

CONSTITUTION AND BY-LAWS OF:

Slovenski Narodni Dom – Lipa Park of Niagara Region

Revised and Adopted Effective April 1, 2023

PREFACTS

Lipa Park was established on February 14, 1967 under the name of:

Bled Mutual Benefit Society
Branch 12, Novo Mesto
Lipa Park, St. Catharines, Ontario

It was reorganized on January 28, 1970 under the name of:

Slovenian National Home Lipa Park
Slovenski Narodni Dom Lipa Park (SNDLP)
St. Catharines, Ontario

SNDLP was incorporated on April 9, 1984. It was designated that the Club shall be known as:

Slovenski Narodni Dom – Lipa Park of Niagara Region
Located at 2850 Oille Road
Pelham, Ontario L2R 6P7

Mailing address:

P.O. Box 20322
St. Catharines, Ontario L2M 7M7

The motto of this Club is: "With Good Will, All Things Are Possible."

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CONSTITUTION AND BY-LAWS

Section 1 A by-law relating generally to the transaction of the affairs of the Slovenski Narodni Dom – Lipa Park of Niagara Region.

Section 2 The purposes and objectives of this Club shall be those set forth in the Letters Patent “CHARTER” ONTARIO CORPORATION No. 578418, without limiting or in any way otherwise extending such powers, purposes, and objectives as set out in the Letters Patent.

This club has been organized to:

- a) unite Slovenians, by birth or origin, and their families, descendants of Slovenians, and any other members, to promote the Slovenian language and culture, without regard to age, sex, or sexual orientation;
- b) preserve and perpetuate the traditions and customs of Slovenians within the Canadian way of life;
- c) broaden friendships, and to promote the interests of the members, and render mutual assistance and aid wherever necessary;
- d) remain neutral in all political and religious affairs;
- e) promote cordial relationships with all other ethnic groups in the community;
- f) maintain headquarters in the Town of Pelham, within Niagara Region, in the Province of Ontario;
- g) organize and sponsor dances, banquets, picnics, meetings, social gatherings, festivals, pageants, conventions, and also sports, folkloric, recreational, literary, musical, educational, and cultural events;
- h) solicit, receive, acquire, and hold donations, gifts, legacies, and bequests to support the objectives of the Club and to enjoy all the benefits of ownership thereof, for the objective aforesaid; to sell or convert any property into money from time to time, to invest and re-invest any principal in such manner as many times as to be determined; and to disburse and distribute such money and property in furthering of the objectives of the Club;
- i) erect buildings on suitable property as a means to execute those purposes of this Club, as the Club may adopt from time to time;
- j) manage the Club without financial gain in mind, and utilize proceeds realized, which will be used for the above purposes as indicated.

Section 3 THE SEAL

An impression whereof is stamped in the margin hereof, shall be the Corporate Seal of the Club.

Section 4 DEFINITIONS

- a) Where the word “Officers” appears, it shall mean ELECTED MEMBERS OF THE EXECUTIVE; namely the President, 1st Vice-President, 2nd Vice-President, Past-

President, and Secretary/Treasurer.

- b) Where the word "Organization" or "Club" appears, it shall mean "SLOVENSKI NARODNI DOM-LIPA PARK OF NIAGARA REGION."
- c) Where the words "General Assembly" appears, it shall mean "a paid member in good standing".

Section 5 COUNCIL OF ADMINISTRATION

The Executive are in a fiduciary relationship with the Club and are obliged to act honestly and in good faith in respect to the club, including a duty to avoid conflicts of interest and a duty to avoid abusing their position to gain personal benefit. The duty of confidentiality may relate to the disclosure of personal information and it would be inappropriate for an Executive member to share this information. It would also be inappropriate for an Executive member to gossip among the wider organization after a decision has been made or during the course of discussion related to decision-making.

An Executive member can disagree with a decision and register dissent. If they are seriously at odds with a decision the individual should consider resigning.

The affairs of this Club shall be managed by elected members of the Executive. The Executive elections are held once a year, at the regular annual meeting, in the month of March.

- a) The newly elected Executive assume their responsibilities for the next fiscal year, commencing April 1 of the election year and ending their terms on the date of March 31.
- b) Should an active member seek the office of either the President or Vice President, he/she shall have served on any other committee for a period of one (1) year prior to his/her nomination for either position.
- c) All General Membership meetings pertaining to the Club must be held at the Club headquarters.

Section 6 RESPONSIBILITIES OF THE EXECUTIVE PRESIDENT

- a) The President shall, when present, preside at all meeting of members and of the Council of Administration, and prepare the Agenda for such meetings;
- b) The President shall also be charged with the general management and supervision of the affairs and operations of the Club;
- c) The President, along with the Secretary, or other officers appointed by the Council of Administration for this purpose, shall sign all by-laws;
- d) In exercising the authority of the President, he/she shall oversee that each meeting is conducted in accordance with these agenda items:
 - 1. Call meetings to order (President)
 - 2. Roll call of members (Recording Secretary)
 - 3. Approval of previous minutes, sent electronically prior to meeting (Recording Secretary)
 - 4. Report of Membership Secretary
 - 5. Report of Treasurer
 - 6. Report of 1st Vice President

7. Report of 2nd Vice President
8. Report of Hall Rental Agent
9. Report of Building and Grounds Committee
10. Report of Cultural Committee
11. Report of Audit Committee
12. Other business
13. Adjournment

- e) Maintain order within the General Assembly and Council of Administration;
- f) Operate within the by-laws of the Club and demand respect for the rules and regulations of the Club;
- g) Open and conduct the meeting of the Club utilizing Parliamentary procedure, i.e.: answering all questions that might be brought before the Club, to the best of his/her knowledge and ability;
- h) Demand respect for the positions of the Council of Administration and all other members of the Club, and give due consideration to all of the matters brought before any meetings, including the General Assembly;
- i) It shall be the prerogative of the incumbent or elected President to call as many meetings of the elected Council of Administration as he/she deems necessary;
- j) To familiarize himself/herself and the new Council of Administration with his/her duties for the upcoming year; to appoint or elect, as per the Constitution, a Chairperson of the various Committees to efficiently expedite the transfer of responsibility in all phases, from the exiting Council of Administration;
- k) The exiting President, Executive, and Directors shall cooperate in the fullest manner to accommodate an expedient and efficient transfer of responsibility, to the extent of at least three (3) joint meetings, and more if necessary, between the exiting and newly elected Executive.

The President's Advisor shall be the immediate past President.

Section 7 DUTIES OF THE VICE PRESIDENT AND SECOND VICE PRESIDENT

During the absence or inability of the President, the duties and powers of the President shall be exercised by the 1st Vice President, firstly, and in his/her absence, the 2nd Vice President;

The 1st Vice President and 2nd Vice President shall collaborate with and assist the President in the performance of his/her duties and shall be prepared to perform such other duties and responsibilities as may be assigned to him/her by the President.

Section 8 a) SECRETARY/TREASURER

Secretary/Treasurer: Keeps the Club's books of accounts of income and expenses; conducts the Club's business, as directed by the President; collects mail and distributes to the relevant parties and reports income and expenses of the Club.

- i) The Secretary has signing authority, and has authority for the use of the Club's Seal.

- a. Compiles Executive Directory after the March elections for distribution in April of corresponding year.
 - b. Designs flyers for Lipa Park events for further distribution (electronic or by mail)
- ii) The Treasurer: Receives all Clubs' monies from the Secretary and deposits in the Club's bank account and pays all invoices issued from the Secretary and authorized by the President. The Treasurer keeps an electronic record showing all incoming and outgoing monies and prepares the monthly and yearly financial statements. The Treasurer will prepare the Financial Statements and other related items to prepare for an annual independent Financial Audit.
- iii) other duties include:
 - preparation of upcoming years calendar template for event scheduling, updating the template and distribution of final version to executive, members and on website.
 - update and distribute Executive list to membership
 - prepare and distribute annual letters to Town of Pelham, Pelham Fire Department, Niagara Health Department, Pelham Building Official, and Niagara Regional Police for permission to host Lipa Park events.
 - prepare any other documents as requested by Lipa Park Executive.

Note: All files older than two (2) years should be archived in the onsite filing cabinets at Lipa Park.

b) RECORDING SECRETARY

Records minutes of all meetings, performs roll call and substitutes for the Secretary, if necessary.

Note: All files older than two (2) years should be archived in the onsite filing cabinets at Lipa Park.

c) MEMBERSHIP SECRETARY

- i) Prints up membership applications in both English and Slovenian.
- ii) The Secretary handles all of the Club's membership correspondence, keeps an alphabetical roster of names and addresses of members, along with the dates of their (the members) joining the Club.
- iii) Notate mailing list to indicate which members prefer correspondence in either language.
- iv) Record paid memberships and categorize by family, single, (or other) membership.
- v) Have membership cards signed by President and Membership Secretary.

- vi) Issue appropriate membership cards along with calendar of events.
Note: members receiving e-mail correspondence will receive their card by conventional mail delivery or by hand.
- vii) Submit cheques and cash derived from membership fees to Treasurer.
(Reconcile amounts collected and number of members with Treasurer each quarter of the year.)
- viii) Record appropriate entries for prepaid memberships, retroactive and/or late payments, and miscellaneous donations.
- ix) Provide membership updates at monthly meetings (number of members and membership fees collected).
- x) Updates e-mail members' list.
- xi) Membership is recorded electronically.

Note: All files older than two (2) years should be archived in the onsite filing cabinets at Lipa Park.

d) E-mail SECRETARY

- i) respond to all e-mail sent to Lipa Park and send to the appropriate person for follow up.
- ii) distribute flyers for events electronically and share with Website Maintenance person.
- iii) distribute updates, ads/flyers, newsletters, links, and information from other Slovenian organizations to all Lipa Park members subscribing to e-mail distribution, as requested by Lipa Park Executive.

Section 9 WEBSITE / INSTAGRAM MANAGEMENT

Updates Lipa Park website. (e.g.: photos, event calendars, executive members, contact info, etc. These updates must be appropriate for members' website access or the public website access.

Section 10 FACEBOOK MANAGEMENT

Person (or designate) is responsible for electronic posting of Lipa Park events and other information as requested by the Lipa Park Executive. They are also to post pictures of events, if available.

Section 11 BUILDING AND PARK GROUNDS COMMITTEE

Is elected at the annual election meeting and must consist of a maximum of seven (7) members; A LEADER is to be elected by the Committee and should have access to all digital APPS used to run Lipa Park.

TEAM responsibilities are:

- i) to maintain the building and park grounds, including repairing and maintaining the

- building, storage sheds, furnishings, and park grounds;
- ii) to care for tools and provide an equipment inventory to be submitted for control to the Audit Committee and Board of Directors;
 - iii) the Leader (or designate) oversees the building and grounds and submits a report at the monthly Executive meeting.

Section 12 CULTURAL AND SPORTS COMMITTEE

Is elected at the annual election meeting and must consist of a maximum of five (5) members. A leader is to be elected by Committee, one for Cultural and one for Sports.

Responsibilities of this Committee are:

- a) to organize and supervise all Cultural and Sporting activities of the Club and its participation in most of Niagara Region's Cultural Festivities;
- b) to promote and cultivate the Slovenian language and customs.
- c) maintain costumes (cleaning, storing and keeping an inventory of articles).
- d) ensure Lipa Park Ambassador has a full costume to be worn at functions representing Lipa Park.
- e) orient Ambassador to Lipa Park events and other community events in particular, Folks Arts Festival.
- f) coordinate hosting of Folk Arts Ambassadors during Lipa Parks Open House, including meals and refreshments and dedicated table for Ambassadors.
- g) dress in Slovenian garb during Folk Arts Open House.
- h) Purchase and wrap gifts for the children's Christmas Party at Lipa Park.
- i) assist with the organization and facilitation of the children's Christmas Party.
- j) Other duties as assigned by the President related to cultural and educational events.

Section 13 AUDIT COMMITTEE

Is elected at the annual election meeting and must consist of a maximum of four (4) members.

Generally speaking, this Committee oversees financial control of the organizations social and private functions. Every 6 months within a calendar year, they must audit the Club's financial books or more often if they deem necessary. After the audit, they must report their findings at Executive Meetings. This audit includes examination and reconciliation of the bank book (including deposits, cheques, and bookkeeping records as compared to payables and expenses). Utilization of the bookkeeping records contributes to accounting balances.

All or part of this Committee is to audit all financial activities of the Club.

The Audit Committee in conjunction with the Treasurer will contract with an independent auditor in order to conduct an annual Financial Audit. This audit will be conducted in time to report the findings at the March meeting.

Section 14 COMMITTEE MEMBER VACANCIES

The Duty of Confidentiality may relate to the disclosure of personal information to which the Executive Committee is privy as a result of their position.

If for any reason a member resigns or exits from his/her position before their term year expires, the Executive Committee elects someone to fill the vacancy for the remainder of the term to carry out the respective responsibilities of the vacated position.

Section 15 QUORUM

- a) One-third (1/3) of the Executive shall form a quorum for the transaction of business. The Executive shall have a minimum of one (1) meeting per month on a date fixed by the Executive and hold as many meetings as the Executive deems necessary.
- b) A quorum for the transaction of business at any membership meeting shall consist of not less than twenty percent (20%) or fifty (50) members, whichever is the greatest. In the event no quorum is present, to wait one (1) hour after specified time of meeting. If no quorum is present after this one (1) hour wait, the quorum necessary to have a meeting will be reduced to ten percent (10%) of the membership and the meeting declared legal.

Section 16 POWERS OF THE EXECUTIVE OFFICERS

All of the Club's income must be deposited in the bank where Lipa Park holds an account and recorded in the Club's bank book and also appropriate entries made in the Club's financial books.

Any two of the President, Vice President, Second Vice President, or Secretary/Treasurer are to authorize cheques up to a maximum of five thousand dollars (\$5,000).

In the absence of the President, Secretary, or Treasurer, the signature of a Vice President as replacement is required to attain the minimum required signatures of two (2) executive members.

All cheques issued by the Club require a minimum of two (2) Executive signatures.

Expenditures in excess of five thousand dollars (\$5,000) shall be entered into and agreed upon with at least two (2) estimates duly defined and detailed as to work to be performed, material used or article purchased, regardless of who does the work or sells the article (and) signed by the company or individual, as the case may be, before it is presented to the Executive for their approval.

All estimates must be entered in the minutes.

Legal documents, deeds, transfers, licenses, contracts, and engagements on behalf of the Club shall be signed by the current presiding Executive. Contracts in the ordinary course of the Club's operation may be entered into on behalf of the Club by the President, either Vice President, Treasurer, or by any other person authorized by the President and the Executive.

All Executive positions, upon termination of office, either by way of election, dismissal, or in any other way, will deliver unto their successors, all documents and paper, money, keys, uniforms, chattels, or other property pertaining to the Club, properly completed and duly signed as to their authenticity.

Such transfer of Club property shall be made forthwith or before, if removed from office, to the individual successors, or to the presiding President of the Club.

No Executive, Director, or Committee member of the Club may destroy any records of the Club without authorization from the General Membership and appropriate entries made into the minutes.

Section 17 VOTING

Questions arising at any meeting of the Council of Administration shall be decided by a majority of members present.

In case of a tied vote, the Chairperson has the deciding vote.

All votes at any such meeting shall be taken by ballot if requested by any membership present, but if no request is made, the vote shall be taken in the usual manner, i.e. by show of hands.

A declaration by the Chairperson that a resolution has been carried and an entry to that effect is recorded in the Minutes shall be admissible in evidence as prima facie proof of the votes recorded in favour of or against such resolution.

In the absence of the President, his/her duties may be performed by the Vice President, Second Vice President, or such other member of the Executive from time to time and be appointed for that purpose.

Section 18 MEMBERSHIP CATEGORIES

The Slovenian National Home Lipa Park has three (3) membership categories. All members are entitled to one vote at the meetings and can be elected to the Club's Executive, subject to eligibility criteria pertaining to the specific position. Membership categories are defined as follows:

Active Members are persons who pay annual Club membership dues. They must be of Slovenian descent, or at least one member of the family must be of Slovenian descent.

A Supporting Member is an individual who donated a minimum of fifty (50) dollars to Lipa Park in any year from 1975 – 2012. Supporting members were admitted regardless of ancestral descent. Supporting members have a right to be present at meetings in the instance of dissolving or sale of Lipa Park property, subject to the Letters Patent dated April 9, 1989 (Ontario Corp. 57EA18).

Social Members are persons who are a nationality other than Slovenian and pay annual membership dues. Social members have a right to be present at regular and extra-ordinary meetings, at which they may be involved in discussions and decisions which are of impact to the Club.

Section 19 RESPONSIBILITIES AND RIGHTS OF MEMBERS

It is the responsibility of each member to abide by the Constitution and by-laws of the Club.

Members are to work toward the development and growth of the Club.

Each member has the right to participate in all regular and special or extra-ordinary meetings of the Club and to attend social events and festivals sponsored and organized by the Club.

Members must pay annual membership dues which are due by March 31 of the corresponding fiscal year. Members who are in arrears will not be considered as participating, social or active members until the arrears are paid in full.

Each member has a responsibility to uphold the Club motto and Principles of Section 2.

The Club will contribute flowers or donate to a charity of kin's choice when an active member dies. The amount of this donation will not exceed the set amount set at each April meeting of the Executive and membership.

Members should advise the Membership Secretary upon learning of a member's death.

Upon the death of a member who was a donor or supporting member, their donation belongs to the Club, subject to the Letters Patent ONTARIO CORPORATION No. 578418.

New members are issued membership cards and a Welcome Package by the Membership Secretary.

Membership dues are payable once a year. This applies to all members 18 years and over.

The membership dues for the following year are set at the November meeting each year.

At applicable meetings, an active member has the right to voice his or her opinion on the Constitution.

Section 20 EXPULSION OF MEMBERS

Whenever a member is accused of an action against the Club, it must be investigated by a Committee composed of the President, immediate Past President, Secretary/Treasurer. Decisions made by this Committee must be in accordance with the Club's Constitution.

Membership cards and rights can be revoked for a fixed period of time, as decided by the Committee, as defined in Section 20 (a).

The guilty party can be punished by refusal of admittance to the Club property and social functions, and must surrender any Club property, including but not limited to keys.

In case of damages, restitution must be made by the guilty party.

Any member affected by a decision, may appeal in writing by Registered Mail to the Club's Secretary within thirty (30) days of such a decision. Appeals will be heard by any relevant person(s) and the Board of Directors and a decision is to be made within 30 days of receipt of the appeal. The subsequent decision related to the appeal must be documented and issued by registered mail to the affected member within 10 days of the decision being made.

Section 21 ILLEGAL ENTRY

Entry to Lipa Park grounds, when there is no Club authorized function, is permitted only to members and their guests. Members have the right to advise other persons (non-members) that they are trespassing. "No Trespassing" signs are posted.

Section 22 DISSOLVEMENT (ASSETS)

- a) If the Club's property is sold and the proceeds are not used to purchase another property, the Club will either:
 - i) dissolve, or
 - ii) the proceeds of the sale will be deposited in a holding account and managed by the Board of Directors for future endeavor's and/or activities.

if the Club dissolves, the voluntary donations are returned to the donors. If the

Club property is sold and the proceeds are not used to purchase another property, then the voluntary donations are returned to the donors, subject to Letters Patent, ONTARIO CORPORATION No. 578418.

- b) Upon dissolution of the Club, and after payment of all debts and liabilities are completed, and after all other related assets of the Club are sold, the monies remaining shall be distributed as follows:
- c) i) Voluntary monetary donations made to the former unincorporated Club, and to the Club after incorporation, by Active and Supporting members, shall be returned to them, in full, subject to Letters Patent, ONTARIO CORPORATION No. 578418.
ii) Interest shall be paid to donors on their donations based on the average rate of inflation, per annum, for as many years as the donor was a member in good standing, provided that the said interest payments, in total, shall not exceed fifty percent (50%) of the assets then available for distribution, in which case, interest payments shall be made to donors at a diminished rate on pro rata basis.

At property sale meetings, decisions are made valid by a majority vote of two-thirds (2/3) or sixty-six percent (66%) of the membership. If there is not an attendance of two-thirds (2/3) of the membership, then another meeting is called within ninety (90) days.

If at this second meeting, there is still not two-thirds (2/3) of the membership in attendance, then decisions are made valid by a majority vote of members present.

Section 23 BOARD OF DIRECTORS

The Board of Directors has the highest voice in the Club of Slovenian National Home Lipa Park and consists of four (4) members who are Guardians of the Club's property. These four (4) members would consist of elected Active members, subject to the following criteria:

They are elected to Office every year, for a term of one (1) year.

The elected Executive administers the affairs of the Club. The Board of Directors over sees the Executive and holds the Executive accountable to the principles of the constitution, and by-laws of the Club.

The Board of Directors remain as the controlling voice of Lipa Park until the end of their term of office, or until the Property is sold, or until all funds in the holding account are exhausted.

If there is a death of one or more of the Board of Directors, or one of more of the

Board of Directors hands in a letter of resignation, the Club's Executive names replacement(s) from active members who will hold office for the duration of the term. Every change in the Board of Directors takes effect immediately.

The Board of Directors' responsibility is to attend all Club meetings.

If a new Executive cannot be elected, the Board of Directors must manage the property. They must pay the taxes and all costs of maintaining the property and, if necessary, borrow money against the property for maintaining it.

If after two (2) years, a new Executive still is not elected, then the Board of Directors places the property up for sale, in accordance with this Constitution and these by-laws.

At the end of the fiscal year, they must examine the list of contributions of new supporting members and are responsible for ensuring that these lists are placed into safe-keeping, onsite at Lipa Park, with the remainder of the Club's administrative and financial documents.

If the property is sold, it is the Board of Director's responsibility to transmit to the lawyer the following documents:

- Constitution and by-laws of the Club, including the Charter.
- Deed of the Club.
- Inventory of all Club assets, financial statements and accounting records.
- Records demonstrating the years the Active and Supporting members paid their membership dues, and archived records indicating initial and subsequent donations of Active and Supporting members.

Section 24 AMENDMENTS

These by-laws, rules, and regulations may be amended by submitting a notice of motion, which requires two-thirds (2/3) majority vote of the members present in good standing. The amendment must be properly drafted in writing, stating the article number, showing the original wording as well as the proposed amendment. The proposed amendment shall be provided to all members in good standing for their consideration, at least five (5) days prior to the next general meeting, at which it shall be acted upon.

Section 25 VALIDITY OF CONSTITUTION AND BY-LAWS

The Constitution and By-laws of the Club are written in English and Slovenian language, if possible. The recent English version shall be considered valid, final, and binding.

Section 26 ANNIVERSARIES AND CULTURAL EVENTS

At all of the Club's Anniversaries and Cultural Events, part of the program shall be

conducted in Slovenian.

WASH-UP MOTION (AT ANNUAL MEETING OF MEMBERS):

Upon motion(s) duly made, seconded, voted upon, and carried, it is resolved that all acts, contracts, liabilities, proceedings, appointments, elections, and payments enacted, made, done, and taken by the Board of Directors and Executive of the Club since the last annual meeting of members, and referred to in the Minutes of the meeting of the Club, be hereby approved, ratified, and confirmed.

The Constitution and By-laws of Slovenian National Home Lipa Park of Niagara Region has been accepted by a majority vote of the members present at the Annual Meeting of 2023. The following are the Officers who witnessed and accepted the said Constitution and By-laws:

CONSTITUTION COMMITTEE:

CHAIR

Augustin, Sue, 2nd Vice President
Dykstra, Joanne, Recording Secretary

COMMITTEE MEMBERS

Chermaz, Frank, President
Cernac, John, 1st Vice President
Reiter, John, Past President
Vogt, Tom, Membership Secretary

LIPA PARK EXECUTIVE (2023 – 2024):

PRESIDENT

Chermaz, Frank

FIRST VICE PRESIDENT

Cernac, John

SECOND VICE PRESIDENT

Augustin, Sue

SECRETARY

Dykstra, Joanne

BOARD OF DIRECTORS (2023 – 2024):

Davies, Anne

Kosic, Lori

Plut, Boris

Razpotnik, Magda