

**TYENDINAGA MOHAWK COUNCIL MINUTES
MARCH 3, 2015**

A meeting of the Tyendinaga Mohawk Council was held on Tuesday, March 3, 2015 at 9:25 a.m. in the Council Chambers.

Present: Chief R. Donald Maracle
Councillors: Douglas E. Maracle, Carl E. (Ted) Maracle and Sandra Lewis-den Otter. Barry Brant arrived at 11:55 a.m.
Staff: Dan Brant, CAO, and Angela Maracle, Senior Director of Operations

Chief Maracle opened the meeting with a Prayer.

MOTION #1: Moved by Carl E. (Ted) Maracle, seconded by Douglas E. Maracle that the Tyendinaga Mohawk Council Minutes of February 18, 2015 be accepted as corrected.
Carried.

Council discussed e-mails between Irene Cameron and Dan Brant requesting a Triwin Business presentation to Council. Carl Ted Maracle handed out a letter he received from Clifford Maracle (Miracle) which was a draft letter of support to Triwin Holding Group Ltd. for Chief Maracle's signature. The rest of TMC have not seen this draft letter of support before today.

MOTION #2: Moved by Carl E. (Ted) Maracle, seconded by Sandra Lewis-den Otter that Council defer the request by Triwin Holding Group Ltd. for a joint venture as insufficient information has been provided to consider this.
Carried.

MOTION #3: Moved by Carl E. (Ted) Maracle, seconded by Douglas E. Maracle that Council approve meeting with Cherie Brant on March 31, 2015 at 2:00 p.m. in Toronto to discuss the status of the sale of the Ernestown Wind Power Project.
Carried.

MOTION #4: Moved by Sandra Lewis-den Otter, seconded by Douglas E. Maracle that Council approve meeting with staff on March 16, 2015 at 12:00 p.m. to discuss the Culbertson Tract issue prior to the meeting with the Deputy Minister on March 31, 2015.
Carried.

MOTION #5: Moved by Sandra Lewis den-Otter, seconded by Douglas E. Maracle
WHEREAS,
A. the Mohawks of the Bay of Quinte is named in the Schedule to the First Nations Fiscal Management Act ("the Act");
B. the Mohawks of the Bay of Quinte has enacted a financial administration law under section 9(1) of the Act and the law has been issued a compliance approval by the First Nations Financial Management Board ("the FMB") under section 9(1) of the Act; and
C. Council of the Mohawks of the Bay of Quinte wishes to request the FMB to review the Mohawks of the Quinte's financial management system and issue the Mohawk of the Bay of Quinte a Financial Management System Certificate under section 55 of the Act.
NOW THEREFORE BE IT RESOLVED, that Council, for and on behalf of the Mohawks of the Bay of Quinte hereby:
1. Directs and authorizes Daniel J. Brant, CAO, on behalf of the Mohawks of the Bay of Quinte to do the following:

- a. to seek the informal assistance of the FMB as available and appropriate in order to receive a Financial Management System Certificate from the FMB;
 - b. to request the FMB to conduct a formal review of the Mohawks of the Bay of Quinte's financial management system to determine if the Mohawks of the Bay of Quinte is, at the time of the review, in compliance with the FMB's Financial Management System Standards and to issue a Financial Management System Certificate to the Mohawks of the Bay of Quinte under section 50(3) of the Act;
 - c. to communicate with and provide all requested documents and information to the person authorized by the FMB to conduct the review of the Mohawks of the Bay of Quinte's financial management system on behalf of the FMB ("the reviewer") as required under the FMB's Financial Management System Procedures;
2. directs and authorizes the following persons to cooperate with the reviewer as required in the FMB's Financial Management System Certification Procedures, when carrying out a formal review of the Mohawks of the Bay of Quinte's financial management system:
 - a. all councillors, officers, employees and auditors of the first nation; and
 - b. all contractors, agents or advisors of the first nation who are performing any services for or advising the first nation respecting its financial management system or who have custody or control over any first nation records;
 3. confirms that the Mohawks of the Bay of Quinte
 - a. has enacted and brought into force the Mohawks of the Bay of Quinte Financial Administration Law (the Law), for which the FMB has issued a compliance approval under section 9 of the Act, and
 - b. has not repealed the Law, and
 - c. has not amended or repealed and replaced the Law without requesting the FMB to review the amending or replacement law and issue a compliance approval under section 9 of the Act;
 4. confirms and agrees that the Mohawks of the Bay of Quinte will indemnify, defend and hold harmless the FMB, its directors, officers and employees and every person acting on behalf of or under the direction of the FMB, its directors, officers or employees from any damages, costs, claims or causes of action arising from the conduct of a review of the financial management system under the Financial Management System Certification Procedures, from the reporting and consideration of the results of the review, from the giving of an opinion respecting the review and from the issuance or revocation of a Financial Management System Certificate unless these damages, costs, claims or causes of action result from gross negligence or bad faith; and
 5. confirms that this resolution was approved at a duly called and conducted Council meeting of the Mohawks of the Bay of Quinte at which the required quorum of councillors was present throughout and that the required number of councillors approved the resolution at the meeting. M.C.R. #2014-15-081
Carried.

MOTION #6: Moved by Sandra Lewis-den Otter, seconded by Douglas E. Maracle that Council approve signing the Funding Agreement between the Mohawks of the Bay of Quinte and The First Nations Financial Management Board in the amount of \$15,000.00 to develop a financial administration law and signing a Financial Management System Funding Agreement between the Mohawks of the Bay of Quinte and The First Nations Financial Management Board in the amount of \$10,000.00 for Phase I to develop capacity to meet financial management system requirements.

Carried.

Council took a recess while Chief Maracle had a conference call at 11:00 a.m. regarding the Ontario First Nations Policing Agreement. Council re-convened at 11:55 a.m.

Barry Brant joined the meeting at 11:55 a.m.

Council confirmed the following scheduled meetings:

- March 9, 2015 – Examination of Discovery – Police Building in Toronto – examination has been changed to March 12
- March 10 & 11, 2015 – AIAI Chief's Council Meeting on Child Welfare in Rama
- March 11, 7:00 p.m. – Tyendinaga Mohawk Council Local Business Meeting
- March 13, 9:00 a.m. – Tyendinaga Mohawk Council Meeting on Budgets
- March 18, 9:00 a.m. – Tyendinaga Mohawk Council Meeting
- March 25, 7:00 p.m. – Tyendinaga Mohawk Council Local Business Meeting
- March 31, 11:00 a.m. – Meeting with Deputy Minister Richardson in Toronto

MOTION #7: Moved by Carl E. (Ted) Maracle, seconded by Barry Brant that Council approve the following meetings outside the Territory:
Doug: attending AIAI Constitution Meeting on March 9, 2015 in Orillia
TMC: attending meeting with Deputy Minister Debra Richardson on March 31, 2015 at 11:00 a.m. in Toronto

Carried.

MOTION #8: Moved by Sandra Lewis-den Otter, seconded by Douglas E. Maracle that Council approve meeting on March 25, 2015 at 1:00 p.m. to discuss the Matrimonial Real Property legislation and process within MBQ.

Carried.

MOTION #9: Moved by Carl E. (Ted) Maracle, seconded by Barry Brant that Council approve to sign a Transmission and Agency Agreement between MBQ and VMedia to provide television service upon successful completion of a 30-day testing period and having MBQ/7th Gen be the collecting agent.

Carried.

MOTION #10: Moved by Barry Brant, seconded by Douglas E. Maracle that Council accept the invitation and acknowledge that Council has been selected to be the 2015 Language Hero by the Tyonnheht Onkwawenna Board of Directors.

Carried.

MOTION #11: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve payment of the following invoices from Hicks Morley: invoice #329408 in the amount of \$417.09 for General Matters and invoice #329409 in the amount of \$490.59 for C. Thompson CHRC Complaint.

Carried.

- MOTION #12: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve payment of the invoice dated February 17, 2015 from Templeman Menninga in the amount of \$2,355.00 for General Matters.
Carried.
- MOTION #13: Moved by Douglas E. Maracle, seconded by Sandra Lewis-den Otter that Council approve the business renewal application for Village Variety and Gas Bar, Work Gear and Lewis Lacrosse, type of business: gas bar, convenience store, retail for work apparel and retail, Trevor Lewis – owner.
Carried.
Barry Brant declared conflict of interest and did not vote
- MOTION #14: Moved by Carl E. (Ted) Maracle, seconded by Sandra Lewis-den Otter that Council approve the business registration for Elements of Nature, type of business: retail, Clint Brant – owner.
Carried.
- MOTION #15: Moved by Douglas E. Maracle, seconded by Sandra Lewis-den Otter that Council approve the business registration for DGL Admin Services, type of business: administrative (computer work, data input, bookkeeping), Debra (Green) Lloyd – owner.
Carried.
- MOTION #16: Moved by Carl E. (Ted) Maracle, seconded by Sandra Lewis-den Otter that Council will schedule a cheque presentation from Enbridge for the Mohawk Fire Department in April.
Carried.
- MOTION #17: Moved by Barry Brant, seconded by Sandra Lewis-den Otter that Council decline participating in the event at Six Nations to discuss Enbridge's Line 9 Pipeline Expansion Project and send the draft letter.
Carried.
- MOTION #18: Moved by Barry Brant, seconded by Douglas E. Maracle that Council approve completing applications to participate, request funding and pursue intervener's status with the National Energy Board for the Review of TransCanada's proposed Energy East Pipeline Project and MBQ to monitor Chiefs of Ontario (COO) activities and if process demonstrates deficiencies, MBQ take a position with COO.
Carried.
- MOTION #19: Moved by Carl E. (Ted) Maracle, seconded by Barry Brant that Council approve to sign the Section 95 Phase III Mortgage Renewal through Canada Mortgage and Housing Corporation's Direct Lending Program in the amount of \$624,306.94 with interest at 1.12% over 60 months with amortization of 9 years, 10 months.
Carried.
- MOTION #20: Moved by Barry Brant, seconded by Douglas E. Maracle to go in private. (2:04 p.m.)
Carried.

Summary of Private Minutes:

- Approved the Private Minutes: February 18, 2015
- Approved 2 mortgage discharges and rewrites, 1 new mortgage and 6 paid in full

Recorded by:
Angela Maracle

Dan Brant, Chief Administrative Officer

Chief R. Donald Maracle