

By-Laws of
Lubbock 50 & Over Softball
DBA
Lubbock Senior Softball Club
Lubbock, Texas

Article I

- Section 1 Office
- a. The principal office of the Club for the transaction of its business is located in the City and County of Lubbock, Texas.

Article II

- Section 1 Objective
- a. To provide any man ~~fifty (50)~~ **forty (40)** years of age by 12-31, of the **current** playing year, the opportunity to play in slow pitch softball in organized league play and to participate in any other athletic activity sanctioned by the club.

Article III

- Section 1 Membership
- a. Any man who will be fifty (50) years of age by 12-31, of the **current** playing year, and resides in Lubbock County, or is in an area in which organized senior slow pitch softball is not available may apply for membership in the Club ~~within the 50 & Over Division.~~
- b. ~~Any man who will be forty (40) years of age by 12-31, of the current playing year, and resides in Lubbock County, or is in an area in which organized senior slow pitch softball is not available may apply for membership in the Club within the 40 & Over Division.~~
- c. All applications for membership are subject to approval by the Board of Directors.

- Section 2 Rights and Privileges
- Unless otherwise restricted in the By-Laws, all members shall be eligible to hold office, vote, and participate fully in all Club activities. The property rights, interests, and privileges of each member shall be equal.

- Section 3 Dues
- a. Members of this Club are subject to the annual payment of dues. The amount of **Club dues and Player Dues** shall be established in a budget that is prepared by the Club Treasurer, approved by the Board of Directors, and presented to the general membership at the ~~November regular~~ **Annual** meeting for approval.
- b. ~~Dues for non-playing members who do not wish to participate in active play will be established at one-half the regular annual dues figures.~~
- c. A member may be designated as a life member upon recommendation by the Board of Directors and affirmation by two-thirds of the members voting.
- d. All dues shall be payable in a manner prescribed by the Board of Directors.

- Section 4 Non-liability of Members
- No member of this Club shall be personally liable for the debts, obligations, or the liabilities of the Club.

- Section 5 Honorary Members
- Honorary members may be elected by unanimous vote of the Board of Directors. Honorary members will not pay dues and will not have any voting rights at Club meetings. Honorary

Commented [BH1]: Proposal: Doing Away with "Lubbock 50 & Over Softball DBA"
Rationale: Membership is described in Article III and the club would be expanded to 40 and over, having its own division within the club.

Commented [BH2]: Proposal: Change the age from 50 to 40 and add 'current' to the playing year.
Rationale: Membership is described in Article III and would be expanding to include the 40 and over age group, having its own division within the club. 'Current' Would clarify the year in which the member turned 40 or 50.

Commented [BH3]: Proposal: Creation of two divisions, 50 & Over and 40 & Over
Rationale: Adding a 40 & Over Division to the Club; clarifying the difference between the two divisions.

Commented [BH4]: Proposal: Creation of two divisions, 50 & Over and 40 & Over
Rationale: Officially add the 40 & Over Division to the club. Clarifies separation between the two divisions.

Commented [BH5]: Proposal A: Change dues to Club Dues and Player Dues. Proposal B: Change the November regular meeting for approval to "Annual Meeting for approval."
Rationale A: Changing the dues structure is common practice to separate Playing club members from Non-playing club members.
Rationale B: There is no longer a regular meeting in November and the Year end meeting is the final meeting of the year.

Commented [BH6]: Proposal: Eliminate non playing dues in III.3.b as this would be addressed in III.3.a as written above.

members may not hold office or be assigned as an active player.

Section 6 Termination

Any member may be expelled for good cause upon charges brought by any member, providing he is given an opportunity to be heard in his own defense in a hearing before a committee appointed by the Board of Directors. Said committee may hear testimony of information from any source it deems relevant and is not bound by the rules of evidence in reaching its conclusion. Said committee will report its recommendations to the membership at the next regular meeting occurring not less than two weeks following the filing of charges. A decision by a simple majority of those voting by secret ballot will be final. A terminated member may reapply for membership in future fiscal years subject to membership vote on acceptance.

Section 7 Resignation

Any member may resign at any time by sending a written letter of resignation to any member of the Board of Directors.

Section 8 Insurance

The Club does not provide medical or life insurance to its members.

Article IV

Section 1 Annual Meeting

The Annual meeting of Club members shall be held at a time and location designated by the Board of Directors. Ten Days' notice to the membership is required for meetings. The Board of Directors may cancel the meeting by giving members 30 days' notice in writing.

Section 2 Special Meetings

Special meetings may be called by the Board of Directors or by petition of 10% of the membership. Advance notice of at least three days must be given to at least 50% of the membership specifying the time, place, and nature of business to be transacted.

Section 3 Quorum

At all meetings a quorum shall be one percent (1%) of the members of the Club. If a quorum is not present, the meeting will be adjourned and no business may be transacted.

Section 4 Voting Rights

All regular and lifetime members have equal rights and one voted on each item submitted to the membership. Voting shall be by voice, show of hands, or ballot. Proxy votes are not permitted.

Section 5 Conduct of Meetings

- a. Meetings shall be presided over by the President. The Secretary shall act as secretary of all meetings. In the absence of either officer or their designated successor, the membership shall elect an interim Chairman or Secretary.
- b. Meetings shall be governed by Robert's Rules of Order insofar as such rules are not inconsistent with the Articles of Incorporation, By-Laws, or Standing Rules.

Article V

Section 1 Office Directors

- a. The governing and management of the Club, except as otherwise provided in the Articles of Incorporation, By-Laws, Standing Rules, or resolution of the membership, shall be vested in and controlled by a Board of a minimum of seven Directors who shall be officers and members of the Club. If an Officer/Director at any time ceases to be a member of the Club, he shall thereby cease to hold office.

Section 2 Terms of Office

- a. The term of office of each Officer/Director shall be twelve months beginning immediately after election, but continuing until successors are elected.

Section 3 Elections

- a. An election for each Officer/Director shall be held at the annual meeting.
- b. An unopposed slate of candidates may be adopted by acclamation of the members present. If there are two or more candidates for an office, a secret ballot shall be taken and the candidate receiving the most votes shall be elected. Nominations from the floor need not be seconded but must be accepted by the nominee.

Section 4 Officer/Director Vacancies

Whenever an Officer/Director vacancy exists, the Board of Directors may make an interim appointment to serve until the next regular meeting, at which time an election will be held to fill the unexpired term.

Section 5 Duties of the Board of Directors

- a. Meetings of the Board of Directors shall have a quorum of ~~four~~ 50% plus 1 of the directors present in order to transact any Club business.
- b. The Board of Directors shall conduct, manage, and control the business affairs of the Club; execute contracts, and establish rules and regulations; all in a manner not inconsistent with the Articles of Incorporation, By-Laws, Standing Rules, or the resolution of the membership.
- c. They shall make no unusual or unprecedented expenditures of Club funds in excess of three hundred dollars (\$300) without prior membership approval. Unusual expenditures mean any except those that are common and necessary for the efficient operation of the Club and/or as adopted in the annual budget as approved by the membership.

Commented [BH7]: Proposal: Change the number needed for a quorum to reflect 50% plus 1 for different number of directors that may be serving in a given year. Rationale: Adding the Over 40 Division will require more commissioners and a player Representative for that Division, all who would have board voting rights.

Article VI

Section 1 Officers of the Club

There shall be a minimum of ~~seven~~ ten officers who shall serve as members of the Board of directors: President (1), Vice President (1), Secretary (1), Treasurer (1), Club Commissioners (2 minimum for each division), and Player Representatives (2; one for each division).

Section 2 Duties of the President

- a. The President shall be the Chief Executive Officer of the Club, and shall in general, subject to the control of the Board of Directors, Supervise and Control all of the business affairs of the Club.

Commented [BH8]: Proposal: Increase Board Positions to include 40 and Over Division. Rationale: Have a separate Player Representative and Commissioners for the 40 and Over Division. *** This number would be a minimum of 9 if the Treasurer and Secretary positions were to be combined.

- b. He shall insure compliance with the Articles of Incorporation, By-Laws, Standing Rules and Resolutions of the membership.
- c. He shall serve as the presiding officer at all meetings of the membership and Board of Directors.
- d. He shall be responsible for overseeing and directing the solicitation of sponsors and collection of sponsor contributions.
- e. He shall serve as ex-officio member of all committees.
- f. He shall countersign checks issued on behalf of the Club.

Section 3 Duties of the Vice President

- a. The Vice President shall, in the absence of the President, assume the duties of the President. He shall advise and consult with the President and assume any other duties assigned by the Board of Directors.
- b. He shall be responsible for establishing league playing rules subject to approval by the Board of Directors. He may ask league team managers to assist in this function.
- c. He shall recommend standing rules for approval by the Board of Directors. These rules shall not conflict with the Articles of Incorporation or the By-Laws.
- d. He shall also oversee and direct the purchase of uniforms and equipment and assume any other duties assigned by the Board of Directors.
- e. **Responsible for scheduling scorekeepers and umpires for the leagues.**

Section 4 Duties of the Secretary

- a. The Secretary shall keep the minutes of meetings of the membership and meetings of the Board of Directors.
- b. He shall prepare and keep a membership roster and confirm that a quorum is present when challenged by the membership.
- c. He shall duly give all notices required by law of these By-Laws.
- d. He shall keep on file the articles of Incorporation, By-Laws, Standing Rules, and minutes of the meetings. He shall be the custodian of these and all other Club records. He shall make an orderly transfer of all such records to a successor.
- e. He shall conduct official correspondence of the Club and perform any other duties assigned by the Board of Directors.

Section 5 Duties of the Treasurer

- a. The Treasurer shall collect all monies due the Club including dues.
- b. He shall be the custodian of all Club funds and deposit them in a depository designated by the Board of Directors. He shall disburse such funds with the approval of the Board of Directors or the membership. He shall prepare a Club financial statement for the President or Board of Directors on request.
- c. He shall maintain adequate records of all income and disbursements and have on file receipts for all transactions. These records shall be kept open to any Club member.
- d. He shall cooperate fully in an annual audit of his accounts by a committee appointed by the membership.
- e. He shall perform all duties incidental to the office or assigned by the President or Board of Directors.

Section 6 Duties of the Club Commissioners

- a. The Club Commissioners shall govern the rules of play as established and enforce adherence to such.
- b. **Be responsible for field set up and tear down for league playing season.**

Section 7 Duties of the Player Representative

- a. The Player Representative shall be in charge of all matters relative to the Club membership.
- b. He shall maintain liaison with the Treasurer regarding Club membership only.
- c. He shall be in charge of the annual league team draft.

Commented [BH9]: Proposal: Add to the duties of the Vice President, as it currently does not sit with any director in the league.
Rationale: Vice President is responsible for playing rules, so this seems to be best director for this.

Commented [BH10]: Proposal: Combine the Secretary and Treasurer Positions.
Rationale: Many of the duties of both officers are reliant and predicated on the duties of the other officer.

Commented [BH11]: Proposal: Add this responsibility to the Commissioners.
Rationale: Make sure the fields are properly set up and equipment properly stored at the end of each night.

- d. He shall maintain and keep a waiting list in chronological order of prospective Club members. League team assignments shall be made from this list as vacancies occur.

Section 8 Removal of an Officer

An Officer of the Club may be removed under the same terms as stated in Article III, Section 6 of these By-Laws.

Section 9 Compensation

All officers shall serve without compensation except that they shall be reimbursed for necessary expenses incurred on behalf of the Club.

Article VII

Section 1 Standing Committees

The ~~following~~ following standing committees shall be appointed by the President:
Entertainment Committee-shall establish and conduct all social functions of the Club.

Section 2 Ad Hoc Committees

- a. Nominating Committee. Three members shall be selected from the membership with two members appointed by the President from the Board of Directors and one member appointed from the members at large. The committee shall elect its own chairperson. The committee shall select one or more candidates for each office and present them to the membership prior to the Annual Meeting
- b. Audit Committee-shall consist of three members elected by the membership at the October regular meeting. They shall audit all books and records of the Treasurer and make their written report at the January meeting.
- c. Other Ad Hoc committees may be appointed by the President with the approval of the Board of Directors.

Article VIII

Section 1 Miscellaneous Provisions

Without explicit authorization of the Board of Directors, no member, officer, or agent of the Club may act as liaison, use the Club name, or bind the Club in any manner.

Section 2 Fiscal Year

The fiscal year of the Club shall be twelve months beginning January 1 and ending December 31.

Section 3 Club Equipment

All Club equipment issued, loaned, or made available for the use of Club members remains the property of the Club and must be returned upon termination of membership.

Section 4 Indemnity

Each member, by signed agreement in their application, shall indemnify and waive all liability of the Club.

Section 5 Checks

In the absence of the Club President or Treasurer, the Vice President shall countersign Club checks.

Article IX

Section 1 Appointments

The following shall be appointed or replaced by the Board of Directors as needed or as otherwise designated:

1. Sponsor Coordinator – shall be responsible and delegated authority by the Vice President to assist in obtaining the renewal of current sponsors and in soliciting and enrolling new sponsors.
2. Assistant Treasurer – shall, during the absence of the Treasurer perform all duties of Treasurer except serving as a member of the Board of Directors. He shall perform any other duties assigned by the Board of Directors.
3. Assistant Secretary – shall, during the absence of the Secretary perform all duties of Secretary except serving as a member of the Board of Directors. He shall perform any other duties assigned by the Board of Directors.
4. Parliamentarian – shall interpret the Articles of Incorporation, By-Laws, Standing Rules, and all questions of parliamentary procedure to the office. He shall serve as a non-voting advisor to the Board of Directors. At the direction of the Board of Directors, he shall be responsible for making available copies of the Articles of Incorporation, By-Laws, and Standing Rules.
5. Historian – shall maintain files of all Club activities as a record of Club history.
6. Editor – shall edit and publish the monthly Club paper for distribution to the membership.

Article X

Section 1 By-Laws

New By-Laws may be adopted or these By-Laws amended or repealed by first presenting such proposals in writing to the members at least one month prior to voting on such proposals. Adoption shall require a majority vote of the members present. By-Laws being adopted, amended, or repeated will be voted on only at the annual meeting each year.

Section 2 Certification and Inspection

A copy of these By-Laws shall be certified by the Secretary and recorded in a Club book which shall be available to members during meetings.

Certification

I, Gary McCoy, hereby certify that the By-Laws attached hereto are an exact copy of the By-Laws of Lubbock Senior Softball Club, adapted by a majority of the membership at a regular meeting held on October 27, 2015.

President: _____ Signature: _____