

# MOHAWK COUNCIL OF AKWESASNE

Sustaining our inherent rights, facing challenges together, and building a strong and healthy future.



*Office of the Grand Chief*

Tsiothohrha/December 1, 2020

Watkwanonhwera:ton/Greetings,

Happy December 1, 2020!

I hope you are in good health and keeping safe during these difficult times. At this point, it seems like we've lost count of the long days of the seemingly never-ending pandemic. I know it can be very frustrating at times and I hope that the thought of the upcoming holidays and the end of 2020 brings some joy to you. There is no doubt that we will remember 2020 for many years to come.

This holiday season many of us will reflect on the many holiday events and activities we've enjoyed in the past. This season will definitely be different, knowing that we cannot gather and enjoy our extended family visits in person due to pandemic health restrictions. The holiday season is usually a time for family and celebration, but we must continue to practice all the health recommendations in our fight against COVID-19. We must stay positive and celebrate our health, while appreciating our loved ones from a distance.

While November has now come and gone, it was a month of increased COVID-19 cases in Akwesasne. This was a stern reminder that Akwesasne isn't immune to the virus. Increased cases require the attention of the health care system and health equipment. We do not want to be in a position where we can't respond. That's why we all must do our part. I am so very proud of our overall community response, but we must keep working hard to keep ourselves and each other safe.

I am providing you with my monthly report. It was shared at last week's monthly General Meeting. The entire recording of the virtual meeting can be found at: <https://youtu.be/JEFDIxOMuOg>. I invite you to tune in and receive updates. Our next General Meeting will be hosted on January 28, 2021. To attend the meeting, please e-mail [meetings@akwesasne.ca](mailto:meetings@akwesasne.ca) and the link will be sent to you.

In closing, I hope that you have a relaxing and wonderful holiday season. I know it will be different, but it's still time to reflect and virtually catch up with family. Please stay safe and healthy. We are all in this together.

Happy Holidays and Happy New Year!

A handwritten signature in blue ink that reads "Abram Benedict".

Abram Benedict  
Grand Chief

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## **Grand Chief Monthly Activity Report Kentenha/October 2020**

### **OCTOBER 1, 2020 FINANCE COMMITTEE**

On the morning of October 1, 2020 I attended the virtual monthly finance committee meeting. The agenda for the meeting included review and approval of the last committee meeting minutes, updates on the action items, and new business.

### **OCTOBER 1, 2020 CANADA/AKWESASNE SELF-GOVERNMENT NEGOTIATIONS**

On the afternoon of October 1, 2020 I participated in the Canada/Akwesasne self-government negotiations. During this negotiation session we welcomed representatives from Finance Canada who were invited to present on tax exemption, as it relates to section 87 of the Indian Act of Canada. The representatives of Finance Canada explained that the position of the Government of Canada is that they would not include any tax exemption language in self-government agreements but they would instead rely on section 87 of the Indian Act. At the meeting of October 1, 2020 we relayed to Finance Canada that Akwesasne would like to have the section 87 language in our Akwesasne self-government agreement. We discussed possible options for our agreement and pressed upon Canada that the Akwesasne community has strong feelings about taxation. The representatives from Canada agreed to consider everything that Akwesasne presented and that a follow up meeting would be arranged in the coming weeks.

## **OCTOBER 2, 16, 2020 BI-WEEKLY MEETINGS WITH SAINT REGIS MOHAWK TRIBE**

Our Council has been meeting with the Saint Regis Mohawk Tribe (SRMT) on a weekly basis as part of our ongoing commitment to combat the COVID-19 pandemic. As of October 2, it was decided that these meetings would take place every other week instead of every week, on a go forward basis. The purpose of these meetings is to provide an opportunity for Council and our Emergency Operations Center to share information on our pandemic response with our counterparts from the SRMT. Topics for these weekly discussions include updates on current positive cases of COVID-19, potential changes to community directives, updates from the weekly border calls, and other COVID-19 related discussions.

## **OCTOBER 6, 13, 20, 27, 2020 EASTERN ONTARIO HEALTH UNIT**

Throughout October I participated on the Eastern Ontario Health Unit (EOHU) weekly briefings to receive updates from Dr. Paul Roumeliotis, the Medical Officer of Health and the Chief Executive Officer for the Eastern Ontario Health Unit. Dr. Paul provided updates on national and regional COVID-19 case numbers and explained the local regional positive cases. The province continues to examine possible new restrictions to slow the spread of COVID-19 in certain regions in Ontario. It was also reported that based on the contact information being reported, the new cases continue to be linked to people gathering. MCA leadership requested that Akwesasne specific numbers be broken out from Cornwall's numbers and be published on the EOHU website as the Akwesasne Northern portion number. This decision was made to ensure that our community is aware of the continued rise of COVID-19 cases in Akwesasne.

## **OCTOBER 6, 13, 20, 27, 2020 WEEKLY BORDER PARTNERS MEETINGS**

On a weekly basis throughout the month of October, MCA's Public Safety Portfolio Chiefs, representatives from the Saint Regis

Mohawk Tribe and the Mohawk Nation Council of Chiefs, and I participated on weekly calls with the Port Directors for the Canada Border Services Agency (CBSA) and the United States Customs and Border Protection (USCBP). The calls occurred every Tuesday morning utilizing the Zoom platform. On these calls we receive regular updates from the Port Directors on current traffic volumes, any issues with local travelers, and reports of any customs officers that may be in quarantine for any reason. For the month of October, no officers were reported to be in quarantine. These meetings also give our local governments the opportunity to provide relevant updates to the CBSA and USCBP representatives.

### **OCTOBER 6, 2020 INDIGENOUS SERVICES CANADA**

On the afternoon of October 6, 2020 Chief Connie Lazore, the MCA Executive Director, and I hosted a call with call representatives from Indigenous Services Canada (ISC) capital division to receive information on ISC's processes to receive applications for capital project funding. The ISC representatives explained that community capital projects needed to be on the community's capital plans, and also explained that capital projects required a feasibility study and an engineered design. Once community capital projects had been identified on the capital plan and had a feasibility study and design, they would then become part of the projects considered for funding. The ISC representatives explained that any of our capital projects that are in line with the Canadian government's priorities would be treated as a priority when considered for funding. On the call of October 6, 2020 we explained to the ISC representatives that we wanted to assist the Hogansburg Akwesasne Volunteer Fire Department (HAVFD) Station #3 with securing funding to build a new fire hall. The call of October 6 was an opportunity for us to understand the ISC capital submission process.

### **OCTOBER 5, 2020 COUNCIL MEETING UPDATE**

- Representatives of the CBSA Domestic Lane Working Circle provided Council with an overview of the proposed domestic lane

pilot project and the implementation plan. Council acknowledged the implementation plan and the changes to the primary question which will now be: “Are you arriving from the US?”

- Alain Boisvert, a filmmaker, presented his proposed film titled “The Art of Basket Making in Akwesasne” and requested a letter of support for his funding application to the Quebec government. Council agreed to the request.
- Council agreed that no Council Meeting will take place next week due to the Thanksgiving holiday.
- A briefing was provided on the need to review and consider changes to the MCA Honorarium Policy as it relates to boards, committees, and commissions. Council agreed that a MCR should be prepared to establish a committee to review boards, committees, and commissions, including the honorarium paid to members of these bodies.
- Council agreed that the upcoming General Meeting will take place on October 29, 2020 and the agenda item will be roundtable updates from Council. Community members are encouraged to send their questions prior to the meeting to [meetings@akwesasne.ca](mailto:meetings@akwesasne.ca).
- A briefing and discussion was held on MCA’s preparation for a COVID-19 second wave; the Executive Director explained the organizational preparations underway and the potential options for food security.
- Council was briefed on the current status of the petition submitted and agreed that it would be read into the record at the next General Meeting.
- A briefing was provided on the recent interviews for a custodial account manager.
- Council discussed a recent fishing tournament and the information received regarding the issuance of MCA fishing licenses.
- MCRs passed: Approval of 3 allotments of land to community members (mortgages paid off); Approval of transfer payment agreement with Ministry of Education; Approval of CMHC Section

95 Housing Project 2020 Audit; Approval to proceed with the payment of BMO mortgage balance for defaulted account.

### **OCTOBER 7, 14, 21, 28, 2020 WEEKLY COVID-19 MEETINGS**

On a weekly basis throughout the month of October, Council met with MCA Administration to specifically discuss and receive updates on our response to COVID-19. These meetings provide an opportunity for Council to thoroughly discuss our current precautions and travel restrictions. While discussions may occur at length during these weekly Wednesday meetings, decision-making is reserved for the regular Council Meetings.

### **OCTOBER 8, 2020 CORNWALL HARBOUR CO-OWNERS MEETING**

The MCA has recently re-engaged with the City of Cornwall on the development of the Cornwall Harbour Lands. In 2016, the property was divested equally to Akwesasne and the City of Cornwall with each being a 50/50 ownership stake. A project manager was hired in July 2020 to assist the co-owners with remediation and development of the lands. Since then, there have been two Akwesasne Harbour Development Committee meetings and one Co-Owners meeting. On October 8, 2020 I participated in a Co-Owners meeting hosted by the City of Cornwall at the Civic Complex.

MCA is committed to working with its partners and there will be thorough community engagement as the project moves from the discussion phase into the planning and action phases. The land will have no further industrial uses and any potential development must be commercial, tourism, or residential, and must also be mutually beneficial to both communities.

### **OCTOBER 8, 2020 CORNWALL COMMUNITY HOSPITAL BOARD**

On the morning of October 8, 2020 I participated in the annual organizational meeting for the Cornwall Community Hospital Board. This board meeting was for the election of a new board of directors for the next three years. This meeting was attended by both



outgoing board members and new board members. At the meeting of October 8, 2020 I was elected as a board member. The board meeting concluded with the next regular board meeting being scheduled to take place a few weeks later.

### **OCTOBER 9, 2020 FIRST NATIONS FISCAL MANAGEMENT BOARD**

On the afternoon of October 9, 2020 I hosted a Zoom call with representatives of the First Nations Financial Management Board (FMB). I had requested the call with the FMB to discuss the Akwesasne Financial Administration Law (AFAL) and its current restrictive provisions. I explained to the FMB representatives that current investment provisions under the AFAL restricted the type of investments that Akwesasne can consider. The FMB representatives explained to me that when Akwesasne developed our AFAL we used a template law that has since been revised to allow for less restrictive provisions for community investments. I explained to the FMB representatives that we would look to amend our AFAL over the next year or so to change various sections to be more reflective of the new template.

### **OCTOBER 13, 2020 ONTARIO DEPUTY SOLICITOR GENERAL**

On the morning of October 13, 2020 I received a call from the Ontario Deputy Solicitor General Deborah Richardson regarding an upcoming investment announcement by Ontario. Deborah was reaching out to me because I participate with the Independent First Nations (IFN) and requested that I share the announcement with the IFN communities. The upcoming Ontario announcement was focusing on correctional facilities in Thunder Bay and Kenora. Deborah explained Ontario will be making capital investments in the correctional facilities and programming for Indigenous offenders. I thanked Deborah for the advance information and let her know that I would forward the information to the IFN leadership.

## **OCTOBER 15, 2020 GOTSKILL SKILL BASED GAMES**

On the afternoon of October 15, 2020 I hosted a call with Tony Carvalho, the President of GotSkill. GotSkill is a gaming company that places skill games in establishments across Ontario. On the call of October 15, 2020 Tony explained to me that the machines GotSkill provides to establishments are skills based, which is different from video and lottery gaming, and their machines do not meet the definition of gambling under the Criminal Code of Canada because skills are required in order to win; winning is not by chance or by mixed chance and skill. Tony further explained that GotSkill is partnered with MADD and provides regular donations to the charity.

## **OCTOBER 19, 2020 COUNCIL MEETING UPDATE**

- Legal counsel for the MCA briefed Council on proposed technical amendments to the draft Seaway settlement agreement.
- A briefing was provided on the status of the fibre to the home project. A technical report is forthcoming with options to expedite the project, for Council's consideration.
- MCA's Executive Director provided an overview of a survey being sent to Council to gauge feedback on proposed revisions to the MCA Donation Policy.
- Council discussed the resumption of MCA's participation on the Assembly of First Nations (AFN) committees, on behalf of the Quebec and Ontario regions. The decision was deferred until next week.
- A briefing was provided on illegal garbage dumping sites within Akwesasne. The Executive Director will follow up by providing the costs associated to block continued access to the sites and install signage. A release will be provided to the community once actions are finalized.
- Council discussed the possibility of reinstating a dog apprehension protocol should the COVID-19 cases continue to rise, in order to limit the risk of interactions within the community, due to unrestrained dogs. For now, our



Communications Unit will remind the community of the need to ensure pets are leashed and tied.

- A briefing was provided on a recent initiative by the Chiefs of Ontario (COO) to have Ontario Courts enforce Indian Act By-laws. A letter will be sent to COO reminding them that the Akwesasne Court adjudicates Akwesasne Laws.
- Council discussed support services to community Elders; administration will follow up internally to ensure available services are effectively communicated. Council will discuss further options at an upcoming session.
- An update was provided on the Administration #1 Boardroom.
- Council requested that administration follow up with AMPS to ensure that the community is aware of the options available to report illegal activities.
- Council agreed to participate in a priority review session in the coming weeks.
- MCRs passed: Approval of 2020/21 IFN Victim Services funding; Approval of assignment of lease for Stanley Island; Approval of permit on Cornwall Island; Approval of permit on Lame Squaw Island; Approval to rescind previous MCR granting a permit, due to an administrative error; Approval of 2020/21 fuel tender award for heating season; Approval of service agreement with Ontario Education for Child Care Services; Approval of amendment to the draft Seaway Settlement agreement; Approval of two separate amendments to the Akwesasne/Canada funding agreement

### **OCTOBER 19, 2020 CORNWALL COMMUNITY HOSPITAL BOARD**

Following my recent election as a Cornwall Community Hospital (CCH) Board member, I participated in a board orientation session with CCH President and Chief Electoral Officer (CEO) Jeanette Despatie on October 19, 2020. The CEO explained the business the board reviews and conducts during its regular board meetings. Jeanette reviewed the board governance manual with me and explained the Ontario legislation that governs hospital boards and

what is required of the CEO and the board, according to legislation. I was also able to ask the CEO questions about daily operations and board activities. This was a very useful orientation session.

### **OCTOBER 19, 2020 HAVFD**

On the evening of Monday October 19, 2020 I participated in a project update call with the Acting Director of Infrastructure and Housing (DIH), Chief Connie Lazore, MCA's Executive Director and representatives of the Hogansburg Akwesasne Volunteer Fire Department (HAVFD) Station #3. The purpose of the call was to discuss the finalization of the contract with the design engineer for Station #3, the costs for the design, and the efforts by the MCA to cover the design costs. We agreed that another call would occur on November 23, 2020 with the design engineer to discuss the soil samples.

### **OCTOBER 20, 2020 CALL WITH BELL CANADA**

Over the past few months I've spoken with Bell Canada representatives about the challenges our community members face with new connections and accessing various services offered by Bell. On October 20, 2020 I received a follow up call from Allyson Coffin of Bell Canada. I had previously sent Allyson detailed information on various instances within Akwesasne where individuals were having issues accessing services. On the call of October 20, 2020 Allyson reported that Bell had conducted a review of the information I provided and had made a number of changes in their system to ensure that correct addresses were listed for our community members. Allyson explained that Akwesasne's lack of an official 911 system makes it difficult for Bell to properly track addresses. I thanked Allyson for the follow up and let her know that I would continue to monitor complaints about Bell coming into MCA and would touch base with her again in a few months.

## **OCTOBER 23, 2020 MINISTER OF CROWN-INDIGENOUS RELATIONS**

In early 2020 I wrote to Minister Carolyn Bennett regarding Akwesasne's self-government negotiations and requested a meeting with her. On October 23, 2020 this meeting took place via the Zoom platform. I explained to Minister Bennett that Akwesasne is requesting specific language in our self-government agreement that would ensure Canada will not expropriate any Akwesasne lands in the future. I reiterated that given our history with expropriation, we are seeking strong prohibitive language in our agreement. I also requested that the Minister support Akwesasne in the development of an Akwesasne specific 'Additions to Reserve' policy. Minister Bennett informed me that Akwesasne had received an extension on our exemption to follow provincial regulations for our water treatment plants. She further explained that when the Canadian Government passes legislation on the United Nations Declaration on the Rights of Indigenous People (UNDRIP), they would be in a position to include UNDRIP language in our self-government agreement. Minister Bennett did not make any formal commitments on the expropriation language, but did commit to continue to look at options.

## **OCTOBER 26, 2020 COUNCIL MEETING UPDATE**

- Legal counsel provided a briefing on amendment options to the Akwesasne Review Commission Charter to be reflective of oversight and to ensure accountability. Council will discuss this further at a future meeting.
- Representatives from AECOM and Via Rail provided Council with an update and overview of the High Frequency Rail project. Council requested regular updates as the project moves along.
- Council discussed recent offers to sell property to the MCA and requested that the Property Acquisition Team provide a report of current offers and reviews underway.

- Council agreed the November General Meeting will take place on November 26, 2020 and that no General Meeting will take place in December.
- A briefing was provided on the development of wellness packages to be delivered to community members.
- Council discussed the current cannabis licensing initiative and the concern with unlicensed business activities, including businesses that may not be following health and safety directives.
- A briefing was provided on a recent conversation with Bell Canada. Council discussed situations where community members may not be getting the service packages they are paying for. A general announcement will be sent out reminding community members to routinely review the monthly fees on their utility bills.
- Administration provided an update on the fiber to the home project.
- Council discussed the current dispute between Mi'kmaq and Non-Indigenous lobster fisherman and agreed to send a letter of support to the Mi'kmaq and research ways the community can support them.
- MCRs passed: Approval of service contact for Native Community Corrections Officer, Approval of mortgage renewal with Canada Mortgage Housing Corporation; Approval of Indigenous Justice Program grant; Approval of Ministry of Long Term Care trust account audit for 2018 & 2019; Approval of 2019/20 schedule of salaries and travel report for Chiefs; Approval of 2019/20 schedule of salaries and travel report for MCA Directors; Approval of amendments to MCA General Personnel Policy; Approval for MCA to resume participation on AFN regional committees.

## **OCTOBER 26, 2020 QUEBEC MINISTER OF ABORIGINAL AFFAIRS**

On the afternoon October 26, 2020 Chief of Police Shawn Dulude and I attended the office of Claire IsaBelle in Sainte-Martine to meet

with Quebec Aboriginal Affairs Minister Ian Lafreniere. Ian was recently appointed as the Minister responsible for Quebec Aboriginal Affairs on October 9, 2020. The meeting was an introductory meeting and presented an opportunity to discuss our relationship with Quebec. I explained the language barrier faced by our community, especially the challenges with professional licensing and the impact this has on our community. Ian's staff had briefed him previously on these challenges. I requested that we continue to find ways to resolve this barrier. Ian explained that based on a number of events in Quebec around systemic racism, the Quebec government would be looking to introduce changes to strengthen their relationship with Indigenous communities and to curb racism in Quebec. At the meeting of October 26 Ian also asked about the occupancy at Hopkins Point and we agreed to continue to dialogue on the file.

#### **OCTOBER 27, 2020 ST. LAWRENCE PARKS COMMISSION**

On the morning of October 27, 2020 I participated in a telephone interview with MDB Insight regarding the St. Lawrence Parks Commission. MDB Insight is a consultant firm retained by the parks commission to assist their board of directors in the development of their five-year strategic plan. On the call of October 27, 2020 MDB Insight representatives introduced themselves to me and asked a series of questions regarding Akwesasne's relationship with the commission. I explained that we had limited interactions with the commission and would be interested in furthering our relationship. I also explained that Akwesasne would be willing to partner for the creation of exhibits at Upper Canada Village.

#### **OCTOBER 29, 2020 MINISTER OF PUBLIC SAFETY**

On the morning of October 29, 2020 Chief Connie Lazore, Chief Phillips-Jacobs, and I hosted a conference call with Public Safety Minister Bill Blair regarding Akwesasne's compliance program proposal. In June we had hosted a call with Minister Blair regarding the proposal. On the call of October 29, 2020 we briefly explained to

Minister Blair the proposal and explained that since our call in June 2020 the compliance program had since transitioned from our Justice Department to now be under the Akwesasne Mohawk Police Service (AMPS). We explained that the transition to AMPS was done so that the compliance program would be able to operate complementary to the existing police service and may also serve as a potential training program for police officers. The compliance officers can enforce community laws and the services they provide may serve as a foundational program for the recruitment of new Akwesasne Mohawk Police officers. Minister Blair complimented our efforts and committed to continue to work with Akwesasne to find ways to support the MCA Compliance Program.

### **OCTOBER 29, 2020 GENERAL MEETING**

On the evening of October 29, 2020 Council hosted the General Meeting utilizing the Zoom platform. The only agenda item for the October 29, 2020 General Meeting was roundtable updates from members of our Council. Each member of Council look turns providing updates to the community on the political files they have been working on. Council also accepted a petition in principle for processing. The entire presentation and recording of the October General Meeting can be found at: <https://youtu.be/8jH18twGnlM>. The next General Meeting is scheduled for November 26, 2020 on the Zoom platform. Questions for Council can be e-mailed in advance to [meetings@akwesasne.ca](mailto:meetings@akwesasne.ca) to ensure they are answered during the meeting.

### **OCTOBER 30, 3030 CARLETON UNIVERSITY INTERVIEW**

On the afternoon of October 30, 2020 I was interviewed by a PhD (Doctor of Philosophy) candidate in the School of Public Policy at Carleton University. Charles Garay reached out and requested my participation in an interview regarding Akwesasne's perspective on consultation with the Ontario Government. On the call of October 30, I explained to Charles the instances where Akwesasne has provided input to the Ontario Government on policy and laws. I also explained



that the current Government of Ontario has a different approach than the previous government. The former Liberal government was very engaging with First Nations, but the current government took a different approach and didn't engage in the pre-development or pre-decision phase. I explained the current government rarely requested input from First Nations until after decisions are made. I also explained the complexity of Akwesasne being a multi-jurisdiction community. Charles followed up by asking a series of questions on our interactions with Ontario.