



MILLBROOK FIRST NATION

**GENERAL CHIEF AND COUNCIL MEETING
APPROVED MINUTES – APRIL 12, 2023
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 Stephen Marshall
Councillor Carley Gloade	Councillor James Stevens
Councillor Chris Googoo	Councillor Dana Sylliboy

ABSENT

Councillor Garrett Gloade (absent with excuse)

REGRETS

STAFF

Ayo Mankanjuola, Chief Financial Officer (CFO)
 Claire Marshall, Executive Director
 Shelly Martin, In-House Legal Counsel
 Suzzanne Penney, Admin Assistant to Chief &
 Council and Recording Secretary

DELEGATES

RCMP :
 Sgt. William Collier
 A/Sgt. Natasha Jamieson
 Cpl. Jeremy White
 Roy Stewart, Burchell's Law Firm

1.0 PRELIMINARY MATTERS

1.1 **Call to Order** - Chief Robert Gloade

1.2 **Adoption of Agenda** - General Chief and Council Meeting of April 12, 2023.

It was MOVED by Councillor Chris Googoo and SECONDED by Councillor Alex Cope,

That the Agenda for the April 12, 2023 General Chief and Council Meeting be approved as circulated with the addition of Item 5.7 Request letter from community member. (Daniel Michael Stephens)

CARRIED

1.3 **Adoption of Previous Minutes** – Review and Approval of draft minutes of the Chief and Council Meeting of March 14, 2023.

It was MOVED by Councillor Carley Gloade and SECONDED by Councillor James Stevens,

That the Minutes of the Chief and Council Meeting of March 14, 2023 be approved with the following edits:

- Item 2.3, spelling corrections in two places (Councillor Zachary Julian and Lindsay Peach)
- Motion on body armour, Councillor James Stevens' vote in opposition was missing from minutes
- Page 5, Department of Housing discussion regarding approving the housing policy or tabling the approval – Motion by Councillor Lisa Marshall and seconded by Councillor Alex Cope to pass the new housing policy; motion was tabled and then it was approved at the Economic Development meeting.

CARRIED UNANIMOUSLY

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2.0 NEW BUSINESS/BUSINESS UPDATES

2.1 East Coast Music Awards: May 4, 2023 – Millbrook’s Participation

2.2 Dalhousie University Visit: April 19, 2023 – Office of Equity and Inclusion Indigenous Community Engage grand opening of the sub office.

3.0 DELEGATES

3.1 RCMP Update: Review of monthly report

Discussion ensued regarding the various roles of security, administration and the RCMP.

- Clarification was provided on the role that security should have within the community versus the RCMP.
- Community members need to be continually encouraged to contact the RCMP when criminal or dangerous situations arise; and not necessarily the security team of Millbrook.
- RCMP confirmed that anyone unpermitted wearing bullet proof vests could face substantial fines.

During the review of the monthly report, the following highlights were noted:

- Call volume seems to be down
- RCMP working with Millbrook staff regarding the EMO procedures
- Community visibility and engagement with youth went well
- Several community events coming up, including North American Indigenous Games (NAIG) and the Mi'kmaw Summer Games; it is anticipated there will be more RCMP presence in the community as an influx of people
- Recruitment leading up to the Pow wow will be considered as well
- A brief update was provided regarding what communities are moving towards regarding drug and cannabis control
- Councillor inquired about how the other communities are handling the hard drug situation
- There have been sightings of banned individuals within the community
- Addictions in the community are rampant
- The RCMP get the call as they have the authority to enter homes, and remove unwanted people at the requests of the owners
- A starting point would be to get the mental health support and detox needed by those who are addicted
- Discussion of human trafficking was brought up and RCMP shared that they have not received as many reports
- Fisheries and Department of Fisheries and Oceans (DFO) was discussed, and it was stated that the RCMP are not involved in the fishing rights, but they did clarify that they will protect the community and are available only as peacekeepers when DFO is onsite.

3.2 Security Request Update

Revised Quote for the security team to be authorized to wear bullet proof vests was again in front of Council. A motion was proposed in support of the security team buying vests; but after discussion, it was decided to not allow it at this time, as the security team are not properly licenced to wear bullet proof vests. The proposed motion was then rescinded.

4.0 POLICY DISCUSSION/DECISIONS

4.1 Extension of Construction Moratorium Bylaw (a motion is required)

- Currently working through the civil side of the bylaws and also looking at the level of summary offences and to not to have cases such as this tied
- Extending the moratorium for another two years
- Councillor recommended to have the bylaws amended so that this does not have to be revisited and looked at every two years
- Engaged currently in the Community Comprehensive Planning and through that process appropriate areas for development will be identified.

It was MOVED by Councillor Ward Markie and SECONDED by Councillor Stephen Marshall,

That the Construction and Development moratorium bylaw be continued and extend beyond May 2023 and into May 2024.

CARRIED

In favour: Councillors Natasha Bernard, Anissa Blackmore, Alex Cope, Carley Gloade, Zachary Julian, Ward Markie, Lisa Marshall, Stephen Marshall, James Stevens, Dana Sylliboy

Excused: Councillor Garrett Gloade

Abstained: Councillor Chris Googoo

4.2 CP Policy Discussion

Membertou Certificate of Possession Law, 2020, was circulated for Council to review as an example and to start some initial discussion points to be reviewed at a future meeting.

4.3 First Nations Land Management Act

A handout providing a snapshot of the Act was provided to Chief and Council for information and review.

- A Land Code for Millbrook transfers the authority to the Band to manage, but the land still has reserve status; however if the land is going to be sold, the Crown must be involved.
- Questions posed:
 - Are we going to lose tax exempt status? Answer: No
 - Can we still add lands to the holding? Answer: Yes
- This process is about putting supports in place to manage Band lands more efficiently and to provide the community with information and answers they are seeking.
- 453.4 acres can be purchased anywhere in Nova Scotia by the Band to turn into reserve land.
- Council provided direction for Administration to continue to pursue information about developing Millbrook's own Land Code by following up with the First Nations Land Management Group.
- From a Certificate of Possession (CP) perspective, currently looking for suggestions or questions regarding the entire CP process and any thoughts on what requirements should be put in place.
- It is a concern that the Band could begin to run out of properties if CP approvals continue at the current rate.
- Millbrook has no policy on CPs, and anyone who asked for one received one until the pause was put on issuing CPs approximately one year ago.

4.4 Council Code of Conduct; Graduated Discipline Process

Legal Counsel, Roy Stewart, Burchell's joined the meeting for discussion of this item.

- A request was made by Council for a progressive or graduated discipline process for Chief and Council
- Consideration is being given to aligning the policy of the Code of Conduct with the staff Human Resources (HR) policy
- A Powerpoint presentation on the Code of Conduct as it relates to Council was provided.

In the ensuing discussion, the following points were noted:

- There are many types of confidentiality with legal privileges attached to each
- The use of social media and posting things online fall within the realm of confidentiality
- A main issue is defamation of character – a higher standard needs to be demonstrated by Council members
- There are detailed expectations and obligations relative to discussions and conduct while an individual is a member of Council
- There is some lack of clarity and understanding of what a Council member can say/write
- Honesty and acting in good faith with a collective focus needs to be emphasized
- Respectful, dignified conduct, including an openness to listen to what everyone has to say, is an expectation of all members of Council.

Core responsibilities of Council members:

- Be present at all Council meetings to provide input, be involved in all discussions, and follow legal and/or administration policies
- Councillors can be removed from Council if they miss three or more meetings
- Yelling, being loud and overbearing is unacceptable. Everyone has their own opinion, but all Council members have a duty to act respectfully
- Discussions outside of the meetings of Chief and Council are unacceptable; members could be found to be in breach – which has its own stipulations for discipline
- Council should be working as a team; and although there may be disagreements, all need to work together collaboratively
- Councillors are not to maliciously or purposely defame anyone or risk harm to another
- Members are never to use power as a Council member to get what they want.

Legal counsel outlined the different levels of privileged information for Council and provided definitions of each.

During the ensuing question and answer period, the following topics were raised:

- Discussion about an appeal committee and how that would be constructed and under what circumstances it would be
- If a Councillor is sanctioned under this process and appeals it, it does not mean that it has to go to an appeal committee – this could act as a first step to try and resolve the complaint
- There is a duty to hear the appeal; and if there is no resolution then it could trigger the appeal committee process
- A committee could be comprised of two Elders but there would have to be no familial connection for any of those that have been chosen to act on the appeal process committee
- Legal Counsel stated that the draft policy would be available for review by Chief and Council

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- Chief and Council has the authority to remove a councillor for a period of time from their duties, but not to remove them indefinitely or permanently.

5.0 COMMUNITY REQUESTS/LETTERS/FYI CORRESPONDENCE

Donation Committee requests received the Tuesday of the week before the meeting of Chief and Council will be reviewed and brought to the Chief and Council meeting for final approval.

5.1 Lease of Millbrook Food Bank (Foodbank relocation for summer months)

- Request for continuation of hosting food bank was read out to Council and discussion ensued regarding cost and funds that have been required since the start of the externally operated community foodbank.
- Suggestions for relocation were offered and the possibility of utilizing a large trailer for the temporary housing of the food bank was considered.
- It was decided that an inquiry would be made into the rental of a commercial trailer for the next three months to house Millbrook Food Bank and have it located at the Millbrook Community Hall.
- Originally at the inception of the Millbrook Food Bank, there were to be quarterly financials sent to Finance and copied to Chief and Council for record keeping. As this has not been carried out, a request for quarterly financials from the Millbrook Food Bank, will be officially sent.
- Action: Administration to follow up with Millbrook Food Bank representative.

5.2 NAIG Summer 2023 Donation Request

- The registration fees are currently covered for Millbrook athletes that are local community members.
- Consideration of the donation request from a coach was tabled and will be redirected to the Donation Committee with input from the Recreation Department.

5.3 Additional Funding for Education (policy included)

- Suggestion was offered to refer the community member requesting additional funding for education to the Nova Scotia Native Women's Association, and further that they inquire about any supports available through Millbrook's Employment and Training Department
- Request also for verification regarding whether there may have been any increase in the rates for monthly allowances for Millbrook Post Secondary Education Assistance Program
- Action: an email to Director of Education to be sent.

5.4 Spring Clean Up Request for \$1,000.00

- A letter of request was read aloud to Council and clarification was provided that the request was for Mission Island and the clean-up from Hurricane Fiona

- This is an additional monetary request to provide a pre-clean up before the already arranged provisions for three months of the summer (inquiry had been made regarding this request for funding to see if the individuals were already being compensated for the clean up)
- Action: This request will be forwarded to the Donations Committee for verification and follow up.

5.5 Community Member Housing Request

- Housing request letter was read into the minutes
- Letter was relative to a request for a community member to be permitted back to their home following incarceration
- Current resident of the home in question is now on a housing list
- Action: Administrative Assistant to Chief and Council to look for a previous motion stating that the individual would retain their home during the time they were incarcerated and then able to return to their community home upon release.

5.6 Letter regarding Lack of Building Permit and Land Status

- Letter had been received and reviewed by Council and discussion followed
- Follow up will be provided by Solicitor who will send a letter and let them know that a response from Indigenous Services Canada (ISC) regarding their land tenure is pending
- A permit is required regardless of whether it's a CP, veterans' lot or Millbrook Band land.

5.7 Letter from Community Member Living Off Reserve

- A request was received from a community member that has been living off reserve
- As they and their family will be returning to the area, they are requesting a home
- Discussion followed and it was decided that the member would have to follow proper procedure and fill out the application and then go on the housing list
- This request was forwarded to the Housing Department, and they will contact the individual to look into this request further as they are moving back from another province.

6.0 DEPARTMENTAL REPORTS UPDATE – Executive Director

6.1 House Update – Street Names

- The list of names from the community were circulated to Council
- The top three were chosen by each Council member and the top three in total will be calculated, to reveal first, second, and third choices
- This list was forwarded to the Housing Department for an announcement in the newsletter.

6.2 Youth Centre Update

- Executive Director presented concerns and new issues surrounding no available staff for the centre
- Discussion ensued on a proposal regarding posting for some new staff to cover the necessary hours
- The offer of a job was discussed and a job for 28 hours per week will be advertised
- A job posting with an improved wage will be posted.

6.3 Director of Health Centre

- A request was made by the Health Centre Director to have the travel rate from Millbrook into Truro (or area) increased by \$5.00 now to be \$10.00 per trip.

It was MOVED by Councillor Carley Gloade and SECONDED by Councillor Zachary Julian,

That the community travel rate be increased from \$5.00 to \$10.00 per trip.

CARRIED UNANIMOUSLY

6.4 Tobacco Store Cigarette Quota

- Manager of the Tobacco store had made a request for Chief and Council to increase the cigarette quota as per their request.

It was MOVED by Councillor Alex Cope and SECONDED by Councillor Ward Markie,

That the cigarette quote be increased as per the request by the Manager of the Tobacco Store.

CARRIED

Voting in support: Councillors Natasha Bernard, Anissa Blackmore, Alex Cope, Zachary Julian, Ward Markie, Dana Sylliboy, James Stevens

Absent: Councillor Stephen Marshall

Conflict of interest (departed the meeting for the vote): Councillors Carley Gloade, Lisa Marshall

7.0 FINANCE

7.1 Chief Financial Officer Report (handout provided)

7.1.1 Bank Updates

- Closure of some bank accounts – these balances were transferred to the above-referenced account and cancelled
- Update signing officers – discussion ensued on the need to have more individuals within the Administration Office authorized to sign cheques. Councillors Zachary Julian and Dana Sylliboy volunteered to take on this responsibility.
- Update on \$10,000,000.00 construction loan for CMM plaza and offices was provided noting a lease is still required from CMM and the plan it to convert this to a construction mortgage.

7.1.2 2023/24 Budget Presentation

- CFO provided a walk-through discussion of the handout for Chief and Council followed by a question-and-answer session.

7.1.3 Audit 2022

- Audit for the 2022 fiscal year is ongoing.

7.1.4 1919 Trust and Minor Trust Update

- CFO looked into why the cheques were bouncing and discovered that there was an issue and TD is working on fixing this now.

7.1.5 Consolidation of Numbered Companies

- Update on consolidation of numbered companies was discussed.

7.1.6 Criterion Implementation Phase Three

- No update provided.

7.1.7 HST Updates (MEDC and Admin)

- Access to accounts has now been obtained and it was discovered that taxes had not been filed since 2020. Cost estimated at \$1,000,000.00 owing to MFN.

8.0 LEGAL

- A letter was distributed by the Executive Director regarding legal support available from Burchell's lawyers for support and consultation.
- Discussion ensued regarding the situation that had been left for the current lawyer to handle.
- Solicitor and Executive Director will work on a plan for future, additional supports, how this can be broken down and how to utilize what is currently in place.
- Succession planning was also discussed for senior staff.

9.0 IN-CAMERA

Discussion on a potential code of conduct issue was discussed and resolved.

10.0 AJOURNMENT

It was MOVED by Councillor Alex Cope and SECONDED by Councillor Ward Markie,

That the meeting be adjourned and the next meeting of Chief and Council be held May 9, 2023 from 9:00 am to 4:00 pm.

CARRIED UNANIMOUSLY

