



# Acadia First Nation

## Annual General Meeting

Best Western - Liverpool, Nova Scotia

Saturday, November 23, 2013

Chief Deborah Robinson called the meeting to order.

Non band members were not to be present while the meeting was in progress.

Elder David Paul asked for a moment of silence for the Labrador family and for those who had past away in the previous year before proceeding with the opening prayer.

An agenda was available for the meeting and the first order of business was the determination of the Chair.

Shana MacNeil felt that there should be a determination of quorum first.

Bruce Clarke stated that there were 1477 members and 25% would be 370 people.

Barbie Vienneau asked whether that was voting members or if it included children as well and felt that it should only include eligible voters?

Bruce Clarke agreed and after some time it was determined that there were approximately 1148 eligible voting members and the 25% would be at least 287.

Shana MacNeil stated that there were 1236 eligible voters and therefore 25% would be 309 for quorum.

Sonya Isaac-Surette nominated Bill Thibeau as Chair. Terri Pennell seconded motion.

There being no other nominations for Chair, Bill Thibeau would chair the meeting.

Debra Gloade stated that there were 115 members present at the meeting.

Chief Deborah Robinson explained that there was no quorum present at the meeting, and the meeting would proceed according to the agenda.

Michelle Roy gave some information in regards to the over age 18 members broken down by province (Alberta - 18, British Columbia - 53, Manitoba - 3, New Brunswick - 22, Newfoundland and Labrador - 6, Nova Scotia - 941, Northwest Territories - 1, Ontario - 92, Quebec - 22, Saskatchewan - 3).

Chief Deborah Robinson read the minutes from the Annual General Meeting held on November 25, 2012.

Bill Thibeau thanked Chief Robinson for reading the minutes and asked for a motion to accept the minutes as read?

Michelle Roy felt that some portions of the minutes were detailed and other were not. Michelle explained that she had said that the people of Gold River did not want to lose one on the stores to house a community centre and that there were better locations for a community centre. She just wanted to clarify for these minutes.

Donna Whynot motioned to accept minutes as read and Ian Whynacht seconded the motion. All in favor.

Chief Robinson gave a very brief report.

- Acknowledged those who had passed away during the last year.
- Expressed condolences to past council member, Todd Labrador and to his family on the loss of his son.
- Introduced the new Band Manager - Brian Dorey, Recreation

Coordinator - Anita Howard, Species at Risk Coordinator - Sarah Jerney and Communication Officer - Sonya Isaac-Surette.

- Explained that Councillor Todd Labrador resigned at the end of October.
- Staff reports were available and accessible on the website
- Gave a listing of all the organizations/committees that she serves on.

David Paul motioned to accept the agenda. Michelle Roy seconded motion.

Michelle Roy felt that since the membership was told about the wonderful news of having a monument erected on the Ponhook Reserve at a previous meeting that everyone should have been invited to the opening instead of just Queens County.

Charmaine Stevens apologized for the oversight that the notice was only sent to the residents of Queens County and that it was not intentional.

Joann Stewart felt that it was more of a social that day and that in the future there would be a grand opening.

Charmaine Stevens suggested that perhaps in the spring something could be done at the monument so that the whole community could come.

Michelle Roy wanted to know that when a grand opening was done for the bingo hall, would everyone be invited?

Chief Deborah Robinson was clear in saying that everyone would be invited.

Communication Officer - Sonya Isaac-Surette gave a demonstration of how the new web site would look and the information that could be found.

Wade Tarbox had asked if there was a way to include maps on the website to show where things were located, such as the sawmill.

Sonya felt that was a good idea.

Shon Myra suggested adding a link to google maps on the website and have each map layed out.

Ian Whynacht suggested "embed codes."

Wade Tarbox was concerned because he did not own a computer and there were no computers to access in the offices if you wanted to look at the website or to print from.

Sonya Isaac-Surette stated that a list would be compiled for email addresses and a list for hard mail for those that did not have access to email.

Charmaine Stevens felt that it was a great suggestion and possibly something that could be discussed at a Chief and Council meeting in regards to having computer access in the offices.

Michelle Roy asked if there would be an archive on the site so that any and all information could be accessed?

Sonya Isaac-Surette confirmed that the information would always be available. Sonya also stated that there had been some technical issues in regards to keeping the old website address but it was hoped that once the issues were fixed the old address would remain.

Ian Whynacht asked if the website would be mobile friendly with a different layout so that it would be much easier to load?

Sonya Isaac-Surette thought that this was something that could be looked into.

Wade Tarbox wanted to know if a person wanted to ask a question to a council member on the website, would it be sent directly to them?

Sonya Isaac-Surette stated that this could not be done at this time.

Michael Paul felt that there was a link to the emails already in place.

Sonya Isaac-Surette explained that those links could not be connected at this time but it would be fixed.

Bruce Clarke gave an update on the court proceedings and economic development that has involved Acadia First Nation.

- Social development cannot be changed. This was the first case argued in court by a Mi'kmaq lawyer who had done very well.
- Fisheries case to recognize Mi'kmaq rights - DFO stated that they did not have a mandate. DFO was sued and now had advised the Assembly of First Nations that they now have a mandate. This case was still ongoing.
- Economic development - provincial wide with KMK negotiating funding (EMRED Fund). Ulnooweg will be administering those funds. Wind Farm project and Natural Forces project. The corporate structure protects first nations, and the risks were as protected as possible. The income flow will be from 20 to 25 years back to the first nations of Nova Scotia.
- Whynot Settlement which was outside of Bridgewater, NS. A partnership had been created and fee simple land contributed - decent woodland. This was ongoing since 1983 and now just started to come through.

Bill Thibeau explained that there would be five minutes per person so that everyone would have a chance to speak or ask questions.

Rob Paul wanted to know if there were any plans to address the issue of a quorum to come to a reasonable number.

Bruce Clarke explained that a quorum was 25% of the electors but felt that it was possible to have a quorum in one place, if just hasn't happened yet. The bylaw amendment meetings had an aggregate total of 130 in attendance.

Michelle Roy felt that people weren't given an option when it came to the bylaw meetings. People had the option to either like what was put forth or not. There was no committee, so Chief and Council made the bylaw amendments and there was no discussion.

Bruce Clarke felt that it was an attempt to amend the bylaw.

Soni Ann Keans suggested having a conference link so that people could meet over the quorum issue.

Bruce Clarke explained that the aggregate way had been successful before but unfortunately this was not one of them. He had also suggested that maybe the quorum requirement could be changed too only include those that live in Nova Scotia but this could possibly open up a human rights violation.

Terri Pennell suggested basing the quorum requirements on the percentage of people that came out to vote on election day.

Bruce Clarke felt there was always a danger to changing the quorum (reducing) because you could have 25% of electors and have people losing their heads and doing something totally different.

Michelle Roy wanted to know how this could be achieved if there was never a quorum?

Bruce Clarke suggested that Chief and Council could work on it and that there were options.

Rob Paul felt that Acadia First Nation could not be the only band in this position.

Chief Deborah Robinson explained that this band was the only one that had an AGM and included off reserve people. It was the right of the band member to attend or not. We were hopeful in the process of voting for the bylaw to see what the response would be.

Michelle Roy wanted to know if everyone was okay with what's been going on and for the purpose of saving arguments we should have a whole new election. Michelle felt that if everyone was okay with everything then you would be voted back in.

Chief Deborah Robinson stated there would be an election in 2015.

Michelle Roy stated that quorum was different, a referendum was different and we were authorized for a vote of non confidence of majority present. We should be able to say whether we want you here. Section 6(b) of the bylaw.

Bruce Clarke had given his opinion on that two years ago and this was not allowed if a quorum was not achieved.

Michelle Roy felt that this was a different section of the bylaw and it was the people's choice if the Chief and Council were here.

Lisa Francis stated that out of all eligible voters, there were 115 people present and did not feel that it was right and appropriate to make that decision.

Michelle Paul felt that everyone was entitled to their opinion but she wanted a referendum. Michelle felt that these leaders were not to the bands advantage, there was no band requests and that although they may be great people they had poor decision making skills.

Shana MacNeil had a question in regards to the audit in the financial statements (assets and receivables) what they were? What was band support?

Amanda Lloyd explained the amount on page 5 was further broken down into note 6, which detailed what was included in the total balance. Receivables were amounts owing to the Band, mainly from other government entities or from individuals. Band support was all other activity which covered everything in the Band that was not covered.

Shana MacNeil asked if this included wages and where did the support come from for wages for Chief and Council?

Amanda Lloyd stated there was no direct support for wages unless the funder specifically funded a position. There were very few positions that were fully funded, the majority were not.

Shana MacNeil asked where did Chief and Council salaries come from along with the pension package?

Amanda Lloyd explained that it came from band support which was general support from all over.

Shana MacNeil asked what were the royalties, what stores and where the royalties were going?

Amanda Lloyd explained that royalties came from the gaming source and that it was set up years ago because the stores were legal entities and that you cannot just take from there, there had to be a legal way. There were agreements between the band and the gaming companies.

Bruce Clarke explained that when it was decided to set up the companies it was done so to not have income tax. The royalty concept was to pull money out to the first nation. The contractual agreement was to go to the first nation so that no income tax was payable.

Terri Pennell in regards to the quorum felt that it was needed to work on a plan for band members to be heard and to work on an average of attendance each year when the people feel they needed to have a say. Terri felt that it took a lot for people to come to the AGM and it would be nice to have a say and not just getting information.

Billy Vienneau who sits on the Fishery Advisory Board didn't feel that if it wasn't for the fishery receiving money that it would not still be operating. Billy felt that if some individuals had their way that the boats would be all leased out. Billy was also concerned with the \$10 million debt and wanted to know how this was going to be addressed?

Charmaine Stevens stated that even if the government money was taking away the fishery would still be in a positive position. Charmaine supported the fishery and having as many people fishing as possible.

The majority of the debt is the tax money owed. The band goes through CMHC to build houses which were programs developed through Indian Affairs but the program does not cover all of the costs. Majority of the



payments were covered through the social program. Mortgages do not cost the band members a cent. The council could easily say no more mortgages and not build homes and have Section 95 homes. The band wouldn't have the homes to offer people if they chose not to participate in the program.

Soni Ann Keans asked what was the education involved to decide where the money is going to go?

Charmaine Stevens stated that she had a Commerce/Law degree and there were also two EDO's who had degrees. Decisions were made by consulting the EDO's and they had consultants as well. These consultants were hired from SMUBDC. Charmaine felt that although the council may not have the exact qualifications there was a process followed and that no decisions were made lightly.

Soni Ann Keans commented in regards to the Communication Officer position and felt that there were more people qualified than hired. Soni Ann asked who was on that board for hiring?

Lisa Francis addressed the comment and stated that she, herself was, also a third party assessor from the Confederacy and Councillor Darlene Coulton. The interview consisted of a score card and each individual was asked to do a presentation. It was a fair process.

Rachel Pictou and Lisa Francis applied and secured the funding for all the new positions.

Lisa Francis expressed concern in regards to the debt and asked how long it would take to pay back CRA and were the payments on the principal or interest?

Bruce Clarke explained that the payments were all in the principal. The interest and penalties had been waived.

Wendy Borden asked what the time line was for repayment?

Amanda Lloyd stated that it was 15 years but now was less than 13.

Nicole Kaizer expressed concern to the Chief and Council in regards to the wage freeze and wanted to know why they were frozen and would like the freeze lifted for the store staff? Nicole had also heard a rumour that there would be no Christmas bonus for the staff. Also wanted to know why the staff had to pay for coffee?

Shon Myra explained that the free coffee cost the band a lot of money and that the commission had been looking at ways to cut costs. Also, made the cut back to stop the abuse of free coffee. However, the issue on coffee for the employees could be addressed at the next gaming commission meeting.

Jeff Purdy explained that a wage freeze was put in place because the money was not available for pay increases and the council was working on getting the finances under control and there was nothing that could be done at this time. Also, the free coffee was costing \$25,000.00 per year.

Cheneyce Battiste asked what kind of future the youth had to look forward to?

Jeff Purdy stated that the focus was on getting the finances under control and the things that were not funded get them cleaned up in the future.

Michael Paul stated that the education program was still in place.

Charmaine Stevens stated that there was \$400,000.00 in funding and that the guidelines were set not by the band and there were more applications than could be funded. Some applications did not qualify but there were very few students who haven't been funded. However, people were rejected if they have been funded and left school or if their application was not in on time. It was very important to have the application in on time.

Ardie Whynacht had asked Chief and Council if any one of them had taken part in Sonya Isaac-Surette getting the Communication Officer job?

Darlene Coulton was part of the interview committee and referenced that she and Sonya Isaac-Surette had their differences but left them behind when the interviews were conducted. The interviews were based on who

had given the best interview and Sonya met all the requirements.

A band member raised the question in regards to heating problems on the reserve and asked about getting wood and having it delivered to the reserve for those who couldn't afford it? He also felt that not many people would have the equipment to cut or remove the wood on their own.

Another band member stated that they would need wood stoves.

Tom Pictou stated that there was some equipment in Yarmouth but this time of year would be too late to get the wood but anyone could use the equipment for next year. Tom also felt that maybe he could work with the EDO's to get more equipment.

Terri Pennell asked how much and when the profit-sharing checks would be out?

Jeff Purdy stated that the profit sharing would be \$950.00/member and that the check's would be dated for the first Monday in December.

Soni Ann Keans wanted to know what about the off reserve people and why they were being treated differently?

Chief Deborah Robinson felt there was no such thing as off reserve people being treated differently and felt that the off reserve actually benefited more than others.

Michelle Roy asked why the audit reflected \$114,000.00 in requests?

Charmaine Stevens explained that this amount fell under band members requests but it included the \$3,000.00 given to help with band members funerals, medical for elders (such as home care) because there was no funding for those types of things.

Michelle Roy asked if she could have a copy of that list?

Charmaine Stevens stated that they could have Amanda Lloyd summarize what area's the money went to and explained that there were all types of

things not covered through Indian Affairs and that the band had requirements and had to follow formats.

There being no other business Bill Thibeau called for a close of the meeting and Avis Johnson motioned to adjourn and Joann Stewart seconded motion.