



**GENERAL CHIEF AND COUNCIL MEETING
JANUARY 11, 2022**

Minutes of the Millbrook First Nation (MFN) General Chief and Council (Council) Meeting held at 9:00 a.m. on January 11, 2022 at the Millbrook Community Hall, 72 Church Road, Millbrook, Nova Scotia, and via videoconference.

CHIEF AND COUNCIL

PRESENT:

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

ABSENT:

Councillor Barry Martin

REGRETS:

STAFF:

Claire Marshall, Executive Director	Lorne Paul, Housing Director (Item 2.3)
Chantel Langille, Housing Project Officer (Item 2.3)	Donna Stephens, Aboriginal Community Development Officer (Item 4.1)
Shelly Martin, In-House Legal Counsel	

RECORDING SECRETARY

Communications Officer, Nigel Gloade
Administrative Assistant, Jessica Haji Mohamad

GUESTS

Sergeant William Collier, RCMP (Item 2.1)
Chris GooGoo (Item 2.4)
Corporal Natasha Jamieson, RCMP (Item 2.1)
Tom Keefer, Editor, Dispensing Freedom Magazine (Item 2.4)
Greg Mosher, Advisor, MNP (Item 5.1)
Del Riley, Chief, National Indian Brotherhood (Item 2.4)
Scott Robertson, Senior Associate, Nahwegahbow Corbiere Genoodmagejig (Item 2.5)

1. PRELIMINARY MATTERS

1.1. Call to Order

Chief Robert Gloade called the meeting to order at 9:45 a.m.

1.2. Adoption of the Agenda

Related Information: Agenda for the January 11, 2022. General Chief and Council meeting.

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

That the Millbrook First Nation Chief and Council approves the agenda for the January 11, 2022 General Chief and Council meeting, as presented.

CARRIED

(Absent: Councillor Barry Martin)

1.3. Adoption of Previous Minutes

Related Information: Draft Minutes of the December 7, 2021 MFN Regular Chief and Council Meeting.

It was MOVED (Councillor Alex Cope) and SECONDED (Councillor James Stevens)

That the Millbrook First Nation Chief and Council approves the minutes of the December 7, 2021 General Chief and Council meeting, with amendments.

CARRIED

(Absent: Councillor Barry Martin)

2. DELEGATIONS

2.1. RCMP Update

Corporal Natasha Jamieson and Sergeant William Collier joined the meeting.

The meeting adjourned to an in-camera session to receive an update from the RCMP, following which the meeting reconvened.

Corporal Jamieson and Sergeant Collier departed the meeting.

2.2. Housing Update

Chantel Langille, Housing Project Officer, and Lorne Paul, Housing Director, joined the meeting.

Mr. Paul and Ms. Langille provided updates on:

- Development of a new tenant housing repair form to be implemented in early 2022
- Consultation will be undertaken with the community and MFN Chief and Council and staff on proposed changes to the Housing Policy
- Stage 5 energy assessments will be undertaken in spring 2022
- Requests for renovations and repairs to housing
- Requests for housing from Band members.

Discussion ensued on:

- The potential to use the old treaty building as an emergency housing unit
- The cause of the flooding that occurred at a Band member's home
- Whether funding is available from Indigenous Services Canada (ISC) funding to meet the need for single housing units and rapid housing.

Ms. Langille and Mr. Paul departed the meeting.

2.3. Chris GooGoo

Related Information: Presentation titled “Consultation in regard to section 25/35 of constitutional act and Cannabis as an Aboriginal right”.

Chris GooGoo, Community Member, Tom Keefer, Editor, Dispensing Freedom Magazine and Del Riley, Chief, National Indian Brotherhood, joined the meeting and introduced themselves to Chief and Council.

Messrs. GooGoo, Keefer and Riley provided their understanding of inherent Aboriginal rights under the *Constitution Act, 1982*, and the federal government’s authority over the sale of cannabis and the taxation of businesses located on sovereign lands. It was noted that there is a constitutional challenge underway regarding the federal government’s authority over the sale of medicinal cannabis.

Discussion ensued on:

- The community member’s belief that the operation of the business under Section 35 of the *Constitution Act, 1982* protects him from RCMP actions
- The opinion that Section 35, *Constitution Act, 1982*, takes priority over Band bylaws, as Band Council Resolutions (BCRs) are not legal documents
- Community consultation is underway to determine if there is a will to establish a regulatory regime for cannabis
- Numerous community complaints received about cannabis dispensaries:
 - The need for dispensary owners to address the community concerns

Messrs. GooGoo, Keefer and Riley departed the meeting.

2.4. Cannabis Policy

Scott Robertson, Senior Associate, Nahwegahbow Corbiere Genoodmagejig, joined the meeting.

Mr. Robertson advised:

- MFN has the right to pass bylaws within its community under the *Indian Act*
- MFN is in the process of developing its own cannabis regime under the jurisdiction of Section 35, *Constitution Act, 1982*
- The policing agreement with the RCMP provides it with the same authority as in a municipality:
 - The RCMP must be part of the solution
- A common theme during the community consultations, including those where dispensary owners were present, is the wish for a regulated system.

Discussion ensued on:

- Mr. GooGoo’s legal action is being undertaken as an individual, not on behalf of the MFN community
- The regulatory regime would become a community law if ratified by the community members
- Suggestion to postpone communication with the RCMP until the community consultations are completed and there is a decision on the direction that will be taken
- Suggestion to engage Mr. Robertson to lead a cannabis committee.

Mr. Robertson departed the meeting.

3. POLICY DISCUSSION/DECISIONS

3.1. Elections

It was noted that the Electoral Officer is consulting with Indigenous Service Canada (ISC) about the option for online voting or delaying the election date to address Band members' concerns about the potential delay in receiving ballots and voting in-person during the COVID-19 pandemic.

3.2. COVID-19 Supports for Band Members

Chief Gloade reported:

- COVID-19 funding was received from ISC to provide \$300 per month for five months to social assistance clients and business relief
- The offer of \$120 per Band member and \$75 per on-reserve household was unfair to members living off-reserve
- The amount offered to social assistance clients should be provided to all students, seniors and Band members who need the COVID-19 support.

Discussion ensued on:

- Whether a top up could be provided to frontline workers
- The next disbursement will be provided to non-social assistance clients.

Action Item (01): *The Executive Director to investigate if own source revenues are available to provide COVID-19 support to Band members and to provide a report at the next Chief and Council meeting.*

3.3. Quarterly Meetings with Millbrook Elders and Youth

Councillor James Stevens suggested a trial of scheduling a meeting on the first Tuesday of each month to provide an opportunity for Elders and youth to express concerns and share ideas on how to address the concerns.

Discussion ensued on:

- Suggestion that the Elders and youth determine a suitable time and day for the meeting
- Suggestion that off-reserve Band members be included in the meetings:
 - Whether off-reserve guests will be invited to attend in-person or virtually.

It was MOVED (Councillor James Stevens) and SECONDED (Councillor Colin Bernard)

That the Millbrook First Nation Chief and Council agrees to hold quarterly Elders and Youth meetings, on dates and times to be determined, commencing April 2022.

CARRIED

(Absent: Councillor Barry Martin)

3.4. On-Reserve Housing Loan Programs for First Nation Communities

Councillor James Stevens recommended that the MFN enter into a relationship with RBC for an On-Reserve Housing Loan Program and highlighted:

- The initial enrolment term of two years for the pilot program

- The maximum mortgage to be supported by MFN will be \$250,000 for new construction or purchase of an existing home for which there is a CP and qualified appraisal:
 - MFN will act as the guarantor for Band members seeking to obtain a mortgage for on-reserve housing, provided that the applicant meets all conditions established by RBC to obtain a residential mortgage
- Total borrowings shall not exceed \$2 million for the length of the pilot program
- Intention to enter into agreements with other financial institutions following successful completion of the pilot program
- Steps to be completed prior to entering into a loan under the pilot program.

During discussion, it was suggested that the pilot program be deferred until a review of the on-reserve housing programs is completed.

It was MOVED (Councillor James Stevens) and SECONDED (Councillor Leana Kennedy)
 That the Millbrook First Nation (MFN) Chief and Council agrees to enter into a relationship with RBC to initiate the process for the MFN On-Reserve Housing Loan Program.

CARRIED
 (Absent: Councillor Barry Martin)

3.5. 2022 Meeting Schedule for Newly Elected Chief and Council

Related information: Draft 2022 Chief and Council meeting schedule.

It was suggested that separate meeting be scheduled for delegates that require more than one hour to provide additional time for discussion and questions.

4. COMMUNITY LETTERS/REQUESTS

4.1. Community member incarceration Release Plan

Donna Stephens, Aboriginal Community Development Officer, joined the meeting.

Consensus Decision: The MFN Chief and Council supports the plan for the April 25, 2022 release of a specific community member.

Ms. Stephens departed the meeting.

4.2. Community Requests

Council considered requests from community members regarding:

- Assignment of housing
- Holding an information session about Indigenous child welfare compensation
- Provision of generators for Elders' homes in Sheet Harbour
- Snow removal from seniors' homes.

It was MOVED (Councillor Lisa Marshall) and SECONDED (Councillor Alex Cope)
 That the Millbrook First Nation Chief and Council reallocates the house at 300 Abenaki Road to Cynthia Martin.

CARRIED
 (Absent: Councillor Barry Martin)

It was MOVED (Councillor Lisa Marshall) and SECONDED (Councillor Stephen Marshall)

That the Millbrook First Nation Chief and Council assigns the residence at 4216 Highway 224, Beaver Dam, Nova Scotia, to Justine Asprey.

CARRIED

(Absent: Councillor Barry Martin)

Consensus Decision: The MFN Chief and Council agrees to add generators within the same price range to the repair grant list.

Action Item (02): *The Executive Director to advise staff to include generators on the repair grant list.*

Action Item (03): *The Executive Director to advise maintenance staff to remove snow from both entrances at seniors' homes.*

Action Item (04): *The Executive Director to communicate in writing with two Band members regarding their behaviour.*

5. REPORTS

5.1. Finance Report

Greg Mosher, Advisor, MNP, joined the meeting.

Discussion ensued on:

- The cost of the COVID-19 disbursement
- The 2021 audit will be reviewed with Chief and Council prior to the end of their terms
- The financial policies and procedures will be presented to Chief and Council for approval in March 2022.

Mr. Mosher departed the meeting.

5.2. Executive Director Report

Claire Marshall, Executive Director, reported on:

- Request for Chief and Council to read stories to children at the Millbrook Early Education Centre (MEEC)
- Request for a special BCR regarding the tobacco store to be considered at the January 18, 2022 Chief and Council meeting
- N95 masks have been ordered for vulnerable community members
- Regular communication with staff regarding working from home and reopening plans for some departments
- The increase in the number of drug and alcohol supports requested over the Christmas holidays.

6. LEGAL UPDATE

The meeting adjourned to an in-camera session.

7. **CONCLUSION**

It was MOVED (Councillor Leana Kennedy)

That the January 11, 2022 Millbrook First Nation Chief and Council General Meeting be adjourned.

CARRIED UNANIMOUSLY

Time: 5:45 p.m.

