



NORTHWEST TERRITORY MÉTIS NATION

Annual General Assembly
Fort Smith, NT
November 15 - 18, 2016

Unanimous Resolution #1

Amend References to “Hay River Métis Council”

WHEREAS the legal name of the Métis Council in Hay River is the “Hay River Métis Government Council”;

AND WHEREAS the Bylaws of the Northwest Territory Métis Nation (“NWTMN”) have not been amended to reflect the name change of the Hay River Métis Government Council;

AND WHEREAS the NWTMN would like the Constitution and Bylaws to accurately reflect the name of the Métis Council in Hay River;

THEREFORE BE IT RESOLVED references to the “Hay River Métis Council” be replaced with “Hay River Métis Government Council” throughout the Bylaws.

Unanimous Consent in Writing Provided

Disposition: Unanimous Written Consent



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Unanimous Resolution # 2

Amend References to the “NTMN”

WHEREAS the acronym used to refer to the Northwest Territory Métis Nation within the Constitution and Bylaws of the Northwest Territory Métis Nation is “NTMN”;

AND WHEREAS the acronym used to refer to the Northwest Territory Métis Nation in the policies and the Land and Resources Agreement-in-Principle is “NWTMN”;

AND WHEREAS the NWTMN would like to ensure the acronym used to refer to the Northwest Territory Métis Nation is consistent;

THEREFORE BE IT RESOLVED every reference to “NTMN” within the Constitution and Bylaws be replaced with “NWTMN”.

Moved by: Lynn Napier-Buckley
Seconded by: Faye Johns

Disposition: Unanimous Written Consent



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Unanimous Resolution # 3

Elder Delegates Voting for the Elections at the AGA

WHEREAS 8 elders attend the AGA and are not voting delegates at the elections held at the AGA;

AND WHEREAS the elders who attend the AGA would like to vote at the elections held at the AGA;

THEREFORE BE IT RESOLVED that the following clause be inserted into the NWTMN Bylaws as Article 5 paragraph 4 and the numbering be amended to reflect the additional clause:

4. All delegates of the NWTMN chosen pursuant to Article 10 and 8 Elders per Member Communities are entitled to vote at such an election.

Moved by: Arthur Beck

Seconded by: Jacqueline Carriere

Disposition: Defeated

[Written Consent]



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Resolution # 4

Universal Voting

Whereas:

- A. Only delegates chosen under Article 10, paragraph 5 of the Bylaws are entitled to vote at an Annual General Assembly or a Special Assembly:
 5. An Annual General or Special Assembly shall be attended by delegates chosen under the following formula:
 - (a) the Executive of the NTMN;
 - (b) representatives from the following Métis Communities;
 - (i) nine members from Fort Smith Métis Council;
 - (ii) nine members from the Hay River Métis Council;
 - (iii) nine members from the Fort Resolution Métis Council;
 - (c) two Elders from each of the Member Communities;
 - (d) two Youth from each of the Member Communities; and
 - (e) proxies will be accepted for any members in Paragraph 5(b), 5(c) and 5(d) who are unable to attend.
- B. Non-delegate Indigenous Métis (pre-1921) are not entitled to vote at Assemblies;
- C. The NWTMN is finalizing an Enrolment Application Form and hiring a genealogist to develop a membership list for the following purposes:
 - to enroll as a member in one of the three Métis Councils;
 - to be added to a voters list for ratification of a NWTMN Land Claim Agreement; and
 - enrolment in the NWTMN Land Claim Agreement.
- D. The current NWTMN electoral voting system is outdated and does not

serve all Indigenous Métis fairly or democratically;

- E. All Indigenous Métis are not included in the right to vote for all leaders, governance, representation or participation in decision-making;
- F. There are many methods of voting (e.g. mail-in voting, electronic voting, polling stations within each of the 3 Métis Communities, Yellowknife and Edmonton) that the NWTMN may employ to provide for universal voting;

THEREFORE BE IT RESOLVED the Board of Directors of the NWTMN develop a universal electoral voting process and system which includes a variety of voting methods for all Indigenous Métis Members within 2 years for consideration by the Assembly.

MOVED BY: Heather Hubert-Jones

SECONDED BY: Allan Heron

IN FAVOUR: 20

OPPOSED: 18

ABSTENTION: 2

DISPOSITION: Carried



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Resolution # 5

Alter the South Slave Métis Declaration

WHEREAS the NWTMN has a long history within Canada dating prior to 1867 when the country we now know as Canada became a self-governing dominion of Great Britain;

AND WHEREAS the Assembly approved the Northwest Territory Métis Nation Declaration at the Assembly in 2000 and amendments at the Assembly in 2013;

AND WHEREAS the members desire to include reference to the long history the NWTMN within the Northwest Territory Métis Declaration;

THEREFORE BE IT RESOLVED the Assembly approves the amendments to the Declaration as shown by underline and strike-out on attached Schedule "A".

MOVED BY: Jacqueline Carriere

SECONDED BY: Lynn Napier-Buckley

DISPOSITION: Carried



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Resolution # 6

Property Taxation and Lease of NWTMN Traditional Use Cabins

WHEREAS:

- A. The Government of the Northwest Territories has been assessing property taxation on cabins, including some Indigenous Métis cabins, citing the authority of the *Property Assessment and Taxation Act* without consulting the NWTMN to address any concerns of the NWTMN;
- B. The NWTMN is concerned about the taxation of cabins that are used by Indigenous Métis members for traditional harvesting practices (e.g. trapping, hunting, fishing, timber harvesting, plant gathering and continuation of our traditional way of life);
- C. Section 3 of the *Property Assessment and Taxation Act* provides:
 - 3. Nothing in this Act shall be interpreted so as to affect aboriginal rights.
- D. The taxation of a traditional use cabins by the GNWT will adversely affect and infringe upon the exercise of aboriginal rights of our Indigenous Métis members.
- E. The NWTMN has discussed this issue with the GNWT at the Intergovernmental Meeting on September 23, 2015;
- F. The NWTMN tabled "A Position Paper Respecting the Government of the Northwest Territories Assessment of Property Taxation on Indigenous Métis Members in respect to their Cabins", with the Government of the Northwest Territories, dated October 7, 2015;
- G. The Department of Lands is proposing to increase the annual rent to \$840 from \$150 for leases on Territorial Land and to \$840 from \$600 on Commissioner's Land;

THEREFORE BE IT RESOLVED all Indigenous Métis have a right to build, use and occupy cabins incidental to traditional harvesting purposes throughout the NWTMN traditional territory, without a lease and not subject to property taxation. The NWTMN calls upon the GNWT to honourably and in good faith recognize this aboriginal right;

THEREFORE BE IT FURTHER RESOLVED the GNWT afford the same protections to traditional use cabins owned by Indigenous Métis as all lease holders taking into account our aboriginal rights;

THEREFORE BE IT FURTHER RESOLVED the NWTMN continue to lobby the GNWT to amend the *Property Assessment and Taxation Act* to not tax traditional use cabins used by our Indigenous Métis members as our aboriginal rights are recognized by the GNWT and such taxation is an infringement of our aboriginal rights;

THEREFORE BE IT FURTHER RESOLVED the NWTMN oppose the proposal by the Department of Lands to increase the annual rent to \$840 from \$150 for leases on Territorial Land and to \$840 from \$600 on Commissioner's Land.

MOVED BY: Ken Hudson

SECONDED BY:

DISPOSITION: Carried



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Resolution # 7

Expedited Self-Government Negotiation Plan

WHEREAS

- A. The NWTMN Land and Resources Agreement-in-Principle provides for the negotiation of a Self-Government Framework Agreement during Final Agreement negotiations;
- B. The draft NWTMN Self-Government Framework Agreement provides for the negotiation of self-government in a 2-phase approach;
- C. The issues that are included for Phase 1 are issues to be considered by the NWTMN internally;
- D. The NWTMN would like to negotiate NWTMN self-government in an expeditious and cost-effective manner;
- E. The self-government negotiations that have been undertaken by other aboriginal groups have been slow and costly;

THEREFORE BE IT RESOLVED the NWTMN Board of Directors develop a self-government negotiation plan which is cost-effective and expeditious, and include the necessary internal work of the NWTMN to develop a draft Self-Government chapter.

MOVED BY: Ken Hudson
SECONDED BY: Lynn Napier-Buckley
ABSTENTION: 1
DISPOSITION: Carried



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Resolution # 8

Proper Consultation by the GNWT

WHEREAS

- A. Case law recognizes a context-specific duty to consult which includes the duty to accommodate when Aboriginal rights are engaged;
- B. The GNWT undertakes consultation with the Métis Councils individually rather than through the NWTMN;
- C. The NWTMN has not been meaningfully consulted and accommodated by the GNWT;
- D. The NWTMN is often not provided with adequate financial capacity to respond to consultation efforts;

THEREFORE BE IT RESOLVED the NWTMN develop a Consultation Policy to set the consultation process for the NWTMN to be consulted by the GNWT.

MOVED BY: Ken Hudson

SECONDED BY: Allan Heron

DISPOSITION: Carried



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Resolution #9

***Daniels* Decision – Request Canada Strike a Working Group**

WHEREAS:

- A. On April 14, 2016, the Supreme Court of Canada granted a declaration that Métis and non-status Indians are “Indians” within the meaning of the *Constitution Act, 1982*, section 91(24);
- B. Section 91(24) provides the federal government with exclusive jurisdiction and law-making authority over, “Indians, and Lands reserved for the Indians”;
- C. Based upon this authority, the federal government enacted the *Indian Act* and provides certain programs and services to “Indians”;
- D. The NWTMN is advocating for the federal government to provide core funding and extend certain Treaty / Indian targeted programs and services to Indigenous Métis, including core funding, education, health-care, economic development, housing, etc...;
- E. The NWTMN has sent letters to Minister Carolyn Bennett to request the federal government introduce measures to implement the *Daniels* decision;

THEREFORE BE IT RESOLVED, the NWTMN request Minister Carolyn Bennett strike a bilateral committee which will include representatives of the NWTMN and the Government of Canada to fully implement the *Daniels* decision.

MOVED BY: Ken Hudson

SECONDED BY: Paul Harrington

DISPOSITION: Carried



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Resolution #10

Equal Representation from Each Métis Council on all Governing Issues

WHEREAS the NWTMN membership is from the Métis Communities of Fort Resolution, Fort Smith and Hay River;

AND WHEREAS the NWTMN will benefit from representation from each community for all governing issues;

AND WHEREAS our signed NWTMN Land and Resources Agreement-in-Principle is comprised of each Métis Council;

AND WHEREAS the NWTMN Bylaws state:

The Executive of the NWTMN shall be comprised of one member from the Fort Smith Métis Council membership, Fort Resolution Métis Council membership and the Hay River Métis Government Council membership.

THEREFORE BE IT RESOLVED the NWTMN have 1/3 representation per community on all governing issues.

MOVED BY: Trevor Beck

SECONDED BY: Arthur Beck

IN FAVOUR: 28

Fredrick Beaulieu
Russell Bouvier
Garrett Flarety
Tracy Hoff
Heather Hubert-Jones
Calvin Lizotte
Sheldon Whitlock
Cara-Lynn Bailey
Wilfred Beaulieu
Roger Beck

Trevor Beck
Jacqueline Carriere
Paul Harrington
Faye Johns
Dwayne Klause
Trista Nault
Bertha Calvin
Johnny Bailey
Arthur Beck
Harry Clarke

Kyle King
Kevin Fabien
Paula King
Lena McKay (alt. Kyle King)

Warren Delorme
Lucy Fabien
Violet Mandeville
Garry Bailey

OPPOSED: 14

Ken Hudson
Allan Heron
Mary Ellen Piche
Jeremy Beamish
Mary Poitras
Charlie Desjarlais
Cody Heron

Betty Villebrun
Lynn Napier-Buckley
Vance Sanderson
Richard Mercredi
Megan Seymour
Henry Heron
Cassandra Hansen

DISPOSITION: Carried



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Resolution #11

Ineligibility of NWTMN Staff

WHEREAS the delegates at the NWTMN Annual General Assemblies and Special Assemblies consider a wide range of matters;

AND WHEREAS the delegates at the NWTMN Annual General Assemblies and Special Assemblies consider matters that may have an impact on NWTMN operations;

AND WHEREAS decisions regarding NWTMN operations may impact the employees of the NWTMN, thereby putting employees that are also a NWTMN delegate in a conflict of interest;

THEREFORE BE IT RESOLVED employees of the NWTMN be deemed ineligible to be delegates at the NWTMN Annual General Assemblies and Special Assemblies.

MOVED BY: Arthur Beck

SECONDED BY: Paul Harrington

DISPOSITION: Rescinded



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Resolution #12

Date for Eligibility

WHEREAS the NWTMN membership date was defined by the Federal Government;

AND WHEREAS the NWTMN is regionally located in the South Slave area;

AND WHEREAS our brethren, the Akaitcho entered into Treaty 8, is dated 1899/1900;

THEREFORE BE IT RESOLVED that this Assembly calls upon the Federal Government to look into treating us equitably with other governments in our area;

THEREFORE BE IT FURTHER RESOLVED that this Assembly calls upon the Federal Government, the GNWT and our Nation to change our Agreement and Membership enrolment date to 1900 when the Treaty was signed in our area.

MOVED BY: Arthur Beck

SECONDED BY: Johnny Bailey

IN FAVOUR: 17

Garry Bailey
Kyle King
Lucy Fabien
Warren Delorme
Cara-Lynn Bailey
Paula King
Trevor Beck
Russell Bouvier
Dwayne Klause

Johnny Bailey
Kevin Fabien
Wilfred Beaulieu
Arthur Beck
Harry Clarke
Tracy Hoff
Fredrick Beaulieu
Calvin Lizotte
Garrett Flarety

OPPOSED: 22

Paul Harrington
Lena McKay
Roger Beck
Heather Hubert-Jones
Bertha Calvin

Betty Villebrun
Violet Mandeville
Faye Johns
Sheldon Whitlock
Cody Heron

Megan Seymour
Mary Ellen Piche
Ken Hudson
Jeremy Beamish
Mary Poitras
Charlie Desjarlais

Richard Mercredi
Allan Heron
Lynn Napier-Buckley
Henry Heron
Vance Sanderson
Cassandra Hansen

ABSTENTION:

2
Trista Nault

Jacqueline Carriere

DISPOSITION:

Defeated



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Unanimous Resolution #13

Increasing the Term for Executive from 2 Years to 4 Years

WHEREAS the term for the Executive is currently 2 years;

AND WHEREAS it would be beneficial to increase the term of the Executive to 4 years;

THEREFORE BE IT RESOLVED that the Bylaws of the NWTMN be altered to replace Article 2 paragraph 2 with the following:

The Executive shall be elected for a term of four (4) years by secret ballot at the Annual General Assembly.

MOVED BY: Trevor Beck

DISPOSITION: Defeated

[written consent]