

Wahta Mohawks Community Meeting Minutes

July 29th, 2014

Present: Chief Philip Franks, Councillor Teresa Greasley, Councillor Stuart Lane, and Community Members

Meeting called to order at 7:00 pm

Minutes from Community meeting of July 12th, 2014 deferred

Investments

Council reported having met with representatives from the Bank of Nova Scotia, they provided an update about Wahta investments. The main objective of this meeting was to learn how Wahta Mohawks money is being invested and access the current level of risk; the bulk of our investments are low risk therefore making lower returns than the market. A draft document will be sent establishing protocol including; how the bank will invest our money and establishing quarterly meetings with the bank to review the investments.

ICG

Chief and Council attended a retreat last April the main focus of which was ICG and its future. Chief and Council met with a representative from KPMG that presented financial information regarding revenue and expenses, costs break down, etc. Operational costs are high and it is costing approximately \$40,000.00 per month to store the berries. The KPMG report proposed selling the berries, approximately 800,000 pounds or 33 truckloads of frozen berries that are a financial burden. The sale of these berries would save \$40,000.00/ mos. It was also agreed to establish a (5) member board including (3) members of Chief and Council, a financial professional (KPMG), and perhaps another professional in agriculture, eventually the goal would be to include other community members with business knowledge. A priority will be given to selling the cranberries to reduce costs.

There was discussion on whether or not to build or buy own juice making facility. KPMG has been working with Matthew to see where improvements can be made. On Monday ICG received information that Algoma, a juicing company out of New Castle, have put forward a proposal to purchase the juice and possibly buy berries in future, the initial cost to move the berries would be \$250,000.00. This would cover transporting the storage, juicing and bagging the product. This appears to be an ideal arrangement.

ICG cannot afford to hang on to these berries, the decision is time sensitive and another crop is coming up soon. Under this arrangement it is projected that in 5 years ICG would be profitable once again, ICG has cost Wahta almost \$2 million in the last 2 to 3 years. Closing ICG has also been discussed as an option if this organization is not profitable within (5) years. Chief Franks said that there is other work that needs to be done such as obtaining some marsh equip, drainage etc. to increase overall production. The forecast for this year's harvest does not look like it will be a high volume crop, potentially less than 300,000 pounds or approx. half of what it was last year.

Bala Falls

Reports were given on the effects on the Moon River. Wahta is concerned that there was not proper consultation by the Ministry of Natural Resources. Members of Council will be meeting with concerned citizens next week to obtain some more history and facts on the process taken to date. Wahta is not making a financial commitment at this time but is showing concern about the portage and supporting the Save the Bala Falls group as Wahta Mohawks may be in a position that may help them.

AANDC

INAC has been in contact with the administration requesting a meeting in the community. It has not been decided if Council will attend at this time. AANDC has indicated they wish to physically attend the community and wish to verify that funding is being used for services as required. It's not uncommon for them to check if things are running smoothly in these circumstances.

Protest Update

Chief Philip Franks received a letter from the protestors restating their position including a list of conditions to resolve their issues. Chief Franks tried speaking with Councillor Karen Commandant but had poor cell reception, he will be attempting to contact Councillor Mike DeCaire later this evening and if so, he hopes to have formulated a written response by tomorrow.

Land Claim Update

The decision to reopen the Land Claim Settlement Agreement began with last council suggesting Wahta could obtain a 200,000.00 million settlement instead of the 9 million previously negotiated. A conference call was held between members of Council and Mr. Healey, a lawyer with Aird Berlis, to obtain the background on the issue. Council asked on what legal basis Wahta can expect to reopen the terms of this land claim at this late date. Healey said he has reviewed the agreement and other documentation he received from the past lawyer involved and explained how he would move this case forward. The basis of his argument would be that the government did not meet their fiduciary duty and that there is presently a case in BC that he thinks will be successful and support this assertion. The question of costs was brought up, Healey's firm wanted Wahta to consider a contingency agreement. This agreement was not accepted by Council. The agreement required Wahta to pay all costs per hour, plus they would take 20% of the final settlement. Wahta would be relieved on any power to control the direction or outcome of the case, for instance if we decided to settle or close the case Aird Berlis could still pursue case or Wahta would be responsible for all costs. We have already paid over \$830,000.00 to this firm through the previous Council and know they are extensive billers. In this contingency agreement if he wins nothing we still pay him. After our discussion regarding the contingency agreement they are willing to work on an hourly basis for now. Healey acknowledged our concerns raised and suggested he will work to get a better contingency arrangement. Healey suggested that once papers are filed with the courts the government may want to reopen negotiations as opposed to going to court. Councillor Stuart Lane pointed out that it is not reopening the claim because it was never closed. It's a possibility that the government may compensate because they did not look out for our best interests as fiduciaries. Chief Franks advised Council would keep the community informed as the process progresses.

Iroquois Caucus Trade agreement

Councillor Lane provided some information. A trade agreement would be a symbolic alliance, whereby Wahta Mohawks and other Mohawk communities would bring products to the table; part of it is to build relationships and with each other, this could open doors for development and commerce, agriculture and food would be viable opportunities, such as fish, white corn, hickory etc.

Mediation

The role of Bob Antone as mediator was raised. Chief Philips explained this role as an individual to listen to both sides, come up with solutions, and work to resolve both sides of the issues. He has also been asked to look at the codes, review, and give an opinion. Bob Antone has extensive experience with this kind of work. Chief and Council have not seen any results of his work yet. No retainer has been given to Bob Antone nor the lawyer, they have not signed a contract, and so far he is working by the hour. This will give the opinions of professionals, the process

Council has committed to is to take these recommendations to review back to the community giving the pros and cons and simplifying the document.

A member asked about the signed Code of Ethics, Chief Franks said copies of the signed Code of Ethics will be provided and are in the newsletter.

MCR

The list of MCR's were read into the minutes – **MCR #'s 2014/15-52 to 2014/15-73 - 19 lease amendments'**, AIAI staff proxy's for voting, Right to Play proposal support, Mervin Dewasha appointed proxy at AFN (report was provided to council).

Chief Franks asked if anyone is interested in having a meeting regarding new tobacco laws. He suggested having someone come in to explain the changes. He said he could talk to local enforcement regarding this issue. No decision was made regarding a community meeting at that time.

Next meeting Tuesday, August 26, 2014.

Meeting adjourned.

Chief Philip Franks

Councillor Teresa Greasely

Councillor Karen Commandant

Councillor Mike DeCaire

Councillor Stuart Lane