# LUMSDEN & DISTRICT HERITAGE HOME, INC.

## GENERAL BYLAWS

June 2024

Introduced and read a first time May 27, 2024 at regular LDHH Board meeting.

Read a second time and adopted June 17, 2024 at regular LDHH Board meeting.

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### 1. Definitions

- a. "Act" means The Non-profit Corporations Act, 1995, SS c N-4.2 as it may be amended from time to time, or any successor or replacement legislation as may be in force from time to time in the province of Saskatchewan.
- b. "Administrator" means the senior executive officer responsible to the board.
- c. "Board" means the board of directors of the corporation.
- d. "Community" is the area that LDHH serves.
- e. "Corporation" or "Facility" means the Lumsden & District Heritage Home, Inc. or LDHH.
- f. "Director" means a member of the board of directors.
- g. "Deputy Returning Officer or DRO" is the individual who runs the election process for board directors selected by the RO.
- h. "Eligible voters" are current members of the LDHH.
- i. "Fiscal Year End" means the financial yearend of LDHH.
- j. "Member" means any person who has applied to become a member and whose application has been approved and has paid their required membership fee (or is excused payment by board resolution). In addition to individuals, business or corporation, proprietorship, or partnership.; group, agency, or organization.
- k. "Municipalities" means rural municipalities, cities, towns, villages, and resort villages.
- Municipal Stakeholder" were the original municipal members of the LDHH at the time of transition being May 27, 2024. The municipal members were as follows: RM of Dufferin No.190, RM of Lumsden no. 189, RM of Sarnia no. 221, Town of Lumsden, Town of Regina Beach, Village of Bethune, Village of Craven, Village of Dilke, Village of Disley, Village of Holdfast, and Village of Silton.
- m. "Nomination period" shall be a 61-day period to accept nomination for board of directors from April 1 to May 31.
- n. "Officer" means an executive board member or employee of the corporation.
- o. "Returning Officer or RO" is the administrator.
- p. "Stakeholder" means the Saskatchewan Health Authority.
- q. "Transition Period" is the period from June 24, 2024, to June 30, 2025.

### 2. Mission

To provide quality care, based on best practices, in a safe and supportive community.

### 3. Vision

Centre of excellence for community-based care.

### 4. Values

We believe in (a):

- a. Community Leadership
- b. Commitment to Service Excellence
- c. Connected

Lumsden and District Heritage Home GENERAL BYLAWS June 17, 2024 Box 479, 10 Aspen Bay LUMSDEN, SK S0G 3C0 Phone: (306) 731-2247

- d. Community
- e. Credibility
- f. Accountability
- g. Collaboration
- h. Compassion and Caring
- i. Creativity

### 5. Strategic Planning

The board shall, every three years, commencing the start of the fiscal year 2025-2026, hold a fall strategic planning session.

### 6. Membership

#### 6.1 Membership Categories (Const. 5.1)

- a. Individual.
- b. Group, agency, or organization who shall designate one of their membership for voting privileges at LDHH member meetings, and an alternate to act in the event the designate is not present.
- c. Business or corporation, proprietorship, or partnership who shall designate one individual for voting privileges at LDHH member meetings, and an alternate to act in the event the designate is not present.
- d. Municipal, including rural municipalities, towns, cities, villages, and resort villages who shall designate a representative for voting privileges at LDHH member meetings, and an alternate to act in the event the designate is not present.

### 6.2 Approval, Term and Fees

- a. The board authorizes the nomination & membership committee to review all new memberships and decide on either accepting, rejecting, or deferring to the board for final authorization.
- b. During the LDHH transition period starting from June 2024 to June 2025, memberships will run from the period of when the membership committee accepts to June 30, 2026. After which the term will be for one year, being July 1 to June 30. (Const. 5.2.1)
- c. Application forms (Schedule Membership Application Form) are to be completed and submitted to LDHH office along with the appropriate fee. Forms can be submitted electronically or by completing a preprinted application form.
- d. Fees are reviewed by the finance committee through the budget process. The membership fees are solely to fund advocacy of the LDHH costs that are not directly funded through SHA principle and services agreement. (Const. 5.4.1)
- e. Once received from the finance committee the board of directors will consider and make a resolution to set the levies by April 30th for the following year.
- f. For the transition period the fees will be for July 1, 2024, to June 30, 2026.
- g. The membership list will be updated periodically, and the active member list will be publicly available. (Const. 5.4.2)"

### 6.3 Rights of Membership

- a. To elect the board of directors.
- b. To have one vote on each matter presented at each annual or special meetings of LDHH.
- c. Each member, other than employees of LDHH, is eligible for a position on the board of directors of the LDHH.
- d. To receive direct communications on all activities, notices, and announcements from the LDHH via electronic means.

### 7. Membership Meeting

### 7.1 Annual Meeting

Shall be held within the month of June, with the start time being 7:00 p.m. The notice must be made by May 1.

### 7.2 Location of the Meeting

The location of the meeting will be held within the Lumsden and district area.

#### 7.3 Notice of the Annual Meeting

The location, time, and agenda will be posted:

- a. at the LDHH.
- b. at municipal offices in the district and their respective websites, if available.
- c. on social media sites that LDHH uses (i.e. Facebook).
- d. to email addresses of all registered members.
- e. in the local paper.

### 7.4 Annual Meeting Agenda

The agenda of the annual meeting will be as follows:

- a. Call to Order
  - i. Acknowledgement
  - ii. Opening Remarks and Introductions
  - iii. Adoption of the agenda
- b. Director Nominations Announcement and Elections (if required)
  - i. Returning Officer (RO) is granted the chair to proceed with nomination of eligible directors.
  - ii. The RO passes the chair back to the chair of the meeting to proceed with the meeting while voting takes place.
- a. Review of the Minutes
  - i. From previous annual meeting or special meeting that may have been held prior to the last annual meeting.
- b. Audited Financial Statements Report

### c. Committee Reports

- i. Executive
- ii. Finance and Audit
- iii. Quality and Service Delivery
- iv. Communication and Strategic Planning
- v. Nominating & Membership
- vi. Governance
- d. Administrator Report
- e. Guest Speaker
- f. Question Period
- g. Adjournment

#### 7.5 Quorum

The quorum for the annual meeting of the members shall be a simple majority of existing directors. The meeting is open to the public, subject to 7.6.

### 7.6 Closed Meeting

At the call of 2/3 of the board of directors, the meeting can be closed to the membership only to discuss internal business items.

### 7.7 Electronic Participation

The meeting will be streamed through a media platform for those members who are unable to attend the meeting in person.

### 7.8 Recording

The meeting will be recorded and made available upon request, excluding the closed-door sessions.

### 7.9 Special Meetings

A special meeting of the LDHH members can be called when 2/3 of the board of directors requires one or receives a direct request from the greater of 20 members or 20% of the active membership. In the request to hold the meeting the topic must be identified that is to be discussed and only the business related to the topic can be discussed.

### 7.10 Special Meeting Notice

The notice of the special meeting will be provided by the same delivery means as an annual meeting, location will follow the same requirements of the annual meeting, and the timing must be within 21 days of receiving the qualified request.

### 8. Board of Directors

### 8.1 Employee

No director shall be a salaried employee of the corporation.

### 8.2 Board Term

A full term of office is three years. The terms shall be staggered as follows:

One Year 2025-26	Two Year 2025-27	Three Year 2025-28
5 Directors	5 Directors	4 Directors

### 8.3 Transition

During the transition period, an appointed member of the municipal stakeholders or a duly selected person filling a vacant board position will remain in the position to serve the term. At the signing of these bylaws the individuals will be as follows:

1 year 2025-26	2 years 2025-27	3 year 2025-28
Tumbach, Byron	Hoffart, Caroline	Vacant
Mansbridge, Krista	Selinger, Jim	Vacant
Knuttila, Tammy	Meadows, Marral	Vacant
Vacant	Vacant	Vacant
Vacant	Vacant	

### 8.4 Newly Elected

All newly elected members to the board of directors shall assume office at the first meeting following their election.

### 8.5 Newly Appointed

All newly appointed members to the board of directors shall assume office at the first meeting following their appointment and shall serve the term until the new director membership election or annual meeting which ever come first.

### 8.6 Remuneration

The directors shall serve as directors without remuneration from the corporation unless approved by the board resolution. A director, however, may be paid remuneration for reasonable expenses incurred in the performance of the duties for groups that they were nominated by.

### 8.7 Quorum

A simple majority of existing directors shall constitute a quorum. If no quorum is present, the meeting shall stand adjourned until the next meeting is called.

#### 8.8 Orientation

All new board members must go through a board orientation within three months of being elected.

### 9. Nomination of Directors

#### 9.1 Board Size

Board membership will be a maximum of fourteen (14) board members.

#### 9.2 Call for Nomination

On or before April 1 the call for nomination for the board of directors will be advertised in the following manner.

- a. At the LDHH.
- b. Posting Notices at municipal offices in the district and their respective websites, if available.
- c. LDHH social media sites (i.e. Facebook)
- d. Email addresses of all registered members.
- e. Local paper

### 9.3 Candidate

- a. Is active member and in good standing.
- b. Is at least 18 years of age on the day of the election;
- c. Is a Canadian citizen at the time the nomination paper is submitted; and
- d. Has resided in Saskatchewan for at least six consecutive months immediately preceding the date on which the nomination paper is submitted.

### 9.4 Nomination Paper

- a. Nomination papers (Schedule Nomination Form) may be obtained from the LDHH OFFICE or from another source. The Returning Officer (RO) or LDHH administrative staff must accept a completed nomination paper, which will consist of:
  - i. Nomination (front) and Candidate's Acceptance (back)
  - ii. The correct number of nominators (eligible voters) being two members.
  - iii. The Candidate's Acceptance portion is complete including the signature of one witness. The witnesses do not need to be the nominators or eligible voters.

- iv. Public Disclosure Statement for the LDHH, must be completed by the candidate when running for office. If the public disclosure statement is not attached, the RO shall not accept the nomination paper.
- v. A criminal record check must be completed within six months of the nomination being submitted.
- b. Nomination papers may be submitted to the RO or LDHH Administrative staff by:
  - i. Personal service by the candidate or a person acting on the candidate's behalf;
  - ii. Registered or ordinary mail;
  - iii. Fax;
  - iv. Email.
- c. A fully completed nomination paper cannot be rejected regardless of belief or knowledge that the candidate is not qualified and/or has been nominated by ineligible voters. It is not the responsibility of the RO or LDHH staff to determine a candidate's qualifications to seek office. The responsibility falls to the candidate who must attest to their eligibility in their acceptance and signing of the nomination paper.

### 9.5 Nomination Outcomes

a. Candidates Acclaimed

The returning officer will declare candidates to be elected with a notice of results of the nomination per the methods used in 9.2.

- Less Candidates than Vacancies
   The vacancy falls to the Nomination Committee to fil
  - The vacancy falls to the Nomination Committee to fill the spot by appointment.
- c. More Candidates than Vacancies The returning officer will after the period of withdrawal per 9.6,
  - i. declare a vote will be held,
  - ii. name when and where the LDHH Annual Meeting will take place,
  - iii. name when and where the results of the vote will be declared, and
  - iv. post a Notice of Poll using the methods described in 9.2.

### 9.6 Withdrawing Nomination

- a. A candidate may withdraw their nomination by providing the returning officer or LDHH staff with a written declaration during normal office hours until 24 hours after the close of nomination period (May 31).
- b. The candidate's signature must be witnessed.

### **10. Director Election Process**

### **10.1 Election Place and Time**

All elections for Directors will be held at the LDHH Annual Meeting.

### **10.2 Election Notice**

The notice of the election for the Board of Directors will be advertised in the following manner.

- a. At the LDHH.
- b. Posting Notices at municipal offices in the district and their respective websites, if available.
- c. LDHH social media sites (i.e. Facebook).
- d. Email addresses of all registered members.
- e. Local paper.

### 10.3 Secret Ballot

The election for director positions will be by secret ballot.

- a. Each member present at the annual meeting will receive a ballot with the director names on them and the vacant positions.
- b. Must mark no more than positions available.

Candidate A	Candidate B
Candidate C	Candidate D

- Candidate C
   Candidate D

   Candidate E
   Candidate F

   Candidate G
   Candidate H
- c. Candidates will be listed based on the order that the nomination form was registered with RO.
- d. The DRO and poll clerk will count the ballots in the presence of candidate's agents.
- e. If there are more positions marked than available that ballot will be deemed spoiled.
- f. If there are less marks than positions available, the ballot will be accepted.
- g. The candidates with the most votes will be given the longest position that is to be filled.
- h. If there happens to be a tie between candidates for a term position the successful candidate will be chosen out of a hat.

The DRO will present the RO the results, RO will announce at the annual meeting.

### **10.4 No Election Required**

In the event the election of directors is uncontested, the provisions of paragraph 10.3 do not apply.

### 11. Powers of the Board

The board of directors may, from time to time, set policy as in its opinion, is necessary to ensure the attainment of the objectives of the corporation and the spirit and intent of these bylaws.

### 12. Board Executive

#### 12.1 Executive Size

The Executive of the board shall be the chair, vice-chair, and one other board member to be determined by the board annually. In addition, the administrator will be on the executive board and act as the secretary.

#### 12.2 Chair and Vice-Chair

The chair and vice-chair shall be elected from among the members of the board of directors at the first board meeting after the LDHH annual meeting.

#### **12.3 Vacant Executive Positions**

- a. Where the board member who was the chair prior to the most recent annual meeting of LDHH is longer a board member the vice chair will assume the position.
- b. If the vice chair is no longer a board member the position will revert to board member appointed to the executive committee.
- c. If the executive committee board members are no longer board members after the most recent annual meeting of the LDHH then the administrator will call a board meeting immediately after the annual meeting to select an executive committee.

### **13. Duties of the Officers**

The executive committee will act as the officers of the corporation.

#### 13.1 Chair

- a. Act as legal head of the corporation.
- b. Act as official spokesperson for the corporation.
- c. Preside at board meetings.
- d. Appoint committees.
- e. Communicate regularly with the administrator regarding such matters as board meeting agendas and other matters relating to the office of the administrator.
- f. Sign letters or documents necessary to carry out the will of the corporation.

### 13.2 Vice Chair

a. The vice-chair shall have all the powers and perform all the duties of the chair in their absence together with such other duties as may, from time to time, be assigned by the board.

### 13.3 Secretary

- a. Serve notice for all the meetings.
- b. Keep records of all proceedings.
- c. Keep on file all committee reports.
- d. Receive and attend to all correspondence of the board.
- e. Have custody of all minutes, records and documents of the board and make available to all directors upon request.
- f. Maintain an attendance record of those attending all meetings of the board and committees.
- g. Perform all such duties as usually pertain to this office or are assigned by the board.
- h. Act as the returning officer.

### 14. Board Meeting

- a. Regular meetings of the board shall be held monthly except for July.
- b. Board meetings are not open to the members unless they are coming before the board as a delegation.

### 14.1 Secretary Duties

a. The secretary shall ensure that notice of the meeting, agenda and all resource material is circulated to all directors in a timely fashion.

### 14.2 Quorum

a. A quorum for regular meetings shall be a simple majority of existing directors. If no quorum is present, the meeting shall stand adjourned until the next meeting is called.

### 14.3 Board Agenda

The order of business of regular meeting shall be:

- a. Call to Order
- b. Conflict of Interest Declaration
- c. Adoption of the Agenda
- d. Consideration and Adoption of Minutes of previous meeting(s)
- e. Business Arising out of Minutes.
- f. Delegations
- g. Administrator's Report
- h. Resident Care Coordinator Report
- i. Committee Reports
- j. New Business
- k. In-Camera
- I. Adjournment

### 14.4 Special Meetings

- a. The chair shall call special meetings of the board by having the secretary provide at least five days written notice for a special meeting and the business to be dealt with should be stated.
- b. Confirmation of attendance shall be obtained from the directors.
- c. The quorum for a Special Meeting shall be simple majority of the directors.

### 14.5 In Person or Zoom

a. Meetings will be held in person and/or through Zoom.

### **15. Conflict of Interest**

- **15.1** A board member is in a conflict of interest with respect to a matter involving the corporation where:
  - a. A decision on the matter would or could have a direct or indirect financial implication for the member or an associate of the member, whether the decision involves a contract or not; or
  - b. The board member's ability to act in the best interest of the corporation is compromised or may be perceived to be compromised by the member's involvement in competing interests.
- **15.2** Without limiting the generality of section 14.1, a conflict of interest includes the circumstances where the board member:
  - a. Is party to a contract or proposed contract with the corporation.
  - b. Is an employee, officer or director of, has a material interest in or is an associate of a person who is party to a contract or proposed contract with the corporation.
  - c. Is an employee, officer, or director of, has a material interest in or is an associate of a person who is in competition with a person for a contract or proposed contract with the corporation; or
  - d. Has or has an associate who has given an opinion or reasonably anticipates being asked to give an opinion in relation to a contract or proposed contract to a person, firm, corporation, or other entity that is a party to such contract.
- **15.3** Where a board member is in conflict of interest, the member shall disclose to the corporation the nature and extent of the interest of the member or associate of the member, and this shall be recorded in the minutes of that meeting. If found out later the member should disclose their interests in writing as soon as the member becomes aware of the matter.
- **15.4** In the event of a conflict of interest as described above, the member shall absent themself from all deliberations of the corporation with respect to any matter that results in the member being in a conflict, except deliberations with respect to remuneration or if the board as a whole feel that further input is

required. Declarations of a conflict of interest do not affect a quorum for meetings.

**15.5** Where a board member fails to disclose a conflict of interest in accordance with the above bylaws, a court of competent jurisdiction may, on the application of the corporation, set aside a decision of the corporation with respect to the matter giving rise to the conflict of interest on any terms that the court considers appropriate.

### **16. Director's Indemnification**

- **16.1** No director or officer of the corporation is personally liable for any debt, liability, obligation, act or default of the corporation except such debt, liability, obligation, act or default as is caused, occasioned or contributed to by their own neglect or willful default.
- **16.2** Except with respect to an action by or on behalf of the corporation to procure a judgement in its favor, the corporation shall indemnify a director or officer of the corporation, a former director or officer of the corporation or a person who acts or acted at the corporation's request as an officer or director of a body corporate of which the corporation is or was a shareholder or creditor and their heirs and legal representatives, against all costs, charges and expensed reasonably incurred by them in respect of any civil, criminal or administrative action or proceeding to which they were made a party by reason of being or having been a director or officer of the corporation, if:
  - a. they were substantially successful in the merits in their defense of the action or proceeding.
  - b. they acted honestly and in good faith with a view to the best interests of the corporation; and
  - c. they had reasonable grounds for believing that their conduct was lawful.

### **17. Execution of Documents and Financial Matters**

- **17.1** The fiscal year end of the corporation shall be the 31st day of March.
- **17.2** The board may from time to time by resolution appoint any officer, director or other person on behalf of the corporation whether to sign contracts, documents or instruments in writing generally or to sign specific contracts, documents or instruments.
- **17.3** The board shall cause "true" accounts to be kept of the sums of money received and disbursed by the corporation, the matters in respect of which said receipts and disbursements take place, all sales and purchases by the corporation, any assets and liabilities of the corporation and all other transactions affecting the financial position of the corporation.

Lumsden and District Heritage Home GENERAL BYLAWS June 17, 2024 Box 479, 10 Aspen Bay LUMSDEN, SK S0G 3C0 Phone: (306) 731-2247

- **17.4** The books and accounts shall be kept at the office of the corporation or at such other place as the board may designate. The board shall appoint an auditor who shall conduct an audit of the financial statements of the corporation on an annual basis. The auditor shall hold office for a one-year term.
- 17.5 The corporation's financial statements and annual audited financial statement shall be received and approved by the board.
- **17.6** The board shall annually present a report on the audited financial statements at a public meeting held pursuant to section 37 of the Act.

#### 18. Seal

The seal of the corporation shall not be affixed to any instrument except by the authority of a resolution of the board of directors and in the presence of the chairman and secretary or such other person(s) as the board of directors may appoint for that purpose and such appointed persons shall sign every instrument to which the seal of the corporation is so affixed in their presence.

### 19. Amendments to Bylaws

- **19.1** The board of directors may propose amendments to these bylaws or by any member who may submit to the administrator a proposal for amendment.
- **19.2** Notice of a bylaw amendment must be provided to the board within 5 days prior to the meeting.
- **19.3** Amendments to bylaws will only be passed if all members of board are present at the meeting where it was initially discussed.

The bylaws were introduced and read for the first time at the LDHH May Board meeting held via ZOOM on May 27, 2024. (Board Motion 48-2024)

The bylaws were read for the second time and adopted at the LDHH June Board meeting held via ZOOM on June 17, 2024. (Board Motion 57-2024)

Administrator

7-06-24

Chairperson 17-JUW-2024

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Date

### Individual Membership Form Lumsden and District Heritage Home

### Date of Receipt:

The Lumsden & District Heritage Home is an open-based membership owned long-term care home that was built in 1987. The nationally accredited Home is affiliated and receives funding from the Saskatchewan Health Authority while retaining its ownership and governance structure.

### **Rights of Membership**

- a. To elect the board of directors.
- b. To have one vote on each matter presented to each Annual or Special Meeting of LDHH.
- c. Each member, other than employees of LDHH, is eligible for a position on the LDHH board of directors.
- d. To receive direct communications on all activities, notices, and announcements from the LDHH via electronic means.

To become a member, complete the following sections below.

### Individual

Name

Phone Number

Mailing Address

Email

I accept membership into the Lumsden and District Heritage Home and that the standards are limited to people of good moral character and reputation.

I recognize the importance of long-term care and the importance of rendering personal service in the surrounding communities in cooperation with other civic-minded persons.

I understand membership is not valid until approved by the LDHH board of directors.

Signature:	Date:	

Email to <u>Idhhmember@gmail.com</u> along with an e-transfer of \$25.00

Office use only:		
Date Approved:	 Membership Number:	

Phone Number

#### Group/Organization, Business or Municipality Membership Form Lumsden and District Heritage Home

Date of Receipt:

The Lumsden & District Heritage Home is an open-based membership owned long-term care home that was built in 1987. The nationally accredited Home is affiliated and receives funding from the Saskatchewan Health Authority while retaining its ownership and governance structure.

#### **Rights of Membership**

- a. To elect the board of directors.
- b. To have one vote on each matter presented to each Annual or Special Meetings of LDHH.
- c. Each member, other than employees of LDHH, is eligible for a position on the LDHH board of directors.
- d. To receive direct communications on all activities, notices, and announcements from the LDHH via electronic means.

Entity name

Email

To become a member, complete the following sections below.

Group, Business, or Municipality

Mailing Address

As a member your entity needs to name the person who will represent the entity at all membership meetings of LDHH. A provision is made for an alternate if required.

Contact	Email	Phone Number
Alternate (Contact)	Email	Phone Number

I accept membership into the Lumsden and District Heritage Home and that the standards are limited to people of good moral character and reputation.

I recognize the importance of long-term care and the importance of rendering personal service in the surrounding communities in cooperation with other civic-minded persons. I understand membership is not valid until approved by the LDHH board of directors.

Signature:	I	Date:

Email to <u>Idhhmember@gmail.com</u> along with an e-transfer of \$25.00 or mail to address above.

Office use only:	
Date Approved:	Membership Number:

### Board Nomination Form Lumsden and District Heritage Home

We the undersigned, each being a member of the Lumsden and District Heritage Home,		
nominate	of	as a
candidate fo	r election as a member o	f the board of
(Individual, Group, Company, or Mui	nicipality)	
directors for the Lumsden and Distric	t Heritage Home.	
Dated this day of		_, 20
(LDHH Member)	(Number)	_
(LDHH Member)	(Number)	_
Candidate's Acceptance		
I, (Name as it will appear on the ballot)	;	
named in the above nomination, decl	are that.	
1 I am the full age of 18 years.		
<ul> <li>2 I am a LDHH member with the membership No.</li> <li>3 I am a Canadian citizen and I have resided in Saskatchewan for at least six consecutive</li> </ul>		
months immediately preceding the date on which this nomination paper is submitted.		
4 If elected, I will accept the office for	or which I was nominated	l.
(Witness)	(Candidate)	

Email to <u>ldhhmember@gmail.com</u> or mail to address above.

Office use only:	
Date Received	Returning Officer:

Lumsde							
Membership Register							
Name	Address	Email	Phone #	Category	Voting Contact	Date Approved	Membership Number

## Lumsden and District Heritage Home Bylaw Register

## Form

Date:	Section Reference	Content Description	Board Motion No.	INT. ADM.
27-May-24		New LDHH Open Based Membership Bylaws – Introduced	48-2024	
17-Jun-24		New LDHH Open Based Membership Bylaws – Read and Adopted.	57-2024	