

## SOUTH OKANAGAN SIMILKAMEEN MÉTIS ASSOCIATION BYLAWS Last Revised February 2024

### 1.0 GUIDING PRINCIPLES

#### 1.1 Whereas

The Métis residing in the South Okanagan and Similkameen regions of British Columbia share commonality with all Métis Citizens of British Columbia and Canada as represented by the Métis Nation British Columbia (*MNBC*).

The South Okanagan Similkameen Métis Association (SOSMA) was formed for the benefit of Métis Citizens residing in the South Okanagan and Similkameen area.

Bylaws pursuant to SOSMA have been established in accordance with the spirit and intent of the Constitution.

In the conduct of its affair as set out in these Bylaws, the Board of Directors of SOSMA shall ensure financial and decision-making accountability to its Métis citizens, financial partners, and contractors.

SOSMA is a chartered community of Métis Nation British Columbia and its Secretariat, the Métis Provincial Council of British Columbia (MPCBC) which alliance shall be identified and defined by a Community Governance Charter (*"the Charter"*).

These Bylaws do neither abrogate nor derogate the rights of Métis Citizens or the rights Métis Citizen have under the Canadian Charter of Rights and Freedoms.

Every SOSMA Citizen shall have the right to express opinions and points of view without fear of persecution or punishment or consequence except when such opinion or point of view would be deemed detrimental to the Métis Nation and/ or SOSMA.

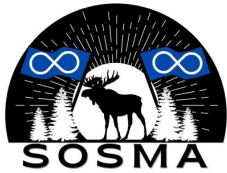
SOSMA acknowledges that our work takes place on the traditional territory of the Sylix people, who have been stewards of this land since time immemorial.

### 2.0 DEFINITIONS

**"AGM"** means an Annual General Meeting that is held where elections can take place, Directors can be removed or replaced, bylaws can be changed, Citizens can inquire on SOSMA related matters, and a presentation is given on the overall progress of SOSMA throughout a given year.

**"Board"** means the Board of Directors of SOSMA.

**"BOD Meeting"** means meeting in which Directors of SOSMA come together to discuss matters pertaining to SOSMA.



“**Citizen**” means anyone with both MNBC Citizenship or Board-approved citizenship and living within the South Okanagan and Similkameen region.

“**Contractor**” means anyone who has signed a formal contractor agreement with SOSMA.

“**Director**” means anyone who is an elected official or interim official and can attend BOD Meetings.

“**Employee**” means anyone who has signed a formal employment contract with SOSMA.

“**Friend of SOSMA**” means an individual with connections with the Métis community in South Okanagan and Similkameen region but does not have a historical or genealogical connection to the community.

“**Designated Geographical Area**” means the boundaries which shall be determined by MNBC in consultation with the Métis Nation Governing Assembly (*MNGA*) and which will generally include the territory known as the South Okanagan and Similkameen.

“**Métis Nation British Columbia**” (*MNBC*) means the provincial governing body of the Métis Citizens of British Columbia via the Constitution. The administrative arm of MNBC is the Métis Provincial Council of British Columbia (*MPCBC*).

“**Métis Provincial Council of British Columbia**” (*MPCBC*) means the organization which is registered as a society with the Registrar of Companies in British Columbia, and which fulfils the administrative functions of MNBC. It is referred to as the MNBC Secretariat.

“**SGM**” means a special general meeting that takes place any time during the year where elections can take place, matters of importance or urgency can be addressed, Directors can be removed or replaced, bylaws can be changed, and questions on the general matters of SOSMA can be inquired upon by Citizens.

“**South Okanagan Similkameen Region**” generally includes Cawston, Keremeos, Naramata, Oliver, Osoyoos, Peachland, Penticton, and Summerland.

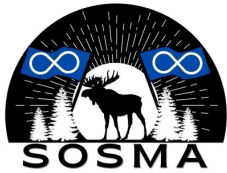
### 3.0 CITIZENSHIP

- 3.1 SOSMA has no authority to strip someone of citizenship but can bar the attendance of a Citizen or Friend of SOSMA for events and gatherings indefinitely on the basis of uttering threats, displaying aggressive behaviours, or general safety considerations. Those wanting to appeal a ban can appeal to the MNBC Senate for binding arbitration.
- 3.2 SOSMA relies on MNBC to issue citizenship, however if a Citizen provides verifiable genealogy to the Board, in compliance to the MNBC definition of what constitutes a Métis Citizen, the Board can grant the same rights and privileges as a full Citizen.



#### 4.0 BOARD OF DIRECTORS

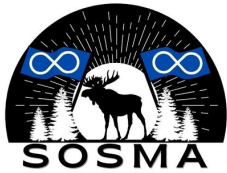
- 4.1 The Board shall be comprised of a minimum of four (4) Citizens and a maximum of 12 Citizens as elected by Citizens at an AGM.
- 4.2 The Executive of the Board shall consist of a President, a Vice- President, a Secretary, and a Treasurer.
- 4.3 Other Board positions may include a Youth representative; a Women's representative, a Captain of the Hunt, a 2SLGBTQQIIA+ representative, or any other position the Board sees fit to create.
- 4.4 Quorum shall be a majority of currently elected Directors.
- 4.5 The President is the chairperson of SOSMA's meetings. In the President's absence, a Director will be appointed from the Directors present, to chair the meeting.
- 4.6 The Board may exercise, in the exercise of the performance of their duties and on behalf of and in the name of the Association or secure the payment or repayment of money in the manner they decide.
- 4.7 The Board may institute such fees or charges for services and events provided by SOSMA.
- 4.8 The Board shall provide to its Citizens present at an AGM an annual written financial report and a President's report for the previous reporting year.
- 4.9 A Citizen can inquire any time for a copy of the annual or monthly financial reports spanning from the most recent to within the last three years.
- 4.10 The Board shall designate two (2) SOSMA Directors, including the President, who shall have signing authority for the purposes of conducting the business affairs of SOSMA.
  - 4.10.1 After the Board has approved a budget for an item of SOSMA business, the signatories may allocate funds from that budget as necessary for the purposes of that business item up to the amount allocated in the budget.
- 4.11 The Board shall hold BOD Meetings at least four (4) times a year at the call of the President. The President shall provide at least one (1) weeks' notice of all BOD Meetings.
- 4.12 The majority of Directors may call a meeting with one (1) weeks' notice to all Directors.
- 4.13 Motions, rules and regulations of the Board shall require a majority vote.
- 4.14 The Board can vote to pass motions by a majority over email outside of formal BOD Meetings.



- 4.15 An individual is disqualified from becoming a Director if they hold a paid position with the MNBC.
- 4.16 A person is not disqualified from being a Director if they receive an honorarium, salary or per diem for performing the duties of the Board.
- 4.17 A Director may be removed from office if they are disqualified from being a Director or if they are convicted of a felony offence.
- 4.18 The Board may vote to suspend or remove a director from their position by a 2/3 vote of the Board.
- 4.19 A decision to remove or suspend a person from the Board may be appealed to the MNBC Senate with their decision being binding upon the Board.
- 4.20 If a Director is removed or suspended from the Board, they may still be a candidate in the next election at an AGM or SGM.
- 4.21 A Director shall be given two (2) weeks written notice of any proposed resolution to remove or suspend them. The Director shall be given an opportunity to speak to the Board prior to exiting the room for the Board to hold the vote. Any one Director may provide notice of a motion to remove or suspend another Director without a vote from the Board.
- 4.22 The Board, by majority vote, shall appoint a Métis Citizen to fill a vacancy on the Board. That person shall hold the office for which there was a vacancy until a SGM is called for that purpose or until an AGM is held at which time nominations for the vacant position shall be accepted and the position filled by an election in accordance with the provisions of these bylaws.

## **5.0 ELECTIONS**

- 5.1 While non-Citizens are permitted to be in attendance at an AGM or SGM, Citizens who are voting must have their citizenship verified prior to being given a voting card or issued voting credentials in the case of electronic voting.
- 5.2 Elections will be held via secret ballot, either electronic or paper. If only one candidate is nominated to a position, they will be acclaimed to that position.
- 5.3 Acclaimed candidates must be confirmed by a majority vote at an AGM or SGM.
- 5.4 Virtual attendees will provide their vote at an AGM or SGM via an electronic method, including but not limited to texting, emailing, or direct messaging in an electronic chat to the chair.



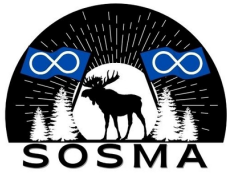
- 5.5 The term of office of Directors shall be two (2) years.
- 5.6 The number of terms that a Citizen may hold office as a Director is unlimited.
- 5.7 Citizens shall be permitted to vote in an election for Directors if that Citizen is 18 years of age on the date of the election; has been a resident of BC for at least 6 months; and has been a resident of the South Okanagan and Similkameen for at least thirty (30) days prior to the date of the election.
- 5.8 To be deemed a resident of the South Okanagan and Similkameen region, a Citizen must either:
- a) have a mailing address recorded in the MNBC Registry within the Designated Geographical Area, or
  - b) have confirmation from the Board recognizing they are ordinarily resident within the Designated Geographical Area.
- 5.9 Subject to the provisions of these bylaws, any Métis Citizen who is eighteen (18) years of age or older may, if qualified, be nominated and if elected, hold office as a Director.
- 5.10 A nomination must come from a Citizen eligible to vote in an election and the nomination must be confirmed by the nominee prior to a vote. Nominations or confirmation of nomination may be submitted in writing by eligible Citizens if they are not able to attend the AGM or SGM.
- 5.11 Newly elected Directors must provide the following documents within one (1) month of the election: a) current criminal record check provided by the local RCMP; b) Proof of residency as stated in Bylaw 5.8; c) their MNBC Citizenship card.

## **6.0 FRIENDS OF SOSMA**

- 6.1 Friends of SOSMA may not vote in any local, regional, or provincial SOSMA affairs.
- 6.2 Friends of SOSMA may not be elected to fill any SOSMA related positions.
- 6.3 Friends of SOSMA may not be deemed to be ~~members of~~ Citizens of Métis Nation British Columbia or Citizens of SOSMA.

## **7.0 MEETINGS**

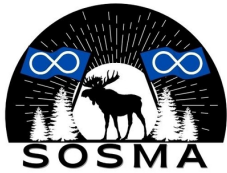
- 7.1 Annual General Meetings (AGM) shall be held annually on thirty (30) days' notice to SOSMA citizens.
- 7.2 All Directors must sign the code of conduct and confidentiality agreement prior to their first BOD Meeting.



- 7.3 The precise dates and location of an AGM shall be held at a time and location chosen by the Board.
- 7.4 Where the number of attendees exceeds the venue capacity for an AGM or SGM, the Board must offer virtual attendance.
- 7.5 The AGM Agenda shall include:
- a) a President's Report;
  - b) a Treasurer's report for the previous year, including a third party annual financial statement; and,
  - c) Other matters of importance.
- 7.6 A Special General Meeting (SGM) shall be held when circumstances require with 14 days' notice to the SOSMA community.
- 7.7 BOD Meetings can be held virtually or as a hybrid meeting, technology permitting.
- 7.8 Citizens may attend BOD Meetings to observe but shall not be permitted to participate in the proceedings.
- 7.9 BOD Meetings can include: Board-approved special guests, elders for guidance and moral support, presenters, employees, or contractors so long as a code of conduct and confidentiality agreement are signed prior to their attendance.
- 7.10 The quorum for an AGM shall be ten (10) SOSMA Citizens, and a SGM shall be three (3) SOSMA Citizens. If a quorum is not present at the meeting within 15 minutes of the time set for that meeting, the Citizens present for that meeting constitute a quorum.

## **8.0 CONTRACTORS AND EMPLOYEES**

- 8.1 The Board has the capacity to hire and terminate Contractors or Employees.
- 8.2 Contractors and Employees are not permitted to represent any Directors or SOSMA Citizens with regard to political affairs.
- 8.3 All Contractors and Employees will report directly to the President or Employee designated by the President.
- 8.4 Contractors who have not submitted invoices upon request are not permitted to attend BOD Meetings.
- 8.5 All Contractors and Employees can submit disputes to the MNBC Senate for binding arbitration.



## **9.0 RELATIONSHIP TO MÉTIS NATION BC (MNBC)**

- 9.1 SOSMA recognizes MNBC as the governing provincial body of the Métis Citizens of BC.
- 9.2 SOSMA shall maintain its relationship with MNBC through a Community Governance Charter Agreement with MNBC. Such Agreement sets out the requirements for accountability, mutual recognition, and dispute resolution.
- 9.3 Any provisions of SOSMA bylaws that are inconsistent with the MNBC Constitution shall be null and void. SOSMA recognizes the governance of SOSMA is intended to be consistent with the provisions of the MNBC Constitution.

## **10.0 LEAVE OF ABSENCES**

- 10.1 Any Citizen seeking Federal or Provincial elected office shall be required to take an unpaid leave of absence from any elected position they may hold within SOSMA at the close of nominations. Any person elected to a Federal or Provincial government office shall resign from any elected position they may hold within SOSMA.

## **11.0 DISSOLUTION**

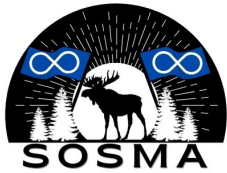
- 11.1 Upon the dissolution of SOSMA, any and all assets remaining after the just debts of SOSMA have been paid, shall be transferred to a Society having a charitable purpose similar to that of SOSMA. Any transfer of assets to such Society shall be sufficient to discharge any and all obligations and responsibilities of SOMA in relation to those assets.

## **12.0 NOTICE TO CITIZENS AND DIRECTORS**

- 12.1 Notice is given to a Citizen by SOSMA if SOSMA provides the notice to the Citizen:
  - a) by personal delivery to the Citizen;
  - b) by ordinary mail to the Citizen's registered address; or
  - c) if the Citizen has provided an email address for that purpose, by email to that email address.

### **Deemed Receipt**

- 12.2 Notice to a Citizen is deemed to have been received:
  - a) if delivered in person, on the day that the notice was delivered;
  - b) if sent by ordinary mail, on the second day (excluding Saturdays, Sundays and holidays) after the notice was placed in the mail; and
  - c) if sent by email, on the next day (excluding Saturdays, Sundays and holidays) after the email transmission of the notice was sent.



### **13.0 BYLAW AMENDMENTS**

- 13.1 The bylaws of SOSMA shall only be amended by a 2/3 vote of the SOSMA citizens in attendance at a SOSMA AGM or SGM where 21 days' notice of the proposed amendments has been given.
- 13.2 All amendments by the bylaws shall be appended to the bylaws. Those amendments to the text of the bylaws adopted by SOSMA citizens at an AGM or SGM shall take effect immediately.
- 13.3 A copy of the bylaws shall be available to all Citizens upon request and a copy of proposed changes will be made available 20 days prior to an AGM or SGM.