

# Shuswap Band Newsletter

## **CHIEF & COUNCIL**

If you would like to book an appointment to see Chief and Council, please contact Lorena at 778-526-8110 ext. 102.

**Cheques are issued and will be available every Thursday.**

## **APRIL 2017**

- CHIEF & COUNCIL
- HEALTH UPDATE
- CCP
- LANDS
- TERRITORIAL OPERATIONS
- EDUCATION
- EMPLOYMENT
- BIRTHDAYS
- SHUSWAP BAND CALENDAR

**NOTE** – Just a reminder to Band Members to register for Provincial Voting!

**For any help please contact our Territorial Lands Management Coordinator, Diana Cote at 778 526-8110 Ext. 106 or [dcote@shuswapband.net](mailto:dcote@shuswapband.net)**

## **HEALTH CENTRE UPDATE**

**DR MANNHEIMER – GENERAL PHYSICIAN** He continues to provide medical outreach at the Shuswap Band Health Centre. He is available to see any Shuswap Band Members for doctor services on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of every month, starting at 12:00. His services are by appointment or drop-in basis – appointments are preferred.

**In April he will be here: April 11<sup>th</sup> and 25<sup>th</sup>.**

Please contact Shauna for an appointment.

**HEALTHY FOOD BOXES** – Healthy Food Boxes are now going to be at the Shuswap Band Office Boardroom for pickup from 12-3. Reminder, if you forgot to pick up a food box that you ordered, your name has been taken off the list.

**Food Boxes in April are: April 6<sup>th</sup> and 20<sup>th</sup>.**

**FOOT CARE** – The next Foot care is scheduled for **May 4<sup>th</sup>**. There are home visits available. Please call Shauna to book an appointment.

**POOL PASSES** – We have Copper Point and Fairmont Hot Pools passes available in the Health Department.

**FITNESS PROGRAM** – Just a reminder that we have drop-in passes available for YPC Fitness and Valley Fitness Centre. We also have a Kinesiologist available on the 4<sup>th</sup> Monday of the month to personalize a fitness program for you.

**For any information about Health Services please contact our Health Professionals:**

**Health Coordinator, Shauna Cameron (250) 341-3678 ext 1015 or  
health@shuswapband.net**

**Community Support Worker, Morgan Floesser (250) 341-3678 ext 1009 or  
mfloesser@shuswapband.net**

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## **COMPREHENSIVE COMMUNITY PLAN**

We are having another evening session to discuss how we can incorporate language and culture into each of our themes.

We have started a passport punch card with 14 holes (all 14 spaces must be filled in order to put your name in the raffle) The more community events and meetings attended the better chance you have at winning a 42-inch Smart TV. Next meeting is:

**TUESDAY, APRIL 18, 2017**

**5:00-7:00 PM Community Hall**

Dinner Provided

Vehicle Transportation can be provided. However, you must have 3 or more in a vehicle in order to claim travel expenses.

**For any more information please contact our CCP Coordinator, Suzie Thomas at**

**sthomas@shuswapband.net or her direct phone line at 778-526-8109**

## **LANDS**

### **CP Lands**

Please note that CP lands are private lands and should not be accessed or used for any purpose whatsoever **INCLUDING AND ESPECIALLY HUNTING** without the permission of the CP holder.

### **Committees**

**Matrimonial Real Property Committee** – This Committee has been confirmed by Band Council Resolution and is comprised of the following members:

Chair:	Rosalita Pascal
Member:	Ian Capilo
	Ida Rivers
	Floyd Sam
	Kathy Stevens
	Dorothy Warbrick.

The Committee has met and has distributed different fact scenarios for community consideration on the Shuswap Band News Facebook page as well as providing hard copies at the Band Administration Office. Those scenarios have been appended to this Newsletter. Please share your thoughts about those scenarios. A quick email to [lands@shuswapband.net](mailto:lands@shuswapband.net) would be helpful or speak to one of the committee members! A draft law has been prepared and will be discussed with the community to get feedback.

### **Wills Program**

We have requested that the unspent funds from the Wills program be approved to be carried over to next fiscal and it is looking very promising. In addition, we will be applying for additional funding for next year as well. Please contact Kerri-Anne Thomas at the Band Administration Office to add your name to the list for Wills.

### **Species at Risk**

Four Band Members are attending a certification course on Noxious Weeds currently in preparation for potential work on reserve this summer.

The Species at Risk project will be managed by Bob Jamieson and Brad Munroe reporting to the Lands Department. We are looking for band members interested in developing technical skills in wildlife monitoring and weed management. Please call Kerri-Anne Thomas 250 341-3678 if you are interested.

### **Developing the Shuswap Family Real Property Law (“FRP Law”) Sample situations**

#### **Example #1 (dealing with a death)**

Annie and Cliff were married for 20 years when Cliff dies. Annie and Cliff had one teenaged son who lives in the family home on reserve.

Cliff was a Shuswap member and Annie is a non-member.

#### Current Federal Law:

Before 2014, Annie, as a non-member, had no legal right to remain in the home once Cliff died. Now, under the federal *Family Homes on Reserves and Matrimonial Interests or Rights Act (“FHRMIRA”)*, Annie may live in the home (and care for her son) for a minimum of 180 days.

During these 180 days Annie can search for a new place to live (off reserve). Or, under *FHRMIRA*, Annie can go to court and ask for an “exclusive occupation order” to live in the home for a length of time selected by the court.

#### Future Shuswap Law:

Non-Shuswap individuals can never gain a permanent interest in the home, but they can be given long term occupancy interests.

The Shuswap FRP Committee wants to know from members what they think about this sample scenario.

Generally, what sort of protection would you want Annie and her son to have? How long do you think Annie, a non-member, should be able to reside in the family home on reserve, following Cliff's death? Annie's son is a teenager; would your answer be different if her son was a baby or a young child? Let us know if you agree that the future Shuswap Law should protect and/or prioritize dependent children, and other family members like disabled persons and elders.

### **Example #2 (Separating spouses)**

Doug and Sarah are separating after 7 years of marriage. Doug is a Shuswap member and Sarah is a member of another Band. They have two children who are Shuswap members. Sarah is the primary caregiver for their children.

Only Doug's name is on a rent-to-own agreement for the family home. The home is 50% paid off. Sarah and the kids are currently staying with friends off-reserve. Sarah's Band has a housing shortage with no affordable housing options for Sarah and the kids on her Band's reserve.

#### Current Federal Law:

Under *FHRMIRA*, Sarah has an undivided half-interest in the value of the family home. She does not lose this interest by temporarily staying with friends off reserve.

If Doug and Sarah cannot agree who should live in the family home with the children, then they can take their dispute to court. Sarah could also apply for an "exclusive occupation order" which can be for short to long-term occupancy of the family home. A court may grant this if the judge believes it is in the children's best interests. At the end of the occupancy order, Doug's right to live in the home would be restored. Depending on what a judge rules, Doug may have to pay Sarah half the value of the home.

#### Future Shuswap Law:

The Committee wants to know if you think Sarah and Doug should have to go to mediation or an informal process concerning their disagreements?

Shuswap's FRP law must balance the needs of Sarah, Doug and their children. The law should include key principles and values that a court will consider in deciding who gets to stay in the house and for how long. What do you think a court should weigh in making a decision about Sarah and Doug's disagreements?

Remember, the FRP law cannot give Sarah a permanent interest in Shuswap Lands. Also, the FRP law will not deal with child custody or spousal support (these are BC's jurisdiction).

### **Example #3 (Separating spouses)**

Joe and Jane are separating after 5 years of marriage. Both are Shuswap members who want to stay in the house. Jane has lived in the community all her life while Joe only returned to the community when he married Jane. Joe's grandmother and his young niece moved in with the couple last year.

#### Current Federal Law:

Under *FHRMIRA*, each of Joe and Jane are entitled to an amount equal to one half of the value of the family home. The value is based on the amount that a buyer would reasonably pay for comparable interests and the amount of any money owed.

Joe and Jane can go to court to dispute who will be entitled to stay in the home, and the valuation of the home. The court will consider the best interests of the husband's niece in making a decision.

#### Future Shuswap Law:

Are there traditional Shuswap customs to help separating couples deal with their property interests and obligations to each other? Would mediation be appropriate – should it be required? If so, who should mediate? Should it be a trained professional or should the couple be able to consult an elder? Access to court should be consistent with Shuswap values. In addition to the interests of a child, should a judge consider: the interests of an elder who habitually resides in the family home or the period of time each spouse has lived on the reserve?

The FRP Law should set out what remedy a court may grant regarding property, such as:

- transferring interests from one spouse to another;
- selling and dividing the proceeds of the sale of assets; and
- granting temporary or permanent occupation of the home in favour of one spouse.

(Again, the FRP law will not deal with spousal support or child custody).

**Example #4 (Common-law relationships)**

Cynthia and Ken are both Shuswap Members who have been in a common-law relationship on reserve for 2 years and have one child who is 6 months old. Now they are splitting up. Cynthia contributed to paying down the housing loan, but only Ken's name is on the rent-to-own agreement. Through the time of their cohabitation, they shared equally all of the bills.

Current Federal Law:

Under *FHRMIRA* Cynthia is entitled to half the value of the interest in the family home after being in a common law relationship for 1 year.

Future Shuswap Law:

The FRP law should recognize the interests of common-law partners. How long do you think Cynthia and Ken should be in a "marriage-like" relationship before they are common-law partners? Should that length of time change if they had a child?

The FRP law should address when family property should be split unequally whether people are married or co-habiting. For example, should the right to a 50-50 division of the value of the house be different (40-60? 30-70?) if:

- One of them brought the house (and loan) into the relationship.
- One of them did something to raise or lower the family's debt;
- One of them is caring for the kids; or
- One contributed to the other's business success and sacrificed their own financial advancement.

**Example #5 (Spousal consent)**

Bob and Tina are members who have been married for 2 years.

10 years ago Bob entered a rent to own agreement with the Band. Bob paid off the loan last year and now owns the family home in his name.

Bob has decided to sell the family home to another member of the Shuswap Band. Bob does not ask Tina.

Current Federal Law:

Currently *FHRMIRA* provides that one spouse cannot sell (or lease, or use a home as security or collateral for a loan) without the other spouse's consent.

If Bob sold the house without Tina's consent, her legal remedy under *FHRMIRA* is to go to court to get the sale set aside and for financial compensation.

Future Shuswap Law:

Shuswap's FRP Law must protect both spouses' interests in their shared family home. The best way to protect spouses will depend on community values. Some things the Committee will consider:

- a requirement of mutual consent to sell or mortgage a home;
- access to courts/alternative dispute resolution; and
- should spouses register their interests in a home with the Band?

Are there more things you want the Committee to think about?

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## **TERRITORIAL OPERATIONS**

### **Territorial Operations:**

The Territorial operations is hosting the Open House on **April 19th**. This will provide an opportunity to learn about the many initiatives we are working on with the organizations within our Territory.

We have asked these organizations to support our open house by being on hand to answer any questions you may have regarding specific negotiations or projects.

One specific project already underway with Shuswap Band as the lead is the Donald East Project. We have negotiated direct award opportunities for this project with Ministry of Transportation which has already provided employment for our Members. We are presently working on that project.

Please drop by the office or the Open House to learn more about opportunities that may be available to you.

Lavonne is scheduled for Aboriginal Accountability and Resource Management training. This program will enable us to track Membership and Member contractor skill set. This will provide us with a data base to draw on when opportunities become available. It also provides us with identifying training needs for our Community.

Here are a few initiatives we are presently working on:

East side Columbia Lake (lot 48)

Panorama Memorandum of Understanding

Revelstoke Mountain Adventures

Canfor Management Agreement

FLNRO Blanket Referrals

Effective Wildlife Strategy

Canadian Mountain Holidays Memorandum of Understanding

Kicking Horse Mountain Resort Agreement

Forest and Range Stewardship Agreement

Donald East

Kicking Horse Canyon Phase 4

Kootenay West Mine Revenue Sharing Agreement and Participation Agreement

Please drop in to the Open House to learn how you can become involved in our many initiatives.

Columbia Basin Trust:

Afterschool Program

Community Knowledge Keepers

Comprehensive Community Plan

purchase of a canoe

Arbour

Summer Program

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## **EDUCATION**

If you need to contact our Education Coordinator Debra Fisher, please phone or email leaving all your contact information. If you would like to setup an appointment, please make an appointment with receptionist.

**FLAGGING COURSE** – Thursday and Friday, April 27<sup>th</sup> & 28<sup>th</sup> at the Invermere Campus.

**For any more information, please contact our Education Coordinator Debra Fisher at (250) 341-3678 Ext 1004 or [education@shuswapband.net](mailto:education@shuswapband.net)**

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## **EMPLOYMENT**

The Shuswap Band is seeking the services of a Maintenance Person on a part-time on-call basis. The Maintenance Person will perform a wide variety of general maintenance activities (carpentry, painting, electrical, plumbing, moving furniture) performing repairs or general maintenance work of facilities, buildings, grounds, and equipment at various sites, replacing broken fixtures, painting and performing minor repairs.

Responsibilities will include the collaborating with workers such as electricians and plumbers to help diagnose and fix different issues as they arise.

The individual must be able to complete projects within an established time frame.

Must have valid driver's license and reliable transportation.

Please provide a resume to Terry Babin at [dops@shuswapband.net](mailto:dops@shuswapband.net) by April 28<sup>th</sup>

Preference for this position shall be given to members of the Shuswap Indian Band.

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## **BIRTHDAYS**

**HAPPY BIRTHDAY TO ALL THAT ARE CELEBRATING BIRTHDAYS IN APRIL!**  
**From the Shuswap Band Calendar located in the band office:**

- April 1<sup>st</sup> Cecila Teneese
- April 2<sup>nd</sup> Kellen Paul
- April 5<sup>th</sup> Trinda Cote
- April 6<sup>th</sup> Jonah Kain
- April 17<sup>th</sup> Robyn Tardif
- April 19<sup>th</sup> Ed Rivers
- April 23<sup>rd</sup> Alex McCluskie
- April 30<sup>th</sup> Carrie-Lynne Powell

HAPPY BIRTHDAY JEREMY  
 Love from Auntie Kathy & Family.  
 Have a Great Day!



## SHUSWAP BAND CALENDAR

~ APRIL 2017 ~

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						<b>1</b>
<b>2</b> School District #6 Spring Break Ends	<b>3</b>	<b>4</b>	<b>5</b> Massage in Health Centre	<b>6</b> Food Box Pickup at Shuswap Band Office 12-3	<b>7</b>	<b>8</b>
<b>9</b>	<b>10</b>	<b>11</b> Dr. Mannheimer in Health Centre	<b>12</b> Massage in Health Centre	<b>13</b>	<b>14</b> CLOSED: GOOD FRIDAY	<b>15</b>
<b>16</b>	<b>17</b> CLOSED: EASTER MONDAY	<b>18</b> 5-7pm CCP Meeting	<b>19</b> Territorial Operations Open House 12-5 Massage in Health Centre	<b>20</b> Food Box Pickup at Shuswap Band Office 12-3	<b>21</b> EARTH DAY: 10am-3pm Community Cleaning	<b>22</b>
<b>23</b>	<b>24</b> Dietician & Kinesiologist in Health Centre	<b>25</b> Dr. Mannheimer in Health Centre	<b>26</b> Massage in Health Centre	<b>27</b>	<b>28</b>	<b>29</b>
<b>30</b>						



**~ MAY 2017 ~**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3 Massage in Health Centre	4 Food Box Pickup at Shuswap Band Office 12-3 Foot Care in Health Centre	5	6
7	8	9 Dr. Mannheimer in Health Centre	10 Massage in Health Centre	11	12	13
14	15	16	17 Massage in Health Centre	18 Food Box Pickup at Shuswap Band Office 12-3	19	20
21	22 OFFICE CLOSED: VICTORIA DAY	23 Dr. Mannheimer in Health Centre	24 Massage in Health Centre	25	26	27
28	29	30	31 Massage in Health Centre			

**May's calendar is tentative, please see updates on website calendar or in May newsletter mailed out on May 1<sup>st</sup>.**



# BC Hydro Aboriginal Scholarship and Bursary application

## BC Hydro offers scholarships and bursaries in the following areas:

- \$8,000 Randy Brant Memorial scholarship for academic excellence
- \$5,000 scholarships for full-time students in an undergraduate or graduate program in BC
- \$2,000 bursaries for full-time students in a certificate, diploma, or trades program

## Eligibility

- You must be from a BC First Nation or Aboriginal resident of BC
- You must be registered for the 2017 Fall semester in a full-time college, university, trades, or technical program. For a full list of eligible programs go to [bchydro.com/aboriginalawards](http://bchydro.com/aboriginalawards).

## Personal information of applicant

The information provided will be kept confidential and will be used only for the purpose of assessing the applicant's eligibility for BC Hydro scholarships, bursaries, or employment opportunities.

Full name: \_\_\_\_\_

Email address: \_\_\_\_\_

Permanent address: \_\_\_\_\_

Phone number: \_\_\_\_\_

I declare that the information provided in this application is complete and correct. By signing, I agree to BC Hydro contacting me with opportunities related to employment, training, scholarships, and bursaries. And, I agree to BC Hydro using my name and photo in external and internal communications including websites and social media.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Consent of parent or guardian for applicants under the age of 18:

I, (print name) \_\_\_\_\_, of (address) \_\_\_\_\_,  
the parent or guardian of the person named above, consent to the above-named student applying for a BC Hydro award and to the disclosure of personal information for use during this application process.

Date: \_\_\_\_\_ Signature of parent or guardian: \_\_\_\_\_



The Wolf gifted  
to BC Hydro by  
Art Thompson  
from the Ditidaht  
First Nation.

 **BC Hydro**  
Power smart

## You must include the following in your application package:

1. Proof of registration in a post-secondary program in BC
2. 400 word maximum personal summary:
  - a. How could your program of study lend itself to a BC Hydro career?
  - b. What personal accomplishments are you most proud of?
  - c. What do you do when you aren't in school (work, volunteer, sports, recreation)?
  - d. Explain how you plan to be a successful student?
  - e. Any additional information you want to include.
3. Proof of Aboriginal ancestry; photocopy of status card or letter from band.
4. Unofficial transcript from most current year of studies.

## Evaluation

Applications will be evaluated based on participation in school or community activities, a well-rounded lifestyle and good academic standing, as shown in the personal summary and attachments.

All applicants will automatically be considered for the Randy Brant Scholarship. The Randy Brant Scholarship is awarded based on high academic standing (GPA) and area of study (relevance to BC Hydro)

**Submit your complete application by May 15, 2017 to [Aboriginal.Awards@bchydro.com](mailto:Aboriginal.Awards@bchydro.com)**

\*Only electronic submissions will be accepted. Include all attachments in 1 email. We will send you an email notification when your application has been received.



She Wolf gifted  
to BC Hydro by  
Art Thompson  
from the Didaht  
First Nation.

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