

# BYLAWS

## Jocko Beaucage Community Services Inc. 2016 Edition



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**JOCKO BEAUCAGE COMMUNITY SERVICES INCORPORATED**

**BYLAW REVISION 2016**

**2016 Edition**

*This edition replaces the 2014 edition and any draft versions produced prior to 2016.*

**ARTICLE I - Name**

**Section 1.1 Corporate Name**

The name of this not-for-profit Corporation shall be the **Jocko Beaucage Community Services Incorporated** (known as JBCS).

**ARTICLE II - Objectives of the Corporation**

**Section 2.1 Goals of the Corporation**

The objectives of this not-for-profit corporation shall be to offer community services.

**Section 2.2 Area and Residents Covered**

JBCS is a not-for-profit corporation, organized to offer community services to the residents of Jocko Point and Beaucage

**ARTICLE III - Members**

**Section 3.1 Eligibility**

Eligibility to membership shall be open to any adult who can offer proof of residency or ownership in either Beaucage or Jocko Point subdivisions.

## **Section 3.2 Member Privileges**

- a) Members are entitled to attend the Annual General Meeting (AGM) and Special Meetings and to engage in debate on all issues on the agenda.
- b) All members have a vote or a voice at the Annual General Meeting (AGM) or Special Membership Meeting.
- c) Elections are held annually at the AGM. Members are entitled to run for and hold office on the Board. One year of experience on the Board is preferred to run for the office of President.
- d) Although there are nine Board members, only four members of the Board will be elected at each AGM. This is to ensure continuity. Their term of office will begin on the first of the month following the Annual General Meeting at which they are elected. All elected terms will be for a period of two years.
- e) The President, the Activity Director, the Administration Director, and the Communications Director shall be elected on even-numbered years.
- f) The Vice-President, the Secretary, the Building Director, the Kitchen Director, and the Treasurer shall be elected on odd-numbered years.
- g) All vacancies and appointed positions occurring in either group will also be open for election in the year they occur, and the new member will serve for the time remaining in the term.

## **Section 3.3 Responsibilities of Members of JBCS Inc.**

- a) Members should comply with the provisions set forth in these bylaws.
- b) Members shall endeavour to represent the Corporation with pride, to the best of their ability, and without personal gain.
- c) Members shall observe the prescribed dress code and be required to conduct themselves in an orderly and respectful manner in any place where an event is being carried on, by or under the control of the corporation. They shall refrain from making false or personal remarks against other members.

## **ARTICLE IV - The Board**

### **Section 4.1 Members of the Board**

- a) The Board shall consist of four Executives: the President, the Vice-President, the Treasurer and the Secretary, and five elected Directors. The Past President is a non-voting member who sits on the Board as an advisor.

- b) The Board Members shall accept the responsibilities prescribed in these bylaws and be guided by the parliamentary authority adopted by the Corporation, i.e. *Robert's Rules of Order Newly Revised 1990*.
- c) The directors shall perform the duties that are prescribed in the Standard Operating Guidelines.
- d) Directors and Officers Liability Insurance shall be provided for the Executives, Directors and Officers of the Board.

## **Section 4.2 Powers and Responsibilities of the Officers and Directors of the Board**

- a) The Board has final jurisdiction within the **objects** and **bylaws** of the corporation. Its decisions on questions of policy and the course of action to be taken in respect thereof shall be authoritative and binding upon all subordinate committees.
- b) All agreements or contracts for services to be provided by are made with JBCS, and approved by the JBCS Board of Directors.

## **Section 4.3 Actions Contrary to Obligations**

If any member of the Board is guilty of any of the following, a decision by the Board shall determine whether he or she should continue in his or her office:

- a) Breach of obligation to the membership or to his or her office;
- b) Engaging in activities or utterances which are intended to bring discredit to the Corporation;
- c) Profane or disorderly conduct in a meeting or in any place where an event is being carried on, by or under the control of the Corporation;
- d) Maliciously making a false or personal complaint against another member;
- e) Conduct which in any way brings or tends to bring the Corporation into discredit.

## **Section 4.4 Removal of a Board Member**

Any person who has been removed from the Board by a majority vote of Board members on a motion to remove that Board member, cannot occupy a position on the Board or on any of its committees.

## **Section 4.5 Duties and Responsibilities of the Officers and Directors**

The Officers and Directors shall adhere to the Standard Operating Guidelines (SOGs) which contain all the obligatory duties and responsibilities.

## **ARTICLE V - Meetings**

### **Section 5.1 Regular Monthly Meeting**

- a) The monthly meetings of the Executive Board shall commence the month following the Annual General Meeting, and the date and time will be determined by the newly elected Board at their first meeting.
- b) A majority of the members of the Board shall constitute a quorum.
- c) The Board Meeting's agenda shall be as follows:
  - i) The President shall call the meeting to order.
  - ii) The Secretary shall take the roll call.
  - iii) The President shall ask the Secretary to read the minutes.
  - iv) The President shall ask if there are errors or omissions.
  - v) The President shall ask for a motion to accept the minutes as read or corrected.
  - vi) The President shall ask the Secretary to read the correspondence.
  - vii) The President will ask for the reports starting with the Treasurer's report.
  - viii) New Business.
  - ix) Adjournment.

### **Section 5.2 The Annual General Meeting**

The membership meeting, held in a month determined at the previous membership meeting, shall be known as the Annual General Meeting (AGM) and shall be for the purpose of electing officers, presenting Board members' reports to the members, and any other business that may arise.

- a) The Board of Directors shall determine the exact date of the Annual Meeting. The date shall be made public not less than 30 days prior to the meeting.

- b) A quorum shall be the highest number of members in attendance after all the members have had reasonable notice of the meeting.
- c) Agenda of the Annual Meeting
  - The President shall:
    - i) Ascertain there is quorum;
    - ii) Call the meeting to order;
    - iii) Introduce the Board of Directors;
    - iv) Summarize the past year's activities and accomplishments;
    - v) Ask the Secretary to read the minutes of the last Annual Meeting;
    - vi) Ask for errors or omissions;
    - vii) Ask for a motion to adopt the minutes as read or corrected;
    - viii) Ask for the annual reports prepared by the Directors and Committee Chairpersons and allow a question period after each presentation;
    - ix) Introduce new business;
    - x) Announce the elections;
    - xi) Those members of the JBCS Board whose terms have expired step down and the elections proceed as per Article VII.
    - xii) The Elections Officer presides over the Oath of Office;
    - xiii) The Elections Officer declares the meeting adjourned.

### **Section 5.3 Special Meetings**

- a) Notices of all Special Meetings shall be posted in conspicuous locations and the notice shall state the business to be discussed and acted upon. No other business except that stated in the notice shall be discussed or acted upon at said meeting.
- b) Notice of Special Meetings shall be posted for a period of not less than 10 days prior to the meeting date.

### **Section 5.4 Requirements to Speak at the Annual or Special Meetings**

- a) Upon rising, the member shall give his/her name and address.
- b) The member shall address the Chair and confine his/her comments to the question before the house and avoid personalities.
- c) No member shall speak more than once on a subject until all members desiring the floor have been heard, and not more than twice unless asked by the Chair.



## **Section 5.5 Procedures for Annual General Meeting (AGM) and Special Meetings**

- a) Any matters not covered by the Bylaws shall be decided by *Robert's Rules of Order Newly Revised 1990*, which is the parliamentary guide for this Corporation.
- b) When a motion is in debate, no further motion shall be received. All questions of order arising after a motion is made are in order, except: when a person is speaking, when a vote is being taken, or when a motion to adjourn has been defeated.
- c) A minimum of 2/3 of votes cast shall decide motions pertaining to the bylaws or to dissolution of the Corporation. A majority of votes cast shall decide all other motions.

## **ARTICLE VI - Committees and Umbrella Groups**

### **Section 6.1 Committees**

A Committee is a body of one or more persons appointed by JBCS, to do various jobs in support of JBCS and the community.

All committees shall:

- a) Observe the bylaws of the Corporation;
- b) Make reports to the Board through their Board representative;
- c) Standing Committees shall present a preliminary annual report to the Board at the regular Board meeting 2 months prior to the AGM and the final report to the membership at the Annual Meeting. This report will be signed by all the members of the committee;
- d) The President shall be an ex-officio member on all committees and shall have the deciding vote when there is an equal division on any question;
- e) The Chair who is a non-voting member of each committee shall keep records of all proceedings, decisions and correspondence and shall keep the Board informed on a monthly basis;

- f) Any activity carried out by Umbrella Groups which involves children or that involves challenged or disabled persons shall be supervised by a person who has submitted to a CPIC investigation.

## **Section 6.2 Standing Committees**

A Standing Committee has a continuing existence. Its members are appointed by the Board.

The Finance Committee is a Standing Committee made up of the Treasurer, the Vice-President and three members at large. One of its members at large shall report to the membership at the monthly Board meetings, and at the Annual Meeting.

- a) The purpose of the Finance Committee is to oversee the Corporation's finances. It shall act as the financial watch dog and make appropriate recommendations to the Board based on a majority vote of its members.
- b) The Finance Committee shall base its recommendations on a study of the Corporation's budgets, the monthly and annual financial statements and feedback from the membership.
- c) The Finance Committee shall generate a Capital Forecast and share it with the members at the AGM.
- d) The Finance Committee will meet monthly and review, at the bare minimum, the minutes from its previous meeting, the Board's response as reported by the Chair, the monthly expenditures, bank statements, purchase orders, receivables and payables.
- e) The Finance Committee has the authority to question other executives in charge of budgets for the purpose of clearing discrepancies in expenditures.
- f) The Finance Committee will conduct an annual inventory of food supplies and beverages.

## **Section 6.3 Special Committees**

Special Committees are appointed by the Board to perform a specific task. They report to the Board through the Director responsible. Special Committees cease to exist when their task is completed to the satisfaction of the Board.

## **Section 6.4 Umbrella Groups**

Umbrella Groups are those groups which operate under the auspices of JBCS and use the Community Centre for meetings and/or functions and/or events.

## **ARTICLE VII - Election Procedures**

### **Section 7.1 Officers and Directors**

At least three months prior to the AGM, the Board will appoint a member in good standing as Elections Officer, who will be responsible for overseeing nominations and advance polls, and conducting the elections.

- a) Nominations are to be made in advance and the Notice of Nomination must be filed with the Elections Officer by midnight 14 full days prior to the day of the Annual Meeting. The nomination form must be signed by the candidate to indicate his/her willingness to stand and accept the duties of the office if elected, as well as by one additional member in good standing. Nomination forms can be obtained from the Elections Officer.
- b) Nominations will only be taken from the floor at the election meeting if a position is left without a nominee to fill it. At any time, any previously defeated candidate can choose to stand again for any other open positions.
- c) In the event other candidates do not run for a specific Board position, and the person presently holding that office wishes to remain, he/she will be acclaimed.
- d) If a position is not filled at the Annual General Meeting, the newly elected Board will, within 30 days of the elections, post the vacancy and then appoint an appropriate member to the vacant position.
- e) In the event that a present Member of the Board fully intends to leave his/her position at the end of a term then such person should give notice to the Board of Directors at a regular Board meeting as soon as possible.

### **Section 7.2 Qualifications of the Nominees**

- a) A Nominee must be a member in good standing for the year in which he/she is seeking election.
- b) A Nominee may not post his/her candidacy to more than one position during any election.

### **Section 7.3 Qualifications to Cast a Ballot**

- a) Must be a member in good standing.

### **Section 7.4 Advance Poll**

- a) Ballots will be available 14 days prior to election day. Forms can be obtained from the Elections Officer within the 14 days prior to the election upon submitting a proof of residency. Members must fill in their ballot and return it to the Elections Officer. The Elections Officer will deposit the ballots in the election box on election day.
- b) Only a member in good standing qualifies for the advance poll.
- c) **Proxy Votes:** A proxy vote form will be available 14 days prior to election day from the Elections Officer. The authorized proxy holder shall hand in the proxy vote form to the Secretary on election day.

### **Section 7.5 Balloting**

- a) Elections will be conducted by secret ballot and a majority shall elect. When three or more candidates run for a position, a plurality vote will prevail.
- b) Ballots will be issued at the polling station on election day.
- c) The counting of all ballots will be under the supervision of the Elections Officer acting as Returning Officer, with 2 members in good standing selected from the membership, acting as Tellers.
- d) The Elections Officer shall preside in a supervisory capacity only and will not handle the filled-in ballots on election day.

### **Section 7.6 Qualifications for an Acceptable Vote**

- a) Any ballot marked in a clear and legible manner (small spelling errors do not invalidate the ballot as long as it is legible)
- b) A blank ballot shall be counted as spoiled.

## **Section 7.7 Tabulation**

- a) Tabulation sheets shall be filled in and signed by the two (2) Tellers and the Returning Officer after the results have been recorded.
- b) The Returning Officer shall then read the following from the tabulation sheet:
  - i) Position voted on
  - ii) Total number of votes cast
  - iii) Number of ballots spoiled
  - iv) Number of votes received by the elected candidate
  - v) Name of the person elected.
- c) After all the results have been read, the ballots will be sealed in an envelope and placed within the JBCS safe for a period of 90 days, after which they shall be destroyed by a designated Board member.

## **ARTICLE VIII - Funds and Property**

### **Section 8.1 Purpose of Funds and Property**

The funds and property of JBCS shall be managed, expended or otherwise used in accordance with the objects and policies set forth in the bylaws for such purposes as determined to further the interests of the membership.

### **Section 8.2 Finances**

The President and the Treasurer of the Corporation shall be the principal signing officers for the JBCS accounts. In the event that one of the above-mentioned is unavailable, a Board member designated by the Board and duly authorized at the Caisse shall sign in that person's place. Signing authority cannot fall to two members of the same household. The Board of Directors shall make alternative provisions to avoid a conflict of interest.

### **Section 8.3 Property**

As of April 1, 2016, JBCSI ceded ownership of the Fire Hall and Community Centre building to Nipissing First Nation, and leases the Community Centre at a cost of \$2.00 annually. Property is consequently restricted to the contents.

As per the General Membership Meeting held on April 2, 2006, the name JPLA Inc. has been replaced with the name Jocko Beaucage Community Services Incorporated (JBCS). Steps have been undertaken to have the new name acknowledged by the Nipissing First Nation.

## **ARTICLE IX - Parliamentary Authority**

### **Section 9.1 Authoritative Guide**

The rules contained in *Robert's Rules of Order Newly Revised 1990* shall govern the conduct of the meetings of JBCS in all cases to which they are applicable, and in which they are not inconsistent with the bylaws.

## **ARTICLE X - Amendments**

### **Section 10.1 Procedure to Amend Bylaws**

- a) Any motion to amend the bylaws shall be presented to the JBCS Board by a Board member or other member in good standing after requesting that the item be added to the agenda of a regular Board meeting.
- b) The motion shall be distributed to Board members at least ten days prior to its consideration at a Board meeting.
- c) The motion to amend a bylaw shall be presented to the Board in writing and in almost complete form at least five months prior to a general membership meeting or a special membership meeting convened to consider the proposed amendment.
- d) The motion must specify the Article and Section to be amended and include at a minimum the existing text, the replacement text, and reasons for the proposed amendment.
- e) The Board shall debate the amendment and its consequences. If necessary, the Board will make a resolution to amend the motion. The Board may choose to refer the matter to a committee or to the membership.
- f) The Board shall vote on the finalized motion to amend a bylaw at least three months prior to the annual general membership meeting or special

membership meeting. The motion will pass on a two-thirds vote of the members present and voting.

- g) The Board will post the amendment at least three months prior to the annual general membership meeting or special meeting, and add the motion to the meeting agenda.
- h) The motion to amend will be presented at the annual general membership meeting or special membership meeting. The motion will pass on a two-thirds vote of the members present and voting.
- i) No amendment to the bylaws shall be made by the Board alone; the amendment must be presented to and approved by the membership.
- j) The bylaw document must be updated **immediately** to reflect amendments adopted at a general membership meeting, then **immediately** distributed to all Board members, posted on the website, and posted on the bulletin board in the entry to the Community Centre.

## **Section 10.2 Procedure to Amend Standard Operating Guidelines (SOGs)**

- a) A motion to amend one or more guidelines shall be made at a regular Board meeting, after a request that the matter be added to the meeting agenda.
- b) The motion shall be distributed to Board members at least ten days prior to its consideration at a Board meeting.
- c) The motion to amend the SOGs shall be presented to the Board in writing and in almost complete form, and shall specify the Article and Section to be amended and include at a minimum the existing text, the replacement text, and reasons for the proposed amendment.
- d) The motion shall be passed on a majority vote of Board members present and voting.
- e) The SOG document shall be revised **immediately** after amendments have been accepted, and the revised document shall **immediately** be distributed to Board members, posted on the website, and posted on the bulletin board in the entry of the Community Centre.

## **Section 10.3 Procedure to Revise the Bylaws**

- a) A complete revision of the bylaws shall be assigned to a committee whose members are appointed by the Board.
- b) The committee shall submit at least two drafts of the revision to the Board for comments and shall integrate any comments received from Board members according to its judgment.

- c) A motion to accept the final version of the revised bylaws shall be placed on the agenda of a regular Board meeting or a special Board meeting called to deal with the bylaw revision. The final version of the revised bylaws shall be distributed to Board members at least ten days prior to the meeting.
- d) A two-thirds vote of Board members present and voting at the Board meeting is required to accept the final version of the revised bylaws. This vote shall take place at least three months prior to the annual membership meeting or special membership meeting.
- e) The revised edition of the bylaws shall be posted at least three months prior to the annual membership meeting or special membership meeting, and a motion to adopt the revised bylaws shall be placed on the agenda of that meeting.
- f) At the annual membership meeting or special membership meeting, a two-thirds vote of the members present and voting is required to carry the motion to adopt the revised edition of the bylaws.
- g) The bylaw document must be replaced **immediately** with the revised bylaw document adopted at a general membership meeting, then **immediately** distributed to all Board members, posted on the website, and posted on the bulletin board in the entry to the Community Centre.

#### **Section 10.4 Procedure to Revise Standard Operating Guidelines (SOGs)**

- a) A complete revision of the Standard Operating Guidelines shall be carried out by a committee whose members are appointed by the Board.
- b) Draft versions of the revisions shall be distributed to Board members for comments at least twice, and comments received shall be integrated into the revision as judged appropriate by the committee before final results are presented to the Board.
- c) A motion to accept the revised SOGs will be put on the agenda of a regular Board meeting. The revision committee shall distribute its final document to Board members at least ten days prior to the Board meeting. The revised SOGs shall be accepted on a majority vote of Board members present and voting.
- d) The revised SOG document shall **immediately** be distributed to Board members, posted on the website, and posted on the bulletin board in the entry to the Community Centre.



## **ARTICLE XI - Dissolution Clause**

### **Section 11.1 Authorization and Distribution of Assets**

Jocko Beaucage Community Services Incorporated may be dissolved only with authorization by its Board of Directors given at a special meeting called for that purpose and with subsequent approval by a two-thirds (2/3) vote of the Members. Upon dissolution or other termination of JBCS Inc., all remaining assets of JBCS, after payment in full of all its debts, obligations, and necessary final expenses, or after the making of adequate provision therefor, shall be distributed to such tax-exempt organizations (with purposes similar to those of JBCS) as shall be chosen by the then existing Board of Directors of JBCS.

## **ARTICLE XII - Community Bylaws**

### **Section 12.1 CPIC Regulation 01.2002**

That any person elected to an office of JBCS shall submit a copy of their CPIC report to the Secretary within three months of taking office.

### **Section 12.2 CPIC Regulation 02.2002**

That any person who handles cash or who associates with children or other vulnerable person in the context of any JBCS activity, be required to submit a CPIC report to the Chair of the activity.

### **Section 12.3 Smoking Bylaw 03.2004**

That smoking will not be permitted in any building owned and/or operated by Jocko Beaucage Community Services Incorporated.

## GLOSSARY

Advance Poll	Ballots will be available to members who are unable to attend the AGM (Annual General Meeting). The blank ballots will be available from the Elections Officer 14 days prior to the elections upon submitting proof of residency. The filled ballots must be returned to the Elections Officer in time for the elections.
Agenda	The list of items that the Chairperson will deal with during a meeting. The Chairperson presents these items in the order they are listed.
Annual General Meeting	Membership meeting, held in a month determined at the previous membership meeting, for the purposes of electing officers, presenting Board Members’ annual reports, and dealing with other business as required.
Board	The Officers and Directors, duly elected by the Members, who then form the Executive body of Jocko Beaucage Community Services Incorporated.
Closing of Nomination	Midnight fourteen (14) full days prior to the day of the Annual Meeting.
CPIC	Canadian Police Information Services
General Consent	In meetings, assumption of agreement on a routine or minor matter by all in attendance unless and until someone expresses disagreement.
Majority Vote	More than half [of votes cast]
Motion	A proposal for action presented by saying “I move that ...” Long or complex motions are presented as resolutions. They should be prepared in advance of the meeting and presented in writing. They are then presented in the following way: “I move the adoption of the following resolution ...”
Oath of Office	The form signed by the newly elected Board members containing the following: <i>We hereby pledge to the members of Jocko Beaucage</i>

	<i>Community Services Incorporated, to represent them with integrity, to honour the aims of the Corporation and to fulfill the duties of our offices to the best of our abilities. Signatures:</i>
Parliamentary Guide	A formal guide used by the Corporation to deal with procedures that are not covered by the bylaws. JBCS uses <i>Robert's Rules of Order Newly Revised 1990</i> .
Point of Order or Questions of Order	When a member thinks that the rules of the assembly are being violated he/she can make a <i>Point of Order</i> or raise a <i>Question of Order</i> , thereby calling upon the chair for a ruling and an enforcement of the regular rules. The Point of Order or Question of Order takes precedence in the following order over any pending question out of which it may arise: to adjourn; to lay on the table; to postpone; to amend; to refer to committee.
Plurality Vote	The largest number of votes to be given a candidate when 3 or more choices are possible. The candidate receiving the largest number of votes has the plurality.
Proxy	Written authorization for one household member to present the vote of another member of the same household, that is, to convey to the membership the absent member's response to a motion or selection of nominees in an election.
Quorum <sup>1</sup>	A quorum for the purpose of Membership Meetings is the highest number of members in attendance after all the members have had reasonable notice of the meeting.
Quorum <sup>2</sup>	A quorum for the purpose of Board meetings is a majority of the members of the Board.
Recognize	To give the floor to a member in good standing (a member who has shown the proper identification, given his or her name and address and received a pass).
Second a Motion	To add one's name to a motion. This allows the motion to be debated and voted upon by the members.