

**COUNCIL MINUTES
REGULAR SESSION**

Waabgowan Giizis (Planting Moon), Niizh-giizhgat (It is Tuesday) 3, 2022

Tuesday, May 3, 2022: Zoom: 7:30 pm

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|----------|--|---------------------------------|
| Present: | Gimaa (Chief) | Scott McLeod |
| | Giigdonini/Giigdonini-kwe (Councillors) | Mike Sawyer |
| | | Jane Commanda |
| | | Joan McLeod-Shabogesic |
| | | June Commanda |
| | | Rick Stevens |
| | | Tyler Commanda |
| | Emyaa'wsed (CEO) | Brendan Huston |
| | Director of Lands & Natural Resources | Cameron Welch |
| | Emyaa'wsenid Waadookaaged (EA) | Kimberly Salvaneschi (RECORDER) |
| | Online Guests | Alyssa McLeod |
| | | Anna McLeod |
| | | Bracy Penasse |
| | | Cathy Bellefeuille |
| | | Darlene McLeod |
| | | Geraldine McLeod |
| | | Judy Couchie |
| | | Natasha Lariviere |
| | | Yvette Bellefeuille |
| | | Zachary Lacelle |

Regrets: Brian Couchie(Personal)

1. OPENING MIIGWECHIWIN:

The meeting commenced at 8:04 pm with opening prayer given by June Commanda.

2. ADOPTION OF AGENDA:

Defer item 9.(c) and 9.(d)
Remove item 9.(b)

Moved by Tyler Commanda

Seconded by Jane Commanda to approve the Council Agenda of May 3, 2022, as amended.

Carried.

3. DISCLOSURES OF CONFLICT:

None.

4. COUNCIL TRAVEL:

Council provided updates of their NFN business travel that will occur before the next Council Meeting.

5. ADOPTION OF COUNCIL MINUTES OF APRIL 19, 2022:

A few Nishnaabemwin translation errors were noted. Councillor Jane Commanda will provide correct spelling for the minutes to be amended.

Moved by Mike Sawyer.

Seconded by Jane Commanda to approve the Council Minutes April 19, 2022, as amended.

Carried.

6. REQUESTS/DELEGATIONS/PRESENTATIONS:

(a) Christmas in July

This item was brought for by Councillor Brian Couchie. Chief McLeod spoke to it in his absence.

This is a request to have a celebration similar to the Senior's Christmas Dinner, held each year prior to the Covid pandemic. Council is in full support of this idea. Administration will begin planning this event and provide council with updates, through the Health and Social Committee.

(b) Speed Bumps in Duchesnay

This item was brought forth by Councillor Brian Council. In his absence Chief McLeod spoke to the concern.

The speed bumps in Duchesnay do not appear to be a deterrent, motorists are seen racing from one to the other.

Administration is directed to arrange for the APS to conduct a speed/radar campaign.

(c) Franco-Cite-Donation Graduation

Each year at this time requests are received from local schools for donations towards graduation bursaries. Historically, NFN donates \$300.00 to the schools.

This is the first request received, but it is expected that NFN will receive requests from three other schools.

Administration recommends that Council approve the bursary for Franco-Cite, and authorize Brenan Huston, Emyaa'Wsed (CEO) to approve reoccurring bursary requests for 2022, in the amount of \$300.00

Council agrees; however, Chief McLeod would like the wording confirmed for the motion. This is to be sent to Council for approval.

Motion to approve a bursary in the amount of \$300.00 for Franco Cite and authorize Brendan Huston, Emyaa'Wsed (CEO) to approve reoccurring bursary requests for 2022."

Moved by Tyeler Commanda.

Seconded by to June Commanda approve the bursary motion, as presented.

Carried

7. UNFINISHED BUSINESS FROM PREVIOUS MEETING(S):

None.

8. REPORTS:

(a) Strategic Advisor Report.

Dwayne Nashkawa, Strategic Advisor provided a written report and updated on the following:

Cannabis Negotiations

Continued communication with Ministry of Attorney General (MAG) on cannabis file and NFN agreement negotiations. Discussions have resumed with Ontario; however, the Ontario Government will be moving into caretaker mode in May of 2022, and we will not likely resume significant discussions until September 2022.

Nbisiing Power

Project Initiation and Development has begun. Nbisiing Power is operational and is in the process of staffing positions. Christine Goulais and Richard Sooy are actively marketing the company and pursuing sales. The Grand Opening is scheduled for May 27th at 11 am.

Assisted Living

Site visits have been completed at potential locations in Duchesnay and Garden Village. The initial report on site assessment and pre-design work will be completed with 3rd Line Architects.

Waiting for preliminary land use plan for Duchesnay area and will then schedule Initial community consultations for May 2022.

A link to the draft design was provided to council.

Greenhouse

Planning for staffing Greenhouse is underway as well as Marketing plans under review.

The goal is to have units on site in July 2022.

Bineshii Park

Continue to provide support to secure funding and government agency support for the full development of Bineshii Park. Expecting confirmation of \$3M grant to support final development of the park from ISC in April 2022. The work on interim improvements to Osprey Miikan will be underway in 2-3 weeks (Road Widening and shoulder improvements)

Roundhouse

Working the CEO to retool this project and secure funds through new means and/or NFN own source revenues.

Nipissing-Miller Limited Partnership

Yellek-Duchesnay Road- Supporting the process for resolving issues between the NFN/Miller partnership and NFN as the owner. The project is mostly shut down due to Spring thaw; Full resumption of activities expected in mid to late May. Advertising for employment opportunities will begin in April 2022.

GWP 5198-12-00 (Hwy 17 resurface) -This is a single source contract for NFN-Miller LP coming in February 2022. This is a short-term project over two years to resurface the highway and address deficiencies at the Little Sturgeon River bridge and Little Cache Creek Culvert. NFN-Miller resubmitted the final price of this contract on April 28, 2022. Awaiting response from MTO.

GWP 5045-20-00 - The plan forth is project is to maintain the existing bridge at Laronde Creek while the new bridge is constructed, and the road is straightened out. It will not begin until 2024 at the earliest and will take 2-3 years to complete.

Nipissing Miller Partnership has won an award from the Ontario Public Works Association regarding the design of the Duchesnay Bridge. The Award ceremony is on May 17, 2022.

Council is asked to contact Kim Salvaneschi if interested in attending.

Supports

Dwayne provided an overview of his supports with Chief, Council and Administration.

Algonquin Claim- NFN proposal to conduct research to support consultation on the Algonquin Claim has been frustrated by a requirement by Ontario to complete this work by March 31, 2022. This is not feasible from NFN's perspective, and the matter has been referred to RHW (Robinson Huron Waawiindaamaagewin) legal counsel for advice.

Niobium Clean Up

MTO informs us that the contract will not be provided until mid-Summer 2022. This means a September or October start for the project. Coordination of sub-contractors and relationships with Sagamok Anishnawbek and AtikamekshengAnishinabek will restart in March 2022. The private road that leads to the site where the material will be deposited needs upgrades and repairs prior to transportation of materials over them. The owner also wants a stake in the project for the use of his property for the project. MTO is taking the lead to resolve this matter and the project is dependent on the resolution of this issue.

June 6, 2022 – Anishinabek Nation will celebrate annually Anishinaabe Giizhigad

Anishinabek Nation is celebrating this recently proclaimed National Holiday that is to honour our past, present, and future. More details will follow.

- (b) Kinoomaagewin Aanke Giigdownin (Education) Minutes of February 28, 2022.
Deputy Chief Mike Sawyer provided an overview of the minutes of February 28, 2022. There are no recommendations.
- Moved by Tyeler Commanda.*
Seconded by June Commanda to approve the Kinoomaagewin Aanke Giigdownin (Education) Minutes of February 28, 2022, as presented.
Carried.
- (c) Debendaagziwaad Committee Minutes of April 21, 2022.
Chief McLeod and Brendan Huston spoke to these minutes. There are no recommendations at this time, however, it is important to note that community consultations will commence over the summer months.

A couple of clerical errors were noted.

Moved by Joan McLeod-Shabogesic.

Seconded by Jane Commanda to approve the Debendaagziwaad Committee Minutes of April 21, 2022, as amended.

Carried.

(d) Natural Resources Committee Minutes of March 28, 2022.

Chief McLeod spoke to these minutes.

There were no recommendations at this time.

Moved by Mike Sawyer.

Seconded by Joan McLeod-Shabogesic to approve the Natural Resources Committee Minutes of March 28, 2022, as presented.

Carried.

9. NEW BUSINESS:

(a) BCR's / Agreements to signed:

i. Algonquins of Ontario (AOO) Treaty Negotiations.

BCR# 1960

Cameron Welch, Director of Lands and Natural Resources provided a brief regarding the Algonquins of Ontario Treaty Negotiations. NFN have met with Ontario and Canada in relation to the proposed AOO settlement lands and NFN' position. Over the past several months, NFN has engaged with Robinson Huron Chiefs through the Robins Huron Waawiindaamaagewinin perusing a legal opinion as to options to oppose the transfer of the proposed settlement lands to the AOO. NFN has positioned a funding package offered by ENDMNRF and Canada to cover the cost of response to Ontario government.

It is recommended that Council approve BCR#1960 to approve NFN Administration to enter into funding agreements to cover some of the costs associated with the Nations review of and response to the Algonquins of Ontario Land Proposals.

Moved by Mike Sawyer.

Seconded by Jane Commanda to approve and authorize signing of the AOO BCR #1960, as presented.

Carried.

(b) Property Line Dispute – Removed.

(c) Cannabis: New Delivery Requirement to First Nation Communities – Deferred.

(d) Cannabis and Produce Cultivation – Deferred.

(e) Road Naming

Brendan Huston provided an overview of a briefing note provided by Cathy McLeod, Lands Manager, regarding the naming of the road for Goulas Crescent to the new connecting road. A list of previously approved names was provided, and a recommendation made. Council decided to direct the naming of the road to the community by way of a fun survey. Council directed the Lands Department to confirm four names to be brought back to council for approval to put to the community for a vote/survey in the naming of the new road and the connecting road.

(f) Beaucage Park- Naming Ceremony

A naming ceremony is being planned by members for Saturday, June 4, 2022. They have been conducting naming ceremonies in the park for the past few years and wish to have access to the park again this year from the first weekend in May to the date of the ceremony on June 4th. The area that they have been using is to the right side of the roadway on the lakeside just before the beach area (a structure from past years remains in that area). This is an area where trailers were parked before Beaucage Park closed. They currently have a temporary structure on that site, and the Culture & Heritage Department informed us that it is the intention to construct a more permanent lodge around that area.

Due to safety concerns, the park has been closed to the public since October 2021.

A maintenance plan has been developed for the park and work will commence this summer but is not expected to be completed prior to the requested use. It is important to note that an alternative area was investigated, however, the Traditional Grounds in Jocko Point are not acceptable due to extreme flooding of that area. This issue was brought forward to the Community Core Planning Committee and the recommendation is to allow access to the park for the upcoming naming ceremony and approve the construction of a temporary lodge. A Land Use Permit will be issued for the month commencing May 7 to June 4, 2022. The lead will be provided with a key to access the park, ensure that the gate is locked when the park is not in use and sign a Liability Waiver will be signed. The lodge for this year would be a temporary structure and input on a more permanent structure will be considered as the plan being developed. The Culture & Heritage Department would be invited to participate in those discussions. It is also recommended that the Cultural & Language Committee provide recommendations on the Traditional Grounds in Jocko Point.

Moved by Joan McLeod-Shabogesic.

Seconded by Mike Sawyer to approve the recommendation of the Community Core Planning Committee as presented.

Carried.

Sidebar – There are funds budgeted this year to address the safety concerns in the park. This would enable the park to be available to members. However, the long-term use plan needs to be addressed for the park. Administration is looking at options to bring to Council.

(g) Water and Wastewater Feasibility Study Final Report

The Water and Wastewater Feasibility Study was presented to Chief and Council by Craig Baker, General Manager First Nations Engineering Services Ltd. At a Special Council Meeting. Chief and Council indicated their preference for NFN to have our own ground water supply and water treatment plant. The First Nations Engineering Services LTD has modified the report to factor in our preference below.

The evaluation table indicates that Alternative 2 - Communal Ground Water Treatment System is the preferred alternative, ranking highest of the alternatives considered is therefore recommended the Duchesnay and Yellek communities be serviced with a new ground water supply water treatment plant and communal watermains be installed throughout Duchesnay and Yellek. The existing pumphouses and small diameter watermains are to be decommissioned.

The evaluation of alternatives for Veterans Lane showed the highest scoring alternative to be connection to the West Nipissing water distribution system under a Municipal Transfer of Services Agreement (MTSA) for domestic and fire supply. However, when presented to the First Nation administrative management, Chief and Council, the alternative was rejected, and direction received for a stand-alone water treatment plant. Nipissing First Nation cited historical issues with existing MTSA's with the City of North Bay related to accounting for both fire protection services and wastewater pumped from the school in Duchesnay which have eliminated the First Nation's acceptance of any further MTSA's.

The evaluation of alternatives for Duchesnay and Yellek showed the highest scoring alternative to be connection to the City of North Bay water distribution system under an MTSA along with Harry Gouchie and Arts Lane for domestic water supply. However, when presented to the First Nation administrative management, Chief and Council, the alternative was rejected, and direction received for a stand-alone water treatment plant.

The Wastewater Feasibility Study Final Report was accepted as presented, and no changes requested.

The Community Infrastructure Department requires a motion to present to Indigenous Services Canada the NFN Water and Wastewater Feasibility Study Final Reports as modified including Nipissing First Nations preferred method for Communal Ground Water Treatment (Our own Water Plants) for Duchesnay, Yellek, and Veterans Lane.

Moved by June Commanda.

*Seconded by Tyeler Commanda to accept the NFN Water and Wastewater Feasibility Study and to submit to Indigenous Services Canada, as presented.
Carried.*

(h) Policy Review:

i. OWL Policy & Procedures

This policy was developed in 2014 and is administered by the Social Services Department. The policy provides guidance and direction for the operations of the Ojibway Women's lodge. Throughout the policy, the change in title "Director" has been changed to "Manager" and outlines a reporting relationship from the Manager to the Director of Social Services to the CEO which is in line with the current positions and structure of NFN departments, as well as changing the wording "Aboriginal" to "Indigenous". Significant changes to this policy include:

- Addition of "persons who identify as women"
 - Allowing women under the influence to be in the unit "based on assessment"
 - Expansion of process for women who do not return at agreed upon time to the shelter and filing a missing peoples report after every reasonable effort is made to locate. In some cases, this may involve contacting other agencies such as CAS, Nijjaansinaanik or Crisis Support.
 - Including vaping in the section for smoking.
- Although this policy is written for NFN's women's shelter there are Ministry guidelines that are included and the policy amendment under Serious Occurrences has changed and reflected on Page 57 to 61.

ii. Human Resources Management Policy

Following the rescinding of a motion to approve the HR Policy in March, the HR policy amendments were reviewed by NFN Managers and employees to gather feedback. It is recommended that the proposed section that contemplated a "job commitment" section be removed therefore not recommended at this time. Following this review by staff other significant and latest changes to this policy include:

- Addition of a definition for "Absenteeism"
- In second round postings changing "First Nation members" to read "First Nation members from another First Nation" and adding "and children of Nipissing First Nation members".
- A section is included that allows for the payout of Annual Leave or Accumulated Time or combination of both to a maximum of 70 hours per year. This would assist in decreasing NFN's liability.
- "Employees on unpaid leave are required to pay the employee portion of the Group Insurance Plan ... "
- Under Emergency Response the compensation is for time and one-half rather than double time and a half.

Moved by Joan McLeod-Shabogestic.

Seconded by Jane Commanda to accept the Policy Changes to the OWL Policy & Procedures, and the Human Resources Management Policy, as presented.

Carried.

(i) Appointments

With the resignation of Daniel Stevens and the acceptance from Brian Couchie as Councillor to appoint Councillor Brian Couchie as Chair of the Natural Resources Committee and the Debendaagziwaad (Citizenship) Committee.

Due to the resignation of a committee member to appoint Cathy Bellefeuille, who has been on the waiting list, as a member of the Debendaagziwaad Committee.

Moved by Jane Commanda.

Seconded by Tyeler Commanda to approve the appointments to committees as presented.

Carried.

10. STANDING UPDATE ITEMS:

(a) Annuities Claim

(b) Nbisiing Governance Update

A new Membership Portal has been developed by Eric Schnell, I.T. Manger. A presentation will be made to Council at the Governance meeting on May 10th, prior to the portal going live.

11. INFORMATION ITEMS:

Chief McLeod was sent a message during the meeting informing him that the North Bay City Council has unanimously approved a motion to rename Marathon the beach in honour of Chief Shabogestic, who was a signatory to the Robinson-Huron Treaty of 1850. The beach will be known as “Shaabgiizhig Jiigbiik” in Ojibway, or “Shabogestic Beach.”

12. ADJOURNMENT:

Moved by Joan McLeod-Shabogestic.

Seconded by Jane Commanda to adjourn the NFN Council meeting of May 3, 2022, at 9:48pm.

Carried and Adjourned.