

# COMMUNITY DECISION-MAKING PROCESS PHASE 1 – COMMUNITY HEARING (6)

REQUEST FOR LEGISLATION: KAHNAWÀ:KE JUSTICE ACT  
MOOSE LODGE 958  
Ahensénhaton/Wednesday, 3 Enníska/February 2010  
1:00 – 4:00PM

## RECORD OF DISCUSSION

### **FACILITATORS:**

Karonhiénhawe Linda Delormier (Lead)  
Konwén:ni Melanie Gilbert (Group 1)  
Louise Mayo (Group 2)  
Tekahnetóntie Joe Delaronde (Group 3)

### **RESOURCE PEOPLE:**

Shakoshennakéhte Ron Skye (Lead)  
Shakoshennakéhte Ron Skye (Group 1)  
Karonhí:io Mike Bush (Group 2)  
Shakoshennakéhte Ron Skye (Group 3)  
Sophia Dupont (Resource Support)

### **CHIEFS OVERSIGHT:**

Chief Clinton Phillips (Group 1)  
Chief John Dee Ohnawentekha Delormier (Group 2)  
Chief Kahsennenhawe Sky-Deer (Group 3)

### **RECORDERS:**

Kawennákwas Brittany Diabo (Lead/Logistics)  
Karonhiahá:wi Coreen Delormier (Group 1)  
Leslie Skye (Group 2)  
Courtney Montour (Group 3)

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### **1:00PM Opening:**

Chief Kahsennenhawe Sky-Deer opened with the Ohén:ton Karihwatéhkwén.

### **1:10PM Welcome/Opening Remarks:**

Linda Delormier welcomed everyone back. She went through the questions and positions from the previous Justice Community Hearings. As follows: (Include all questions and positions).

**1:15PM Introduction to Topic/Question:**

Topic for today's hearing is to confirm the qualifications of the Community Representative. Ron Skye would like the groups to cover the following (Insert letter D of the qualifications list).

Discussion: Should a community representative be present at all Community Hearings?

<b>PROCESS BEGINS:</b>
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<b>Topic/Question: Confirm Qualifications</b>
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<b>Group 1 – First Round</b>
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<b>Facilitator:</b>	Konwén:ni Melanie Gilbert
<b>Resource Person:</b>	Shakoshennakéhte Ron Skye
<b>Chiefs Oversight:</b>	Chief Clinton Phillips
<b>Recorder:</b>	Karonhiahá:wi Coreen Delormier
<b>Group Speaker:</b>	Jeremiah Johnson

**DISCUSSION / CONCERNS:**

- Jeremiah Johnson is of the opinion that a community member must be present at all community hearings in order to make an effective contribution.
- Ron asked for a qualifier (attendance requirement) in the case the person cannot make the meetings, stating that issues may arise where a community member is unable to attend a meeting(s).
- Group 1 agreed to make it mandatory to make at least 80% of meetings that were held in order to come to the mandate process. When a community member is chosen, it should be stated and agreed to, prior to accepting.
- The group noted that it is a conflict of interest if a Council Chief sits as a both chief and community member.
- Criteria for a community member: Not an employee in a management position or a MCK Chief.
- If these meetings are held during the day, will the group rep be able to get time off of work? Ron clarified that there will be a per diem for the community rep who needs to leave work.
- The community rep needs to be present in order to clarify that the document reflects spirit & intent of community hearings
- Rhonda Kirby doesn't think Rep should have had to be a part of all meetings.
- Not Chiefs
- Not an employee in a management position of MCK not a Chief.
- Attend 80% of Mandate Session meetings
- Eliminate conflict of interest

- Community rep helps develop draft & ensures that drafting a document reflects spirit & intent of community hearings
- Technical People can be used to help process not rep
- Don't think rep should have had to be a part of all meetings...
  - There are comments
  - 30 day review
- Sept 2009 – Feb. 2010
- How many meetings ca be missed? Plan B
- Need Alternate to Replace in case of rep not available for valid reason
- Mostly evenings
- Per diem
- Organization Buy In
- Person (rep) Shows Commitments.. Determination

**QUESTIONS:**

**RESPONSE/POSITION:**

*Qualifications of the community representative:*

- *Not an employee in a management position of MCK; not a Chief to eliminate conflict of interest.*
- *Has attended 80% of Mandate Session meetings.*
- *Need an alternate replacement in case the community representative is not available for valid reason.*

Position was passed to Group 2 for discussion.

<b>Topic/Question: Confirm Qualifications</b>
<b>Group 2 – First Round</b>

**Facilitator:** Louise Mayo  
**Resource Person:** Karonhí:io Mike Bush  
**Chiefs Oversight:** Chief John Dee Ohnawentehkha Delormier  
**Recorder:** Leslie Skye  
**Group Speaker:** John Dee Delormier

**DISCUSSION/CONCERNS:**

A review of the Community Hearing results was done.

*"Does the community make the determination whether a community member needs to be present at a community hearing in order to qualify to be a Community Representative."*

- There have been 5 consistent people that have participated from the start. (Chris, Greg, Jordan, Jeremiah and Richard).
- There was a question whether it was appropriate to invite people from the community that weren't present from the start.
- Four main points that everyone was given a voice. Community invitations were given. There was representation from the longhouse but they claimed not to be representative of the longhouse. Yes there was work done individually. Issue of representation from the ILCC will be tabled.
- In order for this to work we would have to consider holding the sessions in the evening.
- You have to remember that we are involved in something new.
- There was better participation in the evenings than during the day.
- This would be a 3-6 month commitment from this person.
- Frequency & time of the person needs to be determined.
- ILCC meets Thursday from 11:00 – 12:30.
- Background checks need to be done.
- Commitment of that person is also important.
- We are looking for someone with the corporate memory. We need the person that can put forth the concerns.
- To achieve the objective we would be restricted to community members that have attended all 7 sessions.
- Voice recording as a back up on CD's.

**QUESTIONS:**

**Q:** Was there was a formal invitation to the longhouse?

**Q:** Would the appointed person be someone that has participated in the sessions or not?

**Q:** Would the extent of the commitment be weekly, monthly, or bi-monthly? How much of a commitment are we looking for? What time of the day and how often do they need to be available?

**Q:** What if you were an employee? Would you be granted time to participate – away from work?

**Q:** Was there better participation having the sessions during the weekend versus during the week?

**Q:** Would they fit under the agenda following that session?

**Q:** Who defines whom a respectable community member?

**Q:** What if the person changes their mind about being committed?

**Q:** Can a person have a dual role – newspaper/community person or an entrepreneur or someone with interest in the law?

**A:** No, because there would be a potential conflict. The criteria would include potential conflict of interest.

**RESPONSE/POSITION:**

Group 2 is in agreement with Group 1's response – a few grammatical changes were made as follows:

*Qualifications of the community representative:*

- *Not an employee in a management position of MCK; not a Chief to eliminate conflict of interest.*
- *Has shown a commitment to the Community Decision Making process and has attended a majority of sessions (determined by the group).*
- *To have an alternate available.*
- *The groups are to remain consistent.*

Position was passed back to Group 1 for discussion.

**Topic/Question: Confirm Qualifications**

**Group 1 – Second Round**

**Facilitator:** Konwén:ni Melanie Gilbert  
**Resource Person:** Shakoshennakéhte Ron Skye  
**Chiefs Oversight:** Chief Clinton Phillips  
**Recorder:** Karonhiahá:wi Coreen Delormier  
**Group Speaker:** Jeremiah Johnson

**DISCUSSION / CONCERNS:**

- Since the groups often change from meeting to meeting and in future meetings, it may be in clan groups created to make decisions, it was suggested that the community groups stay together for the duration of the hearings.

**RESPONSE/POSITION:**

Jeremiah clarified that they would like to have the groups remain the same for the remainder of the sessions.

*Qualifications of the community representative:*

- *Not an employee in a management position of MCK; not a Chief to eliminate conflict of interest.*
- *Has shown a commitment to the Community Decision Making process and has attended a majority of sessions (determined by the group).*
- *To have an alternate available.*
- *The groups are to remain consistent.*

**Topic/Question: Confirm Qualifications**

**Group 2 – Second Round**

<b>Facilitator:</b>	Louise Mayo
<b>Resource Person:</b>	Karonhí:io Mike Bush
<b>Chiefs Oversight:</b>	Chief John Dee Ohnawentehkha Delormier
<b>Recorder:</b>	Leslie Skye
<b>Group Speaker:</b>	John Dee Delormier

**DISCUSSION/CONCERNS:**

- We've identified 5 people but one felt there was a conflict of interest to be the community representative. The group didn't feel there was a conflict.

**QUESTIONS:**

**Q:** What if we had someone with expertise in a legal area that wasn't part of the process but was interested in being the community representative?

**A:** They could be a resource person.

**RESPONSE/POSITION:**

Group 2 agreed with our position to have the groups stay the same for the duration of all community hearings.

*The criteria for the Community Representatives are the following:*

- *They cannot be an employee in a management position of the MCK or a chief to eliminate conflict of interest.*
- *Showed a commitment to the Community Decision-Making Process and has attended a majority of the session.*
- *Ensure that alternate Representative is available.*
- *The groups are to remain consistent.*

Group 1 and 2 have reached consensus. The position was passed to Group 3 for discussion.

<p><b>Topic/Question: Confirm Qualifications</b></p> <p style="text-align: center;"><b>Group 3 – Second Round</b></p>
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<b>Facilitator:</b>	Tekahnetóntie Joe Delaronde
<b>Resource Person:</b>	Shakoshennakéhte Ron Skye
<b>Chiefs Oversight:</b>	Chief Kahsennenhawe Sky-Deer
<b>Recorder:</b>	Courtney Montour
<b>Group Speaker:</b>	Kahsennenhawe Sky-Deer

**DISCUSSION/QUESTIONS/CONCERNS:**

- It should be open to someone who has been here a few times. They know what is going on. They can be considered a possible person to speak because they have heard the discussions.
- Things happen, people cannot come to every meeting.
- As long as someone participated at least twice.
- People that are working on the process shouldn't be considered for the community representative position. I can see what some other people may think of this.
- As long as they've shown an interest in wanting to do it and have been here before.
- A community representative needs to be a neutral person.
- A chief as community representative is a conflict of interest. We wouldn't want people to say, "Chiefs are here to push this process along quicker. Or that a journalist is a representative to get information."
- If anyone wants to nominate him or herself, let us know. At the next meeting show up and let the group select.
- Have a call out. I'd rather have someone who is committed and not someone that feels that they need to do it because they are present today.
- Discuss it at the next public meeting.
- 80% is too high.
- Alternate person a good idea. The community representative responsible for keeping this person informed.
- Kahanwakemakingdecisions.com to have up-to-date information.
- Everybody in the community has a chance to see everything that has been happening via the website. Should we widen the selection criteria for those who can be community representatives?
- Let the group decide who they want to represent, period.
- People that were here all along may take the community representative position but only do so by default because there is no one else who has attended these meetings that wants the position.
- A person out there might have equal interest as someone sitting here.

- Perhaps inform the community and hold a meeting in a week or two to select the community representatives.
- Agree with groups one and two concerning having an alternative and also about excluding MCK chiefs and management. And adding the following:
- The community representative position can be open to all Kahnawa'kehro:non as decided by the group. The reason being that this process has been inclusive all the way.

### **QUESTIONS:**

**Q:** We have a candidate that is not present; Do we make that selection now?

**Q:** Whether you've been apart of this process, why should you be excluded from the development process moving forward?

**A:** Because the process has been inclusive all the way, why should we say, you had to be at the meetings? Some people have been sitting in the background following this without being at the meeting, why should they be excluded now from being involved?

**A:** To ensure the spirit of the discussions is what brought the groups to that decision. Both groups agree that you can't have those intimate details if you weren't present.

### **RESPONSE/POSITION:**

Agree with the fact that it shouldn't be a chief or MCK management, alternates available and that the groups should remain consistent.

Disagree with having to be present at a majority of the sessions.

Possibly have another session in a couple of weeks to choose the Community Representatives. Make the invitation open to the entire community.

*The criteria for the Community Representatives are the following:*

- *They cannot be an employee in a management position of the MCK or a chief to eliminate conflict of interest.*
- *Ensure that alternate Representative is available.*
- *The groups they are remain consistent.*

Group 3's response is passed back to Group 1 for discussion.



**Topic/Question: Confirm Qualifications****Group 1 – Third Round**

**Facilitator:** Konwén:ni Melanie Gilbert  
**Resource Person:** Shakoshennakéhte Ron Skye  
**Chiefs Oversight:** Chief Clinton Phillips  
**Recorder:** Karonhiahá:wi Coreen Delormier  
**Group Speaker:** Jeremiah Johnson

**DISCUSSION / CONCERNS:**

Group 1 would like to suggest a compromise. Agreed with group 3 for the recommended process for future laws. But for the Justice Act, they would like to choose the Community Representatives today from the groups. Those present or who have expressed interest will be chosen to be representatives.

**RESPONSE/POSITION:**

*The criteria for the Community Representatives are the following:*

- *They cannot be an employee in a management position of the MCK or a chief to eliminate conflict of interest.*
- *Showed a commitment to the Community Decision-Making Process and has attended a majority of the session.*
- *Ensure that alternate Representative is available.*
- *The groups are to remain consistent.*

It is passed to Group 2 for discussion.

**Topic/Question: Confirm Qualifications****Group 2 – Second Round**

**Facilitator:** Louise Mayo  
**Resource Person:** Karonhí:io Mike Bush  
**Chiefs Oversight:** Chief John Dee Ohnawentekhka Delormier  
**Recorder:** Leslie Skye  
**Group Speaker:** Greg Horn

**DISCUSSION/CONCERNS:**

Group 2 agrees with Group 1's compromise.

**RESPONSE/POSITION:**

*The criteria for the Community Representatives are the following:*

- *They cannot be an employee in a management position of the MCK or a chief to eliminate conflict of interest.*
- *Showed a commitment to the Community Decision-Making Process and has attended a majority of the session.*
- *Ensure that alternate Representative is available.*
- *The groups are to remain consistent.*

Group 1 and 2 are in consensus. It is passed to Group 3 for discussion.

<b>Topic/Question: Confirm Qualifications</b>
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<b>Group 3 – Second Round</b>
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<b>Facilitator:</b>	Tekahnetóntie Joe Delaronde
<b>Resource Person:</b>	Shakoshennakéhte Ron Skye
<b>Chiefs Oversight:</b>	Chief Kahsennenhawe Sky-Deer
<b>Recorder:</b>	Courtney Montour
<b>Group Speaker:</b>	Kahsennenhawe Sky-Deer

**DISCUSSION/QUESTIONS/CONCERNS:**

- We agree with groups one and two. The current established groups will choose the community representatives. But will be an open invitation for all community members the next law that goes through the process. A name has been submitted for Group 3. She is in management but is retiring. Dale Dione will be the community representative for our group. An alternative will be chosen on a future date.

**FINAL POSITION:**

*The criteria for the Community Representatives are the following:*

- *They cannot be an employee in a management position of the MCK or a chief to eliminate conflict of interest.*
- *Showed a commitment to the Community Decision-Making Process and has attended a majority of the session.*
- *Ensure that alternate Representative is available.*
- *The groups are to remain consistent.*

**COMMUNITY REPRESENTATIVES SELECTION:**

Groups discussed amongst themselves who they feel should be their Community Representatives.

**COMMUNITY REPRESENTATIVES:**

- Group 1 – Jeremiah Johnson
- Group 2 – Chris Bush-Diabo
- Group 3 – Dale Dione-Dell

**COMMUNITY REPRESENTATIVE ALTERNATES:**

Richard Nolan, Kenneth Diabo, Andrew Delisle Sr., Dodie Gilbert and Miles Deer

The Community Representatives signed the Community Representatives Form.

**CONCLUSION/NEXT STEPS:**

Determine the process to choose the alternates at the next session.  
Information will be sent through the regular media outlets.  
Next steps will be sent out through the media outlets.

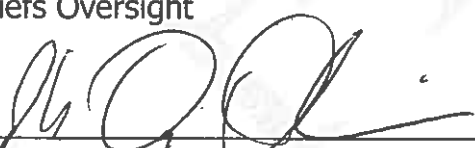
Kahsennenhawe Sky-Deer closed with the Ohen:ton Karihwahtekwen.

**COMMUNITY FEEDBACK/COMMENTS:**

Approved by:

  
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Chiefs Oversight

4-13-2010  
Date:

  
\_\_\_\_\_  
Chiefs Oversight

4-13-2010  
Date:

  
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Chiefs Oversight

2010-04-13  
Date: