

BYLAWS AND STANDING RULES

MID-COUNTY SENIOR CENTER, INC.

**829 BAY AVENUE
CAPITOLA, CA 95010**

These Bylaws and MCSC Standing Rules will use “Sturgis Rules of Order as our underlying governing rules for the organization.

The Bylaws originally adopted December 1968, revised November 10, 1995, amended February 12, 1999 and amended August 29, 1999, July 20, 2001, January 17, 2003, September 19, 2003. Revised September 16, 2005, June 16, 2006, April 1, 2007, April 18, 2010, September 16, 2016, November 21, 2021, August 12, 2022, and May 2, 2024

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ARTICLE I REGISTRATION

Section 1. NAME

The name of this Corporation is the MID-COUNTY SENIOR CENTER, INC., herein referred to as the Corporation.

Section 2. PLACE OF BUSINESS

The principal place of business of this Corporation will be in the Mid-County of Santa Cruz County, California.

ARTICLE II PURPOSE

Section 1. OBJECTIVES: The objectives for which this Corporation is formed are:

- A. To provide a place where individuals fifty years of age or over may find friendship and an opportunity to pursue their interests in physical exercise, educational, recreational and craft activities, and to promote the good and public interests of the community.
- B. To have and exercise all rights and powers conferred on nonprofit corporations under the laws of California, including the power to contract, rent, buy, or sell personal or real property; provided, however, that this Corporation will not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of this Corporation.

Section 2. LIMITATIONS

- A. NON-PROFIT. This is a non-profit corporation. No assets of the Corporation will be given to any member of the Corporation.
- B. NON-POLITICAL. This is a non-political Corporation. No substantial part of its activities will consist of promoting, or otherwise attempting to influence legislation. Moreover, the Corporation will not participate or intervene in any political campaign on behalf of any candidate for public office.
- C. NON-DISCRIMINATORY. No one religious sect, race, creed, sex, or sexual preference will ever be favored, sponsored, or supported by the Corporation.

ARTICLE III MEMBERSHIP

Section 1. REGULAR MEMBERSHIP

Any person fifty years of age or over will be granted regular membership upon payment of regular dues.

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A membership receipt will be issued when yearly dues are received. A member may withdraw at any time. No refund of dues or donations will be made.

Section 2. HONORARY MEMBERSHIP

Anyone of any age having made a significant contribution to the Corporation may be granted an Honorary Membership by approval of the Board of Directors. Honorary Members will not have the right to vote on Business of the Corporation or hold office.

Section 3. DISCIPLINE

Any member who by his or her conduct brings discredit on the Corporation, or willingly violates the provisions of these bylaws, may be censured, suspended, or expelled by action of the Board of Directors. Any member so accused is entitled to a hearing before the Board of Directors.

ARTICLE IV ADMINISTRATION

Section 1. OFFICERS

The officers of the Corporation will be President, First Vice President, Second Vice President, Recording Secretary, and Treasurer. The officers will comprise the Executive Committee for the Corporation.

Section 2. TERM OF OFFICE

Each Officer and Director at Large will be elected at the regular membership meeting in November and serve for a term of two years or until his or her successor is elected. No one can be elected as President for more than one (1) successive term of office. Officers and Directors at Large will assume duties as of January first following the election. In the event any elected officer (excluding the President) or Director at Large is unable to fulfill the duties of his or her office it will be the responsibility of the Board of Directors to appoint a member to that office to serve for the remainder of the term. The Vice Presidents in their order will succeed to the office of President on the death, resignation, or permanent incapacity of the President.

Section 3. DUTIES OF THE PRESIDENT

The President will preside at all meetings of the Board of Directors and at all Members Meetings, will, with the approval of the Board of Directors, appoint chairpersons of all Standing Committees and Special Committees; will countersign all checks for payment of approved bills; will sign all documents on behalf of the Corporation as authorized by the Board and/or Members; will act as ex officio member and advisor of all Committees other than the Nominating Committee. The President will exercise general supervision of the activities of the Corporation and of the coordinator and other employees.

Section 4. DUTIES OF THE VICE PRESIDENTS

The Vice Presidents in their order will, in the absence of the President, perform his/her duties, including countersigning all approved checks and carry out such other duties as authorized by the Board of Directors.

Section 5. DUTIES OF THE RECORDING SECRETARY

The Recording Secretary will keep accurate minutes of the Meetings of the Board of Directors, and of The General Membership Meetings. He/she will keep a list of the Chairpersons of Standing and Special Committees and Activity Chairpersons. The Recording Secretary will maintain the binder of all board meeting minutes and add motions passed at the board meeting to the monthly newsletter. A copy of the full board minutes will be posted on

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the members' bulletin board. The Recording Secretary will maintain the list of standing rules voted on in the board meetings during his/her term. The standing rules will be stored in the Bylaws folder in the office. The Recording Secretary should distribute the board meeting minutes to all board members within two (2) weeks following the meeting.

Section 6. DUTIES OF THE TREASURER

- A. The Treasurer will see that all money for the Corporation is properly recorded and accounted for, and that it is deposited in the proper accounts as approved by the Board of Directors. The Treasurer will also report to the Board any serious deviations from the annual budget.
- B. The Treasurer will make monthly and annual reports to both the Board of Directors and the General Membership. The Treasurer will see that all bills to the Corporation (after proper documentation and approval) are paid.
- C. The Treasurer will maintain credit card(s) for the Corporation, which can be used by him/her to automate bill payments or for online payments as required.
The Treasurer will be a member of the Finance Committee, Activity & Events, and the Building, Property & Technology Committee.

Section 7. PAYMENTS

All payments other than Petty Cash will be paid by check or one of the Mid-County Senior Center Credit Card(s). All check payments will be signed by either the Treasurer or the President and one other signer. The following officers are authorized to sign checks: President, Treasurer, First Vice President, and Second Vice President.

ARTICLE V RECEPTIONISTS

The receptionists play a critical role for the corporation and are generally the first impression of the business. They must be professional and courteous in their manner. As they collect and account for income to the center, they must be a member in good standing to volunteer for this position.

The receptionists are responsible for a range of responsibilities that include greeting people as they come in the door, answering questions regarding activities and membership, collecting money from activities, dues, rentals, gift shop sales, etc. The receptionist also receives new memberships, fields questions, answers the phone and manages the various tracking forms & sign-up sheets required.

The Receptionist Lead will ensure that receptionist volunteers have been scheduled to cover all shifts, train the receptionists, and mentor them when required.

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ARTICLE VI BOARD OF DIRECTORS

Section 1. DIRECTORS

The elected President, First Vice President, Second Vice President, Recording Secretary, and Treasurer plus the immediate Past President are members of the Board of Directors herein after referred to as “The Board”. Also serving on the Board will be three (3) members elected as Directors at Large by the General Membership.

Section 2. BOARD AUTHORITY

The Board will comply with the terms of the Articles of Incorporation and the Bylaws of the Corporation. The Board will have final authority in all matters pertaining to the maintenance of the Center, its physical properties, and its activities including the approval and payment of bills for routine activities and implementation and financing of special projects approved by the Members.

In matters where an emergency exists the Board will have immediate and final authority. In matters of policy involving only routine operation of approved activities, the Board will have final authority.

In matters of general policy or in projects for improvements of existing facilities or the acquisition of additional property or equipment, the Board will make recommendations to the General Membership for final action.

The Board has the authority to remove any Board Member(s) who have discredited the Corporation, or willingly, or unwillingly violated the provisions of these bylaws, or refuses to perform their duties as defined by these bylaws.

Section 3. ELECTION OF OFFICERS and DIRECTORS AT LARGE

- A. **NOMINATIONS** (Nominating Committee and Notice of Candidates).
At the August Board Meeting, the Board will select a Board Member as Chairperson of the Nominating Committee, who in turn, will select one (1) other from the Board and three (3) members from the General Membership to form the Nominating Committee. The Nominating Committee will follow the Election Process as defined by the Board of Directors.
- B. **BALLOTING** (Voter eligibility and absentee voting).
Only Members whose dues are current are eligible to vote. An Election Committee will be appointed at the October General Membership meeting and will handle the election. The Election Committee will follow the Election Process as defined by the Board of Directors.
- C. **ELECTION COMMITTEE** (Duties and Balloting)
The Election Committee will consist of six (6) eligible members who supervise the preparation and printing of ballots, distribution to eligible voting members, collection and counting of the ballots and preparation of a report to be announced at the November Board Meeting. No Election Committee member shall be a candidate for office or a member of the current Board of Directors. Sturgis Rules of Order, will be adhered to when questions arise regarding procedures.

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D. INSTALLATION

The installation of newly elected Officers will take place at the December General Membership Meeting.

ARTICLE VII MEETINGS

Section 1. GENERAL MEMBERSHIP

A. TIME AND PLACE (Notice to Members)

A meeting of the Members will be held at the Center in March, June, September, October, and December. The exact date, time and place will be notified to the membership at least 10 days before the meeting.

A. QUORUM

Members present at the General Meeting will constitute a quorum. Any motion receiving the affirmative vote of a majority when the quorum is present will be a binding act of the Corporation, except in the case of selling or transferring of Corporation Real Estate, or any other proposal involving major assets of the Corporation in which case all eligible members will be provided with absentee mail-in ballots as in Section 1C (Below) By-law changes initiated by the general membership which shall be referred to the By-laws/Rules Committee.

B. BALLOTING/VOTING

When a regular quorum is ineligible to decide Corporation business, as in Section 1B (above) absentee ballots will be provided to all members who are current in their dues. The ballots will set forth fully the item to be voted and voting procedures. Arguments by both sides shall be provided with the ballot.

Section 2. BOARD OF DIRECTORS

A. TIME AND PLACE (Notice to Directors)

A meeting of the Board will be held at the Center on the third Friday of each month at 10:00 AM or at other such time and place each month as may be announced beforehand. Each member of the Board will be given the agenda, including the time and place of all meetings as soon as said meeting is planned, except in the case of an emergency. NO recording device will be allowed in the Meeting Room, except by specific prior notification of and approval by the Board. Any member violating this decision will be expelled from the meeting immediately, by action of the Board.

All Board meetings will be open meetings except when personnel and sensitive litigation matters are discussed.

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B. QUORUM

The majority of the total membership of the Board will constitute a quorum for the transaction of business. A quorum is necessary for any business decision.

C. REPORTS OF OFFICERS AND COMMITTEES

The Treasurer and Chairperson of all Standing and Special Committees will report activities at each Board of Directors' Meeting in writing.

D. BOARD REPORTS TO GENERAL MEMBERSHIP

The Board will publish reports to the membership in the monthly newsletter on all matters deemed by the Board to be of significant interest.

E. BALLOTING/VOTING

Voting by the Directors will be by usual methods of voting, except in the case of consideration of expulsion or discipline of a member, in which case a secret ballot will be conducted.

Section 3. COMMITTEES

Committee Chairpersons and leaders may hold meetings of their group as deemed appropriate.

ARTICLE VIII FINANCE

Section 1. DUES, OTHER INCOME AND ASSESSMENTS

Annual dues will be determined by the Board of Directors. Other income by authorized activities, rentals, and sales, etc., will be encouraged to the extent of limitations legally imposed on non-profit Corporations. No assessments will ever be levied upon the Corporation Members.

Section 2. BUDGETED EXPENDITURES

The annual budget as established by the Finance Committee will be monitored by the Treasurer to ensure conformance.

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Section 3. NON-BUDGET EXPENDITURES (APPROVAL)

All usual expenditures, such as improvement of the Corporation's properties, other than normal costs of maintenance of the Center and its activities will be approved by the Board of Directors.

ARTICLE IX COMMITTEES

Section 1. STANDING COMMITTEES

There may be the following Standing Committees, as listed below. All Chairpersons of the various Committees will be appointed by the President with the approval of the Board. Standing Committees will give a written report to the Board at the regular monthly meeting. Committees may seek outside professional assistance if approved by the board.

A. FINANCE COMMITTEE

This Committee will review the monthly Profit & Loss Statement, budget & forecast, and make recommendations to the board for financial approvals required.

The Finance committee is also responsible for ensuring instructors and overseers are paid in compliance with Federal, State and Local Laws.

Additionally, this committee will be responsible for managing the key policy and issuance for the center.

This Committee will include the President, First Vice President, Second Vice President, and the Treasurer.

B. ACTIVITIES & EVENTS

This Committee will be responsible for planning and supporting all activities and events at the Center.

For all newly approved activities requiring paid instructors, vendors, or suppliers, they need to be registered with the Finance Committee. This Committee will include the Coordinator, the Receptionist Lead, the Treasurer and at least one other member.

C. MEMBERSHIP COMMITTEE

This Committee will be responsible for recruiting new members, member recognition and welcoming new members. This committee solicitously inquires about those members who are ill, at home or elsewhere, or who may be in unfortunate circumstances, and then takes whatever sympathetic and helpful action is possible. The committee also maintains and secures the member rosters.

The committee will include the Committee Lead, Receptionist Lead, and at least one board member, and other members deemed necessary.

D. BUILDING, PROPERTY & TECHNOLOGY COMMITTEE

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This Committee is responsible for building and facility maintenance, physical assets and grounds. The Committee will maintain an up-to-date inventory of the physical assets of the Corporation. This Committee will make recommendations to the Board for policies and rules relative to the maintenance of the Center.

In addition, this Committee is responsible for the evaluation and recommendation of the technological requirements for MCSC. This includes computers, printers/peripherals, network, telephone, payment or registration systems, cyber and facility security, platforms, and software.

This Committee will consist of not less than three (3) members, one of whom will be the Treasurer.

E. BYLAWS/RULES COMMITTEE

This Committee will consist of not less than three (3) members, at least two (2) being current Board Members. They will monitor all Corporation activity to ensure conformance to the Bylaws, Standing Rules and proper procedures. Where changes in community laws, circumstances outside Corporation control and perceived weakness in current Bylaws or Standing Rules indicate the need for revision, the Committee will recommend such revision to the Board for appropriate action.

F. PUBLICITY COMMITTEE

This Committee will be responsible for all proper and desirable publicity. This Committee also may, with the approval of the President, delegate competent speakers to represent the Corporation. Press Releases, Official Statements, Public Service Announcements and Paid Advertisements must be in written form and approved by the Board before release. The Publicity Committee will assist in the publication of the monthly newsletter.

This Committee will include the coordinator, one board member and two additional members.

G. PERSONNEL COMMITTEE

The Personnel Committee is responsible for assuring Mid-County Senior Center's Personnel Policies are in conformance with federal, state, and local law. The Committee will recruit applicants for job vacancies, conduct interviews, check references, and refer candidates to the President and Board of Directors for selection. The Committee will assure that employee performance reviews are conducted annually by the President.

The Committee will consist of the President, the Treasurer, and at least one other member.

H. GARDEN COMMITTEE

The Garden Committee is elected annually by the current garden members. The Committee includes a Garden Manager, Assistant Garden Manager, a Garden Secretary and District Representatives.

The Garden Committee has the final authority to determine the disposition of the garden membership and shall develop policies for allowing members to use the garden and for suspending or revoking any member's use of the garden. The committee shall distribute those policies annually to all members with gardening privileges. The policies for member's use and termination may be included with any other policies for use of the Garden that the Committee distributes.

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MCSC Board Approval and Garden Membership approval is required for updates to the Garden Policy.

Section 2. SPECIAL AND AD HOC COMMITTEES

These Committees may be appointed from time to time by the President with approval of the Board, to address specific tasks.

ARTICLE X ACTIVITIES

Section 1. ESTABLISHMENT

New classes or activities may be proposed by a volunteer teacher or leader, or by a group of members, or through any other channel. New Activities will be brought to the board for Approval.

Section 2. LEADERS

A. Selection and Responsibility of Leaders (and Teachers)

Selection of leaders of activities may be by volunteer or any suggestion of those participating in the activity. Selection is subject to the approval of the Board. The leader will be responsible for the conduct of the participants during the class, activity, or group undertaking. Participants are charged with the responsibility of leaving the area in clean, orderly condition. Dishes and other Corporation equipment excluding chairs and tables must be returned to proper places. Every leader may have an assistant, or delegate in case of unavoidable absence of the regular leader. Assistants/Delegates shall accept the same responsibilities as leaders.

Each Class, activity or group undertaking may recommend the selection or dismissal of leaders.

Selection: The selection, however, will be subject to approval by the Board.

Dismissal: Dismissal of Leaders will be approved by the Board.

B. Reports

The leader of each class or activity will submit a report promptly to the Coordinator when requested to do so.

C. Activity Rules

Each class or project may by a majority vote adopt rules for the conduct of its affairs, provided such rules are not in conflict with the Bylaws of the Corporation. Rules so adopted will be approved by the Board.

D. Location

All meetings of classes or activities will be held at the Center unless otherwise designated by approval of the Board.

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Section 3. NON-MEMBER PROVISIONS

- A. Non-Member Fees
Non-members may attend activities upon payment of non-member fees as set by the Board.
- B. Garden Restriction
Garden lots will not be rented to non-members. Garden lots will be available to regular dues.
paid member.

ARTICLE XI CORPORATION EMPLOYEES

Section 1. COORDINATOR

A. SELECTION/COMPENSATION

The Board will select a Center Coordinator, after an interview by the President and one or more Members. The Board will establish such compensation as appropriate for the position.

The position of Coordinator may not be filled by any current member of the Board except in temporary emergencies.

B. DUTIES OF THE COORDINATOR

The Corporation Coordinator will be responsible for overseeing the daily activities at the Center; will keep a record of activities and make a report for the Board and Membership Meetings. The coordinator will report solely to the President, and orders to the coordinator will be the responsibility of the President. A job description will be on file, as compiled by the President, with the approval of the Board.

C. ASSISTANT

The Board may appoint an Assistant to the Coordinator upon the recommendation of the coordinator.

Section 2. OTHER EMPLOYEES

A. SELECTION/COMPENSATION

Other employees may be hired as required. Selection and compensation will be subject to approval of the Board.

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ARTICLE XII - INDEMNIFICATION AND INSURANCE

Section 1. INDEMNIFICATION

To the fullest extent permitted by law, this corporation shall indemnify its directors, officers, employees, and other persons described in Corporations Code Section 5238(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any “proceeding”, as that term is used in that section, and including an action by or in the right of the corporation, by reason of the fact that the person is or was a person described in that section. “Expenses”, as used in this bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the Board by any person seeking indemnification under Corporations Code Section 5238(b) or Section 5238(c), the Board shall promptly decide under Corporations Code Section 5238(e) whether the applicable standard of conduct set forth in Corporations Code Section 5238(b) or Section 5238(c) has been met and, if so, the Board shall authorize indemnification.

To the fullest extent permitted by law and except as otherwise determined by the Board in a specific instance, expenses incurred by a person seeking indemnification under Article 10, Section 1 of these bylaws in defending any proceeding covered by this Section shall be advanced by the corporation before final disposition of the proceeding, on receipt by the corporation of an undertaking by or on behalf of that person that the advance will be repaid unless it is ultimately found that the person is entitled to be indemnified by the corporation for those expenses.

Section 2. INSURANCE

This corporation shall have the right, and shall use its best efforts, to purchase and maintain insurance to the full extent permitted by law on behalf of its officers, directors, employees, and other agents, to cover any liability asserted against or incurred by any officer, director, employee, or agent in such capacity or arising from the officer’s, director’s, employee’s, or agent’s status as such.

ARTICLES XIII - MISCELLANEOUS

Section 1. MEETING PROCEDURES

“Sturgis Rules of Order” will be adhered to at all meetings of the Board and General Membership.

Section 2. SALESPEOPLE

No solicitors or agents will be allowed to display their wares, conduct, or transact their business in the Center building at any time unless approved to do so by the coordinator.

Section 3. PROPERTY

All special funds raised, or equipment provided by the Corporation for classes or other activities will be the property of the Corporation.

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Section 4. NEWSLETTER

The Coordinator, assisted by the Board, will ensure that a monthly newsletter is distributed to all regular members to advise Corporation news and activities. The Publicity Committee will assist when required.

Section 5. Privacy Policy

A member's private information shall not be used for personal gain.

Section 6. BY-LAWS REVISION

These By-laws may be amended by proposal by the By-laws/Rules Committee with approval of the Board. Notice of such proposed changes will be made known to the general membership through the Newsletter and notice posted in the Center at least two (2) weeks prior to a General Membership meeting. The proposed By-laws changes will be voted on by members following the General Membership meeting. A simple majority vote is required to either accept or decline the revisions as presented.

The Bylaws originally adopted December 1968, revised November 10, 1995, amended February 12, 1999, and amended August 29, 1999, July 20, 2001, January 17, 2003, September 19, 2003. Revised September 16, 2005, June 16, 2006, April 1, 2007, April 18, 2010, September 16, 2016, November 21, 2021, August 12, 2022, and May 2, 2024.