



September 29,2021

Chief Wilbert Marshall, Chair

The regular meeting of the AFNWA Board will be held Wednesday 29 September 2021 at Ulnooweg Office at 4 Stanley Johnson St, Millbrook Nova Scotia B6L 5B4

### **In Camera Reports**

- 1C Approval of Minutes of the In-Camera Meeting held on 28 July 2021.
- 2C Business Arising from Minutes
  - (a) AFNWA By-Laws

### **Regular Reports**

- 1. a) Ratification of In-Camera Motions  
b) Approval of the Order of Business and Approval of Additions and Deletions
- 2. Approval of Minutes of the Regular Meeting held on 28 July 2021.
- 3. Business Arising from Minutes
  - a) Transition Implementation Plan Update (24 Sept 2021)
- 4. Code of Conduct and Conflict of Interest Policy

**Motion:** That the AFNWA Board approve Code of Conduct Policy in the substantive form attached

- 5. Privacy Policy

**Motion:** That the AFNWA Board approve the Privacy Policy in the substantive form attached

- 6. Whistleblower Policy

**Motion:** That the AFNWA Board approve the Whistleblower Policy in the substantive form attached

- 7. IT Policy

**Motion:** That the AFNWA Board approve the IT Policy in the substantive form attached

- 8. Covid Vaccination Policy

**Motion:** That the AFNWA Board approve the Covid Vaccination Policy in the substantive form attached

9. Amendment to AFNWA Financial Policies and Procedures Manual

**Motion:** That the AFNWA Board approve the amendment to the AFNWA Financial Policies and procedures Manual in its substantive form attached

10. 2020/21 Annual Report

**Motion:** That the AFNWA Board approve the 2020/21 Annual Report in the substantive form attached

11. Asset Management Policy

**Motion:** That the AFNWA Board approve Asset Management Policy in its substantive form attached

12. Fraud Policy

**Motion:** That the AFNWA Board approve the Fraud Policy in the substantive form attached

**Information Reports**

1-l Transition Implementation Plan Update (24 September 2021)

Original signed by \_\_\_\_\_

James MacKinnon  
Board Secretary



## **Atlantic First Nations Water Authority MINUTES**

**October 7, 2021**

**PRESENT:**

Chief Wilbert Marshall, Chair  
Chief Ross Perley, Vice Chair  
Chief Terry Paul, Director  
Chief Darlene Bernard  
Chief Roger Augustine, Director  
Chief Paul Prosper, Director  
Chief Leroy Denny, Director  
Todd Hoskin, Director  
Methilda Knockwood-Snache, Chair of Elders  
Advisory Lodge

**REGRETS:**

Chief Arren Sock, Director  
Chief Andrea Paul, Director

**STAFF:**

Carl Yates, interim CEO, AFNWA  
James MacKinnon, interim COO, AFNWA  
Chantal Leblanc, Manager of Corporate Services/  
CFO  
Adam Gould, Manager of Communications and  
Outreach  
John Lam, Manager of Engineering  
Rayleen MacDonald, Admin Assistant,

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**CALL TO ORDER**

The Chair, called the regular meeting to order at 2:20PM via the Zoom virtual platform. The Board moved In Camera at 2:26PM and the regular meeting reconvened at 2:29PM. Methilda Knockwood- Snache gave the opening prayer.

**1.a) RATIFICATION OF IN-CAMERA MOTIONS****1.b) APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

**MOVED BY Chief Darlene Bernard, seconded by Todd Hoskin that the AFNWA Board approve the addition of the Item “additional board committee appointments” in-camera as Item # 3C.**

**MOTION PUT AND PASSED**

**2. APPROVAL OF MINUTES – 28 July 2021**

**MOVED BY Chief Darlene Bernard, seconded by Todd Hoskin, that the AFNWA Board approve the minutes of the regular meeting of 28 July 2021**

**MOTION PUT AND PASSED.**

**3. BUSINESS ARISING FROM MINUTES****a) Transition Implementation Plan Update (verbal)**

James MacKinnon, interim COO, presented on the 22 September 2021 Transition Implementation Plan (TIP) Update Board Report, with color coded items showing progress to date.

There were no questions or comments on the TIP at this time.

#### **4. Code of Conduct and Conflict of Interest Policy**

Previously, AFNWA had used a Conflict-of-Interest Policy adapted from Atlantic Policy Congress of First Nations Chiefs. Code of conduct procedures were described in the AFNWA Human Resource Policy. The decision was made by AFNWA management to combine and formalize AFNWA's Code of Conduct and Conflict of Interest policies into one document.

The Guiding Principles of the policies are:

1. AFNWA employees shall demonstrate respect, fairness, and courtesy in their dealings with fellow AFNWA employees, contractors, community members, and members of the public.
  
2. AFNWA employees shall demonstrate respect for human dignity and the value of every person.
  
3. All AFNWA employees shall perform their duties and arrange their private affairs so that the integrity, objectivity, and impartiality of the organization is conserved and enhanced
  
4. AFNWA employees shall act, always, in a manner that recognizes that their position within the organization is subject to close public scrutiny, whether they are publicly representing the organization or not.
  
5. All AFNWA employees shall make every effort to identify potential conflicts of interest, and to avoid potential conflicts. If a conflict does arise with the private interests of the membership that AFNWA serves, then the conflict shall be resolved in favor of AFNWA.

There were no questions or comments regarding the AFNWA Code of Conduct and Conflict of Interest Policy.

**MOVED BY Chief Terry Paul seconded by Chief Leroy Denny, that the AFNWA Board approve the AFNWA Employee Code of Conduct and Conflict of Interest Policy in the substantive form attached.**

**MOTION PUT AND PASSED.**

## 5. Privacy Policy

The Atlantic First Nations Water Authority (AFNWA) is committed to keeping personal information it collects secure, confidential, and private. The AFNWA is potentially subject to Canada's The Personal Information Protection and Electronic Documents Act (PIPEDA) under its federal undertaking clause, as follows:

- (if personal information) is about an employee of, or an applicant for employment with, the organization and that the organization collects, uses or discloses in connection with the operation of a federal work, undertaking or business

As such, AFNWA legal counsel has recommended that AFNWA's privacy policy conform with PIPEDA's 10 Fair Information Principles. They are:

1. Accountability
2. Identifying Purposes
3. Consent
4. Limiting Collection
5. Limiting Use, Discloser and Retention
6. Accuracy
7. Safeguards
8. Openness
9. Individual Access
10. Challenging Compliance

**MOVED BY Chief Darlene Bernard, seconded by Chief Paul Prosper, that the AFNWA Board approve the AFNWA Privacy Policy in the substantive form attached.**

**MOTION PUT AND PASSED.**

## 6. Whistleblower Policy

The Whistleblower policy is one of many integral documents necessary as our organization continues to grow by staff and by operational responsibilities.

The First Nations Financial Management Board (FNFMB) requires that a whistleblower policy be in place in order to conform to their NPO standards for certification and compliance.

There were no questions or comments at this time.

**MOVED BY Chief Paul Prosper, seconded by Chief Wilbert Marshall, that the AFNWA Board approve the AFNWA Whistleblower Policy in the substantive form attached.**

**MOTION PUT AND PASSED.**

## **7. IT Policy**

We have recently hired an IT Coordinator and are in the process of migrating almost of the IT responsibilities in-house. With the attached proposed IT Policy, we acknowledge additional components that are now controlled by our staff.

This IT Policy requires acknowledgement by all staff with access to AFNWA Information Technology. It is also meant to be a guide for our overall IT Strategy, which is currently in development and, given the extensive information contained therein, will be a private internal document.

Chief Terry Paul asked if AFNWA has a Facebook policy; AFNWA management advised that interaction with social media is primarily encompassed under the Code of Conduct policy. Chief Darlene Bernard asked Chief Terry who to contact to review Membertou's Facebook policy. Chief Terry advised to contact Trevor Bernard.

**MOVED BY Chief Terry Paul, seconded by Chief Darlene Bernard, that the AFNWA Board approve the AFNWA IT Policy in the substantive form attached.**

**MOTION PUT AND PASSED.**

## **8. Covid Vaccination Policy**

The AFNWA will be working directly in First Nations communities. As such, it is vitally important that we protect those communities and its members.

The AFNWA will require all current staff to disclose their vaccination status, in writing.

All new hires will also be required to disclose their vaccination status. If the candidate is not willing to receive vaccinations within a reasonable amount of time, no job offer will be extended.

The AFNWA will allow for two exemptions:

- Health Complications (with Physicians Approval)
- Religious Standing (proof within a published doctrine from a recognized religious institution)

Accommodations for cultural reasons will be assessed on a case-by-case basis.



If an individual has chosen not to be vaccinated, the AFNWA will review the information and will implement necessary actions up to and including restricting access to the workplace, placing the individual on an unpaid leave of absence, and/or modifying or terminating their contract of employment.

Chief Terry advised that we (Board, etc.) need to know if there are employees at the AFNWA that have exemptions from the Covid vaccine, from a safety standpoint and AFNWA needs a safety plan in place for employees who are exempt from vaccination. Management agreed that this would be the prudent approach.

**MOVED BY Chief Darlene Bernard, seconded by Chief Wilbert Marshall, that the AFNWA Board approve the AFNWA Covid Vaccination Policy in the substantive form attached.**

**MOTION PUT AND PASSED.**

**9. Amendment to AFNWA Financial Policies and Procedures Manual (Travel Policy)**

Feedback from our workshops have brought to the attention of AFNWA Management that the rates contained in the current travel policy are potentially lower, on average, than other First Nations organizations in the Atlantic Region. A comprehensive review of similar organizations and communities was completed to provide recommendations for a new travel policy rate.

AFNWA's proposed new travel rates are as follows:

Organization	Mileage/KM	Breakfast	Lunch	Supper	Incidental	Room	Private Lodgings	Virtual Meeting	Bridge/Tolls
AFNWA	\$0.50	\$17.23	\$17.04	\$42.92	\$17.30	\$160.00	\$50.00	No	At Cost

Chief Ross Perley suggested flexibility around the room cost. Carl Yates advised there is a statement within the policy that with the CEO or Chair's approval, you can go above the rate of \$160.00 for a room.

**MOVED BY Chief Darlene Bernard, seconded by Chief Wilbert Marshall, that the AFNWA Board approve the amendment to the AFNWA Financial Policies and Procedures Manual (travel policy) in the substantive form attached.**

**MOTION PUT AND PASSED.**

## **10. Annual Report**

Production of the annual report began in July 2021 with format and design done by National PR and content provided by the Communications and Outreach Manager, Chief Operating Officer, and Chief Executive Officer. The annual report provides a concise overview of activities and milestones of the 2020-21 fiscal year.

The annual report was developed to appeal to corporate and community interests, while highlighting the many important milestones the organization has accomplished in its 'first year of business.' AFNWA will distribute the report directly to its stakeholders via email (in PDF), upload it to website, and have paper copies printed for circulation.

**MOVED BY Chief Paul Prosper, seconded by Todd Hoskin, that the AFNWA Board approve the AFNWA 2020/21 annual report.**

**MOTION PUT AND PASSED.**

## **11. Asset Management Policy**

The Asset Management Policy will guide AFNWA staff in defining the level of service objectives based on communities' expectations, health and safety, environmental protection, regulations and costs.

Some key features in the Asset Management policy include:

- Transparency and accountability to the communities on service delivery.
- Compliance with relevant legislative, regulatory, and statutory requirements.
- Asset management that incorporates risk-based and information-driven decision-making frameworks.
- Long-term sustainability and resilience.
- Holistic "big picture" approach.
- Fiscal responsibility
- Innovation and continual improvement.
- Establishment of roles and responsibilities.
- Integration of the asset management program into operational plans.

The Asset Management Policy also delineates roles and responsibilities of the Board and management to ensure a sustainable approach to asset management. Management is requesting approval of the policy which is foundational to the success of the AFNWA in its service delivery.

**MOVED BY Chief Leroy Denny, seconded by Chief Terry Paul, that the AFNWA Board approve the Asset Management Policy in the substantive form attached.**

**11. Fraud Policy**

The presented Fraud policy addresses outright financial fraud as well as any other actions committed by employees considered to be a misappropriation of assets, impropriety, profiteering, disclosure of information leading to personal gain, and other irregularities.

**MOVED BY Chief Darlene Bernard, seconded by Chief Terry Paul, that the AFNWA Board approve the Fraud Policy in the substantive form attached.**

**13. DATE OF NEXT MEETING:** Wednesday, November 24<sup>th</sup>, 2021, at 9:30AM

**MOVED BY Chief Leroy Denny, seconded by Chief Terry Paul, that the AFNWA Board adjourn the meeting at 4:55PM**

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*James MacKinnon*  
*Board Secretary*

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*Chief Wilbert Marshall*  
*Chair*

The following Information Items were submitted:

1-I Transition Implementation Update (22 September 2021)