



LANDS AND RESOURCES COMMITTEE

TERMS OF REFERENCE

Introduction

The Lands and Resources Committee is a committed group of Mississauga First Nation (MFN) Band members, Council members and staff who advise Chief and Council on land related activities and support all activities pertaining to the Lands and Resources Department as per Land Code.

Accountability

The Lands and Resources Committee is directly accountable to Chief and Council through submission of monthly minutes.

Goals

The Goals of the Mississauga First Nation Lands and Resources Committee are:

- To ensure that the Reserve land belonging to Mississauga First Nation is for the use and benefit of Mississauga First Nation Band members;
- That the land mass will be protected and;
- That the cultural and traditional values of the Mississauga First Nation people will be the mainstay of land issues and matter.

Membership

In accordance to Section 25.2 of the Land Code – “Any member over the age of sixteen (16) years, whether resident on or off First Nation land, is eligible for appointment to the Lands and Resources Committee upon application, except the following persons:

- a) Any person convicted of an offence that was prosecuted by way of indictment under the Criminal Code of Canada;
- b) Any undischarged bankrupt person, and;
- c) Any person convicted of a corrupt practice including accepting a bribe, dishonesty or wrongful conduct.
- d) Any person that is an employee of The Lands and Resources Department cannot hold a seat on the committee.

The Lands and Resources Committee is made up of nine (9) members and appointed by Band Council Resolution.

- Councillor holding the Lands and Resources Portfolio and will be the Chairperson;
- At least two (2) Elders who are members of Mississauga First Nation and;
- Six (6) individuals over the age of sixteen (16) years of age who are members of Mississauga First Nation and can be appointed by the Committee to act as the Chairperson in the absence of the Portfolio Holder.

Term

The Lands and Resources Committee shall serve for a term of four (4) years with the exception of the Portfolio Holder, which shall be a three (3) year term as per election year.

A posting for a call for members will go out to the community within three months of the expired term with the exception of the Portfolio Holder.

Community Participation

Community members who are not part of the Lands and Resources Committee can provide input at any regular scheduled committee meeting. All committee meetings are open to the public.

Community members can address their concerns to either:

- Lands and Resources staff/Director of Operations
- Chairperson/Portfolio Holder of the Committee

The concern must be submitted, in writing, along with a proposed recommendation or resolution, at least one week prior to the meeting date, in order for it to be added to the agenda.

Ethics and Code of Conduct

The Committee will base its ethics and Code of Conduct on the seven grandfather teachings. The teachings specifically include respect for others when they are sharing their thoughts, allowing each member to contribute to the meetings. All Committee members agree to demonstrate good behavior while attending meetings, and with a **sound mind**:

Nibwaakaawin (Wisdom) – to cherish knowledge is to know Wisdom: sound judgement, ability to discern inner qualities and relationships. Use good sense and form a good attitude and course of action. Listen and use the wisdom of Elders, leadership and spiritual leaders.

Zaagi'idiwin (Love) – to know love is to know peace: strong affection for another forming out of kinship or personal ties; attachments based upon devotion, admiration, tenderness, unselfish loyalty, benevolent concern. Feel and give absolute kindness for all things around you. To love yourself is to live at peace with the Creator and in harmony with all creation.

Minaadendamowin (Respect) – to honor all of creation is to have respect. Showing regards for the value of person or things through courteous consideration and appreciation. Honor our traditional

roles and teachings; honor our families, others and ourselves. Don't hurt anything or anyone on the outside or inside.

Aakode'ewin (Bravery) – to face life with courage is to know bravery. The personal strength to face difficulties, obstacles and challenges; to have courage and make positive choices. Stand up for your convictions – show courage in communicating and decision-making.

Debwewin (Truth) – to know of these things is to know the truth. Faithfully apply the teachings of our seven grandfathers and trust in the creator. Sincerity in action, character and utterance. Be faithful to fact and reality.

Gwayakwaadiziwin (Honesty) – to walk through life with integrity is to know honesty. Being truthful and trustworthy. Tell the truth. Accept and act on truths through straightforward and appropriate communication.

Dabaadendiziwin (Humility) – to accept yourself as a sacred part of creation is to know humility. Reflecting, expressing or offering in spirit of deference or submission. Balance of equality with all life. Recognize the human need for balance in life.

Conflict of Interest

Members of the Committee must declare a Conflict of Interest on issues that affect their immediate family. Immediate family includes: mother, father, son, daughter, spouse or any other person residing in the committee member's household.

The person declaring Conflict of Interest must remove themselves from the room. They do not become actively involved in any discussions or decisions when Conflict of Interest is declared.

Any committee member may raise any potential Conflict of Interest for discussion.

Quorum

The quorum shall be 50% + 1 of the voting members.

Responsibilities

- a) Assist with the development of the land administration system;
- b) Advise Chief and Council on matters respecting Mississauga First Nation land;
- c) Recommend laws, resolutions, policies and practices respecting the management of Mississauga First Nation land to Chief and Council;
- d) Hold regular meetings and special meetings of the Committee members to discuss land issues and make recommendation to Chief and Council on the resolution of these land matters;
- e) Assist with the flow of information on land issues between Band members and Band Council;
- f) In consultation with the community, ensure that rules and procedures are developed that address the following matters:

- Environment protection and assessment in relation to MFN land;
 - Any outstanding issues on the resolution of disputes in relation to MFN land;
 - Inter-Treaty Harvesting Strategy;
 - Land use planning and zoning and;
 - Section 39 respecting the spousal separation
 - Other duties as assigned by Council.
- g) The Committee members shall sign an Oath of Confidentiality.

Appeals Process

Band members can appeal decisions made by the Lands and Resource Manager and staff. The process is as follows and provided the decision is outside the jurisdiction of the Land Code:

- If a Band member does not agree with a decision made by the Lands and Resource Manager/staff, the Band member can appeal, in writing, to the appropriate Manager within ten (10) working days of the decision. The Lands and Resource Manager/staff must review the appeal within five (5) working days and render a decision to the Band member.
- If the Band member is not satisfied with the appeal decision of the Lands and Resource Manager/staff, the Band member can then appeal to the Lands and Resources Committee, in writing, within ten (10) working days of the Lands and Resource Manager/staff's appeal decision. The Lands and Resource Committee must review the appeal within five (5) working days and render a decision to the Lands and Resource Manager/staff and the Band member.
- If the Band member is not satisfied with the appeal decision of the Lands and Resources Committee, they can then appeal to Chief and Council within ten (10) working days of the Lands and Resources Committee's decision. Band Council must review the appeal at the first regularly scheduled meeting upon receipt of the appeal and render a decision to the Lands and Resources Manager and Band member.

Band Council's decision is final, and no further appeals will be accepted.

Meeting Dates

The Lands and Resources Committee meets at least once a month in the Council Chambers on the first Monday of each month unless that Monday is a holiday, the Committee will reschedule the meeting accordingly.

Emergency meetings may be called as required.

Agenda

The agenda of the Lands and Resources Committee meeting is as follows:

1. Opening Prayer
2. Adoption of Agenda
3. Declarations of Conflict of Interest
4. Approval of Previous Minutes
5. Business Arising
6. New Business

7. Date of next Meeting
8. Adjournment

Roles and Responsibilities

Councillor holding Lands and Resources Portfolio

- To chair the meetings, to keep order and continuance
- Ensures quorum
- Sets agenda for the meetings in consultation with Lands and Resources staff
- Ensures members declare Conflict of Interest when applicable
- Is allowed to vote in the event of a tie
- Asks for comments/input from all committee members and/or community members in attendance
- Records all votes (in favour, opposed, abstentions)

Lands & Membership Registry Clerk

- Prepares agendas, meeting notices, meeting packages and correspondence
- Ensures timely distribution of meeting packages to committee members before the meeting (3 days).
- Takes minutes of meetings
- Ensure minutes are submitted to Chief and Council for approval, after receiving committee approval
- Keeps a copy of all committee correspondence

Lands and Resource Program Director

- Is a resource and advisor to the committee
- Supports committee recommendations
- Reports on activities in the Lands and Resource department
- Develops and reviews policies in cooperation with the committee
- Ensures appropriate information is available to the committee for motions and/or recommendations
- Ensures appropriate funds are identified in the budget for the Committee to operate
- Is NOT allowed to vote

Other members

- Are NOT allowed to vote
- Actively participates in all committee meetings and functions
- Actively participates on sub-committees when required
- The members will adhere to the Code of Conduct as established by Chief and Council