

BRITISH COLUMBIA MILK MARKETING BOARD ELECTION AND APPOINTMENT RULES AND PROCEDURES

Board Composition

The British Columbia Milk Marketing Board (BCMMB) consists of:

- A chair appointed by the Lieutenant Governor in Council;
- Four members who are licensed producers, elected by the licensed producers; and,
- One member who is not a licensed producer, appointed by the Milk Industry Advisory Committee (MIAC).

Definitions

“Deadline” means the last date by which an activity described in the “Election Timeline” must be completed.

“IEO” means the Independent Elections Officer appointed by the BCMMB.

“Licensed producer” means a person licensed by the BCMMB.

“Election Timeline” means a document approved by the BCMMB, setting out the schedule to be followed for the election process in a given year.

Terms of Office

Except for temporary appointments to fill vacancies, the term of office for each member is three years. Incumbents are eligible to serve consecutive terms.

A person elected or appointed to the BCMMB continues to hold office until:

- A successor is elected or appointed;
- The person is convicted of any offense under the *Natural Products Marketing (BC) Act* or the British Columbia Milk Marketing Board Regulation;
- The person resigns in writing; or,
- The member is absent from the province for three consecutive months, or fails to attend to his or her duties for three consecutive months, and the position is declared vacant by the remaining board members.

If a vacancy occurs by reason of death or any of the above circumstances, an individual may be appointed to fill the vacancy in accordance with the following procedures:

Elected Member Vacancy

So long as there are three or more remaining members of the BCMMB, a quorum of the remaining members may appoint a licensed producer as a member to fill the vacancy until the remaining term is completed, subject to approval by the British Columbia Farm Industry Review Board (BCFIRB). In the event that there are insufficient remaining members, BCFIRB will fill vacancies in the membership.

MIAC Appointed Member Vacancy

Temporary appointments to replace a MIAC appointed member for the remaining term shall be made in accordance with the “Milk Industry Advisory Committee Appointment” section below.

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Election and Appointment Schedule

Terms are staggered, so that two licensed producers are elected in one year, two licensed producers are elected in the following year, and the MIAC appointment is made in the subsequent year. An election process will be held between August 1 and December 31 in the years that two licensed producers are to be elected to the BCMMB.

Terms of office shall expire or commence as required at the close of the Annual General Meeting (AGM).

The BCMMB Election and Appointment Schedule from 2018 to 2023 is summarized in the following table:

Board Members	Year	Term Start	Term End
Two Elected Producers	2018	End of the 2018 AGM	End of the 2021 AGM
MIAC Appointee	2019	End of the 2019 AGM	End of the 2022 AGM
Two Elected Producers	2020	End of the 2020 AGM	End of the 2023 AGM

Milk Industry Advisory Committee Appointment

The selection process for a member appointed by MIAC is as follows:

- The individual appointed must be someone who is not a licensed producer;
- A general description of the position will be advertised in commodity and other periodicals;
- A selection committee consisting of the MIAC chair, a producer representative from MIAC recommended by the British Columbia Dairy Association, a processor representative from MIAC, and a consultant will review all applications;
- A shortlist of applicants selected for interviews will be provided to all MIAC members prior to the interviews;
- The selection committee will use a pre-determined set of questions for the interviews and provide MIAC with its recommendations after all interviews have been completed;
- Upon approval by MIAC, the successful candidate will be notified; and,
- Once the successful candidate has accepted the position, MIAC will appoint the successful candidate as a member of the BCMMB and notify the BCMMB and BCFIRB.

Notice of Election and Election Timeline

The BCMMB will approve an Election Timeline for each election and will set specific deadline dates for each election activity, so as to provide adequate time for each activity, including nominations, circulation of information on candidates, and voting.

Advance notice of an election will be printed in the August BCMMB newsletter. The Election Timeline will be published before the end of August.

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Independent Elections Officer (IEO)

Prior to the AGM, the BCMMB will appoint an elections officer who is independent of the dairy industry and the BCMMB (Independent Elections Officer or IEO) to conduct the election and certify the results. The IEO will receive and validate all forms and ballots.

Online Voting Option

If the BCMMB has approved an online voting system that meets appropriate security, safety, and ease of use requirements, the IEO will advise all licensed producers of the option of receiving electronic documents, including documents to vote online. Those choosing to vote online will then be required to advise the IEO of their choice to vote online in accordance with the instructions provided by the IEO.

Eligibility to Vote

The following persons are eligible to vote in BCMMB elections and are referred to as Voting Producers:

- An individual who is a licensed producer operating as a sole proprietor;
- An individual who is at least 19 years of age and who has been appointed by a licensed producer that is a partnership or corporation to vote on its behalf in accordance with section 3(p) of the Natural Products Marketing (BC) Act Regulations and these Rules and Procedures.

A partnership or corporation may appoint one individual as a Voting Producer to vote on its behalf by filing a Voting Producer Registration Form with the IEO by the applicable deadline date. A partnership or corporation may change its appointee at any time prior to the deadline date, by filing with the IEO a new Voting Producer Registration Form appointing a different individual.

The IEO shall compile a list of Voting Producers from the Licensed Producers List and the Voting Producer Registration Forms received by the deadline set in the Election Timeline. If online voting is approved, the IEO will maintain two lists of Voting Producers – those voting using paper ballots (postal mail and in person) and those voting online.

The Voting Producers list(s) will be made available for inspection at the BCMMB office by the applicable deadline.

Election Information Package

The IEO will provide all licensed producers with an Election Information Package by the deadline date, which will include:

- A notice of the forthcoming BCMMB election;
- BCMMB Election and Appointment Rules and Procedures;
- Election Timeline;
- A Voting Producer Registration Form (not sent to single name proprietorships) to be used to appoint a Voting Producer;
- A list of current members of the BCMMB and their terms of office;
- A Nomination Form and instructions for nominating candidates, and,
- If online voting is approved, notice of option to vote online and instructions on how to elect to vote online.

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Nomination Procedure

Licensed producers may stand for election.

A partnership or corporation that is a licensed producer may designate in writing an individual who:

- In the case of a partnership, is an individual partner or an individual representative of a corporate partner; or,
- In the case of a corporation, is a director or officer of the corporation;

as its representative for nomination purposes and that individual may then be nominated for election. The written designation must accompany the nomination papers.

A valid nomination requires:

- a completed Nomination Form, including supporting signatures from at least 5 (**other**) licensed producers;
- the signature of the nominee on the Nomination Form and the nominee's confirmation of the absence of any enduring conflicts of interests that could substantially impair his or her ability to fulfill the obligations of a member;
- in the case of a licensed producer that is a partnership or corporation, written designation of the nominee as its representative for nomination purposes; and,
- verification by the IEO.

Information on Candidates

All nominees may provide to the IEO a short (maximum single-sided 8 1/2" x 11" page) biography and if desired, his or her platform or reasons for seeking election, by the deadline date.

Nominees will have the opportunity to present their platform (maximum five minutes) through the BCMMB website.

Voting Procedures

If there are less than three valid nominations, the valid nominees will be declared elected by acclamation. If there are more than two valid nominees, the IEO will proceed with the voting process.

The IEO will confirm that each Voting Producer has his or her own IRMA number, or is the appointee of a corporation or partnership that has an IRMA number. Only one ballot can be cast per IRMA number.

Voting Producers may vote by paper ballot using the postal service, in person at the AGM, or online if that process has been approved by the BCMMB.

The IEO will provide all Voting Producers with the list of nominees and, if submitted, the Candidate Information for each nominee by the deadline in the Election Timeline.

Voting by Paper Ballot

Each Voting Producer voting by paper ballot will also receive:

- A paper election ballot;
- One small envelope labeled "Ballot Envelope"; and
- One envelope addressed to the IEO.

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and to vote, must:

- Mark clearly on the ballot his or her choice of up to two candidates;
- Place the ballot into the small Ballot Envelope and seal the envelope;
- Avoid making any identifying marks on the small Ballot Envelope;
- Insert the small Ballot Envelope (containing the marked ballot) into the envelope addressed to the IEO and seal the envelope;
- Ensure the correct IRMA Number is printed on the outside of the envelope addressed to the IEO; and,
- Mail the envelope and contents to the IEO or deposit the envelope in the ballot box at the AGM. Ballots cannot be hand delivered to the IEO.

To vote in person at the AGM, a Voting Producer must bring and use his or her ballot, ballot envelope, and mailing envelope. No ballots and envelopes will be available at the AGM.

Voting Online

If the BCMMB approves online voting, the IEO will notify all licensed producers.

Each Voting Producer voting online must advise the IEO of their choice to vote online and provide their email address by the applicable deadline.

Each Voting Producer voting online will receive an individual email from the IEO that includes:

- A web link to the online voting site;
- A one-time use individual access code;

and to vote, must:

- Complete and submit the online ballot in accordance with the instructions provided.

Deadline for Receipt of Ballots

Paper ballots must be received by the IEO by mail by the deadline specified in the Election Timeline or placed in the ballot box prior to close of voting at the AGM.

The online voting site will be closed at 4:30pm on the deadline date specified in the Election Timeline.

Ballots received after the deadline will not be counted.

Spoiled Paper Ballots

Paper ballots will be considered spoiled in any of the following circumstances:

- Ballots received after the applicable deadline;
- Ballots received without an eligible IRMA Number on the outside envelope;
- Ballots for an eligible IRMA Number if more than one ballot is identified by that IRMA Number;
- Ballots not inside the small Ballot Envelope;
- Ballots with an identifying mark on the small Ballot Envelope;
- Ballots with an identifying mark on the ballot itself; or
- Ballots with more than two nominees checked.

Ballot Count

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The British Columbia Dairy Association will appoint two representatives to act as Scrutineers for the ballot count. Each nominee will also have the option to appoint an additional Scrutineer. All Scrutineers must be present while the valid paper ballots are opened and counted.

All paper ballots will be received, validated, and counted by the IEO.

If applicable, the online voting results page will be opened by the IEO in the presence of the Scrutineers and the results included in the count.

Election Outcome

The candidates receiving the highest and second-highest number of votes will be elected to the BCMMB. In the event of a tie between three or more producers for the highest number of votes, or between two or more producers for the second highest number of votes, all ballots will be recounted. If a recount confirms the tie result, the BCMMB chair will cast the deciding vote.

The IEO will contact all candidates and notify them of the election outcome. A written report prepared by the IEO will be submitted to the BCMMB and the BCFIRB upon completion of the election. The first newsletter mailed to all licensed producers after the election will announce the outcome.

All ballots will be kept by the IEO until the BCMMB passes a motion for destruction.

Executive

The BCMMB shall appoint a vice-chair and secretary-treasurer at its first meeting following an Annual General Meeting.

Review Process

The Election and Appointment Rules and Procedures shall be reviewed every three years with the next review to occur prior to May 31, 2021. The BCMMB will also review the Election and Appointment Rules and Procedures upon receipt of a written request from a producer organization. Any changes to the Election and Appointment Rules and Procedures must be approved by BCFIRB prior to implementation.

Effective Date

Approved by the BC Milk Marketing Board on: May 16, 2018

Approved by BCFIRB on:

Member, BCFIRB

These Election and Appointment Rules and Procedures come into effect on **May 19, 2015**, the date of approval by BCFIRB, and replace all previous rules and procedures for the election and appointment of members.