

Listuguj Mi'gmaq Government Order-In-Council



Chronological no.:	2585	Subject: MMRLP Operational Budget 2020-2021	Originated by:
The Council of the	Listuguj Mi'gmaq Government		District Gespe'gewa'gi
Date of duly convened meeting	D 2	M 1	Y 1 0 2 0
			Province Gepeg

WHEREAS MMRLP was formed as a limited partnership under the laws of Quebec pursuant to the Initial Limited Partnership Agreement of MMRLP among Mi'gmawei Mawiomi Business Corporation ("MMBC" or "General Partner"), as general partner, and Listuguj Mi'gmaq Government ("Listuguj"), La Nation Micmac de Gespeg ("Gespeg") and Micmacs of Gesgapegiag Band ("Gesgapegiag"), as special partners, dated November 5, 2013 ("Initial LPA");

WHEREAS the Initial LPA was amended and restated by the Amended and Restated Limited Partnership Agreement of MMRLP among MMBC, as general partner, and Listuguj, Gespeg, Gesgapegiag and Mi'gmawei Mawiomi Secretariate ("MMS"), as special partners, dated April 14, 2014 ("ARLPA");

WHEREAS in Section 2 of the ARLPA, it states: *The business of the Partnership shall be natural resource development and the conduct of all activities complementary or accessory thereto or necessary or desirable in connection therewith (the "Business") and the Partnership may exercise all powers ancillary and incidental thereto or in furtherance thereof. The Partnership will not carry on any other business. The Partnership shall carry on the Business in such a manner as to ensure, to the greatest extent possible, the limited liability of the Special Partners, and the General Partner shall register the Partnership in any jurisdiction where the General Partner considers it appropriate or is required to do so;*

WHEREAS in Section 5, paragraph 1 of the ARLPA: *The General Partner will have the exclusive authority to manage the operations and affairs of the Partnership;*

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Moved: Sky Metallic
 Seconded: Chad Gedeon
 Abstain: -
 Opposed: -
 Status: Passed Defeated
 Tabled

Quorum 7

Chief Darcy Gray

Councillor Lloyd Alcon

 Councillor Chad Gedeon

Councillor Calvin Barnaby

 Councillor Gordon Isaac Jr.

Councillor Dolly Barnaby
 Councillor George Martin

Councillor Scott Martin

 Councillor Wendell Metallic

Councillor Gary Metallic Sr.

 Councillor Sheila Swanson

Councillor Sky Metallic
 Councillor Marsha Vicaire

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WHEREAS in Section 5, paragraph 2 of the ARLPA: *The Partnership must reimburse the General Partner for costs, charges and expenses actually incurred by the General Partner in the performance of its duties hereunder, including costs, charges and expenses directly incurred for the benefit of the Partnership;*

WHEREAS the MMBC Board of Directors approved the details and of the MMBC 2020 budget in the amount of \$849,763.00 on August 1st, 2020;

WHEREAS the MMRLP approved to advance the MMBC for the 2020 operations in the amount of \$853,263.00 on October 21, 2020.

BE IT RESOLVED THAT payment of funds for the total amount of \$853,263.00 for 2020 is approved by Listuguj and MMBC is authorized to transfer these amounts from the MMRLP account for the MMBC 2020;

BE IT FURTHER RESOLVED THAT if the advanced amount is more than the actual expenses, surpluses will be differed for the 2021 MMBC operations.