

BEAR FAX

Ali kee shi Peesim
2012



www.missanabiecree.com

Missanabie Cree First Nation

Hunting and Fishing



In olden times, spring was the time of preparation, to look over your tools and weapons, to get ready for the season of hunting and fishing. The people looked

forward to the longer days, with more activity as they worked to take care of their families.

The Elders of the Missanabie Cree First Nation recognize the importance of protecting the land, the water, and the beings who live there. The Manitou Mountain Protection Plan and a declaration on hunting ethics have been developed in response to these concerns. Please read the Cultural Coordinator /Planner's report on page 3 for

an update on these initiatives.

Hunting and fishing rights are an important aspect of our rights as Aboriginal people. Today, these rights would no longer be ours to exercise, if the new rules that govern environmental assessments are implemented. The Nishnawbe Aski Nation is warning of the impacts of changes to the regulatory process being brought forward by the Government of Canada. Read NAN's press release on page 5. In these times of climate change, protection of the earth and those who live on it, should be strengthened, not weakened.



Events/Gatherings:

NAN Spring Chiefs Assembly

May 15-17, 2012 Cochrane, ON
www.nan.on.ca

Vision Quest Conference

May 15-17, 2012 Winnipeg, MB
www.vqconference.com

2nd Annual OISE Indigenous Education Network's Indigenizing Psychology Symposium

May 31, 2012 Toronto, ON
www.oise.utoronto.ca/oise/Home/index.html

Aboriginal Resources Economic Development Forum

June 6-7, 2012 Winnipeg, MB
<http://www.insightinfo.com/aboriginalresources>

Aboriginal Mining Education Forum

June 10-12, 2012 Sudbury, ON
www.aboriginalmining.ca/

Inside this Issue:

P. 2: Message from the Chief

P. 3: Messages from Council

P. 4-7 NEWCO Project

P. 8: From the desk of:

P. 11: Community News and Notes

P. 12: Elders Speak

P. 12: News Items

P. 14: Events Calendar

P. 15: Birthday Greetings

P. 16: Opportunities

P. 17: Opportunities for Youth

P. 17: Health Notes

P. 19: MCFN Policy

P. 20: MCFN Membership

P. 21: Contact Information

P. 22-24: Superior Court Ruling



Missanabie Cree First Nation
Annual Gathering
August 11-18, 2012

Message from the Chief

Boozhoo, All my Relations,

It has been a couple months since my last submission to the Bear Fax, there have been some new developments to the issues and projects we have before us. There are a few key issues I will provide you with updates on:

NEW-CO Venture

On the New-co front, we have had issues with the timely screening of our application to Aboriginal Business Canada. I've been in contact with officials from AANDC head office in Hull, Que. to raise our concerns over the handling of our application. A teleconference call is scheduled for Friday May 4 to raise our concerns with AANDC Senior Staff responsible for Aboriginal Business Development Branch. We have continued to peruse other options to move the New-co initiative forward. We have applied to the Royal Bank of Canada to finance the venture and a meeting with Pat Cunningham Senior Account Manager Aboriginal Banking has been held confirming notional approval of our financing application. A closing date is yet to be set, however we still want to access funding through ABC. A final decision on the financing structure has yet to be made.

We continue to believe the project is an excellent opportunity, which will in time not only provide a stream of revenue for our community it will be a vehicle to build capacity. Conditions within our agreement with our partner on this venture ensure those interested and qualified in a management opportunity within the New-co would benefit from his many years in business as a mentor. There will also be opportunities to gain construction and manufacturing opportunities, providing training and experience. I am very excited about the prospects of this project.

Discussions with Mining Interests

Over the past couple of months we have had preliminary discussions with mining interests within our traditional lands. Conquest Resources, Gold Train Resources are exploration companies who have had drilling programs in and around the old Renabie mine. Prodigy Gold and Strike Minerals, Junior mining companies who may move into full production mines as well as Richmond owners of Island Gold mine. I am hopeful these discussions will lead to meaningful consultations and negotiations which will further provide opportunities for our peo-

ple, as well as a share of the resources being taken from our traditional lands.

Treaty Land Entitlement Litigation

May 2nd, 2012 lawyers representing Canada made application to the Ontario Superior Court to seek leave to appeal Justice Stewart's decision to award an advanced costs order for our Treaty Land Entitlement litigation. Submissions were made by Canada's lawyers contesting Justice Stewart's ruling suggesting she erred in her application of the Supreme Court test to award the order. Our legal team of Michael Bailey and David House of Maurice Law as well as Ontario's legal counsel responded to the submission presented by Canada. The proceedings took two and a half hours; Elder Les Nolan joined me at Osgood Hall to observe the hearing.

At approximately 3pm on May 3rd our lawyers received word the court ruled against Canada and did not grant leave to appeal Justice Stewart's order. This is truly a good day for Missanabie Cree. Although Canada may have further appeals ahead we have won twice and I am encouraged we will be able to bring our suit before the courts soon. Although this is only a step in our legal battle, it is huge. We will now have the resources to move the litigation forward. Our team is thrilled with the ruling, and very happy for the Missanabie Cree. Miigwetch Michael, David and Ron.

(Justice Sachs' ruling is attached to this newsletter.)

Forestry Agreement

While in Toronto I met with Minister Gravelle of the MNR to discuss the funding of an implementation coordinator for our forestry agreement with Tembec and the MNR. As you may be aware the tripartite forestry agreement was overdue for a joint review. During discussions with our partners from the ministry as well as Tembec last fall we requested support for an in-office position to oversee the implementation of the agreement to ensure we would gain the full benefits of the agreement. A contribution from Tembec has been received.

Land Transfer

We have learned the delivery of the deed for our transfer lands may be delayed until the end of the year, due to a back log within the Ministry. We have requested the Minister to prioritize the work required to ensure the deed is prepared for delivery during our upcoming Gathering in August. Although there were no promises made

the Minister committed to bring these matters forward and we would receive a response in the very near future.

In closing I am hopeful we will be moving forward with the New-Co venture soon, as well as meaningful consultations with the mining interests working within our traditional lands. The good news we've received on the legal

front is encouraging in that it may bring about the opportunity to settle our outstanding Treaty Land Entitlement. Any questions you may have regarding these items or others don't hesitate to call or email.

In the spirit of community,
Kim Rainville.

Messages from Council

Watchay, my beautiful Family!

I would start by apologizing for not actively communicating with our community by using the newsletter to inform and engage the citizenship on all the dealings of the First Nation last month.

I am always open to communication for all of you and am as accessible as I can be. I have submitted my cell phone (705 951 0449) my email, my Skype name (jasongauthiermissanabie), and my Facebook for anyone to get a hold of me at any time. If there are any questions or comments for me, I am more than happy to do my best to address them. I assure you, I will make every effort to submit a newsletter article every single month.

Although I was surely unaware how politics truly run within a First Nation, I have been open to perspectives and opinions that are different to my own. Chief and Council meet-



On Manitou Mountain, taking down a bear stand. Gordon Macumber, Nolan Rainville, Stephen Hawkins, and Archie Nolan.

ings have been both frequent and extensive. At first I thought that having a Chief and Council meeting every week would be both tiresome and exhaustive, but through active participation I feel that there has been significant progress and am happy to do the work needed.

Being part of building the new drum for our community has been a wonderful experience and has helped me spiritually grow as an aboriginal person. Since then I have been actively attempting to get in touch with my artistic nature. Through working on writing, painting, sculpting and graphic art, I feel like my innate artistic nature is expressed in traditional ways. I have never felt so spiritually connected to the community as I do presently.

I hope to hear from you and love you all very much.

Jason Gauthier

Greetings MCFN Family and Friends:

"Spring has arrived and I am excited about the work being proposed for the coming months. We've wrapped up our year end in office and are busy making new funding submissions and preparations for the months ahead. We have been working on many initiatives the past few months and are constantly seeking out new opportunities for the First Nation in our efforts to create employment, build our capacity and start the process of returning to the land.

GRIZZCO MINING CAMP SERVICES

We were recently approached by a company from out west called GRIZZCO Mining Camp Services. They are a catering company looking to expand their operations out east and have asked MCFN if we would be interested in entering into an agreement for endorsement. What does this mean to MCFN? Basically, what has been proposed in the agreement:

MCFN agrees to endorse Grizzco as a preferred supplier of camp services within the traditional territory for a term of (5) years, with a renewal option for an additional (5)

years. As soon as MCFN signs the agreement, a non-refundable fee of \$25,000.00 is paid to MCFN and again upon renewal. As soon as Grizzco gets one catering contract (regardless of size) another \$50,000.00 is paid to MCFN in addition to a charge of \$5/day for every billable man/day for the camp. For each Camp Services Contract entered into during the term of this agreement, Grizzco shall pay an additional \$50,000.00 to MCFN.

These revenues will serve to provide MCFN with the much needed funding required to support our Annual Gatherings, amongst other community initiatives and create additional employment opportunities for our members in the traditional territory.

MAPLE LEAF HOMES & BUILDING PRODUCTS (NEWCO)

In order to provide our membership with information on a key economic development initiative, we have prepared the following documents. The **Project Summary** below is a brief description of the initiative. The **Project Timeline** can be found on page 5, the **Project Overview** is outlined on page 6, and the **Business Structure** is on page 7. If you have any questions, please call or email me.—Jutta Horn

PROJECT SUMMARY

For many years, Missanabie Cree First Nation has been working towards rebuilding the economic and social development of our community. We have been working on the advancement of the settlement of our land claim in order to provide a home base for our nation, while at the same time looking to build the capacity and employment opportunities for MCFN members. Over the last year, we have researched economic opportunities that we believe would be of benefit to our community.

In January 2011, Missanabie Cree was presented with an opportunity to partner with a company called SuperShell Homes. (www.supershellhomes.com) Supershell homes was interested in establishing a value added manufacturing plant in northern Ontario to produce and market their housing system known as a “SuperSHELL, a uniquely designed energy efficient and environmentally friendly (green) pre-manufactured panelized home system beyond anything else available on today’s market. The asking price for the intellectual rights to this system was valued at \$1M.

MCFN opted to enter into discussions with Supershell , with an intent of seeking out potential partners who could provide an equitable contribution into the initia-

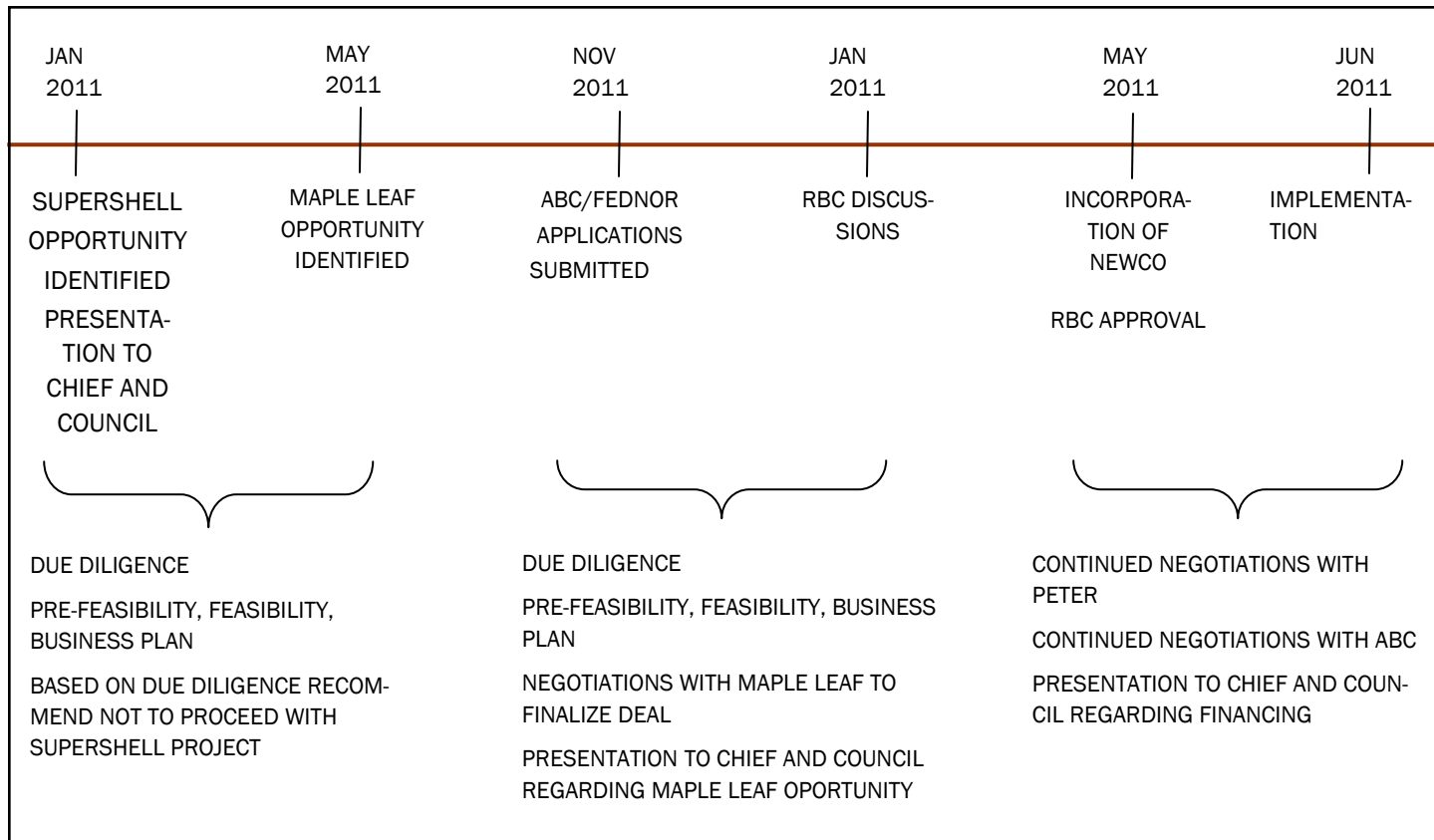
tive. At this point a feasibility study and business plan was developed. Blue Heron Industries (Batchewana First Nation) and MCFN began negotiations to determine how the partnership could work. BHI offered to provide a lease to MCFN for an industrial building that could house the manufacturing operation, but were unable to make an equity contribution beyond the lease. It was decided at this point, that the model was not feasible to proceed as a stand alone company and a recommendation was made to Chief and Council not to proceed with the project.

During this process, MCFN was presented with an enhanced business opportunity by the owner of Maple Leaf Forest Products, a company that produces a variety of building systems and products, located in Echo Bay (just outside of the Soo). MCFN agreed to further explore the business concept on a more in-depth level and entered into negotiations, under a confidentiality agreement with Maple Leaf to determine the feasibility of the business concept and more specifically, how it would serve to meet the present and future needs of MCFN. An application was prepared and submitted to Fednor for funding support to provide legal advice on the proposed business model and approved by Chief and Council to proceed to the next stage.

In order for MCFN to move beyond the feasibility stage and to ensure exclusivity to the business opportunity, Chief and Council agreed to provide \$100K towards the purchase and equity portion of the investment. The financial commitment made by MCFN, ensured that Maple Leaf could not shop around for other buyers while at the same time, providing us with more time to revamp the business plan and conduct our due diligence in the process. A valuation appraisal on the land, buildings and equipment was conducted (\$1.2M), and a feasibility review by the Chartered Accounting Firm, KMPG was completed, with all recommendations in support of the feasibility of the business venture, and was presented to and supported by Chief and Council.

At this stage, application for funding to Aboriginal Business Canada was made and negotiations for bridge financing with RBC began. Chief and Council had agreed to establish a three year mentorship/management agreement with Peter Tarvudd, who has been operating the business for the past 35 years. Through this arrangement, Peter will provide the necessary training and management expertise to our members who will be working within the company (construction labourers, administration, sales staff, etc.).

NEWCO PROJECT TIMELINE



During this period, we had anticipated approval from ABC, however the process was unduly delayed through mismanagement of the file by ABC and is still under review. At this point, MCFN has met with the Regional Managers of ABC and are working toward securing a waiver of pre commitment and ultimately a \$1M grant for the purchase of the business. As a contingency, Peter Tarvudd agreed to remain vested in the company beyond the mentorship agreement and opted to carry 50% of the project financing (\$1.1M) as a preferred shareholder until such time, that we receive the grant funding from ABC or derive enough revenue from the business to buy out the preferred shares of the business, which Peter will hold.

To date, RBC has approved financing in the amount of \$1M towards the purchase of the business (over 15 years for the mortgage, equipment and line of credit) with Chief and Council approval to proceed with the project with or without ABC funding at this time in an effort to capture the seasonal business this year. To date, all key representatives have been actively marketing the business concept and have made several presentations to numerous First Nation communities. We have re-

ceived letters of support for the business venture from the Nishnawbe Aski Nation (Grand Chief Stan Beardy) and Mushkegowuk Tribal Council (Grand Chief Stan Loutitt) and have derived further interest from surrounding communities to enter into business discussions for housing development this year.

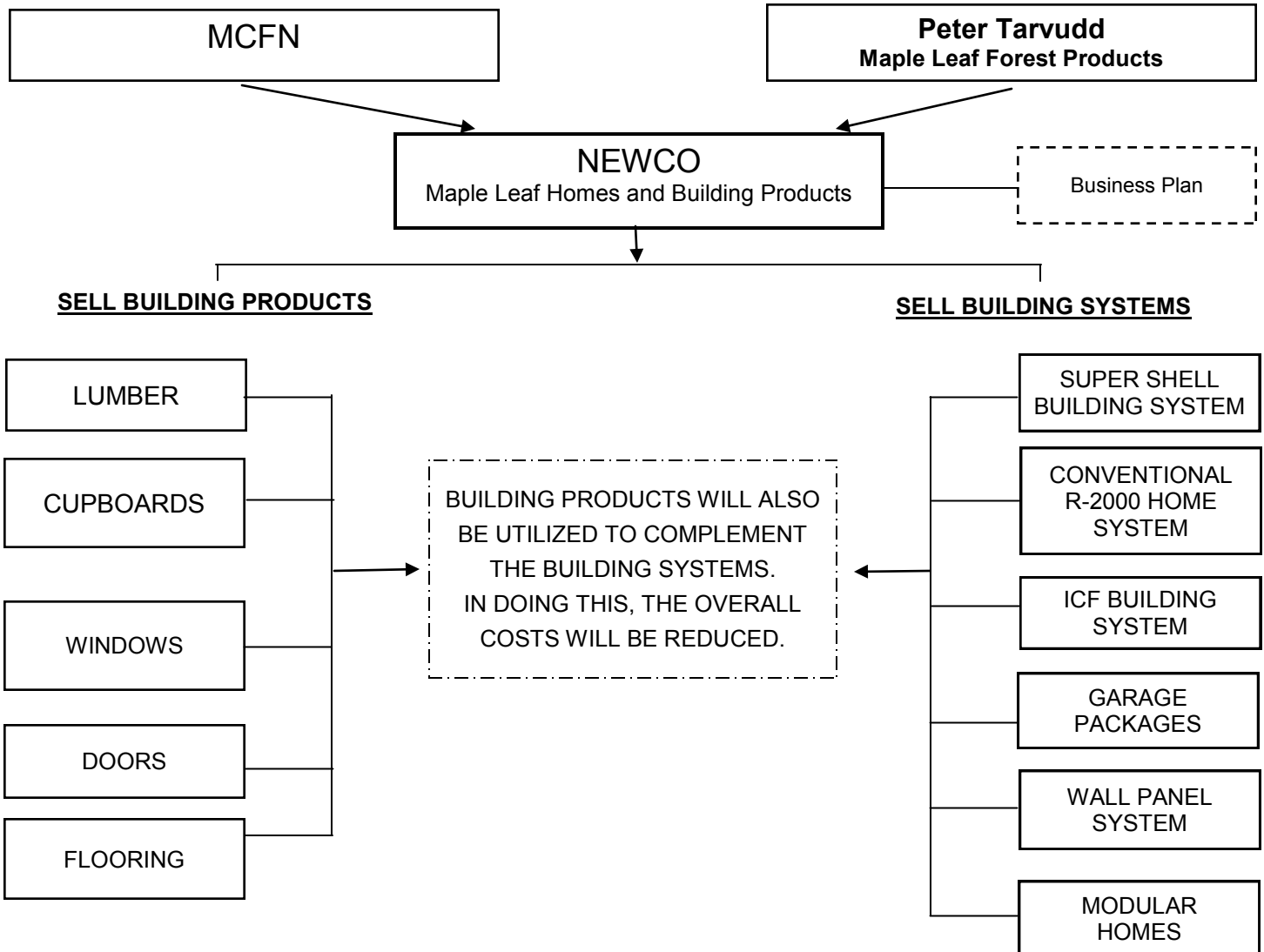
As we are entering the implementation phase of this initiative, a timeline of activities has been developed, including incorporation of the company, setting up the board of directors, which will consist of professionals in business, finance, and legal fields, and preparing funding applications for training programs for members who are interested in working for the company. We are very excited about the prospects that this venture will create for Missanabie Cree in terms of job creation, training and revenue generation. It gives us great pride to be able to build the skills of our own people who can provide a great contribution to the development of the future community of Missanabie Cree.

In the spirit of community,
Jutta Horn, Councilor
Missanabie Cree First Nation

NEWCO PROJECT OVERVIEW

	SUPERSHELL	Maple Leaf Homes and Building Products – (NEWCO)
CONCEPT	<ul style="list-style-type: none"> •Supershell – Home building system presented to MCFN C&C and MCDC •Value of Intellectual Property at \$1M. 	<ul style="list-style-type: none"> •Contracted Maple Leaf H&BP through tendering process to complete exterior/interior for Multi-Purpose Facility •Opportunity presented to Gerry, Project Manager. Manager presented opportunity to MCFN Chief and Council •Concept is an enhanced building system and products company. •Supershell becomes one of its building systems.
PRE-FEASIBILITY	<ul style="list-style-type: none"> •Research building system/ technology/ owners •Identify possible sites •Identify potential partnership: BBI (Batchewana Band Industries) •Research funding opportunities 	<ul style="list-style-type: none"> •Further explored concept. •Negotiations begin with Maple Leaf for purchase of NEWCO at \$2.2M. •Reviewed valuation of land/equipment for purchase price.
FEASIBILITY	<ul style="list-style-type: none"> •Initial discussions with potential partner •Too much of an investment. •Since it is a new technology, vast marketing strategy required to make feasible. •Not feasible as stand alone, not enough of a revenue stream •Partner BBI unable to make equity contribution to project 	<ul style="list-style-type: none"> •FedNor approved application of \$35K for legal advice/fees. •Proposal from Wishart re structure/incorporation •Negotiations with Maple Leaf continue, Peter agrees to invest/loan with NEWCO. •Application of ABC toward financing purchase of \$1M. •MCFN moves forward with investment for exclusivity, will be put towards purchase/equity •Management contract/mentoring agreement developed – 3 yr commitment for training and operations purposes. •Presentations to other organizations/councils. Nishnawbe Aski Nation, Mushkegowuk Council. •Received letters of support from both organizations.
BUSINESS PLAN	<ul style="list-style-type: none"> •NOHFC approved funding of \$25K to develop business plan. •Business plan developed. 	<ul style="list-style-type: none"> •Revamped business plan to include new model. •KPMG reviewed business plan and financials; recommendation in support of feasibility of business venture. •Presentation to Chief and Council
FINANCING	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •Present strategy to Chief and Council •Council agrees to proceed with or without ABC financing •RBC approves \$1M to financing of purchase: 15 yr mortgage, equipment, line of credit •Issues with Aboriginal Business Canada (ABC): <ul style="list-style-type: none"> -lack of timely communication by BDO -Business Development Officer -loss of documentation by BDO -two project screenings without MCFN input •Meeting with regional managers of ABC re ABC process and status of application-ongoing •Financing by Partner – to carry 50% of project financing until ABC approval, (purchase, operating costs, etc.) •Contingency: repayment option to buy out shares of investor: <ul style="list-style-type: none"> -ABC approval of financing -pending available revenue from business
IMPLEMENTATION	<ul style="list-style-type: none"> •Did not proceed with project. 	<ul style="list-style-type: none"> •Incorporation of NEWCO •1st round of hiring; accessing training programs •Marketing strategy: Application for funding to FedNor •Active marketing and networking ongoing to promote new business venture and secure future contracts.

BUSINESS STRUCTURE



COMMUNITY PLANNING

The implementation of the land transfer is now in its final stages of a very lengthy process. We are expecting the issuance of the title and deed to the land this summer, however, with the recent changes in government and the numerous departmental lay offs we have been advised it may not occur until the fall. Chief Rainville has addressed the issue with the Minister of Natural Resources, where the delay exists, to request expediency in moving things along in time for our Gathering this summer.

In our planning efforts to advance the vision of the people and to re-establish our community on our traditional lands, we have been making many plans and preparations in advance of the land transfer and reserve design-

nation. To date, we have formed a community planning group consisting of 13 band member representatives to work on the development and implementation of our comprehensive community planning strategy. The strategy will serve as a guide to development of the community and establish priorities, policies and standards for the community.

To date, I have engaged several representatives from AANDC (Department of Indian Affairs), the Ontario First Nations Technical Services, Carlton University, Mushkegowuk Technical Services, and MAA (the Ministry of Aboriginal Affairs) to discuss the technicalities associated with implementing a community development strategy and to establish a working group of key people who are well versed in the process and able to support or advance our aims. *(Continued on next page.)*

Over the last several years, MCFN has collected a vast amount of information from the membership through community profiles, surveys, and community strategic planning sessions held at our annual gatherings. This data has provided direction for leadership and also represents a large portion of the information required in the community planning study. As part of the process in developing the community strategy, the community planning committee will assist in the collection and updating of key information required from the membership. This information will aid us in developing the priorities and timeline for each task.

I look forward to working with the community planning committee as Co-Chair in the coming months and I am thrilled to be at this stage in our community's history. The Missanabie Cree have fought long and hard for this land for over 100 years. We deserve to have a homeland for ourselves and future generations and we will continue to strive toward building our future community and a legacy that Missanabie Cree can be proud of.

If you have any questions or comments about this report please do not hesitate to contact me at the band office (Ext. 227) or by email (Jhorn@missanabiecree.com.)

Jutta Horn

From the desk of:

A/BAND ADMINISTRATOR

Greetings,

Since December 2011 it has been a flurry of activities, meetings and workshops.

MNR Agreements

We finalized 2 agreements between MNR and MCFN. One was for \$40,000.00 to host a 3 day meeting with elders to work on the Manitou Mountain Protection Plan and to have a presentation to the NSRCF communities (Chiefs, elders, youth) before March 31, 2012. The second agreement was for \$25,000.00 to hold a 2-day working meeting with Hunters from our membership. They gathered information to start work on a hunter ethics protocol. (See Isabell Souliere's report.)

A call out was put in the Bear Fax and we had our core group of participants. At the same time we needed to coordinate a meeting with Elders that lived in the Localsh, Wabatongushi areas. This was to gather more information for our land transfer process. With the help of Kim, Jutta, Archie, and Isabell we set up a meeting and hammered out the details according to our agreements. We had an idea of how this was going to work out and decided to have meetings February 22, 23, 24, 25, and 26, 2012 at our Circle of Creative Arts Centre. With many hours and dedication by staff and volunteers we planned and coordinated the meetings.

Although I worked during the meetings with helping out with lunches and snacks, I managed to sit in on a few of the sessions and can say that the members at those tables contributed a wealth of knowledge. I am very proud of those that came to the sessions. Sometimes you are not sure what to expect and may think you don't have anything to offer, but once you get in a room filled with

people and good discussion it brings out your knowledge. It was wonderful to listen to the stories of our elders. They worked very hard for those five days. Some of the Elders that we brought in stayed for all three workshops. I hope they enjoyed their stay.

Community Strategic Planning

In mid-December, the Chief and I met up with Angie Lafontaine to go over the Community Strategic Planning that was done during our Gathering. All the information that was worked on and gathered by Angie and Todd has been compiled into a working document. We worked on identifying the goals and objectives from the sessions. Chief, Council and staff will be working on the community strategic plan June 3, 4, 2012. The working session will identify details of the work plans and champions. Champions are those that will oversee and do the work to make sure the goals and objectives are met. The report is available for membership upon request. If you would like a hard copy please call or email June or myself and we can get a copy off to you in the mail. Otherwise we will be bringing hardcopies to the Gathering this year.

AFOA Conference

On February 12, 2012, Louise and I went to the AFOA (Aboriginal Financial Officers Association) Conference in Saskatoon. We also had the opportunity to bring Vanessa Jeremiah (student) with us. She joined us on February 14, 2012. Louise and I were funded through Mushkegowuk Employment and Training services for a professional development workshop. Louise and I both took a pre-conference workshop, Values and Ethics in the Aboriginal Workplace. It was a very informative two days. The two-day workshop provided participants with a broader understanding of maintaining good values and ethics in the Aboriginal workplace. It examined business ethics and how they relate to Aboriginal traditions. We also learned how to develop a code of ethics for our or-

ganization. Overall the workshop provided a sense of accomplishment for our office as we are far more advanced in our codes & policies than the other participants. It opened our eyes on how the issue of ethics impacts governance and accountability within our first nation especially when it comes to community and economic development activities. Ethics plays an important role when making decisions that affect the community as a whole.

Proposal Developments

Various proposals were submitted for the 2012/2013 fiscal year. We submitted 2 proposals both worth \$50,000.00 to Ministry of Aboriginal Affairs for the New Relationship Fund – cultural coordinator/planner, working with NSRCF communities on Manitou Mountain and the other for consultation & engagement coordinator, working with existing Community & Economic Development staff and regional initiatives. The governance proposal was submitted to AANDC on April 30, 2012. We are hoping that they will approve our budget submission.

We also submitted two applications to Canada Summer Jobs – 1 cultural research assistant position – 7 weeks approved. This one may be declined as the student was supposed to work with Alex Litvinov of MERC and unfortunately, they did not receive continued funding to complete their research in our area. The other student position is Cultural Activities Coordinator – 10 weeks, working with MCFN and Circle of Creative Arts Centre on various activities throughout the summer including the Gathering.

We received approval for training on our website. Staff will take the training. We also applied to METS for a position to take over duties of the newsletter from Elizabeth as well as promoting our Circle of Creative arts and MCFN activities. We are also eligible to submit summer student applications to METS this year. Watch for upcoming summer job postings.

Our applications to CORDA (Canada Ontario Resource Development Agreement) and Aboriginal Language Initiatives & New Horizons for Seniors were not approved for various reasons.

CULTURAL COORDINATOR/PLANNER

Wacheeyea Everyone,

The picture on the next page was the group that responded to the call out that was put in the January newsletter to form a working group to assist in development of a protection plan for Manitou Mountain. The group met in February to scope out options for the pro-

Contribution Agreements

We have signed our contribution agreements with both AANDC and Health Canada. Any questions on funding can be directed to me or to our auditor at the Gathering. All you have to do is call or email me and I will answer your questions to the best of my ability.

Final Reports

The final reports for MAA (Cultural Coordinator) and AANDC (Governance Project) have been completed and entered into the reporting system of both Government offices. Thank you to Elizabeth as she has done an excellent job coordinating the governance project. I'm sure the governance committee will agree.

We received our 2010/2011 financial statement review from AANDC on April 11, 2012. Overall they commended us for our strong financial management and we have to work on our internal budget for this fiscal year (budget to actual comparison).

By the time you have received this Bearfax, Louise will have closed off the books for 2011/2012 fiscal year and will be preparing for the auditors to come into the office to work on it.

Policy Review

The Rama Policy was reviewed by Lesley Gagnon, John Fletcher, Jr. and myself. A report will be completed for Chief and Council to review.

Amongst my duties as A/Band Administrator & Education Officer I attend all Chief and Council meetings, sit on the Anishnaabe Peoples Council of Algoma University, Native Education and Training Council of Sault College, Children of Shingwauk Alumni Association, O'Mushkego Education Board and Circle of Creative Arts Committee.

Finally, I would like to thank James Nolan as his contract with us came to an end March 31, 2012. He has graciously stayed on as a volunteer. From working at the Circle of Creative Arts he has been asked to sit on the Algoma Arts Council Board of Directors, and the Downtown Association of Sault Ste. Marie.

Lori Rainville

tection of Manitou Mountain and desires for future protection. The group was presented with the background information on what has been done to date so far and what progress has been made over the years. Any existing reports regarding the mountain were also presented and round table discussions were initiated.

Eddy Robinson was also brought in to bring in a traditional aspect to the meetings since we were discussing a sacred area and a place of spiritual significance. He also provided the group with traditional teachings and has been excited to pass this knowledge on to our people. Eddy also offered band members and family members the option to have their spirit names given and colours and clan identified after the meetings. It was a blessing to have him involved with the discussions about Manitou Mountain and to participate in the development of the protection plan.

Eddy has also offered to have this available during the Gathering. One specific task that Eddy was given during the workshops was to provide a translation for the word Manitou Mountain to Cree. "Wachee Achuk" means "Spirit Mountain" and was translated into Cree and is also the name of the community drum.

Another group that was also formed at this time was the Hunting Ethic/Best Practices Group (sorry, no picture provided here). This group was formed in response to

the Elder's Council meetings where issues being discussed on a need for hunting ethics to be created and made aware to our members to ensure hunting rights are not being abused in our Traditional Territory. The group was able to provide recommendations to write a declaration to help our community implement a sustainable moose hunt in the Missanabie Cree traditional hunting area.

Hunting Best Practices Working Group: Participants were, Les Nolan, Lorraine Wilson, Wildfred Sheshequin, Charlie Sheshequin, Bill Louttit, Nolan Rainville, Darcy Fletcher, Fred Gideon, Shirley Horn, Deb Clement, Audrey Bateson, B.G. Fletcher, Robert Gideon, Dakota Souliere, Jutta Horn, Eddy Robinson, Dayna Rainville, Chris Church, Lance Daigle and Amanda Daigle. The declaration will be made available during the Gathering.

The Chief & Council & Staff would like to thank everyone for your enthusiastic participation and contribution to the process.

Meegwetch, Isabell Souliere

"Wachee Achuk" "Spirit Mountain"

Back row, left to right:

Ted Nolan (MCFN member),
Paul Gamble (A/District Planner,
MNR),
Les Nolan (MCFN member),
Isabell Souliere (MCFN member/
staff: Cultural Coordinator/Planner),
Broderick Fletcher (MCFN member),
Louise Campbell (MCFN member/
staff),
D'Arcy Fletcher (MCFN member),
Roy Gideon (MCFN member/
Council).

Second row:

Jutta Horn (MCFN member/Council),
Lesley Gagnon (MCFN member/
staff),
Louis Bissaillion (MCFN member),
Shirley Horn (MCFN member),
June Markie (MCFN member/staff),
Audrey Bateson (MCFN member).

Manitou Mountain Protection Plan /Working Group



Front row: Lorraine Wilson (MCFN member), Frances Luther (MCFN member), Kim Rainville (MCFN member/Chief), Peggy Fletcher (MCFN member), John Nemeth (MCFN member), Arthur Nolan (MCFN member/Land Use Planner).

Community News and Notes



Birthday wishes go out
to my son, Mark
on May 13th.
Love, Mom.

Happy 26th Anniversary
to Margaret on May 18.
Love, Ted.



Where I'm from

I am from late night rides on the bike
but until the streetlights go on.
I am from playing in the dirt of the Toronto streets.
Dust kicking up from the car driving by.
Chalk stolen from the classroom writing pictures on the sidewalk.
pictures of family.

What's for dinner tonight?
hope it's not chicken
maybe I'll go to the park
the smell of lilacs and grass stains.

—by Jason Gauthier

SACRED ITEMS

When we carry sacred items we carry them for the people and they do not belong to us essentially but remain in our care until they are passed on and/or their work is complete. Eagle Feathers, Eagle Staffs, Prayer Pipes, Drums, Drum Sticks, Sweat Shakers, Medicine Rattles, Medicine Bundles, Eagle Whistles and any type of Sacred object are to be cared for like a living being; they are Manidoo (Spirit).

Feasts are put on for these items seasonal or annually to feed their spirit for the work they are doing for the people and for the person that is carrying them.

When we carry sacred items, we carry them with the understanding in our hearts that everything amongst Original Family (Creation) has a Manidoo (Spirit). The animals, birds, fish, plants, Grandfather and Grandmother Rocks, Grandmother Moon, Grandfather Sun, the Stars, acknowledging the elements (Air, Fire, Earth and Water). All of these very important things are always acknowledged when we pray with our Sacred Items and their connection to our Original Family.

When we start that Sacred Fire or begin that ceremony we pay respect to the Four Directions and those Sacred Items that help us in our lives. We call on those Sacred Items for guidance and direction in our lives; guidance for the leadership in our

communities. As people of earth we seek guidance from the Manidoo for balance.

It is important to be clear as to what these Sacred Items mean and their purpose for our people. They are to be

respected, cared for, prayed with, talked to, feasted or fed, treated like the living beings they are.

When handling Sacred Items it is said that your body and mind must be clean; clean of any substances. Alcohol or drugs have no place around Sacred Items just as Alcohol or Drugs have no place around Ceremony.

At the Annual Missanabie Cree Gathering, we are in ceremony as soon as we post the Eagle Staff and light that Sacred Fire. We are calling the Manidoo to help us in our thinking and vision for the people. We are trying to move forward on this good path with a clear vision for the Missanabie Cree First Nation and the consumption or abuse of substances has no place in that ceremony.

We carry these traditions close to our hearts for the next seven generations and for the generations that have passed who gave up their lives to ensure we have this good way of life. These Sacred Items are here to help us on our life journey and we must ensure that they are taken care of.

(Edward Robinson, MCFN Councillor)



MCFN Eagle Staff

Introducing

Elders Speak

a place for Elders to identify who their grandchildren are, notifications of any new additions to the family, any major occurrences and just a general information page.



As a member of Missanabie Cree First Nation, and a member of the Elders' Council, I supported the addition of an Elders' Page in our Newsletter. This will be a place where our Elders, and not just the Elders' Council, can put information in the Newsletter that they want everyone to see and to provide information about their families, who they are, where they came from, etc. There many members in our First Nation who do not know our family connections and I believe that this will be a way for us to understand how close we are as families.

I am Audrey Bateson. I started out as Audrey Fletcher, one of the daughters of Charles Broderick (Brodie) Fletcher and Mabel (Ferris) Fletcher. I come from a family of nine children, who are: Broderick (Brad) Fletcher, Carol (Fletcher) Clement, Reginald Fletcher, Mabel (Fletcher) Ames, D'Arcy Fletcher, Henry Fletcher, Me, Bonita (Fletcher) Guidon, and Ronald Fletcher.

I have two children (although no longer children!) who are: Sharon Snodgrass (m. Jeffery Dale Snodgrass) and Kyle Bateson (m. Deirdre Elizabeth Leard) . I have two grandchildren Keller Thomas Snodgrass and Hannah Elizabeth Snodgrass, and one on the way!

I have many, many much loved nieces and nephews and hopefully, everyone will send in their information so that eventually everyone will become known.

I hope this page flourishes and becomes a great source of interest and knowledge of our membership.

Submitted in the Spirit of Community,
Audrey Fletcher-Bateson

Jackie Fletcher April 2012		
Son	Grand Children	Great Grandchildren
Murray Fletcher	Tiffany, D.J.	
Jeff Fletcher	Jordin, Chandler	
Mark Fletcher	Morgan, Logan, Madison, Brandon (step son)	Jayce
Greg Fletcher		

News Items

NAN WARNS PROPOSED ENVIRONMENTAL ASSESSMENT CHANGES COULD LEAD TO UNREST.

THUNDER BAY, ON: April 18, 2012

Nishnawbe Aski Nation (NAN) is warning that changes to the environmental regulatory process will lead to direct confrontation on the ground. Yesterday, the federal government released details of a plan to overhaul the environmental review process for major projects as announced during the recent federal budget.

Currently, Environmental Assessment processes are underway in the Ring of Fire region within NAN, and more major projects are expected to take place. In November

2011, First Nations in the Matawa region, within the Ring of Fire, filed a judicial review against the Environment Minister's decision to proceed with a comprehensive environmental assessment process for the proposed Cliffs Chromite Project, as opposed to a joint panel review they had called for. This judicial review is expected to be heard in the fall of 2012.

"Consultation and accommodation, let alone consent, have not been met with First Nations. I am concerned with how regulatory reform will affect First Nations, in-

cluding their ability to meaningfully participate in an environmental assessment process that is proposed to be fast-tracked and unchanged in funding capacity," said Grand Chief Stan Beardy. "No matter how the regulatory system might be changed, First Nations will exercise their inherent authority to provide free, prior and informed consent to any major project taking place in their territories after an environmental assessment takes place."

The regulatory reform process is being driven by the Government of Canada's Responsible Resource Development initiative under Canada's Economic Plan 2012. It includes a reduction in the number of federal departments and agencies for environmental reviews from 40 to three and fixed timelines for assessments of major projects. It will exempt "smaller" developments from the review process completely while placing the responsibility for many large projects under provincial governments.

"Instead of fast-tracking projects and circumventing environmental concerns, the federal government should work with the province to develop an approach to re-

source development that recognizes and respects the rights and interests of First Nations," said Deputy Grand Chief Terry Waboose. "The first step would be to initiate substantive discussions with us on the recognition of First Nation jurisdiction over our lands, including resource revenue sharing and opportunities for our communities through education and training, employment and business development."

April 17, 2012 marked the anniversary of Canadian Charter of Rights and Freedoms and s. 35 of the Constitution Act, 1982 which recognizes and affirms existing Aboriginal and Treaty rights. "It is ironic that after 30 years, we are still here talking about a government trying to run roughshod over First Nations Treaty rights in the name of resource development - that is not acceptable," said Beardy.

For more information, please contact Christina Filazzola, Communications Officer Nishnawbe Aski Nation (807)625-4928

FEDERAL COURT RULING COULD OPEN DOOR TO EQUAL FUNDING FOR NATIVE CHILDREN

A landmark federal court ruling opens the door to provide First Nations children living on reserve the same amount of funding other kids receive in the rest of Canada, aboriginal leaders say.

On Wednesday, the Federal Court ruled the Canadian Human Rights Tribunal could not dismiss a complaint by First Nations groups that alleged Ottawa underfunds child welfare services for on-reserve kids and that this amounts to discrimination.

"This is a great day for kids," said Cindy Blackstock, executive director of the First Nations Family Caring Society, a non-profit research and advocacy agency.

Justice Anne MacTavish said the tribunal erred in failing to provide any reasons as to why the complaint could not proceed under the Canadian Human Rights Act. While this appears to be a ruling concerning child welfare, the decision means all underfunded services — from education to policing to a lack of clean water for kids on reserves — now face scrutiny, said Blackstock.

"I am so happy, but on days like today, I am reminded how sad it is that we even have to bring a case like this forward in the first place," Blackstock said. "All areas of inequality are now opened up under the Canadian Human Rights Act legally for discussion, because of this case."

Blackstock and the Assembly of First Nations filed the discrimination complaint in 2007. They alleged studies revealed that there is 22 per cent less funding available for child welfare services, per child, than those living off reserve, court documents show.

"Canada has tried to derail this hearing on legal technicalities," Blackstock said. They also alleged that for years, the government knew of the underfunding but did nothing about it, documents show.

The decision confirms that Ottawa must abide by the Charter of Rights and Freedoms and that aboriginal people can not be excluded from existing human rights mechanisms, as they are unique within the constitution, she said.

In Ontario, where the battle to fund aboriginal child welfare services has waged for years, Assembly of First Nations Ontario Regional Chief Angus Toulouse called the decision a "victory." "The battle is not over and we will not rest until our children receive the services they need and that are routinely provided to non First Nations children across this country," said Toulouse.

The tribunal must now begin hearings on the original complaint.

(-Tanya Talaga, Toronto Star, April 18, 2012)

MCFN Events Calendar

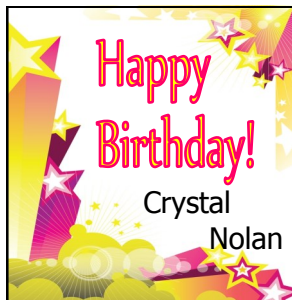
		SUN	MON	TUE	WED	THU	FRI	SAT
M A Y 2 0 1 2		Ali kee shi Peesim Frog Moon 		1	2	3	4	5
	6	7 COCA Coffee House 6-9 pm	8	9 Elders' Tea 1:30-3:30pm COCA Centre	10 Healthy Snacks after 1:30 Craft Class 6:45-8:30 pm COCA Centre	11	12 Painting Workshop COCA Centre	
	13 Mother's Day	14	15 Craft Class 6:45-8:30pm COCA Ctr	16	17 RESP * Presentation 6-8 pm COCA Ctr	18	19	
	20	21 Victoria Day	22	23 Elders' Tea 1:30-3:30pm COCA Ctr	24	25	26	
	27	28	29	30	31 Craft Class 6:45-8:30 pm COCA Centre	Circle of Creative Arts (COCA) Centre is located at 648 Queen St. E		
	SUN	MON	TUE	WED	THU	FRI	SAT	
J U N E 2 0 1 2	 Sa Ki Pakum Peesim Opening of Leaves Moon		1	2				
	3	4 MCFN Office Closed Staff Development	5 MCFN Office Closed	6 Elders' Tea 1:30-3:30pm COCA Centre	7	8	9	
	10 Father's Day	11	12	13	14 Healthy Snacks after 1:30	15	16	
	17	18	19 Craft Class 6:45-8:30pm COCA Ctr	20 Elders' Tea 1:30-3:30pm COCA Centre	21 Aboriginal Day	22	23	
	24	25	26	27	28 Craft Class 6:45-8:30pm COCA Centre	29	30	

* Registered Education Savings Plan.

May Birthday Greetings



MAY 2



MAY 4



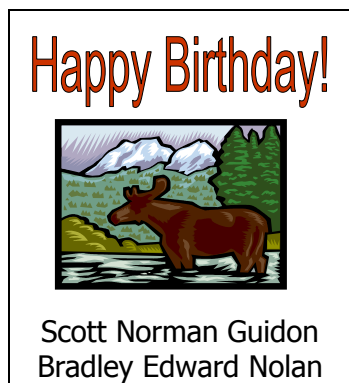
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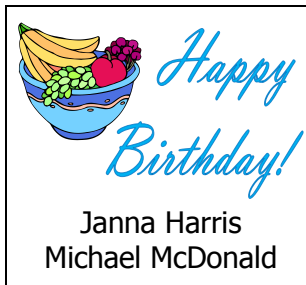
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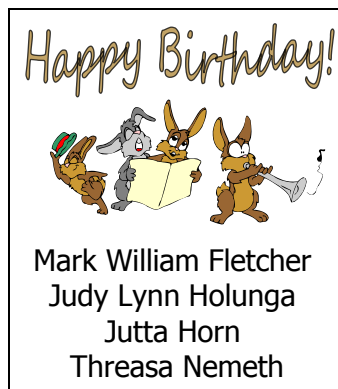
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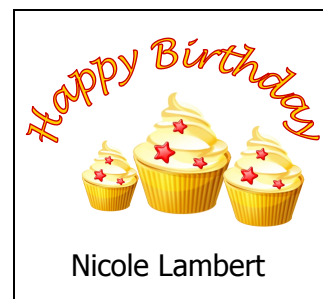
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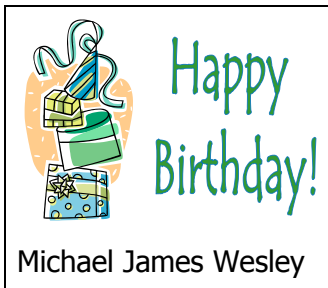
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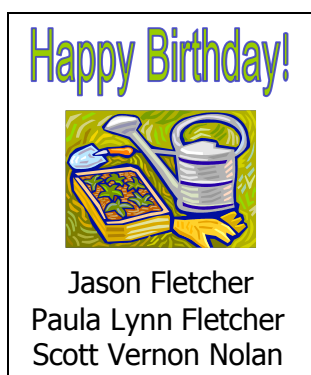
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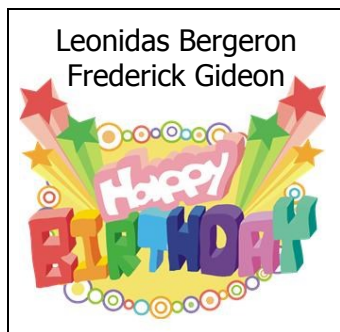
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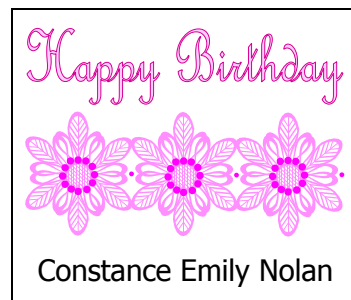
MAY 19



MAY 20



MAY 24



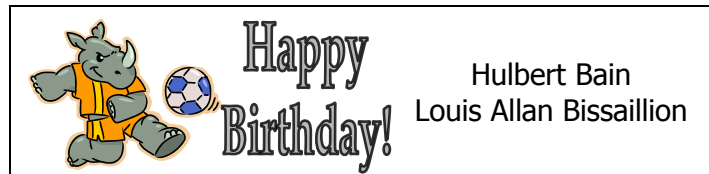
MAY 25



MAY 31



MAY 29



Happy Mother's Day!

Submissions to Community News and Notes Birthday and other Greetings

MCFN members are welcome to submit their news items to the Bear Fax Newsletter.

Deadline for submissions is the first day of every month, for inclusion in that month's newsletter.

Please send your items:

By fax at 705-254-3292

By email to eangecone@missanabiecree.com

Opportunities

Job Posting Summer Student Cultural Activities Coordinator

Start Date: June 2012
Location: Sault Ste Marie
Hours: 35 hours a week for 10 weeks, evenings and weekends may be required
Rate: \$ 10.25 per hour

Description: To assist with developing displays for upcoming events
 To assist with workshops and art shows eg Rotary days, Art in the Park, Powwow tables, craft classes, Elders Teas.
 To develop calendars for workshops and activities, create bios for artists,
 To advertise events

Qualifications: Post secondary/secondary, in school and returning to school in fall
 Familiar with computers,
 Great personal interaction skills
 Age 15 to 30 years who are full-time students

Send resume and cover letter to:
 June Markie – Receptionist
 559 Queen Street E
 Sault Ste. Marie, ON P6A 2A3
 Fax: 705-254-3292
 Email: jmarkie@missanabiecree.com

Deadline: May 28,2012

Job Posting: Cultural Research Assistant

Start Date: June/July 2012
Location : Missanabie, ON
Hours: 30 hours a week for 7 weeks, evenings and weekends required
Rate: 10.25 per hour

Description: Work with cultural coordinator/planner
 Plant identification in traditional territory
 Researching traditional ecological knowledge
 Harvesting & preparation
 Develop activity for gathering related to TEK
 Assist with activities at IVC as required by the Camp Manager.

Qualifications: In School and returning to school
 Knowledge of cultural activities of Missanabie Cree
 Creativity skills

Send resume and cover letter to:
 June Markie – Receptionist
 559 Queen Street E
 Sault Ste. Marie, ON P6A 2A3
 Fax: 705-254-3292
 Email: jmarkie@missanabiecree.com

Deadline: May 28,2012

Opportunities for Youth

Calling all young naturalists!

It's time to *get outdoors, explore* and *discover the wonders of your world...*

The world famous

get to know

CONTEST

CONNECT · CREATE · CELEBRATE

has launched!

Artist Robert Bateman's
Get To Know Contest

WHO: Youth aged five to 19 in Canada and the US

WHAT: Get outdoors and get creative in one of the competition categories: artwork, writing, photography, video, and music

WHERE: Entrants must go outdoors in the process of creating their art to become a finalist. Any natural environment counts, and urban entries are highly encouraged.

WHEN: The contest runs until July 16, 2012

WHY: This year's theme is "Get to know your wild neighbours." The goal is to inspire youth to consider their local biodiversity.

WEBSITE: <http://www.get-to-know.org/>

Health Notes



TOBACCO AND THE ADDICTION TO SMOKING

The Creator and Mother Earth have given us many gifts. Each of these gifts has special powers and as a result, they must be respected and used in the proper way. Among these gifts is a sacred medicine called Tobacco. Traditionally, tobacco has been used by many First Nations for healing, guidance, spiritual strength, discipline and protection. The Elders have taught us that all medicine is powerful and each has a good side and a bad side. If misused, tobacco, like medicines, has power to hurt you.

Today, many First Nation youth feel pressure to use tobacco in a different way. Sometimes they are pressured by their friends to smoke, but mostly they are pressured by the media.

Each year tobacco companies spend millions of dollars on advertising which tell youth that they need to smoke cigarettes in order to be cool, glamorous and exciting. What they don't tell you is just how dangerous smoking really is.

YOU NEED TO KNOW THE FACTS

BREAKING THE HABIT

- ⊕ Try to overcome your urge to smoke. Use any and all of the following techniques that you think will help.
- ⊕ If you smoke mainly to keep your hands busy, try playing with a pencil, a straw, a ball or doing bead work.
- ⊕ Write a letter to a friend, stMake a list of the reasons that outline why you should quit.
- ⊕ Choose your method of quitting. Do you want to go cold turkey or to taper off. Either way, pick a last day that isn't far off. Plan a full day of activities for that date. These should be activities that do not include smoking.
- ⊕ art jogging or learning to play a musical instrument – anything that makes you forget to reach for a cigarette.
- ⊕ If you smoke to have something in your mouth, try a substitute such as chewing gum or raw vegetables. Avoid

eating junk food such as chips or chocolates.

- ⊕ If you smoke to reduce tension and relax, try exercise instead. Try listening to soothing music or practicing some new dance steps for that next pow-wow.
- ⊕ If you smoke for pleasure, seek enjoyment in other activities, preferably in smoke-free situations.
- ⊕ Go to a movie or attend a cultural event.
- ⊕ If you smoke out of habit, avoid settings in which you habitually smoke and friends who smoke. Avoid bingo halls, arcades, or places where people tend to do a lot of smoking. Go to places where there are “no-smoking” rules instead.
- ⊕ Start saving your cigarette money in a piggy bank. Is there something that you wanted to buy for some time now, but just haven’t had the money? For example, maybe you’ve had your eye on some new roller blades or a CD player? If you are spending money on a pack a day or even a pack a week, you’ll be surprised at how quickly your savings will add up.
- ⊕ When you feel the urge to smoke, take several deep breaths with a pause between each. Hold the last breath while you strike the last match. Exhale slowly, blowing out the match. Pretend it was a cigarette and crush it out. The secret is to avoid that last puff.
- ⊕ If you slip up and have a cigarette, don’t despair. Just get right back on your program, knowing that every cigarette you don’t smoke improves your health and saves you money.
- ⊕ Look at smoking as a non-negotiable (no choice) issue. When you were a smoker, you couldn’t smoke in the theatre, on the bus, in the stores or even in some restaurants. That was that. Now you have to tell yourself you can’t smoke, period. That is that.

REASONS TO QUIT SMOKING

There are a lot of good reasons to quit smoking:

- ✓ Your health and self-confidence will improve.
- ✓ You will have more energy for sports.
- ✓ You will no-longer have tar stains on your fingers.
- ✓ Your breath will smell more pleasant.
- ✓ You will not expose others to the dangers of smoking.
- ✓ You will be free of smokers’ cough.
- ✓ You will save money.
- ✓ Your clothing and hair will not smell like smoke.
- ✓ Your sense of taste and smell will improve.
- ✓ You will accomplish more.
- ✓ You will be healthier.
- ✓ You will feel great.

There are a number of resources that are available to help you quit smoking. These are prescription medications that may help with quitting smoking. Some of the other cessation aids like the patch, nasal sprays or nicotine gums, a prescription pill may be more effective. There are also programs that are available in the different provinces. The AFN will have a link coming soon to the different programs that are available in your region. www.afn.ca

Other links: www.cancer.ca, www.smokershelpline.ca, www.camh.net, www.nnapf.ca, www.findhelp.com.

This concludes our series to our youth on **Keeping it Sacred, Don’t Misuse Tobacco**
(Information provided by Assembly of First Nations.)

MCFN Policy



Drug and Alcohol Policy – Zero Tolerance Missanabie Cree First Nation – May 23, 2009

Introduction

The Missanabie Cree First Nation is a nation defined under the Indian Act. The community members give authority to the elected governing body known as Chief and Council. Substances identified as illicit drugs; prescription medication (not used under medical advice) and alcohol are known to have a detrimental impact on individuals, families, and the community.

The Missanabie Cree First Nation hosts an annual gathering in August each summer. Whereby, the community members, in assembly support the banning of the use of illicit drugs, and illicit use of prescription drugs and the use of alcohol during the time the community meets in assembly.

Action

The use of any illicit drugs (marijuana, cocaine, heroin, ecstasy, etc), illicit use of prescription drugs (oxycontin, percocets, Ritalin etc.), all forms of alcohol will be banned from the annual gathering located at the Island View Camp, Dog Lake, Ontario.

NOTE: substances listed is not complete list.

Each community member will be notified in newsletter articles beginning in the May Bear Fax Newsletter each year until the gathering. Notice will be put on the website beginning in May each year. Posters will be put up each year at the camp to indicate the zero tolerance for drug use and alcohol use, including consequences.

If it is proven, beyond a reasonable doubt, that a group or an individual is using drugs and/or alcohol or is intoxicated while on Island View Property, Chief and Council has the authority to ask those individuals or group to leave the property.

Steps:

1. Identify the individuals or group.
2. Chief and Council approach the individual or group. Under no circumstances shall a member of C& C ever do this task alone.
3. Chief and Council will read the policy and indicate that the policy states zero tolerance – no second chances for an offence.

4. Individual or group will be asked to leave the gathering as soon as possible. C&C will give a reasonable amount of time and monitor it until the individual or group has vacated the grounds.
5. If the individual or group is non cooperative, then the police service will be called to remove said individual or group from Island View property.
6. Missanabie Cree will not be responsible to pay for the individual or group to find their way home.
7. Ban from the current annual gathering will be final and the individual and or group will not be allowed back until the next annual gathering.
8. There will be no exceptions to this policy.

Should the individual or group not leave when requested, the Nishnawbe Aski Police Services or if they are not available, the Ontario Provincial Police will be asked to remove the individuals or group as soon as possible.

The authority to remove those individuals or groups will be that they will be trespassing on community- owned property.

Special note

At no time will individuals be physically removed from the property unless by a police officer.

Nishnawbe Aski Police Services and the Ontario Provincial Police will be notified of the policy of the Missanabie Cree and will be asked to assist the community to uphold the community directive.

Definitions

Reasonable doubt: to be proven – no rumours or innuendo alleging drug or alcohol use will be the basis for removing individuals and or groups from the annual gathering.

Drug and alcohol use on Camp property: the individual or group has been consuming drugs or alcohol in public places in clear view of others.

Intoxicated person(s): someone who clearly shows signs of chemical, drug or alcohol use

Safety of members: individuals who show signs of intoxication will not be allowed to operate a vehicle while under the influence of drugs or alcohol. Once they have sobered, they will be asked to leave the camp for the remainder of the Annual Gathering .

MCFN Membership

Ted Ouellet -

Registration Administrator

174B Hwy 17East

Garden River, ON P6A 6Z1

Phone: (705) 254-2702, Ex. 228 Fax: (705) 254-3292

Email; touellet@missanabiecree.com

Toll-free: 1-800-319-3001

If your name appears on the Birthday Greetings page incorrectly, please contact Ted Ouellet.

The following is a list of band members for whom we do not have a current mailing address:

Dorothy Bain (Bignucolo)	Daniel Rocheleau
Kaleb Jeffries	Iana Ruth
William Jeffries	Jayson Ruth
Jeremy MacDonald	Theresa Ruth
Allan McDonald	Catherine Wesley
Cynthia Nemeth	Juliana Holly Wesley
Craig W. Pelletier	Michael James Wesley
Natalie Pelletier	

Our **MISSING ADDRESS LIST** fluctuates as members move around and do not send in their new address. When a monthly newsletter is returned by the Post Office, the member's name will be deleted from the mailing list, until I/we receive their new address.

PLEASE NOTE: I CANNOT RECEIVE ANY CHANGE OF ADDRESS FROM ANYONE ELSE; ONLY FROM THE PERSON INVOLVED, the reason being, anyone can call in and report an address change without their knowledge. Please use the change of address form below and mail or fax it to Missanabie Cree First Nation or call or email Ted Ouellet at the address noted above.

Members, please keep your address up-to-date, by filling out the change of address form below so you don't miss out on pertinent information regarding band business.

Names of deceased members are not removed from the band voter's list unless the information is provided to Indian Affairs. Anyone with funeral information (i.e. name of funeral home/location), date of death, a death certificate, or anyone who can be contacted for this information, please call or leave a message with Ted Ouellet at the MCFN Band Office.

Miigwech.



MISSANABIE CREE FIRST NATION

CHANGE OF ADDRESS FORM - - For Band Members

SURNAME	
First Name and 2 nd Name	
ALIAS/BAND #	
DATE RECEIVED	
NEW ADDRESS	
CITY/PROVINCE	
POSTAL CODE	
E-MAIL ADDRESS	
TELEPHONE #	
SIGNATURE	

VISION STATEMENT OF THE MISSANABIE CREE

We are the Anishnabe of the Missanabie Cree First Nation
whose vision is to have a united and self-governing body
that will determine our destiny guided by the seven laws.

We have a vision of a leadership that is open, honest, trustworthy;
a leadership with conviction, accessible to the people;
a leadership that is progressive yet respectful of our traditions, values and beliefs;
a leadership with confidence, always watchful and assertive
in protecting and preserving the treaty and aboriginal rights of our people;
a leadership that is directed by our people
and with exclusive accountability to our people and our people alone.

We have a vision of our community re-established on the traditional lands
that were once the homeland of our ancestors
where institutions of our government, economy and education can once again thrive.

We have a vision of a people where individuals and families can stand strong
and find healing through tradition and spirituality;
individuals and families who are loving and compassionate.

We have a vision of a people who are bi-cultural and bi-lingual;
a people who can walk in both worlds contributing to our well-being,
the well-being of our brother and sister First Nations; contributing and competing globally.

We have a vision of a Nation of people who respect the dignity of all;
a people who find balance through equality of all ages, male and female alike.

We have a vision of people who respect the environment,
harvesting and reaping the resources of the land in a sustainable manner
as responsible stewards for the use of future generations.

We are the Anishnabe of the Missanabie Cree First Nation
whose vision it is to regain and restore our rightful place
and through the strength of our people, never again be denied our place in society.

MISSANABIE CREE FIRST NATION

174B HWY #17 East
Garden River, ON
P6A 6Z1

SATELLITE OFFICE:
559 Queen St. E (Downtown)
Sault Ste. Marie, ON
P6A 2A3

Phone: 705-254-2702
Toll Free: 1-800-319-3001
Fax: 705-254-3292

www.missanabiecree.com

MCFN Chief & Council + Staff

Chief Kim Rainville **ex. 236**
Deputy Chief Bobbi Fletcher-Decorte **ex. 504**
Councillor Jason Gauthier **ex. 507**
Councillor Roy Gideon **ex. 505**
Councillor Jutta Horn **ex. 227**
Councillor Edward Robinson **ex. 506**
A/Band Administrator Lori Rainville **ex 222**
Reception June Markie **ex 221**
Bookkeeper Louise Campbell **ex. 224**
Program Development Lesley Gagnon **ex. 226**
Administrative Assistant Gladys Hawkins **ex. 231**
Registration Administrator Ted Ouellet **ex. 228**
Negotiations Coordinator Jutta Horn **ex. 227**
Communications Elizabeth Angeconeb **ex. 230**
Cultural Coordinator Isabell Souliere **ex. 232**
Land Use Planner Archie Nolan **ex. 235**

krainville@missanabiecree.com
bfletcher-decorte@missanabiecree.com
jgauthier@missanabiecree.com
rgideon@missanabiecree.com
jhorn@missanabiecree.com
erobinson@missanabiecree.com
lrainville@missanabiecree.com
jmarkie@missanabiecree.com
lcampbell@missanabiecree.com
lgagnon@missanabiecree.com
ghawkins@missanabiecree.com
touellet@missanabiecree.com
jhorn@missanabiecree.com
eangeconeb@missanabiecree.com
isouliere@missanabiecree.com
archienolan@mushkegowuk.ca

CANADA'S APPEAL OF JUDGE STEWART'S DECISION TO AWARD ADVANCED COSTS TO MCFN IS DISMISSED.

May. 3. 2012 3:29PM

No. 5789 P. 2/4

CITATION: Fletcher v. Her Majesty the Queen in right of Ontario, 2012 ONSC 2701
COURT FILE NO.: 95-CU-93574
DATE: 2012/05/03

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: Chief John Fletcher, Jacqueline Fletcher and Roy Gideon on their own behalf and on behalf of all members of The Missanabie Cree First Nation, Plaintiffs

AND:

Her Majesty the Queen in right of Ontario and The Attorney General of Canada, Defendants

BEFORE: H. Sachs J.

COUNSEL: *Gary Penner and Michael Beggs*, for the Defendant, The Attorney General of Canada, the Moving Party

Michael E. Burke and Vanessa Glasser, for the Defendant, Her Majesty the Queen in right of Ontario, Respondent Party

Michael Bailey Q.C., and R. David House, for the Plaintiffs, Respondent Party

HEARD: May 2, 2012

ENDORSEMENT

[1] The Attorney-General of Canada ("Canada") seeks leave to appeal the order of Stewart J. made December 5, 2011 granting the Plaintiffs' motion for advance costs in any event of the cause. Canada seeks leave to appeal all aspects of the order, including how the costs were apportioned between them and the other Defendant ("Ontario"). Ontario took no position with regard to Canada's allegation that Stewart J. had erred in determining that the Plaintiffs had satisfied the test for advance costs, but opposed the motion to the extent that Canada is seeking to appeal how those costs were apportioned.

Background

[2] Pursuant to Treaty 9, the Plaintiffs have brought an action claiming a treaty land entitlement to a reserve, among other relief. Both Canada and Ontario have conceded that the Plaintiffs are entitled to a reserve. What is at issue is how large that reserve should be.

[3] Canada and Ontario argue that the Plaintiffs are entitled to have the size of the reserve calculated based on the population of the band in 1905, the time of the treaty. The Plaintiffs contend that they are entitled to a larger reserve based on their current population.

- Page 2 -

[4] The parties agreed that this issue should be dealt with first in the litigation and pursuant to a consent order the issue was severed. The Plaintiffs brought a motion for advance costs for the funding of the trial of the threshold issue only. The motion was argued for two days before Stewart J. who ordered advance costs in any event of the cause. She further ordered that those costs should be initially shared equally between Ontario and Canada, but provided that that aspect of her decision could be revisited by the trial judge hearing the threshold issue or at a later stage of the proceedings.

[5] Canada argues that there is good reason to doubt the correctness of Stewart J.'s decision. According to them she failed to give effect to the principles governing an award of advance costs as those principles have been laid out by the Supreme Court of Canada. In particular, she failed to appreciate the exceptional nature of these orders. Because she failed to appreciate the stringent requirements of the test, she was unable to properly apply it. Further, her failure to make a final decision as to how the costs should be apportioned as between Canada and Ontario constituted a failure to exercise the discretion she was supposed to exercise, especially since the order was for costs in any event of the cause.

[6] Canada also submits that the motion judge's failure to appreciate and apply the test for advance costs is of significant importance to the public generally, and is of particular importance to First Nations/Crown litigation.

Analysis

[7] I do not find that there is any reason to doubt the correctness of Stewart J.'s decision. In paragraph 4 of her decision she cites the correct test and in paragraph 9 she makes it clear that she appreciates the "extraordinary" nature of the relief sought.

[8] Canada asserts that the motion judge erred in law when she found that the Plaintiffs had met the three branches of the test. In particular they assert that the motion judge erred in law when she found that the Plaintiffs had demonstrated that they had a meritorious case; that they were impecunious and that the litigation raised issues of public importance and transcended their individual interests.

[9] The motion judge, after extensive argument, applied each branch of the correct test to the facts before her and found that each branch of the test had been met. In doing so she made no error of law and no palpable or overriding error of fact. She then went on to consider whether this was an appropriate case in which to exercise her discretion and order the costs requested. In doing so she made no error in principle.

[10] With respect to the motion judge's decision about how the costs should be shared as between Ontario and Canada, this decision was a very fair and reasonable one in the circumstances. Both Ontario and Canada have a real stake in the determination of the threshold issue. What happens in that trial could affect decisions as to the extent of the liability of each of the defendants. It is impossible at this early stage of the proceedings to make any determinations as to liability as between the two defendants. Therefore, it is fair to make both parties share the costs, but to provide for readjustment once liability determinations can be made. To the extent that Canada submitted that because of the fact that the order is an order for costs in any event of

- Page 3 -

the cause, the trial judge will have no discretion to readjust, this is not an issue for an appeal to the Divisional Court. The intent of the motion judge is clear. If Canada had a concern about whether that intent could be carried out because of the wording of her decision, this was a matter that they should have addressed before the motion judge.

[11] Leave to appeal costs decisions should rarely be granted. In this case, the law about advance costs is well settled and the issues raised only concern how the motion judge applied that law to the facts before her. The issue is a fact driven one that does not raise a matter of public importance or a matter relevant to the development of the law and the administration of justice.

Conclusion

[12] For these reasons, the motion for leave to appeal is dismissed. Failing agreement the parties may address me in writing on the question of costs. The Plaintiffs and Ontario (if they are seeking costs) shall deliver their submissions within 10 days of the release of this endorsement; Canada shall have 10 days to respond and any reply submissions shall be made within 5 days after receipt of that response.


H. Sachs J.

Date: May 3, 2012