

**April 10th 2018
Council Meeting
Minutes**

Attendance:

Chief Bob Gloade	Councillor Gordon Johnson	Councillor Colin Bernard
Councillor Bryan Brooks	Councillor Barry Gloade	Councillor Chris Nasson
Councillor Adrian Gloade	Councillor Alex Cope	Councillor Mike Stephens
Councillor Peter Gloade	Councillor Stephen Marshall	Councillor Barry Martin

Meeting called to order at 10:05am.

Presentation to Council:

Reference: Combine Insurance Representative

Presented supplemental benefit plans and requested permission to come to the Millbrook reserve to sell insurance door to door.

To be discussed, she was asked to leave contact information with front desk.

Review minutes of March 13, 2018 meeting:

Motion by Councillor Peter Gloade to accept minutes with the addition of Councillor Gordon Johnson to the attendance list.

Seconded by Councillor Chris Nasson.

Motion carried unanimously.

(back to presentations to Chief and Council)

Reference: G-Man Waste Removal

presented an update regarding Millbrook Diversion Centre.
noted.

This will help eliminate the present issues at the hall with dumpsters.

(Councillor Adrian Gloade stepped out due to conflict)

Reference: Band employee

Requested a pay raise plus vacation pay.

Discussion: Fisheries Manager said there are no pay raises for those fishing in the gulf this year.

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

Reference: Band member

(In camera discussion)

Reference: Director of Health Services - Monthly Report

Staff training - Trauma Informed Care and Non-Violet Crisis Intervention – Chief and Council would like other band staff to participate in this as well.

Action Requested: That Council support the Health Director's recommendation to have Nurse Practitioner be a Nova Scotia Health Authority employee.

Agreed by consensus to accept recommendation.

Action Requested: That Council support the hiring of a qualified permanent part-time fitness centre attendant for evening hours.

Agreed by consensus to accept recommendations to hire someone that is qualified, position to be open to everyone with a preference to Millbrook band members or persons of Mi'kmaw descent.

Reference: Director of Educational Services - Monthly report

(Councillor Barry Gloade stepped out due to conflict)

Action Requested: Recommended that the Band to allow Pilot Project Social Worker at TRES continue on a full-time basis allowing the full year already worked to be considered the probationary period. If this is not possible it was recommended that the Band commit to paying the salary even if the position must be re-posted.

Motion by Councillor Peter Gloade to have Band member continue on a full-time basis as the Social Worker at the Truro Elementary School with first year worked considered as the probationary period.

Seconded by Councillor Bryan Brooks.

9 for;

1 abstained.

Motion carried.

Reference: New Construction - Supervisor's report noted.

Reference: Accounting Clerk

Provided recommendation dates of Millbrook Enterprise Credit details for approval.

Direct deposit date Monday, June 11, 2018 and cheque release date Monday, June 18, 2018. Amount of \$1250.00.

Agreed by consensus to approve recommended details for June 2018 MEC.

Reference: Treaty Entertainment General Manager

provided details on the price increases at the Millbrook tobacco store.

Discussion: can she provide a price list?

Reference: Physical Activity Strategy Coordinator

Submitted details regarding ballfield restoration.

Agreed by consensus to help off-set the cost for the field restoration.

Reference: Physical Activity Strategy Coordinator

Submitted information regarding a bike lane/neighbour ways project proposal.

Tabled, for review at the next projects meeting on April 18, 2018.

Reference: Community Engagement Officer

Requested that Chief and Council provide a BCR to Union of Nova Scotia Indians (UNSI) outlining the importance of including our satellite population in the First Nations Labor and Employment Development Survey (FNLEDS). After first BCR is responded to from UNSI, a second BCR will be required to enter a data sharing agreement that returns the Millbrook dataset to the band for internal use.

Motion by Councillor Barry Gloade to provide a BCR to UNSI to include satellite populations in FNLEDS.
Seconded by Councillor Mike Stephens

Motion carried unanimously.

Reference: Stewardship Officer, Mi'kmaw Forestry CMM

The Town of Truro is interested in providing the Band a white birch tree stand for communities' crafting. Band Administrator will send him a letter to request more information.

Reference: Millbrook Cultural & Heritage Centre

Requested donation towards National Indigenous Peoples Day celebration (*formerly known as 'National Aboriginal Day'*).

Agreed by consensus to donate the same amount as last year.

Reference: Pow wow Committee - update

Action requested: Approved development of walking pathway from ballfield to gated entrance of track and field Adrian will take care of this.

Councillor Adrian Gloade has agreed to have this completed.

Action requested: approval of two temporary mobile 4'x8' promotional signs on band lands on highway 102 north and south bound.

Agreed by consensus for promotional signs on band land.

Action requested: transfer \$40,000.00 Powwow budget to Millbrook Powwow Committee.

Agreed by consensus to approve transfer budget funds to committee.

Action requested: Support of Powwow Committee communication/promotional publications through the band's social media, website and community newsletter.

Agreed by consensus to approve support of Powwow Committee.

Action requested: requested an update on the status of powwow arbour.

Powwow Arbour status update will be made available at the next Millbrook Project's meeting on April 18, 2018.

Reference: Band member

Requested a donation towards Colchester Christian Academy

A donation was made after last Chief and Council meeting.

Reference: Band member

Requested subsidized assistance with utility bills for seniors living off reserve in Newfoundland.

Agreed by consensus to pilot a subsidized assistance program for utility bills per household for off reserve seniors age 65 years and older. Copy of utility bill should be provided, with band member's name; effective start date of September 2018, \$600.00 twice a year.

Reference: National Hockey Championship tryouts

Four band member youth are trying out for the Midget Aboriginal hockey championship, and requests assistance with travel and accommodations.

Agreed by consensus to \$300.00 for try outs and \$300.00 to help with associated costs if they make the team.

Reference: Band member

Band member playing with Nova Scotia Raiders playing in two tournaments and a trip to Montreal.

Agreed by consensus to \$300.00 for assistance.

Reference: Hospital Foundation Golf tournament rep.

Requested a donation towards golf tournament.

Agreed by consensus to donate \$100.00

Reference: Mi'kmaq Warriors Jr Lacrosse rep.

Requested a donation towards Lacrosse team.

Discussion: How many band members on the team, two last year? The band pays athlete's registration funding as part of the team through Tobacco store funding, they can participate in the teams fundraising.

Motion by Councillor Colin Bernard to donate \$500 towards team.

Seconded by Councillor Stephen Marshall.

9 for

2 opposed; (Councillors Chris Nasson & Barry Gloade)

Reference: Hubtown Boxing rep.

Requested sponsorship towards.

Noted.

Reference: Nova Scotia Native Women's Association rep.

Requested donation towards the Jane Paul Centre in Sydney to help with running centre.

Motion by Councillor Barry Gloade one-time donation \$1000.00 towards the Jane Paul centre.

Seconded by Councillor Colin Bernard.

motion carried unanimously.

Reference: Victory Champion Wrestling rep.

Inquiring if Millbrook is interested in hosting an event.

Not interested.

Reference: Band member

Requested funding to start a small business.

Band Administrator will inform BM to contact the Director of Economic Development.

Reference: Band member

Requested payment during BM's time spent at Mission Island for 13 weeks, with upkeep and maintenance of church, church grounds, band members cabins and island.

Agreed by consensus to approved request.

BCR - Bank lending agreement \$15.2M (reference #2018-05)

THEREFORE BE IT RESOLVED: UPON MOTION duly made and passed at a duly convened Band Council Meeting of the Millbrook Band. The Millbrook Band hereby agrees to and confirms the further amendment to the Royal Bank of Canada agreement dated 14 February 2011 to add, under the Security section, paragraph (k) to the existing credit facilities Agreement as well as the Guarantee and Postponement of Claim as set forth in the attached schedule "A".

motion by Councillor Chris Nasson to accept BCR

Seconded by Councillor Stephen Marshall

motion carried unanimously.

BCR - Data centre ONYX Lease (reference #2018-04)

WHEREAS: a) the First Nation is a "band" as defined by the *Indian Act* (Canada) b) the reserve of the First Nation includes lands situate at Truro Nova Scotia, adjacent to Treaty Trail, Millbrook, NS (the "Lands"); c) The First Nation is a partner in the establishment of a data centre (the "Data Centre") on the Lands for the use of the Government of Nova Scotia; d) F6 Networks Inc. ("F6"), is the owner and operator of a fibre optic telecommunications network in Nova Scotia, and will be a provider of data transmission services to the Data Centre; e) in order to provide the said services, F6 needs permission to erect certain facilities on or over the Lands; f) The Chief and Band Council of the First Nation has agreed that it is appropriate and desirable in the circumstances that permission be granted to F6.

NOW THEREFORE BE IT RESOLVED THAT: 1) F6 is hereby granted the right to install and maintain fibre optic transmission cables and poles, anchors, and guy wires (the "Facilities") in, under, on or above the Lands for the purposes of, and associated with, the Data Centre. 2) The rights of F6 with respect to the installation of the Facilities on the Lands shall be defined in an agreement (the "Easement Agreement") in substantially the form attached hereto as Schedule A. 3) The Chief of the First Nation shall be authorized to execute the Easement Agreement on behalf of the First Nation together with any further notices or assurances as required to give effect to the intention of this resolution or the said agreement.

This resolution, having been considered and assented to by a majority of those present at a duly constituted meeting of the Millbrook First Nation Band Council, is hereby adopted this 23 day of March, 2018.

Motion by Councillor Alex Cope to ratify BCR

Seconded by Councillor Mike Stephens

motion carried unanimously.

BCR - Loan Guarantee (reference #2018-06)

WHEREAS Millbrook Band Council (the "Guarantor") is an Indian Band within the meaning of the *Indian Act*;

AND WHEREAS it is deemed expedient and in the best interests of the Guarantor that it lend assistance to Millbrook First Nation Economic Development Corporation Limited (singularly and collectively, the "Borrower") in connection with the borrowings, both present and future (the "Borrowings"), of the Borrower from Royal Bank of Canada (the "Bank") pursuant to a loan agreement between the Borrower and the Bank dated March 23, 2018, as such agreement may be amended, modified or replaced from time to time (the "Loan Agreement");

AND WHEREAS it is a condition of the Borrowings that the Guarantor is required to guarantee due performance of the Borrowings and the Guarantor has agreed to act as guarantor of the Borrower's obligations under the Loan Agreement;

AND WHEREAS the Guarantor has the legal capacity under all applicable statutes and laws and under any by-laws or other agreements or documents binding on the Guarantor to provide such assistance on behalf of the Borrower and enter into the attached Guarantee and Postponement of Claim with the Band (the "Guarantee");

AND WHEREAS a quorum of the Guarantor's Council consists of:

- a) The Chief plus 5 Councillors;

AND WHEREAS this Resolution has been passed by a quorum of the Guarantor's Council at a meeting of the Council duly convened and is thus binding on the Council and the Guarantor;

NOW THEREFORE, the Guarantor, being represented by the Council of the Guarantor, has resolved:

- 1) THAT the Guarantor does hereby consent to and approve the execution of the Loan Agreement by the Borrower and the creation of any debts and liabilities thereunder;
- 2) THAT the Guarantor guarantees payment on demand to the Bank of all debts and liabilities, including interest thereon, present or future, at any time owing by the Borrower to the Bank or remaining unpaid by the Borrower to the Bank, heretofore or hereafter incurred or arising under, pursuant to or by virtue of the Loan Agreement and any renewals, restatements, replacements or amendments thereof, and whether the Borrower be bound alone or with another or others (the "Liabilities"); together with interest on the Liabilities from the date of demand for payment at the {interest Rate of 5.000% per annum or Prime Interest Rate of the Bank in effect from time to time plus 5.000% per annum} as well after as before default and judgment.

For the purpose hereof (where applicable), Prime Interest Rate means the annual rate of interest announced from time to time by the Bank as a reference rate then in effect for determining interest rates on Canadian dollar commercial loans in Canada.

- 3) THAT the Guarantor further secure the Bank by postponing all debts and claims, present and future, of the Guarantor against the Borrower to the debts and claims of the Bank against the Borrower.
- 4) THAT the Guarantee and Postponement of Claim be and it is hereby approved as containing a correct statement of the terms and conditions upon which the said Guarantee and Postponement of Claim is to be made and that the said Guarantee and Postponement of Claim be duly executed for and in the name of the Guarantor by the Chief and one Councillor or any two Councillors with such alterations, additions, amendments and deletions as they may approve; and that the Guarantee and Postponement of Claim so executed is the Guarantee and Postponement of Claim authorized by this Resolution. The persons set out above in this Section are authorized on behalf of the Guarantor from time to time to sign and enter into on behalf of and bind the Council of the Guarantor and the Guarantor in respect of the exercise of all rights, powers and authorities which the Council of the Guarantor may exercise under the authority of the Guarantor's by-laws and the laws governing the Guarantor including without limitation to guarantee debts of the Borrower contemplated herein.
- 5) THAT the persons set out in Section 4 are hereby empowered for and on behalf of the Guarantor to provide further documents as the Bank may require, including without limitation any renewal/amendment agreement with respect to the Loan Agreement. A copy of this Resolution, properly certified, will be given to the branch of the Bank where the Guarantor has its account and the designation of the persons under Section 4 of this Resolution shall be binding upon the Guarantor until a Resolution, properly certified, changing the person is received by that branch of the Bank.
- 6) THAT the recitals form an integral part of this Resolution.

CERTIFICATE

It is hereby certified by the undersigned that the foregoing is a Resolution of the Council of the Guarantor and that the Resolution was passed by a quorum consisting of a majority of the councillors of the Guarantor present at a meeting of that Council duly convened and is thus binding on the Council and the Guarantor, notwithstanding any change in the constitution of the Council of the Guarantor or the Guarantor itself.

It is hereby further certified that the Resolution is in accordance with all applicable statutes and laws and by-laws or other agreements or documents binding on the Guarantor and that there are no provisions in the by-laws or other agreements or documents binding on the Guarantor which restrict or limit the power of the Guarantor, or the Council on behalf of the Guarantor, to give a guarantee to secure the performance of an obligation of any person.

Certified this 10th day of April, 2018.

Motion by Councillor Mike Stephens to approve BCR.

Seconded by Councillor Alex Cope

Motion carried unanimously.

Reference: Band member

Requested that the band waive the remaining balance of grant debt due to the high costs of medication.

Agreed by consensus to waive the remaining balance due to medical reasons.

Reference: Band member

(in camera discussion)

Reference: Director of Health Services

Can we get a report from Carla Moore regarding medicinal marijuana for pain or as an exit drug from harder drugs? Can we ask her about a private pain clinic, costs and the wait period? Can we look into formal funding for medical marijuana? Also can we ask Carla to notify clients that they can have pharmacist prescribe without going to doctor.

Reference: Band member

Requested an apartment (or two bedrooms & a bathroom) be built downstairs of BM's house for her daughter & her family.

Have her daughter apply for housing.

Reference: Band member

Requested housing repairs and metal roof.

Send Maintenance and Repairs Supervisor to inspect.

Reference: Band member

Requested housing repairs.

Send Maintenance and Repairs Supervisor to inspect.

Reference: Band member

Requested temporary emergency housing.

(in camera discussion)

Reference: Band member

Requested to be considered for housing in Cole Harbour.
noted.

Reference: Housing Applications

Reminder in newsletter etc to let people know to update applications, all expire March 31 of every year.
Communicate that their applications need updating.

Reference: Band member

Requested to have late grandparent's house be kept in the family and go to BM.
(see next letter)

Reference: Band member

Requested that late parent's house to stay in the family and go to BM.

Discussion: last meeting Chief and Council decided that this house would go to the housing committee.
(in camera discussion)

Motion by Councillor Barry Martin to keep the house in the family and move Band member in, BM's temporary residence at current location on Willow Street has expired.

Seconded by Gordon Johnson

11 for;

1 opposed (Chris Nasson)

Motion carried.

Reference: Band member

Sent a letter of concerns and issues with living conditions.
noted.

Reference: Director of Health Services

Selection Criteria Point system for Medical Housing.

Agreed by consensus to accept Point System for Medical Housing with amendments to number 7.

"Diagnosed severe mental health conditions requiring special housing considerations."

Reference: Band member

Requested additional room in the basement.
Send New Construction Supervisor to build another bedroom.

Reference: BB- MK School

Meeting with MK, right now they have no director, still waiting for cost analysis?

Reference: Band member

Can we check with the amounts for a business plan?

Reference: Band member

Selling blocks for BM's family member to travel home for grandparent's funeral.
noted.

Reference: Scallop

Can Fisheries Manager get ok to get scallop individual frozen again this year? can they be bagged in smaller bags? The cost is about a \$5000.00, done first time last year.

Agreed by consensus to get scallops frozen bags again this year.

Reference: Manulife

Can someone take an early payout? Yes, if you have health issues.

Reference: Band Solicitor

presented her memo regarding Residency By law and By Laws Generally.
(*in camera discussion*)

Reference: Community Security Cams

What is the update?

Band Administrator will follow up with Millbrook RCMP.

(Councillors Adrian Gloade, Mike Stephens, and Stephen Marshall stepped out due to conflict)

Reference: Cigarette Quotas

Councillor Peter Gloade suggested that cigarette store owners that are under investigation or have been raided, they should lose their quotas. It was suggested that he speak with the band's lawyer in regards to the policy.

Reference: Lease & receivable

A tenant is behind in their lease lot for months and in their receivable.

Agreed by consensus a letter will be sent explaining that lease and receivable needs to be paid.

Reference: Senior request

Wants to know what is going on for senior's activities? wants to be sent an email, newsletter, website. prefers an email for correspondence.

Band Administrator will let the Community Health Representative know that he wants it sent to him by email, and another BM senior wants correspondence by mail.

Reference: House in Sheet Harbour

(*in camera discussion*)

Reference: Band Election Policy

Can we have a Band Election Policy?

He follows the policy from INAC. Let's get something together for next Election. It would be good to have one.

Reference: Band member

Can we approve an extension for BM?

Yes.

Reference: Temporary Housing

Can we outfit the house for temporary housing?

This is a commercial property, not ideal.

Reference: Treaty Trail

This is a priority this year to have this paved this year.

Reference: Audit & Budget Review Committee

There were two pay raise request that were approved retro active (Dec 1) & (Oct 1).

All staff approved annual 2% raise.

Reference: Bike Rodeo

Food for BBQ and prizes.

Agreed by consensus to fund a Bike Rodeo.

Reference: Strip Mall

Can we prioritize what gets finished first at the strip mall, so that EWPC can vacate sooner so it can be available for Post Secondary Education program.

Band Administrator will check which one they want and set priority.

Reference: NAIG for 2020

Halifax is one of the locations meeting with them tomorrow at Heritage Centre.

Motion by Councillor Barry Martin to adjourn meeting at 4:50pm.