



**Draft Minutes
Millbrook First Nation
Economic Development and Project Consultation
December 13, 2022, 9:00 am – 4:00 pm
MFN Council Chambers**

CHIEF AND COUNCIL

PRESENT:

Chief Robert Gloade

Councillor Natasha Bernard (at 9:10am)

Councillor Anissa Blackmore (at 9:30 am)

Councillor Alex Cope

Councillor Carley Gloade

Councillor Zachary Julian

Councillor Ward Markie

Councillor Lisa Marshall

Councillor Stephen Marshall

Councillor James Stevens

Councillor Dana Sylliboy

ABSENT

REGRETS

Councillor Garrett Gloade

Councillor Chris Googoo

STAFF:

Claire Marshall, Executive Director

Shelly Martin, In-House Legal Counsel

Suzanne Penney, Admin Assistant to Chief

and Council; Recording Secretary

Ayo Makanjuola, CFO

James Stevens, Director of Commercial Operations

Gerald Gloade, Consultation Project Manager

Jonathan Lowe, Director of Fisheries

Michelle Gloade, Fisheries Resource Coordinator

GUESTS

Cory Stewart, Project Manager L360

Joanne McRae, CPA, CA, Senior

Manager at MNP

CALL TO ORDER: Meeting Chair – Acting Chair, Councillor James Steven called the meeting to order.

1.0 REVIEW AND APPROVAL OF DECEMBER 13, 2022 AGENDA: The agenda for December 13, 2022, Economic Development and Project Consultation Meeting was reviewed and approved with one update to reschedule the Department of Fisheries and Oceans (DFO) to a date in January 2023.

It was MOVED by Councillor Alex Cope and SECONDED by Councillor Carley Gloade,

That the agenda for the Economic Development and Project Consultation Meeting of December 13, 2022 be approved as distributed, with notation that the Department of Fisheries and Oceans would not be in attendance.

CARRIED

2.0 REVIEW AND APPROVAL OF THE MINUTES OF NOVEMBER 15, 2022: Minutes of November 15, 2022, Economic Development and Project Consultation Meeting were reviewed and approved as distributed.

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

That the minutes of the November 15, 2022 Economic Development and Project Consultation Meeting be approved as distributed.

CARRIED

3.0 NEW BUSINESS/BUSINESS ARISING:

3.1 Resolution Opposing Bill C21 on Gun Control (document distributed to Councillors for review).

Millbrook's solicitor provided an update on Bill C21 put forward by Public Safety Canada meant to address gun violence and strengthen gun laws in Canada. It was noted that the Assembly of First Nations has concerns about Bill C21 because of the implications to First Nations' inherent, Constitutional, and Treaty right to hunt and harvest.

It was MOVED by Councillor Stephen Marshall and SECONDED by Councillor Zachary Julian,

That the Millbrook First Nation Chief and Council support the Assembly of First Nations (AFN) in its opposition to Bill C21.

CARRIED

4.0 ECONOMIC DEVELOPMENT UPDATE:

4.1 NOVA SCOTIA NATIVE WOMEN'S ASSOCIATION (NSNWA):

The meeting was apprised that a request had been received for an additional 3.9 acres, lot 31 beside the current location, lot 28, which is the future site of the resiliency centre.

Initial discussion indicated positive feedback as Council was in favour of emergency housing. Formal decision was tabled until the Director of Housing returns to the office.

4.2 MASTER PLANNING:

Council was provided an overview of the master plan that is being developed for Millbrook. The master plan will lay out how land will be used in the future for long term leasing and commercial/residential usage. Further discussion will continue with Project Manager, L360 as the master plan gets developed.

4.3 HIGHWAY SIGNAGE:

Discussion ensued on the condition of some of the neighbourhood signs in the aftermath of hurricane Fiona.

- Some Millbrook signs are quite small or the placement of them could be better.
- Sid Sells Signs has been contracted to replace the damaged panels.

4.4 HAMPTON INN:

In the ensuing discussion the following highlights were captured:

- Request to use the capital reserve account to upgrade the Wi-Fi for the Hampton Inn.
- Replacement of failing window blinds throughout the hotel.
- 4% of revenue has been set aside in an account at the Credit Union specifically for such maintenance and upgrades.
- A discussion will be held with the Chief Financial Officer (CFO), later in this meeting, concerning the capital reserve account and the possibility of switching banks (RBC to CIBC).

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

That authorization be provided for the following capital expenditures for the Hampton Inn and Suites Truro:

- a) Upgrade Wi-Fi in Hampton Inn and Suites to meet brand standards at a cost of \$57,445.83 USD.
- b) Replacement of all window blinds in the building at a cost \$12,053.00 CAD.
- c) This amount should be taken from the established deferred contribution of \$192,000.00 and the difference remitted into RBC account.

CARRIED

5.0 L/360 UPDATES:

C. Stewart, Project Manager, L360 presented on the following:

MILLBROOK CAPITAL PROJECTS MEETING

Discussion ensued regarding the type of houses to build:

- It was felt that duplexes were not the best fit for residents in the past due to potential incompatibility of neighbours.
- Townhomes would be good as they can be built in succession and fit more residents. Based on the size of Cole Harbour this would be a workable solution.
- Providing better fencing between the residences would work well to facilitate privacy.
- The specific land that is available for this would be suited perfectly for townhomes.
- This plan is being looked at for Cole Harbour only but there may be more options for additional lots there (from Muin Drive).
- This would also leave a section for some family homes.
- The townhomes would be two to three stories.
- Lots with townhomes would allow for 34 residents.
- This would be at least half if it was decided to make single family homes.
- There is a commercial option of a strip mall, possibly along Millbrook Avenue Road.
- Discussion ensued as to why there are no new apartment buildings under construction – this is just on hold for now.
- Different ideas came up for retailers in conjunction with residential street housing.

PROPOSED ICE RINK

- A drawing for the proposed rink was shared.
- Council to look into possibilities of funding for the project.
- Some concern raised about the cost for the building as it was felt it is a lot of money to commit to currently.

6.0 CONSULTATION PROJECT UPDATES:

6.1 ATLANTIC GOLD UPDATE

- Signs are being shuffled around so the sign with the strongest messaging is in Beaver Dam.
- Signs were previously installed in Sheet Harbour.
- Impact Assessment Agency of Canada (IAAC) contacted Consultation Project Manager to advise that Atlantic Gold was pausing the Beaver Dam project “indefinitely.” The Proponent reiterated the same message, but there was no clarity if that meant that it is being cancelled, or if they are taking their time with the development.

6.2 DEER HARVEST OVERVIEW

- Came in under budget of \$600.
- Seven hunters in total.
- Over 600 pounds of meat (provided to over 40 people).

6.3 MEEC SCHOOL SURVEY REVIEW

- Discussion ensued and Council asked about funding and costs.
- It was felt that the estimated costs should be shared with community when seeking their feedback.
- Possibility to develop expansion plans that could include primary 1, P2, P3, P4, and P5 within Millbrook.

6.4 MEMBERTOU GEOMATICS DISCUSSION

- Concerns raised that Membertou Geomatics engaged members of Sheet Harbour without notifying Millbrook Council or administration.
- They were hired by the Proponent directly and were unfamiliar with Millbrook’s protocols.
- Membertou Geomatic was advised of best practices moving forward. Council would like this reiterated in writing to them.

6.5 CUSTOM ELECTION CODE UPDATE

- Planning for a vote in June 2023.
- Team is meeting with representatives from Televote to get a better sense of how voting will work at the community hall.
- Looking at electronic voting and the possibility of eventually going paperless.
- A vote in June 2023 will show key areas of concern and it will still leave nine months until the election.
- As developments arise, updates will be provided to Chief and Council.

7.0 COMMUNITY REQUEST/LETTERS:

7.1 Member letter for review: Community member off-reserve request for rent support.

7.2. Member letter for review: CP Request letter was read into the minutes.

- This letter specifically was requested as a CP for the member's residence.
- The member has lived on this property the better part of her life and all of her children are grown. She is requesting to have the house transferred to her name.
- Back in 2020, the assigning of CPs to band members was put on hold temporarily to review the existing policy. Since this began at the height of COVID, this policy is still under review.
- Feedback from the community on the housing policy, has brought up many issues and questions to be considered.

This led to a conversation about family members and couples where one is a Band member, and one has passed away.

- The non-status surviving parent/family member would be asked to leave the family home after 90 days.
- If there was a Band member child that was the age of majority, then the house could transfer to that individual's name. However, if there is no child that can take on this responsibility, then the home goes back to the Band and is then distributed to another Band member or family.

8.0 MILLBROOK FISHERIES

8.1 Communal Commercial License Acquisition Discussion: A slide show presentation was provided by Director of Fisheries.

- Millbrook Fisheries continues to communicate to DFO that livelihood fishing must proceed in a manner that respects Section 35 Constitutionally protected rights of self-government.
- A co-governance/co-management approach could potentially meet this obligation if it were structured in a manner that adequately acknowledges Mi'kmaw sovereignty.
- There is concern that DFO is denying meaningful access and trying to force the issue back to the courts.
- The Fisheries Department has asked that the Mi'kmaq Conservation Group (MCG) communicate to Food, Social, and Ceremonial (FSC) harvesters that DFO appears to no longer be respecting community harvest plans which have been in place since 2014, and there is now a heightened risk of interactions with C&P fisheries officers on the waters.
- Millbrook legal counsel will be sending a communication to DFO to obtain their formal position on this in writing. DFO is also being asked during every interaction now to provide its legal justification for the infringement against Aboriginal and treaty rights of community members.
- A number of FSC meetings have occurred and continue at the request of DFO to discuss community harvest plan discrepancies (compared to its FSC license authorization).
- The Sheet Harbour lobster pound project is logistically ready to proceed; a water intake pipe permit is currently causing a delay. The Fisheries Department has raised concerns that barriers seem to be arising over the last two months and is hopeful that there is not a need for concern for funding of this project from Indigenous Services Canada (ISC) due to the potential livelihood fishing in this area.

- Alternative funding sources are being explored if ISC's funding commitment of 30% becomes problematic.

Legal

- Solicitor provided an update from a meeting with external lawyers, Bruce Clark and Bruce Wildsmith, who shared that it is not appropriate to have DFO involvement. It was recommended that discussions regarding the community harvest plan should be tabled for now. Plan direction would be to strategize in January, and they will plan for the next meetings.
- Requests have been made for catch data and any information on the commercial elver fisheries. One individual has total control over the moderate livelihood cases up to this point and there is an argument being made by the intervenors from the non-Indigenous fishers, that the Marshall decision is intended to limit the Mi'kmaw to just eels.
- This is significant since the Millbrook community livelihood fishing plan recommends a 5% allocation be set aside for all species.
- Also, it was discussed that anytime a research study is initiated in support of community science capacity and ready to begin, DFO will shut it down.

8.2 BCR around licensing, and in conjunction with Sheet Harbour, was discussed and will be revamped and brought forward at the next meeting – contingent on continued interest from affected communal commercial fishers to proceed.

An update on A&L Seafoods and the Whale Safe Gear Adoption Fund was requested to be prepared for the next meeting.

9.0 FINANCIAL UPDATE:

9.1 MNP representative provided a PowerPoint Presentation on the 2021 Consolidated Financial Statements: Council was provided with the financial statements for review. Key takeaways from the presentation:

- Qualified opinion for no budget presentation
- Government funding – consistent and increasing
- Own source revenue – decreased as a result of COVID
- Salaries – consistent (est. 20% of total expenses)
- Nation is in positive financial position
- 1919 Land Claim.

9.2 Millbrook Administration Account

- CFO requested a motion to stop the \$20,000 weekly transfer from Millbrook Administration account to #01144-100-7467 called economic development.
- This was a special investment account created at RBC at an Ontario First Nation Reserve.
- The CFO recommends transferring the balance to the Band Administration account.

The Chief and Council were supportive in principle but would like this motion tabled until the January 10, 2023 Chief and Council meeting.

10.0 ADJOURNMENT

10.1 Date and time of next meeting: January 24, 2023, 9 am to 4 pm in Council Chamber.