



September 2016 N?e?iyk Spiləxm

IN THIS ISSUE

Chief Aaron Sam	P.2
Teck HVC	P.4
Update - Legal	P.5
LNIB Members Only Section Of Website	P.5
Executive Director Report	P.6
Solar Power At The Band School	P.10
Land Code	P.12
Lower Nicola Indian Band	P.14
Development Corp	P.14
Lytton First Nations Fire	P.15
Overdose Alert!	P.15
Culture Revival Program	P.16
Community Garden	P.20
Spectra Energy Updates	P.21
Band General Elections	P.22
Recreation	P.24
Community Health	P.26
New Faces At Band Offices	P.34
And So Long To:	P.36
Back To School	P.37
Education Program	P.38
Band School Calendar	P.40
Q2	P.41
Child Care Services	P.42
Language Nest	P.43
Membership	P.44

Job Postings	P.45
Land Mark Court Cases	P.48
Lower Nicola Band Member Owned Business	
Directory	P.54
Life Events	P.57



CHIEF AARON SAM

Dear Lower Nicola Band Members,

I am writing to provide you an update on my recent activities.

If you haven't already heard, the LNIB Land Code that we have been working on for many years was passed through the LNIB membership vote. This is a major accomplishment for our community, and I believe it's something we should be very proud of. I would like to thank all those that were involved over the years to make this day a reality. This is a major step in our community taking control of our own reserve lands, and not relying on Indigenous Affairs anymore. We have managed our own lands for thousands of years, and I am confident that us taking control of our own reserve lands is a positive step in the right direction. Now we must take the necessary steps to implement the land code in a way that will benefit all our band members. As we move forward I believe LNIB must make it a priority to address the many land issues that effect LNIB band members and their families. We all have a right to be able to utilize and prosper on our own lands.

I also wanted to provide an update on Nicola Native Lodge. As many of you already know, I am President of Nicola Native Lodge. We have had several meetings over the last few months. One of the options we have considered is purchasing Nicola Meadows in town, which is an assisted living facility. As part of considering that option we requested a report from an independent consultant, who provided us some valuable information. The board of Nicola Native Lodge has decided to schedule a meeting for all community and elders from the Nicola Bands September 19th, at 10am at Shulus Hall. We are hopeful that we will have many elders in attendance at this meeting, as the Board will be seeking input and direction on the future of the society. The discussion around Nicola Native Lodge has been ongoing for 40 plus years, and it is time for action. We must do everything we can to provide excellent quality of services to our elders in our communities so they can be happy and healthy.

I am also pleased to report that our 2nd Annual General Assembly at Shulus Arbour was a great success. It was a great opportunity for Lower Nicola Indian Band, and the different departments, as well as Lower Nicola Indian Band Development Corporation to share with the community the many different initiatives that have been working on over the last year. We also provided the annual financial audit for Lower Nicola Band. I am very proud of the work that the Council, LNIB staff and the community completed to ensure that we had an amazing Annual General Assembly. It's an important event for the Chief and Council to report, and ensure transparency and accountability to LNIB membership.

The Lower Nicola Indian Band Rooftop solar garden at the band school is almost complete. This is a very exciting project. I believe that the solar garden is an important investment in our community. It is not only an investment in our school to make it more energy efficient for many years to come, but an investment in our children, grandchildren and future generations. The Rooftop solar garden will ensure we do what we can at LNIB to take care of our environment in a sustainable way. I am hopeful that in the months ahead that

Chief and Council will take steps to give band members the option to have solar panels on their homes. The community celebration of this project will be on Friday, September 9th at noon at the School

As many of you are aware, this year has been a disastrous year for the sockeye salmon fishery. The sockeye salmon fishery has only been open for only one long weekend this summer, and the numbers of sockeye coming up the Fraser and Thompson rivers are at record lows. Many of our community members have been very frustrated about the lack of sockeye, and it puts our community in a difficult situation because we haven't been able to fill our freezers for the winter. After much deliberation the Council decided to work with the other Nlaka'pamux bands and participate in a sockeye salmon ceremony in Lytton last Sunday to ask for direction on what we should do as a next step to protect our fishery for the present and future generations. We had a very successful ceremony with many elders and youth in attendance. The leadership is now looking at what will be the appropriate next steps to ensure we protect our salmon now and into the future.

Thanks for taking the time to read this update. There are many other exciting ventures the band is currently pursuing. If you have any questions or concerns, please do not hesitate to contact me on my cell at 250.315.7563.

Humelth,

Chief Aaron Sam



David Isaac of W Dusk and Chief Aaron on the roof of the Band School

TECK HVC

Relationship Agreement between Lower Nicola Indian Band and Teck Highland Valley Copper and Revenue Sharing agreement with the Province of British Columbia

The Lower Nicola Indian Band recently signed agreements with Teck HVC and the Province of British Columbia: A Relationship Agreement with Teck HVC and a Revenue Sharing Agreement (RSA) with the Province of British Columbia.

The new agreements with respect to the HVC mine operating in our traditional territory gives the LNIB a say in the management of environmental impacts of how the mine is run, and brings benefits for Lower Nicola Indian Band.

HVC Teck Relationship Agreement:

The agreement with Teck HVC gives LNIB the ability to protect the environment and to help preserve our land. It ensures preferential access to jobs and contracting opportunities for our Members and it offers financial compensation – money that can be reinvested into a stronger LNIB future.

The Agreement establishes a formal relationship between LNIB and Teck HVC and is forward looking, but LNIB maintains rights to pursue mitigation with respect to past HVC activities.

To administer the provisions of the Agreement, new positions are being created: an LNIB Environmental Coordinator, and Employment Coordinator, and a Contract Manager.

In addition, an Implementation Committee will be struck comprised of at least four members – half appointed by Lower Nicola Indian Band and half appointed by Teck HVC. The Implementation Committee will meet at least quarterly to review the implementation plans and provide recommendations.

LNIB is the last of the Nlaka'pamux bands to enter into these Agreements.

Revenue Sharing Agreement between Lower Nicola Indian Band and the Province of British Columbia (RSA)

The Lower Nicola Indian Band will receive a percentage of the incremental tax revenue (royalties) collected by the Province of British Columbia from Teck HVC. It is different from past agreements that the Province has entered into with First Nations in that it will not compromise the key points of Aboriginal Title and Rights.

These two Agreements are the result of long years of tough negotiations and will provide a stronger and brighter future for all of the Lower Nicola Indian Band. A summary with further details of the Agreements is available to LNIB members.

UPDATE - LEGAL

Up-Date on Coutlee v. Lower Nicola Indian Band: Court Case Pending Against the LNIB

August 8, 2016

On October 3, 2013 Victor Coutlee and Charlene Joe started a judicial review application in Federal Court against the LNIB. They claimed that the Custom Election Rules had not been properly amended by the members voting at the Special Band Meeting on June 6, 2013. They had two complaints. Their first complaint was that Council had not followed the procedure set out in the Custom Election Rules for properly calling that Special Band Meeting. Their second complaint was that no Council that included members of the 2004 – 2007 Council could call a valid Special Band Meeting. The LNIB hired David Rolf from Edmonton to defend this new judicial review.

On September 3, 2014, because she owed the LNIB costs from two earlier Federal Court cases, Charlene Joe agreed to step back from this new judicial review. Victor Coutlee continued alone until, at the end of September, he found a lawyer to represent him. That lawyer was Andreas Kuntze from Richmond. The Coutlee judicial review was heard on November 12, 2015. At the end of the hearing the judge, Justice Campbell, said he would give a written judgment later. And, on November 23, 2015, the judge issued a written judgment dismissing the Coutlee judicial review.

On December 22, 2015, Victor Coutlee filed his own Notice of Appeal in the Federal Court of Appeal. His Notice of Appeal says that the judge was wrong. He makes the same two complaints against the amended Custom Election Rules. In June 2016 he found a lawyer to represent him. His lawyer is now George Coutlee.

The Federal Court of Appeal will hear the Coutlee appeal on September 22, 2016, in Vancouver.

LAUNCH DATE SEPTEMBER 15TH 2016

LNIB MEMBERS ONLY SECTION OF WEBSITE

Go to LNIB.net and click on Members Only page and follow information prompts on how to access this section. If you have any difficulties contact Ruth Tolerton, Communications coordinator at 250-378-5157 or communications@lnib.net

Please remember and respect that the documents in this portion of the website are considered to be for LNIB Members' eyes only.

EXECUTIVE DIRECTOR REPORT



LNIB Executive Report
July 21st to August 24th, 2016

Dear LNIB Member,

I am pleased to provide you with a summary of the activities in which I have been involved in the capacity as Executive Director of LNIB for the period from July 21st to August 24th, 2016. The report is a bit shorter this time as it reflects my two week absence. I am glad to be back, but I feel that I am already missing the good time that I had on vacation...

As you can imagine, we all had a very busy second week in August, with the Open House, Cultural Evening, AGA, Land Code vote, and Chief & Councillors Nominations meeting. Below is a summary of the activities in which I was involved:

Second LNIB Annual General Assembly – As planned, the Second Annual LNIB Annual General Assembly (AGA) was held on August 9th and 10th at the LNIB Arbour and Arena. The AGA actually consisted of three main components: the Open House (open to the general public), the cultural evening event and the AGA itself which was open to LNIB members. All three components were a success, with higher attendance than the previous year. At the AGA we had the opportunity to present our Annual Report, auditor's report and audited financial statements for all operations of LNIB for the year ended March 31st, 2016, and have the directors of each Sector, the LNIB School Principal, and the Chief Operating Officer of LNIB Development Corporation present a brief report to the assembly. We also had the opportunity to recognize and thank a number of community members and staff for their dedication to LNIB. I take here the opportunity to thank LNIB for the recognition granted to me at the AGA.

Land Code Vote – The final step of the community ratification process (vote) for the LNIB Land Code took place at Shulus Hall on August 12th. The outcome of the vote reflected the solid support of the membership for the Land Code (288 votes in favour and 70 against). I take the opportunity to recognize and thank the work of the people that made this success possible: Anna Hudson, Leesa Mike, Barbara Huston, Brandi O'Flynn, Ruth Tolerton, Jeremy Edward, Jack Sterling-Moses, Angie Derrickson, Jessica Dixon, Jeff Samuels, Robert LeBlanc, John Keating, Chief Aaron Sam and LNIB Councillors, and Grand Chief Stewart Phillip, of BC Union of Indian Chiefs, Chief Robert Louie, of the Lands Advisory Board, and Chief Jonathan Kruger, of the Penticton Indian Band.

We now have two years to create the necessary institutions (Committee and laws) and administrative processes required for us to effectively manage our own reserve lands. It is critical that this is done properly, as the process has to have the trust of the community and the commitment of all involved.

We are now working in preparing the implementation plan for the first three years, which will be presented to the new Chief & Council for review and approval sometime in October.

Nominations Meeting for 2016 LNIB Chief & Council Elections – Mr. Raymond Phillips, Electoral Officer for the 2016 LNIB Elections, chaired the LNIB Chief & Councillors nominations meeting, which took place on Saturday, August 13th, at Shulus Hall. 48 members were nominated for Councillor positions and four for Chief. We don't have the final numbers of actual candidates yet, as the deadline to confirm in writing the acceptance of the nomination is only August 26th. The election is scheduled for Saturday, October 1st, 2016, from 9:00 am to 8:00 pm at Shulus Hall. Advance polling will take place on September 24th, at Shulus Hall, from 11:00 am to 5:00 pm.

The role of LNIB Administration in the election process is to assist the electoral officer in logistics and housekeeping tasks such as scheduling, preparing the place of polling station, and post information in LNIB website.

Recruitment of Education Program Manager – I am pleased to inform you that we have hired Sharon Parsons as Education Program Manager to replace Lynn Charlton whose health condition is still preventing her from work on a regular schedule. Sharon has worked for LNIB before, and she arrives at a very busy time for the Education program, as the new school year is just around the corner.

Bridget LaBelle, Director of Human services, and I are working with Sharon Parsons in updating the workplan for the LNIB Education program. I take this opportunity to thank and recognize the work and dedication of Lynne Charlton, who in spite of serious health challenges and personal sacrifice, has given her best in serving LNIB.

LNIB Education Policy Review Committee – The work of this committee is progressing well, in spite of some delay at the start-up. The Committee secured the assistance of Loren Sahara for the review of existing policies (of LNIB and other First Nation communities and institutions) and recommendations to be presented to Chief & Council before the end of August.

Shulus Community Garden – Work is progressing well at the Shulus community garden. Lorna Shuter is now leading this important project. We have now brought fresh vegetables and produce to the Community Centre to be donated to elders and families and people in need in the community. I want to take the opportunity to recognize and thank Chris Doucette for the work that he did at the Shulus Garden.

LNIB School Solar Energy Garden Project – The installation of 330 solar panels on top of the roof of the Gymnasium of the LNIB School is progressing well, and we expect that the project will be completed before the beginning of the new school year.

We have three main goals with this project: 1 – produce energy that does not come from burning fossil fuels, or from a hydro-electric dam that blocks the natural migration of fish; 2 – be an opportunity for learning and teaching leading-edge alternative green sources of energy in the curriculum of LNIB School; and 3 – achieve substantial savings in energy costs for the School for years to come.

LNIB Financial Administration Law – Provisions Governing Conflict of Interest – For publication, we sent to the First Nations Gazette the enacted amendment to the LNIB Financial Law governing conflict of interest, as approved by Chief & Council on July 19th, 2016. We also have published it in our website.

Request of Rural Liquor Outlet Licence for Quilchena / Douglas Lake Area – In accordance with discussion held by C&C sometime ago, we formally submitted our comments to the BC Liquor Distribution Branch regarding an application for an additional rural liquor sales outlet in the Quilchena / Douglas Lake area. Very briefly, we do not support the application, taking into consideration the following three factors: a) too many liquor outlets in the area already; b) Possibility of increased number of vehicle (and pedestrian) accidents in Quilchena road caused by drivers driving under the influence of alcohol; and c) The Province collects a large amount of revenue from licensing and sale of liquor, much deriving from sales of liquor to First Nation individuals; however, the Province does not play an active role in mitigating the devastating effects that alcohol abuse has had on First Nation persons, families, and communities, since the early days of contact.

LNIB Business Planning & Financial Forecasting – I worked with Sean Maloney and Barry Torgerson (respectively COO of LNIB Development Corporation, and Director of Finance of LNIB) in developing a planning framework and format for financial forecasting and modeling for each of the operating businesses owned by LNIB Dev Corp.

Expansion of LNIB School – This project is now under construction, and we expect to be complete sometime in late fall. The expansion consists of the construction of four new classrooms, one of which will be a fully equipped technology classroom.

Rocky Pines Community Centre – This project is picking up pace as we are now finalizing the details of the concept for this facility. The building will be located at the South end of Rocky Pines neighbourhood, and will consist of a medium size hall (capacity from 54 to approximately 200 people, depending on seating arrangement), four offices, small boardroom, store/post office/ laundromat, and a large patio in the back of the building. Chief and Council has approved the budget (not to exceed \$2.4 million). The architect and engineers are now working in developing the plans, and we expect to start construction early next year.

New Housing Construction – This project has been very slow in starting, but the foundation of the three buildings are now built, and the crews are now working on building the first four feet of wall with insulated concrete forms. This new phase of affordable housing comprises three duplex units (three 4-bedroom homes for larger young families and three 3-bedroom homes for average size families. The duplexes are located near to LNIB School.

Donation of 8 BMX Bikes from the Employees of Surerus Pipelines Inc. – We are pleased to inform you that the employees of Surerus Pipelines Inc., the firm that is currently doing maintenance work on the Spectra Energy pipeline, across and along Johnny's on Rez, raised through a 50/50 draw enough funds to acquire 8 BMX bikes, which were donated to LNIB Recreation Program. Earlier in the summer Surerus made heavy equipment available to recondition the BMX track used by children at Rocky Pines neighbourhood. We take this opportunity to thank the employees of Surerus Pipeline Inc. for these valuable donations.

Prayers for the Salmon Ceremony (YamEet-A shkeeyAydin) – LNIB members participated in the Prayers for the Salmon ceremony that took place in Lytton last Sunday, August 21st. We helped a little in logistics and in promoting the event amongst LNIB membership.

Band Members’ Concerns – During this period the telephone never stopped ringing, and I attended to a number of concerns on a wide variety of issues and ideas brought to my attention. Issues raised included support to elders, rent in arrears and evictions, house repairs and renovations, a shelter emergency situation, request for a Certificate of Possession for a land parcel, and career development support to ex-employees of LNIB.

Thank you,

Helder Ponte
Executive Director



Bicycles donated by employees of Surerus Murphy with some willing models

SOLAR POWER AT THE BAND SCHOOL

Lower Nicola Indian Band is now home to the largest community owned photo voltaic solar panel installation in B.C.. The LNIB School Rooftop Solar Garden is comprised of 330 solar panels installed on the roof of the school's gymnasium. These panels can produce up to 85.8 kilowatts of electricity, providing energy for the school and a source of revenue for the Lower Nicola Indian Band from the excess energy that will flow back into the electrical grid.

The non-monetary benefits of this project are equally significant:

- Not only will this save energy, but it means less reliance on fossil fuels, and no trapping of fish in dams built for hydroelectric power
- It is “green” and sustainable energy derived from the sun
- As part of the school curriculum on environmental stewardship, the students (and adults) will be able to monitor the energy savings and how that translates to impacts on the earth and our communities on a daily basis

“The cost of solar panels has come down significantly in the last 10 years and which has opened an opportunity for communities such as the Lower Nicola Band to take an active role in energy production,” said David Isaac, President of W Dusk Energy Group, the company brought in to manage the solar project.

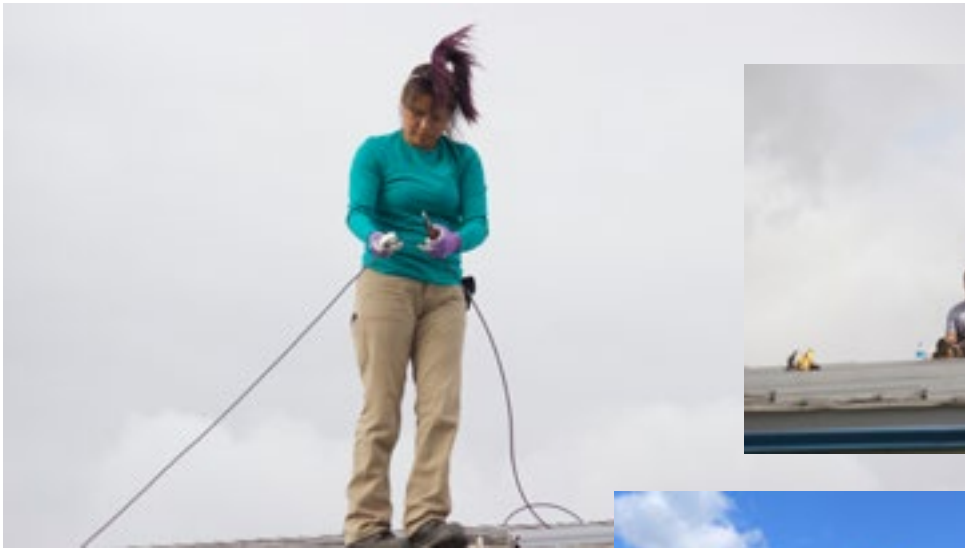
“The electricity that this project creates will go directly into meeting the energy demand of the community and any excess energy will flow back into the electrical grid to be purchased by BC Hydro through that company's Net Metering Program,” he added.”

The W Dusk Group specializes in working with First Nations communities to harness the power of their renewable energy resources in tandem with broader community development initiatives such as land use planning, food systems and infrastructure development.

“The panels will be installed in August, and will be fully operational before school starts in September,” said Chief Aaron Sam.

“This is most likely the first step of a phased approach on making our community more energy self-sufficient,” he added noting that in the near future the band Council will be considering a program to support community members in making their own homes more self-sufficient with solar panels.

An offshoot of this project with W Dusk is the installation of solar power to one elder's home currently 'off the grid'. LNIB Youth will be involved in this installation and are receiving a “hands on” education about this solar energy.



Work progressing on the solar panels installation on the roof of the Band School.

Right - David Isaac, WDusk with Chief Aaron Sam



YOU ARE INVITED:

Official Launch of the Solar Garden Project at the LNIB School
Friday, September 9th, 2016 at noon
Lower Nicola Indian Band School
202 Horn Road

Barbecue Lunch

LAND CODE

LNIB voted YES to Land Code!

On August 12th, 2016, Lower Nicola Indian Band members made a historic decision to approve LNIB's Land Code and Individual Agreement to take back control of reserve lands and resources from the federal government. The final count was 288 votes in favour of the Land Code and Individual Agreement, and 70 votes against.

With the approval of the Land Code, LNIB will be the law making authority on reserve and will no longer be governed under the 32 Sections of the Indian Act. With an overwhelming 81% of voters casting their ballots in favour of the LNIB Land Code and Individual Agreement, LNIB members have come forward with a strong message that LNIB can and should have full governance authority over our reserves. As an operational First Nation under the Framework Agreement, LNIB will have the ability to make more effective and accountable decisions about what happens on LNIB reserve lands.

Members were welcomed to witness the counting of the votes at Shulus Hall following the close of the poll at 8pm. The count was lead with a prayer by Councilor Art Dick, followed by an opening statement from Chief Sam who expressed gratitude to all members of Council and the lands management team, together with members, who made this historic day possible.

The next step in the process will be for Chief Sam and the Minister of Indigenous and Northern Affairs to sign the Individual Agreement, which is scheduled to take place at the Band Council meeting on August 23, 2016.

Once the Individual Agreement is signed, LNIB will ask for official certification of the Land Code which will set the effective date for the 1st day of the following month. From there, the lands team will re-engage our work with the community as we work to fulfill the core structures, plans and policies under the Code. Of particular importance is getting the Lands Management Advisory Committee up and running.

On behalf of the Lands department, Anna (Sam) Hudson would like to thank every member that participated in this historic vote, and to let you know that our department looks forward to working with you in the development of the related laws and policies.

“ Treat the earth well. It was not given to you by your parents - it was loaned to you by your children.” - proverb



LOWER NICOLA INDIAN BAND DEVELOPMENT CORP



L-R: Dennis Wilson, Kevin Goodwin, Byron Tom, Aaron Sam, Jimmy Isaac, Sean Maloney



Lower Nicola Site Services is the name of the company formed by the joint venture between the Lower Nicola Indian Band Development Corp and Lower Nicola Backhoe Construction.

The Crushing Contract (previously reported on) is for crushing mine waste to create road crush and blast stemming material.

Kevin, Byron, Rod and Jimmy are LNSS employees.



Coquihalla Catering is the joint venture between Lower Nicola Indian Band Development Corp and CIVEO to provide catering services at NVIT.

Operations are up and running in time for the return of the student body for this Fall term.



L-R: Sean Maloney, Aman , Veronica Moses, Aaron Sam, Ken Tourand, Kylie Thomas

LYTTON FIRST NATIONS FIRE

Our friends and relations in Lytton are suffering from the most recent wildfire activity with a 500 hectare blaze on the South Spencer Road. They need assistance for items for the emergency shelters.

They are seeking donations, and need rooms, beds, food, bathroom items, clothing items, linen and furniture for evacuees.

Please contact the Lytton First Nations Office: (250) 455-2304



OVERDOSE ALERT!

Interior Health is urging residents using or considering using drugs to think twice in the wake of several suspected drug overdoses in the Kamloops area in the last 48 hours. Five suspected overdoses have been reported in the Kamloops area in the last 48 hours – one fatal; however, the exact cause of death will be confirmed by a coroner.

All overdoses appear to be linked to a “sparkly white powder” that may be being sold as cocaine on the street. While not using drugs at all is the best way to avoid overdose and other health impacts, health-care providers recognize some people will continue to use drugs.

The following tips can help reduce the risk:

- Don't mix different drugs (including pharmaceutical medications, street drugs, and alcohol)
- Don't take drugs when you are alone
- Don't experiment with higher doses, and take a small sample of a drug before taking your usual dosage.
- Keep an eye out for your friends – stay together and look out for each other.
- Carry a Naloxone kit. A list of locations to get a kit can be found on the Interior Health website.
- Recognize the signs of an OD. Headache, nausea, confusion, vomiting, shakes, fainting are serious. Get medical help ASAP.
- If someone thinks they may be having an overdose or is witnessing an overdose, call 9-1-1 immediately, do not delay.

More information on overdose prevention can be found at:

<http://www.gov.bc.ca/overdose>

<http://towardtheheart.com>

CULTURE REVIVAL PROGRAM

Wow! Sharon Antoine and her crew are definitely keeping people busy with the tasks and arts of the old ways. From making dipnets to picking berries and tea to digging for cedar roots. It gives every participant a real sense of their ancestors lives and the hard work to just keep up with basics!

Recently participants made a trip to the Princeton area to collect red ocher. A class in dye making will be coming up soon.

Sharon is keen to hear from community members about what sort of classes and gatherings they would like to participate in. She can be contacted through Human Services at 250-378-4089 or email to santoine@lnib.net



The red ocher collected - to be ground down for use in dyes



INVITATION TO ELDERS AND KNOWLEDGE KEEPERS:

On **Thursday, September 8th, 11 am - 2 pm**, there will be gathering at the Family Centre to work with maps and identify traditional place names.

Please come share your knowledge!



The gathering basket (top right) was made by Sharon Antoine's grandmother

The other basket and tea cup/saucer were made by Sharon Antoine's auntie.

Sharon says we can learn to do that....



First go out and harvest cedar roots... Then you have to soak them and strip off the bark....



Then you have to split the cedar roots

From this



to this

Then you're read to start weaving your basket.

Stay tuned!

s7úyu7sm tək
má7xetn
(September)
2016

Lower Nicola Indian Band

Culture Revival Program

7círəm (Sunday)	ax7atpésá7t (Monday)	á7yá7t (Tuesday)	á7kə7Héá7t (Wednesday)	amú7sá7t (Thursday)	s7kásá7t (Friday)	s7éw7yep tál s7á7t (Sunday)
				1	2	3
4 nk'sey7kn gathering	5 Labour Day	6	7	8 Place names in the Nicola Valley	9 100 Drums 7 pm – 12 am	10 100 Drums 7 pm – 12 am
11	12	13	14 Build Stick Game Sets	15	16	17
18	19	20 Beading Day at LNIB Community Services Trailer	21 Office Smudge Fall equinox Celebration	22	23 Harvest Rosehips	24
25	26	27 Build Dry Rocks	28 Tea / Visit Day	29	30 Stick Game Gathering 7 – 11 pm	

PROUD TO BE LNIB	Culture Revival Program Coordinator	Culture Revival Program Assistant	LNIB Community Services
	Sharon Anfoine	Tim Manuel	230 Hwy 8 West (w) 250-378-4089 (f) 250-378-9137

For up-to-date information (e.g. Location) please contact the Culture Revival Program Coordinator at 250-378-4089
 Programs and/or Scheduled Times might change due to unforeseen circumstances.

COMMUNITY GARDEN



The Community Garden is thriving! Some crops are being harvested and shared through the Health Centre. A fall crop seeding is underway.



All that goodness comes only with hard work - watering, weeding, seeding, harvesting.

During the summer our chief gardener Lorna Shuter has had the occasional help of our summer students. They will be finished for the year by the time this Newsletter comes out.

This is YOUR community garden! So come out and give Lorna a hand whenever you can. It's also a great education for the young ones.

Not much experience gardening? Lorna will be happy to teach you... and you get to share in the harvest!



Harvesting takes some know-how. While Lorna appreciates help and the food is for those in need in the community; eg leaving potato plants longer in the ground means more food for all. Please contact Lorna through Public Works so all the garden efforts are rewarding for all those in need.

SPECTRA ENERGY UPDATES

Spectra Energy has been working on LNIB lands while as they do maintenance, enhancements and system upgrades on the existing gas pipeline. This is routine maintenance and checking of the main line and poses no hazards to anyone. The work undertaken can be seen next to Johnnies on the Rez. Work is expected to be completed by early October 2016.

“As our T-South Reliability Enhancements and System Upgrades project is well on its way, I thought I would give you an update on the opportunities Lower Nicola Indian Band and the members of Lower Nicola Indian Band have been able to participate in with our project work teams.

LNIB Affiliated services being utilized:

1. Medic – Shulus Forest Enterprises
2. Security – Shulus Forest Enterprises
3. Yard rental - LNIB
4. Trucking for Gravel - LNIB
5. Water use - LNIB
6. Grader operator, Grader rental – LNIB

In terms of total hours - from April 17, 2016 to June 4, 2016 (7 week duration) there were 812 man hours used from the above businesses.

Total direct hires from Lower Nicola Indian Band - six people”

- Franca Petrucci, Spectra Energy.

**COME CHECK OUT THE NEW BMX PARK AND
BLACKTOP PLAY AREA IN ROCKY PINES!**

**TUESDAY, SEPTEMBER 6, 2016 5:00 PM - HOT DOGS
AND HAMBURGERS (FIRST 75 PEOPLE)**

BRING YOUR BIKES! (PLEASE PEDAL POWER ONLY)

BAND GENERAL ELECTIONS

**LOWER NICOLA INDIAN BAND
ELECTION NOTICE**

THIS NOTICE IS TO INFORM ALL ELECTORS OF THE LOWER NICOLA INDIAN BAND THAT AN ELECTION FOR ONE (1) CHIEF AND SEVEN (7) COUNCILLORS WILL BE HELD:

**Saturday, October 1st, 2016
At the Lower Nicola Band Hall at Shulus
Polls will be open from 9:00 AM TO 8:00 PM**

AN ADVANCE POLL WILL BE HELD:

**Saturday, September 24th, 2016
At the Lower Nicola Band Hall at Shulus
Polls will be open from 11AM TO 5:00 PM**

The Candidates are:

FOR CHIEF

Spence COUTLEE

Arthur DICK

Aaron SAM

FOR COUNCIL

Leona ANTOINE

William BOSE

Shane COUTLEE

Mary June COUTLEE

Julia K. DICK

Norma HALL

Barbara HUSTON

Richard JACKSON Jr.

Stuart JACKSON

Harold JOE

Hrolfe JOE

Marshal KRAUS

Joanne LAFFERTY

Lesley MANUEL

Nicholas PETERSON

Clyde SAM

Lucinda SEWARD

Jack STERLING-MOSES

Robert STERLING Jr.

Rona STERLING COLLINS

Andrea SHINTAH-STERLING

Molly TOODLICAN

Electors residing off a LNIB reserve will be sent a mail-in voting package. Electors residing on a LNIB reserve who wish to vote by mail may do so by contacting the Electoral Officer and requesting a mail-in voting package, otherwise may vote in person at the Advance Poll or Election Poll.



Raymond D. Phillips, Q.C.
Electoral Officer
Box 369, Lytton, BC V0K 1Z0
Ph (855) 355-2471 Fax: (250) 455-0040
Email: chuckpalsht@gmail.com

Coyote: Sn'klep/ Sn'k'ep

Creation stories speak of a time when the animals took human form. For the N?e?kepmx (Sn'k'ep) and Syilx (Sn'klep), Coyote was a central figure in these legends and stories. The animal people during this time could walk and talk like we do today. Although Coyote thought of himself as a powerful one, his name literally translated to "Imitator".

He was known as a trickster and transformer; a complex figure, often baffling to non-native audiences. He is more of an anti-hero than a "hero." More buffoon, than champion. For native people, he is the ultimate negative example. He shares his characteristics with other trickster transformers such as Raven of the Northwest Coast.

Coyote's greatest character flaw is too much pride and self-importance. If we described coyote today in human form, he would be tall and lanky, with sunken cheeks and an overall scruffy appearance. He spoke with a drawn in voice that was easily recognized by everyone, and there was no way he could get away from his speech.

His character is described as someone who bragged all the time. He pretended to know a lot, but in reality, did not know very much at all. He had a mischievous side to his character and was always getting himself into situations beyond his control or even getting himself killed. His brother fox was given the job to watch over coyote. If coyote was ever killed, fox

would jump over him four times and he would come back to life, even if all that was remaining was a single hair or piece of bone.

"The Old One", also known as "Big Chief", gave Coyote the responsibility of transforming the land and making it livable for the "people to be" because the people would not know how to live on the land; they would have to be taught. In the stories of creation there were many abnormalities or bad things on the land and it was coyote's job to "finish making the world as it is today". At the end of each story, Coyote would pronounce a "commandment" to set the law about some present condition.

Coyotes' travels are N?e?kepmx and Syilx history about the land. He set the laws and taught the people survival techniques like how to hunt and fish. Coyote was given a "special power" by "The Old One", a power which he could call upon to help him with his work. In some stories he would call on this power for his own personal use and benefit. Each tribe, band or family had its own version of these stories,

but generally the plots of the stories were the same. After his work was complete, "The Old One" put Coyote into a canoe and out into the ocean, from which he will return when needed.

Coyote is considered a teacher because he embodies many of the traits of human character such as laziness, foolishness, skillful planning, and having desires or needs. What he lacks in dignity he makes up in sheer exuberance. He also embodies human qualities that are highly respected by the N?e?kepmx and Syilx; he was a fun character and we enjoy hearing about his exploits.

Coyote is not a hopeless character, but a realistic character.

Our elders recall when they were children the stories would be told at night. The stories taught them about nature, respect, morals and proper behavior; they were also purely for entertainment. The stories would be told at Gatherings, Funerals, Potlatches, and in hunting and fishing camps and root and berry picking camps. When travelling past certain places the stories would be retold as well.



RECREATION

LNIB RECREATION DEPARMENT

The LNIB Recreation Crew has been super busy this summer with your children!

This summer included a trip to Kelowna for zip lining. Where we received an amazing comment about the kids. She said they were the most well behaved group ever!



We also took participated in the Nicola Canoe Pull this year as well 😊

We hiked a few places this summer as well, place like the info center, Rotary Park, and up the flag pole.

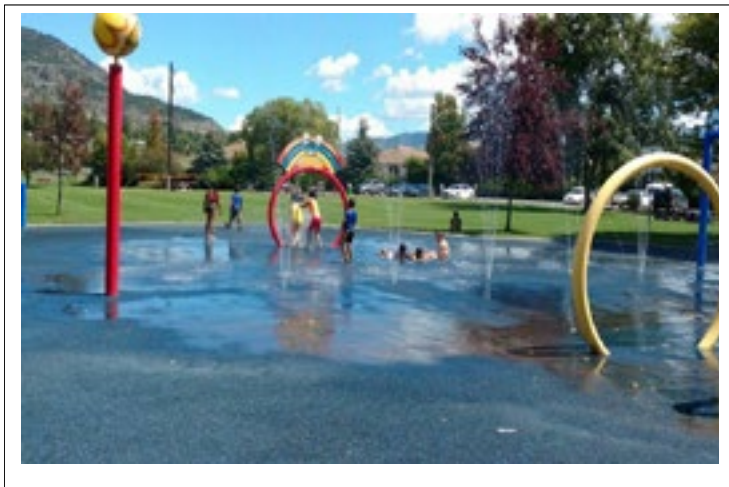


Cultas Lake Waterpark 😊





We have gone kayaking out at Helmer; gone to the Highland Valley Copper Mine for a tour
Trips to Monck Park and Petite Creek for swimming when the days were too hot to do anything else 😊
And let's not forget the Waterpark at Rotary.



Throughout the summer we have done many activities, here is a small look into what we have been up to. We would like to thank you for allowing your children to join us for the summer, we have enjoyed every day with them!

Love
Chelsea, Jamie, Kait,
and Justice <3

COMMUNITY HEALTH

Community Health Representative (CHR) - Rhonda Dunn
Programs for the Month of September

“Good Day Everyone, starting off the month of September we have Labor Day Weekend! Wow, summer seems to be wrapping up fast to fast. If you like rodeo than this is the weekend for with the famous Nicola Valley Rodeo and Fair. Also just wanted to mention for health we have a biomat and Far Infrared Sauna here at the Community Services building for community members to use. I have attached some health benefits for the Biomat and the Far Infrared Sauna.

- Elder’s Luncheon will be held on Thursday, September 22nd at 12:00 over at the Soup Kitchen. Also, because of the volume of calls we have for our programs we are now utilizing a system called Phonevite. It allows me to set up a greeting to invite you to our programs. My cell number 250-315-9559 which will show up on your caller ID if you have it setup. Once you answer the phone my message will start right away.
- Good Food Bag –Wednesday, September 14th pickups after lunch. We remind people that it is very important to pick up your good food bag that day as it is not being refrigerated. The deadline for GFB cash purchases is the last Friday of the month (an example would be Friday, August 27th. Note: Good Food Bag Deliveries: We would like to encourage people receiving the GFB to make arrangements to pick up their GFB. If your GFB has not been picked up it will be donated Friday morning.
- Patient Travel - Is used for specialist appointments nearest to our community. Patient Travel funds is not used for General Practitioners (GP). If you currently do not have a doctor due to their office closure. Mountain Medical - Dr. Simon is still accepting new clients of at 250-315-1455. Also, Julie Walker a Nurse Practitioner and Jocelyn Rhode both ladies work out of Conayt Friendship Centre at 250-378-5107. And also we have the Nicola Valley Health Centre at 250-378-2242



6 Reasons to Put Infrared Saunas on Your Must-Do List



Saunas. They're relaxing, rejuvenating and can even feel a little indulgent. But did you know a regular sauna routine is also a very pleasurable way to enhance health? As you're probably aware, I'm a big believer in engaging in as many good-for-you activities as possible, and saunas, particularly infrared saunas, are high on the good-for-you-to-do list. Why infrared? Because its radiant heat is known to penetrate the skin more deeply than traditional saunas, better aiding in a number of restorative body processes. Here are just a few ways infrared saunas can benefit your body – and why I encourage many of my patients to make them part of their health-supporting routines:

1. You'll flush out toxins: Saunas, infrared or otherwise, make you sweat. Sweating helps flush out toxins from the body and in so doing reduces its toxic load. With infrared saunas, the sweating is deeper and more profuse, enabling your body to excrete a higher percentage of toxins than with a conventional sauna. Infrared saunas are also a great alternative for those who don't like high temperatures or need to avoid them for medical reasons. The gentler heat of infrared saunas runs roughly 20 – 60 degrees lower, making them easier to tolerate. But no matter which type you choose, remember to get the OK from your doctor first before diving into a regular sauna routine

2. Blood pressure will lower and muscles will unwind, without a pharmaceutical assist: You don't have to sit in an infrared sauna hours for on end to reap the benefits. For most people, all that's needed is a few 15-20 minute sessions a week. During your sauna, as you sweat, you'll be stimulating better blood flow and circulation throughout your body. That increased circulation will help lower blood pressure, and make you feel good all over, relaxing tight muscles and easing minor aches and pains to boot. If you're troubled by muscle or joint pain, or more chronic conditions like arthritis, infrared heat from the sauna can provide drug-free pain relief, reducing stiffness and inflammation. In addition, it has also been shown to improve the functioning of the endothelial cells lining the arteries.

3. Cut a cold or flu off at the pass: Feeling like you're on the verge of getting sick? Then head to the nearest infrared sauna as early as possible. Why? Because the infrared's radiant heat will stimulate circulation, rev up the production of white blood

cells and rally your immune system's response to invaders. All that action will make your body a much less hospitable environment for germs to grow – and a great place for them to die. Even if you're not on the verge of coming down with something, remember that infrared saunas, and the increased circulation that comes with regular use, are also great for speeding muscle recovery too.

4. Look younger, no “beauty” creams required: Infrared saunas offer a wonderful bonus for the skin: they help improve skin tone and reduce signs of aging by stimulating better circulation, blood flow and increased collagen production – all of which improve the look of your skin. The increased circulation, elimination of toxins and flushing out of cellular debris enhance overall skin health, giving it a more radiant appearance, without a trip to Sephora!

5. Drop a little weight effortlessly: The plentiful sweating you'll do during a sauna session will register immediately on the scale as weight loss. However, most of the weight loss will be “water weight” which will return when you re-hydrate. However, there is evidence that infrared saunas, because of their ability to penetrate the skin more deeply, increase metabolic rate and can help the body burn off anywhere from 200 – 600 calories in a half hour session. Keep in mind though, while a regular infrared sauna routine won't melt off a spare tire, it can support a sensible diet and exercise plan by giving your metabolism a little extra boost while you literally sit and relax. And remember, hydration is essential if you're using infrared (or conventional) saunas, so never skimp on liquids just for the sake of seeing lower numbers on the scale. Drink up before, during and after – no exceptions!

6. An infrared sauna is an investment in your health: Infrared saunas could be seen as an indulgence, with top-quality units starting at about \$1,800. But I see them as a great investment in your health. Infrared saunas tend to be compact, and require little maintenance, no water or plumbing. Not only do infrareds offer more body benefits than conventional saunas, but also they're less of a drain on resources. Many are made with sustainable materials, most run on normal household current, and cost just a few pennies per hour to run. Because I am such a big believer in them, I recently got a [Clearlight Infrared Sauna](#) and I am absolutely thrilled with it – I look forward to using it every chance I get. If installing your own isn't an option, consider joining a gym or visiting day spas, specialized yoga studios and/or resorts with infrared sauna facilities.

People also ask:

How hot is an infrared sauna?

Average pre heating time is 30-45 mins, while a 4 person corner unit could take a little bit longer than a 2 person sauna. The ideal temperature for an infrared sauna is between **110°F to 130°F**. Remember, temperature is not important; the fact that you are receiving far infrared heat is.

How long are you supposed to sit in a sauna?

After 10 minutes, get out, take a cool shower and then go back in for another session of perhaps the same amount of time. After your second session, take a warm shower and a glass of cool water, then take it easy for a little while. As you get more used to the **sauna** you may want to extend your sessions to 15 minutes.

What is an infrared sauna?

An **infrared sauna** is a type of **sauna** that uses light to create heat. These **saunas** are sometimes called **far-infrared saunas** — "far" describes where the **infrared** waves fall on the light spectrum. A traditional **sauna** uses heat to warm the air, which in turn warms your body.

How hot sauna should be?

For a [far infrared sauna](#), most people set the temperature for anywhere between 100-140 degrees. If you are a beginner, and particularly if you are not in great health, you'll want to start at 100 degrees or less. This way you'll give yourself a chance to get used to the heat.

It's okay to get into an infrared sauna 10-15 min. after you've turned it on, even if the temperature is not up to your target temperature yet.

Drink a glass of water: Have a glass of water before you enter the sauna. Take some water into the sauna with you, too. This is the most important "how to take a sauna" step! Other good drinks to take into the sauna with you would be a sports electrolyte replacement drink (or coconut water, which is nature's electrolyte replacement drink!

Bring towels with you into the sauna

You'll need a towel to sit on and a smaller towel to wipe down with once you start sweating. In our sauna we also put a towel under our feet.

Your body will be sending out toxins, including heavy metals, with your sweat, and you won't want your sauna bench or floor to absorb these. Come back to see our upcoming sauna detox pages and you'll learn how to take a sauna for top-speed detoxification.

Why are Saunas Unsafe During Pregnancy?

Increasing core body temperature above 101 degrees may cause hyperthermia. When hyperthermia occurs for extended periods during the first trimester, studies have shown increased risk of neural tube defects, including anencephaly and spina bifida. Heart defects and oral cleft defects have also been noted in studies associated with hyperthermia during pregnancy.

While studies concentrate on the risks to fetal development during the first trimester of pregnancy, the American College of Obstetricians and Gynecologists suggests skipping saunas and hot water baths during all three trimesters.

As a medical device, the FDA has approved the following statements for the Amethyst Biomat:

1. The temporary relief of minor muscle and joint pain stiffness;
2. The temporary relief of joint pain associated with arthritis;
3. The temporary relief of muscle spasms;
4. Minor sprains and strains, and minor muscular pain;
5. The relaxation of muscles;
6. And the temporary increase of local circulation where applied.

More info on the statements below:

Health Benefits of Far Infrared Technology



1. Improves Circulation & Cardiovascular Function

Far Infrared Rays raise body temperature, warming the blood and expanding the blood vessels. There is an increase in peripheral blood flow and volume, resulting in **improved circulation and heart function.**

2. Improves Immune Functions

Far Infrared Ray's (FIR) deep heat raises your body temperature, inducing an artificial and healthy fever. As the body works to combat the fever, your **immune system is activated** and strengthened, which in turn produces a **detoxification of harmful toxins and waste**

products. With the continual use of the Amethyst Bio mat, your overall health and resistance to disease can be improved greatly.

3. Relieves Pain

The deep heat of **Far Infrared** helps peripheral blood vessels dilate, bringing **relief and healing to muscles** and soft tissue injuries. Increased blood circulation carries off metabolic waste products and delivers oxygen rich blood to oxygen depleted muscles, so they may recover faster.

4. Burns Calories and Controls Weight

As you relax in the gentle heat of the **Far Infrared**, your body is actually hard at work producing sweat, pumping blood, and burning calories. According to the 8/7/81 issue of the Journal of the American Medical Association report, **a single 30 minute far infrared session burns as many calories as rowing or jogging for 30 minutes.** This can be helpful for disabled persons who are unable to move, as well as those looking to increase metabolism and burn calories via alternative means.

5. Eases Joint Pain and Stiffness

Far Infrared heat therapy is widely used to treat patients suffering from many kinds of **arthritis and musculo-skeletal disorders.** In addition, it has been proven effective in the treatment of **sprains, neuralgia, bursitis, muscle spasms, joint stiffness,** and many other musculo-skeletal ailments.

Stiffness, aches, and soreness that come with aging can be reduced or eliminated by using **Far Infrared heat therapy (FIR).**

6. Reduces Stress and Fatigue

The gentle warmth of the **Far Infrared Rays** help to **soothe nerves and relax tight or knotted muscles.** The end result is reduced stress and improved energy. Receiving massages while on the Biomat can be especially beneficial, as the far infrared heat warms and relaxes the muscles to better receive the healing touch of your practitioner.

7. Improves Skin

Far Infrared and **Negative Ions** penetrate the skin deeply, helping to **detoxify impurities from the skin and lymph**. In addition, exfoliation is greatly enhanced by the far infrared, rapidly removing dead skin cells. **Increased circulation** draws your skin's own natural nutrients to the surface, rejuvenating its health and appearance.

8. Removes Bodily Toxins and Assists in Detoxification

Far Infrared helps to **detoxify the body** in several important ways. Increased blood circulation **stimulates the sweat glands and lymph system**, releasing built up toxins and waste. Daily sweating can help detoxify your body as it rids itself of an accumulation of potentially carcinogenic heavy metals, alcohol, nicotine, sodium, sulfuric acid, cholesterol, and uric acid. In addition to sweating, **far infrared** is capable of **mobilizing toxins and acidic waste**, allowing for their removal via several other bodily systems.



Health Benefits of Direct Conduction Negative Ions

1. The Truth about "Negative Ions"

Negative ions have a positive effect on people. **Positive ions** have a negative effect on people. An atom that has one of its normal, orbiting electrons removed is called a positive ion. An atom with an extra electron added is called a negative ion. A bit confusing, no? It's a

misnomer that we can thank Benjamin Franklin for. Back in his time, electrons (with a "negative" charge) and atoms were not understood

correctly. So we're stuck with the 18th century terminology, and that is why the good ions are called "Negative Ions."

2. Blood Alkalization and Blood Purification

When **negative ions** are applied to the body, the calcium and sodium circulating in the blood are ionized. This **changes the blood pH** into an alkaline state and has an overall alkalizing effect on the body. The normal pH of human arterial blood is approximately 7.40 (normal range is 7.35 – 7.45), a weak alkaline solution.

Blood that has a pH below 7.35 is considered acidic, while blood pH above 7.45 is alkaline. Proper blood pH is essential for optimal health. It has been noted that the **negative ions applied to the body are helpful in regulating pH.**

3. Reviving the Cell

When the amount of **negative ions** in the blood increases, there is an increase in **inter-cellular communication**. This occurs as the cell membranes are opened, and cellular metabolism is facilitated. As a result, there is an **increase in cellular nutrient uptake and cellular hydration**. In addition, cellular waste materials are more efficiently excreted. With the increase in cellular metabolism, optimal cell function is rapidly revived.

4. Diseases Associated with Ion Deficiencies

Indoor environment, city living, auto exhaust, exposure to electronic devices, EMF's (electro-magnetic fields), and environmental pollution all result in your body's increased exposure to unhealthy "positive" ions. This results in a physiological imbalance, which may have detrimental health consequences. **Too few negative ions in our body can cause a number of diseases.** Some of the health problems associated with an imbalance of ions in the body include: anemia, allergies, shoulder pain, lumbago, rheumatism, neuralgia, headaches, kidney problems, imbalanced autonomic nervous system function, insomnia, and fatigue.

NEW FACES AT BAND OFFICES



Sharon Parsons, Education Program Manager

Hello, my name is Sharon Parsons. I have been hired as the Education Program Manager, for Lower Nicola Indian Band, and will be attending the Annual General Assembly to say hello. Although I am a familiar face in the community and many of you may know me, I will provide a short bio to introduce myself.

I was born in Merritt and have spent most of my life in the Nicola Valley. I am the youngest of Pearl Clayton's nine children, who are all Lower Nicola band members. My husband of 31 years, Rocky, and our four children, Skyler, Hayley, Carly and Clay were also born and raised in Merritt. This year, our family grew with the birth of two grandsons, Blake (Carly) and Knox (Hayley), -we are so excited to be grandparents; we have a new purpose.

Last year, I celebrated graduating from NVIT with a BSW, as well as getting back into the work force. In September 2015, I was hired at Conayt Friendship Society, as the Family Development Coordinator with Merritt Moms & Families. It was a pleasure helping parents and families to learn and practice the skills needed to raise strong healthy children. As the LNIB Education Program Manager, I look forward to working with educators, administrators, parents and our community, in supporting our student achievers in their pursuit of knowledge.

Tim Manuel, Assistant Culture Revival Coordinator (part time)

My name is Tim Manuel. I carry the traditional Sylix name of Petkwumen which means "big nail". I also carry a second Sylix traditional name of N'petkwulax which means "nailed to the earth". I am from Spaxomin (Douglas Lake), which is 45 km east of Merritt, B.C. We are the only Sylix speaking community in the Nicola Valley and have strong family lineage and political ties with the other Nʔeʔkepmx communities in the Nicola Valley.

I am the fourth child of the late Herbert Manuel (his traditional name was Yurpa) from Spaxomin and the late Dorothy Saddleman from Coldwater. My Paternal grandparents were the late Danial Manuel from Spaxomin and Susan Bent from Lower Nicola. My Maternal grandparents were the late Francis Saddleman from Quilchena and Mary Jane Captain from Coldwater. My father was raised in the strong traditional Sylix teachings of his family. His late father, Daniel Manuel, was a teacher of the language and culture, so it was only fitting to follow in the footsteps of his father to help preserve the culture. I too follow in those foot steps as my father and grandfather in passing on my traditional knowledge to the younger generations.

I served ten years on Band council, 2 terms as a Council member and five years as Chief at Upper Nicola, from 2000 to 2011. After I retired from politics, I embarked on a new journey with School District #58 as a First Nations Support worker and Cultural Teacher. I taught Nʔeʔkepmx and Sylix cultures throughout the entire school district.

My passions are working with youth to provide them with the opportunity to be connected with their culture, language, traditional knowledge and community. I continue the legacy of my ancestors by sharing my knowledge with my son, Isaac Joe Manuel (traditional Sylix name Skoksee and kwaguilth name of Mandlida'as). Our connectivity to who we are, where we are from and where we are going is integral to our well being in each of our lifetimes.



Tammy Anderson, Family & Wellness Coordinator

Good Day everyone! I would just like to take this opportunity to introduce myself. My name is Tammy Armstrong, I have recently being hired to take Christie Hill's position while she is on maternity leave from the Community Health Services. I am looking forward to getting to know all of you and working with the community. I have a great love for the community and community members as I grew up in Merritt before leaving to experience new things out on the prairies.

I have been working in the social services industry aiming to create more effective organizations, build stronger communities, and promote equality and opportunities for the last 20 years. I have worked with families and youth in high risk situations through trauma. I have also spent a number of years working with New Canadian families and individuals to assist them with integrating into Canadian Society. Through this work I have facilitated many programs and designed workshops along with individual and family counseling.

I have volunteered in many different social service agencies and held many positions on different non-profit and government boards. Through some of my personal experiences I have been very active in organizing many other events such as; Relay for Life to raise money for the Cancer Society of Canada and Amazing races. I am looking forward to putting my skills and abilities to use working for the Lower Nicola Indian Band at the Community Health Services office.



Danielle McDougall - Homemaker

Good day everyone. My name is Danielle McDougall. I have been hired as the new Homemaker and work in the Community Services Building. I started August 2, 2016.

I was born and raised here in the Nicola Valley. My parents are Sandra Charters and Ivan Swakum. My husband is Joe McDougall and we have three sons.

These past few weeks have flown by. I am really enjoying my new job and look forward to seeing everyone out and about in the community.

All my relations,

AND SO LONG TO:

Good Morning or Afternoon,

I would like to take this opportunity to say thank you, to each and every one of you that I have had the chance to meet, or even be in the presence of. Over the past 7 years of working for L.N.I.B. I have not only grown professionally, but also personally. I remember when I first started my journey here, thinking to myself you have a steep climb ahead of you, but I have realized you as a community have made it a very easy climb with all of your love and support. I can't say it enough how thankful I am to this community for taking a young man in and shaping him into the warrior that has all the tools to successfully move forwards in a tough world. Again L.N.I.B. thank you, and you forever will hold a place in my heart. On a Side note I will be starting my new job as Manager of youth development programs for a company called Kindale out of Armstrong. If there is anything anyone may need please don't hesitate to contact me. Till we meet again.

Yours Truly,
Rylan Kerber

BACK TO SCHOOL FUN FACTS

- Labor Day is the unofficial end of summer and the start of the back to school season.
- Did you know that high school didn't exist until the 1930's! High school started during the Great Depression. Due to lack of jobs it was decided to keep teenagers in school and out of the workforce so more adults with families can get a job.
- School buses are yellow because yellow attracts more attention than any other color.
- In 1903 Crayola started making crayons.
- They originally only came in 8 colors: blue, black, brown, green, orange, red, violet and yellow.
- Now Crayola makes 120 different colors!
- Worldwide more than 14 billion pencils are made every year.
- On average a single pencil can be sharpened 17 times and write 45,000 words!
- Pencils can write in space with zero gravity, under water and upside down.
- It is believed that a single pencil can draw a line 35 miles long.
- Pencils have the ability to write with a mixture made out of clay and graphite.
- The eraser was added to the pencil in 1858.
- Before erasers it was common for people to erase pencil using crumbs from white bread.
- Teachers originally did not want pencils to have erasers because it was believed it would encourage children to make mistakes.
- The tradition of giving apples to teachers originates from 16th century Denmark. Parents would pay the teachers with food because teachers didn't earn much money.

BACK TO SCHOOL

Back to School Start-up forms

School Start-up and Consent forms will be available at the beginning of August.



FORMS CAN BE PICKED UP AT THE LNIB EDUCATION OFFICE OR THE COMMUNITY SERVICES OFFICE.

PLEASE BRING COMPLETED FORMS TO THE LNIB EDUCATION OFFICE NO LATER THEN SEPTEMBER 15, 2016.

It is almost that time of year again, and we are sure most of the students are excited about getting back to school. We hope you are making the best of your holidays!

Enjoy the rest of your summer!!
Lynne, Gail, and Terri-Lynn

EDUCATION PROGRAM

With the first day of school just 2 weeks away, this is a very busy time of the year for the Education Department staff.

Families are busy shopping for supplies, and that new pair of shoes that their child will have grown out of by Winter Break. K-12 Financial assistance forms are due by September 15th, be sure to bring it in before the deadline. Cheques will start being issued as of August 26th.

Post-Secondary starts on the same day, so staff are working with students to ensure they have all they need to succeed. We are doing our best to arrange a smooth direct deposit transaction, so you might check that you have submitted the correct banking information; you have enough stress, we don't want to create more.

Have you been out of school for a while but have always wanted to get your Adult Dogwood Diploma? We are now recruiting for another year of the Q2, contact the Education Department to find out more.

Education is designated one of the key areas to improve the quality of life for the Aboriginal peoples of Canada, together with health, housing and relationships.

Come in to the Education Department office and chat with Sharon Parsons, Gail LaRochelle, & Terri-Lynn Beckett about your education plans.

Have a great day today and every day!

Sharon Parsons, LNIB Education Program Manager

“Education is the most powerful weapon which you can use to change the world.”

- Nelson Mandela

Next time you see a group of crows, look closely. Try to remember which one is which, and see if you can tell the difference between them the next time you pass. Odds are good that you can't; they're crows, which makes them all big black birds. On the other hand, every last one of them very likely remembers you as the weird human who kept staring at them. We know this, because researchers in Seattle performed an experiment with some crows around their college campus. They captured seven of the birds, tagged them, then let them go. And they did it all while wearing creepy skin masks, because it was funny:

OK, so the scientists weren't just playing out horror movie fantasies -- they were testing whether the crows could recognize human faces or not. It turns out they can. To a frightening degree: Whenever the scientists walked around campus with the masks on, the crows would “scold” and dive-bomb them... because along with the ability to recognize us as individuals, the researchers also learned that crows can hold a grudge. And pretty soon, it wasn't just the first seven crows reacting. Other birds, ones that hadn't even been captured in the first place, started dive-bombing the scientists as well.

In case you think they were just telling each other “get the guy with the mask,” they weren't: The test was repeated with multiple people wearing multiple masks, and without fail, the crows left the masked men who hadn't messed with them alone, but went murder-crazy on the mask that had been worn while messing with them.



REGISTRATION 2016-2017



THE LOWER NICOLA BAND SCHOOL
INVITES ALL CHILDREN *(First Nations/Non First Nations)*
To Register for Kindergarten to Grade 7

“FREE” Daily
HOT LUNCH PROGRAM
and SNACK PROGRAM
3 times a week

NEW PLAYGROUND
EQUIPMENT

“WHATS COMING”
4 Classroom school additon.
To be completed in 2017

- Full Time Kindergarten – must be 5 yrs by **Dec 31, 2016**
- Bus Services provided to all areas of Merritt.

HEAD START SERVICES:

- 3 & 4 year old Program (K4 must be 4 yrs old by **Dec. 31, 2016**)
- Parent & Tot Drop In
- Home Visiting Program
- Transportation provided for all Head Start programs
- Mom's & Tot's Services 0 to 6 years old

CURRICULUM:

- New BC Curriculum
- Nle?kepmx
- Cultural Studies
- Field Trips
- Learning Assistance Program
- School supplies supplied

FACILITIES:

- Full-Size Gymnasium
- Library
- Computer Lab
- Baseball/Soccer Field



FOR MORE INFORMATION

Lower Nicola Band School
Ph: 250-378-5527  **201 Horn Rd., Merritt, BC**

BAND SCHOOL CALENDAR

LOWER NICOLA BAND SCHOOL

201 Horn Rd- Merritt B.C.- V1K 1B8-

Ph# 250-378-5527---Fax# 250-378-6389

SCHOOL CALENDAR FOR 2016/2017 SCHOOL YEAR

DAYS IN SESSION 192- NUMBER OF NON- INSTRUCTIONAL DAYS 8

August 29- Sept 2, 2016	Mon- Fri	Summer Institute, (Summer professional development.)
September-6-2016	Tuesday	SCHOOL OPENING. School hours 10:00 am to 12 noon. (Bus schedule to be adjusted for the first day of school.)
October -10- 2016	Monday	Thanksgiving Day.
October -21- 2016	Friday	Non- Instructional Day (Professional Development Day)
November-11- 2016	Friday	Remembrance Day Statutory Holiday.
November-25- 2016	Friday	Report Cards go home
December 16- 2016	Friday	Last Day of school before Winter Break.
December 19- Jan 2, 2017		Winter Break
January- 3-2017	Tuesday	SCHOOL REOPENS
February-13-2017	Monday	Family Day
February-24-2017	Friday	Non- Instructional Day (Professional Development Day)
March- 3 -2017	Friday	Report Cards go home
March-8-2017	Wednesday	School shortened for parent/teacher interviews. School Closed at 12:00 noon.
March -17-2017	Friday	Last Day of school before Spring Break.
March-20 to 31-2017		SPRING BREAK & (staff summer institute lieu days.)
April 3-2017	Monday	School reopens after the break
April 14- 2017	Friday	Good Friday
April 17- 2017	Monday	Easter Monday
May -22-2017	Monday	Victoria Day.
June -29- 2017	Thursday	Last Day of Classes- Year End Report Cards Go Home
June -30- 2017	Friday	Administration Day-Last day for staff.

Q2



is Back!

Are you looking to obtain your *Adult Dogwood Diploma*? Or maybe you would like to touch up your Math and English skills to prepare for attending College or University?

NVIT and our five surrounding communities: *Upper Nicola, Lower Nicola, Coldwater, Nooaitch and Shackan, want you*. All non-EI eligible community members who are from the five local founding Bands have access to adult basic education classes in association with language and cultural teachings. Courses to be delivered will include but not be limited to: Math, English, Indigenous Studies, Aboriginal language, and cultural classes.

To sign up, contact your Community representative:

UPPER NICOLA

Charlene McRae
250-350-3342
education@uppernicola.com

LOWER NICOLA

Sharon Parsons
250-378-0915
sparsons@lnib.net

COLDWATER

Shawn Bob
250-378-6168
sbob@coldwaterband.org

NOOAITCH

Kathleen Jumbo
250-378-6141
kathleen@nooaitch.com

SHACKAN

Debra Manuel
Office: 250-378-5410
Cell: 250-378-7575
debra.manuel@shackan.ca

Mid-September 2016—Mid-April 2017



**NICOLA VALLEY
INSTITUTE OF
TECHNOLOGY**

*Have any
questions?*

Contact Chelsea Vaughan at **NVIT**
250.378.3378 or cvaughan@nvit.bc.ca



Funding provided through the Canada-British Columbia Labour Market Agreement

CHILD CARE SERVICES



**Merritt Youth and Family
Resources Society**

**Family Place
Child Care Services**

Please call or stop by for more
information, pricing or forms

**Hours: 6:00am – 9:00pm
Monday - Saturday**

Two Multi-age groups with 20
full time childcare licensed
spaces:

- 6 spots for 0 - 12 mos.
- 4 spots for 12 - 35 mos.
- 10 spots for 36 mos.-12yrs

Tel/Fax 250.378.4878
Email: myfrsed@telus.net
Website: merrittfamilyresources.com

**2172 Coutlee Ave., Railyard Mall
Box 1153, Merritt, BC, V1K 1B8**

LANGUAGE NEST

Lower Nicola Indian Band
N̄eʔkepmxcín Zm'en'm
Language Nest



sincʔ
little brother
teyt
hungry
snukʷeʔ
friend



nkseytkn
my family
s̄taʔx̄ans
food
kix
younger sister

Do you have a child under the age of 5? Do you want your little one to learn N̄eʔkepmxcín and do you want to learn and share language and culture experiences with him or her?

The Language Nest programme provides learning in a home type setting where you and your child are exposed fully to N̄eʔkepmxcín while playing, eating, carrying on conversations.

This excellent experience and opportunity needs commitment from the parents/guardian to participate and to practice in your own homelife as well.

The Programme starts in September and interviews will be conducted in August to answer your questions and determine if this is the right programme for your family.

Space is limited! So please get your registration form online at www.lnib.net or at the Health Centre.

Completed application forms may be dropped off at the Health Centre or the Band Office.

For more information contact:

Aiona Anderson, Language Nest Coordinator:
aionaart@gmail.com

Or

Bridget Labelle, Human Services Director,
(250) 378-4089
Bridgetl@lnib.net



MEMBERSHIP

RENEWING YOUR CERTIFICATE OF INDIAN STATUS CARD (CIS)

Please schedule an appointment with the Indian Registry Administrator at the LNIB Band Office. Appointments may be scheduled for **Wednesdays between 9 am and 4 pm**

CALL GERALDINE BANGHAM AT 250-378-5157

IDENTIFICATION REQUIRED

Clients must provide two (2) pieces of identification when applying for a status card. One piece of id must have a digitized photo on it. **NO PHOTOCOPIED ID** or SIN cards accepted. All identification must be intact and not have expired.

Acceptable ID:

Primary ID - Valid Canadian Passport

- New plastic CIS issued after 2002 ; and

Secondary ID - Certificate of Birth

- Marriage of Divorce Certificate

- Provincial Identification Card

- Driver Licence

- Employee ID with digitized photo

- Student ID with digitized photo

- Firearms Licence

Other Category:

- Guarantor's from approved by Indian Registration and Band Lists Manager; AANDC-BC Regional Office

Questions on Membership?
Geraldine (Shuter) Bangham is the
Indian Registry Administrator;
Back-ups are Vonna Moses and
Phyllis Edwards

JOB POSTINGS

LOWER NICOLA INDIAN BAND

Position Title: Cultural Heritage Resource/ Environmental Project Workers
Reports To: Lands & Economic Development Director
Subject to: Term Position Lasting until Approximately November 2016. Subject to Terms and Conditions of the Personnel Policy and Budget Approval.

Summary of Organizational Responsibilities: The successful candidate will bring their energy, enthusiasm and interest in environmental and cultural resources to a variety of resource planning and research projects. Specifically the successful candidate will work the LNIB staff as a surveyor on land and resource development projects.

Potential Duties and Tasks:

- Field surveying of Cultural Heritage Resources, archaeological, plants, wildlife and soils values;
- Data entry;
- Communications (small reports, presentations);
- Background research relating to current and historical resource use and environmental management;
- Interviewing community members on current and historical resource use in the Nlaka'pamux Territory;
- Strong computer and information management skills;
- Strong file management;
- Familiarity with online mapping platforms.
-

Qualifications:

- Post-secondary training/education in natural resource management or related field (Preferred);
- Resource Inventory Standards Committee Training in Archaeological and CMT Inventory for Crew Members (Preferred);
- Level I first-aid (Preferred);

Knowledge, Skills and Abilities:

- A valid drivers license and reliable transportation (Mandatory);
- Positive attitude and genuine interest in projects and related duties (Mandatory);
- Understanding/interest in Nlekepmx resource use and cultural practices; Computer literate in Microsoft Word, Excel, Outlook, Publisher;
- Attention to detail related to note taking, and field sampling duties;
- Physically fit and able to work in adverse field conditions;
- Daily travel will be required;
- High paced work environment;
- Personal Protective Equipment (hard hat, safety glasses, steel toed boots, hi-vis vest) required;
- Ability to speak or willingness to learn the Nlekepmx language.

Deadline: This is an open call; however individuals are encouraged to respond as soon as possible.

Start Date: Dependent on scheduling with clients.

Applicants are required to submit a cover letter and resume to: Lands & Economic Development Director
181 Nawishaskin Lane, Merritt, B.C. V1K 0A7 Email: reception@lnib.net

Lower Nicola Indian Band

Capital/Public Works Clerk

Job Summary:

Responsible for support in the operation of the capital/public works department. Candidate must be willing to learn Public and Capital works process and application process to INAC and other funding agencies. Candidate must be willing to perform hands on maintenance and repairs to LNIB assets through a mentoring program.

Required Qualifications:

- Excellent interpersonal skills to deal effectively with people;
- Excellent organizational and communication skills; oral and written;
- Must be self-motivated and reliable;
- Excellent clerical skills; typing, filing, dictation and computer knowledge;
- Achieved certification in an office administration course;
- Willing to learn hands on in public works maintenance and repairs;
- Willing to take post-secondary education in Water and Wastewater;
- Must have a minimum grade 12 education or equivalent;
- Must have minimum class 5 driver's license.

Deadline for Application: September 7, 2016 by 2:00 pm

Submit Resume and Cover Letter:

Lower Nicola Indian Band

Executive Assistant

181 Nawishaskin Lane

Merritt BC V1K 1N2

Or: by fax 250-378-6188

Or: by email executiveassistant@lnib.net (Please include job title in email subject line)

**Lower Nicola Indian Band
Infrastructure Sector
Job Posting
Public Works Officer**

Position: Works Public Officer

Job Summary:

The primary function of this position is to support the Maintenance Supervisor with the LNIB's public works operations, maintenance and repair activities, including organizing, directing and monitoring. The position is also responsible for animal control by-laws. The work is performed under the direct supervision of the Maintenance Supervisor.

Required Qualifications:

- 2-3 years By-Law Enforcement experience, preferred
- Knowledge and experience in general maintenance and repair;
- Knowledge and experience in the operation of equipment e.g. backhoe;
- Enforce animal by-law regulations and respond to complaints concerning animals;
- Possess or willing to obtain Workplace CPR, First Aid and other required training;
- Good interpersonal skills to deal effectively with people;
- Good communication and organizational skills;
- Good computer skills, including Microsoft products, e.g. word, excel, outlook, etc.
- Knowledge of general work safe procedures.
- Completed WHMIS (Workplace Hazardous Materials Information System) Certification.
- Physically able to meet the demands of bending, lifting and twisting positions.
- Must be self-motivated and reliable.
- Must be willing to work evenings and weekends.
- Grade 12 Graduation or equivalent.
- Must have a class 5 driver's license

Deadline for Application: September 7, 2016 by 2:00 pm

Submit **Resume and Cover** Letter:

Lower Nicola Indian Band
Executive Assistant
181 Nawishaskin Lane
Merritt BC V1K 1N2

Or: by fax (250) 378-6188

Or: by email executiveassistant@lnib.net (please include job title in email subject line)

LAND MARK COURT CASES

SUMMARY OF LANDMARK AND KEY COURT DECISIONS IN ABORIGINAL LAW

We continue this month with the publication of relevant sections of the document “Summary of Landmark Court Decisions in Aboriginal Law” prepared by W. Ming Song, of Songbird Law Corporation, and originally published by the Office of the BC Vice-Chief of the Assembly of First Nations, in March of 2012.

In this segment for this edition of the Newsletter, we will cover relevant case law about Band Membership and Aboriginal Fishing Rights.

MEMBERSHIP

1. Corbiere v. Canada (Minister of Indian and Northern Affairs) (1999) Supreme Court of Canada

Non-resident members of the Batchewana Indian Band were not permitted to vote in a band election by virtue of s. 77(1) of the Indian Act, which requires that band members be “ordinarily resident” on the reserve. They brought an action seeking an order that such a provision violates s. 15(1) of the Canadian Charter of Rights and Freedoms and such infringement was not justified under s. 1 of the Charter.

This case is significant in confirming that off reserve members are entitled to the same rights and privileges of on reserve members.

2. McIvor v. The Registrar (Indian and Northern Affairs) (2009) British Columbia Court of Appeal (leave to appeal to the Supreme Court of Canada dismissed April 6, 2009)

The issue concerns the constitutionality of s. 6 of the Indian Act, R.S.C. 1985, c. I-5, which established the entitlement of a person to be registered as an Indian. The plaintiffs argue that the provisions of that section violate the Canadian Charter of Rights and Freedoms because they discriminate on the basis of sex and marital status. While the remedy they seek is complex, the plaintiffs’ major claim is that Mr. Grismer should be entitled to transmit Indian status to his children, despite the fact that his father was non-Indian and his wife is non-Indian.

The Court agreed with the lower decision that section 6 of the Indian Act infringed Ms. McIvor and Mr. Grismer’s right to equality under section 15 of the Charter and that the infringement was not justified by section 1 of the Charter. The decision, however, was reached on narrower grounds than those found by the trial judge. The Court of Appeal found that the unconstitutionality is not in relation to the descendants of all woman who lost status when “marrying-out” any time since 1869. Instead, the Court of Appeal ruled that the Charter violation was limited to the beneficial treatment of persons in the male line previously subject to the transitional

provisions relating to the Double-Mother rule, which was introduced in 1951.

The Court of Appeal suspended the declaration of invalidity for 12 months, giving Canada until April 6, 2010 to amend the Indian Act. The Government of Canada did appeal the decision.

On December 15, 2010 Bill C-3, Gender Equality in Indian Registration Act was given Royal Assent, and came into force on January 31, 2011. The Act amends the Indian.

ABORIGINAL FISHING RIGHTS

Please note that many of the leading cases dealing with Aboriginal fishing rights are found in the Aboriginal Rights section published in the LNIB Newsletter editions of May and June of 2016.

1. R. v. Lewis (1996) Supreme Court of Canada

Three members of the Squamish Indian Band who reside at the Cheakamus Reserve, were charged with contravening the British Columbia Fishery (General) Regulations. Two engaged in “net fishing” on the Squamish River in an area immediately contiguous to the reserve. A third member fished on the west side of the Squamish River, opposite the reserve. All three appellants claimed that they were authorized by Squamish Indian Band By-law No. 10 to fish at the time and in the manner in question. The by-law authorizes band members to fish “upon Squamish Indian Band waters”, which are defined as “water situate upon or within the boundaries of Reserves”.

The case is significant in dealing with reserve boundaries. In particular, holding that the fishery itself did not form part of the reserve. Indians do not enjoy exclusive use of public waters and was to be enjoyed by everyone. Moreover, the Court found that the Crown had fulfilled its fiduciary duty to the Squamish by providing fishing states for its use.

2. R. v. Nikal (1996) Supreme Court of Canada

Appellant was charged with fishing without a licence contrary to s. 4(1) of the British Columbia Fishery (General) Regulations. Native persons, although required to have a licence, were entitled to a free permit to fish for salmon in the manner they preferred. The Appellant had been gaffing salmon in the Bulkley River where it flows through his reserve. He took the position that the licensing scheme infringed his aboriginal rights as provided in s. 35(1) of the Constitution Act, 1982 and was therefore inapplicable. He further contended that the river is, at this point, part of his reserve so that only the band by-law, which allowed band members unrestricted fishing in the river, applied. Similar to Lewis, two issues were raised: (1) whether the band’s fishing by-law applies to the Bulkley River where it flows through the band’s reserve, and (2) whether the licence requirement under s. 4(1) of the Regulations infringes the appellant’s aboriginal rights contrary to s. 35.

Affirming the finding in Lewis, the Court held that it was not the Crown never intended to create the reserve to grant the band an exclusive fishery. Although the band claimed they were misled on that point, the Supreme

Court maintained that the historical facts established the Crown's intention to allot only the land of the reserve and not the river. Consequently, a band by-law could not apply to the river bed.

Despite the fact that the Court held the requirement to obtain a licence did not infringe the appellant's aboriginal rights, the Court found that the conditions set out in the licence did prima facie violate his right to fish. Some of the conditions imposed were seen as unreasonable. As a result, the Court concluded that since the government had adduced no evidence to justify these conditions, the licence and its conditions were both invalid and restored the original order of acquittal of the appellant.

3. R. v. Kapp (2008) Supreme Court of Canada

The federal government's decision to enhance aboriginal involvement in the commercial fishery led to the Aboriginal Fisheries Strategy. A significant part of the Strategy was the introduction of three pilot sales programs, one of which resulted in the issuance of a communal fishing licence to three aboriginal bands, permitting fishers designated by the bands to fish for salmon in the mouth of the Fraser River for a period of 24 hours and to sell their catch. The appellants, who are all commercial fishers, mainly non-aboriginal, excluded from the fishery during this 24-hour period, participated in a protest fishery and were charged with fishing at a prohibited time. At their trial, they argued that the communal fishing licence discriminated against them on the basis of race. The trial judge found that the licence granted to the three bands was a breach of the appellants' equality rights under s. 15(1) of the Canadian Charter of Rights and Freedoms that was not justified under s. 1 of the Charter. Proceedings on all the charges were stayed. A summary convictions appeal by the Crown was allowed. The stay of proceedings was lifted and convictions were entered against the appellants. The Court of Appeal upheld that decision.

This case is significant as it challenges a program for aboriginal peoples on the basis of discrimination.

The Supreme Court dismissed the appeal on the basis that a distinction based on an enumerated or analogous ground in a government program will not constitute discrimination under s. 15 if, under s. 15(2): (1) the program has an ameliorative or remedial purpose; and (2) the program targets a disadvantaged group identified by the enumerated or analogous grounds. In other words the court found that the prima facie discrimination was allowed because it was aimed at improving the situation of a disadvantaged group as allowed by s. 15(2) of the Charter. There was a prima facie case of discrimination pursuant to s. 15(1). The right given by the pilot sales program was limited to Aboriginals and had a detrimental effect on non-aboriginal commercial fishers who operate in the same region as the beneficiaries of the program. It was also clear that the disadvantage was related to racial differences. The native right fell under s. 25. The unique relationship between British Columbia aboriginal communities and the fishery should be enough to draw a link between the right to fish given to Aboriginals pursuant to the pilot sales program and the rights contemplated by s. 25. The Court went on to say that the right to fish has consistently been the object of claims based on aboriginal rights and treaty rights, the enumerated terms in the provisions. Furthermore, the Crown itself argued that these rights to fish were a first step in establishing a treaty right and s. 25 reflects the notions of reconciliation and negotiation present in the treaty process. Finally, the right in this case is totally dependent on the exercise of powers given to Parliament

under s. 91(24) of the Constitution Act, 1867, which deals with Indians. The Charter cannot be interpreted as rendering unconstitutional the exercise of powers consistent with the purposes of s. 91(24), nor is it rational to believe that every exercise of the s. 91(24) jurisdiction requires a justification under s. 1 of the Charter. Section 25 is a necessary partner to s. 35(1) of the Constitution Act, 1982; it protects s. 35(1) purposes and enlarges the reach of measures needed to fulfill the promise of reconciliation. There is also a real conflict here, since the right to equality afforded to every individual under s. 15 is not capable of application consistently with the rights of aboriginal fishers holding licences under the pilot sales program. Section 25 of the Charter accordingly applies in the present situation and provides a full answer to the claim.

Based on this reasoning, the Court held that the appeal should be dismissed. The communal fishing licence were found to be constitutional.

4. Ahousaht Indian Band and Nation v. Canada (2011) British Columbia Court of Appeal

The Ehattesaht, the Mowachaht/Muchalaht, the Hesquiaht, the Ahousaht, and the Tla-o-qui-aht, five aboriginal bands whose territories are located on the west coast of Vancouver Island claim to an aboriginal right to fish on a commercial basis. They asserted that at the time of contact with Europeans, their ancestral communities fished and traded fish and these activities were intrinsic aspects of their culture. They contended that those fishing and trading activities found their modern-day aboriginal rights to fish commercially, and that Canada's fisheries regime unjustifiably infringes those rights. They further claimed that they are largely excluded from the WCVI commercial fishery. They did not seek rights to fish free from government regulation, but say such regulation must recognize their aboriginal rights, which at the moment it fails to do.

This is only the second case (other than Gladstone) that has an aboriginal right to harvest and sell fish in their traditional territories. Of significance it that this right is not restricted to one species. Evidence indicated a significant intertribal trade in fish products prior to European contact.

5. Lax Kw'alaams Indian Band v. Canada (AG) 2011 Supreme Court of Canada

The appeal involved the claim of the Lax Kw'alaams and other First Nations ("Lax Kw'alaams") to the commercial harvesting and sale of "all species of fish" within their traditional waters. The Lax Kw'alaams claimed not only the right to the commercial harvesting and sale of all species of fish within their traditional waters but asserted that the Crown has a fiduciary duty in that respect flowing from promises made in the reserve allocation process in the 1870s and 1880s. Finally, towards the end of the trial, they claimed what they described as lesser Aboriginal rights, including a right to sufficient fish which, "when converted to money", would enable them to "develop and maintain a prosperous economy", and a right to a food, social and ceremonial fishery. The trial judge was not persuaded that the pre-contact customs, practices, and traditions supported the claimed Aboriginal rights to commercial activities and dismissed the claims. The Court of Appeal agreed and dismissed the appeal. The Supreme Court also dismissed their appeal.

The case is significant as the claim for an Aboriginal right was based on the pleadings and evidence before it which demonstrated only a pre-contact trade practice of eulachon fish grease. The practices, customs and traditions of the pre-contact society did not provide an evidentiary springboard to a constitutionally protected

Aboriginal right to harvest and sell all varieties of fish in a modern commercial fishery. The pre-contact society was not a trading people, except with respect to eulachon grease. As the trial judge found, such sporadic trade as took place in other fish products was peripheral to the pre-contact society and did not define what made the pre-contact society what it was.

The Lax Kw'alaams contended that the courts below erred in their approach to the characterization of the claim, and consequently failed to analyse comprehensively the evidence in its support. In their view “before a court can characterize a claimed aboriginal right, it must first inquire and make findings about the pre-contact practices and way of life of the claimant group”. The Court found this was not correct. When dealing with a s. 35(1) claim, the court should begin by characterizing the claimed Aboriginal right based on the pleadings. Making findings about the pre-contact way of life of the claimant group before characterizing the claimed right — the “commission of inquiry” approach — is not suitable in civil litigation, even in Aboriginal cases, where procedural rules are generously interpreted to facilitate the resolution of the underlying controversies in the public interest. Following that model would be illogical and contrary to authority, and would defy the relevant rules of civil procedure.

Although the necessary flexibility can be achieved within the ordinary rules of practice (including the amendment of pleadings), a defendant must be left in no doubt about precisely what is claimed. Having characterized the claim, the court should determine whether the First Nation has proved the existence of the pre-contact practice, tradition or custom advanced in the pleadings and that this practice was integral to the distinctive pre-contact society. Then, taking a generous though realistic approach, the court should determine whether the claimed modern right has a reasonable degree of continuity with the integral pre-contact practice. Finally, if the claimed right is found to exist, it should be delineated with regard to conservation goals and other relevant objectives.

In this case, the Court rejected the attempt to build a modern commercial fishery on the narrow support of a limited ancestral trade in eulachon grease lacks sufficient continuity and proportionality. While an Aboriginal right is subject to evolution both in terms of the subject matter and the method of its exercise, the claim in this case to a general commercial fishery would, in the Court’s view, create a right qualitatively and quantitatively different from the pre-contact trade in eulachon grease. Qualitatively, trade in fish and fish products other than eulachon grease was peripheral to the pre-contact society. It is not enough to show that some element of trade was part of the pre-contact way of life if it was not distinctive or integral to that way of life. A general commercial fishery would represent an outcome qualitatively different from the pre-contact activity on which it would ostensibly be based, and out of all proportion to its original importance to the pre-contact economy. Quantitatively, the short eulachon season and the laborious extraction method was likely of limited value relative to the overall pre-contact fishing activity of the industrious and productive pre-contact people.

As to the claims to lesser rights, the Court held that the conclusion that trade in fish apart from eulachon grease was not integral to the pre-contact society was as fatal to these claims as it was to the greater commercial claim. Further, had the claim to lesser rights been justified, it bristled with difficulty. The Crown was entitled to proper notice of what was being sought and to test the evidence directed to that issue, but the focus of the pleadings and evidence was on the claim to a commercial fishery, not the lesser rights. It was not clear what the claim meant,

how it would be implemented, what standard of prosperity was sought, or the basis on which it would be quantified. All of these matters had far-reaching implications for fisheries management.

As to the claim to an Aboriginal right to a fishery for food, social and ceremonial purposes, the Lax Kw'alaams presently hold communal Aboriginal licences in these respects. Their entitlement seems not to be contentious, and, as courts generally do not make declarations in the absence of a live controversy, it was within the trial judge's discretion to refuse to make such a declaration.

The arguments based on fiduciary duty or the honour of the Crown failed in the absence of any substratum of relevant facts on which to base them. The Crown had not made express or implied promises of any preferential access to the commercial fishery, and had made its intention to treat Aboriginal fishers in the same manner as other fishers clear.

Whispers in the Night

Alone in the darkness of defeat, who speaks
What's the heart's intent
Who speaks
Listen so intently
With every fiber of your being listen
Does the negative so speak
Who darkens the heart that so diminishes?
Hope deferred makes the heart sick
Do not override, "Oh, voice of defeat!"
Once received defeat comes to rest then comes the test
Speak it to your family! Speak it to your friend!
Let it not come to sense whispers of defeat
Once lifted on high
Speak it in the night, the positive so to speak
Speak it in the day for joy so awaits
Listen with intent who so awakes you
In His time, in His purpose God so awakes you

Sonja Hall
Aug 12, 2016

LOWER NICOLA BAND MEMBER OWNED BUSINESS DIRECTORY

Cascadian Forest Consultants Service

A3ranches@hotmail.com

250-280-1687 (cell)

Leona Antoine, Principal

Forestry consultant, contract administration, roads assistant, post-harvest inspections, First Nations liaison, public relations, timber cruising. In business for 10 years

JP Edwards Contracting

Jpedwards33@gmail.com

250-936-8737 Moses Edwards, Principal

JP Edwards Contracting provides landscaping, ditching, road maintenance, site preparation, and snow removal. Our company is capable and certified to operate heavy equipment consisting of the following: Excavator, Grader, Backhoe, Bulldozer, Skitter, Tractors, Loaders, and minor excavation equipment.

JW Forest Contracting Ltd.

250-378-5468

250-378-1556 (cell) Warren Smith/Janet Sterling, Principals

Logging contractors, road builders, land clearing

Established 1998

Certified Safe Company

11 employees, 80% First Nations

Equipment: Faller/Buncher, Grapple Skidders, Log Processors, Excavators, Cat Crawler Tractors

Millco Safety Services

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250-378-2221 Patrick Miller/Angela Garcia, Principals

Construction safety, construction security, First Aid, Traffic Control, fully certified personnel

S&D Muir Inc

sd.muirinc@gmail.com

250-378-1964 Shane Muir,

Mining and Survey Equipment

SCS Diamond Drilling

www.scsdrilling.com

1436 Sun Rivers Drive Kamloops

250.572-2615

250-314-4864 (fax) Spence Coutlee, Principal

SCS DIAMOND DRILLING has built a strong and lasting reputation providing safe , productive and cost effective drilling services, drill support services including general mine and energy related services within Western Canada. Operating as a 100% owned and operated First Nations Company. Recipient of BC FN Aboriginal Award

Angie Bain

angiebain@shaw.ca
604-802-9709

Over 20 years experience in providing training, re-
search & research analysis services

Donna Bent

250-378-4396 Donna Bent Artifacts

Brandon Joe

Cban_13@hotmail.com
Commercial Embroidery Retail and Sales

Connie Joe

conniej@stuwix.com
Connie Joe Accounting

Shannon Kilroy

skilroy09@yahoo.com
Earthline Contemporary Aboriginal Designs and
Accessories
Bonnie LaBounty
labounty.advisor@gmail.com
Honey Pot Daycare

Odd Job Joe

Handy Man Service & Solutions 24/7
(250) 378-7945

Ryan Mann

rman_20@hotmail.com
Hoodoo Ranch and Pipe Fitter Inspection

Don McIvor

250-378-0095 Licensed Auto Technician

Sharon McIvor

250-378-3300 Lawyer, Instructor and Legal Advisor

James McNaney

normalhauling@gmail.com
Trucking, Hauling

Earl Michel

emichel@live.ca
Wolf Pac Construction

Focus iN Consulting

Business development and housing
gaildjo@gmail.com

Lorne Mike

paulinehenry2011@hotmail.com
Fitness Instructor and Rough Stock Horses

2mojo@ocise.net

Ranchers, retail, business development and Johnny's on
the Rez

Gene Moses Fencing

Gene Moses
250-378-2801

Vivian and Arnie Narcisse

250-315-0584 Catering MC and coordination of
Cultural Events

Nicholas Peterson Farming

Nicholas Peterson
nicholas@growinggarlic.ca

Gwayne Point

250-378-9167 Northwest Indian Art

Clyde Sam

Laidlaw0@telus.net
Construction equipment

Maggie's Bannock

Maggie Shuter
250-378-6579

Alison Sterling

ajsterling67@gmail.com
Jacona Sports, Behavior Intervention, and Bubble Tea,

Lorna Sterling
Avon

Robert Sterling
robert_sterling@hotmail.com
Archaeology, Anthropologist, traditional land use studies

Rona Sterling Consulting Inc. and Godey Creek Paintball
Rona Sterling-Collins
info@ronasterlingconsulting.com

Godey Creek Consulting
Sue Sterling
suesterling75@gmail.com

T Sterling Construction Ltd.
Ted Sterling
ted17@telus.net

Shawn Swakum
s.swakum@yahoo.com
Business administration and Consultant

Penny Toodlican
pcctoodlican@gmail.com
Catering

Victor York
victoryork@hughes.net
Gourmet coffee supply and distribution



LIFE EVENTS



Happy birthday to staff members:

Leane Joe - Sep 5, Mary Suchell - Sep 12, Dayna Charters - Sep 14, Krystal Langager - Sep 15, Audrey Hogan - Sep 19, Dave Caswell and Terry McRae - Sep 21, Joe Quewezance - Sep 24, Celia Street - Sep 25



SALUTING MARY JUNE COUTLEE AND MOLLY TOODLICAN who are an inspiration to girls and women everywhere. You are bright, active and dedicated to your community and your skills on the baseball field are amazing! Your loving and admiring sister Barb



Congratulations to Christie Hill and Cody Hamm on the birth of their son Caleb who made his appearance on August 21st at a whopping 10 lbs 13 oz. ! Congratulations to Carter on his new big brother status

100 DRUMS

September
Friday 9th
Opening
7pm-12pm

September
Saturday 10th
Opening
9am-12mdnt



*For Water, lands and Unity
Everyone! And Every Drum Welcome!*
"If You Have a Drum to Spare, Please bring with, to help us Share"
***Come Join us in Unity and in Friendship to
Celebrate the, Respecting, Protecting, and
Honoring of Mother Nature, through Drumming,
Dancing, Feasting, Storytelling, and Performances.***

Activities include,

- Pit Cooking, Sweats
- Down 2 Earth Fashion Show
- Potluck Dinner

Vendors Tables

- Environmental Info
- Arts and Crafts
- Farmers Market

*A Grassroots, green event, please bring your
Own plates and utensils*

**FOR MORE
INFORMATION CONTACT**

Leona Marie Antione
Telephone (250) 280-1687
Email a3ranches@hotmail.com

**Merritt BC
Lower Nicola
Shulus Arbour
September 9-10, 2016**

Free Camping Available
Alcohol and Drug Free Event

Agenda coming soon, FB event page at 100 Drums for Water, Lands and Unity