Appeal Committee Determination

August 14, 2026

Re: Request for Removal Hearing for Councillors Mavis Erickson and Molina Cameron – Submission by a Majority of Council Members pursuant to Sections 99 and 100(b) of the Binche Whut'en Election Code

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Council. members: Anthony Jopse, Dale Hallman, Corbin Tom, Sebastian Anatole, Mavis Erickson, and Molina Cameron

CEO: Dave Birdi

Background

On June 10, 2026, the Appeal Committee received a referral from Chief and Council, by way of Band Council Resolution ("**BCR**") dated June 9, 2026, asking that the Appeal Committee review two recommended removals from Council (the "**Referral BCR**"). These recommended removals were set out in two separate BCRs dated May 19, 2026, concerning Councillor Mavis Erickson (the "**Mavis BCR**") and Councillor Molina Cameron (the "**Molina BCR**").

The Referral BCR requested that the Appeal Committee schedule a removal hearing for Mavis Erickson and Molina Cameron in accordance with section 100(b) of the Binche Whut'en Election Code (the "**Election Code**").

In order for the Appeal Committee to give consideration with respect to the appeal requests set out in the Referral BCR, the application(s) received must meet the requirements specified in section 99 of the Election Code. Specifically, section 99(a) requires a "Resolution (preferably in 200 words or less) that sets out the specific grounds for removal of a Chief or Councillor (in accordance with section 96)".

Under Part 2 of the Election Code, a "Resolution" is defined as "a resolution passed by Council at a duly convened meeting." A duly convened meeting requires a quorum to be present.

The Appeal Committee requested supporting documentation from Binche administration personnel to confirm whether a quorum of five (5) Council members attended the meetings at which the BCRs were purportedly passed, as required under the Council Governance

Determination

On the basis that the Appeal Committee is unable to confirm that the required quorum of 5 (per the Council Governance Policy) was present at a duly convened Council meeting, the BCRs provided do not satisfy the definition of a Resolution under Part 2 of the Election Code and, accordingly, do not comply with the requirements of section 99(a).

Accordingly, pursuant to section 100 of the Election Code, the Appeal Committee determines that the submission does not comply with section 99 of the Election Code. The submission is therefore dismissed in accordance with sections 100 and 101 of the Binche Whut'en Election Code.

This written determination, together with the reasons set out above, is provided to the submitting Council members in accordance with section 101 of the Election Code.

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Appeal Committee Chair