

**GENERAL CHIEF AND COUNCIL**  
**MEETING MINUTES JANUARY 16, 2024**  
**9:00 AM TO 4:00 PM**

**CHIEF AND COUNCIL PRESENT**

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

**ABSENT**

**REGRETS**

Councillor Carley Gloade  
Councillor Stephen Marshall

**STAFF**

**GUESTS / DELEGATES**

Claire Marshall, Executive Director	Mrs. Alicia Brooks, Community Member
Suzanne Penney, Admin Assistant to Chief & Council, Recorder of Minutes	Kelly McMillan, Nijhawan McMillan & Conlon Barristers
Matt Glode, Conservation Team Lead	Anna Crosby, Regional Program Development Team Leader for Child and Family Services
Debbie Lattie, Manager, Treaty Entertainment	Steve Williams, Grand River Enterprises
Jonathan Lowe, Director Millbrook Fisheries	Healing Lodge: Thomas Kayter, Senior Crown Attorney and Dale Sylliboy, Community Member
Carla Moore, Director Millbrook Health Centre	DFO Consultation Representatives (Elvers Meeting): Jacinta Berthier, Regional Director, Fisheries Mgmt
Millbrook Legal Counsel: Burchell Wickwire and Bryson, LLP	Jennifer Ford, Director, Resource Management
Solicitors Derek Simon and Roy Stewart (via Teams)	Chris Cannon, Sr. Advisor, Indigenous Fisheries Management
	Brittany MacGillivray, Consultation Coordinator

**1.0 PRELIMINARY MATTERS:** Call to Order - Chief Robert Gloade

**1.1 Adoption of Agenda** - Review and Approval of the agenda for the Chief and Council meeting of January 16, 2024.

**MOTION 1.1**

**It was MOVED by Councillor Ward Markie and SECONDED by Councillor Dana Sylliboy**, That the agenda for the Chief and Council meeting of January 16, 2024 be approved as distributed with the addition of Item 2.2, In-Camera.

**RESOLVED BY CONSENSUS**

**ABSENT: 2 (Councillors Anissa Blackmore and Zachary Julian)**

## 1.2 Adoption of Previous Minutes – Review and Approval of draft minutes of the Chief and Council of January 9, 2024.

### MOTION 1.2

It was **MOVED** by Councillor Garrett Gloade and **SECONDED** by Councillor Ward Markie, That the minutes of the Chief and Council meeting of January 9, 2024 be approved with amendments to items 5.1 and 5.2 as follows:

- 5.1 Addition to bullet 3: Director of Education will address the students directly and hear their concerns and will update Chief and Council with any developments (correction has been made to the January 9, 2024, minutes)
- 5.2 Correction: A Councillor had been faced with an urgent situation over the holidays and when the Health Centre was contacted, when it re-opened on January 3, 2024, the Councillor was directed to contact 811. This issue was brought to the attention of the Director of the Health Centre as to why the Councillor had been directed to 811 when the Centre was open, and she will follow up with her staff immediately to look into this matter. An update will be provided at the next Chief and Council meeting and the Director of the Health Centre will also connect with the Councillor directly.

**RESOLVED BY CONSENSUS**

**ABSENT: 2 (Councillors Anissa Blackmore and Zachary Julian)**

## 2.0 LEGAL

### 2.1 AFNWA Agreement Update

- The Solicitor joined via teams and provided input to the Atlantic First Nations Water Authority (AFNWA) Agreement that Chief and Council had reviewed at a prior meeting
- The community agreement is the main document between Millbrook and AFNWA
- Indigenous Services Canada (ISC) has provided a letter to AFNWA to continue to provide support.

### Motion 2.1

It was **MOVED** by Councillor Garrett Gloade and **SECONDED** by Councillor Dana Sylliboy, That Chief and Council accept and proceed with signing the agreement between Millbrook First Nation and AFNWA (Atlantic First Nations Water Authority).

**RESOLVED BY CONSENSUS**

**ABSENT: 2 (Councillors Lisa Marshall and Zachary Julian)**

**ABSTAINED: 1 (Councillor Anissa Blackmore)**

### 2.2 In Camera Discussion:

Discussion regarding Council Code of Conduct.

### **3.0 MILLBROOK FISHERIES CONSULTATION**

#### **3.1 Millbrook Fisheries staff and Department of Fisheries and Oceans (DFO) staff attending for Elvers Consultation.**

- Millbrook Fisheries Director, Commercial Project Manager, and Conservation Team Lead attended and provided a brief overview to Chief and Council prior to the consultation with DFO staff
- DFO Representatives in attendance were introduced.

#### Discussion

- The January 16, 2024 meeting was set to discuss DFO's proposed (and imposed) traceability regulatory regime, equitable access, and allocations in the Elver fishery, and DFO recognition of community-authorized harvesting plans
- Since 2023, interim measures have been taken under a self-governance approach; working on a permanent solution has been challenging with DFO
- Price for Elvers has remained high, which has increased awareness of the lucrative Elver fishery
- Since the experimental fishery started in 1996, an amount of 1,200 kilograms was set per licence holder, per season, for a total amount of 9,960 kg per total number of licences issued to the commercial sector
- This quota has never been fully caught
- Over the last couple years, DFO reallocated a portion of the unused TAC to select First Nation communities that entered into agreements to fish under DFO authority; no access has ever been formally recognized for Millbrook by DFO despite a Treaty Right to fish for eels
- Millbrook issued a community authorized plan in 2023 with a conservative allocation of 600 kgs and reporting requirements; however, DFO shut down the fishery and commercial season before community members could fish for a livelihood
- DFO stated that compliance was a major issue and certain members kept on fishing, asserting that it is their Aboriginal and Treaty Right to do so
- Both groups agreed that there has been an increase in enforcement since Indigenous elver fishing began
- DFO shared that conservation is the major concern and it is now looking at possession after the fact and enforcement
- Harvesters were unable to catch the community authorized amount of 600 kgs due to the shut down by DFO
- It is a similar situation for the Eastern shore non-Indigenous commercial harvesters who had been authorized for 1,100 kg but were unable to reach that amount due to the DFO shut down of the season
- Requests from Millbrook Fisheries to DFO were sent three times (commercial fishing data request for catch statistics) for the total TAC of the 9,960 kg amounts that were caught – wanting to see what the percentage was, and no information has ever been received
- DFO closed the fishery for conservation and public safety reasons
- Millbrook emphasized that enforcement needs to be equally applied to non-Indigenous harvesters; DFO stated that if an individual has no license the enforcement is at their discretion
- Millbrook First Nation has requested a science license/funding support which has never been received and is either being denied or refused for a variety of reasons
- Conducting-community-based elver science would support self-governance in this fishery and enhance overall understanding of the elver stock and conservation concerns

- Millbrook asked DFO if it recognizes the community's right to fish elvers for a livelihood under a Treaty Right? DFO responded that it does, but under DFO regulation
- DFO states that districts (specific river watersheds) must be assigned to license holders, and DFO has had a plan for a while and have been meeting with other communities
- DFO's obligation with Millbrook Fisheries is currently being worked on
- Millbrook First Nation asked what steps are being taken to ensure the safety of the harvesters on the water; DFO stated it wants to restore order, noting there is night fishing and chaos
- Since the Elvers fishing season started, it has grown from 120 to 800 to 900 harvesters
- DFO stated what it sees as equitable is that this needs to be under a formal terms of reference and scale
- Question was asked how many licenses are getting provided to the Indigenous fisheries. The meeting was informed that any number can be issued but this means the catch is reduced according to the number of licenses issued
- This meeting was set up as a consultation and the expectation was that DFO would show up with proper information to share, for example:
  - What are the proposed traceability regulations?
  - What is the comparison from commercial fishery and communal fishing numbers?
  - Was there adequate consultation?
  - How do they feel this infringement is justified?
- Millbrook First Nation's, position is to shut down the commercial side first which would adhere to Supreme Court jurisprudence and show that First Nation communities and Treaty Rights are being acknowledged and prioritized
- The least amount of impact to DFO and the commercial sector is what is being presented; it was felt that this needs to be a Rights-based fishery first and the commercial fishery second
- When asked when the newly proposed possession and transport licenses would be issued, DFO indicated that it does not have a date for this yet
- Indigenous Fisheries want to be recognized as being legitimate buyers
- The focus needs to be on poachers and non-Indigenous fishers
- Millbrook is requesting the results of the Elvers Science documentation and DFO shared that it does have this and would send it to Millbrook First Nation
- Millbrook also requested the Commercial Fisheries reports.

At this point the Elvers Consultation meeting was ended due, in part, to the following:

- DFO arrived with improper representation, and requested information such as the science data were unavailable
- For the next meeting with DFO, Chief and Council requested that instead of an agenda being provided at the meeting that this be forwarded ahead of time for Millbrook to review, prepare, and request information if pertinent.

### **3.2 Director of Millbrook Fisheries seeking motion/approval for FSC/Multi-Species Plan and the Interim Lobster Livelihood Plan**

a. Approval was being sought for the Food Social Ceremonial (FSC) plan with updated changes to Tuna, to communal harvest only

b. Approval also requested for the Interim Lobster Livelihood Plan

Both plans to be recognized as evergreen documents that can be changed/edited upon further developments.

**MOTION 3.2a. and b.**

**It was MOVED by Councillor Garrett Gloade and SECONDED by Councillor Chris Googoo, That the FSC/Multi-Species Plan be accepted as submitted by Millbrook Fisheries January 15, 2024 as well approve the Interim Lobster Livelihood Plan. Anyone fishing under the age of 18 must have parental consent.**

**CARRIED UNANIMOUSLY**

**ABSENT: 1 (Councillor Natasha Bernard)**

**4.0 POLICY/DISCUSSION/DECISION**

**4.1 Grand River Enterprises Tobacco**

The January 16, 2024 meeting was an initial meeting for information sharing and consideration of Millbrook becoming a distributor of Grand River Enterprises. The Grand River Enterprises representative provided the following points of information:

- Grand River Enterprises currently work with twenty-one (21) First Nations in Ontario
- Currently they export to forty-three (43) states and are the largest exporter in Canada to the United States
- They work with one hundred forty-one (141) farmers in Canada
- They were also distributors of tobacco in China prior to the pandemic and due to COVID restrictions this was stopped and has not restarted
- They sell their tobacco to the army in Germany
- In Ontario, because they work with the same farmers; their land never changes and therefore the tobacco does not change, and the quality remains constant.

Highlights of the ensuing discussion:

- Chief and Council had questions surrounding what the community of Millbrook has to do to get involved
- Grand River Enterprises shared that the Band itself would not sell this tobacco (cigarettes) but would be established as a distributor
- This would be Band-owned and 100% of the funds would go back into the community
- A concern was expressed about whether or not the current arrangement in Millbrook of the individual quota allocations would be removed
- Grand River Enterprises said that the Band in Grand River does not make any money
- When this began, Grand River Enterprises had ten (10) partners and are now down to six (6)
- Grand River Enterprises started with an 8,000 square foot building and 12 employees
- Their second building was 30,000 square feet
- Grand River is willing to look at several ventures, not just distribution
- This is where it would start so that he could test the market in Millbrook.

**Next Steps**

- Solicitor for Millbrook will meet with owner of Grand River Enterprises and his lawyer. A tour of Grand River Enterprises was offered to Millbrook Chief and Council.

**4.2 Millbrook Tobacco Update: Manager, Treaty Entertainment attended**

**a) Discussion and approval for allowing two (2) people per machine**

- Opening discussion was about allowing two (2) people to play the same machine together (e.g., couples, friends)
- The partitions make it very difficult for staff to monitor as the line of sight is blocked and at times there can be some disruptive patrons
- Partitions which were constructed during COVID, are like floating walls
- The decision was to anchor one side of the partition and then take the other partitions down on the other side
- Treaty Entertainment manager will contact B. Bernard, Building Manager to assist with this
- A motion was made by Chief and Council today to allow two (2) people to play the same machine together (see below motion)
- Treaty Entertainment Manager will provide an update at a future meeting as to how this is going.

**MOTION 4.2 a)**

**It was MOVED by Councillor Lisa Marshall and SECONDED by Councillor Garrett Gloade**, That two people will be allowed to play on the same machine together, at Treaty Entertainment, Millbrook, NS location.

**CARRIED**

**ABSTAINED: 1 (Councillor James Steven)**

**ABSENT: 1 Councillor Natasha Bernard)**

**b) TV Installation**

- Intention was to have one television on each side of the building
- This was not completed due to the partitions that had been installed during COVID restrictions
- From the discussion regarding partitions, the decision was to anchor one side and then take the other one down.

**c) Hours of Operation**

- The best is to get back shift up and running but in the meantime Treaty Entertainment Manager will collect the number of patrons during the times in question
- Initially when a comparison was completed, there were more patrons during the time of 8:00 pm to 10:00 pm
- with the exception of Friday and Saturday; it is the manager's recommendation to stay with closing at 12:30 am Sunday through Thursday.

**d) Tobacco Store**

- Band Council Resolution (BCR) was completed and read into the minutes for Chief and Council approval (see below).

WHEREAS: The Millbrook Tobacco Store has decided to make available to each of its existing store owners a revised number of cartons and grams per store owner by Band Council Resolution effective starting January 2024

APPROVED AND PASSED at a duly convened meeting of the Millbrook First Nation, this 16<sup>th</sup> day of January 2024.

**MOTION 4.2d)**

**It was MOVED by Councillor Dana Sylliboy and SECONDED by Councillor Garrett Gloade, That the Band Council Resolution (BCR) dated 16 January 2024 be approved with the change/increase in allocation of the tobacco quota totals per store owner.**

**CARRIED**

**ABSTAINED: 2 (Councillors Lisa Marshall and Chris Googoo)**

#### **4.3 Director of Health Centre attended to provide updates:**

- The Mental Wellness Navigator position is still vacant and posted but there have been no new applications
- P4G to post the job again for Millbrook on their website
- Looking for additional support at the health centre as one of the NS Health employees is going down in hours and therefore, they will only have her for one day per week
- Mass casualty units are now in place with NS Health; Millbrook Health Centre Director will be meeting with them regarding mental health services
- Mobile unit will provide psychiatry, dietician, and occupational therapy services; Millbrook Health Centre Director will provide an update at a future meeting on what additional services may be available
- Mental Health First Aid training will be scheduled in June 2024
- It is anticipated that community based first aid training will be offered in the spring 2024, and security will be involved with that
- Feedback from CMM is that there is a need for crisis response, so they are developing a plan to provide crisis services for the member communities
- There will be an acute mental health treatment centre at the hospital for individuals to attend in the daytime and to go home at night
- This will be located on the second floor of the hospital; they will provide travel; and Millbrook Health Centre Director will provide an update about the referral process
- A daily detox program will be offered through Nova Scotia (NS) Health starting in the spring 2024
- A community member is going to be working to provide sweats for clients and his fees for this service will be covered under Cultural Healing Funds.

#### **4.4 Electoral Voting Lists**

##### **MOTION 4.4**

**It was MOVED by Councillor Lisa Marshall and seconded. By Councillor Chris GooGoo ,That all confirmed candidates be provided with a Band list of voters 18 years or older; to be obtained from CMM, pending legal verification regarding privacy issues.**

**CARRIED**

**4.5 Band Council Resolution (BCR) Solar Net Metering Project** for Approval and Motion was read into the minutes as follows:

**WHEREAS** the Millbrook First Nation alongside other participating Nova Scotia Mi'kmaw Bands have submitted a request for grant funding support from the Investing in Canada Infrastructure Program for the Solar Net Metering Project, and the investing in Canada Infrastructure Program requires

confirmation of our intent to provide an equity contribution to the Solar Net Metering Project, subject to aforementioned funding requests being approved;

**BE IT RESOLVED** that at a duly convened meeting held on January 16th, 2024, Chief and Council of Millbrook First Nation agrees and supports the application to the Investing in Canada Infrastructure Program for Grant Funding for the Solar Net Metering Project as submitted by James Stevens and confirm the Millbrook First Nation equity contribution of \$122,402.50 (Band Equity Contribution) being 25% of the total project costs will be contributed to the project.

**AND**, that Chief and Council hereby authorize Ulnooweg Development Group to execute the Investing in Canada Infrastructure Program Contribution Agreement on behalf of Millbrook First Nation.

**AND**, that Chief and Council agreed to appoint James Stevens as Primary Contact Person who is authorized to discuss, negotiate and gather information on the project needs on behalf of Millbrook First Nation.

**APPROVED AND PASSED** at a duly convened meeting of Millbrook First Nation the 16th day of January 2024.

**MOTION 4.5**

It was **MOVED** by Councillor Alex Cope and **SECONDED** by Councillor Ward Markie That Chief and Council approve the BCR dated 16 January 2024 for Solar Net Metering Project and appoint James Stevens, Director of Commercial Operations, as the primary contact person for the project.

**CARRIED**

**CONFLICT: 1 (Councillor James Stevens)**



#### **4.6 BCR presented for the Community Opportunity Readiness Program:**

**WHEREAS**, at a duly convened meeting of the Chief and Council of Millbrook First Nation held on January 16th, 2024, it was agreed by consensus to support the application by the Millbrook First Nation Band to the Community Opportunity Readiness Program for the proposal titled 175 Millbrook Ave. Apartments, proposal #P0156864.

**NOW BE IT RESOLVED**, the Millbrook First Nation Band is requesting the maximum allowable contributions under the Equity Gap Funding. The Millbrook First Nation will contribute 10% of the project costs.

**APPROVED AND PASSED** at a duly convened meeting of Millbrook First Nation the 16th day of January 2024.

#### **DECISION 4.6**

**It was APPROVED BY CONSENSUS** That Chief and Council approve the BCR dated 16 January 2024 in support of the application by the Millbrook First Nation Band to the Community Opportunity Readiness Program for the proposal titled 175 Millbrook Ave. Apartments, proposal #P0156864.

**APPROVED BY CONSENSUS**

#### **5.0 DELEGATES**

**5.1 Healing Lodge Update:** Senior Crown Attorney and Community Member representative attended to provide updates on the project

- Last visit they wrote a proposal and there have been some changes
- Correction Services Canada (CSC) has recommended that they go with some of their model recommendations such that they build this with a fence; however, this was not the direction the Healing Lodge proposed
- A CSC lodge is the same as a minimum security facility and is Elder-run, featuring more traditional programs
- Want to have a more desirable situation so that it is open for family and rehabilitation.

#### **Community Led Section 81**

- CLS81 would be faster for completion and CSC is 100% supportive of this initiative
- If we wait to go through CSC, it will be approximately six to eight years before completion
- Bound by an agreement with the Healing Lodge it would be run by the Band/Council/community
- Can accept provincial, community, and federal individuals incarcerated within this model
- Provincial and federal governments would oversee the agreement
- Some research studies have compared the two models and show Healing Lodge has greater improvement in many factors
- Less chance of reoffending and higher success of reaching release dates.

#### **Hiring Staff:**

- Same process as any other CSC model
- CLS 81 hiring would be filled in-house and by this model structure
- CSC staff are loaned to the Healing Lodge model, and work within an interchange to provide training and education for the staff at Healing Lodge

- Employees at Healing Lodge would receive tax-free salaries.

**Motion 5.1**

**It was MOVED by Councillor Lisa Marshall and SECONDED by Councillor Garrett Gloade.** That support be continued for the community-based model funding for the Healing Lodge and to work with Solicitor Thomas Kayter and the team on community engagement.

**CARRIED**

**5.2 Child and Family Services & Prevention Program:** Regional Program Development Team Leader for Child and Family Services Reform at ISC Atlantic provided a presentation outlining the different programs that Millbrook receives funding under.

**BACKGROUND:**

The FNCFS program is intended to provide resources and funding to support the holistic and culturally appropriate delivery of prevention and protection services to meet the needs of children, youth and families ordinarily resident on reserve or in the Yukon. The FNCFS program funds eligible recipients to provide services that account for the distinct needs of First Nations children, youth and families including cultural, historical, and geographical circumstances. Child and family services also includes post majority care services.

**The FNCFS program provides four streams of funding:**

- Child Protection, Guardianship, and Support
- Maintenance and Care
- Prevention
- First Nations Representative Services.

**6.0 COMMUNITY REQUESTS/CORRESPONDENCE/FYI**

**6.1 Mi'kmaw Legal Support Network** – Sponsorship request for \$2,000.00: The letter was read into the minutes, and it was shared that this request was sent to the Donation Committee.

**DECISION 6.1**

**It was AGREED BY CONSENSUS** That Millbrook will try to purchase 150 items directly and provide to Mi'kmaw Legal Support Network; and if this is not possible, then a donation of \$2,000.00 will be provided based on the letter of request.

**AGREED BY CONSENSUS**

**6.2 Councillor brought forward items for discussion/decision:**

**a) Water Supply for the Gym:**

- Councillor stated having six (6) water coolers that connect directly to the water supply and have an osmosis system
- The cost would be \$1,000.00, providing that there is a water line in the correct location; Millbrook Administration would be invoiced for the coolers.

**MOTION 6.2a)**

**It was MOVED by Councillor Lisa Marshall and SECONDED by Councillor Chris Googoo,** That Mr. Garrett Gloade move forward with the installation of the water coolers at the Millbrook Fitness Centre.

**AGREED BY CONSENSUS**

**b) Upgrade equipment for the fitness centre:**

**MOTION 6.2b)**

**It was MOVED by Councillor Zachary Julian and SECONDED by Councillor Dana Sylliboy, That support be offered to upgrade some of the equipment at the Millbrook Fitness Centre in the amount of \$10,000.00.**

**CARRIED**

**6.3 BCR Request to Ban Individual from Millbrook Communities**

**MOTION 6.3**

**It was MOVED by Councillor Anissa Blackmore and SECONDED by Councillor Garrett Gloade, That Robert Sylliboy be banned from properties within the Millbrook Communities.**

**CARRIED**

**ABSENT: 3 Councillors Natasha Bernard, Chris Googoo, Ward Markie)**

**6.4 Construction and funding for a Community Splashpad brought forward by Councillor**

**MOTION 6.4**

**It was MOVED by Councillor Lisa Marshall and SECONDED by Councillor Natasha Bernard That a Splash Pad be constructed for the community of Millbrook in the summer of 2024.**

**CARRIED**

**6.5 Community Member appeared before Chief and Council to discuss next steps from a fire at her property.**

- Since the fire, they have had to vacate the premises awaiting an assessment of the safety of the property, the condition of the structure, and whether it can be reconstructed if the location is suitable for a rebuild
- Department of Housing is currently looking into all options and safety concerns for the property
- An application from the Housing Department will be provided to the residents for allocation of new housing if reconstruction is not available.

**7.0 NEXT STEPS/FYI**

**7.1** New Council Swearing in March 5, 2024.

**7.2** Council Orientation/Governance Training March 6-11, 2024, to be conducted in Chambers.

**7.3** Next General C&C Meeting March 12, 2024, in Council Chambers from 9:00 am to 4:00 pm.

**8.0 ADJOURNMENT:** Meeting was adjourned by consensus.