

Wahta Mohawks
Membership Consultation Plan



TABLE OF CONTENTS

1. INTRODUCTION

- a. Definitions
- b. Purpose of the Plan
- c. General Provisions and Focus
- d. Principals of Vision Statement

2. DECISION MAKING PROCESS

- a. Membership Meetings
 - i. Community Council Meetings
 - ii. General Meetings
 - iii. Special Purpose Consultation Meetings
- b. Submissions:
 - i. Council submissions
 - ii. Staff Submissions
 - iii. Member Submissions

3. DECISION MAKING PROCEDURES

- a. Level One: Approval of Regulation and By-Law
- b. Level Two: Introduction and Approval of Laws, Codes and Constitution

1. INTRODUCTION

1.a. Definitions

Constitution – Provides the basic law-making and structural principles by which the government is set out and organized. It defines the nation and its goals. The Constitution comprises those elements that perform “constitutional” functions (i.e. laws and interpretations) and reflects the limitation of government power, the law to which the government must conform.

Code - A systematic and comprehensive compilation of laws, rules, or regulations that are consolidated and classified according to subject matter.

Law - The rules of peace and good governance which have been accepted and duly passed in accordance with the practices of the Wahta Mohawks, which has been ratified through the Wahta Mohawks General Referendum Regulations. Legislation intended to rule or govern any civil, economic or governmental action, must be supported through statutes.

By-laws - A by-law applies to all people on the territory. It governs the activity in question on all of the territorial lands under the control of the Wahta Mohawk Council that passed the by-law. The by-law applies to everyone (native and non-native) present on the reserve, whether or not they normally live on the territory. It is the rule made by a local authority for the regulation of its affairs or management of the area it governs, enacted by sections 81, 83, and 85.1 of the Indian Act.

Policy - A policy is an instrument established by senior management to follow an action or course of actions in pursuit of an approved objective. It should be used as a guide for decision making under a given set of circumstances within the framework of the organizational constitution and code. Policies must comply with existing laws, where applicable.

Procedure – Written set of instructions to support a policy. A policy determines what and the supporting procedure(s) identifies how it shall be done.

Administrative Policies – In-house policies governing administrative staff not covered in this plan.

Member – Refers to any person listed on the Wahta Mohawks Citizenship List.

Resident - Refers to any person that resides on Wahta Mohawk Territory

Proponent – Individual or group making the submission for Council’s consideration.

Wahta Mohawks – Includes members of the Wahta Mohawks.

Wahta Mohawk Territory - The area as defined and set aside for the use and enjoyment for the Wahta Mohawk Membership.

1.b. Purpose of the Plan

The Wahta Mohawks Membership Consultation Plan (WMMCP) is an essential part of the decision-making process to ensure consistency in access to information, provide opportunity for comment and ultimately collaboration on decision-making affecting the quality of life of the membership.

Chief and Council wish to address the membership's expressed wish for more direct inclusion, consultation and engagement in the decision making process affecting the membership commencing with the WMMCP.

The WMMCP is a grassroots plan, effectively determined by the involvement of members, that facilitates the Haudenosaunee value of consensus-based decision making in a timely manner.

The purpose of the WMMCP is:

- To nurture involvement of the membership in the decision-making process in a safe and inclusive environment, and
- To facilitate maximum member participation and engagement in developing and amending Wahta Mohawk policies, by-laws, and laws and developing strategic initiatives that will affect the quality of life and sustainability of the membership for the next seven generations.

This process will be used for developing new policy or law and reviewing or amending existing policy or law, including the WMMCP itself. It is a consensus building model that provides opportunity to incorporate traditional principles into the elected government system that exists in this community today.

1.c. General Provisions and Focus

The following ancient principles shall be inherent in this policy (Great Law of Peace):

- Respect, equality, one-mind
- Critical engagement with oneself, family, community, nation
- Collective Spirit
- Consensus begins with the individual, family, clan, community and nation.

There are four main identified areas that require immediate and long- term attention:

- The land
- The people
- The system of government
- The economy

Social Equity, Culture, and the Environment are core principles that will guide the four main priorities. The WMMCP will be utilized to build on these four areas and the core principles will support the governance and community development process.

1.d. Principals of Vision Statement

The Wahta Mohawks are of one mind in preserving our inherent and treaty rights to sustain future generations by respecting the Creator lithinistenha Ohwen:tsia (Mother Earth) oneself, others and our culture.

Further the process will encompass the Mission Statement for program delivery described as follows:

“We will collectively strive towards the empowerment of the community”

“We will continue to strive toward community based programs; planned, implemented and based on community identified needs”;

“We will continue to plan collectively with community, staff and Council”;

“We will promote Mohawk language, culture and tradition in Wahta in order to rebuild and maintain our identity”;

“We will follow and promote the sacred teachings of Respect, Honesty, Humility, Sharing, Caring, Wisdom and Love”;

“We will provide an accepting atmosphere based upon a positive approach for the promotion of a self-sufficient and healthy community”;

“We will recognize and respect the diversities, lifestyles and tradition of all people regardless of residency and status in the best interest of the community”;

“Wahta Mohawks administration has a responsibility to be aware and knowledgeable on matters of a local, regional and national level to the best of their ability”;

“Wahta Mohawks administration and staff will conduct themselves in a business manner where time and resources are valued and used efficiently and effectively”.

2. DECISION MAKING PROCESS

The decision making process can be initiated or introduced by Chief and Council, staff or any Wahta Mohawks Member for consideration or review by Council regarding any new or existing code, law, by-law, policy or strategic initiative.

Any Wahta Mohawk Member can attend a meeting at which a submission is being addressed.

Chief and Council have the final decision in determining whether or not a submission is brought forward for consideration under the formal decision making process.

2.a. Membership Meetings

2.a.i Monthly Community Council Meetings

Community Council Meetings are scheduled on the last Tuesday of every month. The agenda will be posted 24 hours prior. Minutes of the meeting will be recorded and brought forward to the following meeting for approval by Council.

2.a.ii General Meetings

General Meetings are held to receive members' comments and input, including review of the annual Strategic Plan Update. General Meetings are scheduled at least three times per year, and are to be held on a Saturday to ensure maximum participation by the membership. A minimum of thirty days' Notice of the General Meeting is required, including identification of any items to be put to the membership for a vote. The agenda will be available a minimum of ten days in advance of the General Meeting.

2.a.iii Special Purpose Consultation Meetings

Special Purpose Consultation Meetings will be held to receive comments and input from the membership. Special Purpose Consultation Meetings require 10 days' notice. This notice period will increase to 30 days if the agenda includes any items to be put to the membership for a vote.

2.b. Submissions

2.b.i Council submissions

Chief or Council members may bring an item forward at a Membership Council Meeting and upon the approval of a majority of Council present may pass an MCR to move the matter through the membership decision making process.

2.b.ii Staff Submissions

Staff upon approval by the Senior Administrator may bring forward at a Membership Council Meeting, a staff report regarding a matter for Council's consideration.

Council shall decide whether the matter requires the Wahta Mohawks Consultation, and if determined by Council the matter shall pass by a motion and be referred for the consultation plan.

2.b.iii Member Submissions

All Member submissions shall be made by written (electronic) communication to the Senior Administrator or designate and forwarded by agenda to a Council meeting for consideration.

Acknowledgement of each submission shall be made by written correspondence from the Senior Administrator advising of the date the matter is scheduled for Council consideration and a staff member assigned for follow up contact where required.

Member's role as a proponent:

- Submission of a proposal
- Provide input and feedback during Membership Meetings
- Champion the submission by attending Membership Meetings, workshops, to present or answer questions regarding the submission
- Provides input in and clarity on intent

Member's role as an interested party:

- Attend meetings and group discussion
- Provide feedback, if desired
- Encourage other members' participation in process by discussion and information

Administrative Staff will:

- Take the submission, through the process;
- Conduct the background research required for presentation to Council;
- Prepares the work plan, schedule and implement the communication plan;
- Provide a contact person for the proponent regarding their submission;
- Remain neutral and objective during the process.

3. DECISION MAKING PROCEDURES

The nature and level of engagement or consultation required will depend upon the instrument or initiative being considered.

- Level One: Strategic Initiatives and Consultation, Policies, Procedures and By-laws
- Level Two: Laws, Codes and Constitution

3.a. Level One Procedures

Step 1: A draft proposal is introduced to Council;

Step 2: A Mohawk Council Resolution (MCR) is passed if the draft proposal is supported in principal by Council;

Step 3: The proposal is placed on the agenda of an upcoming Monthly Community Council Meeting for membership consultation. Notice is provided in accordance with 2.a.i of the WMMCP;

Step 4: Approved amendments to the Draft proposal are made accordingly, as a result of feedback from the Membership Meeting;

Step 5: A second Membership Consultation Meeting is scheduled to review amendments and notice is provided in accordance with 2.a.i of the WMMCP;

Step 6: Further feedback is received for consideration and amendments are approved, the result shall be communicated to members in accordance with 2.a.i of the WMMCP;

Step 7: Ratification of the policy is then completed upon final approval by Council at the next Monthly Community Council meeting.

Step 8: In the case of a by-law, the language must meet the standard for AANDC registration.

The time frame for this process will vary, but a goal of **150** days for most engagement is anticipated.

3.b. Level Two: Procedures

Step 1: Consideration of a proposal relating to Wahta Mohawk Laws, Codes or Constitution is brought forward at a General or Special Purpose Consultation Meeting;

Step 2: Membership consensus is reached to provide direction to Council regarding the proposed development or change to Wahta Mohawks Laws, Codes or Constitution;

Step 3: An MCR is passed at a subsequent Council meeting supporting the development of a draft law;

Step 4: Council directs the Senior Administrator to provide necessary resources to support the initiative such as a Project Manager, and defines the scope of the project;

Step 5: The Draft Law, Code or Constitution, or amendments thereto, is researched by staff, Consultants or Legal Counsel as deemed appropriate by Council;

Step 6: Notice is provided in accordance with 2.a.ii and 2.a.iii of the WMMCP to schedule a facilitated Membership Meeting at which a list of principles to form the basis of the law are presented for membership input and consultation;

Step 7: All pertinent information will be provided on the website simultaneously to the members' (information) meeting;

Step 8: Results of meeting recommendations, as recorded by the recording secretary, are reported back to the members and Council in accordance with 2.a.ii and 2.a.iii of the WMMCP;

Step 9: The Project Manager incorporates feedback into the draft legislation and vets through legal counsel;

Step 10: A third facilitated Membership Consultation Meeting is scheduled and notice is provided in accordance with 2.a.ii and 2.a.iii of the WMMCP;

Step 11: The process of engagement and consultation shall continue until draft legislation has been produced and reviewed by the membership, legal counsel and Council;

Step 12: The final draft must be communicated in accordance with 2.a.ii and 2.a.iii of the WMMCP and must be ratified through the Wahta Mohawks General Referendum Regulations.

The time frame for this process will vary, but a goal of **365** days is recommended.

Further Assistance

For further assistance please contact Wahta Mohawks Office at P.O Box 260, Bala, ON, POC 1A0 or call 705-762-2354