



# Acadia First Nation

Minutes of the General Meeting that took place on November 19, 2011 at the Lions Hall in Shelburne County, NS.

Chief Deborah Robinson called the meeting to order.

Chief Deborah Robinson begins the meeting with a welcome message and council introduction.

Elder Evelyn Francis delivered opening prayer.

Agenda was reviewed.

Chief Deborah Robinson briefly talks about her report which can be found in the newsletter and addresses the people on a personal note.

Next on the agenda is the selection of the Chair.

Chief Deborah Robinson introduces Chief Morley Googoo from the Assembly of First Nations as the proposed Chair for the meeting.

Chief Morley Googoo gave some background information and explained that it is important to carry out meetings that are effective and clearly communicated. He also explained that this is why he uses the seven teachings as a guide to help carry out the meetings.

Cory Francis motioned to accept Chief Googoo as Chair. Lisa Francis seconded the motion. Majority in favour. Two opposed. Motion Passed.

Chief Googoo explained the housekeeping rules of how the meeting would be carried out and ending with, if the meeting is not effective and not communicating properly he will have the authority to call the meeting to order if not productive anymore. All agreed by show of hands.

Cory Francis asked if the minutes from last annual meeting was going to be approved and if any other items would be added to the Agenda.

It was explained that the minutes would be approved first and any other items would be added during discussion period.

Grace Francis asked if the Agenda was going to be approved first and for clarification on determination of quorum and by-laws at next annual meeting.

If there were any resolutions to be passed, according to the by-laws there would have to be a quorum at the annual assembly. No quorum will be determined unless there are resolutions at the end.

Joseph Pennell motioned to accept the Agenda. Ron Paul seconded the motion. All in favour. Motion Carried.

Minutes from Annual General Meeting of 2009 were read.

Shelley Pennell motioned to accept the minutes as read. Donna Whynot seconded the motion. All in favour. Motion Carried.

A presentation on the Financial Statements was begun by Amanda Lloyd.

Rob Paul asked if there were copies of the report.

No copies provided but anyone could apply for copies from the band office and the report would also be posted on the website.

Grace Francis had questions and concerns regarding the consolidated financial report.

Amanda Lloyd addressed her questions.

Marilyn Francis stated it was unfair for a decision to be made if people did not have copies and given time to prepare questions.

Recommendation that at any future assemblies where financial reports are viewed that the membership is to be provided with copies with a maximum of seven days.

Council agreed that they would return to the communities in March allowing the membership time to review and prepare questions.

Cory Francis asked if there was a quorum?

Based on the membership, there is no quorum.

Marilyn Francis asked if there could be one meeting on financials instead of community meetings?

Council will take into consideration.

Because there were no copies for everyone to view and council made the commitment to return to the communities the financial presentation was adjourned.

Grace Francis addressed Mr. Clarke for an explanation on why there was no quorum.

Mr. Clarke stated that since at least 1990 the provision has been in the by-laws that 25% of the electors of the band is a quorum for a general meeting. A quorum is what has to be there to pass a valid binding decision. If you don't have 25% quorum, you can continue a meeting, you continue to receive information. You can give direction, recommendations, suggestions but you cannot pass binding resolutions, you can't amend by-laws, that doesn't mean you can't do a lot of useful things at the annual meeting.

At the last C&C meeting, Charmaine Stevens made a motion, it was unanimously accepted by all council. The motion was that a by-law committee would be formed because there have been a lot of questions about the by-laws having not been up-dated since 2004. The motion that Charmaine made was for the committee to be made up of one councillor, one lawyer and three band members one of which would have to be an Elder. Band members interested on being on this committee would send in their letter of intention to C&C. C&C would not select the three band members. An independent party from another organization such as APC or others would review the applications and select. The next part of the motion was over the next year to consult with the communities. It would be the committees responsibility to review by-laws with consultation to the people. Bring those recommendations back on or before November 19, 2012 to have approved by the band members. C&C think that this would be a better way to have better input from the community of what the people would like to see in the by-laws.

Cory Francis, the 2004 by-laws dated December 6, is what we are going by. Based on the quorum requirement itself that you say was enforced over the last 20 years, how then could you make a binding decision amending by-laws at a meeting that were not possible at that time, could have a quorum based on existing by-laws?

Bruce Clarke, The question is how were the by-laws amendments done in 2004 and was there a quorum for that purpose?

There were 216 people who participated in 2004 so that constituted a quorum. The passage of amendments to the by-laws were certified by notice of 2004. A copy of the minutes and by-laws were provided to Department of Indian Affairs in February, 2005. Proper notice of the meeting was given, participants were clearly told at meetings what they were voting on. Amendments were voted on separately, each one was specifically approved. The special meetings were structured in the manner consistent with how elections in Acadia First Nation are conducted and an aggregate quorum existed in a combination of special meetings. The by-law amendments of 2004 were valid and passed.

Michelle Paul wanted to know what the plans were for the land located in Hammonds Plains? Also wanted clarification on why her request to be able to sweat on the land was denied.

Michael Paul responded to Michelle Paul's question.

Cory Francis wanted clarification on how many people received the profit sharing cheque.

610 electors in Nova Scotia over the age of 18 receive profit sharing.

Bill Thibeau asked that once the by-law committee was formed, would the quorum issue of 25% be addressed?

Once the by-law committee is formed they will make whatever recommendations they feel after consulting the communities.

Lisa Francis wanted to hear from council addressing the issue in Gold River and what has brought all this change.

Council addressed this issue individually.

Chief Deborah Robinson addressed the issue in Gold River and gave her position.

Sonya Isaac addressed the council and asked a specific question of Councillor Todd Labrador in regards to the issue in Gold River. If this hadn't have taken place, how much longer would you have sat on the council without doing a thing?

Todd Labrador responded to Sonya Isaac's question.

Shannon Jermey-Ernst who is the manager of the Gold Nugget addressed the statement made by Chief Deborah Robinson and expressed her concerns and views.

Jeannie Kaulback addressed the issue of the quorum once again.

The quorum is based on the by-laws where a lengthy discussion took place and the issue regarding the quorum had been addressed and closed for discussion.

Bill Thibeau respectfully asked C&C to send out the minutes of the annual general meeting to every band member by the end of January.

Scott Jermey addressed Mr. Clarke in regards to the conflict of interest guidelines and the conflict of by-laws.

Bruce Clarke stated that since there are some issues with the by-laws that have been in affect for the past 20+ years there is absolutely a need for a by-law committee to spend some time with these and clean them up.

The by-law committee will be addressing these concerns.

Cory Francis expressed his final comments regarding his opinion of the meeting.

Meeting adjourned at approximately 3:00 p.m.