

## **Wahta Mohawks Community Meeting Minutes**

**Date: Tuesday August 30 2016**

- I. Present:** Chief Philip Franks, Councillor Mike DeCaire, Councillor Teresa Greasley, Councillor Stuart Lane and members.
- II. Call to Order:** The meeting was called to order at 7:04 pm.
- III. Adoption of the Agenda:** Moved by Councillor DeCaire, Seconded by Councillor Greasley. Carried.
- IV. Adoption of July 26, 2016, Minutes:** Moved by Councillor Lane, Seconded by Councillor DeCaire
- V. Old Business/Follow Up**

**Hydro Update – Mediation** – Chief and Council did receive a follow up letter from HONI, for in kind services, they would like 3 phase put through and state that it will save Wahta significant costs. The 3 phase will require a professional opinion on whether this community needs it for things like new housing or for the distribution station. Mallorie Malone stated the blanket distribution permit needs to include a more detail. A mediator may still be required but efforts will be made to reach this agreement on our own.

**AANDC New Funding** – The immediate housing needs proposal did not make the first round but will be moved onto the second phase of the application process

**McMaster Lake** – There used to be a blanket exemption for taxation for land held in trust for a band but that was amended by Ontario and now the land has to fit in a certain category under the land assessment act. It was advised by Falls Law that there may be no way around this and exemption may not be possible, it is still being looked into. Taxes are approx.\$ 300/year. Shirley Hay asked if it could be put into the Wahta Trust, Chief Franks responded that two specific names have to be listed and the trust can change every three years the same as council. He suggested that at every election the names change to the names of council until the title is settled.

**District Rd.38** – The District of Muskoka was contacted and Wahta is not identified on their Active Transportation Strategy. Council can write a formal request letter outlining our needs with a cost sharing proposal. The right of way was purchased in the 1960's called Highway 660, there is a 100 foot right of way belonging to the District. Individuals were contacted and possibly offered deals individually. Shirley Hay asked if people were fairly compensated at the time, this is unknown. Tim Thompson stated that this land had to be either given up by referendum or expropriation, Chief Franks confirmed it was not

expropriated. The history of the road and how it came to be could be used as leverage for cost sharing. More research needs to be done on how the acquisition took place. There was discussion by several members on the safety and speed on Road 38.

**Land Claim Update** – Email from Phil Healey dated August 29 2016 was read aloud:

*I don't have an update except to say that I am still having the same problems preparing the claim.*

*As before, it keeps coming down to the agreement and our ability to prove it was tainted (which will require support from those involved and which means information from such individuals) and the jurisdiction problem of pursuing the lawyer and Ontario in the Federal Court.*

*I mean we don't want costs being awarded against us for any step we take.*

*There is also a potential problem of our use and continued use of the settlement funds pending resolution. I am concerned that the other side may want an accounting of the use of those funds and possibly a return of those funds pending a resolution.*

*While I agree that that decision has to be made it just seems that the more I try the more problems seem to arise.*

Chief Franks stated that no money is owing, he as was already paid \$150 000 to cover costs from last council work and current council for the first 9 months of this term. He left the last law firm and a deal was made on a percentage basis based in the outcome of the case.

### **Motion Summary:**

#### **Motion #1 Tuesday August 20 2016:**

Chief and Council agree to further research the acquisition of reserve lands in the making of Hwy.660 and obtain legal advice if necessary. Moved by Chief Franks, seconded by Councillor Greasley, carried.

**Motion #2 Tuesday August 20 2016:** Regarding the Ontario First nations purchase of shares of Hydro One, Wahta Council will monitor the developments and have representation at a November 15-16 2016 at a two day information and planning session being delivered at Rama. Council will then agree or not agree to enter into the investment partnership with Ontario First Nations prior to April 2017. Moved by Councillor DeCaire, seconded by Councillor Lane and Councillor Greasley, carried.

**08.10.01 – Motion #1** – Chief and Council agree that a fair rate for the internet tower lease to Indiginet is \$250/month to commence October 1 2016 and paid on a monthly basis until the contract is renewed September 30 2021. Moved by Councillor Greasley, seconded by Chief Franks, carried by consensus.

**08.10.05 – Motion #2** Chief and Council agree that there is a need for a Peaceful demonstration and/or squatter by-law and the consultation process will be utilized. This will prevent the inability to deliver services to the community. It will also create an enforcement mechanism for CP holders and communal property. It will be cognizant of the need for free speech and peaceful demonstration rights. Moved by Councillor Greasley, seconded by Councillor DeCaire, carried by consensus.

Chief Franks mentioned that the first of the wellness series was recently held and it was identified that lateral violence and social media are issues in the community. Tim Thompson commented that protests are not lateral violence, Chief Franks agreed but stated that it can lead to lateral violence and further discord. The specifics of the by-law must be put into the consultation process first.

## **VI. New Business:**

**Request for Standing Rock Sioux** – A request was made by a member to support the Standing Rock Pipeline Access. Chief Franks mentioned there are many areas within Canada that may require our financial support. Councillor Lane said it may be an option to provide a letter of support. Chief Franks said Iroquois Caucus will be making a statement and position on the issue shortly, more information will be available.

**Small Communities Fund Approval** – Wahta has been accepted for the infrastructure investment for small communities' water system. The provincial and Federal Govt will provide 33% towards the total up to a maximum of 2.3 million dollars with cost sharing. The first step is consultation and engineering,

**AIAI Chiefs Council Report:** Chief Franks attended the annual Chiefs meeting, summary of notes are included below.

## **AIAI CHIEFS MEETING**

**AUGUST 29, 2016**

### **HYDRO ONE**

**GRIEVANCES:**

- separate from the Purchase/Investment activities
- first nations having grievances with hydro can contact Ontario Government directly
- a group being formed within Ontario region first nations to support grievances
- this group working on a protective clause to ensure our situations stay the same if hydro ever becomes fully privatized, Ontario must stand with us to ensure our issues are looked after

### **BILLING RATES:**

Chief Ava Hill has been a big catalyst in addressing the issue of billing rates with Hydro One due to the enormity of some bills that people are getting. One example of such is a recent hydro bill for one pump house to the tune of \$5,000 at ICG.

Many First Nations including ourselves have spoken to hydro about reduce rates and the answer has always been that it is impossible. Recent developments indicate that Ontario is willing to talk about how a unique rate for First Nations could be worked out. More details on this will be worked out during the fall.

### **PURCHASE INVESTMENT:**

By way of motion at the AOCC in Ontario fifteen million shares of Ontario Hydro are being purchased from Ontario. This is being done on a loan basis. Currently work is being done on doing due diligence on the IPO, and there are discussions on the closing of the sale requirements also going on. The PTOs are involved in this and will be the ones to sign. What we do know is that this is a huge loan and may take 10-15 years to pay it off from the returns on the shares. Initially, until all details are worked out a brokerage will hold the shares. There is much to be worked out. This will be a limited partnership and how that will look also needs to be carried out. Currently 80% of Ontario First Nations will be required to sign on to this purchase. If only 80% sign on the deal will diminish by 20%. There will be an information session for First Nations in southern and northern Ontario during

### **BORDER CROSSING ISSUES**

Recently it has been unclear on who is doing the work on this, AFN or otherwise. Six Nations, Akwesasne, and AIAI agreed to work on this issue together. There have been meetings with the USA border services and homeland security. There is now a September 30 meeting in six nations the main communities being those who are located near the border, but also open to others. The Iroquois Caucus members will be participating.

As we have people travel back and forth over the border from time to time at different border point does Council wish to participate in this?

## **AFN EDUCATION**

Regions are in the process of bringing AFN back in line with regional priorities and processes, recent AFN moved ahead with federal talks using a process that resembles the old First Nation Education Act. The chiefs committee on education have called for a meeting 3<sup>rd</sup> week of September in Ottawa. Funds have not flowed based on the liberal promise of 2.6 billion over 5 years, their projection is now 1.8 billion.

## **POLITICAL SUMMARY**

There is much going on with the province and the federal government both entering new relationships. Politically we are poised to deal with many issues but Grand Chief Peters believes we need to recharge and set out another plan of approach.

As for the Justice Minister's address at this year's AFN general assembly, and that First Nations have to get themselves together, the Grand Chief and Phil Monture of Six Nations will be doing an analysis of her speaking notes.

## **AIAI FEDERAL LOBBY STRATEGY**

The AIAI Chiefs have planned dates the first week of November to go to Ottawa and lobby certain Ministers to advance the work of the Health Social Advisory Board's identified issues. In addition to health the chiefs agreed to also speak to Education, Additions to Reserves, Child Welfare, Policing, the specific claims policy, and proceeds of Federal gas tax.

## **AIAI AND MINISTRY OF ABORIGINAL AFFAIRS BILATERAL PROCESS**

AIAI entered into a bilateral process with the now named Ministry of Indigenous Relations and Reconciliation in order to establish clear roles and responsibilities between the parties and to implement and manage the activities associated with that relationship, the Political Accord and other mutual priorities. Updates to this are that Ontario will contribute funds to support the AIAI-MIRR relationship, priorities issues have been identified and technical staff from the parties have been met and will meet again this coming month. Next steps is for the Chiefs Council to select dates for a fall leadership meeting with the Ministry.

## **CHANGES TO THE INDIAN ACT**

The federal government has only until February 3, 2017 to make amendments to the Indian Act due to a Quebec superior court ruling that states section 6 (1a,c,f) of the Indian Act violates the Charter of Rights and Freedoms. The Harper government had appealed the decision but in incoming liberals withdrew the appeal. Therefore INAC has much to do and plan to do engagement with First Nations and draft changes to the act around a number of areas including the 1951 cut off date for eligibility to registration

due to Bill C-3, the second generation cut off, unstated unknown paternity, cross border issues, voluntary de-registration. As per Descheneaux there are approximately 15,000 persons that would become eligible for status under the act.

Wahta Council should follow this process as to the implications it may have under our membership code and current review of that code.

## **VII. Questions/Comments**

Shirley Hay mentioned that the Woodland Cultural Centre tour was very good and asked if Wahta can make a donation. Wahta trust cannot donate so perhaps there is another way to achieve this. Chief Franks suggested we wait to see what the outstanding needs are. Councillor Greasley asked what is currently donated by Wahta, two board members are sponsored by Wahta with 4 meetings per year with expenses covered.

Shirley Hay asked for an update on Councillor Schell. Chief Franks stated that he is not sure but that he will contact him and find out.

Councillor Lane asked if there was a policy for emailing newsletters. Councillor Greasley stated that the registrar has access to the emails that people submit upon registering on the website, and also confirmed that she herself also has access and was responsible for setting it up to send batch emails of the newsletter every month and it is not outside of the scope of information available to all council members. Chief Franks stated that an email policy within HR should be looked at, this is a new initiative for the community.

Tim Thompson asked for the official response of what happened to the previous finance officer and stated that there was no internal posting for the position. Chief Franks stated that Alice moved on and that the position has been filled on a short term contract until a permanent position posting is completed.

## **VIII. Next Meeting Date: Sept 27 2016**

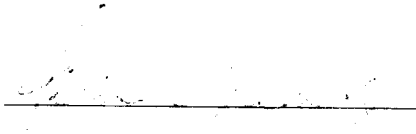
**IX. Motion To Adjourn:** Moved by Councillor DeCaire, seconded by Councillor Greasley

**X. Closing:**

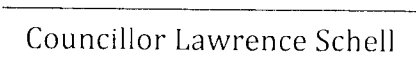
**Adoption of the Minutes of  
Community Meeting**



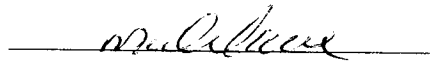
Chief Philip Franks

A handwritten signature in dark ink, appearing to read 'Teresa Greasley', is written over a horizontal line.

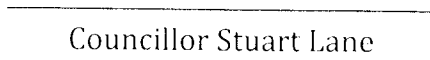
Councillor Teresa Greasley

A handwritten signature in dark ink, appearing to read 'Lawrence Schell', is written over a horizontal line.

Councillor Lawrence Schell

A handwritten signature in dark ink, appearing to read 'Mike DeCaire', is written over a horizontal line.

Councillor Mike DeCaire

A handwritten signature in dark ink, appearing to read 'Stuart Lane', is written over a horizontal line.

Councillor Stuart Lane