

Sharon Johnston Swim Team – Bylaws

ARTICLE I – SWIM TEAM OFFICERS

1. DEFINITION OF TERMS AND QUALIFICATIONS.

- a. Number. The swim team officers shall consist of 5 persons, including the president, vice president, treasurer, secretary and one floating position.
- b. Board. The collective officers.
- c. Terms. The president, vice-president, treasurer and secretary, in addition to one other officer shall be elected each year for one-year terms (September through August) or until their successors have been selected and qualified.
- d. Qualifications. Any swim team parent, is eligible for swim team officer, except that at any given time, only one vote can be connected with any given family for voting purposes of the board.
- e. Vacancies. Mid term vacancies occurring in the board shall be filled by a vote of the remaining officers. An officer elected to fill a vacancy shall serve until the next officers meeting, at which time the members shall elect a successor for the remainder of the one-year term of the original officer.
- f. Compensation. No compensation will be given for service as an officer.
- g. Employees. Employees of the organization who receive compensation for their services are prohibited from serving on the board.

ARTICLE II - DUTIES AND POWERS OF THE OFFICERS

2.1 MANAGEMENT.

The affairs of the Sharon Johnston Swim Team shall be managed by the swim team officers.

2.2 REPORTS.

The board shall provide members with a report not less than quarterly and shall at each annual meeting give members a general report of the affairs of the pool, including a written financial report.

o Treasurer's report shall consist of account balance, past expenses and projected expenses.

2.3 MEETINGS.

- a. Regular Meetings. The board shall meet at such times as required, established by the President.
- b. Special Meetings. Special meetings of the board may be called by any two members of the board.
- c. Quorum. A majority shall constitute a quorum of the board. In the case of a tie vote, the issue at hand will be postponed until the full board can be convened.

2.4 NOTICE OF MEETINGS.

The secretary shall give notice by telephone or email not less than three days in advance for special board meetings. Attendance of a quorum of officers at any meeting shall constitute a waiver of notice of such meeting. Neither the business to be transacted nor the purpose of any special meeting of the board need be specified in the notice or waiver of notice at such meeting.

2.5 ACTION WITHOUT MEETING.

Any action (other than revising or sanctioning the bylaws) required by these bylaws to be taken at a meeting of the board may be approved by the board without a meeting, (including by telephone or email), if:

Reasonable attempts are made to reach all of the officers;

- a. The action proposed, opinion and the vote of each officer can be reduced to writing (incl. via email); and
- b. The writing is signed (or acknowledged via email) by the FULL board.

Absolutely NO action can be taken pursuant to this subparagraph unless all officers are actually contacted.

2.6 SELECTION, VACANCIES, REMOVAL OF OFFICERS.

- a. Selection. The board shall, at the last meeting of the regular season, elect from among all qualified candidates, a president, vice-president, secretary, treasurer and a fifth member. At the board's discretion, they may also appoint an assistant secretary and/or an assistant treasurer.
- b. Vacancy. The board shall fill any vacant office and may appoint temporary officers if an officer is absent or otherwise unable to act.
- c. Removal. The board may remove any officer with a majority vote at any time, without cause, at a meeting called specifically for that purpose.

2.7 CREATION OF COMMITTEES.

The board may create or provide for the creation of such committees, as they deem necessary.

These committees may include, but not limited to, recruiting, fundraising, swim team, maintenance, training, finance, nominating, etc.

2.8 BANKING AUTHORITY.

- a. Banks. The board may designate depository banks and execute such instruments as are required by such banks.
- b. Withdrawals. Only appointed officers may disperse team funds. These officers may sign all checks or other instruments for the payment of monies, however, the withdrawal must be acknowledged by at least one other officer, preferably the president.

2.9 REVIEW AND AUDIT OF RECORDS.

The board may at any time, or individual officers may at any time by vote, order an audit of the swim team's financial records and/or a review of the team's accounting systems and procedures.

ARTICLE III - OFFICERS

3.1 PRESIDENT'S DUTIES.

The president shall preside at all meetings of the board. The president:

- a. Shall be chief administrative officer of the team affairs, including attending all Rocket City Swim League meetings.
- b. Shall appoint, with board approval, all committee chairs and members, provided that the president shall consult with each committee chair concerning the members of his/her committee before submitting the proposed committee members to the board for approval;
- c. Shall appoint, hire and/or set compensation, with board approval, for swim team coach, assistant coaches and all other operational positions;

- d. Shall be ex-officio member of all committees; and
- e. Shall sign all written contracts, agreements and checks above \$250.

3.3 VICE-PRESIDENT'S DUTIES.

The Vice-President shall serve in the absence or disability of the President, and during such time shall have all the President's duties and powers. The Vice-President:

- a. Shall have such duties as the board or the president shall assign;
- b. Shall accept the concept of "President-in-training"
- c. Shall be the Swim Team Committee chair.

3.4 SECRETARY'S DUTIES. The secretary:

- a. Shall keep the minutes,
- b. Shall attend to the correspondence and send out notices of meetings;
- c. Shall perform such other duties as the board or the president shall assign.
- d. Shall keep all historical records
- e. Keep all meet forms
- f. Maintain birth certificate file
- g. Receive recommendations or petitions for amendments to these bylaws.

3.5 TREASURER'S DUTIES. The treasurer:

- a. Shall have charge of the team's books of account and deposits;
- b. Shall perform such other duties as the board or the president shall assign. The treasurer is not automatically given check signing authority. This will be granted by the president, if necessary.

3.6 OTHER OFFICERS' DUTIES.

The assistant secretary and assistant treasurer, if appointed shall perform such duties as the board or the president shall assign.

ARTICLE IV - COMMITTEES

4.1 STANDING COMMITTEES.

Standing committees shall be established as necessary for the supervision and coordination of pool functions and activities, and shall include, but not be limited to, maintenance, membership, and swim team committees.

- a. Maintenance Committee - The maintenance committee shall:
 - 1. Investigate and periodically report to the board the nature, extent, and estimated cost of recommended necessary or desired maintenance of the pool facilities,
 - 2. Carry out other duties as assigned by the board or the president.
- b. Publicity & Registration Committee - The recruiting committee shall:
 - 1. Maintain a current roster of memberships and publish and distribute a membership roster;
 - 2. Maintain a record of the payment of registration fees and assessments;
 - 3. Carry out other duties as assigned by the board or the president.
 - 4. Contact the area PTAs, churches, etc, for recruiting purposes
- c. Swim Team Committee - The swim team committee shall:
 - 1. Monitor all aspects of the swim team's activities including swim meet assignments and coordination;
 - 2. Make periodic reports and recommendations to the board, including addition, retention of termination of swim team staff;
 - 3. Provide information concerning anticipated/actual revenues and expenses to be generated

by and incurred by the swim team; and

4. This committee is chaired by the Vice President
5. Oversee and promote training for judges, referees and starters
6. The head coach must be a member of this committee
7. Swimmer participation at the swim meets is at the sole discretion of the coach(es)
8. Carry out other duties as assigned by the board or the president.

d. Nominating Committee

The president, with the approval of the board, shall appoint a nominating committee of three members who are not members of the Board not less than sixty days before the annual members' meeting. The nominating committee shall canvas the membership for names of potential

board candidates. Each potential candidate must indicate a willingness to serve prior to being nominated. The nominating committee shall report the names of the nominees to the board at least 20 days before the annual members' meeting.

e. Finance Committee

No later than the board's spring meeting (prior to the swim season), it shall form a finance committee which shall include at a minimum, the president and the treasurer. This committee shall monitor actual receipts and expenditures for the current fiscal year. The finance committee shall also draft a budget including all anticipated revenues and expenses for the next fiscal year which should be considered and acted upon by the board not later than its spring meeting. The finance committee will oversee fundraising, other revenue gathering activities and the end of season activities.

ARTICLE V - REGISTRATION FEES AND REFUNDS

5.1 REGISTRATION FEES

Registration fees are the monies collected by the swim team to offset costs of pool rent, personnel stipends, fund raising activities, recruiting material, printing, mailing, normal repair, equipment replacement, operating contingencies, reserve funds, etc. These registration fees are to be commiserate with other area swim teams, but not necessarily solely based upon pool memberships, country club memberships or other privately incorporated recreational facilities.

The board shall determine regular registration fees to be paid by each swim team member. The action of the Board in this regard (fee setting) shall be based upon expenses of operation incurred or reasonably estimated. The amount of registration fees are determined by the Board at the spring meeting (prior to the swim season). Registration fees are collected either at registration, usually held in May, or immediately thereafter. For voting purposes, every due paying member of the swim team shall be entitled to one vote. All registration fees must be 100% paid prior to the first swim meet.

All members are expected to meet their personal obligation for payment of all fees. Any checks returned to the Swim Team for insufficient funds, closed account or any other fault that prevents the successful transaction, will be forwarded to the member with the expectation for the member to

pay all bank penalties, along with the principal fee. Failure of a member to meet their obligation can result in suspension from all team activities and forfeit of any previously collected fees. [Adopted by the board March 2007]

Full refunds of the registration fees will not be made under any normal circumstances. Refunds may be considered with unanimous approval of the FULL board for "hardship" cases. Hardships might include death of a swim team member or person(s) in the member's immediate family or dissolution of the swim team. The refund MUST be requested by the swimmer or swimmer's family, in writing, before the first scheduled swim meet of the current season.

Partial refunds of no more than 80% may be approved by the President in cases where the swimmer or swimmer's family deem that the swimmer can no longer fulfill the requirements of the team. The definition of these requirements is solely at the discretion of the President. The refund MUST be requested by the swimmer or swimmer's family, in writing, before the first scheduled swim meet of the current season.

Any and all refund requests after the first swim meet, will be rejected.

5.2 RIGHTS AND DUTIES.

All Sharon Johnston Swim Team members shall be accorded equal privileges in the use of the facilities as every other Sharon Johnston Swim Team member. They shall also be subject to the same rules and regulations in the use thereof, except that members who are delinquent in the payment of registration fees or assessments or other sums owed to the swim team shall not be allowed to use the facilities until the registration fees or assessments or other sums owing are brought current.

- a. Swim team members shall be responsible for the conduct of their guests.

5.3 ELIGIBILITY.

The Sharon Johnston Swim Team accepts any child capable of swimming 25 yards and no older than 17 years. Proof of age (i.e. birth certificate) will be required at registration.

5.4 SUSPENSION OR TERMINATION

- a. Any swim team member, after notice and hearing before the Board, may be suspended or permanently expelled from the swim team by a unanimous vote of the FULL board, at a meeting held for that sole purpose. No partial or full refund will be given. Only with the majority approval of the board can the member be reinstated.
- b. Suspension or Termination from the Sharon Johnston Swim Team may occur with any team member that:
 1. Consistently refuses to obey pool safety rules
 2. Subjects another team member to mean-spirited harassment or hazing
 3. Violates local, county or state statutes on public decency or manner

4. Transports alcohol or illegal drugs anywhere into the park area
 5. Transports firearms into the park area.
 6. Failure to pay registration fees
- c. Cause for Suspension/Termination. Cause for suspension or expulsion shall be violation of the bylaws or rules of the pool, or failure to pay registration fees, assessments and other charges. Memberships are subject to involuntary termination if full payment of registration fees and any assigned delinquent fee is not received before the first swim meet.
- d. Liability for Unpaid Charge – Suspension. Upon suspension of a swim team membership, the holder(s) of the suspended membership are still liable for unpaid monies, but can no longer participate in any swim team activities, including swim meets, practices, social events, etc. In the case for resolution of the suspension, all rights and privileges will be reinstated to the holder(s).

5.5 TEMPORARY SUSPENSION OF POOL USE.

The board may empower any of its officers or any responsible employee of the pool to suspend the pool privileges of any person eligible to use the pool for not more than seven days for violation of pool rules. Such suspension shall be reported by telephone to the president as soon as practicable and a written report shall be provided to the president within 24 hours.

5.6 POOL PROPERTY DAMAGE.

Property broken or damaged, at either the home or away facility, by any member or by the member's guest shall promptly be paid for by such member. If not paid by the end of the season in which the damage is incurred, the charges shall be paid by the end of the season or collected by a 3rd party.

5.7 BODILY OR PERSONAL PROPERTY DAMAGE.

By becoming member of the Sharon Johnston Swim Team, members who are granted pool privileges shall and do agree to indemnify and hold the Sharon Johnston Park, Sharon Johnston Swim Team and Officers harmless from, and do waive any claim they may acquire on account of, any damage or injury to the person and/or property of the member the member's spouse, children and relatives and other persons accorded the privilege of using the Pool and Pool facilities, caused to such persons or property while using the Pool or Pool ; facilities, and/or while in or on the Pool facilities, regardless of the cause of any such damage or injury to persons or property, and including any damage or injury caused by the condition of the Pool or other facilities, or their being or becoming in disrepair, unsafe or of defective condition.

5.8 BOOKS AND RECORDS.

All books and records of the swim team may be inspected by any member, or the member's agent or attorney, for any purpose at any reasonable time.

5.9 OTHER ASSESSMENTS

Assessments by Board. In addition to the regular annual registration fees and with unanimous

board approval, the board may elect to levy assessments not in excess of \$10.00 per membership per year for specific capital improvements.

5.10 LIMIT OF ASSESSMENTS WITHOUT MEMBER APPROVAL.

Assessments in excess of \$10.00 per membership in any one year for capital improvements must be approved by the swim team membership at a special meeting called for that purpose.

5.11 WORK-CREDIT.

The board may decide to establish procedures whereby members may receive credit for labor performed in support of the pool's operation. The board may set a limit on the amount of work credit available to any membership in a particular year.

5.12 MEMBERS' LIABILITY.

Members shall be required to pay all charges and liabilities incurred by them or their families and their guests.

5.13 FEES FOR SERVICES.

The board shall have the authority to set fees and/or registration fees for lessons, rentals, and such other services as the swim team may offer to members.

ARTICLE VI - MEMBERS' MEETINGS

6.1 ANNUAL/SPECIAL MEETINGS NOTICE

- a. Annual Meeting. There shall be an annual meeting of the members of the swim team immediately after the end of the swim. In the notice for the annual meeting, the secretary shall set forth the name and a brief biography of each person nominated for swim team officers.
- b. Special meetings. Special meetings of the pool may be held when called as provided for in section 6.3 below.
- c. Notice of Meetings. The secretary shall give written notice to all members at least ten (10) days prior to any meeting of the general membership.

6.2 ORDER OF BUSINESS.

The order of business at the annual meeting shall be:

- a. Secretary's report, including minutes of the previous annual meeting, and certification of members present and signed proxies.
- b. General report by the president.
- c. Financial report.
- d. Old business.
- e. Election of officers.
- f. New business.

6.3 SPECIAL MEETINGS.

- a. Special Meetings, Notice. The board may at any time call a special meeting of the membership. The notice of any special meeting shall state the purpose of the meeting, and no subject not specifically set forth in the notice shall be considered or decided at the meeting.

b. Meetings Requested by Membership. The president shall call a special meeting of the general membership within 15 days following receipt of a written petition from 40 percent of the total membership requesting such a meeting and stating the purpose of the meeting. Notification and subject limitations shall be as provided in subparagraph a. above.

6.4 VOTE.

a. Vote. Each membership shall be entitled to one vote at any regular membership meeting.

6.5 QUORUM.

The presence or representation by proxy of 15 percent of the memberships entitled to cast votes at any meeting of the membership shall constitute a quorum. Any action, except amendments to these bylaws, except actions affecting real property requiring a vote of the members under section 2.3 and except as otherwise required by law, shall be by a simple majority of those present or represented by proxies.

6.6 RULES OF ORDER

The latest edition of Roberts Rules of Order shall govern the conduct of all meetings except where contrary to these bylaws.

ARTICLE VII - OPERATING RULES

The board shall adhere to and enforce pool rules established by Sharon Johnston Park in regulating the operation, safety and use of the pool by swim team members.

ARTICLE VIII - AMENDMENTS TO BYLAWS

The bylaws of the swim team may be amended at any regular meeting or any special meeting called for that purpose, as follows:

- a. The board may recommend any amendments.
- b. Any member in good standing may submit in writing to the secretary a recommendation for amendment to the bylaws. The board, after due consideration, shall determine whether such an amendment shall be introduced into the bylaws by unanimous approval of the FULL board or submitted to the general membership for approval.
- c. Alternatively, or if the board rejects the proposed amendment, a petition of 40 percent of the members shall require the board to submit a proposed amendment to the membership for adoption.
- d. Each proposed amendment shall be presented in writing to the membership along with the notice of the meeting, for the purpose of considering the amendment, at least ten days prior to the date of such meeting.
- e. Each amendment to the bylaws must be approved by a vote of two-thirds of the total membership or represented at an appropriately called meeting.