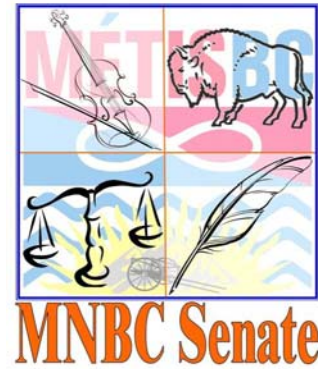


Senate Meeting Minutes

Vancouver, B.C., March 01-02, 2007

Senators present: Al Edkins, Ron Snider, Philip Gladue, Gerald Pope, Bob Adams and Bill Thibeault

Administrative assistant: Dean Trumbley



March 01, 2007 (Joint Senate/MNBC Executive)

Senator Thibeault was not present for day 1.

1. Call to order at 09:00 hr.
2. Opening prayer conducted by Senator Gladue.
3. Agenda was amended, the additions included:
 - o Agenda item 13 addition of approval of Senator Edkins to speak at forum and discussion of the Senate acquiring specific legal counsel to prevent conflict,
 - o Agenda item 14 addition for a discussion around “Fees for Service”

The agenda was accepted based on the above revisions.

Motion: *The agenda was motioned to be accepted.*

Moved by: *Senator Snider*

Seconded by: *Senator Adams*

Carried

MNBC Executive Board attendees joined the Senate meeting, the attendees were:

President Bruce Dumont

Vice-President Lorne LaFleur

Treasurer David Hodgson

Secretary Rene Therrien

4. Discussion commenced between the MNBC Executive and the Senate on a line by line assessment of the fourth edition Senate Policy and Procedure. This discussion lasted until 1:00pm.
5. Upon completion of the Senate Policy and Procedure it was discussed and agreed upon by the MNBC Executive that the P&P would be presented for ratification at the March 08, 2007 Board of Directors meeting. The Executive did not stress any concerns as to why the P&P could not be ratified.
6. The final discussion around the Senate P&P was based on the assumption that the P&P would be ratified, when the Senate could begin business using the new P&P. The end result, due to budget constraints, was to get all the information posted on the Senate webpage and try to hit the ground on appeals in the new 2007-08 fiscal year.

March 02, 2007 (Senate Meeting)

Senator Thibeault was present.

7. Call to order at 09:00 hr.
8. Opening prayer conducted by Senator Gladue.
9. Appointment of Chairperson and Secretary
It had been decided in previous meetings that the term of the Chairperson would be one year. The period of one year has now elapsed for our current Chairperson and it is necessary to appoint a Chairperson for the coming year.

Motion: Senator Edkins is appointed the Chairperson for the coming fiscal year.

Moved by: Senator Pope

Seconded by: Senator Gladue

Carried

Motion: That Senator Thibeault is appointed the Secretary for the coming year.

Moved by: Senator Pope

Seconded by: Senator Adams

Carried

Discussion on the need for an Alternate Chairperson commenced. Usual practice in many organizations, and would be sensible to have someone in case of reason why the Chairperson could not be in attendance for a meeting of the Senate.

Motion: That Senator Thibeault is appointed the Alternate Chairperson for the coming year.

Moved by: Senator Pope

Seconded by: Senator Snider

Carried

10. Policies and Procedures

Policies and Procedures document had been discussed with Executive. They are impressed with the work done to date, believe business will be carried out methodically and professionally. In discussion Senate suggests work to be done to strengthen Preamble, and add the Michif wording in headings of the forms contained in the document. Senator Gladue will work on the translation for the required forms. The forms are contained in Tab 7 of the binder from the meeting in November.

ROD – 001 - COO Trumbley would approach the MNBC Executive for a discussion on the term of Senator so that it maybe spelled out in Policies and Procedures document, with a suggestion that the term be four-years. This was to be completed during the health break.

HEALTH BREAK

Follow-up for ROD – 001 - Upon discussion with President Dumont, COO Trumbley returned with agreement from President Dumont that he would speak with rest of MNBC Executive on the acceptance of the Senate's request. President Dumont also pointed out that the terms of Senators are already staggered as the Senate appointments have spanning from 2005 to present.

The minutes of the meeting of November 22-23, 2006 and the Conference Call of January 22, 2007 were presented.

Motion: That the minutes of the meeting of November 22-23 2006 in Vancouver and the conference call minutes of January 22, 2007 be accepted as circulated with the amendment to the correct spelling of Senator Snider's name.

Moved by: Senator Snider

Seconded by: Senator Pope

Senator Adams abstained from the January 22, 2007 conference call vote due to his absence on the call.

Carried

11. Records of Decision Review (November 22-23, 2006 and January 22, 2007)

Reviews of Record of Decisions from January 22 minutes, the results are as follows;

ROD – 001 Problem rectified, it was a conference center technical problem.

ROD – 002 Completed

ROD – 003 Completed.

ROD – 004 Completed

ROD – 005 Natural Resource Offences/Appeals is one of the duties covered in the Senate Act, there is a need to discuss the role of the Senate with the BCMANR Captains Assembly. Suggested to have a meeting at the MNGA between a Senate representative and the Director of Natural Resources, Gary Ducommun, to initiate discussion. Subsequent to that, we will proceed to conference calls during the month of March to discuss role of Senate.

Motion: That Senator Edkins could speak on behalf of the Senate at the BCMANR Natural Resource Forum from March 17-19, 2007.

Moved by: *Senator Snider*

Seconded by: *Senator Gladue*

Carried

12. Regional Senator Updates

Region 1. Attended three community events. Going to attend Campbell River AGM March 3. Informed the communities on budget constraints. Planning on sash presentations to all graduating Métis students across region. Working with Regional Governance Council on activation of Métis community in Port Alberni/Cloyquot Sound. AGM for Cowichan in September, working with Cowichan tribe on relationship building.

Region 2. Very busy with history presentations at schools in region. Looking to have workshops, about two hours in length, with other Métis individuals to prepare for presentations at schools on Métis history – i.e., after the Resistance, what happened to the Métis people. Attended MNBC Assembly in Victoria. Attended Waceyá community ceremony. Rest of Senate suggested that they would appreciate having Senator Gladue do a presentation to them as an education for future presentations by members of the Senate.

Region 3. No Senator in place at this time.

Region 4. Attended meeting in Nelson, also met with registry clerk on citizenship process. No invitations to other meetings to date. Member of Aboriginal Enhancement council for school district. Going to a meeting in Golden in April. Attended the MNBC Regional Sessions in January.

Region 5. Attended MNGA Regional Sessions in Prince George in November and Terrace in January. Sessions were very good; our staff from the office did an excellent job in the presentations at the sessions. Also attended Regional Governance meeting in Prince George November and January. Participated at Christmas Party for New Caledonia Métis Association in Fort St. James. Concerns heard at Presidents meeting were on the challenges facing small communities in providing a “store-front” presence for Métis. With small numbers there were not sufficient funds to have an office presence in the communities or to provide services for Métis citizens.

Region 6. November 17th 2006 Met with Prince George Elders and Rose Bortolon in Terrace. They gave us information and help on how we can set up elders Association Terrace. November 26, 2006 Smithers AGM. I conducted the opening prayer. Gave a report on the Senate and what we have accomplished to date, and also explained our duties

and responsibilities. I also explained how the Registrars office works and the reason for the timeline for receiving the Provincial card. December 02, 2006 I attended the Terrace Community Christmas Social. Cooked turkey, dressing, buns and cake etc were served. Did the opening prayer and helped with the setting up. Attended local Community meeting and gave an update on our Senate. I am trying to get some Métis involvement in our local schools and building a relationship with our local First Nations People.

Region 7. Elections at Dawson Creek went well, carried out presentation on functions of Senate at the meeting. Participated on a trip to Fort Nelson, some challenges with functionality of community there.

13. Senate Communication Equipment

Cell phones have been provided to all Senators, with chargers, at this meeting. Also, a wheeled travel bag was given to each Senator. Laptops will be coming for all Senators In the next fiscal year. Additionally, each Senator was supplied with a 2007 MNGA resolution package. Discussed and COO Trumbley demonstrated the process for accessing the Senator's web-mail. Go to: <http://www.gmail.com>, type in username (i.e. region5senator), and password (aboriginal). Change password once logged in. Finally, each Senator was supplied with a package of 100 business cards. The Senate expressed gratitude to the MNBC for the equipment; it will be very helpful as the workload for the Senate develops over the coming year.

14. Senate Web-Page

The Senate web-page will be established as link on MNBC website. Will have individual pictures of Senators, with contact information, current personal information on site will be removed. Individual and a group photographs will be taken next week at the MNGA with a professional background and by Diane and Noel Mineault from Kiwetin (due to the possession of a high-quality camera). The web-page will be based on the following concept:

- Senate (main page)
 - Preamble (with a link to the P&P)
 - Senate composition .jpeg
 - Link to the Senate Section of the MNBC Constitution and the Senate Act
 - Professional Group Photograph of the Senate
- TABS (top of the main page)
 - Contact information
 - Individual Senators
 - Dean Trumbley (as the interim Senate Clerk)
 - Appeal process (breakdown by jurisdiction)
 - MNBC Senate forms (detailed description of all forms)
 - Decisions (simply the case title, Joe Smith vs. MNBC Registry, with a hot-link to the .pdf file, **ONLY** the .pdf will be available for download)
 - News and current events

ROD – 002 - Senators are to send stories on recent activities to COO Trumbley, provide as much detail as you can recall on duties carried out as per the jurisdictions in the Senate Act.

ROD - 003 - COO Trumbley will work with Claire Spivey (MNBC Communication Officer) to begin setting up the Senate web-page.

15. Senate Clerk and “Fees for Service” Discussion

Given the current financial situation, and uncertainty around funding for a Senate Clerk, COO Trumbley has accepted to carry out the work of Senate Clerk along with his other duties. We are very appreciative of the work COO Trumbley is carrying out for us. COO Trumbley will continue discussions with the Office of the Federal Interlocutor (OFI) and Ministry of Aboriginal Relations and Reconciliation (MARR) for discussions of budget for Senate duties and services. There appears to be an acceptance by government that Senators should have some provision of payments, Fees for Services rather than Honorariums, due to tax implications. Suggestion is \$250 per month for sitting Senators, and \$350 per month for Chairperson. This could change as the Senate takes on additional duties over time. Senators expressed concerns on the costs some have borne to carry out duties of Senate. For some the costs have been very onerous. Need to ensure costs are covered, so that the Senators are not bearing personally. Senators requested that COO Trumbley send them a copy of the travel expense claims form.

ROD – 004 - COO Trumbley will have an interim budget for Senate discussion at the MNGA next week, based on best estimates for both Tripartite Self-governing Negotiations and Multilateral Contribution Agreement.

16. Case Law Kits

COO Trumbley will provide case law kits in binders next week. The binders will contain case file data for Senators to peruse, as new determinations come forward, they will be provided to Senators to incorporate in the case law kit binders.

17. Legal Counsel/Training

Concern was raised in putting Mr. Joe Gereluk into potential conflict of interest by providing legal counsel to MNBC Senate. Mr. Gereluk is counsel for the MNBC and the drafting of legislation, therefore could it could be seen as a conflict with interpretations by Senate of legislation. Suggestion is that Senate should have a different lawyer for counseling. Caution needed to ensure lawyer chosen has trial experience in aboriginal law. Lawyer is expected to provide training for Senate, as well as act as counsel when we have need due to Senate determinations. COO Trumbley presented that there may be opportunity to have training from Judges provided for free to Senate to discuss job of Supreme Court level Judge.

ROD – 005 - Senator Edkins to meet with Mr. Richard P. Nesbitt, an experienced trial lawyer who is cutting back on level of practice, to investigate possibility of his serving as our legal counsel for advice. Questions were raised as to the level of trial experience that Mr. Nesbitt has in aboriginal law.

ROD – 006 - COO Trumbley to look into possibility of having members of Judiciary to provide training for the Senate.

18. MNGA Preparation

Mr. Keith Henry, MNBC Chief Executive Officer joins the meeting.

There will be reserved seating for Senators as per 2006 MNBC AGM in Kelowna last year. Resolutions will be presented the first day; all reports will be presented on

second day. Request to have report from Senate sent to CEO Henry by Monday. Senate is requested to perform opening prayer at MNGA. The swearing in of new Senators will be carried out in English and Cree as per the 2006 MNBC AGM. Friday will consist of a meeting to discuss budget with community representatives, as well as business training, the Senate is welcome to sit on the sessions if they so wish.

ROD – 006 - Senators Edkins and Senator Gladue will conduct the opening prayer in a combination of English and Cree for the MNGA, similar to ceremony conducted at the 2006 MNBC AGM.

19. TSN and Multilateral Workplan Deliverables for 2006-07

Discussion commenced on the workplan and budget requests for Senate for this coming fiscal year. A detailed review was completed on both the 2006-07 deliverables for the TSN and Multilateral agreement sections pertaining to the Senate. All deliverables will be met but there are some conference calls that need to be completed prior to March 31, 2007. Request under Tri-Partite Self-Government Negotiations is for \$30,000.00 from each of OFI and MARR. For workload, applications for appeal will be accepted once Policies and Procedures ratified next week, expectation is that we will be making determinations on appeals early in next fiscal.

ROD – 007 - For Senate activities conducted this past fiscal year, all Senators are required to send a detailed e-mail, in point form, to COO Trumbley prior to the last week of March. This is extremely important for both financial accountability but more-so as a negotiation tool for adequate funds.

To date, Senate has had two conference calls. More conference calls are planned for the discussions with BCMANR on resource management aspects.

20. Closing Prayer conducted by Senator Thibeault.

21. Meeting adjourned: 3:00 p.m.

Approved: _____
Bill Thibeault, *Senate Secretary*