

PETER CHAPMAN

MAY 2015

NEWSLETTER

"We pray Great Creator on behalf of all the Peter Chapman Band members; the Brittain's; the Head's; and the Whitehead's, to unify our people, bring us together as one, help us to institute our own Government, help us to take control of our own lands, and help us to reinstate our First Nation for the betterment of our children and grandchildren to come..." Chief Robert Head

During the last Election campaign the Leadership promised to have more information flowing out to the band members and this newsletter is our quarterly report. In this edition we provide an update on areas of concern within the First Nation and on specific Programs offered in our Community. This newsletter is open to be read by all people. The first thing we do is provide a review of the history of our people, and this review is called "Resurrecting Peter Chapman" and is the opening section following this introduction.

Resurrecting Peter Chapman

The Cumberland 100A First Nation

In the year 2000, the combined membership of the James Smith Cree Nation, all 2700 members voted to restore and reinstate the three bands of JSCN, namely; the Cumberland 100A First Nation/Peter Chapman Band; the James Smith Cree Nation; and the Chakastaypasin Band of the Cree Nation to their original and intended form. This means restore the bands to their status prior to the North West Rebellion of 1885 and prior to the 1902 invalid amalgamation between James Smith and Peter Chapman/Cumberland 100A.

The community vote or referendum gave political representation to the Cumberland 100A First Nation band members. The Cumberland 100A First Nation is populated by the membership with the last names of Whitehead, Brittain or Head. I invite all JSCN membership to review our historical facts, as presented at the Cumberland 100A Indian Claims Commission Inquiry:

Peter Chapman was a councillor for the Cumberland House Indian Band, and he signed treaty five on behalf of Cumberland House in 1875. Shortly after treaty signing, Chapman realized the people will starve living in the Cumberland Delta with no Farm land to grow food. Chapman began writing letters to the Government of Canada requesting new reserve land for the purpose of farming, he wanted land near Fort a la Corne. In the early 1880's Peter Chapman struck out for Fort a la Corne with a total of seven families following. The 100A people began arriving in the Fort a la Corne area in the early 1880's, setting up camp beside the James Smith reserve. In 1887 Canada agreed to survey a new reserve named Cumberland 100A.

Cumberland 100A was created as a new reserve for "the Indians of the Cumberland district" by the Government of Canada's order in council dated May 17th 1889. At this point in history, the Cumberland 100A First Nation came into existence, and was a separate reserve from James Smith. The membership of the Cumberland 100A First Nation were paid "treaty annuities" from their own separate treaty pay list. Peter Chapman's vision and dream to support his family and people through farming became a reality. Canada officially supported Chapman's farming plans by providing six oxen, seven horses, equipment and a farm instructor for the newly created Cumberland 100A band.

Surrender of 1902

Government of Canada officials obtained documentation for a surrender of township 47 from Cumberland 100A First Nation. This surrender of 22,080 acres is in question because of the involvement of James A. Smart, Canada's Deputy Superintendent General. After the surrender, the land was re-sold for double the purchase price, and 10,000 acres of that land was purchased by James A. Smart himself.

During this time period James A. Smart was assisted by Pedley and White and all three were involved in a series of land surrenders across western Canada. In fact, Ocean Man and Pheasant Rump were reinstated after fighting a similar land surrender and amalgamation scheme orchestrated by this same group back in 1901.

Surrender of 1902 Con't

The Government of Canada has accepted that Smart should not have benefited from the surrender and resale of Cumberland 100A First Nation land. Furthermore, the Government of Canada agrees that our land was purchased from us at a very low price, \$2.60 per acre instead of selling the land at its proper value of \$5.00 to \$6.00 per acre. Finally, the Government of Canada offered to enter into negotiations with our band to resolve these issues as stated in the March 1999 letter to former JSCN Chief Eddie Head and restated in October 2008 correspondence to JSCN. The membership voted against entering into negotiations on the government's minor offer because the people want all our land back and any agreement to negotiate on this minor offer may validate the entire surrender in the eyes of Government.

Illegal Amalgamation of 1902

After the surrender of 1902 the Cumberland 100A First Nation held 19,520 acres of land compared to James Smith Band with 17,792 acres of land. The INAC officials who took the surrender proceeded to prepare documentation for the amalgamation of Cumberland 100A and James Smith. Those three people, Smart, Pedley and White took advantage of our situation and illegally joined James Smith and Cumberland 100A in 1902. The Indian Claims Commission Inquiry into the Cumberland 100A case has stated the amalgamation of 1902 between James Smith Band and Cumberland 100A First Nation is invalid because proper membership consent was never obtained or provided. The only evidence to support amalgamation is a document which is not even signed by any 100A band members. Peter Chapman never came to Fort a la Corne to join James Smith; he came to start a new band and a new farming life for his people.

Conclusion

Over the past 120 years, the Cumberland 100A people (Brittain's, Head's and Whitehead's) have lived together with James Smith Cree Nation and Chakastaypasin Band of the Cree Nation. The Cumberland 100A First Nation people have inherent rights that cannot be taken away by anyone or any government; these rights include the right to self-determination; the right to self-government; and the right to promote, protect and participate in our own culture and traditions. Our people created the 100A land base by moving to the Fort ala Corne area, and our leaders work to re-instate our First Nation.

LAND CLAIMS

The area of land claims recently came back to life with the hiring of a new lawyer named Cynthia Westaway originally a director of the Indian Claims division of Borden Ladner Gervais or BLG law firm. Cynthia originally worked for the Department of Justice, Government of Canada before changing sides and representing First Nation clients. Cynthia and her assistants recently moved to Devlin Gailus Westaway law firm based in Ottawa.

After a year of painstaking searching for the original accepted information and documentation from our three claims of the James Smith Cree Nation, Cynthia and her team were able to reproduce and update our claims with fresh 2015 legal arguments. Today we have new legal precedents which define a higher "duty of the Crown" than what existed 20 years ago.

The three Bands of the JSCN each have a newly filed land claim for consideration and possible negotiations with the Government of Canada. The following is a short synopsis of each claim.

Claim #1: JSCN Shortfall – James Smith Band was short 5 people on treaty signing day, and they have a dispute on the quality of land they received. This claim is pretty much a done deal, but the government of Canada is claiming that JSCN has too much land due to the amalgamation of 1902.

Claim#2: CHAK - The Chakastaypasin Band surrender and sale of IR 98. The Govt of Canada forced Indian Bands that allegedly participated in the Riel Rebellion of 1885 to dis-band. The Chak people were forced to sell their lands and move to other bands in the area. These other bands are called host Bands and there are at least 7 host First Nations with identifiable Chakastaypasin Band members.

Claim #3: Cumberland 100A/Peter Chapman – Our claim is also filed under JSCN and stems from the invalid surrender and amalgamation of 1902. Our band members never authorized the sale of our lands and we never signed the amalgamation document.

In order to understand the long tedious land claims process, we must review the history of the land claim efforts over the years:

1. Various Law Offices (Ron Cherkewich, Dubuc Osland, and a few other law firms) from across Canada worked on the JSCN land claims process over the years, and the band generally could not afford to proceed, even though we came really close back in the 1990's.
2. Bill Selnes from Melfort was finally hired to re-submit a land claim prior to the 1999 which was basically rejected by the Government of Canada.
3. The Indian Claims Commission was established to address land claims in Canada that were rejected for settlement. The three claims of the JSCN were included in the hearing process for the Commission and Bill Selnes represented our cases.

LAND CLAIMS Con't

4. The Indian Claims Commission considered the following:

- A. JSCN - Treaty Land Entitlement – FEB 2007
- B. JSCN – Chakastaypasin IR98 Inquiry – MAR 2005
- C. JSCN – TLE REPORT ON ISSUE #9 AMALGAMATION – MAR 2005
- D. JSCN – IR 100A REPORT – MAR 2005

5. Commission Findings are as follows:

- A. JSCN – TLE - The Commission found that the shortfall of 5 persons is valid, but the amalgamation with Peter Chapman created an offsetting land surplus.
- B. JSCN – Chak Inquiry - The Commission found that Canada owes a legal, fiduciary and treaty obligation to owners of IR 98 to negotiate the sale and surrender of the reserve lands.
- C. JSCN – Amalgamation - The Commission found that the amalgamation was invalid and illegal. Unfinished treaty business like the division of assets and the reinstatement of our band was never considered by the commission.
- D. JSCN – 100A - The Commission found that the legal, fiduciary and treaty obligations are owed to the Cumberland House Cree Nation because their consent was never sought or granted on the sale and surrender of the 100A lands.

The Indian Claims Commission findings are considered recommendations and are not binding on the Government of Canada. The Government of Canada decided not to accept the Commission's findings in all the cases submitted under James Smith Cree Nation.

Cumberland House Negotiations: Many of us have read about the CHCN land claims, they are negotiating for the Southern part of the 100A land base, generally referred to as Township 46, this is the land that was surrendered and sold in 1902. Even though our people created the 100A lands, we are being left out of this negotiation. But the Peter Chapman Band instructed our lawyer to write a letter to the Government of Canada requesting our participation and inclusion in the Cumberland House negotiations and so far we have not received a reply. There are legal avenues and routes that we can still follow in order to guarantee our rights to our land because we are the people who created this land by moving down here to Fort ala Corne, many people both past and present seem to forget this fact.

Currently in the Land Claims area, we have received the following letters from AANDC:

April 29, 2015 the AANDC letter stated that the Chakastaypasin Surrender of IR 98 specific claim submission meets the Minimum Standard established by the Minister of Aboriginal Affairs pursuant to the Specific Claims Tribunal Act. Further, AANDC suggested the division of the Chak claim into two separate files, the first part will deals exclusively with the surrender of IR 98 and the second will deals with the Farming implements allegations.

LAND CLAIMS Con't

April 29, 2015 the AANDC letter stated that the Peter Chapman Surrender of IR 100A specific claim submission meets the Minimum Standard established by the Minister of Aboriginal Affairs pursuant to the Specific Claims Tribunal Act. Further AANDC suggested that we separate our claim into two files the first part dealing with breaches of fiduciary duty in relation to IR20; and the second part deals with the surrender of IR 100A.

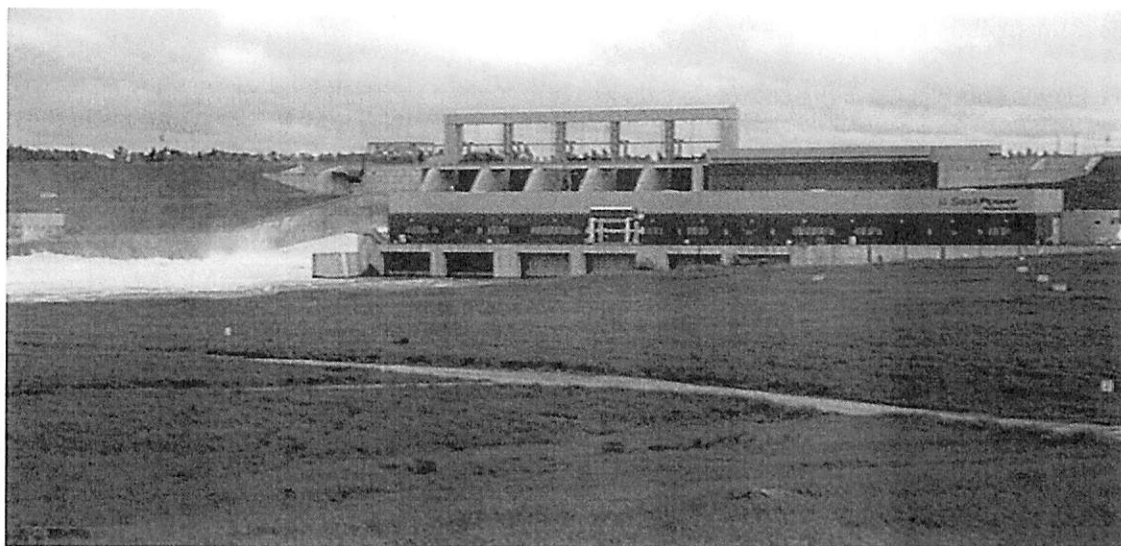
April 29, 2015 the AANDC letter stated the JSCN Treaty Land Entitlement Shortfall specific claim submission meets the Minimum Standard established by the Minister of Aboriginal Affairs pursuant to the Specific Claims Tribunal Act.

The Specific Claims Tribunal Act is the Law of Canada and it states the timeframe which the Government of Canada can review our claims, this period is three (3) years from the filing date of April 15, 2015. The Government of Canada will provide an answer to our claims within a three year time period, either we are accepted or rejected.

The bands have taken the advice of our legal counsel, Devin Westaway Gailus, and have divided our claims into the suggested parts noted above. This in effect means that we have 5 claims under consideration with AANDC. This also means that some may be rejected and some may be approved for negotiations. For example, the surrender of 100A is being negotiated between the Government of Canada and Cumberland House Cree Nation as we speak. This part of our claim will most likely be rejected, but we have another and final alternative which is the Specific Claims Tribunal.

The Final step in the land claims process is the specific claims tribunal which is an independent legal body consisting of former judges. The panel hears Specific Claims that were rejected by the Govt of Can for negotiations. Each of our claims can go on to the Tribunal if we are rejected by the negotiations branch. All said, the leadership is pleased to have moved forward on our claims and I must say the end is finally in sight and the optimism is high.

Hydro Project – Please review the attached project summary entitled “Pehonan Hydro”. Recently, Saskatchewan Power Corporation (SPC) approached the Pehonan Hydro Project partnership team to begin a new series of discussions aimed at building the Pehonan Hydro Dam. The first Meeting was held in Prince Albert on Tuesday April 21, 2015 at the Best Western Hotel. SPC conducted a small presentation on the Power supply in Saskatchewan. SPC is predicting a 900 MW power supply gap from 2019 to 2023; and a 1300 MW power supply gap from 2024 to 2033. This means that Hydro is back on the table for SPC.



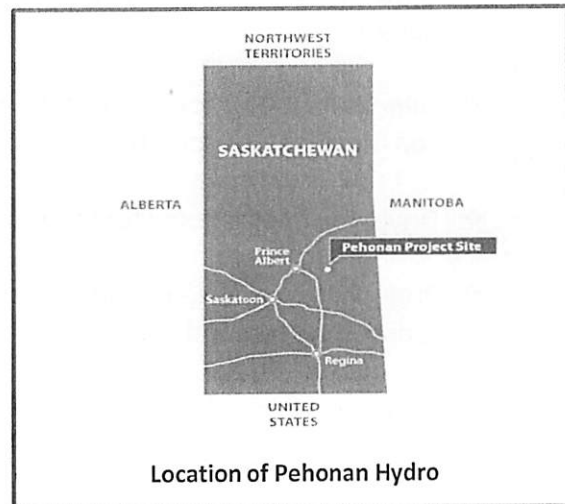
NIPAWIN PLANT (2 / 2)

Pehonan Hydro

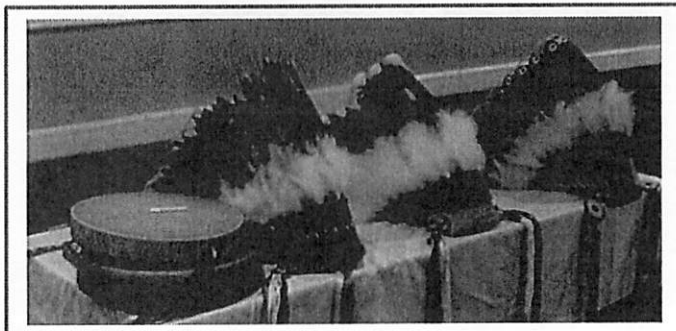
A Clean Electricity Project Supporting Saskatchewan's Growth & Future Prosperity

Saskatchewan's economy is strong, and becoming stronger. Population growth coupled with a more robust resource, industrial and commercial economy bodes well for continued sustainable prosperity across the province. This positive economic growth is built on a foundation of reliable, cost-competitive and increasingly cleaner power.

The **Pehonan Hydro Project** on traditional Cree territory is proposed as part of the province's future diverse electricity base. Developed through a partnership between three Saskatchewan First Nations, the James Smith Cree Nation, the Chakastapaysin First Nation and the Peter Chapman (Cumberland 100A), and Brookfield Renewable Power, the Pehonan Hydro Project has been under development for five years. Working closely with SaskPower and the Saskatchewan government, the First Nations and private project partners have made a substantial investment in designing a project that meets all provincial and federal regulatory conditions and which would be a legacy power generating asset for decades to come.



The **Pehonan Hydro Project** is located on the reserve of the James Smith Cree Nation. With the guidance of Elders, project planners have sought to develop a project which will catalyze long-term economic and social benefits for all of the province, and particularly the Prince Albert – Melfort corridor, while at the same time minimizing environmental impacts. The Project has the endorsement and active support of Mayors and Councils from over 18 cities and towns in the region.



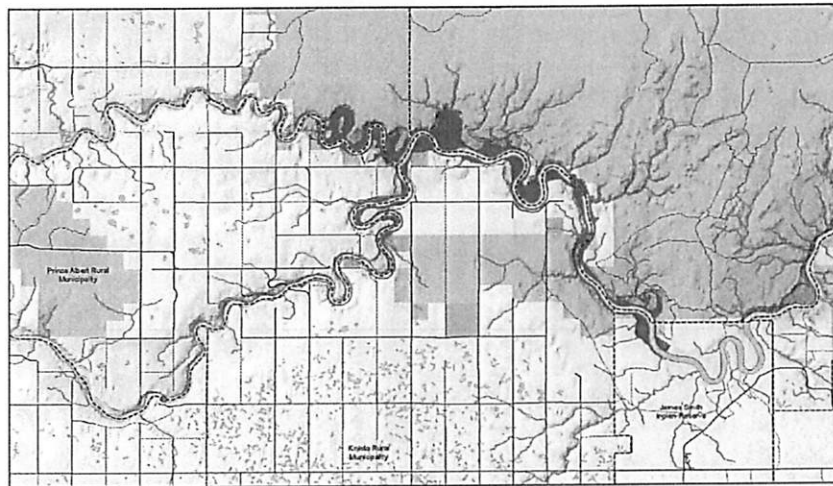
The **Pehonan Hydro Project** represents the kind of win-win-win economic development Saskatchewan needs: A win for First Nation rights and meeting community needs; A win for the province's electricity system: becoming more diverse and environmentally-friendly; and a win for Saskatchewan's economic growth, including private sector investment.

"Our First Nations are of the strong and categorical position that the Pehonan Hydro Project as proposed is a 'Saskatchewan-First' venture that offers a vast array of substantive and enduring economic, social and environmental benefits for the province and its people."

Chief Wally Burns, Chief Calvin Sanderson, Chief Robert Head

The Pehonan Hydro Project is a

- ❖ First Nation's led **Clean Energy Project**,
- ❖ **Legacy Hydro Generating Asset** that will produce power at competitive rates for the remainder of the 21st Century.
- ❖ Partnership effort between all key players – First Nations, the provincial government, the private sector and SaskPower.
- ❖ Large hydro facility with **Low Environmental Impact** due to its location, siting and design,
- ❖ **Huge Job Creator** for First Nations peoples, and all Saskatchewan residents, during construction and operations.
- ❖ Driver for the economy for the **Prince Albert – Melfort Corridor**.
- ❖ Project that will help the province meet **Environmental and Greenhouse Gas (GHG)** reduction goals, and
- ❖ 'Smart' economic development for the province.



Project Siting, and Low Impact Reservoir

Diamond Project Overview- The Star/Orion South diamond project owned and operated by Shore Gold is located approximately 6 km Northeast of the reserve. The plan is to construct a diamond processing facility and dig a large open pit mine at the Star site and then the Orion South site. Shore Gold and the JSCN's signed a Memorandum of Understanding or MOU in 2014 which outlines our desire to negotiate an Impact Benefit Agreement. This agreement will provide for an ownership share of the project or equivalent revenues, band member jobs, and preferred contracts for all the JSCN bands. This really means that we may provide our consent for this project if Shore Gold and the JSCN bands can agree on the benefits for our people.

I must remind all our band members of the huge environmental impacts this project will have on our community. Shore Gold is currently in the final stages of the Environmental Impact Assessment study (EIS) and the Provincial environmental approvals are just a matter of time. Some of the anticipated impacts are the affects to our water supply. We need to protect our water supply.



Source: <http://shoregold.com/properties/star-orion/>

Diamond Project Overview Con't - The huge Open Pit mining proposal will take place over an estimated 40 year lifespan of the mine. The Star site or pit will be 300 feet deep, and this hole will fill with ground water. Shore Gold plans to drain the ground water using de-watering wells drilled around the outside of the main pit. The estimates of water removal contained in the EIS are up to 1 million litres of water per day! Now considering that we get all our water from underground aquifers located only 6 km away, the long term impact to our water supply is estimated to decrease our water supply by 50%. As leaders we have to protect this valuable resource for our children and grand-children to come. The following is a detail sketch of the proposed mining operation site.

Self-Government- The three leaderships of the JSCN met with AANDC officials representing the Self-Government department. This meeting took place in Ottawa on May 6, 2015. Self-Government is really the band creating our own internal laws and procedures to replace much of the Indian Act. While this sounds like a great idea we have much work to do in order to be positioned to take advantage of this aspect of Federal relations.

First Nation Lands Management Act-The three leaderships of the JSCN applied to AANDC for funding to begin discussions on the implementation of the FN Lands Management Act. This is a "first step" toward Self-Government and allows the FN to take control over all aspects of land management within the FN boundaries. We will become responsible for all Permits and Environmental reviews any land related activities on the reserve. The AANDC suggested that we look at implementing this program before jumping into the Self-Government process.

Economic Development – The Peter Chapman Band established the Peter Chapman Band Economic Development Corporation, a non-profit corporation aimed at business development for the benefit of all the Peter Chapman Band members. This means we now have the mechanism to create wealth for our people by investing in businesses both on and off the reserve. Of course we have our eye on creating an off-reserve store in the City of Melfort which can in turn be converted to First Nations treaty land through economic processes already part of the Indian Act.

Band Overview: I also provide an overview of the number of jobs our band members hold within JSCN. I have decided to provide a list of staff members from each department for your review at the end of my report. In summary, we have two (2) working at the school, two (2) in the band office and one (1) in the health department, making a total of 5 out of 89 jobs. The percentage of our band members working is 5.6% employment. The Health Taxi Contract is held by Bev Head and is not included in the percentage. The Education Bussing Contract is held by Erwin Brittain and is not included in the percentage.

FCED – Fort ala Corne Economic Development

Dwayne Seib, Delbert Brittain, and Tracy Marion work at the FCED offices beside the Band office, we just finished the Adult Education program and we wish to Congratulate all the Grads especially Judy Head and Jennifer Head.

FCED entered into an agreement to provide workers to Bourgault Industries located at St .Brieux, SK. At the height of manufacturing operations, we had 33 band members commuting to St. Brieux for the two shifts. The great part of working for FCED/Bourgault is that the wages are all tax free, and the workers get a free ride to work and home again each day.

The Contract just ended for this past year and our employees earned \$490,000 is wages working for Bourgault Industries LTD. That's nearly half a million in wages that people in our community benefitted directly from. The Contract may resume in the Fall of 2015, after Bourgault assesses the current agreement.

OTHER PROGRAMS

The Federal Government of Canada through the AANDC department approved an emergency road project for the JSCN based on the proposal and engineering submission dated back to 2013. The Chiefs took a trip to Ottawa to present the submission and speak on behalf of our people. Ottawa heard our request and we received approval for 11 million of funding

This current year budget is just over 4 million and these funds are managed by a project team consisting of AANDC officials, engineers, manager and leadership. The team was able to hire Sterner Construction to drain out M&M slough. The next phase is to drain out Art's Slough, and re-vamp the Carrot River Bridge.

Our engineers, AMEC, have also started calculating the required work to rebuild Coxby road on the reserve from Eastern edge to Western edge. The next phase on roads is to rebuild the School road headed south and then the Beatty Grid and North End road if funding permits.

SUMMARY

The Leadership of the Peter Chapman Band/Cumberland 100A First Nation are very busy at this time of year, but we are always open for people to speak with us personally. I thank you all for taking the time to read this report and we are open for questions and to provide greater detail. My home phone is 306 864-3670 and my cell phone is 306 864-7011. I live at House #8 John M. McLeod Place with my father in-law Keith Burns, my wife Eleanor Head and our five children and the many weekend campers. I have represented our band for the past 8 years, and just started a third term.

Phone
(306) 864-3636
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JAMES SMITH CREE NATION

HOME OF INDIAN GOVERNMENT

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BANDOFFICE

Front Office - Marj Burns	221
	280
CHIEF Justin Burns	242
Ralph Moostoos - Headman	246
Gerald McKay - Headman	243
John L Burns - Headman	244
Alvin G Moostoos - Headman	245
CHIEF Calvin Sanderson	224
Lyle Opoonechaw - Headman	237
Derrick Sanderson - Headman	234
Tanya Sanderson - Headwoman	238
Edward Stonestand - Headman	248
CHIEF Rob Head	223
Brian Head - Headman	272
Brian Whitehead - Headman	279
Val Whitehead - Headwoman	229
<i>Dallas Head</i>	249
Arlene Moostoos - S/A	235
Bill Marion - Public Works	281
<i>FAYE HEAD</i> <i>273</i>	278
Garth Sanderson - Admin	274
Jason Burns - S/A	239
John Moostoos - Lands Manager	241
J.R Sanderson - Sports & Rec	222
Kayla Sanderson - S/A	236
Marlene Nichols - Principal	228
Martin Moostoos - Housing	230
Rod Sanderson - Band Manager	226
Sandra Burns - Admin	232
Steven Constant - Post Sec	275
<i>VACANT</i> Justice	227
Tiffany Sanderson - Youth Dev.	231
Council Chambers -	247

Health Clinic Staff

<u>Title</u>	<u>Name</u>
1 Health Director	Mike Marion
2 Co-manager	Matt Holinaty
3 Finance	Jean Sanderson
4 Office Manager	Delores Marion
5 Physician	Dr Vander Ross
6 Clinic Assistant	Eldeen Mckay
7 Medical Transportation	Alvin Sanderson
8 Dental Therapist	Carrie Marion
9 COHI	Janel Sanderson
10 Maternal Child Health	Diane Constant
11 NNADAP	Brenda Constant
12 NNADAP	Darryl Burns
13 Wellness Worker	Wilma Burns
14 Holistic Health Therapist	Patti Cram
15 Water Tech	John P. Moostoos
16 Nurse In Charge	Rey Lindain
17 Community Health Nurse	Eleanor Stonestand
18 Community Health Nurse	Janelle Bekattla
19 Data Entry Clerk	Brittany Moostoos
20 Community Health Rep.	Annie Sanderson
21 Community Health Rep.	Merle Sanderson
22 Community Health Rep.	Tina Sanderson
23 Home Care Nurse	Lisa Sanderson
24 Home Health Aide	Barb Stonestand
25 Home Health Aide	Bertha Head
26 Home Health Aide	Marie Sanderson
27 Home Health Aide	Janice Burns
28 Medical Transportation	Alvin Sanderson
29 Taxi	Beverly J. Head
30 Taxi	Alvin G. Moostoos
31 Taxi	Garney Sanderson
32 Alanna Remmen	Dietition
33 Jan Cochraine	Diebetic Nurse

**Bernard Constant Community School
2014-2015 Staff Telephone Directory**

1 Principal	Marlene Nicholls mn45@hotmail.com	752-2123 235-7269(c)
2 Vice Principal	Randy Constant r.constant@sasktel.net	864-2297 864-7711(c)
3 Secretary	Linda Marion lindamarion2@gmail.com	864-3792
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5 Retention Worker	Daniel Stonestand danielstonestand@gmail.com	864-0328 940-4070(c)
6 Spec. Ed. Resource Rm	Chris Turner N/A	864-0322
7 Spec. Ed. Behavior	Deborah Witzaney	
8 Phys. Ed	Blair Sands blairsands@gmail.com	630-4515 (c)
9 Cree	Ellise Burns elliseburns@gmail.com	920-8000(c)
10 Grade 12 ELA	Priscilla Brittain pkmbrittain@gmail.com	361-3834 (c)
11 Grade 11	Alex Witzaney	
12 Grade 10	Dr. Pathman	
13 Grade 8/9	Cheryl Sanderson	
14 Grade 7	Verna Sanderson verna_57@hotmail.com	864-7866
15 Grade 6	Sharon McKay smckay2009@yahoo.ca	361-7029
16 Grade 4/5	Jennifer Sanderson	
17 Grade 3/4	Mabel Burns mabel_burns@hotmail.com	864-3133 864-7474(c)
18 Grade 2/3	Ida Burns Facebook her	864-2897
19 Grade 1/2	Edna Sanderson N/A	922-0014
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21 Grade 1	Charlene Constant Charlenegr1@gmail.com	864-3181 864-7073(c)
22 Kindergarten	Flora Burns floc_burns@yahoo.ca	864-2260 864-7975(c)
23 K4 Nursery	Wendy Constant w.constant@sasktel.net	864-2297 864-7762(c)

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Darwin Twist

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Eileen Sanderson 864-2544
Kim Brittain
Lillian Burns

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Reading Tutor**

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Marie Sanderson marsand@sasktel.net

Library

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**Head Cook
Cook Assistant
Cook Assistant**

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Sanderson Sandra P. N/A 981-9695 (c)
Cosette Moostoos cozy_co_48@hotmail.com 864-2899 864-0348(c)

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Custodian**

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Clara Head 864-3673
Betty Twist ltiwst_09@hotmail.com

Bus Drivers:

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Erwin/Nora 930-3478 Barb Sanderson 864-2287 George Sanderson 864-7329

HeadStart

Cheryl Sanderson sandersonrenee2000@yahoo.ca 864-7890(c)