



Corporation of the Municipality of Temagami

Memo No.
2020-M-130

Memorandum to Council

Subject: Access Point Next Step

Agenda Date: October 8, 2020

Attachments:

RECOMMENDATION

BE IT RESOLVED THAT Council direct the MOU Committee and Staff to work with Temagami First Nation to engage legal counsel for the purpose of assisting in the formation of the appropriate entity to jointly manage the Lake Temagami Access Point Parking.

INFORMATION

Following the recent MOU Meeting, we received the following communication from Robin Koistinen, Manager of Lands and Resources for Temagami First Nation

Greetings:

It was earlier suggesting that both gov'ts put \$5,000 into a kitty for a total of \$10,000, hire a lawyer to advise us how we want to set this up. That's why drafting the bylaws and the intentions, and the governance... was important in other words it would be a "term sheet" for a lawyer to set up for us, with all the ins and outs...from both a FNs and Municipal perspective.

We know what we want its up to a lawyer to put it into a legal entity that works... We are not lawyers, we need a lawyer, who is versed in both the Indian Act and the Municipal Act. Eventually, we may need to get our own lawyers, but at least for now, let's get one who will understand what we want to do and assist us in setting it up, when they think we each need our own lawyer for whatever purpose they will tell us.

When we have the "entity" established, it would then be a good opportunity to go to MNRF. When we go to MNRF, I think it would be important that this be a not for profit entity, therefore, they would discount the price of the property. It really is their mess we are cleaning up, they created all these lots out here with no proper parking... it's one thing when the lake was serviced by boatlines and everyone parked in Town..., but times have changed. So with that messaging they are supportive in doing their part to transfer the property as cheaply as possible to an agreed to entity by both TFN and Town.

The longer we do research the longer this takes. Let's agree that both Councils will:

1. Review the documents that the Technicians prepared (Craig, Sabrina, Robin and Mike) – make sure parties agree.
2. Select a mutual lawyer.
3. Once agreed to send the draft documents to a lawyer, after his/her advice create the not for profit corporation, which may mean the Town needs their own corporation and perhaps TFN needs their own, to be partners in one corporation, but let the lawyer advise us, a corporation costs \$1,500 to set up.
4. Set up the joint "Entity".
5. Go to OMNRF, get the property.

Really, this can be simple, but we are making it harder than it needs to be.

In the spirit of moving this forward, respectfully.

Robin Koistinen
Lands & Resources Director

This seems to be an appropriate next step to get some resolution in this area.

Respectfully Submitted:
Craig Davidson
Treasurer/Administrator