

WEAVERVILLE SWIM TEAM

BYLAWS

Weaverville Swim Team, a California Corporation

Corporation ID #:

Adopted: March 2009
Revised February 2011

Article I Name

SECTION 1. The name of our organization shall be the Weaverville Swim Team, hereinafter referred to as “WST.”

SECTION 2. The mailing address of WST shall be:
PO Box 2216
Weaverville, CA 96093

SECTION 3. The fiscal year of WST shall commence on the first day of January each year and terminate on the 31st day of December of each year.

Article II Mission

SECTION 1. WST is a competitive/recreational club. We recognize that swimming is an individual sport but we choose to compete as a team. Our goal is to promote swimming as a lifelong sport for our children. We acknowledge that some children may only swim for recreation or fitness. Swimmers who choose to compete will be encouraged to compete in meets and events when they are ready. We will encourage swimmers to set goals and for the parents and coaches to work with our children to achieve these goals. WST should provide an environment to develop our children’s body, mind and spirit and to enjoy swimming as a sport.

Article III Purpose

SECTION 1. WST is a non-profit non-incorporated organization. Its goal is to promote swimming as a competitive and recreational outlet for our children.

- a. Promote good sportsmanship
- b. Teach proper technical skills
- c. Improve physical fitness and self-confidence
- d. Provide a healthy environment to foster friendship
- e. Foster a healthy competitive attitude
- f. Learn to set goals, and with discipline and drive achieve these goals
- g. Develop leadership skills
- h. Promote a team-oriented learning environment
- i. Have fun

- j. Engage children in a constructive activity which may lead to positive choices for a lifetime

Article IV Membership

SECTION 1. Swimmers: all children aged 4-18 years old who can swim one pool length and are eligible.

SECTION 2. Parents or legal guardians of swimmers shall be the General Membership.

SECTION 3. One or both parents/guardians of one or more swimmers will be counted as one “unit” for the calculation of a quorum. Each unit will be given one vote.

SECTION 4. Membership, which extends from May 1 through September 30, will be used to determine the number of units needed for a quorum.

SECTION 5. The membership shall also be contingent upon payment of such periodic registration fees and membership dues as the Executive Board may from time to time determine.

Article V Rights and Liabilities of Members

SECTION 1. No executive, officer, member or authorized agent, coach or representative of WST shall be liable or responsible for any debts or liabilities of WST, or liable to WST except to the extent of their unpaid portion of membership dues and entry fee.

Article VI Meetings

SECTION 1. The location and date will be determined by the president and noticed by the secretary 7 days prior to a meeting of the board or General Membership.

SECTION 2. The president may call an emergency Executive Board meeting for affairs which require urgent attention.

SECTION 3. Meetings will be conducted by Roberts Rules

SECTION 4. Annual and scheduled meetings will be scheduled by the president with the usual notice.

SECTION 5. Head coach or assistant coach may serve as a non-voting, advisory member at Board Meetings.

SECTION 6. All general and Executive Board meetings shall be open to all WST members and coaching staff.

SECTION 7. Meetings

- a. May be called by the president or executive-board at any time as an executive session or general meeting.
- b. If any voting by the General Membership is needed, the meeting must be noticed 7 days in advance and a quorum of 15% must be present.
- c. Members must be present for any vote.
If no quorum is present the meeting may be adjourned and rescheduled between 48 hours and 30 days without formal re-notice. The rescheduled meeting will only need those present of the members to obtain a quorum.
- d. An agenda should be sent out with a meeting notice.
- e. Material being voted on should be made available with the notice of the meeting.

Article VII Executive Board

SECTION 1. A board of five (5) executives shall be elected by and from the general members of WST. The term of each executive shall be two (2) years, or until his successor is elected and qualified.

SECTION 2. In the event that not enough officers can be determined within The general membership, the following positions may be Combined:

- a. The positions of Secretary and Treasurer may be combined, with a title of Secretary/Treasurer who would be responsible for the duties of both offices.
- b. The positions of Vice-President and Coach Coordinator May be combined with a title of Vice-President/Coach Coordinator who would be responsible for the duties of both offices.

SECTION 2. Each Executive Board member shall be a member of the WST in good standing.

SECTION 3. Executive Board members shall be elected officers or appointed by the president of the board in the event of a resignation or removal of a board officer.

SECTION 4. Board members cannot be paid employees or under contract to WST.

SECTION 5. WST Executive Board will consist of a president, a vice-president, a secretary, a treasurer, and a coach coordinator

SECTION 6. The Executive Board shall manage the affairs of the WST as the sole authority

SECTION 7. All board and committee positions are without compensation

SECTION 8. Executive Board members related to any coaching staff shall not vote on coaching related issues

SECTION 9. Duties of the Executive Board will include but not be limited to

- a. Enforce provision of by-laws
- b. Obtain necessary insurance for WST
- c. Act as the nominating committee
- d. Select Head Coach
- e. Approve assistant coaches as selected by head coach
- f. Act as disciplinary committee or appoint a separate committee
- g. Act as co-chairmen of standing or selecting committee
- h. Establish contracts for pool rental, coaching staff, materials/supplies
- i. Select yearly meet schedule
- j. Create standing and select committees
- k. Present an annual report to general membership
- l. Pay routine bills for WST
- m. Approve the plan of working committees
- n. Appoint an auditor if needed for evaluation of financial records
- o. Amend and update SOP manual

Article VIII Duties of officers

SECTION 1. President

- a. Enforce and interpret by-laws
- b. Appoint committee membership and chairmen
- c. Shall be executive officer of all standing and special committees
- d. Coordinate all standing and special committees
- e. Schedule general and special meeting
- f. Preside at all general and executive board meetings
- g. Generally supervise, direct and control business and affairs of WST
- h. Appoint new board members to fill any vacancies
- i. Obtaining time cards from coaches and if approved pass on to treasurer
- j. Assist the coach coordinator, in reviewing and approving coaches' schedules
- k. Coordinate with Treasurer to fill out and file Form 1099

SECTION 2. Vice-President

- a. Assume the duties of the president in the event of his/her absence or disability
- b. Act as chairman of nomination committee

- c. Act as director of social events and awards ceremony
- d. Assume the role of president in the event of resignation or removal

SECTION 3. Secretary

- a. Shall keep minutes of meetings
- b. Tally votes by ballot or elections and certify the election
- c. Keep a census of active members and addresses for notice of meeting and to certify a quorum at general membership meetings
- d. Notice all meeting by mail, phone or e-mail 7 days in advance for general and executive board meetings. Committee meetings will be noticed by chairman.
- e. Prepare and/or update calendar of meetings. Make such calendar available to membership no later than January of each year.
- f. Keep a copy of by-laws and policies at all meetings

SECTION 4. Treasurer

- g. Receive and deposit funds
- h. Sign checks
- i. Assist with any audit if requested by executive committee
- j. Present an annual financial report to the general membership at the final season meeting
- k. Coordinate with President to fill out and file Form 1099

SECTION 5. Coach Coordinator

- l. Serve as liaison with coaching staff
- m. Assist the president, obtain time cards from coaches and if approved pass on to treasurer
- n. Assist the president, in reviewing and approving coaches' schedules
- o. Assist Head Coach in discipline issues as necessary
- p. Inform board if discipline issue can't be resolved
- q. Pass out, collect, collate and turn in meet sheets
- r. Turn in funds for meets to Treasurer
- s. Work with the head coach to annually review and make recommendations to the board regarding updates to the SOP

Article IX Removal of Board Member

SECTION 1. If a member of Executive Board fails to meet the qualifications or fulfill the duties of the position or be involved in a felony criminal conduct may be removed by a majority vote of a quorum of the membership.

SECTION 2. The president will appoint new board members in the event of a vacancy.

SECTION 3. The Vice-President will assume the presidency in the event of their resignation, and then appoint a new vice-president.

SECTION 4. In the event of an Executive Board's resignation or removal, all records and materials will be turned over to the president within 14 days.

Article X Election of officers.

SECTION 1. Officers must be members of WST in good standing

SECTION 2. Terms will be 2 years

SECTION 3. On even-numbered years the president and treasurer will be elected

SECTION 4. On odd-numbered years the vice-president, secretary and coach coordinator will be elected

SECTION 5. Only one family member should be on the board at a time

SECTION 6. An officer should only serve two consecutive term for any position.

SECTION 7. An officer should have previous experience on a board prior to becoming president

SECTION 8. Each family will have one vote as general members

SECTION 9. General members must be present for a vote. No proxy votes.

SECTION 10. Voting will be by secret written ballot.

SECTION 11. The secretary will tally and certify an election

SECTION 12. A simple majority of a quorum is needed to win an election

SECTION 13. Candidates will be placed on the ballot by the nominating Committee, which is the current Executive Board.

SECTION 14. Write-in votes are acceptable only if the candidate wishes the position

SECTION 15. If there are more than two candidates running for a position and a simple majority is not obtained by one candidate then the two candidates with the highest number of votes will have a run off at

that meeting.

SECTION 16. A tie will be settled by a coin toss.

SECTION 17. A quorum needs to be present for an election to be valid.

a. A quorum is those members present at the Awards Banquet.

SECTION 18. Officers will assume their new positions immediately after the secretary certifies the election.

SECTION 19. The vice-president will serve as chairman of the election committee.

SECTION 20. Nominations will be obtained in July.

SECTION 21. The executive-committee may contact members to solicit nominees as needed.

SECTION 22. A ballot will be prepared for the election with the names of the members and the positions for which they are running.

SECTION 23. Elections will be held at the Awards Banquet at the end of the season.

Article XI Indemnification of Directors & Officers

SECTION 1. WST shall indemnify any person made a party to any action, suit, or proceeding by reason of the fact that such person, or his successor or assign, is or was a Executive, officer, or employee of WST against the reasonable expenses, including attorney fees, actually and reasonably incurred by such person in connection with the defense of such action, suit or proceeding. WST may also reimburse to any such Executive, officer, or employee the reasonable costs of settlement of any action, suit or proceeding if it shall be found by a majority of the General Membership that it was to be in the interests of WST that such settlement be made. Such rights of indemnification and reimbursement shall not be deemed exclusive of any other rights to which such Executive, officer, or employee may be entitled apart from the provision of these By-Laws.

Article XII Contracts, Checks, Notes, Etc...

SECTION 1. All contracts and agreements authorized by the Executive Board shall, unless otherwise directed by the Executive Board, must be

signed by either the President, Treasurer, or vice president in the absence of president WST. All checks and drafts issued by WST shall be signed by a combination of any two of the following; President, Treasurer, or the vice president in the absence of the president for amounts greater \$100.00. Amount less than \$100.00 require only one signature.

Article XIII Non-Profit Organization

SECTION 1. WST shall, at all times, be operated on a non-profit basis for the mutual benefit of its members. No dividends or other interests in the assets of WST shall be paid by WST to its members. No part of the earnings of WST shall insure to the benefit of, or be distributed to, its members, officers, Executives, or any other private persons or corporations. WST shall be authorized and empowered to pay reasonable compensation for services rendered and expenses incurred and to make payments and distributions and in full furtherance of the purposes set forth herein.

SECTION 2. No substantial part of the activities of WST shall be the carrying on of propaganda or otherwise attempting to influence legislation, and WST shall not participate in any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these By-Laws, WST shall refrain from engaging in any other activities not permitted of any tax-exempt organization under Section 501 of the Internal Revenue Code.

Article XIV Termination and Dissolution

SECTION 1. WST may be terminated and dissolved upon affirmative vote of at Least two-thirds (2/3) of all General Members entitled to vote. In The event of such termination and dissolution, the Executive Board shall, after paying or making provisions for the payment of all liabilities of WST, make a determination for the further disposition of any additional assets or net worth of WST.

Article XV Amendment of By-Laws

SECTION 1. The power to make, alter, amend, or repeal these By-Laws is vested in the General Membership. The affirmative vote of a majority quorum of the general membership shall be necessary to effect alteration, amendment, or repeal of the Code of By-Laws.