

**TYENDINAGA MOHAWK COUNCIL MINUTES
OCTOBER 21, 2015**

A meeting of the Tyendinaga Mohawk Council was held on Wednesday, October 21, 2015 at 9:30 a.m. in the Council Chambers.

Present: Chief R. Donald Maracle
Councillors: Barry Brant and Carl E. (Ted) Maracle
Douglas E. Maracle absent due to attending an AIAI Meeting in Windsor
Staff: Dan Brant, CAO, and Angela Maracle, Senior Director of Operations

Chief Maracle welcomed Stacia Loft who was attending the meeting as an observer until 12:00 p.m.

Chief Maracle opened the meeting with a Prayer.

Brad Worner made a presentation for the Canadian Cancer Society. Chief Maracle was “tagged” in the Canadian Cancer Society Bra Tag Challenge. Chief Maracle then tagged Dan Brant, CAO. Councillors Ted Maracle and Barry Brant also participated. Chief and Council and Dan Brant made personal donations.

MOTION #1: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that the Tyendinaga Mohawk Council Minutes of October 7, 2015 be accepted as read. Carried.

Council confirmed the following scheduled meetings:

- October 28, 7:00 p.m. – Tyendinaga Mohawk Council Local Business

Catherine Irwin-Gibson attended Council to present her research findings, and information on moving forward regarding Haudenosaunee Traditional Lands.

MOTION #2: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council defer the Iroquois Caucus September 2015 Follow-Up Report until the next meeting to allow time for further review. Carried.

MOTION #3: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve the Eksa’okon:’a Childcare Centre Behaviour Management and Child Guidance Policy and that the Mission Statement be replaced with the Program Statement in the existing Eksa’okon:’a Childcare Centre Policy. Carried.

MOTION #4: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve the following meetings outside the Territory:
Chief: attending OFNPA Meeting, date to be determined. Carried.

MOTION #5: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve the following Council Meetings for November 2015:
Regular: November 4 & 18 at 9:00 a.m.
Local Business: November 10 & 24 at 7:00 p.m. Carried.

Council had a conference call with Trevor Bomberry, Iroquois Caucus Coordinator, regarding the Algonquin Nation Land Claim Meeting.

- MOTION #6: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve no further action at this time on the Iroquois Caucus meeting request with the Algonquin Claim Negotiation Team.
Carried.
- MOTION #7: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve payment of the invoice dated September 23, 2015 from Templeman Menninga in the amount of \$635.00 regarding General Matters and invoice dated September 30, 2015 in the amount of \$50.00 regarding the Auditor's letter.
Carried.
- MOTION #8: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve payment of the invoice #352562 from Hicks Morley in the amount of \$805.00 regarding CHRC Complaint and #352561 in the amount of \$195.00 regarding HRT0 Application.
Carried.
- MOTION #9: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve payment of the invoice #565244 from Blaney McMurtry in the amount of \$3,083.98 regarding Collection of Maracle Judgment.
Carried.
- MOTION #10: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve payment of the invoice #4490 from Alan Pratt in the amount of \$315.00 regarding Culbertson Tract Claim and await an answer on the disbursements.
Carried.
- MOTION #11: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve signing the Ontario Provincial Police Operation & Maintenance Agreement for the Tyendinaga Police Service Building in the amount of \$40,047.00.
Carried.
- MOTION #12: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve payment of the invoice from Aubrey Charette in the amount of \$5,512.50 regarding MRP and research on Quarrying issue.
Carried.
- MOTION #13: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council defer a letter to Paul Cadeau giving permission to harvest, for personal use, in MBQ harvesting area in 2015 until the next meeting.
Carried.
- MOTION #14: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council defer a letter to Lionel Cadeau giving permission to harvest, for personal use, in MBQ harvesting area in 2015 until the next meeting.
Carried.
- MOTION #15: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve the Business Registration Renewal for Threadworks, Owner Scott Brant; type of business: Retail/Wholesale.
Carried.

- MOTION #16: Moved by Carl E. (Ted) Maracle, seconded by Barry Brant that Council approve the Business Registration for Mr. Fry, Owner Danny Beyette; type of business: Take-out food/restaurant.
Carried.
- MOTION #17: Moved by Carl E. (Ted) Maracle, seconded by Barry Brant that Council approve the Land Transfer from Donna Evelyn Loft to Donna Evelyn Loft, Melanie Evelyn Mills and Marisa Ellen Mills, the whole of Lot 16C-14, Concession 2, as shown on Plan No. RSO 3029.
Carried.
- MOTION #18: Moved by Carl E. (Ted) Maracle, seconded by Barry Brant that Council approve the Land Transfer from Adam James Branchaud to Brian Anthony Brant, the whole of Lot 30F-2, Concession A, as shown on Plan No. CLSR 64055.
Carried.
- MOTION #19: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve to send a letter to not allow the stockpiled soil and limestone from the Deseronto Water Treatment Plant to be delivered to the Tyendinaga Mohawk Territory.
Carried.
- MOTION #20: Moved by Carl E. (Ted) Maracle, seconded by Barry Brant that Council approve to submit the Community Accountability Planning Submission to the SELHIN for the Home and Community Care Program for 2016/17 in the amount of \$610,607.00.
Carried.
- MOTION #21: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve to donate \$3,600.00 for the Aboriginal Midwifery Meeting and that this initiative is separate from the Mohawks of the Bay of Quinte.
Carried.
- MOTION #22: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council decline Cindy Thompson's request for the cupboards and sink in the former Band Office due to the state of the building.
Carried.
- MOTION #23: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle
In consideration of Sky Solar (Canada) Ltd.'s proposal to partner with the Mohawks of the Bay of Quinte in the development of a proposal for a solar energy facility within the reserve lands of the Mohawks of the Bay of Quinte under the FIT 4 program of the Independent Electricity System Operator and the rules relating thereto (the "FIT 4 Rules"):
1. Council is hereby authorized to enter into an offer to lease, option to lease or other right or interest in reserve land with Sky Solar (Canada) Ltd.'s special purpose vehicle, Sky Solar FIT4 FN1 LP, (together, "Sky Solar"), including all necessary infrastructure including transmission components, subject to the following:
a. The lands for the solar energy facility shall be the lands shown in the sketch attached to this Band Council Resolution or otherwise have the legal descriptions of Lot 25 Con A, NRCAN PIN # 1012482; Lot 26-9 Con A, NRCAN Pin # 1012307; Lot 28 Con A, NRCAN PIN # 1012767 (the "Project Site"), provided that the boundaries thereof may be

modified by mutual agreement of Sky Solar and Mohawks of the Bay of Quinte as required for the project, and each shall undertake to act in a commercially reasonable manner in that regard.

- b. The form of interest in reserve land for the solar energy facility to be located at the Project Site shall be a permit issued pursuant to s. 28(2) of the *Indian Act* or, if the lands are subject to a land code under the *First Nations Land Management Act*, an interest equivalent to a commercial lease under the related land code to be developed, and the Mohawks of the Bay of Quinte shall ensure that the land code accommodates the granting of the commercial lease.
 - c. In the event that Canada does not agree with the granting of a permit, the Mohawks of the Bay of Quinte will create a suitable interest in reserve land for the solar energy facility at the Project Site through the granting of a certificate of possession to a member who acts as a trustee for the Mohawks of the Bay of Quinte, and the granting of a locatee lease to Sky Solar for the project, provided that such a member can be found who is willing to so act and any costs are paid by Sky Solar;
 - d. By mutual agreement of Sky Solar and Mohawks of the Bay of Quinte, in the event a partnership is formed to pursue the FIT 4 power supply contract, the rights of Sky Solar pursuant to the offer to lease, option to lease or other right or interest in reserve land may be assigned to any legal entity the parties agree is appropriate for the purposes of the partnership, acting reasonably.
2. Any member of Council or any employee of Mohawks of the Bay of Quinte is hereby authorized to do such further acts and things and to execute and deliver such other agreements, documents, deeds and instruments as may in the discretion of any of them be necessary or desirable in order to give full effect to the foregoing resolutions and to grant to Sky Solar FIT4 FN1 LP Access Rights (as such term is defined in the FIT 4 Rules) to the Project Site pursuant to the offer to lease, option to lease or other right or interest in reserve land referred to in these resolutions. M.C.R. #2015-16-062

Carried.

MOTION #24: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle that Council approve to sign the Memorandum of Understanding between the Mohawks of the Bay of Quinte and The Christ Church Chapel Royal Stewardship Committee until September 1, 2016 regarding the operations and maintenance of The Christ Church Chapel Royal.

Carried.

MOTION #25: Moved by Barry Brant, seconded by Carl E. (Ted) Maracle to go in private. (3:42 p.m.)

Carried.

Summary of Private Minutes:

- Approved the Private Minutes: October 7, 2015;
- Addressed a HR issue
- Approved one (1) renovation loan totaling \$124,106.17

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

Recorded by:
Chief Maracle/Angela Maracle

Dan Brant
Chief Administrative Officer

Chief R. Donald Maracle