



GENERAL COUNCIL MINUTES

March 18, 2008

6:00 P.M.

The sixth General Council meeting of the Fifty-fourth Elected Council of the Six Nations of the Grand River Territory was held on the above noted date in the Council Chambers of the Band Administration Building, Ohsweken, Ontario, N0A 1M0 with Chief William K. Montour presiding as chair. Janice Longboat opened the meeting.

THOSE PRESENT:

Chief William K. Montour
David A. Hill
Christopher N. Martin
Claudine VanEvery-Albert

Barbara Harris
G. Ava Hill
R. Helen Miller

Carl Hill
Wray Maracle
George A. Montour

ABSENT:

R. Joanne Johnson, sick
Levi White, sick
Melba Thomas, sick

IN ATTENDANCE:

Dayle Bomberry, A/Senior Administrative Officer
Donna Barnaby, Director, Governance, First Nations Non-Insured Health Benefits.
Paula Laing, Commodore, Aka:we Canoe Club
Lisa VanEvery, Community member
Richard Powless, Consultant, Matrimonial Real Property
Bud Powless, Six Nations Sting Lacrosse Club

GALLERY:

Ruby Montour
Leona Moses
Jan Longboat
Wes Elliott
Rhonda Whitlow
Ron Thomas
Josh Powless,
About 40 people

MEDIA:

Turtle Island News

Tekawennake
CKRZ

RECORDER:

Shirley W. Johnson, Council Secretary

**CHANGES/ADDITIONS DELETIONS TO GENERAL COUNCIL AGENDA FOR
MARCH 4, 2008**

GC#92/03/18/2008

Moved by and seconded by that tonight's General Council agenda be adopted with the noted changes/additions/deletions.

Carried.

SIX NATIONS HEALTH SERVICES, Briefing Note attached

In Attendance, Donna Barnaby, Director, Governance & Community Programs, First Nations Inuit and Health Program.

In June of 2007, Ms. Barnaby attended a General Council meeting to discuss the options of extending the First Nations Inuit and Health program Contribution Agreements to a three-year term as compared to the present yearly term. At that time, there was not enough information that Ms. Barnaby could share with Council on the options that would be available to Six Nations. The purpose was to explain why the Branch has decided to move forward in longer term planning for First Nations. Ms. Barnaby has been on the road since 2007 and has undertaken twelve information sessions across southern the region. She has touched 134 First Nations. The information sessions were 1 1/2/ days in length.

During those information sessions, a number of Chiefs, the Chiefs of Ontario, and the AFN very much support the way in which the First Nations Inuit Branch is moving forward with regards to the flexibilities in the contribution agreements. The Branch is moving forward with new funding agreements in communities across the country as of April 1, 2008. What the branch is undertaking is that in March 2005, they looked at going to the Treasury Board on the "stove-pipe funding arrangements" for First Nations. That means individually funding program in Contribution Agreements in "single window" work plans for all the funding arrangements. They asked for longer-term agreements in their authorities. First Nations Inuit Health Branch always has that authority in their agreement to enter a longer term than one year with First Nations.

The advantage to longer than a one year period and up to a three year period is longer range planning allows less of an administrative burden; allows for long term planning by the Health Committee because it stabilizes the budgets over a longer period of time. Six Nations is looking at a longer than ten year period. First Nations Inuit Health Branch has changed the contribution arrangements. The Branch has gone from a general or "consolidated" agreement which a number of agreements here at Six Nations. The Branch has changed name of the agreement and expanded the time frame that Six Nations can enter into and is referred to as a "Set" Agreement,

which consolidates all the programs that are presently funded by Health Canada separately under one funding arrangement but it restricts you to the point where when you surplus you handed a program under the fiscal year or a program cluster which is the authority Health Canada has now versus the “Stove Pipe”. Health Canada has six authorities now that the communities are planning with.

The Agreement has been well received across the region. The communities can see the benefits to it. It allows them to do their planning in a comprehensive manner and it allows them to integrate sources of funding from other program areas and it allows them to enhance their health services but staying within a framework of an agreement that has a work plan that has been developed by the community in accordance with program plans and it also now has a standardized recording template. The standardized recording template is not as sophisticated as a document that Six Nations is already collecting information to.

The Six Authorities include:

- Children and Community Programs
- Health Protection
- Health Benefits
- Primary Care
- Capital
- Health Governance

Most of the programs here at Six Nations lie within the Community Programs, which has three clusters, which are:

- Children and Youth
- Mental Health and Addiction
- Chronic Disease and Intervention

The existing work plans are used and extended over a three-year period. It does not mean that changes cannot be made to the health plans. The work plans can be amended and changed by Council at any time over the duration of the agreement and at the end of every fiscal, when you enter into the new Set Agreement you won't be reporting on various programs three and four times a year. Six Nations will be required to complete one annual report on a standardized community based reporting template for all programs.

SIX NATIONS STING LACROSSE CLUB, Briefing Note attached

In Attendance: Bud Powless, Josh Powless

The Six Nations Sting Lacrosse Club will be hosting the Presidents Cup on Six Nations in 2009. The Lacrosse Club is looking for a letter of support to accompany their application to the Canada Lacrosse Association. Mr. Powless will provide the name and address to where the letter of support should be directed along with a template for forwarding.

GC#93/03/18/2008

Moved by Christopher Martin and seconded by David Hill that the Six Nations Council supports the Six Nations Sting Lacrosse Club and their endeavours to host the Presidents Cup in 2009 on the Six Nations of the Grand River Territory.

Carried.
Second Reading Waived.

AKA:WE CANOE CLUB, Letter of support

In Attendance: Paula Laing, Aka:we Canoe Club

The Akawe Canoe Club is making application to the Communities in Action Fund for financial support for 2008. The application requires support from the Six Nations Council. Paula Laing, on behalf of the Aka:we Canoe Club is here tonight requesting such.

GC#94/03/18/2008

Moved by George Montour and seconded by Chris Martin that this Council provide a letter of support to the Aka:we Canoe Club.

Carried.
Second Reading Waived.

DOUGLAS CREEK NEGOTIATIONS

In Attendance: Lisa VanEvery

Requesting that this Council reconsider their recommendation made in April of 2006 giving the Six Nations Confederacy the lead in negotiating for the Douglas Creek lands. The draft resolution was presented to Council for their consideration. Community members addressed the Council, voicing their thoughts on the resolution. Several Councillors supported the recommendation. The resolution was penned by a group of concerned community members and reads as follows:

“PROPOSED RESOLUTION:

WHEREAS; almost two years has passed since the lead to negotiate the Douglas Creek Estates land dispute was transferred to the Haudenosaunee Confederacy AND

WHEREAS; during the past twenty-four months, the original spirit and intent of solving the Douglas Creek Estates land dispute set out in the original April 18, 2006 Band Council Resolution (BCR#444) and subsequent expanded mandate of September 30,

2006 (BCR#577) has evolved into a reality of non-compliance which is unacceptable to the people of Six Nations of the Grand River AND

WHEREAS; the Haudenosaunee/Six Nations are now negotiating with the Ontario and Canadian governments about issues other than the Douglas Creek Estates land dispute with no clear mandate AND

WHEREAS; the Haudenosaunee/Six Nations are negotiating without the benefit of adequate qualified technicians with relative expertise and without benefit of legal counsel with a proven track record of lands claims and constitutional law expertise present at the table AND

WHEREAS; the Haudenosaunee Confederacy is not a healthy and full functioning governing body and institution as they stated clearly to the community on March 15, 2008 at a joint meeting of the Confederacy and Elected Councils and whereas “the Confederacy admit they have “only 17 Chiefs” out of a mandatory 50 and some of the 17 identified are cited as holding duplicate titles and according to their statements, “there still are problems” AND

WHEREAS; the interests of the Mohawk Nation are not fully represented in the current discussions and negotiations and their absence at the table results in disunity AND

WHEREAS; the development of the Haudenosaunee Development Institute (HDI) with its unclear mandate is as “unpopular” within the community as it is outside the community and this entity has not been publicly accountable to the people of Six Nations of the Grand River and for its proceeds and expenses nor has the HDI named benefactors and beneficiaries AND

WHEREAS; the HDI was admittedly created by the Haudenosaunee Confederacy Chiefs alone without consent or endorsement from the Six Nations Elected Council, the Mohawk Nation or the People of Six Nations of the Grand River AND

WHEREAS; reporting to the People of Six Nations of the Grand River regarding the Haudenosaunee/Six Nations negotiations has been fractured, sporadic and without public input AND

WHEREAS; there has been a lack of public policy, precise and detailed accountability to the People of Six Nations of the Grand River as to all funds relating to and expensed by the Haudenosaunee/Six Nations negotiating main table and side tables AND

WHEREAS; there appears to be no ‘calculated-risk’ strategy existing in the Haudenosaunee/Six Nations negotiating position resulting from miscommunication and non-communication within the main table AND

WHEREAS; the provincial and the federal governments have served notice through the media that their presence at the negotiation table after almost twenty-four months has not produced a timely satisfactorily recognizable Haudenosaunee/Six Nations process to resolve the land claims dispute with Six Nations AND

WHEREAS; there is to date, no stated or written process of how the People of Six Nations of the Grand River will be informed and engaged so as to ratify or endorse any final agreement and/or compensation and settlement,

THEREFORE be it resolved that in consideration of the foregoing and in order to strengthen the National Position of the Peoples of Six Nations of Grand River and their future descendents as beneficiaries in this matter, that the 54th Elected Council forward and endorse the establishment of an inclusive, accountable, equitable and transparent 'tripartite' body whose membership/appointment(s) will sit as equal partners with a mandate to sit as a 'national' negotiation team representing the Haudenosaunee Confederacy, Six Nations Elected Council and the Mohawk Nation AND

FURTHER be it resolved, that they be assembled forthwith and be comprised of three (3) members of each institutions' process for choosing representatives and they be empowered to establish and craft criteria, strategies, public policy, a ratification process and reporting mechanism(s) including audits AND

Further be it resolved that they be empowered to negotiate adequate administrative and ancillary funding to establish an Office for the tripartite negotiations team and to engage: expert technicians, financial expertise including actuaries and necessary legal counsels for the purpose of negotiating compensation(s) on behalf of and for the ratification by everyone entitled to be a member of Six Nations of the Grand River AND

FURTHER be it resolved that all three parties represented be encouraged to choose through their process one (1) person 'at large' from the community as one of their representatives or appointments to the tripartite negotiation team for the Six Nations of the Grand River AND

FURTHER be it resolved that this newly formed tripartite negotiation team will be known as the Six Nations of the Grand River Land Claims Commission AND

FURTHER be it resolved that this newly formed negotiation team will prepare monthly status report cards for the People of Six Nations of the Grand River using all public forums, media and technology available.

For consideration and adoption, this resolution is written without 'prejudice or malice' of any of the freedoms, ideologies, political persuasions or religious faiths

that live within each of the Six Nations' Civilizations and resides among and in the Six Nations of the Grand River Territory.”

GC#95/03/18/2008

Moved by Carl Hill and seconded by Wray Maracle that this Council accept as information, the presentation by Lisa VanEvery regarding transferring the lead for Douglas Creek Negotiations.
Carried.

BURIAL COSTS FOR SIX NATIONS BAND MEMBERS.

Briefing Note attached prepared by Councillor Carl Hill

In Attendance: Rhonda Whitlow

There is no financial assistance available to Band members who turn 65 and not on social assistance to assist in burial costs.

Previous Councils have discussed this matter and even suggested, at one time, an allocation of money be set aside and that the interest from this money be disbursed to those who qualify.

It was recommended that the Seniors Relief Fund do further investigation into the matter. The following recommendation was made:

1. For further discussion from the Seniors Relief Fund Committee to expand their services to include financial assistance for burial of band members for those who qualify who do not reside on the Territory
2. That the Seniors Relief Fund develop criteria and access
3. Pursue funding sources such as Rama dollars
4. Bring a recommendation back to Council in a timely manner.

GC#96/03/18/2008

Moved by Carl Hill and seconded by George Montour that this council refer the following recommendations to the Senior Relief Fund Committee:

1. For further discussion from the Seniors Relief Fund Committee to expand their services to include financial assistance for burial of band members for those who qualify who do not reside on the Territory
2. That the Seniors Relief Fund develop criteria and access
3. Pursue funding sources such as Rama dollars
4. Bring a recommendation back to Council in a timely manner.

Carried.

SENIORS RELIEF FUND, Briefing Note attached

Recommendation:

“That the Six Nations Council approve of the revised Terms of Reference for the Seniors Relief Fund, dated March 13, 2008.”

GC#97/03/18/2008

Moved by David Hill and seconded by Barbara Harris that the Six Nations Council approves of the revised Terms of Reference for the Seniors Relief Fund, dated March 13, 2008.

Motion Withdrawn.

The Motion was withdrawn until such time that Council is provided with a “clean” copy of the draft. The Terms of Reference is to be placed in each of the councillors mailbox for review and comment prior to April 1, 2008 General Council.

RECOGNITION OF BUSINESS

GC#98/03/18/2008

Moved by David A. Hill and seconded by Claudine VanEvery Albert that this Council provide a standard letter recognizing Hill’s Home Improvement, owned by Terrence Hill Sr. as a business operating on-reserve.

Carried.

Second Reading Waived.

GC#99/03/18/2008

Moved by David A. Hill and seconded by Claudine VanEvery Albert that this Council provide a standard letter recognizing Frank Hill’s Roofing, owned by Frank Hill as a business operating on-reserve.

Carried.

Second Reading Waived.

MATRIMONIAL REAL PROPERTY, Recommendation provided

Update by Richard Powless

Recommendations from MRP Planning Committee

GC#100/03/18/2008

Moved by Ava Hill and seconded by George Montour that this council approve the recommendation of Richard Powless, Consultant, MRP Planning to proceed with the strategy:

- 1) A Lobby/communication strategy
- 2) Work on the presentation to the Standing Committee
- 3) Make a challenge to the Human Rights Commission
- 4) Keep developing our own Six Nations Matrimonial Real Property
- 5) Court challenge on failure of duty to consult.

Carried.

ADOPTION OF THE GENERAL COUNCIL MINUTES OF MARCH 4, 2008

GC#101/03/18/2008

Moved by George Montour and seconded by Claudine VanEvery Albert that the minutes of the General Council meeting of March 4, 2008 be adopted as read.

Carried.

SIX NATIONS PUBLIC WORKS COMMITTEE, Briefing Note provided

GC#102/03/18/2008

Moved by George Montour and seconded by Carl Hill that this Council approves the recommendation of the Public Works Committee to install road signs that read "Sour Springs Road" at intersections on 2nd Line Road from Chiefswood Road to Bateman Line.

Carried.

BURIALS AT OLD MOHAWK INSTITUTE, Briefing Note provided

GC#108/03/18/2008

Moved by Ava Hill and seconded by Claudine VanEvery Albert that his Council acknowledge as information the briefing note, dated March 6, 2008, prepared by Councillor Ava Hill, Six Nations representative on the Woodland Cultural Museum re: Burials at Old Mohawk Institute.

Carried.

RECOGNITION OF BUSINESS

GC#109/03/18/2008

Moved by Claudine VanEvery Albert and seconded by Wray Maracle that this Council provide a standard letter recognizing JD Printers, owned by Jennifer Leigh Hill as a business operating on-reserve.

Carried.

GC#110/03/18/2008

Moved by Carl Hill and seconded by Wray Maracle that this Council provide a standard letter recognizing Old Time Lacrosse, owned by Steve Whitlow as a business operating on-reserve.

Carried.

GC#111/03/18/2008

Moved by George Montour and seconded by Christopher Martin that this Council provide a standard letter recognizing Terry's Dish Installation, owned by Terry VanEvery as a business operating on-reserve.

Carried.

SCHEDULING

9:00 p.m.

- Conclusion to the Employment Policy Review, March 19, 2008 9:00 a.m.
- Community Meeting, Community Planning, Ministry of Municipal Affairs, March 19, 2008, 6:00 p.m., Six Nations Polytechnic
- Full Council, RDG, INAC, March 25, 2008 1:00 p.m. to 3:00 p.m. (IN TORONTO AT THE INAC OFFICE). Not acceptable, Council wants her to come here.
- Edwards Landfill Tour, March 26, 2008 9:00 .m.
- GRE Tour, Full Council, March 27, 2008
- Housing Workshop, March 28 and 29, 2008, Niagara Falls, Ontario.
- Political Liaison, March 31, 2008 6:00 p.m.
- General Council, April 1, 2008, 7:30 p.m.
- IFN Aboriginal Healing and Wellness, Toronto, April 8 and 9, 2008,

GC#112/03/18/2008

Moved by Carl Hill and seconded by George Montour that this meeting be adjourned at 9:13 p.m.

Carried.

Signature of Chief William K. Montour