

**Qalipu First Nation  
Special Council Meeting  
March 20, 2019  
3 Church Street – Boardroom  
Corner Brook, NL**

**Topic: Urban Reserve – Teleconference**

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The meeting was called to order by Chief Brendan Mitchell at 2:00 pm in the boardroom.

## Attendance

The following members of Council and Staff attended the meeting. Some members attended by telephone as indicated.

<b>Name:</b>	<b>Position:</b>
Mr. Brendan Mitchell	Chief
Mr. Keith Cormier	Western Vice-Chief
Mr. Brian Dicks	Councillor Corner Brook
Ms. Odelle Pike	Councillor Stephenville
Mr. Bernard White	Councillor Benoit's Cove
Mr. Calvin Francis	Councillor Gander Bay (Teleconference)
Mr. Frank Skeard	Councillor Glenwood (Teleconference)
Mr. Ivan J. White, JR	Councillor St. George's (Teleconference)
Mr. Andy Barker	Councillor Exploits (Teleconference)
Mr. Jasen Benwah	Councillor Port Au Port (Teleconference)
Mr. Keith Goulding	Band Manager
Ms. Tina Diamond	Office Administrator
Mr. John Davis	QDC Manager
Mr. Gerry Kerr	Consultant (Teleconference)

## Absent

<b>Name:</b>	<b>Position:</b>
Mr. Randy Drover	Central Vice-Chief
Mr. Ivan White, SR	Councillor Flat Bay

## Meeting Overview

Chief Mitchell began by discussing the documents distributed prior to the meeting. He discussed the letter from Indigenous Services Canada (ISC) and noted that a BCR is requested to demonstrate support of the project – Qalipu Business Park/Qalipu Urban Reserve. The BCR to be signed will enable the initial funding of \$98,500.

Chief Mitchell noted that Mr. Gerry Kerr is experienced with Urban Reserve. He stated that to make an Urban Reserve successful we need a partnership and a location. There are two(2) options for an Urban Reserve:

1. Greenfield – this is an undeveloped property whereby we break ground
2. Brownfield – an example of this is land with an existing building and an option to expand

A third option is to turn the two properties – 1 and 3 Church Street- into an Urban Reserve. This location may not work.

Chief Mitchell read the “Purpose of the Proposal”

### Purpose of the Proposal:

*This proposal submitted to Indigenous Services Canada seeks funding to undertake Phase 1 of the necessary activities and approvals for the establishment of a Qalipu urban reserve (addition to a reserve). This Phase 1 initiative will be re-focused as an “urban reserve” strategy. Its primary purpose will be to identify all critical steps which will lead to identifying the best possible option for both the (1) location and (2) physical characteristics of an urban reserve. Potentially, the urban reserve will be utilized to house a Government Centre and Business Park for the Qalipu First Nation.*

*The long-term goal related to the establishment of an urban reserve is consistent with our economic and cultural objectives. It will serve both as an economic driver and as the physical center for our First Nation where cultural and governance functions will be carried out.*

Gerry Kerr: Most important factor is to determine what we want to do and how do we do it. There are advantages to an Urban Reserve, this is not Residential. An Urban Reserve is strictly for business purposes.

### Advantages of an Urban Reserve

1. No taxes paid to the business – this can be achieved thru a Municipal Service Agreement
2. No Property Taxes – this is different from business taxes
3. Members who work on the Reserve are exempt from taxes – if government offices are on the reserve, they will be exempt.

This Urban Reserve will be new not an Addition to Reserve(ATR). There is an opportunity for members to have businesses on the Urban Reserve.

### Chief and Council - Questions and Answers

Chief Mitchell gave Councillors an opportunity to ask Mr. Gerry Kerr questions.

Frank Skeard: When we add to an Urban Reserve, factors to consider are:

- Is it for the good of Qalipu?
- How many can we have?
- What is the best location?

Gerry Kerr: Important points to note:

- Parameters and the types of businesses we want on the Reserve.
- There are no restrictions on the number of Urban Reserves a band can have.

Keith Cormier: Is the creation of an Urban Reserve and additions new or has it been done before?

Gerry Kerr: It is a positive model. Qalipu will get support for Economic Development.

Andy Barker: Is there a benefit for businesses who are already in a municipality?

Gerry Kerr: We should show municipalities the positives aspects of an Urban Reserve.

Chief Brendan Mitchell: Qalipu should consult the public and businesses. We need to consult businesses who are positively or negatively affected.

Gerry Kerr: If we bring new businesses, it is positive.

Chief Mitchell: We hope to promote new businesses to the Urban Reserve.

Brian Dicks: If we poll members, we will see the members supporting the Reserve.

Chief Mitchell: What are the benefits to all staff of Qalipu?

Gerry Kerr: If the head office of Qalipu is on the Reserve, the employees are tax free.

Brian Dicks: For members, the savings are taxes on sales/purchases. What is the process for an ATR?

Gerry Kerr: First we create the Urban Reserve, for the ATR – we set a precedent and then expand.

Chief Mitchell: To clarify, all Qalipu employees would be tax free if the reserve is the head office?

Gerry Kerr: Yes, for this Urban Reserve.

Brian Dicks: We need to ensure the implication of who saves personal taxes.

Gerry Kerr: It would have to be presented clearly.

John Davis: The main priority is to establish an Urban Reserve. We are sixty-seven communities and landless.

Gerry Kerr: The decision for members should focus on whether we want an Urban Reserve. Taxes are not a priority.

Andy Barker: How many Urban Reserves are getting funding from Canada?

Gerry Kerr: None are being subsidized by government. Funding is for initial setup. Qalipu will set criteria for the Urban Reserve. Some examples include:

- Entrepreneurs
- New Businesses
- Brownfield – existing businesses
- Greenfield – land to develop a reserve

Chief Mitchell: Gerry, please comment on Brownfield versus Greenfield and the Pros and Cons.

Gerry Kerr: With a **Brownfield** concerns may be environmental and cost.

1. A Reserve is owned by Federal Government. If the land is owned by someone other than government, then the land must be transferred to the government.

2. Cost is High – where do the money come from

When we proceed, we will take 1 & 2 above and others into consideration. Please note, the federal government will not let us use land with environmental concerns.

Chief Mitchell: What is the funding for a **Greenfield** development?

Gerry Kerr: It may be Qalipu's own cost. Qalipu will need to show federal government the advantages. There is no way to determine what money is available.

John Davis: Atlantic Canada Opportunities Agency (ACOA) and Municipal Affairs may be available for funding.

Chief Mitchell: We have potential businesses who can submit letters to federal government that they are willing to be tenants or operate on a reserve. We can have clauses in contracts such as:

- Must operate on reserve for XX numbers of years
- Qalipu has first option to purchase when business wishes to sell

Brian Dicks: What are the timelines before it is an Order of Council?

Gerry Kerr: Could take four(4) years.

Chief Mitchell: I have inquired, I've heard the fastest is two and a half(2 ½) years and seven(7) is the longest.

Frank Skeard: Can we add Urban Reserve to negotiations with Federal government on enrollment?

Chief Mitchell: We have been advised by legal council – No. We don't want our members to wait four(4) years.

John Davis: If the negotiations are over four(4) years, can we get details on what is needed at each stage.

Gerry Kerr: I would recommend an Agreement in Principle. The steps will move quickly with appropriate government support.

Chief Mitchell: 1 & 3 Church Street as a reserve on its own – Would this work?

Gerry Kerr: Government wants to see economic development. We need to show that businesses are willing and able to operate. On its own, 1 & 3 Church Street would be harder prove economic development.

Odelle Pike: Should we start a Business Park?

Gerry Kerr: An industrial park would make sense.

Andy Barker: Would it be more benefit to members if it was Rural or Urban?

Ivan J White: It would be advisable to have a policy in place that allow us to deny or excise operations that have a reliance on subsidization and/or unearned revenue.

Gerry Kerr: The Reserve must be feasible, must create economic development, and Qalipu should decide the rules.

- Rural Development – developed randomly, based on the availability of vegetation and fauna in the in the area.
- Urban development – planned settlement exists in urban areas that are developed according to the process of urbanization and industrialization.

## Motion 50-18-19

A motion was made to accept the BCR as presented with changes outlined in Phase I of the Preliminary Feasibility Study.

Motioned By:	Keith Cormier	Seconded By:	Odelle Pike
Motion Carried	ALL in favour	Nine(9) For	Zero(0) Against

## BCR 12-18-19

Band Manager, Keith Gouling read the BCR presented to Council.

*That after careful review and recommendation, the Qalipu Mi'kmaq First Nation Band approves "Qalipu Business Park Study and Assessment Strategy" and the related application through Community Opportunity Readiness Program.*

BCR was passed around and signed in person by members of council present. Signatures by council members who participated by teleconference were received thru fax and email. A quorum of seven(7) was received.

## Enrollment Update

Chief Brendan Mitchell gave an update on the Enrollment process and the exploratory discussions

- Wells / Wells Implementation – The Government of Canada has received 500 responses to date, the word on the ground is that the traffic is not up but it is expected to increase substantially at the end as many are awaiting documents from the government to include in their appeal.
- Exploratory Discussions – The Chief gave an update on the talks. He provided clarification that these are exploratory discussions at this point, position papers are being drafted, the Government of Canada representatives will present a briefing note to the Ministers office and from which a Note to Cabinet will be developed and presented in the summer. The reality is that they will not have a mandate to negotiate terms until after the election and an agreement will then be struck and agreed to in 2020.

## Council Updates

Band Manager gave an update on some events that have come to light since the Council meeting.

- General Assessment – We received our General Assessment score for 2018/2019 from Indigenous Services Canada (ISC). Each year, ISC assesses our programs, and services by Indigenous Services Canada. The rate our performance based on a risk rating, the lower the better. Our rating came back today, we scored 1.0.
- Comprehensive Funding Agreement – the staff have been working with ISC on the Comprehensive Funding Agreement (CFA) and on Thursday, March 14<sup>th</sup> we signed the CFA with Canada. This will provide QFN with a ten-year funding agreement with much more flexibility and much less accountability with ISC; our accountability will remain primarily with our Membership.
- New Membership Sessions - Very well attended in Gander Bay, housing came up and was a hot topic. Councillor Calvin Francis feels that we need to reconvene a meeting of the housing. The sessions have

been well attended and quite positive. There is a real interest from our members to know about the programs and services and meet the staff that are responsible for them.

### Council Honourariums

There was a request to rescind the motion that was made to change honourarium on April 1<sup>st</sup>, 2019. It was noted that Council cannot change a motion – Council must make a new motion.

#### Motion 51-18-19

A motion was made to table Motion 46-18-19 to the next meeting.

Motioned By:	Brian Dicks	Seconded By:	Bern White
Motion Carried	ALL in favour	Nine(9) For	Zero(0) Against

The Resolution and Motion 46-18-19 related to Per Diems and Honourariums, as was presented during the council meeting dated March 9, 2019.

### Adjournment

#### Motion 52-18-19 – to adjourn

Odelle Pike made a motion to adjourn the meeting at 4:05 pm.

Minutes submitted by: Tina Diamond

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Approved By

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Certified By