

MINOR CAPITAL FUNDING
AMENDMENT TO THE NISHNAWBE-ASKI NATION
POLICE SERVICE AGREEMENT
NEGOTIATION MANDATE DOCUMENT



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MINOR CAPITAL FUNDING MANDATE DOCUMENT

A. STATUS OF NEGOTIATIONS

Negotiations for minor capital funding have been ongoing since October 2004. NAPS had visited two temporary, transitional accommodation builders, ATCO Ltd in Calgary and Grandeur Homes in Winkler Manitoba to determine their ability to deliver low-cost moveable structures by the end of the fiscal year that meet APD Space Allocation Standards, OPP Police Detachment standards and are also within the maximum minor capital contribution allowance per project.

Proper Policing facilities have been a huge issue for NAPS, and their horrible state has been documented by PWGSC during their on site inspections. NAPS have provided a list of 9 communities where there is an immediate need for temporary, transitional accommodation and where a modular structure would suffice.

- 1) North Spirit Lake
- 2) Deer Lake
- 3) Kaschechewan
- 4) Sandy Lake
- 5) Kasabonika
- 6) Mishkeegogamang
- 7) Matachewan
- 8) Summer Beaver
- 9) Constance Lake

We are forecasting a total cost of \$2,884,615.30. The Federal share will be \$1,500,000 and the Provincial share will be \$1,384,615.30 (based on 52% - 48% cost share with the province).

B. COMMUNITIES REQUIRING IMMEDIATE TEMPORARY, TRANSITIONAL ACCOMODATION

Proper and safe facilities are a requirement for the effective and efficient delivery of police services but more importantly NAPS argues that they are also a key component of their future operational survival. The poor working conditions of the majority of NAPS detachments and officer living accommodations often override positive human resource recruitment and development initiatives.

In 2001, the Aboriginal Policing Directorate undertook an infrastructure study based on building condition reports of approximately 140 First Nation policing facilities across Canada. The majority of NAPS administrative and police facilities were included in the infrastructure study. The NAPS portfolio contained some of the worst facilities based on their size, health and safety and building integrity issues, overall condition and ability to provide a good, secure and effective working environment.

Except in the cases of the Deer Lake First Nations, PWGSC provided APD with building condition reports of each of the communities that NAPS is now seeking temporary, transitional accommodations. Below are excerpts from the reports for each of these communities.

1) North Spirit Lake Detachment

This detachment was burned down in October of 2004 and requires immediate replacement. Prior to the fire, the detachment was provided with an asset condition report of very poor and was recommended for demolition.

2) Deer Lake Detachment

A 2001 PWGSC building condition report does not exist for this community, as it was one of seven that PWGSC did not attend to conduct an inspection.

However, NAPS advises that the police office is located in the band office. Cells are constructed of plywood with no locks on the cell doors (2x6 inch wood keep the cell doors closed); there is no running water and no toilets.

NAPS would argue that this is the detachment in the worst condition.

3) Kashechewan Detachment

The NAPS detachment building at this location consists of two parts; a police station with a single garage and an attached post office on the right side of the building. The building is a single storey structure with wood frame construction set on a floating foundation. It appears that the required fire separation between the police station and the post office is not provided. The foundation has heaved and the floor is damaged in various locations.

The usual life expectancy of this type of structure in northern locations is about 20 years, since the police station was built in 1990 +/-, with proper maintenance and repairs, the building should continue to perform for the next 6-10 years. However, with the problems of shifting foundation, poor building exterior, inadequate detention facilities and the lacking of fire separation, PWGSC considered this police detachment to be in very poor condition and recommended it for demolition or re-building.

4) Sandy Lake Detachment

A single storey multi-room building has been provided for this NAPS detachment. It consists of a general reception/lobby area, two offices, three detention cells, three washrooms and a mechanical room.

The overall condition of this building was considered by PWGSC to be in poor condition and was recommended for demolition.

5) Kasabonika

Approximately 23.8 sq. meters have been provided for the NAPS detachment in the local band office. This detachment consists of an office area and two detention cells. There are no

washroom facilities or potable water available in this area of the band building. The overall condition of the interior space is considered to be in poor condition with no washroom facilities or control of the heating/cooling equipment. The current space provided to NAPS is not large enough to accommodate two officers, and the NAPS officers use the main building entrance when entering the building with detainees.

PWGSC recommended that a new facility be constructed or the current location expanded. A fire separation between the police detachment and the band administration office is required to comply to the National Building Code requirements for fire separation between occupancies.

6) Mishkeegogamang

This detachment is two connected converted mobile office trailers manufactured by William Scotsman or Whitley Manufacturing. This detachment consists of a general reception area, two private offices and a washroom facility in one trailer and four detention cells with mechanical space between the cells. Each of the cells are equipped with water closet and potable water for drinking.

PWGSC noted that the interior space of the detachment was considered in poor condition. This detachment has four NAPS personnel and the space is not large enough to accommodate them. As the usual life expectancy of this type of structure in northern locations is about 20 years, since the police detachment was built in the 1970's, the building has already gone beyond the normal life span. PWGSC recommended that this facility be expanded or a new facility be constructed.

NAPS was provided with approximately \$51,300.00 in one-time funding for fiscal year 2003-2004 in the 2003-2005 NAPS Police Service Agreement for repairs to the cell trailer and the relocation of an office trailer from Sioux Lookout to Mishkeegogamang. Relocation of the trailer from Sioux Lookout did not occur, as the Northwest Headquarters still required the trailer as it did not move from its existing office and still required the extra space for the Investigative Special Unit.

NAPS has advised that it carried forward the money provided in the 2003-2005 Agreement for the Mishkeegogamang detachment minus \$10,000.00 which was used to replace the septic system so that the toilets would be functional at this police station. NAPS now plans to replace the Mishkeegogamang trailers with a new unit. NAPS will then use the remaining funds in the 2003-2005 Agreement targeted for the Mishkeegogamang detachment to completely retrofit the cell unit and move it and the ISU modular unit located in Sioux Lookout to Slate Falls, Ontario.

7) Matachewan

This NAPS detachment is located within the Matachewan Indian Reserve Band Office, which is a residential type facility that has been converted. This police detachment station provides accommodation to an office area only. There is no reception area, sleeping quarters, detention cells, storage area, running water or washroom facilities. There is no fire alarm system in the band office or in the NAPS detachment office.

Based on the lack of cells, minimal office space, security and privacy issues as well as occupational requirements of the NAPS officer's, PWGSC recommended that the police facility be relocated to a new facility.

8) Summer Beaver

A single storey multi-room log building has been provided for this NAPS detachment. This detachment building consists of a lobby entrance area, a general reception waiting area, an office area, two detention cells without washroom facilities, a storage area, and a dismantled laundry service area adjoined to a second storage area. Two detention cells constructed in this building consist of pre-cut log interior walls, plywood ceiling and floor with a hollow metal door fitted with bards in a hollow metal frame assembly. There are no washroom facilities in the cells.

PWGSC noted problems with shifting foundations and noted that the interior was in very poor condition. Due to the condition of the existing facility and its poor interior, the existing facility cannot be retrofitted to accommodate the typical RCMP design template for a two-man detachment. PWGSC recommended that a new detachment be constructed or a suitable facility be retrofitted to accommodate the design template.

9) Constance Lake

The NAPS detachment is located in a small rented office from the band council located within a larger community complex. The police detachment provides accommodation for an office area only. The interior of the detachment is in good condition, but there is no reception area, sleeping quarters, detention cells, storage areas, running water or washroom facilities.

PWGSC recommended based on the lack of cells, minimal office space, security and privacy issues and occupational requirements of the NAPS officers, that the police station be relocated to a new facility. It was also noted by PWGSC that this police detachment once had a gun cabinet, however due to a break-in the guns are now stored within the home of one of the police officers.

D. COST OF TEMPORARY, TRANSITIONAL ACCOMODATIONS

In the fall of 2003, Aboriginal Policing Directorate reviewed its existing FNPP authorities for possible solutions to minor capital requirements for police detachments in First Nation communities. The expanded parameters for minor capital now provide an opportunity to address health and safety issues on a limited basis and begin regularizing government's involvement in a business-like way. It was determined that approval to use minor capital for real property investments within an annual upset limit for temporary, transitional accommodation would be within a maximum contribution per project of \$250,000 federal and \$230,000 provincial funding (based on 52-48% cost share agreements).

NAPS was also advised that the federal and provincial governments would be prepared to commit up to \$2.88M this fiscal year to address their most immediate infrastructure requirements if the cost of building, including also the costs of freight, delivery and set-up and post delivery installation requirements, including but not limited to, electrical and plumbing work, were within the maximum allowable contributions per project.

With this in mind, NAPS secured quotes from two modular facility builders.

s.20(1)(b)

COMMUNITY	ATCO STRUCTURES	GRANDEUR HOMES
North Spirit Lake		
Deer Lake		
Kaschechewan		
Sandy Lake		
Kasabonika		
Mishkeegogamang		
Matachewan		
Summer Beaver		
Constance Lake		
Total		

Pricing from Grandeur included freight and set up but did not include any site work, utility hook-ups or applicable taxes.

Site Preparation and utility hook-ups, including leveling of ground (purchasing and transport of gravel and other necessary building equipment), electrical hook-ups, plumbing connections, purchasing and proper installation of septic tanks where required, oil or propane storage tanks for heating where required; purchasing and installation of hot water tanks; installation of entrance landings, stairs and barrier free accessible ramps, skirting around the bottom of the trailers; and proper installation and hook up of fire alarms and purchasing of fire extinguishers will need to be undertaken to ensure that each of the temporary, transitional accommodation units meet all applicable National Building Codes provisions prior to usage.

s.20(1)(b) The total funding that can be committed this fiscal year to this minor capital project from both governments is \$2,884,615.30. Based on the quotes secured from [redacted] this will leave approximately [redacted] for all above noted site preparation, utility hook-ups, installation and purchasing requirements and all post delivery minor construction requirements.

I. STRATEGIC CONSIDERATIONS

1. Addresses PWGSC recommendations from 2001 and where First Nation communities cannot raise up-front equity

The Department engaged PWGSC in 2001 to conduct building condition inspections throughout the country. NAPS has been identified as having some of the worst buildings in the FNPP

Police Building inventory. It is well-documented and general knowledge that many of the buildings meet no industry standard and suffer from serious health and safety problems, such as the lack of fire protection, no running water, inadequate cells for prisoners etc. The proposed mandate for minor capital funding will begin addressing some of the challenges facing NAPS:

2. Term of the Amendment to the NAPS Police Service Agreement

As an amendment to the existing NAPS agreement, the term of this agreement would expire on March 31, 2005. No further extension of this funding would continue past March 31, 2005 notwithstanding the automatic extension clause found in paragraph 11.3 of the NAPS Police Service Agreement signed in 2003.

3. Installation and Maintenance Conditions for inclusion in this Amendment as well as for continued inclusion in all future NAPS Police Service Agreements

(a) All temporary, transitional accommodations shall meet all National Building Code requirements for the building structure as well as Ontario Provincial Police standards for detention cells.

(b) Installation of porches, stairs, ramps and installation and connection of all mechanical or electrical equipment (including oil or propane storage tanks, furnaces, hot water tanks, fire alarm systems) post delivery of the accommodations must also meet National Building Code requirements and the Canadian Electrical Code.

(c) NAPS will maintain at its expense all architectural/structural needs, including but not limited to, foundations, exterior walls, windows and entrance doors, porches, stairs, ramps, roofing (including soffits), detention cells, all fire safety devices as well as all plumbing, heating, electrical requirements (including all lighting requirements and emergency light units), as well as any other preventative maintenance that may be required from time to time.

(d) While NAPS will maintain these accommodations at its own expense, all necessary maintenance and capital repairs shall be undertaken keeping the structures in a proper and safe condition consistent with the Canada Labour Code, the National Building Code, the Canadian Electrical Code and any other applicable Laws.

4. General Conditions for the provision of temporary, transitional accommodations

(a) NAPS will maintain these accommodations so that they remain transportable to any other community should other suitable permanent structures be provided by NAPS or the First Nation community in the future.

(b) Should NAPS discontinue service to a First Nation community where a temporary, transitional accommodation is located, the Federal Government representative, Provincial Government representative and NAPS representatives will

