

Swan River First Nation General Band Meeting Minutes
January 8, 2019 5 pm – 7 pm
Swan River Band Hall

Leadership Attendance: Chief Gerald Giroux
Dustin Twin Jr.
Buddy Giroux
Mark Davis-Giroux

Band Manager/lawyers: Ian Bailey, Joe Wadden

Program Directors: Donna Holmes – Social Development Directors
Paula Cardinal – Education Director
Charmaine Sound – Jr. Finance Director
Charlene Hunt – School Principal
Jerry Davis – Public Works/ Housing Director
Todd Bailey – Forestry Director
Michelle Giroux-Davis – Membership
Ryan Davis – Consultation Director
Lorraine Davis – Daycare/Headstart Director
Amanda Sheldon – Health Director

Recorders: Marcy Sheldon (Reception)
Lois Ashley (Comprehensive Community Planner)

5 pm - Introductory Prayer and meal commencement

5:40 – Meeting opening by Chief Giroux

Opening Introductions and housekeeping by Band Manager Ian Bailey

OVERVIEW:

Membership	Update from Council	Trust update
<ul style="list-style-type: none"> • Community Elders wanted to see a membership code review and it now is available for review upon getting feedback from community as to what the community would like to see in the new membership code. Current membership code was amended and implemented in 2010. • 25% of the voting membership was required to be able to review and amend the membership code. We were able to get that number this 	<p>Dustin Twin Jr. – Progress report from last year and a half;</p> <ul style="list-style-type: none"> • SR offered an Equipment course that resulted in 11 members graduating • For the past 2 years, Buddy and Mark have run the Wapsewipi company with a profit margin. • With newly trained members, Swan River is lined up with tools and opportunities for the WOP program, upgrading sewer system, they will be seeking to reclaim the water plant and now have 	<ul style="list-style-type: none"> • Corporate trust deposited money into the capacity building account, along with the minor’s payments that were paid into a separate minor’s account. • There was approximately a \$300k drop in the investment account and a full detailed annual report will be provided in or around March or April by the Royal Bank. This update is effective is as of December 31/18... half in stocks and half in trust. • No interest paid in the first year of receiving minors trust.

<p>past summer, which was approximately 300 names</p> <ul style="list-style-type: none"> • Multiple meetings will be required before membership code is completed and the final version will require a referendum. <u>The membership code will not be formally amended or voted on prior to the election in June of 2019.</u> • Chief would like the Nation's Constitution to be addressed and developed at the same time as the membership review which will both be completed and approved through feedback and a referendum • Questions regarding the membership process can be asked on the website and will be answered as quickly as possible. Website address is www.swanriverfirstnation.com 	<p>opportunities for bigger economic development projects with more employment opportunities</p> <ul style="list-style-type: none"> • The Nation has applied for and received provincial monies for green energy development. • 200 k was received for solar power and has been installed on the health Centre building. Solar energy is also being considered for residential homes and funding applications have been submitted. • 200 k for energy audits has been received and work has already been started. • Retrofit program funding will also be applied for and will be a phase 2 project in combination with and as a result of the energy audit • 70 k has been received for the initiation of the climate change planning • SR's cultural retention program is an initiative that Chief Gerald developed from scratch. He believes we should put the "Indian back in the child". This project proposal was approved from INAC and will be funded for the next 5 years. • The nation applied for 200k and were successful in receiving the entire amount for pow wow arbor construction which is almost near completion. The stands will be built in the spring to finish it off • Mark headed the construction and development of the new Head start building which was built with a 1.6 mil dollar project budget. • 16 new homes were recently brought in. 10 older homes will 	<ul style="list-style-type: none"> • All adults who have not received their pay out have 2 years from December 2017 (to contact the finance department to receive payout. There are still 10 remaining adults who have not applied for their benefit. • Minors will have to contact the finance department as well upon reaching the age of 18. That money cannot be accessed by ANYONE but the Minor who has reached the age of majority. • The Nation will be pushing to have more frequent updates on the trust and will be consulting with the Royal Bank on how this can be arranged. Initial target will be on a quarterly basis. • (ACTUAL TRUST AMOUNTS WERE REMOVED FOR THE MINUTES SO AS TO NOT POST PUBLICLY. IF YOU WISH TO HAVE THOSE AMOUNTS COMMUNICATED TO YOU PLEASE CONTACT LOIS ASHLEY AT ccpsrfn@gmail.com)
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	<p>be renovated and allocated to members</p> <ul style="list-style-type: none"> • SRFN may create a new position within the consultation department, but not at this time. Mandate is to protect and preserve as we as a nation see fit and necessary. Proposal driven projects have been successful to this point. • We fund more education opportunities than we get funded for same with the social program. 	
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MEMBERSHIP QUESTIONS:

ELEANOR SOWAN asked what kind of changes would be considered for the membership code and How would the membership provide feedback to the administration office?

COUNCILOR TWIN answered that one of the main changes would be the development of an Elders committee to review all membership applications and any other changes that the Nation thinks would make the application process more complete, accurate and easier to use. Members can ask questions and submit thoughts and suggestions on the Nation website.

LOIS ASHLEY added that another item to be considered would be adding at least one more generation of family history to assist in the review process. It was suggested by ESTHER GIROUX that possibly each member should submit a genealogical history with their applications and DUSTIN TWIN JR replied that the idea could be considered during the amendment process.

JOAN GIROUX informed the group that another band requires DNA for some applicants where paternity may be in question and that the bands that require DNA are responsible for the payment of the test.

CHIEF GERALD GIROUX stated that this membership review process would happen over several meetings to ensure that all members have an opportunity to provide input and feedback for the membership code amendments, and would not be completed until after the election in June, 2019.

ESTHER GIROUX suggested that the band members decide who is approved.

JEANETTE RIVEST asked whether off or on reserve members will be part of the amendment process COUNCIL informed the group that all members will part of the amendment review.

CHERYL SHELDON asked if there was an appeal process in place and if yes, then to provide clarification of the appeal process and asked how adoptive dependents are considered in the application/approval/denial process

COUNCILOR TWIN responded that there is a copy of the appeal process on the band hall board and that the adoption applications must be considered on a case by case basis due to several requirements in the membership code criteria along with the traditional adoption cases.

CHIEF GIROUX also added that the process includes a community review of the administration wall where applications are posted for 30 days, if there is an appeal of an application, the membership would vote to approve or reject said application.

IAN BAILEY explained that INAC is who decides who is entitled to status and puts them on the general band list.

RICHARD DAVIS commented that, because of the changes in legislation including Bill C-31 and Bill C-3, grandparents have problems getting their treaty status and that the government has taken First Nations freedom to choose who to marry and have children with and that needs to be fought for with the governments.

CHIEF GIROUX responded with an agreement to add it to the Treaty 8 meetings items as the Deputy Grand Chief.

ELEANOR asked for an explanation of the Constitution and what it means for the Nation and to have it explained as simply as possible.

CHIEF GIROUX explained that the Constitution is necessary to be able to be a fully self-governing nation, and that it determines who we are as a Nation, what we want and how it is to be done. He further suggested that members visit other Nations websites that have developed their own constitutions and have them available to view on their websites to get a better idea and understanding of what it involves and looks like. A couple of the Nations mentioned were Sawridge and Kapaweno.

HUGHIE CHALIFOUX recommended that the membership code be abolished, and SR should just accept everyone who is eligible to be band members to automatically be added to membership list.

IAN BAILEY responded by saying that SR is a section 10 Nation that looks after and is responsible for the control of their own membership and process.

LEIGHA HUNT suggested having an off reserve review committee in Edmonton for new applications.

CHIEF GIROUX stated that all membership have to decide and agree on proposed changes and vote on it.

SHAWNA JEAN asked for a timeline to have this process completed.

CHIEF GIROUX responded with the logic to have the Constitution developed along with the Membership code to reduce costs and time and the importance of having a Constitution to protect our community. He further stated that the power is within the membership and its up to the membership to decide when and what changes or developments are needed and then we would have a referendum for all decisions and changes

SHAWNA JEAN reiterated the need to have a timeline so that all members have an opportunity to participate with the planning.

ESTHER GIROUX suggested taking these next few months to collect all feedback and timeline to draft final document after the election.

COUNCILOR TWIN replied that if we get lots of feedback that we would have a referendum after that to approve the final draft.

IAN BAILEY stated that it is important to have community buy in so that the Nation can get enough feedback to develop a draft.

TRUST QUESTIONS:

IAN BAILEY provided a general overview of the trust, explaining that the trust was set up early last year after the PCD was distributed to the Members, with monies deposited into a capacity building account within the trust, in addition to the minor trust and as of December 31, 2018 there had been a loss of approximately \$300,000 in the capacity building account due to a loss in the investments within the stock market.

CARRIE KUCHAR asked what was happening with the minor trust and the interest.

IAN BAILEY replied that the minors pay out would not accumulate any interest until after the first year. Minors turning 18 will have to contact the SRFN finance department to make arrangements to receive their payments.

HUGHIE CHALIFOUX asked why the remaining amount of 12,000.00 the original 42,000.00 per member had to be returned to the trust.

IAN BAILEY explained how the distribution of the money was voted on by the Members during the ratification of the Agricultural Benefits Settlement with Canada.

SHAWNA JEAN asked what the process is for the investments and that membership should have a say in what is being invested on the memberships behalf or at least be informed on a regular basis regarding the status of the investments and financial information concerning the trust. She also stated that she has experience with investments and the process involved and that she has access to reports and information as needed and that this same access should apply to the Nations Investors/investments.

CHIEF GIROUX explained that the investments so far have been low risk.

SHAWNA JEAN replied that membership should be able to access these investments and have input to the investments.

IAN BAILEY responded with the information that the Investors provide an annual report which had not happened yet as the money was only deposited into the trust from March, 2018, but they should be submitting a report once the full year has passed. The investments will continue to be low risk and regular reports will be submitted after March.

SHAWNA JEAN stated that in her experience, that as an investor, there are opportunities to pull out of any investment at any time, even out of a low risk scenario and suggested a more frequent reporting process so that the membership has the opportunity to be informed, possibly monitor and have input into all investments. There are band members who have the experience, qualifications and skills to be able to participate in these activities

CHIEF GIROUX and COUNCILOR TWIN agreed that the Nation have more frequent updates and reports from the investors regarding the monies invested and advised IAN BAILEY to follow up with that action with the investors to have them submit quarterly reports.

CARRIE KUCHAR brought forward the importance of transparency regarding the Agricultural Benefit trust, investments, Chief and Council books and the availability of meeting minutes.

COUNCILOR TWIN offered an “open door” policy to visit with him, ask questions, get updates and stressed the importance of meeting and sharing more often. He also acknowledged that the Nation needs to strengthen the communication between membership and leadership and that is being addressed immediately and strategies have been put in place to close those gaps. It was also pointed out that this Chief and Council do not take any other monies other than their salaries and the set amount for travel and said that Swan River council have the lowest salaries than any other Nation in this area.

RICHARD DAVIS asked regarding the Trust, and prior to disbursement of money, if the Nation is limited to having options for trusteeship.

IAN BAILEY replied that it was a requirement of the Agricultural Benefit agreement that a corporate trustee be assigned and that establishing a board was another.

LEIGHA HUNT asked what bank holds the trust.

IAN BAILEY stated that it was the Royal Trust Corporation of Canada, a division of Royal Bank of Canada and that the bank is bound by a clause in the agreement to provide an update through annual presentation.

SHAWNA JEAN asked how much money is being paid to the Trustee.

IAN BAILEY stated that the investors have been paid \$106,000.00 as investors and for expenses such as filing and reporting. **(Post meeting note: The annual cost will be provided along with the annual report in or around March)**

SHAWNA JEAN inquired into who the trustees were at this point. (Post meeting note: The Royal Bank of Canada is the Trustee)

CHIEF GIROUX replied that it was up to the Chief and Council to appoint a trustee/investment company.

HUGHIE CHALIFOUX asked who is on the board.

COUNCILOR TWIN responded that there is no board at this point, but the council/band manager reviewed approximately 40-50 resumes that were submitted after the call out to review and hopefully select the required 3 seats.

HUGHIE CHALIFOUX said he didn't recall a call out for resumes

IAN BAILEY reminded the group that the reasons for the Board was part of the ratification package that was provided to members for the ratification of the Agricultural Benefits Settlement with Canada.

COUNCILOR TWIN explained that the council are focusing on individuals that have a business/financial background and proven ability and record in terms of bringing financial independence to the Nation through business opportunities

SHAWNA JEAN stated that it should not be up to Chief and Council to decide who sits on the board and the membership should have a say who is to sit on the board.

IAN BAILEY explained that the Nation is in the final stages of establishing a board which will consist of 5 individuals in 3 categories that consist of 3 external seats for those that have a business/financial background, 1 member of the Nation and 1 Elder who will be chosen at the General Assembly of Elders on February 7, 2019. The terms of the seats will be held as follows;

2 of the 3 external seats will be changed every 2 years;

1 of the 3 seats will be every three years;

The Nation members term will be 2 years;

The Nation Elder will be an annual seat.

Further, once the board has been established and functional, band members can approach the board with business opportunities, proposals, etc.

HUGHIE CHALIFOUX asked when the members can expect any payback from the investments.

IAN BAILEY responded that it is not an "individual payback".

COUNCILOR TWIN added that it could be eventually, a PCD may be possible if the business investments result in a "money pot" that is left over from the focus areas such as housing and education.

SHAWNA JEAN inquired into the roles of Todd Bailey, Joe Wadden and Ian Bailey (no relation to each other).

TODD BAILEY explained that he was hired in June as the Forestry Manager. He was formerly employed with West Fraser co. and was a strong opponent during negotiations with Swan River.

SHAWNA JEAN questioned why Swan River would hire the same person that was making things difficult and challenging the nation to work within our consultation department?

TODD BAILEY explained that his interest in working in consultation as forestry manager is as a concerned environmental champion and has had several meetings with Tolko and West Fraser to increase site visit capacity which has started with a few site visits before Christmas. He has also been effective in improving the process of the site visits with better training for the staff, elders and other field personnel to assist in the proper identification and documentation of concerns on the traditional lands that will have an impact on the lands and practices.

RYAN DAVIS explained that Todd was hired with SR due to his experience and expertise with the lands and is now working with consultation to develop a stronger, more detailed consultation process to help with the "protection and preservation" mandate of the department. SR has come a long way due to Todd's contributions during the last 6 months. He has streamlined and strengthened the consultation process between Forestry and Swan River and improved the communication and engagement process within the consultation department as well as increased the relationships between Industry, Government and SR because of his expertise. So far, there has been meetings held with the Elders, mapping meetings with the Elders. The general plan will be to meet with the hunters in our area, protecting our treaty

rights to hunting and fishing. Todd is also the president of the Lesser Slave Lake Watershed Council so we know that he has a personal interest in the environment and its protection.

SHAWNA JEAN asked if Todd submits quarterly reports will be available

TODD BAILEY said that there are no reports at this time but will be available in the near future after he does some more research into what is needed.

PEARL MCREE wanted to thank the education department and council for supporting her son, Dallas Hunt, throughout his career aspirations. He just completed his PHD.

COUNCILOR TWIN added that the band bought some of his recently published book for the school

COUNCILORS GIROUX, TWIN AND CHIEF GIROUX answered that the roles of Joe Wadden and IAN BAILEY were as our Band Managers/ legal advisors and we got them as a "2 for 1" deal to be responsible for the Bands contracts and agreements such as all the funding for Education, Forestry, Health and any other department that is operated under funding agreements.

ROSE BELCOURT asked if Todd Bailey was responsible for the logging trucks that are a hazard on our roads and if there was anything that could be done about making sure they are running more safely on the highways

TODD BAILEY answered that the logging in the Swan Hills and pine sands have been operating under the government since 2005 to address such concerns as Mountain pine needle and timber loss. He is not involved with those parties, but all issues and concerns could be brought forward to the Forest Management Plan. This could also brought up with the Knowledge keeper group that meets once per month.

HOUSING QUESTIONS;

SHARON DAVIS asked how the selection of the 16 new homes were allocated and who is on the housing committee?

COUNCILOR TWIN responded that there were 5 members of the housing committee, but he could not remember the former members of the housing committee -with possibly Jackie Neron's name, not sure who the others were. He also explained that the housing committee chooses names that fit the criteria in a "points system" formula and in line with the criteria from the housing policy. People who are on the housing list can call to find out their status of their applications by calling the housing department.

SHARON DAVIS responded by saying that the criteria should have been brought to the membership for review.

COUNCILOR TWIN explained that the criteria was changed to meet the needs of ALL members including the singles who are often left out because of their status as a single. One suggestion being considered is to request single dwelling homes when selecting new homes for membership.

SHARON DAVIS requested that the housing committee be reviewed.

COUNCILOR TWIN replied that it would not be done at this point.

SHAWNA JEAN pointed out that Swan River has no HR personnel and questioned this issue.

COUNCILOR TWIN responded that if SR had the budget for it, SR would have the HR personnel and is aware that we have members, specifically Carrie Kachur, who specializes in HR management. Monthly meeting minutes will also be available from this point on.

LEIGHA HUNT asked if SR could send some youth to the youth conference being held in Slave Lake.

COUNCILOR TWIN said we could probably send a few and that Jared Sowan had an announcement to share with the group regarding the Energy Audits.

JARED SOWAN announced that we have a week left to complete 68 houses for the Energy Audit and are facing challenges trying to get those numbers filled so the program is now opening the spots for anyone who would like to get their homes on the list for an energy audit. The houses that are chosen and have completed energy audits on their homes are the only ones that will be funded to repair when we apply for the retrofit program funding dollars. He explained that the purpose of these energy audits is to repair areas of heat and energy loss that will reduce the energy costs of maintaining all the homes, and so far we have done 18 houses out of the 68. There are 2 men from the energy company who will be doing the energy audits and reporting the areas that need attention and fixing and will take up to 1 ½ to 2 hours to complete so we are looking for 50 more houses to complete. Please see Jared at the end of the meeting if you are interested.

MISSY asked if the energy audits could be done if, as a band member, the houses they own could be audited as well?

JARED SOWAN responded that we could do them if people are interested.

SHARON asked again how the housing committee is formed and would like to have all the names on the committee besides Jackie Neron. She feels it is an unfair practice and system because she was given a temporary home 14 years ago with the possibility of an eviction at any time and just recently had that clause removed but still is living in the temporary home which does not meet her family' needs. Her older children can't move back home because there is no room and her rooms are stuffed with storage items because there is no actual storage space in her house. She also feels that the Housing Director be a part of the committee because he is directly involved with the housing department and should be aware of all issues and concerns within the housing matters in the Nation.

The question was asked if the Off-Reserve members who own their homes would be able to access the renovation dollars?

COUNCILOR TWIN replied that we would have to have money coming in through our investments before we could consider that option and closed off the meeting with announcing that the minutes will be available online on the Nation's website. www.swanriverfirstnation.com

Next community meeting date will coincide with the presentation from Royal Trust, to occur in March or April, 2019 and will be communicated at a later date.

COMMUNITY MEMBERS IN ATTENDANCE:

1. Robert Willier
2. April Giroux
3. Loretta Chalifoux
4. Jared Sowan
5. Diane Sowan
6. Mary Schular
7. Leigha Hunt
8. Aaron Davis
9. Gabrielle Giroux
10. Jaylene Houle
11. Anthony Sowan
12. Louis Sound
13. Dinah Chalifoux
14. Candy Sound
15. Nichole Davis
16. Shawna Jean
17. Anita Cole
18. Reese Twin
19. Pearl Hunt (McRee)
20. Joan Felicia Giroux
21. Rose Belcourt
22. Ralph Davis
23. Gloria Giroux
24. Gordon Courtorielle
25. Roddy Twin
26. George Baker
27. Estelle Baker
28. Rose Willier
29. Carol MaCeachern
42. Jeanette Rivest
43. Joanne Giroux
44. Richard Willier
45. Eleanor Sowan
46. Neil Sowan
47. Dez Giroux
48. Gail Bellerose
49. Holly Sound
50. Clayton Davis
51. Trish Davis (Penner)
52. Marilyn Davis
53. Sharon Davis
54. Cheryl Sheldon
55. Leroy Sowan
56. Amanda Sheldon
57. Lloyd Davis
60. Lorraine Davis
61. Ryan Davis
62. Richard Davis
63. Jada Twin
64. Ben Domack
65. Tia Twin
66. Shelley Bigcharles
67. Melissa Davis
68. Sharleen Willier
69. Cindy Giroux
70. Peter Sound
71. Donna Sound
72. Brian Willier

30. Jerry Davis
31. Nicole McIvor
32. Michelle Davis Giroux
33. Linda Twin
34. Kevin Twin
35. Greg Twin
36. Carrie Kuchar
37. Esther Giroux
38. Ernest Dumont
39. Clarence Sound
40. Sharon Courtoreille
41. Hughie Chalifoux
73. Raymond Giroux
74. Don Willier