

Thunderbolt Swim Team, Inc.

Bylaws

Article I—NAME

Thunderbolt Swim Team, Inc. shall be the official name of the Corporation. Thunderbolt Swim Team, Inc. recognizes the use of other names for identification purposes. The use of the term Thunderbolt Swim Team (“BOLTS”) shall be deemed appropriate for identification of the organization and may be used on signs, letterheads, swimwear, and the like.

Article II—OBJECTIVE

The objective of the Thunderbolt Swim Team, Inc. (BOLTS), an amateur sports organization, is to develop, promote and regulate the sport of competitive swimming for swimmers ages 3 – 18 by organizing local, county and statewide competitions, promulgating rules, organizing officials, presenting training, and otherwise encouraging growth of the sport of competitive swimming. It is the desire of the team to also create an environment that will promote good sportsmanship among the swimmers as well as their parents.

Article III—ORGANIZATION AND MEMBERSHIP

- A.** Thunderbolt Swim Team, Inc. shall be governed by a Board of Directors (Board). The Board of Directors may consist of up to ten (10) members, but not less than seven (7): Primary Council (President), Secondary Council (Vice President), Treasurer, Secretary and at large members. A quorum for any meeting of the Board of Directors shall consist of a majority of the Board members. The head coach serves as an “additional,” non-voting board member. The President shall not be called upon to vote except in the case of a tie.

- B.** Thunderbolt Swim Team, Inc. will have members. The voting members shall be the members of the Board of Directors. The non-voting members shall be the members of the swim team. A member of the swim team is any parent who meets the requirements of registration for their child (children) as a participant of the BOLTS. The manner of election or appointment and the qualifications and rights of the non-voting members shall be set forth in the Bylaws.

- C.** To participate on the swim team, swimmers must:
 - 1. Become a fully paid member of the BOLTS at the time of each yearly registration.
 - 2. Must meet the contribution requirements for concessions, to be determined each season.
 - 3. Must be able to swim 25 yards of the pool in freestyle without any assistance and without any swim aid.
 - 4. Provide a valid birth certificate or passport (first time registrations only).
 - 5. Have a parent or guardian available at pre-determined meets to serve in at least three parent volunteer jobs that will be assigned at the beginning of each swim season by the Board of Directors. Parents may opt to forego a volunteer job by paying a ‘no work’ fee as determined by the Board.
 - 6. Have no outstanding payments due the BOLTS.
 - 7. No member will be denied access to participation due to hardship related to the financial obligation. Each hardship case will be examined and determined by the Board.

- D. A swimmer's membership with the BOLTS may be terminated at any time during the swim season if the Board of Directors determines that a swimmer and/or his parents are disruptive to the safe and effective operation of the team. This action may include but is not limited to sexual harassment, sexual molestation, acts unbecoming or any other action that is in violation of the GA Code of Law as deemed by the Board as an action that directly affects the BOLTS and/or its programs. This action will result after a special parent and/or swimmer meeting with at least three members of the Board of Directors (appointed by the President) who will act as a Board of Arbitration. This special meeting will be called by the President with at least one week notice given to all parties by email or letter. The President and/or representative member (s) of the Board of Directors may bring into the meeting any other persons deemed necessary to address the situation in question. A majority vote of the Board of Directors would then be required for dismissal. No refunds will be given due to dismissal from the team.
- E. The fiscal year for Thunderbolt Swim Team, Inc. is January 1 through December 31.

Article IV—BOARD OF DIRECTORS

- A. All Board members must make every effort to attend and participate in parent, team and Board meetings. The President of the Board of Directors may call a special meeting of the Board with at least three days notice by email or any other reasonable communication. A Board member must commit to a term beginning October 1st, running through September 30th of each year.
- B. The Board of Directors shall have full power to manage and regulate the affairs of the BOLTS, to make membership rules or repeal the same at their discretion, or to do such acts as may be necessary for the welfare of the team. The Board of Directors shall govern the Corporation, and shall have all the rights and powers of a Board of Directors under the laws of the State of Georgia and of the United States, as well as such other rights and authority as are herein granted. Such rights and powers shall include, but not be limited to, the power to adopt, alter, amend, or repeal the Bylaws at any regular or special meeting of the Board of Directors. At least fifteen (15) days written advance notice of said meeting to adopt, alter, amend or repeal the Bylaws shall be given to each member of the Board of Directors.
- C. The Board shall have full power to regulate with Board approval the use of the team logo and name in all team related events, spirit wear, advertising and legal activities.
- D. In the event of filling vacancies of Board members, the present Board will submit names of potential candidates for consideration. Potential Board members will also be considered from any who would volunteer or from suggestions from any member as long as said recommendation is in writing.
- E. Potential candidates must be submitted to the Board of Directors and approved by a 2/3 vote of the Board.
- F. All votes and approvals by email shall be binding on Board decisions solicited through email.
- G. The Board of Directors shall have full power to manage all sub-contracted coaches and/or direct any disciplinary actions needed due to unbecoming actions on the part of any coach.

The Board of Directors shall have full power to manage all sub-contracted persons or companies needed to conduct necessary business with said Corporation.

- H. A criminal background check will be required for every Board member every three years of service. A criminal background check will be required of each new Board member before final approval. Records of background checks will be held by the Treasurer along with the other legal records. The Board of Directors shall have the power to determine the actions that disqualify someone for Board approval. A majority of the Board must give final approval in these instances.
- I. If any Board member shall at any time cease to meet the qualifications or fulfill the duties of the position, or be involved in any criminal (unbecoming) conduct, that person may be removed from the Board by a resolution adopted by a majority vote of the sitting Board. All officers and Board members shall turn over to the President all records, books, computers, passwords and any other materials pertaining to their office, and shall return to the Treasurer all receipts and funds pertaining to their office within five (5) days upon the expiration of their term or in case of resignation or removal.
- J. The office of Primary Council/President and the office of Treasurer cannot be occupied by members of the same family in any one given board term of service, i.e. husband and wife, brother and sister, parent and child, etc.

Article V—DUTIES OF OFFICERS

- A. Officers shall assume their duties October 1 and shall serve through September 30th of the following year.
- B. Duties
 - 1. The Primary Council (President) shall:
 - a. Preside at all meetings.
 - b. Call special meetings as needed.
 - c. Appoint key positions as needed.
 - d. Carry out assignments and instructions from the Board of Directors.
 - e. Enforce regulations of the BOLTS and Gwinnett County Swim League.
 - f. Preside at all disciplinary or inquiry meetings.
 - 2. The Secondary Council (Vice President) shall:
 - a. Take over the duties of the Primary Council in the absence of Primary Council.
 - b. Ensure background checks are performed as needed for all board members.
 - c. Oversee the auditing (internal and/or external) of all Corporation records.
 - 3. The Treasurer shall:
 - a. Collect all fees, dues and monies.
 - b. Render an up to date financial report as requested by any Board member.
 - c. Pay the authorized bills of the organization upon presentation.
 - d. See to the filing of all forms and schedules, as may be required by the tax laws of the State of Georgia, Internal Revenue Service and insurance regulations.
 - e. Set in place any accounting practices as deemed necessary in order to properly perform the duties of office and legal accounting practices.

- f. Maintain at least one other person on the Board who is validated to sign checks as the need may arise.
- g. Maintain a fiscal year beginning on January 1 and ending the following December 31.
- h. Maintain Quickbooks as the standard forum for all treasury recording and bookkeeping.
- i. Keep all records (financial and legal) at a designated location approved by the Board of Directors. All records are to be kept for a period of seven (7) years.
- j. A scanned and/or duplicate/computer copy of all records is to be kept in a location other than the designated place of record as sited in Article V.3.i.
- k. Make all records available for audit or review, internal or external, in a timely manner.
- l. Make available to the members and/or the public the corporate financial statements as required by IRS regulations.
- m. Maintain the Corporate stamp and Corporate notebook containing the Corporation's legal documents.

4. The Secretary shall:

- a. Keep a record of proceedings of all meetings and shall provide minutes from the meetings at the next scheduled meeting.
- b. Record background checks as performed annually for Board members who qualify for the checks.

Article VI—SPECIAL REGULATIONS

- A.** The BOLTS shall be governed by the rules and regulations promulgated by the BOLTS Board of Directors in all matters pertaining to team participation. In matters related to swimming competition, the team shall be governed by rules of the Gwinnett County Swim League, except with regard to strokes and turns, where rules and regulations specified by USA swimming or its successors will apply.
- B.** All fund raisers using the BOLTS name must be approved by the Board of Directors.
- C.** All expenditures to be paid by the Treasurer in excess of **\$300** are to be approved by the Primary Council (President).
- D.** No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, officers or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth the in these Bylaws.
- E.** No substantial part of the activities of the corporation shall constitute the carrying on of propaganda or otherwise attempting to influence legislation, or any initiative or referendum before the public, and the corporation shall not participate in, or intervene in (including by publication or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office.

Article VII—NON-ASSESSABILITY

The private property of the Board of Directors and the members of Thunderbolt Swim Team, Inc. shall be non-assessable and shall not be subject to payment of any corporate debts, nor shall the Board of Directors or members of the Corporation become individually or corporately liable or responsible for any debts or liabilities of the Corporation.

Article VIII—DISSOLUTION

- A.** The BOLTS may be dissolved by a $\frac{3}{4}$ vote of the Board of Directors followed by a $\frac{3}{4}$ vote of the membership provided that written notice of the proposed dissolution has been given to all members at least 25 days prior to the meeting by the Board of Directors.
- B.** In the event of dissolution, it is specifically provided that none of the assets of the organization will transfer to benefit any one individual or company owner, but will be distributed to a religious, charitable, or other organization of the type described in Section 501[C] [3] and exempt under Section 501[A] of the Internal Revenue Code.