

SERPENT RIVER FIRST NATION

195 Village Road
Cutler ON, P0P 1B0



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SRFN Special Chief and Council Meeting – Execute Documents for Past Compensation to First Nation
Tuesday, August 6, 2024
Approved Minutes

Chair: Wilma-Lee Johnston

Council: Kerri Commanda, Shirley McLeod, John (Jack) Trudeau, Steve Meawasige (zoom)

Regrets: Michelle Owl

Director of Operations (IDOO): Tracey Seabrook, IDOO

Staff: Madelaine O’Neill, POLEA

Recording Secretary: Madelaine O’Neill, POLEA

1) Call to Order/Opening Prayer/Remarks:

- The duly convened Special Chief and Council – Execute Documents for Past Compensation to First Nation meeting was called to order at 4:09pm

2) Declaration of Conflict of Interest:

- None at this time

3) New Business

a.) Robinson Huron Treaty – Execute Documents for Past Compensation to First Nation

MOTION: 2024-08-06-01

That Chief and Council 1. Authorize and Approve of the Limited Release, a copy of which is attached hereto in Schedule “A”; 2. Direct Chief Wilma-Lee Johnston to sign the Limited Release, and to take all steps required to give effect to its provisions; 3. Authorize and approve of the Letter of Direction, a copy of which is attached hereto in Schedule “B”; and 4. Direct Chief Wilma-Lee Johnston to sign the Letter of Direction, and to take all steps required to give effect to its provisions

Moved by By Consensus

Seconded by By Consensus

CARRIED By Consensus

- By way of Band Council Resolution 2013-2014-18, dated September 25, 2013, Serpent River First Nation approved the creation of the Robinson Huron Treaty Litigation Fund (the “RHTLF”), by way of a Trust Indenture to pursue litigation or negotiations relating to the Crowns’ failure to augment annuities pursuant to the Robinson Huron Treaty of 1850 on behalf of the Robinson Huron Treaty Anishinaabek, the Lake Huron First Nations, and the Beneficiaries (the “Action”)

Recording Secretary:	Madelaine O’Neill	Date Approved	2024-09-10
2024-08-06 APPROVED C&C MINUTES		Motion of Approval	20224-09-10-03

- By way of Band Council Resolution 2019-07-16-002, dated July 16, 2018, Serpent River First Nation approved a Compensation Disbursement Agreement, setting out the terms for disbursing any global award or settlement attained as part of the Action
- By way of Band Council Resolution 2013-2014-, dated August 19, 2013, Serpent River First Nation authorized initiating the Action on behalf of the Robinson Huron Treaty Anishinaabek, First Nations, and Beneficiaries
- The Trustees of the Robinson Huron Treaty Litigation Fund approved a partial settlement of the Action through a Settlement Agreement for Past Compensation for a global sum of \$10,000,000,000.00 (ten billion) on August 31, 2023
- The Settlement Agreement for Past Compensation was finally approved and executed by all parties to the agreement on January 18, 2024
- The Ontario Superior Court of Justice gave effect to the Settlement Agreement for Past Compensation by way of a partial judgement dated February 24, 2024
- The Compensation Disbursement Agreement was amended by the Chiefs-in-Assembly on April 22, 2024 for the distribution of the Settlement Proceeds under the Settlement Agreement for Past Compensation, in accordance with the terms of the Compensation Disbursement Agreement and the Trust Indenture
- The funds partially owing to Serpent River First Nation from the Settlement Agreement for Past Compensation will be sent from the RHTLF to Serpent River First Nation on or about August 9, 2024 (the "August Payment")
- As part of the distribution process to receive the August Payment, Serpent River First Nation is required to sign a limited acknowledgement and release, which includes the details of the August Payment
- As part of the distribution process to receive the August Payment, Serpent River First Nation is required to fill out and execute a direction to RHTLF, directing the August Payment to be deposited into a bank account of its choice

b.) Amendment to Voting Ballot – Online Vote - August 22-25, 2024 - Discussion

- Chief and Council discussed the potential removal of the 70/30 option from the voting ballots in the upcoming online community vote regarding the amounts allocated to the Per Capita distributions/community trust
- Concerns were raised about the potential long-term impacts on community resources and governance as well as going against legal/financial advisement
- Chief and Council initially voted 3-2 in favour of the amendment to the voting ballot. However, following the meeting, one councillor reconsidered their position and communicated their change of vote via email
- Chief and Council will schedule another meeting in the near future to discuss further and make a final decision following a meeting with the community volunteer group on Friday, August 9, 2024
- The vote will take place online through One Feather from August 22-25, 2024. Voting will close at 12AM on August 25, 2024 (Sunday night)

13.) Adjournment

MOTION: 2024-08-06-02	
That Chief and Council adjourn the Special Chief and Council Meeting of Tuesday, August 6, 2024 at 4:47pm	
Moved by	Shirley McLeod

Recording Secretary:	Madelaine O'Neill	Date Approved	2024-09-10
2024-08-06 APPROVED C&C MINUTES		Motion of Approval	2024-09-10-03

Seconded by	
CARRIED	By Consensus

Recording Secretary:	Madelaine O'Neill	Date Approved	2024-09-10
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