



August 18, 2006

Special NOTICE

to Nisichawayasihk Cree Nation Members

Chief Jerry Primrose

Councillors

Jimmy Hunter Spence

D'Arcy Linklater

Shirley Linklater

Agnes Spence

William Elvis Thomas

Arbitrator Rules in Favour of the Release of 2006 CAP Funds – Arbitrator finds community process is “democratic to the core”

A MESSAGE FROM CHIEF AND COUNCIL Tansi,

We are pleased to announce that nearly \$2.7 million of funds from the Investment and Heritage Account (IHA) will shortly be released to meet 2006 Community Approval Process (CAP) budget requirements, enabling us to reinstate a full range of vital community programs and services.

We had earlier approved spending of \$3.9 million for the 2006 CAP budget, but there was a significant shortfall when efforts to release funds from the IHA to supplement the 2006 CAP budget were blocked by a legal appeal brought by NCN Members Leonard Linklater, Donald Hart and David Kobliski.

Their appeal was heard in an arbitration hearing on July 28 and the decision of the arbitrator was released August 14.

Arbitrator Arne Peltz dismissed their appeal and ruled that the release of funds from the IHA to support the 2006 CAP budget requirements had been legally supported by the majority of members voting at meetings held in January, February and March. He determined that the support of two-thirds of members wasn't a legal requirement in this case, due to the wording of the original Council Resolution.

Even if it had been a requirement, he ruled there wasn't anything wrong with holding successive meetings and further votes on the subject. "... in fact there is nothing undemocratic about a community revisiting an important question," he said. "There was no impropriety in bringing such a vital question back for reconsideration in the circumstances of this case."

The Arbitrator also found that the use of a "traditional vote" was permitted by CAP rules.

We are pleased that the concerns relating to the conduct of Chief and Council and Trust Office staff have been put to rest.

We would like to thank everyone for their support to release the funds for our community programs and services.

Ekosi

NCN Chief and Council