the Bank of Montreal Housing Loan Program Report for June, July and August 2011.
Carried.
- MOTION #35: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council formally approve contracting with Build All Contractors in the amount of \$4,073.00 for the dismantle and removal of debris from 12 Deseronseh Crescent. Other tenders received by KC Builders in the amount of \$13,680.00 and MW Construction in the amount of \$13,805.00.
Carried.
- MOTION #36: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council approve scheduling a meeting with Lynn Brant on September 21, 2011 at 9:00 a.m. to complete the Accreditation Survey.
Carried.
- MOTION #37: Moved by Douglas E. Maracle, seconded by Roy C. Maracle that Council acknowledge the report from Red Cedars Shelter for the Silent Auction results of surplus items.
Carried.

- MOTION #38: Moved by Velma Hill-Dracup, seconded by Roy C. Maracle that Council approve funding in the amount of \$30,572.40 for the Fitness Centre for Equipment, washer & dryer, expenses to install the washer & dryer and a custodian.
Carried.
- MOTION #39: Moved by Keith A. Sero, seconded by Velma Hill-Dracup that Council request the Fitness Centre submit a report regarding the membership and fee increases.
Carried.
- MOTION #40: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council defer the request to have a representative on the Hastings Prince Edward County Health Unit Advisory Group until staff ask Curve Lake if it is something we should consider.
Carried.
- MOTION #41: Moved by Keith A. Sero, seconded by Velma Hill-Dracup that Council approve scheduling a meeting with the Council from Oneida First Nation on September 27, 2011 at 10:00 in Toronto at the Chiefs of Ontario Office discuss the Association of Iroquois and Allied Indians Business.
Carried.
- MOTION #42: Moved by Douglas E. Maracle, seconded by Keith A. Sero that Council approve sending a letter to Durham College regarding declining the request to have a representative on the Aboriginal Advisory Circle.
Carried.
- MOTION #43: Moved by Douglas E. Maracle, seconded by Velma Hill-Dracup that Council approve naming the new road north of Iona's Road Iva's Road.
Carried.
- MOTION #44: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle that Council formally approve awarding the contract to G.F. Roofing in the amount of \$17,872.00 to shingle the roof at the Trinity Church. Money to come from the Turton Penn Account. Other tenders received by Build All Contractors in the amount of \$26,450.00, Kevin White in the amount of \$24,000.00 and RB Contracting & Estimating in the amount of \$21,159.00. Verbal approve was given on September 19, 2011.
Carried.
- MOTION #45: Moved by Keith A. Sero, seconded by Douglas E. Maracle that Council formally approve awarding the contract to Brant's Heating & Cooling in the amount of \$7,475.78 for the Mechanical work at the Trinity Church. Money to come from the Turton Penn Account. Other tenders received by MCal Heating & Cooling in the amount of \$7,950.00. Verbal approve was given on September 19, 2011.
Carried.
- MOTION #46: Moved by Velma Hill-Dracup, seconded by Keith A. Sero **Whereas**, Drain-All has applied for a C of A to process or transfer 51 different chemicals and landfill leachate to service Canada and the United States.
Whereas, the proposed operations of the Drain-All site is to operate 365 days of the year, 7 days a week and 24 hours a day; and
Whereas, the Drain-All proposal is to treat the various chemicals through the Town of Greater Napanee Sewage Plant; and

Whereas, the Town of Greater Napanee Sewage Plant discharges to the Napanee River which ultimately flows into the Bay of Quinte; and

Whereas, a technical assessment of the operational capacity has not been provided of the Town of Greater Napanee Sewer Plant demonstrating that it is sufficiently designed to handle the additional capacity and treatment requirements for the contaminants discharged into the sewer system; and

Whereas, it is the Town of Greater Napanee that assumes the liability for all discharge from the Town of Greater Napanee Sewer Plant and not Drain-All; and

Whereas, there has been no independent report available yet to assess the environmental and health risks the proposal presents; and

Whereas, the Drain-All proposal has not been reviewed by the Source Water Protection Committee representing the Bay of Quinte Watershed; and

Whereas, the Mohawks of the Bay of Quinte and the Town of Deseronto rely on the Bay of Quinte for the water supply for the Deseronto Water Plant servicing both communities;

Whereas, the Bay of Quinte is a protected body of water under the Bay of Quinte Remedial Action Plan with the purpose to minimize contamination and phosphorous loading in the Bay of Quinte

Therefore be it resolved that the Tyendinaga Mohawk Council remain opposed to additional contaminant loading into the Napanee River system or the Bay of Quinte and request the Ministry of the Environment reject the Drain-All application.

M.C.R. #2011/12-059.

Carried.

MOTION #47: Moved by Velma Hill-Dracup, seconded by Douglas E. Maracle to go in private. (4:00 p.m.)

Carried.

Summary of Private Minutes:

- Addressed (4) Four Human Resource Issues
- Approved (1) One Home Renovation Loan in the amount of \$30,484.00

Recorded by:
Shelley Bowden

Angela Maracle
A/Chief Administrative Officer

Chief R. Donald Maracle