



CHIEF & COUNCIL GUIDELINES

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EXECUTIVE SUMMARY

The purpose of the Chief & Council Guidelines is to provide the elected members, with guidelines for which they can perform the duties of office in a consistent, fair and efficient manner.

Chief and Council of the Garden River First Nation desire to serve the people fairly and efficiently; accordingly, Council is determined to establish an effective working relationship with fellow Councillors and the Garden River First Nation Membership. These guidelines describe the political, functional and legal roles and responsibilities of the Chief and Council, Chief Administrative Officer and staff to ensure and promote good governance.

By the guidelines contained herein, the Council hereby affirms the objective of the separation of politics and administration. The Council is responsible for the strategic planning and visionary leadership of the First Nation. The day-to-day administration activities of the band and of the staff is the responsibility of the Chief Administrative Officer.

This is a living document and will be reviewed and amended when needed.

It is the goal of the Garden River First Nation to acknowledge and adopt our historical governance structure and polices of our ancestors which includes the clan system, honouring our Elders, the safety/education of our children as paramount to all community members and remembering our past so we can act accordingly today and for the future.

Acknowledge that we governed ourselves with our own governance structures.

DEFINITIONS

“Ad Hoc Committee” is a committee formed by Chief and Council for a specific task or objective, and dissolved after the completion of the task or achievement of the objective.

“Advisory Committee” is a committee formed by Chief and Council that is expected to confine their activities to the work of the Garden River First Nation Department.

“Band Council Resolution” normally referred to as a BCR is used to record a decision of Chief and Council at a duly convened meeting which is normally requested by outside organizations.

“Chief and Council” or **“Council”** means, collectively, the Garden River First Nation Elected Council consisting of the 12 duly elected Councillors and the elected Chief.

“Chief and Council Chair” means the person who leads Council meetings, usually the Chief.

“Community”, **“Community Members”** refers to people who live within the Garden River First Nation.

“Conflict of Interest” wherever an individual could benefit, disproportionately from others, directly or indirectly, from access to information or from a decision over which they might have influence, or, where someone might reasonably perceive there to be such a benefit and influence.

“Department” refers to a Garden River First Nation department.

“Executive Assistant” refers to the executive assistant of the Chief and Council and the Chief Administrative Officer.

“Manager” refers to a manager working for a department of the Garden River First Nation.

“Members”, **“Membership”** refer to people who are registered Garden River First Nation Band Members.

“Motion” is used to record a decision made by Chief and Council at duly convened meeting for internal purposes.

“Open Session” Council meetings that allow attendance by band members.

“In-camera Session” Council meetings that do not allow attendance by band members.

“Operating Plan” refers to the Chief and Council’s annual plan that ensures the advancement of the Strategic Plan.

“Portfolio” means the department service area that a member of Council is to represent as spokesperson to Chief and Council.

“Proxy” is appointed to have the authority to represent someone else, especially the Chief.

“Strategic Plan” refers to a long-term plan that supports the achievement of the vision of Garden River First Nation.

“Succession” refers to the act of replacing the Chief Administrative Officer once the position becomes vacant.

SECTION 1: GOVERNANCE GUIDELINES

1.0 Chief and Council Mission Statement and Values

Mission Statement

In the spirit of our ancestors and our Treaty, we endeavour to conduct ourselves in a manner that is consistent with the Seven Grandfather Teachings given to us by the Creator. We envision a harmonious community that is built on mutual respect that maintains a healthy balance through prosperity and well-being. Through these actions we intend to create a self-sustaining community that fulfills the emotional, physical, mental and spiritual well-being of all members.

Values

Nbwaakaawin-Wisdom

Zaagidwin-Love

Mnaadendmowin-Respect

Aakdehewin-Bravery

Gwekwadziwin-Honesty

Dbaadendizin-Humility

Debwewin-Truth

1.1 Code of Conduct

The independence and unity of the Chief and Council is essential to its effectiveness and respect in the community. Every decision affects the health and well-being of individuals, organizations and communities. It is therefore the policy of the Chief and Council that all members must adhere to the following:

1. Chief and Council members will conduct themselves in an ethical, businesslike and lawful manner, including proper use of authority when acting as members.
2. Chief and Council members must avoid conflict of interest with respect to their fiduciary responsibility. Should a Council Member become interested in a contract, transaction, matter or decision before the Chief and Council, a declaration of conflict of interest must be disclosed.
3. Chief and Council members interaction with the Chief Administrative Officer, or with other staff must recognize the lack of authority vested in the Chief and Council members except when explicitly Chief and Council authorized.
4. Only the Chair or designate may speak on behalf of the Chief and Council. No Chief and Council member shall speak or make representation on behalf of the Chief and Council unless authorized by the Chair or the Chief and Council. When so authorized, the Chief and Council member's representations must be consistent with accepted positions and policies of the Chief and Council.
5. Chief and Council members will honour the discussion and outcomes of votes of the Chief and Council in discussions with community members outsiders, even if the Chief and Council member holds another view or voiced another view during a Chief and Council discussion or was absent from the Chief and Council meeting.
6. Chief and Council members will respect the confidentiality of in camera sessions and issues of a sensitive nature, which may include, but not be limited to, personnel or human resource, information about job applicants, litigation, finance issues, etc. A member is in breach of his/her duties with respect to confidentiality when information is used or disclosed for other than the purposes of the Chief and Council.
7. Attendance is important to ensure the continuous and effective contribution of Chief and Council and committee member expertise.

1.2 Enforcing the Code of Conduct

It may become necessary to hold a Chief and Council member accountable for breaching the Code of Conduct.

Procedure

1. An allegation must be made in writing, dated and signed and contain all facts of the alleged misconduct
2. The Chief and Council Chair will oversee the investigation of an alleged breach. If the matter can be satisfactorily resolved no action will be taken.
3. The Councillor will be given the opportunity to respond (for example, attendance can improve, conflict of interest can be examined and questions of conduct can be reviewed).
4. If the Chief and Council Chair determines that the matter cannot be satisfactorily resolved, a recommendation for discipline will be made to Chief and Council.
5. The member in question will be given proper notification of the applicable reason for discipline and the final consideration and action will be determined by Chief and Council.

WHEN A ELDER'S ADVISORY COUNCIL IS FORMED, THEY WILL HAVE THE AUTHORITY TO ENFORCE THE CODE OF CONDUCT USING THE METHODS OUTLINED BELOW, OR OTHER TRADITIONAL LEGAL METHODS.

(INTERIM) PENALTIES FOR CODE OF CONDUCT VIOLATIONS

1. A written reprimand, published in the newsletter and social media accounts
2. Council honorarium deduction related to the severity of the action
E.G. A severe breach would be a breach of confidentiality, a lesser breach could be inappropriate comments on a social media site.
3. Removal from committees

1.3 Roles and Responsibilities of the Chief and Council

The Chief and Council perform the following roles:

| | |
|---------------------------|--|
| Policy Formulation | Establishes policies to provide guidance to those empowered with the responsibility to manage Garden River First Nation operations |
| Decision-Making | Makes decisions which are consistent with Chief and Council policies and that advance the vision, the mission and the goals of Garden River First Nation |
| Oversight | Monitors and assesses organizational processes and outcomes |

The Chief and Council fulfill the following responsibilities:

- Defines Goals
- Provides for Excellent Management
- Ensures Program Quality and Effectiveness
- Ensures Financial Viability
- Ensures Chief and Council Effectiveness
- Builds Relationships

GOOD GOVERNANCE

Chief and Council will attend a good governance training workshop within one month of being elected. This training includes Chief and Council guidelines, facilitation training, strategic planning and overall good governance.

Chief and Council will read and sign the Oath of Office including the Oath of Confidentiality.

1.4 Duties of Chief

The Chief is the elected head of Garden River First Nation and the roles and responsibilities within the governance structure and it is of the utmost importance as he/she is the primary contact with the community and outside organizations. The definition of clarity in roles and responsibilities should be defined to avoid conflict and confusion with the leadership of the community.

Procedure

1. As a member of Council, the Chief's responsibilities, and accountability include the following:
 - a. Acting as the official spokesperson or representative at ceremonies or other special functions and have the responsibility to delegate when not available;
 - b. Is responsible to report Chief & Council business to community and solicit feedback;
 - c. Speak and express the opinions of Garden River First Nation when dealing with general matters concerning the First Nation;
 - d. Ensuring Council conducts itself in a manner consistent with its own rules;
 - e. Calling emergency meetings of the Council to discuss important business that cannot wait until the next duly convened meeting and shall have the authority to call an emergency meeting at the request of a majority of Council;
 - f. Making decision in accordance with Council policies on the governance process;
 - g. Ensuring that a mechanism is in place to determine Council's opinion on significant matters and the means of communicating this position externally;
 - h. Help Council be an effective team following the Oath of Office;
 - i. Ensure Council attends to the work of Council;
 - j. Ensure the long term needs and goals of the community are at the forefront in decision making; and
 - k. Assign a proxy to outside organizations (NSTC, UOI, COO, AFN) in his/her absence utilizing the Council list starting with Head Councillor and/or who is readily available.

1.5 Duties of Councillors

The elected Council of Garden River First Nation has been placed in a position of leadership by the community members and has roles and responsibilities to the community. The definition of these roles and responsibilities should be clearly stated to avoid confusion and conflict.

Procedure

1. As a Councillor for Garden River First Nation it is expected you will:
 - a. Act in the best interest of the community as whole;
 - b. Be diligent in your position as Councillor, ensure that you do not act as spokesperson on behalf of GRFN;
 - c. Report regularly and fully on Garden River First Nation finances, projects, programs and services to community members and to Council as a whole;
 - d. Attend to the duties of Portfolio Holder for specific departments and committees within Garden River First Nation;
 - e. Ensure written and verbal reports are made available to full Chief and Council on meetings, workshops, conferences attended on behalf of Council business.
 - f. As a Councillor it is your responsibility to make yourself aware of the political business of the Garden River First Nation and provide sound advice at Council meetings.
 - g. It is Council member's responsibility to ensure your mail, Council packages and other relevant information is picked up for review prior to meetings.
 - h. It is Council member's responsibility to separate work related issues from Council business.
 - i. It is Council member's responsibility to ensure they are aware of conflict of interest policies and declare any conflict prior to any discussion on a matter.
 - j. It is Council member's responsibility to maintain an atmosphere of mutual respect with each other and the Chief Administrative Officer
 - k. It is Council member's responsibility to ensure notification of planned absences is sent to the Executive Assistant of unavailability for duly convened Council meetings.

1.6 Honorarium

Chief and Council, as elected officials, will receive a monthly honorarium for their services. This amount has been approved by motion 2010-2011-01. An annual amount is budgeted within Band Support Funding to support this requirement.

Chief's Honorarium

1. The Chief shall be provided an annual amount of \$ 60, 600 to be paid bi-weekly.
2. Where the election date is near the middle of a month then only ½ months of an honorarium shall be paid.

Councillor's Honorarium

1. Each Council member will receive a base monthly honorarium amount of \$700 to be paid by the 15th of each month and placed in their mailboxes.
2. Where the election date is near the middle of a month then only ½ months of an honorarium shall be paid.
3. The remainder of the allotted \$1300 shall be paid out for attendance.
4. There are three duly convened meetings per month; 1 General Membership Meeting, and 2 Working Meetings.
5. For each regular meeting attended, a Councillor shall receive \$200 to a maximum of \$600 to be paid in addition to their base honorarium the following month.

For example: If a Councillor attends 2 meetings, they will receive \$400 the following month.

6. If a Councillor has a valid excuse for absence as defined by section 1.7 Attendance, then that Councillor will receive their meeting allowance for that meeting.
7. If a meeting is cancelled due to circumstance or by the Chief, then all Councillors will receive their honorarium for that meeting.
8. Missed honoraria shall become a donation to a cause indicated by Council, e.g. The Food Bank, the LNHL, etc.

Special Meetings

1. As per motion # 2015-2016-75.

1.7 Attendance

1. Chief and Council are responsible for notifying Executive Assistant via telephone or e-mail of their absence at a duly convened meeting of Chief and Council by the Monday prior to the meeting stating their reasons for absence.
2. The following are valid excuses for missing a meeting but not limited to (as per discretion of the Chief):
 - a. Attending meeting on behalf of Chief and Council
 - b. Illness
 - c. Prior notice of vacation
 - d. General personal family emergency – immediate family
 - e. Ceremonial Commitments – to be approved by Chief & Council Chair
3. All valid absences must be approved by Chief.
4. Unexcused absences at a duly convened meeting are subject to the following penalties:
 - a. Following one unexcused absence a warning shall be issued by the Chief and/or the Chief & Council Chair;
 - b. Following two unexcused absences the Chief & Council shall issue a written warning delivered to the Chief or Councillor's home address; and
 - c. Following three consecutive unexcused absences Chief and Council shall implement section 78.2 (b) of the *Indian Act* for removal of Chief or Councillor.

1.8 Travel

Chief and Council, as an elected official may travel from time to time, as a part of their duties. An annual amount is budgeted within Band Support Funding to support this requirement. Outlined below are the procedures required to access funding.

Procedure

1. The Chief shall be allotted an annual amount of \$ 15,000 for travel as required.
2. Each Council Member shall be allotted an annual amount of \$ 5,000.
3. Travel must be submitted and authorized by the Chief at least two weeks prior to the date of departure.
4. The most economic method of travel shall be paid (i.e.: flight costs are cheaper than mileage)
5. Any travel subsidized by a funding agency with the proper supporting documentation shall not be considered a part of the annual allotment.
6. Where a specific department can support the travel costs, this to shall not be considered a part of the annual allotment.
7. Chief or Councillor shall complete a report upon conclusion of trip and submitted as to the Executive Assistant for the next Chief and Council meeting.

1.9 Portfolios

Garden River First Nation will establish a Councillor Portfolio System under a specific area requiring representation. Department areas have differing mandates and accountabilities therefore the Portfolio Holder's Terms of Reference will reflect the specific requirements of the Department the Councillor represents.

Procedure

The Following process will be used to determine Portfolio Holder(s):

1. Chief and Council Member(s) will declare their interest in a particular Department Portfolio
2. The Chief and Council Chair will determine the most appropriate Councillor as the Portfolio Holder for that specific Department and service area
3. The Councillor will be responsible to liaise between the Manager, the service area and relevant Department
4. The Councillor will be responsible to orientate to the Portfolio with the assistance of the Manager.

GENERAL TERMS OF REFERENCE FOR PORTFOLIO HOLDERS

1. Along with the Chief and Council Chair, to act as spokesperson for that department service area
2. To uphold and keep under review the Garden River First Nation Chief and Council's overall strategy.
3. To inform and to reply to questions from the Chief and Council
4. To keep informed of the Manager and Department priorities, and where appropriate, the re-allocation of resources, for the delivery of Department area services.
5. To determine with the Manager the response of the Garden River First Nation to; government initiatives, policies, funding criteria and/or reviews, reports, and negotiations
6. To attend meetings as determined by the Manager, with; Member First Nation Communities, First Nation governments, federal/provincial government officials, and other institutions, gatherings or functions.
7. To develop effective relationships with other bodies and agencies concerning the portfolio

8. To keep informed of the Manager and Department on the preparation of Work, Business and/or Service Plans
9. To bring the Department or Portfolio service area recommendations to the Chief and Council
10. To report to the community and Chief and Council on meetings attended.
11. To chair or take the lead and represent in Garden River First Nation Department undertakings with federal, Provincial and First Nations governments, Member First Nation meetings and other Institutions
12. To represent the Garden River First Nation Chief and Council on strategic partnerships, discussions and/or negotiations in the portfolio area
13. To exercise overall liaison and strategic responsibilities as determined by the portfolio service area
14. To attend the Garden River First Nation Service Department's internal and external meetings as required

1.10 Conflict of Interest

Chief and Council shall at all times act in the best interest of the Community as a collective rather than individual interests. They will perform their duties in such a manner that promotes the Community's confidence and trust in the integrity, objectivity and impartiality of their decisions. While engaged in the affairs of the Community, all members of Chief and Council have an obligation to conduct themselves in such a manner that prevents actual or potential conflicts of interest.

Chief and Council must declare all conflicts of interest and potential conflicts of interest and voluntarily withdraw from all levels of decision making where they have a perceived, real, or potential conflict of interest. Any conduct by any member of Chief and Council that is, or could be perceived as in conflict of the interest of the Community is prohibited.

Procedures

1. If at any time in the course of carrying out their duties a member of Council believes there may be a potential or real conflict of interest, the member of Council must declare his/her conflict, leave the meeting and this shall be reflected in the meeting minutes.
2. At the beginning of every meeting, there shall be a time at which Chief and Council will have the opportunity to declare a conflict of interest issue.
3. If at any time in the course of carrying out their duties, if a fellow member of Council believes there may be a potential or real conflict of interest, then the Councillor must declare their being in a conflict and this shall be reflected in the meeting minutes
4. If this transpires and the Councillor does not consider their interest to be in a perceived or real conflict of interest, then a vote shall be called for of the whole Council and the affected Councillor shall abide by the decision of the majority. This shall be reflected in the meeting minutes.

SECTION 2: PLANNING AND REPORTING

2.0 Reporting

Garden River First Nation acknowledges its responsibility to operate in a transparent and accountable manner and shall provide good governance by committing to the principles of transparency, accountability and openness. Those principles are the essentials of good government which enhance community trust. They are achieved through adopting policies and establishing processes which demonstrate the principles that will guide Chief and Council and Garden River First Nation personnel. Garden River First Nation shall:

- Conduct its business openly, honestly, and with integrity;
- Ensure decision-making is open, clear, transparent and accountable;
- Make information accessible so that it is consistent with legislative requirements under the Freedom of Information and Protection of Privacy Act;
- Use transparency and accountability mechanisms, including public engagement that helps to ensure that Chief and Council decisions reflect citizen needs and priorities;
- Encourage and enable a culture of proactive disclosure throughout the organization. Make use of best practices and routinely release Chief and Council records and non-confidential information to the public, while also protecting privacy;
- Manage financial resources and all Garden River First Nation assets in an efficient and effective manner.

Procedures

Transparency and Accountability Mechanisms and Practices

Transparency is the foundation of accountability. Garden River First Nation ensures transparency and accountability by way of various policies, procedures and practices that have been divided into the following categories:

Financial Accountability, Oversight and Reporting

An ongoing commitment to accountability and transparency in financial management is one of Garden River First Nation's most strongly held values. Top quality financial reporting is essential if the organization to be fully accountable to citizens and other parties with an interest in the organizations finances. Garden River First Nation will ensure sound financial oversight, governance of financial assets, and demonstrate effective stewardship of public funds through the following practices:

1. Comprehensive annual financial statements;
2. Implementing, reviewing and maintaining Policies and Procedures that ensure sound financial governance and accountability;
3. Implementing, reviewing and maintaining Finance Policies and Procedures that ensure sound financial governance and accountability
4. Quarterly and annual reports to Chief and Council and citizens on department business plans and budgets;
5. An annual report to membership

Reporting of Chief and Council Expenses

Chief and Council is committed to transparency and accountability by reporting expenses related to communications, business expenses, travel, courses and seminars.

In accordance with Chief and Council direction, the Chief Administrative Officer shall post updated Expense Reports on a quarterly basis on Garden River First Nation website;

- Publishing the Chief and Council's expenses on a quarterly basis on Garden River First Nation website;

Open Government

Chief and Council Meetings Garden River First Nation is accountable and transparent by providing governance in an open manner. The following are policies, procedures and practices that reflect Garden River First Nation's ongoing effort to improve the ease-of-access and transparency of the legislative process to ensure citizens are aware of how decisions are made and carried out:

1. The conduct of Chief and Council and Committee meetings shall be governed by these Guidelines.
2. All meetings are open to the membership except where it is appropriate and permitted to consider a matter in a closed meeting
3. Chief and Council and Committees may close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in *Freedom of Information and Protection of Privacy Act*.
4. Membership shall be provided with a range of opportunities to participate in Committee meetings and Chief and Council meetings

Access to Chief and Council Records and Decisions

One of Chief and Council's priorities is to make it easier for citizens to get the information they need. The following policies and practices will enhance membership's access to Chief and Council records and decisions, therefore:

1. All Chief and Council, Committee, and Committee agendas shall be posted online on Garden River First Nation's website for the public to access once published and are available for membership to access at any time by searching the Chief and Council record.
2. All reports and other documents considered by Chief and Council and Committee shall be made available to the public at the meeting at which they are being considered, except where a report or document is held confidential under the FIPPA.
3. All reports and other documents not falling into the confidential category under the FIPPA shall be released to the public.
4. All Committee and Chief and Council minutes shall be made available to the public once confirmed by Chief and Council, except any specific portions that are held confidential under the FIPPA.
5. Agenda cover pages for in-camera meetings shall be made public containing as much information as possible on the items for discussion without revealing confidential or personal information.
6. All Policies adopted by Chief and Council shall be posted in the Chief and Council Policy Library on Garden River First Nation's website and be made available to the public.

Public Engagement

Garden River First Nation recognizes the value that citizens contribute to planning, delivering and evaluating Community programs and services. Garden River First Nation will engage the public throughout its decision-making process. This process will be open, visible and transparent, while balancing the need for the decision-making process to be efficient and effective by adhering to the following:

- Wherever possible, Garden River First Nation shall engage membership and provide opportunities for the membership to participate in and provide feedback on programs and services and clarify their priorities about how monies dollars should be spent.

Responsibilities

Chief and Council and Garden River First Nation Chief and Council are responsible for:

- Building public trust and adhering to the parameters of this policy and for ensuring accountability for their actions and transparency of Band operations;
- Promoting and maintaining a culture of transparency and accountability.

2.1 Strategic Planning

The Chief and Council will ensure a Strategic Plan is in place and will review the Plan and progress being made toward its achievement each year. Chief and Council will augment/revise/update the Plan to ensure it continues to support the achievement of the vision of Garden River First Nation.

It is important to the well-being of the whole community to work towards a common goal and purpose for governing purposes. Strategic planning is a method of determining the on-going programs and services and to learn what is needed in the community and plan accordingly. Planning is a critical component of good management and governance. Strategic Planning will help assure that Garden River First Nation remains relevant and responsive to the needs of its community, and contributes to organizational stability and growth. It provides a basis for monitoring progress, and for assessing results and impact. It facilitates new program development. It enables an organization to look into the future in an orderly and systematic way. From a governance perspective, it enables Chief and Council to set policies and goals to guide the organization, and provides a clear focus to the Chief Administrative Officer and staff for program implementation and management.

Procedure

1. Agree on a strategic planning process.
2. Review any strategic planning documents available for community development as well as programs and services.
3. Ensure documentation is done for a community environment scan is completed.
4. Identify key issues, questions, and choices to be addressed as part of the planning process.
5. Define or review Garden River First Nation's values, community vision and mission.
6. Develop a shared vision for Garden River First Nation.
7. Develop a series of goals or organizational statements which describe the organization in a specified number of years.
8. Agree upon key strategies to reach goals and address key issues identified by the environmental scan.
9. Develop an action plant that addresses goals and specific objectives and work plans on an annual basis.
10. Finalize a written strategic plan that summarizes the results and decisions of the strategic planning process.
11. Build in procedures for monitoring, and/or modifying strategies based on changes in the external or internal environment.

2.2 Annual Chief and Council Work Plan

On an annual basis, the Chief and Council will establish goals and specific objectives that the Chief and Council must address in the coming year i.e.: September to August. The goals and objectives will be used to establish the direction for the Chief and Council committees and the work plan of the Chief and Council based on the Strategic Planning conducted.

The Chief and Council will evaluate the achievement of the annual goals and objectives for both the Chief and Council and its committees, quarterly.

SECTION 3: MEETINGS AND COMMUNICATIONS

The primary accountability of the Chief and Council is the well-being of Garden River First Nation. The Chief and Council will endeavour to conduct its meetings in a manner that enables Chief and Council decisions to be communicated to the membership at large. Chief and Council will continue to work toward the development of traditional governance principles. The working meetings will be held every 2nd and 4th Tuesday of each month and will only be re-scheduled or cancelled upon a death in the community.

3.0 Chief and Council Meeting Format

Unless otherwise authorized by the Chief and Council Chair:

1. The Chief and Council will hold open and in-camera sessions with separate agendas reflecting the priority of Garden River First Nation's well-being. The Chief and Council work plan will guide the development of meeting agendas.
2. There will be a section allowing for Declarations of Conflict of Interest.
3. For any motion or Band Council Resolution, discussion will take place before either are moved or seconded.
4. Open sessions will allow for attendance by the membership. Individuals, staff and councillors who wish to address the Chief and Council must submit their request to the Executive Assistant of the Chief and Council at least 7 days in advance of the Chief and Council meeting. The meeting package will be provided to Council 5 business days prior to the meeting. Such agenda requests may be approved as time, appropriateness and other priorities allow. All motions, Band Council Resolutions, agendas and minutes from open sessions will become public information. In-camera sessions are not open to membership, the Executive Assistant, Chief Administrative Officer and technical staff will remain in the in-camera session until the matters are decided. All motions, Band Council Resolutions, from closed sessions will be treated as confidential and kept with the Executive Assistant and will not become public information. No one, including Chief and Council members or administrative staff, may discuss or reveal the content of an In-Camera meeting unless specifically directed by a motion."
5. Matters addressed in closed session will generally not be repeated in open session, unless there is sufficient reason to inform the membership in this way and as directed by the Chair. Decisions should only be released if they will not harm the First Nation and/or citizens through the release of the information. And it should be approved by a quorum of Council. No phone calls or video communication will be allowed during the incamera session.

3.1 Expectations of Chief and Council Chair for Meetings

Role Statement

The Chief and Council Chair, working collaboratively with the Chief Administrative Officer, provides leadership to the Chief and Council, ensures the integrity of the Chief and Council's process and represents the Chief and Council to outside parties.

The Chief and Council Chair coordinates the activities of the Chief and Council in fulfilling its governance responsibilities and facilitates cooperative relationships among Chief and Council members and between the Chief and Council and Chief Administrative Officer. The Chief and Council Chair effectively manages issues to promote effective dialogue and respects that the Chief and Council has no direct management role with Garden River First Nation staff.

The Chief and Council Chair ensures that all matters relating to the Chief and Council's mandate are brought to the attention of, and discussed by the Chief and Council.

If the Chief is unavailable, the Chair will be the head councillor.

Responsibilities

Meetings

1. Presides over meetings of the Chief and Council
2. Establishes agendas in collaboration with the Chief Administrative Officer that are aligned with the annual Chief and Council goals and objectives.
3. Utilizes a practice of referencing Chief and Council policies in guiding discussions in order to support the decision-making processes of the Chief and Council.
4. Ensures that a schedule of Chief and Council meetings is prepared annually.

Leadership

5. Effectively leads each meeting in a manner that encourages thoughtful participation and promotes understanding of complex issues.

Direction

6. Serves as the Chief and Council's central point of official communication with the Chief Administrative Officer.
7. Guides and counsels the Chief Administrative Officer regarding the Chief and Council's expectations and concerns.
8. Develops standards for Chief and Council packages and reporting of information to the Chief and Council in collaboration with the Chief Administrative Officer.

Performance Appraisal

9. Leads the Chief and Council in monitoring and evaluating the performance of the Chief Administrative Officer through an annual process.

Work Plan

10. Ensures that a work plan is developed in collaboration with Council.

Representation

11. Ensures that the Chief and Council is appropriately represented at Council functions and other official functions and to the membership.
12. Serves as the Chief and Council's exclusive contact with the media, unless otherwise delegated.

Reporting

13. Reports regularly and promptly to the Chief and Council regarding issues that are relevant to its governance responsibilities.
14. Reports to each meeting of the members concerning the governance of the Council.

Chief and Council Conduct

15. Sets a high standard for Chief and Council conduct and enforces policies regarding Chief and Council conduct
16. Addresses issues associated with attendance and conduct of individual Councillors

Mentorship

17. Serves as a mentor to other Councillors.
18. Ensures that all members of the Chief and Council contribute fully.

Succession Planning

19. Ensures succession planning occurs for the Chief Administrative Officer.

3.2 Meeting Preparation and Procedures

Duly convened meetings are a record of discussion and decisions made by Chief and Council. An agenda is prepared for the Chief and Council Chair to follow and conduct the meetings. A register of meetings shall be kept in date order to record the business of Chief and Council.

Recording the business of Chief and Council allows for a register to be kept to document discussions and decisions. A register of the approved minutes allows Chief and Council, administration and/or membership to refer to these discussion and decisions for past, present and future purposes.

Procedure

1. Regular/Monthly and Special meetings:
 - a. Working meetings – every 2nd Tuesday @ 6:00 pm in the Council Chambers unless otherwise informed by the Chief and Council Chair; and
 - b. Monthly General Membership meeting - The 1st Tuesday of every month @ 7:00 pm at the Log House unless otherwise informed by the Chief and Council Chair; and
 - c. Special meetings may be called by the Chief and Council Chair or by a Quorum of Council
2. The Executive Assistant shall provide notice to Chief, Council and other interested parties with a meeting notice (date, time and location) via telephone and/or e-mail.
3. The Chief and Council Chair will establish agendas in collaboration with the Chief Administrative Officer.
 - a. Issues from community members should be dealt with in a timely manner.
4. Upon reviewing all information the agenda will be forwarded to all staff, managers and Council at least 24 hours prior to the scheduled.
5. Additions to the agenda will be determined at the meeting and approved by a quorum of Council.
6. If issues have not been considered at a meeting of council, they will be deferred and automatically but on the agenda of the following meeting.
7. The Working and Special meetings minutes shall be summarized by the Executive Assistant by way of recording the decisions and voting outcome of the agenda items.
8. The Working and Special meeting minutes will be forwarded to Chief and Council for approval at the next available meeting. The Monthly General Membership meetings will be summarized and reviewed by the Chief and Council Chair and the Chief Administrative Officer and then forwarded for distribution.

3.3 Recording and Storing of Band Council Resolutions (BCR's)

A Band Council Resolution (BCR) is a formal document signed by a quorum of Chief and Council to agree to a decision which relates to external agencies such as INAC, banks, and funding agencies. A numeric register shall be kept to record the business of Chief and Council when using BCR's.

Recording the business of Chief and Council on a Band Council Resolution allows for a register to be kept to document a decision. A register of these transactions allows Chief and Council, administration and/or membership to refer to these decisions for past, present and future purposes.

Procedure

1. BCR's may be prepared by Chief and Council and the administration. The Band Council Resolution must be signed by those who voted in favour at a Chief and Council duly convened meeting.
2. The recommended BCR must contain all pertinent information outlining the details of the decision such as: funder, amounts, timeframes, dates, terms etc. A brief summary outlining the purpose of the request may accompany the recommended BCR.
3. The Chair of the duly convened meeting may request the Executive Assistant to read the contents of the BCR to the full council for consideration.
4. All approved BCR's will be recorded in an annual numbered registry.
5. The Executive Assistant to Chief and Council will be responsible for maintaining an annual numbered registry to summarize and record all transactions.
6. The annual registry shall include two numbered lists. One list will contain decisions of Chief and Council where the information is considered public information. The second list will contain decisions made by Chief and Council where the information within the BCR contains private and confidential information examples include but are not limited to:(personnel issues, civil and legal issues, child welfare issues and in special circumstances determined and approved by Chief and Council via motion- Motion #08-09-03) The private and confidential list will have a summarized and numeric list available as public information with only the non-confidential information available.
7. Where required the original document will be provided to the external agency and a copy will be used for the annual registry list.
8. After the BCR has been numbered and filed by the Executive Assistant, the BCR shall be distributed to the appropriate staff member.

3.4 Recording and Storing of Band Council Motions

A Band Council motion is a formal document signed by a quorum of Chief and Council to agree to a decision which relates to the business of Chief and Council, the administration and /or Membership. A numeric register shall be kept to record the business of Chief and Council when using Band Council Motions.

Recording the business of Chief and Council on a Band Council Motion allows for a register to be kept to document a decision. A register of these transactions allows Chief and Council, administration and/or membership to refer to these decisions for past, present and future purposes.

Procedure

1. Band Council Motions are prepared by Chief and Council and the administration. Administration may prepare the information for Chief and Council to record a decision. To begin the process of making a decision a member offers a proposal by making a motion after he/she is recognized to speak.
2. The recommended Motion must contain all pertinent information outlining the details of the decision such as: amounts, timeframes, dates, terms etc. A brief summary outlining the purpose of the request may accompany the recommended Motion.
3. To put a motion to the floor you must obtain the floor by saying "I move that..." and then clearly describe your proposal. It is very important to be clear and precise with your proposal. It is good practice to write out any motion you propose.
4. When one member has a made a motion it must be seconded in order to be considered. If there is no seconder the motion is not put forward for discussion or decision.
5. When a motion is moved and seconded the Chief and Council Chair will repeat the motion. The Chief and Council Chair must ensure that the wording is clearly phrased.
6. Once the motion is made it is then before Chief and Council for debate or action.
7. When no one else seeks recognition to debate, the Chief and Council Chair will repeat the motion again to be voted on, and may request the Executive Assistant to read the contents of the Motion to the full council for consideration.
8. The motion is approved based on a majority of Council, only if there is a tie the Chief and Council Chair will vote.
9. All approved Motion's will be recorded in the annual registry signed by those who supported the Motion. All defeated motions will only be recorded in the minutes.

10. The Executive Assistant to Chief and Council will be responsible for maintaining an annual numbered registry to summarize and record all transactions.
11. The annual registry shall include two numbered lists. One list will contain decisions of Chief and Council where the information is considered public information. The second list will contain decisions made by Chief and Council during In-Camera sessions where the information within the motion contains private and confidential information (examples include but are not limited to: personnel issues, civil and legal issues, child welfare issues and in special circumstances determined and approved by Chief and Council via motion-Motion# 08-09-03). The private and confidential list will have a summarized and numeric list available as public information with only the non-confidential information available.
12. After the motion has been numbered and filed by the Executive Assistant, the motion shall be distributed to the appropriate staff member.

3.5 In-Camera Meetings

Garden River First Nation Chief and Council recognize that an active and informed community is a fundamental element of good governance. In order to achieve this Garden River First Nation Chief and Council believes that the community members must have clearly defined access to the decision-making process, except where provided by this policy, all Chief and Council meetings shall be open to the citizens.

The Executive Assistant will sign an Oath of Confidentiality and remain in the meeting unless he/she is in conflict.

Procedure

1. In-Camera Meetings shall be closed to the public.
2. The discussions of In-Camera Meetings are confidential.
3. No one, including Chief and Council members or administrative staff, may discuss or reveal the content of an In-Camera meeting unless specifically directed by a motion.
4. Chief and Council shall determine which staff members or members of the public, if any, are permitted to attend a specific In-Camera Meeting. If a member of Chief and Council disagrees with the Chairperson's decision, they may make a motion to overturn the decision, upon which a roundtable discussion shall take place and a final vote shall commence on the issue. The result of the vote will be final.
5. The following confidential issues may be addressed at an In-Camera meeting:
 6. personal matters, where it is reasonable to assume that an individual or individuals may be identified, including but not limited to Garden River First Nation employees;
 7. personnel relations, staffing issues, or employee negotiations;
 8. litigation or potential litigation;
 9. child welfare issues from Nogdawindamin, or other child welfare issues;
 10. in special circumstances determined and approved by Chief and Council via a motion

3.6 General Meetings with Membership

Garden River First Nation Chief and Council recognize that an active and informed community is a fundamental element of good governance. In order to achieve this Garden River First Nation Chief and Council believes that the community members must have clearly defined access to information and access to the Chief and Council and receive periodic updates on the activities and goals of the Council.

Procedure

1. Meeting on the first Tuesday of each month
2. All members of Chief and Council are required to attend these meetings with membership and non-attendance shall be considered a missed duly convened meeting.
3. All members of Chief and Council are expected to attend community functions as part of their duty to encourage participation and cooperation within the community.
4. The process for the Community Meeting with membership shall follow this format:
 - a. Opening Ceremony
 - b. Presentation of Agenda
 - c. Chief and Council Reports
 - d. Program Reports
 - e. Discussion
 - i. Elders speak
 - ii. Citizens speak
 - f. Closing Prayer
5. To be moderated for appropriateness;
6. All question and answers shall be recorded for accuracy and reported back to all citizens via Garden River First Nation web-site;
7. Any unruly individuals shall be requested to leave the meeting;
8. If meeting becomes disruptive the meeting shall be concluded.

SECTION 4: COMMITTEES

4.0 Committee Overview

- Committees of the Chief and Council play an essential role in the Chief and Council's functioning. Committees are chaired by an elected Chief and Council Member. Committee membership may include individuals who are not an elected Chief and Council Member.
- Assist the Chief and Council by preparing policy alternatives, decision support functions and other tasks relating to their terms of reference and identifying implications for Chief and Council deliberation.
- The term of the committee shall coincide with the Chief and Council term of office.
- Respect that their meetings are closed sessions and their discussions are confidential.
- Chief and Council Committees may not speak or act for the Chief and Council except when formally given such authority for specific and time-limited purposes.
- Unless otherwise authorized to do so, a committee may not engage independent legal counsel or consulting advice without the prior approval of the Chief and Council.

4.1 Appointed Committees

The Chief and Council may establish Advisory Committees to meet the ongoing requirements of the organization. Chief and Council appointed Committees may not make decisions on behalf of the Chief and Council. Instead, the decisions of the Chief and Council appointed Committees will become recommendations to the Chief and Council as a whole.

The Terms of Reference, membership and authority of Advisory and Ad Hoc Chief and Council appointed Committees will be defined in writing prior to the commencement of operation of the Committee. While Committee and Terms of Reference are developed, and established by the Chief and Council, it is reasonable to anticipate fine-tuning once the Committee is in place and performing its duties. The Committee's mandate or purpose extends from the Chief and Council to assist the various Departments that carry out the work of Garden River First Nation. The term of the committees shall coincide with the Chief and Council term of office.

Advisory Committees

The Chief and Council may establish Advisory Committees. The Advisory Committees are expected to confine their activities to the work of the Garden River First Nation Department and to exercise restraint to ensure that the committee and/or its individual members avoid interfering with the authority the Chief and Council has delegated to the Chief Administrative Officer. Advisory Committees may be established for such service areas as; Health, Forestry, Finance, Human Resource, Policy, and/or as the needs or requirements of the various service areas demand.

Ad Hoc Committees

The Chief and Council may establish Ad Hoc Committees for the various Garden River First Nation service departments as the need arises and are brought together for a specific purpose or task. Ad Hoc Committees are temporary and are no longer than six months in duration. Ad Hoc Committees may include issues to be addressed such as: awards, land disputes and special projects. Ad Hoc Committees will make recommendations to Chief and Council for decisions.

Remuneration

All Committees will be volunteer, no remuneration shall be provided except to reimburse for any travel expenses, if asked to travel on behalf of the Committee and as approved by the Manager and the Committee Chair.

4.2 Expectations of Committee Chair

Role Statement

A Committee Chair is an elected Chief and Council Member who works collaboratively with assigned staff, Chief and Council and Community members, and provides leadership to the committee. The Committee Chair ensures that the terms of reference of the committee are followed and that all matters relating to the committee's mandate are brought to the attention of, and discussed by the Committee. The Committee Chair effectively manages issues to promote effective dialogue and respects that the committee has no direct management role with staff.

Responsibilities

Meetings

1. Presides over meetings of the committee.
2. Establishes agendas that are aligned with the annual committee goals and objectives.
3. Ensures that meetings are effective and efficient for the performance of committee work.
4. Utilizes a practice of referencing relevant Chief and Council policies in guiding discussions in order to support the decision-making processes of the committee

Leadership

5. Effectively leads each meeting in a manner that encourages thoughtful and fair participation and promotes understanding of complex issues.
6. Serves as a leader on the matters addressed in the committee's terms of reference.

Work Plan

7. Ensures that a work plan is developed and implemented for the committee with the assistance of staff

Reporting

8. Advises the Chief and Council Chair on the key issues addressed by the committee.
9. Prepares a summary for submission to the Chief and Council after each committee meeting, with the assistance of staff.

Mentorship

10. Serves as a mentor to committee members and develops a succession plan for the Committee Chair.

4.3 Chief and Council Committee Meetings

Meetings of Chief and Council committees are not open to membership.

Communications

The Chair speaks on behalf of the Chief and Council and may comment to the news, social media and to the public about any matters concerning Chief and Council activities. No other Council member may comment to the news, social media on any matters concerning the Chief and Council activities unless authorized to do so by the Chair.

The Chief Administrative Officer may comment to the news media about administrative activities.

4.4 Chief Administrative Officer Relationship with Committees

The Garden River First Nation Chief and Council employs the Chief Administrative Officer to translate the will of the Garden River First Nation Chief and Council into Administrative action, delegates duties, provides effective leadership and holds the CHIEF ADMINISTRATIVE OFFICER responsible for the application of knowledge, skill and professional leadership in all aspects of Garden River First Nation organization management and operations. In addition, Garden River First Nation Department Committees may not direct the Chief Administrative Officer or other staff of the organization. The Chief Administrative Officer may serve on Garden River First Nation Department Committees but has no voting status in that capacity.

Procedures

1. The Garden River First Nation Chief and Council authorizes a Department/Committee to carry out specific tasks on behalf of the Department/Service through a Terms of Reference that clarify what the Garden River First Nation Chief and Council expects to be done, how and when it expects the task(s) to be accomplished and completed.
2. Each Department/Committee will meet at the call of the manager
3. Each manager will produce and distribute a notice of the meeting, agenda, and information materials for each meeting.
4. Garden River First Nation Department Committees will provide the Chief and Council with written recommendations arising out of meetings and or negotiations.

SECTION 5: APPENDICES

5.0 Confidentiality

Garden River First Nation – Council Members

Commitment

For Receipt and Use of Confidential Documents

For In-Camera Meetings of Council

In compliance with the mission of GRFN and our Grandfather Teachings stated below:

In the spirit of our ancestors and our Treaty, we endeavour to conduct ourselves in a manner that is consistent with the Seven Grandfather Teachings given to us by the Creator. We envision a harmonious community that is built on mutual respect that maintains a healthy balance through prosperity and well-being. Through these actions we intend to create a self-sustaining community that fulfills the emotional, physical, mental and spiritual well-being of all members.

Nbwaakaawin-Wisdom

Zaagidwin-Love

Mnaadendmowin-Respect

Aakdehewin-Bravery

Gwekkwadiziwin-Honesty

Dbaadendizin-Humility

Debwewin-Truth

I _____ (Councillor) hereby confirm acceptance of these documents for

The Council In-Camera Meeting scheduled for _____ (date)

Signature of Councillor Receiving Documents: _____

Signature of Witness: _____

I agree that I will not copy these documents, allow anyone else to read them, or share these documents in any fashion with anyone. I will bring all of these documents to the In-Camera Meeting and leave them with the Executive Assistant at the end of the meeting. Should I not be able to attend the meeting, I will place these documents in a sealed envelope and return them at the earliest date possible following the meeting.

Declaration and Signature of Executive Assistant Accepting Return of Documents:

I, Kristen Jones, confirm the Councillor has returned all documents provided for the In-Camera Meeting:
_____ (Signature, Kristen Jones)

Date Documents Returned: _____

5.1 Oath of Office

Oath of Office to the Council of Garden River First Nation Leadership

We, do hereby accept the election to the Council of Garden River First Nation for the term 2017-2019 and hereby upon my honour, pledge myself to support the well-being of the citizens of our First Nation and all citizens of the Anishinabek Nation.

We, do solemnly swear that we will faithfully, impartially, equally and to the best of our ability, perform the duties of office of Garden River First Nation Chief and Council, in accordance with the spirit and intent of our Seven Grandfather Teachings.

We, do affirm that we will support, protect and defend the rights and responsibilities given to us by our Creator against all those who oppose our rights.

We, hereby make this pledge openly and freely witnessed by the citizens of Garden River, our Ancestors and our Creator.

Subscribed and sworn before us this ____ day of _____, 2018.

Chief

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor