



GENERAL COUNCIL MINUTES

October 6, 2009

7:30 P.M.

The forty-first 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 Administration Building, Ohsweken, Ontario, N0A 1M0 with Chief William Montour presiding as Chair and an opening prayer was done by Pastor Ralph Garlow.

THOSE PRESENT:

Barbara Harris
Joanne Johnson
George Montour
Christopher Martin

Ava Hill
Wray Maracle
Claudine VanEvery-Albert

David Hill
Helen Miller
Melba Thomas

ABSENT:

Chief William Montour, Council business
Councillor Carl Hill, Council business
Councillor Levi White, sick

IN ATTENDANCE:

Dayle Bomberry, A/Senior Administrative Officer
Jacklyn Martin-Hill,
Karen Best, Communications Officer

GALLERY:

MEDIA:

Turtle Island News

RECORDER:

Shirley W. Johnson, Council Secretary

CHANGES/ADDITIONS/DELETIONS/ADOPTION OF THE GENERAL COUNCIL
AGENDA FOR OCTOBER 6, 2009:

NEW BUSINESS, COUNCILLOR BARBARA HARRIS

- 1) Council support for Canada Ontario Resource Development Agreement (CORDA) for Cindy Martin
- 2) Six Nations Council Resolution to attend Chiefs' Committee On Health, Independent First Nations (as alternate to Pat Powells) on Thursday, October 8, 2009

NEW BUSINESS, CHIEF WILLIAM MONTOUR

- 1) Water Plant Project Manager
- 2) Water Plant Invoice
- 3) Purchasing a table for the Dreamcatchers Gala
- 4) Pageant Committee's request to waive fees for the Handcrafters' Bazaar

GC#328/10/06/2009

Moved by George Montour and seconded by Claudine VanEvery Albert that this Council accepts the General Council Agenda for October 6, 2009 with additions as noted.

ALL IN FAVOUR

CARRIED.

CANADIAN MEDICAL SOLUTIONS, Power Point Presentation

In Attendance:

- Michael Baber, Owner

Re: Health Care concept for Six Nations Health Care

Had to re-schedule due to technical difficulties with Power Point presentation.

BUILDING AND INFRASTRUCTURE COMMITTEE.

Briefing Note provided

GC#329/10/06/2009

Moved by George Montour and seconded by Wray Maracle that the Six Nations Council accept the Roads Management Plan (September 2009) and Chiefswood Road Traffic Study (May 2009) prepared by Neegan Burnside and a copy of these reports be submitted to Indian and Northern Affairs Canada (INAC).

ALL IN FAVOUR

CARRIED.

SECOND READING WAIVED.

EMERGENCY MANAGEMENT PLANNING COMMITTEE

Briefing Note provided

GC#330/10/06/2009

Moved by Christopher Martin and seconded by Claudine VanEvery Albert that the Six Nations Council approve the recommendation of the Emergency Management Planning Committee for the Terms of Reference for the Six Nations Emergency Management Planning Committee.

ALL IN FAVOUR

CARRIED.

HARMONIZED SALES TAX.

Briefing Note provided

Briefing Note provided the draft resolution on Six Nations Elected Council's position on the Harmonized Sales Tax.

GC#331/10/06/2009

Moved by Helen Miller and seconded by David Hill that this Council approves of the following resolution opposing the proposed Harmonized Sales Tax:

WHEREAS the Six Nations Elected Council is the democratically elected representatives of the Six Nations of the Grand River;

AND WHEREAS the Six Nations of the Grand River possess inherent and Aboriginal rights arising from our historical relationship with the Crown;

AND WHEREAS many of those rights are codified in the Royal Proclamation 1763, the Haldimand Deed 1784, the Constitution Act 1867, the Constitution Act 1982, and the Indian Act 1985;

AND WHEREAS those rights include guarantees of exemptions from external taxation;

AND WHEREAS the Government of Ontario agreed to a fair and reasonable point of sale exemption system, to protect our tax exemption rights, when the provincial Retail Sales Tax (PST) was implemented in 1961;

AND WHEREAS the Governments of Canada and Ontario have agreed to harmonize the existing 5% Goods and Services Tax (GST) with the 8% PST resulting in a Harmonized Sales Tax (HST) of 13%;

AND WHEREAS such harmonization will mean that goods which are currently only subjected to the 5% GST will be subject to the entire 13% HST;

AND WHEREAS such harmonization will adversely affect the point of sale exemption that we currently possess from provincial sales tax;

AND WHEREAS requiring individuals to save all receipts is an unreasonable expectation to burden individuals with and will result in a more cumbersome and costly system for all parties;

AND WHEREAS the Six Nations Elected Council has made both the Government of Canada and the Government of Ontario aware of its objections to the Harmonized Sales Tax;

AND WHEREAS the Governments of Canada and Ontario have not accommodated the concerns raised by the Six Nations Elected Council,

NOW THEREFORE BE IT RESOLVED that the Six Nations Elected Council is adamantly opposed to the imposition of any and all outside taxation that violates our historical relationship and our right to tax exemption;

BE IT FURTHER RESOLVED that Six Nations Elected Council believes that not extending the point of sale exemption to the Harmonized Sales Tax is tantamount to the imposition of a tax on our people;

BE IT FURTHER RESOLVED that the Six Nations Elected Council will work with all supportive political bodies and First Nations to oppose the Harmonized Sales Tax in its present form.

ALL IN FAVOUR

CARRIED.

SECOND READING WAIVED

NEW BUSINESS, C.O.R.D.A Application for Cindy Martin

Request for letter of support to Canada/Ontario Resources Development Agreement (CORDA) Cindy Martin, owner of Reconnection Journey.

GC#332/10/06/2009

Moved by Christopher Martin and seconded by Melba Thomas that the Six Nations Council support Cindy Martin, Reconnection Journey, for her application to Canada Ontario Resource Development Agreement (CORDA), in the amount thirty-five thousand dollars (\$35,000).

TWO—ABSTENTIONS

CARRIED.

SECOND READING WAIVED

POWER UTILITY INITIATIVE FOR SIX NATIONS TERRITORY

Power Point Presentation handout provided

In Attendance:

- Drew Hill
- Kimberly Thomas

Council approved of their request for the letter of support to form a power utility which would be owned by the Six Nations community. Consideration is being given for a transmission and distribution ownership.

The Community Advisory Board will advise the Task Force Team and has been asked to participate until the Task Force Team has completed the Power Utility, which will take from six months to one year. The Board, at present, will be volunteering their time until funding is obtained to pay them an honorarium.

The Task Force Team consists of three members, Drew Hill, Kim Thomas and Joseph Fiorini. They are not, to date, being compensated for their efforts however they are submitting a work plan budget to Hydro One.

The Task Force is looking for support of the Political bodies on the Territory, but to keep the power utility at “arms length” from all the political bodies. They are looking for community-wide support. It is a potential money making opportunity for the community. History has proven that initiatives (including power utilities) that have been brought to Council and functioned under Six Nations Council have not succeeded. There were three companies that were considered in the past and the only company that has succeeded is the Natural Gas Company, which operates at “arms length” from Council.

There are five companies licensed to transmit electricity in Ontario which are:

- Hydro One
- Great Lakes Power
- Canadian Niagara Power
- Five Nations Energy
- Cat Lake Power Utility

Councillor Claudine VanEvery Albert has been recommended as one of the members of the Community Based Advisory Board. There was some discussion to determine if Councillor VanEvery-Albert would be sitting on this advisory board as a “community member” or as a

Councillor. Councillor VanEvery-Albert will be sitting on the board only during the interim, would not expect remuneration from Six Nations Council and would be positioned there as “Councillor” Claudine VanEvery Albert.

GC#333/10/06/2009

Moved by Christopher Martin and seconded by Melba Thomas that the Six Nations Council provides a letter of support for ownership a community power utility to transmit and distribute electricity with and through the Six Nations of the Grand River Territory.

Claudine VanEvery Albert declares conflict of interest

ALL IN FAVOUR

CARRIED.

SECOND READING WAIVED.

CHIEF OF ONTARIO YOUTH PROGRAM

In Attendance:

- Sasha Maracle, Six Nations Youth Representative

A briefing note and a verbal report was given following Ms. Maracle’s meeting with the Young Onkwehonweh United (YOU) and provided some suggestions how they (YOU) can function more effectively.

GC#334/10/06/2009

Moved by Melba Thomas and seconded by Barbara Harris that the Six Nations Council accepts the report presented by Sasha Maracle, Six Nations Youth Representative, Independent First Nations (IFN) and that the Six Nations Council follow through with donating another two hundred dollars (\$200.00) to the Youth Group as per resolution dated June 16, 2004, Chiefs of Ontario.

ALL IN FAVOUR

CARRIED.

ADOPTION OF THE GENERAL COUNCIL MINUTES OF SEPTEMBER 15, 2009 and ACTIONS ITEMS

GC#335/10/06/2009

Moved by George Montour and seconded by Barbara Harris that the General Council Minutes of September 15, 2009 be adopted as read.

ALL IN FAVOUR

CARRIED.

GC#336/10/06/2009

Moved by David Hill and seconded by George Montour that the Action Items List dated September 15, 2009 be adopted as read.

ALL IN FAVOUR

CARRIED.

ETHICS COMMITTEE, PERMISSION TO TRAVEL

Briefing Note provided

Councillor Melba Thomas withdrew the following:

“That the Six Nations Council approves the recommendation of the Ethics Committee that Councillor Melba Thomas, Ethics Committee Chair, attends the October 16, 2009 meeting with the Brock University Research Ethics Boards at Brock University in St Catharines, Ontario.”

NEW BUSINESS, APPROVAL FOR WATER PLANT PROJECT MANAGER

Briefing Note Provided

GC#338/10/06/2009

Moved by George Montour and seconded by David Hill that Diverse Technical Services, Mike Murray, receives approval as the Water and Supply Treatment Plant Professional Project Manager, with the base amount of one hundred forty-eight thousand eighty-nine dollars and seventy cents (\$148,089.70) and that the A/Senior Administrative Officer signs the contract, upon General council approval. Funding as identified by the overall project.

ALL IN FAVOUR

CARRIED.

SECOND READING WAIVED.

NEW BUSINESS, FIRST NATIONS ENGINEERING INVOICE FOR WATER FEASIBILITY STUDY

GC#339/10/06/2009

Moved by David Hill and seconded by George Montour that the Six Nations Council pay First Nations Engineering in the amount of three hundred thirty-one thousand eighteen dollars and thirty-three cents (\$331,018.33) for Water Feasibility Study.

ALL IN FAVOUR

CARRIED.

SECOND READING WAIVED.

NEW BUSINESS, APPROVAL TO PURCHASE TABLE FOR DREAMCATCHERS GALA

GC#340/10/06/2009

Moved by David Hill and seconded by Wray Maracle that the Six Nations Council purchase a table in the amount of three thousand dollars (\$3,000.00) for the Dreamcatchers Gala to be held on October 29, 2009 at the Hamilton Convention Centre, Hamilton, Ontario.

TWO—OPPOSED

CARRIED.

SECOND READING WAIVED.

NEW BUSINESS, REQUEST BY PAGENT COMMITTEE TO WAIVE FEE

GC#341/10/06/2009

Moved by George Montour and seconded by Melba Thomas that the Six Nations Council waive the rental fees in the amount of three hundred and eighty-three dollars (\$383.00) and the security deposit in the amount of two hundred and fifty dollars (\$250.00) for the use of the Six Nations Community Hall in order for the Pageant Committee to host the Handicrafters' Bazaar to be held on November 7, 2009.

FOUR—OPPOSED

CARRIED.

ONE--ABSTENTION

ADJOURNMENT

GC#342/10/06/2009

Moved by David Hill and seconded by Barb Harris that this meeting be adjourned at 10:00 p.m.
ALL IN FAVOUR CARRIED.

signature of Chief William Montour