

**October 10, 2017
Council Meeting
Minutes**

Attendance:

Chief Bob Gloade	Councillor Ward Markie	Councillor Colin Bernard
Councillor Bryan Brooks	Councillor Mike Stephens	Councillor Chris Nasson
Councillor Peter Gloade	Councillor Lisa Marshall	Councillor Stephen Marshall
Councillor Lloyd Johnson	Councillor Alex Cope	Councillor Barry Martin

Meeting called to order at 10:20 am

Review of June 13, 2017 minutes

Motion by Councillor Peter Gloade to accept minutes with corrections.

Seconded by Councillor Bryan Brooks

Motion Carried unanimously

Review of September 12, 2017 minutes

Motion by Councillor Peter Gloade to accept minutes with corrections

Seconded by Councillor Stephen Marshall

Motion Carried to accept with noted amendments

Letters to Chief and Council:

Reference: Band Member (*BCR reference #2017-25*)

Approval for building Lot see BCR

Motion by Councillor Alex Cope

Seconded by Councillor ?? *inaudible*

Motion carried unanimously.

Reference: Native Employment Officer - Monthly Report

Action Requested: Approval of Native Employment Office Assistant to be added to Full Time Permanency.

Motion by Councillor Mike Stephens to accept NEO assistant's position as permanent full-time position.

Seconded by Councillor Bryan Brooks.

8 for; Councillors Bryan Brooks, Lloyd Johnson, Mike Stephens, Barry Martin Sr., Lisa Marshall, Colin Bernard, Chris Nasson, Stephen Marshall

1 opposed; Councillor Alex Cope

1 abstained; Councillor Peter Gloade

Motion Carried

Action Requested: Carpentry Intern position

Agreed by consensus to proceed with posting

Reference: Band Solicitor

Issues:

1. Was the increase in years of service/pension a breach of fiduciary duty?
2. Who would have standing to take Council to Court?
3. What is the best approach on a go forward basis?

Summary:

1. Yes, the payment was a breach of fiduciary duty as it was a marked increase from the previous payment of \$1,000.00 per year, and was a clear and significant personal benefit to the Councillors only, which did not benefit members of the Band.
2. Any member of the Band could start an action against Council, as the Band members are beneficiaries and Council acts as a fiduciary. The remedy would likely be an Order that all funds in excess of \$1,000.00 per year get paid back into the Band by those who had received them.
3. The best approach on a go-forward basis is to have a plebiscite from the Band members approving this payment

Motion by Mike Stephens to eliminate any and all service honorarium pension plans, retroactive to the very first year of service through to present. Councillors Mike Stephens and Lisa Marshall wish to have their names removed from all funds set aside for pension plans.

Seconded by Councillor Lisa Marshall

Discussion: If the decision goes to the band membership was it in public minutes? think so. The only ones that could get sued are ones that received money, Mike will never receive any kind of pension.

For 4; Councillors Lisa Marshall, Mike Stephens, Bryan Brooks, Stephen Marshall

Opposed 6; Councillors Alex Cope, Lloyd Johnson, Peter Gloade, Chris Nasson, Colin Bernard, Barry Martin Sr., Adrian Gloade

Motion Defeated.

Reference: Heat Pumps

Councillor Lisa Marshall would like the cost of the two heat pumps installed in her home to be taken from her honorarium.

Discussion: The heat pumps were chosen to be installed in homes with electric heat, the reason behind this decision was to reduce the cost of electricity. The band is able to offset the costs of the heat pumps from the profits of the windmills. Councillor Lisa Marshall wants to add heat pumps to all the homes. There is concern that this money is for the benefit of all band membership, not only those that live on reserve.

Reference: Director of Health Services - Monthly Report

Action Requested: Requested clear direction (for policy purposes) from Council about coverage for prescriptions/dental/other health services (e.g.- chiropractic services, etc.) for those who live outside of province, and outside of Canada.

Agreed by consensus up to a \$1000CAD for dental, \$500CAD for all other services amount for all band members, regardless of their location.

Action Requested: To delay the process of becoming custodians of personal health information for 6 months.

Agreed by consensus to get legal opinion from Band Solicitors.

Reference: Director of Education Services - Monthly Report

Action Requested: To increase the amount given to “Varsity” team players to be raised from \$200 to \$400.

Agreed by Consensus to increase funds.

Action Requested: To have the School Supplies program be expanded to include all band members, beginning in the next academic year.

Agreed by consensus to expand school supplies program.

Action Requested: To cover the cost of an Educational Assistant this school year. (will be applying for funding through Jordan's Principle to recuperate some of this cost).

Agreed by consensus to cover the cost.

Reference: New Construction Supervisor - Monthly Report noted.

Reference: Millbrook Security - Monthly Report noted.

Reference: Post-Secondary Education Director - Report noted.

Reference: Operations Supervisor - Millbrook Heritage Centre

What is the reasoning for the enhanced security? Very costly. ADT has the most cost-effective system to date. Band Administrator will check with the Operations Supervisor to see what the reasoning for this request is.

Reference: Millbrook Community Health Representative

Requested that for future senior parties etc., that anyone wanting to donate gifts to do so in advance, anonymously to the CHR, these can be drawn for.

Community Christmas parties - Let community function happen first, at the end if there are giveaways they can happen after.

Reference: Lieutenant Governor

Thank you, letter.

noted.

(Councillor Colin Bernard stepped out due to conflict of interest)

Reference: Band Staff member

Requested to become a signer for Band cheques.

Discussion: Councillor Lisa Marshall and Councillor Ward Markie would also be interested in becoming a signer as well. Cheque signing is considered an administrative function, there is no need for any new signers at this time.

The request has been noted.

Reference: Band staff member

Proposed dates for Christmas closure: December 20th at 12pm and reopen on January 3, 2018. Also, to follow the School Board system for storm days.

Agreed by consensus that storm days will be decided on an as need basis according to the circumstances provided by the weather, by Chief and Band Administrator.

Agreed by consensus to have Christmas closure begin December 22, 2017 and reopen Tuesday January 3, 2018.

Agreed by consensus to have Staff Christmas Party to be scheduled for December 15, 2017, all offices and entities will close at noon for this event.

Reference: Band Member

Requested to have compost bins be emptied and cleaned, have G-Man staff check with homeowners on who would like their emptied and cleaned.

Discussion: Solid Waste Management Plan is being developed, this will include a Diversion Centre, bins etc. G-Man will be working with community members to assist in this process. Band Administrator will forward the Solid Waste Management Plan to Chief and Council.

Request was noted.

Reference: Individual

Submitted a letter of apology and requested to have ban (2015) lifted.

Discussion: She should be providing proof of recovery and has made steps to continue her progress.

Councillor Alex Cope has spoken to her recovery, he will look into it, BCR usually 1 year.

Reference: Band Member

Requested Cultural dance and crafts be taught in Sheet Harbour.

Discussion: Band Administrator will have Cultural and Heritage Centre to provide outreach programs in Sheet Harbour.

Reference: Band Member

Requested reimbursement for my Dental Hygiene fees for services

Agreed by consensus to cover cost annually, Band Administrator will inform Health Director to cover these fees annually, as well to include Chiropractor's fees in this annual requirement.

Reference: Band Member

Requesting \$500.00 to match fundraising for Cobequid Educational Centre's Terry Fox Run.

Agreed by consensus to donate \$500.00

Reference: Band Member

Requested to receive \$750.00 of November Millbrook Enterprise Credit.

Agreed by consensus to give her \$750.00

Reference: Band Member

Requested to receive half of her November Millbrook Enterprise Credit.

Agreed by consensus to give her half of her November Millbrook Enterprise Credit.

(Chief Bob Gloade and Councillor Peter Gloade stepped out due to conflict of interest).

Reference: Band Member

Requested to have family home transferred to family member.

Motion by Councillor Alex Cope to transfer to family member, as requested.

Seconded by Councillor Stephen Marshall.

7 for; Councillor Alex Cope, Councillor Stephen Marshall, Councillor Bryan Brooks, Councillor Ward Markie, Councillor Lisa Marshall, Councillor Chris Nason, Councillor Mike Stephens.

1 abstained – Councillor Lloyd Johnson.

Reference: Band Member

Requested to have an outside construction company complete the work as the work needs to be done has not been completed. Requires 3 doors, flooring installed and painting to be completed.

Discussion: There is no funding left from the RRAP as it has expired, original approval for repairs was sent on November 8, 2016. Band Member replied September 20, 2017 with the above-mentioned request.

Table till next meeting, Band Administrator will find quotes from outside carpenters.

Reference: Band Member

Requested housing repairs.

Discussion: Ineligible for repairs due to income earned, the client is eligible to utilize the \$500.00 housing repair. A hatch or closure to the basement would not meet code, the electrical panel will be inspected.

Reference: Band Member

Requested housing repairs.

Discussion: Housing repairs are to be forwarded to Band Administrator and he will get Maintenance and Repairs Supervisor to inspect and repair if necessary.

Reference: Band Member

Requested on reserve housing.

Apply for housing as per the process required by the Band, keep application up-to-date.

Reference: Band Member (BM)

Requested senior housing.

Discussion: BM had proposed a payment plan which has been paying back so that can be considered eligible for housing.

Agreed by consensus that BM will be eligible to apply for housing should continue to pay debt off.

Reference: Band Member

Requested medical unit in Cole Harbour, for temporary housing until there is adequate housing available.

Request is noted.

Reference: Band Member

Requested an off-reserve housing subsidy, provided all required documents.

Agreed by consensus to approve an off-reserve housing subsidy

Reference: Band Member

Requested an off-reserve housing subsidy, provided all required documents.

Agreed by consensus to approve an off-reserve housing subsidy

Reference: Housing Committee Member

Disagrees with the Housing Committee Recommendations, based on unfair process and misappropriation of information provided by applicants. Was unable to attend the Housing Committee Meeting and wants another one rescheduled to re-evaluate.

Agreed by consensus to hold another Housing Committee Meeting with all members in attendance.

Reference: Treaty General Manager

Update as requested on Millbrook Tobacco Store.

Discussion: Right now, there does not seem to be concern for a Manager position, the most pertinent issue will be renovations to the store to increase capacity and better use of space.

For point of sales, could there be a second cash register for retailers to alleviate wait times for individual customers?

Reference: Repairs & Renovations Supervisor – Band Member

When working on extension, band member told Repairs & Renovations Supervisor that “he was putting a bathroom downstairs, that he would be hiring Kelsy’s Plumbing to do it. He also had a sump pump put in he told us not to worry about anything he was paying for it all”.

Discussion: Issues with multiple people working on houses at once, Repairs & Renovations Supervisor is frustrated because the home owner had hired another contractor to complete this.

Our crews should be permitted to complete their tasks first, then outside contractors.

Reference: New Construction Supervisor

Inspections for extension requests – brought to the attention of the Band Administrator that the two requests fall under the Canadian National Occupancy Standard and are eligible for approval.

Agreed by consensus to complete the requested extensions.

Councillor Alex Cope abstained

Reference: Band Member

Table this till next months. Make information public to community if band members request to have a Certificate of Possession on their home what they would be responsible for.

More discussion is needed, the community needs to be made aware of the costs associated with being issued a Certificate of Possession for their homes.

Tabled until further information can be acquired.

Reference: Bowling Sponsorship

Bible Hill Bowlcade is seeking donations for the First Annual Christmas Daddies Tournament.

Agreed by consensus to donate \$100 visa from Youth Support program.

Reference: Band Member

Requested that an undesirable be banned from Beaver Dam

Motion by Councillor Colin Bernard to approve BCR to ban undesirable.

Seconded by Councillor Bryan Brooks

10 for;

1 opposed;

Motion Passed

Speed bumps cannot be installed; no jurisdiction

Reference: Post-Secondary Education Director - Student Support Program Guide

To increase the Post-Secondary Living allowance to meet the provincial standard, current rates are as follows:

	Nova Scotia	Millbrook	Confederacy	Sipekne'katik
Single Student	\$1,042.00	\$975.00	\$1,075.00 (all)	\$1,050.00(all)
Single Parent	\$1,380.00	\$1,345.00		

Motion by Councillor Lloyd Johnson to increase the Student Living Allowance for the Post-Secondary Program to the following; Single Students \$1,075.00, Parents \$1,445.00.

Seconded by Councillor Mike Stephens

10 for; Councillors Chris Nasson, Colin Bernard, Lisa Marshall, Peter Gloade, Mike Stephens, Lloyd Johnson, Ward Markie, Stephen Marshall, Barry Martin Sr., Alex Cope

1 abstained; Councillor Bryan Brooks

Motion Passed

Reference: Band Member

Request for an update from July's meeting, repairs to house.

Band Administrator will look into it.

Reference: Water tank

Still leaking, needs to be replaced

Band Administrator will look into this.

Reference: Band Member

Roof needs to be replaced.

Band Administrator will look into it.

Reference: Band Member

Requested to have haunted house/maze admissions paid for.

Request denied.

Reference: Mary Elizabeth Drive (Sheet Harbour) and Rachel Lane (Millbrook) be painted

Agreed by consensus to have Action Seal to paint a white line on these streets.

Reference: Grave Markers

There have been some requests for grave markers for newly passed members.

Agreed by consensus to provide markers for band and community members.

Reference: Band Member

Requested a shed.

Agreed by consensus to approve shed.

Reference: Mi'kmaq Hall of Fame at Heritage Centre

Would like to have an open house, provide sandwiches, snacks, etc.

Agreed by consensus to approve open house.

Reference: Band Member

Seeking recognition for their child "for setting the standard for band members to get through the registration process."

Request noted

Reference: Pilot Project (Free Internet)

Can we look into the Pilot Project in Afton which they have free internet for the community?

Community based wifi. Check with Paqtnkek what project is etc.
Band Administrator will look into the cost of this
Tabled until adequate information can be gathered.

Reference: Funerals

Does the Band send flowers when band members die? Sheet Harbour Resident did not receive.
Yes, flowers are sent to every funeral for a band member as long as the band is aware.

Reference: Asphalt Sand on Senior Steps

Can we get this done for slip safety?
This is already done.

Reference: Band Member

Requested to have electrician to check electrical and have roof inspected.
Band Administrator will have house inspected.

Reference: Moderate livelihood

Motion by Councillor Mike Stephens to have our consultation team work together with Millbrook Fisheries and Mi'kmaw Conservation Group to collaborate in creating a moderate livelihood management plan that incorporates treaty rights to create a sustainable fisheries plan to utilize for lobster, as a pilot. This can incorporate other species at a later date.

Seconded by Councillor Bryan Brooks

Motion Carried unanimously

Reference: Boxing Club

Administration will hire a qualified individual to open and operate a proper facility
Agreed by consensus

Reference: Rats/rodents

See By-Law Officer, he will go set traps etc.

Reference: Powwow budget

Requested budget
Nothing is available yet.

Reference: Powwow Arbour

Band Administrator will contact Kenomee Log Homes for a quote

Reference: Heat Pumps

Want to ensure that there are heat pumps in all houses that have electric baseboard heaters including, Sheet Harbour Beaver Dam and Cole Harbour (Band owned houses and CP).

Discussion: Rentals do not count. Band owned homes, need to look at other options for homes with furnaces; ducted vs ductless. There was a reason the original was to do this over a three-year plan.

Agreed by consensus

Reference: Food Fishery access

What is the process for getting some product, we are getting 4,000 pounds of scallops for free, these will be distributed to band members at their request.

Anyone who wants to go fishing for food fishery can contact Mi'kmaw Conservation Group.

Reference: Walk way between Hampton and Bingo

Quote for bridge \$21,000.00

Band Administrator and Councillor Lloyd Johnson will work on this.

Reference: Band Member

Has not taken possession of apartment yet. Can this application be reintroduced to housing committee?

Apartments are temporary, application can be updated to capture additions to family.

Reference: Fishing Contracts

Can we have Band Solicitor complete the fishing contracts? They are still not done; Band Administrator will contact Legal Counsel and will put them in mailboxes.

Reference: Band Member

Requested sponsorship for boxing match on October 28, 2017, ringside table \$350.

Agreed by consensus to sponsor two tables.

Reference: Moderate Livelihood

Can we have an independent consultant come in to explain the moderate livelihood and to be a part of consultation team.

Band Administrator will contact consultant for a quote.

As of December 2017 – motions will cease for the upcoming election.

Motion by Councillor Barry Martin to adjourn at 3:39 pm.

Seconded by Councillor Stephen Marshall.

Unanimous