



Millbrook First Nation
GENERAL CHIEF AND COUNCIL MEETING

held June 8, 2021

Minutes of the Millbrook First Nation (MFN) General Chief and Council (“the Council”) Meeting held June 8, 2021, via videoconference at 9:00 a.m.

PRESENT:

Chief Robert Gloade	Councillor Leana Kennedy
Councillor Colin Bernard	Councillor Ward Markie
Councillor Natasha Bernard	Councillor Lisa Marshall
Councillor Alex Cope	Councillor Stephen Marshall
Councillor Carley Gloade	Councillor Barry Martin
Councillor Peter Gloade	Councillor James Stevens
Councillor Gordon Johnson	

STAFF:

Nigel Gloade, Communications	Claire Marshall, Executive Director
	Shelly Martin, In-House Legal Counsel

CALL TO ORDER

Chief Robert Gloade called the meeting to order at approximately 9:02 a.m.

1. ADOPTION OF AGENDA

Related Information: Agenda for the June 8, 2021, MFN General Chief and Council Meeting

Consensus Decision: That the agenda for the June 8, 2021, Millbrook First Nation General Chief and Council meeting be approved, with the following additions:

- Item 9: New Business
- Item 9.1: Roundtable Discussion with Council
- Item 9.2: Housing – New Units.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Related Information: Minutes of the May 18, 2021, MFN Regular Chief and Council Meeting

MFN Chief and Council reviewed the May 18, 2021 meeting minutes as the , Executive Director revised and amended the document on-screen.

Agenda Varied

The Council moved to discussion of Item 4.0 at this time.

10:11 a.m.

Corporal (Cpl.) Natasha Jamieson, Royal Canadian Mounted Police (RCMP), joined the meeting.

4.0 DELEGATIONS/GUESTS

4.1 Cpl. Natasha Jamieson, RCMP

Cpl. Jamieson reported on the enforcement undertaken on June 2, 2021, on three Cannabis Dispensaries under the provincial Cannabis Control Act. The enforcement was carried out by Colchester District Street Crime Unit (CDSCU) based on the criteria that the dispensary locations were in proximity to places where youth congregate (e.g. ball field, recreation centre, community daycare). The enforcement operation was highly confidential and not communicated beyond Cpl. Jamieson and CDSCU, and the decision to proceed with the investigation was made strictly through law enforcement and without the involvement of the MFN Chief and Council.

Cpl. Jamieson invited questions from the Council, and comments included:

- Why was the community not notified, as enforcement such as this could have put individuals in the area in danger?
 - Cpl. Jamieson advised that as much information as possible was shared – to keep the community safe while still allowing the enforcement to be carried out.
- Cpl. Jamieson added that there was concern that some of the signage that dispensaries were using piqued the interest of children
- Cpl. Jamieson noted that over the past year, with the increased number of dispensaries, there has been an increase in traffic through the community, along with an increase in impaired drivers under the influence of cannabis
- Cannabis is an opportunity for economic development for MFN, and that economic opportunities are listed in the Truth and Reconciliation Commission’s Calls to Action
- Millbrook is considering a plan moving forward for how to deal with dispensaries, land use, and the RCMP is required.
- There must be community engagement, timelines, and a clear strategy put in place; strategies from other communities should be reviewed as part of this.
- Given the conflict of interest among the Council, the development of the Cannabis Regime requires an independent lead from MFN; the Executive Director could potentially take this position.

Cpl. Jamieson continued the report and informed that:

- In response to concerns about road safety, a speed radar was borrowed for two days in May 2021; Council is welcome to provide feedback on the use of the radar.
- Through the month of June, one to two RCMP members are assigned per shift to cover the community; two members have completed their training and will return to the RCMP detachment; improvements are being made with resourcing the RCMP for the community.
- Cpl. Jamieson has been in touch with the Health Centre with respect to human trafficking and is working on preparing an education and awareness session for the community.
- The Indigenous Advisory Committee on the Sexual Exploitation of Youth is seeking more representation from Indigenous communities; Cpl. Jamieson has passed on the information to Council.
- The RCMP is looking at a recruiting initiative; “Coffee With a Cop” virtual sessions with community members and First Nations police officers are being considered.
- June is focused on bike safety in the community; children wearing bike helmets are issued gift cards; individuals can contact the Health Centre if they require a bike helmet.

During the ensuing discussion, comments included:

- A request that speeding be investigated on Brooks Lane.
- There are issues with speeding when entering and exiting the reserve, particularly in the commercial area and the industrial park.
- Cpl. Jamieson stated she would investigate borrowing a speed radar in July, but could not park police cars in specific locations, as all vehicles are in use.
- RCMP must take a stronger approach to the presence of hard drugs in the community, and less enforcement on cannabis.
- A comment that the RCMP should investigate activities at the power centre at night, including Super 8 Hotel.
- Millbrook First Nations is considering installing security cameras and signs indicating the areas of concern are under surveillance.
- Development of the Cannabis Regime requires a lead from MFN; the Executive Director could potentially take this position.

Action Item: Cpl. Jamieson agreed to obtain quotes for purchasing a speed radar and provide the quotes to the Millbrook First Nation Executive Director to communicate to Council.

Action Item: It was requested that the Millbrook First Nation Executive Director obtain quotes for installing security cameras at locations identified by the RCMP as areas of concern.

10:40 a.m.

Cpl. Jamieson departed the meeting.

10:43 a.m.

Band Member joined the meeting.

4.2 Band Member

Related information: Proposal in writing to MFN Council re: Management and Regulation of On Reserve Medical Marijuana, dated June 5, 2021

Band Member reviewed the proposal provided in writing to Council to establish a licensing system and testing regime that provides the necessary guidelines and education to operate a highly professional dispensary system. He noted that the licensing system was an opportunity for MFN to be leaders in Canada's recreational and medical marijuana business.

During ensuing discussion on a proposed "green zone" for the sale of cannabis products, Band Member suggested the old trailer park site could be used, and a member of the Chief and Council suggested the commercial area would be better suited for this purpose.

Council advised it would review the proposal and email additional questions directly to Band Member.

11:05 a.m.

Band Member departed the meeting.

During the ensuing discussion, comments included:

- Requested a follow-up letter be sent to the RCMP advising Millbrook's plans to develop a cannabis regime.
- Millbrook First Nation has the inherent authority to issue a licensing system.
- Treaty or "moderate livelihood" argument on cannabis has not been tested or successfully argued in court.
- The application or interpretation of treaties evolves over time and may be used for the argument of cannabis.
- It's important that Millbrook First Nation take the lead on the development of a Cannabis Regime; once this is in place, RCMP will not have enforcement under the *Cannabis Control Act*.
- Having a Millbrook Cannabis Regime provides extra protection and support to those who wish to run a cannabis dispensary.
- Establishing the regime positions Millbrook First Nation to be recognized as a government.
- Millbrook First Nation has indicated to the provincial government that it was not satisfied with the engagement with the Nation regarding cannabis.

Health Break

The Council recessed at 12:30 p.m. and reconvened at 1:30 p.m.

Agenda Resumed

The order of the agenda resumed with continued discussion of Item 2.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING (CONTINUED)

Chief and Council resumed review of the May 18, 2021 meeting minutes, with amendments provided on-screen by the executive director.

During the discussion, the Executive Director provided a Housing Update on recent allocations, and it was also noted that:

- The house on Church Point in Sheet Harbour requires bi-weekly lawn maintenance.
- Staff have started work on converting the houses in Sheet Harbour and Beaver Dam to reserve land.
- Requests from the community should be put forward to the Band Office in writing directly to the Executive Director, rather than through the Council or individual MFN staff members.

It was MOVED (Councillor Ward Markie) and SECONDED (Councillor Carley Gloade)

That the Millbrook First Nation Chief and Council approve the May 18, 2021 meeting minutes, as amended.

CARRIED UNANIMOUSLY

3. BUSINESS ARISING FROM PREVIOUS MINUTES

During the discussion of bylaw enforcement, it was noted that:

- Millbrook's in-house solicitor is meeting with the Executive Advisor to the Deputy Minister of Justice regarding options for bylaw enforcement and a potential Memorandum of Understanding on the matter.
- A Mi'kmaq Justice of the Peace could be appointed to hear bylaw matters.

- A presentation to Council on enforcement options will be provided in late June or early July.
- At present, bylaws can be enforced by making a complaint to the RCMP.
- Finding ways to embrace restorative justice principles when enforcing bylaws is needed; rather than issuing tickets for all offences.
- Some support for working towards having Millbrook Peace Officers.

Councillor Lisa Marshall put forward a motion regarding potential amendments to the MFN Human Resources Policy. She requested that all MFN Staff, except the Executive Director, depart the meeting.

It was MOVED (Councillor Lisa Marshall) and SECONDED (Councillor Leana Kennedy)

That the Millbrook First Nation (MFN) Executive Director implement an administrative policy directive, effective immediately, that all current and future employees be precluded from running for Chief or Council for MFN.

This policy will exclude the five sitting Councillors that have existing positions with the MFN Administration since they are already existing employees, and a conflict-of-interest policy was not in place when they started their jobs.

If any of the five sitting Councillors that are also employees run for Council and are defeated in future elections, they must abide by this policy.

If any member of the Chief and Council would like to apply for a position with the Administration, if they are successful candidates, they will have to choose to take the position or remain on Council.

CARRIED

The following Councillors voted in favour of the resolution:

*Alex Cope
Carley Gloade
Gordon Johnson
Leana Kennedy
Lisa Marshall
Ward Markie
Stephen Marshal*

The other remaining Councillors declared a conflict of interest and did not vote.

It was noted that a subsequent Council could reverse the above resolution and indicated that the provisions of the resolution should be built into the MFN Election Code.

It was MOVED (Councillor James Stevens)

That the Millbrook Executive Director implement an administrative policy directive, effective immediately, that all private contractors, tobacco license holders, cannabis dispensary operators, or anyone who benefits financially from the Millbrook First Nation be precluded from running for Chief or Council for Millbrook First Nation.

This policy will exclude the five sitting Councillors that have existing positions with the MFN administration since they are already existing employees, and a conflict-of-interest policy was

not in place when they started their jobs.

If any of the five sitting Councillors that are also employees run for Council and are defeated in future elections, they must abide by this policy.

If any member of the Chief and Council would like to apply for a position with the Administration, if they are successful candidates, they will have to choose to take the position or remain on Council.

WITHDRAWN AND TABLED TO A FUTURE COUNCIL MEETING

Councillor James Stevens requested this be withdrawn.

DELEGATIONS/GUESTS

4.3 Band Member wrote a letter requesting a meeting with Council.

Related information: Letter to Council from Band Member, dated May 26, 2021

The Council reviewed the letter provided to Council from Band Member. Band Member was unable to make the meeting, and he was rescheduled to the following week (June 15, 2021).

5.0 Request for Certificate of Possession (CP) Property

The Executive Director informed a Band Member had requested CP for their house. Clarification is needed on whether or not the house is a Band house, how it was built, and how the funds were provided to build the house.

Band policy requires individuals seeking CP to pay for a survey of the property.

6. EXECUTIVE DIRECTOR REPORT

Related information:

- *Millbrook First Nation Flow Chart*
- *Document titled "Staff Reports", dated June 8, 2021*

The executive director presented a new organizational chart for review and comment. Chief and Council made a number of edits and suggestions and noted that the chart is clear, structured, and provides a good overview and understanding of MFN's organizational structure.

During the review of the staff reports, the following updates were provided:

- The Chief Executive Officer of Atlantic Gold requested to meet with Chief Robert Gloade, who advised that he would not meet with the CEO alone and that if he wants to meet, it will be with the entire Chief and Council.
- Health Centre: is setting up a COVID-19 self-swab testing strategy.
- Millbrook Tobacco Store: sales report.
- Renovations and Repairs Report: indicated drainage issues, which are present on many properties on reserve.
- Millbrook Band Office Security and Bylaws:
 - 24 tickets were issued due to Unsightly Premises
 - Three new bylaw violations were issued in Cole Harbour
- Two new positions were approved for Red Road; it is a 10-week youth project.

7. FINANCIAL OFFICER REPORT

Action Item: It was requested that the Executive Director distribute the Financial Officer Report to the Millbrook First Nation Chief and Council.

4:30 p.m.

The Director of Commercial Fisheries joined the meeting.

8. COMMERCIAL FISHERIES DIRECTOR – INTRODUCTORY MEETING

The Fisheries Director reported on the following:

- Maximizing value from the commercial fisheries:
 - There are limitations to the amount of fish and snow crab, but we can look at the timing of harvests and select for the highest quality for the best price points.
 - Review fisheries contracts to ensure beneficial arrangements for fishers in the community.
- Pursuing opportunities to access additional licenses and quota.
- A transition towards a more vertically integrated model to include MFN in the entire system. (from harvesting - buying - holding – processing – exporting)
 - This can also include First Nations branding on the product.
 - This requires facilities to hold, process and freeze product.
 - A provincial Buying and Processing license is needed.
 - MFN can consider supplying bait; there are freezers available in Sheet Harbour for bait.
- Sheet Harbour could include a lobster tank.
- A councillor noted that the Confederacy of Mainland Mi'kmaq (CMM) controls tag distribution for food, social, ceremonial, and commercial fisheries and questioned why MFN is no longer in control of this.
 - It was noted by the Chief that the Department of Fisheries and Oceans (DFO) stopped issuing tags, and new companies were formed for tag supply; this resulted in issues of companies not wanting to issue moderate livelihood tags.
- There is a moratorium on Provincial Buyers Licenses, and it is unclear if this infringes on treaty rights; it will cost \$100,000 for MFN to purchase a Provincial Buyers License.

- A contractor has been hired to clean up the wharf at Sheet Harbour.

Action Item: It was requested that the Director of Commercial Fisheries investigate how many First Nation communities work with the Confederacy of Mainland Mi'kmaq for fisheries tags and determine how the process evolved to the way it currently is.

Action Item: It was requested that Legal Counsel provide the Director of Commercial Fisheries with all of Millbrook First Nations' existing fisheries contracts.

5:10 p.m.

The Director of Commercial Fisheries departed the meeting.

In-Camera Discussion

The Council moved to an in-camera discussion at approximately 5:15 p.m.

Regular Meeting Resumed

The Council resumed its regular meeting at approximately 5:40 p.m.

9. NEW BUSINESS

9.1 Housing

The Council discussed the housing applications for Sheet Harbour and Beaver Dam and noted that:

- The applications must be completed by the end of July 2021; this allows time to update the water system and create rental agreements for the two houses.
- The applications need to be sorted to identify who specifically applied for Sheet Harbour and Beaver Dam.

9.2 Council Roundtable

During the Council Roundtable, a number of specific community requests were raised.

It was MOVED (Councillor Barry Martin) and SECONDED (Councillor James Stevens)

That the Millbrook First Nation (MFN) Chief and Council approve the inclusion of on-reserve band members with mobility or medical issues to the MFN lawn maintenance and snow removal programs.

CARRIED UNANIMOUSLY

The roundtable resumed, and updates were provided by:

- CMM's Department of Environment and Natural Resources is doing a forestry initiative in Glooscap; they have free firewood to offer, but MFN would have to pay for transportation, chopping and distribution
 - It was confirmed that wood could be transported across Nova Scotia
 - Council agreed to take the firewood
- The Earth Keepers has a program to put up black ash trees
 - Council will advise their contact with the Earth Keepers that Council wants the trees
- Council approved speed humps, and these need to be installed; speed humps could be

added to Glooscap Extension as well

CONCLUSION

It was MOVED (Councillor Barry Martin) and SECONDED (Councillor Stephen Marshall)

That the June 8, 2021, Millbrook First Nation (MFN) Chief and Council General Meeting, now adjourn.

CARRIED UNANIMOUSLY

Time: 6:55 p.m.

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