

**TEMAGAMI FIRST NATION MINUTES**

Administration Session 10am  
Regular Council Meeting 7pm  
Via Zoom/Council Chambers  
April 7, 2022

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**Administration Session:**

**Present:** Chief Shelly Moore-Frappier, 2<sup>nd</sup> Chief John McKenzie, Councillor Michael Paul, Councillor Roxane Potts, Councillor Jamie Saville (Morning Session), Councillor Joseph Katt, Councillor Douglas H. McKenzie

**Regrets:** Councillor Tom Mathias

**Recorder:** Megan Douglas, Executive Assistant

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**1. OPENING MEETING**

**Motion #2022-0407-001**

Motion to open the meeting at 10:24pm  
Moved by Councillor Jamie Saville  
Seconded by Councillor Douglas H. McKenzie  
0 Abstentions  
0 Oppositions  
CARRIED

**2. OPENING PRAYER**

Opening prayer was offered by Councillor Jamie Saville

**3. ADOPT AGENDA**

**Motion #2022-0407-002**

Motion to adopt the agenda as amended.  
Moved by Councillor Douglas H. McKenzie  
Seconded by Councillor Michael Paul  
0 Abstentions  
0 Oppositions  
CARRIED

**4. CONFLICT OF INTEREST DISCLOSURES**

*Members are asked to declare any conflict(s) of interest that they may have regarding any of the agenda items at this meeting.*

**5. MINUTES**

5.1 2022 03 24 RCM – *Tabled to April 21, 2022*

**6. SUMMARY OF DECISIONS THE GOVERNING BODY IS BEING ASKED TO MAKE THIS MEETING**

Item	Decision title	Agenda item number and page
6.1	<i>Motion to approve the agenda as presented/amended.</i>	3.

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6.2	<i>Motion to adopt the Regular Council Meeting minutes of 2022 03 10 as presented/amended.</i>	5.1
6.3	<i>Motion to execute 2022 014 (pandemic)</i>	8.1
6.4	<i>Motion to execute BCR 2022 015 as read into the record (NRF Core Funding)</i>	9.1 (i)
6.5	<i>Motion to execute BCR 2022 016 as read into the record (RRS)</i>	9.1 (iii)
6.6	<i>Motion to accept the new 5-year RDA funding Agreement.</i>	9.1 (iv)
6.7	<i>Motion to approve amending agreements #54-56 under Agreement # 2021-ON-000084.</i>	9.2 (ii)
6.8	<i>Motion to appoint Jamie Saville as the Interim Fire Chief and post for the position as recommended by the Interim Community Infrastructure Manager.</i>	9.4 (i)
6.9	<i>Motion to execute BCR 2022-017 as read into the record.</i>	9.4 (ii)
6.10	<i>Motion to support Living Temagami's community initiatives, in principle.</i>	13.1

**7. IN CAMERA SESSION**

**Motion #2022-0407-003**

Motion to go into in-camera session.

Moved by Councillor Jamie Saville

Seconded by Councillor Joseph Katt

0 Abstentions

0 Oppositions

CARRIED

**Motion #2022-0407-006**

Motion to go out of in-camera session.

Moved by Councillor Michael Paul

Seconded by Councillor Douglas H. McKenzie

0 Abstentions

0 Oppositions

CARRIED

Noted for the record that Councillor Jamie Saville left the meeting at 11:45am.

*Lunch Break from 12pm-1pm*

**8. HEALTH SERVICES:**

i. Work Transition Plan

Noted for the record that the Work Transition Plan was discussed. The Interim Health Services Manager explained to Council that the FNCG met on April 4, 2022, and it was determined that the managers will have a Return-to-Office plan submitted for their individual departments by April 29, 2022, for Chief & Council's review at the May 5, 2022 meeting.

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ii. Stages to Reopening Document

Noted for the record that the Stages to Reopening document was discussed and amended to reflect that Bear Island Residents and their family and friends are permitted to attend Bear Island in Stage 2 as it was an oversight.

**Motion #2022-0407-007**

Motion to support the Stages to Reopening Document as amended.

Moved by Councillor Joseph Katt

Seconded by Councillor Michael Paul

0 Abstentions

0 Oppositions

CARRIED

iii. Building Capacity Limits

Noted for the record that the draft building capacity limits were reviewed and discussed. Noted for the record that the Communications Officer will work with the Interim Community Infrastructure Manager to review the capacity limits and amend them to a more reasonable number given the current stage of the pandemic.

**9. PANDEMIC**

9.1 Pandemic Update + BCR 2022-014

Noted, BCR 2022-014 as read into the record.

Do hereby resolve that as of Thursday, April 7, 2022, the community of Bear Island will remain in **REOPENING**.

**WHEREAS** the spread of COVID-19 has been declared a pandemic by the World Health Organization on March 11, 2020.

**WHEREAS** the Covid 19 situation is changing very rapidly. Omicron, is now the dominant strain of COVID-19 in Ontario and is highly transmissible.

**WHEREAS** TFN is remaining in REOPENING until Friday, April 22, 2022.

**WHEREAS** Chief & Council of the Temagami First Nation have the authority and jurisdiction pursuant to the Indian Act; sections 81 (1)(a), (c), (d), (p), (q), and (r) to enact emergency effort to prevent the spread of contagions and infectious diseases.

**NOW THEREFORE** The Temagami First Nation Chief & Council hereby execute the following BCR for the protection of public health and safety of Bear Island.  
Emergency Protective Measures:

1. Under the rules of law, a strict No-Trespassing restriction will remain in effect. Exemptions will be made for; patrons to the Pier Market, Northstar Building, Bear Island Residents and their friends and family, Temagami First Nation Citizens and Teme-Augama Anishnabai Citizens and their friends and family, community residents, off-island TFN essential service staff and those in need of emergency medical care.
2. The wearing of masks and hand-sanitizing is mandatory in all indoor public places.
3. Community residents are encouraged to remain in their household bubble.
4. Band owned buildings are open to the public by appointment only.
5. All employees are to work remotely with the exception of essential workers.
6. Food security program will be phased out but is still operating bi-weekly.
7. Medical Transportation services will resume with safety measures in place as approved by the Health Services Manager.
9. The LMLC will open in accordance to the reopening plan.
10. The daycare will open in accordance to the reopening plan.
11. For those who have travelled outside of the community recently, it is recommended they receive a rapid test upon return.
12. Covid rapid testing is operational at the clinic, residents and staff are strongly encouraged to utilize this service. If you are showing any symptoms or have been potentially exposed to the covid-19 virus, we encourage you to follow the 1-3-5-7 Rapid Testing Regime and/or self-isolate for 10 days.

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13. Police Services are available and will enforce the no trespassing order.  
14. Emergency/Essential Services are available.  
Temporary Effectiveness  
As per Council MOTION #2022-0407-008 passed on April 7, 2022, this BCR will remain in force until April 22, 2022, unless that time period is extended or abridged by a resolution by Council.

**Motion #2022-0407-008**

Motion to execute BCR 2022-014 as read into the record.

Moved by Councillor Michael Paul

Seconded by Councillor Joseph Katt

1 Abstention

0 Oppositions

CARRIED

Noted for the record that Councillor Douglas H. McKenzie abstained from the above-noted motion.

Noted for the record that the Pandemic Report as reviewed and discussed. Noted, the Interim Health Services Manager will assess the Rapid Tester and Pandemic Coordinator positions.

Noted for the record that Chief & Council do not support the recommendation for all TFN staff to be tested twice a week at this time.

Noted for the record that all TFN contracts should be aligned with the COVID-19 Vaccination Policy.

**10. ADMINISTRATION MATTERS**

**10.1 LANDS & RESOURCES DEPARTMENT**

i. First Nation Lands Management Act Discussion

Noted for the record that the Mike Molyneaux, Acting Lands & Resources Director was present to discuss the First Nation Lands Management Act. Noted it would be beneficial to have a full-day presentation regarding this matter; the presentation will tentatively take place on Sunday, April 24<sup>th</sup>/22 with a 1pm start.

Noted for the record that the Acting Lands & Resources Director left the meeting.

ii. Briefing Note re: NRF Core Funding + BCR 2022 015

Noted, BCR 2022-015 was read into the record.

**Whereas** Temagami First Nation and the Ontario Government have been entering funding agreements for Core Consultation Capacity since 2009/10.  
**Whereas** Ontario, as the Crown, has a legal obligation to consult with First Nations peoples where it contemplates decisions or actions that may adversely impact asserted or established Aboriginal or Treaty Rights.  
**Whereas** The duty to consult and accommodate is rooted in the Honour of the Crown (a legal principle that commits government to act with integrity) and the protection of Aboriginal and Treaty Rights under Section 35 of the Constitution Act, 1982.  
**AND Whereas** the limited consultation and capacity funding does not meet all of Temagami First Nation's capacity needs, however, it allows for at minimum for someone to have a quick look to determine whether or not our rights and interests are being infringed upon; determine if more capacity funding is required for specific consultations so that we can determine and make known our concerns, and to determine if our concerns can be mitigated and/or accommodation is required;

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**AND Whereas** the Crown may delegate to a proponent certain aspects of consultation, however, the ultimate legal responsibility to meet the duty to consult and accommodate lies with the Crown.

**Therefore be it resolved** that Temagami First Nation approve the 2022-2023 extension of funding provided by Ministry of Indigenous Affairs (IAO) under the New Relationship Fund Core Consultation Funding. The funding amount for the 2022-23 fiscal year is \$85,000.

**Motion #2022-0407-009**

Motion to execute BCR 2022-015 as read into the record.

Moved by Councillor Douglas H. McKenzie

Seconded by Councillor Michael Paul

0 Abstentions

0 Oppositions

CARRIED

iii. BCR 2022-016 re: Resource Revenue Sharing Agreement

Noted, BCR 2022-016 was read into the record.

**Whereas:**

- A. Temagami First Nation is responsible for protecting and managing the resources of n'Daki Menan including by ensuring the economic benefits flowing from resource development within n'Daki Menan benefit the current and future generations of Temagami First Nation and Teme-Augama Anishnabai citizens;
- B. In February 2022 Temagami First Nation entered into negotiations with the Ontario Ministry of Northern Development, Mines, Natural Resources and Forestry ("Ontario") with respect to a Resource Revenue Sharing Agreement (the "Agreement");
- C. The Agreement will provide the citizens of Temagami First Nation and Teme-Augama Anishnabai economic benefits generated from resource development in and around n'Daki Menan;
- D. Temagami First Nation and Ontario agreed on the terms of the Agreement in the form attached here as Appendix "A";
- E. Temagami First Nation Chief and Council wish to enter into the Agreement on behalf of Temagami First Nation in order to secure the opportunity for the citizens of Temagami First Nation and Teme-Augama Anishnabai to benefit from the economic benefits under the Agreement;
- F. Temagami First Nation and Teme-Augama Anishnabai drafted a letter to Ontario dated April 8, 2022 regarding the Agreement (the "Letter");

**Now therefore it be resolved that:**

- 1. Temagami First Nation Chief and Council accept and approve the Agreement and will bring it forward to the citizens of Temagami First Nation and Teme-Augama Anishnabai per the requirements of the Temagami First Nation Tribal Constitution.
- 2. Temagami First Nation Chief and Council authorize the Chief of Temagami First Nation to execute and deliver the Agreement, the Letter and any other documents necessary to give effect to this Agreement to Ontario.

**Motion #2022-0407-010**

Motion to execute BCR 2022-016 as read into the record.

Moved by Councillor Joseph Katt

Seconded by Councillor Michael Paul

0 Abstentions

0 Oppositions

CARRIED

iv. Briefing Note re: APF 5-year Funding

**Motion #2022-0407-011**

Motion to sign and accept the new 5-year RDA funding Agreement.

Moved by Councillor Michael Paul

Seconded by Councillor Roxane Potts

0 Abstentions

0 Oppositions

CARRIED

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**10.2 FINANCE DEPARTMENT**

- i. March 2022 Cheque Register – Noted for the record.
- ii. Briefing Note re: ISC Amending Agreements

**Motion #2022-0407-012**

Motion to approve amending agreements #54-56 under Agreement # 2021-ON-000084.

Moved by Councillor Roxane Potts

Seconded by Councillor Michael Paul

0 Abstentions

0 Oppositions

CARRIED

**Regular Council Meeting:**

**Present:** Chief Shelly Moore-Frappier, Councillor Michael Paul, Councillor Roxane Potts, Councillor Councillor Joseph Katt, Councillor Douglas H. McKenzie

**Regrets:** 2<sup>nd</sup> Chief John McKenzie, Councillor Tom Mathias, Councillor Jamie Saville

**Recorder:** Megan Douglas, Executive Assistant

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**10.3 CATERING POLICY/RATES DISCUSSION**

Noted for the record that the Catering Policy was discussed and amended.

**Motion #2022-0407-013**

Motion to amend the Catering Policy as discussed.

Moved by Councillor Michael Paul

Seconded by Councillor Douglas H. McKenzie

0 Abstentions

0 Oppositions

CARRIED

**10.4 COMMUNITY INFRASTRUCTURE**

- i. Briefing Note re: Fire Chief

**Motion #2022-0407-014**

Motion to appoint Jamie Saville as the Interim Fire Chief and post for the position as recommended by the Interim Community Infrastructure Manager.

Moved by Councillor Roxane Potts

Seconded by Councillor Michael Paul

0 Abstentions

0 Oppositions

CARRIED

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- ii. Briefing Note re: Solar Project

**Motion #2022-0407-015**

Motion to approve the purchase of the required solar panels and inverter equipment from HES PV/Charge Solar, at a cost of \$99,402.95 on the condition that the Finance Manager confirms the funds.

Moved by Councillor Roxane Potts

Seconded by Councillor Michael Paul

0 Abstentions

0 Oppositions

CARRIED

- 11. **CHIEF'S REPORT** – Noted for the record.

- 12. **ANY MATTER A RESIDENT WISHES TO RAISE:**

Noted, there were no members in attendance.

- 13. **JOINT COUNCIL DISCUSSION**

- 14. **CORRESPONDENCE:**

- 14.1 Living Temagami re: Update of Activities

**Motion #2022-0407-016**

Motion to support Living Temagami's community initiatives, in principle.

Moved by Councillor Douglas H. McKenzie

Seconded by Councillor Michael Paul

0 Abstentions

0 Oppositions

CARRIED

- 14.2 2022 Pow Wow

**Motion #2022-0407-017**

Motion to approve a one-day mini Pow Wow on Bear Island.

Moved by Councillor Michael Paul

Seconded by Councillor Roxane Potts

0 Abstentions

1 Opposition

CARRIED

Noted for the record that Councillor Douglas H. McKenzie opposed the above-noted decision as he was in favour of a full Pow Wow in Temagami.

- 15. **PORTFOLIO HOLDER REPORTS**

Noted for the record.

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**16. UPCOMING MEETINGS**

16.1 Next Regular Council Meeting: April 21, 2022

16.2 Community Meeting: TBA

16.3 Joint Council: April 11/22, 6pm & April 25/22, 7pm

16.4 Welfare Meeting: April 20, 2022, 9am-12pm

**17. MOTION TO ADJOURN**

**Motion #2022-0407-018**

Motion to adjourn at 9:15pm

Moved by Councillor Michael Paul

Seconded by Councillor Roxane Potts

0 Abstentions

0 Oppositions

CARRIED

**18. CLOSING PRAYER**

Closing prayer was offered by Councillor Joseph Katt

*Acknowledgment:*

*I, Shelly Moore-Frappier Chief of Temagami First Nation do hereby certify this to be a true original of Temagami First Nation Council Meeting Minutes which have been accepted as amended and duly adopted at the Council Meeting of April 21, 2022.*



*Chief Shelly Moore-Frappier*

*Dated this 21<sup>st</sup> day of April 2022.*