

COMMUNITY DECISION-MAKING PROCESS

KAHNAWÀ:KE ELECTION LAW (3)

FIRST HEARING

Golden Age Club

1, Onerahtókha/April 2014

6:00 PM – 8:30 PM

RECORD OF DISCUSSION

FACILITATORS:

Kahente Horn-Miller (Lead -CDMP)

Joe Delaronde

Suzanne Lahache

RESOURCE PEOPLE:

Trina C. Diabo (Lead – Resource Person)

Joann Patton

Angus L. Montour

RECORDERS:

Kennikaronia:a Leslie Skye (Lead/Logistics)

Joel Jacobs

6:00 P.M. **OPENING** – Leslie Skye

6:05 P.M. **INTRODUCTION/MEETING GUIDELINES** – Kahente Horn-Miller

6:10 P.M. **REVIEW AMENDMENTS TO KAHNAWÀ:KE ELECTION LAW** – Trina C. Diabo

8:15 P.M. **NEXT STEPS** – Kahente Horn-Miller

8:30 P.M. **CLOSING** – Leslie Skye

GROUP 1

Facilitator: Joe Delaronde
Resource Person: Joanne Patton
Group Speaker: Dennis Diabo
Recorder: Joel Jacobs

QUESTION:

Do you want to change the Council Composition from 12 to 9?

**Currently the Council Composition
Are 12 – One (1) Grand Chief and eleven (11) Council Chiefs.**

**It has been recommended to amend the Council composition
to 9 – One (1) Grand Chief and eight (8) Council Chiefs**

DISCUSSION:

- More accountability to public
- Try lower number for one term on a trial basis
- The work load is there to support 12 chiefs
- Proposed 9 chiefs, 1 Grand chief
- Confidentiality should be abolished with certain restrictions
- 12 chiefs, or suggestion of a referendum if number of chiefs should be reduced
- Do we need qualified chiefs?
- Currently there are no qualifications in place so any '*Tom Dick and Harry*' could run.
- Interests, issues and rights need to be clarified.
- Chiefs qualifications needed
- Need qualifications, more important if we go with 8 or 9
- Nine (9) Chiefs won't send Kahnawà:ke '*down the drain*'.
- We should go to a community referendum
- Qualifications to become a chief should be required
- Reducing to 9 chiefs won't diminish services to the community
- Not enough information to make decision. Not enough justification to reduce.
- Population, workload and political issues have increased, keep it at 12.
- Only support going to 9 chiefs if it was decided by a referendum, more information must be given to community to make an informed decision
- People were well aware that this issue and meeting were taking place
- 'You voted them in, you're stuck with them'

- The community and council approved this CDMP, why go to a referendum. We chose this Process to make our decisions; we don't need to go to a referendum to decide. People know about the meeting, they chose not to participate.
- Let's try it and see
- I want to see 9 people work at the table
- Law can be looked at again in 5 years
- We need more ground work to be explored, pros and cons
- People should know what each council member is doing; there is no accountability.
- People would like to see a higher standard
- In 2000 Council signed a return to traditional government (*no movement*)
- Some chiefs over the years have done nothing
- Previous surveys have indicated going to 9 chiefs
- Ask the question (12 or 9) at the next election

QUESTIONS:

- At last meeting did we not say 50%, and your mother must be Mohawk?
- Will the council save money, by reducing 3 chiefs?
Approximately \$216,000 would be saved.
- How is work load measured?
- Why 12 to 9? Why are we deciding this? Who initiated this?
- How will downsizing to 9 chiefs better serve the community?
- Is it just a budgetary issue?
- What's the rationale for changing?
- Would reducing to 9 chiefs be more efficient?
- Does streamlining produce better decision making?
- Who will make qualifications criteria? How will it be measured?

OUTCOME:

- 9 votes for 12 chiefs
- 4 votes for 9 chiefs

Group 1 came to consensus choosing to remain with 12 chiefs while 2 people voted no but stated they could live with the decision. Main reasons are workload concerns. Are there enough quality chiefs to deal with the difficult portfolios/issues? Concern with the sickness/illness of the Chiefs. Not confident that reducing the number would be better for the community. Budget 'savings' was not a concern for this group. Other issues in 'Parking Lot' (see below) played role in lack of full consensus with Group 1.

PARKING LOT:

- Report of Chiefs' activities to ensure better accountability.
- Suggestion by one person to remove Confidentiality clause for chiefs to sign upon election to office
- Chiefs should speak the Language or be willing to learn.

GROUP 2

Facilitator: Suzanne Lahache
Resource Person: Angus Montour
Group Speaker: Jeremiah Johnson
Recorder: Leslie Skye

QUESTION:

Do you want to change the Council Composition from 12 to 9?

**Currently the Council Composition
Are 12 – One (1) Grand Chief and eleven (11) Council Chiefs.**

**It has been recommended to amend the Council composition
to 9 – One (1) Grand Chief and eight (8) Council Chiefs**

DISCUSSION:

- 12 was chosen as an even number; why was 9 suggested?
- There were suggestions to go from 10 to 8, but unsure why 9 was suggested.
- What is the significance of 9 Chiefs?
Reference made to section on pg. 9 (e) in the Feedback Report. Some of the questions related to whether the Chiefs could keep up with the work load if we were to reduce the number of Chiefs from 12 to 9.
- Personally feel we could reduce because some Chiefs don't do anything. We could use that money to cover essential services. Are there always Chiefs missing from weekly council meetings?
No, rarely do Chiefs miss meetings. There is a weekly communique that goes out on Wednesdays that says who attended and who did not.
- Felt job could get done with only nine Chiefs.
- Plenty of people could fill the vacant positions.
- Even though not checking clans, traditionally there would be three Chiefs from each clan. The role of the Grand Chief is to break any ties. At previous hearings there was agreement to reduce the number of Chiefs because of the distribution of work. There are Chiefs that work harder than others. Therefore, I am in agreement with having nine Chiefs. There'd be a decrease in salary that would affect the budget and the work distribution would be more even.
- Main premise was budgetary. Council cutting funding. One of the main reasons was to save money. Nine was to address tie breaking. Odd number of Chiefs would create less of a chance for stalemates.
- Lowering the amount of Chiefs would create a lower amount for quorum, which makes it easier to make a decision. Quorum number would lower. Quorum is usually 50% + 1; that is the standard.

- Isn't quorum usually 70%? So if there were nine Chiefs then quorum would be five? Boards are different and you'd follow their policy/procedure, but yes it would translate to 50% + 1.
- Suggest we lower it further to eight Chiefs for budgetary reasons.
- There are some Chiefs that don't pull their weight. What happens if they get back in again?
- Maybe measurements should be put into place?
- Some Chiefs have more work than others.
- For an efficient Council we need attendance and accountability. Currently there is neither attendance nor accountability. Maybe we could have progress reports or logs, so we know what was accomplished, but who would be responsible for this?
- Now trying to amend law (i.e. not pulling your weight), it'll be the people to decide what we chose.
- In all the years I've worked at Council, I've never seen a full Council of 12 that have worked efficiently. Could be lack of education, because they don't know what they're up against, but there are a lot of other factors playing into it. Could say nine right now, because that is about how many that are working effectively. Not sure on the amount right now. We don't know who will be there. There has to be accountability and willingness to learn what the job entails.
- Education has a lot to do with it. I don't know what I'd be doing if I jumped in right now. Chiefs should know what is going on before they get in Council.
- There should be prerequisites set for whoever wants to run for Chief in Council. They should have served on a few boards prior to running. Some Chiefs cannot write letters and lack basic communication skills. The community remembers the candidates (i.e. work experience on BODs) and is aware of what they accomplished. If this standard becomes part of the whole milieu, we'd have a great Council.
- Important to have experience and capacity when coming into job. People should be involved in the community and outside of the community. They should have people skills and be a team worker. The division of files is important. It's not balanced right now. If this were the case, I would support 9 instead of 12 Chiefs.
- Regarding setting prerequisites, we need to be careful about being a democratic government because you are creating an 'elite' group. It stops the average 'Joe' from running. It's the community that does the prescreening for us.
- Then why do people still feel there are Chiefs that are elected whom they thought had the qualifications and accomplishments but they didn't?
- That's why report card/progress reports are important.
- The question being asked is about the number being too great. If all the Chiefs were pulling their weight there'd be no problem. No perfect number. Agree with 9, or even less if all of them did their work. Number 12 is too great.
- Community picks best person before voting. Agree with nine or even eight.
- Weren't sure people wanted to cut it down to half because that seems too drastic; nine is the half way number.
- Would less than 9 work?
- Yes, but the Chiefs would have their work cut out for them.
- We need to take small steps.

- Report card/progress reports would tell all.
- Do you know what the Chiefs do?
No, we don't.
- Portfolios don't necessarily have to be given to the Chiefs. They could be given to the technicians.
- With a decentralized government, the machine continues to move, but there is no interaction with the government. Even with a heavy workload, you're as busy as you want to be. But not one Chief spends all their time on Council work issues. I've learned a lot in 14 years and the tasks vary.
- Do the portfolios change? Yes, they can within the term.
- How many portfolios are there? Unsure.
- Should have capacity to attend meetings on the outside then report and return.
- Other Chiefs have to be updated. They have to read a lot of material.
- We have modern forms of communication now, so you don't have to attend all meetings to update yourself.
- Still need that person to activate file.
- Don't need two to go to the same meeting.
- There should be a substitute in case the other Chief is unable to attend.
- Only need one person to attend meeting, it's not necessary to send two people for the same file.
- List of portfolios and priority files. Some meetings are a waste of time especially when we don't always have a voice at all of the meetings.

At this point a vote was taken by Group 2 asking how many people are agreeable to go with the 9 Chiefs.

➤ 8 people chose to go with 9 Chiefs

- Transition period at carrying heavier workloads. Other terms there were Chiefs out on sick leave. The stress from the job probably a factor. Suggested not to reduce it further to lower number from 12 to 9 at this point.
- Wasn't there talk about having a staggered election?
No, not in this forum, however one person remembered this being discussed.

Group 2 presented to Group 1 that they reached consensus to go from 12 Chiefs to 9 Chiefs with the following results:

- 1 = Eight Chiefs
- 8 = Nine Chiefs
- 1 = Abstained

The reasons given for the reduction from 12 Chiefs to 9 Chiefs was the following: 1) Budgetary constraints, 2) More efficiency because workload would be balanced and evenly distributed, and 3) Odd number would be easier in the event of a stalemate (tie breaker).

QUESTIONS:

- Who raised the subject to go from 12 to 9 Chiefs?
It was noted that this was requested at the First Election Law Community Consultation.
- Another asked if we could opt for less than nine Chiefs?
You could decide on choosing as many Chiefs as the community wants.
- How many Chiefs attend?
The Chiefs that attend the Hearings are attending as community members, not in their capacity as a Chief.
- Maybe the question should be how many Chiefs attend Monday Council meetings?
Usually all 12 Chiefs attend the weekly Council meetings.
- When in sections, wasn't it seven (7) sections?
People remembered that there were only six (6) sections.
- Are we considering reducing the Chief composition from 12 Chiefs to 9 Chiefs for budgetary reasons?

OUTCOME:

No consensus was reached between the Groups. Group 1 chose to keep the status quo, whereas Group 2 chose to reduce from 12 Chiefs to 9 Chiefs.

Group 1 explained that efficiency was questionable to reduce from 12 to 9 Chiefs. They also felt that the decision should not be based primarily on money, but who is better able to represent the people. We need proper procedures in place before we change from 12 to 9. We need a better review explaining why we need to change and fix the system first. There was the suggestion to hold a referendum at the next election to ask the people if they wanted the number of Chiefs in Council to be reduced from 12 to 9. Also noted was that the (CDMP) is the Process that we chose to make our decisions instead of holding a referendum.

NEXT STEPS:

Participants were asked to read the feedback report, as there were a lot of suggestions to criteria to run for Chief, but you have to be realistic on what criteria you choose, is it measurable? The electoral officer has to be able to measure this. The next question is what the Community wants for criteria to hold office.

Next Meeting: Wednesday, April 30, 2014 at the Karonhianonha from 6:00 p.m. to 8:30 p.m.

FINAL MINUTES

**Kahnawà:ke Election Law
FIRST HEARING (#3)**

Approved by:

Trina C. Diabo, Technician Kahnawà:ke Election Law

Date