

**Band Council Meeting
December 10, 2019
Minutes**

Attendance:

Chief Bob Gloade	Councillor Ward Markie	Councillor Mike Stephens
Councillor Bryan Brooks	Councillor Barry Gloade	Councillor Barry Martin
Councillor Peter Gloade	Councillor Alex Cope	Councillor Colin Bernard
Councillor Gordon Johnson	Councillor Adrian Gloade	Councillor Stephen Marshall

Chief Bob Gloade called meeting to order at 10am.

(In camera discussion)

Presentations to Council:

(Councillor Barry Gloade stepped out due to conflict)

Reference: Band member

Requested to have name added to plowing list this winter.

Band Administrator will contact Maintenance Manager and will add him to the list.

Reference: Sgt. Darren Bernard - Millbrook RCMP

Issue he wanted to speak about is the driveway constructed off of the Abenaki Connector ramp. There are public safety concerns such as visibility, traffic hazard and no legitimate permits.

Discussion: Millbrook by law Officer did deliver a letter but it was not taken seriously. This is on common band lands. Sgt. Bernard said there are a list of concerns and a list of charges that could be laid for tampering with the highway and altering its course but wouldn't want to recommend that just yet. Sgt. Bernard was asked to email these concerns to Chief and Council and provide them in writing. Sgt. Bernard said he can have a letter done up within the hour. Band Solicitor was asked to write a letter to Band member to remove the culvert at their own expense immediately.

Another concern is Millbrook Band does not want individual to do any work in Millbrook anymore. They performed an illegal activity by putting the culvert there. This will have to brought to the attention to New Construction - Supervisor.

Motion by Councillor Colin Bernard to ban John Webster Jr/Sr & Business from Millbrook Band lands as an undesirable persons/business.

Seconded by Councillor Adrian Gloade

10 for; 1 opposed

Motion carried.

RCMP does enforce Millbrook by laws and will continue to do it.

(in camera discussion)

(Councillor Alex Cope stepped out due to conflict)

Reference: Band member

Gave a brief update on cannabis business. Employs eight Millbrook band members, and would like to sponsor Millbrook seniors for the upcoming St. Ann de Beupre pilgrimage etc. The main concern they would like is Millbrook Band's support to have Millbrook RCMP to stop pulling over customers.

Discussion: Millbrook RCMP is a separate body from Millbrook band. Millbrook Band is still in the process of development Cannabis bylaws etc. What Band member is asking would be contradicting. Millbrook Band has their bylaws, for example people don't want commercial businesses in the residential areas in the community. Millbrook Band can't make a by law to not enforce our bylaws.

Reference: Band member

(in camera discussion)

Review of November 12, 2019 minutes:

Reference: Moderate Livelihood management plan

We made a motion two years ago to develop a Moderate Livelihood management plan.

Discussion: There is a meeting is set for January 16, 2020.

Reference: Sheet Harbour Christmas dinner

This is postponed till Thursday, there is no power in Sheet Harbour today.

Motion by Councillor Peter Gloade to accept November 12, 2019 minutes.

Seconded by Councillor Adrian Gloade

Motion carried unanimously.

Review of December 3, 2019 minutes:

Motion by Councillor Stephen Marshall to accept December 3, 2019 minutes

Seconded by Councillor Peter Gloade.

Motion carried unanimously.

Reference: Band Solicitor - 1919 land claim documents

Is in Ottawa today to hand delivering documents to minister Bennett, Office closes on Friday for holidays.

Reference: Land claims arrangement with Millbrook and Canada

Corporate Trust TD trustee Agreement set their fees etc.

Additional will go into the trust fund we already have for kids.

Motion by Councillor Stephen Marshall to accept Corporate Trust TD trustee Agreement

Seconded by Councillor Adrian Gloade

motion carried unanimously.

Reference: December 2019's Council Meeting

Today's meeting will re-convene tomorrow afternoon at 1pm; Morning is with CMM 9am at Holiday Inn. Band Solicitor Dave English is going to meet with individual this afternoon.

Letters to Council:

Reference: Director of Health Services - Monthly Report noted.

Reference: Director of Educational Services - Monthly Report noted.

Reference: Native Employment Officer - Monthly Report
Mi'kmaw Physical Activity Strategy Coordinator (MPAL) position

Discussion: No one applied for this position, it was suggested that Millbrook Band consider increasing their contribution towards salary. We can increase our share and apply to the province to increase funding. (not only a Millbrook issue, other communities too)

Agreed by consensus to increase salary to \$45,000 and repost, offer as a two-years, or whatever time is left on existing agreement. Have it stated that there are flexible hours on this position but the time and benefit to the community of Millbrook will have to be maintained and accounted for? It has been suggested that this is a health initiative and that Carla Moore, the Director of Health Services should supervise this position.

Reference: New Construction - Supervisor noted.

Reference: Audit and Budget Review Committee
Recommendations of the Audit and Budget review committee meeting were ratified and will be sent to Finance Comptroller.

Reference: Director of Health Services
(*in camera discussion*)

Agreed by consensus to stick with the recommendations from the Audit and Budget Review Committee.

Annual employment evaluations, New HR person can take care of these type of difference.

Reference: Millbrook Human Resource Policy Review
The following information needed to be added to the HR policy, and have a payroll scale schedule.

Motion by Councillor Alex Cope to accept HR Policy with inclusion of the amendments.

Seconded by Councillor Stephen Marshall.

Motion carried unanimously.

Reference: Finance Policy amendments

These amendments were the conditions to be made to the Finance Policy.

Motion by Councillor Alex Cope to accept Finance Policy amendments

Seconded by Councillor Colin Bernard

Motion carried unanimously.

Reference: Oliver Browning - PDI Engineering Group Inc

Provided an evaluation of new driveway location along Abenaki Connector - 171 Abenaki Road.
noted.

Reference: Zach Whynot, TriNav Fisheries Consultants Inc.

Provided a brief two-page executive summary regarding the new 50' Snow crab vessel purchase and six-page detailed quote.

Discussion: Fisheries Manager is in favour of proceeding with the purchase this snow crab boat.

Fisheries Manager advised no more leasing boats, costing Millbrook more due to wear and tear.

Discussion: Can we involve Economic Development Officer with this portfolio. Yes. Are fishermen already aware they are not to lease the fishing boats? They were told last year.

Motion by Councillor Adrian Gloade to no longer lease the snow crab boat out anymore because the band is losing out more every year.

Seconded by Councillor Colin Bernard.

10 for; 1 opposed.

Motion carried.

Motion by Councillor Adrian Gloade to purchase new snow crab vessel at \$1.5M

Seconded by Councillor Gordon Johnson.

11 for; 0 opposed.

Motion carried unanimously.

Reference: Bruce Clark, Burchells - Draft Mi'kmaq Cannabis Law

Chief Bob Gloade gave to Band Solicitor Dave English to review. He has been talking to Bruce Clark.

Discussion: Take a look at it, meet with community, tweak to our liking.

Assembly meeting with Premier tomorrow. Regulations yet to be determined.

Wait till Bruce Clark returns call.

Reference: Band member

If an exception is made for one business then we would have to for the others.

Reference: Band member

Requested an extension for her house.

Have Maintenance and Repairs Supervisor to inspect and make recommendations.

Chief Bob Gloade appointed Councillor Bryan Brooks to chair meeting.

(Chief Bob Gloade and Peter Gloade stepped out due to conflict)

Reference: Band member

Requested to move into house to take care of another individual and allow him to live there. Request that the house go to family member.

Discussion: This house is a band own home and not a family home. They already have a house assigned; this house will go to the housing committee to assign. Six months to vacate. request was denied. (see December 11, 2019 update page 9)

Reference: Band member

(in camera discussion)

This house has already been sent back to Millbrook housing committee to be re-assigned. If family unit changed; they could re-apply.

Reference: Kelly Ford, MFCS

(in camera discussion)

(Recording for the following below on speaker phone via cell- needed more time to listen to recording and to summarize the phone conversation) letter #11

Reference: Bruce Clark, Burchells - Draft Mi'kmaq Cannabis Law overview (circa 2:30:00 in recording) called him to see if he could give an overview, unregulated cannabis stores, concerns if someone consuming product and get injured, sick or dies, is it a risk someone goes to court claiming treaty rights and loses it. Liability for personal health, there's a chance of the band being sued, sue the First Nation not the individual stores. Who has the money. Aboriginal and Treaty rights quite limited, strongest fight would be right to self government of health and safety - Chiefs adopt provincial level, and at a community self government activity (best aboriginal rights defense) provincial wide, individual community... (Should we wait till after the meeting Thursday, Engagement Officer still working on surveys)

(Return to Presentations to Council)

Reference: Band member

Wanted to have things clarified and settled today regarding new driveway. Would like to work together with Millbrook band and Millbrook RCMP. What can they do to make it work, does not want to dig up driveway, ex. can it be moved? clear trees? Reducing speed limit; If nothing can be done, can they get reimbursed the \$5000.00; get a copy of a zoning by law; variance by law; want it to be safe for everyone. Tabled.

Chief Bob Gloade appointed Councillor Bryan Brooks to chair meeting.

(Chief Bob Gloade and Peter Gloade stepped out due to conflict)

Reference: Band member

Requested immediate consideration for housing. attach to housing application.

Reference: Band member

Requested any type of housing with more than one-bedroom housing on reserve for family member.

Discussion: If they haven't applied for a house in Millbrook they should put in an application.

Reference: Millbrook Housing Committee

Band member is willing to give up a family unit house to move into a two-bedroom duplex and \$1500 relocation money. There is no money involve for relocation.

Reference: Millbrook Housing Committee - family unit and single duplex unit housing recommendations (Note that some of these units are not available until January, February, and March 2020)

The housing committee requested that the change in the points system to remain the same, 10 points for common law; married gets 20 points with 2 points per year max at 40 points.

Discussion: Rules change all the time.

The list for family unit housing recommendations, top four scores are: (scored with old point system)

1. Band member 180 points
2. Band member 145 points
3. Band member 134 points
4. Band member 133 points

Chief Bob Gloade appointed Councillor Bryan Brooks to chair.

(Chief Bob Gloade, Councillors Mike Stephens, Peter Gloade, Alex Cope stepped out due to conflict)

Agreed by consensus to approved family unit housing points scored with newly revised rules giving no points for common law and married 20 points with 5 points per year (max 40).

The list for family unit housing allotment is: (age factored in for ties)

1. Band member 180 points
2. Band member 140 points
3. Band member 135 points
4. Band member 135 points

Recommendations for single duplex units in order of first pick to last: (age factored in for ties)

1. Band member 82 points
2. Band member 80 points
3. Band member 80 points
4. Band member 80 points
5. Band member 80 points
6. Band member 76 points
7. Band member 76 points

Agreed by consensus to approved single duplex units list.

Band Administrator will forward this list to New Construction - Supervisor.

Reference: Adrienne Murray, Land Management Advisor ISC

Asked for name suggestions for Tuffs Cove Reserve.

Motion by Councillor Mike Stephens to name Tuffs Cove reserve to Kape' meaning "In the narrow".

No Seconder, motion died on the floor.

Reference: Band member

Suggested Land for sale in Brule, Nova Scotia for recreational land for community benefit.
noted.

Reference: Nova Scotia Native Women's Association, Executive Director

Submitted an operational budget for the Jane Paul Centre for Millbrook consider donation.

Motion by Councillor Barry Gloade If NSNWA can provide that they have other on-going funding sources for this facility Millbrook is willing to make a onetime contribution of \$10,000.00 to the centre.

Secoded Councillor Mike Stephens.

motion carried unanimously.

Reference: Isaiah Bernard, TEDx SaintMarysU society

Confirmed that they have a Mi'kmaw speaker for this event.

Motion by Councillor Colin Bernard to donate \$500 to SMU

Secoded by Councillor Gordon Johnson.

motion carried unanimously.

Reference: Shyla Robinson, Mi'kmaw Friendship Centre

Requested annual donation toward Christmas Cheer Program.

Agreed by consensus to donate \$500 to Christmas Cheer Program.

Reference: Band member

(in camera discussion)

The Family told Chief and Council to stay out of their family business years ago.

Send this to Band Solicitor to advise if the Millbrook Band can accommodate their request.

Reference: Band member

Requested modification to the current Millbrook Band Council Post-Secondary Education Assistance Program Policy.

request denied.

Reference: Band member

submitted a letter of complaint.

(in camera discussion)

Send letter to the Director of Health Services. Can we recommend a formal reminder system of their appointments?

Reference: Dumpster for Cole Harbour

Band member requested a dumpster in Cole Harbour.

Band Administrator called Treaty Enterprise General Manager and would allow them to put one garbage bag in their dumpster each week.

Reference: Band member

Requested paint and flooring repairs to apartment.

Send Maintenance and Repairs Supervisor to inspect and do necessary repairs.

Reference: Occupational Health and Safety Person

Motion by Councillor Colin Bernard to post this position as a term position for one year.

Seconded by Councillor Mike Stephens.

Motion carried unanimously.

Reference: Analysis of Housing committee applicants

Did we have an Analysis of Housing committee applicants?

Discussion: Had a meeting set one day but no one showed up. No one was available to meet that day.

Reference: Minutes

Have they been posted online?

Discussion: They have all been sent to Communications Officer this morning as directed by Band Administrator. It was motioned last meeting to have them posted un-redacted. 60-days to post minutes. Band lawyer advised that there are legal ramifications associated with posting people's names and affairs without their consent and advised that minutes should be redacted.

(in camera discussion)

Reference: Band member - Shed

Band member is on the list; Sheds are on back order. Focus on seniors.
noted.

Reference: Band member

Needs roof repairs.

Send Maintenance and Repairs Supervisor to inspect

Reference: 1919 land claim

People want to know if they can get money early.

Discussion: Everyone would have to sign a waiver, form, cheques, seven days to do all this?

Not enough time to set this up.

Meeting done for the day at 4:23 pm. To reconvene at 1pm tomorrow.

December 11, 2019

Administrative Assistant was not asked to take minutes for the remainder of Chief and Council meeting.

Reference: Finance Manager and Senior Finance Clerk

Discussion: Would like it that both Dave English and Shelly Martin to be present in this meeting before voting on this decision.

(in camera discussion)

Reference: Band member

Requested a new stove.

Agreed by consensus to get a new stove.

Chief Bob Gloade asked Alex Cope to chair meeting.

(Chief Bob Gloade and Councillor Peter Gloade stepped out due to conflict)

Reference: Band member

(in camera discussion)

Motion by Councillor Bryan Brooks

Seconded by Councillor Ward Markie

10 for; 1 opposed.

Motion carried.

Motion by Councillor Mike Stephens to terminate Senior Finance Clerk immediately.

Seconded by Councillor Bryan Brooks.

motion carried unanimously.

Motion by Councillor Mike Stephens to terminate Finance Manager immediately for a loss of confidence.

Seconded by Councillor Stephen Marshall.

10 for; 1 opposed.

Motion carried.

Motion by Councillor Mike Stephens the immediate implementation of a full forensic audit.

Seconded by Councillor Stephen Marshall.

Motion carried unanimously.

Motion by Councillor Mike Stephens to request a Request for Proposals (RFP) for Auditors.

Seconded by Councillor Bryan Brooks.

motion carried unanimously.

Motion by Councillor Barry Martin to adjourn.