

# MOHAWK COUNCIL OF AKWESASNE

*Tetewaitena - Honoring the past, facing today's challenges, building a strong future.*



OFFICE OF THE GRAND CHIEF

Seskeha/August 3, 2016

Watkwanonhwera:ton/Greetings,

It's really hard to believe that we have now rolled into the month of August; this for some is the home stretch before the kids head back to school. Teachers are gearing up to return to work and college/university students are beginning to pack up and some like my own are starting to complain that summer was way too short! No matter what your situation at home, I hope you've enjoyed spending time with your friends and family this summer.

As you may know, last week we held our monthly General Meeting at the Kana:takon Recreation Center. We had a few community members attend, but nowhere close to number that attended last month. Regardless, we especially appreciate those who were able to attend. The agenda included a presentation from the Mohawk Council of Akwesasne (MCA) Community Planner on the Comprehensive Community Plan (CCP) (which had been rescheduled from last month's meeting), a presentation on the Anowarako:wa Arena Pavilion, an update on Statistics Canada, an update on the Bell Canada fibre optics study, an update on land claims, an update on the Cornwall Port Divestiture, and business from the floor.

The CCP presentation was very informative; Council wants the community to know that we are using the results provided as a guide in future planning purposes and are currently using the CCP in conjunction with our strategic plan to guide the work we do. The presentation on the Anowarako:wa Arena Pavilion gave us an update on the work being done to construct a pavilion on the west side of the arena which will be very similar to the one at the Kana:takon Recreation. Fifty percent (50%) of the funding to construct the pavilion was secured through a proposal submitted to the Mohawks of Akwesasne Community Settlement Trust; it's anticipated that the other fifty percent (50%) will be secured through the Akwesasne Economic Development Fund (AEDF). Construction is expected to be completed this fall. Niawenko:wa to everyone involved on this project!

This past July marks the one year anniversary since our Council has taken office, I must say that the year has flown by quickly, mostly because of how busy we have been. Your patience and understanding over the last year as we align ourselves to deliver and improve upon utilizing the resources and delivering quality services to our community is very much appreciated. Over the next year our focus will be to build upon existing relationships and partnerships and create new ones to increase the number of opportunities and services for our people, this will involve interaction with other governments, surrounding communities, and the private sector.

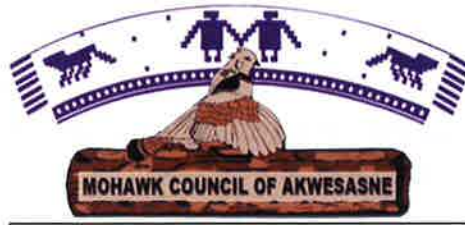
I really hope you enjoy the month ahead, and as always, my report is attached for your review.

Grand Chief Abram Benedict

AKWESASNE-LAND WHERE THE PARTRIDGE DRUMS  
ADMINISTRATION OFFICES  
613-575-2250

WWW.AKWESASNE.CA  
BOX 579 CORNWALL, ONTARIO K6H-5T3

MOHAWK GOVERNMENT OFFICES  
613-575-2348



## Grand Chief Activity Report for the Month of Ohiarí:ha/June 2016

### JUNE 1, 2016 WORKPLACE REVITALIZATION WORKGROUP

The Workplace Revitalization Workgroup presented their findings and recommendations from their study and review. The Mohawk Council of Akwesasne passed MCR 2015/2016 #317 on February 2, 2016 creating the Workplace Revitalization Workgroup and providing them with a mandate to examine and recommend:

1. Organizational Design (Executive Services and Mohawk Government)
2. PREA process and employee development
3. Work place culture and climate at MCA
4. Quality programs and service to community

Council received the final recommendations for the organizational design, which needs acceptance by Council resolution for implementation. A redesign is necessary to reduce the number of direct reports to the Executive Director position so the position can focus their efforts on leading the entire MCA organization. The delegation of authority to the lowest level possible is part of the overall plan and will give authority to individuals in positions that carry the responsibility to exercise it. The Council believes that a shift in the organizational structure is needed so we can modernize our efforts to support the community, fulfill our strategic priorities, and continue to evolve. In addition to a making a change in the organizational design, the Council is committed to making the MCA a workplace where our values and behaviors demonstrate our focus on improving the quality of service provided to community members. Over the next several months the Council and administration will begin implementing the strategy.

### JUNE 2, 2016 ONTARIO FIRST NATIONS LIMITED PARTNERSHIP (OFNLP)

On June 2, 2016 I attended the Ontario First Nations Limited Partnership (OFNLP) Annual General Meeting of the partners in Toronto. This is the company that is

owned by the First Nations in Ontario, and receives the 1.7% gross revenue from Ontario Lottery Gaming Corporation (OLGC) which is then distributed to each community based on an established formula. In Akwesasne we commonly refer to these funds as “Casino Rama dollars”.

This meeting occurs annually to deal with regular corporate business, receive reports and provide direction on any issues that may need decision.

#### OFNLP Audit

The Auditors provided a presentation of the 2015-16 financial statements and the treasurer for the corporation gave an update as well. Some noteworthy information:

- Last year OLGC gross revenue was around \$8 billion
- It's estimated that OFNLP will receive \$137 million this coming year (up 13%)
- Last year's OFNLP received \$122 million

#### OFNLP Litigation update

Lawyers provided an update on two litigation files:

- OFNLP is suing its former lawyers (Siskinds LLP) for failing to inform OFNLP that they had to pay Ontario 1.3 million for a cost award against them.
- The arbitration against Ontario for withholding \$37 million in capital reserves from the old Casino Rama agreement is ongoing and OFNLP is hoping it will get settled with political intervention.

#### OFNLP—Kelly Rogers, Rogers Investment Consulting (RIC)

Last year the Ontario Chiefs asked the OFNLP to study other options for investment consideration. OFNLP hired Kelly Rogers to provide some investment model options. Early this year a draft proposal was sent to the Ontario Chiefs to consider with the concept that each First Nation would contribute a portion of its annual revenue to an investment fund to be managed by an investment advisor. This proposal was presented and the OFNLP provided an extraordinary resolution for consideration. The resolution set out that the proposal would be accepted with an off the top percentage of the revenue received to be invested and provided percentage options ranging from 5% to 15% from each FN. There was a lengthy debate and a lot of opposition over this type of venture. In the end, the Ontario Chiefs passed a resolution to remove the extraordinary resolution and to not consider the proposal.

### OFNLP—First Nations (FNs) Gaming Strategic Plan

The OFNLP board of directors provided an update on the development of a Gaming Strategic Plan, which was to consider the following:

1. Respect for FNs gaming jurisdiction
2. Increase the revenue up from the 1.7%
3. Business partnership with OLGC under agreement
4. FNs involvement in the business of gaming

The Ontario Chiefs felt that this plan didn't have much substance to it and they denied the resolution that directed its implementation. The OFNLP board will take the plan back for further revisions.

### OFNLP—Update from the OLGC First Nations Representative to the OLGC board

Steve Williams is the OFNLP representative to the OLGC board and he provided an update on the work the board does and explained that he's taking a lot of time to ensure the OLGC board is aware of First Nation issues as they make consideration and decisions for Ontario gaming.

### JUNE 3, 2016 ST. LAWRENCE COLLEGE 2016 CONVOCATION



On June 3, 2016 I attended the convocation ceremony at the St. Lawrence College Cornwall Campus. The college had three convocation ceremonies that day, but the 1:30 pm ceremony included graduates from our Iohahí:io campus. Earlier in May, I was able to attend two closing ceremonies at Iohahí:io, and on June 3rd I was able to witness those same graduates walk across the stage and receive their diplomas and/or certificates. The graduates from Iohahí:io graduated from Business Human Resource, Computer Network and Technical Support, or General Construction

Carpentry Techniques. It was a real honor to participate in the convocation and see our students walk the path to their bright futures. Congratulations to all Graduates from the class of 2016!

### **JUNE 5, 2016 ONTARIO ASSOCIATION OF CHILDREN'S AID SOCIETIES (OACAS)**

On Sunday June 5, 2016 I traveled to Toronto for a meeting with the Ontario Association of Children's Aid Societies (OACAS) regarding the proposed reconfiguration to the child welfare sector in Ontario. As previously reported the Ontario Government, OACAS indicated that they will bring forward changes to the child welfare sector including the amalgamation of CASs in Ontario. In response, the sector has decided to be proactive and meet to begin the tough discussion around amalgamating CASs where it makes sense but also where the service levels will not be affected but rather enhanced. In Ontario there are forty-seven CASs with eight of them being Indigenous agencies. A Reconfiguration Working Group was previously formed to develop an objective statement, the overall working assumptions, and design principals which support excellence in outcomes. The reconfiguration will also have two pillars: local service delivery/responsiveness by a significantly reduced number of agencies and a central provincial entity to support consistency across the system. The working group presented a frame work to the CAS participants. Over the course of the next few months the sector will continue to work towards submitting a proposal to the government for consideration. The government has also indicated that no Indigenous agencies would be affect by the amalgamation.

### **JUNE 6, 2016 CONFERENCE CALL WITH MINISTRY OF FINANCE**

Recently the Government of Ontario has announced that it is introducing online sales of LCBO products, which means that individuals will be able to purchase alcohol online and have it shipped to their door in Ontario. On June 6<sup>th</sup> Chief Louise Thompson and I participated in a conference call with Nancy Kennedy—Assistant Deputy Minister, Revenue Agencies Oversight Division of the Ontario Ministry of Finance to discuss Ontario's decision to sell alcohol online. Nancy explained the process Ontario will use to verify identification and age on deliveries to us but also stated that, should a community have a by-law against the sale of alcohol, they would recognize the law and would not sell alcohol to anyone in that community. We explained to ADM Kennedy that Akwesasne has an Intoxicants By-law in place that prohibits the sale of alcohol on reserve and that online sales to Akwesasne would be a contravention of the law. Following the conference call, Ontario will be

providing us with a request in writing for permission, or denial, to sell and deliver alcohol to homes in Akwesasne.

### JUNE 7, 2016 COUNCIL MEETING

- The Community Planner from Tehotiiennawakon presented a copy of the final Community Comprehensive Plan (CCP) to the Council and highlighted the findings and next steps. The plan is now available on the [akwesasne.ca](http://akwesasne.ca) website.
- A community business owner presented a business concept and a request for support from Council for the business venture. Council will follow up with the business for additional information.
- A brief video was presented on a proposal to develop an Akwesasne aerial video of the territory and facilities. Staff will follow up on the proposal.
- Council discussed protocol for handling of community complaints and intra-district complaints.
- A letter received regarding non-Members was reviewed and discussed and will be forwarded to the appropriate programs and the Akwesasne Membership Board.
- A listing of recently established priorities was distributed for review for an upcoming Council Meeting.
- MCRs passed: Approval of 2016/17 application to Social Infrastructure Fund (SIF) Renovation Programs and Retrofit; Approval of Council Meeting minutes; Approval of Workplace Revitalization Work Group recommendation for MCA organization and improvement strategy; Approval of amendment to Akwesasne/Canada Funding Agreement.

### JUNE 7, 2016 IOHAHI:IO CLOSING CEREMONY



L-R: Cornwall City Councillor, Bernadette Clement;  
TR Leger Founder, Rosaire Leger, Grand Chief  
Benedict.

On the evening of June 7, 2016 I participated at the closing ceremony celebration for the 2016 Iohahi:io Vocational Prep Program. The evening started with a meal followed by welcoming words by Acting Manager Margaret Lafrance as well as a few opening remarks from representatives from the Upper Canada District School Board. The certificates were then presented to each of the graduates. Iohahi:io hosts its own closing ceremony for its students and students later receive their actual diploma at an official graduation ceremony that takes place at T.R. Leger.



### JUNE 8, 2016 TWIN LEAF GRAND REOPENING

Just about a year after a terrible fire destroyed the Twinleaf Convenience Store on Route 37 in Hogansburg, CAA was pleased to announce that the newly rebuilt Twinleaf was ready for business. On June 8, 2016 we were invited to the ribbon cutting ceremony for the newly rebuilt store. Following the ribbon cutting we toured the new store and enjoyed lunch at the new restaurant. We wish the Twinleaf family all the best for the future and we are really happy to see this location reopen!

### JUNE 9, 2016 T.R. LEGER GRADUATION CEREMONY

On the evening of June 9th I attended the graduation ceremony of the 2016 T.R. Leger School of Adult, Alternative and Continuing Education. Akwesasne had a number of students graduate from the Iohahi:io campus, at the Ahkwesahsne Mohawk Board of Education (AMBE) Foundations Program, and the T.R. Leger Cornwall Campus. As always it's a pleasure to take part in these graduation ceremonies and see our students cross the stage to receive their diploma.

### JUNE 13, 2016 COUNCIL MEETING

- The Aboriginal Rights and Research (ARRO) Manager provided an update and briefing on the Additions to Reserve (ATR) process for the Block 1 lands on Kawehno:ke.

- A brief was provided on an upcoming AFNQL meeting, as well as a brief on proposed changes to the Akwesasne Youth Council Charter as it relates to travel.
- A request for a letter of support was discussed and will be further researched.
- The Mohawk Council of Akwesasne Intoxicants By-Law was discussed, the impacts of the law on business and the possibility of amendment to the law. This will be further considered and researched.
- An update and briefing was provided on a recent meeting with Global Indigenous Bank.
- MCRs passed: Approval of a Right of Way over band land for the purpose of access to the lot; Approval of amendments to service contract with the Ministry of Children and Youth Services; Approval of 2016/17 National Child Benefits Reinvestment projects; Acceptance of MCA Block 1 Lands Environmental Remediation Report.

#### **JUNE 15, 2016 ONTARIO ASSOCIATION OF CHILDREN'S AID SOCIETY (OACAS)**

Following the June 5, 2016 meeting around reconfiguration, the board of the OACAS thought it would be important to debrief from that session and talk about the next steps. A draft guiding document with key messaging had been created at the June 5<sup>th</sup> meeting and was reviewed. It was agreed that follow up should be done with the Ministry around the next steps. Staff provided an update on the 'share service' project and outlined the current participation/level of interest and also explained what would be needed for the share service project to be successful. Updates were provided on the following areas:

- Performance Indicators Project—RFP
- CAS workers authorization
- Proposed changes to Board Terms of Reference (TOR)
- New Corporate Traveller Program

Other regular Board business was conducted which included separate reports from the Treasurers, Chief Executive Officers, and Local Director. The next Board meeting is scheduled for September 15, 2016.

#### **JUNE 17, 2016 CHILDREN'S TREATMENT CENTRE 20TH ANNIVERSARY DINNER**

The Children's Treatment Centre is a community based community supported agency with a very large network of volunteers that is committed to the prevention



and treatment of child abuse. Akwesasne residents are able to access the services of the treatment center. The treatment center has an ongoing working relationship with AMBE and the Ionkwanonhsassetsi Adolescent Group Home. The treatment center hosts many fundraising events throughout the year and on the evening of Friday June 17, 2016 they hosted an annual anniversary dinner. I was invited to attend the event by Children's Treatment Centre chief fundraiser Angelo Towndale.

### **JUNE 20, 2016 COUNCIL MEETING**

- Representatives from the Akwesasne Area Management Board (AAMB) presented to Council on a call for applications for project funding and explained some partnership options. Council will follow up with AAMB.
- Representatives from Pathfinder Energy presented on a request for support. Portfolio will coordinate follow up with the representatives.
- Council reviewed action items for an upcoming Iroquois Caucus meeting.
- Aboriginal Rights and Research Office (ARRO) Manager provided an update on the Cornwall Harbour/Port Divestiture file.
- The General Meeting for June 30, 2016 on Kawehno:ke was set.
- Tsi Snaihne District Meeting was rescheduled to June 29, 2016.
- Council was briefed on an ongoing issue with Quebec Health Contribution Tax, will conduct further research, and discuss this again.
- Concerns with respect to Hamilton Island procedures were discussed and will be followed up on by portfolio.
- Council agreed that due to Chiefs unavailability, the Council meeting of July 11 will be cancelled.
- MCRs passed: Approval of AEDF application for DTS project; Approval of application to INAC for on reserve housing fund; Approval for Quebec Hydro to proceed with the installation of Smart Meters on homes in Akwesasne.

### **JUNE 21, 2016 SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION LOCKS**



On June 21, 2016 I was invited by the Deputy Chief of Staff for the Saint Lawrence Seaway Development Corporation (SLSDC) on behalf of the Administrator Betty Sutton and Deputy Administrator Craig Middlebrook to join them and other stakeholders for a SLSDC facility and lock tour. The morning started with a welcome reception at the SLSDC administration building in Massena hosted by Administrator Betty Sutton. Following the tour we headed over to the maintenance facility to learn more about the ongoing asset renewal program. The asset renewal program began in 2009 and includes an investment of over \$109 million for 48 separate projects over the 10 year project period. After the maintenance tour we boarded the Robinson Bay Tugboat and took a ride down to the Eisenhower locks. While on the tour I was able to speak with Administrator Sutton about Akwesasne and our Council's desire to work closer with neighbors and partners. The SLSDC owns 66% of the Seaway International Bridge that connects the USA to Kawehno:ke and has four seats on the board of the Seaway International Bridge Corporation (SIBC), so I felt it was important for me to talk about the challenges we face with respect to the toll impacts imposed by the SIBC. I will continue to keep the SLSDC updated as we continue to work with SIBC and Transport Canada on Kawehno:ke corridor issues.

#### JUNE 22, 2016 TRUTH, RECONCILIATION, AND HOPE CONFERENCE



L-R: Trevor Roundpoint, Bruce Roundpoint, Former Prime Minister Paul Martin, and Grand Chief Benedict

Earlier in the year I was invited by the Jesuits in English Canada to speak on a panel at a Truth, Reconciliation, and Hope Conference hosted by the Jesuit in partnership with the University of St. Michael's College in Toronto. The organizers asked me to speak on a panel entitled "The Treaties, their impacts and moving forward to

hope". The main theme around the one day conference was reconciliation. This all stems from the Truth and Reconciliation recommendations and final report released earlier in the year. The day mainly included panel discussions from various Indigenous people on either their experiences or their visions for reconciliation. Former Prime Minister Paul Martin spoke about his foundation work on Indigenous issues. Dr. Marie Wilson is a Truth and Reconciliation Commissioner who talked about her lengthy experience as a commissioner and what she envisions for true reconciliation. In the afternoon of the conference the Kahnawake Grand Chief gave a presentation on the Two Row Wampum and I presented on the Jay Treaty. I explained how the Jay Treaty recognizes Indians rights to cross the border freely and how we are impacted by Canada's refusal to recognize the Jay Treaty. Akwesasne was also represented by Mr. Trevor Roundpoint who spoke about today's challenges from a youth perspective.

### **JUNE 24, 2016 INTERNAL PRE DUNDEE LAND CLAIM MEETING**

On the morning of June 24 the internal Tsikaristisere/Dundee Land Claim committee met to prepare for an upcoming meeting with Canada. The settlement amount for the claim has already been made, but over the last several months the lawyers have been going back and forth on language for the final settlement agreement. At this internal meeting we reviewed a recent proposal from Canada and discussed the referendum process and requirements. We have been lobbying Canada regarding the double majority requirements for the referendum. This preparation meeting was for an upcoming meeting scheduled with Canada for June 27, 2016.

### **JUNE 27, 2016 COUNCIL MEETING**

- Council discussed the Community Support Program (CSP) Funeral Donation policy which will be further researched through a future presentation from CSP.
- A request for assistance at a rental unit was briefly discussed and will be referred to Housing portfolio for follow up.
- Concerns regarding BMO mortgages process were discussed and will be followed up with BMO.
- MCRs passed: Approval of Housing upgrade loan; Approval of assignment of lease on Stanley Island; Approval of (2) Council Meeting minutes; Acknowledgement of Chief Referendum Officers statement of results for Special Referendum to enact the Akwesasne Tobacco Law as final and acceptance to enact the law effective April 1, 2017; Approval to proceed

with opening an account at BMO Harris Bank; Approval to proceed with opening account at BMO Peace Tree Trade Branch for Akwesasne Settlement Trust distribution to community projects; Acceptance of Akwesasne Community Trust documents to facilitate distribution to community projects; Approval for MCA to enter into contract with Health Canada on behalf of Independent First Nations (IFN) Health; Approval of contract with AEDA for Mohawk language classes for MCA staff and community. \*Note: Due to a scheduling conflict with Dundee negotiations, I departed from the meeting at 10:15. Other agenda items were discussed after my departure.

### JUNE 27, 2016 TSIKARISTISERE/DUNDEE LAND CLAIM NEGOTIATIONS

On June 27, 2016 Chief Karen Loran and I had to leave the Council Meeting early to attend the negotiations meeting with Canada on the Tsikaristisere/Dundee Land Claim. During this meeting Canada introduced new members of Canada's team to the Akwesasne committee; these new members have a greater understanding of Indian Act referendums and regulations. At this current time Canada is requiring Akwesasne to hold a referendum of the community with a minimum requirement of double majority. **Double majority means that 50% plus one of the number of eligible voters must participate in the referendum AND 50% plus one of the votes cast must be in favour of the settlement offer for it to be considered accepted by Canada.** This requirement of Canada has been a very problematic factor for Akwesasne since the beginning because the number of people required for participation alone would be about 4,000. Meeting the requirement of having 4,000 people vote will be a very tenuous task. We have been pressing Canada on this requirement and will continue to press the Minister for an exemption or alternate methods for a referendum. The Council is committed to having as many of our people as possible vote on this issue, but we also want to be realistic on the expectations. Our next negotiation with Canada is scheduled for August 11, 2016.

### JUNE 28, 2016 MEETING WITH BANK OF MONTREAL (BMO)

The MCA recently received notification from the Bank of Montreal that our Commercial Investment Advisor for our accounts was no longer with the bank. Three representatives from the Bank of Montreal met with members of our Finance staff and I to provide us with assurance that our level of service will not change due to changes in personnel at the bank. I expressed to the bank that we aren't happy with the personnel changes and that we need the bank to work closer

with the MCA and Akwesasne community, especially with our Akwesasne businesses. We will continue to emphasize the importance of working with our Akwesasne businesses to the Bank of Montreal.

#### **JUNE 28, 2016 INTERNAL PREP FOR MEETING WITH CANADA ON SEAWAY CLAIM**

Late in 2015, the Mohawk Council began discussions with Transport Canada and Indigenous Affairs regarding possible resolution of the Seaway litigation against Canada. On the afternoon of June 28 the internal Seaway team met to prepare for an upcoming meeting with Canada. The team reviewed past reports and opinions on areas of strong legal arguments of liability and areas of less legal liability. The committee agreed that we will begin formulating our counter proposal to Canada in the fall. The internal committee will begin having community information sessions and dialogue sessions in the fall in anticipation of a successful resolution to the seaway claim.

#### **JUNE 30, 2016 SIGNING PORT/HARBOR OF CORNWALL TRANSFER AGREEMENT**

After several years of back and forth discussions with Transport Canada and intense negotiations over the last year, the transfer of the Cornwall Harbor/Port took place on June 30, 2016. The Mohawk Council of Akwesasne expressed to Canada our desire to take over ownership of the port lands since the mid 1990's. The Government of Canada has always insisted that should they consider divesting (transfer of ownership) the port lands, it would only be done on a 50/50 partnership arrangement between the City of Cornwall and Akwesasne. In 2003, the City of Cornwall and Akwesasne began negotiations for the divestiture of the port lands but negotiations broke down in 2006 because the two parties could not agree on a 50/50 ownership structure. In 2013, the negotiations restarted when the MCA and the City of Cornwall signed a Memorandum of Understand (MOU) with Transport Canada. At the time of the signing of the MOU, the City of Cornwall and Akwesasne came to an understanding that the 50/50 ownership would no longer be an issue, not one party would have more ownership over the other. After a lengthy process the Mohawk Council of Akwesasne officially signed the transfer agreement with Transport Canada on June 30, 2016. The next steps will be for the Council to create a board of community people to help guide the exploration of potential use options for the harbor lands where we can maximize the benefit for the community.

## JUNE 30, 2016 GENERAL MEETING

On the evening of June 30, 2016 the Mohawk Council of Akwesasne hosted its monthly General Meeting in the district of Kawehno:ke. We saw a significant increase in attendance since last month's General Meeting. The agenda included a presentation from MCA's Community Planner on the Comprehensive Community Plan (CCP), separate updates on LCBO, the Port Divestiture, the Akwesasne Tobacco Law, and Business from the Floor. At the request of a few community members, business from the floor was moved to the beginning of the meeting. The recent port divestiture was the main topic of discussion for business from the floor, which resulted in the presentation from the Community Planner being rescheduled to the July General Meeting. The community members present at the General Meeting expressed discontent with Council over the handling of the Cornwall port divestiture and after much debate we were able to finish our agenda and wrap up the meeting by 9 pm.

-End-