



**GENERAL CHIEF AND COUNCIL MEETING MINUTES
DECEMBER 6, 2022 (9:00 a.m. – 4:00 p.m.)**

PRESENT

Chief Robert Gloade	
Councillor Natasha Bernard	Councillor Ward Markie
Councillor Anissa Blackmore	Councillor Lisa Marshall
Councillor Alex Cope	Councillor Stephen Marshall
Councillor Carley Gloade	Councillor James Stevens
Councillor Garrett Gloade	Councillor Dana Sylliboy
Councillor Zachary Julian	Councillor Chris Googoo

STAFF

Claire Marshall, Executive Director	Ayo Makanjuola, CFO
Shelly Martin, In-House Legal Counsel	Lorne Paul, Director of Housing
Suzanne Penney, Administrative Assistant to Chief and Council and Recording Secretary	Chantel Langille, Housing Officer
	Debbie Lattie, Manager of Treaty, Enterprises/Tobacco

DELEGATES

Sgt. William Collier, RCMP
George MacPherson - Account Executive, Ainsworth
Sam Younis - Atlantic Director, Ainsworth
David Saulnier - President, JD Composites
Dave Angot - CEO, Scotia Way Energy
Joe Fitzharris - President, Scotia Way Energy

1.0 PRELIMINARY MATTERS

1.1 Call to Order - Chief Gloade called the meeting to order at 9:08 am.

1.2 Adoption of the Agenda

The agenda for the Chief and Council General Meeting of December 6, 2022, was reviewed and approved with additions to Item 5 to include consideration of various emails and letters of request from community members.

It was MOVED by Councillor Carley Gloade and SECONDED by Councillor Ward Markie,

That the Agenda for the December 6, 2022, meeting be adopted with additions to Item 5 to include consideration of various emails and letters of request.

CARRIED

1.3 Approval of the Minutes of November 1, 2022

Minutes of the General Chief and Council Meeting of November 1, 2022, were reviewed noting the addition of Item 1.3 from the Agenda of November 1, 2022.

It was MOVED by Councillor Alex Cope and SECONDED by Councillor Stephen Marshall,
That the minutes of the November 1, 2022, Chief and Council Meeting be approved with the addition of Item 1.3 from the November 1, 2022, agenda.

CARRIED

2.0 BUSINESS ARISING/NEW BUSINESS:

2.1 AFNWA: Letter for Review (Attached with package)

A Councillor read aloud a from AFNWA and the following discussion highlights were noted:

- A copy of the contribution agreement needs to be obtained
- There is \$277 million for distribution to the 13 Bands
- There is a 10-year grant for the allotted funding.

ACTION: *When legal and senior staff review the AFNWA agreement, it was requested that they analyze it against all relevant documents including the Town of Truro Service Agreement.*

2.2. Shannon Park Update: Letter for Review

Correspondence from Indigenous Services Canada (ISC) to Nova Scotia Power (NSP) requesting a meeting with NSP, Millbrook First Nation, and ISC. Letter was submitted and read aloud by a Councillor.

It was noted that the entire Chief and Council have requested to be in attendance at this meeting with Nova Scotia Power.

ACTION: *Admin Assistant to follow up with ISC as to the date, time, and location of the joint meeting with Nova Scotia Power regarding the transmission tower in Shannon Park; and bring the information forward to the next Council meeting.*

3. LEGAL

3.1 S. Martin, Solicitor

Update provided about a class action lawsuit regarding drinking water, noting the following:

- There were three information sessions held last week
- Some people were not eligible, but their children would potentially be eligible for compensation
- Individual compensation documentation needs to be filed by March 2023
- Non-status individuals may still be eligible but would need a letter from Chief indicating that the children are part of the community.

Discussion ensued on the following:

- Statutory limits: The timeline expired for anyone over 26 years of age (eligibility is from the age range between 9 and 26)
- Eligibility is for the communities of Cole Harbour, Sheet Harbour, Beaver Dam, or Millbrook from 2007 to 2013 – anyone born between these dates may be eligible for \$1,500/year
- Assistance to community members on completing the appropriate forms will be provided

- There will also be an additional payment made to the Band; the initial amount was \$500,000 and once the beneficiaries are paid, the remaining amount will be reviewed for allotment.

In Camera: Discussion about a possible update to the Chief and Council Code of Conduct.

4.0 DELEGATIONS

4.1 RCMP UPDATE

Sgt. Collier provided updates for July/August and September/October 2022. November's update will be provided for review at a later date.

The meeting was informed this will be the last meeting for Sgt Collier who has accepted another position. A replacement has not been selected .

Discussion ensued regarding a complaint against the RCMP regarding the treatment of seniors in the Sheet Harbour area. A clear process for submitting complaints to Chief and Council and the Band office has to be looked into, as well as follow up to the communities.

ACTION: Solicitor will send a letter on behalf of the Council and Band and Sgt. Collier will process this through the formal complaint process.

In the ensuing discussion the following questions were posed and comments offered:

- Will Sgt. Collier be able to assist during the transition period with his replacement?
 - The position has not been advertised or posted yet.
 - Council can put forth requests of Sgt. Collier in writing.
- Some discussion surrounding an assault was brought up by a Councillor.
 - Sgt. Collier is investigating this incident; a general overview was provided on the status of the case.
- Councillor spoke about bylaw officers and queried whether the RCMP would come and support the Millbrook bylaw officers, if the situation required.
 - In the past, RCMP has provided support when the bylaw officers have to attend to activity and require their support.
- The RCMP have been receiving numerous complaint calls from one particular address of concern.
 - There is currently a residency bylaw that can be put into place, and this will also be filed.
 - RCMP stated that if they receive a call to attend that address, they will show up and provide assistance.
- An update was provided regarding a prior break and enter noting some items have been recovered and returned to the owners.
- What is the process for banning an individual from the community?
 - Chief said they will discuss this and will bring any concerns back to Council.
 - If there was a request to ban someone from the community, there needs to be a Band Council Resolution (BCR) in place to make a motion banning a community member.

Sgt Collier thanked everyone for their support and shared that it was an honour to work with them.

4.2 HOUSING: AINSWORTH, SCOTIA WAY ENERGY AND JD COMPOSITES

Presentation was provided noting the following:

- Presenters and Director of Housing described potential housing and solar projects (Net Zero)
- Presenters broke down the portions that would be completed by each partner – 30% with JD. Composites, 30% with Ainsworth, and 40% within the Millbrook community
- Solar power production will increase employment in Millbrook
- Payback period could be 12 to 14 years and then Millbrook is producing power for nothing if partners are only contracted to build the houses
- The main goal is to employ community members, and this would create a lot of jobs
- Shared energy partnership – Millbrook would only be responsible for incurring 40% of the capital cost and therefore making more money much sooner
- Only cost of production is what is paid; therefore, this reduces the payout from Millbrook
- There was a breakdown of the escalation of power over the years
- Millbrook would be the largest shareholder in the company – 40% spend 40% profit.

JD COMPOSITES:

- Provided background on what they do and the materials that they utilize
- They used to build boats years ago and this is when he got into composites
- In 2019, they built their first all recycled house made out of recycled water bottles
 - The plastic bottles were turned into foam by another company, and this is what was used to create the home
 - The foam is almost R5 per inch, but when strapped they are at about an R30 value
 - They did tests on wind speed and maxed out at 326 MPH with no impact
 - The homes are built with flat roofs, which is where they construct the decks
 - The walls are organic (basically the shell of a boat)
- Details of the house built in Yarmouth were described
- Decks could also be completed out of these materials, which would remove any issues with replacements
- These houses can have siding or just be painted
- Cost for the shell is \$124,000 and to finish would be close to \$200,000, but the longevity and the energy efficiency is where the value is; these would last much longer due to the plastic content of the composites
- The homes have inverters, which makes it possible to be off grid, use as back up power and potentially sell the power back to NSP
- A concept of net zeroing the Administration Office in the future was provided; after some discussion, it was concluded that the current location may not be feasible due to a Band owned home on the next lot
- Council asked if there would be a possibility of utilizing land near the wind farm
- NSP will make more money with people selling them solar power than what they would collecting without solar; NSP would get the benefit, as a tariff would most likely be placed on individuals.

5. COMMUNITY LETTERS/REQUESTS/CORRESPONDENCE

5.1 Members Requests: Submitted by Councillor for Review and Discussion

- a) When are the COVID-19 supports ending and will a notice be going out to the community members?
- b) Is there any further information that a councillor heard about at a recent APC meeting regarding heat pumps and what is being offered? There have been several requests from off-reserve Band members that need added support. What is available for them for added funding or monetary donations?
- c) Maintenance repairs (replacing of lights) are needed at Pow Wow grounds. This will be forwarded to Housing for completion.
- d) The ramp at the hall is still in need of repair. Discussion ensued regarding cost to build a ramp or to purchase a lift to be attached to the back of the hall. This will be looked into, and an update provided at a future meeting.

5.2 Letter: A letter requesting lot to construct a cannabis dispensary in the near future in a residential area, was received and will be reviewed pending a community cannabis law being put in place.

Response from neighbouring community member: A letter was submitted and read aloud as it was directly related to the request to construct a cannabis dispensary building directly in front of a neighbouring residential property.

The community member was in attendance to speak to Council regarding his proposal to build a cannabis shop in a residential area. It was noted that there was a moratorium put in place last year and there is a bylaw posted on the website that construction for this purpose was not allowed until a cannabis regime was put in place.

Discussion ensued and questions arose regarding the role of the Cannabis Committee and why it was created.

- There was community consultation arm's length from Council. It is important that the cannabis regime be developed by an impartial party and that the development of the regime comes from the community.
- Once drafted, the cannabis law would be brought back to the community for approval and/or for refusal. Once there is a potential option for policy direction, the community will have to vote on passing the law.
- The committee is comprised of all applicants that applied, with the exception of two staff members.
- A query was raised as to why Band members are involved in the decision making and not strictly the Council. The explanation provided recognizes that community decisions give the power back to community to develop their own policy.
- Council's first step was to go to the Province. As this was not successful, the next steps were to consult with the community and create a cannabis committee.
- When the structure for the law and the preliminary legwork is done, it will go to the Chief and Council and then to the community for a vote.
- It was initially felt that community participation would be very valuable, but some are concerned that it is taking too long.
- Council was advised that the committee is in the document drafting stage now.

5.3 Email: Requesting permission to make a driveway off the new access road and to erect a small home/cottage overlooking the lake (email and copy of building permit is in package).

Discussion ensued regarding the area where the land is, noting currently there are no lots.

- Housing applications should not be solely approved by bylaw – they should go through Housing and possibly start with Millbrook’s Project Management consultant, C. Stewart, L360.
- It was felt that information should be shared with members of the community to work with Administration and move forward on the building permit process with clarity.
- Discussion arose about the \$750.00 refund for house repairs, noting this is being completed by the Finance department and should go to the Housing department.
- Questions arose as to whether community members know what the bylaws are, and it was suggested that they should be available online, in the newsletter and bulletin.

5.4 Request: An email received was read aloud requesting that off reserve Band members receive the same benefits as on reserve Band members. The request specifically focused on utilities.

In general discussion, some suggestions were proposed that may assist with financial needs for residents living off reserve.

- Suggestion of a butchery fee to be provided to those community members that hunt.
- Discussion ensued on the amount of money utilized that may be provided back to the community members.
- It was agreed that a Councillor will follow up with the CFO on what this would entail as a financial commitment.
- This item was tabled to the January 24, 2023 meeting.

5.5 Email: A request was received from a community member wanting to apply unused coverage from prior years to current year’s dental work.

- This had previously been reviewed after being submitted to the Health Centre.
- After the correspondence was read into the minutes, it was decided to follow suit of the Health Centre reply noting the current practice states that individuals are only allowed to use the current year’s medical coverage for work done in that year.

5.6 Email: Request to review letter community member received to close down his cannabis dispensary. All shops currently doing construction received a stop work order due to no permits being issued. These shops were established after the moratorium and not before.

5.7 Correspondence: FYI (no action needed)

- Letter from Community member regarding veterans
- Chief and Council: New Schedule for the 2023 meetings (attached) – correction to February 2023, change date to February 28, 2023.

6. REPORTS

6.1 Executive Director: Review of highlights of department reports (reports included in package).

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Approved January 10, 2023

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7.0 FINANCE REPORT

7.1 A. Makanjuola, CFO Financial: Update

7.2 Report Review and Discussion Executive Director, Manager Tobacco Store and CFO: Ways to Manage Shortfall from Tobacco and Letter to Store Owners

Discussion ensued about the gross margin of tobacco sales:

- A printout was provided showing the difference between April 1, 2021 and September 2022
- Tobacco money is used for sports grants and the Treaty credits
- Technically the amount of unsold inventory has not impacted the sports grant, but it is impacting Treaty credits
- Retail cigarettes are not selling, as the unregulated tobacco is taking over many of the shops and are the only cigarettes that are selling
- CFO felt that the Council needs to step in
- Biggest issue is the inventory; suggestion to stop buying for a while to use up quota
- Question arose whether or not the quota would be reduced based on less purchasing by the store owners; government would know at the end of day.
- Manager of the Tobacco Store suggested that they stop purchasing quota for now and get the overstock paid down
- Individual benefit versus community benefit were commented on
- Follow up should be done on recent decision to have unregulated tobacco removed from the shops
- Revisiting the allocation as some retailers are not buying cigarettes.

Several Council members declared a conflict of interest and departed the meeting for consideration of the motion.

It was MOVED by Councillor Alex Cope and SECONDED by Councillor James Stevens.

That, after discussion of concerns regarding diminished sales of cigarettes at the local shops, a letter be sent to those shop owners who continue to sell unregistered tobacco advising that they must immediately cease and desist sales of the unregistered tobacco.

CARRIED

6 in favour, 2 opposed, 1 abstaining

Council is interested at looking into the possibility of Nation-to-Nation trading of cigarettes and will move forward to make some inquiries.

7.3 Treaty Entertainment Hours:

Until they can get staff to work backshift, the store will be staying open until 2 am. These jobs will be posted. Manager of the Tobacco Store will aim for 24 hours as soon as possible.

Contact to obtain updated information on the online gambling will be made and an update will be provided at a future meeting.

8. IN-CAMERA

9. ECONOMIC DEVELOPMENT PROJECT CONSULTATION

9.1 Director of Commercial Operations, J. Stevens Update:

Discussion ensued regarding Sheet Harbour Mall and the following highlights noted:

- Consideration of purchasing the mall in Sheet Harbour
- Questions arose regarding the condition of the mall, current rentals, and the current empty spaces
- The land is marshy
- Suggestion to make an offer for this location as it is an estate sale.

ACTION: Director of Commercial Operations to look into details relevant to the sale of Sheet Harbour Mall and bring back to Council for discussion and decision at the January 10, 2023 meeting.

10. CONCLUSION:

It was MOVED by Councillor Garrett Gloade,
That the General Chief and Council Meeting be adjourned.

RESOLVED BY CONSENSUS

11. NEXT MEETNG: Next General Chief and Council Meeting to be scheduled Tuesday, January 10, 2023, from 9 am to 4 pm at Council Chambers.

**MOTIONS FROM CHIEF AND COUNCIL GENERAL MEETING
DECEMBER 6, 2022**

ITEM 1.2

It was MOVED by Councillor Carley Gloade and SECONDED by Councillor Ward Markie,
That the Agenda for the December 6, 2022, meeting be adopted as presented with additions to
Item 5 to include consideration of various emails and letters of request.

CARRIED

ITEM 1.3

It was MOVED by Councillor Alex Cope and SECONDED by Councillor Stephen Marshall,
That the minutes of the November 1, 2022, Chief and Council Meeting be approved with the
addition of Item 1.3 from the November 1, 2022, agenda.

CARRIED

ITEM 7.2

It was MOVED by Councillor Alex Cope and SECONDED by Councillor James Stevens,
That, after discussion of concerns regarding diminished sales of cigarettes at the local shops, a
letter be sent to those shop owners who continue to sell unregistered tobacco advising that they
must immediately cease and desist sales of the unregistered tobacco.

CARRIED

6 in favour, 2 opposed, 1 abstaining

ITEM 10

It was MOVED by Councillor Garrett Gloade,
That the General Chief and Council Meeting be adjourned.

Resolved by Consensus