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**Video Conference
October 6, 2011**

Georges Erasmus Chris Reid Felix Isiah Violet Jumbo Leona Louie
Patrick Scott Steve Iveson Kathy Paul-Drover Amber Tremblay
Bruce Littlejohn

Petr Cizek – on phone. Richard will be joining shortly.

Opening Prayer – Violet Jumbo

Logistics for day; break for lunch at 11 am MST.

DCLUP Update – Petr Cizek

Didn't prepare a written update. Interim chair on personal leave.

Main message is the chair and CEO has been elected as the MLA and needs to be replaced.

Second topic is nearing completion on the revisions. We are now having a consultant doing the formatting and copying editing.

Michael Nadli handed in his resignation on the day he got elected. Reviewed ToR from 2007, the ToR tell us that the main table needs to take action. ToR says, under participation, DLUPC appointees, reading this out. The main table must submit names to us or a list of names.

Shannon – in addition to the one text rolling draft, we've also contracted someone on the map work on the inaccuracies...

In the discussions yesterday, felt it was important to have continuity, support for Herb Norwegian to stay on the file. It seems like a natural thing for him in that capacity.

Had discussions about what to do about the position of the Chair. Splitting the duties for a half time chair, have someone to be a CEO, in Ft. Simpson. It is difficult to staff positions. Main table is aware of keeping key people in the community. Petr can give some of the ideas.

Petr – have someone in mind from Ft. Providence on a half time basis as Executive Director, to move the file forward.

Significant progress on the plan. Technical work on the zoning map. Minor revisions on the zoning. When Edehzhie was expanded, the two rivers were omitted. When Nahanni was done, the stream upriver was also remitted. We done those revisions with two map options making sure the cultural areas at the mouth of Willow and Rabbitskin be protected and the Nahanni area also.

Received copy editing and formatting and we've also had another contractor develop some of the special development zones in the zones omitted in Nahanni and Edehzhie.

The last few pieces are falling into place. October 17th, teleconference on remaining tech items. Regrouping in Ft. Providence on November 8th to determine the one final document which will include statements from each of the parties on outstanding items for the main table to resolve these things.

Shannon – Thanks to Petr, captured everything. The CEO will be a half time position is what we discussed yesterday.

Questions/comments

Georges thanked him for the report. The table hasn't had a chance to discuss the Chair. First time we are hearing about it. Spend a little time on that. Sounds like you are going to be concluding your work by Christmas, the work on the next part could start, depending on what the decision there is.

We don't have Herb Norwegian continuing on as the Chair; he played a good role there. We could consult the leadership quickly so that by the next committee meeting, we will have another rep to join you.

Petr indicated the working group meeting isn't until November. Got disconnected on video conference. Continued via conference call.

Follow up Document:

15 can be dropped. It is done for today.

16 can be dropped. It is done.

17 was brought to leadership and they asked for it in the positive.

18 – Steve discussed with MACA on undeveloped land in communities. Sent out a letter to Grand Chief awhile ago and describe the process in relation to that. MACA asked for feedback on that and they are operating on the basis of that document sent to the Grand Chief awhile ago. Can be removed.

19 – Steve indicated this is a revised chapter. Had conversation about that. Can be removed.

20 – Can be done in November. Will look into this.

21 – Remove, will be comments on this. On agenda for next week. Georges asked to remove it, asked LTC to do work over the summer.

Bruce joined in the call.

22 – 23 will leave as is.

24 – Revised chapter and on agenda today. Remove

25 – Will talk more on this tomorrow.

26 – May change. Chris indicated a few for the AiP and the rest for a final.

27 – Was for November, can have this earlier.

28 – Posted revised chapter, will leave in as a reminder.

Parks update

Laura indicated she had a call with Lee and had a call for about an hour. Committed to a meeting in November and another conference call set for more work. Chief Fred Tesou and Jonas Antoine was a no show for July session.

Break. In the afternoon, we will be using the phones.

E & E – proposed redraft on hummingbird, feds will be making the presentation as it is their document. LTC reviewed and there are extra things added.

Amber – similar to draft of August. Had a hard time with the flow of the document. Redrafted the chapters without track changes. Propose as option and the Dehcho and GNWT can give comments on the redraft.

Eric – more readable. We didn't go away from the concept.

Amber – basic concepts are still there, time frames changed.

Nothing changed on first page, Canada still reviewing the spousal definition, no changes on second page.

Chris – Amber said that the inclusion of spouses, our draft didn't have the spouse definition removed.

Amber – on footnote two, provide a definition or samples of lists so that Canada has a better understanding.

Georges – this deals with people not eligible to enroll. People who are on the Métis lists in Ft. Simpson and Ft. Providence can enroll. If you have from Hay River, you have to provide that information to be removed from that list. Fort Simpson/Providence are part of that structure. It doesn't mean you are guaranteed any more than a Band List. Everyone that applies still has to meet the criteria. Everyone has to meet the criteria list in order to get passed the door.

Amber – agrees with Georges, define Métis Local Membership List means. Chris will look into a definition for this as per Georges.

1.4 – 1.6 haven't changed. 1.7 redrafted to make clearer. 1.8-1.10 – not changed. Patrick had a concern with 1.6. You apply to be removed from another group then the enrollment committee must have proof of this.

2.4 – new one. No other changes on 2.

3.1 – new one. 3.2 a-c is the same, d is new, 3.3 added from registrar section, same concept.

Georges – in some of our meetings, there are sections were dropped. Might be worthwhile bringing back. In the old 2.6 we said “during which time”, bring this back to the document. When we were looking at the old version, trying to make sense of the initial part, one of the ways we thought of at the time is changing some wording and using old text, looking at the old one from June. Following the establishment...

Discussion happening around appeal mechanism...

Georges – the way we were doing the drafting of chapters may not have as much work as the final. Good point raised. May not be a need to shut down.

3.4 Formally 4.4. Difference is the last sentence. 4.1 – final agreement changed to Dehcho agreement.

Georges indicated we came up with different wording on this one, enrollment period; it is a continuation of what we originally started. On 4.1 wanted to know how we would know when it six months from the date.

Chris – feeling that wording was right. It wasn't meant for permanent wording, it was to make a point.

Georges – rather than using the PEP, Enrollment committee will resume.

Steve asked question in 3.0...

Georges – it would generate business, if you see a list and you are not on there, you have eighteen months for the preliminary list being developed to have your name put on there.

Eric – in regards to 4.2, things we do prior to effective date, give some thought...

Lunch break

Continued on E & E

Amber continued on from 4.2. 4.3 – provision didn't change but footnote there. People asked for clarification of language same as 1.9.

Georges would like clarification. There may be someone to apply and may be on the list, no need to reapply. This is just to have their name removed.

Steve – they may have been put on that list. Thought there was going to be a list generated. It is only an application.

Georges indicated they have to apply. You start with zero. Amber indicated we did have the band list indicated...it is removing your name from the list.

4.4 is new. Clarify that these clauses still apply. 4.5 is standard. Bruce added this list is handed over to the ratification committee.

Georges indicated that the terminology needs to be cleaned up. People that are not on the list are the ones who will be appealing. We need to refer to which committee it would be going to. Amber replied it would be the second committee; they would have the updated list.

5.0 work of the registrar. No provisions have changed in there. 6.2 – same

6.3 (c) – new. Role of appeal board. Enrollment committee and appeal committee stay on until after the registrar. (Steve)

Richard – have a way to disenfranchise yourself, should be laid out how they are able to do that. Think this is the appropriate chapter.

Georges – enrollment started after AiP. Eric indicated ours has timeframe to be determined.

Amber will be doing research on their end to look at proposed language.

6.4 - 6.7 is all new. Georges okay if they use the wording from the Tlicho. Eric wanted to know if anyone knows about this part. Georges asked Patrick to do this.

Patrick asked for explanation on 6.7. Georges indicated we are not there yet. Chris will look at this. 6.4 (a-c), first time looking at this, d – is this something you would normally find in something like this? It is not based on evidence at all. What is the precedence on this?

Judicial review – refer to finding that facts, if (d) was not there...where does this come from? BC agreement – came from there. Will go ask.

Bruce will get clarification on 6.4 (b). Patrick – no confinement within 60 days, it does not say that. Beyond sixty days, it is up to the Supreme Court.

6.8 hasn't changed at all – Amber.

Section seven has not changed. 8.1-8.3 no changes. 8.4 (a) has changed. No change in (b), 8.6 same, 8.7 same, footnote added, Dehcho to determine how to set this up. This is internal for the Dehcho.

Georges indicated that if people want to leave, it is up to them to apply for this.

8.8 – 8.12 is all the same. Footnote added on whether the register will be made public.

Chris – clarify 9.1, is there a comma missing, second line, after appeals? The intention is the whole budget applies to the whole sentence. Agreed to remove the one comma.

Ratification

As per Amber, nothing new in chapter. Same language as previous drafts.

Questions/comments

Georges – Richard asking whether or not we should be initialing them for our own use.

Eric – think about rolling drafts. Put a check mark beside each chapter that is done and it would be easier to read.

Steve agrees and thinks the rolling draft is a good idea. You could have a document you could go through with and see what is left to do. If we have a few chapters that we have to work on, they don't need to go into the rolling draft until we are finished working on a draft.

Georges – If we are talking about a rolling draft, have one chapter that we could add to it after each meeting.

Eric – despite that, shall I volunteer Amber at a rolling draft? Steve – You could give us a table of contents and we could start off with that.

First page, no changes other than the header breaking down the sections.

Georges – recommended for 120 days.

90 days is three months – Eric. We don't want to create a momentum then drop it. This comes from the enrolment list which comes from the committee. Between fax and emails, I would think this could be done in a short order.

2.3 – new, same language just separated, 2.3 (b) ii) is not new. Same one there. Footnote on iii) still the same. Georges agreed with a deadline to be put on this one.

(e) – changed. 2.4 – same. The rest of the Appeal section is the same, Ratification Vote hasn't changed. 4.3 (a) –(c) is new. 5-8 has not changed.

General Provisions

1.1 – 1.3: forms the basis of the agreement.

Georges – basic principles, we have the foundation of an agreement. Wording does not go far enough – Canada prefers it not be there.

Georges - You have the agreement outlined. With the language we are using, we are going into more detail. It is more than basic principles.

Steve – a number of chapters may be in the final language for the agreement. Georges in agreement.

Georges indicated there is more work to be done in 1.1. Georges asked if we could remove footnote three. Yes.

Bruce – section 25 is part of the charter...will leave as is. Don't see trouble with this.

Section three now under Certainty chapter. Bruce asked about the footnotes. Chris will check if anything is missed.

Chris pointed out 4.5 is deleted. Section five – left note in there whether this should go to Certainty chapter. Footnotes remain. Bruce agreed it could be moved to Certainty. Section six not changed. Eric asked Chris if the community governments were included and his reply was yes. Richard agreed with his opinion.

Section seven – heading changed nothing else. Chris indicated that DFN will have an internal on this.

Chris – status of land – we are okay with that. We are not commenting on whether we agree with the wording. 2.1 – minor change. 3 belongs in the final. 4 changes 'does' to 'will'

Section 7-10, suggest is better than a final agreement but does not belong in an AiP. It could be put in an AiP.

What does 'executing the Dehcho Agreement'? Means it will be translated into French also.

Richard asked about the Mischief language. Steve replied it is not a recognized language.

GNWT additional wording – Steve reading out. Brought up twice once before the assembly and after that.

Recognition of Rights & Certainty

Chris reading out chapter. Steve asked about the definition of 'Dehcho Dene' would have to exclude ADK. Georges indicated you may have to have an overlap agreement in order for people to have a choice on which agreement they want to go with.

Will remove 'will not replace', footnote three.

Discussion around the definition of self-determination. It is just referring to self-government. Richard asked Canada and GNWT what they think it means. Bruce replied they wouldn't use the words.

Georges – we need to do more work on this issue. If you come across on your thoughts on Richard's concern, you can do that.

We will try and establish video conference, if not then we will switch to conference call. Tomorrow we will only be meeting until lunch time.

Eric – admin of justice will be left for Georges. If John is only here until 9:30 his time, we will have half hour window.

Closing Prayer – Patrick Scott

October 7, 2011

Day Two

Georges Erasmus Chris Reid Violet Jumbo Leona Louie Richard Lafferty
Patrick Scott Felix Isiah Eric Poirier Steve Iveson Kathy Paul-Drover
Amber Tremblay

Opening Prayer – Richard Lafferty

Access & Expropriation –John can join us next week as per Steve.

Education: K-12

Footnote to concerns on programs and delivery. Steve indicated their option would be one.

Eric - In the Tlicho, we knew we were going to set up this in ten years, how jurisdiction will be exercised and how the programs and services were going to be provided.

Georges – The way we would approach it, if you had an independent education system, issue was the agreement doesn't limit you forever to that arrangement that is what is exciting about this, let the Dehcho, if they want to, some thing similar to the Tlicho can be arranged but does not have to be part of the agreement. It would be part of the tax agreement. There is no reason why it should be part of the agreement. Where is the money going to come from? Will the graduation be the same with other communities outside of the Dehcho?

It is not that we are trying to water down the system, the Dehcho want to improve it. Doesn't mean we have to jump in and consider option one is the only way to go. It was supposed to work in relation to the GNWT. Reality is down the road, Dehcho have an independent source of wealth from their people and the land.

Early Childhood & Childcare

3.2 being removed.

In relation to 4.1, Chris is wondering if the Dehcho child does what it is saying and an aboriginal child of the Dehcho citizen is theirs as opposed to a resident. Dehcho child is capitalized.

Child & Family Services

Changes done okayed with Georges.

Expropriation

Chris explaining changes. Clarify an issue in 1.1, point on expropriation wouldn't happen and made to negotiate agreements on the land. There was no disagreement. We've added the word 'interest in' added. Last page on public roads.

Eric – did go through the chapters in detail. We can go through and raise those.

General comment in relation to compensation, we are reminded of our instructions that the land may be replaced with land or cash. Reminder on that front.

Definition of 'expropriating authority', definition would work better just having the first part. The rest of the sentence is still a problem to us. We wouldn't see other expropriating authority before us, stop at Dehcho agreement.

LTC was asked if the follow up document was accurate to look at. Look at the clear statement of lands being expropriated, we don't have a direct statement to that, it will be explored. Wasn't discussed at the LTC as per Chris.

2.3(c) – Eric on issue of value of compensation or configuration in the context of cash, cash and land or land.

Traditional value is capitalized, Chris answered it is a flag for us, haven't given any more thought to tabling the chapter. Bruce suggested adding a footnote for DFN to define.

2.12 (a) & (b) – market value should be defined. Just (a) would be good. (b) Can be deleted. Replacement value – may take you 75 k to build a house and you sell it for 20 k. The market value, because the real estate market is really low. Concerns have to be brought back, as per Eric.

Georges – could tell you about people who built houses in Newfoundland and lost both the land and house which sold for \$20,000, the material cost over \$70,000 and because there was no real estate market there. If the house burned down, you couldn't replace it for \$20,000. Eric indicated the concern will be raised with their colleagues.

2.13 (d) there is a blank, it is subject to another chapter.

Footnotes 7 can be removed, footnote 11 can be removed, footnote 13 stays. In relation to footnote 15 – Canada has always said, don't worry; you will get that land back when it is your turn. Don't understand the first part of the footnote; it raises issue of land outside of NT.

Eric – the footnote is dated. Same as part of the land selection. It is possible to do that. Case by case basis. We will get to those things in land selection. Issue is of application of laws. You could own lands outside but it would not be Dehcho Ndehe.

Footnotes 11, 16, 20 & 21 all in relation to the Tlicho Agreement, can be removed. All in agreement on the wording.

Georges would like to clean up more footnotes. Chris will drop those footnotes where there were issues. We could move to Justice

**New Chapter Discussion
Administration of Justice**

Footnotes will be coming later on. Slight alteration, in 1.1, deleted a part that could not explain.

Session ended at 10 am MST.

Discussion around the video conference for next week. CPOs for GP. Chris to do the changes and send off again. Wednesday will be short session.

Closing Prayer – Violet Jumbo