

## Application to Challenge the nomination of Duane Eric Nookemis as Candidate for Councillor

Molly Clappis, Huu-ay-aht Citizen  
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May 18, 2015

**Re: Challenging Nomination  
the nominee is not qualified to be nominated under section 5**

[REDACTED]

To Whom It May Concern,

**Duane Eric Nookemis**, resides at Anacla TSL also known as **Duane Eric Nookemus**  
email known: [REDACTED]

On Sunday May 17, 2015 the electoral officer confirmed by telephone that it's in fact senior and not Junior outlined in the list of nominees that was posted on Friday May 15, 2015.

Grounds upon challenge;

The nominee is not qualified to be nominated under section 5;

- In default of a prescribed contractual obligation to government or any other prescribed entity
- Convicted of a criminal offence
- Convicted of a prescribed category of criminal offence for which 5 years have not been elapsed from the date of conviction

Supporting email I had sent to HFN Government February 2015

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**From:** Molly Clappis [mailto:[REDACTED]]  
**Sent:** Saturday, February 28, 2015 9:48 AM  
**To:** Jeff Cook; Derek Peters; James Edwards; Stanley Coleman; Charlie Clappis; John Jack  
**Subject:**

Good morning HFN leaders,

I am a proud Huu-ay-aht First Nations Citizen, I have 3 children that are also Huu-ay-aht citizens. With that being said, I continue to educate myself on our laws & acts, as well as stay informed as much as possible, for this generation is laying the foundation for future generations.

I am asking each of you to review this email, I am sending it to you as the leaders in our Nation and role modeling to our people that action or consequences should be imputed on those that are willing to jeopardize our children's future.

I came across a public site, and have posted the link for your review

<http://bc.cb.rcmp-grc.gc.ca/ViewPage.action?siteNodeId=50&languageId=1&contentId=40013>

File # Forst Crime

2014-12-23 14:07 PST

Duane Nookemus, a resident of the Bamfield area, pled guilty on December 10, 2014 to the removal of Crown timber without authorization, contrary to Section 52(3) of the Forest and Range Practices Act.

The incident was investigated by the RCMP Forest Crimes Investigation Unit and by Natural Resource Officers from the Ministry of Forests, Lands and Natural Resource Operations. The investigation began in May 2013 with the discovery of several unauthorized harvest sites where large, old-growth cedar trees were taken from the Black Lake area near Bamfield, B.C.

Natural Resource Officers were able to locate the logs, which had been delivered to a mill in Saanich. Logs and lumber that originated from the unauthorized harvesting sites were worth approximately \$23,000 and were seized from the mill.

The Provincial Court imposed a \$4,600 fine on Nookemus, as well as 100 hours of community work service and 18 months of probation. The fine and penalty are considered to be substantial by enforcement officials and it's hoped that the outcome of this case will **convey a message** to others who may be contemplating this type of illegal activity.

The RCMP Forest Crimes Investigation Unit and the Ministry of Forests, Lands and Natural Resource Operations would like to thank the public for its continued diligence in reporting suspicious behaviour witnessed in the forest.

Cpl. Cameron Kamiya  
E-Division Major Crime  
Forest Crimes Investigation Unit  
(778)290-3785

HISH UK TSA WAK

(Resource Harvesting Act) Through our inherent right to self-government, and our responsibility given by Naas to look after our traditional territories, the HUU-ay-aht have continuously take steps to preserve and protect our lands.

- Code of conduct - General Duties section 4 (1) a through f
- HUU-ay-aht oath - uphold constitution and obey HFN laws
- Land Act Part 10/50 (2) (c) a person must not without lawful authority under HFN law harvest, extract or damage ....
- Offence and Law Enforcement

I am not a HFN employee nor a HDC employee therefore I do have access to HR policy. So am unaware of the Nations or business request Criminal Record Check. as a citizen I have concern that he continues to work for our Nation, in the business area while on probation, and still needing to complete community hours.

This is serious issue, Theft of the amount that was removed .... A huge investigation, I would trust that our HUU-ay-aht Government will do what is right and uphold our Constitution as well at the HUU-ay-aht Oath that all of us have taken.

In my opinion until help was sought, he should not be employed within forestry or be a supervisor. he got caught. If he wasn't how much would have been taken out.

With all do respect, and believing our people should be working within our nation, but also remembering to respect and always have our children on our mind.

It's known fact that citizens that struggle with addiction that work for the Nation have been given treatment... Theft can become an addiction as well.

I thank you for your time.

A concerned citizen

**Molly Clappis**

[REDACTED]

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**End of email**

**Another public site:**

<https://justice.gov.bc.ca/cso/criminal/searchAccusedResult.do?serviceId=26412773>

**Search Criteria**

**Last Name:** Nookemus  
**First Name:** Duane  
**Location:** Port Alberni Law Courts  
**Level:** Provincial  
**Class:** Adult

Results: 1 - 3 of 3

Level Class	Document Reference	Last Name, First Name	Court Location	Date Time	Room	Rsn	Last Rslt	Agency File #	View
P,A	34038-1	NOOKEMUS, DUANE Eric	Port Alberni Law Courts	23Sep2011 9:30 AM	REG	APP	END	910:11-1918	<a href="#">View</a>
P,A	34038-2	NOOKEMUS, DUANE Eric	Port Alberni Law Courts	23Sep2011 9:30 AM	REG	APP	END	910:11-1918	<a href="#">View</a>
P,A	35714-1	NOOKEMUS, DUANE Eric	Port Alberni Law Courts	10Dec2014 9:30 AM	002	PSR	END	RMCS:13-3550	<a href="#">View</a>

Appr. Date	Doc Ref	Accused	Cnt #	Count	Lesser/Incl. Finding
23-Sep-2011	34038-2	<u>NOOKEMUS, DUANE Eric</u>	1	CCC 734.3 Application for Change in terms of Fine Order	APG
23-Sep-2011	34038-1	<u>NOOKEMUS, DUANE Eric</u>	1	CCC 86 1 Careless use or storage of a firearm	RGS
25-Aug-2011	34038-1	<u>NOOKEMUS, DUANE Eric</u>	1	CCC 86 1 Careless use or storage of a firearm	G

I understand this will be dealt with in a timely manner, I am a citizen and also a candidate that is looking for a fair transparent process.

Should you have further questions please do not hesitate to contact me at 250-735-1685

Respectfully,

Molly Clappis