

**TYENDINAGA MOHAWK COUNCIL MINUTES
JUNE 24, 2015**

A meeting of the Tyendinaga Mohawk Council was held on Wednesday, June 24, 2015 at 9:00 a.m. in the Council Chambers.

Present: Chief R. Donald Maracle
Councillors: Barry Brant, Douglas E. Maracle and Carl E. (Ted) Maracle
Staff: Dan Brant, CAO and Angela Maracle, Senior Director of Operations

Chief Maracle opened the meeting with a Prayer

Lisa Maracle, Director of Community Services, Amy Cowie, Researcher, Tanya King-Maracle, Policy Analysis and Catherine Irwin-Gibson attended Council to discuss Traditional Land Research report – Phase 1.

MOTION #1: Moved by Douglas E. Maracle, seconded by Carl E. (Ted) Maracle that the Tyendinaga Mohawk Council Minutes of June 3, 2015 be accepted as read.

Carried.

MOTION #2: Moved by Carl E. (Ted) Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Special Minutes of June 5, 2015 be accepted as read.

Carried.

MOTION #3: Moved by Carl E. (Ted) Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Local Business Minutes of June 10, 2015 be accepted as read.

Carried.

MOTION #4: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve the 28(2) Permit for Union Gas.

Carried.

Council confirmed the following scheduled meetings:

- June 29, 9:30 a.m. – South East Local Integrated Health Network Orientation Meeting
- June 30, 2:30 p.m. – Meeting Re: Process for Permission to Harvest
- July 3, 2:30 p.m. – Pan Am/ParaPan Am Games Torch Relay Community Celebration
- July 29 & 30, 2015 – Iroquois Caucus

MOTION #5: Moved by Carl E. (Ted) Maracle, seconded by Douglas E. Maracle that Council approve the following meetings outside the Territory:

Chief: attending a Ontario First Nation Limited Partnership meeting date and location to be determined;

Carried.

MOTION #6: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve the following Council Meetings for June 2015:
Regular: July 8 & 22 at 9:00 a.m.
Local Business: July 15 & 29 at 7:00 p.m.

Carried.

- MOTION #7: Moved by Barry Brant, seconded by Douglas E. Maracle that Council decline the request from the Ministry of the Attorney General to forward the Band Electoral list for the Ministry's use for Jury Selection.
Carried.
- MOTION #8: Moved by Carl E. (Ted) Maracle, seconded by Douglas E. Maracle that Council approve Quinte Search and Rescue posting "Call *16" signs at the boat launches within the territory. And invite the Quinte Search and Rescue to attend the July 8, 2015 Council meeting.
Carried.
- MOTION #9: Moved by Carl E. (Ted) Maracle, seconded by Barry Brant that Council approve to renew the Mortgage Protection Insurance Policy for 2015.
Carried.
- MOTION #10: Moved by Barry Brant, seconded by Douglas E. Maracle that Council acknowledge the First Nations Finance Authority Annual General Assembly on July 16, 2015.
Carried.
- MOTION #11: Moved by Douglas E. Maracle, seconded by Carl E. (Ted) Maracle that Council approve scheduling a meeting with the Tyendinaga Community Development Fund on July 15, 2015 at 5:00 p.m..
Carried.
- MOTION #12: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve payment of the invoices from Blaney McMurtry #556482 in the amount of \$600.00 re: Collection of Andrew Clifford Maracle Judgment
Carried.
- MOTION #13: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve payment of the invoices from Hicks Morley #341079 in the amount of \$700.00 re: CHRC Complaint and #341078 in the amount of \$1,105.00 re: HRT0 Application.
Carried.
- MOTION #14: Moved by Douglas E. Maracle, seconded by Carl E. (Ted) Maracle that Council approve payment of the invoice from Alan Pratt #4403 in the amount of \$3,825.00 re: Turton Penn Loss of Use.
Carried.
- MOTION #15: Moved by Carl E. (Ted) 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 \$42,310.08 for the Richmond Landfill for 2014-15 fiscal year.M.C.R. #2015/16-040.
Carried.
- MOTION #16: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve signing a letter for Richard Lewis for the fees to be waived for his application for his Possession and Acquisition License.
Carried.
- MOTION #17: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve the contract with Dr. Joy Bilharz in the amount of \$20,000.00 to complete research on harvesting and economic activities in New York State.
Carried.

MOTION #18: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve to participate and speak at the National Land Claims Workshop regarding the Turton Penn Land Claim or Surrender 24.

Carried.

MOTION #19: Moved by Barry Brant, seconded by Douglas E. Maracle that WHEREAS ANDREW CLIFFORD MARACLE ("Maracle"), a member of the Mohawks of the Bay of Quinte ("MBQ"), is indebted to MBQ;

AND WHEREAS the Order of the Honourable Justice Tranmer of August 14, 2013 (the "Order"), which is attached to this Resolution, in paragraph 1 orders Maracle to transfer his certificate of possession to Parcel 1, as listed on Schedule A to the Order, and to submit those documents to the Indian Land Registrar within 14 days;

AND WHEREAS the Order was upheld by the Order of the Court of Appeal for Ontario of July 30, 2014, which is also attached to this Resolution;

AND WHEREAS the Supreme Court of Canada by Judgment dated February 26, 2015, which is also attached to this Resolution, refused the application of Maracle for leave to appeal the Order of the Court of Appeal for Ontario;

AND WHEREAS the lawyer for MBQ by letter dated March 20, 2015, gave notice to the lawyer for Maracle, that if Maracle had not complied with paragraph 1 of the Order by April 2, 2015, that MBQ would implement paragraph 2 of the Order;

AND WHEREAS Maracle has not complied with paragraph 1 of the Order;

BE IT RESOLVED THAT:

1. This Council approves the transfer of Lot 31C-2, Concession A from Maracle to MBQ pursuant to the Order (the "Transfer") and section 24 of the Indian Act; and
2. This Council, pursuant to paragraph 2 of the Order, authorizes Chief R. Donald Maracle to complete on behalf of Maracle any documents required to give effect to the Transfer and to submit the required documents, together with this Resolution, to the Indian Land Registrar.

M.C.R. #2015/16-041.

Carried.

- MOTION #20: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve to schedule a meeting with staff to review the Travel Policy and the Code of Ethics Policy on July 8, 2015 at 9:00 a.m.
Carried.
- MOTION #21: Moved by Carl E. (Ted) Maracle, seconded by Barry Brant that Council acknowledge receipt of the \$5,000.00 grant from the Pan/Parapan American Games Secretariat for the Torch Relay Community Grant Program.
Carried.
- MOTION #22: Moved by Carl E. (Ted) Maracle, seconded by Douglas E. Maracle that Council approve the New Business Registration for Buck Horns Convenience, Owners Joshua Maracle and Isaac Maracle, type of business: Convenience.
Carried.
- MOTION #23: Moved by Douglas E. Maracle, seconded by Barry Brant that Council approve the New Business Registration for G-Tech Training Solutions, Owner Keith L. Maracle, type of business: Gas Technician Training Centre.
Carried.
- MOTION #24: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve the New Business Registration for Cubby's Catering, Owner Orval Brant, type of business: Catering.
Carried.
- MOTION #25: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve the Business Registration Renewal for Cubby's Chip Truck, Owner Orval Brant, type of business: Chip Truck.
Carried.
- MOTION #26: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve the Land Transfer from Earl Peter Keith to Amber Dakota Dawn Brant the whole of Lot 34A-1-2 Concession A, as shown on Plan No. RSO 5215R together with right of way according to Reg#257490.
Carried.
- MOTION #27: Moved by Douglas E. Maracle, seconded by Barry Brant that Council approve the Land Transfer from Margurite Viola Maracle and Karen Anne Maracle to Margurite Viola Maracle, Karen Anne Maracle and Cassie Laine Thompson, the whole of Lot 28B-1 Concession 1, as shown on Plan No. 76646 CLSR.
Carried.
- MOTION #28: Moved by Douglas E. Maracle, seconded by Barry Brant that Council approve the Land Transfer from Stephen Robert Green and Danielle Carlene Smart to Robbie Ward Scero the whole of Lot 36B-14-1 Concession 2, as shown on Plan No. 91878 CLSR.
Carried.
- MOTION #29: Moved by Carl E. (Ted) Maracle, seconded by Barry Brant that Council approve the Land Transfer from Carman Alwood Sero Christopher Montgomery Maracle and Susan Lynn Maracle the whole of Lot 21, Parcel J, Concession A, as shown on Plan No. CLSR 5072.
Carried.

MOTION #26: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve the temporary road closure request from Union Gas for Sero's Road and request compensation in the amount of \$32,400.00.

Carried.

MOTION #27: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle to go in private. (3:00 p.m.)

Carried.

Summary of Private Minutes:

- Approved the Private Minutes: June 3, 2015; June 10, 2015, Local Business
- Approved First Nations Market Housing Fund/Bank of Montreal Loan Guarantee in the amount of \$191,400.00

Recorded by:
Shelley Bowden

Dan Brant
CAO

Chief R. Donald Maracle