

Wahta Mohawks Community Meeting Minutes

Date: September 27 2016

- I. Present:** Chief Philip Franks, Councillor Mike DeCaire, Councillor Teresa Greasley and members.
- II. Call to Order:** The meeting was called to order at 7:02 pm.
- III. Adoption of the Agenda:** Moved by Councillor Greasley, Seconded by Councillor Decaire. Carried.
- IV. Adoption of August 30, 2016, Minutes:** Moved by Councillor Decaire Seconded by Councillor Greasley
- V. Old Business/Follow Up**

Electricity Rate from AIAI Meeting– AIAI are looking for the feedback from communities on how to implement Frist Nations electricity rates which could include rebates on individual hydro bills for families. AIAI will continue to advocate for this.

Hydro Mediation Update - Still negotiating the in-kind services with HONI. A letter was sent and another meeting is being set up.

Motion 09.22.05 HONI Letter Approval - Motion to accept the letter from Falls Law on the mediation issues is ongoing. Letter dated Sept. 14 2016 is approved to be sent to HONI. Moved by Chief Franks, seconded by Councillor Greasley. Carried

Land Claim Update – Mr. Healey advised us that there was little in the way of challenging the validity of the land surrender.

He could find no evidence that the process of the referendum was done improperly and everyone was informed as per the requirements. No proof of wrong doing or legal misstep by lawyer or Chief and Council can be established at any time. The large majority of votes were in favour in all three votes. All proper notices were given which is important to case law in the past. Other cases are sited where the surrenders are upheld even with a minority of voters. Unfair bargain (or breach of fiduciary duty) is also not a legal argument and does not affect the validity of a vote

when the band is made aware of what they are voting on and again all proper notices are given.

A do not vote campaign has no effect on results or case law. There is also a possibility if the case was pursued that the current land claim can be cancelled and monies returned. The court is clear that First Nation communities must be held to their vote. He also said he was told the land value was much higher but no land valuations could support this. The only other option is to take this to the Supreme Court which would take years and quite a large expense. He has changed his legal opinion and feels there is no longer a valid case. He is sending us an official letter to communicate this to Chief and Council which will also be posted in the member's area on the website.

Councillor Greasley stated that the land valuations did not support any large sum of 100 or 200 million. Tim Thompson stated that there was a document to support this but the council at the time did not have it. Karen Commandant stated that any existing documents of this nature could have been obtained at the time. An MCR resolution withdrawing the statement of claim will be prepared. The land will now be returned through the additions to reserve process.

New Business

By-law 2.77 Requests - There has been some requests from other Mohawk communities for hunting permits. Chief and Council looked closely at the by-law developed in 1977 as well as the permit. The by-law and permit ties the permit holder to the Ontario regulations; it does not recognize different hunting seasons, reserve vs. traditional territory or specific species. We recommend that the requests are not granted at this time until by-law 2.77 is updated to reflect ongoing relationships with other Mohawk communities and conservation efforts if necessary. Currently there is a moose disease that is contributing to the decline of moose in Ontario. The Corda project will be applied for again and could be an option to use as a resource to look at this in more detail. Tim Thompson asked if there are fishing permits given out and stated that people are fishing at the river at the marsh. Chief Franks stated that none have been given out except for one last year. Karen

Commandant stated that Scott Aubichon hands out parking permits and does try to limit fishing in the area.

Musquash Lot Lottery Scheduled Date - There are 18 lots in the lottery. Each person is given a number, if one of the first 18 people do not purchase then it is offered to number 19 and so on. The lottery will be at the next general meeting Oct 29 2016. There are no restrictions on people that own land already. Councillor Greasley stated that some members own as little as quarter of an acre so adding limits to people that own or do not own land can be difficult and unfair process.

Roads/Gravel Update – The band roads will be completed within the next week so member roads can get started. The gravel will be sold at cost. Sahanatien Haulage will be servicing members at \$90/delivery cost and then 5.29x14 tons per load. It is estimated another 25 tons are left.

Clean Water & Wastewater - An MCR is required for the CWWF. This funding will be put towards fixing the water in the band building which has never been 100% clean drinking water due to leaves and tannins going into the water which could be cancerous. The fund could also be used to boost to the money required for the water system in the core area at the units. The maximum is approx. 113 750 with 50% contribution by Wahta, 25% provincial and 25% Federal

First Nation Economic Development Forum –Chief Franks and Councillor Greasley will be attending FNEDF as well as member Merv Decaire. A potential meeting with the Minister of Aboriginal Affairs will be set up to discuss the needs of the community.

Identifying Grave Sites – There is a request to identify grave sites outside of the cemetery.

Motion 09.27.01- Administration should identify and design a budget to properly preserve any known unmarked graves outside of the cemetery as well as updating

the preservation of the Chiefs Monument. Moved by Councillor Greasley seconded by Councillor Decaire, carried.

VI. Motion Summary:

09.22.03 Church Support – Motion to continue to support the church with heating and snow plowing costs. Moved by Chief Franks, seconded by Councillor DeCaire. Carried

09.22.05 HONI Letter Approval – Motion to accept the letter from Falls Law on the mediation issues is ongoing. Letter dated Sept. 14 2016 is approved to be sent to HONI. Moved by Chief Franks, seconded by Councillor Greasley. Carried

VII. Questions/Comments

Tim Thompson asked for a breakdown of financial statements regarding Community and Economic development that lists 2.8 million in revenues as well as 1 million in expenditures listed under "Other". Update – this was provided.

VIII. Next Meeting Date: October 25 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



Councillor Teresa Greasley

Councillor Lawrence Schell


Councillor Mike DeCaire

Councillor Stuart Lane