



East Side Planning Initiative

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Broad Area Planning

Minutes

EAST SIDE FIRST NATIONS COUNCIL MEETING

February 10th & 11th, 2005

CharterHouse Hotel, Winnipeg, MB

Thursday, February 10, 2005

Present: E. Wood, E. Green, J. Ticknor, J. Cromarty, J. Campbell, P. Barnard, C. Black, H. Moneas, P. Miller, D. Markham, Acting Chief J. Daniels, O. Johnson, Chief J. R. Harper, O. Turtle, J. Jack, R. A. Mason, Chief B. Colon, M. Courchene, L. Monias, Vice-Chief J. Harper, P. Kanabee

Regrets: P. Fontaine, N. Keeper, E. Hudson, Chief F. Harper, L. McDougall, B. Wood

Staff: B. Anderson, R. Ratte, P. Williamson

1. Opening Prayer

2. Introductions – Co-Chair Ed Wood

- Mr. Wood recognized Jim Campbell, the Métis representative for the residents of the east side of Lake Winnipeg and informed the ESFNC that ESPI has not received the official appointments from the Minister's office. Mr. Wood then asked each member to introduce themselves and what organization they represent. Staff also introduced themselves.

3. Review and Adoption of Agenda – Co-Chair Ed Wood

Mr. Wood asked for any additions:

1. Gov't to gov't process – Minister of Health Tim Sale's Letter.
- Good Faith Issue (assigned 7.1 on the agenda).
2. Videos – ESRT and Great Lakes Indian and Fishing Wildlife Committee will be seen later.
3. INAC - Hiring for one or two persons for consultant position(s) (assigned 7.2)
4. Council of Chiefs (COC) instead of PCC meeting.
- COC meeting to continue on Friday Feb 11, 2005 at 1 pm if there is quorum.

2005-02-10-005 Motion: To adopt agenda as revised agenda. Accepted by Consensus.

2. Review and Adoption of Minutes dated Dec 13, 2004 – Co-Chair Ed Wood

The minutes were read by Ed Wood and the following changes were agreed to:

2. *Status Report Recap*: Reword sentence to reflect “five (5) members including representatives of four (4) stakeholder organizations and one (1) seat for the Métis representative resident on the east side of Lake Winnipeg.”

4. *Terms of Reference* Part c Planning and Coordinating Committee – Change “have” to “how” to proceed with Broad Area Plan.

- Remove item number 5 Lunch.
- Put item 4 and Item 6 in correct order.

2005-02-10-006 Motion: To adopt the minutes as revised. Ticknor/Daniels M/S/C.

3. Business Arising from the Minutes – Co-Chair Ed Wood

Status Report – Ed Wood

The recap of Mr. Wood’s report is in the adopted minutes as well as the make up of the ESFNC and quorum.

Independence of the process – Mr. Wood continues to bring this to the ministers’ attention.

4. ESFNC Updates

a. Co-Chair Ed Wood

Community Visits/Community Input

Mr. Wood recapped that the status report was delivered to the minister and the minister responded at the meeting on Dec 13, 2004 and in his press release. He stressed that it was important for us to take the status report back to all communities for their responses to the report. Some communities may have problems with the status report and we need to hear from these communities. There are many other issues as well that we need to respond to from the communities.

Discussion on Community Input to Status Report

A discussion ensued on how we will get responses from the communities on the report. The process undertaken in first round of community visits was reviewed; we now have to return to the communities and the communities will be given an opportunity to make comments and suggestions. It was pointed out that ESFNC should be reviewing the report with first nations governments and should be reviewing the recommendations democratically. This proposal is set out a Public Information Exchange in PCC report to be heard later. It is the constitutional rights of First Nations, Métis and all Manitobans are kept informed on all issues.

It was also stressed that this is an interim report “Promises to Keep”; this process is just a stepping stone to the final completion of the plan. The Status Report does not present final position but is just a starting point for the discussion.

Government Response to Recommendations

Mr. Wood also stress that we needed responses from the government on the other recommendations; the minister has indicated that they are working on the responses. Bill Anderson has been working on collecting the government responses to the recommendations from the government side and is developing a matrix and keeping track of what responses we have received. Bill's role is to collect and maintain record of the departments' responses. Mr. Wood then asked Bill Anderson to update us on the Interdepartmental Working group activities.

Interdepartmental Working Group

Bill reported that the Interdepartmental working group meets monthly; have set down a schedule of meetings until the end of the year and he is expecting responses from Forestry, Conservation, and Mines soon. The interdepartmental working group (IDWG) is intending to prioritize the recommendations and would like to have the opportunity to attend the next ESFNC meeting to present and discuss their progress.

Discussion on Gov't Responses/Interdepartmental Working Group

Members feel there was a need to have the department comments ahead of the meetings and between meetings. Mr. Wood has asked that government make them available; however, until there is an official position, we will not be given the responses, but we will ask again.

Timelines and Targets

Mr. Wood also mentioned to the ministers that we need to establish some timelines on when things need to happen. He stressed that ESFNC needs timelines for our own activities as well, such as when do we visit the communities with the status report; need some targets and need to adjust them as we go along. The secretariat is working on the timelines and what should be the agenda for the year; not necessarily a firm agenda but we need to get the communities' responses soon.

Discussion on Timelines and Targets:

There was general agreement that we need timelines to keep the process going and the Protocol of Agreements should be in place before possible election or changes in government.

Staffing Levels

Mr. Wood reported the staffing levels at the ESPI secretariat have changed; down to one administrative assistant; one administrator, one planner and one acting executive coordinator. These staffing shortages have been brought to the attention of the ministers. Mr. Wood mentioned that he has been personally more involved in the management and administration at ESPI, but he doesn't want to be so involved. Rick Ratte has also spent more time at ESPI. He commended Joan Jack for the tremendous amount of extra work in leading the Planning and Coordinating Committee; also commended Chief Moses Okimaw for his extra work on the Protocol Negotiating Team as

well. Mr. Wood also thanked all members of the ESFNC for their ongoing commitment.

b. ESFNC Elder – Ed Wood

Mr. Wood indicated that we need an elder to attend meetings and outlined the options - to appoint a certain elder or to rotate an elder from each community.

Discussion:

Elder Thomas Crane from Bunibonbee was asked for previous ESFNC meetings. However, as noted at previous ESPI Elder's meeting in December, 2003, all elders have different knowledge to share.

It was suggested that we rotate elders and youth should have the opportunity to attend as well. A further question was raised as to whether we were being inclusive and it was suggested that we include women in the ESFNC meetings. It was also suggested that Mr. Ed Schreyer on Round could be invited to some meetings for advice and his political savvy; his presence might benefit our initiative. The honorarium for an elder should be the same as the ESFNC members and as a chief.

2005-02-10-007 Motion: That each First Nation invite an elder, a youth and a woman on a rotating basis to participate at ESFNC meetings.
Consensus.

Discussion

- Elder, youth and woman should be invited alphabetically by First Nation or by region-south, central, north.
- ESPI and Ed Wood could be responsible for ensuring representation by region.

Action Item:

It was agreed that:

- Sagkeeng First Nation would bring elder to the next ESFNC meeting.
- Norway House Cree Nation would bring a youth representative.
- Bunibonbee Cree Nation would bring a woman representative.

6.3 Planning and Coordinating Committee (PCC) – Joan Jack

Joan Jack introduced herself and reviewed PCC's role and membership (See PCC Jan7-9, 2005 approved minutes distributed).

1. List of Motions

- Jack reviewed the PCC motions:

2005-02-10-008 Motion: That ESFNC endorse the PCC Motion 2005-01-09-001
Structure: Moved that the expansion of PCC membership to ensure full representation throughout the planning area and to track the process development in

that the Protocol Negotiating Team is seven. It is proposed that one member be added to include another First Nation seat for the Cree in the far north.

Chief Bailey Colon agreed to sit on the PCC.

2005-02-10-009 Motion: That ESFNC endorse the PCC Motion 2005-01-09-002
Structure: The PCC will function as the first point of contact for proponents to present land use and development proposals with the understanding that the proposed activity will be measured against the report recommendations and that information will be gathered and prepared for consideration by the ESFNC.

Furthermore, by presenting the proposed development to the PCC, the proponent shall not construe this action as restricting or compromising or fettering the Aboriginal and Treaty right of the FN governments affected. [Also see Status report R. 5.1.10, R. 5.1.13]

2005-02-10-010 Motion: That ESFNC endorse the PCC Motion 2005-01-09-003
Technical and Research Needs: It is recommended that the PCC be given the authority to engage the professional expertise necessary to ensure that the ESFNC decisions are implemented.

2005-02-10-011 Motion: That ESFNC defer other PCC Motions 2005-01-09-004 and 2005-01-09-008 to Friday, Feb 11, 2005 after discussion on working groups.

2. Approved Minutes of PCC and attachments distributed

6.4 ESFNC Terms of Reference Draft 3 – Peter Miller

6.4.1 Draft 3 Terms of Reference dated Feb 9 2005 was reviewed by Peter Miller and discussed by the ESFNC as a whole.

Action Item: Revisions to be incorporated into attached
6.4.1 Draft 4 Terms of Reference with listing of noted changes.

Action Item: PCC needs to discuss 9.3 of document further and report back to ESFNC with a recommendation.

6.5 Structural/Organizational Development to Date – Bill Anderson

Bill Anderson provided a handout which reflects information put together by Bernie Wood, Acting Executive Coordinator (Draft 2). The document is trying to identify all parties in the process; merely a discussion paper for review of the structure of ESFNC, PCC, PNT, etc. and how the roles and responsibilities and reporting relationships of ESPI may be integrated; Brian Wilkes has been contracted to assist with strategic work plan.

6.5.1 Draft 2 attached for review.

7. Council of Chiefs (COC)

7.1 INAC Funding at Council of Chiefs – Joan Jack

Joan Jack outlined actions taken so far on this issue. To facilitate the community visits to First Nation communities for the purpose of getting input on the broad area plan and the status report to date, ESPI partnered with Keewatin Tribal Council (KTC) and put forward a proposal to Indian and Northern Affairs Canada (INAC). The INAC funding was delayed with the terms of reference being received by KTC just last week. \$350,000 has been promised for community input and community development planning with \$20,000 to KTC for administration fees.

7.2 Protocol Negotiations Team - Joan Jack

Joan Jack reported that the Protocol negotiations are slowly moving ahead. The First Nations team is made up of Charlie Black, Roy A. Mason, Chief Moses Okimaw, Nelson Keeper and Joan Jack with Ed Wood as chairperson. The provincial team is made up of two (2) people-Jane Gray and Ron Missyabit now due to a previous member of the provincial team resigning to take another career opportunity. Only \$27,000 is budgeted by the province for Protocol Negotiations. This amount is not enough and we need to raise this issue with the minister at the next ESFNC meeting. Chief Okimaw has also written letter to minister about funding for legal counsel for the First nations protocol negotiating team.

Discussion

There was a feeling that there are not sufficient resources behind the provincial negotiating team and the ESPI secretariat. However, it is exciting for the First Nations side with two lawyers on the team. We have to be reminded of the spirit of the negotiations and take direction for the Counsel of Chiefs. We want to leave this for our future generations.

PNT does not have decision making authority; the team is representative of the regions (south, central and north) and by the members at the table. Planning and organization process is the intent of the PNT. We have created our first draft on what the protocol may contain.

7.3 Government to Government Issue – Chief Joe Daniels

Chief Joe Daniels reported that Minister of Health (Provincial) Tim Sale wrote a letter (Jan 05) to the Minister of Indian and Northern Affairs (INAC-Federal) concerning a personal care home located in Manitoba and its licensing. This issue was not discussed with the chief and council before writing INAC. The letter indicated that the province would be willing to provide interim licencing; There is a concern about the lack of government to government relationship; we are questioning government to government relationships in the Memorandum of Understanding; there are other issues – resource issues, experts involved in the process of the protocols; the province has experts in the protocol negotiations but when we try to bring in lawyer from Toronto, the province says there is no money. This should be of concern for everyone around the table. This is the way our ancestors intended it to be;

Aboriginal includes all of us; we have our jurisdictions. Ministers must converse with each other.

Discussion:

We would like to be consulted and involved when the provincial government is working on an issue in our communities. (Example: interim licensing of a personal care home). We want to be able work together for benefits for our communities; the provincial government met with the political organizations of Keewatin Tribal Council (KTC) and Manitoba Keewatinook Ininew Okimowin (MKO) to address the issue of the personal care home but did not talk to the chief or council. We are not trying to disregard the dialogue that has gone on; the letter sent to the minister of INAC indicates that Manitoba supports the first nation in getting a licensing authority for the personal care homes. The part that we are upset with is that we were left out of the loop; government to government should include the chief and council. Another example is the Long Plains meeting. Here, MKO and KTC were invited but the information needs to flow to the chief and council not just MKO and KTC. A further example is Protected Areas Initiative which is affecting Seymourville and Black Water. The province is trying to protect the forest and we are trying to create more jobs. We were told that the meetings were not consultation, but PAI turned it around to be a consultation. We wonder whether this direction came from the minister or from just one person in a department.

2005-02-10-012 Motion: That the six ministers involved with this initiative be invited to the next ESFNC meeting for the specific purpose of requesting that they provide clear examples of how they are directing their respective ministries to work with staff to undertake government to government relationships. Furthermore, the ministers are invited to share any responses to the 102 recommendations that they may have. Chief Bailey Colon/ David Markham Carried.

Action item: Ed Wood to invite Ministers and notify the National Chief / co-chair of the upcoming meeting.

8. ESFNC Name Change Discussion – Joan Jack

Joan Jack reported that it was mentioned in during protocol negotiation team meetings that the East Side First Nations Council may want to use an indigenous name, since council includes some people that are not First Nation. The thinking behind this was a new name; new energy; new monies; new stage; more serious commitment. The other option was to rename ESPI and the entire process.

Discussion:

It was suggested that the name could be Oji-Cree word which reflects the combination of all languages in the ESPI area or there are some words common to all languages and research could be undertaken by someone with expertise. However, a name change could be confusing; often when an organization changes its name it is still called the old name. There are also costs involved in a name change;

Action Item: Referred back to PCC for further discussion and recommendations.

9. Presentation - First Nations Limited Partnership / Manitoba Forestry

Albert Sutherland and Fred Meier provided a presentation on the Southern Hardwood Development Project and answered questions. The FNLP is seeking views from ESFNC. Presentation is attached as information.

Action Item: Accept the presentation as information.

10. Presentation – NACC – Reg Mead

A letter from Northern Association of Community Councils and the ESPI response was distributed. Reg Mead, president of NACC outlined the NACC request to join the ESFNC.

Action Item: NACC referred to PCC- outline the options pros and cons for the next ESFNC meeting.

11. Request from Gerald Flood, Wpg Free Press – Letter

Rick Ratte introduced G. Flood and the email from G. Flood was distributed. Gerald Flood gave short presentation on his background and outlined his request of wanting to tour the east side of Lake Winnipeg, asking for cooperation in visiting communities and discussing and reporting on such topics as protected areas, eco-tourism, the all weather road, cost of energy, MB Hydro.

It was suggested that Mr. Flood research the ESPI web site and get background information on First Nations before visiting the communities.

Action Item: Rick Ratte to provide contact information to Mr. Flood.

12. Adjournment - Meeting to carry on Friday, February 11, 2005 9:00 am.

Friday, February 11, 2005

9:00 am to 1:00 pm

13. Opening Prayer – Ed Wood

Present: E. Wood, J. Ticknor, J. Cromarty, J. Campbell, P. Barnard, C. Black, H. Moneas, P. Miller, D. Markham, J. Daniels, O. Johnson, Chief J. R. Harper, O. Turtle, J. Jack, R. A. Mason, P. Kanabee, Vice-Chief J. Harper, L. Monias

Regrets: P. Fontaine, N. Keeper, E. Hudson, Chief B. Colon, L. McDougall, B. Wood

Guest: S. Scrafield, Assistant Deputy Minister

Staff: B. Anderson, B. Wilkes, R. Ratte, P. Williamson

14. Working Group Discussion - Brian Wilkes

Brian Wilkes report on the discussions is attached for information.

Community Planning Working Group

David Markham

Norway house will commit a designate; land planner

Hollow Water/Rene Barker TACC group

Poplar River

Action Item: ESPI to follow up on Hollow Water and Poplar River.

Communications Working Group

Black River representative to be designated

Phillip Kanabee God's Lake

ESPI to canvass for third member

Action Item: ESPI to contact Sagkeeng; Black River for designates.

Transportation

Jim Ticknor

Designate from Berens River

Designate from Garden Hill

Phillip Kanabee

Peter Miller

Action Item: ESPI to contact Berens River and Garden Hill for designates.

15. Closing Prayer – Roy A. Mason

16. Adjournment – Adjourned at 12 Noon

Next Meeting: East Side First Nation Council

Mon April 11, Tues April 12, 2005

Ministers to be invited on the first morning 10 am to 12 noon;

Radisson Hotel Downtown, Terrace Room

Council of Chiefs

Proposed date Wed April 13, 2005 9 am to 12 Noon

Radisson Hotel Downtown

Protocol Negotiating Team

Tuesday, March 15, 2005; Wednesday, March 16, 2005 Joint PNT
Canad Inn Polo Park

Planning and Coordinating Committee

Thursday, March 17, 2005 9 am

Canad Inn Polo Park

Proposed date: Wednesday, April 13, 2005 1:00 pm to 4:30 pm

Radisson Hotel Downtown

List of Motions:

2005-02-10-005 Motion: To adopt agenda as revised agenda. Accepted by Consensus.

2005-02-10-006 Motion: To adopt the minutes as revised. Ticknor/Daniels M/S/C.

2005-02-10-007 Motion: That each First Nation invite an elder, a youth and a woman on a rotating basis to participate at ESFNC meetings.
Consensus.

2005-02-10-008 Motion: That ESFNC endorse the PCC Motion 2005-01-09-001
Structure: Moved that the expansion of PCC membership to ensure full representation throughout the planning area and to track the process development in that the Protocol Negotiating Team is seven. It is proposed that one member be added to include another First Nation seat for the Cree in the far north.

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List of Attachments:

- 01 Approved Minutes of PCC
- 02 Draft Terms of Reference Dated Feb 9, 2005
- 03 Draft 4 Terms of Reference Dated Feb 10, 2005
- 04 PCC List of Motions
- 05 Structure / Organizational Development
- 06 First Nations Limited Partnership – Power Point Presentation
- 07 NACC request for Representation: a) Letter, b) ESPI Response
- 08 Email from G. Flood, Wpg Free Press
- 09 Brian Wilkes Report – Working Group discussion Feb 11 2005

List of Action Items:

Action Item: It was agreed that:

- Sagkeeng First Nation would bring elder to the next ESFNC meeting.
- Norway House Cree Nation would bring a youth representative.
- Bunibonbee Cree Nation would bring a woman representative.

Action Item: Revisions to be incorporated into attached
6.4.1 Draft 4 Terms of Reference with listing of noted changes.

Action Item: PCC needs to discuss 9.3 of document further and report back
to ESFNC with a recommendation.

Action Item: Ed Wood to invite Ministers and notify the National chief/co-chair of the
upcoming meeting.

Action Item: Referred back the issue of ESFNC name change to PCC for further
discussion and recommendations.

Action Item: Accept the FNLP presentation as information; ESPI to thank presenters.

Action Item: NACC referred to PCC- outline the options pros and cons for the next
ESFNC meeting; ESPI to write NACC with decision.

Action Item: Rick Ratte to provide contact information to Mr. Flood.

Working Groups:

Action Item: ESPI to follow up on Hollow Water and Poplar River for representative for
the Community Planning Working Group.

Action Item: ESPI to contact Sagkeeng; Black River for designates on the
Communications Working Group.

Action Item: ESPI to contact Berens River and Garden Hill for designates to
Transportation Working Group.