

# Wahta Mohawks Community Meeting Minutes

Tuesday, January 27, 2015

- I. **Present:** Chief Philip Franks, Councillor, Councillor Stuart Lane, Councillor Mike DeCaire, Councillor Lawrence Schell and members.
- II. **Call to Order:** The meeting was called to order at 7:00 pm. Chief Franks gave the opening Thanksgiving Address
- III. **Adoption of the Agenda:** Additional item, MNR, Councillor Schell. Moved by Councillor DeCaire, Seconded, by Councillor Lane. Carried.
- IV. **Adoption of November 25th, 2014 Minutes**  
Motion to adopt. Moved by Councillor DeCaire, seconded by Councillor Lane. Carried
- V. **Actions Arising**

## Old Business / Follow Up

**Health and Wellness Conference:** Chief Franks shared information from the Health and Wellness Conference that he attended last weekend with Community Members. It was well attended with much to be learned from it, Jane Middleton Moz was the speaker and was very engaging and knowledgeable, she spoke about the “circle” and also respecting one another, allowing each other to be permitted to speak one at a time without yelling and racism. Chief Franks brought up an incident that occurred at a previous community meeting where there was yelling and racism, the Chief reiterated again how ineffective this type of communication is and that at meetings there should be respect for all. Chief Frank’s summary of the conference is attached.

**Indignet:** Chief Franks will look into this further, he does not have enough information.

**Dennis Stock:** He inquired about a lift, Karen Sahanatien went to see the locations and assist but he had already had the work done.

**NP Station:** The funding was approved from the Trust, the renovations will begin, and this includes the roof. There has not been a contract signed with the Family Health Team as of yet.

**Land Claim Update:** Chief Franks spoke with Phil Healey once since the last community meeting. The documents need to be submitted by the end February. There

was more discussion regarding costs, Chief Franks will contact Healey to speak further with him regarding costs.

**Bala Falls Portage:** Wahta's position remains with the issue of "duty to consult" and the Governments obligation to do this and not the developers. Wahta's concerns have been received by different departments within the governments, Wahta is still waiting to hear from government officials. Chief Franks stated that it is the duty of Council to protect Wahta's Mohawks rights and that this is bringing attention to the governments' obligation. Councillor Schell let it be known that he was not pleased with the letter to Huntsville and Bracebridge officials because it was directed at the politics and money issues, he agreed and is favor of bringing forward the issues and responsibilities of the governments' duty to consult.

**Web Site Update:** Councillor Greasely has been working on the website, it is almost complete, currently it can be viewed at [www.wahtamohawks.com](http://www.wahtamohawks.com), and soon it will be available at .com or .ca. The log in portion will be available in February, there was a delay because of issues enabling members to log in, that has been resolved. Councillor Greasely also informed everyone that in the log in protected area there will not only be meeting minutes but there will be information about grants and applications available. Councillor Greasely asked that if anyone has any questions, comments or suggestions to please send an email to her.

**Cultural Center Update:** The Cultural Center will be located at the old band hall and used for events, teaching, etc. Funding will be used and a proposal has been sent in for the Trillium Grant. The community will be consulted on this project, a general contractor is going to provide Wahta with a quote for the renovations. A member asked if there will be playground equipment purchased for the children, Chief Franks answer was that he believed so and that it would be spring when this done but he will confirm this with the staff that would be responsible for this.

**Matrimonial Real Property:** This concerns the division of property should there be a marriage break down and the legalities. Wahta can create their own law regarding this. Chief Franks said he attending a meeting tomorrow regarding this, he said that two other staff have also attended these meetings. This meeting will outline and provide information, in the future Chief Franks would like to bring a meeting such as this to the community to explain to the members and answer any questions or concerns.

### **New Business:**

**AIAI Chief Council report:** Chief Franks read his report from the meeting that was held on Jan. 20<sup>th</sup> and 21<sup>st</sup>, 2015, attached.

**Council statement on Violence Against Women:** Chief Franks read his report, (attached) and a draft of the statement, a final draft will be prepared for the next meeting.

**Bill C-10 Iroquois Caucus meeting report:** Councillor Lane attended the Iroquois Caucus Meeting in Ottawa, Re: Bill C-10. The following is Councillor Lane's report.

On Jan. 21 & 22, 2015, meetings were held regarding Bill C-10, An Act to Tackle Contraband Tobacco, introduced last fall and given Royal Assent Nov.2, 2014.

The purpose of the meetings were to consider ways in which to challenge this legislation that will have a severely detrimental effect to many Territories existing economies, economies in which the tobacco industry has played a major role for over a decade.

Day one included a meeting at the AFN headquarters, in Ottawa. Attendees were IC representatives from each IC territory (tobacco planning group), an AFN lawyer Stuart Wuttke (as an observer only), reps from an Ottawa based law firm named Gowling, Lafleur & Henderson LLP and a political analyst for Six Nations.

There the basic law plan was discussed, as provided by Gowling (pro bono), which outlined some basic inconsistencies with the new legislation.

- 1) Mandatory sentencing is contrary to the Charter of Rights and incompatible to Gladue Principles in regard to sentencing Aboriginal offenders.
- 2) Infringement on Aboriginal Inherent Rights on the following possible grounds:
  - a) The legislation does not distinguish between original tobacco and contemporary commercial tobacco.
  - b) Infringement on Inherent Right to grow, trade and sell tobacco.
  - c) Infringement on Aboriginal Right to self-government and as part of that right, a right to regulate the industry.
- 3) Breached duty to consult in development of the legislation.
- 4) Ignorance of Treaty Rights to do commerce, including growing, production, using, selling and trading in tobacco.

As there is much research to do before any path is chosen, these criteria set a basis for the research needed.

There was much discussion on the research side of planning.

Note: This meeting was in preparation for the larger meeting, day 2, Jan. 22, which included industry people. This was held at the Delta in one of the ballrooms.

Day two, as mentioned, included industry people from manufacturers to delivery people. Gina Deer, Kahnawake Chief chaired.

Discussions surrounded industry persons fronting the monies required to fight the Bill, with no-one objecting to this approach. Further discussions revolved around Inherent, Treaty Rights and 'ownership' of the plant itself.

It was raised whether any 'Tax Act', Federal or Provincial had any bearing on Indigenous people in the first place.

There was much discussion again and points raised along the lines of research, perhaps as far back as Mohawks first trading with the Dutch in the 1600's and the subsequent Treaties such as Tekeniteweh (Two-Row Wampum), 1701 Treaties of Albany and Montreal (Nanfan), Royal Proclamation of 1763, Covenant Chain, etc...

\*\*No decisions were made as the research must be completed and discussed before proceeding. There also may be other approaches brought forward.

**AIAI General Assembly – Council meeting date change:** Because of the date of the AIAI meeting the Community meeting date will be changed from May 26<sup>th</sup>, to June 2<sup>nd</sup>.

**Chiefs Meeting:** The next Chiefs Council will take place here on March 23-24<sup>th</sup>.

**Council strategic planning meeting February:** The date is the 13-14<sup>th</sup> (Consultation Plan)

**General Meeting Scheduled for March 28, 2015:** To discuss the consultation plan, matrimonial real property.

**Hydro:** There's been difficulty scheduling a meet, Chief Franks will invite hydro to attend the above general meeting to discuss in kind donations etc.

**MNR:** Councillor Schell attended a meeting with the MNR regarding moose populations and potential changes to moose harvesting, this was an information session and no decisions were made. Councillor Schell was concerned with the MNR's duty to consult, and lack of such consultation. Councillor Schell will be looking into this further.

**VI. Next meeting:** February 24<sup>th</sup>, 2015.

**VII. Motion to adjourn:** Moved by Councillor DeCaire. Seconded by Councillor Greasely. Carried.

**VIII. Closing**